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Earl Warren Oral History Project

Arthur H. Breed, Jr.

ALAMEDA COUNTY AND THE CALIFORNIA LEGISLATURE: 1935-1958

An Interview Conducted by
Gabrielle Morris

Copy No. 1



Arthur H. Breed, Jr.
ca. 1950

April 21, 1989
(b. 1904)

Former state senator Arthur Breed Jr. dies

The Tribune

Arthur Breed Jr., who represented Oakland in the state Assembly and state Senate for 24 years, died Tuesday on the deck of the steamer Delta Queen near Natchez, Miss.

He was 85; the apparent cause of death was heart failure.

Mr. Breed, whose father Arthur Breed Sr., was also a state senator, served in the state Assembly from 1934 to 1938 and then advanced to the state Senate seat vacated by William F. Knowland.

Mr. Breed, a Republican, held the seat from 1938 through 1958, when he retired.

During his time in the legislature, he was particularly interested in transportation matters and in 1984 the stretch of Interstate 580 between Castro Valley and the Altamont Pass was named for him. Mr. Breed also

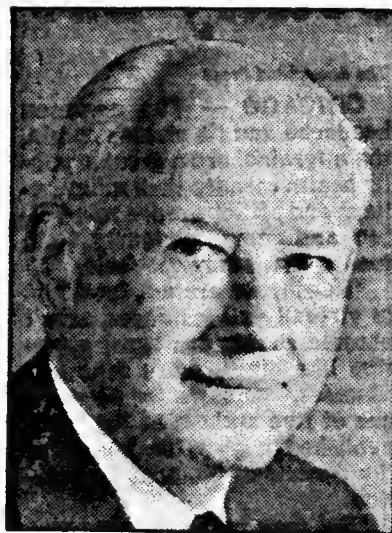
supported the creation of the Bay Area Rapid Transit District.

Born in Brookdale, Santa Cruz County, Mr. Breed was a member of the first class to graduate from Piedmont High School, and he graduated from the University of California at Berkeley in 1927.

He was president of Broadmore Improvement Co., an Oakland development firm that helped build some of the early subdivisions in San Leandro and Orinda.

Mr. Breed was a board member and former president of the California State Automobile Association; a former board member of Blue Cross of California and the Shriners Hospital for Crippled Children and a former board member of Coast Savings and Loan.

He is survived by his wife, Margaret Breed of Piedmont; a



Arthur Breed Jr.
Memorial service Tuesday

daughter, Martha H. Breed of Oakland; and his son, George Breed of San Francisco.

A memorial service will be held at 2 p.m. on Tuesday, at the Tower Chapel of Mountain View Cemetery, 5000 Piedmont Ave.

Donations to a charitable cause in lieu of flowers are suggested.

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PREFACE

The Earl Warren Oral History Project, a special project of the Regional Oral History Office, was inaugurated in 1969 to produce tape-recorded interviews with persons prominent in the arenas of politics, governmental administration, and criminal justice during the Warren Era in California. Focusing on the years 1925-1953, the interviews were designed not only to document the life of Chief Justice Warren but to gain new information on the social and political changes of a state in the throes of a depression, then a war, then a postwar boom.

An effort was made to document the most significant events and trends by interviews with key participants who spoke from diverse vantage points. Most were queried on the one or two topics in which they were primarily involved; a few interviewees with special continuity and breadth of experience were asked to discuss a multiplicity of subjects. While the cut-off date of the period studied was October 1953, Earl Warren's departure for the United States Supreme Court, there was no attempt to end an interview perfunctorily when the narrator's account had to go beyond that date in order to complete the topic.

The interviews have stimulated the deposit of Warreniana in the form of papers from friends, aides, and the opposition; government documents; old movie newsreels; video tapes; and photographs. This Earl Warren collection is being added to The Bancroft Library's extensive holdings on twentieth century California politics and history.

The project has been financed by four outright grants from the National Endowment for the Humanities, a one year grant from the California State Legislature through the California Heritage Preservation Commission, and by gifts from local donors which were matched by the Endowment. Contributors include the former law clerks of Chief Justice Earl Warren, the Cortez Society, many long-time supporters of "the Chief," and friends and colleagues of some of the major memoirists in the project. The Roscoe and Margaret Oakes Foundation and the San Francisco Foundation have jointly sponsored the Northern California Negro Political History Series, a unit of the Earl Warren Project.

Particular thanks are due the Friends of The Bancroft Library who were instrumental in raising local funds for matching, who served as custodian for all such funds, and who then supplemented from their own treasury all local contributions on a one-dollar-for-every-three dollars basis.

The Regional Oral History Office was established to tape record autobiographical interviews with persons prominent in the history of California and the West. The Office is under the administrative supervision of James D. Hart, Director of The Bancroft Library.

Amelia R. Fry, Director
Earl Warren Oral History Project

Willa K. Baum, Department Head
Regional Oral History Office

30 June 1976
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EARL WARREN ORAL HISTORY PROJECT

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* Deceased during the term of the project.

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(California, 1926-1953)

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EARL WARREN ORAL HISTORY PROJECT
(California, 1926-1953)

Interviews in Process - June 1977

Single Interview Volumes

Breed, Arthur
Brown, Edmund G. (Pat)
Carter, Oliver [deceased]
Gordon, Walter [deceased]
Kenny, Robert [deceased]
Kuchel, Thomas
Olney, Warren
Sweigert, William
Wollenberg, Albert

Multi-Interview Volumes

THE GOVERNOR'S FAMILY

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Warren, Nina (Honeybear) [Mrs. Stuart Brien]
Warren, Robert, *Playing, Hunting, Talking*

RICHARD M. NIXON IN THE WARREN ERA

Adams, Earl
Crocker, Roy
Day, Roy
Dinkelspiel, J. S.
Hansen, Victor
Jorgenson, Frank
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To be Expanded and Completed Under the Knight-Brown Project

Call, Asa
Johnson, Gardiner
Shell, Joe

INTERVIEW HISTORY

An astute participant in public affairs for more than forty years, Arthur H. Breed, Jr., provides in this short interview valuable insights into Alameda County politics in the 1930s; the workings of the state senate of which he was a member in the 1940s and 1950s; and a long acquaintance with Earl Warren as district attorney, attorney general, and governor.

Cheerful, trim, and well-tailored, Senator Breed welcomed the interviewer to a small office packed with legislative and business papers above the family real estate firm in downtown Oakland where conversations were recorded on 16 August and 6 September 1973.

Like his father, distinguished senate leader Arthur H. Breed, Sr., before him, Mr. Breed played a key role in senate discussions concerning the University of California and in development of the state highway system and other aspects of transportation. His approach to legislative responsibilities is simple and direct: "I like people; I like to accomplish things; I like to help people solve their problems."

In the interview, he also speaks of the duty of a legislator to "look far enough ahead to see problems and meet the need before they become acute," and notes that all legislation is a matter of compromise. Adding that one must see all sides of a question, he outlines a few of the budget compromises he supervised in his work with the Senate Finance Committee.

After twenty years in the senate, the press of the family business, which has contributed much to land development in Alameda County, plus the fulltime legislative workload led the senator to decline to seek re-election. In 1977, he is still active in business and community affairs and continues his interest in the University, offering practical advice to this project for the continuance of its governmental studies.

Mr. Breed reviewed the edited transcript of the interviews, making a few additions and revisions, and supplied several illustrative photographs from his large collection of legislative memorabilia.

Gabrielle Morris
Interviewer-Editor

16 August 1977
Regional Oral History Office
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I PERSONAL BACKGROUND

[Date of Interview: August 16, 1973]

[Begin tape 1, side 1]

Arthur H. Breed, Sr. in the State Senate

Breed: I'll be glad to answer your questions or however you want to handle this.

Morris: Okay. To begin with, tell us something about your personal background.

Breed: Yes. I see you have a note here about parents. My father was born in San Francisco in 1865 and lived there with his parents. At a very early age, he became interested in buying property in San Francisco--sand lots--and did rather well, and then moved to the East Bay because of the health of his mother. That was in the 1880s.

My mother was born in Ohio. Her parents brought her to Oakland about 1883, and lived the rest of their lives here in Alameda County.

Morris: Your mother's family moved from Ohio out to Oakland.

Breed: Out to California, yes. Mother and Father were married in 1893.

Morris: What was your mother's maiden name?

Breed: Carolyn Hall. As for myself, I'm the youngest of four children. I have two brothers and a sister--I seem to be the only one that had an interest in public affairs--public service--in which, of course, my father distinguished himself.

Years ago, out of necessity in the depression, my father ran and was elected the auditor and assessor of the City of Oakland.

Morris: This was when?

Breed: In the Panic of '93--the so-called Bankers' Panic--my father and mother went to the Chicago World's Fair on their honeymoon. While they were away, the Bankers' Panic hit. When Dad came back, he was worse than broke; he was in good shape when he left, but he had a few mortgages he owed on, he was worse than broke. He owed money because of his commitments.

Then, in order to support his young family, he needed to have some sure income. The real estate business was very quiet and dull. He spoke to his friend, Guy C. Earl, who suggested that he run for the office of auditor and assessor of the City of Oakland.

It was out of that acquaintanceship with Guy Earl, who later was a regent of the University of California--in fact, at the time he died, he was chairman of the finance committee of the Board of Regents of the university--that my father got interested in politics. Guy C. Earl was a state senator* and was also my father's attorney, and my father helped him in his campaign; Dad knew nothing about politics but was evidently so effective that Earl brought him in as part of his team.

Morris: As an adviser on Sacramento matters?

Breed: No. In those days, we did not have direct primaries but party conventions which made the party nominations. In those days, there was just one predominant party and that was the Republican party. Those nominated were as good as elected.

Earl was a very smart, capable person--I was going to say "manipulator" and I mean it in the kindest way. He was very capable in that way; in fact, he was the one who engineered--my father was a part of it--George C. Pardee's election as governor of California.

My father became active and was chairman of the Republican county committee; in fact, he was chairman of the county committee when Hiram Johnson ran for governor and was elected. My father had this kind of experience in Alameda County that was a build-up for him to be elected to the state senate.

He was elected in 1912 and his first session was 1913. He served in the state senate for twenty-two years, eighteen years of which he was president pro tem of the senate, the highest office the senators

*represented Alameda County 1893-1896.

Breed: can elect one of their members to be. Right up to the time he voluntarily retired from the senate.

Morris: He's remembered for his distinguished work in developing the state highway program; was that his major interest?

Breed: I would say one of his major interests was looking after the University of California, and I could tell you some stories concerning that.

UC President Benjamin Ide Wheeler came to Sacramento to represent the university; this was my father's first session. He said to President Wheeler, "Why are you up here?"

He said, "Well, I'm here to plead the case of the University of California."

My father said, "Well, why am I here? It's in my district. You go home and sit on your dignity as president of the university and I'll wrestle with these fellows in the legislature. If I don't do a good job, you'd just better elect another senator!"

Wheeler was a little bit amazed at that kind of talk. He went and asked his friend, Guy C. Earl, "What about this fellow, Breed?"

Earl replied, "You can rely on anything that he tells you." From then on, my father had for one of his main interests the University of California. So all during his life he had this warm relationship.

I think it was kind of interesting because my father had very little formal education; he never even graduated from high school. He was just naturally bright and studied and even developed his own system of algebra.

My sister, who was a math major at Cal and belonged to the mathematical honor society, told me she was amazed at our father's knowledge of mathematics and algebra. She taught math later and did graduate work in this field. I thought it was interesting.

He was elected to be a member of the Order of Golden Bear, a signal honor for one who had never attended any university whatsoever.

Morris: You yourself went to the university, and you said your sister did; did all four of you go?

Breed: Just my sister and I attended the University of California.

Morris: Was it a help or a hindrance to have your father and President Wheeler well known to each other?

Breed: Well, help in what way? I just don't quite see what you mean?

Morris: For a student, it must be an interesting experience to have--

Breed: Well, the university was so large that the fact that my father was in the senate made no difference, other than the one time my fraternity wanted to borrow a tall children's playground slide to be used as an entrance to a dance at the fraternity house. I went into Bob Sproul who was comptroller; that was about the only time that I got any consideration that any other student might not get.

No, it was never mentioned; there was no advantage or disadvantage.

Morris: I see. What did you study here as your major field?

Breed: I started in on a pre-legal and then transferred to the College of Commerce. I did not graduate from the University of California because I changed my orientation; I thought that law was what I wanted and then decided it wasn't.

I dropped out of the university in the middle of my studies there.

Morris: When was this?

Breed: My class was the class of '27 at the university. But I think I have as deep an affection for the university and a closeness to it as if I had gone through and graduated from the university.

Morris: Who do you recall on the faculty? Anybody in particular for whom you felt a warm spot or who really opened up an idea to you?

Breed: Oh yes, yes. There were a number of men, but particularly I remember a history professor--Professor McCormick--inspired me very much with his simple explanation of the purpose of history when I complained to him about remembering dates of battles.

He said, "Did you ever think of these people as living people reacting exactly the same way that you would? If I stuck a pin in you, you'd jump and say 'ouch', and they would have too. You think of them as just reacting in the same way you would react today."

That is the purpose of history and why we study--so that we can make our predictions as to what people will do in the future, if we know under what conditions they have operated in the past. To me this opened up a whole new concept of and interest in history as a result. That's why I still remember it today.

Morris: I should say so; that's a very vivid statement of what history is all about.

When you left the university, did you begin right away as your father's assistant?

Breed: No. I was in the stock and bond business with a firm called William Cavalier and Company. I started off as a messenger carrying securities between the Oakland office and the San Francisco office; I would make deliveries. Then I studied to be a bond salesman.

Then in 1928 I went to Europe on a trip that my father gave me, with another chap. When I came back in 1929, I became legislative assistant to my father in Sacramento. My official title was clerk of the Senate Finance Committee.

The chairman of that committee was a Senator Inman of Sacramento. He was really my official boss, but I operated out of my father's office. In this way, I was associated with many great men and able to observe them because my father and I lived at the Sutter Club and some of the senators also lived there. I was privileged to have breakfast and dinner with a number of the senators who were friends of my father there.

They had a Monday Night Club, a social gathering of the majority of the senators. I was the only outsider who was not a senator. The sergeant-at-arms, the lieutenant governor, and the secretary of the senate were there, and I was the only one who was not a senator other than those I've mentioned.

Morris: What an experience for a young man!

Breed: Yes. I learned to admire these men. I could meet them almost as an equal. It was also a great pleasure for me in later years; then I, too, was a senator serving with those men whom I had looked up to as a young man. Then to be on a first name basis with them when I became a senator was kind of a special thrill for me.

Morris: I should think so. Going back just one bit, was it the 1929 depression that decided you to leave the stock and bond business?

Breed: Yes, plus the fact that I had the opportunity to go to Europe. But it was the general tightening of conditions, the lack of sales of bonds and so forth, that caused me to decide to leave that business.

* J.M. Inman served in the senate from 1911 through 1934.

Morris: It was your interest in getting out into the business world that made you decide not to go back to the university?

Breed: Yes, that was part of it, yes.

Civic Experience and Political Campaigning

Morris: With your acquaintances through your father's service in local affairs, were you aware at all of Earl Warren as district attorney in those late twenties? Any contact with him?

Breed: Oh yes, yes. I was active in the Oakland Junior Chamber of Commerce. We had a very active group that were doing all kinds of things here in the community. We founded the organization and we had close association with the other junior chambers in other cities and attended their meetings. Some of us were active in politics through an organization called the Young Republicans and later the Republican Assembly that endeavored to participate in campaigns.

Earl Warren was active in that regard, as district attorney. We would see him at meetings and confer with him at meetings on different political problems in the county and in candidates' campaigns. I became acquainted with him and aware of him before I ever held public office.

Morris: Is this the California Republican Assembly?

Breed: Yes.

Morris: That's got an interesting history; wasn't it one of the first grassroots organizations?

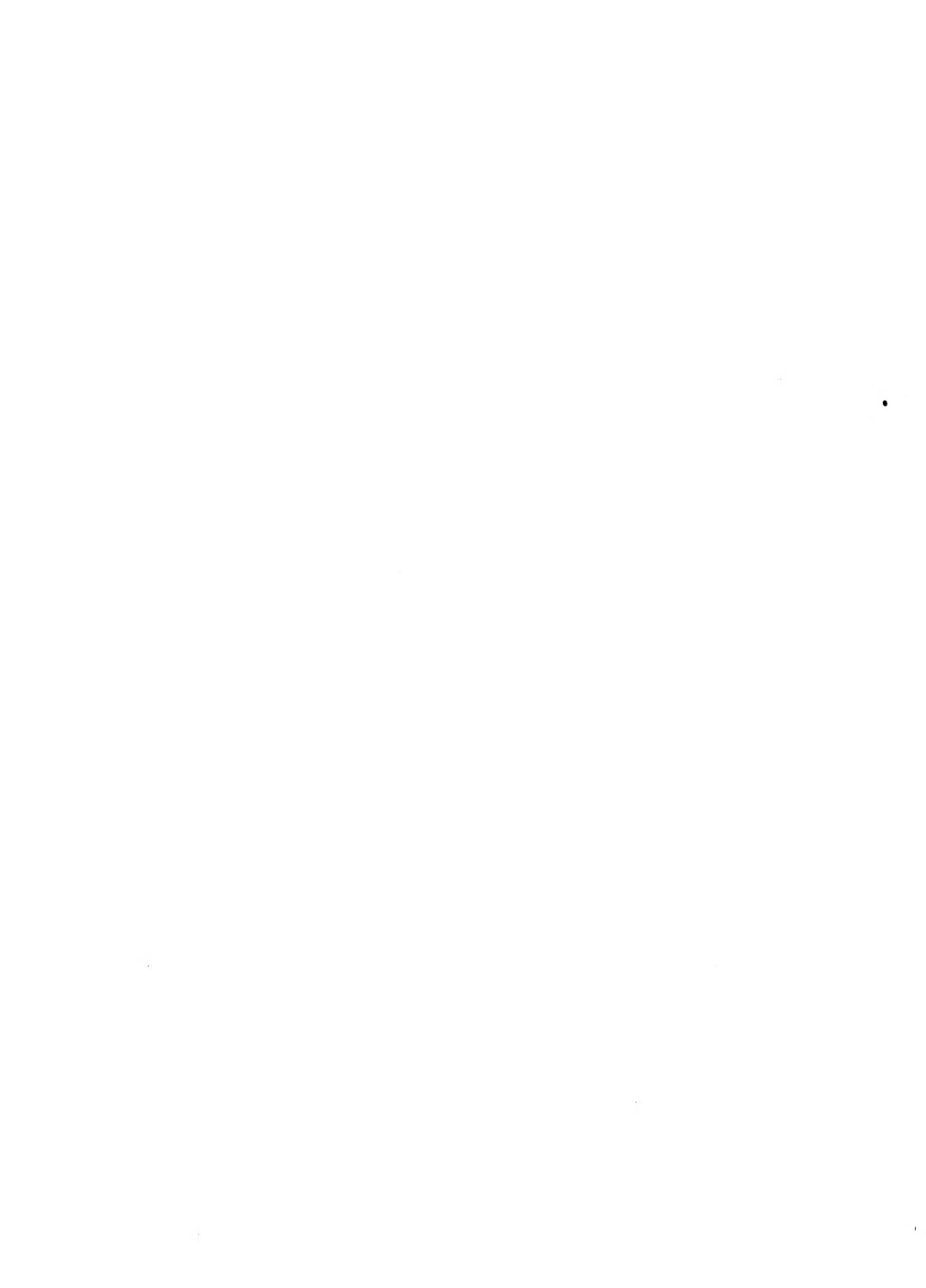
Breed: That was the idea, yes.

Morris: Did you help in the founding of that in the Oakland area?

Breed: Yes, I did. First I signed up a number of my friends in Bill Knowland's Young Republicans, then later in the Republican Assembly. There was a feeling that there was a need for young men to take an active part in politics. So I think I was one of the active organizers, as it were.

Morris: Was Warren a senior adviser, or was he active personally?

Breed: He was kind of a senior adviser. He had a warm personality. There were two factions in Alameda County. There was the Mike Kelly faction, Mike Kelly was classified as a political boss. He was interested in



Breed: good government but interested in local affairs--city and county office holders.

Then there was the Knowland camp, of which Earl Warren was a part. As far as us young fellows were concerned, we were neutral. It then finally developed that some of our friends were in the Mike Kelly camp, but we all knew Bill Knowland and Russell Knowland there because they were both in the Junior Chamber of Commerce and we were friends with them--very good friends. We had friends in both camps.

Morris: I'm interested that you say that Mike Kelly was interested in good government, because normally good government and "boss" don't go together.

Breed: Well, let me explain this. If Mike Kelly was not thoroughly honest and reliable, the Knowlands had the district attorney in their camp as friends, Mike Kelly would have been run out of Alameda County so long before any of us were active that we never would have known who he was or heard of him.

All he ever asked any person to do was to do an honest job. If somebody that he supported did not, there are cases on record where Mike Kelly went to them and said, "Look, you did something you shouldn't do; now you resign."

Mike Kelly supported me. I signed up a lot of people with Bill Knowland's Young Republicans; as I say, I was completely neutral. I said to Bill, "What are you going to do? What are your plans for the organization?" He said he'd let me know, but he never did tell me or get in touch with me or take me into his camp, so I felt he gave me the cold shoulder.

I had some friends in the Mike Kelly group; I had that support when I ran. I had the Knowland support also. I was kind of forced into the Mike Kelly group; Mike Kelly had supported my father and I asked Dad about Mike Kelly. He told me he was absolutely honest and reliable.

I can tell you that, while Mike Kelly supported me, he never at any time asked me to vote for or against any legislation whatsoever, and he never asked me to do anything that wasn't right and proper. The only thing he seemed to be interested in was helping people be appointed or elected to office.

As far as I was concerned, I can certainly tell you that he was a fine, honest, honorable man, though he had that reputation of being a political boss. He really wasn't a boss; he was just a person who

Breed: enjoyed the game of politics. As far as I know, he never received any personal benefit of any kind because of his activities.

Morris: That's a valuable comment.

Breed: That's my own personal experience.

Morris: It's really very helpful to have people who knew and worked with this variety of people. So Kelly supported you when you ran for the assembly, and which of the Knowlands did?

Breed: J.R. Knowland, who was the father of Bill and Russell Knowland. I had support from both the Mike Kelly camp and the Knowlands. Always--every time I ran.

Morris: What made you decide to run for elective office?

Breed: In 1929, when I was up in Sacramento with my father, I would observe what was going on. I was keenly interested. I came to the conclusion that if I couldn't do as well as some of these assemblymen, I'd better walk west till my hat floated. I felt that this was interesting; I loved it. I just took to politics.

I don't want to be misunderstood--it's a fascinating game. It is a game; all life's a game. This is a fascinating game; I felt I had some aptitude for it. I like people; I like to accomplish things; I like to help people solve their problems. I felt I could get along with people well, and so I was interested in that.

Then I was active in the Junior Chamber and we got talking about politics. We came to the conclusion we should have somebody holding office, not just be a bunch of boy scouts doing good here but get into the game.

I knew my father was not running for re-election, but nobody else knew it. I told my friends that my father wasn't going to run, because I did not want to run and confuse people with two Arthur Breeds on the ballot at the same time. They tried to talk me into running for the senate, but I said, "No, no." I felt that I should start at the bottom of the state picture and run for the assembly; I didn't want people to feel that I was riding on the coattails of my father.

I went to Assemblyman Eugene W. Roland of the 16th Assembly District, who was my assemblyman, and I told him, "You've always wanted my father to let you know when he was not going to run so that you could run for the senate. I tell you that in two weeks he will announce that he's not going to run. Therefore, you have time

Breed: to make up your mind and to make your plans so that you can run for the senate." He thanked me very much.

I said, "Now, in addition to that, I think you'd better run because I'm going to run for the assembly. You're not going to go back to the assembly; therefore, you'd better run for the senate."

My friends that had stuck their heads up above the multitude in the Junior Chamber and showed they had ability and drive and could be counted on and were doing things in the community--they agreed to be my campaign committee for the 16th District seat in the assembly.

I ran for the assembly; Gene Roland ran for the state senate. Bill Knowland had been in the assembly from Alameda--he also ran for the senate, and Bill Knowland was elected to take my Dad's place in the senate. I was elected at the primary for the assembly. That was at the primary election in 1934.

Morris: So Mr. Roland got completely left out.

Breed: He got left out. [Laughter.]

Morris: That's interesting that the Junior Chamber was such a significant factor.

Breed: Very active in those days. We had a horse show fire down here and the Oakland Junior Chamber decided that we should have a fireproof exposition building that would accommodate horse shows and other exhibitions like garden shows and so forth.

Russ Knowland was president of the Oakland Junior Chamber of Commerce and he gathered together a group of fellows and asked their opinion as to whether we should promote an exposition building, and went around the room asking everybody's opinion. When they all finished, he said, "Artie Breed, that's going to be your committee. Good luck, and we'll back you up all the way."

And so, I was chairman of the public affairs committee. We built the exposition building, and I had a lot of contact with city officials and the program. I had a top-flight committee of which Johnnie Allen--later congressman--was a member, and others. We constructed the building without a bond issue, out of current revenues.

Morris: Do you mean the JCs raised money?

Breed: No, no. We developed the plans and specifications and the whole program and ascertained what the needs were and how it could be financed. We had plans drawn, donated architectural drawings and

- Breed: engineering-approved drawings, and the estimates of costs, and then sold it to the city council of the City of Oakland; it was financed out of current revenue, not out of bond issues.
- Morris: In other words, you worked over the city budget to find out where they could shift money.
- Breed: And sold them on the idea. We had a meeting where we had the publisher of the Post Inquirer, Ingram Read, and Joseph R. Knowland, publisher of the Oakland Tribune, and other civic leaders. I had copies of our proposal for everybody in attendance. The committee had really worked this thing up in thorough fashion with all the details, we made the presentation and it took hold and we had unanimous support from then on.
- Morris: No wonder you ended up on the Revenue and Taxation Committee. [Laughter.] That's really an incredible example of civic accomplishment.
- Breed: That was kind of a start there. And of course we went out addressing public bodies to explain what we were doing and why and so forth.
- Morris: Very valuable experience. So that you were already well known, and favorably so, when you first ran for office.
- Breed: Yes, on my own, I became acquainted in that way.
- Morris: Both with civic groups and the government agencies.
- Breed: That's right. That's right.
- Morris: Interesting. Where is that Exposition Building? Does that still stand?
- Breed: It was just on Fallon Street--no, it does not still stand--toward the estuary from the auditorium and was a part of the Oakland Auditorium. When they built this Peralta College campus down here--Laney College--they took the Exposition Building down a few years ago.

The first show in there was the spring garden show, and the Junior Chamber had the dedication ceremony--I was the chairman of it. We drove the first pile, and I can show you pictures with the city manager, the mayor and me driving the first pile for the building.

Then, later on, there was pageantry; we used the school kids and had an international pageant at the dedication at the garden show at the Exposition Building. It was used for many, many years.

- Morris: That must have been a very exciting thing to participate in.

Breed: It was. We designed it so that it could be used for a boat show, with a great big high door they could bring a boat through with the mast up, and this sort of thing; and dirt floors so that they could use it as a cow barn or a horse barn--and so on.

The building came out within five thousand dollars of our estimate. The reason for going over five thousand was that the naval reserve unit wanted some offices in there, and they were paying rent. They spent five thousand dollars to accommodate a government tenant, and that paid for itself handsomely. Otherwise, the building was built right within the estimate that we had talked about in our promotion for the building. It did not go over.

II OBSERVATIONS ON A LONG LEGISLATIVE CAREER

Assembly Ground Rules in 1935

Morris: Were things as exciting as that when you got to the assembly?

Breed: Yes. We jokingly called the assembly "the cave of the winds." It was a rough and tumble fight. It was far different from the senate. You had to stand up and think on your feet, and dodge brickbats that would be thrown at you--verbal brickbats--from any quarter. It's a great place for a person to become initiated.

I've seen fellows--new men--standing at the microphone talking, and have actually seen their knees just shake because of the baptism you're liable to get. But I'd had enough familiarity with that Sacramento picture that it never bothered me; I enjoyed it and was fascinated with it.

I had the advantage of having discussed the background of state problems with my father and with other senators. I felt that, really, when I went there, I'd had the benefit of almost a session or two. Serving in the legislature, it takes a session or two before you feel at home; to "get onto the ropes."

I'd learned from my father that the first thing to do is to study the rules and know them backwards and forwards because you get into parliamentary debates at times; if you know the rules, you have the advantage of a fellow legislator who doesn't know the rules. You can either protect yourself or make the appropriate motion to get yourself out of a tight hole or to accomplish what you're seeking to accomplish.

Morris: Or to forestall somebody else.

Breed: That's possible too. That's right.

Morris: So you served two terms in the assembly?

Breed: Yes, I served two terms in the assembly. It was a time when California was changing. There was a movement called End Poverty in California (EPIC). We were in the Depression; this was in the middle thirties. There was a group that came up from Southern California primarily who didn't have much of a background, and they wanted to change things all around. Some of us who were more conservative fought that off. It was a very interesting time and yet a very trying time.

There were strong conflicts. It was not the harmonious gentlemen's club that I had observed in the senate. It was a rough and tumble battle, "give no quarter" kind of experience. Very frankly, at the end of my second session there that had been so trying, I questioned whether I wanted to go back.

Then Bill Knowland decided that he was not going to run for re-election to the state senate. I very quickly announced then that I would run for the state senate. I did, and believe it or not, I won at the primary in 1938. We could cross-file in those days. I ran for the senate not against an incumbent--Bill had decided not to run--and that started my twenty years in the state senate.

Morris: Did Bill endorse you in addition to deciding not to run again?

Breed: I won't say that Bill endorsed me. I would say that the Tribune supported me. I'll tell you a conversation. I went around to Bill Knowland and I said: Now, I want you to understand if you had decided to run for re-election, I would not run. Now that you've decided you're not going to run, I'm going to run, and I hope to have your support.

He said: Artie, the only thing I don't like about you is your Mike Kelly connections.

I said: Let's analyze that. I'll just tell you what: you had a Young Republican organization here, and I went out and signed up a lot of members. I asked you, 'Bill, I'm signing up these people; what are you going to do with the organization?' You said you would let me know. I haven't heard from you from that day to this, what you're going to do. I felt that you didn't give consideration to me. Bill, you forced me into the Mike Kelly camp. I am proud of my Mike Kelly connection, he is an honest man.

But I said: What does it amount to? All that Mike Kelly is interested in is chairman of the county central committee. When you have the county central committee, what have you got--a handful of grass! It doesn't mean anything. Yes, when it comes to chairman of the Alameda County Central Committee, I will vote as Mike Kelly wants. It doesn't mean anything!

Breed: I said: Bill, you cannot criticize my record because I have four years in the assembly that you know all about; it's a public record. Bill, you cannot criticize it because it's the same as your record. You and I think alike on basic questions. Now, the basic question is what kind of a senator will I make? Will I be sound, solid, honest in my service? You have a good record to go on concerning that; mine is so similar to your record as to fundamental principles, you can't criticize it. Therefore, I expect to have the Tribune's support.

I said: Sure, I'm a Mike Kelly man, but only when it comes to some other things. He's never asked me to vote for or against any legislation. So, it doesn't mean anything!

Bill made no commitment, but I did have the support of the Oakland Tribune.

Now, I must say that his father, Joseph R. Knowland, and my father were both serving as directors of the California State Automobile Association at the same time, and that I had distinguished myself in a legislative battle in 1937 that Joe Knowland was very pleased with.

My father and Joseph R. Knowland were also serving as directors of the Oakland Title Insurance and Guaranty Company, where they as young men had fought to the point of where the Tribune would not print my father's name in the paper if they could avoid it. But they later became good friends and got along very well.

In 1930 elections a reapportionment of the state senate was being put into effect. Up to that time Alameda County had four state senators. At the 1930 election one state senator would be elected to be the sole senator representing all of Alameda County.

My father was one of the four Alameda County senators, but he had two years more to finish out his elected term. He was not planning on running but would finish out his term and retire from the senate in two years.

Two of the other Alameda County senators announced they were running for the one senate seat from Alameda County. Neither of these two incumbent senators were acceptable to Joseph R. Knowland, and a committee of prominent businessmen in Oakland. So they called on my father and strongly urged him to run, promising to support him fully including editorial support in the Oakland Tribune. My father ran and was elected, giving up two years for a four year term.

And so Joseph R. Knowland felt very friendly to the Breeds. Incidentally, as a footnote, I later served on the board of the Oakland Title Insurance and Guaranty Company with Joseph R. Knowland, myself, and I served on the board of the California State Automobile Association with Joseph R. Knowland, myself. [Laughter.] He and I got along much better than I have with his son, Bill.

Breed: I never would have gone on either of those boards if Joseph R. Knowland had been opposed to me. In fact, when Bill Knowland went into the service, I took his place on the board of directors of the Farmers and Merchants Savings Bank, not because Bill Knowland had recommended me but because--well, in this case, Mr. Edson F. Adams, president of the bank, felt that Bill and I were the type of young men he wanted on his board.

Morris: Maybe that explains why you disagreed.

Breed: Well, I don't want to go into why we disagreed. He was not a consultant. Bill didn't have the ability to get people to work along together and build up a team. I like to consult; I like to work with people; I like to work with a team.

[End tape 1, side 1. Begin side 2]

[Date of Interview: September 6, 1973]

Local Issues: South Bay Aqueduct

Morris: Before we get into other things today, I want to get the story of the South Bay Aqueduct on tape as an example of your concern for Alameda County problems. How did you go about that?

Breed: We funded a study to be made by A.D. Edmonston, the state engineer, at that 1953 session so that we would be in a position the following session to ask for an appropriation for construction. The reason I did that at that time, I saw this north-south fight developing and I wanted to get in early and settle what was not connected with the north-south fight, but merely to take care of Alameda County, which was my responsibility. The urgency, as far as Alameda County was concerned, was that with the drawing of water from the wells--the underground aquifers in southern Alameda County--there was a natural salt water intrusion coming in.

You must recognize that in California, two-thirds of our water is supplied by wells. Water used for domestic purposes, used for industry and used for agriculture comes out of wells. Geologically, these aquifers go out under the Bay because it's the natural drainage line of these old, old silt beds or gravel beds where the water collects.

When you take this water out, you release the pressure of water from higher areas and the salt water goes down into the aquifer; so there was salt water intrusion in our fresh water supply. What we needed was to have water brought in from elsewhere, supply the needs,

Breed: so that there would be plenty of pressure, the natural water would form a dam and keep the salt water intrusion out. Once you get salt water intrusion it's ruinous as far as agriculture is concerned if it gets up to an intolerable level.

This was partly for an area in addition to southern Alameda County--a portion of Santa Clara County, and I thought a portion of Contra Costa County--a very small part of Contra Costa County. I had Senator Jack Thompson of Santa Clara County and Senator George Miller of Contra Costa County join with me in supporting this South Bay Aqueduct planning program one session before the fight over water developed on the north-south fight, because as soon as that developed, then everything was held up. We did get first the study--then at the next session money for construction--and it is operating and did start operating before the main arterial had taken the water to Southern California.

Morris: Where does the water come in from to maintain this fresh water?

Breed: It is taken out of the delta near Tracy, pumped in a tunnel through the Livermore hills, and empties into the creek at Livermore. Then from Livermore, it flows down into the Livermore Valley, down through Niles, and is picked up down near Sunol, for distribution down in the south county; the idea being that the southern Alameda County water district down there will buy this water at the canal and the local district handles the distribution of the water.

Morris: I see. But it's moving water in from the delta down here rather than bringing it all the way from Shasta or the other dams up north.

Breed: It is a part of the whole California Water Plan. They can, by the control of water on the dams, do a number of things; they prevent erosion for one thing; they prevent floods, for the second; they generate power; and they have a steady flow on the streams for fish and wildlife. They have water the year around so they don't have the floods, and they have water when they need it in the dry period, because we have many months in the summertime when California doesn't have water--quite different than it is in the east. Many of our streams would otherwise dry up; in this way, we can pump water and have water for these various uses at a greater number of months in the year. Otherwise, there'd be a number of months in the year where we could not pump out of the delta.

This also has another effect. By letting this water down, controlled through the various dams as a part of the whole system--Shasta being one big important one; Oroville is another big and important one, as well as others in the Sierra--this has the effect of letting the water down and preventing salt water intrusion on valuable agricultural land in the great delta of the Sacramento and San Joaquin rivers.

Morris: Was there objection in the legislature to going ahead with this Bay Area Aqueduct?

Breed: South Bay Aqueduct? No, there was not, because the way I did it was I got the money for study first. Then once I had it, I said, "Look--we've spent this money for study here. Now we have it and we're ready to go ahead." The north-south fight had not really warmed up at this point. I said, "We need this now; we have a large metropolitan area and we're having salt water intrusion (a case of urgency, you see); we need to have this." And it was not a big item in dollar amount.

So I got my people taken care of before the shooting began or the lines got drawn, north and south. Had I waited for another two years, I would have been right in the middle of that fight.

General and Special Funds: Highways

Morris: Very foresighted of you. Was it funded from the general fund or was it federal funding?

Breed: No, it was not federal funds. It was from the state general fund. One thing that I think many students must recognize if they're studying California and California finances as it relates to these various programs, is that we have basically two types of funds, two general classifications--the general fund and the special funds.

The great distinctions are that there are many special funds. Perhaps the biggest and most important are the highway funds, which come out of the highway users' fund; of which the gas tax is the big supplier of funds. Then there are weight fees that go on trucks and commercial carriers, and other sources such as that.

There's a very complicated formula as to the allocation of those monies. Partly this whole program evolved by a recognition of the needs of the various segments of government. By that I mean that the first--historically--the first thing that took place when the gas tax was first put on was to build a major skeleton highway system. That was called the primary system.

The primary system was developed to connect state routes with our other sister states to the north and the east--the main routes--and to connect up all county seats. That was the primary system.

Then the next system was to be feeder roads--farm to market roads and supplementary roads that were considered to be of statewide importance while of benefit for local concern, for people that were traveling other than on the primary system, but necessary roads--as I say, farm to market and various classifications. These roads were the secondary system.

Breed: Of course, the federal government came in on the basis of roads for distributing mail, roads for defense purposes, roads to national parks, and roads of national interest so that there'd be a connection through, like a transcontinental highway--the famous old Lincoln Highway--recognizing that there were states that could not possibly build the necessary highways themselves, like the state of Nevada. That's how the Hayden-Cartwright Act came in, to take care of poorer states so that we'd have a continuous highway system through the length of the country, of which California was a beneficiary.

Morris: Was this primary system that you just described the one that your father worked on?

Breed: Yes. My father handled the legislation that established the primary and secondary system, and also the funding of that by the gasoline tax. California was not the first state to have a gasoline tax but one of the first in the first half dozen of the country, of which others followed. This evolved.

At first there was a one-cent tax for new construction only. Then it was recognized that you needed money for maintenance, repair, and upkeep. One cent went to the counties, based on the registration of motor vehicles in those counties, as that percentage bore to the total population of vehicles. So it was allocated by counties based on that formula.

Then the second cent was put on--the first cent was for construction, the second cent was for county, and the third cent was for maintenance, repair and upkeep, of the original three cents of gas tax. But that was by evolution that it came along.

Then it was finally recognized, going back to the study of 1947 in which we on the Senate Highway Committee all participated, Senator Hatfield was very active as a leader and then Collier was asked--he was a member of the committee--and he was asked to carry the bill. We all worked on that and the League of California Cities was very active in it too.

The Senate Highway Committee, working with all groups in the state interested in highways, endeavored to have a program that met as much of the road and highway needs in the state as possible. So there was a formula developed that allocated or apportioned the monies between the state highway system, the cities, and the counties.

My father, in about 1933 I believe it was, added thirty-three hundred miles to the state highway system. In this study of '47, we did add some roads to the highway system after the Public Works Department made a study as to the needs of those highways. Then

Breed: the legislature wrote a formula so that it would be fair to every county and that you wouldn't pile the money in in one county and leave somebody without any money.

That's where we had the Mayo formula (named after Senator Mayo who proposed the formula) of allocating the money over a ten-year period so that each county could be sure that it had its fair share because, recognizing that while the cities have the great population, the city people need the agricultural crops of the hinterland where there are not so many people, and that the city people go to the back country either for a second home or primarily for their recreation.

Morris: This had not been a sizeable factor before the Second World War--the movement of people from the cities out into the mountain areas?

Breed: Not as much. With the coming of the highways and making it easily accessible, it made what were formerly inaccessible areas or hard-to-get-to areas, very convenient. So the highways really were a tremendous factor in building up the state of California and making all parts accessible for people who wanted to move about.

Then, of course, the population started to increase. The drouth in the dust bowl of Oklahoma, Arkansas, and Texas caused many people to migrate to California, the greatest voluntary mass migration in history. With the coming of the war, we brought a lot of people out to work in war industries, and for many years California was increasing in population by greater than a thousand people a day. This, of course, added great problems to California.

We were opening, in Los Angeles County, a new eight-room school house every Monday morning. People came out here with their children but didn't bring their schools with them. We had to just run like the dickens in order to keep up. There were children on double sessions, triple sessions, and in some cases four sessions in a day! I was on a committee that went down there; we found such a case in Southern California, the school room space was critical.

That's why the state had to provide money to aid local school districts that did not have the taxing ability to pay for needed schools. That's part of the duty of a legislator, to see these problems and to look far enough ahead if you can and meet the problem before they become so acute.

Morris: Why did the request for an increase in the gas tax in '47, if it was going to produce a better highway system with all the economic advantages, why did it become such a legislative issue and one that Governor Warren had great difficulty getting passed by the legislature?

Breed: He was not the instigator--Warren got a lot of credit for a lot of things he didn't deserve to take credit for; there were things that had evolved before Earl Warren ever came on the state picture. This

Breed: highway program is a good example of that. Earl Warren came out for these things because he recognized there was a need for them.

You must understand, in all legislative problems, the very process of legislation is a matter of compromise. This is naturally true because we do have a wide variety of interests in California. You have the rural areas, the small communities with their problems, and then you have the big city problems. It's an agreement as to how you allocate the money, how you divide the pie up among all the members of the family. So there are all kinds of views.

Interest Groups and Campaign Finance

Breed: Then too, very naturally, in this country, we're so well-organized into all kinds of groups, we have many special interest groups. I guess all of us belong to many of those. The League of California Cities is a special interest group, the Supervisors' Association is a special interest group, and so it goes. Everybody belongs to some group--even university faculty are a special group, and students, the list is very long.

Morris: Then there are the business and industry interest groups. On that gas tax increase, the truckers' association and the oil company groups are referred to as the ones who tried to block the highway bill in '47.

Breed: They were more effective in the early days--the oil companies--in opposing the gas tax increase. In fact, they got Governor Richardson to veto a bill--this was in my father's time--and I think this was one of the big factors that led to his defeat.* The oil companies opposed it.

My father had just a terrific battle on that; it was a very interesting story. He finally got them not to fight it so hard, and eventually got this thing over. His argument was that they were very shortsighted; that he felt that with the development of highways, it would mean the development of California and that more highways would mean more gasoline used and there would be more of their products sold.

* Governor Richardson supported his highway commission's plan for financing the state highway program, which included bond issues and increased motor vehicle taxes, approved by voters in the 1926 general election in which Richardson was defeated. The Governors of California, H. Brett Melendy, 1965, p. 343.

Breed: My father happened to meet--quite by chance--Mr. John D. Rockefeller Jr. at Yellowstone. The superintendent of Yellowstone was Horace M. Albright, a Californian whom my father knew. He introduced the two of them. I was with my father and met Mr. Rockefeller at that time.

My dad said to Mr. Rockefeller, "Well, I've been having a fight with the oil companies in California, and I'd like to just tell you a little something about it. I don't understand your people in their attitude. Here's what I'm trying to do."

And he told him, he said, "I think it's very shortsighted. It would mean more highways, the development of California. You've just came down through those redwoods and you said how much you admired them and liked them, Mr. Rockefeller. Now don't you think other people should have the opportunity to see those trees? How can we take care of them if they don't have some highways so that they can get there easily and conveniently?"

A strange thing. Whether it had any effect or not, Standard Oil was not in the forefront as opponents at the next session as they had been. Whether there's any connection there, I don't know, but I think there was.

Another time, when he was fighting for passage of a gas tax for highway construction, my father threatened to put the oil companies under the Public Utilities Commission. He sent a letter to the president of one of the oil companies saying that he was going to accuse them of being against the best interests of California and that he thought that perhaps they should be made a public utility and so on.

He got a phone call from the president saying, "We're having a special board meeting; what do you want us to do?" Dad said, "You tell Mr. Charles Stevens (who was the lobbyist for the oil group) that I want him to change all those "no" votes to "aye" votes."

Mr. Stevens did come in saying, "My God, what did you do, Senator?" Dad said, "None of your damn business. Here's what I want you to do." He made Mr. Stevens do a complete about-face. Then when I went into the legislature, Mr. Stevens told me what a great pal he was with my father. I said, "Now, Mr. Stevens, that's fine; you and I should get along very well. But I know history and you know history; don't try to kid me." [Laughter.]

That's just a little sidelight, but it shows you that these special interests--to wit, the oil companies--were not working in what I would call their enlightened self interest. I think they had a very narrow view concerning this matter.

Breed: Many people--I don't attach it to big companies, but I do attach it to many people generally--get a traditional position and they think they must stand on that, and they don't realize the great value of taking a new look and a change of their attitudes. I think this is the difference between maturity and breadth and somebody that's just hard and fast.

There's one thing that serving in the legislature teaches--you recognize that there are two sides of a problem and that the wisest thing is to listen to all sides and then make up your mind, not go in there just convinced that your side or your viewpoint is the god-given right one entirely. That's the great thing that you learn by serving; somebody else's opinion may be better than yours.

Morris: How did you get Mr. Stevens to be comfortable with an increase in the gas tax again in '47? He was so opposed.

Breed: The answer to that is this: I think the legislative committee had sufficiently documented the case for the needs for highway improvement by having the Department of Public Works, together with committee staff, thoroughly document that there was the need. There was tremendous press coverage and general public support throughout the state.

I think it was well demonstrated that public opinion was in favor of this increase. When public opinion takes a pretty strong viewpoint, special interests have a very difficult time opposing it. A lot of us had been sufficiently well indoctrinated over the years in highway needs in the cities, counties, and the state, so much so that people like Stevens and the trucking people had to take a reasonable position.

Morris: It has been suggested that this fight was so bitter that oil companies as an interest group became permanently opposed to Warren--some independent companies had contributed to his campaign in 1942, but worked against him when he was interested in the presidential nomination. What do you think?

Breed: Oh, I don't know about that. I don't have any knowledge of that. In the first place, I'd like to make this comment, that I feel that anybody that makes a contribution to any candidate makes a great mistake if they feel that they are entitled to some special treatment. I just abhor anybody that does that. I think it's completely wrong.

When people would contribute to my campaign, I felt that it was with no strings attached. I felt if there were any strings attached, I didn't want any part of it. I may have mentioned that Mr. Samish sent over his brother-in-law, Frank Flynn, with some money he wanted to contribute to my campaign. I felt there were some strings attached, and I said, "Thank you, no. My campaign is all financed. No thank you. Just give my thanks to Mr. Samish." I would not accept any campaign contribution from him because I felt that there would be a price on it.

Breed: I feel that a public servant has an obligation to all of his constituency. He can't be under obligation to give special favors, just because somebody supports him. They should support him because they believe in him--that he's honest and sincere and is going to do the kind of a job that he should do.

But it would be a horrible thing if these people--and I'm afraid there are a number of people who do feel that they are obligated and they are holding public office, and this has been true all along. I think that's something we have to be very mindful of when we select people to run for public office.

Morris: Going specifically back to highways, do you know how the highway budget came to be separate from the rest of the budget?

Breed: Oh sure, because it's special funds. The history of highway financing in other parts of the country has been that, where the money went into the general fund, it was used for other purposes, and it became unpopular; the people felt that they didn't mind paying a gas tax if they knew that they would get some benefit.

All of the highway user tax is designed to correctly meter the use of the highways. If you didn't use the highways, you didn't pay for them. If you did use them, you paid for them in proportion to your use. Therefore, it was felt that they should be kept separate from the general fund and it should be a separate budget.

Another thing: we wanted to have the decision on where roads would be built, not on political bases, not by the legislature; if it was in the legislature, it couldn't help but be a political consideration--log-rolling and bargaining and all this kind of business. We wanted to get away from that.

It was given to a Highway Commission that was appointed by the governor, and the director of Public Works was chairman of it. The state highway engineer and the highway people--we wanted them to be above politics, and engineers that would do a workmanlike job.

California, I think, has been free of scandal in regard to its highways. I think that this has been very, very sound. The legislature should just merely set general guidelines, like this allocation, as I mentioned, of the Mayo amendment, to be sure that it's going to be distributed in a fair manner. But as to where the road begins and where it ends, that is an engineering problem and is a matter for the Highway Commission and people who will make a study of that and be public-minded citizens, and not on a basis of "Well, it's going through my district, or by Joe Silva's farm, or somebody's resort," or something of that kind.



Morris: [Laughter.] I'm laughing because I've just been up in the Mother Lode, and there is a Joe Silva who does have a farm but it's on a winding dirt road.

Breed: He probably voted wrong [laughter]--didn't support the right candidate. I'm joking.

Morris: I understand.

Breed: I know, but whoever reads this may not realize this when I say it.

Morris: You may want to edit that out.

Breed: I think so.

Morris: Did the legislature never wish even the power of review of the highway budget, just to keep an eye on it?

Breed: In recent times, this has been an issue. I would oppose this, if it were my decision. I felt that the system of the Highway Commission was sound. It has been suggested in more recent years; it's a natural reaction. Legislators get carried away with their power at times, and it's only natural that this idea would come forward. It was not a serious matter ever during the time I was there.

Bay Area Transportation Developments

Morris: Now, at what point did the legislators' concern shift from the highway and freeway system to seeing a need for mass transit?

Breed: This grew out, perhaps, of a long Key System strike we had (96 days) in the East Bay, and a natural evolution of growth. There was a question as to whether or not there was a need for mass transit.

Frankly, I think we've gone beyond--I think there's been so much publicity concerning it that mass transit is considered more of a panacea to the problem than it actually will in fact prove out. If it would take care of twenty-five percent of the congestion, that would be wonderful; but it will not relieve the load to that extent because it is not that flexible. The automobile is completely flexible from the point of origin to point of destination.

But mass transit on rails is fixed to the rails. In any system, you have to recognize that you need feeder lines, you need parking areas, you need automobiles as a part of the system in order to make it work.

Breed: As to the need, I was always for a study.* I recognized that some form of public transportation fitted in as a service for a metropolitan area in the same manner that you need harbor facilities, you need an auditorium at public expense, you need a water system--things of this kind, where the benefits are spread out generally to the community, even though everybody doesn't use it. You need something for the flow of people to get around; everybody can't use their own individual automobile.

Therefore, while I believe in private ownership, I recognize that there is an area where there are things that can be justified in my mind in being under public ownership. As I say, water and harbor facilities and an auditorium and things of this kind are examples of that.

So we would begin with a legislative study of what the needs were, and in the case of our AC Transit I went before the city council of Oakland and suggested they have a representative meet with other city representatives and the county--have their city attorney together with the other city attorneys draft a piece of legislation that would meet the need.

I had a bill prepared by the legislative counsel bureau patterned after the Municipal Utility District Act; it was just something for them to start on, to take apart and put back together for that. That's how the AC Transit legislation was formed.

Then labor recognized this would be a desirable thing, and the carmen's union came to me and wanted to participate and I welcomed their support; they were actively supportive in the formation of AC Transit.

Key System, at one stage, came and wanted an amendment saying that AC Transit had to buy out Key System. I said, "No, I will not stand for that; I'll kill the bill before I'll do it. If I do it, I'll put you on the front page of the paper. I'll tell the people of the world exactly what you're trying to do--you're trying to put a gun at the head of a newly-formed district. You'd be in a position of naming any price if the law said that they have to do business with you.

"I want it to be on a yankee trading basis--that they can tell you 'go jump in the bay' if you can't get together. You're not going to have, by law, an advantage over anybody here. I expect

*"San Francisco Bay Area Metropolitan Rapid Transit Problems," Report of the Senate Interim Committee, 1955 regular session.

Breed: you'll look out for your interest and I'll expect them to look out for their interest. Just don't put in any amendment in that regard; if it comes back--if I can't take it out--I'll kill the bill. It's my bill and I'll kill it.

"But," I said, "when I do it, I'll just rip your hide off. Make no mistake about it. That's no threat; that's a promise." I meant it. I meant it. And I said, "Don't ever make the mistake to think I'm bluffing, because I'm not. You'd better get that straight. Now you just get out of here." And they did.

That's why Key System did not effectively oppose that legislation. They wanted to, and they wanted some advantages, but I wouldn't let them have it.

Morris: When AC Transit did come into existence, did they in fact end up buying the Key System?

Breed: In part; they bought some, yes. I don't know any of the details of that. I don't know whether they bought the rails or what; I think they bought some of the rolling stock, such as the buses the Key System had. I don't know. I had nothing to do with that.

Morris: What interested me in reading both the rapid transit problems study and the one on San Francisco Bay ports, is that up through the twenties, both shipping and local trains were quite prosperous under private auspices.* What happened that they ceased to be economically successful private enterprises?

Breed: The Bay Bridge was constructed, for one thing, and people then took their cars to San Francisco, where before they took the trains to San Francisco--the Southern Pacific or the Key System. Then too, with the development of highways and normal evolution, more people were driving automobiles. Remember, the Key System and Southern Pacific were developed in the horse and buggy days. This is natural evolution; this has happened all over the country, all over the world.

Morris: And it applied to the port facilities as well? The study said that so much more material was being hauled by trucks that it affected the local shipping.

Breed: Yes. They've made a big change in this container-type of handling. They can handle cargo much better that way.

*"San Francisco Bay Ports," Report of the Senate Fact-Finding Committee, California Legislature 1951 general session.

[End tape 1. Begin tape 2]

Morris: How did it happen that the Bay Area was the first urban area in California to get started with rapid transit?

Breed: Because we're a concentrated area as compared with Los Angeles which is spread out, very thin, over a very large area. Where you have a concentration of people like you have in New York, you can have successful mass transit.

Here in the Bay Area we have two metropolitan areas--San Francisco and down the peninsula, and the East Bay--and the Bay Bridge is one central artery between the two. You can have transit between these two areas far more economically than you can if you spread it out in Los Angeles where you'd have to have many, many feeders from many, many different directions. The high concentration of traffic that you have here allows transportation to run through narrow corridors as we do over the bridges.

Morris: Was there any problem in getting the legislature to approve a study commission on this?

Breed: No, no. After all, the other legislators from other parts of the state say, "Well, this is your territory you want to study. There is a need. Sure, we'll go along with you for a study." Studies are one of the easiest pieces of legislation to get through. The same way they did a study for the Los Angeles Basin, and certainly we in the north would not think of opposing their desire to have a study in their area; it's no concern of ours. Let them have it. If they have a need, and they say they have a need, certainly study it. That's fine. No, there was not trouble about that.

Morris: I noticed that there was a recommendation in that first study that the legislature should consider the use of some of the motor vehicle fees for--

Breed: The gas tax funds for mass transit?*

Morris: Yes.

Breed: That's still a current issue. I've been opposed to it for one simple reason. I think there's no question but what the motorists should recognize their place in the community and what the needs of the community are generally. But, at the same time, this can go too far;

*Recommendation 4, 1955 Rapid Transit study, p. 20.

Breed: just because it's convenient to collect the taxes from the motorists, to then tax one class of people--to wit, the motorists--for the benefit of some other class of people, I think is just fundamentally wrong.

Now, our Auto Association has been accused of being a dog in the manger in this regard. I say that is not true; that they, who represent motorists, have supported the use of bridge tolls to the tune of a hundred million dollars to help finance, as a donation, as a gift--that was money paid by the motorists using the Bay Bridge--to make BART feasible for the tube under the bay.

The California Auto Association also supported tax funds used for studies because they recognized that any community should have a balanced transportation system. As I said earlier, I think what we need to have, my experience tells me, is a balanced transportation system, so that we don't concentrate too much on one type without thinking the whole problem out as to how mass transit is going to take care of our needs. Will it solve the problem?

It would be the same way if somebody wanted to build another bridge across the bay at some place where it would not serve the people, I'd say that that should be looked at with a great deal of caution. You have to recognize just what the needs are and what will these facilities actually do--not what somebody thinks they may do but get down with some really hard-core facts and know what you're talking about, and then appraise it. Then, I think you can ask everybody to help out in a proper proportion as good citizens of the community.

I'm pleading for some kind of a balance and not just talking platitudes and saying, "Oh well, we need mass transit," if mass transit is not going to do, in the end, what somebody thinks it's going to do.

The same thing applies to air pollution as far as motor vehicles are concerned; they're not the big polluters of the air, though somebody has said, "Yes, by volume, sixty percent," or by weight. Well, weight is not any relationship to the amount of pollutants that go into the air that are doing the damage. There's a lot of other factors, such as furnaces and things of this kind, that are making the contribution. Automobiles are a factor but they're not the big factor. A lot of propaganda has been put out.

But motorists should bear their fair share. Here again, the motorists have financed and supported all kinds of studies and research by the University and others--air quality control boards--for these studies. I'm just pleading for getting the facts.



The signing of S.B. 987, the East Bay Transit District bill, June 9, 1955. Standing, from left: Assemblymen Walter J. Dahl, Carlos Bee, Speaker L.H. (Abe) Lincoln; Senator Breed. Seated: Governor Goodwin J. Knight.

Photograph by Cartwright & Co.



Duck hunting in Colusa, 1952. From left: Bill Park, PG&E; Jim Corley, University of California; Senator Breed.

III SENATE FINANCE COMMITTEE LEADERSHIP

The Budget Process

Morris: In addition to all your work on various forms of transportation, you also spent a good part of your legislative career on the Finance Committee. That's probably one of the most important committees to serve on.

Breed: It is.

Morris: Originally, I thought of the question the other way around--that your experience on the finance and revenue and taxation committees would have been helpful to your work on the transportation committee. Did it work the other way around--was your familiarity with the transportation problems and needs useful in dealing with state finance issues? Did other members on the Finance Committee have their areas of expertise?

Breed: Let me explain just how the system works. Of course, any experience you have in private life or before you go to the legislature or during your tenure there and on various committees--it all adds up to help you understand the problem and look at it from its broadest aspects as to the nature and extent of the problem--what are the practical solutions and what are the various forces and factors and what needs to be looked into and how it relates to other needs, et cetera.

All of it, yes, helps. Just which is more important, it's pretty hard to say. Sometimes one might be more than the other. It's all beneficial.

But the point I'd like to make also is the way the legislature operates all committees. In the first place, the big bulk of the work is by committees.

Now, the Finance Committee in considering the budget--what we did when I was there is the chairman would take the various departments of state government and he would appoint subcommittees of the Finance

Breed: Committee--generally a subcommittee of three senators--and give them the assignment to look into those departments' budgets and to make their recommendations to the whole Finance Committee. They would hold their separate hearing, and the way it would work would be this: they'd set up a schedule--generally we'd ask them to set up the schedule. Then the department heads would appear before that subcommittee. When I was chairman of one of these subcommittees, what I would do is ask the department to make its presentation. Then I would ask the Department of Finance to make its presentation. Or, start off with the Department of Finance and then I'd ask the legislative auditor to make his analysis; I would then ask the department, "Can you go along with their recommendations?"

So we'd hear the department itself--the operators, if it was the Department of Corrections or the Department of Institutions, the University, or whoever it was appearing before us, would make their presentation as to why they should be given the money requested. Next we would have the analysis of the legislative analyst; presumably, we'd study it first and mark up our copies and have questions for them.

We would have studies as to what the workload was and questions as to the workload and how it had increased, and why they needed the increase and more personnel and what they did with the last bunch of money we gave them, and so on. Then we would write up a recommendation to the entire Finance Committee. The inclination was, in many, many cases--not a hundred percent, by any means--the entire Finance Committee would follow the recommendation of the subcommittee that went into it.

If it was something of general interest, why then maybe the subcommittees' recommendations were thrown completely out the window and the Finance Committee did something entirely different. But this is the process. Sometimes the subcommittee would be divided; other times it would be unanimous. You'd get every kind of combination you could think of.

In legislative work, no one could be familiar and expert on all these subjects. You have to concentrate, you have to specialize and divide the work up. In this way, by dividing it up, we were able to get through the budget. And the various departments felt they had their day in court.

You must understand also that the Department of Finance prepares a budget for the governor in whatever style the governor wants. The governor says, "Give me a tight budget; no increases unless there's a case of urgency," or "Oh well, we can have a liberal budget," and so on--whatever it may be. Different governors have had different kinds of budgets. Some have been liberal; some have been tight.

Breed: It generally works out that if the governor is easy-going and generous, the legislature gets tough. If he's tight, then the legislature gets generous. They say, "Let the old man veto it. Let the corner office take care of that." They kind of balance one another.

This is the process. It may not be idealistic but it's the practical side of it.

Morris: What you were hearing, then, was the governor's budget in pieces, department by department.

Breed: That's right.

Morris: Then that is presented to the legislature as a whole?

Breed: A bill is introduced in the assembly and the senate, and the two houses are considering the budget at the same time. Then, between them, they decide which one will pass the budget first. If the assembly passes it, it comes over to the senate. Then the senate takes into consideration what the assembly has done. Then we work on it, and then finally we send them our version, recognizing what they've done, and ours.

If they don't concur on our amendments, then it goes into a conference committee. That conference committee then works on it to settle the points of difference between the two houses and then submits it to each house. If you don't resolve it at the first conference committee, you go on to the second and to the third. Yes, I've seen it go to the third. Then you either take it or leave it on that third one; that's tough going, believe me.

Morris: I can believe it. And it's always against a deadline too, isn't it? Or it usually ends up against a deadline.

Breed: That's right.

Morris: When you were first in the legislature, those were lean years for state revenue, because of the Depression. During World War II, when more money was coming in than could be spent, how did you feel those surplus revenues should be handled?

Breed: Understand this. Let's go back. Prior to the creation of the wartime surplus, there was a period of time--a defense period to the beginning of the war--where we saw the war coming; we didn't know when but we knew it was coming. During the war we were not able to make expenditures on state institutions--prisons and mental institutions and school buildings and things of this kind--because it was in competition with the war effort. We wanted all of our effort, all of our resources--everything--to go into the war effort.

Breed: We had a deficit in California when this period came upon us. There was a time when we were registering warrants; we were worse than broke--we were badly in debt. What we did, when we had this war-generated surplus, some of us on the Finance Committee decided that the first thing to do would be to pay off all of the debts of the state of California where we could.

There were certain self-liquidating bonds like the bonds on the Port of San Francisco, which the state owned. The interest and principle were being paid off by the revenue of the port. They were non-callable bonds; they would self-liquidate.

Then there were the veterans' bonds; they were self-liquidating by the interest and principle that would be paid in by the veterans from World War I. Those we did not pay off.

All other bonds of general obligation, where they were callable--if they had a short maturity, we put the money in the state treasury, earmarked it for paying off those; they drew interest because they were invested in other bonds. Or we bought our own bonds up, thereby having them in the state treasury; the bonds we bought we didn't have to pay interest on because we were paying it to ourselves.

So we retired all these bonds that we could. There were some that went back to 1873. And really there's an interesting story in that regard. In there was five hundred dollars for the State of California to have a stone carved with the name of California on it to be part of the Washington Monument. There that stone is today, and not until our time was the Washington Monument fully paid for because we had this bond issue out [laughter]. We had paid interest on this--I forget the percentage, but it was something like six percent--that went on and on and on and on and amounted to quite a few thousand dollars eventually. But we finally paid off our debt for building the Washington Monument.

Then what we did, after paying off the debt, I saw--as well as others here--that we were going to have the surplus and that we needed to have a plan for allocation of the monies on some equitable basis.

You'd be interested; you're connected with the University of California: I spoke to Mr. James Corley, who succeeded Luther Nichols; he'd been Luther Nichols' assistant. About 1941, around in there, Luther Nichols brought Jim Corley up, and then Luther Nichols resigned and Jim Corley became comptroller of the university. During the war, or when the war was about over, or the war was over, and I saw these monies collecting, I suggested to Jim Corley, I said, "You have your fellows at the university prepare plans for your needs--plans and specifications and estimates of costs, what you need for various campuses."

Breed: The University had stepped forward in the thirties--'31, '33--and had taken their fair share of the cut and led the parade when the state was having a hard time financially. Many other departments did not take the same patriotic attitude about meeting the state's critical condition as the University of California did. That was when my father was state senator representing all of Alameda County.

I wanted to make it up to the University because I felt that they had been penalized because they were starting from a lower floor, a platform. The others had not come down to that same level. I wanted to make it up to the University and felt they were entitled to it. So I said to Mr. Corley, "You prepare these plans."

He came forward, at the next session, with plans and specifications. That's why the University of California got money in the hundreds of millions!

Morris: They certainly did have very good support from the legislature.

Breed: They were in there first; they were ahead of everybody else. There were some legislators who felt that they were just getting too much. It did build up a little resentment, but he had a wonderful relationship with the legislature; I think Jim Corley did an outstanding job. Just marvelous. Anyway, that's what we did.

Then following that, we did have the State Allocation Board.* The state real estate commissioner and the director of Finance were on there. We felt that if they were condemning property, they should have the real estate commissioner on there, and we should have the director of Finance. Then there was financing for school construction. The state treasurer was on that committee, and the controller was there because he's the watchdog of the treasury.

Fiscal Controls

Morris: At one point I gather Alan Post had some question about the controller and the state treasurer not keeping as close an eye as they might on the state's interest, on the deposit of some of these surplus funds and the getting of the best interest rates for the state. Do you recall that as being troublesome at all?

*Appointed to make decisions on \$90,000,000 appropriated for city and county public works in 1946, referred to as the Christmas Tree Bill in interviews of Gardiner Johnson and Richard Graves, which see.

Breed: There may have been something. I don't recall that particular item. Understand this: Alan Post is a creature of, and employee of, the legislature. Historically, as I say, the director of Finance is the one that operates the state budget. We found that most of the people in the Department of Finance--very bright, capable people.

The state was growing to such an extent that it was no longer a simple little matter, and we needed to have somebody that we could rely on that would analyze the budget for the legislature. His loyalty would be to the legislature--nobody else. That's why we set up the Joint Legislative Budget Committee. I was a member of the original Joint Budget Committee of the senate and the assembly. This was in Olson's time.

That came about because of a play of politics. We gave, in 1939, the chairman of the Finance Committee to Governor Olson, because it's his budget. He asked that Bob Kenny, a senator from Los Angeles who'd been one of his supporters--treasurer, as a matter of fact--and a freshman senator, be chairman of the Senate Finance Committee. What happened was, when the budget came from the assembly over to the senate, and the assembly had cut out of Governor Olson's budget about eleven million dollars, Kenny, without even holding any hearings, amended the budget bill and put it back in the same form as it was when it had been introduced, with everything Olson wanted in there, and totally disregarding the assembly.

I was not a member of the Finance Committee then. Those of us in the senate said, "You can't do that. That's a slap in the face to the assembly, and after all, they have equal power, as far as the legislature is concerned, with the senate, and you just don't do that."

What we immediately did--a few of us got our heads together with our president pro tem and passed a resolution creating a special budget committee. Then we agreed that the next day we'd refer the budget to the special budget committee, and they were fellows who were not on the Finance Committee, though we did have Bob Kenny on there. I was named on that committee.

We worked Saturdays, Sundays and holidays, to the exclusion of everything else and had hearings on that budget. I never worked so hard in my life. We'd start in in the morning and then go all day and then go in the evening--my golly--and as I say, on the weekends. I had budget running out of my ears. That was my indoctrination to that.

Then, what we did, we recognized what the assembly did and we started from there. Then we cut out about an additional nine million more. Olson had supplied a liberal budget. If he'd been smart--this was at a time when we were having a tough time--he'd have given us a tight budget and put the onus of raising the budget on the legislature.

Breed: We made him look badly, which led to his defeat, you see. He immediately warred with the legislature, which is not a smart thing to do. Get along with them whether you like them or not.

Just like, I've heard fellow legislators say they'd get along with any governor even if he was a yellow dog. [Laughter.] But that illustrates the problem.

Then we recognized, by all of this, that the budget had grown in magnitude and the state had grown to such complexity, that we needed somebody to analyze it for us. That's why we created the Joint Legislative Budget Committee. Rolland Vandegrift, who'd been a director of Finance under Governor Rolph, was selected to head it up. His number two man was a very bright, young fellow from Southern California who had his master's degree in business, and that was A. Alan Post.

Morris: He's had a remarkable tenure too.

Breed: Yes. He's the most relaxed fellow you ever saw. He sits there, and the fighting's going on, and he's the most relaxed man in the room.

Morris: And so polite and mild spoken.

Breed: Oh yes. I'm a very great admirer of Alan Post. My last session, I was chairman of the Joint Budget Committee. If you go in his office, you'll see--you did at one time; I haven't been there in the last couple of years--he had the pictures of all the chairmen of all the Joint Budget Committees.

Morris: They're still there.

Breed: They're still there? Well, you'll see my picture there. [Laughter.]

Morris: Yes. A very distinguished series of gentlemen have been chairmen of that committee.

Breed: A few exceptions. [Laughter.]

State Local Revenue Sharing

Morris: You mentioned your disagreements with Olson on budget matters. How did the legislature get along with Warren on the budget in particular?

Breed: Much better; much better. He left us alone and didn't try any undue influence. All our dealings were with the department heads; the governor didn't enter into it. He made his message--his talk--and we were free to talk to him and he to us and it was all very friendly, but he didn't try to show any muscle with the legislature on budget matters.

Morris: I was thinking specifically, on this matter of surplus revenues, Warren appointed a Re-employment and Reconstruction Commission. Did that interfere at all, or did it feed into the kinds of things that the legislature was thinking of?

Breed: No. That was running along with the same idea that we had in mind. We would talk with the governor about a lot of these things, and a lot of things would evolve out of just general need, recognizing a problem. We would go down there frequently and talk to him, and we'd see him at social events and so on.

What is your common interest but legislation? When legislators get together, this is what you're talking about. You don't talk about camping trips or summer vacations [laughter] or anything like that--very long.

Morris: Well, then, how did the battle develop in 1946 over what's called in the textbooks the "Christmas Tree Bill?"

Breed: The cities and counties saw an opportunity--somebody got an idea that--

Morris: Dick Graves?

Breed: Yes, yes, yes. Dick Graves was one. He was, I guess, the principal pusher of that; he wanted to get into that state surplus up there. I voted against it. We had a luncheon at the Sutter Club where the mayors of the various cities of Alameda County and our supervisors came up there and they talked about this Christmas Tree Bill; they had all of the Alameda County delegation there.

Harry Bartell, a supervisor--I think he was chairman--said, "Well, now, we expect you fellows will all be for this and support it."

I spoke up and I said, "Well, I don't know why you assume that; nobody's asked my opinion concerning it. If you're interested in how I feel about it, I'll be glad to tell you."

Bartell said, "Oh, yes, yes."

I said, "I am opposed to it."

Bartell replied, "You represent Alameda County; you represent all these cities; you should be for it." Different mayors and city managers were there.

I said, "Well, I have news for you. You didn't send me to the legislature, and there's only one group of people that I recognize--the people of Alameda County. If you think you own me, that you can tell me how to conduct myself, you're badly mistaken. You'd just better go and work with somebody else!" And the assemblymen were all there. I said, "Nothing doing."

Breed: Somebody said, "I think you perhaps had better."

I said, "Oh, I'd better, huh? So I'm challenged! Well now, let me tell you something: I'm coming up for election this next time, and if I hear one hint from any one of you fellows criticizing me for voting against this, I'm going to make that the issue. And I'll tell you what the issue will be--that my position is to keep your sticky fingers out of the state treasury. That's no threat; that's a promise!"

I said, "I'll level right at you fellows because I know who's here and I'll find out who said it. That's going to be my position. We'll let the people of Alameda County decide. My office--my position--will be at stake, not yours. Just understand how I feel about it. I'm opposed to your getting any of that money. It doesn't belong to you; it's the state's money. You have no claim on that money; it's not part of the city or county treasury. How would you like it if the state tried to come and tap your treasury for some money? The city or the county? It's not your money; you leave it alone. As far as I'm concerned, you can get the votes elsewhere if you want, but you're not going to have my vote." And that was it.

Afterwards, I remember, Mayor Rishell came into my office. "Well," he said, "Senator, I want to say that your position is not that of mine, but I sure admire your guts! You sure made no mistake about where you stood. It's all right; it's all right. I understand. Sure, I'd like to have the money for the city, but I don't feel harsh toward you." I said, "Thank you, Cliff, thank you."

So there are the two different opinions. I felt strongly on one side. They wanted the money; they got the money. It went through; they got it. But I was part of the other side, just on fundamental principles, that's all. And I represented a metropolitan area; in fact, I represented the largest area in the senate represented by a Republican. (San Francisco was represented by a Democrat; Los Angeles was represented by a Democrat.)

Morris: It's interesting that Warren objected to putting surplus funds into construction for city and county needs at the same time he supported a state postwar building program. The Christmas Tree Bill was for water supply and sewage plants--wasn't that it?

Breed: Oh yes, but they had a pretty broad latitude--pretty broad.

Morris: Could it be called an early example of revenue sharing? Did you think it might set a pattern that would expand?

Breed: Oh yes, yes, yes. There are programs that I think are justified for revenue sharing. I think schools is a classical one. I've supported state aid to schools because I think that children who happen to reside

Breed: in a less affluent community than another are entitled to as good an education as those in a more prosperous community. So I think there is a state interest there as far as schools are concerned.

Just the same, I think on the matter of highways, the state should allocate some of its monies to the cities and the counties to be spent by the local communities to meet their needs because people move around and they're not always just local people; after all, they're making a contribution to the Highway Users' Fund.

I didn't feel the cities and counties in the Christmas Tree Bill put the money in projects of state interests. This is debatable; I recognize this. One thing you certainly learn in the legislature is that you sometimes begin to question your own judgment--because I can see the other side; I can see the argument on the other side as to who put the money there--the citizens. But I felt it wasn't the cities' or counties' money and I didn't want to establish that principle.

I recognize there are cases of revenue sharing--federal, state, city and county--where it is justified. I was enough of a purist that I just didn't want to start it. [telephone interruption]

Redevelopment Legislation

Morris: Bartley Cavanaugh, the Sacramento city manager, talks in his interview about the Redevelopment Act. He said that this was one that you had been very instrumental in and that he had worked with you on. Was this postwar planning also?

Breed: Yes. This was in regard to the public housing program. Our Oakland Housing Authority was interested in this and, of course, the federal government was in there. Bart and I were interested in keeping it on a sound, practical basis, controlled at the local level, not at the federal level, by people who worked well together, where some of these federal fellows did not enjoy the confidence of the legislature. Bart and I felt it was necessary to take a hold of the legislation and work it out, and we did. That's what that was.

Here again, this is recognizing the needs in our communities because we had a lot of people who had been brought in here to work in the war industries; they were floating around and they weren't established. We felt there was a need for this type of housing. Really, we were working with our local people in the legislation--protecting the local people from federal domination of the program.

Morris: I see. Was this something that the unions supported?

Breed: I don't remember whether they did or didn't; I think they did. I wouldn't know why they would oppose it.

Morris: You said public housing. Dick Graves mentioned that there was also legislation required for the redevelopment of municipal buildings that involved revenue bonds.

Breed: He had a program in regard to that, yes. I was never enthused about Dick Graves' proposals in that regard. He wanted to borrow some monies that were in the state treasury. He was getting around some constitutional provisions. He was going around doing indirectly what he couldn't do directly, and I think that's just bum business and I opposed it. He was coming in the back door when he ought to be coming in the front door.

He was saying we would build these by using these funds and selling these revenue bonds here, where we felt that he should go and have a direct bond issue and let the people vote on it. If the people wanted it, okay; if they didn't want it, why should he do indirectly what he can't do directly?

He, naturally, was all for the cities! If he could dump some of their financial problems onto the state, he was for doing it. But I didn't agree with him on that principle, even though I represented a group of pretty large cities. I felt my obligations to the people of the state of California. His was a selfish interest, that's all there is to it. I guess everybody has some selfish interest, but let's label it. That's exactly what it was, and that's why some of us opposed it. We didn't think it was sound policy.

Morris: That was approved by the legislature, wasn't it?

Breed: The Graves proposal was not adopted. Certain types of revenue bonds-- yes, yes. We were pretty leery because some of us remembered what happened during the Depression years. The revenue bonds were the ones that went down the drain, and the poor, innocent people that didn't know the difference between a revenue bond and a general obligation bond got stuck--they got wiped out when there wasn't any revenue. We didn't want to build up conditions where we'd have the same thing again that we had following the '29 crash.

Tidelands Oil Revenues

Morris: One other topic that must have caused quite a lot of uproar at the time was the tidelands bill. Was that something that was going to have a major effect on state revenue?

Breed: I don't know what you mean by major effect; it did have some effect. I was chairman of the committee that went to Washington twice and testified, and we did finally get a bill over dealing with these tidelands.*

Earl Warren, I know, opposed my having a committee testify in Washington. He said of the resolution, "Suppose it gets defeated?" (This is when he was attorney general.) I said, "It's not going to get defeated. Are you telling me I can't get that resolution through?"

The position was that California had traditionally had title to its tidelands under the act of admission of California into the union. We felt we had a contract and had acquired the right, title, and interest to the tidelands. The federal government was completely wrong to come in and try to take it away from us. We felt that it was a violation of states' rights. So we opposed it.

We got legislation through, and finally it was signed by the President and that set this matter at rest. That was by federal legislation. I was, as I say, very active in that. I was chairman of the committee that went back there to Washington and testified before the Senate Judiciary Committee and was successful.

But as far as the revenue is concerned, I felt that the state was entitled to this. At one time, these oil royalty monies, we had-- and I supported and thought it was very sound; we got away from it and I regret that--that a certain percentage--I think it was twenty-five percent--of the oil royalty monies would go into beaches and parks.

[End tape 2, side 1. Begin side 2]

Morris: How did that work?

Breed: By legislation, we had a provision for a part of the oil royalty monies to go into beaches and parks, on the theory that here we were depleting on natural resource--to wit, oil--and that future generations should have some benefit from that natural resource. Since we were using it for this generation, by plying part of the money from tideland oil royalties into beaches and parks and redwood trees, it would benefit, as I say, future generations for all time. That was the theory, and that operated for some time.

*See Report of the Senate Interim Committee on Tidelands, 1953, Arthur H. Breed, Jr., chairman.

Breed: Then there was an abuse, the legislature felt, by Long Beach, which was using the money--instead of just for commerce and navigation purposes as provided by law--they were using it for running the city government and every old kind of thing because they had a large amount of oil royalties.

How that comes about is that the state had turned over to Long Beach--and other cities--the tidelands, providing that they would use it for commerce and navigation purposes. In other words, a state purpose. They got away from it. Then the legislature changed the law and tightened it up so that this could not be.

The Port of Oakland has the tidelands where the Oakland Airport is now, and other submerged lands owned by the State Lands Commission were turned over to the City of Oakland for commerce and navigation purposes. Certainly an airport is commerce and navigation, right in line with law.

Department of Finance and the Legislature

Morris: Going back to finance per se, in the late forties we have various indications that the Department of Finance was making efforts at greater control over other departments' spending and making their own administrative studies. Was this something that the legislature approved of?

Breed: Yes. Somebody has to--with the state growing as it has--somebody has to look over and control the various departments because human nature, being what it is, these departments become imbued with their own importance and they become empire-builders. They feel that if they have another thousand people working for them, they can put in a request for and obtain an increase in salary. So it's self-serving, and they feel it builds up their importance. There are many empire-builders in departments.

Now, the legislature may think it budgets; it doesn't actually budget--it passes a general outline of a budget. Then, immediately after the legislature adjourns and the budget becomes law, then the Department of Finance makes up a detailed budget for each and every department and tells them what they can spend per quarter, within the money that the legislature made available to them.

If they want to buy new furniture for their office, they have to have first the approval of the Department of Finance. The Department of Finance tells them how much rent they're going to pay for the space that they occupy, and the Department of Finance makes leases, I remember

Breed: when I was there, on an average of at least one a day for every day in the year. They really are the operating people of the state of California.

Outside of the governor, the director of finance is one of the most important people. He's ten times more important than the lieutenant governor, the director of finance. The lieutenant governor's value is that of a potential; he's good--as governors say--for coming down in the morning and asking as to the health of the governor.

Morris: What provisions are there then for checks and balances on the Department of Finance?

Breed: Here's where the legislative analyst comes in. The legislature is interested in seeing to it that the departments carry out the policies as laid down by the legislature, either by law or by resolution. There is frequently some conflict, and here's why there's conflict sometimes between Alan Post and the Department of Finance.

Now, the legislature should not ever consider that it is charged with the responsibility of running the various departments--that's the administrative branch; that's the governor's department. The Department of Finance are people under him.

As to financial matters, to see that the accounting procedures are proper, the legislature created the auditor general in order to make independent audits of the various departments. He is another branch, like the legislative analyst is and like the legislative counsel bureau. The legislative counsel bureau are the attorneys for the legislature. The legislative analyst is the fiscal adviser for the legislature--analyst and adviser, budget expert, operations as well, but only as adviser to the legislature. No real power other than advisory.

The legislature does not take Alan Post's recommendations all the time, a hundred percent. I used to tell his men there who were disappointed because we didn't take his recommendations; you could read it on their faces. I'd say, "Look--you have a value in being; the very fact you're here makes those departments think twice before they try to pad their budget because they know that you're going to smoke it out, or they think you'll smoke it out. Therefore, they're going to be careful about padding it."

IV SOME CONTROVERSIAL ISSUES

Public Health and Health Insurance

- Morris: That's an interesting point. One topic that we're interested in particularly in the study of the Warren years is public health, and particularly health insurance. Do you recall a bill back in 1935 that was co-authored by Senator Tickle and a number of other legislators to set up a system of health insurance funded by employers and employees to be administered by the state?
- Breed: I do not recall that bill that you speak of, though I am aware of the fact that there were a number of bills, there were a number of studies, all dealing with health insurance. It was coming up on the horizon as a recognized matter that did need some kind of state legislation.
- The need was recognized by the doctors when they set up Blue Shield programs. Blue Cross was set up by, really, a group of Alameda County doctors and some business people here. It is Blue Cross of Northern California and has situated its headquarters in Oakland.
- Morris: Do you recall who some of those Alameda County physicians or businessmen were?
- Breed: Yes.
- Morris: Are they still on the board of directors?
- Breed: No, they're not on the board of directors, but I can tell you exactly who they were: Dr. Daniel Crosby, Dr. W.E. Mitchell, George U. Wood (who was the administrator of Peralta Hospital), and Ellard L. Slack (who was the administrator of Merritt Hospital), Harold Hoovenan (an attorney), Florence Klaeser, and Gertrude Moore (she was a doctor-- a pathologist, and a darn good one; doctors had complete confidence in Gertrude Moore. I've heard this for years.).

Morris: Is that a Blue Cross pamphlet?

Breed: Yes. It was incorporated July 21, 1936. Here's the articles of incorporation right here; that's what I was reading from.

Morris: And why did state-administered health insurance fare so poorly in the legislature? Olson put in a proposal, too, I believe.

Breed: Because there was a clash in philosophy between the government getting in as against the private sector getting in. Blue Cross was growing; Blue Shield was growing. The various medical societies--the Alameda County doctors came out with a public statement saying that they would guarantee that nobody in Alameda County would be in need of medical services--anybody that had a need would be taken care of regardless of ability to pay.

So the medical people in this county felt that they were on top of it. They resisted government coming in on the program. They saw what had happened in England and felt that that was a failure over there; that may be debatable, but it was in their opinion because I remember talking to them.

It was a resistance to the idea that if we just turn it over to government, they can solve the problems. It was felt that the private sector could provide a better service to the public. This battle is still going on to some extent right now.

Morris: Yes. That's one of the reasons why it's interesting to try and trace it as far back as you can. Were you surprised when Warren also asked for legislation along this line?

Breed: No, because I knew Earl Warren.

Morris: I see. Can you expand on that?

Breed: Yes. Earl Warren is, I would say, quite theoretical in many of his approaches. I know Earl Warren to be extremely sensitive. He gets ideas and he goes at them sometimes without really studying the whole subject.

I was on an interim committee that dealt with health insurance and I wrote a minority report. I talked with Earl Warren concerning the matter and he said, "Oh, Arthur, I would like to talk to you about this." I said, "Fine and dandy, Governor. You know exactly where I am. I'll be glad to come up and talk to you." I haven't heard from him from that day to this. I felt we just had a basic, fundamental difference.

Breed: I believe in free enterprise. I believe if the private sector can meet the needs, they can do it better than government. I saw bureaucracy get in here and have a great big colossal bureaucracy, with the empire-builders and all that, and I felt that if the private sector were willing to take it on and do it by various insurance companies and pre-need, then they should do it.

Morris: Byrl Salsman was chairman of that committee.

Breed: That's right.

Morris: He apparently was quite dedicated to the proposition that--

Breed: Yes. His close pal was down there in Palo Alto--Dr. Russel Lee.

Morris: Dr. Lee was already involved in various kinds of pre-payment health care plans.

Breed: That's right. He was a controversial figure, I'm told. I don't say he didn't do a lot of good; I'm sure he must have.

Morris: So your feeling is that there was not much chance of the legislature passing anything in the forties in the way of state support?

Breed: Well, here again, my experience was that the legislature certainly in those times--and there was certainly a group in the senate that felt that these things had to be proven and had to be demonstrated as being practical and sound.

A lot of people come up with ideas that may have sixty percent good points but it has forty percent, or even ten percent, that makes it unpalatable. I've seen programs proposed many times that you are sympathetic to what they're trying to do; there's no question but what their motives were good. But there would always be some bug in the proposal, some impracticality that just spoiled the whole program.

Morris: Do you feel that this effort to get health insurance legislation passed in some form had an effect on Warren's political fortunes?

Breed: Well, I wouldn't attach any one thing. I think Earl Warren's main asset is--I think the public generally felt--that Earl Warren was honest, sincere, conscientious, wanted to do a good job, and I think he did a swell job of selling that idea to the public.

I felt that when Earl came in, when Olson went out--I felt that this was a nice breath of fresh air, of some wholesomeness there. I didn't have confidence in all the people that Olson had around him.

Morris: This seems to be a common opinion.

Breed: I may have disagreed with him on a lot of things, but I think Earl Warren was very sincere in what he wanted. He was a good man, certainly, for the state, and very progressive. Maybe some of us were too reactionary; I'm sure a lot of people felt that.

Morris: What about his capabilities as a presidential candidate?

Breed: I didn't feel that Earl Warren had the experience, the breadth, the demonstrated ability for that. But I'm probably too close with him to have any other opinion than that. I think a lot of times when you get very close with some people, you see their faults and you're not as idealistic; they do have feet of clay. In just the same way, the closer you get to the governor's office, the less aura it has--really.

I know my father, who was acting lieutenant governor of California at one time, was one heartbeat away from the governor's office. I know he told me that it had less attraction to him as he came so close to it.

Morris: He saw the stresses and strains as well as the glamour?

Breed: Yes, yes; that's right. The glamour is not as important as you thought it was. I've had all the honors I want as far as my life is concerned. You couldn't hand me the governorship--really.

Morris: Nowadays, it seems a thankless job. Whatever you do, somebody is going to be unhappy.

Breed: That's true, always. I wonder why a person wants to be President--really.

Morris: On the matter of the state's interest in the citizens' health, at the same time that the legislature was very strongly against passing health insurance legislation, the Department of Public Health seems to have had great support for expansion of its programs and great generosity in legislative budgets, particularly for local health departments.

Breed: This was their strong forte. I think they were doing a good job at the local level, helping out the various cities and counties with their health programs and helping districts get established for mosquito control and things of this kind.

I don't think there's an interrelationship here; you're talking about two different things. I think they were recognized for their ability for what they were doing, in their traditional, regular work, which had nothing to do as far as whether we should have health insurance or not.

- Morris: I was thinking of the Department of Public Health's encouragement of local health departments.* Starting about 1946, they were going more strongly into immunization and preventive individual medical care--well-baby clinics and school nurses and all this kind of thing, which is the health condition of individual citizens. It was interesting that the legislature apparently never turned down Public Health budget requests for eight or ten years in there.
- Breed: I say, I think they were performing, doing a good job, in helping the local communities with their programs.

Federal Funds

- Morris: This also involved a lot of federal funds under the Social Security Act. How did you feel about federal funds in general coming into the state?
- Breed: Part of this comes into the picture in this way: As I mentioned earlier, California was having a great influx. In fact, interestingly enough--you're an historian--never has there been such a voluntary mass migration in the history of the world as was taking place in California during this period. There's quite a significant remark, I think--a great voluntary mass migration to the west; the thing that stopped it was the Pacific Ocean, or they'd have kept going.

And so they came out here, and some of us felt, "Look, here these people are giving us some health problems. They're not really Californians; these are people who came in from the outside." They came, certainly during the war years, to work as welders and shipbuilders, and what have you, and airplane builders and so on and so forth, out here.

Then, of course, a lot of people that were in the service came through California, saw how lovely it was and so on, and decided to stay; they had already pulled up stakes and severed their ties back east. If they went home and got into a blizzard back there or some nasty weather, they said, "Gee, let's go out to California,"--looking for jobs and so on. This was all part of the picture.

*See interview with Dr. Malcolm Merrill, director of the State Department of Public Health in the 1940s.

Breed: Part of the feeling, as far as federal aid on things like health, and federal aid on highways and federal aid on various programs of one kind--categorical aids--there was a feeling that we were kind of entitled to it because of the in-migration.

Morris: From all those other states, yes.

Breed: Yes. Remember, there was another physical condition--the Dust Bowl. From Oklahoma and the panhandle of Texas, these people (during the Depression) had the little subsistence farms they worked blown away. Gosh, they didn't have the resources; they were just uprooted by nature. So they came west. They thought life would be better in California. So it was the Dust Bowl; that's where they came from.

Morris: So the migration actually was in two stages. There was the earlier one, when the farms failed in other parts of the country--

Breed: The Dust Bowl and Depression. That's right; that was earlier, prior to the war. But that's when the migration started. Grapes of Wrath.

Morris: That was a very shattering book.

Do you recall what were the factors in the decision to add a state share to the federal funds for hospital construction?

Breed: Here again, there was a recognized need that we were short of beds in California because we went through the period of the Depression, then the war, where we could not build. Here we had an increase in population, and the population was growing to such an extent that it was just a demonstrated need.

There were the Hill-Burton funds, and then the state participated in its study and had some very competent people who made studies for this, and then the state's assistance for the construction of the hospitals. The intent was--I don't say it worked out this way, but this was the thinking in the legislature in providing these funds--that in order to prevent over-building, you would have to go through a state commission.* They would say to you, if you had an application for building a new wing onto your hospital, "No, you can't do that; we won't allocate these funds to you."

*Hospital construction funds were allocated through the Advisory Council on Hospital Facilities of the Department of Public Health, rather than the Allocation Board of the Department of Finance. See also interview in this series with P.B. Hume, MD.

- Morris: I see. And if there was a state share of money, then a state board had a say in it. So this was part of those surplus funds earmarked for state postwar construction?
- Breed: That's right. But a lot of people with the hospitals went ahead and built them anyway. All right. But, I mean, this was the theory; this is part of the sales pitch they gave us and why we bought it.
- Morris: The next item on my list was also an uproar in the legislature; that was the 1949 Water Pollution Bill. I gather that Randal Dickey [a fellow Alameda County legislator] tried to stop action on the budget because he didn't like the bill. That puzzled me because it sounded as if it was a technical kind of legislation which was requested by the Department of Public Health people in improving their water quality program.
- Breed: I cannot explain the motivation of Mr. Randal Dickey. He was one in whom I did not have confidence.
- Morris: What were your reservations about Mr. Dickey? Other interviewees have suggested that he was a spokesman for oil companies, canners and others who opposed regulation of discharges into rivers and streams. Would you say this is a fair opinion?
- Breed: I have no proof, only suspicions.

University of California: Loyalty Oath, Higher Education Planning

- Morris: While we're back in Alameda County, the one issue that rises above all others, I think, for a number of years was the controversy between the legislature and the University on the loyalty oath. Why did that become so bitter?
- Breed: Jack Tenney, who headed the Unamerican Activities Committee, made the accusation that there were communists on the faculty. He was going to make an investigation and all this sort of thing. He was following Joe McCarthy and that sort of thing, who he was riding high at that time.
- Breed: Jim Corley talked to Senator Tenney and finally got him to agree that if the University would have a loyalty oath Tenney would lay off the University, let the University handle its own affairs. Corley assured him; he said, "I can assure you, from President Sproul, that what you're saying just isn't true, that if we have any communists here--if there's any evidence, we'll get rid of them. We don't want communists in the faculty any more than you do."

Breed: "We have standards and principles that we believe in, and there is an academic freedom of expression of ideas that we cannot curb . And we must not do harm to that. We're afraid that if you come in here that you'll just get things all stirred up and cause great trouble, and we think that we can handle it ourselves. Let us do it."

Tenney said, "Will you have a loyalty oath?" Corley and Sproul agreed that they would have this loyalty oath, if then Tenney would stay away and not come in and just raise hell around there. And that's how it started.

Of course, it was getting on the edge of the broader question of academic freedom and whether it was accomplishing anything. It just offended a lot of people's principles that they felt were very, very important--very important to them at least. So the fat was in the fire, and it just sizzled and bounced over everywhere.

Morris: Yes, it did. It seemed to involve many more feelings and ideas than just a loyalty oath.

Breed: Oh, yes, it did. Oh, yes. So there's the background of how it came into being.

Morris: Were there feelings that the University was not being managed the way some people in the legislature wanted it anyway?

Breed: No, no. Remember, we'd gone through a war; this subject, at that time, of lack of loyalty and the war feeling and people's emotions were just stirred up to beat the band, you know. People were tense, and when it came to lack of loyalty, there was just an awful lot of strong feeling.

Just to show you, during the first part of the war, we took people of Japanese ancestry and moved them into a concentration camp up in Modoc County. They were California citizens; they were American citizens. Just because their ancestors had come from Japan. Of course, we did it on the basis that it was for their own protection--poppycock!

It's horrible as we look at it today. I supported it, because I believed in it at the time. But here's what I'm saying: the stress of the times. When you look at history, you see people do things under the stress of the times, at the moment, that they wouldn't do at a later time or under more sober conditions. We're all subject to this.

Morris: Did the loyalty oath controversy have any lasting effects on the University and its relation with the legislature?

Breed: It couldn't help but have some effects. I don't know whether it had any more effect on the legislature than it did on the citizenry generally and the press. It was a very disturbing situation. I knew why it came about and all that. Of course, as far as taking a loyalty oath, I'll take it every morning gladly.

Morris: With your orange juice.

Breed: Yes, surely; it doesn't bother me in the least. I'm not sure it's very effective. Frankly, it was an expedient at the moment.

Morris: It got out of hand.

Breed: How can you tell how far it's going to go? It's a terrific academic debate. Here again, I can see both sides of it, really.

Morris: Did it have any effect on the decision to expand the state colleges or to develop a state college master plan?

Breed: No, no, no, no, no. That's much deeper, entirely different. I'd say there's no relation. There was a feeling between the state colleges and the University--a natural jealousy. The legislators from state college districts were close to their state college; they knew their people and they had a loyalty to the state colleges, in the same way I had a loyalty to the University of California.

There used to be a feeling of animosity. I know Senator Jesperson down in Atascadero there--he had the San Luis Obispo operation down there; he was critical of the University.* Well, it was purely a sectional kind of a feeling.

Morris: Professional rivalry?

Breed: Yes. Now, when the state was growing, a lot of us felt that we could see that there was a need for expansion of state colleges. There were constantly bills to build them up in different places, one down in Stanislaus, which we now have, and so forth.

I wrote a letter to Bob Sproul saying that there should be a study here, headed by the University, with the participation of the University, the state colleges and the junior colleges, because I felt "you academic fellows could talk the same language and decide what kind of a program was a good, sound educational one; that you fellows could get together much better than the politicians could," and that I thought this study should be made.

Sproul wrote right back--I have the correspondence right here, I think--and he said yes, he would do it, he agreed one hundred percent. He took the initiative; with the superintendent of public instruction, the two of them named the original study commission for higher education. Out of it came those recommendations.

*California State Polytechnic College in San Luis Obispo

Breed: It was agreed the University would be the terminal facility, with research and graduate programs and the state colleges would have their place, and the junior colleges would be a part of the extension of the high school down here on the local level. For some people two years were terminal; as far as they're concerned the junior college should be more oriented to vocational training. For some, it would be wrong to train him to be an engineer when what we really need to do is train some persons that would be between the working person and the engineer and can talk the engineer's language. There was a very great area in here where there was need.

There was need also, as far as our citizens were concerned for a junior college right within their own community. The state had grown to such a point that a lot of times it was expensive for them to go away to a University when really they could get the first two years at home and find themselves. Then if they wanted to go on, they could get their next two years at a state college, get their degree, and then go to the University for graduate work.

V SUMMING UP

Political Life in Alameda County

Morris: I have a couple more questions to sum things up. We talked on the phone, before we got to the tape recorder, about Alameda County having produced a very impressive crop of legislators. What factors do you think made Alameda County as important as it has been in the legislature and the political scene?

Breed: I think the first thing we have to look at is the composition of Alameda County. It has been a residential community; it's been a very wholesome community. It's not had the problems of a big city like San Francisco, with its big seaport and all of the different elements of different people coming into the big city. It's been more differently oriented.

I think the University here has an influence on the character of the community, and such places as Mills College, which also has an influence, being an educational community where people want to be.

We've had some industry, but not the big concentration of business, big business that might control things. We've had a number of individual communities, cities here--not one big city but many cities--that would tend to develop citizens at the local level. Then they would be a great crop available for public service. I think those elements did contribute to developing individuals in public service.

Morris: Is there a strong political organization for both parties?

Breed: There was, of course, as I mentioned in our earlier discussion, there were two basic political factors in Alameda County--the Mike Kelly group and the Knowland group. The Mike Kelly group grew up from the days of patronage, when your political fortunes would be enhanced by your successes, and that meant that you'd have jobs to give out and that builds a political machine.

Breed: As I indicated earlier, Mike Kelly was a thoroughly honest, honorable man, although he was maligned because he had the title of being a so-called political boss. I don't think he was a political boss; he was a citizen who was just interested in the game of politics. He believed in it. He never benefited individually that I could ever determine from his influence in this at all.

The Knowlands with the paper had, of course, considerable influence in the community. Then, of course, we had the Post-Inquirer here which was an element that was kind of in-between; I think they had more of a leaning towards the Mike Kelly group, just because they were opposite the Tribune. But no great battles particularly.

Morris: Joseph Knowland started in some other field and then bought the paper, is that right?

Breed: Yes. That's right. He got it from Dargie.

Morris: What had Mr. Knowland been doing before he went into publishing?

Breed: He served in the state assembly, the state senate, and United States Congress.

Morris: I see. So he was a politically active citizen first and then bought a newspaper because it's good for a politician to have a newspaper. Or is that over-simplifying it?

Breed: [Laughter.] I think that's over-simplifying it. I don't know; you can look up in the Blue Books his early history there, what business he was in--I was just trying to think what business he was in. They lived in Alameda and his father before him was in Alameda.

Morris: How powerful were organizations like the Chamber of Commerce? You mentioned the JC's, and I was thinking also of lodges.

Breed: They all have a place in a community; it's hard to say how important they are. A lot of times a close election might swing one way or the other based on some elements of support.

You see, in this community, we have a wide variety of types of influences. The city of Alameda has always had its own brand of politics; the city of Berkeley has had its brand of politics. The city of Piedmont is something quite different again--nothing organized particularly up there as such.

Berkeley has been a university town--I'm not talking about the latest affairs in the last ten years, but I mean before that--the University had considerable influence out there in Berkeley in the early days.

Breed: San Leandro had its group out there with a great many people of the Portuguese race. East Oakland had its elements there which were quite different from other parts of Oakland.

So it was a conglomeration of different elements and different parts. Then, of course, down county, there was another element in the Livermore and Centerville area that had an entirely different flavor all their own. It's a conglomerate of individual citizens oriented to local interests, as distinguished from a big city which was some organization which was quite overwhelming with a lot of little segments. There was not any one great big organization that dominated the picture at all.

Morris: Am I right in hearing you say that, over the years, there's a higher level of interest among citizens--more citizens interested in public affairs than in some other communities?

Breed: I think so. There's more of an opportunity for them to participate in local affairs. And I think it comes to your first question as to why it is that Alameda County was able to develop a number of governors and a number of distinguished public servants that went on to higher things, because they had their training at the local level, in these smaller communities.

Earl Warren's Early Career

Morris: One specific one, in terms of Warren, is the Masons. Some writers have said the Masons were quite important in getting Warren his first statewide recognition, and that they were a strong influence in Warren's early political career. The Blue Book says you're a Mason yourself; would you say this is true?

Breed: No, I wouldn't say it was particularly true. I don't know what period of time you're talking about. The history of Earl Warren is rather interesting, if you want to know it.

Earl Warren, still in uniform, was hired as a clerk of the Assembly Judiciary Committee right after World War I. One of its members was an assemblyman by the name of Leon Gray. Ezra W. Decoto was district attorney of the Alameda County; he came up to Sacramento.

There was an evening meeting of the Assembly Judiciary Committee. Leon Gray and I think it was Eddie Smith, an assemblyman--there were two or three Alameda County assemblymen on the judiciary committee, and they were sitting around waiting for a quorum. Ezra W. Decoto came in; he had a bill before the committee.

Breed: They're great jokers and kidders, and they said, "Ezra, now you have a bill before this committee; if we pass it tonight, will you give us a job the next time you have an opening in your DA's office?" He said, "I don't know; what do you have in mind?" "Our clerk here, Earl Warren; he's just out of the army and needs a job. When the legislature is over, you ought to give him a job."

He said, "Well." They went on and said what a nice young fellow he was. He said, "He looks like a nice young fellow; yes, that's all right. I'm always looking for good people." And so they went on.

In the meantime, Leon Gray became city attorney of the city of Oakland. Ezra W. Decoto called on him one day and said, "I'm here to perform on that promise I made to you." Leon said, "Promise? What promise are you talking about?" "Oh," he said, "to appoint Earl Warren deputy." Leon said, "What are you talking about? We were just kidding. We were passing time; that was no promise. Nobody was serious about holding you to that. We were just gassing, that's all. No, no, no, no, no. We would not do that. That had nothing to do with your bill and your legislation. Don't you understand? We were just kidding, just having fun with you, that's all."

He said, "Well, I looked up that fellow; I've made an investigation of him and I understand he's here working for you." Leon said, "Yes, he is." And Decoto said, "Well, I would like to give him a job." Leon said, "I just want you to understand one thing: you're under no obligation to give it to him because of what happened up in Sacramento; I don't want it on that basis." Decoto said, "No, no, no, it's not on that basis; I'd like to hire him."

Leon said, "Just a minute." He called his secretary and said, "Is Earl Warren in the library?" They said he was. "All right. Come on. Let's talk to him." They went into the library, and he said, "You remember Ezra Decoto, the district attorney? He's here ready to offer you a job," and so on. And that's how Earl Warren got it.

I heard this story from Leon Gray, he was later superior court judge when I asked him about this story, and I talked with Ezra Decoto afterwards and I recited this, and I said, "Is this true?" Both of them confirmed this story.

So then, to continue the story, Earl later became chief deputy district attorney. Decoto, who was still district attorney of Alameda County, knew that he was going to be appointed to the Railroad Commission. He said to Earl Warren, "Look--you go and line up the votes for yourself in the board of supervisors," because the supervisors would have the naming in the event of a vacancy. "I will be resigning, but don't you say anything to anybody because Governor Richardson will be wanting

Breed: to make the announcement about my appointment. But you should be ready and have the votes all lined up on a when-as-if basis, that if there's a vacancy they would vote for you. You'd better tend to it right away because this will come along in the next thirty days, I expect." Later, he said, "Have you lined it up?" Warren said, "Yes, yes I have."

It so happened that he had not lined up the votes positively. He'd spoken to the supervisors but he didn't have a definite commitment. John Mullin was a supervisor. Mike Kelly had a couple of supervisors on there. There was a Knowland man on here, and John Mullin was the swing fellow and voted for Earl Warren for district attorney.

Earl Warren never forgot it. When he was running for vice president, he had Mullin ride with him on his train. Whenever he came out here, he would always come talk to Mullin because he remembered his loyalty; he was the fellow who put him on the track and made him district attorney. Once Earl was district attorney, he made the reputation himself for what he did.

He did have the support of the Tribune. He never had the opposition of Mike Kelly at any time. Any of the candidates who ran against Earl Warren were never put up by Mike Kelly because Earl Warren stood for the things that Mike Kelly did--honesty and decency in government.

That's the key story as to what happened, and as I say, I've confirmed it with the two principals of that story myself. I heard it from both of them. That's the story of Mr. Earl Warren in that regard.

As far as the Masons, yes; Earl was active in the Masons. He was master of Sequoia Lodge and then later was Grand Master of Masons of California. He did have a lot of support from the Masons, yes. But I think Earl had a lot of support from people who might be classified as anti-Mason by somebody else, if there is such a thing--other elements.

Morris: Would the Masons have selected Warren as a likely candidate and made a plan to build up support for him?

Breed: Oh, they never do. I can tell you this. I'm very active in the Masons. Anyway, I can tell you this--they do not--any lodge or any Masonic body--ever take the position as a body for or against any candidate. We do believe that every Mason should be a good citizen and participate according to their own individual conscience, as they see fit, but certainly nobody will tell, in any lodge, somebody what they should or should not do. That'd be wrong.

Morris: That's a good point to have clarified,

Breed: I know whereof I speak.

Leaving the Legislature

Morris: At the other end of your elective career, why did you decide to leave the legislature yourself?

Breed: After twenty-four years, it gets to be pretty much of a routine. I had all the honors. But, primarily, I found the work was just building up. I had the seniority, and a great many people and state departments--because I had a reputation that they liked--asked me to handle legislation for them. Having the seniority, I had all the committees I wanted and was on all the important committees. I was working perhaps two or three times as hard as many of my colleagues.

I represented an important county and the work just built up. I found I was working full time at being a legislator and I didn't want to. I took it conscientiously and would be there to work at it, and it was becoming bothersome; I couldn't get away from it. People would phone me at home.

The last time I ran, I said to my wife, "I've run my last; I've made up my mind." I almost didn't run the last time. I said, "I've run my last. I'm not ready to announce it for several years, but I tell you I'm not going to run again any more." That was 1953. I didn't; I made up my mind that was it.

Here's the way it would work out. You'd be sitting on a committee--it doesn't make any difference what the committee is--and here problems come up. You had all the background; you'd heard the whole story time and time again. You'd feel, "Let's get on with this thing. I know what I want to do. Come on, let's vote."

Well, a new man on the committee would start asking questions. Well, he's entitled to get the answers to those questions; he didn't know the answers. I used to ask those questions when I was new, to the annoyance of the oldtimers, you see.

I'd be sitting there knowing the answer--

Morris: And knowing where you wanted to go.

Breed: Knowing where I wanted to go, know exactly what the background was and so on--I could have given a talk on that measure and the background and the history. I'd be thinking, "Oh, I ought to be in the office; I ought to be doing this; I ought to be doing that. I want to call this department, and I have this correspondence, and I want to go over to the assembly"--just a myriad of things would just start spinning in my head, and I'd get frustrated here because I had all these things to do. I had to listen to somebody take up all this time that I felt was a waste of time. I didn't feel like getting up and walking out because I didn't know how long he would be asking questions.

Breed: Finally, after a while, it gets to be an old story. Then I found, with my two children coming along, I was beginning to grow away from them. They were asking my wife questions about things I thought they ought to be asking me. My wife stayed home and raised the kids and I was up in Sacramento and it was a world apart; when I was up there, that was my world.

It was wearing me out--actually, actually. I had friends who'd come up there and say, "Gee, you're knocking yourself out. If you don't look out, you'll turn up here missing one of these days." And I did have friends say to me, "Relax; take it easy." So I decided it was making an old man of me ahead of my time. I'm sure I'm much easier to get along with since I've left. [Laughter.]

Morris: Looking back over those years in the legislature, what do you feel were the greatest changes in the legislature and your greatest feelings of accomplishment?

Breed: That's a multi-sided question. The first part--the greatest changes. There are two things, I think. One is, I felt that in the main--and I would be the first to recognize the exceptions--but in the main, I think that the determining element was the principle of the matter involved, regardless of partisan politics. Partisan politics did not play but a very, very small part in the affairs of state matters when I went there. Now, of course, they've changed and gotten more and more partisan.

And the second--there is a great growth of what I would call selfish interest, individual interest. That can cover the whole ramification there. Lobbyists--I might be misunderstood in this and I don't want to be--are there to supply information and to be used, and I mean used in the sense of being helpful and not in an adverse way. But lobbyists should not be able to use the legislator.

Morris: And you feel that this has increased?

Breed: This has increased very much. I think that we're almost being run now by a lot of individual, selfish groups.

Morris: And you'd broaden this out to include not only industry lobbyists but--

Breed: Labor, organized teachers--all kinds. Let's be fair--all kinds--many many, many groups. It's terribly broad. What I'm pleading for is more objectivity, when you have people that are not subject to the influence of being there by party. I feel we had more men that were able to serve because they were independent, as against holding to some groups.

The state has gotten so large now that it takes a lot of money to run for public office. I think that a lot of people who make contributions are having influence that they shouldn't have on

Breed: legislators. I think I mentioned earlier, whenever I had any political contributions, if it wasn't on the basis that they supported me because I was what they thought the best man, then I didn't want to have anything to do with their contributions. But, I was independent--no strings attached. I'm afraid there are too many strings being attached by virtue of the costs necessary in running political campaigns these days. This is one of the weaknesses in our system. I love our system in spite of all of this, but I want to get the sights up higher, on principle, because I think the public interest is served much better that way.

Morris: It certainly would seem to be, yes.

Breed: You ought to be more judicial and hear all sides. That's all right; everybody's entitled to be heard. I'm all for that. But I want the judges to be independent; legislators are judge, jury and executioner all rolled into one very often.

Morris: Yes; it's quite a responsibility. It must be very challenging.

Breed: It is. It's challenging because one minute you're sitting on this side of the desk, as judge and jury; then you have a bill before a committee, and where are you? You're on the other side and the guys that were there before are sitting in judgment on you! It's a great leveler, believe me. You don't dare stick your finger in that person's eye because you may go over and then that person is sitting in judgment on you, and you know what would happen. [Laughter.] A good way to end it.

Morris: I've enjoyed this, and I hope I've left you time to have a sandwich, before your meeting this afternoon.

[End of Interview]

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