

The Sixteenth of December and the Day of the
Celebration of the Centennial Anniversary of
the firm of Knudsen, Berkheimer, Beam,
Richardson & Endacott and its Predecessors.

After a number of postponements and delays necessitated by Chief Justice Burger's heavy and unpredictable schedule, the Chief Justice advised the Knudsen firm that he could be in Lincoln to give his address on the sixteenth of December, 1981. He also informed it that he would arrive in Omaha in the morning of that day and be driven down to Lincoln by the United States Marshal.

Lincoln was astir with the prospect of the Chief Justice being there and speaking at a meeting sponsored by the Lincoln Bar Association at Kimball Hall, at the University of Nebraska, in Lincoln. The Lee Rankins arrived in Lincoln on the fifteenth of December to be of any possible help. They flew from New York to Omaha and drove down from there as the weather threatened but did not produce snow. They arrived at about 3:30 PM and registered at the Lincoln Hilton, and promptly called Richard Knudsen to inform him of their arrival and asked him to send over to the hotel for copies of a proposed history of the law firm to be given by Lee Rankin at the firm dinner on the evening of December 16th, subject to review and approval by Dick Knudsen. He said he would send a messenger who would also bring with him a copy of the Chief

Justice's address for Lee to read and it was agreed that they would meet at the law offices at 9:30 in the morning of the sixteenth.

On the day of the Centennial Celebration of the law firm, being the 16th of December, Lee, as planned, went over to the firm's offices in the early morning in weather which was nine degrees above zero after an all night blizzard. He visited with Dick Knudsen, Wally Richardson and Dick Berkheimer pending word that the Chief Justice had arrived at the Hotel Hilton in Lincoln, where Dick and Lee were to meet him. Dick told Lee he and several of the other members of the firm had read the draft of Lee's proposed speech on the history of the firm and they all wanted it given just as it was without any changes. He said they were greatly pleased with it and most appreciative of his preparation of it.

At around 11:15 AM, in accordance with the arrival time, the Marshall had called in to Dick, Chief Justice Burger came into the hotel from the garage side with the Marshals. After a friendly greeting, he was taken up to his room to put his things away and wash up. Then the party left for the luncheon date at the Lincoln University Club. A luncheon with the Governor and federal and state judges was to be held in the small dining room on the second floor of the Club.

However, a surprise was in store at the Stuart Building lobby. When the party arrived there the WOW-TV cameraman

and an announcer were there and the announcer busied himself repeating inquiries addressed to the Chief Justice about statements he said were in Ehrlichman's recent book concerning Mr. Nixon and the Chief Justice. The questions were stated in a rude, repetitive manner that appeared to be intended to antagonize rather than to seek information, in genuine good faith.

The Chief Justice did not respond but walked right along into the lobby and into a special elevator which had been arranged for so as to take the party directly to the dining room where the Governor and the judges were waiting for the luncheon to start. Lee and Dick entered the elevator on each side of the Chief Justice and were in the back of the elevator on each side of the Chief Justice, facing the door, when the operator tried to close the elevator door to go up as planned. *Was
up?*

Before the girl could get the door closed, the cameraman pushed in and shoved his camera against the Chief Justice's face. The Chief Justice responded by pushing the camera back out of his face as well as the cameraman who was holding it there and just said, "Get your camera out of my face." The elevator door was then closed by the operator and the party went up to the University Club. The Chief Justice had a black mark on the right side of his face where the camera lens protector pushed against it and he took his

handkerchief and proceeded to wipe the black mark off. The black mark was thus transferred to his handkerchief.

On the twelfth floor the Governor and the judges were in the dining room and were met by the Chief Justice who greeted them graciously with an apology for the delay and then all had a pleasant luncheon. After lunch, the Chief Justice had a few remarks about the courts and the desirability of respectful relations between the state and federal courts. He then asked for questions which he proceeded to answer, but there were only a few. The meeting was cordial. The Chief Justice then said he had to leave for the tour of the Nebraska State Penitentiary which he had asked be arranged during his trip to Lincoln. The party, including Governor Thone and Attorney General Douglass, Dick and Lee and the marshals, then left for that appointment with the Chief Justice.

The tour of the Penitentiary was most interesting as it showed the Chief Justice busily engaged in seeing the new facility, the condition of the rooms and food facilities as well as the manufacturing operations. He made numerous inquiries and greeted each person he was introduced to with consideration, and often made inquiries as to such person's part in the operation and nature of his work. He appeared eager to learn all he could and compare what he saw with what he had observed in other prisons he had visited all over the world.

The Chief Justice said he was surprised that the new prison, although only opened a couple of months, already had twice as many residents as it was designed for. He commented favorably on the equipment and the apparent quality of the production as well as the supervision and direction he observed. Finally, the Chief Justice was persuaded to leave so as to resume his schedule and hurried off with the rest of the party to Kimball Hall at the University of Nebraska, to be ready to give his address there.

At Kimball Hall, the TV people were waiting outside and repeated the same rude and impudent questions about the Ehrlichman book. The Chief Justice again did not respond.

The Hall was filled on the lower floor. The Chancellor of the University, Dr. Martin A. Massengale, first introduced Richard M. Duxbury, President of the Lincoln Bar Association, who in turn introduced Richard A. Knudsen, who then introduced J. Lee Rankin, who then presented The Honorable Warren E. Burger, Chief Justice of the United States to the assembled audience.

The Chief Justice gave a carefully developed exposition of his belief that the approach to the subject of penal and correctional institutions should have substantial changes in both policies and practices. His proposal was that the United States should be building factories with fences around them in which to train inmates and then have them engage

in useful production. He urged that:

when society places a person behind walls and bars it has an obligation - a moral obligation - to do whatever can reasonably be done to change the person before he or she is released back into the stream of society. This is more emphatically so with respect to the repeat or recidivist prisoner.

And in further discussion of his subject, he said:

It is predictable that a person confined in a penal institution for two, three, five or more years, who is then released without being able to read, write, spell or do simple arithmetic and not trained with any marketable skill, will be vulnerable to returning to a life of crime. What job opportunities are there for unskilled illiterates with criminal records? What business enterprise could conceivably continue with the rate of "recall" of its "products" that we see with respect to the "products" of our prisons?

Then he also said:

Creating prison industries, with incentives for good performance, would accomplish the dual objective of training inmates in gainful occupations and taking off the backs of the American taxpayers the enormous load of maintaining the

prison systems of this country.

And, in conclusion, he observed and advocated:

What I advance to you today is, that since we seem to be embarked on a massive prison construction program, we should try to new approach - convert our "warehouses" (for human beings) into factories with fences around them.

The Chief Justice's remarks were well received and the audience seemed pleased with them as well as the fact that he had come to speak to them. (The Chief Justice's address is attached, marked Exhibit A and made a part of this memorandum.)

After the address, the Chief Justice went to the NBC Center for a reception. There were between four and five hundred people there to enjoy cocktails and hors d'oeuvre and meet people from the firm and their friends. The Chief Justice was invited to speak and he greeted the crowd, said how much he enjoyed being there despite the "low fog" which he observed coming into town (meaning the snow) which he considered light for a Minnesotan to have to deal with. He also stated his complete confidence in the report of the Warren Commission on the assassination based on his very high opinion of the members of the Commission, the staff and especially Lee Rankin as General Counsel, the high quality of whose work he well knew.

The next event was the firm dinner at the Lincoln Country Club at 8:00 PM. The dinner was held in the beautiful new upstairs dining room in the Club just recently finished. It has a bar in one end of the "L" shaped room and seven tables for the guests, with eight persons at a table, and a special place at the head of the middle table for the senior partner, Dick Knudsen.

The decor was exquisite, with candelabra of electric lights that could be dimmed over the table and both the cuisine and wine were superb. The dinner included a cream of chestnut soup, a fish course of lobster tail on a bed of lettuce with a sauce over it, a chef's salad with dressing and sliced beef of tenderloin, baked potato, green beans with sliced almonds, appetizers, red wine and vanilla ice cream with madeira oranges covered with grand Marnier. Certainly all the guests felt they had been satiated with food and drink as the evening ended.

After cocktails for a period, Dick Knudsen called all the guests to be seated for the dinner and directed that they consult the place cards at the tables for their respective seats. He began the celebration by a toast to the firm and its one hundred years of professional services to the people in the City of Lincoln. During the meal, Jim Stuart gave a toast to the firm and, particularly, its integrity which over the years he considered was a principal element in its success.

Toward the end of the dinner, Dick Knudsen expressed the appreciation of the firm and the community for the Chief Justice's coming to Lincoln to give his address and attend the dinner and gave him a gift of a carved duck by the artist Paul Johnsgard, with a beautifully printed, illustrated and bound book describing other work of the artist and some of his principal achievements in his work as an artist. The Chief Justice responded, stating his appreciation of the gift.

As the meal ended, Dick Knudsen called on Lee Rankin to relate the history of the firm. This Lee did, beginning with J. B. Strode, starting in 1881 and proceeding through the entire period down to the close of 1981. (That history is attached hereto, incorporated herein and made a part of this memorandum. The history includes Appendices A through E. In Exhibit A is the listing of the various names of the firms involved and the period of time of each such firm; in Exhibit B are the names of the partners of the several firms and the date of a partner's entry; in Exhibit C is listed the present associates of the firm; in Exhibit D is a list of the present employees of the firm, other than the partners and associates; and in Exhibit E are names of secretaries who were long time assistants to the firm and personally known to many of its clients.)

Then, at the close of the evening, Lee proposed a toast to the next hundred years of the firm's development and success. This signaled the end of the centennial celebration and the leaving from the Club.

Just as a postscript, on returning to the hotel with the Chief Justice, he told Gertrude and Lee that he returned to the celebration of his firm's centennial in St. Paul, Minnesota, when he and Lee were Assistant Attorneys General in the Department of Justice in the early 1950s and no one of his firm had prepared any record of its activities like Lee had done for this one. He said it would have meant so much to him to have such a history and would be invaluable over future years. He also said how much he had enjoyed every part of the day of celebration, although the pace of activity had been very rapid. Remarking that he had to leave for Omaha with the Marshal at seven o'clock in the morning to be there for his plane's departure, he left for his room as he said goodnight and goodbye and finally reached a time for rest at the end of a full and busy day.