

This got those fraudulent names off of the registration list and it became almost unnecessary to challenge any voters.

Also after that—and again, I don't know the timing—but the Arizona Legislature passed a law that the ballots be printed in Hispanic, in Spanish, to assist and aid the Spanish minority voters. This also was done with the cooperation of the Democratic Party.

That pretty well covers my basic statement, except that I would like to read from an article that appeared in the October 25, 1962 Phoenix Gazette, which is the afternoon paper in Phoenix. It is headlined:

**GOP Plans Unusual Measures to Get Heavy Vote.** Unusual measures to get out heavy vote and to guard against violation of election laws will be used this year. To put it bluntly, we will be guarding against possible election fraud and so on. Especially in Maricopa County, extra efforts will be made to challenge those not legally qualified to go to the polls and attempt to cast ballots. "We will not try to prevent anyone from voting who is qualified legally to vote", stated the State Chairman. "On the contrary, we are doing all we can to encourage the biggest possible turnout. On the other hand, we anticipate that certain attempts will be made to capitalize on apparent voter apathy. This could take the form of persons trying to vote under assumed names—" which they did "—or to vote when they were barred by the Constitution or the State laws for any reason."

That appeared 2 weeks before the general election of November, 1962.

That's the end of my statement, Mr. Chairman.

The CHAIRMAN. Thank you.

Mr. Fred Robertshaw.

#### STATEMENT OF FRED ROBERTSHAW

Mr. ROBERTSHAW. Mr. Chairman and members of the committee, my statement will be cumulative to that of Jim Bush, and I think will be much shorter than the other gentlemen here.

I am a lawyer and have been practicing law in Phoenix, AZ for 25 years. I, in 1962, was on this lawyers committee. I think that's the reason why whomever called me wanted me to come. I was not a chief like Bill or Jim Bush, but I was an Indian. I think the people who had me come here want me to tell you what we did.

I said, "Bill, what do I do, being on the lawyers committee in this election?" He said, "Bring the code book down to the county headquarters and read the code and answer questions from people at the precinct level who will be calling in to ask you what the law is."

Most people don't like to read the dry prose that we lawyers have to, and so I guess that was basically our instructions and that's what I did.

I know that I was not an officially designated challenger, and I don't believe that anybody else on the lawyers committee, of whom Bill Rehnquist was one and Jim Bush was one, were designated election officials, either. I think our scope, as I recall it—and this was 25 years ago—was simply to read the code and advise people, first over the phones when they called in, whether they were a designated challenger or an election official from a party, whomever. That's what I know I did.

I think one time I went out to a precinct and read the code to somebody, and they said, "Gee, that's the law" and that was that.

So, I hate to be too brief, but I'm afraid that's all I can recall now, other than to eminently commend Bill Rehnquist and urge you to please confirm him, as he is one of the finest lawyers that I have ever had the good fortune to have anything to do with.

Thank you.

The CHAIRMAN. Mr. Gordon Marshall.

#### STATEMENT OF GORDON MARSHALL

Mr. MARSHALL. Yes, sir.

Mr. Chairman and members of the committee, you have heard the statement read by Mr. William Turner relative to our activities as cochairmen. We were the other side of the coin, if you will, in that we recruited and placed challengers, following their instructions. During election day we traveled from poll to poll to see that they were in place and to see if we were able to lend them any sort of assistance.

I have lived in Phoenix since 1956, as a corporate officer of a corporate business there. I have since retired, or semiretired, as Ralph and I prefer to say.

I would like to just take my few remaining minutes to again commend to this committee a man I have known for 25 years, as a friend, companion, a devoted father, a partner of mine and Mr. Turner's, a man without malice or animosity, a gentle person full of consideration for his fellow man.

It seems to me utterly inconsistent, with the man that I have known, and his character, that he has committed some of the acts I have heard ascribed to him in the last few days. He is not a man who intimidates, threatens, or harasses.

Thank you very much.

The CHAIRMAN. Mr. George Randolph.

#### STATEMENT OF GEORGE RANDOLPH

Mr. RANDOLPH. My name is George F. Randolph, Mr. Chairman and members of the committee. I'm a native Arizonan, I've been an Arizona lawyer for 33 years. I have been licensed to practice before the U.S. Supreme Court for 29 years. I was Senator Goldwater's legislative assistant and counsel to the Senate Labor Committee from the years 1957 to 1960, so I have a little knowledge of your procedure here.

I was involved in the Republican challenging program in the years 1960, 1962, and 1964. I was one of the lawyers that participated in the advising of the poll watchers and of the challengers in those years. I have known Justice Bill Rehnquist since 1952, when he came to Phoenix.

In 1960 it wasn't clear that we prohibited the challengers from using paragraph 7, of ARS § 16-921, and we did permit the challengers, upon occasion, if a voter couldn't read or write the Constitution, to ask the board to challenge the voter on that basis. That's my best recollection. I don't think we favored it at all, and it was rarely done.

But in 1962 and 1964, the night or so before the election, Bill Rehnquist and Jim Bush conducted a school for challengers—at which there were probably 25 or 30 of us at least, and we were