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## PREFACE TO THE MICROFORM EDITION

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1975

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FABIAN GACHRACI

THE MEMOIRS OF  
MR. EDWARD J. BUHNER  
INTERPRETER  
HARRY WOODS

My name is Harry Woods. I am an American truck historian. The date is June 18, 1973. The time is 10:00 AM. And the place is in the home of Mr. Edward J. Buhner, at 130 Council Road, Indian Hills, Louisville, Kentucky. Indian Hills is an exclusive, park like suburb of Louisville.

Mr. Buhner, now 72, owns and lives in this beautiful estate with his charming wife.

As a young man, Mr. Buhner, entered interstate trucking at the onset of the depression in the 1929 - 30 era, due to restricted operations of his father's fertilizer business, which was a direct result of the above mentioned depression.

Brunner

For the benefit of those who may be future listeners of this up-coming recording; especially, students of transportation, researchers, and historians of our American Interstate Trucking Industry, I wish to call to their attention of its major importance.

Few men have contributed as much to the founding, legal birth, and rise of today's vast interstate trucking industry as Mr. Buhner. His contributions were not only numerous, covering practically all fields of the then new and struggling industry; but the positions he held harbored key roles, which history has proven he was more than a match in fulfilling. And today many of his contributions are anything but items, or topics, of the past merely furnishing dry material for students and historians to study. Far from it, for the results of several of his efforts currently stands as Federal, State, and Interstate Commerce Commission laws, regulating the industry. Mr. Buhner, is one of only three remaining Authors of the ICC Motor Carrier Act of 1935, which granted the trying industry its legal birth and industrial recognition. The other two are both his close and respected friends: Mr. Maurice Tucker, of South Bend, Indiana, and Mr. Chester Moore, of Marathon, Florida. Before beginning this outstanding American trucker's interview, I believe it is in order for me to brief upon the highlights of his fabulous career, which he will be recording in much detail. In the field of organization he was one of the Founders of the American Trucking Associations, and as he was overwhelmingly elected a Director at its conception in 1933 and still serves in that capacity, he has served 40 years, making him the second

longest serving director in the ATAs. At present he is Chairman of the Executive Committee of the ATAs. He was the founder of two state motor truck associations. He will probably be best remembered for his lobbying abilities and accomplishments. He took part in the 1932 legislative session in the state of Indiana whereby the railroads concentrated their efforts to stop east-west traffic by passing a law in the state forever stopping interstate trucking going from the middlewest to the East through Indiana, and in order to be sure they won they put 23 lobbyist in that state and it was Mr. Buhner, and his very close friend, Mr. Maurice Tucker, Mr. Morgan, of the Morgan Meat Packing of Indianapolis, and through a young State Senator at that time, Attorney Glenn Slenker, of Monticello, Indiana, who sponsored their bill in the Senate that these very few men defeated these all powerful railroad lobbyist. It has been said that that was the 'Gettysburg Battle' of the Railroads vs. Trucking, and Mr. Buhner stood-out foremost in that conflict as he played a very major role in it. Afterwards he came to his chosen state of Kentucky and here his legislative accomplishments were even greater. His victories resulted in precedent setting, or we might say, Starr Decisis decisions, for other states to set their examples by and as a result he, more than any man, contributed to opening up the North-South traffic from Chicago,

and the Northern States to the Southern States. And by the precedent setting abilities of his legislative victories in Kentucky, eight other states followed suite opening up the South. Throughout the South.

Back again, in his organization work he followed in the footsteps of the immortal Ted V. Rogers and upon Mr. Roger's death accepted office of presidency of the ATAs; therefore, Mr. Buhner, was the second President of the ATAs.

During his one year term of office he based his platform on, safety, and he made great strides in safety measures of examining drivers which still stand today; such as, colorblind test, health, and fatigue of drivers and such. And this safety program has even led to today resulting in the Truck Rodeos that's held annually around the United States, awarding drivers for their skill in handling trucks and for their safety in driving.

It seems this man's contributions to American Interstate Trucking were endless. After all of the battles of the pioneering days were over he then served on the ODT during the war. Office of Defense Transportation. And while there he was responsible, to great part, in the 10-20 tire being chosen as the regulated tire for the average trailer. He was instrumental in figuring out the length and weight laws, nationally. The road tax fund. He has played many, many roles that are too numerous to mention here. In this recording, or this inter-

view, we hope to cover all these points with him, which will no doubt make this taped interview rather lengthy, but it will be well worth it.

And last, but not least, I hope at the completion of our interview, whenever that might be, that we can read in, or have him read in to the tape, what became known as the, 'Buhner Report,' which became a guide-line to the American Truck Associations. Now that we've touched upon these high-lights, let's go to Mr. Buhner, and start our interview. He has agreed with me that for the convenience of our interview that we will address each other by our first names.

Woods: Well, Ed, how did it all start? How did it all happen? How was it, that you got into trucking from fertilizer, and how was it that you played such an important part in the legislative and executive fields of American Interstate Trucking?

Buhner: As Harry told you I was originally in the fertilizer business which my father organized back in 1889. I actually started working for my father shortly after. I was out of high school and then spent a year or so at Purdue. He then brought me into the fertilizer industry to help him to develop the business. About that time the depression came on and we had a problem of trying to keep our plant operating because the farmers had very little

money to buy fertilizer with. Corn went down to 17 cents a bushel. Wheat went down to 32 cents a bushel. So there wasn't much of a market anymore; especially, when we originally sold fertilizer in carload lots. The farmer was just too poor, and the dealers were too poor to buy a carload of fertilizer at a time so they just didn't buy anything. So we had to find a new way of marketing our product.

So consequently I had been watching quite a number of truck operations. The contract carrier operations. They had interested me very much. So, we decided then that we would try to deliver our fertilizer by truck to our various customers because we could deliver any quantity at that time to five tons per truck instead of a minimum of 20 to 25 tons in a carload. We then started approaching our dealers and our customers and they immediately were very much enthused about buying fertilizer in the smaller quantities; especially, if we delivered it direct to the farm, or direct to the dealers. To show you just what the problem was and why the truck became so very important to us. Originally we shipped fertilizer as close as eight miles by carload. From the time we loaded the fertilizer into a car and got it to its destination, which was only about eight miles away, it meant that five days had elapsed. With a truck we had it there in an hour to two hours, averaging only maybe ten mile a hour with the truck.



Woods: May I ask something at this point, Ed? Wasn't there also another convenience in your favor besides this? Didn't the railroads at this time demand a price per car? In other words, if you didn't load it completely you still had to pay, or was that not so?

Buhner: Well, we had a minimum we had to go by which was at that time was I think was a forty thousand pound minimum. We shipped less than that in a carload we still had to pay the minimum.

Woods: Now, in money wise this truck was a great load fall to you men, in service and money both.

Buhner: Oh, yes. At that particular time most trucks were still on solid rubber tires. Especially, the old International truck.

Woods: And what was this? 1930 you say?

Buhner: Oh, about, a little before 1930. In 1928 and 29. When the depression started then. However, there was one in the general community there who had a 'White' truck, which had solid tires on the front wheels and pneumatics on the back wheels, and this truck at that time was known as the, 'Speed Truck.' And it would haul the capacity of five tons. It could travel up to about 25 miles an hour.

Woods: That was a White tractor.

Buhner: 'A White truck.'

Woods: A straight truck.

Buhner: A White Straight truck, and that of course was perfect speed in those days.



Woods: Oh, that was tremendous. Now you've touched upon a very important thing Ed. Maybe we can elaborate on it at this point a little bit. You mentioned the pneumatic tire, which is the first time its been brought out in your conversation. Now the pneumatic tire which I imagine this was probably in the year of 32, or 31, wasn't it?

Buhner: Yes, 30 or 29. Somewhere around there.

Woods: And do you want to tell the listeners as to how much this aided and changed trucking when we had a pneumatic tire.

Buhner: Well, the pneumatic tire permitted more speed on the truck, and of course it was much easier on the vehicle itself. It absorbed a lot of the bumps, and you didn't have near the blow-outs with the pneumatic tire that you had with the solid tire.

Woods: Now I know I have touched upon this subject before but I would like for you so as to verify it. It is very hard for people today to believe that a hard rubber tire would blow up. But I remember when I was a kid and first went on the road the hard rubber tire hadn't been too far gone. You know, I came in about the time of the pneumatic tire in the 30s. And when they told me of a hard rubber tire blowing up, I couldn't believe it. I said how could a hard rubber tire possibly blow-up when it was nothing but rubber? And it's been explained. Would you like to

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tell your experience with hard rubber tires?

Buhner: Well, I don't know too much about them but I do know that they blew-up. Apparently, the tremendous amount of heat that was created due to the tire running on the ground. Of course in those days we were riding on gravel roads. Country roads. Stone roads, and all types of roads. Very little concrete roads in those days, and the heat that generated from those tires just would expand the tire and finally it would blow off the rim.

Woods: Yes, they formed a blister between themselves and the rim and blew off.

Buhner: They just blew off, yes. So the pneumatic tire. Of course that was the high-pressure pneumatic tire, at that time, and that I think was about the first time we saw the dual tire on the rear driving axles of trucks too.

Woods: Now that was single axle with two tires on each side.

Buhner: Yes.

Woods: Now these were split rim pneumatic tires. In other words, in order to change you had a split rim that went around. Did any of your drivers ever get hurt changing tires? I know they had a lot of accidents. That split rim would fly off.

Buhner: I don't recall of anybody being seriously hurt on the road changing tires but I do recall one boy being fatality injured in our shop by a tire blowing up off of

the split rim.

Woods: Well, now that we've covered the tire field, what size motor did you have in this White? Do you remember? The five ton capacity. Was it probably about a hundred and five horse power?

Buhner: I don't think I can remember that. The thing I remember that this particular truck had a powerful enough motor that it could maintain a speed of about 25 miles an hour with a load.

Woods: Tremendous, tremendous. Well, okay go on Ed, I won't interrupt you anymore.

Buhner: It was through us adopting motor truck transportation in our fertilizer business that during the depression we were able to increase our business rather than falling behind. We increased our business and from then on we gradually acquired a fleet of our own and we then delivered fertilizer all over the state of Indiana and some in Illinois and some in Kentucky, and through that we finally became the second largest distributor of fertilizer in the State of Indiana. Primarily the result and tally by the service that we were able to give through trucking. And it was this experience that woke us up to the possibility of interstate free-hauling. And that was my first experience in general trucking.

Woods: You were actually doing interstate then. You were crossing into Kentucky.

Buhner: Now before all this I might relate a little bit about the trucks. My father had the first truck in Jackson County in the State of Indiana, and that was primary just for local hauling in the community. That was an old Reo, one cylinder, with the buggy type wheels and the chain drive. And on various occasions I got to drive that truck. We could drive it about four or five miles and then had to stop and with the oil pump we had to pump oil to keep the thing going properly. Also another thing that might be of interest was a great uncle of mine, which was my father's uncle, built in the very early days, one of the first steam buggies, or steam wagons. He built his own boiler, built the engine and all that. My father, on a number of occasions related to me how they would go down the road with this contraption and they'd run about a mile and then have to stop and build up steam again and then keep on going.

Woods: You wouldn't care to make a guess as to possibly what year that was, or what era your uncle was doing that.

Buhner: It was before the turn of the century.

Woods: We'd say in the middle eighties, or nineties.

Buhner: Possibly in the nineties. One of the things that Mr. Haynes, who built one of the first automobiles. He came to my home town of Seymour and copied the system that drove the rear axle and he took that back with him. That was the really first time that my family was ever

involved in transportation.

Woods: So your uncle really gave him the differential of the car. Now the REO. I imagine if we were to judge would have probably been in 1914, 1915. The one with the buggy wheels on it, or maybe a little earlier than that with buggy wheels.

Buhner: It was in my high school days so that would be around 14, 15. 1914, 1915. The experience that we gained by delivering fertilizer in smaller quantities, or rather in less than carloads, showed us a way of definitely increasing our business. And shortly thereafter we then bought our first truck for our own selves in the fertilizer manufacture business, and that was an AB Mack, two and a half ton that would haul up to six or seven tons. Then the company that sold us this truck made an inquiry as to whether we would be interested in operating a truck between Louisville and Chicago.

Woods: What year was that, Ed?

Buhner: That would be in the early part of 1930. So after checking into the whole thing and having a very definite interest the possibility of trucking we decided that we would take on an operation between Louisville and Chicago primary of hauling meat to start with, which seemed rather odd to haul meat from Louisville to the big meat town of Chicago. But we built a refrigerator and bought

a C MACK, which was entirely on pneumatic tires of the time. Dual wheels and quite a modern piece of equipment. This was the only truck we owned to start with the company that we then organized called, 'Silver Fleet Motor Express.' For our second truck we then borrowed the truck that the fertilizer company owned because the fertilizer business was a very seasonal business and we actually started operating in October so we could use the truck approxametly three or four months before the manufacturing business would require it again. So then we began in the Common Carrier business, because we organized ourselves to send a truck to Chicago, and one from Chicago back to Louisville everyday. We had daily service between the two towns. One of my brothers was sent to Chicago, who pounded bricks and knocked door bells in Chicago for freight coming into Louisville, and I pounded bricks and banged door bells in Louisville to solicit the business going to Chicago. And we were the first full time operators between the two cities.

Woods: Ed, how long did it take for one of your trucks to make the run?

Buhner: At that time approxiametly 12 hours. This service started shortly after the first bridge was built across the Ohio River. First real motor bridge across the Ohio River. Approxiametly less than a year after that bridge was built. And there were still stretches of unpaved

roads between Louisville and Chicago. Especially, in North of Lafayette as I recall they still had twenty to thirty miles of gravel roads.

Woods: Now, then you went on from there to include more trucks. You enlarged. And what were your power units mostly. Most people in the middle west started out with Internationals. Was your truck, you said a Mack.

Buhner: We started out with Macks. And then we were ready to get our third Mack, and the Mack dealer at the time, he didn't know anything about overload operations. So he then sold us on the idea that we ought to have a chain drive Mack. An old AK Chain Drive Mack. We ran it about ten trips and then we got rid of it because it would take us from 16 to 18 hours to run from Louisville to Chicago.

Woods: Chain would keep flying off.

Buhner: Well we actually didn't have any mechanical troubles because we got rid of it. Then we went to a BJ Mack, which was really a powerhouse of a truck. By that time we were running two trucks each way between the two cities, and the BJ Mack at that time was able to haul very substantial loads because Indiana hadn't made any restrictive laws yet on trucking. We were able to pull a trailer and a four wheel trailer back of our one BJ Mack.

Woods: The four wheel trailer. Now you had trouble with

that didn't you? It would wobble on the road wouldn't it?

Buhner: It wasn't severe. We had Trailmobile trailers and they were quite well engineered. Another truck that we had in the early days was an Indiana. But that was a leased unit. A driver with his own truck, and I think that was the fifth truck and from then on I don't recall any more but we kept gradually adding.

Woods: Now the Indiana truck was made in Indiana, wasn't it?

Buhner: It was made in Marion, Indiana.

Woods: You bought Trailmobiles. They were at this time. The same as the truck industry, the trailer companies were starting to form all over the country.

Buhner: That's right. The Trailmobile was built in Cincinnati, and as I recall there was one trailer company in Louisville. Manufacturer in Louisville. As a matter of fact they built our first reefer trailer that we had.

Woods: You don't recall their name?

Buhner: Yes. The Kentucky Manufacturing Company. They are still in business today.

Woods: The Kentucky trailer.

Buhner: They're still in business today. That's primarily the history as far as the operation North of the River is concerned.

Woods: Then you extended on South?



Buhner: Then the next expansion that we had, we started moving South. And there was a smaller truck operating man between Louisville and Knoxville and we bought his small operation, as I recall it was a three truck operation. And we then started operating into the Southern territory. At that time there were no restrictive laws in Kentucky, but shortly after we started the railroad interests, who were very powerful in the legislature, they forced some bills through the legislature and cut our gross weight down to eighteen thousand pounds. As we operated under those conditions for quite a few years. We operated principally with what we referred to at that time as, 'cracker boxes.' They were straight trucks that had a 14 foot-body on them, and finally we were able to buy some trailers built by trailmobile company that were entirely aluminum. The frame, the body, and everything was aluminum. With this gross dead weight, we were then able to haul up to 8 to 9 thousand pound payload on our trailers, at that time. Trailers and trucks.

Woods: With the Cracker boxes Ed, you had a hard time paying the drivers, and paying the equipment, when you knew you couldn't haul enough weight, due to the railroads.

Buhner: Yes, that's right.

Woods: Did you ever have to renig a little and overload these trailers, or these straight trucks, and try to make ends meet? Or did you, as someone said, were you a do-

gooder and abide by the laws one hundred per cent?

Buhner: Well the laws were senseless and no one could have abided by them one hundred per cent. They were laws written to restrict us entirely out of business. That was the purpose of the laws.

Woods: You answered that very good. Very well at least. Now, you are touching on one of the most vital points of American Interstate Truck History of which were going to go into much deeper. But you would say that the railroad lobbyists with all their power, and people must remember that at this time the railroads were upon with awe by the citizens, and trucks were really you might say, from the other side of the track. And you would say the railroads earliest form of attack against trucking then was to go into the legislature and push through bills that kept the weight and length laws down so low that the trucker could not haul enough pay-load or revenue operate long if he abided by the laws. Would you say that that was the railroads' formal attack to begin with?

Buhner: Yes. They had a two pronged attack. The first place was the restrictive weights, and then the power of taxation. So they had a two pronged attack. First they kept us from carrying payloads and keep our payload down to a minimum, and then the restrictive tax against it.

Woods: Now, Ed, on other tapes I have the minimum load recorded several times. You're the first to mention the

power of the tax structure to combat and drive you out. Would you care to go into that a little bit, as a company owner, how the taxes of the railroad lobby.

Buhner: Well, the principal attack in the way of taxation was to place on the books a mileage tax. A mileage tax placed on so many cents per pound which brought your mileage tax up to anywhere from 5 to 10 cents a mile besides all the other taxes that you had to pay on. Gasolene taxes and all various taxes.

Woods: Five to ten cents a mile, Ed. That just about broke the camels back didn't it? Now at noon lunch today, you mentioned something that is of very much of interest to truck historians. The cartage men, who definitely were with railroads. When you ran into Chicago, did you run into a little opposition, not only from railroads, but from the cartage men in the big city?

Buhner: Yes, we had a very interesting tangle with the so called, 'cartage boys.' At least we thought it was entirely the cartage boys, but no doubt they were backed by other interests besides that. We were told that when we came to Chicago with our freight out of the city of Louisville, that we could come as far as the Illinois-Indiana State Line. Then the cartage boys would take over and they would deliver our merchandise to the various people in Chicago. And they would make pick-up and deliveries for us and bring it to us at the State Line and

then we could haul it back to Louisville. That was an arrangement that would have put us out of business very quickly.

Woods: How did you get around this? How did you combat this? It must be remembered now for the benefit of the listeners, the cartage men were all powerful in these cities. They were the railroad's delivery boys, you might say. How did you keep from allowing them to do this to you?

Buhner: They were, as I recall, 6 or 7 of us operators. In those days we were all small operators. We finally decided that we would go to the federal court and see if we couldn't get an injunction against these powers that wanted to take over. We were that time able to employ a very efficient attorney and we went into court and first we got a temporary injunction and latter on the federal court gave us a permanent injunction because the thing that was being impressed on us was impeding Interstate Commerce. And after that it was never questioned anymore and that broke up the idea of us being included with the cartage boys in Chicago.

Woods: Do you recall the lawyer that defended you in that case. That represented you?

Buhner: No, I don't.

Woods: You know this is very similar to the, 'Noerr,'

case in Pennsylvania. The Noerr Truck Line that sued the Railroad's President's Conference. The presidents of the different railroads were constantly irritating and disturbing the Noerr Truck Lines and they did the same as you people and as you common carriers they got relief from the State of Pennsylvania where the railroads presidents couldn't bother the trucking in the state. When was that Ed, around 1932, 33, that that took place?

Buhner: Yes, it could have been back in 1931.

Woods: I can remember talk about it a quite a bit. Of course at that time, Ed, we were hauling out of Chicago to New York, they didn't seem to care about us very much but we knew that you boys from Michigan and Ohio was running in there a lot, an Indiana, and we heard that they were going to stop you.

Buhner: Yeah. This time most of us boys running through Indiana and of course those coming from Michigan, they had to come through Indiana. And one company, McNamara, that I recall was in this group and a couple of other firms I think from the Grand Rapids area. I remember we were very highly elated that we won that case.

Woods: Another point that I would like to bring out here. You say that you were pounding the bricks in Louisville securing consignments, or loads of freight for Chicago, while your brother was in Chicago pounding the pavements and knocking doors to secure freight to Louisville. Now

this was in 1930. Now we're all aware that 1930 the worst depression that American history ever recorded was really getting in a full swing. I believe it hit it's lowest ebb in 1932, but nevertheless in 1930 it was pretty heavy. It affected everything. Now, you mentioned earlier how the less-than-load; the five tons of fertilizer delivered to the farmer in a hurry was service out of this world and they wanted it. Did you have trouble soliciting consignments from here to Chicago, or did your brother have trouble soliciting? Was this new system being recognized? Were you suffering the depression as a new trucker the same as other business?

Buhner: Most of the men that I called on personally and the farms that I called on personally were glad to have this truck service between the two cities because they had their orders quite restricted too in those days and they were buying less quantities and shipping less quantities. So it was a perfect out for them at the time and it helped tremendously in soliciting business. At the time we hauled at rates comparable to railroad rates except that we made the free pickup and delivery. Where the railroads were still charging their station to station rates and then their cartage changes were beyond that yet. Furthermore, we were running from Louisville to Chicago overnight and railroads for the L C L, that's less than

carload quantities, would probably take them at least a week or more. So we were offering two things: we were offering cheaper transportation, and much quicker transportation.

Woods: Well, it has often been said that trucking is a by-product; the great American Trucking Interstate System, not cartage, is a by-product of the depression. That if the depression hadn't of come along that trucking might have not have been recognized for several more years if things had went on with the same boom.

Buhner: I think the depression had a great deal to do with it.

Woods: Had a great deal to do with it. Well, now we're getting up there to where something had to be done in the way of legislation and I know that you played a very important role, and I know it's a very interesting story, so I'm going to enter this subject by asking you that when it was decided that something had to be done, and how come that you Mr. Ed Buhner went to the legislature instead of someone else? How come it was you that got into the heat of things in the Indiana legislature?

Buhner: Well when we sort of got into general operation between the two cities we thought we had a pretty good future ahead of us because trucking was being pretty well accepted by customers so the manufacturing business was not only on the too much up and up because on the account

of the depression quite restricted, the farmers did not have enough money to buy a lot of fertilizer, so my first thing then was able to spend a quite a bit of time to try and build up the trucking industry. At least build up our business. About this time some few truck operators, primary in the Indianapolis area, had been concerned about the truck laws that the competing industries were trying to pass against the trucking industry. And so several of us men got together in Indianapolis to see if we couldn't develop a good strong truck organization to look after our affairs, and it was first 3 or 4 years that we operators had to do the work ourselves as our association didn't have enough money to hire various people.

In the earlier days, Mr. Maurice Tucker and Mr. Sam Slosser, who was with the bunch of butter and egg people out of Plymouth, Indiana; the three of us got together and we then organized the Indiana Motor Truck Association.

Woods: You just formed the Indiana Motor Truck Association. That was when? About 1932?

Buhner: It must have been just about that time. There was Mr. Maurice Tucker, Mr. Sam Hadden, and myself, who were the original incorporators of this association. Then we had another gentleman who worked with us quite a bit by the name of Mr. Merle Denny, who was one of the first intrastate operators in the state of Indiana and he pretty well blanketed the middle part of the state of Indiana and



the area from Louisville on up to Indianapolis and through that area. Merle Denny just recently passed away.

Woods: How do you spell his last name?

Buhner: D-E-N-N-Y. Merle was from New Albany, Indiana. The three of us then organized the association and we hired Mr. Sam Hadden, to become our secretary, and later on, years later, Mr. Sam Hadden became chairman of the Indiana Highway Commission. Mr. Hadden originally, spent most of his time on highway work.

A year or so before that the Indiana Legislature had reduced the weight limits on trucks and that was shortly after we had started in business, and they then came along with their second attempt to demoralize our business by trying to pass a mileage tax against us, and this is where the real battles started in the Indiana Legislature.

Woods: So now with the mileage tax and all the real battles begin. Now, should we take time here, Ed, to tell the listeners so they will get the history correct, as to why the big battlefield, the Armageddon of the trucking industry, you might say was Indiana. Why was it Indiana? We must remember they already had Kentucky and Tennessee under their belt. Didn't they, the railroad lobbyist?

Buhner: About that time, yes.

Woods: And so now to go East they had the Southern boarders below Illinois and Indiana, and over into Ohio. They had Kentucky and Tennessee on their side, with mileage

tax and low weight laws. Low length laws. And so you were forced to go out of Chicago, and from St. Louis, up into Indiana to get to the East Coast. So now they were striving to tie up Indiana, and therefore they would block the middlewest off from the East Coast. Was that their plan of attack?

Buhner: That was their strategy.

Woods: You might say if this was a World War Two editor he would say it was the pincer system.

Buhner: You see Indiana is the principal cross-country state between the East and the West. Up through Northern Indiana you got; Transcontinental Highway of those days, number 20; which was Transcontinental. You had Highway number 30, which was Transcontinental.

Woods: The old Lincoln Highway.

Buhner: Highway number 40, which went through Indianapolis, and then you had through Southern Indiana Highway 50, which operated from Cincinnati, rather from Baltimore, Cincinnati, through Indiana, through my home town of Seymour, Vincennes, Indiana, on into St. Louis, and on to the West Coast. So almost any traffic from any territory West of Indiana had to pass through Indiana to get to the East. Therefore, it was a perfect place for the opposition to block us.

Woods: Yeah. Now Route 6 in the North too was a Coast to Coast.

Buhner: Yes, that road was a Transcontinental line.

Woods: Now Route 40, it would be interesting to bring out, was the first government road sponsored out of Baltimore back after the Revolutionary War to open up the West. It terminated at Indianapolis and then went on to St. Louis.

Buhner: That's right.

Woods: So, they were building up to come into Indiana. Now, they brought in, as I understand about 23 professional lobbyist representing all the big railroads, didn't they?

Buhner: Well, they were so many of 'em around, that we were bumping into them everytime we turned around.

Woods: Okay, now we'll go back to your story. We have the back ground. We know why they are in Indiana. We know why it's such a hot potato. And now your association is formed and your sides are drawn up, now lets continue from there, Ed.

Buhner: The opposition of course introduced a bill which would put five cents a mile mileage tax on trucks carrying the maximum gross weight of 40,000 pounds. That mean't a pay-load of about ten tons. So with the costs of five cents a mile against us it would immediately have put the industry into the red in operation.

Woods: May I interrupt you at this point for something, Ed? Your old friend, and old legislative warrior, Maurice Tucker, once told me that with the mileage tax, and he

went so far as from South Bend - he had to run into Chicago he went so far as to find out how much it cost per mile for a concrete base, and he figured out that in so many number of years, I think it was eight years, or so that he could build his own road from South Bend to Chicago. Was this ever brought out by you fellows that you could build your own road?

Buhner: Well, naturally, we talked over every angle that we could possibly think of, but that was a terrific fight. That was one of the toughest fights that we've ever been in. At least I have ever been in. They introduced the bill into the House and it went through there so fast we hardly knew what had happened. So we really had the job of stopping the bill in the Senate.

Woods: Do you recall the State Representative in the lower House who may have sponsored the bill?

Buhner: No I do not. I don't know. It's on record somewhere, but I don't remember that part.

Woods: Was Gus Slenker still a State Representative at that time?

Buhner: He was a Senator, at that time. And I've even forgot who was Governor at that time. But the Lt. Governor, he was from Salem, Indiana, and he was a Republican and he was quite well known to us, and quite a number of the Senators were pretty well known to us. The bill moved right along in the Senate and finally came up for final

passage and we had several. We had been working, of course, trying to muster all the votes we possibly could get to defeat the bill, and we were, as near as we knew, six votes short. Our problem was to try and see where we could find the 6 votes. It so happened at the time that Mr. Ivan Morgan, who was chairman of the Republican party in the State of Indiana; he operated the Morgan Packing Company, a very large packer of tomatoes and various farm products, and they at that time had also adopted trucking as a means of helping them in their sales. They had a pretty good bunch of trucks. Good trucks too.

My connections with him were such that I could very easily talk to him because he had been a good customer of ours in the manufacturing business. Fact he was almost a neighbor of ours, only about 20 miles away. We had other things in common. So he took it upon himself to see what he could do. And finally he came up with the answer there were six votes, who were prohibitionists, and there was a possibility of getting these 6 votes to go our way, and if we had these 6 votes we would at least keep them from passing the bill against us. So quite a bit of work was being done on that and we never were too sure that we had the votes. We had been promised that they would come our way, through Mr. Morgan. Finally, it was on a Saturday morning and the word was passed along that the truck bill would not come up. So most of the men in our opposition decided to go home.

leave. They all left. We truck boys were told to stick around the hotel and not be seen. At about 11:30 we were called and said, 'Come on over, we're going to call down the bill.'

Mr. Morgan, being the Chairman of the Republican party, and the Republican party being in control of the Senate;

so we got the message from him. So we all proceeded to go back to the Senate and Mr. Morgan stepped up to the podium and Edgar Bush, was the Lt. Governor; of course he owed his appointment to Mr. Morgan, as he was in the same district. And all of a sudden the Bill was called up.

The Vice President called up the Bill. As we were looking around the room we saw that there was a possibility of getting a tie vote out of it. But there was one Senator was gone. Hadn't shown up. And somebody told us that he'd put on the, 'rollerskates.' I think that was the term they used in those days. So, apparently the opposition weren't able to locate him anywhere, so when the vote was called, the roll call was one vote in favor of us. We had killed the Bill. And it was that half vote that helped us. Then Mr. Gus Slenker (Senator Glenn Slenker) who was the more or less, one of the top leaders in the Senate, immediately placed a, 'Clincher vote,' in, and that was gaveled through and that was the end of it, and we had won our battle. We were all perspiring when that Bill was passed. And that more or less broke the back of the oppo-



sition from then on out. From then on it took years and years, but after that we gradually were able to improve our position in the State of Indiana.

Woods: Well, not only in the State of Indiana, you broke it; of course they're still fighting.

Buhner: Oh, yeah. Probably always will be.

Woods: What is the old saying among lobbyists, 'Old bill, or old wars, never die.'

Buhner: Yes.

Woods: Well, I really want to thank you for that important phase of American Trucking. Interstate Trucking. I have recorded cartage men. Big cartage men, who, Ed, have told me that they didn't care to have this revealed, even though they were putting it on paper for many years, but they were told to contribute so many thousands of dollars for the Indiana Legislature for the railroad lobbyists to get to Senators to vote against it, and they said there was thousands of dollars spent under the table there. As there is in many things. Right now we gotta scandal like this going on a Presidential standard, but I mean this is well known among lobbyists but even with all of that this back door, old delayed tactics that lobbyists use so often and legislators of well, 'lets all go home boys.' And they don't go home. They go hide and then they come back and stop the clock. I mean by stopping the clock is stop the clock on the wall so that it doesn't strike midnight; it's

not another day and they can go ahead and vote. And I imagine that's exactly what took place here.

Buhner: Yes.

Woods: Well, Ed, you didn't tell one thing about this, even though you were, as I understand the story from other sources, you and Maurice Tucker, and who was the other one? There was another --

Buhner: Sam Slosser.

Woods: Yes. The three of you were the men who definitely stopped Indiana.

Buhner: We. I suppose Maurice and myself and Mr. Slosser spent practically our entire time in Indianapolis at the time that the legislature was in session, that was close to 60 days, and we just stayed there.

Woods: Yeah. Now, Sam Slosser. What. Did he have a trucking company?

Buhner: They were a. They had all the. Not a, 'For hire,' truck. They were a private trucking company and they were hauling eggs and butter and all that through and through all through the country and they were doing that primarily with the farmers. He was called the egg and butter man, and they were very prominent at that time through the State of Indiana.

Woods: Now, at this time, I believe the trucking industry coast to coast; interstate all, were hauling, if it was not 2% of the freight, it was a little less than 2% of the



freight in the United States. The railroads had the big chunk, and canal, bargeways, waterways, rivers, lakes, steamers; and yet even with only 2% they put this much effort to stop you. Now that must be because they themselves knew what trucking could do to them in the future. Would you say that's true or not?

Buhner: Yes. They saw the advantages we had in the way of fast deliveries and conveniences, and then like some man said to me the other day which really stuck in my mind. Of course we were all small operators and he said people liked to do business with computers. We were more or less in personal contact with all our customers. We knew most of our customers by name and everything. Even first name. And the railroad boys, they were big large corporations and a lot of the boys liked to do business with us. We were more personal.

Woods: Now, this is 1933 and the American Trucking Associations were formed and the Indiana Motor Truck Association was formed. You were organized. Now the roads were coming along weren't they. I believe it was 33 that Route 6, in order for the World's Fair, that it was paved all the way across Indiana.

Buhner: I imagine, but I was not familiar with that part of Indiana at that time.

Woods: And now, you would say, you really had a birth here. This battle as we say still goes on, but it's back

was broke, as you say. Now how did you go from there on? Did you jump up in weight laws. Now all you did was just stop them. Did you come back and increase your weight laws and length laws?

Buhner: Well, we still had restrictive tax laws to fight in the legislature after that. We had weight laws to fight because they were always being introduced against us. Then we had the problem of talking to the Senators and Congressmen, and Representatives and more or less let them know what the business was.

Woods: Yeah, you had to educate them. What you're saying there you just don't kill a bill opposition, you have to keep there for years. So you were in the legislature for years off and on.

Buhner: We stung them like a hornet. The railroads got stung and they redoubled their efforts after that. But by that time we were able to bring more people to our way of thinking, and the fact that we had beaten the railroads in their effort made us more; well we were much more respected by the members of the legislature, and from then on we had their ear much better than we had had it before. The first year or so a lot of 'em would shy away from us. They wouldn't even want to speak to us.

Woods: Well, they were afraid too. You must remember their small town had a railroad going through it, and if they went back home and said they voted for trucking why

they might not be there the next year. Now this 5%, or this tax mile, in 1933 with you killing this law, this attack by railroads, did that five cent a mile tax, did that go down the drain with that.

Buhner: That was the Bill we defeated. Yeah. The Greyhound Bus Line were interested in this Bill but for some reason or other they didn't pay too much attention to it, and they all got very, very much bothered about three or four days before the bill was put up for final vote. And I remember, Ivan Bowen, who was one of their top vice presidents, coming to the legislature and he said, 'What can we do?' We said, 'Well, what you can do, if you've got a vote or so, why try to get it for us. It isn't too much anymore that you can do. This thing is so far along.' And he said, 'Well, we just made a calculation, and for the buses that we run through the State of Indiana, this tax would cost us over a hundred thousand dollars. Mileage tax.' And he said, 'Of course, we want out from under the Bill, and of course we could try to put an ammendment in and take the buses out from under the bill.' We said, 'Oh, no, you're not. You're one of us.' So that was some of the by-products of the Bill. Then the following. Two years later. Course we had these fellows stired up. Then we had a real job two years later to keep the railroads off our neck. They were down our neck, but we were much stronger, you might



say, politically, than we were in the first attempt and that during the terms of Paul McNutt, when the Democrats had complete control of both Houses.

Woods: Well, they had a quite of bit of railroad power under the Democrats at that time.

Buhner: Oh, yes.

Woods: Even though the Democrat President, FDR, who killed the Sam Rayburn Bill.

Buhner: But we have been. The respect in our ability to knock down our opposition, that when they came to the legislature two years later they asked us if we would be interested in suggesting somebody for the Roads Committee in both the House and the Senate? And we said, 'Sure, we would be very glad to recommend somebody to you.' So, they asked me about it and I said, 'Yes, I'll recommend,

Little Joe Rukelson, who was a State Senator. He was from my neighboring town of Brownstown, Indiana, and he was a brick manufacturer, and operated trucks loading bricks. I said in the House I would recommend, Ralph Thompson. Ralph Thompson, operated a dairy, ice cream business, and dealt with Congress and all that, in my home town of Seymour and was a very good personal friend of mine. And Ralph was quite well known in the State of Indiana. He had been the head of Rotary. Governor of Rotary. He was a member of the Legislature and Trustee of Purdue University and quite well known. And low and behold both those

men got the nomination. So with those two men having the Roads Committee in each House, our hands were strengthened a great deal.

Woods: Well, I would say that trucking had really arrived when you were even asked to appoint your own road commissioner. Always the railroad had that.

Buhner: Harry, I can now relate some of the legislative fights in the State of Kentucky. Our company was one of the first operators, interstate, on daily truck service to various points in Kentucky and Tennessee, and the first spot we operated to in Tennessee was Knoxville, Tennessee, and then we moved on into Nashville, Tennessee, and then later on we expanded those operations. But in Kentucky you had a situation similar to the Indiana situation.

For it was in the States of Kentucky and Tennessee where the opposition tried to put in such restrictive laws that it would stop the flow of traffic between the North and the South. Covering traffic originating in such cities as Detroit, Cleveland, Chicago, Milwaukee, South Bend, and any of those cities going through the State of Indiana, and coming to Kentucky and going through Kentucky and finding its way on down to Knoxville, Chattanooga, Nashville, Tennessee, Birmingham, Atlanta, and other cities and cities on the Carolina's. This was really the North South traffic and that of course was quite important to the rail industry and it had very interesting possibilities

for our industry. So we arranged to go into Knoxville, Tennessee to start with. At that time Kentucky had no restrictive truck laws at all, but shortly after we got into the business and were operating from Louisville into Nashville, Tennessee, and some of the other smaller towns in Tennessee, the railroads went to the legislature and put in very restrictive weight laws. In fact the weight law was 18,000 lb. gross. Which mean't that about all we could operate were small trucks with 14 foot bodies, which we nick-named, 'Cracker-boxes.' And in some instances we were able to operate a small trailer built entirely out of aluminum to handle merchandise with a little bit greater density, and that did not have the weight per pound but was more bulk.

At that particular time there was really no formal organization of any truck association in the State of Kentucky. So when this law was passed it was done with practically no opposition at all. Course this was very, very restrictive legislation, and we and several other carriers continued to operate under these terrific handicaps. At various times we gave some thought of just dropping the operation South of the River, but we felt that if we didn't continue that operation the barrier might be there for many years to come so we just kept on plugging and plugging and hauling some kind of traffic that we could at least come somewhat close to breaking even on. Then as the next blow. Our opposition

was not entirely satisfied with restricting our gross-weight limit. They began purposing very restrictive tax laws. And at that time we gradually got ourselves together as an industry in the State of Kentucky and began giving them some opposition, but it wasn't very affective for quite a few years. Furthermore, the State of Kentucky had a law that permitted Justices of the Peace to make arrests of all types of highway violations, whether they were truck violations or passenger car violations, and under the law we were victims of this particular law, and it was vicious. Most of these Justices of the Peace were interested in living off the trucking industry, and I know of one area over which we ourselves did not operate, but it was between Nashville, Tennessee and St. Louis, where the town needed a new fire department. So with the powers that the Justice of the Peace had this city was blockaded and a toll was extracted from almost every operator that went through the town till they had enough money to buy the fire department. That's just an example of what we were up against. Many times when we operated out of Cincinnati, in fact by that time we also had an office in Cincinnati, coming out of Cincinnati through Coventing, Kentucky, heading for Knoxville, Tennessee, there was hardly an evening but what almost every truck of ours was molested. They always found something wrong with it. Even to the point where find out if the Justice of the Peace was hungry



enough he would kick out the tail light, and then collected his dues.

There was quite a racket, at the time too. Many a time we were approached on the basis, 'I'll let your trucks through if you'll put us on a monthly retainer,' and all those things. We had to fight all those things. Many a time we paid a very exorbitant bill in the way of fines. So it was really a treacherous. Probably treacherous isn't the right word. It was really an ordeal to operate through those years in Kentucky, and quite often when I look back I'm wondering if it was all worth it. There is one thing that did happen out of that; there were very few operators operating North and South through Kentucky, so when the Grandfather Rights came through in the Interstate Commerce Commission Act, we had very little competition between these towns. Nothing like that happened up in the, what we call the C F Rate Territory, Central Freight Association territory, like between Indianapolis and Chicago, I recall there were somewhere around fifty operators, but between Louisville and Knoxville there were only about four or five. And at that time we also operated into Kingsport, Tennessee, and we were the only franchise operating into Tennessee. Grandfather Rights operating into Tennessee, from Louisville.

We then started building in our Association here, but with the small number of truck operators we had in the State of



Kentucky, we had a real uphill battle.' But we kept at it. In the meantime, another good sized Common Carrier operator, who was also running into Chicago, The Huber and Huber Express, they and ourselves were the principal operators out of this city, and we had a few downstate truck operators, but very few because the truck laws were so restrictive, and there weren't too many industries in the smaller towns of Kentucky.

We finally were able to get a group together and it so happened that one of these men was running for Governor of the State of Kentucky. He was, Earl Clemens. Earl Clemens had been a Senator before and probably was one of the strongest political men in the State of Kentucky. Highly respected. Very strong man. He became Governor and after that he became United States Senator.

When he was a young man, in order to get through college, he lived with the Rhodes family of Lexington, Kentucky.

It so happened that Mr. Rhodes practically put Earl Clemens through college, and all that. So there was a very close relationship there. Well, the old Mr. Rhodes' son was what we called, Doc Rhodes. Doc Rhodes was Earl Clemens' age, and they were very close intimate friends. So, we asked Doc Rhodes to head up our legislative organization, to see what we could do in the State of Kentucky to break up the conditions we had here.

Earl Clemens of course being close to that family, and furthermore the Rhodes family, Doc, had a brother, who was the head of the Tobacco Warehousemen's Association, and they were a pretty strong political organization.

So, through Doc Rhodes, Mr. Huber and myself. The three of us. We started our work. And Earl Clemens, who was then Senator, agreed to map out the program as to what we were to do, and how we were to do it. So we followed instructions, and Doc Rhodes, being pretty politically minded himself and liked politics, he decided to go to work, and we had a primary election coming up. And the problem then was to try to get men to go to the legislature that would believe in some of our stories about trucking, and what trucking would do for the downstate smaller towns, and all that. And in many incidences some of these members of the legislature were automobile dealers in these smaller towns. So we were able then to sort of combine our efforts with the automobile dealers in the State of Kentucky. Although, at that particular time, the automobile dealers were a little reluctant to join us because they were only selling small trucks, like Chevrolets and Fords, and other small trucks; not the big over-road trucks, and they were afraid that maybe the over-the-road truck would try to put them out of business. But time has proven entirely different because Ford, Chevrolet, and all those are now in heavy. So they didn't fight us,

and they came along with us.

It was a well known fact at the time that there were seven Senators that were representing the railroads in the Kentucky Senate. So the problem was to go out and somebody to oppose these men. And through the help of about 4 or 5 very good political brains we were able to get a lot of nominees to go along. We did this as quietly as we could, without anybody knowing much about what we were doing. Of course, our large opposition said, 'It won't amount to anything, anyhow.'

At least, when the primary was over with, out of the seven Senators that had represented the railroads, six of them were defeated. And the six who won, were our men in the legislature. And we had a similar thing in the House. We had gone out and organized ourselves all over the state. So then we were in the legislature.

In the meantime, I had suggested to our state association that we hire a very good engineering firm to give us the low down on the road system, and the bridge system in the State of Kentucky; because the opposition was always claiming that we'd be tearing down the bridges, and all this and ruining the roads, and they couldn't handle all that. So, for the first time in the State of Kentucky, we had this engineering report made and the man that made it had been Chairman of the Highway Commission, and for one reason or another I impressed him, and he and I later on



became rather personal friends, and he prepared this engineering report and I still have one here. It showed that there were only about nine bridges in the State of Kentucky that wouldn't carry the weight that we were trying to get.

Now, maybe I had better go back a little bit farther now and lead up to the final part of this subject. That was after World War Two. In the meantime, the former Governor, that followed Happy Chandler from Richmond, Kentucky. I should remember his name. It will probably come to me again. He was a very fine gentleman, and a good clean cut gentleman, and he represented newspapers. He owned the newspaper in Richmond, Kentucky. He was a chap you could sit down and reason with. So, we started pushing some legislature, and we were probably able in the first instance, and this was during the war, we were able to, or at least he offered that he would be willing to support a truck bill that would give us 30,000 pounds gross weight, and 30 foot length. And I still remember sitting down in his office and chatting about the whole thing and I said, 'Governor, that's fine. We appreciate that, can you scratch that to 32 feet length?' For various reasons, I don't recall now, but we needed 32 feet. He said, 'I think I can. Let me call in the opposition and tell them what I'm going to do.' So he called in the opposition and he then passed that bill.

Now, then subsequently, about that time, the Office of Defense Transportation in Washington, D.C., which had control of all trucking in the United States. I was asked to come to Washington and I became then the head of all, 'For Hire,' trucking in the United States. Became assistant director of the Chief Officer. And we had this weight problem pretty well all over the country. We had it in Alabama. We had it in Virginia. We had it in Tennessee. We had it in Texas. In Texas they didn't care what the dead weight of the truck was. The law there said that you can't haul more than 7000 pounds of freight over the highway, except if you're taking it to the railroad station, and then it can be 14,000 pounds. That was another ridiculous law, but it was on the books. Virginia, I think had a gross weight of 20,000 pounds. So we had quite a conference in Washington, D.C., on what we could do to get some of these laws straightened out.

Woods: Ed, could I interrupt you here?

Buhner: Yes.

Woods: What year was this?

Buhner: 42.

Woods: 42. Now, in this conference in Washington, D.C. when you were called down there and given the honor of being the head of this. Could you name me some of the men that may have set in at that meeting and had those discussions with you?

Buhner: Well they were primary staff men of the Office of Defense Transportation.

Woods: I see.

Buhner: Now, there were some truck operators, but as I recall I was the only, 'For Hire,' Common Carrier truck operation there. Now, some of the men had been taken from the Motor Carrier Division. Ray Atherton, who was district manager in Little Rock, Arkansas; my assistant, was a fellow by the name of, Eles Longanicker. He was the Interstate Commerce Commissioner from Los Angeles, but he had been a practical truck operator. And there was, by the way, one of the O'Neill boys was there. One I spoke to you about. O'Neill boy. He was primary for Cartage. And then there was a fellow by the name of Edmond Brady. Edmond Brady was an Attorney out of Detroit, but he represented a lot of truck operators before he was with ODT. Course then there were other staff members there. Then we had the tire people. And Bob Thomas, who had just retired as President of the Firestone Tire and Rubber Company. So we had the problem of how to establish the capacity of a truck. How do you describe the capacity of a truck? You know, recently they had two and a half ton; one and a half ton. But none of those fit. Or was regulated at all. What would be one and a half ton truck to one person, would be a two ton truck to somebody else. So, I proposed, at the time, the we described the capacity of a truck by

the weight that the tires were able to carry.


Among the men that were in the conference was another truck operator by the name of Sam Nemis; who had charge of tank truck operations. And he had two very capable men on his staff. All these men then sat in on this conference and I suggested that we determine the capacity of a truck by the tire carrying capacity that the vehicle had. Translating this mean't that at that time the most popular tire on a transport truck was a ten hundred by twenty, (10x20), which had a capacity of 4000 pounds. So, when you had a trailer which had a capacity of 4500 pounds. So when you had a vehicle with a trailer with four tires, and the tractor with six tires, you had a total capacity of 45,000 pounds. But since the front axles do not have duals on, so actually your carrying capacity was approxiametly 40,000 pounds.

The Office of Defense Transportation then issued an order. A Federal order. Permitting trucks in every state in the Union to operate up to 40,000 pounds. To operate at a minimum of 40,000 gross pounds.

That mean't that we superseded the Kentucky, Tennessee, Virginia, Texas, and as I recall, Alabama laws. Now I want to go back to where we finally wiped the restrictive weight limits off the Kentucky law books.

After we had defeated a quite a number of these men who had been so very affective in getting restrictive legis-





lation against the trucking industry, we then went into the legislative session and we immediately were confronted with some of the tactics the railroads had used in the past to try and defeat our proposals. One was their claim about the bridges being in bad condition. Roads not able to carry the loads, and all they'd acquisitioned before. We were able to upset this immediately by having Mr. Stevens, the gentlemen of the Highway Commission, who had prepared the report for us, to contradict everything the railroads had said, and there was the entire engineering report. His name meant a great deal, and it was immediately accepted by the legislature.

Then when the railroad lobbyist, apparently an old timer who hadn't kept up, made a lot of restrictions, and at that time, the Chairman of the Board of the Ashland Oil and Refining Company, Paul Glazer, who was one of the top industrialists in the State of Kentucky, who was also interested in Federal weight limits, and had done a lot of work for us. He immediately reputed the statement and said, 'This morning I just talked to the President of the L & N Railroad, and he does not agree with your position.' So that was the thunderbolt you might say of the L. & N forces. So in the hearing, we were able to refuse almost anything the opposition threw at us. But, when the Bill was finally brought down, and when a lot of the legislatures saw what we had been able to accomplish in the primary.



All of a sudden they all became friends of ours. Political friends of ours. And we then passed the truck Bill that we proposed at the time with an overwhelming vote.

Later on, one of the national magazines published the story of this undertaking and said that this was the first time the L & N Railroad had been beaten in a legislative fight in eighty years. And I suppose from everything I have been able to find out that was true. So that was the time we broke the backs of the railroad power in the legislature in Kentucky, and it has stayed broken ever since.

The State of Kentucky has prospered a great deal by the lifting of the truck laws. Downstate small towns are now getting nice industries. Some of these towns never had an industry. Now, they've got very nice towns, and very nice industries in them. And more and more small truck lines are feeding merchandise coming back into Louisville with the back hauls. It is one of the things that has made Louisville the city it is today. I suppose that entire story I'm telling you here now, took about ten years to do that job. But, we got it done.

Woods: About what years? From 40--

Buhner: Well, I would say from the late thirties to the late forties. Those 10 years.

Woods: Well, not only has it helped this Kentucky legislature in these small towns here, from my study of truck history what work you did here, and the result of it, went

on down and opened up towns like Guntherville, Alabama, and Jackson, Mississippi, and these towns that were more or less blocked off here in Kentucky, you know.

Buhner: Yes. Then shortly after that of course the State then went into a road building program and built a lot of toll roads, and we now have Kentucky pretty well opened up to good highways. When we originally started in the trucking business here in Louisville, Kentucky, there wasn't a concrete highway, or concrete road coming into Louisville from the South. There were concrete roads here and there scattered over where good strong politicians. Now, Carrollton, Kentucky, had a four lane highway, and Carrollton is only a town of about three thousand people, it had a four lane highway by the front of the railroad commissioner's home.

Woods: Shows that political power pays off.

Buhner: Well, yes. That was a real ten year battle.

Woods: That's like when Franklin D. Roosevelt took office they opened up the Merrick Highway clear to the front door of his home.

Buhner: Since then the industry have gradually improved their position a little bit. Now, over at least the main highways they are now running the maximum weights which is 73,280 pounds. In the original bill, we agreed to set up three classes of highway weights. A, B, and C, as I recall. And each type of highway was restricted to so many pounds

gross. But everybody, at the time, was afraid that that would be very damaging, but it hasn't proven out to be. It's proving the gradual we got those upgraded, the cities then came in. They saw what was happening for them so they helped upgrade these roads going into their communities.

Woods: Ed, you've been flirting with a subject there, so I'm going to direct it by asking you a question.

Buhner: Alright, now, go ahead.

Woods: You have touched two or three times upon, 'Well, the railroads complain, the old story is that you break down the bridges, you break down the roads,' and that the public in general thinks, and believes, that heavy loaded trailer trucks; a hundred thousand gross and that, destroys the highways, which seems pretty logical for a layman to think this. Now, I've drove over roads back in the 30s, when they were just put in. Couldn't wait until they got in. So I drove over them with what they considered heavy loads in those days, and they were claiming that I, and men like me, were breaking up the roads. Yet, I make trips today and those same roads are being used by the heavier trucks. Now, would you for the interest of the listener. What is your, an experienced man as you are in roads, what would you say about this distruction of roads by heavy trucks. Is this true, or is this an old attack of railroads?

Buhner: When the weight is properly distributed on a truck



it will have no adverse affect at all upon the road, or highway. Now, there are isolated incidences where possibly a truck is completely overloaded and it is only natural that there could be some slight damage there, but in the overall picture that is just not true.

Wood: This is true of anything. Yesterday, I sat at a railroad crossing in Lansing, Illinois, in the big industrial area, and I'm watching a freight train. I had to wait there. And ever so often I could tell how their cars were loaded. Ever so often here would come a car across and the track would bend way down and fly up. The rest of it would hold at normal, you know.

Buhner: As stated before, we were then able to pass a Bill in the Kentucky legislature which was at least much superior to anything that we had had before. The fact that the state had already operated under 40,000 gross pounds, which was under the order of the Office of Defense Transportation, helped us a great deal in getting the larger weight because we had operated over the roads and all that and we had proven that we didn't damage it or anything like that. Furthermore, the State of Kentucky had a lot of installations from the Armed Forces, and they even helped in that. Now, then at the same time in the legislature, Governor Earl Clements, entered a Bill of his own. Placed a Bill on his own. We had various times complained about the bad situation we had in the state with the Justice of the Peace, which was

wide open as far as the law. They were also taking advantage of a lot of automobile traffic, and that, and even the Automobile Club of the State of Kentucky was pretty much opposed to their methods of doing things.

In that same legislature, Earl Clemens, then sponsored a Bill on his own and did away with the old Justice of the Peace law in the State, and since then we're now rid of a very sore situation that we had.

The passage of the Truck Bill at that time of course was very damaging to the prestige of the railroads politically, and of course it helped us a great deal politically, and from that day on we were able to gradually improve the position in the State of Kentucky.

But, we still had several other battles to fight. One being the imposition of at least trying to impose upon the trucking industry a weight mileage tax. And this was proposed by Governor Laurence Webely, whom we thought was rather, or at least, openminded as far as the truck lines we concerned.

But out of a clear sky he called us in and said he was proposing a mileage tax bill and that he would enter it into the legislature in the next day or two. He wanted to tell us about it. He said, 'I have the works to put it through.'

And he said, 'I thought I'd talk to you boys about it and maybe you'd rather not fight me on this Bill, and I'd appreciate it if you wouldn't fight me on this Bill.' He said,

'In fact, they're considering this same Bill in the Virginia

Legislature today.' And he said, 'I intend to introduce my Bill in the Virginia Legislature today.' And he said, 'I intend to introduce my Bill tomorrow.' He said, 'They're going to pass theirs today so then we'll be pretty much in line with Virginia, but you can put some penalty on the North South traffic.'

Woods: The old Mason-Dixie Line.

Buhner: So, four or five of those fellows were sitting there in his office and I said to Governor Laurence, 'This isn't what we were expecting from you at all.' And I said, 'I think you are trying to throw us backwards now that we've gained quite a bit. We don't like it. I'll tell you that right now. We don't like this. But, what we're going to do about it, I don't know.' So he said, 'Well, why don't you wait until after lunch and come back and see me again. This afternoon in the executive office?' So we took off for lunch and talked about it at quite length and one or two operators were willing to compromise and accept the Bill, and myself and a couple of others, we said, 'No, if they ever put this mileage tax on us we'll have to live with it for years.' Some other boys said, 'Well, we'll live with it for a year or two and we can kill it again.' I said, 'You don't kill tax bills very easily.' So, in the meantime, just about lunch hour, we called over. That's when Virginia was ahead of us. We were on Central Time and they were on Eastern time over there. We called over there to find out

just what had happened and they said, 'We have defeated the bill in the legislature. They didn't pass it.' So I said, 'O.K. lets go back to the Governor.' We went back to the Governor, and I was the spokesman at the time, and I said, 'Governor, we're very much opposed to this Bill that you're proposing. Now if you want to introduce it, you go ahead. an introduce it and we'll do our damndest to fight you in every way we can.' I said, 'Now, furthermore, when you told us this morning Virginia was going to pass that Bill, we've just talked there and they killed that Bill about an hour ago. Virginia did not pass that Bill. Now, if you want to introduce this Bill, you go ahead and do it and we'll fight the devil. He never passed it. He never entered the Bill. So, we won that battle. Then the most severe damage that was done to us about that time, I don't recall quite just what had happened, was in a direct fight by the railroads. Under the old rate making system, there were various rate territories. The CFA, which was Central Freight Association territory, and then there was the Southern Freight Association territory. The freight rates in the South were 37 per cent higher than they were in the CFA, particular on the less-than-truck-load lots. So, the railroads in one swope then took off the 37 per cent and knocked all these rates in the South down to the CFA level. Of course that was a terrific blow to our company. It took more than a profit away from us. Of course it was the high

rate in the early days that permitted us to keep operating with so many of these restrictive laws. So when they knocked that rate down we had to do a lot of scrambling and reorganizing, and everything else to exist with the new law. So, we lost that battle, and of course we had nothing to say about that. That was just a means that they had of striking back at us. But, we did break their necks. Their backs. As far as taxation,

Woods: You don't have to be so polite. (laughter by Buhner and Woods)

Buhner: I guess so.

Woods: Did you in time have counter measures? Where you got that rate back?

Buhner: No, I would say not. No.

Woods: They really made that one stick.

Buhner: But as our gross weights came up, we were able to operate under those type of rates.

Woods: Well, you know, the opposition sometimes have to have a ----

Buhner: Oh, Yeah. You can't win them all.

Woods: The mop flops that way once in a while too. I would say in legislative battles of truck vs' railroad, in the overall picture it has been high in the percentage of trucking, because it was inevitable.

Buhner: Yes. Tennessee, of course, was plagued with the same situation as Kentucky. For some reason or other the



operators in Tennessee couldn't really get together and organize themselves politically. And they finally were able to correct their laws about four years after Kentucky. Now, we've got a pretty decent situation with the North South traffic except in the South at the present time they are not permitted to run double trailers. Like that you can in the CFA and that. Where they run two trailers instead of one big long box. 45 foot trailer, and they run two small ones, 24 and 26 foot trailers. To the best of my knowledge that's permitted in Kentucky. But it doesn't do you any good going into Nashville, or any of the big cities of the South, because you can't run them through Tennessee. You're stymied there. And that's about the history of the legislative fights between the North and the South. So, I was in on both fights. The East and West traffic fight, and the North and South traffic fight.

Woods: Which brings a question. May I ask you, Ed?

Buhner: Yes, sure.

Woods: In my manuscript, 'Third Morning Delivery,' maybe I was a little brazen, or not taking all into consideration, but you just quoted that you were in both battles; the East West, the North South. And as you owned the Sliver Fleet system, a major truck line serving North South, I mentioned in my manuscript, 'Third Morning Delivery' that the Northern Route; meaning, not St. Louis to New York so much as Chicago to New York and Boston. But, mainly I centered it down to

Chicago to New York, was probably one of the heaviest traveled Routes in America, at that time, if not the world as far as freight goes, joining the Middlewest and the East Coast. Did I go too far? Was I correct? Was the North South bigger?

Buhner: Oh, no. North South was small compared to the East West truck.

Woods: And I also went far enough to say that. Even though California, you know, always claims that they're the first in trucking. And they'll put up some good arguments out there. They'll show you some pictures where they were running the 400 miles between Frisco and LA.

Buhner: You see, a lot of the traffic from the South that went to New York by-passed both Kentucky and Tennessee. Some of the Tennessee boys carried it as far as the West Virginia line. West Virginia was open as far as truck rates were concerned. But then they could go on up that way and they still had a problem some places in Virginia. But none of this traffic from like Memphis and from over here went through New York up through the Mid-West. It usually went the other. In fact, after we got some of the Kentucky laws straightened out we hauled whiskey from here to Kingsport, Tennessee, and then went up the Shenandoah Valley, and on into New York and Washington and Baltimore. But there was not too much traffic from here directly to New York. We tried that operation ourselves for a couple

of years but the roads through Pennsylvania were not---

Woods: Well, you had to come up through that Southern Route. I believe what made the Northern Route such a big major Route was that Waterlevel Route through the Northern Route. Through. We'd run up through. As long as we stayed near the lakes we were on level grounds. And then when we left the lakes at Buffalo and Rochester, we cut over and went down the water level route, you might say the Mohawk Valley, which kept us smooth, and then we had the hills from then on, but we had by-passed Pennsylvania, which was a severe state. Well, we're doing very well here, you want to move on to that next item on the list there?

Buhner: Well, the next item goes back to the days of the Blue Eagle.

Woods: Let the listener know what the Blue Eagle was. That's the first time it's been brought up on tape.

Buhner: The Blue Eagle was the National Recovery Act, (N<sup>R</sup>CA) that was passed, I think in the first session that Franklin D. Roosevelt was President. The National Recovery Act was to permit various industries to get together. And stabilize prices and stabilize their business. That was shortly after we had had that terrible depression and needed something to kind of boost the industry. So, they called it the National Recovery Act, and the insignia was an eagle in blue. And that's where the name, 'Blue Eagle,'

came.

Woods: I know, I said the first time it's been brought up. Maurice Tucker, Mr. Tucker, brought that up. He didn't go far into it outside of just what you did. Today, it wouldn't seem like much to the people of today, but the Blue Eagle, or the National Recovery Act, which was called the <sup>R</sup>NRA, was a much needed thing at that time.

Buhner: It had its merits.

Woods: Had its merits. Now, I know, FDR, took a lot of beatings over the head, we might say, from some industries over this, but ---

Buhner: It probably had as much to do with organizing the trucking industry nationally as anything that I can recall of. About that time a man by the name of Jack Dempsey, made a call on a quite a number of operators here and there. And I remember the day he came in and said that the trucking industry ought to get together and start a national organization, and wanted to know if we, or somebody from our company would attend a meeting in Chicago if one was called. That if he could get a large enough group together, why he would call the meeting. In which he did. And that was the formation of the American Highway Freight Association. There were a number of us over-the-road common carriers, which included Jack Keeshin, at the time, ourselves, some boys from the Carolinas, and Mason-Dixon Lines, who were the company that finally enveloped

us, and actually, Jack Dempsey, later became an employee of Mason-Dixon Lines. And I suppose there were some groups, some men, from New York City and various places that I don't recall. There were probably some 30 of us that gathered.

Woods: There was one from New Haven, wasn't there?

Buhner: Yes, Evert Arbor from New Haven, I recall quite well, and several others. Al Jenky from Cincinnati, and various others. And we all got in the Mayflower Hotel, (Washington D.C.) and we there organized the American Highway Freight Association, in which we elected Jack Keeshin to be the first President, and Evert Arbor, from New Haven, Connecticut, to be the Secretary.

Woods: You were the one that nominated Jack Keeshin.

Buhner: Yes. I was the one that put Mr. Keeshin's name in nomination.

Woods: Now for the benefit of the listeners, it may seem foolish, but we might as well inform here that this Jack Dempsey was not the former heavy weight champion of the world. This was another Jack Dempsey. I've heard of him before.

Buhner: That's right. He was really a Tariff man. And his primary interests at the time was to publish the tariffs, which could have been a very lucrative thing. But, he was pretty much ahead of his time though. He was really a very capable tariff man because he held down this position

with Mason Dixon for quite sometime.

Woods: Well what happened to the American Highway Freight Association?

Buhner: When the. At that particular time there was another group of principally professional truck executives, you might call them. That's probably not quite the correct name, but some here and there in various states had organized some state associations, but they were primary associations within a city. A large city instead of a state. So when the Blue Eagle was escalated both organizations wanted to represent the trucking industry. So, the other association was not so much, 'for hire,' as we were. The American Highway Freight Association was primary a, 'for hire,' organization. We were then told very definitely by the NRA that they would only deal with one group and they would recommend that we merge and put the two companies together. So, within a year or so I think the American Highway Freight Association had a life of only; I know it didn't exceed two years. Probably a year and a half.

Woods: Yeah, a year and a half, as I understand.

Buhner: That's as near as I recall. We then all gathered at the Shore Hotel in Washington, and I recall very distinctively of going to that meeting. We were operating trucks by that time at the extent of our operation into Pittsburgh. And we were operating a few trucks into Pittsburgh and I had gone to Pittsburgh, and from Pittsburgh I wanted to get

into Washington to attend the meeting and I found out that my train would get me in too late so I inquired about airplane passage. And this was in the earlier days.

Woods: You were getting modern.

Buhner: I then engaged a flight. Booked myself for a flight from Pittsburgh to Washington. And it was beautiful weather in Pittsburgh when we left. But we were out of Pittsburgh a short distance when we got into heavy clouds only. And I was flying on a Ford Tri-motor plane, and I was the only passenger on the plane.

Woods: And it flew fifteen hundred feet above the ground.

Buhner: Plane, was termed at that time as the, 'grave yard,' of the air lines. We finally landed in Washington and I remember being quite scared in the whole flight, because as we were flying over this cloud coverage every so often it looked to me like there was salt water from the various colors of the clouds, and we kept flying and flying and I thought we had overshot Washington and that we were way out over the Chesapeake Bay. But, finally, we dove through the clouds and landed in Washington, and then I learned that we were the last plane to land in Washington. And we then had a two day storm that was a pretty severe storm. I got through on the skin of my teeth on that deal. Well, we then had a pretty nice group of men. I imagine we must have had about 75 or 80 men. Something like that attended this two, three day session and we then put the

two organizations together. Ted Rogers. I don't recall if he was the President of the other association or not. Jack Keeshin of course was president of ours. Ted Rogers, was more of a nutral type. He was an A&P hauler. Contract hauler for A&P. And he was also a truck dealer. I think he had a lot of car, trucks and that, and quite a fire-ball.

We then all agreed to have Ted Rogers become the President of the American Truck Association. I was there for that organization meeting. There are not too many of us left that attended that meeting. Chester Moore, is still with us. Walter Belsan, who at that time represented Wisconsin, he was elected secretary. And he later became Public Relations man for the American Trucking Associations and was retired just a few years ago. That was 40 years ago this year. 40 years ago this year. And that's how we got American Trucking Associations. And that was all on account of the Blue Eagle. The Recovery Act.

Woods: Was that Chester Moore, or Chester Mooris?

Buhner: Moore.

Woods: Moore. Cause I know Chester Mooris, you know. He is gone.

Buhner: Chester Moore. He later became with the Central States Motor Freight Rate and Tariff Bureau. And of course he was also Secretary of the Illinois Motor Truck Association too.

Woods: He's gone. I'm quite sure. I think he passed away.



Buhner: No. He's still living. I was very close to Chester for quite a few years. His wife, Estie, and Chester, and Mrs. Buhner and myself vacationed two different years during the war days when you couldn't travel to amount to anything except to a spot up in Wisconsin where we could get to. Estie is gone now. Well, that's the story that I remember of the Blue Eagle. And of course during the Code days, a lot of states were organized individually under the Code. And they had a Code authority. Was supposed to have a Code Authority in every state. And in Indiana I was the first Chairman of the Code Authority in the State of Indiana. And then the famous Chicken Case, which was prosecuted by Charles Dawson, who lived over here until recently just a few blocks from here and was a very prominent attorney and a very good attorney. Charles Dawson took that and the NRA to court and got an order declaring it unconstitutional.

Woods: Well, tell of the Chicken Case so your listeners will hear. Tell them.

Buhner: That's killed now already, but by that time it had organized the trucking industry and all that. I remember that the Blue Eagle. It cost you a quarter for every truck. But we had an awful hard time signing them up. Some of the earlier ones that signed up were the boys in the cartage business. And they could of course, being from the larger cities, they had a pretty good chance of

controlling everything.

Woods: It cost a quarter for every truck?

Buhner: Every truck. Yes.

Woods: Well tell about the famous Chicken Case.

Buhner: Well, I know very little about that. I know that was the vehicle that declared the NRA unconstitutional.

Woods: Was it a law case about chickens being shipped?

Buhner: Yes. Someting about the movement of chickens and that and they always called it the Chicken Case.

Theres probably a record on it somewhere. My memory isn't that good that I can remember all of it. I used to see old Charley Dawson walk up and down the street here. He was a very fine attorney. And he was a hard ball too. He had been a federal judge and he knew his way around. Very fine, bushy hair, nice looking man. But his name went down in history on that case.

Woods: Well, now lets talk a little bit about the ATA. You were there in its forming. In the meeting, and you flew by the skin of your teeth from Pittsburgh in there. It was formed as one for overall. The whole industry, wasn't?

Buhner: That's right.

Woods: And it's called American Truck Associations, and not American Truck Association. It means all the associations belong to it, right?

Buhner: American Trucking Associations.

Woods: Yeah. And tell a little about it. What it's done

since you were there to form 40 years ago. Parts you may have played in it. Offices you may, or may not have held in it. Give us a little briefing on the ATA.

Buhner: The American Trucking Associations was organized 40 years ago and Mr. Ted Rogers of Scranton, Pennsylvania, was elected President and he served the organization for 14 years. During these 14 years I served on the Executive Committee, and probably Chairman of almost every type of a committee of one type or another during those 14 years: legislative, rate committees, and all the different types of committees that we had, and some of the problems that we had.

During this period we went through World War Two, and we had all the problems of various governmental regulations at the time. And we had the problem of helping to write the Interstate Commerce Commission Act, as we now know it. And of course, quite a number of other problems. We were comparative small at the time.

The real basic organization of the American Trucking Associations was the ATA was the spokesman for various state organizations. State trucking associations. Actually, the states own the American Trucking Associations. It is not the ATA owning the state associations. The ATA, American Trucking Associations, is the arm of all the 50 states now that are in existence. So the original meetings when we got it gathered together as the Executive Committee,

most of those meetings lasted approxiametly 44 days, while we were in session. Cause we had so many things that needed to be taken under consideration and given our complete views that we thought was right and things that we might do and might beable to accomplish. And our relationship with Congress and all the various factors, with the U.S. Bureau of Roads, and then later on of course it branched into the labor laws and all those.

I suppose the first big undertaking that the American Trucking Associations had was the developing of the Interstate Commerce Commission Act which put all for hire trucks under regulation. The position of the industry was pretty badly split on that at the time. Some of them were not in favor of regulation and a great many of them were. One of the top men to champion regulation was, LeLand James, who was the organizer of the Consolidated Freightways in Portland, Oregon. He was the principal champion and gradually won a lot more of us over and over. It was in Chicago in the time called the Stevens Hotel, that the Executive Committee, at its annual convention went on record to seek Federal Legislation. And that required at least a year.

The passage on the Motor Carrier Act was one of the great mile stones in the trucking industry. And it took a lot, a lot of work to get the Bill properly presented and try to please most of the factions in an organization of this type. The private carriers wanted to be very careful that

they were not regulated, and the city cartage men, they weren't too anxious about regulation. And of course they were mostly intrastate, and we had the problem where they were interstate, and all those problems that went with them. I remember very distinctly in a meeting with a medium sized committee with Joseph Eastman, who was regarded as one of the very fine Interstate Commerce Commission men, discussing the bill, and he had drawn a bill. Just a sort of a work sheet bill. And I remember when we finished with it we had made 50 corrections in this bill. Some of them were minor, but they all added up. And I remember one that I was primarily interested in. Not primary. It was one I took position on, and still glad I did, and Mr. Eastman, at the time, said he hadn't thought of that. That was under the clause for the Public Convenience and Necessity. I said the way it was written, maybe we have to prove Public Convenience and Necessity every time we bought a new truck or put a new truck in the business. I remember telling that to Mr. Eastman's attention and he said, 'Yes, I can see where somebody might interpret that.' And he said, 'I know we're going to correct that.' So after that session in which we made all these corrections, we then had more meetings and went on, and theres still few minor corrections. The picture I showed you, right there. Was one of the big meetings. And as I look over

that picture now, I would say that over half those men have now passed away. And that was in 1935. So that would be in the neighborhood of 40 years ago. But the Interstate Commerce Commission Act has kept on. It's been a terrific boom to this industry and has made the industry as big as it is today. It's been very interesting to come up under that, and it's been a lot of headaches under it, and a lot of disappointments under it.

Woods: Well, it was definitely a needed thing. You mentioned one thing today that many listeners would never ever dream of. That is trucking companies themselves going into the manufacture of trucks to haul or pull their own trailers. There were three we mentioned. I believe one was Horton down here in the South, wasn't it? And, one was Gotferdson, that founded Transamerican, did he not? And then LeLand James, Consolidated Freightways. Do you know of any other trucks manufactured by truck companies?

Buhner: No, I don't. But in the case of Gotferdson, was a truck manufacturer as I understand it and then went into the trucking business. LeLand James and Consolidated Freightways, they were in the trucking business and then they decided to make some of their own trucks. And I think that same situation was with Horton too. Horton was in the trucking business, and I do know that Horton made quite a few of their own trailers. And they then made some of their power equipment. And I think later on



when they merged and became Associated Transport that they dropped that manufacture of trucks. And the only one that has really stayed in it is Consolidated Freightways. And they of course today have probably the leading freight truck in the country.

Woods: We see it on the road today. White Freightliner. But the White people has the agency to sell it.

Buhner: Yes. The trucking company itself. White Freightliner Corporation is owned by Consolidated Freightway. The distribution of White Freightliner is held nationally by the White Motor Truck Company. Their own act is distributors.

Woods: If you don't mind Ed, lets stress a little bit on these power units. I know you had quite a bit of experience on buying and using them, and finding out their weaknesses and their good points. You mentioned today at lunch the Autocar. You liked that truck quite well. Where was that truck made?

Buhner: It was made in Allentown, Pennsylvania. No. It was made in a suburb of Philadelphia. A suburb of Philadelphia.

Woods: It's not necessary to have the exact place. It just came out of Philadelphia you might say.

Buhner: It was a sturdy truck. Had a very sturdy frame and was built primary for mountain run. It was built for that Eastern traffic through the Pennsylvania, and in through

there, and worked very well down through Virginia, and West Virginia, and down into the South in the Carolinas. Primary in the mountain country. It was a very, very sturdy truck. It would take the curves a little bit better, and just a good strong truck. It was not a speed truck. The engine. If you were for long distant running the engine was just not the best. But for pulling grades and all that it was very good.

Woods: Now, that truck went by the wayside. It began to get into financial trouble and I believe White Motor Company.

Buhner: White. And they are still making the truck. They still make that truck.

Woods: Still make the truck.

Buhner: We bought most of our Autocars out of Cleveland. We had quite a few of 'em.

Woods: Now long ago the Gotferdson, went its way. The Horton went its way. The Brown went their way. The old Stewarts, and do you remember one I'm sure the, Fran-Ward-LaFrance? Fran-Ward, they used to call it?

Buhner: Yes, I remember the name. I associated it primary with fire engines.

Woods: Yes, yes. I once wrote where it left the highway and sits by the roadside all polished in the firestations and looks out at the roads where it used to write its history. Now, many people today go into fire stations, these young

youngsters in truck clubs and they see the FWD, meaning, front wheel drive, and they say, 'Oh, there is a Fran-Ward-LaFrance. But I haven't seen one since back in the thirties.

Buhner: It is doubtful if they are being manufactured. There were quite a number of trucks built up through the state of Michigan. Quite a number of trucks up in there. Some of the old truck operators. You mentioned John, who just passed away recently. John. Up in Michigan?

Woods: John Bridge.

Buhner: Yeah. He was originally in truck manufacturing as I understand it.

Woods: I couldn't say, he came out of Canada.

Buhner: Al Boone, who operated a nice truck line through the South, hauling for A&P got his start up in Michigan in truck manufacturing. Several did.

Woods: Well there was the old Indiana. There was the Federal. The Federal was quite a truck.

Buhner: The Federal was a good truck.

Woods: And I'm going to name one that you would remember. A lot of people argue with me. The Nash car, which today is the American Motors, the Nash one time turned out a truck. And a lot of people don't know about this.

Buhner: Yeah, you're right.

Woods: It turned out a truck back in -- my uncle owned one when I was 8, 10 years old, so that would be 1920. It was a big massive truck.

Buhner: Cincinnati made a truck. The Bederman.

Woods: These trucks played an important part; however, why I brought this up was to ask you one thing. We could go on mentioning old trucks like Corbits, Corbins, and names that no one today would ever hear of, the Brown and others, but they often say, 'Well, the truck manufacturer developed the trucking industry.' Well we can't deny that they did a great deal, but the other argument is, well did the truck manufacturer develop or did the guy behind the wheel hollering and screaming about the weaknesses of the truck, was he the guy responsible for the truck manufacturers making a better truck? In other words the man that drove the truck found the weaknesses and it was he more than the truck manufacturer that complained until the truck manufacturer developed what he wanted.

Buhner: My thinking is that the pressure came from the truck operators and the truck drivers, who didn't have the ability to decide.

Woods: Yes. They didn't have the ability to decide yet they knew what they had to have.

Buhner: It was the engineers of the trucking companies that were able to more or less match their views. I remember one of the meetings of the ATA, when we discussed trucks. What the industry needed and that and the financing. They were the days when you bought a truck, you were pretty lucky if you got two years financing. I remember that at

that time, GMC, who dealt, in the opinion of most of us operators in an inferior truck started in the early days they had. The smaller truck was a pretty decent one, but when they come into the heavier duty trucks. And I remember the President of the GMC, truck division. And he came before the whole group of us. And there was a man there from California. Of course California was using a lot of Diesels, and they were way ahead of the mid-west because their laws permitted them. And they were asking him to develop a better financing plan and he just wouldn't have anything to do with it at all, and couldn't convince him.

Finally, this man from California, he said, 'I've got a picture of a truck here. I wish you'd take a look at it and tell me how old this truck is.' And the President -- I've forgotten his name. The President of the truck branch. He looked at it and said, 'Well, that looks to me like it couldn't be over two years old.' He said, 'Well, we operated that truck for eight years. That's the rebuilt portion of it. It has been completely rebuilt. And we're getting five year financing on the rebuilt truck. Now why can't you extend your financing a little bit farther?' I remember that very distinctly. The old saying is, he hung his tail and went out of the meeting. That was a pretty good signal for the rest of the truck people at the time

that they had better get on the ball and build the kind of truck that we needed, and gradually that did happen.

Woods: Ed, it's known that Henry Ford was probably the first car manufacture to bring Wall Street, or Billy Durant, to bring Wall Street, to the automobile industry. You know the automobile industry was staggering until finally Wall Street came in with its money. When would you say that Wall Street, or big finances begin to look at trucking with a little respect?

Buhner: Well the first attempt of course was with Keeshin, and that turned out to be a foul-ball. And then, as I recall, the industry lacked for at least five years or more before anything was being done. And then the first big truck merger happened with the company that Evert Arbor operated in Connecticut, and up through in New York area up there. I've forgotten the name of the firm. And the Horton Lines from Carolinas. And another very substantial truck line in the Carolinas. And I think there were five or six of them that drew all these together, and it took about four years to clear that thing through the Interstate Commerce Commission. And when the 4 or 5 companies were put together they had no outside financing so they struggled for quite a number of years. And that to a certain respect retarded Wall Street from entering into the trucking business. And it wasn't until some of the other lines. And I think



one of the first lines then of any consequence was the McLean Truck Company in the Carolinas. They were one of the first truck lines on the big board. And then Consolidated Freightways, they got financing, and then gradually everything went along. Some of them were fairly successful and some of them weren't. But, in recent years most of the big ones have been rather successful. Fact the smaller lines are now getting pretty good financing. And there's a pretty good market on both, over-the-counter and on the big board. There are quite a few truck lines on the big board now. They are all in the doldrums right now, but I think when we get through this area that we're in right now, I think money is going to be plentiful for well operated truck lines.

Woods: Now I'm going to bring you to another subject. Do you feel up to it?

Buhner: Oh, yeah.

Woods: Alright, we couldn't have truck history, interstate or anykind of truck history, without sooner or later running into Teamsters, the Dave Becks, and the James Hoffa, and you as a truck company operator. How many trucks did you have at your peak Ed, on the Silver Fleet system?

Buhner: We had around 550 units all told, but that included trailers, city trucks and road trucks. It seemed to me that the road trucks between 125 and 150 road units. And then we had a 100 city units and around 300 trailers.

Woods: Well you were affected then by the union.

Buhner: Oh, yes. We had one strike here in Louisville that we were tied up for six weeks. It almost ruined us.

Woods: Now when did the union start making inroads with your highway men.

Buhner: Oh, they started even before the Motor Carrier Act was passed. Just before 1935. The Railroad Brotherhood attempted first. Then later on we had the problem here in Louisville. The thing that caused us such a problem here in Louisville was what we called the, 'south end drivers,' those boys that were running the kind of rigs that we had south of the river that were smaller. They belonged to the Louisville Union, and the drivers on the North side they belonged to the Union on the North side. So, the local business agent of course he wanted all the men in our company and we went through a very bitter strike. And it was during this strike that James Hoffa feathered his nest pretty well to get the power he did. Because when we were at an absolute stand still on negotiations here, and it was affecting a lot of carriers from St. Louis and all, Hoffa, came into town here. We had a very tough business agent here in town, who has passed away since then. He ordered this man, and I think Hoffa was bluffing his way more than anything else, he ordered this man completely out of the room and he said, 'I'm taking over and I'm going to settle this.' And he did before the

evening. He settled it. And when he settled it that mean't that he put himself in control of all the North and South. And it was from that time on that Hoffa was a big strong man.

Woods: Went right up. Of course, I couldn't possibly at this point not ask you as a company operator, how do you feel toward Jimmy Hoffa?

Buhner: First place I have never met Jimmy Hoffa personally. Never have met him. In labor negotiations, I've stayed out. My brother in the company handled most of our labor negotiations. So the only thing I know about Jimmy Hoffa is what I hear about him. And I have often heard that you could depend upon Jimmy Hoffa's word. I always understood he was a real tough negotiator and he must have been. And he was able to put his weight around.

Woods: Do you want to hear my report to you on Jim Hoffa. My experience as a historian of you men who founded truck companies and the industry. I have of all, so far that I have taped of truck company owners, and founders, and operators, only one really knocked Hoffa. Only one. Every one else has said, like you, 'Well, you could depend on his word and he might get tough with you but if he made a deal he stuck by it and he really looked out for your side too while he was looking out for his men.'

Buhner: Seemed to me that he was one of the few men that was strong enough to whip a lot of these wild business agents,

and the like.

Woods: Yeah, he put them all in line. Each one was little monarchs in themselves.

Buhner: Yeah. The one we had here in Louisville came out of the coal fields in Illinois, and at one time he even made a statement that he was a communist. He threatened to run us completely out of business and all that. But boy he folded up when Jimmy Hoffa came in. Jimmy got him told off right now. And that was it. He said, 'You go out there in the hall and sit there and wait. I'm taking over.' And that was it. That guy I didn't know. One of my prize pictures. I don't know if it's a prize or not. I've got a picture of Dave Beck with his arms around me. I had just been presented with the trucking industry's stamp they put out a number of years ago and the Postmaster General from Michigan, at that time was there and Dave Beck was at the meeting too and we all had to have our pictures taken individually with Dave Beck. That was just shortly before they closed in on him.

Woods: Well, you know, many have said Jimmy Hoffa had a hard road to go because Dave Beck, you know, was charged with swindling the Union and his criminal, --- I guess he was put in the pen for a while. Then Jimmy, or James Hoffa, moved in and said that the atmosphere was already there. You know, look down on these guys, they're crooks.

And what he definitely did in trying to be in good was looked down upon in doubt by the layman because of Dave Beck's previous record.

Buhner: He had a lot of enemies too, I would observe, on speaking on Hoffa; he had a lot of enemies.

Woods: Well most any leader, I guess has. You I imagine being the leader you've been you've probably had your share. Well, Ed, ---

Buhner: We're still on American Trucking. We're just partial. We got to the point to where we're starting to pass the Motor Carrier Act.

Woods: Oh, yeah. That's the most important.

Buhner: Yeah. Then of course the industry was still not properly organized. Still with loose ends and all that. And of course to organize this thing nationally was quite a task to get it done. So, Ted Rogers, thought it would be well to get somebody to do sort of an engineering job for us. And they were talking about bringing some outside people in and I think they did one time bring in a small engineering crowd. And they came in and presented the engineering report to Mr. Rogers. I never did see it. Apparently wasn't to his liking and some of the other men around him. So then it was suggested that the industry put up their own committee, to go through the entire structure of ATA and come up with sort of a bible. That was done and I was elected Chairman of that committee. We then held hearings

over a period of two years and I suppose we had over two to three hundred people appeared before us and gave us all the views and everything else. This committee had a big long sounding name; National I've forgotten the whole thing but for short they always refer to it as the, 'Buhner Committee Report.' Which is the bible of ATA. Still the bible. They've been no chances. And the thing we did then when we organized. We said every state should only have one association. There were several. All these associations springing up. And this and that springing up. Should only have one association. And they were at that time three states that had more than one association: New York, Illinois, and California.

And we suggested that they try to work themselves down and get to be one unit. And then we set up a lot of criteria and various things. And then we organized the various branches of the trucking industry like the: common carriers, irregular common carriers, cartage men, tank truck carriers, household good carriers, film carriers, and contract carriers and what have you. I think there are now eleven. Eleven branches. And each one of those are part of the ATA, and they have arrangements where if they conflict with each other they sit down and try to work out their problems, together. They show this report. We tackled everything except the dues structure. And we set up all the efforts with them.



And we then set up the presidency would only serve one year and from that he would become chairman of the board. That job; however, was done after ODT had served its purpose.

And, of course, that was another big problem that the ATA had was during the Office of Defense Transportation days. And I served, as I told you earlier, Chief of the, 'For Hire,' section. And we at that time had about two million, 'for hire,' trucks in the United States. And one of the problems we had, we had no statistics, to go by. The only thing we had was what was published by the American Automobile Association. They had certain statistics. Not much. So to find our way among all the organized industries we had to do a lot of talking. Just to have. So.

I was brought into Washington, and I stayed there seven months. And during the 7 months we formulated the rules and regulations for, 'for hire,' truckers. And one of the problems, of course, that we had at the time was fuel, and tires. And you probably remember the tires when you,-- the rubber situation, when you go to retread a truck tire, why if it lasted three thousand miles you were doing pretty good. So we fought our way all the way through that.

Then there was a very big attempt made to take the trucks off of any distance beyond a hundred miles. Keep all trucks within a hundred miles and turn all the rest of the freight over to the rails. We had that big problem on our hands, and we of course, whipped that.

On the fuel consumption I remember that the Office of Price Administration, who rationed gasoline for automobiles.

They said, 'We're going to ration gasoline for the trucks.'

We said, 'Well, you can't do that. You don't know anything about trucking,' and I said, 'A lot of the trucks are going to have to consume more gas if we're gonna win this war. We're going to have to haul a lot more stuff than we're doing now. We've got to have gas to do the job and all that.'

So, I remember very distinctly when they announced that they were going to take over, we went up to Mr. Eastman, and told him what we'd been told. That they were taking over the gasoline rationing. I saw his face get red. And he said, 'No. They're not going to do it.' And this was around the middle of the afternoon. He said, 'You boys be here this evening. I'm going over and see the old man.' Meaning the President. He said, 'I'm going over.' He went over and in about three hours he came back and he said, 'We're going to ration the gasoline for trucks.'

So, that job was thrown on to us. And of course there were a lot of factors in there that wanted to just cut 35 per cent off our gasoline consumption. And so we fought that.

We said, 'No, no, no. No large slice like that at all.'

We'll put in regulations that'll force the boys to do away with a lot of the practices that consume a lot of gasoline.

Now, some of these trucks are going to use more.'

So when the whole thing was over with at the end of the year, when we made the calculations, we had reduced the consumption of gasoline among the truck boys by 38 per cent. We had even beaten this. And we did it by eliminating a lot of the bad practices that had gone into the industry like security; a lot of these boys were hauling some of this freight a hundred miles out of the way and all things like that. And we told them they couldn't leave the terminal unless they were one hundred per cent loaded, and seventy five per cent loaded on the way back. They had to put the loads on the trucks or they wouldn't get the gasoline. Course we had rationing of gasoline and we had that leverage on them. And that's how we were able to do it.

And that stayed pretty well. We had a few other minor ones, but those were the main things we did in those days and made it. We wrote the regulations so the truck boys. We figured that if they could make money why they'd be glad to comply with it. If they couldn't of course competition wasn't much in those days. You could get all the business you wanted anyhow. As long as they could make money on what they were doing they were glad to comply with the regulations.

Woods: Did you ever have any trouble with. Well, say fellows like me that didn't get there permits or anything,

and they went ahead and wildcatted, and gypsied, and outlawed on their own after the --

Buhner: Personally, I was not acquainted with any of you because I was at the top and most of the rationing was all done locally within the states. We had 52 or 53 branch offices all over the United States where we rationed gasoline. Gasoline and several of the other things. Tires too. And also equipments. Anybody that wanted to buy a truck in those days had to get these permits from the Office of the Defense Transportation.

I remember when we went into that thing we immediately got an inventory of the number of trucks that were in the inventory over the United States, and I forget, I think we only had about 50,000 trucks left that were still inventory in the process of manufacturing. And of course everybody was striving for trucks. And lo and behold in comes the U.S. Postal department. They want 14,000. They want 14,000 trucks. We said, 'Wait a minute.' And then we started talking to them. And we had 3000 trucks in inventory of these, what we called the 'milk delivery truck.' You know, those little milk delivery trucks. We talked to them and said, 'Now, we'll let you have a lot of these.' Oh, they couldn't possibly use those. They couldn't possibly. We said, 'Oh, yes you can. You don't need a two and a half ton truck to run a lot of this mail around. You can deliver it from one of these. Well they

got started using some of those and you know they're still using a lot of those. Yeah, we broke them over to that.

Woods: Well, you know the ICC. The Interstate Commerce Commission. In all your regulations you did, say like the present Major Daley of Chicago says, 'You did a wonderful job, boys.' But now today it's DOT, the Department of Transportation that's taken over everything hasn't it? Now, I've heard a lot of repercussions, good and bad. What do you, Ed, think of this? A man who was instrumental in the ICC regulating the industry. What do you think of this DOT? Department of Transportation?

Buhner: I am afraid that I can't for an intelligent opinion of that, because I'm pretty much out of actual operations and what I know is just what I read and some of that. I don't think I am in position to even give an opinion on that. Having been in a similar position I know the tremendous problems that they've got. And when you are sitting in their position and see this thing nation wide, you get an entirely different view point than when you are sitting back home running a truck line. Entirely different. I found that out. In fact those several months in Washington with the DOT, I think was one of the greatest experiences I've ever had. I never realized that the trucking industry, at that time, was as necessity like. Especially, one of the things that amazed me; of course we were not in the tank truck business so I didn't know

much of the tank truck, but it amazed me of what the tank truck boys could do in the way of transporting liquids in those things compared to what the railroads, where they had the tank cars. Right here in Louisville I think it took 'em. There was a big powder plant across the river here. And they were using a lot of alcohol here. And it took them about a week to get a car load of alcohol by rail from here to over across the river, but a truck would make 4 or 5 trips a day. That was true in many a many incident where the trucks just jumped in and just moved that stuff, and moved her right now. We give those fellows a lot of priorities to, to get equipment.

Woods: I'm glad you mentioned that. I hope through these tapes that people will realize or learn that the railroad's service was so terrible. Lets just put it that way. Lets don't try to be polite about it. Lets just say it. And I know when I first got on a truck and went down East I thought I had went around the world in those days. You know, a thousand miles. And I thought oh boy the freight train will be there and on its way back before, and my God I found out that it took a railroad three weeks to a month to get down there. They would go break it up, and go another two hundred miles and break it up, and set cars on the side and it wasn't up until the war started coming along that they started putting these fast expresses through and by then we even beat them



then, you know.

Buhner: Yes. Well in finishing up the ATA and that whole thing. Of course having served as the Chairman of the Committee that reorganized the ATA entirely, and there's been very, very few changes ever made, and basically there have been no changes made, basically in the thing. And having had the experience of being in the Office of Defense Transportation, so when Ted Rogers then decided that he did not want to continue as President of the ATA, I was then elected the President of ATA. I was the second President of the American Trucking Associations. That was 25 years ago now. I have still remained on the Executive Committee, although I haven't got much business over there anymore. This will be 40 years for me on the Executive Committee. There is just two of us left from the original.

Woods: Who is the other?

Buhner: Chester Moore, and myself. Chester Moore is 11 years older than I am.

Woods: Where does he live? In Chicago?

Buhner: Well, we are trying to find out just where he's living now. Chester lived in Chicago for years. And then he moved to Marathon, Florida. And about three years ago, Esie, passed away and then he was completely lost down there all by himself. I used to see him at the Executive Committee meetings, and I don't go to many of them anymore. I go to one, maybe twice a year. This year

I'll be there twice. Chester had a son that was a very brilliant son. He was one of the few men that understood the Einstein Theory. And could converse with Einstein. And he lost him last summer. And he lived out in California. And that shook him up a quite a bit. In the meantime his brother, who was with National City Lines. One of the large boys in the National City Lines, he also passed away. He had cancer. So Chester, within less than three years lost his son, his wife, and his brother, and that's about all he had. I think he has a daughter living in Minneapolis. So we haven't been able to find out just where he's living now. Last time he was living in Los Angeles, but he's not making that his home. I remember him telling me personally that he just couldn't live in Marathon, Florida, anymore without Esie. That he had no other interest down there.

Woods: That's too bad. That's too bad. He's in his eighties now.

Buhner: Yes. He was a very capable person. He's an excellent Rate Man. That is. He managed the Central Freight Association, rate man. That association of the Rate Bureau. Very, very capable man.

Woods: Didn't Ted Rogers pass away shortly after you took office?

Buhner: I would say about three or four years afterwards. Something like that.

Woods: Do you know Mr. Ed Gogolin?

Buhner: Yes.

Woods: Well, I was with Ed a couple years ago.

Buhner: Is that so.

Woods: And, oh we hit it off wonderful.

Buhner: Ed's a very capable chap.

Woods: Just like you and I we spent the whole day talking and Ed was a great admirer of Ted. He knew Ted. You know he was from the same neighborhood. And he told me things about Ted when he was a car salesman long before they ever dream't of--- an I got thinking beings you were the second president you'd probably know Mr. Gogolin. He's retired now.

Buhner: Oh, Yeah. He's just retired recently. He is one of the few that were left of the original ones when I was there twenty five years ago. In fact when I go to an Executive Committee meeting now, it's just not home to me anymore. I've been so far away from them now.

Woods: No, there are too many new faces. I want to get back and see Ed before long, down in Harrisburg.

Buhner: Sometimes I think I'll turn in my resignation and get off of it entirely. I want to go through this year so I can say I've served forty years.

Woods: Yeah. Now how long were you President?

Buhner: President one year. We were restricted. From president you moved on into Chairman of the Board.

Woods: Ed, of course we have all different branches. You're telling here how the ICC regulated and everything. In the very early portions of trucking, the best I can find is trucking probably started, interstate trucking, out of New York by the wealthy moving out up into Connecticut, out of their Brownstones, because of overcrowding in the city. And they didn't want the railroads anymore to handle their nice furniture because they busted it all up. So they started looking for these dray wagons, and then they started looking for these trucks that were coming along and they found out that they'd haul it up to Connecticut, sixty mile or so, and not wreck their furniture. And many truck historians claim that this was the beginning of trucking. (interstate) Now, I don't know, this can be argued one way or the other. But, what part did these early gypsies; these wildcatters, play in the developing of trucking from your knowledge?

Buhner: I'm not too familiar with what we call, 'Gypsies,' but I do that the individual operators, who owned their own tractor played a very important part. They pulled trailers for Common Carriers and that. They were usually. A lot of these companies. Take the Roadway Express. One of the largest ones in the country. I think they were, at one time, almost all that type of an operation. And of course then in their peak season they employed the, more or less, referred to them as, 'gypsies.'

One of the interesting objects my company was involved in was the early installation of Cummin's Diesel Engines in some of our regular truck tractors. The first two trucks that we had were Mack Diesels. They were considered rather rugged pieces of equipment, and we operated them primarily in Indiana as the laws were too restrictive to operate them in and through Kentucky and Tennessee. We had learned a lot and had been informed about the economy of Diesels by the Western operators, the boys back in California, Oregon, and Washington. The fact that I personally and my brothers were born and raised within shouting distance of where the Cummins' Diesel was manufactured and knew some of the people connected with the firm, we decided we'd at least give their Diesels a trial.

So we installed a four cylinder diesel and six cylinder diesel in two of the first trucks we ever owned. But they turned out to be quite unsatisfactory for the simple reason that the chassis in which they were being operated was not comparable to the power of the diesel engine. The diesel engine had as much power at idling speed as it had at traveling speed, and the problem that we had is with the power of the engine we were constantly tearing out transmissions and rear ends. So, we finally decided that that was a failure and we placed them on the market and finally sold the diesel engines and then said that we would not go back into the diesel operations until the complete truck

was designed for the diesel engine. That came about five or six years later.

Woods: Mr. Buhner, for history sake, lets tie down some of these dates and as to why the diesel. Now, on the West Coast, you mentioned to me earlier that the diesel was pioneered on the West Coast more than in the Middlewest simply because they could haul bigger loads out there. Heavier loads, and the diesel was held down a little more.

Buhner: They had the power for the mountains.

Woods: Yeah. Now I imagine they entered the picture out there probably in the early thirties, or maybe late twenties. The diesel had been known for a long time. It had been invented years before. It was just put into use. So,

would you say that probably in the late twenties the diesel went to work on the West Coast; was introduced out there.

Buhner: Yeah, I would say that. A fairly accurate date.

Woods: Yeah. And then, as you say you were raised within shouting distance, for the listener's information the diesel was made at Columbus, Indiana, (Cummin's Diesel) quite a little industrial area, and of course Indiana was always the leader in the automotive world in case people don't know. It turned out more cars actually than the great state of Michigan did. But, now you purchased and put these diesels into use mainly because of your friendship with Cummin's plant, isn't that right? The people that ran the Cummins.

Buhner: Well, we had a friendship with them.

Woods: That had a bearing on it, because you introduced the diesel and one of the very first to introduce the diesel. Your company. And as you say this was probably in the early 30s, wasn't it? About 31, 32?

Buhner: Yes, it was, because we installed them in the first two trucks that we owned.

Woods: So, you were really the pioneer in the middlewest.

Buhner: It must have been about 32.

Woods: But, you discovered that because of its extreme power the torque of the engine tore up the transmissions and the differentials and you had to have more weight and the state of Indiana, at that time, certainly didn't allow much weight, so that was why you had to discontinue and go back to the combustion engine.

Buhner: Another reason was that the four cylinder diesel had entirely too much vibration, for the chassis it was being run in.

Woods: Well, it even idled very, very rough. On idle they would shake a truck or car to pieces. Well, now that we got all that data for history please continue, Ed.

Buhner: Another big problem that the trucking industry had was the problem of accidents and their regards to safety and how to go about operating their truck lines safely. The company that I operated had its share of accidents in the early days and it became quite a problem with us to



maintain insurance. In fact our insurance was cancelled on several occasions, and so a truck line without insurance was one almost to go out of business. So, between my brothers and myself, we became quite interested in what we could do to operate our equipment more safely. We then discovered that the University of Pennsylvania had a good course in safety. We proceeded then to make our contact with these people, and through them we were able to hire our rather capable safety director, who then came into our company and started a safety program. We were probably some of the first people who really engaged a safety man. A safety director. And he really did almost miracles in the work that he brought to us.

Woods: Do you recall the year you employed this safety director?

Buhner: One of the main things he did was to set up a standard for truck drivers. They had to qualify for certain standards. And it was amazing when we went through our list of drivers at the time how few of them could really qualify a good truck driver. We had men that had bad eyesight. We had men that didn't really have their right makeup. We had men that couldn't or weren't very efficient in night driving and all those things that go in making a good truck driver.

It took us a year or so to clear out the unfavorable ones and replace them with very good drivers. Of course his

work also went to the maintenance of equipment. To see that our equipment was always properly maintained. We established safety lines for our equipment before it ever left the main terminals it went through a safety lane where every item was inspected. We did all more things. We got the top men in our organization were also trained in safety work, so it was everybody's business including the President on down to take a real part and an interest in safety.

Many other companies had the similar problems that what we had, and about that time the American Trucking Associations established a safety department within their organization and then ran contests on safety as to which fleet was the safest fleet in the country. There were certain standards that had to be met, and some of those standards were rather rigid. The fact that we had pioneered a lot in this type of work, we won the safety award three years in a row, and through that we retired the first trophy the American Trucking Associations offered on safety work.

When I became president of the American Trucking Associations I made it my theme to preach safety and encourage every fleet I could possibly contact to do a lot of work on safety, and hire themselves a safety director and encouraged them to do that. And today I suppose there is hardly a fleet that's operating today that doesn't have a safety director. It was one of the best money making things

that we ever did in operating our trucks. Why we never got into it in the beginning is just one of those open questions. It was a matter that we didn't know better.

Woods: Well, you were in the pioneering stage. You didn't know about such. Now, your trucks ran some pretty steep grades in the South land, and I imagine you can recall some very bad accidents your company probably, had. Is that true?

Buhner: Yes, but we only had a few fatal accidents. Principally caused by a couple vehicles meeting headon in some fashion. In asking questions about fatal accidents and that, reminds me of one accident in the real early days of trucking of our company. It was with the first truck that we owned and we were hauling a load of fresh meat from Louisville to Chicago. And South of St. John, Indiana, apparently our driver went to sleep during the night and he went off the side of the road and the fact that in those days we didn't have safety tanks on them the vehicle caught fire and the entire vehicle burned and here was all this meat on the inside of the trailer. This was pretty much in a farming area. When it happened we received a telephone call and both myself and my wife drove during the night up to where the truck was and I remember this farmer telling us, 'Boy, you're too late.' He said, 'You never seen so much roast beef hauled away from here in your lifetime.' He said, 'Every farmer in this neighborhood has

got a big beef hanging around his house somewhere.' So that was good roast beef.

Well that was probably three months after we began operating in here our number one truck was completely destroyed by fire, and that was just one of the incidences that made us realize that there was a lot more to trucking than just running a truck. This incidence the driver had just become sleepy and ran off the side of the road. But, many of the other accidents were side swiping, and improper breaking and all things that cause accidents. They all counted against our experience and I know it was quite a blow when they cancelled our insurance on us. In fact it was cancelled twice so we were without insurance. Then finally after we went through all this work and reorganized our company on a very sound safety basis, why we were able to bring our insurance rates way down. In fact before we got out of the business we were self insured for a great many of our own losses, and we had set up our own claim system. We handled our own claims and all that and it was quite remunerative, too.

The American Trucking Associations, about that time, made quite a drive on safety as they have done every since then. One of the side lights to this whole affair is since I had spearheaded the safety movement a great deal; the industry still didn't have any connection with the National Safety Council, so I was elected as the first truck operator to

serve on the National Safety Council. I served on their Council for 13 years.

Originally, in keeping records of that the National Safety Council charged an accident against a truck whenever two vehicles, regardless if the vehicles were passenger car or truck collided, the charge was always made against the truck. So in the early days the truck had some unfavorable publicity. Because the records were not kept correctly. We were able to change this thing entirely around in the National Safety Council and today the trucking industry is the second largest participant in the National Safety Council, and is one of the real industries that is pushing safety in all its phases.

Woods: Probably you would touch upon the entrance of the Westinghouse Airbrake which had a tremendous amount of safety added to trucks once they got the Westinghouse Airbrakes. Isn't that right? You'd say that airbrakes had a lot to do with it?

Buhner: I'm not familiar with that except the fact that when we moved into the airbrake our equipment became much safer, and it didn't take the industry very long to realize that the airbrake was the real brake. And I suppose today there isn't a truck operator not using airbrakes.

Woods: Yes, its all airbrakes. Well, in those days, just to renumerate a few things the breaking surface on the truck wheel was inadequate for the amount of weight being

hauled. And the Vacuum. The old Vacuum brake was, when it worked it was a good brake, but it was so unreliable that many times you couldn't depend on it. And the mechanical brake certainly wasn't equipped to do the job of stopping a loaded truck. Well, Mr. Buhner, what next, now? How about insurance? I always like the story that Mr. Tucker gave. He said that he went 11 days one time with no insurance and operated full force for 11 days, and he said he never slept for 11 days. And I imagine you can appreciate his ----

Buhner: Yes, he had a lot of company.

Woods: I believe a little red headed fellow from Tennessee, wasn't it, that started Markel? Wasn't he the one that more or less aided trucking. Markel Insurance?

Buhner: It wasn't Markel. It was an insurance company that specialized in truck insurance. I think that they were one of the companies that cancelled us out.

Woods: I see, there were several different truck insurance companies.

Buhner: Oh, yes.

Woods: But they were a little bit leary to start up, weren't they?

Buhner: The successful insurance companies in the trucking end were the ones that the operators themselves organized and owned.

Woods: Themselves.

Bühner: They knew the problem. They knew what had to be done. And the group that organized insurance companies then forced every operator to put in a real safety program. And if they didn't comply with that they were not included in the insurance. And some of those insurance companies have made excellent money, and have reduced the accident rate materially for most of those operators that went into that.

This thing was primarily started on the West Coast. And some of my good personal friends were all involved in that plan, and since we didn't operate on the West Coast of course we were not eligible. But, we learned from those people too. And they were probably more pioneers in that respect than there were in the Mid-West, or the South, or even in the East.

Earlier on the tape I talked about how we established the capacity of a truck. This was during the days of the Office of Defense Transportation. And I mentioned the name of one man, who was a very capable operator and is today a very capable operator. And his name was Charley Canmer. He was one of the top men in the tank truck operation, and knew the business. He hailed from Pennsylvania. And he was one of the men that helped considerable in establishing the rules and regulations under which, 'hired trucks,' operated during the war. It's our group that developed the definition of the capacity of a truck by relating it to the



capacity of the tires. Originally, the regulation that was sent out by the Office of Defense Transportation said that the capacity of a truck is represented by the number; by the carrying capacity of the number of tires that it has. Of course, that mean't an open end, and if you had as many as 20 tires, why you would have a capacity of around 80,000 pounds. I'd say 10, 20 tires, at least the ten hundred by twenties, which were the way they were designated in those days. The U.S. Bureau of Roads objected to that portion of it and they highly insisted that we could use their formula for providing we put a stopper on it at forty thousand pounds. In those days there were very few tandem trailers for most of the trailers only had one axle and you had one axle on the back of the truck, and then the front axle, so that mean't ten tires would have a carrying capacity of about 45,000 pounds was used. However, where the state laws permitted different weights than that they also were recognized as being legal.

What actually happened to this was about 5 states were permitted to bring their gross weight laws up to 40,000 pounds. The other capacity of measurement that we used was the cubicle density of the box, that was on the trailer. We said that a truck when it left the platform should be; on an outgoing truck should be loaded to one hundred per cent capacity, and on a return trip it was to be loaded to seventy five per cent of capacity.

We knew that this was something that all trucks couldn't comply with. But it was amazing how many of the truck lines were able to come pretty close to following that formula. And course that's when the gypsy truck came in pretty handy. In fact this was more or less bases on what the gypsy trucks did in those days. Even competitors were hauling each other's freight in order to get them loaded to a hundred per cent capacity and return with 75% capacity. I know that our company loaded many of our competitors and some gypsy trucks for the back haul, so in that way we got a tremendous amount of efficiency out of the trucking lines.

Woods: Now can we elaborate on this point a little bit? As a gypsy I used to load either way every once I could get on, you know.

Buhner: Yeah.

Woods: And so I suppose that I was breaking the laws. But to me when I wildcatted a load out of Chicago to the East Coast, that was it. And when I wildcatted a load back from the East Coast to Chicago that was a ---. It was no return trip to me, it was just a trip. And I loaded both ways to the ---, well, much more than any capacity, you know. It's amazing in those days that we're speaking of Mr. Buhner, I don't know if you know or not, but today they have 40,000 pounds revenue, you know, pay load on a truck a lot, and people wouldn't believe the loads we hauled back in those days with single axle tractor and trailer, and my God we used

to put on 34, 36,000 pounds and get it across, you know. And you would know that, but the public probably wouldn't. Of course, the state troopers knew it too.

Well, that's very interesting to know that you complied with those laws, and how they---. It's still confusing today. I hear people say, 'What do they mean; a two and a half ton truck? That things big enough there to haul a house. What are they talking about a two and a half ton?' And they don't know the ratio.

Buhner: Well, the next thing I probably want to talk a little bit about is the part that the American Trucking Associations and the Trucking Industry played in the building of the 21,000 miles of super-highways that we have today.

In the early days before we had these many four lane highways one of the problems that the Public Relation's platform that the trucking industry had was the problem of tail-gating. Especially, if you were in rolling country where you had hills and that. And with the two lane highway quite often traffic was being blocked for quite some distance because many trucks were under powered and climb until they were down into low gear, and quite often when you came to a hill of that type, you had to bring your passenger car down to 5 or 10 mile an hour, and just keep dragging until you finally had a chance to pass.

Of course the industry did what they could to try to train

all their drivers to keep their vehicles a certain distance apart so that people had a chance to get around. But that wasn't really a real cure for it. That was just one way of getting some relief.

Woods: Just a temporary relief. Mr. Buhner, at this point, before we go on. Pardon me. Could we explain for the listener what tail-gating is, so he'll know what we are talking about?

Buhner: Tail-gating is one truck following another one at a very, very close distance.

Woods: So close that no car could get in between.

Buhner: So, it would be very difficult for an automobile to pass. And sometimes when you had 4 or 5 of those trucks in front of you had quite a length to pass.

Woods: You had them blocking the highway.

Buhner: You would be blocking the highway.

Woods: Another danger thing about tail-gating is if one of those trucks happened to have an emergency and have to throw on the brakes. The one tail-gating would go right into the rear of the truck, which happened more than once. Well, now that we've cleared up tail-gating. Why let's go on.

Buhner: The long term way to cure tail-gating was to operate on four lane highways. So, the industry through the American Trucking Associations then started getting various people together, and I attended some of those very first

meetings, and there we talked about four lane highways. That we would have to get into a real road building program. And we talked to some of the top people in industry; especially, Firestone and Goodyear, and some of the truck manufacturers. Firestone had been quite a leader in promoting these highways, promoting the building of highways. I remember we even hired a rather prominent. I say we, the industry hired a rather prominent highway engineer, who helped a great deal in getting this whole program started.

And shortly after we had had a series of these meetings Goodyear Tire Rubber Company developed a film which they then sent all over the United States showing the need, the value of double, or four lane highways, and what this country needed was the four lane highways. They went back to the Autobahn in Germany and how Germany used the Autobahn so effectively. And then we finally got the War Department interested in it and one by one they started getting behind this program. Then General Motors saw a very good chance to promote this thing. They then offered a prize of 25,000 dollars to anyone who would come up with a very complete scheme of building a four lane express highway over the United States. And I don't know how many contestants entered this but there was a tremendous amount of interest in it, and finally one of the highway engineers from New York City, his name escapes me for the minute, but he was then awarded the 25,000 dollars for what is now the 41,000 mile

highway that we have just about completed.

Then the next problem was, cause we had the promotion going, was how to pay for it. And that is where it became quite interesting. The gasoline. The auto people, of course were very much opposed to more taxes on gasoline. They thought that the taxes should be pretty well paid by the manufacture of the automobile which went high lots of times and all that. And the truck manufacturer, he just felt the opposite. He felt somebody else ought to pay it. He was the final man that really finally paid it. In the compromise the American Trucking Associations played a very important role, and their compromise that they finally offered them, that's why today you the taxation system for the building of the 41,000 mile highway system.

Woods: Well, now the listener, Mr. Buhner, when he goes down the road and sees road construction, they always have a sign up, 'Your tax money at work.' Now he knows why that sign is there; however, it's still the truck operator, the truck company that pays the brunt of this. He pays the taxes and has a charge up the rate in order to get his money back.

One of the things we still haven't discussed is the publications of tariff and rates for the industry after the Interstate Commerce Commission had given authority to regulate the trucking industry. Up to that time it had been pretty much a hoog-poog. Everybody published his own rates, and where they did business with a connecting line many times

there wasn't even a through rate published. It was just a matter of an agreement with the shipper, or something. But when the regulation came in it became necessary for the industry to publish tariffs, and that became a tremendous job. You can hardly imagine how many rates it would take to publish a rate from one point in the United States to every other point in United States. So the industry was pretty well split into regions of sections for the publication of rates.

First of course, one had to have a classification, which described the commodity and then more or less gave it a rating as to whether it was a first class, a second class, third, fourth, fifth, and sixth class. There all, each commodity was classified. That also became a tremendous task. And there was quite a disagreement in the industry, to start with, as to who would publish the classification. Finally, it was realized that there was only one logical organization to publish the classification and that was the American Trucking Associations because they represented all types of trucks. Whether they were household goods carriers, common carriers, contract carriers, tank operators, and you name 'em. So that, we finally were able to close that hole, and place the classifications in the hands of the American Trucking Associations.

Then it became the task of publishing all the rates. Quite a number of states already had had intrastate published



rates, so we already had men in the industry that knew considerable about rate making and that. My own personal experience dates back primarily to the CFA territory. Central Freight Association territory. Which included Wisconsin, Illinois, Indiana, Michigan, and Ohio. At that time, I think, as I recall, three states of this group were already publishing intrastate tariffs. We all gathered in Chicago to try to work up an organization that would publish the interstate rates; both, within the territory and between various other territories: the East, the South, the Rocky Mountains, and the far West.

This was quite a task to get these various men in agreement on what's to be done and who wants to do it. Of course everybody was hoping their own state would be the dominating factor. At the time, I personally was the President of the Indiana Motor Rate and Tariff Bureau, which was comparatively new and I personally didn't know too much about publishing tariffs, but we finally brought the thing to a head. And Mr. Ted Rogers, came in from Washington to Chairman the overall group meeting, and through that he appointed what was called, 'The Committee of Eleven,' and they were the Committee that finally organized the Central Motor Freight Bureau. They selected the men and all that. The task of Chairman of the Committee fell upon me at the time. But, we were able then to work out and we selected, Chester G. Moore, of Illinois, to become the head of that

tariff bureau. Chester was a very capable person, and he had the ability to whip a lot of irregulars into line, and there were some real strong individuals too in this crowd. We then divided quite a few of the jobs among some of the other men from the other states. I remember the man from Indiana was very much disappointed that he didn't get to be the top man, but we gave him, I think, the third top man. We took the best men that we felt were the best men to continue the publication of the tariff bureaus. And that became a very, very strong organization, and today is one of the strongest tariff bureaus in the country, primary on account of the Mid-West being in an area where there was a tremendous amount of freight. My experience was primarily in rate making was with the Central Freight Association territory. Although I was much less active in establishing the tariff bureaus in the South, and the tariff bureau, I published the rates between the Central Motor Freight Association and the Southern Motor Freight Association.

Woods: Mr. Buhner, at this point lets give 'em an example of how much opposition there was by, as you say, 'The strong powers; that wanted to put in their own. If you don't mind this brings us back to our old friend, Jack Keeshin. I'm sure you remember, he stepped forward all at once. Now, correct me if I am wrong. He stepped forward, at this time, with, 'The Eleven States Conference,'

that he had organized, and he got Danny Arnstien and the Wall Street combine that controlled 48 industries. They put in millions and they were going to make their own rates, and make the ATA and everyone else bow down to their rates whether they liked it or not. Do you recall that incident?

Buhner: Every fella heard of it. Mr. Keeshin, of course being a very strong individual, he also; --- there were some others that were inclined to want to publish their own rates. And, as I recall, Mr. Keeshin, finally made the move to publish his own rates, but then he found himself into real trouble and it didn't take him long to rescind that action. In the meantime it cost him considerable money to publish the rates, because thats an expensive thing.

Woods: I believe it was two million dollars they lost, or something, in trying to set up that rate.

Buhner: Why other, who also had a desire to publish their own rates, was that most all the truck operators had become members of the Bureau. So with that that mean't that they were able to publish their own rates through the bureau so they could work in connection with other truck lines. In other words they were able to have a through rate that was published. So from Louisville to Milwaukee, we hauled the freight to Chicago and turned it over another truck line and they delivered it in Milwaukee.

But our rate was a through rate that had already been published all the way through. But, when Mr. Keeshin and others have tried it, and they were not members of the Bureau publication. They had their own rates and they thought then that we would also interchange with them. But, we saw that we were getting ourselves into a lot of trouble; if we do that. So we didn't give Jack Keeshin, and others like him, any concurrence. So, his line, Mr. Keeshin's line, and others like his, lacked the through rates. They did not have the through rate system. They attempted it, but it was rather crude. So, it didn't take very long for those people to realize that they had better come in on the tariff.

Woods: Well, for convenience sake they had to disband their idea. You had the interline system worked out and they didn't.

Buhner: Yeah.

Woods: I believe at this point, Mr. Buhner, there might be some listener sometime that may be confused with intrastate and interstate. What Mr. Buhner is speaking of here, or we're speaking of, is intrastate is shipments within the state. And interstate means cross country. Through the different states. So whenever you hear intrastate you'll know, immediately, that that's points within the state. And whenever you hear interstate that's referred to as the long-haul, or cross country. That goes Coast to Coast, if

you want to.

Buhner: Well, that just about finishes up the story on rate making.

Woods: Well, lets just take a little break, and then discuss something else.

Woods: Mr. Buhner, driver training is quite a major thing today. There's schools popped up now all over United States, and Driver training they've discovered as you've men discovered early, that it has a great bearing on trucking. You had some of that experience. Would you mind telling the listeners about your problems with drivers in the early days?

Buhner: In the earlier days, when we hired drivers, most of them were acquaintances of ours and we had nothing to gage a good driver by. So, thats how we just got a hoog-poog of men trying to drive trucks and the couldn't do it efficiently, until we put in a real good safety program. Then we had a rather rigid test that any applicant would have to make before he became eligible to become a driver. During the World War days when man power was quite scarce, and we were still growing; adding personnel to our company and also hiring additional drivers. We sometimes had to screen as many as 75 men in order to find one good driver out of the group. Later on when manpower became a little bit more plentiful, we used to have to weed out about 20 men out of about every 21 applicants. In fact we had a

rule of thumb we would find about one man out of every 25 that we considered to be a capable truck driver. But when you take a piece of equipment, even in those days, a piece of equipment with a trailer, was a minimum of 25,000 dollars. Then it depended a great deal upon the cargo that you were carrying. If you were carrying a truck load of whiskey which we moved a lot of here out of the city of Louisville. We quite often had a cargo going up to 50,000 dollars. So, it was quite a responsibility on the truck operating company to see that they had the proper personnel that could handle that piece of equipment.

A number of wrecks in those days with that type of equipment and that kind of cargo could easily have wiped out a company.

Woods: It did wipe companies.

Buhner: And many of them were wiped out.

Woods: Just for open discussion here, Mr. Buhner, you knew Ben Spector very well I'm sure.

Buhner: Sure.

Woods: Didn't he,---multiple wrecks, at the end, was what Ben had to leave the company for? I believe they cancelled his insurance. He put through this fast relay system to the East Coast. And he just. Ben, you know, had a belief that you could just take anyone and put behind a wheel. And he did. And he found out that it was just constant wrecks. And I'm sure if you paid much attention to his life, or heard such, that it was this very thing that destroyed Ben.

Buhner: I knew Ben, but I wasn't very familiar with his operations.

Woods: Well, in the early days he'd just go out on the street corner, he'd have a loaded truck there, and stop a guy and say, 'How'd you like to go to New York?' Yeah. This was one of his great downfalls. But, I know he had a constant number of wrecks when he got those Whites and those Freuhaufs and went on that fast relay. Just multiple. It was unbelievable. Four a day, and thing like that. Well, you know, that no insurance company is gonna stand for that. So, they cancelled him out. Well, today, Ed, they have schools now cropping up all over the country. And this is a little different than in my day when you got behind a steering wheel and another guy told you how to shift, and you tore up a few gear boxes til you learned. But I believe don't you? That this is a good thing that they're teaching these,---a man long before he goes on the highway, they teach him how to back a trailer. Spot a trailer in other words. How they teach him the gear box, and the tachometer. How the truck operates, and he gets quite a schooling I understand. I'm to go interview one of these schools in the next month. I'm supposed too. But thats quite an advancement, and that too would come under the safety program.

Buhner: I think one of the things that has done a lot to up grade the truck driver is the establishment of the

Truck Rodeo, which is now being held practically in almost every state association.

Woods: The ATAs encouraged that, didn't they?

Buhner: It was the ATA who originally developed it I think, but the credit goes to John Laurence, who at that time was General Manager. He worked out the program on it, and the method and it was he that, who really promoted the thing. It's a very interesting thing to the top truck drivers, and of course that filters on down through the entire fleet. But if you ever have a chance to go to one of these annual championships, it's very interesting to see how proud these boys are. They compete in that. First they have to win the state and then they go to the national. This last year we had the National here in Louisville. And to me it is really a feeling of satisfaction to see what has been accomplished in the way of training drivers and make them realize their responsibilities. And the courage that they have now. The proud. It is not only the driver himself is proud of his position, but his family, back in the crowd. Normally, his family is sitting right there.

Woods: Oh, yeah. Right there in the grandstands.

Buhner: And it has done a great deal to upgrade the driver.

Woods: Also, Ed, it's done a great deal to the truck manufacture too, to have his truck in there as one that they use. For the listener we'd like to explain a Truck Rodeo is just as the words emphasis'. It's a Rodeo, like



they used to have, and still do have national cowboys, where they go out and ride broncs and things, and what they do here in a Truck Rodeo; they bring in these drivers that's won their championships in each state as an outstanding driver. Now, they'll have different contests. Spotting trailers. Backing trailers within a certain area. Driving within traffic. Maneuvering of their equipment. Mr. Buhner has probably been on boards of these Rodeos more than I have ever seen them and he knows more about their different requirements that these drivers have to show their skill. Lately, they're being to get TV recognition. You'll see in advertising. They had you last years Champ. I believe he was from Louisville here. They had him spotting a tanker truck, in a very close quarter. And I believe Exxon, or one of the big gas companies used that on TV as an advertisement and it drew a great deal of attention to the trucking industry. That a man could handle one of these trucks.

I know, just on this subject, Ed, if you don't mind; you know, in California they used double bottoms long before we were around here. And it used to be quite an interesting thing to watch. They'd always have a driver in a terminal. The fella that brought in the double bottom trailer on the road could never handle it right, and they always had an old spotter around the terminal that he would take over that double bottom and instead of breaking

it up and then moving the two trailers, he would spot that back trailer where he wanted it while it was still hooked to the other trailer, which was quite a feat. We used to watch these men do this. But proper control and skill at the wheel has a. The trucking industry is very aware that this is, --- after all we have to offer is service, and that's where it come from, ----proper control at the wheel.

Buhner: Yeah, it is almost uncanny to see some of these men operate a big rig. Being able to spot it in just as narrow. A very narrow space with probably two inches clearance on each side. But, they'll do it. And they'll do it day in and day out. It's uncanny, the skill some of these men have. If you don't think it requires skill get in one and try to spot it yourself.

Woods: I know. I went to Spector back right after the war, and you know spotting, that is, for the listeners view, spotting means putting a trailer in where you want it and taking it out. And right after the war I went to Spector. And spotting had developed you know. It used to be nothing. In other words it wasn't a field. Everyone got his truck up to the dock some way he could. If he tore off two or three doors, why it was alright. But, I went to Spector Motor right after the war and spotting had started out and I wanted to be a spotter. And I did become a spotter. And as you say, we got to where we could put 'em in two inches apart. Just parallel them right in there.

One try. Not even have to pull out. But it takes you months and months of constantly doing this and knowing your tractor, knowing your trailer length before you can do it. It's not something that's learned overnight. It's a skill. So when you see these men at these rodeos, as you know, they know what they're doing when they get behind that truck.

Well, Mr. Buhner, it seems as if though we've covered about every subject. In summarizing here I would like for the listeners to know that in Mr. Edward J. Buhner, they have been listening to one of America's true truck pioneers and not only pioneer in one field but in many fields. Developing of the industry from a terminal up to serving on boards that made major decisions; such as, roads, tariffs, and all that we've heard. Now, in this room here is a plaque from the National Safety Council Motor Transportation Conference; 'Hereby confers honorary life membership to Mr. Edward J. Buhner, on October 26, 1964. For recognition of his years of service of the Councils Motor Transportation Program, as a member of the Board of Directors from 1951 to 64.' This plaque is signed by the President, Pile, the Vice President, and the Manager. Now, this is quite an honor. And these are'nt given out just to anyone. You had to work to receive those.

The next plaque is a member of the National Safety Council

was given to Mr. Buhner. And then we have the Kentucky Motor Transport Association, Hall of Honor. 'The Kentucky Motor Transport Association, proudly inscribes the name of Mr. Edward J. Buhner in the member of a Hall of Honor. The Kentucky Industry's highest award in recognition of his devotion and distinguished service to the Trucking Industry. President of the Annual Convention of the Kentucky Motor Transport Association, Inc. on June 5, 1970.' And the Seal there.

Buhner: That was the first one that was ever granted.

Woods: And here is the ATA. 'American Truck Associations Foundation, Incorporated, presents this tribute of appreciation of Mr. Edward J. Buhner, Trustee, 1953 to 1960. For service to the Industry through leadership of the continuing program to inform the American people to the vital role of trucks in the posterity, growth, defense, and well being of the Nation.'

And all of these are awards given to a man who earned them.

As I mentioned they are not just handed out to anyone.

And last, but certainly not least, here is another one.

'Presentation of a plaque to Mr. E.J. Buhner, in recognition for outstanding services as an Honorary Past President.'

This was given by the Indiana Motor Truck Association in 1968.

I go over these awards to bring to the attention of the listener as to the outstanding leadership of Mr. Buhner.

That they have been listening to someone who, as Mr. Maurice Tucker, and many others. These men are in authority to tell you the history of the American Trucking Industry. In continuing on with Mr. Buhner's interesting and very historical interview, I'm going to talk about the company he developed. I can well remember the trailers of Mr. Buhner's truck line that ran out of Chicago to the South land. They were all aluminum trailers and the company was operating under the name of the 'Silver Fleet,' and on asking Mr. Buhner, I found out the reason it was named, 'Silver Fleet,' was because most of the trailers were aluminum so they said, 'Why paint them, just clean 'em,; and they had a silver shine to them, so they were called the Silver Fleet. Mr. Buhner, is the first man I have ever interviewed that ran a truck line, should we say, across the Mason-Dixon Line. And he met problems in the deep South that most truckers never met in the North. For instance, when the days of the tandem trailer came in, the 32 footer, I discovered from him that there were some states in the South that wouldn't allow a tandem, so he couldn't go into that. He was the first man to run a 30 foot trailer into Chicago, and the Chicagoans used to say, 'What are you doing up here running these big long box cars into our city?' But, of course today they have the 45 footer rapidly becoming the standard trailer. Mr. Buhner's company at the peak had approxiametly 15 terminals. As he said a couple of them

were small but nevertheless they were terminals. He had in round numbers practically 600 employees. And I believe out of the yard equipment and pick up trucks and everything, I believe you mentioned the other day you had about 150 highway units on the road. So, for a North, South fleet this was a very large trucking company. And I am glad we had you, Mr. Buhner, because you settled many of the problems in the states of Kentucky, Tennessee, of Virginia that plagued trucking at this time and you got those ironed out and out of the way.

Buhner: When we first started in the trucking business, we had a feeling that it was a business that would grow. Because the economics of trucking were such that it would attract customers, and the more customers you have the faster you would grow and the more business you would get, and that was true. In the earlier we had many handicaps to overcome. A great deal of it being various restrictions put on by various states through which you operated. We had the problems of labor. With unions and all that. We had many miles of inferior highways. We had some places bridges that were not capable of carrying the loads, even small loads, and it took many years to gradually improve facilities with which we operated. That included the improvement of the equipment, improvement of the engines, improvement of personnel, improvement of the terminals,

improvement of highways over which we operated.

This has been an interesting experience for me, now, that I have practically completed 40 years of being in the industry. I've seen the industry start from a very small beginning like we ourselves started, and it's grown into a very very substantial industry. The fact that many knew roads and highways are being built has added a great deal to the economy of many of the states in this Union. As an example, in the days when Kentucky had very restrictive truck regulations, very few cities and towns in the downstate area had any industries. And I remember quite well when the Governor of Kentucky, Mr. Earl Clemens, made a statement. He said, 'Well, if we'll open up the highways into this state and encourage trucking we'll bring industries into these smaller towns. By bringing industries into the small towns, and by bringing highways into our smaller cities, we'll be able to encourage the building of a lot of filling stations, restaurants, various other service stations, garages, and all that will be built along the highways. That will give the local communities more property to tax and through that taxation they'll be able to lift the standard of living of the people within their communities.' This I have lived to see.

Kentucky now, I refer to Kentucky primarily because I am more familiar with it. Many of the small communities of the state now have very fine manufacturing facilities. And

still more and more are coming. It's hardly a week that the media doesn't announce the installation of another manufacturing plant or such back into the smallest communities in our country. Trucking therefore has opened up the back country of many of the states. Of course by doing that it has also helped the larger cities. With the population trends, which is still growing has demanded more trucking and will continue to demand more trucking. Trucking in my opinion will become more efficient than it is today. We can look forward to better highways. Safer highways. We can look forward to considerable improvement in equipment. There's still some new type of power machines being produced that will probably find their way into the trucking industry. One of the great things within the last few years, which I personally was not able to experience except in a small way in the very beginning, is the tremendous improvement in communication. It's now possible for a large trucking company with thousands of trucks to know almost instantly where almost every truck is located. It's very easy now to trace lost shipments. Communications between terminals is as easy today as talking to your next door neighbor by telephone. The record keeping. One of the big costs to trucking was the problem of keeping records. Many, many thousands of small shipments. Every shipment required a Bill of Lading, and a record. That now has been immensely improved through the computer system. This in my



opinion is one of the greatest strides that has been made in the trucking industry in the last ten years. This time it's only the real larger major companies that have been able to take advantage of it, but as this method is improved, and it's bound to be, the smaller truck lines will also be taking advantage of the very same thing. The public, I think, is becoming more aware of what the trucking industry means to the economy of this country. Trucking employees a tremendous amount of people. At one time the railroads were thought to have many, many people on their pay role, and I think that one time they considered there were about a million and a half people employed by the railroads. Today the trucking industry has gone way beyond that. There are now approxiametly ten million trucks in the United States.

The year that I helped regulate the industry during the War, as a Director of all 'for hire', trucking there were less than two million trucks of all type. And at that time I don't suppose there were less than a million of those vehicles running on the road. Today I suppose we have in the neighborhood of 6 or 7 million trucks operating intra and interstate over the country. It's been a tremendous growth and it will continue to grow. Statistics prove that almost every year that the trucking industry is getting a larger percentage of the overall freight movement. And that will probably continue, cause the trucking industry can

give service that many of the other transportations can't even come close to matching. I personally foresee a very stable industry ahead of us.

Today quite a number of our better truck lines are recognized by, what you might call, 'Wall Street.' They are able to get finances today that they weren't able to touch years ago. And with ample finances they are able to buy better equipment, and build better terminals, employee better personnel, and do all those things that money can do for you. Think of their stocks. Those who got in early, who had confidence in the industry quite a number of years ago have been well repaid for their investments, and that will probably continue. There will be ups and downs on the market, but trucking is one of the basic industries of the United States today. Agriculture and trucking are probably some of the biggest employees that we have in this country. It's pretty hard to visualize what will happen 30, 40 years from now, but I predict that trucking will still be one of the large industries at that time.

Woods: Well, Mr. Buhner, I want to thank you for your rather thorough interview. For all the valuable historical information we have on the American Interstate Trucking. I might inform the listener that Mr. Buhner is 72 years old and I believe I said yesterday he now lives in retirement here in Louisville, Kentucky, in one of exclusive neighborhoods. He still believes in trucking, as he revealed to me

yesterday that he keeps quite a bit of his money in invested in truck stock, and I suppose that would be natural as he gave his life to the industry he is certainly going to gamble on it for his retirement. Which is a pretty safe gamble, I believe. I want to thank you Mr. Buhner and I am constantly moving around and I meet many of your old friends and I'll certainly tell them hello for you when I meet them. Incidentally, tomorrow I'm to be with one of your close old buddies, Mr. Maurice Tucker, of South Bend, and I know he's anxious to hear from you; he knows I'm here today. And I'm sure all the listeners that ever listens to this tape: The New York Times, the Microfilming Corporation of America, Universities, educational institutions, transportation centers, and all want to join me in thanking you for your interview.

Second interview with Mr. Buhner in  
October, 1973

Buhner: One of the interesting sidelights that happened to us and probably some of the other truck operators too. When we first started operating in Knoxville, Tennessee from Louisville, the roads were anything but very moderate and it was almost a 12 hour run by truck to get there. And by passenger car it was almost a 9 hour run. So, myself, and sometimes my brother or some of the other employees of the company would leave Louisville about 4:00 o'clock in the afternoon and drive as far as Corbin, Kentucky, where we

would stay overnight and then the next morning got into Knoxville. The interesting thing a person can say about Corbin is, that first Corbin was a railroad junction.. And apparently a railroad roundhouse or whatever they have. They had a lot of railroad employees at Corbin, Kentucky. It was what we called, 'a railroad town.' At that particular time there was a gentlemen operating a restaurant in Corbin, and he specialized in Country Ham. And almost everybody up and down that highway stopped in this restaurant to have country ham. A lot of our truck drivers stopped there. Most of us boys that were in the trucking business, we stopped there, and it was one of the choice places because the manager, the owner of the place was very receptive to the trucking industry. You might be interested to even guess who this gentleman was because he's become quite famous in recent years. He's nobody else than Colonel Sanders of the famed chickens.

Woods: Finger licking good chicken.

Buhner: Well, the Colonel I think did quite a bit of his own cooking back in the kitchen. But, he was quite a showman. He was in those days. And a very jovial type of a chap and it was always a pleasure to stop there and eat with him. One of the interesting sidelights of it was that during the time that he was there the city passed an ordinance, being railroad controlled, passed an ordinance that if a semi-trailer came to the edge of the city we would

have to unload the semi-trailer and put all the merchandise in one or two and maybe three smaller trucks and haul it to the other end of town which wasn't more than a mile, and then reload it in our semi's and then go on. And the same time the people in that community, or at least the officials of that community were sort of harassing even the automobile drivers. The people that were operating automobiles through there. Since most all of us were customers of Colonel Sanders, he became very perturbed about it. Trying to get the city fathers to change the law and all that but to no avail. Finally, at his own expense he erected two large bill boards, one on each end of the city, and he said, 'Tourists avoid Corbin, Kentucky. Speed traps and every thing else.' And those bill boards really had their effect. Shortly after he erected those the city fathers wanted him to take them down, but the ole Colonel was a pretty cagey old chap, and he had seen to it that where those bill boards were located that the ground was definetly under his control. Through lease or whatever. Maybe in some instance he purchased it. And he refused to take them down. He said, 'Whenever you correct your laws for your restrictive laws on the city of Corbin, Kentucky, I'll take them down.' Fortunately, the Colonel won out because it was hurting the other businesses in the town. So the Colonel became even more friendly toward the trucking industry, and of course became more friendly to the highway users of any

discription.

But the interesting thing about it was that after we had the big in the legislature, there were two men from that district who were members of the Railroad Brotherhood, and when the revised truck bill was voted in the Kentucky legislature both of those men voted for the passage of the truck law. Of course, this was in opposition to the railroad barons themselves.

Woods: That's very good. Ed, in this town of Corbin, when they stopped you at the edge of town and made you unload your trailer truck, and they would let your trailer go through the town empty to the other end of town, and then they used local cartage trucks to haul your load through and put it back on your trailer, is that right?

Buhner: That's the approximate story. Yes. Our trailers weren't entirely empty but there were a very, very small load on the truck.

Woods: Well it might be interesting for listeners of the future to know that Colonel Sanders of the famous fried chicken syndicate was friendly and aided trucking. He also aided quite a bit in the state and highways and things as that he took part in. I understand today he built a church somewhere near Louisville for the people.

Buhner: He built a church in the neighborhood where he was born which is just about 5 miles East of Henryville, Indiana, which is located about 20 some miles North of

Louisville, Kentucky. He built this church as a memorial to his mother and his father.

Woods: Well it's nice to know that we had a famous restaurateur that was helping us too.

Buhner: Another interesting antidote goes back to the days of legislative fights in the state of Kentucky with the other transportation agencies, principally the railroads. Having had my baptism in legislative work in Indiana, I thought that possibly most states were very similar but I soon learned differently. For instance, in the state of Indiana the American Farm Bureau was very active in favor of the trucking industry, but when I got to Kentucky I found out it was just the opposite. The farm interests and principally the Farm Bureau were opposed to trucking and had aligned themselves further along with the railroads in fighting us. So, we then tried to figure out just what we had to do and I then related to the Kentucky boys that the Farm Vote was a very, very powerful vote, and if we could get the farm boys to come along with us we would have gained a great deal. I pointed out to them how affective they were in the state of Indiana. So, I suggested the first thing we do was to go into their publication which was very small at the time and try to reach to the average farmer a little about our story. So, engaged an advertising firm and I remember that I personally submitted one of the items that I thought might interest

the farmers. And they worked up the ad and in that we said, 'These piggies went to market in Kentucky. And these piggies, over here, went to market in Tennessee.' Then we pointed out to 'em how much more it cost to send the pigs in the adjoining state. Well, we had the artist draw up a picture and it appeared in their magazine.' Well, the reaction was really something and very, very interesting. Many of the farm bureau members were mad. Really mad, about the cartoon. Cause said, 'That's ridiculing us people.' We said, 'No, we're not ridiculing you at all. What we are doing is pointing out to you a story that you probably don't realize.' So we followed that up with other pictures and that. So the next executive committee meeting of the Farm Bureau in the state of Kentucky we were invited to come in, and we explained to them thoroughly why these pictures in the farm bureau ad. Before the meeting was over with the Farm Bureau had completely turned around and they became supporters of our trucking industry. We had broke the farm interest. Seperating them from the railroad interest.

Woods: Ed, we've both been lobbyists for years, but the listener here is not only getting the history of American Interstate Trucking, they're getting a little history in political science. That's very good. It took those kind of tricks to persuade legislative bodies. Thank you.

Buhner: I still have to laugh at that. An interesting part



in the history of changing the truck laws in the state of Indiana happened on somewhat on a sad note. When the Bill was presented to the House of Representatives, Mr. Doc Rhodes, who had headed up our legislative fight, was sitting up in the balcony waiting for the Bill to be called down. And as he was sitting there he was seized. He had a heart seizure, and he died. He died right in the legislative hall sitting in the balcony.

My name is Harry Woods, American truck historian collecting material for the New York Times Oral History Program and Microfilming Corporation of America. I am once again back with my friend, Mr. Ed Buhner, in Louisville, Kentucky. Mr. Buhner was the second president of the American Trucking Associations. And we're now going into a little more discussion on the all important legislative battle in the

state of Indiana in the early 30s. I believe that was 1933 when the battle took place, did it not, Br. Buhner?

Buhner: There, or before that. In that general era.

Woods: Well, it probably went in the 1931 session it was introduced and carried over. As this material as we know will probably stand as a monumental marker for the birth of Interstate Trucking in United States; legislative and legally wise. Leading up to the ICC Motor Carrier Act of 1935. As mentioned many times before Indiana geographically was a key state and the railroads had grouped together

around 22 or 23 of their top lobbyists and went into Indiana to stop interstate haulers from crossing the state of Indiana. And Mr. Ed Buhner, and Mr. Maurice Tucker, as earlier mentioned played a great part. And Mr. Buhner, today is going to try to add a couple of more names of men who worked with himself and Mr. Tucker.

Buhner: It was Maurice Tucker and Sam Slusser, myself and our chief lobbyist or secretary was Sam Hadden.

H-A-D-D-E-N, who had worked a great deal with the Highway Commission in the state of Indiana. In fact later on he became chairman of the Highway Commission. It was us four men who lead the fight against the railroads that tried to pass the ton mileage tax that would have driven us all out of business. Made it impossible for us to operate. The opposing forces had been able to put the Bill through the House of Representative with quite a majority vote, so we had to put our efforts in the Senate, and as I recall we had a several week period in which we could gather our forces together.

There were quite a number of truck operators who we called in, including Merl Denny, who was from New Albany, Indiana. Several more men who were from South Ben, Indiana. These men Maurice Tucker knew personally. Then there were quite a few others whose names I don't recall right off hand. But when the point came to test our position we found that

we were six votes to beat the Bill the railroads had sent over from the House. At that particular time, Ivan Morgan, M-o-r-g-a-n, president of the Morgan Packing Company at Austin, Indiana, who had quite a fleet of trucks that he used to deliver his canned goods all over the middlewest became somewhat interested in the project. At the time he was Chairman of the Republican Party in the State of Indiana, and he was a man very known to me at that time. We consulted him knowing that he would have an interest in voiding the ton mileage tax that had been proposed in the legislature. And the fact that he was a rather personal acquaintance of mine he volunteered to see what he could do. Several days later he came to us and said that there were six votes, a block of six votes, that might be convinced to vote our way.

So we started doing our work and then on a Saturday morning he asked us to be absent, or at least be in hiding from the legislature so we wouldn't be seen. And he and his forces, his contacts, had spread the message that the truck boys were not there so as a guise to get the railroad lobbyist to leave, and it worked. The railroad lobbyist all went home. About, at almost 12 o'clock, the Lieutenant Governor, who was a Republican, of the Senate called down the Bill. By that time we had been told to be there just about 12 o'clock period, and we observed that there were no railroad lobbyist around. There was also one vote. One

Senator's vote, that we were quite leary of at that time, and --- but we noticed that he was absent. So when the Bill was finally called down. The Lieutenant Governor called it down. When the votes were finally tallied, we had won by one vote to defeat the bill. And the man that didn't appear, who probably would have voted against. In those days we used the term, 'skates.' He took the skates. And apparently that was the vote that saved us. The group of six votes or better that finally came our way were headed up by Senator Gus Slenker, of I believe it's Winamac, Indiana. He immediately proceeded to put the clincher vote on the record at that time which of course prohibited the opposition from bringing up the Bill once more. It was a sort of a hair raising deal, but the thing worked very smoothly. And I think a great deal of the efforts to defeat that at the time was the help that Mr. Ivan Morgan gave us.

Woods: The students who may be following my tapes in the future will know by now that this Indiana battle has been told by others. I don't know that it has ever been told more thoroughly, the minute details, than Mr. Buhner has told it now. You must remember that when Mr. Buhner is speaking he himself was one of the tip top lobbyists of the trucking industry in America. I would place he and Mr. Maurice Tucker as the two outstanding lobbyist of the inter-

state trucking industry. Whether you knew it or not at the time, Mr. Buhner. You may wonder why I as a truck historian repeat this legislative battle in the State of Indiana, which I believe you gentlemen started this Bill, in the 1931 legislature, and I believe it was brought to a head in the 1933 session. For such a major Bill as this at that time to be manipulated through as we see here from the skill of these men.

As a former lobbyist myself in the very legislature that Mr. Buhner is speaking of, I know Mr. Slenker very well. Incidentally, Mr. Buhner, when I last lobbied down there 6 or 7 years ago he was still there, and he was the oldest legislator in the state of Indiana.

Buhner: I think he's still there.

Woods: Still there. The skill, the lobbying technic, should we say to you students in college, political science that was used here to manipulate this Bill through, and you must remember, again I will repeat, was this not an amalgamation of 22 or 23 railroad lobbyist? Was that not true? About that many?

Buhner: They had a whole group of them. The numbers I know exceeded way beyond a dozen. They had a private car on the railroad track not too far from the legislature where they entertained with dinners and cocktail parties and all that. They really turned on the forces. Possibly one of the things that should be said that was contained in

this bill why we had to fight it. And incidently I never considered myself a lobbyist. I was a person in business trying to get ahead and was trying to save my own neck.

Woods: That's right. That's why I brought out you----

Buhner: But this bill contained a ton mileage tax that costs 5 cents a mile tax for every mile operated on the highways in the State of Indiana.

Woods: Now that's per truck?

Buhner: Per vehicle.

Woods: Per vehicle.

Buhner: Now that was in the 40,000 pound class. Today that might not seem like an awful lot of money, but in those days right after the depression 5 cents a mile was a tremendous amount of money. Another thing, who tried to help us but they were too late to do much help at all was the Greyhound Bus Line. They sent one of their top Vice Presidents to enter into this battle and the mileage tax also applied to the Bus Lines. The Bus Lines at that time, or the gentleman from Greyhound at that time told us the taxes at that time would have run up between two and three hundred thousand dollars a year for them, which they said made it almost impossible for them to run buses through the state. And of course he was highly elated after we had won, and after that some of the boys including quite a few of them really put on a celebration.

Woods: Now to go in a little further so that a student or

a listener might know, Mr. Buhner, your very close friend, Mr. Tucker, and I when we touched upon this subject he said that at that time with his headquarters in South Bend running into Chicago, he said that the ton mile tax they figured that in so many years they could build their own road from South Bend to Chicago, a distance I think of 81 miles to the border. And come out with their own road at the time. At that day I don't know I think it was 6000 dollars a half a mile or a mile for a one lane highway. Said they could have built their own road and they knew that if this passed they were all out of business. And that brought me to the question I was going to ask you, should you men have failed and the railroad. Once more in bringing up for students as to why we were in the state, this battle took place in the state of Indiana was because of it's strategic geographic location to the interstate; especially, long-haulers, leaving Iowa to go to the east coast market. Atlantic Seaboard, Providence, Gloucester, Boston, you name it, New Britian, New Haven, New York City, and on down into Baltimore for that matter and Washington, D.C. They would have to go through Indiana. Now, Mr. Buhner, when I spoke to an early American trucker that you know very well, Mr. Pop Brady, John J. Brady, Sr. of Fort Dodge, Iowa, recently we discussed this and he along with us wildcatters mentioned that we were looking for boat passage out of Chicago probably over to Buffalo, New York

because we felt you might lose this battle and we couldn't go through Indiana therefore we could by pass Indiana, Ohio, and Pennsylvania by taking a barge type boat out of Chicago and docking in Michigan and crossing into Buffalo and taking the water level route down to Albany and on into the East Coast. And for the student once more to show how important this was, this strategic geographic center. Indiana, as Mr. Buhner will agree, is one of the smallest states. Right.

Buhner: Yes, that's right.

Woods: Among these states in area, it's a small state. Yet, if the railroads could center in and stop the trucks from crossing that state to go to the East Coast they already had gone into the legislatures of Kentucky and Tennessee and they had everything very much in their favor there. If not a bill to stop, at least laws to harass.

Buhner: You want to include Virginia.

Woods: And Virginia. And so there they could have stopped trucks from going into the East Coast. They would have to go down and go through the Southern states which would have been economical -- just a loss. You couldn't do it. A matter of fact the listener must remember that at this time even overloading we just barely made out going direct through Indiana. Had Mr. Buhner, Mr. Tucker, and the men he mentioned along with the famous legislator, Slenker, and they lost this, I don't believe it would have destroyed trucking. It



was inevitable and the war was coming up Mr. Buhner in time priority by the government would have taken over but it would have certainly impeded trucking for several years. Would it not?

Buhner: No doubt about it. You see, Indiana was a --- well you mentioned it casually but Indiana was also a very important state from the standpoint of the North and South traffic. From Chicago and Detroit and all those cities, cause a lot of that traffic out of Chicago came by way of Louisville, came by way of Evansville and by way of Cincinnati to get into the Southern States and even into the states of West Virginia and all those. They were all blocked. Indiana, Kentucky, Tennessee, and Virginia were the keys to the railroads battle. Either by restricting the industry of weight laws or taxing them beyond.

Woods: Ton mile tax.

Buhner: Tax them anywhere. Any type of a tax that would break them.

Woods: They even threw in the length laws there too.

Buhner: Oh, yeah.

Woods: Now this brings us to another major point in trucking that Mr. Buhner is very well versed on and that is how at a later date, at a time they arrived at we'll say a gross 40,000 pound weight, a tractor and trailer unit. One thing you must remember the railroads were very smart men, were they not Mr. Buhner?

Buhner: Oh, yes. They knew all the tricks.

Woods: Yeah, they had had experience in lobbying and controlling legislation since back in the days of Drew, Fisk, and Gould with the Erie and Commodore Vanderbilt of the New York Central. They have used all kinds of tricks of not only watering stocks but of controlling legislatures to their advantage and they applied it all here and it is quite an honor to these men from the middlewest, the small truckers, to rise up and defeat these men. But they were very smart because at this time in 1931 the trucking industry Mr. Buhner, was not yet hauling two per cent of the freight in America. In 1931 if my records are right they were hauling one and about eight tenth per cent, almost two per cent. In 1933 when you defeated this bill we were two point plus, and yet at that time, at that day, they realized and knew that this percentage would grow enough and may destroy them in the future. And they were smart enough way back then to put the clamps on trucking if they could.

Now this brings us to the very important subject that I started to speak of, we'll ask Mr. Buhner to tell us about it, the ten twenty tire and the 40,000 pound gross weight as how you rose us who drove in those days with a truck from 16 and 18 and 20,000 pound gross weight to 40,000 pounds. Would you please how at the Committee you gentlemen figured out the ten twenty tire at so much weight and how you figured out the weight law which was in direct violation of

the state laws that were already in affect?

Buhner: During the war period. Early parts of the war period, 1942, I was asked to come to Washington and become a member and take a position with the Office of Defense Transportation. (ODT) Then I was asked to become Section Chief for Hire Carriers. In our work one of the problems we had to tackle was the capacity of a truck. How you would describe the capacity of a truck. We had to have that because in our regulations we always had to refer to the capacity of a truck because we wanted trucks to carry their maximum capacity that they could because we were in a war and we were trying to conserve all the facilities. We had to conserve rubber, which was very critical. Of course we had to conserve parts and also gasoline and all those. Those were all critical. So we wanted to get the maximum use out of a truck so we tried to describe the capacity of a truck. In those days the power unit was principally referred to as a ton and a half, or two ton, two and a half, and I think about five ton was probably the maximum capacity of the power vehicle in those days.

Woods: May we interrupt at this moment Mr. Ed to let the student know, the listener, as to how confusing this was to the average layman. Here you saw a tractor there, or a power unit; of a semi-truck, and they'd say, 'Oh, that's

a two and a half ton truck.' My God it looked like a locomotive to most people. And then you'd say, 'Well that's a five ton truck.' 'That's a two ton truck.' And that was very confusing, was it not?

Buhner: Yes. I think originally, before the semi-trailer came into play, there were some sense to that sort of a designation to a truck because it more or less referred to the amount that you carry on it's own back. But when you got to pulling a trailer it was entirely different situation. So that was unacceptable for our purposes. During the various conferences that we had we had agreed upon everything else except the capacity of a truck. As I recall, I was the one that suggested that we go to the carrying capacity of a truck being limited by the size tires that it would have on, because tires at that time were very very critical and we did not want the truck operators to overload their tires because that meant trouble. In the first place it was illegal in a number of states. So we then hit upon the idea that we would designate the capacity of a truck by its tire carrying capacity. That meant a truck with small tires on, at that time, I think they were 32 by 6s, and on up to ten hundreds, or eleven hundreds, even up to 24 inch tires, and 22 inch tires. But the standard tire at that time for vehicles that operated with trailers was about a ten hundred by twenty tire which as I recall had a carrying capacity of forty five hundred pounds per tire.

So when you took a trailer with four tires, and the power vehicle with four tires on the pulling axle and then two tires on the front axle of the truck, you had ten tires. Ten tires times forty five hundred pounds gave you forty five thousand pounds as the actual carrying capacity. So the powers to be then in the Office of Defense Transportation accepted that suggestion and they issued a Federal Register and it actually became law. At that particular time of course that was more than states of Kentucky and Virginia, and Tennessee, and maybe Texas and several other states allowed in carrying capacity in those states permitted legally. But most of the other states in the country, in the U.S. were all within this. Were all legal under that sort of a situation.

Woods: Would you like to tell of the Commissioner. What he said about it when you told him it was over most of these states that we had in mind?

Buhner: We came down to him and we informed him of it and that was the problem.

Woods: Commissioner Rodgers.

Buhner: And I remember the Interstate Commerce Commissioner, John L. Rodgers, said, 'Well, why don't we issue the order and just see what happens? Maybe we can clear up some of these things.' So the order was issued, but before it was issued in that exact form the U.S. Bureau of Roads, asked us to put a maximum of forty thousand pounds for those states,

which worked pretty well within the formula because the front axle having a carrying capacity of nine thousand pounds by two tires on there couldn't carry the nine thousand pounds anyhow so we went along with that situation. So, of course, things really broke loose for a day or two. Telephone calls and everything else. But the Chairman of the Commission said, 'Well, just ride it out.' And consequently what happened, the states that were below that formula finally recognized it and that was the first time that we actually broke the weight laws in the state of Kentucky and Tennessee and possible in another state or so, and that was the beginning of it. And of course later on, then having operating under that Federal law then for a number of years why then it wasn't too much of a task.

Woods: You set a precedent.

Buhner: Because we had set a precedent. But previous to that time the fact that I was from Kentucky and had my residence and had been operating my company in Kentucky we had been able to break the 18,000 pound law and finally had worked out a program with the Governor of Kentucky to step it up to 30,000 pounds, and then later to 32,000 pounds. And that's how we gradually broke through that thing. Then of course when the Office of Defense Transportation when that law was then pulled off the books why we had to go back to those old weight laws again, but that's when we did our battle in the Kentucky legislature, and we

were then able to in the Kentucky Legislature to get up to the ODT standard.

Woods: Now, to introduce another point in the history of American interstate trucking, the Diesel Engine. Mr. Buhner had been the founder of the Silver Fleet Truck Line running from Chicago South to Louisville. How far South did you serve, Mr. Buhner?

Buhner: We operated as far South as Birmingham, Alabama, Chattanooga, Tennessee, and at one time to Charlotte, North Carolina.

Woods: And as with Mr. Pop, John Brady, and many others the diesel engine made its appearance along about 1931, 32, it started coming on the road, did it not?

Buhner: Yes.

Woods: And of course, like the Wankle Engine of today probably, it was looked upon with much doubt. I can well remember the stories; well, it would blow up, it'll run away, the engine will run away. What they mean't by that, it wouldn't hop out of the tractor and run down the road. It meant that it would get reversed and be sucking air and compressing air and would go so fast that it would blow up and kill everyone. The driver and everything. I suppose you heard those stories in those days.

Buhner: Yeah. And some of those were scare stories.

Woods: Yeah. And they were very similar to the automobile industry denouncing the steam engine by saying it blew up

and killed everyone. But anyway I would like to ask you the importance, and what you thought of it, and whether you motorized with it, and some of the things that were the advantages of the diesel engine to the interstate trucking industry that you experienced.

Buhner: Well, I suppose our company was probably the first company operating from Louisville into Chicago that used some diesel engines. I am talking now of the regular common carrier operation.

Woods: About what year did you dieselize your equipment?

Buhner: Must have been around about 1934. Around there sometime. The fact that I was born and raised within 20 miles of where the Cummins Diesel was made and the fact we knew Mr. Jessie Cummins. I think his first name was Jessie. We knew him. Naturally, we had an interest in seeing if we couldn't develop or couldn't use the diesel. We were interested in the power that it had. Of course we at times had to fight pretty heavy snows going into and out of Chicago.. In those days the roads weren't all paved between Louisville and Chicago. Still quite a few old gravel roads and in those days they didn't clear the roads you just had to plow through 'em. And for a number of years, for several years then those big diesels were able to go through and many times the Greyhound Bus would follow through on some of those roads when our diesel trucks would open them up. We put diesel trucks into the ordinary truck chassis of the



time, but we found out that that was quite unsatisfactory because the engine had too much power for the other components of the truck. The transmission could be torn out and we always had trouble. Then the original diesel was a four cylinder, and we had one four cylinder and one of the big six cylinders. The four cylinder engine pretty well shook the truck apart. There was tremendous vibration in that. But there were some advantages that we had. That the diesels had. And some quite a few disadvantages. But we then finally concluded that we wouldn't put anymore diesels in our gasoline type trucks, until it was a complete unit engineered for a diesel engine. But there was one interesting thing that happened during this period that shows you just what you could do with a diesel engine and that was during the big flood of 1937, in Louisville. We at that time had the one six cylinder diesel and one four cylinder diesel in operation. In fact that these diesels had practically no electrical equipment on them; that is spark plugs and those things. The fact that the exhaust stack was up in the air instead of underneath the truck, these diesel trucks were able to go through water much deeper than almost any kind of vehicle that could be had at that time. And these two diesel trucks played a very important part rescuing people in the 1937 flood. The 1937 flood was ten feet deeper. I suppose I can say deeper than any previous flood the city had ever had. And of

course 10 feet above the worst flood stage that we had ever had why would be quite a depth. In fact almost all of Louisville was unindated, except just here or there an island or so. But in the rescue work we at that time had one 30 foot semi trailer and another one I think was around a 28 foot trailer that were being pulled by these diesels. The closest estimate that any of us could make on the thing was that we probably rescued at least 2000 people and brought them into safe living quarters during this flood. Our drivers at many times were driving with their feet hanging in water in the cab so they could still work the brakes and that, but the engine was still running. The engine could run. So they were getting into places that you just couldn't get anywhere except with boats. But boats could only. Small boats could only handle just a very few people. I was told that one of the trucks to the YWCA, that when our trailer backed up there that they took out almost everybody out of the building, and that exceeded somewhere around a hundred people that we hauled at one time.

But when the score was all settled and everything else it was determined that two babies were born on these trucks in their rescue work and two people died on our trucks while they were being rescued. In fact the story is and it is collaborated by newspaper articles that the two babies were born to a mother and she was sort of way in the

front end of the truck. She hadn't come out of the truck. Everybody else had left the truck. She didn't come out. So the men went in to get her and when they went in to get her they discovered that she had given birth to twins.

Woods: Isn't that something?

Buhner: It's right in here.

Woods: It's in that article. We should probably read that article at the close and have it in the tape. People just can't realize today just how deep this water can get. I was often amazed when Jack Brickhouse, the baseball announcer for the Chicago Cubs, invariably when he came down to Pittsburgh to announce a game he would ask the cameramen to show on the TV screen a high water mark that they had put at the ball park which was 22 feet above the playing field, the ball diamond. And he said this was how high the water was at this ball park. Twenty two feet deep.

Buhner: The fact that we could operate during it, we happen to be in one of the real high spots in the city of Louisville. We had an island where our truck terminal was located and it was used as one of the real rescue spots in this city of Louisville.

Woods: I can remember coming down through here after it was over. Of course you know we always ran the Northern Route. We heard about this. I remember I made a trip South one time. Not with a truck, but telephone poles that stood

pretty high above our head had been covered completely. They didn't even protude out, they were just covered underneath the water, the top of the pole. And it's unbelievable. Yet, what always got me Mr. Buhner, I'll never forget this fella telling us about it, he said right after it was all over the people went right out on the farest point and built a house again. When they had a hard time saving them they went right out there and built a house. Well, I suppose they went by the safety of what had happened once in my lifetime will never happen again. Well, this definitely proved the diesel engine. Now as for the power of the diesel compared to the combustion in horse power, in service ability, we already got that where it ~~would~~ run through snow and water and things. Then the weight laws were in jeopardy again, were they not, because now we had a power unit that could handle much heavier weight. And with advent of the Westinghouse Air Brakes, came on the trucks about this time, did they not, and then we were ready again to shove up that weight law.

Buhner: One of the advantages that the diesel had it had almost as much power at a slow speed as it had at a fast speed. So, when you were climbing a grade and that way the vehicle had the ability to maintain its speed going up, which was a great help to the other tourists who were on the highways. Whereas, with the old gasoline engine when it got up to a pretty good sized grade they had to pull down

into low gear and of course that would make a lot of people rather unhappy on these single lane highways of those days. Woods: That's right. Jacob's Ladder and Lebanon Mountain and some of these steep hills in the East, Mr. Buhner, especially on a Sunday, I'd be going East trying to get into New York or Boston by Monday morning. And pulling these long grades on a Sunday was terrible. I got so slow that you can believe this, probably the listener of today wouldn't, I used to get out a walk along the side of the truck because the cab was so hot from the motor. And I'd have it locked in double low gear and I'd walk along it, and I could walk faster than the truck, you know. Now, you can imagine the people. The Sunday tourists that backed up behind us for blocks and blocks, and we'd ever so often have to pull off and let them go by and they'd wave and toot their horns and thank you, and then you'd go on.

I notice another important item here. Mr. Buhner, has given me to look at a Silver Fleet Motor Express, Louisville, Chicago, Louisville, Knoxville, operating overnight service between those towns. Modern refrigerated semi-trailer equipment. I would like for you to tell about this trailer. Refrigerated trailer. When you introduced it. When you went into refrigeration, and I would also at this point just like for the listener to hear this. I spoke to Mr. Paul Beck of Sioux City, Iowa, and they built their own refrigerated trailers, Mr. Buhner, back in the early twenties and I

was interested when he told me that he went up into Dakota and got, 'upland grass.' And I said, 'What's upland grass?' 'Well', he said, 'It was a grass that grew on the prairie up there and we called it upland grass but it had a characteristic of insulation. It had an ability about it to insulate and it was a finer grass and you could pack it heavier.' And he said, 'We built our own trailers and we used four by fours and we put masonite on each side which allowed four inches in between and we packed that with upland grass. Then when we put ice in the trailer it held good.' Now on the East Coast. Say up in Boston, the Gloucester district and that fish country, they put sawdust in between the walls of their trailers and watered it, and this kept it insulated. Now this trailer we have here in this picture you hauled refrigerated products; can you tell me what was the insulation of that?

Buhner: That I am not sure of except that I do know it was a commercial insulation.

Woods: Probably something they used in homes like. You did mention you hauled meat out of here to Chicago. Wasn't that quite unusual? For Chicago, at the time we are speaking of, was the great meat center of the world. Of course today it's moved on to Omaha and Western; but how about that?

Buhner: We thought it was unusual too. But we were in business to haul, so we just hauled. And that didn't last

very long. Probably a half a year or so. But this vehicle that you see here, the man beside it was the first employee of our company. And after this vehicle had been run a half a year or so the driver, not this man but one of the other drivers, fell asleep just South of Chicago at near Schneider (Indiana) and went off the side of the road and started a fire and burned. This happened during the night around about midnight and I remember the incident quite well because I got a telephone call. I got out of bed and decided to drive to the place and see just what it was all about. My wife went along and we got there about daybreak, or shortly after daybreak. By that time practically all the meat had been carried away because it was roast beef. All the neighbors and whoever helped themselves to roast beef.

Woods: Yeah, it was already cooked.

Buhner: So, by the time we got there we didn't salvage one piece of roast beef. Then the vehicle was taken into Chicago for repairs. The Mack Truck. For history again, the manager of Mack Truck in Chicago at that time was Mr. Black, who later became president of the White Motor Truck Company.

Woods: That is an oddity. As we have mentioned, Mr. Buhner, was the second president of the ATAs, and he served from October 47 to October 48. And then he moved on, as the policy is, to Chairman of the Board, and technically he

was the first officially elected Chairman of the Board, as Mr. Ted V. Rogers, was the honorary Chairman of the Board.

Buhner: For life.

Woods: For life. And as we've noticed in his story to this point one might say if there was a political platform to any of these men, the policy of Mr. Buhner, was that of safety. You dedicated your year to finding safety measures in the trucking industry. And this has been brought out to a certain degree in the safety of the ten twenty tire. Didn't want to overload it, and yet he wanted to raise the weights of trucks so they figured out four thousand five hundred pounds per tire, which was safe for a ten twenty. So we might sum it up to say that he was dedicated to the safety of the industry.

Buhner: Our company had had it's problems in the growing period, and one of the real problems that we had was to get proper insurance coverage; both for cargo and for our own equipment, and also for public liability and that. We found that the real problem that we had was getting back to the driver. To have an efficient and safe driver on our truck. So my brother and I, we hired a safety director in our fleet at that time and through his knowledge he was able to contact the Pennsylvania State College, who at that time were doing quite a bit of work on safety. And that's where we first learned how to cope with safety. And in a



very short period we were winning various safety awards.

In fact the three previous years before I became president we had retired the Trailmobile Safety Award, which was the first one given by the American Trucking Association, and by winning it three years in a row we retired that safety and it's in our possession, that safety award. Naturally, quite a few other people were interested in how we had accomplished that and so we were called upon by quite a number of places by various people to tell 'em how we had done it and what we had done. So that was about the time I was nominated to become president of the ATA. At that time we had quite a problem with the public because there was quite a few wrecks and that on the highway. A lot more accidents than there should have been. And I decided that probably one of the things that I should delve into would be safety, so I made it my principal campaign to get on the safety trail.

And I also worked with the Pennsylvania State College, and various other colleges who were beginning to put in courses on the selection of drivers and training drivers. I made quite a number of appearances before some of these universities and before groups of truck operators and advised them how to go about and what to do and advised most of them to get themselves a safety director. And then not just put the safety director to work, but to work with the safety director. And say that safety would have to start

with the top and go all the way down through the organization and then make a follow up. Follow up even every minor accident to make everybody realize that the top management had to be in safety and let most of the detail work be done by a safety director but get behind him.

At that particular time in the area that I was acquainted with which was pretty much the middlewest and middlesouth there were very, very few safety directors in the business, very few. Today I don't think there is a truck line of any size at all that doesn't have a safety director. And they're regarded as one of the key men in every organization today.

The well known rodeo. Truck Rodeo, as it is called, was developed during this period and the father of that was John Laurence, of the ATA who at that time was General Manager of the ATA. He developed the system and through ATA they promoted the Rodeo, which now is even recognized even by, -- I noticed just recently that Standard Oil of New Jersey even had it on TV. I did some work along with that. Attended quite a number of those Rodeos and have since then have given a lot of rewards to some of these men that have won these rodeos. In fact our own company, although we never won a National Rodeo, or finished in any of them, but we usually had contestants in them, and a number of times won the state awards. Actually, safety was very interesting to me. Everybody talked about it but there

were not too many people that did anything about it. And actually to do real safety work, it's work. A lot of effort has to be brought into and a great deal of safety is in the man that drives the vehicle. If you got a safe driver your work of safety is lessened a great deal. One incident I remember, is that we had one driver who ever so often was coming in and he had side swiped his vehicle and we were wondering what caused it. So one day I just happened to be trailing him down the highway and I found out he was running at the edge of the highway. So, this was in our earlier stages of beginning to do safety work. So we got the man. Got him on over and started testing his eyes to see. He was always having excuses and this and that happened. But when we tested his eyes we found that he had no side vision, to speak of at all. And that was the reason he was an unsafe driver. He was a good driver, but he was an unsafe driver. That was just one of the things we developed in safety, and as the universities helped us in the systems to set up various targets that a man had to comply with, that we were able to work out an practically always had safe drivers. Today, practically every large company, or every medium size company now got safety directors and their drivers all usually pass very rigid tests to make them safe drivers and be qualified. There are a lot of men who would never be qualified to drive a truck. Their make up. Their physical make up is

probably alright, but their mental make up is not what it should be. I think I have stated before already that during the war time when most of the man power was fighting the war, to get safe drivers was really a task in those days. But we would rather have a safe driver running our trucks. We preferred that to not running a truck at all. Of course materials were scarce and everything else was scarce. So, I always felt, personally felt, that our company contributed a great deal toward the safety movement in the trucking industry. And having done all that work I was the first man to be elected a member of the National Safety Council, and I served on that Council for 13 years, as I recall, and became a Vice President of the National Safety Council. And during that 13 years I saw the safety movement in the trucking industry just grow by leaps and bounds. And when I first became a member of the National Safety Council I was the only truckman in the Council, and practically none of the other men who were directors at that time knew any thing about trucking. Fortunately, I had a very reasonable man to work with who was with the railroad industry, and he was somewhat helpful. Then we had the problem of --- The time I got in; let's put it that way. The time I got into the work of the National Safety Council, their work was being under the Chairman of the U.S. Bureau of Public Roads, and of course a lot of our truck operators were at odds with some of the

things the National Safety Council was doing. And I remember very well and I recognized it too that I was getting into a group of men that you just couldn't push around. You had to sell your product. And I remember one time that there was quite a revolt among the truck operators about some of the problems the National Safety Council was involved in. And so I was asked to come before a Committee of the National Safety Council and defend myself and the industry in there, and I remember remarking that the, 'Well, the U.S. Bureau of Roads are both the cop and the prosecutor at the same time.' And one of the most influential men in the National Safety Council who at that time was pretty well opposed to the trucking industry, or didn't think much of the trucking industry, and I remember quite well he sat there and looked quite awhile. And I had considered him as being one of the men very, very hard to convince and finally he said, 'Never thought of that. If that's the case then I can see where it's a case of us changing the whole thing over.' And from that day on the trucking industry had its say so in the National Safety Council. And now today the second largest segment of the National Safety Council is the trucking industry. It comes next to the Industrial, but the Industrial Division is all types of manufacturing of all time; but the trucking industry is now and has been in recent years the largest contributor to the National Safety Council in its work.

Woods: That's very interesting to know that you were the first on that committee. I would like to ask you --

Buhner: This is a ---

Woods: Maybe we can take a look at this. This is a presentation of the National Safety Council Life Membership make by Mr. Mark Brogeson to E.J. Buhner at ATAs Annual Board of Director's Meeting, Waldorfth Astoria Hotel, New York City, New York, October the 28th, 1965. It reads as follows: 'All of us of course recognize Mr. Ed Buhner as an outstanding leader of our industry. Those of you have worked in the field of safety know that at NSC, Ed Buhner's leadership and guidance brought the Motor Transportation Conference into being.' Now that's quite a honor there, that you brought it into being, Mr. Buhner. 'Today only the Industrial Conference at the National Safety Council outranks the Motor Transportation Council in size. Since Ed could not be in Chicago at the Annual Congress Events of NSC this week it is most propriate that he be recognized here. On behalf of NSC, I am most happy to participate in the awarding of this Lifetime Membership.' Well, Mr. Buhner, this is a little late, this happened October 28th, 1965, but I too want to congratulate on this Lifetime Membership.

And along this same line here is a letter from the National Committee of the Motor Supervisor Training. 'From the Office of the Executive Secretary, Institute of Public Safety,

the Pennsylvania State University, University Park, Pennsylvania. To Mr. Ed Buhner. 'Dear Mr. Buhner, it is our pleasure to advise you that at the meeting of the National Committee of Motor Fleet Supervisor Training you were unanimously voted to be one of the first to receive the Committee's Leadership Award.' This was forwarded to Mr. Buhner on March 29th of 1962. Well, Mr. Buhner, again salutations for such an accomplishment.

I would like to ask you, if you would. Would the geography of your country play a part in your great interest in safety council, and I go in around about way to ask this. I'd like to explain first. I used to be very scared of the Eastern hills and I watched myself very closely, Ed, when I got into the little foothills of the Berkshires and in the Berkshires and the Blue Ridges and it was quite frightening to come down these with a big trailer pushing you. Heavy. Yet it amazed me to know that very few of us had very bad wrecks on these narrow, turing, twisting hills, but you let us get in the valley floors where it's straight and level, or in the middlewest, Ohio, Indiana, Illinois, where it's flat that's where we got killed. Now, what I'm bringing up is that it is surprising to a lot of people to know that in hill country, many times the fatal wrecks, the very bad wrecks, unless it's a mechanical failure; such as, going down a hill and losing the brakes, or something like that.

Some of the worst wrecks were on flat land. For instance Nevada turns in some of the worst wrecks. No speed law, they go a hundred miles an hour and the car actually gets airborne and turns over from a dip in the road. Was it the fact that you ran your trucks, your drivers, in very much flat terrain from here to Chicago. I imagine that's where you had some of your bad wrecks, was it not? Your company? Did this make you more conscience of safety?

Buhner: No, I wouldn't say so; that in itself. One of the problems that you had on the flatlands with running a truck is the driver---

Woods: Falling asleep.

Buhner: Falling asleep. There's not enough there to keep him occupied. Where up and down and over the curves and all that he had to be alert every minute, where on a straight highway he didn't have to be and first thing before he knew it he was on the back end of another truck, or he'd gone off the side of the highway with a heavy load and the birme on the side of the highway would pull him down and he couldn't get back on the highway. We operated at the time, also operated down through Eastern Kentucky and Mountain country in through there. Our problem there was in wrecks there was the road itself. They were mostly old time cow roads and when they rained on them they were slippery and they were contour too. So, we had quite a number of factors. But the fact that we had so many trucks in the flat country.



Of course there were a lot more trucks in the flat country too, than there were in the hill country. But the hill country kept the driver alert. And in those days that was before there was any regulation of hours and with no regulations of hours a lot of the drivers ran way beyond reasonable number of hours, and those things all contributed. We found the real problem on safety. Talking now about over-the-highway, was to have a safe driver. Teach him how to drive safely and what to do about various things. Get his reactions. Some men had very slow reaction. I know we had one to test that the Pennsylvania school up there taught us how to determine the reactions of drivers. Their eyes was another very important thing. And strangest thing we had quite a number of drivers that thought their eyes were perfect. And when we finally got them through the test, which took a little while to make them realize, and then after they had worn glasses for a while they even thanked us for cause it helped them to save--- helped to protect their lives and all that.

Woods: In 1945 Mr. Ted Rogers, the president for the American Trucking Association asked a Committee be formed on National and State organizations. It was formed and Mr. Ed Buhner was made the chairman of it. Now, I'm going to ask Mr. Buhner to tell us its purpose; what it accomplished, and his chairmanship of this organization.

Buhner: When this committee was formed some work had been

done in the studying the American Trucking Associations to develop a more firm program as to what the purpose of the Association was. It's ideals. How it should be organized, and all that. Some organization had been hired to do some of that work but they not being familiar with the real background of trucking and what brought it about and all those things they came up with a report that was in some respects even laughable because they didn't have any conception at all of what the real problem was. Having that sort of report before the group. Before the executive committee. It was determined that probably the people that could do the best job in setting up and studying ATA's organization structure and that would be members of the executive committee and the industry, and that was why this committee came into existence.

Mr. Ray Atherton became secretary, who at that time was also in the management position with ATA and he gathered most of the or a lot of the information and at least wrote the report. Ray had the ability to write something so everybody would understand what he had written. Very excellent. And he knew a great deal about the inside organization of the ATA. Having been with the Interstate Commerce Commission and knew quite a bit about the background of trucking and he was a very, very capable man. Both he and myself had come through the ODT, Office of Defense Transportation. I had only been there seven months and he was there

for three or four years. So he was very, very qualified in helping on the study and he had charge of the field force of ATA, and naturally all the general managers of various state associations. He worked with all them. And the result was that we had to have a lot of information and get their ideas. So when I accepted the membership I accepted it on the basis that we would have an open committee, and that both myself and Mr. Atherton would be permitted to call in anybody we wanted to into the committee and get their ideas. We then set a sort of a hearings, regular type of hearings, and we worked with, I imagine, better than 200 men that actually appeared at these various meetings. Give us their ideas and all that. And we then tackled one subject after another and we finally would up, I think, I recall right now, with six different reports. And these reports were filed over a period of two years, and we checked them as we went along. Checked them with the executive committee. Those reports that had been finished. And then when the whole thing was completed it was then formally accepted. Some of the things that we did, the major things that we accomplished was first because it was known that Mr. Ted Rogers did not want to continue as President of ATA, he had served 14 years and even a year or so before that he had stated that he was going to retire, the end of 14 years. And that was one of the reasons he was very much interested

personally in having this report made. At the time there were quite a number of states had various number of trucking associations. Some of them had as many as almost ten. And they were just scattered, and there was no real resemblance of organization. So we got into that subject and we found and recommended that the best organization would be for each state to have one association. And of course there were other people that appeared before the committee that said well let the state have as many organizations as they wanted, but we rejected that idea, because what was happening then was quite a few of them was fighting each other in the state legislature. I can remember quite well that even in the state of Kentucky a whole group of operators, who at that time was considered the larger operators I suppose because they operated larger equipment, and the down-state truck operators, who were operating ton and a half Fords and Chevrolets, they were opposed to that crowd and we were defeating ourselves in the state legislatures. So we proposed that we have only one association in each state. At the time we had three states where it was rather impractical to accomplish that. And that was Illinois, and New York, and California. So we recognized those three states and we said that we had one association in each state with the exception of those three states and we would be hopeful that over a period of years they would solve their differences and become one. It took us most

ten years before we finally reached that position that we now only have one state organization. See, ATA is controlled by the state organization, and it is not from the top down; it's from the bottom up.

Another reason that we had for wanting one state organization and this might be a little ticklish in making this statement, but it was a very true one. And that is, in the legislative fights, in appearing before the legislature, we had quite a few politicians who wanted more or less to have their best boy friends working in the state associations and under certain conditions they were hoping they could control the association, and all that. I well recall one state association where the top officers of the state insisted that a certain employee, who happened to be a very personal friend of his, that he be made the state manager and that the state manager, who was in Florida at the time, that he be released and put their man in. Of course, his objective was to get control of the association. Some of the men who were not familiar with the work that we did on our committee were not cognizant of one of the facts that we wanted to accomplish, and we did accomplish, and that was the fact that the state association didn't have to bow to those type of men. Of course, in this state association there were quite a number of men on their local directors that they were willing to yield. But when they were told that if they yielded and turned their association

over to this political person, that that's when they would lose recognition of ATA. And if the man had any idea, this political person had any idea that he was going to control the trucking industry in that state through the association he was very, very badly mistaken because we would immediately informed the whole organization. So we scotched that immediately. And the only that had to be done was tell that man what would happen. That he didn't have a chance, and pointed out to him the purpose of this organization. That was one of the major things that we dealt with.

Another thing that we dealt with was the structure of the officers of the American Trucking Association and we recommended that there be a chairman of the board, that there be a president, and of course secretary and treasure, and we also elected four vice presidents. And they were then the top officers of the ATA. But the fact that a man was either first, second, third, or fourth vice president didn't mean that he would ascend to the presidency. And then we also elected to limited the presidency to one year. The man was elected to president, he would then move up to Chairman of the Board, and then move on his way. Then the first vice president would normally exceed to the presidency. We did because that gave a man a year's time to prepare himself for the presidency. But, no formal recognition was given to second, third, and fourth vice presidents so they

could ascend up the latter. We didn't want that.

Woods: As the Unions say, 'Come up from the rank and file.'

Buhner: And that has been in affect ever since then. We studied the dues structure of the various states and we found out that it was such a complex problem that we couldn't come up with any type of cross the board program for dues structure so we left that item entirely up to the states, and showed them why it had to be done and all that. Of course, a lot of the state managers they were very interested in wanting us to set up a schedule for them, but we left that strictly on a voluntary basis for every state.

Then we also set up an organization within the organizational rank. A Board of Directors. How the ATA was to be organized. First we asked that each state elect a vice president to the executive committee. So we had one man from each state. And then also we had the Conferences. We had various conferences. And each conference would elect one man who represented them on the executive committee. So then that we have an executive committee. The beginning of it at least. We had 48 states at the time and then 48 vice presidents, and I think we had approxiametly ten conferences. I don't know if I can mention them all right now but: common carrier, regular common carrier, contract carrier, cartage, household goods carriers, and several others. Minor ones; steel haulers, I believe, and several

minor ones and since then they have added a few more to it. So that gave us our basic executive committee and they met approxiametly three times a year. Then we, at our annual meeting we permitted each state to send seven delegates from each state and they were actually the Board of Directors, but they only met once a year, and it more or less gave them a voice. So each state had the same amount of say so in the ATA. Then the. As the Presidents retired, or Chairman of the Board, retired he then retained his position on the Executive Committee from then on out, as long as he stayed within the industry. If he went out of the industry he would have to drop.

That was principally manner in which we set up the ATA structure. Of course we organized quite a number of other type of committees to handle other things. One of the real problems that gave us quite a bit of concern was the various opinions among the different conferences. The contract carriers against the private carriers, and against the irregular and the regular carriers, and how to solve the differences of those different organizations. That project was rather complex, but we did set up a formula for how it was to be done. And apparently that has worked out pretty well over the period of years. In fact about the only thing that has ever been changed in this whole organization structure that this committee set up, which is commonly spoken of as the, 'Buhner Committee Report,' is we have



added a few more Vice Presidents. It was thought, at the time, that a lot of the larger truck lines should have a little more say so in the policies of ATA because they contributed a great deal to the financing of it. And so later on the Executive Committee then set up Vice Presidents at Large. And that started out I think with ten, in order to give better distribution, and since then I think it's worked it up to almost twenty. Of course, the industry is much larger today too than it was in that time. But outside of that change I don't think there has been any particular change made in the organization structure of ATA, and neither has the thing been ammended that I know of. I know about seven or eight years later another committee was set up to go over this entire report and recommend any changes that they wanted. Except for the adding a few more Vice Presidents, not one word was even changed in that entire Committee Report. Now there are quite a few other things in there that right off hand I don't remember them. I do not have a complete copy anymore of the report. But that was the basic structure and we were always very careful in this whole program to make it more or less impossible for politics to entire into the selection of officers and that. And in fact it was a sort of an understood thing among the leaders of ATA at the time that not of the ATA to make it sort of a political campaign. And this was pretty well scotched right to begin with and I think the third or fourth president

we had a man they wanted to have him become President of ATA. When the election was over with. When all was over with he didn't even carry the vote of his own state. He had absolutely no votes at all. The original men that I grew up with in ATA were men of pretty high character. They weren't selfish to the extent that everything was done for their benefit. And their theory in organizing the ATA was for the benefit of the industry. And it has remained that as near as my knowledge is concerned except that I have not been too active in the last seven or eight years and not too familiar anymore with the inside working of the ATA. Although I still attend at least one executive committee meeting a year. This report was started in 1945 and I think we finished it up in 1946, and it's been the guiding light, or so called the, 'bible,' of ATA organization structure since then.

Woods: Extending over a quarter of a century.

Buhner: Yeah. Yeah.

Woods: You know everything changes. Even our Constitution of United States because of time difference. I think you should be congratulated. You and every member on your committee. And would you mind if I read some of the names that were on your committee? On the Ed Buhner Committee?

Mr. Buhner.

Buhner: I got partial of the file still here. Mr. Crichton.

Woods: Mr. Crichton, you say?

Buhner: Mr. Crichton, was a very capable individual.

Woods: He was from Tennessee.

Buhner: Besides being in the trucking business, he had a very rounded experience in industry because his father was the operator of very substantial coal mines in Pennsylvania and he was a graduate of one of the fine Eastern schools. And Mr. Ed Goglin was there. Mr. Fred Hufnagel, he represented the truck fleet of some oil company. Mr. Weilbacher, who was a very capable individual and was one of the pioneers of trucking from St. Louis. Was one of the presidents of Viking Motor Freight who have since then sold out to the Spector Lines. Don Smith, was from up in Michigan, from Saginaw. Oh yeah, Mrs. Willers, she was from South Dakota. She and her husband were in the livestock hauling business. Then a man very active at the time was Mr. Charles Clark, whom represented Columbia Terminals I think in St. Louis. They were primary cartage people. Although cartage people and contract haulers. George Eastes, who was one of the top men of the West. Head of Lee and Eastes Common Carrier Freight Lines. Mr. Jack Cole, who later became President of the ATA. He was from Birmingham, Alabama. Mr. Eastes by the way was treasurer of ATA for quite a number of years.

Woods: I believe you got most of the names there Mr. Buhner.

Buhner: Some of the men: Mr. Ben Davidson from Baltimore. Mr. Ernest Wheaton, who was a furniture hauler and household goods hauler from Indianapolis. Mr. Fishbach, who was a contracted carrier from Akron, Ohio. Most of the men I don't remember. Mr. Joe Adelizzi from New York. Then a man, Mr. Van Vacter. I'm under the impression he was from Oklahoma. Now here's a whole list of men: Stan Mausey, Merchant Motor Freight, St. Paul, Minnesota, Roy Tompson from California, Manager of the Truck Owners Association of California, Rossi Jones, traffic manager of A.J. Hienz Company, Mr. Jack Roberts, who was with P.B. Mutrie and big tank operators in Pennsylvania. And Ule Ulrich, who was manager of the Kentucky Motor Truck Association. Henry English, who's Red Ball Motor Freight out of Dallas.

Woods: I just tape recorded Mr. English a couple of weeks ago.

Buhner: Arthur McKeever from New York City. A very capable gentleman. Bill Akers, from Akers Motor Freight.

Woods: He eventually merged with Buddy Horton, didn't he?

Buhner: No, he recently sold out there about a few years ago. Walter Mullady, Decatur Cartage, Chicago. Ernsthausen. John Ernsthausen, he attended of Norwalk Truck Lines. Here's Don Smith again, it was Consolidated Freight Lines, Saginaw. We have Robert Walk of Central Falls, Rhode Island, and Minnie Hartford Dispatch out of Hartford, Connecticut. John Ruan, of Waterloo, Iowa, at that time; it's now Des Moines,

Iowa. Harry Lelanquest from Salt Lake City, Utah. A very fine gentleman. Very fine gentleman, And Earl Buckingham Transportation from Colorado. And Owen Scott. I don't remember him too well. This one here, Mr. Gallup of Western Transport, Oakland, California.

Woods: Well our point there was to bring out it was a wide spread.

Buhner: Oh, yeah. We contacted every segment of the industry and got their ideas. Just as broad a coverage as we could get. That's why we had an open committee and we probably had better than 200 men contributed to this piece of work.

Woods: And that became known generally as the Mr. Ed Buhner Committee.

Buhner: Just the Buhner Committee.

Woods: Buhner Committee. Well again we wish to congratulate you on the work you've given toward trucking.

Buhner: This by the way was a very interesting piece of work. And it taught me a lot. I learned a lot. I learned probably as much about the entire bookings of the trucking industry over the United States as, --- and probably that was one of the things that was why I was selected to be the first president of the ATA after Ted Rogers.

Woods: After Ted Rogers. Well, Mr. Buhner, I don't doubt but what you probably put as much seriousness and dedication into this as probably Thomas Jefferson, John Adams, and

Benjamin Franklin, and all of the founding fathers of America did in writing the constitution, or declaring the independence we might say, freedom of America. However, we're both old enough, and we've had enough legislative experiences to know that we can't satisfy everyone. As you know I travel quite a bit in gathering the history of American Interstate Trucking and naturally I meet. Now, the other day I was in Iowa and I was with some truckers over there. They're smaller truckers, and I noticed you mentioned in here that you went sort of on the dividing program that the bigger ones who put more money in and caused the ATA to operate had probably no more voice than the little fella, but yet he does have more voice because he's paying more money. And so. Now, you haven't been with the ATA now for several years, have you?

Buhner: Been inactive.

Woods: Do you. Have you heard, is this working out as the way you men seriously tried to make it work out?

Buhner: Well, going back, you got to remember when we did this work and the ATA was organized and all through those things, most of us were small truck operators in comparison to what they are today. And even though we were small truck operators compared to today, there were a lot of smaller truck operators than we were. I don't suppose in the early days in ATA that we had over twenty trucks, or something like that. We were small, compared

to other businesses. We were small. I remember in the state of Kentucky here that practically the entire trucking industry was in Louisville, Kentucky, cause there were two substantial common carriers here at that time and naturally we had to carry the load. The smaller truck operator down in the state he wasn't interested. But since the laws. We were able to correct the laws and all that and a good strong organization in the trucking industry; those fellas; a lot of those fellas have now prospered and they're now coming up with a pretty good size truck operators and actually today some of the better, stronger truck lines are down state rather than in the city of Louisville. And the ones that were in the city of Louisville; take for instance our company, are now owned by the Mason Dixon Line, which is a big company. And I can remember Mason Dixon Line in the legislative fights in Tennessee which I was somewhat involved in, that they were comparative large as far as Tennessee; but we were at that time even larger than they were. But they've grown. They got young men. A couple of fine young sons that have come up in that business and they have built that business. And I see that happening down in the state here in Kentucky. Some of those when they come to a state convention I keep on meeting younger men. And they're coming and they're building major truck, but of course it will take them years to get where the bigger operator is. Now, in the Common Carrier end of this business. Of course that is getting into

the hands of big business today and I don't think any of these fellas will ever get to that status, but trucking and the industry and the states needs small truck lines. They are very important. And the interline carrying in. A big major truck line can't afford to operate in these smaller towns. They are much better off giving their freight and keeping these smaller lines, which you might call, 'feeder lines.' Same thing is happening in the bus lines today, as practically Greyhound you might say. What's the other one?

Woods: Trailways.

Buhner: Trailways. But they're working with all the feeder lines. These smaller bus lines.

Woods: Well, airlines do it. And everything else.

Buhner: Airlines. And there is some of those boys that I'm afraid might be taking a little bit the wrong attitude. But you need strong organizations, and in order to have strong organizations you need strong companies to back them up. And it's an evolution. The time that I spent with the Office of Defense transportation. We were there at that time there was supposed to be about two million trucks in the United States. That included every type of truck. Farm trucks and all of that. Today I think we're around ten million.

Woods: More than likely, seventeen million.



Buhner: That's it. And at that time there were no statistics. We didn't know how many trucks there were or anything else, only what the automobile manufactures put out. This booklet, and we had to work from that. And when we got to dealing with the other organized industry, like the rail industry and all those; in order to hold our own, we had to talk. That's the only thing we had was what we could talk about. And so it was after that that we started in ATA and started developing these various functions that the ATA is now in. But, it's been my belief that what used to be the small truck operators have all grown under the umbrella of the organized industry. The fact that we stopped all these various state associations from jumping up here and jumping up there, and so funneling all this thing through a rather strong organization that the industry has been able to grow now. I don't think that they have outgrown that. I don't say that everything they do is correct. I don't say that there shouldn't have to be changes. In fact I've always said that this Buhner Committee Report that it should be reviewed at least every five years. Cause the industry grows and what we did, well almost thirty years ago, and what we did thirty years ago may not apply today. If it does, why keep it; but, if it hasn't, make a change. And a lot of these younger boys now coming into the industry, they haven't any conception of the fights that we were in and what we had to do to keep this industry going.

Woods: That's one of the points I was hoping you'd bring out.

Buhner: I go go conventions and a lot of these boys are 25, 30 years old and get into the position of junior executive, but they haven't any idea of what we fellas had to go through.

Woods: History is so important and youth sometimes hesitates to read history until he has grown to old to have done anything about it. I would like to elaborate a little bit. I hope, Mr. Buhner, that you will recognize my side of it and I hope you will allow me to make this statement without probably thinking I'm making the statement in a derogatory manner. I do not believe that today the American Truck Associations, the ATA as we know it, is actually performing the job that it should be. I think it could do a little better. But, I believe they are going to pay for this if they don't do something about it. But I believe they are a little bit asleep. I believe they're going on as you say the young men come to the convention and he doesn't realize the sweat, and the work, and the hardship that this was born in. I've always said trucking was born in poverty where railroads were born in wealth and public acceptance.

Buhner: A lot of truth to that.

Woods: And trucking was born in poverty and public rejection. And the sons today do not know this. And even those that's come up since World War Two forgot they're past. If they were

drivers like me in the thirties, they have forgotten. I'll never forget one man who's very active in this field and he told me. He said, 'Well, Harry, the truckers today is not quite as sophisticated as we were. He forgot the thirties.' I should change that he said, 'The trucker today is more sophisticated than in our day.' He's forgot the thirties. He is now not quite the fellow that stopped on the highway to help you and reach in his pocket to loan you money.

Well, Mr. Buhner, as you are one of the Founding Fathers. I believe you are one of two on the Executive Committee of the American Trucking Associations still left. I believe it's Mr. Chet Moore of Marathon, Florida and you, is that not right, that is still on the Executive Committee. Now you have seen this thing along with other men your age and older from the very beginning up to today. And this Buhner Committee, where you as I mentioned very dedicatedly like the Founding Fathers of America, tried to put in little trap laws. Honest laws. And with your skill in the legislative, you were the man qualified to do it to where no one could gain control. No one could step up and take over and make himself a permanent president. No one could form a click and get control and manipulate the ATA to his own will. However, it has been attempted as you and I know. Do you believe that there is a danger exists today in the youth that is now inheriting and coming up from the truck

lines that were nothing that are now big, and their fathers made them big, and now their fathers are in their seventies, well into retirement age and have to hand it over. In one case you know of the boy is going to be president of the ATA, and the head of the company his father started. Do you believe there is a danger that exists, or do you believe that these men, even though they are of the long hair age and you and I are of the short hair age that they will respect and see, and be willy enough to keep it going as you tried to plan out?

Buhner: Well, I feel that there are probably a lot of very fine men that are coming up in the industry. And if we have enough of 'em that have been through the hard knocks of business and know what it takes to make a business go we'll still be able to ride the waves because there will still be rough days ahead in this industry, there always has been. We are subject to criticism of the general public. We're using the highways that belong to the general public, and all that, so we'll be continuously faced with our opposition and it's entirely possible that railroads; especially, the way it looks at this point, like the railroads in the East. Like the Pennsylvania system and all that. Many of those railroads are bankrupted, and if those big railroad companies like that are in a position where the government has to take them over, we'll be faced with a new competition that we haven't had in the past. And that is to have the

managers from the railroads, or for the government railroads, that they will be writting the tickets, and they have the power on the inside to do some of the things that would be very injurious to our free economy that we are operating under today. It's entirely possible that we may have a couple of young boys that have just come in and who primarily inherited companies and who don't have the background on what it took to bring this industry up to where it is. Those men I'm just a little somewhat reluctant in predicting what might happen of that type, but I think they are way far in the minority, and I believe we will have a lot of good men coming in to take over and continue the industry. There's one thing of course in operating the modern business. There only modern technics. There are so many new improvements in having control, in controlling the operations and all that. Men like myself, and men I came up with haven't any knowledge of those things. And speaking of all they do, oh what do they call 'em? The new methods of controlling. What do they call these new machines?

Woods: Oh, you mean computers.

Buhner: All these computers and that. A lot of these companies of course will be practically run by computers. And I say that, of course, these computers will give them the answers provided the right questions are put into the computers. After all, any industry, or any company, to be

successful they've got to work. There is nothing that's gotten anybody any farther than good hard work. The men that come up in this industry who have been successful are the men that worked. And they worked hard. And there is a tendency when the business is finally successful and it's on its own feet that other things become a little more attractive than sitting in there managing the business every day. And as long as we don't have too many of those type of men that put their own pleasures ahead of the hard work that's required to keep companies going why, we will probably be able to survive. Of course a lot of us don't know what's ahead. Projecting, or what might happen in the next ten or fifteen years ahead. That's hard for anybody to project that.

Woods: Well, you touched upon subject there that's very possible. The railroads. Talk about us overloading back in our day, the railroads are overloading these freight cars almost half again what they supposed to carry. They are so government subsidized that they don't have to worry much about the laws cause the governments trying to get their money back. They let them do what they want. They're fleecing so much money off the top of the industry by featherbedding executives to where; for instance when Penn-Central merged and they got subsidized for about the third or fourth time. They filed bankruptcy and went to Congress. The last time Congress subsidized them the first thing they

did was select a president and I think he got a half a million dollars a year salary. And then it went right in relation on down: first vice president, second and so. What I am trying to say is they cut themselves on take off of the company so much that they don't have crews, they can't afford crews to go out and maintain the road beds. So, they hit a curve and twenty cars turn over. And so, the government. It looks now as if though the government might rebel on the future subsidizes. And you've heard about these 48 industrialists haven't you that has informed the government that if they will not subsidize Penn-Central again that they will take it over and they can make it run at a profit. Now, I don't believe the government will allow them to take it over. I believe the government will do what it's doing with Amtrak. Do you see now where Amtrak, they're now come out with a new one and they're putting into effect. They're now making the test run. It's from Chicago and New York down to Florida. For the tourists. Now this would affect the airlines. But here's what they're doing. They're allowing you to ride down on an express limited, right straight through, non stop, dining room and everything; but, your car goes too. So, where the airlines, you fly down and then go rent a car at a Hertz or something. Here they're going to give you a service now where you can sleep, and can eat in a dining room, and visit friends, and there are

many people who would ride trains if the trains were serviceable. And now they got a bonus, they got their own car with them. They can drive it right off and they got their own car while there. They don't have to handle a fifteen or sixteen hundred mile traffic from Chicago to Miami. So this will be competitive, and what you're saying and touched upon the subject, the government could take this over. They could pour the money into the tracks. They could eliminate the competition that they're now bucking against and strip it down to where they got two or three main line flyers in this country and they could give trucking some trouble you know. And it's very possible this might happen because of need, if nothing else, just absolute need. Such as the natural assest to trucking was that it was needed. Lets say that. And it could be that this can come up. Frankly speaking as a trucker I hope that the ATA always keeps going, and that it's kept in good hands. Unselfish hands, and out of the hands of those who would use it through small clicks for their own will power. However, from the evidence I have seen in the field, Mr. Buhner, they're going to have to do something and do it quick. I think they're waxing in their own fat, we might say, and they don't know the danger that's creeping up on them from dissatisfied members that can't compete any longer under their regulation laws and under their favoritisms; which there are favoritisms.



Buhner: Well, in the modern years of running a business there is too many of them have ----- I won't say too many, ----many of 'em, ---- of new men have come into the business who after so long, they think they're the complete power and the brains and the business itself, when possibly they don't recognize that a lot of the men that are wroking under them are the ones that have been the real successful and prominent ones. And I've always had a creed and I know it's worked out a number of times, and I've seen it fail in other companies, and that is my creed has always been that if you take good care of your business it will take care of you. And I don't know of any other creed that is probably more true to life than that one, cause I've seen those men who didn't take care of their business, who thought they were everything, who thought that they should draw big salaries, and all that out of business, to see their business gradually go down. Where as the other man who worked at his business, spent his lifetime at his business, worked and made the business produce; then he was the beneficiary of it. After all, a corporation can't pay big salaries to people unless the corporation makes money.

Woods: The more you put in it the more security and the more you can take out. You can't take it out if you don't put it in.

Buhner: That's right.

Woods: Mr. Buhner, I'm always confronted with questions as

I go around. They say, 'What State was the state that gave birth to interstate trucking, the long-haul?' 'Who was the father of the American Trucking Industry?' Maybe I can contribute something as to what states because I study this in the field so much, this industry. But, who was the father, is quite a problem for me to answer. It's a most formidable question. At one time, like George Washington is not questioned at all that he's the Father of America; the United States, America. However, the youths questions that. To my surprise they told me that they're not so sure that George Washington's the Father of America, of the United States. That after all when you study military he wasn't the best General, he had men under him that was better, he made bloopers here, and he did that; but, he came out and they won the war. Well, their answer that is, 'Well, from the time the first shot was fired by the first Colonial, England didn't have a chance, but they just didn't know it was all.' Well, I'm confronted with who's the father of American trucking and I was, at first, great to quote right back in a hurry, 'Ted V. Rogers. The first president of the American Trucking Associations. The man who formed all the associations. Who brought it all under one head and gave it the ump, he had the drive, and to prove it he was president for fourteen years.. Consecutive years. So therefore he had to be president and he had to be the founder of American Trucking. Interstate, we'll

say. But as time goes on I'm lead to believe like the youths today about George Washington we'll say. Was he really the founder of the American trucking industry?, or was he what he was elected to be, a good speaker.

I've talked to the man who wrote his speeches. Talked to the men whoes lived him. And he was the most dedicated man. Let's put it this way, to give him all rights and I believe you'll agree; he killed himself in forming this organization. He worked til he was ready to die. So you can't take away he was one of the great, great leaders. I would say he was probably one of the greatest organizers the trucking industry has ever encountered, and it's a very good thing that they found him when they did. He organized it. So maybe he should have credit as being the Father of the American trucking industry. But however, afterwards, in the trucking industry, like in our government, in our country when it was founded, there was so much to be done. Congress, the Civil Rights, the Constitutional Rights. So much to be done that the youth questions whether George Washington was the Father of America. I question now whether Ted V. Rogers was really the Father of the American Interstate Trucking Industry. I keep saying interstate, Mr. Buhner, because cartage was there forever. I'm going to ask you. Would you do as I previously did; say, 'Ted V. Rogers. No question about it.' Or would you? What is your point.

Will you hesitate like I do today, or do you believe that Ted V. Rogers was the Father of the American Trucking Industry?

Buhner: My impression of Ted V. Rogers is that he's the Father of the organized industry, who organized the industry to protect itself. I am not very familiar with his life as a truck operator. As far as the Father of the trucking industry, I think that's something quite different than being the Father of the organization of the trucking industry. Now there were a lot of small truck organizations in the various states. Even some in the cities, and all that. They were all jumping around and had no real direction or anybody at the top. And when trucking became interstate it mean't that a lot of the work to develop the trucking industry had to be done on a national effort and it was Ted Rogers I think, without a doubt, that deserves to be known as the Father, if you want to use that term, of the organized trucking industry who really brought it together. He devoted his life. I think many times he carried the pay roll as much as a year and the Association was quite indebted to him, and I often wondered sometimes if he'd ever get his money back out. Fortunately, that all happened and things come out in good shape. But, he is in my opinion, having worked with him and all that, I think he deserves the credit of being the Father of the Organized Trucking Industry.

Now as far as the Father of the Industry, I think probably there are more than just one Father of the industry. Because quite a number of them, and I suppose when you go back to that most of those men that were Fathers of the industry have passed on and gone to their heavenly reward. And I'm sure that I have nobody to recommend. There are a lot of people that I would consider in that category, but I only know them from just this general area in which I live. They'd probably be a lot of them in the East, and probably a lot of them in the West. And a lot of those men have passed on deserve the recognition of having been some pioneers of the business.

Woods: Well, Mr. Buhner, I'd like to inform you that, Mr. John J. Brady, Sr. I was with him in Iowa a couple of weeks ago. He has the same view. He had a nice way of answering the question when I put it before him. 'Well, he said, I want to give Ted V. Rogers all the credit this man can get in organizing. But, he said, 'Now when you come to say, 'the Father of the industry,' now, he said, that's a little different answer to the question and there's a lot of men that can qualify for that according to my books.' He said, 'I can't because I never took too much part. I was running a big truck line. But, 'he said, 'I suppose you're out to find the Father, of Fathers,' and he said, 'So, that's why you're asking me the question.' I said that's right, Pop, I'm trying to find the fathers. And I said who would you

want to say, or who would you suggest. He says, 'Please do me the favor and don't make me answer.' He said, 'I wouldn't know where to go.' But; he said, 'many of them that you are taping now, Harry, I would consider Fathers if I want to answer your question.' Well, Ed, it's getting back to the analogy again; George Washington, the Father of America. The Father of our country. Yet, we turn around and we say the Founding Fathers. The Founding Fathers: Jefferson, Adams, Montoe, all of these men. I more or less take that route. I'll give George Washington credit to a great degree, but then the rest I want to be known as Founding Fathers. I believe Ted V. Rogers did as George Washington. He won the battle of organizing. Now then, you founding fathers go to work. And I agree with both you and Mr. Brady on that. Now it's my point to find who are those founding fathers. Now I have a few in my own mind that I definatly am going to insist go into my tapes, and I am going to insist that they be given much consideration in the publication of these tapes by the Microfilming Corporation and the New York Times Oral History program. That these men be given consideration. Because I feel that I've worked with them and I've listened to their stories and I've compared and I believe that I am qualified to say who some of these Founding Fathers are. At least I'll give their names and leave it up for future historians to decide. I will name two men

right off that I definitely say are founding fathers. Any man who opposed the Indiana Legislature 1931-33 with the consolidated railroad lobbyist force has to go down as one of the founding fathers to defeat that unbelievable overwhelming force and with such a small group, and to up and defeat them is unbelievable, so I would say, that Mr. Maurice Tucker, of South Bend, Indiana. Founder and present day treasurer, and executive vice president, I believe, of the Tucker Freight Lines, Incorporated; I would definitely say he is one of the outstanding founding fathers of the American trucking industry. Would you agree with me on that, Mr. Buhner?

Buhner: I would think so. Maurice has been in the business longer than I have been and yeah, he deserves that credit.

Woods: And this might be a little embarrassing to you, Mr. Buhner, but I would say that you are one of the founding fathers of American trucking industry. Interstate trucking I'm speaking of and I definitely feel that you deserve that title. You have appeared before legislatures. You've been the head of committees. You've not only fought in one, but two states that I know of. And you've held high office in forming the ATA, and I definitely believe should be considered one of the founding fathers of the American trucking industry. Will you accept that from me, Mr. Buhner? And I don't want you to be embarrassed, I definitely feel that you are one. If you don't answer I'll continue. You two at this date in

my mind are two men. I'm certainly going to give Ted V. Rogers his credit, but I definitely say that when the founding fathers come along, I know two of them and I feel honored to have met 'em both, and as I say, I'll repeat. One is Mr. Maurice Tucker, that Grand 'Ole Man of Indiana, and I say the Grand 'Ole Man of the trucking industry, interstate; and you, Mr. Buhner. So I'll let it drop at that and you can mill that over in your mind as you wish. Now I want to ask you a question and I'd like your answer on this and you can take time to think this over, but I think we can do it now. As you know I travel a great deal; for example, I was down to see your old friend, Henry English, in Dallas the other day. I was up to Fort Dodge a few days later. Eight hundred miles North to see Mr. Brady. Then I was in New York a couple of days later than that to see people then I was up to Boston, so I travel a great deal and here's what I'm bringing up. As I go through say, Indiana. And I go through Ohio, and I go through these states on these tollways, and I see a restaurant here, the Jean Stratton Porter Restaurant; named in her honor. A writer of Northern Indiana, who wrote childrens stories back in the turn of the century. Ernie Pyle Restaurant, named after the famous journalist from Indiana University that was killed the Middle East. Far East. War-correspondent. Those come to my mind off-hand. I believe Ed, that in order for trucking to have



the recognition that we're trying to give it through this publication and through other writings you've got to have monuments to constantly be before the public's eye. That's the way you have respect. That's the way you develop culture. That's the way you get recognition. It's very hard for me as a historian, or a writer, for the trucking industry to give public image to the highway truck driver when he goes down the road and crowds people off the road while I'm going around telling them what a good knight of the road he is. But, if you have a monument up somewhere. A road side monument that said, 'Here at this point,' so and so happened. Or, 'In this State legislation took place.' Or a restaurant named after a Maurice Tucker, or an Ed Buhner, or a Pop Brady, or a Carl Ozee. I believe this will give our industry recognition and I've always advocated this but I've been laughed at most of the time. I've noticed that the railroads. Even the old railroad lines will have a plaque up. 'At this bridge a certain event happened,' and so many hundred were killed, or a wreck happened here, or at this tree something happened. I remember in Wyoming I got a kick out of the railroads in their public relations. They had a tree, which they probably planted along the side of the road, and they said as the engineer came up over this hill in this mountain that it was so slow, and this was the only tree for miles, that he and the fireman had a bucket and they filled it with

water and every day they watered the tree and gave it life.

These are cultural movements. Monuments. Do you believe that we should attempt to have a, say a tollway restaurant named after Mr. Buhner in Kentucky or a Maurice Tucker in Indiana, or someone in Ohio. Do you believe that this is all fallacy, or do you believe that this would give cultural recognition to the trucking industry?

Buhner: Well, the trouble with that is, as I see it, the ones that you would probably want to recognize are not known by the younger men in the industry, and I don't know whether it would have much value to it or not. The younger men in the industry don't know these old names. I have noticed that when I am at the IMTA (Indiana Motor Truck Association) convention and I am sitting at the head table and when I'm introduced hardly anybody in that crowd knows me anymore.

Woods: Yeah. Well, what you're saying is like Mr. Arthur Keller, one of the pioneer State Troopers in the state of Indiana. When they formed I think they had 22 men, and he was one of the first and he told me that he no longer goes to the State Police convention in the state cause no one knows who he is. You know. But, if you left a monument of some kind and you write a history in time these men today that don't know who you are, as they grow older they look back and say, 'Why, gee, I met him. Why, I sat next to him

at a table,' and the first thing you know they were your buddy for life and that they lived with you. You know. But, this is the beginning, as we started out in the early days. As you started out over here in Indiana. You grew into a trucking company. We can plant this seed and grow into a cultural movement for the trucking industry. And I've been a believer that some of these major truck stops that played such a great role. That all the long-haulers speak of. Such as in Indiana at Walkerton there's the remnants of this truck stop which played a major role for the long haulers. It was on the way from Chicago to the East Coast. To Pop Brady and those in Iowa it was considered one third the way to the East Coast. And when they got there, this was it. They worked on their trucks. This was home. They received their mail there; their laundry there; their home cooked food. When they got sick they stayed there. They didn't go to a hospital, they stayed there. They got broke they borrowed money from the owners, Jean and Slim. Then Ted's at Sandusky. All of these buildings still stand. All of 'em still stand, and a monument could be made. Like, purchase these old buildings. Clean 'em up and put a plaque out in front so people can read, 'Here was one of the major truck stops of the Northern Route during the rise of the American Interstate Trucking during the thirties. Now, Mr. Larry Cohen, which I haven't yet had the pleasure of getting out to Denver to see, he has a. Outside of town

there, Denver, they have a truck stop. They've got a plaque out in front, 'The oldest truck stop in America.' Yeah, they're trying to give culture. Now I doubt if that's the oldest truck stop because when you go down to New York go up into Connecticut it's a little different story. But at least they're trying to get a culture movement, clear out there in the West where there is not supposed to be culture.

Do you think that this should be brought up at a convention? Do you think this should even be mentioned? Do you think that----Now, you got a letter there from the IMTA president. Indiana Motor Truck Association. He's trying to find something that happened back when it was called, Indiana Motor Transportation, or something, wasn't it?

Buhner: I forgot what it was called.

Woods: Now, he's trying to history, you know. And I think this historical movement is starting on the rise. Do you believe so?

Buhner: Yeah. Yes. Apparently a quite of few are interested in this thing of the history of the trucking industry. Of course there was quite a number of years that in the early days of the trucking industry that a lot of people thought that the trucking industry would never exist. That it would be legislated out of business. And of course now it's taken a quite a number of years and it's grown into a

tremendous industry. Bankers and big money have gotten in back of it. And the thing I'm moved in that respect. In fact one of the things I'm a little fearful of is some of these oh, sort of conglomerates getting their foot into the trucking industry. I a, --- oh, these conglomerates are only interested in one thing and that's how much profits at the bottom of the line. And if they got a truck line that they own and that truck line doesn't come up to standard out it goes. And they're not interested only in the profit. The one dollar and the dollar mark. And I've noticed that. I have owned a few stocks that were originally, when I bought them they were originally truck company stocks, and when they merged they got into conglomerates. And now I'm practically out from under some of 'em, but I notice that as long as trucking company is doing real good they speak highly of it, but the minute the profit goes down they dispose of it. They'll dispose of it. So, that's one of the problems. One of the real problems I think we've got in this industry. But, your idea on the other thing there. I wouldn't know. I don't think I've got the answer for you at all. What would be my answer for you.

Woods: Well, you must consider I'm a historian of the industry and naturally I would think along those lines. Well, Mr. Buhner, is there anything else we can think of at the time?

Buhner: I don't think of anything. I'll be at the. Speck to be at the convention if everything goes alright here. I can get away.

Woods: When is that convention?

Buhner: November 3rd, 4th, 5th. Just a month away.

What is today? Today is the first of October isn't it?

Woods: Yeah, I'm suppose to be at West Point, November 3rd, 4th, and 5th. The National Oral History Association, where all of us guys come in and meet. There's different ones in different fields. Medical historians and different industries, and I'm suppose to be there to meet with them. Now, I don't know whether I'm going to get there or not. I got there two years ago. But, I'm more interested in getting to these men before something happens to 'em and that I can get them on tape and then I've got time for things like that. Well, anytime that you might think there's anything you want to add on this why,-----

Buhner: Well, I'm interested to have my name glorified or anything like that. I'm not that type. What I've done for the trucking industry I've gained as much out of it as what I've given to the truck industry. At least that's my thinking. And I don't regret that I came up through the trucking industry. Of course I came up through several industries. Which probably gave me a little bit broader outlook on the trucking industry. Cause I saw a workmen's standpoint as a shipper, and I saw it work as an operator

myself. I have no desire at all to be eulogized in any respect on this at all.

Woods: None of you men that actually were founding fathers. None of you men that actually contributed a lot had any desire, I've noticed that, to be glamourized. You were like all the rest, you were merely trying to eat and pay bills and get by in a very tough time.

Buhner: We were trying to save our business.

Woods: Yeah. And you didn't know you were writing history. Hardly anyone of them ever knew they were writing history. They were just trying to keep going. And I know sometimes some of them are embarrassed, Mr. Buhner, when I ask, 'Well, did any of your checks ever bounce?' And they'll hedge around at it and I happened to be there in a day when I wouldn't even take their checks. But, I got a kick out of one I asked this and he said, "Bounce." he said, 'You know for seven years my wife and I kept hocking our furniture to a local agency for 300 bucks. It took us 7 years before our bank account was in the black. We kited every check we ever wrote.' So what I'm getting at is he didn't know he was writing history. You didn't know you were writing history. You were busy trying to keep a business going and at the same time you were building one of the biggest businesses in America, and that's why it is so big is because you men were dedicated.

Well, if you can't think of any more, and I can't think of any

more, I want to thank you, and I'm sure that Mr. Chester Lewis of the New York Times Oral History Program and the President of the Microfilming Corporation of America will be glad to receive your tape in its entirety and, Mr.

Buhner, you are in American history.

Today is January the 22nd, Tuesday, and it's now two o'clock in the afternoon and I, Harry Woods, returned to Louisville, Kentucky and we are now continuing the life story of the contributions Mr. Ed Buhner made to the birth and founding of the American Interstate Trucking Industry. This recording will be more or less concentrated to legislative, which is the all important part of the birth of any organization, or any industry.

Buhner: After reviewing the tapes I had given you originally, Mr. Woods, I thought it best that I review some of the history of organizing the truck industry legislatively in this general area, and try to put it in its proper sequence so it is more easily understood. Most of these things that I am relating now are already in the tapes somewhere but they are scattered throughout the tapes so this is an effort to get them in a more proper sequence. Originally, you asked me what got me into this type of work, and I don't think I gave you the answer at the time, so I'll start with that.

As I related in the previous tapes my background was actually fertilizer manufacturing, and I was still quite a young man



and started to work for my father when I was about 21 years old. And we went through quite a few years in which I learned the basic business. And then we came into the World War Two period (he mean't World War One period) and I was still too young to be drafted into the army. Just more or less finishing high school, and went to the university a year or so, and then came back and became permanently employed. The reason we went into the trucking business was because I personally had sort of a fascination for the movement of cargo by truck. I visited a few places where they were doing rather extensive trucking and at the particular time. I was courting which is now present wife, who lived in Fort Wayne, Indiana. In this town was a contract carrier that at that time was hauling quite a bit of merchandise for the Essex Manufacturing Company. They had a group of White trucks. And I had several conferences with this chap. I imagine probably more with the excuse to get to Fort Wayne than anything else at the time. But, I got quite interested with what you could do with truck transportation after listening to his stories. So, when the depression actually hit, as I related previously here, the sale of fertilizer had dwindled to a point to where there it wasn't much of a business left anymore, and we had to find a knew way of marketing our fertilizer, and we then attempted to, we really started delivering fertilizer just in the neighborhood with trucks. Then we saw what we could do with

it and we kept on building and going out farther, and farther and delivering with truck. Instead of carloads, we had a market of less than carload lots. And actually during the time that we moved into truck delivery we increased our business rather than suffering a loss. And we then continued trucking of fertilizer for quite a number of years. Actually, until we finally sold the fertilizer company. At that time we had a nice little small fleet of trucks doing a lot of work for us. They were all company owned. Company drivers. And we had pretty well conquered the safety end of it. In fact we drove five years without a single chargeable accident.

Woods: Mr. Buhner, would you care to name the years those were?

Buhner: This was in the years from about 1950 to 57, was when we really expanded rather heavily in the fertilizer manufacturing plant, and the third one, so we had three manufacturing plants when the time we sold our fertilizer business and we at that time had gone from a real small manufacturer until we were the second largest distributor of fertilizer in the state of Indiana. So, it was always with some regrets that we ever sold that business. But there had been so many radical changes in recent years that it's doubtful that we could have kept up with the industry. Now to get back to how I got into this legislative work. Back in the years of about 1930, 31, 32 and 33, shortly before

the Motor Carrier Act, our business was at a very low ebb and we decided to look around and see what else we could do. I had two brothers in business with me. I had two brothers rather. And we decided we would try to establish a truck line. And one of the salesman informed us at the time that there was an operation of hauling meat from Louisville to Chicago and wanted to know if we were interested. Actually, starting the trucking business was really the general intention that my two brothers would that over and I would stay with the fertilizer industry, and keep on operating it. What apparently happened is that we didn't buy our first, which was a reefer truck and we started operating to Chicago and we borrowed one truck from the fertilizer company and that gave us a daily operation between Louisville and Chicago. We had one truck going to Chicago each day and we had one truck coming back. In the earlier days we were able to pull a semi-trailer and a trailer, and we had one unit that we acquired later on that we used on our work between Louisville and Chicago and that was powered by an Indiana truck. About the time we started operating that the Indiana legislature passed a bill which prohibited the use of the four wheel trailer, or any two trailers in a combination. And that was the first time that I personally became aware of the legislative powers that would possibly control trucking.

I knew several of the men in Indiana at that time and one of

them being Maurice Tucker and a few other men. One man being Merle Denny from New Albany, Indiana. And in a conference we decided that we'd better start a new truck organization in the state of Indiana. It seemed like the boys who had been working the legislature the year before and were badly defeated were at complete odds with the members of the legislature. Probably mishandled them somewhat, and we felt that if we wanted to do an effective job before the legislature we had to have a complete change in tactics and therefore we organized the new organization.

Woods: Mr. Buhner, you mentioned the year before, they had failed. Could you recall that year? Would that be 1931?

Buhner: I think it was 32. I don't think the Indiana legislature met on the odd year. I think they met every two years. Then they restricted the trucks in Indiana down to 40,000 pounds. Rather restrictive.

Woods: So that would be in say 1930, or 32 that they had failed in the legislative session?

Buhner: Yeah. So we went out and tried to find a top man in that respect in Indiana and Mr. Sam Slusser, also had quite an interest in trucking on account of their contracts with the farmer on the butter and egg business. They were big operators in the state of Indiana, and he joined us. And then Mr. Tucker and myself and Mr. Slusser, we set up the formal organization of the Indiana Motor Truck Association. And we then hired a Mr. Sam Hadden, to be our secretary and

general manager. And there were quite a number of other men: Mr. Merle Denny and George Cowen and quite a number of other fellas gradually came in. So, the next opening of the legislature we were confronted with the, what we called, 'the second stroke,' from the railroad company to drive the trucks completely out of business. The first attack apparently was to restrict our carrying capacity. And then their second attack was to tax us out of business. So, with our backs against the wall, we knew we had a fight on our hands. We either had to quit or fight. So, we decided to fight. And having been in quite a number of the organizations I was elected to be one of the men to go to the Indiana legislature, and Mr. Maurice Tucker and myself then lead the legislative fight. And it got so interesting to us, the challenge was so big that thats apparantly just how I got drawn into the affair. And not having much of an idea of what would develope or what was ahead of us. So the second round was the one I have related here, when the railroad interest sponsored a bill which would have put a five cent a mile tax on a truck carrying up to 40,000 pounds gross. That in those days was a lot of money. That was, between Louisville and Chicago on a fully loaded truck would have been about 16, 17 dollars one way. That was considerable more than we were paying the truck driver.

Woods: May I interrupt you here to discuss this a little further?

Buhner: Yes.

Woods: ° At this time I was running East with a truck and I figured at that time it was running me around anywhere between 8 and 9 cents, maybe up to 10 cents a mile operating cost. Now with this five cents a mile, I remember this well when you fellas were having this legislative battle, if they had added on that five cents your operating costs may have come just a little bit under the operating costs of us fellas running to the East Coast. You may have come out about 8 cents a mile, 7 cents a mile operating, or would you come out more in your day that you're speaking of? I'm speaking of tires and motor maintenance, or did you ever figure that down?.

Buhner: Course that's almost 40 years back and I hardly remember the figures but as I recall we figured that we had an overall cost of around, which included the driver and all that, depreciation, and all that, that it cost us pretty close to 20 cents a mile.

Woods: Well, you see the difference in our figures and yours, we were our own drivers and you're adding on the driver's cost so now if you add on 20 cents a mile in here, the state wants to put a 5 cent tax per mile, you've got one fourth again, twenty five per cent added on, which could break you. Which could put you out of business.

Buhner: Yeah, of course this legislation disturbed us a great deal because we could see it was a concentrated effort

on the part of the railroads to in some manner or other to drive us out of business. Course that made it to become quite a challenge.

As I related in a previous tape, there is no need of repeating the detail of that, but after a terrific fight we finally defeated this tax bill in the Senate. Even after it had gone through the House with a rather comfortable margin for the opposition. We were fighting it in the House and we had to gather 6 votes, we were 6 votes of being able to stop it, and from then on the rest of the story is in here of how we finally accomplished that. Then the following year with legislative work the problem was to start moving up again. To get back to where we were. By that time we had made enough friends in the legislature and politically we were much better respected and all that, so we were then even given the honor of nominating a man for the chairmanship for the Roads Committee in the Senate, and chairmanship for the Roads Committee on the House of Representatives. And these committees normally handled all the truck legislation. And it so happened that the two men that we nominated happened to be personal friends of mine, or acquaintances rather of mine and so when the administration handed down the various committee assignments we noticed that our men had those chairmanships, so we felt pretty good about that. And we then were able to break, to start moving up, getting our truck laws all straightened out in Indiana, and

of course that's kept up now for over a period of years and we're now up to the national standard in every respect. About that time I moved into Louisville, Kentucky, where we had our principal operation and in the meantime we had bought out a small truck line operating from Louisville to Knoxville, Tennessee. As I recall the man had four trucks and there was some very nice tonnage in Knoxville. The principal one being the Aluminum Corporation of America, who had a very large plant just outside of the city of Knoxville, and they immediately gave us a quite a bit of business. At that time when we moved into Kentucky the Kentucky laws were still fairly liberal, but we hadn't operated in Kentucky but about a year or so when the powers of the opposition came into the legislature and they really handed us a package. And that was a, ---- they revised the laws and cut us down to 18,000 pounds gross, and actually we had been operating in Kentucky with about 45,000, so you can imagine what that did to us and all the truck lines in the state of Kentucky.

Woods: Now, may I interrupt at this point Mr. Buhner.

Number one I want to go back. Do you recall the name of the trucking company you bought that ran out of here?

Buhner: I think the name was Williams Trucking, because it was Mr. Williams that we bought it from and his son stayed with us for quite a number of years and worked with us.

Woods: And secondly when Mr. Buhner speaks of the opposi-



tion he means none other than the railroads. And thirdly, I'd like to elaborate just for a moment for the listener on this 18,000 pounds. I imagine that at this time you had trucks that weighed almost that much didn't you?

Buhner: Oh, yes.

Woods: So this would mean the truck would run empty. It couldn't haul anything, which was the ideal goal of legislation that the railroads were after.

Buhner: Well the equipment that we had was outlawed immediately, so we used our pick up trucks. What we normally considered our small pick-up trucks. Twelve and fourteen. I think finally we went to 14 foot boxes. Then finally we also were able to have the Trailmobile manufacture some complete aluminum trailers. But they were only 16 foot aluminum trailers. They were small. And with them and a light weight tractor we were able to haul up to five tons of freight. Not more than five tons of freight. The only reason we could exist is that, ---about the only thing we could haul was high rated freight. But that was the first attack of the railroads. We started examining then just what our position would be in Kentucky. And we found almost the same thing to start with in Kentucky that we had in Indiana. Kentucky did not have an association or anybody of any consequence to speak for the industry. The industry had no organization. Of course, down state Kentucky there were practically no operators and there were only two or

three of us in the city of Louisville. So we fellas were at the point where we had to do the organizing and we sort of studied to see what our future was in the trucking industry. And whether we could continue to operate South of the Ohio River or not.

Then when that law went into effect it mean't that immediately when we hauled freight from Chicago or Nashville, or Knoxville, or Chattanooga, or any of those towns in the South, we brought it to Louisville in larger trailers then had to unload all of it and seperate it and put it in these small pick-up trucks and then go on South. And then we also found these pick-up trucks were harrassed wherever they went. Of course it was very easy for us to uncover where our real problem was and that was we didn't have a fighting organization, or somebody representing us. So we got together and although I was not in the organization to establish the new group it fell part my lot to get in on the legislative end of it.

The railroads had no more than passed this when the next session of the legislature they came with another bill, the ton mile tax, and they try to do almost the same thing to us in Kentucky that Indiana. And they were successful. They put a mileage tax. But, the bill was so badly written and so badly administered that the following year we were able to have thing withdrawn from the books and from the laws of the state of Kentucky. All during this time it was

several years that we operated under 18,000 pounds. We had any number of problems. One big problem was being harassed by constables. The state had a very old systems of constables and they practically lived off of minor fractions of laws and all that, and they were even tackling some of the tourist trade that was coming through there. Irritating an awful lot of people.

In our study of the technic and things that the railroad industry was using, of course it was very easy for us to see their attack against trucking was by passing restrictive weight laws and loading heavy taxes on the industry. By picking first Indiana and Kentucky their plan was, and it worked very successful, that they could stop the through traffic of Indiana, they had accomplished quite a bit because Indiana was the crossroad the East and West traffic. Then they came into Kentucky and they,--- by doing Kentucky they stopped the movement from the North to the South, or into the South. Then they were in Tennessee, and they stood very similar thing in Tennessee. They restricted the laws in Virginia which partially stopped the traffic from the East Coast down into Georgia and Florida. They put restrictive laws in the state of Alabama. I think they were around 20,000 pound gross. Then in the state of Texas they used a different tactic. In Texas they passed a law there that would permit only a certain tonnage to be hauled on a truck unless it went to a railroad station. If it went to a

railroad station it was a much lesser tonnage. I think somewhere in the record of probably I think it either seven ton or even less. It was very, very restrictive. So we had a general pattern. And about the only way to defeat this pattern was to work up some sort of a plan as to just how we would progress. What we would have to do. We knew the answer was in the legislature and no where else. And then we even had problems among some of our own truck operators; especially, the ones down state. It so happened the state of Kentucky, having being deprived of full trucking placed the smaller cities in the state in a position to not attract any industries. So we had practically no support from down state truck operators. And what support from the automobile dealers because all they were able to sell at the time was the little truck. Since both Chevrolet and Ford did not manufacture the bigger trucks. They were afraid the bigger trucks would replace them and they would be unable to sell us operators the type of truck that we required. So they didn't have much sympathy in our story. But we kept plugging away and in the interim we had made some progress and we finally got the state of Kentucky through the efforts of the Governor King Johnson to help us out to a certain extent. And in conversations, I was in his office with some other men, that he was there this time on account of his call to us. He called us by phone and asked us to come in, and he said that we could not pass the

bill that we would like to pass, but he said, 'Maybe, I got a little hope for you. I have been talking to the railroad interest and I think I can get the railroad interest to agree to some sort of truck law to give us a little relief, and then he suggested as I recall 30 and 30, which was 30,000 lb. gross and 30 foot length. So we talked the situation over and I suggested to him; I said, 'Governor, is it possible that you could give us 32 feet?' There was some particular reason for it at that time that we felt 32 feet. He said, 'Oh, I don't think that that's unreasonable,' and he said, 'Let me talk to the boys about it and we'll see.' 'If I can get you 32 feet, I'll do it.' So a couple of days later he called me by telephone and he said, 'That's agreeable with me and it's agreeable with them.' So he then more or less championed this change in the truck laws of the state of Kentucky.

Now, before that of course we had very little influence in the legislature, but at this legislature we had at least one influence on our side that helped us a great deal even then and in future years, and that was we had the farm interests on our side. And originally when the truck 18,000 pound bill was passed and when we analyzed what was happening and where the power was to get a bill through the congress, through the legislature as fast as they did and with the overwhelming vote, we come to find out that the farm interest had voted for that. And the farm interest

at that time were about the strongest lobby in the Kentucky legislature. And from my personal interest experience in Indiana I knew that the farm interest was very much interested in better truck laws. In fact they were very helpful to us in the Indiana legislature and we reasoned then that we would have to somehow or another break the farm crowd away from the railroads. Take that strike away from the railroads. So, we went to work and we started a little advertising campaign in their publication. The farm publication. And I remember one of the first advertising we had in there was a little story about, 'these little pigs went to market in Kentucky, and these little pigs went to market in Tennessee,' and how much cheaper it was to get them to market and a terminal in Tennessee than it was in Kentucky. I think the costs was almost twice as much to haul pigs to the Kentucky market as it was in the adjoining state.

This apparently irritated quite a number of the farmers, this add did, and they said we were ridiculing the farmers. We said, 'We have no intentions of ridiculing. We just want to show you how ridiculous this is, why you should vote for restrictive when you're hurting yourself. We don't understand it.' And we had quite a little conference with them. And they said, 'Well, we're going to have our executive committee meeting next week and we want you to appear.' So our association secretary went there and appeared before them and he explained the thing very thoroughly and they immediately agreed

that they would support truck bills. So we made one big accomplishment that we did by that, for our legislative work that we took one of the political powers of the state away from the railroad interest. We broke up their play-house, you might say. So from that point we were doing a little bit better job of operating trucks. We could haul a little bit more pay load and it got to be a little bit better type of business.

But we were still being harassed terrifically by a lot of the constables. They had tricks of their own. Even went to the extent of sometimes kicking out the tail light on a truck and then arresting us for having broken tail lights, and all those things. So that was a real headache we had with them. So then we started preparing ourselves for the next move of trying to get the weight laws up in the state of Kentucky. About that time the war was on us and I had been recommended to some of the men in the Office of Transportation to come up there and help them with some of their work. So, I accepted the position for a period - I said I would stay six months and that was all. So, then I went on into Washington, and then I found myself in a rather enviable position which I didn't realize would have the entire affect that it actually finally did have and that is when we started writing rules and regulations that trucks should operate we had in mind that we should get the maximum efficiency out of a truck. And that mean't that we

should load every truck as near as capacity as we could. By that we were eliminating a lot of waste miles which saved tremendous amount of gasoline but one of the main objects that we saved was the use of rubber which was probably one of the most critical items we had in World War Two. So then we came across, which I have related, that we had the problem of determining what is the capacity of a truck, as I have related previously to this time. At that time and earlier the capacity of a truck was referred to ton and a half, two and a half, three and a half, and five tone trucks, and that. Well that actually did not describe the capacity of a truck. From my experience, and I had done quite a bit of studying and working with the tires in trying to get our tire costs down in our operation. We even had a man from the Goodyear Tire and Rubber Company to come into our company and spent about 4 to 5 months in our company showing us how to get the maximum use out of tires. He was a real tire engineer, and I learned from him. So, I made a propose to this group that we use the carrying capacity of a tire as to the vehicle that would describe the capacity of a truck. So we had ten tires, and at that time the ten hundred twenty was pretty well standard so if we had ten tires on a truck and trailer we would have a carrying capacity of 45,000 pounds. And that was just about the normal. And that any other vehicles having smaller tires would be of less capacity. So, by proposing this to



the group the group immediately accepted the whole idea, and it was through them that we finalized the order and after some maneuvering back and forth the U.S. Bureau of Roads finally agreed to that formula providing we would state that 40,000 pounds would be, I suppose you'd call it the minimum gross vehicle weight. The 40,000 pounds weight plus vehicle weight pretty well leveled out the actual carrying weight of the truck, because you had eight tires on the trailer axle and rear tractor axle combined and then there were two tires on the front of the truck. But the two tires on the front of the truck could only carry about three thousand pounds anyhow. So actually it was very, very close to them, very maximum, so we agreed to accept that. And that then was written into the Federal Register and became Federal Law. That immediately had a tremendous affect upon the state of Kentucky where we were operating because that mean't that immediately all the vehicles we had in Kentucky, not all of 'em, but a great many of the vehicles that we operated up in Indiana could go all the way through to Kentucky. We had a little problem here and there with license but the major thing was that we could operate trucks through from the state of Indiana down into Kentucky.

That also had a very big wholesome affect upon the states of Tennessee and Virginia, and I think Alabama, and even down in Texas. It halped a great deal over there, the outlaw

that they had there. So, that just about tells the story from the legislative angle that I was involved in from Indiana, Kentucky, and going down. Incidentally, Georgia was in this thing too. Georgia had restrictive trade laws, and that helped them break up the stronghold that the railroads had on these various states. Now, I'm not sure about Louisiana, down there, but at least I've given enough states to indicate that that made a tremendous difference. And then after the war was over with and of course all these were recinded it became much easier to go into the states and then get the legislature to change the laws. In the meantime, as I have stated somewhere in these tapes, in the state of Kentucky we were always confronted with the opposition saying, 'Well, the bridges. The bridges won't hold it, and the roads won't hold it,' and all that. That was their general talking but they never came up with any statistics to prove anything, but just talk. Talking and what used to be their power in the legislature. So, in order to offset some of their talk and all that, we employed a very capable highway engineer. In fact he had been state highway engineer of Kentucky and then later became chairman of the highway commission of the state of Kentucky. So he knew the situation in Kentucky. So, he and his crew made quite an engineering report for us. And when he finally finished the report and gave us the report it shown that there were nine

bridges in the state of Kentucky that could not comply, or were rather dangerous for the weight of trucks, and he made the comment; 'That the sooner we get rid of these nine bridges the state will be a whole lot better off.' So, when we came down for the hearing, at that time, the railroads immediately confronted the committee that was listening to all this; this railroad story that the highways wouldn't carry it, and the bridges wouldn't carry it, and all that. So, I moved to put the former state highway commission on the stand with the engineering report and laid the entire report before the committee, and the committee was rather amazed and even to what the highway commissioner testified too. So it was no question there then as to, that a lot of the railroad's opposition actually had no basic foundation to it at all. It was just all plain talk.

And then of course, all the other work. That was just only part of the work. But, all of the other work that was done that when we came to the legislature that year we had pretty well organized the state politically. We had gone out, and with the help of some men who knew their way around politically, and those men had selected a lot of men to run in opposition in the primary, against these men; especially, those men that were known to be on the railroad payroll. That's in the off season they were on the payroll and some were on a yearly retainer basis. That when the

primary was over with we had defeated six of their top men; Senators, who had been in the Senate. So, then we did almost the same thing in the House. So, when we went to the legislature we had enough friendly votes to pass the truck bill that we had, and I think that was probably one of the biggest shocks that the railroads ever got in this state. So, that's how we defeated them in this state and got this state going back to permit good transportation in the state of Kentucky.

Woods: Mr. Buhner, may I go back over and question you on a few of these?

Buhner: Yes.

Woods: You covered some of truck history's most vital points there pertaining to the history as to why it's in operation today. Let's go back now to the state of Indiana. The famous 33 legislative battle. You, Glen Slenker, Maurice Tucker, Slosser, Morgan, these men; you fought there a bill aimed by 22 or 23 railroad lobbyist poured into that state to take the pocket book away from the trucker on the tax. Their aim there to destroy trucking was through tax. Now, you left there and came down into Kentucky and you were confronted with the same thing, and plus that, the weight and length laws, and now through this legislation in Kentucky you founded the ten twenty tire. The Minimum and maximum weight laws; 45,000 pounds. Length up to 32 feet. You destroyed the railroads unproven but much claimed

theory that these trucks made it dangerous for bridges and this and that. And what I'm building up to here; with the passage of this in Kentucky affecting so many states North and South acted as a precedent, or we say this legislation in the state of Kentucky acted as a Stare Decisis case for trucking throughout the whole United States. I don't want to build this up more than it actually deserves but would you agree that through these all important measures here pertaining to trucking; such as, weight laws, the tire, the length laws, the true finding of the tonnage of a truck. Ton and a half, two ton, three ton truck. The defining of that. The highway use and bridge constructions being proven mostly all fallacy from the railroad's claim and putting facts before a legislative body to vote on which ended up in voting in favor of the things you people proposed, you as a lobbyist representing trucking. This actually founded a Stare Decisis case for trucking to be looked upon as acting as a precedent in other states. Would you agree?

Buhner: I think there is some truth to that.

Woods: Would you agree that there's quite a bit of truth to it?

Buhner: Yes, I suppose. Yes, I think it was the real turning point.

Woods: If I might put a piece on this tape. A little bit of information that Mr. Buhner may be able to elaborate

on more than I did. This tire situation has never been talked upon too much among these tapes, yet, even back in my day, I know we played with the eleven twenty two tire, and I suppose you have.

Buhner: Yes.

Woods: And we found it just too big a tire for highway running on our long-hauls, you know, and it was too expensive for us to start with.

Buhner: Yeah, we used quite a few of 'em, and we found one thing that was a hinderance to it. The twenty two inch tire made the vehicle too high for most of the shipping platforms. So we had to go down back to the twenty inch in order to level off at the shipping platforms.

Woods: I've even seen it where those docks in the East. ~~Those little old docks, you know, that were for buggies~~ you might say they just wouldn't let us, if you had a twenty two inch tire on, they wouldn't let you into their dock because the men had to practically have an elevator to get the freight up off of it. But, I would say that this bit of legislation that we're speaking of here actually is probably the most important to the birth of the industry to make it really an industry. It was the most important legislation ever passed. Still I'm going to ask you, would you agree with me?

Buhner: Yes. I agree with you. But to the standpoint I think as far as legislation just in Kentucky. That was

alright for the state of Kentucky and sort of a pattern. But, when we were able to get the federal law through the Federal Register and able to bring that up to 40,000 pounds, we showed the legislators in the various states where they had these restrictive laws that the 40,000 pounds was not doing the damage and that they needed that in order to not retard interstate commerce, and a lot of people, shippers and all that, were getting a little bit more satisfied and they started getting behind that. I think that was the real, in my opinion, the real turning point is when we were able to get through the Office of Defense Transportation the 40,000 pounds as a Federal law.

Woods: Now, when you went through the Office of Defense Transportation, the ODT, you did not have to go before Congress. Just as long as the Office of Defense Transportation would accept it.

Buhner: Yeah. You see it was a war measure.

Woods: It was a war measure.

Buhner: Yeah, and so as long as it was published with the Federal Register it became law.

Woods: Well, Mr. Buhner, I would say this is Stare Decisis. I would say that by going through the Office of Defense Transportation and putting this over that this was the final blow. You and Maurice Tucker and these men in the state of Indiana certainly backed up, or slowed the railroads, to show that you men were fighters. But, when you came down

here and went this far why then I believe from that time on you more or less had the railroads really as no great threat. There is always a threat.

Buhner: There was also one rather unusual situation in the state of Kentucky. The weight laws. The 18,000 pound weight law in the state of Kentucky did not apply to buses; yet buses had a gross of about 36 to 38,000 pounds. The buses. And they didn't help us because they were completely out from under the law, and they kept away. But, they somehow or another, in their maneuvering, had been able to keep themselves out from under this law that the railroads were not too anxious. There was one rather amusing thing that happened at that time that I was personally involved in after, I think, the 32,000 pound bill was passed. There was a bridge right at Carrollton, Kentucky across the Kentucky River. A rather substantial bridge, and that's almost at the point where the Kentucky River flows into the Ohio. The highway commissioner at the time permitted the trucks to operate up to 30,000 pounds; but when it come to this bridge he put a limit of 20,000 pounds on this bridge. We were not permitted to cross that bridge with a load higher than that. That was the rulling he put out. So, we went over and chatted with the fellow and he listened to us and he said, 'No, it's 20,000 pounds.' I don't know or never figured it our whether the little town didn't like trucks coming through the town, or whether he



had obligations to the railroad industry or not; but, he was very adamant. So, when we saw we couldn't change his mind I said to him, 'I suppose you know how much a bus weights don't you?' And he said, 'Oh, no,' and I said, 'Well, a bus weighs empty, just the ordinary single axle bus empty will go about 36,000 pounds. Now when you load that you'll be somewhere around 38 to 40,000 pounds.' And I said, 'Now, if one of those buses goes through this bridge and you said this bridge won't hold that load, you're going to be dead politically.' He sort of covered up, but he realized then how silly, and today they are crossing that same bridge with loads up to 65,000 pounds. But, those are just some of the things we had to put up with.

Woods: Did he back off then?

Buhner: ~~No, he didn't. No he didn't. But, later on he~~ ran for political office and he was defeated. And I don't think it was us.

Woods: What did you have to do at that time? Reroute to go around that bridge?

Buhner: I don't know what we did. No, we couldn't very well reroute. Oh, I know now, we went through Indiana. Went to Cincinnati. This was on the Kentucky side so we just crossed. So we just crossed from Indiana and went through Indiana and went through Charleston and up through that way. It was a little bit farther, I think, around 25, 30 miles farther.

Woods: You know it amazing to the listener as to the little tricks these towns did to get rid of you. If you don't mind my putting this in your tape, Mr. Buhner. I'll never forget this little town. Oh, I can't recall its name. It was on the New England coast in Connecticut. All at once they come up with a big sign out at both ends of the town, quite a ways out, that all trailer trucks had to take a route around the town because they had a low viaduct in the town. Well, it was sort of strange to me because we'd been going, you know, through the different places. But, for about three years we hated this town because we had to run five miles out around country roads and everything to get around this town. And if I could see it on a map I could remember the town immediately, but I can't remember right now off hand. But, anyway one day I came up there sleepy from New York and you know how we drive night and day and it was sunny and I was sitting there half asleep and half dozed and I went right on into the town, you know, and never once give it a thought. And I was empty, Ed. That means my trailer was at least 6 to 8 inches higher than when loaded and I come up and I all at once really come out of it when I was going down to go under the viaduct and I thought, 'Oh, oh; there goes trailer and all,' and to my surprise I come right out the other side of it, you know, never even touched. So, I got out and traffic wasn't much

and I backed that trailer up under it and I looked and even at the high point I cleared that, and I had a pretty good sized van and my trailer cleared that viaduct by about nine, ten inches. So I passed the word and within a month every truck in the country was running through this little town. But, those were little points that these towns in order to drive you out, after all, you did make noise a lot and you'd go through there all hours of the night, and they didn't like this. Did you have something else to add here.

Buhner: I covered the harassing by the constable and I probably should say that by the time we passed the main truck law, the Governor of Kentucky, which was Earl Clemens, took upon himself to outlaw the old constable system. He took that upon himself, and he cleared that thing for us. And he did that not only for us but he did for all the other people, passenger cars and everything.

Woods: Let's speak a little bit on former Governor Earl Clemens. He proved out to be very helpful to you did he not?

Buhner: Oh, yes. Oh, yes.

Woods: And today he's with the tobacco interests as a lobbyist in Washington, D.C., is that right?

Buhner: Yes.

Woods: We ought to bring him back here and put up a statue of him.

Buhner: Yes. He's a very, very fine gentlemen.

Woods: He doesn't live here anymore, he moved down there didn't he.

Buhner: He still has his farms here in Western Kentucky, and he's still somewhat of a political power here in the state. But, he represents the tobacco industry up there.

Woods: Do you have some more notes there?

Buhner: I think that's about all. I think most of these. Did we talk about, I think mention. Yes. I know we mentioned Sam Niness in here. He's the one that helped on the 40,000 pounds cause it fit his organization just right.

Woods: Sam, who?

Buhner: Sam Niness

Woods: Well lets. It doesn't hurt if it's on there. Bring it out. Be sure we get it.

Buhner: Going back to the establishing the 40,000 pound minimum, during the war. One of the gentlemen that supported it a great deal was Mr. Sam Niness. N-i-n-e-s-s. Who is still employed in the truck business today; in fact, he's president today of one of the large tank truck operators. And this thing was especially suitable to them because with a tank truck there is just so many pounds they can carry, and they couldn't very well overload, and so it was a perfect answer for him, and he gave a great deal of support to this. And the other man that gave a great deal of support was just recently retired as the president of the Firestone Tire and Rubber Company. He was in the Office of Transporta-

tion with us boys and he more or less was looking after the rubber end. And when we proposed this method why he said, 'I'll know that we'll support it, and I'll make sure that the other major tire companies will,' and he said, 'I'll let you know in a day or two.' And he came in and said, 'Well, we're very much in favor of that.' So, we had a lot of support on that thing. The president was Bob. I think I've got him in the tape there. I'm sure I have.

Woods: Well, let me ask you one that is more modern. You know today us conscious minded individuals, we try to keep up with these Federal laws, yet. And I just wonder about these buses. If they've still got an in. If they've got an in with Amtrak or something. I was driving down from Chicago yesterday to you and I'm trying to do 55 mile an hour on the road, which gets to be pretty hard to do with the traffic going by you, and you get thinking, 'Gee, am I the only guy trying to live up to this law.' But here come these Greyhounds. Boy, when they pass you they're doing 75. And they go right by and there's state troopers sitting there in their squad cars, and just looke at 'em, and you know, nothing is said. So, I wonder if they are immune to the Federal 55 mile an hour state highway law. But, they always did have preference. Always.

Buhner: Yeah. Now, there's one more item.

Woods: Good.

Buhner: In the passage of some of the truck bills in later years as we're going along. Of course, we always had the problem of taxes. As to how much tax we were to pay and all that. And there was a period that there was apparently quite a bit of overloading going on on trucks. At least it was pretty hard to explain away.

Woods: No, No, Mr. Buhner, there never was. Never in the history of trucking.

Buhner: So, finally I know we were criticized about it a great deal by some of those men. I think it was started in Indiana that they had this progressive tax law and so if you got so many thousand pounds overload why I think the tax; the fine was up to five hundred dollars, or something like that. So, when that law came up why we fellas pretty well supported that thing for the simple reason that in those days there was a tremendous amount of chiseling going on in freight rates. And then we had the shippers, it wasn't only in the truck operators, we had shippers that would load your truck and tell you they had twenty thousand pounds on it, and actually you had 40,000 pounds. The first thing you know you were going down the highway with a dangerous vehicle. You were busting tires. You had all those things. So, we pretty well supported that thing. Expecially, the big overloads, and I think that

has been pretty well cleaned up. In the meantime of course a lot of those fellas have now learned to put the proper amount of tires on a truck, and that helped on that thing too. And I know that a lot of boys in those days were pulling trailers with eight and a quarter tires on trying to haul 12 and 15 ton on 'em, and go down the highway and bingo would go the tires.

Woods: Well, Mr. Buhner, I alwyas considered you and Mr. Maurice Tucker my close friends, but now I find out where it all lies. I'm going to go home and erase all these tapes and notify The New York Times. I wrote a whole book based on the overloads we hauled from the Middlewest to the East.

Buhner: We weren't angels either.

Woods: I know one fella put on a tape, he said, 'Well, when the IC Motor Carrier Act was passed, I had been running all the roads you know.' So, he said, 'I went down there to get this grandfather permit, where they were just supposed to hand it to me.' He said, 'I found out that they didn't just hand it to you. So, he said, 'I soon learned that if you could lie as good as the next guy, and produce just a little evidence.' So, he said, 'I went back down there that time and I was the world's greatest liar.' And he said, 'I had fake evidence all over.' And he said, 'It worked. I came out with permits.'

Buhner: Yeah, there was a lot of that.

Woods: What's interesting on the overloads is in the book I wrote, 'Third Morning Delivery,' I stressed that in a sense the gypsies and wildcatters. Wildcatters was what they were called in the Middlewest, and the same man in the East was called a gypsy, you know. They became outlaws by hauling overloads to pay their bills, because each trip had to pay.

Buhner: Yeah.

Woods: However, I contend that by them doing this and being picked up every so often and this brought this attention all the time, in one way aided to prove that they had to have something done. That these men had to haul bigger loads. Now, I remember the state of Indiana, very early. 30. You'd remember this. We'd come out of St. Louis, or Chicago, or the Middlewest, if we wanted to we could haul almost anything at that time across Indiana as long as you went to the nearest JP and pay him twenty five dollars you could go on across the state. Did you know that. We'd be loaded way over and just go to 'em, and right on across. Well later, I suppose through the finaglings of you and Mr. Tucker. I'm just kidding. Then it got to be, when you had your weight laws, then it got to be a penny a pound over so much. Then it got to be after so many more, it was two cents a pound. Then finally it worked up. We were always so over, we was working on the ten cents a pound rate. But it did play a part, in getting.



Buhner: Stabilized.

Woods: Stabilized.

Buhner: Stabilized and rate making too.

Woods: Yes, it did.

Buhner: A lot of the shippers were just chiseling the life out of the truck operators. They were about as much cause of the overload as the truck operator himself.

Woods: Now, I know I used to leave the Middlewest. I wouldn't go unless I was way overloaded and was getting so much a ton, or it just didn't pay me to make the run. The same on the return, I'd get this real heavy freight.

Buhner: I remember very distinctly over in our yard one day, I walked by and I saw that trailer, and I looked at it and saw the tires down a little bit. I saw the axle I mean, the springs, and I said, 'What's on this truck. Has anybody weighed it.' And they said, 'No.' I said, 'Suppose you take it over here to the scale and weigh this truck.' I said, 'What's it billed of. Let's take a look at it.' Here we opened it up and here was some green lumber, on this truck. And, I said, 'Oh, oh, I'll bet that trucks way overloaded.' Went over there and scaled and I think the trailer was set for a carrying capacity of about ten or eleven ton. I think it was about 24 ton, but the weigh bill said eleven ton.

Woods: The one thing that amazes me today is they always claimed that we tore up the roads with trucks, you know.

And, I will go along with that on the extent of the frost law. There was --- there definitely were a problem there where concrete has frost on it and it's not frozen solid you do tend to break down; but I like to bring out that a car will break down just as much when the road is in that shape. I remember roads that they used to say that we were tearing down and I go through them now, Mr. Buhner, when I go East, I go off the road and look, and the same roads are still there and trucks going over them just like always. And I don't know how much maintenance, but-----

Buhner: Well, it's been proven that many a time a stretch of road that has been detached and hasn't been used at all for a year or so and is in worse shape than when used.

Woods: Yeah, it will break up immediately from frost and that. Well, I believe we have covered quite a bit accept the last one I want to ask you. You've gone through all kind of problems with trucking. Now, this modern time, because of the government interference of fuel laws. Of fuel shortage. Trucking right now as you know are faced with major problems. Truckers are blocking the highways, claiming that the fuel is too high, and that there is no fuel shortage. That it's all a fake and that they've done this just to get more money out of them. And then the speed laws. Now, I'd like to ask you one thing first, as a very experienced truck operator. How about this speed? As a youngster, I found out if I drove fast I could run the hills.

Run way up on a hill before I had to shift. I actually got to New York faster. Now, how about this speed with a truck. From your experience does a truck use more fuel when it is loaded and running slower on a highway than it does when it is running a faster speed. Do you think that this lowering the speed limit saves fuel?

Buhner: I'm not so sure that it saves any large quantity of fuels. I think there probably is some savings, but I'm not so sure that it saves a great deal. I think that probably a good case could be made either way on this thing. I think it depends a great deal upon the terrain and where you're running too. Take out West where you're bucking a strong headwind it's bound to take a lot more power to move the freight and that's when you start eating up your fuel.

Woods: And the hills. If a truck approaches the bottom of a hill doing 55 mile an hour and the hill is a rather long one, he's gonna have to shift down in low gear and crawl all the way up that hill, where if he can approach the bottom of the hill at a speed of 70 mile an hour he's gonna run a long ways up that hill before he has to---

Buhner: That's right.

Woods: Now, do you approve of these truckers doing what they did? Blocking the tollways. You had as big a problem as they had and you didn't block any tollways, or highways.

Buhner: I don't have too much sympathy. We were through

the World War, and we had problems that were much greater than they are today. We had problems, of course, tires and fuel, and we had the problems of wearing out our equipment with no replacements.

Woods: No replacements. Those were the points, as hoping you would bring out. What I would like is people to be reminded, and I'm sure you would; the truckers today can still go in and buy new tires anywhere they want to buy 'em. They can go get a new trailer. They can get a new motor. What their main complaint is, is the slower speed. Now, this they claim is breaking them. Now you take a coast to coast truck line; it's taking them another day to make the trip across, which under today's high competitive can cost them. But, we were high competitive in our day, and time is very essential. That's the only thing I'll put in their favor is that they might have an argument on the speed and on the time. But, beyond that I don't believe that they really have a legal or a good argument to put up.

Buhner: There might be obsolete cases, but it's like everybody jumping on the band wagon and of course you'll find out that a lot of these trucks we're speaking of here are being operated by private industries and these are drivers that want to get home earlier and it's more of a personal thing with 'em than it is the equipment end of it. And in coming down the highway last night I noticed that several of them. I was driving 55 mile an hour which I

normally do anyhow as it only takes me 5 minutes longer to get from my home town. In fact when night comes I don't like to drive over 55 mile an hour, and I noticed that quite a few of these private industries here in town just bawling the jack down the road. Of course, those drivers were wanting to get home. I think that that's more or as much as it is as some of the other.

Woods: You see we have two major factors here. You have a coast to coast company operation. The driver takes an extra day, it doesn't bother him at all. He gets extra hotel room. He gets extra feed. Food bill. He gets an extra day's wages. But, the independent that owns his truck running back and forth, that bothers him. So, it's a two way split. But, I still don't feel --- The only argument I believe they do have is the speed. That's all.

Buhner: In the convention this fall, in the middle of November there, the organized trucking industry, -- most of those men were hoping that they could get 55 miles an hour. They said that we can live pretty well with 55 miles, but of course we'd like to have more, but we can live pretty well with 55 miles an hour.

Woods: Well, it's like one told me, he said, 'If we can get 55, we know our trucks can run 5 miles an hour faster and the state troopers won't bother us. So, that's putting us up to a 60 mile an hour bracket and we're all right.' Now, I want to bring up, in closing, one more important subject

and I'd like for your opinion on it. I travel around quite a bit and I hear from different sides of the field. Now, when I'm with you, Mr. Buhner, with Mr. Tucker, with Mr. English, with Mr. O'Niell, with Mr. John Ernsthausen, and you men that all created the industry. You men founded the American Trucking Associations, which we will all agree that has done tremendous to make this one big industry work. Do you believe that as the years have gone by, and touched upon this once before, but not to this extent. I find that they are still manufacturing trucks every day, and the Common Carrier; even though he's enlarging his commodities to haul. You know, he's taken on newer things that he can haul all the time. And the Regulated Common Carrier's Conference is one branch of the ATA, and they agree on this and then don't they in turn, once they agree on it, tell their lobbyist, and the lobbyists get to work and beat the bandwagon get this field taken under the ICC or under the Common Carriers. So they are constantly increasing their field of hauling. Yet, you take these big companies like Kenworth and Peterbilt, which are owned by the same company, and then the White Freight Liner, which was founded by your old friend, LeLand James, and Brockway and Mack. They are still turning out more trucks every day from their factories, and more trucks than the Common Carriers can possibly use, so that means that their sales force has to hit the independents. They have to sell these trucks. Now,

these trucks will cost anywhere from 50 up to 60, 62,000 dollars. These men will go to Kenworth and put 1000 dollars down and get a tractor and they go over to Fruehauf, and the fact that they got a tractor Fruehauf will give will give them a trailer with so much down and insurance. What I'm driving at do you believe that the independents are growing in numbers enough, and the ATA doesn't really, truthfully recognize them as we would normally think, they do recognize the Common Carrier. They are a Common Carrier organization. They are not an independent trucker's organization. Do you believe because the independents are growing in number, Mr. Buhner, that the ATA might be losing some of its representing powers. The mass number growing all the time is forming in different organizations around the country. The National Council of Independent Truckers. This radical publication, 'Overdrive,' organizing them under, 'Road Master,' now, I call them radical. Mr. Parkhurst, I think his name is, the chief editor, he's a died in the wool believer that the ATA is not doing right by the independents, or in no way accounting for them, but just stealing from them all the time, and he claims that they are taking their constitutional rights away. He has gone to Mr. Friedman, a famous economist, who had a big article agreeing with Mr. Parkhurst in Overdrive magazine that the ICC should even be changed and all of that. Done away with. Do you believe the American Trucking Associations may not be representing enough truckers or are losing

their power in any way.

Buhner: I havn't personally ---

Woods: Of course you've been away from trucking for a few years.

Buhner: I personally havn't been confronted with that position at all but of course I've been somewhat inactive for the last ten years. But, I do notice that there are a great many more trucks and truck operators on the highway. And one of the things that I notice a big growth is in the private trucker. The private industry. Like even General Electric. The various whiskey people. They've all got their own transportation. A lot of 'em. Now, I don't know whether they are catering to these drivers or not. I suppose a lot of those drivers really don't belong to the union, so I really don't know what's completely behind that story. At all. From what I see the state associations are getting more members right along, and I think a lot of those people are going into the state associations. Of course the state association owns the ATA, so ----

Woods: Well, in that sense then the ATA would still be holding its power and its representation.

Buhner: Oh, yeah. The ATA is completely controlled by the state associations. We set that thing up originally in the referred to Buhner Committee. It is controlled by the states and not the other way down. Now, in that whole situation of course you've got a little more power now from the great big



truck operators that we never had before. Like Consolidated Freightway and those fellas. And of course they carry a pretty big stick and they operate interstate, but they still are power back in the states and the various associations. There are still the powers back there.

Woods: One of the biggest complaints that I have heard, Mr. Buhner, is that, 'Well, the ATA favors anything the big companies want, but you take us little operators with 10 or 20 or 50 trucks on the road, or in our whole system, the big companies will have a tax right off so they'll pass a law or get the ATA to pass an Ammendment against us to where I have to meet the same committments that the big companies want and I can't afford that, so I've got to do something.

Buhner: I think there is some little argument for that. Of course, the interstate Commerce Commission classes these operators by first class, second class, third class, and some of the regulations apply to first class, and some to second. So, in that respect they are recognized through Interstate Commerce Commission. Now, the state laws. Those fellas have got just about as much to say in the state laws as anybody. Of course, a lot of those little fellas are not organized at all.

Woods: Well, there are many organizations. We don't want the listener to believe that it's just all the ATA. For instance, there's the Midwest Organization, isn't there? A Kentucky, Indiana, Ohio; they meet. Midwestern Truckers

Association.

Buhner: Might be some, you see we're down here and we don't have that like up around the big cities where they have a tremendous amount of traffic up there.

Woods: There are many organizations, and they even themselves belong to the ATA, that is their members, but still they are members of this organization. And I know from what I get around sometimes like one of them told me, he said, 'Well this thing is about on the point of a revolution. If the ATA doesn't start doing this, and start recognizing this, I who have been a member for 25 years, I'm going to have to ask for relief, or get out and do something.' But, as you say you've been away from it quite a while, and I don't know myself. I know I asked Mr. Shertz. The famous attorney. Dean of American truck lawyers. I asked him about this supposedly unfairness between the big companies and the little companies in the ATA, both represented by the ATA. 'Well, 'he said,' Harry, the ATA has to more or less do that because those companies are big and they got the majority vote in there.'

Buhner: Well, they are big and they got the finances to do the things they want.

Woods: And he said they contribute more money to the support of the ATA than the little guy so ----

Buhner: They got the organization, the experts and all that to cater to them. But, I think it's just like any organiza-

tion. You can refer it to the Democratic party.

Woods: Well, we're back to our old lobby. It's who's---

Buhner: Yeah, or the Republican Party. There is always a certain group that -- and you never please everybody. You can't please everybody. Like the American Medical Association.

Woods: There is no fighting in the world like going on in there. That's real fighting.

Well, I've believe we've covered everything and I believe the ATA is doing a very good job, if you want to know my belief. It was the one that you fellas founded to do the job and it did the job. I think there is 13 committees, aren't they, that form it, or something -- that make up --

Buhner: Oh, there are quite a few.

Woods: And between those 13 Conferences and Committees when they have their meetings and report in, I think they do a pretty good job.

Buhner: You see, each Conference can go into the legislature on their own program.

Woods: Yeah.

Buhner: The ATA is sort of a clearing house. They can all agree on something, and if one can't agree they can pull out and go on their own and not severe their relationship. And the ATA recognizes their ability.

Woods: That's very democratic.

Buhner: There's certain things, like the tank truck operator.

He's got certain things that apply to him that don't apply to the dry freight hauler, so there are quite a few people that are paddling their own canoe.

Buhner: Harry, you asked me to give you some information on the ATA Foundation. The ATA Foundation was established in ----- I will leave that blank because I don't recall what date it was.

Woods: Well, was it say back in the forties?

Buhner: But the thing came about at that particular time there were quite a number of state associations and even some local associations who were requesting advertising in various magazines that were being published about the industry. And they were trying to get this advertising from truck manufacturers, trailer manufactures, and almost any supplier of the trucking industry. And there was no concerted effort at all to get this great group of suppliers to act somewhat in unison. Furthermore the industry was being fragmented more at that time, was more fragmented at that time than it is at the present time. So a number of us talked the situation over and I remember one of the arguments that I made that I thought it was much better for somebody to say something good about us than we trying to say it ourselves. I thought it would be much more affective to do it this way than try to get money from the various suppliers and then carry on our own advertising. So, in the general conversations the idea of a foundation came up and

then formally organized.

One of the problems that we had in the industry was that the railroad industry had the support of practically all of their suppliers behind them; and here we were without any concentrated effort on the part of our suppliers of collectively, and I say that rather loosely, telling the story of the trucking industry. So, some of the men then came up with this idea of the foundation and it was then organized. And the Fruehauf Trailer Company were probably the first people to really support this foundation, and they were one of the big powers in promoting this ATA Foundation, and especially through the efforts of Roy Fruehauf, who was the president of the Fruehauf Trailer Company. The thing that was needed was a greater awareness of the industry to the general public, and it gradually developed that many of the other large suppliers supported the idea. The ATA Foundation was a separate organization and not a part of the real ATA structure. The following will probably describe it more in detail and I think this is from the original records of the Association: 'The purpose of the Foundation as stated in the Articles of Incorporation are to foster and promote more comprehensive public understanding of the trucking and subjectives and its problems. To demonstrate the broad contribution of truck transport to the progress of America and to the comfort, happiness and economic welfare of individual citizens and to emphasize its interrelationship

with and essentially to other great American industries in the development and defense of the nation.' That is part of the incorporation of the Foundation.

The foundation was then to be administered by a group of men, mostly men who were members of the American Trucking Association. And the trustees at the time then selected, Mr. Walter Carey, to head up the Foundation. He was more qualified than any man to head it up because first place he lived in Detroit, Michigan, where he had almost constant contact with a great many supporters of the Foundation. Then there were another group of us that served as Trustees. And, as I recall, I was then elected for a period of either 3 or 5 years and then served on the foundation for quite a number of years, although I was not very active in the affairs of the foundation. The workings of the financing of this foundation was rather unique I thought but it worked out very successfully. Contributors to the foundation issued their check in advance for the public relation work and advertising they wished to do in behalf of the foundation. Each company contribution was a separate account and could not be used for any of the other ones. For instance, if a large contribution, and some of them were \$50,000.00, or more, this was taken out of the advertising allocations that these companies had, and any public relation work or advertising that they wished to do — were paid out of these funds until they were exhausted. And

then in another year the same thing was done again. There were some, at times, 20, 25 contributors to this and later years this became a fund of about a million dollars. The ATA, American Trucking Association, itself, administered these funds but they were kept entirely separate from any ATA funds and they could only be used to pay the advertising bill, if you want to speak of it as advertising, of the individual company that spent the money. They had complete control of their money and nobody else could use any of the monies. There were no administrative costs against the foundation because the ATA did all the work and paid the cost of doing the work. So, the public relation work that the suppliers and contributors did was entirely spent by them and by nobody else.

Woods: Has it been a success so far for the reason it was founded? Would you say?

Buhner: Personally, I would say it has been an outstanding success. There was, to start with, quite a question --- it was questionable that the state association managers question the effects of it but that was primarily somewhat on a selfish standpoint because they more or less took the position that a lot of that money should have been given to the state associations. That it deprived them. But, that did not hold true because many of the state associations that had their own publications still received quite a few advertisements and monies from these various prevailers. Another

thing that make it successful was that this was an effort on the part of getting many of these companies to know each other. They all had their own advertising firms that did their -- and once a year one of the top officials of a particular company and their top advertising company, they would gather at the expense of the ATA, they would gather at some resort area for a period of 3 or 4 days. And at this annual meeting many of these people met each other for the first time, and it gave them a chance to talk over and compare notes, and all that. It also gave the trustees of the foundation an opportunity to tell 'em what our problems were and what we thought they ought to say; expecially, if we had any particular problem with the government or anything like that. We would suggest that they, more or less all of 'em, more or less tailor their particular add to that -- toward that problem, in their own way in which they solved. And quite often this was done and it was very, very affective. Furthermore, we learned to start with that some of the advertising agencies that were working for these various prevailers knew practically nothing about the trucking industry and quite often we had to ask them to change their adds, because they gave the wrong impression simply because they did not know the problem and in that respect it was extremely helpful. The thing has grown almost from year to year and it is now become a pretty good power in support of the trucking industry. Most of you



people have already seen the adds. Take for instance, International Harvester, when they carry their add in one of those large publications, it is under their name and they advertise their own product, and somewhere in there appear the signia of ATA Foundation. It is under the sponsorship of ATA Foundation.

In addition to this a number of these prevaillers furnished the industry with some very, very interesting work. Some of them hired the outstanding engineering firms and developed certain general ideas that the whole industry could use. And almost every year somebody is doing something along that line. The fact that I personally have not been too active in it, I am not just to familiar with the smaller details of all this, but I do know that the overall picture has been very, very successful.

Woods: Well as public relations and research, it's really been very successful. You, Mr. Buhner, you were the longest serving director on the ATA, were you not? Didn't you serve 40 years as a Director of the ATA?

Buhner: Let's see, ---- I'm now in my 42nd year as a member of the Executive Committee of the ATA.

Woods: You're still a member of it?

Buhner: Yes.

Woods: Well then you still, --- you would by no doubt be the longest serving Director.

Buhner: Well, Chester Moore and myself.

Woods: He's still on it too?

Buhner: We are the only two left of the original men.

And we were both on the ATA Foundation Board except about two years ago I was taken off because I am not an operator anymore. And when we had an annual meeting those men are always accompanied or usually by some of the leading truck operators of the country, and then about 2 or 3 years ago about 4 or 5 of us dropped off the ATA Foundation because we're pretty much on the retired end of it now.

Woods: Now, usually when the word foundation comes up; such as, the Henry Ford Foundation, and different foundations throughout the country, people look at it open mindedly as an organization that has so much money that they contribute to founding of buildings, schools, historical societies, and they donate money to any movement that they feel is worthy within the organization that they are founded from. Now, has the ATA as yet to your knowledge ever, --- has it reached that stage of wealth to where it contributes to start a building for we'll say a historical society or for a college. Has it reached that stage yet.

Buhner: No. No, in fact the ATA has been very careful not to get themselves involved, in any other functions.

Woods: One other little important thing I'd like just to verify you bring it out so people will know in the future. It's not a coverup for income tax.

Buhner: No, it's an entirely different type of fund.

Woods: It's a real foundation.

Buhner: I've wondered if the word foundation was the real applicable word to use, but it was used.

Woods: It actually is performing as a public relations.

Buhner: That's right. The fact that each company who put money into this fund that they spend their own money.

Woods: That was still their money even though they put it in.

Buhner: That is their money and all to the ATA that's put in is out of their advertising, I mean out of their advertising budget, and so much is put in and that supports the ATA Foundation.

Woods: Yeah. Well, then in reality. In actual defining, of what we could define as a foundation. It really is not a foundation. It's a public relation organization under the name of foundation.

Buhner: Yeah, I suppose you could classify that.

Woods: But, it is doing the good job of advertising and at the same time it is sanctioning certain movements; such as, you mentioned a component part or something may be approved by the ATA Foundation in their advertising.

Buhner: For instance, one of the things they helped develop was the great road building program that we have in this country. There was a project that affected everybody.

Woods: And they sponsored that.

Buhner: And they were the people that got behind that. Got the whole group, -- we had, -- one source got the whole group behind that thing. And General Motors and Ford and all those big companies all got behind that so it became a reality.

Woods: Well, we can say it's a public relation organization that's carrying the title of Foundation and doing a pretty good job of it.

Buhner: Yeah. And the same time they are advertising their own product, and we encourage them to advertise their own product because they are always saying something about the trucking industry; how important the trucking industry is to them for their product.

Woods: Now, Mr. Walter Carey, who is now ---- what would his title be the President of the ATA Foundation, or General Manager, or?

Buhner: I suppose, lets see, ---- he's Chairman.

Woods: Now, you were probably there, could you tell me how it came about that he was the one selected to be the Chairman. I suppose he was appointed when it was started.

Buhner: Yes. By the trustees. They selected their own Chairman at the time. And it was because he lived in Detroit.

Woods: Oh, yeah, you did mention that.

Buhner: And many of the people that were in this Foundation had their general offices there.

Woods: And beings he was a Director. He does have the car transport industry?

Buhner: Yeah.

Woods: And he's done a very fine job I believe.

Buhner: Yep. According to the records I have the Foundation was started in 1953, and it's now a little over 20 years.

Woods: Going on 22 years.

Buhner: Yeah.

Woods: Mr. Buhner, I would like to ask you a question that I have been asked many times. Why is it that the ATA which formely used the Democratic method of every year an election for a president who served one year and carried out his platform, and in lieu of that they choose to have today a salaried president serving an indefinite term to represent them, and in place of the President they have a new Chairman of the Board election every year. A new Chairman of the Board. Could you elaborate on that a little bit and explain why the ATA choose that. We have touched upon this subject before Mr. Buhner, but if you don't mind I would like to go into it a little further.

Buhner: About the only thing I could say on that respect was that was sold to the Executive Committee by some of the members who felt that the official spokesman for the ATA should be the President and that he would be much more affective if he was a more or less a semi-permanent president

rather than a new man elected every year. This of course was about the only change that has ever been made in the so called, 'Buhner Committee Report,' who always in that Committee felt that the President should be elected from the industry and only serve for one year. The new method I don't think has as yet proven itself and quite a few people, I think, are still doubtful as to whether that was the right move or not. I happened to be there when the thing was changed and I personally took no part in it because at that time I was not a truck operator anymore even though I was a member of the Executive Committee. Of course the report of the Buhner Committee, which I headed at the time felt that the other method was much better and probably a little more democratic. But, on the hand it has given the permanent president probably a little more prestige on Capital Hill and that.

Woods: Well, I will agree with you to this extent, or with the, not with you. You as the man who did so much work they even named the Buhner Report after you because of the work you did on it. I will say this, Mr. Buhner, as far as lobbying goes I can see where one man to be permanent president, probably if he served permanently for 20 years would be a great advantage because in one year's time no man on Capital Hill is going to be known as a lobbyists. He's not going to get to the first door, but at the same time I understand the ATA does have it's own lobbyist, and there-

fore it wouldn't be that important for the ATA to have a president who has the same name year after year after year. A permanent lobbyist is sufficient.

Now another one I would like to ask you. We do have a Mr. Bill Odlin, who is the chief editor of Transport Topics which I'm sure we'll both agree is the largest circulation or which is the bible circulation to the trucking world you might say, or at least it is to the Common Carrier. Now, you have a chief editor there, and you have a permanent president there, and you have a permanent director of the ATA Foundation; now, for an outsider to look at this whole picture, the moment we discontinue the democratic committee, or the democratic principal which was the Buhner Report to have a new president elected every year, to be backed by his lobbyist and everything. Now, you have a three man power that could actually control the ATA. Has that ever been brought to any one's attention? You have the president permanent. You have the chief editor permanent, you have the head of the Foundation, Mr. Walter Carey, permanent. Did it ever occur to anyone that these three men could gain control of the ATA and the ATA Foundation and have control of the whole thing. Or do you believe there is any reason for them to have this fear, or that it might happen in the future?

Buhner: Well, I haven't been in any sessions in the last couple of years to speak of and this whole thing is compara-

tive new to me and I'm not too familiar of all the ramifications that went into it. I've never heard a discussion of what you're talking about in that respect. I suppose some people could think that way and some can't.

Woods: Well, take a complete outsider, who never knew anything about it and say he starts looking at this from a distance might say, 'Well, this isn't very democratic. Here we have a head of a Foundation, the head of the news media, and the head of the organization as president and all three of them are not up for elections, and they are permanent, and even though these men founded all this in good faith and belief that it was for the best, for future some unscrupulous persons could get in charge and these three men could control, and that's the only reason I brought it out. However, I believe you answered it very well when you said that you brought it out for the purpose that one man should represent for quite sometime and it would give a better name to the organization; everyone in the industry would get to know this one man. Now, in order to offset that you do though have a new Chairman of the Board elected every year, is that right?

Buhner: Yes. Of course, originally, under the old set up we had a Chairman of the Board, and then had the President and then the Vice President. There were three men that started. They started as a Vice President. When they were elected first Vice President they knew then that if they



behaved themselves they would become President. And then from President they would step in to being Chairman of the Board. So, Actually, it was a three year period. So the man who was elected President had a year or so of semi training as a Vice President. And in order to become a Vice President he had to serve on quite a number of committees, so he was pretty well trained already or at least knew what it was all about, and it wasn't a political deal at all.

Woods: And you weren't putting in an inexperienced man. He was qualified.

Buhner: So, he had a period of three years that he worked through. To originally start with I suppose I was about the only man that never was a first vice president.

Woods: Well, you took over in the early days.

Buhner: Yeah, I was the first President after Ted Rogers, and so I stepped immediately into the Presidency, and then stepped into the Chairman of the Board. And the man that followed me as President was Mr. Buddy Horton, and unfortunately Buddy was not in very good health when he was President, so then the Chairman of the Board had to carry on pretty well that position. But, I found out from my own personal experience that stepping into the Presidency that at the end of one year I got so that I knew what was going on.

Woods: Yeah, about the time you left office.

Buhner: Yeah. So, of course, that however was pretty well

corrected the following year because the Vice President came on.

Woods: Well, whatever outsiders may think of this in looking at it, it does have its merits and it does have advantages. Now, today ~~as~~ I understand it. Now, for instance, Mr. Sam Raitzin, Maurice Tucker's son in law, and Mr. Harold S. Shertz's son, Robert H. Shertze, whom you and I both know, and now the president day Chairman of the Board Mr. and Mrs. Winship's son, is the Chairman of the Board. Now, next year Mr. Robert H. Shertz, would have become Chairman of the Board. He was serving. And then I understand Mr. Sam Raitzin, showed me a letter here a month or so ago when I was in South Bend, where he is second Vice President, or Chairman, or Second Governor, or so they call it, he would in two years be slated to become Chairman of the Board.

Buhner: Not necessarily.

Woods: No.

Buhner: No. The second, third, and fourth Presidents have no particular rank at all. It is only the first Vice President. Now, it's happened. Several times now it's happened that the first Vice President did not wish to, and asked not to step into the Presidency. That's happened as I recall twice now. Mr. Harold Shertz, is one of them because he was, I think, loaded down.

Woods: Well, he's the President of Rollins, and also the

lawyer, I understand.

Buhner: Well, besides that he's the President of the Republican Party of the State of Pennsylvania. And he asked that his name be withheld. So he stepped out of the first Vice Presidency and was just elected as one of the ordinary. A man by the name of Schuster is first Vice President and he will then step into the Presidency. I mean into the Chairman of the Board.

Woods: I understand today that the pressure and competition is such that many men are doing like Mr. Robert Shertz. Of course, they've got reasons. Now, I know I spoke to Mr. Shertz, and he said that he would have to withdraw from being Chairman of the Board because he has too much work. And he says to be Chairman of the Board you're acting as the President used to and it takes so much of your time, and he said I can't give it. Now, I do know that I spoke to Mr. Sam Raitzin and he said, 'Well, if I ever do become,' he said, 'I don't know if I can handle it, or take it, because I've got too much work, and I can't be traveling.' Well, I believe we've covered that whole picture quite well, and are you satisfied with the way it's operating today? You as one of the Founders of the ATA?

Buhner: Well, actually I'm not close enough to know. To really know. I'm not in position to criticize or commend it. Either one.

Woods: Well, you undoubtedly sit back with pride as to what you fellas did found, and what you started. Do you not?

Buhner: Yeah. It's somewhat of a different organization. Of course, when I was President we could just barely make ends meet, and if we took in enough money to pay all expenses we were doing a pretty good job. But today why of course the ATA is a pretty wealthy organization. But, there is one item. It's principal income is not from Transport Topics.

Woods: It isn't?

Buhner: No. I would say it was a minor part.

Woods: I see.

Buhner: The principal income is from the truck operators who pay into. It is sort of a dues situation. It is not a fixed dues situation, but a suggestive dues situation. And some of these companies pay 20, 30, 40, and 50,000 dollars a year into ATA. Because ATA does a lot of work for them that they would have to do themselves, if they didn't have ATA, they would have to set up an organization.

Woods: Well, by putting that much in do they get away from some income tax?

Buhner: Oh, yes. It is an expense. But, of course, it saves them a lot of money too. And they've always got a very capable bunch of men in ATA, who really know, who are experts on their particular field. Like, they've got

experts on roads, tariffs, rates, and all those things. There's experts on all those things. There's experts on legal things and then the ATA now has even built it's own office on Capital Hill so to be much closer to legislative work up there instead of chasing around town in taxi cabs all day long. And that is now separately housed, although it is a very vital part of ATA. And it so happened that one of the boys that I brought into the industry is there.

Woods: Mr. Buhner, you know finance is the major thing to any industry and would you please relate the story you told me at the dinner table today, or at luncheon, about the financing of trucks?

Buhner: Yes, this was quite an interesting day to me at the time as to the final results of this meeting. The ATA Executive Committee had invited a number of --- Several of the truck manufactures were asked to attend an executive committee meeting in which we would talk about the financing of trucks. I don't remember just when this was but apparently it was before I was even President of the ATA, so it must have been in the forties. At the time some of the truck companies were getting as much as three and four years financing on trucks but the general position for most of the truck operators was that two years should be the maximum for which you could finance a truck. So, in the general conversation and talking one of the manufacturers gave quite

a spiel about financing of trucks and he said that trucks should not be financed for more than two years. We knew this man's company and they were in at that time were not too much in the over-road operation. They were primary in city pick-up and delivery operation and all that. So he had actually not too much experience in heavy duty trucks; yet, they were a big name company. So, after he had gotten through with his spiel, one of the men from California, who were accustomed to longer terms and of course they were using much heavier trucks, bigger trucks, than we were in the Midwest, or even in the East. He had a picture of a truck with him and he walked over to this gentleman and he said, 'Now, take a good look at this picture.' He said, 'Then tell me how old you think this truck is.' The fella looked at it. Then he said, 'How many years you think you'd finance this truck.' The man said, 'Well, it comes within the guide line of two years. The truck looks like it's repainted and I doubt if we could go more than one year on finance.' Well, about that time he became quite provoked with the gentleman and he said, 'Well, you sure don't know anything about trucking or truck financing.' He said, 'This truck that you're looking at is six years old but it's been rebuilt and at one time it was financed over a period of five years and just last month I got it rebuilt and refinanced for <sup>4</sup>six years, so you don't know nothing about financing trucks.' There were several of the

other truck manufacturers were in listening and you could hear chuckles all over the room, so subsequently about a year later this gentleman resigned as the president of his trucking outfit. And that meeting I think had a lot to do with modern financing of trucks because at that time I know on our own company we were getting four years on heavy duty trucks and some of the boys out West, they were getting on big heavier duty trucks, they were getting six years at that time principally by the Western banks. Of course trucking at that time was quite a bit a head of use in our part of the country.

Woods: Yeah, you mean the West Coast.

Buhner: We were still too much restricted by weight laws in the state and that whereas out West they were hauling gross loads then perhaps to what they are today. But, that meeting I thought turned out to be a turning point in truck financing.

Woods: Where was that meeting, in Detroit?

Buhner: No, that meeting was in Washington, D.C.

Woods: Washington, D.C.

Buhner: I suppose there were 40 or 50 men in that meeting.

Woods: Mr. Buhner, history has more or less shown that prior to the passage by Congress of the ICC Motor Carrier Act of 1935, which will be looked upon as the actual birth of the American Interstate Trucking Industry, that Mr. Joe Eastman had called into Washington somewhere in the neighbor-

hood of 20 men, who, these 20 men, will be looked upon when this history is all compiled as the Authors of the ICC Motor Carrier Act. I have spoken and interviewed and have recorded on tape from the Dean of American truck lawyers, Mr. Harold S. Shertz, or Esquire, of Philadelphia, who was the lawyer, whom the amendments and the writing of this bill eventually ended in his hands, and he was the one who looked this over and wrote it up to be presented before Congress. He was strong to stress to me that he was not one of the authors of the ICC Motor Carrier Act, but merely the lawyer that compiled this in legal form to be presented in the Senate. Now, I understand that you were one of the men called in by Joe Eastman, who as I often recall was the head of the ICC at that time. What was Joe's----

Buhner: Commissioner.

Woods: Commissioner. So, I know you were called in so you are one of the Authors of the Interstate Trucking, or one of the Founding Fathers. I would like for you to tell of your experience there. About what part you played. How you were called in, and tell what you remember of it as being an Author.

Buhner: This meeting, Ted Rogers, was chairmaning the meeting and there were some twenty, and possibly as many as thirty men in there and we were meeting with Joseph Eastman, who had prepared a bill for our consideration and to



discuss with us the pros and cons of the various items in there and make any suggestions that we thought that would improve the bill. And so, it was quite a lengthy meeting and before it all overwith there had been some 50 changes make. Some of them were minor and some of them were major and as of this moment I don't recall just which was which but I do know that practically all those were finally accepted by Congress, and Mr. Eastman accepted them. I happen to recall one little item that I got Mr. Eastman to correct and that was then they talked about Public Convenience and Necessity, the way the bill was written some bureaucrat could have very easily have interpreted it to mean that anytime we wanted to put on an additional truck we'd have to get permission from the Commission, because --- on the account of being an necessity. We would have to prove it as being a necessity. And I pointed that out to Mr. Eastman, and he said, 'I think that's correct. Some bureaucraft could interpreted it.' And he said, 'We'll correct that.' And that's my greatest recollectio~~n~~ of that meeting, cause that meeting happened in about 1934 I think and I don't recall many of the men being there. In fact my memory isn't that good. But, I am sure Maurice Tucker was there, and of course Ted Rogers was there, and some of the ATA Staff were there, and now who the other men were I would hesitate to say because I do know they were somewhere between 20 and 30 in the meeting room. And it was a very well attended

meeting and a very productive meeting.

Woods: Where was it held, Mr. Buhner? Where were the meetings held?

Buhner: I'm not sure if it was held in the Mayflower Hotel or not. At that time ATA did not have its own headquarters, of any size so it must have been held in one of the mediums and normally in those days we met at the Mayflower Hotel, so that's about all I can remember of the meeting and of course from then on when the bill was finally passed why then we were all very active in the bill. Getting it and organizing the various tariff bureaus, and getting the thing whipped into shape, and then the big problem of Grandfather rights, and all that. We discussed all those things. And apparently the committee must have done a pretty good job at the time because there were not too many ammendments made afterwards. There were always some proposed but considering the industry as big as it was the new ammendments were minor compared to what the major ones were.

Woods: Yeah, just one major one I understand afterwards, had to do with freight forwarders. They were included afterwards.

Buhner: Yeah. Well, that was --- the Freightforwarder Bill was an entirely separate Bill. Entirely separate bill, and there were quite a number of meetings held between the freightforwarders and the truck operators. There were those who favored Forwarders and those that did not favor them.

Woods: Yeah, your old friend Mr. Tucker got involved in that deal.

Buhner: Yeah, he favored the freightforwarders at the time, so apparently he was doing quite a bit of business with them at the time.

Woods: Yeah, I know there were 2200 of them and he finally went down to represent them. Well, so you are definetly a Founding Father of the industry because those who ~~set~~ in on that meeting were giving birth to the industry.

Buhner: Yes, that is true.

Woods: Mr. Buhner, the diesel engine, I am sure we will all agree that it played one of the most major roles in advancing interstate trucking, the long-hauls. It probably wouldn't be here if it wasn't for the advent of the diesel with its excessive power, and fuel consumption cost at the time. You were one of the very early users of the diesel. One of the pioneer diesel truckers. Did you, as I understand, in the famous flood here in Louisville, Kentucky in 1937, we once touched upon that, where the diesel that you used became quite helpful in rescue work because the stack went up and you didn't have the exhaust pipes and the sparks plugs and therefore the diesel could go into higher water, or deeper water. Did you take to the diesel right away? Was it a great thing? Did you immediately say, 'This is it,' or how did you find the diesel when you first started as a trucker?

Buhner: The early experience with the diesel was somewhat unsatisfactory because we had bought both a four cylinder and a six cylinder diesel engine and had placed these in gasoline chassis, and so it was not a completely engineered piece of equipment. And we found then that the engine was too powerful for the transmissions, the rear axles and that and so although they were efficient in some respect they lacked being a really a good vehicle. So we at the time did not buy anymore diesel engines and convert gasoline to diesel. But, we took the position that if we used diesel engines we would want the vehicle completely built to a diesel engine. It would need to be engineered all the way through. Of course which happened several years later.

But, another problem we had was that the weight laws were so restrictive in Kentucky and Tennessee and South that we couldn't use the diesel in those. We could use the diesel between Chicago and Louisville. But that mean't we would have to unload all the trailers and reload it and put it on smaller rigs, and so actually the economy, the fuel economy, was hardly enough to offset the other disadvantages that we had. So we stayed out of that diesel end. Then a little bit later on in years Cummin's came out with a smaller diesel engine and we invested rather heavily at the time in that engine. I think we bought 25 of them at the time. Completely manufactured, and I am sure they were in-

stalled in Whites at the time. We operated these engines for approximately for a 100 thousand miles and then the engine had to be completely replaced. In fact that small diesel was never successful and when it go beyond a 100,000 miles we had to replace them. But there is one thing about the Cummin's though; when things didn't prove out for the 100,000 they gave us 25 new engines. They gave us 25 new engines, and we got approximately another 100,000 miles off of those and we decided it would be foolish to keep on using that type of engine, and even Cummin's at the time found that that was not a successful engine. In fact, I suppose we were somewhat of an experimental company with that engine, and in fact that we were pretty close to their factory and they had a good distributor and that. But, there isn't any doubt at all that the diesel engine has really made over-the-road trucking; especially, since the weight laws have been adjusted so they can be properly used. And today it is very doubtful that any truck operator would have anything else but a diesel.

Woods: Yeah, I don't imagine he could make out if he had anything else but a diesel.

Buhner: That's about right.

Woods: Especially, with the maintenance of a combustion engine. There is a new engine now that some predict will replace the diesel in trucks. No in pleasure car engines, but it will be an engine for trucks. It's called the,

'Sterling.' Have you heard of it yet?

Buhner: No.

Woods: It's an air compressor engine. I guess it has much more power than even the diesel and operates much more efficient in low and high range and I believe in the next ten years to the next generation will probably be Sterling, air compressed engines. Of course, you know, they predict the Rotary will probably climb up in the car business. I don't know about that but they do predict that the Sterling will probably be the engine that will replace the Diesel. Of course, that's progress. Now, when left this small 4 cylinder diesel of Cummin's and even they themselves admitted it didn't work out over a 100,000; that it wasn't a success, how far did you get on the six. The big, six cylinder engine?

Buhner: We had one truck, a BJ Mack, which at that time was one of Mack's best trucks. That was converted and we had a six cylinder diesel engine in that, and that piece of equipment quite often opened up the roadways between Chicago and Northern Indiana when we had the snowstorms up through that part of the country. That unit had enough power that it could come on through and many times it opened up the roads so the buses could get through. We used that one pretty well and finally we sold it and I think the engine finally wound up somewhere in South America.

Woods: Is that so? How many miles could you expect of

service out of an engine like that? You had a 100,000 mile range on the little four.

Buhner: Well, we were told. I don't recall just what our experience was on it anymore. But we were told that the first overhaul would be around 300,000 miles and some of my good friends out West was getting as much as a million miles on the big 6 cylinder engine. Of course, in that they had several overhauls and several rebuilt but they said even in a million miles it still had life in it.

Woods: Well, Mr. Buhner, I believe this is the third time I've been to your home and even though you were very fortunate in a recent tornado I still consider you quite lucky compared to your neighbors. For the listeners Mr. Buhner lives in Indian Hills in Louisville, Kentucky, and just about 4 or 5 weeks ago one of the worst tornados in a long time came through here and destroyed this lovely area. Fortunately, Mr. Buhner's home, outside of losing some lovely old trees, the home itself didn't get too badly destroyed. Some windows blown out and roof damaged, but even that is enough. It is probably the last time I will be with you in this regards, Mr. Buhner, taping your life story. I hope to be with you in the future on a visiting basis. Drop by with my wife sometime. We have now covered approximately 7 tapes. A part to each side is probably now 12; part 13, six and half full tapes. I believe we have covered all of the important things in your life in regards

to your contributions to trucking which were many. I wish to congratulate you as one of the Founding Fathers of the Industry. One of the Authors of the ICC Motor Carrier Act, and one of the foremost contributors in the world of legislation for trucking. Setting precedents that other states followed. Here in Kentucky you set precedents that opened up about eight other states. Opened up the South, and with your friends, the Winships of Atlanta, their legislative contributions in the state of Georgia, furthered that. Your legislative work with Mr. Maurice Tucker and the Morgan Packing, and with a young neophyte, Glen Slenker, at that time, in 1932 Senator Glen Slenker from Indiana who picked up the trucker's cause. You played a major role in what is being referred to as the Gettysburg Battle of Trucking in the State of Indiana. So I believe we've covered your story well, and the fact that you've served 42 years as a Director of ATA is quite phenomenal. I don't believe there is anyone served any longer. Has anyone served as long?

Buhner: Just one.

Woods: And that was ---

Buhner: Chester Moore.

Woods: Chester Moore. And as you know I hope to see your friend, Mr. Moore, in the near future. So in bringing this to a close not only I but I know Mr. Chester M. Lewis, Director of Archives and head of The New York Times Oral



History Program, of the New York Times, wishes to thank you. I know Mr., I believe his name is Harwick, President of the Microfilming Corporation of America, I know would want to thank you. And those I will be working with in compiling this, Mr. Leerburger, of the Microfilming Corporation, which is the publishing firm for the New York Times Oral History Program and The New York Times. They all want to thank you. I want to thank you and I know many of your friends who through them you have been highly referred to me. Mainly, the one and only, Mr. Maurice Tucker, of South Bend, is so glad that you are in this. I would like some comment from you. A farewell comment as to what you would like to say to bring this to a close.

Buhner: Trucking has been pretty much my life for the last 40 years, although I have been retired from the actual operation now for going on 7 or 8 years. But, I've enjoyed the association I had. I have learned what I think is a great deal. It has made my life worth while. I have been very successful at it. One of the things that stands out more than anything else is the fine acquaintances that I have made over the period of years. Some of the outstanding men and even though now a lot of them have now passed away their memory is very enriching to me. Most of the men that came up were unselfish, and had no selfish motives, except they had of course their own business to protect. But, they were

not climbing type of men. They were dedicated to the trucking industry and they I think it was those men that made it what it is today. I will always cherish the memory of those men and even though a lot of my very good men have passed away, and gone before me, they are still to me very vivid in my memory. And I think that is about as rewarding as a man can have in his years of life.

Woods: Well, thank you, Mr. Buhner. Thanks very much.

Woods: The date is July the tenth, nineteen seventy three. I am once again back in the home of Mr. Edward J. Buhner of Louisville, Kentucky. His tapes so far along with others have revealed how important the American Trucking Association was, it's organization, in aiding trucking; interstate trucking especially, to become regulated. As any organization, in order for it to be strong it has to be sponsored by men of impeccable characters. It has to pay its bills, and with this background the lobbyists and the State Representatives, both in Congress and State, will recognize such an organization. And as these Founding Fathers developed the American Truck Associations to have all these characters; naturally, it was the organization that welded the industry together and that lead up to the passage of the ICC Motor Carrier Act of 1935, which was the legal birth of the industry. But even though an organization is strong is no sign that it is going forever to stay strong. It must

have a guiding light. It must have a pattern to follow and it must have a set of rules that it abides by. Without these it will drift away and finally desolve. Today with Mr. Buhner we are going to touch upon one of the most important things of this fine organization and that is a Report known as the Buhner Report, simply because Mr. Edward J. Buhner, was at the head of the committee. And this Report has become, over the years, the Bible of the American Trucking Associations. Today, Mr. Buhner, has a copy of this historical document with him and for the potential of its historical importance I am having Mr. Buhner, read the Buhner Report, though it's rather lengthy near 43, 45 pages, going to have him take his time and read the famous Buhner Report into the tape for us.

Buhner: Before I read the Report, I think it would be well to explain a little as to what brought it about. The ATA Executive Committee some two years previous to the beginning of this Report had some professional management organization to come into the organization, make a study and then make a recommendation to the Association as to what they thought would be the proper method and proper way to proceed in setting up the American Trucking Association. I personally never saw this report. I never heard of it, except that it had been made. But, there was a committee that listened to the report and they were very much dissatisfied with the report. I don't recall what items that

they didn't like but it was apparent that the professional consultants knew very little, or had very little background of the trucking industry. So apparently everything I heard at the time it was a very poor report and the committee did not want the report even read to the entire executive committee, so therefore that portion was entirely scotched. The subject later on came before the executive committee and they reasoned that we had men within the industry that knew the industry. Knew the beginning of the ATA, and knew trucking's various forms, and that there were enough men that if they sit down and make a study of it, they could do a better job of developing the future of the trucking industry. They also had the background of some of the weaknesses of the original organization. It's got to be remembered that the ATA originally organized about 1933, and of course they had by-laws and all that and there had been some changes, but very few had been made. And the American Trucking Associations had been growing in leaps and bounds, and during the war period a lot of weaknesses developed within the ATA association. I personally, of course I had served as one of the members of the Office of Defense Transportation having assigned to me all of the over-the-road trucks in the United States, which at that time amounted to about two million trucks that became under my general supervision, or at least in the department which I headed up. It was here that I of course learned of a lot of the weaknesses in the

American Trucking Association, and it also brought to my attention the many programs that the American Trucking Association had to develop.

One particular one that comes to my attention was that the American Trucking Associations had very little statistical information and I remember quite well that when we were in contest with many of the other organizations we had practically no statistics to support our position so about the only thing we could do was just out talk the rest of the boys or out reason them.

There were quite a number of other things to be developed so the Executive Committee then on October nineteenth, nineteen forty four, had created a committee on National and State Organizations and this Committee was created and Mr. Ted Rogers was authorized to appoint the Committee, and that was then the beginning of the entire report. I will now read into the record the first report which was made and that was made to the entire Executive Committee in June of 1945. The first part is somewhat preliminary to the real report but it gives you the basic organization of the Committee. I now read,

FIRST REPORT AND RECOMMENDATIONS  
OF THE ATA COMMITTEE ON NATIONAL  
AND STATE ORGANIZATION

June 20, 1945

To: The Executive Committee of American Trucking Associations, Inc.

The Executive Committee, on October 19, 1944, created the Committee on National and State Organization. A copy of the resolution that created the Committee and prescribed its duties is attached to this first report.

The Committee was appointed by President Ted V. Rodgers and it now comprises 39 members selected by him from all points of the United States and from all classes of carriers. The committee is an open committee and additional members may be added as the work progresses.

Nine members of the committee held a preliminary session at ATA headquarters in Washington on March 1, 1945, and at this meeting the committee reviewed its assignment and made plans for its future work and for its own organization. The first meeting revealed that there was willingness upon the part of every committee member to accept appointment to this committee and to devote himself faithfully to the large task assigned to it. It was apparent to everyone that the work that had been assigned to the committee was of such scope and nature that several years might be required before the job could be completed.

This committee immediately asked of the Executive Committee that the committee be given opportunity to meet with the various state association Presidents and secretaries, who had meetings scheduled during the period of March 23 to April 13 at six points in the country. The Executive Committee granted this request. The committee then was organized into sub-committees to attend these sectional conferences and we requested a full half day on the agenda of each of these meetings.

The association secretaries and presidents were most willing to cooperate and through this medium we were able to get a very fine preliminary cross section view of the problems. The committee prepared a list of questions and these were sent to the state association secretaries and presidents in advance of these six meetings. Some of the managers and presidents, therefore, had a chance to discuss these questions with a great number of operators and in this manner we received the views of hundreds of carriers who were able to present their views either directly to the committee or indirectly through their association presidents and secretaries.

The committee invited state association secretaries and presidents to present written statements to the committee before, at or after the group meetings, and various state association secretaries were assigned subjects on which they were asked to prepare written discussions. These written discussions were specially interesting and they formed the first real

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background for our committee work. We asked these secretaries to be as candid as they wished to be. We advised them that this committee was a fact finding body and that we were interested in receiving any criticism or ideas that they might have as to the present functioning of the national and state associations and that we would also like to have their constructive suggestions for the improvement of the operating and other relationships between the national and state associations and conferences. Some associations did not state their views, although every association was given an opportunity to do so. The file to date is somewhat voluminous but it has established a written record for the committee's guidance thus far.

The six sectional meetings were well attended. The minutes of these meetings are too voluminous to place into this report. We do have them and they are now a part of our files.

The meetings were marked by a consistent uniformity insofar as they indicated present thinking in the industry as to its organizational set-up. There was noticeable sentiment to the effect that there is much room for improvement in the functioning of ATA and the state associations and that better coordination of effort between ATA and its affiliates and conferences is in order.

Criticism reported included alleged duplications of effort; lack of close tie-in between ATA, the ATA conferences and the affiliated state associations; imperfect machinery for setting and carrying out uniform national policies; inadequate participation in organizational activities by private and other types of motor carriers; lack of general standards of organization and performance for industry organizational units; inadequate provisions for group, area and sectional meetings and conferences of carriers; insufficient ATA activity in connection with assistance, advice, training, etc. for new and old state association personnel; failure of ATA governing bodies to be truly representative of all states; and defects in the dues and other financial arrangements in effect within the industry's organizations.

We are submitting to you today certain findings and our recommendations based upon these findings. These first recommendations deal only with certain basic policies. There will be later reports and recommendations as time passes, but your committee has not had sufficient time to deal with all the problems. The full committee met in Chicago on May 9 and 10 and held a very interesting and productive meeting. The following were present:

Committee Members:

E. J. Buhner, Louisville, Ky.  
L. M. Voss, Oklahoma City, Okla.  
Ernest Wheaton, Indianapolis, Ind.  
Don E. Smith, Detroit, Mich.  
Jack Cole, Birmingham, Ala.  
Arthur McKeever, New York, N.Y.  
J. R. Montgomery, Denver, Colo.  
Walter Mullady, Chicago, Ill.

C. M. Crichton, Nashville, Tenn.  
C. F. Weilbacher, St. Louis, Mo.  
C. P. Clark, St. Louis, Mo.  
George Eastes, Seattle, Wash.  
Leone Willers, Sioux Falls, S.D.  
M. B. Emerson, Barre, Vt.  
E. D. Davidson, Baltimore, Md.  
C. S. Fischbach, Akron, Ohio  
Fred Hufnagel, Phila., Pa.

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Others attending; all or part of the sessions:

James McArdle, Jersey City, N.J.  
H. B. Thornton, Chicago, Ill.  
Joseph Adelizzi, New York, N.Y.

Ted James, Chicago, Ill.  
Shipley D. Burton, ATA  
Chester G. Moore, Chicago, Ill.  
W. E. Van Vacter, Okla. City, Okla.

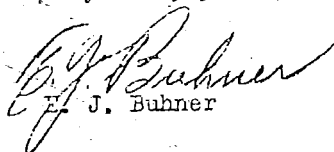
Ray G. Atherton, Sec'y.

Most committee members had studied the various prepared statements presented at the six regional meetings and at other times and had studied the minutes of these meetings. Therefore, they were familiar with the problems and the sessions were constructive. This committee expects to continue working along the lines outlined above and we will submit periodic reports to you for your consideration.

What follows deals with the basic organization of our national and state associations and this report will point out to you certain changes in policy that we feel are expedient. Should you accept these suggestions and recommend them to the Board of Directors, and if the Board approves them, we will then have established policy that will affect our future recommendations.

After you have had time to study and discuss our first recommendations we believe that you will readily concur with the committee in its belief that the continued work of the committee can be much more effective if the proposed policies are adopted as speedily as possible.

Very truly yours,

  
E. J. Buhner

EJB/lc



First Report and Recommendations  
of the Committee on National and  
State Organization

June 20, 1945

RELATIONSHIP BETWEEN  
ATA AND AFFILIATED STATE ASSOCIATIONS

The following questions on this subject were directed to association and conference presidents and managers:

"(The present basic conception of the industry's organizational set-up is that of a national federation of independent state associations. These independent state associations provide the government and control of the national organization through the election of its Board of Directors, seven ATA directors being chosen by each state.)

1. Is this the proper basis or best plan upon which to maintain an industry organization?
2. If the present plan is not best, what plan should be recommended?
3. If the present basic plan is sound, is the government and control of the national federation actually being provided by the state units?"

The questions were given a lot of consideration and a great deal of discussion developed. There were some very interesting written arguments on the subject and the prevailing opinion is that the present basic organizational set-up of the industry is sound. A number of the state truck associations were formed before the national association came into existence. Every state association's experience has been that it must have some national contact for its members. It is not possible for a state association to handle national problems on an individual basis, therefore, it is necessary that state associations combine and support a national organization which they themselves control. The national organization, therefore, is in a sense a servant to the state associations, as it should be. The state associations elect the directors to formulate the broad policy of the national association and the directors elect an executive committee to manage the affairs of the national association in accordance with the wishes of the Board of Directors.

This is the system under which the American Trucking Associations, Inc. is now organized. We feel that the present system is sound and that it should be continued.

Recommendation We, therefore, recommend that there be no change in the basic organization of ATA.

ATA BOARD OF DIRECTORS

We projected the following question:

"If, in actual practice, the government and control of ATA, through the Board of Directors and the Executive Committee, does not now rest in the

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state associations -- and if it is desirable that it should rest there -- what changes, modifications or alterations will place it there without impairing the efficiency, speed or effectiveness of operation of ATA?"

We quote the following By-Laws of ATA:

ARTICLE V. "The directors of this corporation, elected by affiliated associations, shall be chosen annually by the members of the corporation as constituted under Article VII and there shall be seven from each state, federal district, or territory, and of this number, there shall be: one, a common carrier; one, a contract carrier, one, a local cartage operator; and one, a private carrier; and the other three may be selected from any conference or may be truck manufacturer representatives or representatives of other allied lines of business. Affiliated associations may elect alternate directors and, when the directors are absent the alternates, if duly certified and possessing all the qualifications of directors, may serve in the capacity of directors.

"In states, federal districts or territories containing more than one association affiliated with this corporation, each association shall elect four representatives to a joint convention, which joint convention shall elect representatives of that state, federal district, or territory, as directors of this corporation from the Conferences as above provided.

"In states, federal districts or territories having only one affiliated association, the state representatives chosen as directors of this corporation shall be elected from the conferences as hereinbefore provided; and provided further, that so long as such association remains the only association in the state, federal district or territory, it shall provide for admission to membership of all classes of operators recognized as conferences under Article VII and may admit other classes.

"There shall be additional directors as provided under Article II, III and VII.

"When directors are chosen under Articles V and VII, after the 1939 convention, and the candidates are engaged in more than one class or type of motor transportation, their eligibility shall be determined by the particular class or conference which produces the greatest amount of gross revenue; provided, that in the case of private carriers, the gross cost of rendering highway transportation service shall be used in lieu of gross revenue."

/ You will note that the By-Laws as they are now written do not establish a fixed term of office for ATA Directors, and the lack of this has made it difficult to determine just who is a member of the Board of Directors at any one given time.

The present by-laws permit the appointment of alternates, apparently at any time, and this open privilege has to some extent nullified the effective control of ATA by the affiliated state associations, because of

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the tendency to send uninformed men to meetings of the ATA Board of Directors.

Most of you are acquainted with the method used to seat many directors at our national convention. State association presidents, secretaries and managers will carry to the national conventions blank certificates with which to certify directors. They will select directors at random from their members who may be attending the national convention. These men are then seated as qualified directors and it is axiomatic that a great many of these directors can have but very little knowledge of or interest in the policies and operation of ATA.

This is a very haphazard means of selecting directors on the part of state associations. If our present basic organizational policy is correct, they should select their directors in a more responsible manner. We should insist upon a strong policy of maintaining proper control in the state associations through a truly representative, active and qualified group of directors.

We have stated that it is rather difficult to determine at any one time who are the directors of ATA. Perhaps, for this reason, the ATA Directors have not accepted their responsibilities in connection with ATA as they should. Today, it is rather difficult to carry out a referendum vote among the directors. In an organization that has approximately 350 directors, and with constant change in these directors due to varying state election procedures, it is desirable that there be efficient machinery by which certain policies can be placed before the directors by mail for a referendum vote. To show the necessity for this we would like to point out to you a situation that existed this past year on a very important issue in which two state associations took opposite views. Each instance concerned the regulation of air lines in intrastate traffic. Each group appeared before its State Legislature. One group was in favor of the legislation and the other group in the adjoining state disapproved of it.

We point this out to you as one case in which the ATA Board of Directors or the Executive Committee did not formulate a policy upon an important subject, one that practically all truck operators are interested in, which situation might have been avoided if the two state associations had sought a statement of policy and a mail referendum had been taken.

We further point out to you that such policies could easily be determined if they were properly placed before the Board of Directors of ATA. The present arrangement makes it unsatisfactory to carry on a referendum vote, because of lack of interest by many who are "elected" as ATA Directors, the failure of the state associations properly to acquaint ATA of changes in their ATA Directors and the general looseness of our organizational set-up insofar as ATA Directors are concerned. Most of you are acquainted with other national associations. Many carry on referendum votes among their directors as well as their membership. This is about the only way in which a large organization can function if major policy is to be made by the industry generally.

We, therefore, recommend the following changes in the ATA By-Laws:

That Article V, paragraph E, be made to read, "The directors of this corporation, elected by affiliated associations, shall be chosen annually by the members of the corporation as constituted under Article VI and they shall be elected and certified to American Trucking Associations, Inc. on or before August 31 of each year for terms of office beginning September 1 and ending the following August 31. There shall be seven directors from each state, federal district, or territory, and of this number there shall be: one, a common carrier; one, a contract carrier; one, a local cartage operator; and one, a private carrier; and the other three may be selected from any conference or may be truck manufacturer/representatives or representatives of other allied lines of business. An affiliated association may, at the time of election of its ATA Directors, elect alternate ATA directors and, when the directors are absent such alternates, if duly certified and possessing all the qualifications of directors, may serve in the capacity of directors."

#### EXECUTIVE COMMITTEE

Our preceding discussion of the Board of Directors indicates that the Board is responsible for the general policy of ATA. The Board of Directors elects an Executive Committee at the national convention, which committee is to carry out their policies and manage the affairs of ATA in the interim between Board meetings. Twenty-six vice-presidents are now elected from thirteen regions and this means that one vice-president is supposed to represent about an average of three or four state associations in the Executive Committee.

We find that there are a number of state associations which have never been represented upon the ATA Executive Committee. We also learned that in practically all instances the vice-presidents representing a region do not at any time consult or visit the state associations they represent, except, perhaps, the particular state association of which a vice-president is a resident member. Many state associations have never had any direct contact with ATA, insofar as representation upon its controlling boards is concerned, and there is a definite feeling among this group that they have absolutely no voice in the management of ATA. This can very readily be understood when you consider that, on the other hand, certain state associations have had as many as 3 men on the Executive Committee at one time.

Your committee concludes that each state association should have a very close contact with, and voice in, ATA. Inasmuch as the management of ATA rests in the Executive Committee, each state should have a member on the Executive Committee. This would be of particular benefit to both ATA and the state associations. It would help materially in solidifying the industry.

Your committee concludes that this situation should be corrected and we, therefore, recommend the following change in the ATA By-Laws:

Article III - Officers Paragraph 4 now reads:

"Vice-Presidents - Regional. Each region established under Article VI shall be represented by two regional vice-presidents

elected by the annual conference of director."

This language should be deleted and in its place the following inserted:

"Vice-Presidents - States. The members of each association affiliated with American Trucking Associations, Inc. shall be represented by a vice-president chosen (by the members) in the manner determined by such association. In states, federal districts or territories containing more than one association affiliated with this corporation the vice-president shall be chosen according to the method provided in Article V for the election of directors under such circumstances. Vice-presidents chosen under the terms of this paragraph shall serve one year, from September 1 to August 31, or such other specific annual term as the Board of Directors may establish, and shall be eligible for re-election."

Recomm-  
endation

We believe it would be expedient, if the presently constituted Executive Committee should decide to submit the above proposal to the Board of Directors for their approval, that they advise each state association to proceed to select the nominee that they would like to have seated as an ATA state vice-president. Much time would be saved in effecting the proposed change if it were possible to seat vice-presidents immediately upon approval of the suggested change in the By-Laws. If the Board rejects the proposal then such selection would be of no significance.

### CHARTERS

Your committee projected the following questions:

"Should a state association, which is affiliated with the ATA, hold a franchise right in or from ATA?"

- a. If so, should such a franchise be "exclusive," i.e., should there be one affiliated association, only, in each state?
- b. Upon what terms and conditions should a franchise ( exclusive or otherwise) be granted to a state association?
- c. Should such a "franchise" be revocable by ATA?
- d. If a franchise should be revocable, what should be considered a cause for revocation and how and by whom should a decision for revocation be made?

Your committee made a rather thorough inquiry into the organizational structure of state associations without going into minor details.

We find there are almost as many different types of state organizations as there are states and though a great many organizations have somewhat similar functions and activities, there are many shades of variations in these functions. Some state associations do not admit or solicit services or other types of carriers. Some have a large bus operator membership and

others receive a lot of support from allied industries. Some state associations publish rates. Others negotiate labor contracts.

You must remember that some state associations came into existence years before the national association was formed, and a great many of these state associations adopted constitutions and by-laws that fitted their own particular needs at the time. Within the last fifteen years interstate operations have become common and an operator residing in one state may be interested in the problems of many states. Federal regulation of the Motor Truck Industry is only ten years old and during the past ten years there has been a great change in the industry. Trucking associations have not kept up with the rapid progress of the industry as well as they could have done, and many of them have been looking toward ATA for national leadership in this respect.

Since Pearl Harbor, truck operators themselves have not had the personnel or the time to permit operators to devote much personal study or attention to their state associations. We find that most state associations are now in need of and looking for help and leadership from the operators.

An analysis of the present organizational structure will easily explain why there is some divergency of opinion as to how ATA should operate. Each state association looks at each problem from its own point of view and in the light of its own personal interest and to this time there has been very little effort to mesh the state associations into a more closely integrated working organization.

The ATA has for a period of years tried to confine its recognition to one association in each state and this approach has been rather satisfactory. We now believe it is time that for all the state associations there should be established minimum standards of organization and performance. Such standards should then be controlled and maintained by a charter to each affiliate of ATA. Such a charter should be revocable, for cause, under provision for ample notice, hearing and right of appeal and the exact procedure for and conditions of such a charter should be worked out after a thorough study and investigation. We, therefore, recommend that the Executive Committee place before the next Board of Directors meeting the following changes in the ATA By-Laws:

**Recommendation**

ARTICLE VII, fourth paragraph, should be amended by substituting a comma for the period after the words "such application" at the conclusion of the last sentence, and the addition of the words "provided that after -- no charter or affiliation shall be granted to any applicant which is domiciled in any state in which one or more state associations holding affiliation with American Trucking Associations, Inc., are domiciled."

ARTICLE VII should be further amended by adding after the amended fourth paragraph a new paragraph, as follows: "Any charter, or affiliation, granted by American Trucking Associations, Inc., to any state association shall be revocable for cause by the Board of Directors of American Trucking Associations, Inc. The Board of Directors of American Trucking Associations, Inc., shall establish proper procedures with respect to notice, hearing and right of appeal, and no state association's charter or affiliation shall



be revoked except in conformity with such established procedures."

We further recommend that where dual affiliations now exist in certain states they be continued as long as desirable but that in the future all state charters should be "exclusive."

#### TYPES OF MEMBERSHIP

Your committee made an analysis of present state associations and we find that their membership requirements vary considerably. Some states do not permit private or other classes of operators, others permit them but more or less discourage their membership or do not actively seek them, some permit them but give them no voting rights. Some associations have only common carrier membership. Such varied policies only bring about confusion and there is a great need for uniformity in this respect. We, therefore, recommend that the ATA By-Laws be amended as follows:

Recommendation - Article VII - Membership. Add to paragraph 4

"Membership in any association affiliated with American Trucking Associations, Inc., shall be open to all classes and types of motor carriers of property, with fair and adequate representation and voice for all in the affairs of the association. Maintenance of a state association's affiliation with American Trucking Associations, Inc., shall depend upon a reasonable showing at all times of continued active solicitation for membership of all classes and types of motor carriers of property and fair and adequate representation and voice for all such classes or types in the affairs of the association. From time to time the Board of Directors or the Executive Committee of American Trucking Associations, Inc., may establish standards of organization and performance to be required of affiliated associations."

#### REGIONAL CONFERENCES

Your committee projected the following question on this subject:

"Should regional units or sub-sections of ATA be included within its formal organizational set-up?"

The trucking industry is very large. Its members are large, medium and small operators. There are contract carriers, common carriers, private carriers, and associated industries. Many state association members even find it difficult to attend meetings within their own states and some state associations have adjusted themselves to provide for sectional meetings within their own territories.

When you consider the problem of time to attend meetings on a national basis you realize an unavoidable limitation upon the attendance at meetings, especially when practically all of such national meetings are held in the eastern part of the United States. This is almost 3000 miles from the Pacific Coast and the time and cost required for men to attend the meetings is indeed quite a burden. The same reasoning certainly can be projected to all parts of the United States. A small carrier in Virginia will perhaps even find it difficult to attend sessions in Washington, D.C.

ATA does not have the contact with the industry that it should have and the industry will never support ATA in the way it should be supported, unless ATA be brought closer to its membership. We realize that ATA cannot support a tremendous organization with offices located in most of the principle cities, but a great deal can be done to bring the industry closer together. The eleven western states have pioneered in this respect and they have learned a great deal as to the value of area conferences. Your committee believes that ATA is not ready to establish itself on a regional basis, with formally organized regional units having paid personnel, etc., but your committee does feel that the industry would benefit a great deal if ATA was brought closer to its supporting membership through frequent area or sectional meetings and conferences.

Recomm-  
endation

We, therefore, recommend that the staff of ATA organize, encourage and sponsor regional or area conferences and meetings of operators wherever and whenever directed by the Executive Committee of ATA, or requested by a regional group of operators. \\\

RELATIONSHIPS BETWEEN THE ATA CONFERENCES AND ATA  
AND RELATIONSHIPS BETWEEN THE ATA CONFERENCES AND  
THE AFFILIATED STATE ASSOCIATIONS

We projected the following questions:

"(At present, ATA and a number of the affiliated state associations provide for Conferences or so-called "natural divisions" within which the various types or "classes" of motor carriers are grouped. The basic reason for these Conferences or natural divisions has been defined as the need for special organizational machinery through which to handle (1) matters which affect only a single type or class of carriers, and (2) matters involving conflict of interests of two or more types or classes of motor carriers.)

1. If the present Conferences should not be continued, what arrangements should be made for the handling of matters which affect only a single type or class of carriers or which involve conflict of interests of two or more types or classes of carriers?
2. Should membership in an ATA Conference be limited to those who are members of state associations which are affiliated with ATA?
3. What should be the relationship between ATA, proper, and the ATA Conferences?
4. What should be the relationship between the ATA Conferences and the affiliated state associations?
5. (The matter of participation of Private Carriers in the organized activities of the trucking industry is of great importance and there appears to be strong sentiment for appropriate "Conference" or other means through which that participation can be assured.) What, specifically, should be done to provide for and secure complete participation by private carriers in the affairs and activities of ATA, the affiliated state associations, and the Private Carrier Conference of ATA?)



Your committee devoted several hours to study and discussion of the above questions. The subject is a very broad one and develops many complex questions that are rather difficult to answer. There were numerous obstacles to the expeditious making of any sound decisions on the above questions, therefore, it was decided that much more investigation and study should be made before the committee attempts to formulate any recommendations on these matters.

The chairman of the committee, however, was instructed to direct a communication to each of the ATA conferences requesting considerable information for the use of the committee and your committee expects to deal with this problem at its next general session.

#### MEMBERSHIP RESTRICTION

The following questions were projected on this subject:

"(Presently, our organizational structure provides for membership in ATA only through membership in an affiliated association. See ATA By-Laws.)

- a. Should membership in ATA be restricted to those who are members of one or more of the affiliated state associations?
- b. If membership in ATA should not be restricted to members of affiliated associations, what system or plan of membership participation in ATA should be adopted?
- c. Should one requirement for affiliation with ATA be that an applicant state association admit all types of motor carriers to membership upon bases which are fair, equitable and permissive of appropriate recognition and voice for each type or class?
- d. If all types and classes of motor carriers should not be accepted as members of a state association affiliated with ATA, what type or types should be excluded?
- e. If any type or types of motor carriers should not be allowed representation and voice in the affairs of the state association, equal to the representation and voice accorded any other type or types, which type, types or classes of carriers should be restricted -- and in what way and to what extent?

If and when a determination is made as to what types or classes of persons and firms should be admitted to membership in a state association affiliated with ATA, should the continuance of the affiliation of that state association with ATA depend to any extent upon a reasonable showing at all times that the state association continues actively to solicit memberships from all approved types or classes, affords all approved classes or types a proper degree of representation and voice, and is truly "representative" of all carriers of the approved types or classes?"

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There was a very firm conviction on the part of the state associations that there should be no direct membership in ATA and, under the present organizational structure of ATA, it is obvious that there can be no direct membership in ATA. Membership in ATA must come through an affiliated association. ATA is composed of state associations and not of individual members.

Recommendation We, therefore, recommend that the present ATA membership restriction, whereby only carriers which are members of affiliated state associations can be recognized ATA members, should be continued.

MEMBERSHIP FOR OPERATORS  
OPERATING IN SEVERAL STATES

The following questions were projected on this subject:

"What should be the basis of association membership for a truck operator who does business or operates in more than one state?

Should he:

- a. Hold a direct and full membership in the ATA affiliated state association in each state within which he operates or does business.
- b. Hold a direct and full membership in the ATA affiliated state association in the state in which he is domiciled, only?
- c. Hold a direct and full membership in the ATA affiliated state association in the state of his domicile, with limited or special memberships in the ATA affiliated state associations in the other states within which he operates or does business?
- d. Hold a direct and full membership in the ATA affiliated state association in the state of his domicile, with some sort of reciprocal arrangement with respect to his standing with the ATA affiliated associations in the other states within which he operates or does business?
- e. Hold memberships under some other plan?"

The problem of membership in numerous state associations by interstate operators has been a perplexing one. State association managers have been quite insistent that truck operators using the highways of their respective states should hold memberships in their state associations. Their position has a lot of merit but there are quite a number of obstacles that make such a position unacceptable to the truck operator. There is the problem of dues, which in many instances requires the outlay of considerable money. There is the problem of conflicting policies between state associations. There is a problem in connection with the relative efficiency of the state association. There are a number of other obstacles that have hindered the development of multiple memberships and we know of only a very few places where neighboring state associations have worked out membership policies between themselves. Some recommend complete dues reciprocity, but it is doubtful if this is the answer.

We recognize the fact that many state associations feel that the ultimate aim to be accomplished should be membership of each interstate operator in the affiliated state association in each state through which he operates; however, your committee recognizes that such a condition cannot exist until state associations operate so efficiently as to make this policy a sound financial investment for the operators.

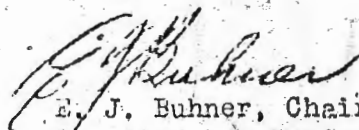
Recommendation Therefore, it is recommended that, for the present, membership in more than one affiliated association be optional with each operator.

### CONCLUSION

This concludes our first report. The minutes of our general meeting have been forwarded to members of the Executive Committee and to the state associations so that they will have a chance to criticize our actions. We informed them that they would have opportunity to present their arguments before this Executive Committee meeting. It has been the policy of the committee to keep the industry informed as to our actions so that the Executive Committee could have full benefit of any comment, ideas or criticism from the state associations.

We are now undertaking some additional studies and have requested all state associations and conferences to give us such information as the attached letter indicates. We believe this information is pertinent in order to analyze the scope of our industry. From this information we will be able to give you considerable statistical information.

Respectfully submitted,



E. J. Buhner, Chairman  
Committee on National and State  
Organization.

EJB/lc

AMERICAN TRUCKING ASSOCIATIONS, INC.  
1424 Sixteenth St. N.W., Washington 6, D.C.

COMMITTEE ON NATIONAL AND STATE ORGANIZATION

October 17, 1945

To: The Executive Committee of American Trucking Associations, Inc.

Subject: Second Report of the ATA Committee  
on National and State Organization.

This report carries with it no recommendations for action by the Executive Committee and is intended only to inform that Committee of developments in the work of the ATA Committee on National and State Organization since June 20, 1945, which was the date of our first report to you.

We have had no formal meeting of the entire Committee on National and State Organization since the meeting held in Chicago on May 9-10, 1945. The results of that meeting, and earlier regional meetings, were presented in our first report of June 20, 1945.

We have, however, carried on a continuing schedule of activities in line without general instructions from the Executive Committee. In this second report we will bring you up to date as to these activities.

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CHECK-UP ON COST TO THE INDUSTRY FOR ASSOCIATION ACTIVITIES Attached to our report of June 20, 1945, was a copy of the letter addressed by the Committee on National and State Organization on May 25, 1945, to the Manager of each of the affiliated state associations. In this letter we requested certain general information for the use of our committee in its efforts to get a reliable picture of the financial aspects of our industry's organizational set-up. The responses to this letter were exceptionally good, only a few managers failing to furnish the information requested. We assured each manager that the report from his association would be treated in confidence and that aggregate figures and data were what the Committee was primarily concerned with, since we obviously are seeking the over-all picture rather than the details as to any state or states.

For the reason stated, and other equally sound ones, our Committee plans to make no publication or release of the data obtained in connection with this specific inquiry. It will probably be sufficient at this time to say that our check-up in this regard has demonstrated clearly that we trucking operators are making a real investment -- in dollars -- in our organizations. Our associations represent definite "big business" and we



are convinced that the very size of our investment in our associations make it good business for us to observe their functioning and degree of efficient operation with the same critical eye with which we view our own company operations.

This observation is not to be construed as adverse criticism of our associations, for this committee does not so intend it. We simply intend to say in this second report that our investigations thus far have revealed that trucking operators are paying a very sizeable sum for the support of their state and national associations and that this fact -- if no other reason -- thoroughly justifies our keeping a watchful eye upon those organizations to the end that we get the greatest possible returns from our investments. This is simply good business practice, to which no one can object and which every truck operator should favor.

Our experience thus far indicates that our employees in our various associations realize that an association is a "business" and that it should be operated as a business rather than in the loose fashion which sometimes characterizes a cooperative enterprise into which many persons pay money but which is closely observed by none of them -- either because the personal investment of each member is small or because the improvident theory that "everybody's business is nobody's business" is allowed to operate.

Our association managers seem anxious for the operators who pay the bills to take a more active interest in the affairs of the organizations and for the operators to consider the associations as valuable adjuncts to -- or parts of -- the individual businesses of the members. This is a sign of health in our organizations and your Committee on National and State Organization urges all trucking operators to take this greater direct personal interest in their associations and in the programs these associations are developing. Such increased personal interest in the affairs of our associations will give added assurance of our getting the greatest possible benefits from them and of our getting for our association money the same kind of business return that we expect from our investments in our individual business operations.

The Committee on National and State Organization will continue its studies with reference to the industry's bill for association activities and will, from time to time, report to the Executive Committee and the industry upon this important subject.

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PRELIMINARY INQUIRY  
INTO THE ORGANIZATION  
AND ACTIVITIES OF  
TRUCKING ASSOCIATIONS.

The Committee on National and State Organization has taken the initial steps toward a rather searching investigation into the existing organizational features and the present "activities" of our associations -- both state and national.

The Committee has called upon the management of ATA for certain detailed and specific information relative to (a) ATA's organizational set-up, (b) the specific activities carried on by ATA and each of its departments, and (c) rather detailed reports as to functions of ATA staff members. The

general manager of ATA is presently making the complete check of ATA which will provide the information requested.

On August 20, 1945, the committee mailed to each affiliated state association a survey form requesting information as to the association's organizational set-up and the activities in which it engaged. Thirty-seven state association managers responded and we are attaching to this second report a recapitulation of the data obtained from these managers. It is urged that you look over carefully this summary on "Organization and Activities of State Trucking Associations" for we believe that it will reveal the need for a greater degree of basic uniformity in the organizational set-up and activities of the state organizations which are units in the national federation.

Reference to the summary will reveal that no two state associations can be said to be in uniformity as to eligibility for membership, election or selection of officers, voting privileges of members, control or supervision of financial and other affairs, or activities. In some respects several associations may have similarities, but it is believed that no two can be said to be in all things similar and there are very wide differences among them in many respects.

The Committee on National and State Organization has formed no opinions as a result of this initial inquiry into the organizational set-up and scope of activities of our associations. We do not expect to offer any such opinion until our studies have been further progressed and the entire committee has had opportunity to consider carefully the results of those studies and to discuss the matter in meetings which are to be held.

It is believed, however, that in this second report it should be pointed out that it probably is logical to assume that some degree of basic uniformity of organizational set-up and activity is indicated for the most successful welding of numerous state organizations into one national federation. It seems reasonable to expect that a more effective union will result when "likes" associate themselves together than will be the case when units with wide variations of organization and activities attempt to federate. Such variations are bound to give rise to troublesome inconveniences in connection with administrative and policy coordination and collaboration and if the differences are of sufficient latitude they can seriously impair attempts of the federation to function with complete "teamwork" in the handling of matters requiring efficiently coordinated team play for best results for the industry.

Informal expressions of many persons, including officers, managers, and individual members of our associations, have indicated that there is considerable feeling that our over-all organizational functioning would be improved if the members of the federation should establish certain "minimum standards of organization and activity, or performance, for state trucking associations affiliated with ATA." Such minimum standards would not be prescribed by ATA or by ATA's Executive Committee, but would be developed by the state associations themselves and put into effect by them through their representatives upon ATA's Board of Directors.

In other words, the expressions so far made to the committee in connection with this subject seem to favor the establishment of certain minimum basic requirements which the members of the federation would set up as

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standards which must be met and maintained by each state organization which desires to become a member of the federation or to retain such membership. The Board of Directors of ATA will before long vote upon a proposal to restrict membership in ATA to one affiliate in each state, except that more would be allowed where they now exist. Those who seem to favor the "minimum standards" idea apparently believe that the desire of the state associations to retain their membership in the federation will assure their compliance with all reasonable minimum requirements which the members of the federation might prescribe for inclusion within their group.

So far, we have received no suggestions that such minimum standards should go further than to assure that, (a) each affiliated association would accept and seek members from all the classes of operators or firms which other affiliates include in their membership, (b) there be such degree of uniformity in organizational set-up as to insure the most efficient coordination of effort in the handling of national affairs, including matters of national aspect which require specific actions by the individual state associations and which may now be delayed or handled less efficiently because of variations in state organizational procedures, (c) certain basic "activities" -- such as safety, public relations, membership recruitment, etc. -- would be carried on by each member of the federation, and (d) provision would be made to assure that each unit or part of the federation would promptly and efficiently perform its part in any program requiring the collaboration of all of the members of the federation -- that is, that each affiliate would be required to pitch in and help with federation activities and projects if it wishes to continue to enjoy its charter in the federation.

As stated, the Committee on National and State Organization has formed no opinion on these matters. Its investigation along this line is continuing and a later report will convey our conclusions. What has been given here is offered in order that you may know of developments thus far and may be in position to discuss these matters with other operators and with the officers and members of our state associations. The Committee will be glad to have the benefit of any constructive suggestions in connection with this important subject of "Organization and Activities of Trucking Associations."

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**OUR TRUCK ASSOCIATION MANAGERS** A sub-committee of the Committee on National and State Organization met with the thirty-six state association managers who were in Washington for their annual conference in September. We devoted the afternoon of September 19th to discussion with these managers. At other times various sub-committees of our committee have held regional meetings with the presidents and the managers of most of the state associations.

We are most appreciative of the cooperation we have received from the majority of the state association managers. Many constructive suggestions have come from them and we are impressed with the serious and businesslike attitude which characterizes most of those with whom we have come into contact.



While we are not offering the observation as that of the committee, we do feel that it is not too early for us to make a general comment as to the place of the association manager in our scheme of organization.

We believe that each of you and every other truck operator will, upon reflection, agree that the matter of the caliber of the men who are employed to manage our associations is one worthy of our most careful thought and attention. As our investigation progresses, we are more and more aware of the almost complete dependence we place upon our managers and of the vital part the managers play in the growth and efficiency of our organizations. We wonder if, in the past, we who pay the bills have always been as careful in the selection of the men to manage our associations as we have been in choosing employees in our own companies. — yet, in most cases, the association manager handles more of our money, directs a more vital part of our business and is our industry and personal representative before the public to a much greater extent than is the average employee whom we select so carefully in the administrative part of our own businesses.

We are spending entirely too much money upon our associations and our association programs are too vital to us to permit their management to be in the hands of other than the best men we can obtain and retain. It is false economy of the worst type to place in these positions men who are unqualified or who are indisposed to render the high class service we must have if we are to meet the constant problems which face our industry. We must get the best men and we must keep them.

The management of a truck association is a highly specialized type of trade association management. The really efficient truck association manager must have all of the qualifications required of the competent trade or commercial organization executive — plus a great deal of experience and knowledge which can be had only through considerable time spent in actual work with a trucking organization. It is error to assume that any man who has some experience or some success in the Chamber of Commerce or general trade association field, or who has a good education and a pleasing personality, can step into one of our organizations and handle it with great success from the start — yet it seems probable that many of us have labored under this impression. The frequent changes in our association managers seems to substantiate both this belief that we have not been sufficiently careful in our selection of men and a further assumption that perhaps we have not been as diligent as we should have been in the matter of keeping within our industry those men who have measured up.

There is so much to learn about our complex and highly diversified industry and of the multitudinous problems which beset it, because of the great degree of federal and state regulation and control and because of its "public utility" nature and peculiar competitive conditions, that in our judgment no man can reach a point of real efficiency in the management of one of our associations until he has had several years actual experience in truck association work. Real expertness in dealing with public officials, handling our complex legislative problems, rendering valuable service in connection with our operating problems under complicated public regulation of our industry, composing differences between our many types and classes

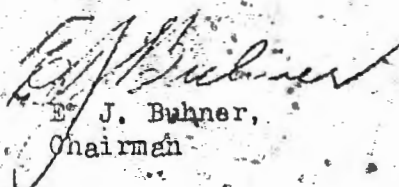


of operators and securing really cooperative and united effort for the protection and promotion of the entire trucking industry, can come only from the addition of much actual experience to the basic qualifications which must be had by every man who undertakes trade association work.

When we have a manager who has the proper basic qualifications and who has added to them the experience in our field which makes him a real truck association manager, we should not carelessly or unthinkingly allow him to be drawn away from us. To do so is wasteful of our investment in his training and requires us to make additional heavy investments in the necessary training of his successor for, as we have pointed out, we cannot readily replace a qualified truck association manager. There is much other expense and loss of valuable time which any thinking operator will readily recognize as being involved in each change of management in one of our associations.

Our observation of the managers we now have leads us to believe that the majority of them are either fully qualified for these important posts or have the necessary basic qualifications and with adequate actual experience will develop into experts in this field. We think we have the nucleus of a complete corps of efficient association managers. We should keep and encourage those who measure up and should seek at an early date to replace any who for any reason cannot be developed into the highly trained men we must have. It is of vital importance to our industry that there be the least possible turn-over in our association management. We must select able men and give them the support, encouragement and reasonable prospects for advancement and family security which will cause them to seek careers in the field of truck association management. This, in our judgment, is a matter to which all of us should give prompt and continuing attention.

The Committee on National and State Organization is continuing its investigations and studies. We plan a meeting of the entire committee prior to the contemplated national convention. A further report will be made at the next meeting of the Executive Committee.

  
E. J. Buhner,  
Chairman

*Unanimously adopted by*  
*Exec. Comm. 6/6/46*

AMERICAN TRUCKING ASSOCIATIONS, INC.  
1424 - 16th St., N.W., Washington 6, D.C.

~~Advance copy for  
information of  
Committee.~~

COMMITTEE ON NATIONAL AND STATE ORGANIZATION

June 5, 1946

TO: The Executive Committee of American Trucking Associations, Inc.

SUBJECT: Third Report of the Committee on  
National and State Organization.

In its first report, dated June 20, 1945, the Committee on National and State Organization recommended certain changes in the by-laws of American Trucking Associations, Inc., which changes were made by the Board of Directors at its meeting in Cincinnati January 17, 1946. Briefly, the changes were:

(1). Eliminated the 26 Regional Vice Presidents and replaced them with 53 State Vice Presidents, one representing each affiliated state association.

(2). Provided for the election by each state association of its ATA State Vice President at such time as to permit certification of the election to A.T.A. by September 30 of each year and that the State Vice Presidents so elected and certified shall take office at the annual meeting of the ATA Board of Directors or not later than December 1 of each year.

(3). Provided for election of A.T.A. Directors by the state associations at such time as to permit certification of such elections to A.T.A. by September 30 of each year and that ATA Directors shall assume their offices at the annual meeting of the ATA Board of Directors or not later than December 1 of each year. Provided for election of Alternate ATA Directors at the same time ATA Directors are elected.

(4). Provided that no charter or affiliation can be granted to any applicant for affiliation in any state in which a state association now holds affiliation with A.T.A.

(5). Provided that each affiliated state association must at all times hold its membership open to all classes and types of motor carriers of property and that the continued ATA affiliation of a state association shall depend upon a reasonable showing at all times that the state association actively solicits membership by all classes and types of motor carriers of property and at all times gives equitable and adequate representation and voice to all such classes or types in the affairs of the association.

(6). Provided that the Board of Directors or Executive Committee may from time to time establish standards of organization and performance to be required of affiliated associations.

(7). Provided for revocation of the Charter, or affiliation, of a state association when cause therefor appears and for the establishment of rules of procedure in connection with cases involving proposed revocation of affiliation.

These recommendations, now effective as A.T.A. by-laws, were based upon extensive work and consideration by the Committee on National and State Organization. We were given much valuable advice and assistance by the state association managers and the presidents of the state associations.

We believe there is general belief that both our national and our state organizations have been strengthened by these changes in our fundamental organizational structure. We are certain that A.T.A. - State Association teamwork and collaboration have been improved and that a closer tie-in of each affiliated association with the national federation has been achieved.

In our second report, dated October 17, 1945, the Committee informed you of our study of state association organization and functions which was then in progress. We attached to our second report an analysis of the "Organization and Activities" of thirty-seven affiliated state associations and stated that we were progressing toward recommendations for the establishment of certain "Minimum Standards of Organization and Functions for State Trucking Associations Affiliated with A.T.A."

We have completed our initial efforts with respect to the establishment of these minimum standards of organization and functions for state associations which are members of the national federation. We concluded this phase of our work on this subject at a general meeting of the entire committee which was held in Cincinnati on January 13, 1946. This meeting was participated in by a large number of representatives of the state associations, who also were extended the privilege of voting upon the matters before the committee. The following persons were recorded as attending the sessions on that day:

E. J. Buhner - Ky.  
W. W. Akers, Jr. - N. C.  
Earl F. Buckingham - Colo.  
C. P. Clark - Mo.  
C. A. Crichton - Tenn.  
George Eastes - Wash.  
M. B. Emerson - Vt.  
Henry E. English - Texas  
C. B. Fischbach - Ohio  
Edward Gogolin - Pa.  
D. E. Hearin - La.  
Arthur G. McKeever - N. Y.  
J. B. Montgomery - Colo.  
John A. Roberts - Mass.  
Lynn E. Shaw - Texas  
D. B. Smith - Mich.  
E. J. Wheaton - Ind.  
Myles W. Illingworth - Mass.  
P. W. Keely - Pa.  
Florence M. Kiely - Mich.  
W. G. Kneip - Md.  
Edward J. Konkol - Wisc.  
J. W. Lenon - Tenn.

Jos. M. Adelizzi - N. Y.  
John H. Allen - Ark.  
W. P. Archer - Ga.  
E. Robert Baker - Colo.  
J. W. Blood - Kans.  
C. S. Burton - N. C.  
Fred M. Case, Jr. - W. Va.  
Roger O. Charlton - Md.  
Al. E. Cudlipp - Texas  
Ray H. Culbertson - Wash.  
Sid Eland - Wash.  
C. A. Certner - Fla.  
Ben H. Grayson - La.  
Matt Grishaber - Wyo.  
W. J. Halloran - R. I.  
C. A. Harrin, Jr. - S. C.  
J. A. Hasey - Mass.  
U. G. Lewellen - Mo.  
W. B. Love, Jr. - S. C.  
John F. Maerz - Conn.  
Leonard E. McDaniel - Ind.  
J. Howard Minnich - Mich.  
Richard A. Moran - R. I.

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F. P. Nutrie - Mass.  
J. T. Outlaw - N. C.  
D. L. Sutherland - Conn.

J. E. Nicholas - Ind.  
W. E. Van Vactor - Okla.  
R. B. Thornton - Ill.  
Ted V. Rodgers - A.T.A.  
John W. Lawrence - A.T.A.  
Ray G. Atherton - A.T.A.

In this, our third report to the Executive Committee, we recommend that the Executive Committee formally establish certain standards of organization and functions which are to be maintained and observed by each state association which is or becomes a member of the national federation. The standards recommended are to be considered as "minimum" requirements and it may well be that others should be added as time passes. The Committee on National and State Organization will continue its interest in standards of organization, functions and performance for our state and national organizations and will bring to you from time to time any specific recommendations which may result from our further consideration and study of the subject.

Each of the following recommended standards received unanimous approval by those who participated in the general meeting at Cincinnati.

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RECOM- Specifically, we recommend that the Executive Committee formally adopt  
MENDATION and establish as minimum standards of organization, functions and  
performance to be maintained and observed by each state association  
affiliated with American Trucking Associations, Inc., the following:

#### MINIMUM STANDARDS OF ORGANIZATION

1. "Each state association which becomes or remains a member of this federation shall be in fact a non-profit organization. All income, equipment and assets of the association shall be the property of the general membership of the association and shall be received, stored, used and expended in such manner as the general membership may by democratic procedure decide. No individual or individuals shall have, hold or enjoy any private or personal "proprietary interest" in the association or in any of its activities or assets or in any income from activities of the association."
2. "Each state association becoming or remaining a member of this federation shall have a supreme governing body which shall be elected by vote of the general membership. This governing body shall meet at least once each year, at which time a full accounting of the financial and other affairs of the organization shall be rendered to the governing body and to the membership by the officers and management and by any committee or other agency to which is entrusted the direction of the association in the interim between meetings of the governing body."



MINIMUM STANDARDS OF FUNCTIONS

1. "Each affiliate of this federation shall maintain a continuing and organized drive for increased membership and shall participate actually and earnestly in such annual or other national drives or campaigns for memberships in the state trucking associations as the majority of the state associations may undertake. Failure of a state association to maintain a continuing membership recruitment campaign or to cooperate wholeheartedly in any such national membership drive, except when excused by vote of the majority of the state Vice-Presidents of A.T.A., shall be considered refusal of the non-cooperating state association to assume its responsibility to the other members of the federation and to the organized trucking industry in respect of the important objective of a more completely organized and effective industry and shall be grounds for withdrawal of the exclusive charter of the non-cooperative association."

2. "Each state trucking association becoming, or remaining, a member of the federation shall maintain an active and continuing program designed to promote highway courtesy and highway and industrial safety and to reduce highway and industrial accidents.

Such state association safety program shall include at least

(a) one annual state membership safety meeting or, in lieu thereof, an adequate number of district or area membership meetings at which the principal emphasis shall be upon highway courtesy, and highway and industrial safety; (b) the formation and maintenance of an active Safety Committee which will consider ways and means of promoting highway and industrial safety in the state and will maintain liaison and cooperation with other safety promoting groups in the state and with the national safety program of the trucking industry; (c) some system of awards or special recognition for safe driving, prevention of accidents, and safety promotion by members of the trucking industry and their employees; (d) participation by the Association in the A.T.A. National Safety Contest for affiliated State Associations; (e) a reasonable showing of safety promotion through publicity, bulletins, contests, participation in local community or other safety campaigns or programs, etc.; and, (f) participation to such reasonable extent as is permitted by the abilities of the state association, and the conditions and circumstances in which it operates, in national safety activities and programs of the federation."

3. "Each state association becoming or remaining a member of the federation shall establish a planned public information or public relations campaign and shall maintain this program with reasonable diligence. This program shall include dissemination of information concerning the trucking industry to newspapers, public officials, civic and community clubs and agencies, chambers of commerce, etc., and shall include prompt rebroadcast of information, literature, data and publicity material furnished by the national federation in connection with any national campaign or program which has been approved by the Executive Committee of A.T.A. Insofar as is practicable and feasible, the public relations and public information program of each state affiliate shall be geared to and conducted in harmony with the industry's national publicity and public relations program."

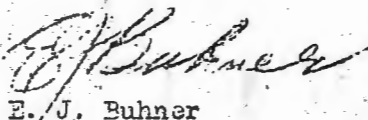
4. "Each association shall maintain legislative activity consistent with the program adopted by that association's governing body. In any state having more than one association affiliated with A.T.A., the legislative program for that state shall be directed and prompted by joint direction of the governing bodies of the two associations."

\* \* \* \* \*

The Committee on National and State Organization is presently engaged upon a study of the proper "Spheres of Functions" for A.T.A. and the individual state associations. This subject has sparked much interest in the industry. It is of particular importance because of the practical impossibility of our developing national policy with respect to any matter until and unless we first set out clearly the general fields of activity and responsibility which should be reserved or assigned to the national organization, to the individual state associations and jointly to the national federation and the state associations. In due time we shall report to the Executive Committee as to the results of this latest study project.

This third report is closed with an expression of the appreciation of the Committee on National and State Organization for the wholehearted and valuable assistance it has received from state association managers, state association officers, national organization employees and officers and the industry in general. Our serious and time consuming task is made much lighter by such helpful cooperation and by the support which the committee has received from the Executive Committee and the ATA Board of Directors.

We shall continue our efforts to carry out fully your instructions as laid down at the time our committee was created,

  
E. J. Buhner  
Chairman

AMERICAN TRUCKING ASSOCIATIONS, INC.  
1424 - 16th St. N.W., Washington 6, D.C.

COMMITTEE ON NATIONAL AND STATE ORGANIZATION

October 5, 1946

To: The Executive Committee of American Trucking Associations, Inc.

Subject: Fourth Report of the Committee on National and State Organization.

In our third report of June 5, 1946, we stated:

"The Committee on National and State Organization is presently engaged upon a study of the proper "Spheres of Functions" for A.T.A. and the individual state associations. This subject has sparked much interest in the industry. It is of particular importance because of the practical impossibility of our developing national policy with respect to any matter until and unless we first set out clearly the general fields of activity and responsibility which should be reserved or assigned to the national organization, to the individual state associations and jointly to the national federation and the state associations. In due time we shall report to the Executive Committee as to the results of this latest study project."

We have completed that study and this report will consist mainly of our recommendations in connection with the delineation of the Spheres of Functions for ATA and the individual state associations.

The Committee, with the assistance of numerous others who attended the committee sessions, went rather thoroughly into the subject. We were aided by replies to questionnaires which were circulated to the state associations in advance of our committee meeting and we believe that our recommendations reflect the thinking of the industry.

RECOMMENDATION

We recommend that the ATA Executive Committee adopt the following as the official trucking industry statement of policy as to the handling of the matters involved or, if the Executive Committee believes it necessary or proper, that the Executive Committee recommend to the ATA Board of Directors that this be adopted by it as such official trucking industry policy:

1. Matters before Congress and federal agencies, particularly matters relating to motor carrier legislation and regulation:

The committee recommends that such matters be designated as activities or functions which should be left entirely in the hands of the national association, with the state associations fully cooperating and/or participating along lines suggested by the national association.

2. Matters before State Legislatures and state agencies, particularly matters relating to motor carrier legislation and regulation:

The committee recommends that such matters be designated as activities or functions which should be left entirely to the state associations affected; with the national association -- or associations domiciled in other states -- cooperating or participating only upon request of the state associations in the state whose legislature is involved and only to the extent suggested by that state association.

3. Federal taxes affecting motor carriers.

The committee recommends that such matters be designated as activities or functions which should be left entirely in the hands of the national association, with the state associations fully cooperating and/or participating along lines suggested by the national association.

4. State taxes affecting motor carriers.

The committee recommends that such matters be designated as activities or functions which should be left entirely to the state associations affected, with the national association -- or associations domiciled in other states -- cooperating or participating only upon request of the state association in the state whose legislature is involved and only to the extent suggested by that state association.

5. County or municipal taxes affecting motor carriers.

The committee recommends that such matters be designated as activities or functions which should be left entirely to the state association of the state in which the tax is levied or proposed, with the national association -- or associations domiciled in other states -- cooperating or participating only upon request of that state association and only to the extent suggested by that state association.

6. Trucking industry public relations program:

- a. Publicity and advertising
- b. Radio programs.
- c. Material for schools, libraries, etc.
- d. Movies, film-slides, etc.
- e. Public appearances by speakers.
- f. Special articles in national magazines, etc.

The committee recommends the following in connection with Items 6(a), 6(b), 6(c), 6(d), 6(e) and (f):

"The national policy and program with respect to industry national advertising to be set by the national organization and such program and policy to be communicated to the affiliated state associations. The national organization to make contact with each state association to determine whether it desires that its name be used in national newspaper advertising appearing in its state papers and to determine the desires and advice of each state association as to newspapers published in the state which should be used to carry



national advertising."

"The national organization to inform the state associations at intervals as to the scope and nature of the national advertising program."

"Each state association and its county chapters or other sub-units, if any, to see that there is no conflict of policy, data, or information as between state or local advertising programs and the national advertising program."

"National publicity, as distinguished from national advertising, to be designated as an activity which the national organization is to handle and for which it is to be responsible."

"The national organization to consult and clear with the appropriate state association or associations before the national organization undertakes any local publicity or local advertising program in any state."

"Each state association to cooperate closely with the national organization to prevent conflict of policy, data or information between national, state and local publicity programs."

7. Highway trade barrier elimination:

The committee recommends:

7(a). Publicity and advertising: "Each state association to conform to the national policy concerning trade barrier advertising and publicity. If, at any time, a state association finds it impossible to conform to such national policy, that state association shall promptly inform the Subcommittee on Legislation of the ATA Executive Committee with respect to the circumstances, conditions and reasons requiring its departure from established national policy."

"Each state association should also endeavor to conform to any national policy with respect to publicity or advertising concerning gasoline or other taxation, etc., and if for any reasons a state association or state associations are unable so to conform, information as to the circumstances, conditions and reasons involved should be furnished to the Sub-committee on Legislation of the ATA Executive Committee in order that ATA, other state associations and other collaborating national or state trade organizations may understand the situation."

7(b). Sizes and Weights standards: "The initiation and development of any national minimum standards of vehicle sizes and weights shall be an activity of the national organization. If at any time, a state association finds it necessary to depart from any such national minimum standards that state association shall promptly inform the Subcommittee on Legislation of the ATA Executive Committee with respect to the circumstances, conditions and reasons requiring its departure from established national policy."

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"The initiation and development of any minimum standards of vehicle sizes and weights for application to a particular area or territory within the United States shall be an activity of the state associations domiciled in the affected area or territory, with the national association cooperating and participating only to the extent requested by such state associations. In case of any area or territorial departure from any national minimum standards with respect to vehicle sizes and weights, the state associations participating in such departure shall immediately inform the Subcommittee on Legislation of the ATA Executive Committee of the circumstances, conditions and reasons requiring such departure."

7(c) Reciprocity Promotion: "Reciprocity promotion, except as a part of the general national advertising or publicity programs, be designated as an activity or function which should be left entirely to the state associations as their responsibility, with the national association cooperating or participating only upon request of the state associations and only to the extent suggested by the state associations."

7(d). Retaliatory or punitive state taxes aimed at out-of-state truck operators: "Be designated as an activity or function which should be left entirely to the state association of the state in which any such tax is levied or proposed, with the national association -- or associations domiciled in other states -- cooperating or participating only upon request of that state association and only to the extent suggested by that state association."

8. Special industry programs:

- a. National Safety program and contests.
- b. National Equipment & Maintenance program.
- c. National Freight Claim Prevention program.
- d. National Labor Relations program.

With respect to each of these items the committee recommends:

"That this activity or function be designated as one which should be left entirely in the hands of the national association, with the state associations cooperating and actively participating."

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The Executive Committee, on June 6, 1946, referred to our committee two matters:

- (1) A letter addressed to the Executive Committee by H. B. Church, under date of March 4, 1946.

We desire to report that Mr. Church's letter is included in the matter with respect to the ATA Conferences which is now under committee examination. Therefore, no final report or recommendation with respect to his suggestions can be made until our report in

connection with that study.

(2) Uniformity of names for state trucking associations affiliated with ATA.

The committee has considered this matter and it is our recommendation that

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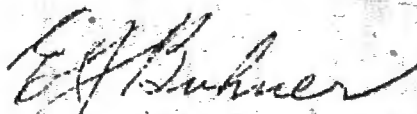
(3) We have another matter which was called to the attention of the Committee by members of the industry. That is the possibility of there being developed uniform dues schedules for employment by all state associations affiliated with ATA, with a possible special dues rate for application by each state association to out of state carriers.

Our committee has studied this proposal and it is our recommendation that

RECOMMEND-  
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A further report will be submitted when our present studies have progressed sufficiently.

  
E. J. Buhner  
Chairman

AMERICAN TRUCKING ASSOCIATIONS, INC.  
1424 - 16th St., N. W., Washington 6, D. C.

COMMITTEE ON NATIONAL AND STATE ORGANIZATION

January 16, 1947

TO: The Executive Committee of American Trucking  
Associations, Inc.

SUBJECT: Fifth Report of the Committee on National  
and State Organization.

In this report we will deal with three subjects: (1) Uniform dues for state trucking associations, (2) Uniform names for state trucking associations, (3) Organization and functioning of ATA.

UNIFORM DUES FOR STATE ASSOCIATIONS

The Committee has conducted extensive inquiry into this subject and has gathered a great deal of factual information relative to the existing dues structures in the state associations. After careful consideration of the matter, the committee has reached unanimous agreement that any uniformity in dues scales of the affiliated state associations must necessarily come about through a gradual process of development through conferences and cooperation between the state association themselves.

RECOMMEND- This Committee recommends to the Executive Committee that the ATA  
ATION staff be instructed to initiate a series of regional conferences of state association managers for the purpose of undertaking the development of regional or area uniform scales of state association dues.

UNIFORM NAMES FOR STATE TRUCKING ASSOCIATIONS

This item has been upon the agenda of the Committee for some time and has been the subject of considerable investigation and study." The Committee is unanimously of the opinion that there is no present possibility of arriving at any satisfactory provision for the establishment of uniform names for all of the affiliated state associations. There are so many important factors which affect the choice of an association name in a particular state that this committee deems it unwise to undertake any sort of program involving the exertion of pressure upon the state associations in an effort to secure uniformity of names.

The Committee also considered the proposal of Mr. Leland James to the effect that there should be uniformity of names as between the state associations and the national association. The subject was examined in considerable detail and the following recommendations are made:

RECOMMEND- The Committee recommends to the Executive Committee that the name of  
ATION American Trucking Associations, Inc. not be changed.

RECOMMEND- The Committee recommends to the Executive Committee that if any  
ATION affiliated state association wishes to use the name of American Trucking Association of ( State ) it be permitted to do so. "

### THE ATA CONFERENCES

The Committee on National and State Organization has made considerable inquiry into the organization and operation of the ten ATA Conferences. Surveys of fact and opinion have been made, and information has been obtained directly from the Conferences; from the state associations; and from officers, managers and members of the conferences, associations and ATA.

Our investigation has revealed an extensive lack of uniformity in the organizational set-up in the various Conferences. We are impressed by the dissimilarity in the names, by-laws, methods of financing and other characteristics of the Conferences and we believe that as time goes on there is obviously room for improvement and some standardization in some of these things.

The Committee has also noted that some state associations apparently fail to make adequate provision for participation in their affairs by all of the various types of operators who are represented by the ten ATA Conferences. We have even discovered instances in which one or more types of carriers have been forbidden or discouraged from participation in state association affairs. We believe that there is much room for improvement in this respect and that the officers and managers of the state associations should direct careful attention to the possibilities of instituting and maintaining service activities which will benefit and appeal to all of the types of carriers who are represented in the ATA Conferences. Our Committee is firmly of the belief that the primary responsibility for selling ATA Conference members upon participation in the individual state associations rests upon the state associations. We believe that it is questionable whether compulsory membership in state associations by conference members is practicable or advisable, especially when there is question as to the extent to which some state associations actually render service to a certain type or types of carriers. On the other hand, it is our belief that the ATA Conferences should constantly support the idea of participation by their members in the state associations and cooperate with the state associations in the building of enlarged memberships through the development of programs of service for the members of each of the Conferences. Clearly, complete cooperation between the state associations, the ATA Conferences and ATA, itself, is in order at all times.

Our Committee noticed that there is presently some looseness in connection with the methods of operation of the ATA Conferences, insofar as correlation and coordination of activities are concerned. For instance, there is apparently no official procedure under which the Conferences clear with ATA, proper, in connection with many activities in which the Conferences engage. This results in a situation in which ATA and the state associations can easily be uninformed with respect to programs or projects upon which a conference may be engaged and which might possibly involve questions of conflict with, or duplication of ATA policy or activities. Our Committee feels that there is need for the development of an established



procedure through which the ten ATA Conferences which report their activities to the parent organization for the purposes of coordination, more effective dissemination of information as to developments within the industry and prevention of possible conflicts in policy or duplication of efforts.

As a result of its inquiry into the organization and activities of the ATA Conferences our Committee has decided to continue its study of the subject. In the meantime, it is felt by the Committee that it will be well to apprise the Executive Committee, the Conferences, the state associations and other interested parties of some of the ideas which have been advanced during our consideration of the Conferences and their activities. Consequently, our committee is presenting to the Executive Committee at this time a list of purely tentative proposals with the request that the Executive Committee, the Conferences and the state associations examine these proposals in the light of their possible adoption at the next meeting of the ATA Executive Committee. Our Committee is not at this time recommending the adoption of these suggestions. They are intended to give an indication of the present thinking of members of our Committee and it is believed that these tentative proposals may assist in the development of recommendations which can be offered for actual adoption in the future.

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TENTATIVE  
PROPOSALS

1. That the ATA conferences adopt nomenclature names reflecting their direct relationship with ATA and that each be known as the "(blank) Conference of American Trucking Associations, Inc." and further, that the matter of incorporation be left to the judgment of the conferences.
2. That ATA's management arrange to have ATA conferences report their proposed actions to a selected member of ATA's staff who, in turn, will inform the state associations and all other conferences of the nature of the impending action.
3. That notice of each ATA or ATA conference-sponsored meeting of carriers in a state be given to the state association in that state by the ATA staff or ATA conference member or employee responsible for the meeting arrangements and that the state association be invited to inform the affected part of its membership of the meeting and to cooperate in the holding of the meeting. This recommendation is not intended to apply to meetings of Executive Committees or governing groups, which meetings are not in the nature of general meetings but are held in a particular state primarily for the convenience of the committee members.
4. That every member of an affiliated state association automatically becomes a voting member of the appropriate ATA conference, but does not automatically become entitled to bulletins and other special services.
5. That matters which affect the entire industry should be handled by the parent organization.
5. That the parent organization shall handle all federal legislation in the absence of conflicting interests in the industry and that no conference shall make representations to the Congress without first clearing the parent organization and all other conferences.  
through
7. That, subject to the provisions of the ATA by-laws, matters which are of particular concern to a Conference group should be handled by that group; including the method of financing the Conference.

May 7, 1947

TO: The Executive Committee of  
American Trucking Associations, Inc.

SUBJECT: Sixth Report of the Committee on National  
and State Organization.

The Committee on National and State Organization desires to submit to the ATA Executive Committee the following report and recommendations:

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#### MEMBERSHIP IN ATA CONFERENCES

Because of the ever-present problem incident to the financing of the ATA Conferences and their activities, the Committee recognizes that it is probably impractical and perhaps inequitable for the Conferences to undertake to provide for non-paying operators the same services which are afforded to those who bear the expense of maintaining the Conferences. On the other hand, the Committee feels that something of value to the Conferences can be obtained by them if they make adequate provision for the inclusion in their memberships of all the operators of their various types or classes who are members in good standing of the state associations.

It appears to the Committee that representations made by any Conference in the interest of its membership can be made much more effective if the Conference can honestly assert that within its membership are included all of the operators of that class or type who are members of the 53 state associations. We think that a Conference might be subjected to question, with respect to its right to speak for its section of the industry, if it were required to establish its actual membership and it should develop that such membership were not truly representative, both territorially and numerically, of the operators for which it claims to speak.

At least one Conference now operates under an arrangement whereby all members in good standing of the affiliated state associations are considered to be members of the Conference. This Committee earnestly recommends that all of the Conferences give thought and study to the matter of the institution of some similar arrangement. We believe that if such a plan can be devised, much of the uncertainty with respect to the relationships between the Conferences and the state associations will be eliminated and encouragement will be given for closer collaboration between the Conferences and the state associations.

#### RECOMMENDATION

The Committee recommends that each of the ATA Conferences give serious thought to the advantages to be derived from the development of an arrangement under which all members of the affiliated state association will be considered as members of the conferences and will have some representation and voice in conference affairs.

#### NAMES OF ATA CONFERENCES

The Committee on National and State Organization believes that each of the ATA Conferences should adopt a name which will show clearly its status as a component part of the American Trucking Associations, Inc. We believe that a proper name for

ATA Conference is "\_\_\_\_\_" Conference of American Trucking Associations, Inc." and that the adoption of a name of this type by each of the conferences will contribute definitely to the development of organizational unity within the industry, will dispel uncertainty and confusion in the minds of public officials and the public and will more properly reflect the organizational set-up under which the trucking industry carries on its associational activities.

Recognizing that, in some instances, present names of the conferences are the outgrowth of peculiar or unusual circumstances attending their development, the Committee believes that no action undertaking to require any conference at this time to make any change in its name should be taken. We think that, upon careful consideration, the logic of uniformity in names for the conferences will be clear to the members of each and that within a reasonable time each conference will desire voluntarily to show in clear fashion its position as an integral and important part of the "organized trucking industry" by adopting a name which will clearly so identify it. We believe that if such developments should fail to materialize, any indicated positive action by the organization to bring them about can be readily initiated, considered and taken by the Executive Committee and Board of Directors and when it is deemed necessary or advisable to do so.

#### RECOMMENDATION

The Committee recommends that by formal action the ATA Executive Committee and the ATA Board of Directors designate "\_\_\_\_\_" Conference of American Trucking Associations, Inc." as the style or type of name which must be adopted by any group or class of carriers which may hereafter seek Conference status within ATA. It is the further recommendation of the Committee that the ATA Executive Committee and the ATA Board of Directors call upon the membership of each ATA Conference, which does not presently have a name which conforms to this style, to give consideration to the advantages to the Conference and to the organized industry which will result from adoption by it of the suggested name and urge that each such conference consider early voluntary action in this respect.

#### "ATA-ATA CONFERENCE" RELATIONSHIPS AND PROCEDURE

From the inception of the work of the Committee on National and State Organization, we have been aware of the existence of considerable uncertainty as to the relationships between ATA, the ATA Conferences and the affiliated state associations. Questions pertaining to these relationships have arisen in virtually every meeting of the Committee and the members of the Committee have been impressed by the apparent lack of dependable, clear-cut and official answers for most of the questions which were raised.

We find that no individual can state with certainty just what matters (on the National level) are primarily for the handling of ATA, proper, and which are for the handling of the ATA Conferences. We find, also, that no individual can tell us with certainty how a decision is made as to whether any particular activity or matter is to be handled by ATA or by one or more of the ATA Conferences.

Our Committee understands that at one time in the past there was an agreement — or arrangement — between the Regular Common Carrier Conference and the Contract Carrier Conference as to the procedure that would be followed when those Conferences were involved in a matter upon which they held differing views.

We do not understand, however, that this agreement or arrangement ever applied to other ATA Conferences or that the agreement was of such character as to provide a ready guide for determining whether ATA, itself, or an ATA Conference should be responsible for any particular activity or action. Neither do we find that there



has ever been such a guide, or that there exists any definite procedural rules for regulating the relationships and activities of ATA, proper, and the ATA Conferences in such manner as to the greatest possible extent to avoid public display of industry conflicts or cross-purpose, duplicating or confusing actions by ATA and the ATA Conferences.

We are convinced that much of the uncertainty as to the ATA Conferences (and, in some instances, criticism of and opposition to the Conferences) upon the part of the state associations has resulted from lack of clear establishment of fields of activity for ATA and the ATA Conferences and from industry failure to set down definite rules of policy and procedure applicable to ATA-ATA Conference relationships. We have sufficient evidence to support the statement that State and Federal agencies and officials -- and members of the Congress -- are often confused as to the ATA-ATA Conference relationships, with resultant loss of industry organizational efficiency because of an impression that we don't know what we want or how to go about the job of presenting our story efficiently and properly.

Our Committee feels that the Trucking industry cannot fairly ask officials, the Congress and the Public to assume the task of finding out just what relationships exist between ATA and the ATA Conferences. We think it is wrong in principle, and foolish in practice, for this industry to permit such uncertainty and confusion to exist -- especially when the certain result is that the entire organized industry suffers in prestige and effectiveness. We think that all of our organizational units (state associations, Conferences and ATA, proper) will profit from a clearing of the present muddle and the establishment of a definite procedure for determining and regulating ATA-ATA Conference relationships and activities.

We believe that, right at this moment, the average reader of this paragraph cannot state, with certainty, just how the determination is made as to whether ATA or an ATA Conference will handle a certain matter or describe clearly the working relationships between these industry organizational units. Some of us know that ATA-ATA Conference staff members have frequent informal conferences, at which matters are "talked over" and some informal understandings or agreements may be developed, but what are the guiding rules? What controls if staff members don't agree? What happens if no informal staff discussion is held? How, or by whom, is it decided that ATA, an ATA Conference, or both ATA and a Conference, will handle a matter before Congress, I.C.C. or otherwise?

These are questions to which the Committee cannot now find clear and definite answers. We think that good business, effective organization and the welfare of our state associations, ATA Conferences and ATA, itself, require that there be established specific rules and procedures which will clarify this situation and supply ready and clear answers to these and other questions as to how our organization operates. We have previously cleared up the situation as to "spheres of functions" of ATA and the affiliated state associations. We should now take similar action as to the relationships between ATA and our Conferences.

**RECOMMENDATION** The Committee recommends to the Executive Committee that the following be adopted as governing "ATA-ATA Conference" Relationships and Procedures:

**APPEARANCES BEFORE PUBLIC, LEGISLATIVE OR REGULATORY BODIES:**  
**PUBLICITY: ADVERTISING, ETC.**

**I. Matters of concern or interest exclusively to members of a single ATA Conference:**

(a) There shall be no restriction of the right of any ATA Conference to proceed with the independent handling, in such manner as it sees fit, of any matter which is of exclusive interest and concern to its members alone.

(b) ATA, upon request, shall lend all possible and proper support to any ATA Conference in the handling of a matter of this type but unusual, extraordinary or special expenditures of ATA funds or time of ATA employees for this purpose shall not be made without previous authorization by the ATA Executive Committee.

(c) While such action cannot properly be required, it is recommended that any ATA Conference handling a matter of this type undertake to inform ATA proper, other ATA Conferences, and the State associations of all aspects of the matter which will be of interest to the staffs or members of these other industry organizational units -- particularly with respect to accomplishments of the Conference which will exemplify its service and value to its members and the general benefits of effective organization within the industry.

## II. Matters of concern and interest to two or more ATA Conferences or classes of carriers but not of concern and interest to all classes and types of carriers:

### A. When conflicting interests are involved:

1. No ATA Conference shall proceed independently to take any action which will publicly evidence division or conflict among truck operators, except in conformity with the following procedure.

2. At first indication of conflicting interests, opinions or positions as between two or more ATA Conferences, that ATA Conference proposing to take an action which will publicly develop the existence of such conflict shall call the matter to the attention of all other conferences and to the attention of the President or Managing Director of ATA.

3. Upon such notice of the development of conflict between two or more ATA Conferences, the President and/or Managing Director of ATA shall forthwith arrange a meeting of responsible elective or appointive officials of all of the ATA Conferences which are involved in the matter. Any elective or appointive official of any Conference who cannot be present at this meeting may submit his views in writing. Thereafter, every effort shall be made by all present to solve the problem and to avoid the necessity of public demonstration of such conflict of position within the ranks of the industry.

4. If, after exhaustion of the preceding efforts to avert public display of differences within the trucking industry, one or more of the ATA Conferences feels impelled to take independent action, such action may be taken -- provided, however, that it shall not actually be initiated until written "Notice of Intention to Take Independent Action" has been delivered personally to the President or Managing Director of ATA (or in their absence to the General Manager or General Counsel of ATA) and such notice has been delivered personally or mailed to the Chairmen of each other ATA Conference and to the affiliated state associations. Such "Notice of Intention to Take Independent Action" shall be sufficiently explanatory of the proposed action to give to ATA and the other ATA Conferences a clear conception of the action to be taken.

5. After the initiation of an independent action in conformity with the above procedure, the officials and staff of ATA, proper, shall refrain from further participation in the matter and it shall thereafter be considered as a matter of differences between two or more ATA Conferences and as one to be resolved by those conferences -- provided, however, that if any ATA Conference should, through the taking of independent action create special problems, conditions, circumstances or reasons warranting direct intervention in the matter by ATA, proper, the ATA Executive Committee may direct such intervention.

6. When any ATA Conference shall take independent action under the foregoing procedure, it shall take care to see to it that sufficient explanation accompanies the independent action to make clear to the public and to any and all interested parties that such action is being taken by a Conference of ATA and not by ATA, proper. This distinction must specifically be made clear when the independent action involves public news releases or filings or pleadings in connection with legal or regulatory proceedings.

### III. Matters of concern and interest to all ATA Conferences and to the Trucking Industry in general:

A. Such matters are declared to be the primary responsibility of ATA, proper, and all public appearances or representations upon such matters shall be made by, and in the name of, the American Trucking Associations, Inc., for the account of the American Trucking Industry -- provided, however, that:

1. Each ATA Conference shall have the right to have its special interests, circumstances or position -- in connection with any such matter -- clearly and specifically set out in any oral or written representation made by ATA under this procedure.

2. The ATA Executive Committee may authorize independent action by one or more of the ATA Conferences in any matter of such general interest when in the judgment of the Executive Committee such independent action should be authorized.

B. In the course of the preparation and presentation of representations as to the opinion, desires or position of the American Trucking Industry in connection with any matter of interest to the industry in general, the management and/or officers of ATA shall request the assistance of the ATA Conferences and shall afford each ATA Conference reasonable opportunity to prepare and present for inclusion in such representations information as to its special interests, opinions or positions.

### IV. Determination of interests involved in any matter.

A. Responsibility for investigation to determine whether a matter included within these rules of procedure falls within Classification I, II, or III, above, shall rest primarily upon the person or organizational unit proposing to take an action with respect to the matter.

### V. Extent of ATA Activity.

Nothing in this procedure shall be construed as prohibiting the ATA Executive Committee from directing that ATA, proper, participate in or

handle any matter, irrespective of its classification under this procedure, which in the judgment of the Executive Committee requires such action by ATA. Decision of the Executive Committee in this respect shall be subject to appeal to the ATA Board of Directors.

### SELECTION OF ATA DIRECTORS

As the work of our Committee has progressed, we have received various suggestions for knitting the state associations, the ATA Conferences and ATA, proper, into a more closely cooperating and efficiently functioning machine. One of the best of these suggestions was that which led to our present system of electing ATA State Vice Presidents. Another which appears to possess merit should be mentioned in this report.

It has been suggested that it will be definitely promotive of better understanding, closer collaboration and more effective teamwork between and by the state associations, the ATA Conferences and ATA, proper, if each state association will endeavor to select a representative number of active ATA Conference members when electing its seven ATA Directors.

The argument in support of this suggestion is that such action will (1) place upon the ATA Board of Directors men who are most familiar with the work of the three component parts of our industry organization, (2) provide for efficient dissemination of information as to programs, objectives and activities between the three groups, (3) give most assurance of sympathetic and informed teamwork and (4) give all three groups the full benefit of the interest, effort and counsel of men who are leaders in each and all of the groups. These arguments have appeal to the members of our Committee.

**RECOMMENDATION** The Committee recommends to the State associations that, when electing ATA Directors, they give consideration to the selection of a representative number of operators who are informed, interested and active in the ATA Conferences. It is further recommended that the ATA Conferences encourage their active members to participate in state association affairs and to offer their services, in this and other capacities, to the state associations.

### "CONFERENCE-TYPE" ACTIVITIES IN STATE ASSOCIATIONS

The Committee has found that there is apparently considerable room for improvement in a number of the affiliated state associations, insofar as provision for recognition of and service to special classes or types of truck operators is concerned. We believe that it is unquestionable that there exists considerable foundation for the statement that in some states little



effort is made to interest some of the special classes of carriers in the work of the state associations or to seek out ways and means by which the state associations can actively assist such special classes of carriers in the handling of problems which are of peculiar or unusual importance to them.

We are not convinced that all of the affiliated state associations actually encourage certain special classes of operators to participate in association affairs, even though there may be no restrictions against such participation. We think that the Board of Directors of each affiliated state association should inquire into this matter, with a view to the correction of any conditions under which any class or classes of truck operators are prevented or discouraged from holding membership in the association or from participating actively and regularly in its affairs and activities.

We are convinced that the ATA Conferences can and do perform essential and valuable services for their members in connection with certain matters which are of national character and we believe that each state association should perform similar service for these special groups in connection with matters which are of particular interest to them and which are of local or state scope and character.

RECOM-  
MENDATION

The Committee recommends that the Executive Committee of American Trucking Associations, Inc., by formal resolution directed to the President of each affiliated state association and to the ATA State Vice President representing each state association, request that each affiliated state association promptly review its organizational set-up and its operating practices for the purpose of determining the degree to which the state association offers to serve, and does actually serve, all of the various classes of truck operators which are represented by the ten recognized ATA Conferences. The Committee further recommends that the ATA Executive Committee urge each of the affiliated state associations to undertake at once a serious and sustained effort to interest leading representatives of the various special classes or types of carriers in the program and activities of the state association, with encouragement to such leading representatives of the special groups to take active part in the affairs of the state association.

MEMBERSHIP RECRUITMENT

Elsewhere in this report we state the conviction of our Committee that the "organized trucking industry" must function through state associations, ATA Conferences and a central Washington headquarters which we call "ATA, proper." We have been unable to find that any one of these three component parts of our general industry organization can be eliminated and months of study convinces us that each such component part contributes directly to the effectiveness and efficiency of our organized attack upon our industry problems.

If the finding of the Committee in this respect is sound, it follows that it is important to the trucking industry -- and to the state associations, the ATA Conferences, and ATA, proper -- that each of these three components of our organizational set-up shall be healthy, vigorous and genuinely "representative" of that part of the industry for which it seeks to act and speak. If all three parts are essential to the most efficiently functioning whole, weakness in any part will adversely affect the functioning of the whole and of the other two parts.

Our Committee is not prepared at this time to offer detailed suggestions for the strengthening of each of our organizational units but we are of the opinion that there is sound reason for our undertaking to develop some plan whereby we will strengthen our general industry organization by strengthening each of our industry organizational units. We believe that we must eventually come to the realization that we impede our own progress when we fail to recognize the need for all three of our organizational units and do not contribute to the support of all three. We understand that what we are about to recommend may, not, at first glance, seem practicable and that considerable thought and discussion upon the part of all concerned may be required before there is general acceptance of the idea, but we believe it is sound and that this is the time to offer it to the industry.

**RECOMMEND-  
ATION**

The Committee on National and State Organization recommends to ATA, the ATA Conferences and the state associations -- and to the officers and individual members of each -- that there be developed and put into operation a plan for enlarging the memberships of the state associations and the conferences. It is the further recommendation of this Committee that any plans so developed include "joint effort" by state associations, ATA Conferences and ATA in the procurement of additional members for the state associations and the conferences and that all of our organizational units adopt and pursue a consistent policy of cooperation and collaboration, each with the other, and all together, in the drive for a bigger, stronger, more effective and respected "organized trucking industry."

GENERAL STATEMENT ON TRUCKING INDUSTRY ORGANIZATION

The Committee on National and State Organization was formed as a special committee to study the general organizational set-up and functioning of the organized trucking industry. More than two years have been devoted to such an examination of our organization and the Committee has developed a number of recommendations for improvement in the effectiveness and efficiency of our organizational units. Most of these recommendations have been adopted and we believe that when the recommendations contained in this report have been acted upon by the industry, the assignment given to this Committee will have been largely accomplished -- at least for the present.

We believe that the work of this Committee has established the following as being sound conclusions:

(1) Our present organizational structure is the one most suitable and effective for the industry at this time and for the foreseeable future.

(2) The best organizational set-up for the trucking industry must embrace:

- a. A strong state association in each state.
- b. Organized and effective ATA Conferences for the protection and promotion on a national scale of the special interests of the special classes of carriers within the industry.
- c. An efficiently functioning ATA (or Washington "headquarters") which is adequately staffed and so organized as to enable it

most effectively to handle national problems of the trucking industry; to promote the industry nationally; to render certain needed services to the affiliated state associations and the ATA Conferences; and to correlate and coordinate the programs, activities, policies, etc., of all of the organizational units maintained by the industry -- to the end that the organized trucking industry shall most effectively and economically exert its greatest weight for the promotion and protection of the motor truck and the free and untrammelled employment of the motor truck in the transportation of property in this country.

We do not believe that the trucking industry can, at this time, dispense with any one of these three organizational units, without resultant loss in the effectiveness of the industry as an organized force. We do believe that there is still room for clarification of the fields within which each of these essential organizational units will function and that, as time passes, progress can and should be made along the line of "tightening up" our organizational machinery and eliminating duplicating service, activities and costs to the truck operators.

(3) || The principle of maintaining our trucking industry organization as a "federation of state trucking associations, with a central Washington headquarters and special Conference units for special service to special groups" is sound.

It must be recognized by all, however, that we cannot hope to have and to maintain the most nearly perfect organization along these lines until and unless we solve the fundamental problems of financing of the various component parts of our organization. So long as we require each of our organizational units to depend upon its own ingenuity and energy for its continued existence, we shall to some extent require our various organizational units to "compete" for support from the truck operators, who, in the final analysis, must pay the bill.

This committee is firmly of the opinion that if this troublesome question of adequate financing for the state associations, the ATA Conferences and ATA, itself, could be readily resolved the industry would benefit greatly and would have taken a very long step toward the development of the most efficient organizational machine. We do not believe that a final and adequate solution of this financing problem can be expected at an early date, but we are certain such a solution must ultimately be found and we believe that it will be to the best interests of all who are affected for them to devote serious continuing and cooperative thought to the search for the answer to this problem. Frank recognition of the existence of the problem and intelligent collaboration in the search for its answer are incumbent upon every member of the industry and every employee of the industry. Any other attitude upon the part of either industry member or industry employee is contrary to the best interests of the organized trucking industry. ||

(4) There is yet too little recognition by members of the state associations the ATA Conferences and the ATA governing bodies -- and specifically and particularly upon the part of too many employees of the state associations, the ATA Conferences and ATA proper -- of the fact that there is but one

trucking industry and that every employee of that industry must consider himself as part of the "team" which seeks to protect and promote that industry. The future of every truck operator and of every employee of the state associations, ATA Conferences, and ATA is entirely dependent upon the continued existence and progress of transportation of property by motor truck.

When compared to the great basic common interests of all, the few divergent special interests of certain classes or types of carriers sink into insignificance. If we lose the fight for public acceptance of motor transport and the use of the motor truck is generally handicapped and restricted, the small differences between truck operators will be of no consequence. We, as individuals and through each of our organizational units, must bring to bear the greatest pressure of which we are capable to inculcate into trucking operators and trucking organization employees an understanding and observance of the absolute necessity for "holding up each other's hands" in the common campaign. Insofar as we tolerate intra-industry bickering and destructive criticism, we reduce the effectiveness of the organized industry and retard the development of the really great organization of which we are potentially capable.

(5) The work of this Committee has demonstrated the usefulness of some sort of "forum" for the consideration, discussion and exploration of matters pertaining to trucking industry or organizational set-up, operation and effectiveness. We believe that provision should be made for the maintenance of such a forum and that it will be well for the industry -- as a whole and in each of its units -- to make continuing "self-inspection" a part of its organizational practices. We are certain that friendly, frank, and purely objective study of our organizational problems can have but one result -- the development of a strong, more effectively organized and greater trucking industry.

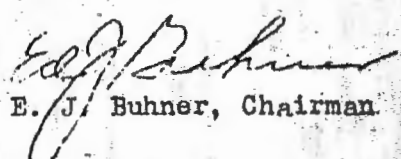
#### TERMINATION OF THE COMMITTEE

RECOMMEND- ATION
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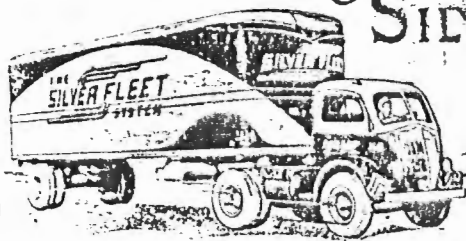
The Committee on National and State Organization recommends to the ATA Executive Committee that, with the acceptance by the Executive Committee of this Report, the Committee on National and State Organization be discharged.

It is further recommended that, to insure the ready availability of an organizational group for the performance of the functions of this committee, the Executive Committee transfer such functions and responsibilities to the Subcommittee on Organizational Matters which is maintained by the Executive Committee as one of its standing committees.

Respectfully submitted,  
Committee on National and State  
Organization

  
E. J. Buhner, Chairman





TO: PRESIDENTS AND MANAGERS OF STATE TRUCKING ASSOCIATIONS;  
CHAIRMAN AND MANAGERS OF ATA CONFERENCES;  
ATA STATE VICE PRESIDENTS; and  
MEMBERS OF THE COMMITTEE ON NATIONAL AND STATE ORGANIZATION.

SUBJECT: Sixth and final Report of the Committee on  
National and State Organization.

Gentlemen:

I enclose a copy of the above indicated Sixth Report. This report was adopted by the ATA Executive Committee at its meeting in Washington last week.

The ATA Committee on National and State Organization has been discharged and its duties and responsibilities have been transferred to the standing Subcommittee on Organizational Matters which is maintained by the ATA Executive Committee.

The more than two years' work of the Committee on National and State Organization has, I am sure, contributed much that is of value to our industry. I believe there is general opinion that our industry organizational machinery has been improved as a result of the studies and recommendations of the Committee. We believe, and there seems to be general agreement, that what has been done will definitely contribute to the betterment of our state associations, our ATA Conferences and ATA, proper.

All of us, individually and in our organizational units, must go on from here with full determination to develop to the fullest the collaboration, the cooperation, and coordination and the genuine industry "teamwork" which is so important to us and for which we believe a real foundation has been laid. Undoubtedly, the meetings, the inquiries, and the frank and objective discussion which was encouraged by the Committee has helped to lay that foundation.

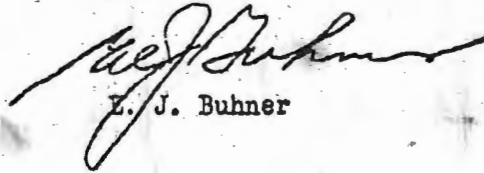
I have been greatly honored and privileged to have been the nominal head of this splendid committee. I am fully cognizant of the fact that whatever has been accomplished is to the credit of the fine people who have so earnestly and sincerely carried on and assisted with the work of the Committee. They did the job. It was simply my fortune to have opportunity to work with them.

As Chairman of the Committee, it is my delegated duty and my pleasure to pass on to each member of the Committee, each president and manager of a state association, each Conference chairman and manager and each industry member who helped with the task, the very real appreciation of the industry and of the ATA Executive Committee. To each of you, their thanks.

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And from me, personally, my grateful acknowledgement of your splendid spirit and helpfulness. It has been an inspiring experience to have worked with people like you on such a task.

Sincerely,



E. J. Buhner

Buhner: One of the interesting things of all the work that was done and all the members that participated in this did it on their time without pay from any of the industries, as far as I know. They were all supplied by their companies and their companies no doubt paid their own individual expenses. There was no monetary enumeration for any of these men. This was all done free and willing and was a contribution to the industry.

Woods: Well, Mr. Buhner, this report was completed in 1947 and as this is now 74, it has served 28 years as the bible for the American Trucking Associations. That's quite an honor to you and the members of your committee. Now, as you earlier mentioned to me, it has been reviewed at different times over the years to see if it could be improved and even your 'ole friend, Mr. Henry English, ten years ago reviewed it as a committee chairman, didn't he?

Buhner: Ten, or so, years ago.

Woods: And it's never yet been improved upon and there has been very few changes and those were not really really changes, but only the addition of more vice presidents, or officers.

Buhner: There has been more vice presidents elected, but basically it's still the same.

Woods: Well, that must make you and the members of your committee proud that you and they did such a thorough job,

and you certainly should be congratulated for heading it all up. Now, to continue on a little bit, Mr. Buhner, you had two brothers with you in the trucking business, is that not right? And later you left the trucking industry and turned the Silver Fleet Trucking Company over to them while you returned to the ferterlizer business of your previous days. Then following all that the Silver Fleet was sold and now your brothers are no longer associated with the trucking industry. Is that correct?

Buhner: That's right.

Woods: Now one other thing. This is something I should have asked you at the very beginning of your interview but failed to do so. What is your nationality, Mr. Buhner? Are you an old line American?

Buhner: I am. I'm a fourth and in some place a fifth descendant German.

Woods: And they settled here several years ago in Seymour, I suppose?

Buhner: They settled in what they called Jackson County. Most of my forefathers from back in generations were all farmers. They, -----most of 'em,-----some of them came up the Mississippi River up the Ohio and then settled about 50 miles North of Louisville. They had quite a settlement up there, and that's where both my mother and my father were born and raised there, in that country. Some of them, I don't recall just who, but they came from the far country

into Cincinnati and then came down, and were settled in that country there.

Woods: Well, you're what they would call an American Continental. You've been here four generations.

Buhner: Four, and in some respects; five.

Woods: We have just heard the Buhner Report; the Bible of American Trucking, from the time of its conception to this very day. It gave a rule of thumb guide to a loosely formed industry in 1947 that welded not only interstate but all branches, types and classifications of the entire industry into the world's second largest industry. Second only to agriculture. Our trucking industry responded wholeheartedly to the Buhner Report, and in compliance to Section C under Article 2 of the 6th. Report suggesting a Washington headquarters; today stands a building at 1616 P Street, Washington, D.C., which is the national headquarters of the ATAs. Although there has been no basic changes of the Buhner Report since it was first submitted in 1947, there have been some additions in Conferences and Officers; such as, vice presidents and so-forth. I believe today there are 13 Conferences instead of the original 10 mentioned in this report. What is a Conference in the ATAs? So the student will know: An ATA Conference is a group representing one specialized field; branch, or type of trucking within the industry. For instance: Common Carriers, Contract Hauler, Steel Haulers, Film Haulers, Special Commod-

ities, and so on. Each being highly organized and as per Buhner Report; each having their say in the ATAs. In my own mind probably the most important Conference in the ATAs is the Regulated Common Carriers Conference, which is referred to as the RCCC. It is important because it's objective is to determine and regulate new commodities to be transported; therefore, created new hauling contracts granting more revenues to the industry. Students of government can readily see Mr. Buhner, and the members of his committee, whether knowing or unknowing, compiled their Buhner Report along the lines of our country's constitution, by having 3 major powers; namely: the ATAs Conferences, the ATAs State Associations, and the ATAs Board of Directors, and all being watched over by the ATAs Executive Committee. The same as our nation's 3 overlapping powers: Executive, Congressional, and Judicial. To be sure, it is as it states; a Federation of the entire American Trucking Industry. In closing, Mr. Buhner, has asked me to be sure to give credit to, Mr. Ray Atherton; former General Manager of ATAs, who is now retired and was a most active member of the Buhner Committee, for the section on our Truck Association Managers, appearing as the third heading of the Second Report of the ATA Committee on National and State Organizations, which was submitted on October 17, 1945. Mr. Buhner informed me that Mr. Ray Atherton should receive full credit for the entire recommendation on Truck Association Managers.



It is understandable that I will again be visiting Mr. Buhner in reviewing his entire recording and receive his final approval for its publication; but in all likelihood, to the listener, Mr. Buhner's most historical interview is complete. At this time I wish to state that I have never interviewed anyone in American Trucking that has contributed so much in so many of the industries different fields. And I would like to add that he too, as all the other outstanding giants of the industry I have interviewed, is extremely modest. It is a trait that I have noticed each and every one of them possess. None of them claim glory, but as is so evident in Mr. Buhner's interview, they are forever trying to give credit to others. Personally, I am convinced that standing records will cause history's gyrating needle to point directly at Mr. Edward J. Buhner, as one of America's trucking few great figures. He will probably be remembered most for the Buhner Report; as second President of the ATAs, and his legislative victories; but, those three major contributions form only the head of his comet that blazed over the industry's horizon during its trying years. The streaming wake of his comet engulfed numerous other important contributions, as records and this recorded interview reveals, and without them trucking would not be so stable as it is today. In joining the listeners in bidding Mr. Buhner farewell, we

wish to give equal credit to Mrs. Buhner; for as all wives of the industry's Founding Fathers and Pioneers, she too suffered the same anxieties and defeats as her outstanding husband before enjoying final victory. They have both contributed their lives to help make America the great international industrial giant it is today.