

Frank O'Brien: *A Family of Lawyers*

Carrie Nobel Kline: ... on the computer. That's our new system here. We got a little database. So if you hear me typing away, that's what I'm doing.

Michael Nobel Kline: As soon as that --

Frank O'Brien: You want me to hold this?

MNK: No, I'll hold it. ... My name is.

FO: My name is Frank A. O'Brien, Junior.

MNK: One more time please. Would you say it again?

FO: My name is Frank A. O'Brien, Junior.

MNK: Okay. And your date of birth?

FO: June 30, 1913.

MNK: And the place?

(007) FO: In Wheeling, West Virginia.

MNK: Okay.

FO: It was not Wheeling at that time, but it is now.

MNK: It wasn't Wheeling when you were born and it is --

FO: No, it was the town of either Pleasington or someplace like that. Or town of Edgewood maybe or Edgedale. A large number of communities around this, around what is now Wheeling were incorporated individually. And around 1920, there was a area-wide vote, and they all agreed to come into the city of Wheeling. So before 1920 the area I was born was not within the corporate limits of the city, which explains why I said what I said.

MNK: What do you remember about that place and the people who lived there? Could you describe --

(016) FO: Well, we lived on a place was called Lennox, no, Linden Avenue. Lennox was a series of one block streets extending from National Road toward Wheeling Creek. And we were on the second block from the eastern end of that group. The first one in that group was Lennox

Avenue, which was closest to St. Michaels Church. And we were one block away. We lived in the second to last property on that street, and it was the only house at the time. It was constructed when I -- And my family took occupancy when I was six months old, so I'm told. It was a place where a lot of families had a lot of children, and we all grew up together and playing and run sheepy run and one thing or another like that!

MNK: Yours was the only house on that block then?

(027) FO: Initially. Initially. Then they all -- Then other houses came along, and the whole block was filled up.

MNK: So, so it was a just a neighborhood street with a lot of kids?

(029) FO: Oh yes, that's all it was, yeah. The National Road is -- Like Wheeling Creek is one side, one boarder, and National Road is the other, U.S. Route 40. And we used to cut pictures out of magazines of automobiles, new automobiles, then go up to the Pike, which we called the Pike, National Pike, sit there and watch cars go by and compare which one we had pictures of! I can remember also there at the end of World War II when the soldiers were all being released from the service and they came, they were coming back home by army vehicle. And they would come through there in great convoys and would park along the road and spend the night. And we invited them to the homes of the various people for dinner. That much I can remember. That would be about 1919 I guess, I don't know. Whenever they were discharged.

MNK: So this was all done just on the spot, kind of spontaneous?

(042) FO: Yes, uh huh. Yeah, I went to school, grade school at a place called St. Michaels School, which at that time was on Edgington Lane, in the early '50s. Oh, no, in the -- I'm not sure, in the late '30s it was moved to its present location. St. Michaels on the National Road there at Siebert Street. And in the 1950s then the church was moved there also. But I, I have the distinction of being baptized and married and one thing or another all in the same parish for -- I'm 80 years, 81 years now. I've been in that parish all the time except when I was in college and law school and in the service.

MNK: A little more about the, about the neighborhood. Could -- Who were some of the families that lived there, large families?

(053) FO: Well, across the street from us was a family name Cracraft. That's C-R-A-C-R-A-F-T. And they had three children. The man of the family was a doctor, physician, family practice in those days. One -- The, the younger, the oldest was a -- The first two, the oldest two were boys. The middle one was a boy named Russell Cracraft, and he got into the Army from college and was in the death march at Bataan Peninsula. There is a, a dedication to him up at Oglebay and the flowers -- I don't know whether you're familiar with the, the beautiful flowers that are up at Oglebay and all laid out over the hillside. One of the early developments there was in his honor and his memory. And there's a plaque there. Those other families there were the Winkaters, which there were three children in the family. We all grew up with them. They, they have all passed on now. So have all the Cracrafts. At the top of the street were the Sonneborns. Charles Sonneborn and his wife

(071) and two sons. The oldest is Charles Sonneborn who is still living here, and you should go see him because he has a wealth of, a wealth of information. His, his home is just off the National Road at a point kind of opposite the Madonna of the Trails monument near Wheeling Park if you know that. He had a brother, he has a brother who is now a retired physician living in Florida. His family were wonderful, wonderful residents of the community. They were very generous with their funds to various and sundry projects. Mr. Sonneborn and some other men had an option to buy what is now Wheeling Park. And about 1920 they had this option, and they offered it to the city. They were going to make

(081) a, a development of it themselves, but they offered it to the city if the city wanted to pick up their option. And the city did, and so it became Wheeling Park. And one of the -- The entrance there to Wheeling Park is -- The monuments there are, I think, carry a plaque of the Sonneborn's name on it.

MNK: What was, what was their family business?

(086) FO: They were what was in the Hub Department Store, which was at the corner, well, it was on, on both Market and Chapline Street on the north side of 14th Street. Kind of surrounded what is now the Riley Building. And in that -- The two Sonneborns -- The business was founded originally by a man named Moses Sonneborn. He had two sons. One was Charles and the other was Herbert. And they operated that after their father's death, and

ultimately sold it.

MNK: That's fascinating ... Were many of the families in that neighborhood owners of businesses or professional people, doctors, lawyers, that sort?

(095) FO: Well, of course the Sonneborns owned businesses. Next to them was a family named Elikon. E-L-I-K-E-N, I think. And I don't know what he did. And across the alley from them was a family named Jungling, J-U-N-G-L-I-N-G. And I think his, the father's name was Harry. And he was a banker in Bridgeport. Next to them was a family named Good, Sam Good, also a very, a member of very wonderful Wheeling family and very generous with their, with their worldly goods.

MNK: Good Zoo?

FO: Pardon me?

MNK: The Good Zoo?

(102) FO: The -- Well, that's a, that's started by a nephew of this particular family. But that's, that was started by a son and daughter-in-law of Sidney Good. But this was Sam Good. Sam Good had two children, Lee Good, who's still living, and a daughter. And Mr. Good was, Mr. Sam Good was very active in -- He and his brother Sidney ran L. S. Good and Company, which was a department store, now out of business, more or less across the street from where Security National Bank, now Bank One is. They gave the Good Lake, which is, I think at Oglebay. There's another lake at, the Schenk Lake that is out Wheeling Park. But, but they were, they were very, very generous in, in their worldly, you know, in their gifts to the city and supporting of various and sundry things. On the other side starting at the Pike there was a family named Lukens. And I think they had two sons and both of them are physicians, but I haven't any idea what happened to them. Then next below that was a family named Stamp, Frederick Stamp. And that's the grandfather of the present Frederick P. Stamp who is the United States district judge here. His, his

(123) wife's family were very much involved, not his wife's family. No, his family was very much involved in what was known as Sterling Products and Bayer Aspirin. American Home Products and all of that stuff. They are very wealthy, very wealthy and also very generous with their worldly goods. And the next family down was a family named Feeney, F-double

E-N-E-Y, Clarence, I think. And they were in the Feeney Candy Company, which was down on Main Street, but I don't know where. Then the next family was the Winkaters about whom I spoke. And the next family down was Larken. She was a widowed lady and had several children. And then another family whose name I forget. And then our family. There were a lot of children around, and fortunately none of us got in any trouble. Grew up and stayed out of jail ... like that!

MNK: You play on the, on the main street there?

(137) FO: Well, we played in the streets, yes, yeah. Oh yes.

MNK: Or did you have a playground close by?

FO: Well, there was empty lots that we could use, but we did all our, we have our, what do you call them, track meets, one thing or another, right in the street. It didn't make any difference. Nobody would dare on that, run on that street very fast. Well, there weren't -- The cars didn't run very fast in those days! You know, that's a long time ago.

MNK: Tell us a little about your own, your own family then.

(143) FO: Well, my father was the fourteenth child born to Tom and Kate O'Brien. And he's a lawyer. He went to, among other places, Mount St. Marys College in ...burg, Maryland, and then to West Virginia University Law School. And I think he began practicing around 1902 with his brother J.J. P. O'Brien, who is I don't know how many years older, six maybe. And they had a, their partnership was O'Brien and O'Brien. One was a democrat; one was a republican. And that was rather important in those days. And they practiced together until Uncle Joe was elevated to the bench here in about early '30s. And his son then came out of law school and joined it. And I joined it in 1938. And my brother Dick in 19, I don't know, I don't know, '48, '49, something like that. We were, we were five

(157) children. I have a sister Aileen, A-I-L-double E-N, who lives in New York. I think she's 84; a widow. Her name is Murphy. I have -- The next one is Katrine, K-A-T-R-I-N-E. And she married a man named Rempy. And she's a widow, and she lives in Georgetown. Then I came along. And then my sister Camille who lives on Oakmont Drive here in Wheeling. And my brother Dick who was born, I think, in 1921 I believe. He's not living now, but the rest of us seem to be flourishing. We had good genes I think. So that's about the extent of

it. We all grew up in Depression and it's just awful hard for us to understand how expensive things are now and the fast pace of life! But we're doing what we can to enjoy it however.

MNK: O'Brien sounds like an Irish name.

(173) FO: Yes, that's right! That's what it is. The -- I was, I was looking in this information I have here. It said that about -- I think that my grandfather was born in Ireland in about 19, 1830. And I'm not sure when his wife was born. She was born -- I think her family was on the way here when she was born. She my have been born in Scotland. But anyhow, they both met here in Wheeling and were married and had 14 children. And he, he just came here -- He's penniless. I understand he had enough money when he got off the ship in New York to go as far as Cumberland, Maryland. He walked the rest of the way. I guess they selected here because there was quite an Irish community in East Wheeling at that time. Friends of his from the old country. So they were, they were married, had all these children and raised them and, and educated them. And then he, he died, I think, in 1909. His wife predeceased him. But they lived on a piece of property on the other side, on the north side of 13th Street opposite the cathedral at the time he died. I don't know where they lived various times, but the present site of Linsley Military, Linsley Institute class

(192) building was, was their residence. And that's where my father was born. That was at a place then called the town of Leatherwood. And I think it's one or two streets only. And I've understood that there were 10 incorporators in the town of Leatherwood, and that it was incorporated in -- And of course in those days women weren't allowed to vote or sign documents or anything. But they incorporated in order to keep the railroad from coming on that side of the creek. And, and so the railroad went, when it came down, went the other side of the creek. And that's why, however, they incorporated for that purpose. There were only nine so-called voting citizens in the town! We had streetcars at that -- I understand we had streetcars at that time because my grandfather would go downtown to his business on a streetcar.

MNK: So -- Let's back up just a little bit. Do you suppose that Wheeling was his destination when he left Ireland?

(206) FO: I understand so. I understand so. And they ended up in a place out on 17th Street here where the Neely Grocery Store is. That just comes to me. Members of the family have mentioned it.

MNK: Have you, have you ever in your mind sort of tried to reconstruct what that neighborhood must have been like when he arrived?

(212) FO: I think it's much the same. A lot of it is much the same. The railroad was right close there. It came down, it came down the street, the Pennsylvania Railroad came down the street from there. The one that they wanted to keep out of Leatherwood. And I -- Of course it has obviously changed. The interstate's come in and done some things. But a lot of the buildings, I think, are much the same. Not as they were in 1850, but certainly at the turn of the century.

MNK: And this would have been a largely Irish neighborhood do you suppose?

(219) FO: I can't tell you. I don't know. I don't know. But I took a lady -- I ran into some woman, whose name I don't know, at some political rally in the '50s, and I offered her a ride to her home. And she told me that my grandfather and grandmother had met there. That's how I know that. So it was out there at the corner, what is it, Byron and, and 17th Street.

MNK: What -- How do you picture them at the time of their meeting. What was your grandfather doing, and what was your grandmother doing?

(226) FO: Well, I don't know exactly. He, he -- Looking at the obituary and the note in this History of Greater Wheeling by Dr. Ackermann, or by Dr. Winkater, there's more information in there than, than I have any first hand -- Well, I have no first-hand knowledge of it. I never knew him. He died, he died about a week or so after my mother and father were married. And he was a very imposing looking fellow. I understood that he would be very straight laced. I've heard it said that when someone told a dirty joke in his presence, he said, "The humor doesn't compensate for its vulgarity." Who, who would ever say that nowadays, you know! But he -- I think he was with the B&O Railroad and in Parkersburg, West Virginia, in various jobs and ended up in -- And when the Civil War came, he was in Parkersburg, West Virginia. And according to this history, he helped

(241) form some kind of a company of which he was the lieutenant for, and served for some period

of time and then came back to Wheeling. Whether he was married then or not, I don't know. But he had various interests here. At one time he was treasurer of the state of West Virginia when it was maybe in this building, maybe. As you perhaps know, West Virginia was formed during the Civil War, or as the people down south say the War Between the States. And, and it first convened as a state in this building, which was then Linsley Military Institute.

MNK: Was that in 1861?

(250) FO: 1863, I think.

MNK: The first, the first convening was --

FO: I think it was 19 -- Yeah, I think so. And the state was operated here for a while then moved to Charleston and came back here from Charleston when the city of Wheeling built them, built the state government an edifice on the, between 16th and 15th Street on the east side of Chapline Street. It was a -- This has been torn down now, it's kind of too bad, but it's been torn down. They operated as a government here in Wheeling for about 10 years. I notice on the plaque on this building that they were in this building on the second visit here for a year or two, and then they moved into the other one just more or less across the street from here. And then when they went back to Charleston, they deeded it to the city and the county. There's one point during that time that he was the state treasurer. He also -- He was a very strong democrat. And he was of course a very strong supporter of, of the northern cause during the war. And I think out of his loyalty he was appointed surveyor of the port here, or surveyor of customs. And appointed by -- It's mentioned in this article. It was some kind of a political job he had, I don't know. He was also a member of city council on two occasions. I don't know what else he did. He was in banking circles, but I don't know. And telephone. One of the first telephone companies here, he was involved in that. I don't know what the name of it was. I can't tell you any more about him because I don't know. There were 14 children. Of course a lot of them died in infancy. And some of them that came on later had the same names as those who died earlier. One of them became a nun in some order in Nazareth, Kentucky. We called her Aunt Maggie. And then I knew Uncle Tom. They lived in Youngstown, Ohio. He was with the Heinz 57 Variety

(275)

people. And then Uncle Dick who had various jobs. And Uncle Joe who was a lawyer, and my father. Then there were two or three of the women that I knew. Aunt Maggie was one. Aunt Nora Flynn was one. One was named Catherine who married a McLaughlin. So they all married the Irish you see. My father married a German lady. Her name was Kleinfelter. She was in Cincinnati, Cincinnati. And they were married in Cincinnati in 1909 and coming back from, from that wedding on the train that apparently my grandfather caught a very bad cold, developed into pneumonia and then he died within a week or so. He was rather old, had a full life. Don't be so serious with me now! You have all these frowns on your face.

MNK: Well, ... people --

(302) FO: I don't know that I have, I don't have much knowledge of my family background really. No personal knowledge.

MNK: Your father never told stories about his father?

FO: No. I do remember one that my Uncle Dick when he became 21 years of age, reached his majority, why he ran to the house saying there's a man in the house, a man in the house. And, and his mother supposedly said, "Yes, but he's not dry behind the ears yet!" I don't know of any of those. He was apparently a very straight-laced guy. He's very strong in his religion. And I understand that when they lived where the present site of Linsley is that they used to walk down and cross the creek and attend religious services at Mt. de Chantal Academy. And of course he was a member of their board at one time, as my Uncle Joe was for a long time. I, I have been associated with them for, I don't know, 20 years or more in a legal capacity representing the nuns. Watching that institution, a very wonderful institution, evolve over the years.

MNK: Somebody said that started, that some of the support, early support came from New York City.

(324) FO: Well, it's true that it came from east, over east somewhere, but I don't know.

MNK: The story that I heard was that some of the nuns went to New York City and met, met a --

FO: Some of the, some of the political --

MNK: Underworld figures --

FO: That's what I've heard. That's what I've heard.

MNK: Agreed to bank them.

(329) FO: Yeah. They came here, and they founded this institution. I think it was up close to where the Ohio Valley Hospital is now. And I believe it was called Wheeling Female Academy. And then somehow or other -- Well, I found on their behalf, I found the original state statute issued by the Commonwealth of Virginia when, creating that corporation. I think it was in, I don't know, 1850 or something like that. I'm not real sure. Eighteen forty-nine maybe. And then later when the state road came and needed some of their ground, they couldn't find the charter. And by that time they began calling themselves Mt. de Chantal Academy. And so whoever was the lawyer then, it was in the late '50s, reincorporated or got a new corporation really issued then by the state of West Virginia. And it was called Mt. de Chantal Visitation Academy of Wheeling, Inc. Now, with my help and under their instructions, it is now incorporated, the name changed to the Sisters of the Visitation of Holy Mary at Mt. de Chantal, Inc. And then there was a new corporation created and,

(350) and the nuns leased the educational properties to the new corporation. Kind of to handle the transition from religious to lay operation. Kind of forward looking recognizing the facts of life. Not many nuns going into the convent anymore. So -- And my family had been active or some of them -- One of them was a member of that organization. Well, I think, I think my grandmother went to school there. I'm not sure about that. I know my, my aunts did, all of them. And then I -- And then one of my cousins was a member of that organization, and she is buried over there at Mt. de Chantal. And then all of my sisters and cousins went to school there. An interesting thing is one of my, one of my father's sisters, Mary Agnus, married a Tom O'Connor, another Irish. And among the children they had was Jane, who was the nun at Mt. de Chantal, and Agnus, who was a nun at Mt. Carmel, which was a cloistered organization, religious organization on Carmel Road rather close to the present St. Michaels Church. And in time that folded. She died and was buried there among, with others. But in time that place folded, and they moved all the bodies over to Mt. de Chantal. And so the two sisters are now rejoined, so to speak, in the next, next graves to each other. And then those were, those were cloistered organizations when they went in.

And for many years thereafter, they never really got to see each other. If they both got on the top of their hill, maybe they could see each other, but they, not in person. One's, one's named Jane de Chantal named after the founder of the de Chantal, Mt. de Chantal organization. And the other was Sister Agnus of Jesus, her name was.

MNK: Sister Agnus.

(388) FO: Yeah. Very cloistered. Very, very austere life they had. So --

MNK: In contrast to much of the life the way it was being lived in other parts of the city, I gather.

(393) FO: Well, they, you know, they lived -- They slept on a hard board and I understand that they, they were supported entirely by donations from the area. Their food and all. When they were -- I understood they sat out -- When they were totally out of food, they rang the bells, and people would rush up and give them food. I don't know that to be a fact. That's what I heard it! I've heard it said that. So it goes. They don't have many more of those organizations around now.

MNK: So by the time you got back from university law school, it was about what year?

(404) FO: Well, I went away to high school and college to a place called Mt. St. Marys in ...burg, Maryland. And I finished high school in 1931 and college in 1935. And then entered the University of Virginia Law School in Charlottesville and was graduated from there in 1938. And I joined my father at that time in the practice of law.

MNK: This would have been at the height, height of the Depression then?

(413) FO: I went away in the height of the Depression. And when he died I of course had to settle his estate and go through all the files and the personal letters. And it was, it was heartbreaking to see. He wanted me to get -- When I grew up there things were kind of tough. There's a lot of liquor around and wildness, and he wanted to get me out of town. And so that's, I think, why he sent me over there. And it was terribly hard on him financially. I understood that one time, one year during the Depression that Uncle Joe and dad, who had a rather handsome office and secretaries and all that, their gross revenue, gross revenue one year was four thousand dollars. And dad had the wife and five children. And Uncle Joe had his wife and eight children. Somehow or other everybody made it. How it goes.

MNK: But by, by -- What was it like then starting to practice law in Wheeling in 1938? What was, what was the ... city?

(432) FO: Well, the Depression was fairly well over. And business was returning to normal. And youngsters were able to get jobs during the summertime. That's ... without too much trouble. I, I worked for the streetcar company in the cashier's office in both Christmas and summer vacations. Before that I worked in a dairy one time. But the practice of law was substantially different. We had three terms of court and summertime was not very busy, and it was pretty austere during that time. And of course in those days -- Well, just before those days if you wanted to borrow money to buy a house, you had to have enough money on hand already or the banks wouldn't lend you anything. And so the real estate market was very slow, wasn't very active at all. But then in the mid '30s was the democratic congress and all started all these building and loan associations, federal savings and loans they were. And that sparked a lot of real estate, residential real estate transactions. And so the practice of law then included a good bit of that as well as trial work and some estate work. It's -- But in those days when I came out of school if you had a -- If an individual had a cause of action for damages or one thing or other you had to have all of your witnesses and all of your evidence and everything on hand at the time you filed your suit. Well, in 1960
(466) with the change of the procedural rules, now you can file a complaint against somebody in about four lines and then you can spend your leisure developing it with discovery procedures. And of course when that came, when that change was brought about, there was a substantial amount of work by the legal profession in what they call discovery work, depositions and that sort of thing. And it's entirely different practice, entirely. I, I don't think it's as good as it was now as, not as good now as it was. There's too much greed, and everybody wants to get rich all of a sudden, including the legal profession and the engineers and everybody else involved. The doctors, everybody.

MNK: But in those days --

(483) FO: Well, in those days you made a decent living, but you weren't -- You didn't make a million dollars in one case or a half a million dollars in one case. That's -- That happens now. You know, you labored all your life and you left a modest amount for your children. Nowadays,

nowadays a fellow practiced 10 or 15 years and some of them are millionaires already. It's just amazing. Absolutely amazing. I haven't experienced any of that. I haven't been practicing in an adversarial way for, oh, 15 years maybe. I've, you know, I'm practicing now 56 years. I'm barely practicing! I come to the office every day, but I don't do anything of an adversarial nature. I do estates and trusts, that sort of thing. And I go home when I feel like it!

MNK: Great.

(503) FO: I work in the yard, play tennis ... something like that.

MNK: How about 1938. You'd been away for a while and you came back.

FO: Well, I had --

MNK: ... what was your impression? Were, were the mills down then or up or --

(507) FO: No, no. They were starting up. The pollution was terrible. Well, most of the energy or the heating, for instance for all of the residences and all the power plants, was all this soft coal. And we would, we would drive to Wheeling from the east end of town and come up over Wheeling Hill, and you couldn't even see the Ohio River because of the smog as we called it in those days. That's fog and, and soot. But the beginning then and after the war, it all cleaned up. And -- But, but everything was dirty. I mean there was dirt everywhere. If you had a nice office you tried to keep it clean. You just couldn't keep it clean. There was just soot everywhere. And, and of course it wasn't a very good healthy situation. A lot -- I understand a lot of men were turned down for the service initially because of what the x-rays showed of their lungs until someone would come along and say 'Oh, he's from the Ohio Valley, don't worry about him, he's all right!' But your lungs were terrible with all that soot you're breathing in every day. The river was polluted. The streams around were open sewers. In the early days when that was, those streams were used for that I understood that the stream purified itself in about a mile, but not with the, the influx of

(538) people polluting it. But then ORSANKA came, which I can't remember, Ohio River Sanitation something or other and all these sanitary sewage disposal plants were constructed, and so our waterways are now good. They weren't then though.

MNK: How, how did that come? What were the steps that people --

FO: Well, there was a compact between seven states. I think it's seven. Every, every state that bordered on the Ohio River. And --

MNK: What year?

(549) FO: Well, I think it started, I think it started post World War II. I'm not certain. Early '40s. Early '40s. We -- When we were married we, we moved to the next street from where I was raised in Lennox, and the creek was an open sewer there. It was awful. In the summertime the odor was very bad. But in about, I don't know when it was, in the early '50s it was all sanitary. ... sewers were constructed, installed. The creeks and rivers became clean.

MNK: Was that federal --

(564) FO: It had, it had federal -- I think there was a pact between the seven states, but of course it had to have, it had to have federal approval as well. States can't get together and agree, agree on something in, in certain instances without the approval of Congress. And, and it was -- ORSANKA was, I think it's still in effect. They are -- I mean it's still alive. They are enforcing additional purification procedures for the various sanitary sewage disposal plants that have been in existence for years and making purer and purer as it goes along.

MNK: Interesting. So were, were you practicing law then all through the '40s?

(582) FO: Yes. I began in 19, I began in June 1938. Passed my bar in September of 1938 and then continued to practice till I went away to the service in April of 1941. And I returned from the service September of 1945 and then in continuous practice since then.

MNK: Where did you go in the service?

FO: Say that again.

MNK: Where did you go in the service?

(591) FO: I was a shallow waters sailor. I didn't see, I didn't hear a shot fired in anger. I was in what was called Naval Intelligence, Domestic Naval Intelligence. We were, had the responsibility of investigating the background of individuals in the Navy who had access to confidential information. And so it was essentially just, just investigating all during the war. I spent a first few, first several months at Norfolk, which was the Naval district headquarters. And then, then was sent to Charleston, West Virginia. I spent three years here. And when I left there, I went to, well I went to an advance intelligence school in New York. And then sent to

Charleston, South Carolina, and ended up in Jacksonville, Florida, and was discharged, I think, September the 11th, 1945. I was going to take a vacation, but when I came back my father said, "I'll see you at the office tomorrow morning." Well, he, he was an older man and had had the burden of the office all by himself for all that time. And I didn't much blame him. When I later had it by myself I

(620) realized what it was. It was a terrible burden. So I never got to go to Colorado like I was going to go for a couple of weeks! My wife wanted me to go out there anyhow.

MNK: And how had Wheeling changed then in the time you were away?

(627) FO: Well, I think, I think -- I think the community has kept pace very well. We have a -- We've done over our water system. I mean substantially improved it. And the sewage system is all now, all the roads are good. We have an excellent public school system. We have a fine private schools. Three private schools: Linsley, Mt. de Chantal, Country Day School. We have excellent adjacent colleges. We have fine police force, fine fire department. I served in city council for four years and had, you know, gained a little understanding of the problems of running a city. In, in my lifetime, the community has been reduced in size, population wise, from about 72,000 to about 38. And that normally would wreck a governmental agency and, and the businesses are still here so, which would be required to support with taxes, but the community seems to have survived. And I believe is in excellent shape. I mean we have a healthy municipal budget and good long-range plans are made. And our, our recreational facilities, I'm talking now on a community level, are, were when I was in council, I felt outstanding. We had more playgrounds than any community of our size anywhere, all supported by taxes and with

(668) the playground instructors. And I'm not talking about the park system. That's in addition. But -- The lawlessness was at a minimum, I thought. Of course we have, as every community does in this nation, a lot of tragedy, but I think the community's a safe place in which to raise a family. And I believe, I -- This, this law office that I'm with, Pat Cassidy is a Weirton boy, and he wanted to come here. His wife's a Wheeling girl. Bill Gallagher was from Massachusetts. He wanted to come here. Ray Voegelin was from

(686) New York state, up near Dutchess County. He wanted to come here. Tim Cogan was from

Cleveland, and he wanted to come here. And I, I notice that there are a lot of young, wide awake professionals moving here with the belief that it is a healthy place to live. It's close to major transportation in Pittsburgh. And Wheeling has an excellent cultural history. We -- Our symphony concert, our symphony orchestra, I don't know, 75 years old, I think. And it's, it's an excellent, it's an excellent orchestra. The things they do -- For instance, (705) they have concerts for the children. And they have a children's band. And all this is supported with private contributions. It's, it's just excellent. We have a very professionally excellent, wide spread medical profession. So all, all of which makes it a very good place to raise children. And I think that the young people are coming here are, they're being rewarded financially as they wish.

MNK: Could you talk more about the period after the war when you came back? And the changes you noticed in the city then and how, what happened after the war?

(730) FO: Well, I, I was awfully busy raising a family. And we bought our house on Lennox Avenue. I put 25 dollars down.

(side 2) FO: Four percent. And we had that house from 1949 until '68 when we moved up near Oglebay Park. And I don't know, we were able to get along with one car easily when, in those days. And the children went to the good schools. Interestingly enough, when I was a city councilman, 1959 to 1963, my salary was a hundred dollars a month and that paid for the tuition for both boys at Linsley. How about that. Six hundred dollars a month, six hundred dollars a year for their tuition. And our daughter went to Mt. de Chantal. It was not as expensive as Linsley, but it was an excellent school, all college preparatory. Our oldest son was my namesake, went on to Mount St. Marys College and was graduated from there and then went into the Marine Corp. and right into Vietnam and of course he was killed over there. He was going to, he was going to go to law school as soon as he got out. The firm would, I think, would have continued then under the name O'Brien and O'Brien, but I was a sole practitioner for a long time after my brother died. And when Cassidy came down the street we became O'Brien and Cassidy and then O'Brien, Cassidy, and (018) Gallagher. And now it's changed more recently. My second son after he graduated from Linsley went to the Navel Academy. And he's been in the Navy ever since then. He

enrolled there in '64, was graduated in '68, and flew helicopters for many, many years. We were always worried about it, but if he had an accident we never knew it. He's now getting out of the service as a Navy captain August the fourth, and we're going down to the retirement ceremonies in Norfolk where he is now. He, he served in various capacities in, in the air arm, helicopter air arm of the Navy having a squadron of his own, helicopter squadron serving aboard aircraft carrier. And then from that job went to what they called air boss on a Marine Corp. helicopter aircraft carrier where they would take the Marines ashore by helicopter or small boat. And he served on that, and then went to NATO in (031) Brussels where he spent three or four years. And then NATO in Norfolk. And now he's going to retire from that. Our, our first daughter was named Briget, good Irish name. Not Bridget, but Brigit, B-R-I-G-I-T. And she died at age six in 1940, 1950, 1956, January 2. The other two children was a daughter Mollie and our son Tim. And they are both musically inclined. Do you know them? Where have you heard them?

MNK: Here and there.

(039) FO: Anyhow, they're, they're in the midwest in, in Colorado. Tim and his wife and two sons live in Boulder, Colorado. And Mollie and her husband and two daughters live in Denver, which is about 30 miles apart. And they're all doing very well. They're not killing the world, but they're doing fine, making their way.

MNK: ... Where, where does that musical --

(045) FO: I don't have any idea. Timmy, in some history that he gave, said that we all sat around and played the piano and stuff like that, which was a bald lie. I, I took music in, in prep school, played the banjo, mandolin! And then I was in the school band with a sliding trombone, but that's the extent of it. And I -- My wife Amy, I think, tried to play the piano as a girl, but I don't think -- We don't know where it comes from. My sister's son, who's my namesake, Frank Anthony, they call him Tony, Ames is the chief percussionist for the National Symphony Orchestra in Washington. So he's got musical talents too. But Tim and Mollie are the, they're really something. They really are good. Today is -- I think tomorrow maybe, they leave and they fly to Columbus. They'll perform in Cincinnati and then Columbus next Saturday night. And then they're going to come here overnight, two nights,

and then go to Sandusky, Ohio, I don't know, on Tuesday. It's hard to keep track of them.

MNK: Do you go hear them perform?

(061) FO: Oh, sure, everywhere. Every place we -- Yeah, all the time we -- And see them on TV sometimes, which is absolutely amazing to look and see your, your son and daughter on TV. Absolutely amazing. They have -- They've traveled for the State Department in Eastern Europe right after the Iron Curtain came down. About six weeks over there. And then more recently did about a four or five week tour in South America for the State Department. I say State Department, I think it's, what do they call it, Information Department, goodwill for the nation.

MNK: Interesting. Is there anything else you'd like to --

(070) FO: I've talked too long as it is!

MNK: ... city of Wheeling here?

FO: Oh, no. Well, I, I should maybe mention my, my cousins, Uncle Joe's family. There were four boys and four girls. And the youngest was named Genevieve, and she died in the polio epidemic in 1927. But the three other, the other three girls are still living and three of them are here in Wheeling living within a block of each other. It's interesting. They had married and all and now are widowed and live there together. The four boys, Tom was a partner of ours here and later became a judge himself. And then on retirement moved to Florida and is deceased. And his brother John, J.J. P. Junior, Joe, died, I don't know, 10 years or more ago in Birmingham, Alabama. The two youngest boys both of whom were Naval officers, went to the Naval Academy, served during World War II, are still living. One in Columbus and one in, one in Birmingham, Michigan. The one was in both submarines and the air arm during the war. You have no comprehension, I suppose, of

(085) the size of those submarines in those days in relation to what they are now. If you're ever in Pittsburgh at the zoo out there or the museums out in the east end, there's one of them tied up in -- They got it somewhere up the Ohio River. It's tied up there for the museum. We -- My wife and I heard, and of course knew, that it was coming up the river and we wanted to see it. And it was passing Wheeling at nighttime. This is several years ago. And so we drove down the river to look at it. Didn't get a very good view of it, so we thought we'd drive

(094) up to Wheeling and, and the parking garage there on the river, we'd get up on the second floor and look down on it. And after we parked and were walking toward the, where the Wharf Garage, we passed somebody and I said, "Has the submarine come up yet?" And one fellow let out a few swear words and he said, "I served in the, in the submarines in World War II and there's no way one of those submarines is going to come up the Ohio River!" But they had it on pontoons or, or barges or something and got it up somehow or another. But it was amazing to see a submarine go up the Ohio River! So, so that's that. I don't know of anything I can add to that. I've talked more than I should anyhow.

MNK: Not at all. Could, could you talk for another two or three minutes on, on your impressions of this National Heritage area?

FO: Oh, I think what's going on is excellent. It's just excellent.

MNK: ... Where, sort of where you'd like to, to see it go yourself in terms -- You lived a lifetime here.

(105) FO: Well, I think Wheeling has a lot of excellent history and culture that, that this organization will help save. And let the future generations here as well as elsewhere know, know the richness of our, our heritage. And I, I regret very much this current newspaper chatter about the, what the heritage apparently or allegedly did in connection with some rezoning of property over here. And that's, that's a shame because the heritage organization is been very careful to move in accordance with the wishes of the elected officials here and national. And, and they've, so to speak, kept their nose very clean. And, and I think it's just too bad that this House of the Carpenter thing -- And I can't understand why the press has not picked it up, the main, the main complaint about it is made by the mayor of the city of Wheeling who is, is also a minister of this House of Carpenter, and so it's all personal with him. And I, I think it ought to be put in perspective, but then I'm not a crusader so I'm not going to do it.

MNK: What would you like to see happen with the waterfront?

(122) FO: Open like we hope to, the plans call for. I, I would like to see a good marina up the creek at the mouth of the Wheeling Creek. I don't know whether you've been there, but if you go there, you will see the massive stones that are, foundation stones that are in, in the creek on

both sides near the municipal auditorium. If you go there, you'll see those. And those were -- Those --

CNK: Excuse me!

(129) FO: Those were the foundation stones for the original B&O Railroad. I know you talked, I gather you talked Mr. Fahey. The original, the original railroad was right, was down there. And that was the marshaling yards. Then it was moved up to the present site of the Ohio County Library and the Social Security Building. But that came later. But that would be an excellent location for, for a marina.

MNK: Would, would you --

FO: Back up the --

MNK: Want to explore through exhibits and so on, would you want to explore how those railroad yards laid and what --

(138) FO: I don't have any exhibits. I don't know, but you can, you can see them there. You can, you can see the massive structure still there. And some of the bridges, I think, are still there. There's now been a construction of a footbridge so that, you know, the jogging path is in most westerly part of that. But I, I think, and there's a marvelous piece of ground just south of there on the river, I gather that's the property that's been purchased by this out-of-town outfit. But it would be a wonderful location for, for a hotel or whatever. I don't think a shopping center, but -- And I, I think it could bridge the creek at that point and put a restaurant on top of it, it would be marvelous, just marvelous. And it'd all be -- It wouldn't be taking -- You wouldn't be taking the property from any other use because it's, it's right over the water! Speaking of the city and, and our -- I'm very, very high on our public officials, and I mean over the years. For instance, there was a terrible pollution in the river not too long ago, not too many years ago, when some chemicals got into the river. And our people were able to mount the necessary activities ... to take water from that creek on barges and haul it up and pump it into our purification plant so as to stop entirely any input from the Ohio River water. And yet we were able to function here with all of our needs and all the fire protection we needed. Just by that ingenuity. Terrific. Terrific. And they're just as good today. And, and the planning side of the, of the city, I think, with Paul

(153)

McIntyre and Heidie Hopkins used to be in it. I think they're doing a marvelous job, just marvelous. And I believe that generally the population supports them entirely.

MNK: What about the -- Speaking of elected officials and the way city governments run and so on, what about the Big Bill Lias era? What about Chicago as a, or Wheeling as a little Chicago?

(170) FO: Well, that opens a whole raft of stuff because my father and I represented him in a withdrawal of a plea of guilty to income tax evasion in the late '40s and early '50s. He found himself indicted although he had operated a, a bookie and gambling place down here on Market Street. But for instance, the bookie organization you bought a ticket at a counter or somebody's there, there were three tapes printed. One was for the customer, one was for Lias organization, the other was Internal Revenue. And he was very careful, at least we thought, to not get involved with them, but he did find himself involved. And he had, he had been -- The word came down from the judge that judge would place him on probation. And so he pled guilty. And then, then he was sentenced to five years in the penitentiary. At that point he changed lawyers and got my father. And I was associated then. We withdrew his plea of guilty. And he -- That was sustained by the Circuit Court of Appeals in Richmond. Then he went to trial and was found not guilty of any of those things. He was an unusual character, but I got to know him pretty well in that. He ran a

(190) very, very tight ship. It was to his interest that there not be any wildness or -- If anybody was gambling at his place, he escorted them to their car so that nobody would rob them. As far as I know he never was in prostitution, which was conducted here as it was in most communities. But interestingly enough about the prostitution here, somehow or other it had grown up that when these women would come to town the, the madams who ran the houses made them report to the police department. And they were fingerprinted and everything. And they were sent immediately to the Ohio Valley Hospital where they did all the necessary blood tests. And periodically they were examined and, and from that arrangement, there were, I think, about five beds maintained at the Ohio Valley Hospital

(202) for venereal disease treating. Very unusual. But, you know, there wasn't any solicitation by prostitutes anywhere else in town. It was always in one area. But some people wanted to change it, and it was changed. It was about, about the time that Lias had his troubles

too. But he was, he was quite a character, great, big heavysset man. His wife --

MNK: ... me about him. ...

(209) FO: I don't have any -- He probably was about 300 hundred pounds.

MNK: ... as a person.

FO: Well, I suppose he had a tough side to him. The rumors are, you know, that anybody crossed him too bad they ended up in the river somewhere, but I never knew anything like that. He -- Early in his career after Prohibition, he ran, and during, and during the Depression, the numbers game was popular. I don't know whether you know about that, but for five cents you could buy certain numbers. And they'd roll a number and if you won, you'd maybe get 10 or 15 dollars. And they had a lot of people around town selling these things, little slips of paper. And they had Joe Datum, Joe Jatun, Joe Dade, and Joe Night. They had numbers running at nighttime, and numbers run in daytime. And they had a, they had a building down in South Wheeling where they did all this operation. And I
(224) guess it was legal in those days, I don't know. And he wanted to support Lee Spillars, that's George Spillars' father, for prosecuting attorney. And so he put a great, big sign on top of his building advocating the candidacy of Lee Spillars' opponent! And when ... guy could do about. There's a big billboard sign on top of Lias' building! Oh, well, he -- I don't know. He ultimately died of course. His wife, as I said, lived up here on 15th Street and died within the last several years. There was some kind of an auction of her tangible, personal property recently held.

MNK: Yeah, we went to that auction.

(235) FO: Did you? I don't think -- From what I've told, there wasn't much there. But during the time we were withdrawing, having a court appearances on the withdrawal of the plea of guilty, for various reasons other lawyers were brought into it. A Mr. T.C. Townsend and his associate, Mose Boraski from Charleston, West Virginia, they were general council for the United Mine Workers and John L. Lewis. And the motion to withdraw the plea of guilty was a very, very tender thing because we alleging that the judge had promised him that he would get probation. And so we were on our way to court the day to file the motion, and Mr. Townsend said that he had talked to John L. Lewis and that if we got put in jail by the

judge, why he would go bond up to a million dollars for us! We weren't put in jail, and the motion was granted. And the plea of guilty was withdrawn. The course of justice followed its devious path to the end. But during that period of time, we, I ate high on the hog in, in Mr. Lias' restaurant. We really -- We were -- After the plea of guilty was withdrawn and before the jury trial on the income tax evasion, we had the second floor of that place down there, Zoeller's Steak House, a great big room and the accountants were on one side and the lawyers on the other. And the kitchen operated all that time for our benefit.

MNK: Wasn't -- It was Zoeller's?

(260) FO: Zoeller's, yes. It's called Zoeller's Steak House.

MNK: What was the menu like?

FO: Oh, anything you wanted. Lobster, steak, anything. And it was beautifully done.

Beautifully done. When the supreme -- When the Circuit Court of Appeals approved the withdrawal of the plea of guilty, we flew back to Wheeling, and we had a sumptuous repast. We got in about eight o'clock at night from the airplane, and they just couldn't do enough for us.

MNK: Was, was Big Bill there?

(268) FO: Oh, sure. Oh, certainly, certainly. Big Bill Lias.

MNK: He had quite a grandiose style?

FO: Well, he knew what he was doing. His -- He knew how to decorate a place and how to operate it. And --

MNK: That hearing, wasn't there also a whole trial around his origins, whether he was born here?

(275) FO: Oh, yes after, after he prevailed on the income tax evasion, then they tried to, then the government tried to deport him. We were not involved with that.

MNK: Do you remember about it?

FO: Oh, just generally. They attempted to say that he was born somewhere else, I think in Greece, and that he tried to come into the country through Canada. But I believe he was able to document that he went to school here and one thing another with, with, you know, current, I mean with, with documents created by somebody else and not something that he

manufactured. But he was very big in, during the Prohibition days, and the organization which he had, I think, was very widespread according to the information I heard from him. We were trying to establish that he was not broke at the beginning of the period of time that the Internal Revenue said he was broke, and so we had to inquire into his business activities. They had such a big organization on liquor that they, they hauled liquor as far west as St. Louis and Chicago. And they, they hauled it in -- You've, you've

(296) seen these trucks that go around and put billboard signs up. Well, they had a false bottoms in there and they'd haul this liquor around in that. And when people were arrested and sent to jail, well, they remained on the payroll. So he had a very tight organization, very loyal organization. I don't know that they were all gun toters. I don't -- I haven't any notion about that, but -- Of course they were catering to what the people wanted. And he catered down here to what the people wanted. Bookie shop and a roulette table and gambling tables. And good food. A little bit of something for everybody!

MNK: Was he educated in business or --

(307) FO: No, I think not. I, I really don't know, but I don't think he had -- If he had a high school education, I'd be amazed. But I have no knowledge about it. He has a nephew here named George Caravasio who would, I'm sure, be glad to tell you about him. He's a lawyer. Harvard educated. Harvard Law School. And of course he's thoroughly familiar with his uncle's background.

(315) MNK: Okay. Well, we certainly appreciate your time. Carrie, is there any question?

CNK: Well, we haven't had much chance to talk with many Irish people, and I was wondering if you could talk about what it meant to you growing up being Irish. What some of the --

FO: Well --

CNK: Conditions might have been, Christmas celebrations.

(320) FO: Not so much that. I don't know of any -- When I was away at school we used to be big on St. Patrick's Day. And of course I went to Catholic schools, and we always had a holiday on St. Patrick's Day. And then two days later came St. Joseph's Day, so we had two holidays right close there. I noticed, however, being a Catholic that there was animosity in the Protestants and Catholics. Now that's all changed. It's all changed. And -- But, but I, I could site

instances. Well, for instance, the Ohio Valley Hospital. If they had any Catholics on that board of trustees, I'll be amazed. Maybe they had one or two token ones, but they were token like some blacks were token, you know. On the other hand, the Ohio Valley, Wheeling Hospital, which was a so-called Catholic hospital founded by nuns before World War, before the Civil War, they never had any Protestant on the board. But now all that's changed. And, and there isn't any problem whatsoever of, of the religious,

(338) on a religious nature. But there was, there was. They just weren't accepted in some circles.

CNK: Well, in your neighborhood were you surrounded by Catholics?

(341) FO: No, no. The Winkater family, I told you, were Catholics. Those were the only ones on that block. Two families were Jewish. Well, there were more Catholics; I'm wrong. There were about four, four Catholics. But there was a Presbyterian, the Stamps. But there wasn't any problem like that, but it was in the business community. The money people didn't want -- Well, I shouldn't say they didn't want them, but Catholics didn't turn up on the boards of directors, stuff like that. Fortunately, that's all changed. But that found expression in the animosity between the two hospitals. And then the, then the medical profession who practiced at each place, they were, they were terrible antagonistic. And just to give you an example, I was fortunate enough to represent Aetna Casualty and Surety Company who wrote the medical malpractice insurance for all of the doctors here and all the hospitals here, both up the river and here. And so in defending a doctor for malpractice, I would be nice if I could get someone local in the same, an internist say or general surgeon or orthopedic surgeon who, who would defend him who wasn't a partner of his. But I could never get either, either group to let me go to the opposite group to get a comparable professional expert. And, and it was so shortsighted because, you know,

(368) generally speaking people are very satisfied with their doctors, in those days at least, and trusted their opinion. And so if we could bring to a jury say, in defending Ohio Valley Hospital physician or one who mainly practiced there, would bring someone who did the same thing ... practice over at Wheeling Hospital, you would have a good segment of the population on your jury who were, you know, would believe them. But we could never, could never get any of them to agree to it. Well, economies of the situation are changing all that,

and they are now practicing in each other's hospitals. And there's not the animosity.

There's still some, but not as much.

MNK: When did it begin to break down?

(381) FO: Oh, I don't know. Of course it's not entirely gone. Four years ago, or two years ago, my wife had to have some serious surgery on an emergency basis. And, and I have been, or we are very close to a Doctor Al Ghaphery. He, his practice mainly has been at Wheeling Hospital. He's a marvelous surgeon and, and I formed an opinion in the medical malpractice that I did. And so this was one o'clock at night. We were told that we needed a surgeon, who do we want. And I said Dr. Ghaphery, and we were at the Ohio Valley Hospital. And, "Oh, he doesn't have privileges here." I says, "That's silly." "Well, he won't come." I said, "Just please call him." He was there in a half hour, you know. But this is an attitude of the people. They just didn't think that Dr. Ghaphery -- And so when the surgery was over I said, "How, how was everything in, in the surgical suite?" Does it suited you or was it okay. "Oh,' he says, "sure." He said -- Most, three of the four nurses there were nurses that served him out in the other hospital at one time. But, but that was, that was -- That's just demonstrative of their attitude, and it's too bad. But it's waning fortunately.

(404) Fortunately.

MNK: Interesting.

CNK: But you don't, you don't have memories of particularly being aware even of being Irish as a --

FO: Oh, yeah.

CNK: As a boy?

(407) FO: Oh, sure. I used to date a real nice gal, and she said -- Well, not about Irish, but about being Catholic. She says, "You're very nice, but you're Catholic." How about that? Now today's, in today's environment that wouldn't happen at all. But it was just as bad by the Catholics the other way, you know. They didn't like a mixed marriage or anything like that, you know. So --

MNK: Was it after the war that that began to change a little?

(415) FO: Oh, yes. I think the war was a great, great thing for the whole country. ... It brought

families together that never would have gotten -- My wife is a midwesterner from Nebraska. And this, this happened all over. I'm not so sure that had anything to do with changing of this local situation I talk about, but, but ... it all changed. No, no more like it was.

MNK: But your grandfather sounds as though he must have prospered. He arrived here penniless.

(424) FO: I think so. I'll, I'll leave you this if you want it. I don't know if you'd want it. I just photostat it from a -- But he was in banking circles here, I don't know. And he was on the board of directors of the telephone company. I don't know what all he did. But -- Let's see.

MNK: This -- He, when he arrived here though he was working, working on the railroad. Was he building a railroad?

(431) FO: Oh, no, I don't think so. No. The railroad was, I believe, built by then. It says he was a financier of marked astuteness. He served as treasurer of the state of West Virginia with great ability and efficiency. I don't know whether that's true or not. Besides which he was called to other offices of trust. I don't know. The, the language they use here. Amazing. I don't know what all it did. Anyhow, you're sure welcomed to look at this if you want.

MNK: Thank you.

CNK: Great.

(441) FO: ... the name of the first judge.

CNK: Can you start that?

FO: Pardon me?

CNK: Can you say that first sentence again?

(443) FO: I said I don't know the name of the man who occupied the first judgeship on a federal level in West Virginia, but it was after World War, after the Civil War. And a -- Someone was sent by President Lincoln to West Virginia to, with, with the commission for this fellow to be appointed judge. And the guy had died, but his son had the same name. And he accepted the appointment and served as judge from that time until the '90s. And then came a man named, oh, I don't know, I don't know. But, but that's kind of funny. The son took the appointment that his father was to get!

MNK: Would you presume that he had at least some legal training?

(457) FO: Oh, yes. He was a practicing lawyer. Whatever his name was I can't remember. I don't think it was -- I don't know. Somewhere there someone had it recorded. But anyhow, now we have so many judges. The Congress is passing so many laws making crimes against the federal government that I don't see how the federal judges can possibly do it all. And, you know, he may have heard talk about we're going to get a new federal building here that Senator Byrd is looking out for us. And it's supposed to be about a 60 million dollar job. But we'll need it. We'll need it because I'm sure we're going to have at least two judges in residence here before too long. He can't do all the work. Anyhow, so be it.