

**RBRL OHD 004**

**The Oral History Documentary Series**

**A Life of Public Service: A Conversation with Judge Anthony Alaimo**

Anthony Alaimo Interviewed by Charles Campbell

Date: March 4, 2005

Original: video recording, 88 mins.

CAMPBELL: This is an interview with the Honorable Anthony A. Alaimo, senior United States District Court Judge for the Southern District of Georgia, being conducted on March 4, 2005 as a part of the Richard B. Russell Documentary Oral History Series by the Richard B. Russell Library for Political Research and Studies at the University of Georgia. This interview is being conducted in the Courtroom of Judge Alaimo in the federal building in Brunswick, Georgia where he has sat as a federal District Court judge for almost thirty-five years. My name is Charles Campbell and I have been asked by the Russell Library to conduct this interview. The transcript of this interview will be available to researchers, students and visitors to the Russell Library in Athens, GA. Judge Alaimo had already lived a remarkable life before being appointed as federal judge in 1971. Born in 1920 on the island of Sicily off the coast of Italy, he came to the United States with his family at age two and grew up in Jamestown, New York where he attended grade school and high school. Upon graduation from high school, he enrolled in Ohio Northern University. Upon his graduation of Ohio Northern, during the middle of World War II, he immediately enlisted in the Army Air Corps. as a fighter pilot. Upon the completion of his training, he was assigned to the European theatre in World War II. His aircraft was shot down by German artillery in a bombing raid of an electrical facility in Holland. Severely injured he ditched his plane in the North Sea, where all the members of the crew, other than Judge Alaimo, perished. He was captured by German patrol boats, and spent over a month in German hospitals, prior to being assigned to a German prisoner of war camp. While

incarcerated Judge Alaimo participated in a number of daring escape attempts, including the one that later became the subject of the film the *Great Escape*. After the war, Judge Alaimo came back to the United States and attended Law School at Emory University School of law on the G.I. Bill. Following graduation from Emory Law School, he entered law practice in Atlanta, where he had a successful trial practice for ten years. He then moved to the Georgia coast, settling in Brunswick, GA where he had a very successful trial practice for almost fifteen years before being appointed Federal Judge in December of 1971 by President Nixon. He served as Chief Judge of the Southern District Court from November 1, 1976 until March 28, 1990. We will talk about all of this and more in the next hour and a half. I want to begin by thanking you Judge Alaimo for participating in this oral history interview with the Russell Library.

ALAIMO: Probably ought to thank you.

CAMPBELL: Well we are delighted to be here. You have such a remarkable life to talk about and an hour and a half is not very long to do it. Toward the end of the interview we are going to talk about your service as a Federal District Judge for almost thirty-five years, but let's start at the beginning. You were born in Sicily. You probably don't remember much about the two years there, but tell us something about your family and your early life.

ALAIMO: Well, my parents were peasants. In fact that was one of the reasons of course they wanted to come here to this country, [it] was the only hope that many of those people had. They were both illiterate. There was no public education in Italy at that time. And what had happened, my father was in the Italian army during World War I and upon his being discharged

from the Italian Army he then about a year later wanted to come here to the United States. The family had, before World War I, actually lived in Bahia Blanca, Argentina for five years, where two of my sisters were born but...

CAMPBELL: What was the reason for going to Argentina?

ALAIMO: Same reason for coming here, and they actually went back to Italy just for a visit when World War I broke out and he was conscripted. So they never returned to South America.

CAMPBELL: When you and your family came to the United States when you were two years old, did you come through Ellis Island?

ALAIMO: We did. As a matter of fact some time ago my wife got on the internet and was able to find the actual ship documents that contained the names of our family coming through Ellis Island.

CAMPBELL: How about that. How about that. Then you settled in Jamestown New York?

ALAIMO: We did.

CAMPBELL: And that is in upstate New York correct?

ALAIMO: Well it's in southwestern New York, south of Buffalo.

CAMPBELL: What did your mother and father do there?

ALAIMO: Well, my father was just a laborer he was bricklayer principally. And my mother was a housewife. Now my mother was actually illiterate throughout her life. Whereas my dad did teach himself how to read and write when he was down in South America, but that was their status.

CAMPBELL: I have heard you say in other interviews, that while your mother was illiterate she was an amazing woman.

ALAIMO: She was a brilliant woman, she really was.

CAMPBELL: It just goes to show you don't have to have education to be brilliant.

ALAIMO: No you do not, and she always had the thirst to see that her children got educated. That was one of the main things in her life that she always impressed us with.

CAMPBELL: How many brothers and sisters did you have?

ALAIMO: We were seven altogether. There were four girls and three boys

CAMPBELL: And everybody came to Jamestown?

ALAIMO: Yes.

CAMPBELL: And what was it like growing up in Jamestown. You had come from Italy so I guess you learned the English language.

ALAIMO: Yes, you know, children learn a language, a foreign language, much more easily than adults do, but I don't ever remember not knowing how to speak English.

CAMPBELL: How about at home did your parents learn English? Or did you speak Italian?

ALAIMO: No, they did not. They spoke broken English. But we spoke in Italian around the home. We went to an Italian Methodist Church where the sermons were in Italian. Of course my folks were very religious people and as a result we read a lot of Bible. Reading the Bible in Italian all of us kids, generally learned formal Italian. Other than that most Italians speak in dialect and dialects are very different.

CAMPBELL: Now you said you went to a Methodist Church. I had probably made the assumption you were Catholic coming from...

ALAIMO: Well, initially we were. My parents became converted when I was about 8 years old and after that they became very devout Methodists.

CAMPBELL: What were you interested in growing up? What was your avocation or interest?

ALAIMO: Well, just like any other kid. We went out and played things of that nature.

CAMPBELL: Well, you became a boxer at one point didn't you?

ALAIMO: Not when I was...well when I was a kid you know you had your usual fisticuffs with your playmates, but I really didn't get into boxing until I went to college.

CAMPBELL: Is that right?

ALAIMO: Won the golden gloves at that time. They had those tournaments every year.

CAMPBELL: How much did you weigh then?

ALAIMO: 147.

CAMPBELL: 147. [Both chuckle] So did you box throughout your time in college?

ALAIMO: Well, yes, but it was sporadic. You had the tournaments once a year, that's the only time you ever got out there and really boxed.

CAMPBELL: You never viewed yourself as making a living boxing.

ALAIMO: Oh no, no no.

CAMPBELL: What year did you graduate from high school?

ALAIMO: 1937.

CAMPBELL: 1937. And then you went and enrolled in Ohio Northern University. How did that come about?

ALAIMO: My brother had gone there before me. He was a ministerial student and it was a Methodist college, Ohio Northern was. And the year he graduated I came on. He went on to North Western to do graduate work, and I succeeded him there

CAMPBELL: How were you able to afford to go college?

ALAIMO: I was a barber.

CAMPBELL: A barber?

ALAIMO: Yes.

CAMPBELL: They tempt you to become a barber?

ALAIMO: Well, my brother induced me to do that when he said if you really want to go to college you better learn how to cut hair. He had been a barber there, and he had established a shop in the college town that I just took over when I came on, but really ...

CAMPBELL: That was the way you paid for college?

ALAIMO: It was. And I was really more affluent than most kids that were ... that was the depression year, when none of the kids had much money, but

CAMPBELL: That didn't tempt you then to become a barber as a career?

ALAIMO: Oh no, not really, no.

CAMPBELL: Was it while you were in college that you first became interested in becoming a lawyer?

ALAIMO: Yes sir. That really was prompted by the fact that I could take all my classes in the morning, and therefore have my shop opened in the afternoon, whereas in the other schools you had classes in the afternoon, so that was sort of a reason why I went into law school.

CAMPBELL: Did you have a good college experience at Ohio Northern?

ALAIMO: Yes. Oh yes. I grew up there. See I was seventeen when I went there that's where I grew up.

CAMPBELL: Did you make good grades?

ALAIMO: No, not really. I made mediocre.

CAMPBELL: What degree did you get?

ALAIMO: Bachelor of Arts.

CAMPBELL: That was in what year?

ALAIMO: 1940.

CAMPBELL: 1940. So World War II was under way, but the U.S. had not joined the war.

ALAIMO: Not yet, no, but we had all registered for the draft if you remember.

CAMPBELL: Right.

ALAIMO: Well, you wouldn't remember.

CAMPBELL: Well, I was born in 1942, so that was a couple of years before then. Now when you graduated from college though you almost immediately voluntarily enlisted in the military...

ALAIMO: No, no I did not. I actually went to work for a defense manufacturer in Detroit where I had a sister living. I didn't enlist in the Air Corps. until the day after Pearl Harbor, when I drove up from Detroit to South Ridge Field, and enlisted in the Air Corps.

CAMPBELL: So prior to Pearl Harbor did you have any intent of enlisting?

ALAIMO: No, not really.

CAMPBELL: It was caused by Pearl Harbor?

ALAIMO: Yes, yes.

CAMPBELL: And you enlisted in the Army Air Corps. What made you want to be a pilot?

Had you had any experience in aviation?

ALAIMO: None whatsoever. It was just the thrill of the anticipated excitement of being a pilot.

CAMPBELL: At that time to qualify for that program you had to have a college degree?

ALAIMO: Yes, you did. And pass a pretty stringent physical exam.

CAMPBELL: So you went into training, I assume, cause you had never flown.

ALAIMO: No never had.

CAMPBELL: What kind of training did you get to equip you to fly bombing raids?

ALAIMO: Well, we all had...

CAMPBELL: You didn't bomb places during training I am assuming.

ALAIMO: Not really. Well, except when we were down in Tampa, Florida we tried to bomb Gandy Bridge by dropping a crate full of oranges.

CAMPBELL: How long did your training take?

ALAIMO: Nine months.

CAMPBELL: Nine months. And did you feel at the end of that that you were...

ALAIMO: Qualified?

CAMPBELL: Yes.

ALAIMO: Not to fly a B-26.

CAMPBELL: Did you train in an open cockpit or a closed cockpit?

ALAIMO: Well, both, but the open cockpit was the primary trainer and the intermediate trainer, then the advanced training was the so called AT-6 which had a canopy. And then went to Tampa, FL in B-26's and was checked out as a first pilot after ten hours. So you can imagine what my proficiency was with a B-26.

CAMPBELL: Then I assume after you completed your training you were assigned to a theatre of the war, European theater in this case.

ALAIMO: Yes, Yes, Yes.

CAMPBELL: How did you get to Europe, did you go on a ship or...

ALAIMO: No, we flew over. And as I have often said it would have been a tour director's dream, the trip that we took overseas, because we were originally scheduled to go to Puerto Rico, but ran through a cold front, terrible front, ran out of gas, and stopped in San Domingo for a week, because they had to lengthen the runway for our ships.

CAMPBELL: When you say ships you are talking about your aircraft?

ALAIMO: Yes, B-26. Then went to Borinquen Field in Puerto Rico, from there to Trinidad, then to Guyana, as it is pronounced now, it was Guiana then, British Guiana, then down to Belém then to Brazil. That's where we had heard about this very famous place called Madame ZaZa's, which was as you can imagine a bordello. [Both chuckle] And someone asked me what was it like I said, "The line was too long." [Both chuckle] From there we went to Natal which was on the western point ... the eastern point rather of Brazil from there to [unintelligible] Island and then to Accra off the coast of Africa. Then from there [we went] to Monrovia, and then Gambia. Then we were supposed to go to Dakar but the Germans were still there, so then we flew across the Sahara to Marrakesh, and that was a beautiful city. And [we] were there three weeks staying at, if you have ever been there, the Mamounia Hotel which is a five star hotel now, just a magnificent place then from there a place now called Kenitra then to England.

CAMPBELL: My goodness how long did this trip take?

ALAIMO: A month

CAMPBELL: A month. I can see now why you called it a tour operators dream.

ALAIMO: Oh yes, it was magnificent really. Hate to pay for it in today's dollars.

CAMPBELL: So you're in England at this point did you have an appreciation of the danger and risk of these bombing raids?

ALAIMO: No, not really. You know twenty years old, twenty-one years old. No, you didn't. [You] didn't have an appreciation. Of course, we were told we were actually going to embark on a novel method of flying that was flying as low as you could.

CAMPBELL: That was to avoid the radar?

ALAIMO: To avoid the radar, and then the accuracy in bombing.

CAMPBELL: When you say low how low are you talking about?

ALAIMO: I am talking about as low as you can get.

CAMPBELL: Like a hundred feet?

ALAIMO: Oh less than that.

CAMPBELL: Oh my goodness.

ALAIMO: In fact, I used to say of course not entirely accurately, that you could see the wake of the airplane ahead of you flying across the ocean at that time.

CAMPBELL: You could only, I assume, fly in clear weather then.

ALAIMO: Oh yes.

CAMPBELL: You couldn't fly when it was cloudy for example or rainy.

ALAIMO: Sure you could.

CAMPBELL: That low?

ALAIMO: Sure.

CAMPBELL: Now I think it was in May, that the mission you were on...

ALAIMO: Yes, May 17<sup>th</sup>

CAMPBELL: And that was in forty...

ALAIMO: Three

CAMPBELL: '43 okay. And tell us what happened. Just kinda begin [with]: what you were bombing, what the target was, and how it happened and how you wound up in the North Sea.

ALAIMO: This is one group and as it turned out there were only eleven ships and normally there would have been twelve planes in the group. And we were the only ones at that time, immediate bombers, in England that were operational. And as we flew over there, I was tailing Charlie and my flight, we were down as low as we can get. About halfway across, one of the pilots had some engine problems. He pulled up to a thousand feet and we later realized that when he did, that their radar caught us. Because when we hit the coast, we went through a hail of small fire machine guns, small cannons.

CAMPBELL: Now this was the coast of what? What were you going on?

ALAIMO: Coast of Holland. We were supposed to bomb a power plant in Holland, Ijmuiden was the name of the town, south of Amsterdam. Well, we kinda missed the point we were supposed to go in at because we hit an unexpected crosswind that pushed us south and we ran around some fifteen or twenty minutes trying to get back on course and we...

CAMPBELL: Were you being shot at all this time?

ALAIMO: Oh yes, all the time, just shot at. All the ships were lost. Every one of them was shot down. I saw our squadron commander, group commander as a matter of fact, hit and his ship flipped over on its side. He went into the one of the canals. I thought for sure they would all be dead, but when I got to the hospital, he was in the hospital and had only a couple of broken ribs, and was just fantastic the things that happened that you couldn't possibly explain

logically. We got hit, and one engine was on fire. Then we got to the bombing target and dropped our bombs. One of the problems was that they had decided we'd use thirty minute delay bombs to enable the Dutch to get away from the area not be there.

CAMPBELL: You mean once you dropped the bomb it hit the ground it would be thirty minutes before it exploded?

ALAIMO: Yes, thirty minutes before it exploded. Because I heard the bombs exploding when I was out there in the water, out in the North Sea. Anyhow after we crossed, we got hit again and the other engine went on fire. We realized we were going to have to ditch, and we did. We were about five miles off the coast and we ditched.

CAMPBELL: Had you been shot at this point?

ALAIMO: Oh yes, I was shot someplace when we were over the coast, shot through the leg and through the hip. I had made up my mind then that if I ever went back I was going to have some armor plate on my seat because I got a couple of slugs in my hip.

CAMPBELL: You had one engine on fire.

ALAIMO: Yes.

CAMPBELL: And then what did you do then?

ALAIMO: Feathered that engine, then a short time later the other engine was on fire. So we realized then we were going to have to ditch and then went in, at about two hundred miles per hour, went into the ocean. And I had just seconds before that flipped open the overhead hatches, over the pilot and co-pilot compartment, and shortly before I had pulled a fire extinguisher cable which was behind my seat and required me to unfasten my seatbelt to get to pull the cable. I never refastened my safety belt that as I have said before really saved my life because somehow I got flipped through the overhead hatch. I don't really know how I got out to tell you the truth, all I remember is when I came too, I was under water with my foot caught on something. I finally kicked loose and came up and inflated my "Mae West."

CAMPBELL: Did you suffer more injuries when the plane hit the sea?

ALAIMO: Yeah, I had a broken nose, broken collarbone, and I had some scrapes, but no serious injuries.

CAMPBELL: So you had been shot through the hip, broke a nose and a collarbone.

ALAIMO: And shot in the leg.

CAMPBELL: And you are in the North Sea.

ALAIMO: Right. Very cold.

CAMPBELL: Were all the other members of the crew so far as you know still alive when it was ditched in the sea?

ALAIMO: Yes. They were, but they obviously drowned.

CAMPBELL: So you were the only one who was able to get out?

ALAIMO: Yes, again I don't know how I got out.

CAMPBELL: So what happened after you got out? It was quite cold I assume.

ALAIMO: I was quite cold. We had escape kits and in the escape kits there was a syringe with morphine. I gave myself that shot and it really helped when I was out there in the North Sea bobbing around. On our "Mae West" we had police whistles.

CAMPBELL: Just for people who will see this in the future what is a "Mae West"?

ALAIMO: "Mae West" was a life preserver you wore around your neck and you fastened around your waste. And it had a little cylinder that you could pull the plunger and inflate it, and it was a life preserver, and that is what kept me up, during that period of time. I could see German patrol boats out in the distance, and of course I blew the devil out of that whistle wanting to be picked up.

CAMPBELL: How long do you think you could have survived in that water?

ALAIMO: No more than three or four hours, if that long.

CAMPBELL: So you wanted to be captured?

ALAIMO: Very much so.

CAMPBELL: If it were the Germans you wanted to be captured?

ALAIMO: Yeah anybody, [it] could have been anybody.

CAMPBELL: Once you were picked up by the German patrol boat what happened then?

ALAIMO: They were very good to me. They laid me out on deck, cut away my trousers gave me first aid, gave me a shot of brandy, gave me the general admonition that all POW's got.

That for you the war is over which was true.

CAMPBELL: Did the Germans speak English?

ALAIMO: Yes.

CAMPBELL: Did you speak German at that time?

ALAIMO: No not at all. No.

CAMPBELL: And then you were taken to a hospital.

ALAIMO: A hospital in Amsterdam, Amsterdam General Hospital, and we were all in the survivors there were one third who survived which is just absolutely miraculous.

CAMPBELL: You mean of your group?

ALAIMO: Yes.

CAMPBELL: Nobody in your plane survived, but one third of your total group...

ALAIMO: No, other than I. In the hospital room there were eight or ten of us ten as matter of fact in the room. We were there about a week. We received the same treatment, medical treatment that injured Luftwaffe men soldiers had received.

CAMPBELL: Were these German doctors?

ALAIMO: Yes. Yes they were. Then we were shipped from there to Frankfurt am Main. And I was taken to a hospital outside of Frankfort which I thought was a mental institution because

the walls were all padded with leather, but it wasn't. And I was there for some three weeks, where and when I was interrogated by the Germans.

CAMPBELL: Did you undergo any rough interrogation?

ALAIMO: Not really, no. [It was] repetitious and that sort of thing, but nothing other than that.

CAMPBELL: In the quality of the medical care you received you said that was basically the same as a German wounded soldier would have received?

ALAIMO: Yes, yes.

CAMPBELL: And then was that when you were then assigned a prisoner of war camp?

ALAIMO: Well, we were sent to a dispersal camp called Dulag Luft, a very famous place where all Air Force POW's went through. We were there three or four days and then assigned to Stalag Luft III.

CAMPBELL: We are going to discuss some of the very interesting experiences that you had while you were in the camps, but how many different prisoner of war camps were you in during your incarceration?

ALAIMO: Two. Well, Dulag Luft was really not a German camp, Stalag Luft III and Moosburg.

CAMPBELL: Where was the first of these located?

ALAIMO: It was located in what is now Poland, southeast of Berlin about ninety miles, near Oberursel.

CAMPBELL: The second one was near Munich. Correct?

ALAIMO: Yes. Yes.

CAMPBELL: What level of knowledge did you have about how the war was progressing, did you get current news?

ALAIMO: We did. Well we had German newspapers, we had the German radio broadcast, and then, like I mentioned to you earlier, we had some secret BBC reports. We had hidden radios. I didn't even know where it was it was a very secret thing. Everyday we would have a one of the prisoners we called "Kriegies" would come around to each block and report the daily news that came over BBC. So we knew what was going on.

CAMPBELL: So for example when D-Day occurred, you knew that?

ALAIMO: Oh yes, we did.

CAMPBELL: What information was given to your parents about where you were? What did they know?

ALAIMO: Well, they didn't get information about where I was for about 6 months.

CAMPBELL: Did they just think you were missing in action?

ALAIMO: Well, they thought I was really originally reported dead in action, and then about six months later they got the information I was a POW.

CAMPBELL: There was a film called the *Great Escape*, and you had a role in what became the *Great Escape*. Tell us about that, how that happened.

ALAIMO: Very short very short role. When I first was interned there at Stalag Luft III, I was in what was called the British compound. The British of course had been there since 1939 you know.

CAMPBELL: Were these all pilots now?

ALAIMO: All Air Crew.

CAMPBELL: Oh all Air Crew.

ALAIMO: Yes, bombardiers, navigators and so on. We were assigned this one compound in Stalag Luft III they at that time had three tunnels going. They were very escape conscious, and of course, like I said, had been there quite a while. They were very good on intelligence, much better than the Americans were as far as intelligence was concerned. The tunnels were called Tom, Dick, and Harry. [Both chuckle] One of them was discovered, and the other one was just saved as place to dispose of the sand, because the sand down thirty feet deep was of a different color from the one up on top, so that they had to find a place to disperse the sand so they wouldn't be detected.

CAMPBELL: How could you build a tunnel in a prison camp without the Germans knowing about it?

ALAIMO: Listen, it just like the inmates here they are always smarter than the people that are holding them. [Both chuckle] And we were we used to have periodic checks by the Gestapo's, and we stole more stuff from them then they got from us. They were able to do it. They had a lot of experience. They had an elaborate system of what we called "stooging" so we knew where every German in that compound was. Whenever one of their ferrets, we called them, got close to where the digging was taking place the signal would go down stop everything and they did.

CAMPBELL: But for example, did you just dig a hole in the middle of the...

ALAIMO: No they dug ... they were very ingenious on traps. What they did is each room had a little concrete base where the stove was. They moved aside this concrete base and dug the entry down in to the tunnel or the shaft there, because it went down thirty feet so as not to have any digging detected by the seismographs, which the Germans had in all the surrounding fences.

CAMPBELL: So the idea was to dig down thirty feet then dig out?

ALAIMO: Right. Then go straight out and the distance out was about three-hundred and fifty feet. As I said the British were ingenious. They stole some cable and they had this tunnel wired with electricity. Because before they did that all you had were little lamps made out of the margarine that we got, and a piece of cloth to act as a wick. They had a sort of track to put little carts that would haul the sand back. They had, the let me explain this to you, being sand you had to shore it up, and it was solidly shored by what we had, bed boards. All the bunks had bed boards of boards one by six boards and one by four boards exactly twenty eight inches long. They were notched at the end and fit together so that you had a solid tunnel.

CAMPBELL: What would the German guards say when they came down and a bed board was missing?

ALAIMO: Oh well, they didn't count the bed boards, one thing they didn't do. But what really happened towards the end, a lot of the guys could barely stay afloat because they had to give up so many of their bed boards, that their mattresses were just about to sink down.

CAMPBELL: Did you have any misgivings about getting involved in this? When you...

ALAIMO: None whatever. No I wanted to.

CAMPBELL: Weren't you afraid that if you were detected you would be executed?

ALAIMO: No not really. No one had been executed up until that point.

CAMPBELL: What was your role? What did you do in connection with what became the *Great Escape*?

ALAIMO: Well, they had to have an air system in the tunnel, which was composed of a pipe or tube, fabricated by putting tin cans together, empty tin cans, and soldered. The corned beef cans all had some solder on them that they were able to use, and to it was attached a pump made out of tired sack and a hoop made out of wire to give it an accordion effect back and forth. The guy that ran the pump would sit there like in a rowing machine and pump this thing back and forth and that is what I did.

CAMPBELL: That's what the air down so they could breathe?

ALAIMO: Right, yes. Down at the face of the tunnel we had four hour stints you would sit there and pump that thing back and forth. That's what I did.

CAMPBELL: The Germans never detected any of this?

ALAIMO: No, no. Not in that tunnel they didn't.

CAMPBELL: So did you once the tunnels...

ALAIMO: I was there only about four months because then they moved us out to a new compound that they had built for the Americans. And the tunnel was finally broken about ten months after that.

CAMPBELL: Was the tunnel big enough for people who were digging it turn around?

ALAIMO: Yes they had two turn around places called Piccadilly Circus and Leicester Square. There you could turn around, otherwise you see you had twenty eight inches square, less the two or three inches for the interlocking, and you just couldn't turn around.

CAMPBELL: When the tunnels were used for the escape you were not there then you had already been transferred out?

ALAIMO: No, Yeah we were ten months after that.

CAMPBELL: That turned out to be lucky did it?

ALAIMO: Well it did. Of course we all felt so unlucky that when we knew it was going to begin broken.

CAMPBELL: What happened to the people who did it? How many people escaped and what happened to them?

ALAIMO: About seventy-five escaped. They recaptured about fifty of them. Well, the recaptured all of them except for three who got away. Two were Norwegian and one was Dutch who had been in the Royal Air Force who made it back. But other than that everybody else were caught.

CAMPBELL: So none of the British really escaped?

ALAIMO: No, No they did not. And fifty of them were shot on direct orders by Hitler. And as I mentioned to you earlier Garring, who was pretty jealous of the way the Air Force were treated, had tried to talk him out of that but was unable to do it.

CAMPBELL: By the time that happened you were in this different facility. Did it have any impact on the way you were treated?

ALAIMO: Yes, oh my yes. They came in the night that the escape occurred and with automatic rifles put us all out in the parade ground, or the ground where we had to go out everyday to be counted, and kept us out there all night. And it was cold let me tell you, at that time. They shorted us on rations, but not for long, not for long.

CAMPBELL: Now after the people who escaped in the *Great Escape* experienced the fate they did that take away your desire to escape?

ALAIMO: No.

CAMPBELL: You still wanted too?

ALAIMO: Sure.

CAMPBELL: And you actually finally did escape didn't you?

ALAIMO: Yes.

CAMPBELL: Tell us how that happened? Now this was at a different facility, you had been transferred.

ALAIMO: Yes, it was. Yes it was. In January '45 the Russians were close enough to where we could hear their artillery. So the Germans came in one night and said, "We are going to leave here in thirty minutes. Get your stuff together." We were all marched out of there and were marched for about sixty-five miles, straight miles, and that was terrible. That was the worst experience that I went through.

CAMPBELL: Would you say it was very cold?

ALAIMO: Oh my yes. You know you ... I had often talked about scoffing at people who claimed that their socks froze to their feet, and boy did it happen to the soles of my shoes.

CAMPBELL: How far did you have to march?

ALAIMO: Sixty-five miles.

CAMPBELL: Sixty-five miles during the night?

ALAIMO: Yes, and day. You know you couldn't march very far seven or eight miles at most. And then we were placed in box cars, and that wasn't very happy either. Because we were so crowded you couldn't lie down except in shifts.

CAMPBELL: How long were you in the box car?

ALAIMO: Three days.

CAMPBELL: Three days?

ALAIMO: And were taken down to a big camp near Munich, Moosburg. Where there were every name, shape, and race of person was a prisoner of war there. The very first day we were put in delousing compounds. You know we'd not had any showers of any kind during the time we were there in Stalag Luft III. But there, they put us in there where there were hot showers to get rid of the lice we had. Well, there was only a single fence surrounding this particular compound. And so two other guys and myself decided we would try to get out. I cut the wire and we got a couple of German speaking prisoners to divert the guards and we got out.

CAMPBELL: Were the other two people that were in this with you, were they Americans?

ALAIMO: Oh yes. Sure. One was from Philadelphia and another from Florida. Anyhow we got out and tried to walk during the night, and it was just very difficult. No lights of any kind, you know, at that time there was complete blackout. And then we decided we would do it in the day time, going south toward Munich.

CAMPBELL: You got out, then got back in at night?

ALAIMO: No, oh no. We were out walking and we slept in what turned out to be a damn hog barn. [Both chuckle] We couldn't tell what it was, but we crossed this field got there and spent the one night there. Then the next day as we were walking through a small town a German private stopped and asked who we were and asked to see our papers, and of course we had no papers. I tried to tell him we were French workers, I could speak French. And he would have none of it, but he put us in this little country jug that had about seven or eight locks on it. Well the next morning, when he came to take us back to camp, as he was locking these locks and one of the other guys said, "Let's go", and we did, we ran. I was dumb enough of course, I should have stayed there let the other two go off where he would not be able to go after everybody. But he went on out, and what was kinda amusing after is that, I was running away from him, I was going around a curve and my shoulder hit a telephone pole, and knocked me down. I thought he had shot me. He came up and put the pistol in my face and said, "Where are your buddies?" I said, "I don't know." He went in and got a riffle, and got them out there in the field, and we were taken back to Moosburg.

CAMPBELL: So this is two escape attempts that you've been involved in that didn't turn out too good?

ALAIMO: No they did not.

CAMPBELL: Did that convince you that maybe you shouldn't try it?

ALAIMO: No not really. Not really. You knew you had a distorted view of things. You had a distorted view of how the war was really going because you know not long before that they had had the Bastogne thing where ... we were in the cooler at that time. I was, and the German guard came in and said we've captured twenty-thousand prisoners were going toward Antwerp, and we are going to push the allies into the sea and then take care of the Russians. He really believed it. Of course we didn't know any better, but you had a real distorted view of what was happening.

CAMPBELL: So you tried another escape?

ALAIMO: Well, no. We had tried another escape from Stalag Luft III, Floridian Ace Lamburg and I. Around the camp were two fourteen foot high fences. And there was barber wire entangled between them. There were gates of course where the horse drawn wagons would bring the provisions into the camp. And they had closed one of these gates and I had noticed that there were ruts that were pretty deep under the gate and they had not been filled or leveled off. And I thought we could get under those gates and get out. Of course, you couldn't escape at that time without getting the approval of the senior American officer, who happened to be Charles Goodrich, a Colonel from Augusta, believe it or not, wonderful man. But anyhow, we got clearance on it. We had everything timed and it was in January and they were going to have a big snow fight outside during the PEL time, the time they counted everybody.

CAMPBELL: This would have been January '44? Or '45?

ALAIMO: No it wouldn't have been '45, it would have been '44. It was early on. Well, we got the on signal, as it turned out it was wrong. He had given us the wrong signal it was a Lieutenant Colonel. I jumped ... there was a warning fence that was about three feet high that was about thirty feet from the main fence and I vaulted that. And I was actually not supposed to do that unless there was another Lieutenant Colonel who, the minute before we jumped the fence, would give us a signal about if it was on or not. Well, the thing was off because there had been a lot German soldiers in the auf lager and but he gave ... he was not at the place where he was supposed to be. So I just jumped the fence and went at it. Well, the thing had been called off, and as I tried to crawl under that gate it was not quite as wide an aperture as I thought it had been, so I jiggled the fence you know. We were right at the guard house which is up about 14 feet, and the guard that was up there felt the tremor, and turned around and saw me down there and he grabbed his machine gun and started to fire, but it didn't for some reason or another it was jammed.

CAMPBELL: You were very lucky at that point.

ALAIMO: [Chuckle] Boy and how, and how. While we were taken ... you went to what they called a cooler for twenty-one days on bread and water.

CAMPBELL: Then you were put back in the population?

ALAIMO: Yeah, sure.

CAMPBELL: So you've had three attempts now that didn't turn out well?

ALAIMO: Yes, yes.

CAMPBELL: But you did another one?

ALAIMO: Well, the one that finally succeeded. [Both chuckle]

CAMPBELL: Tell us about that one. What happened then?

ALAIMO: Well at that time, as I mentioned to you earlier, officers couldn't work under the Geneva Convention, but the enlisted men could. Every morning, about five o'clock, the Germans would take the enlisted men and put them in box cars and take them all down to Munich to clean rubble because it was bombed everyday at that time. About that time, a group of enlisted men came into our compound and I induced one of the guys to switch with me.

CAMPBELL: You were switching for an enlisted man's dog tags.

ALAIMO: So he would come on in as an officer, which he thought would be so much better, which it really wasn't. But we switched, and the next morning I went out on one of these working parties and what was unusual about it is that right at the very beginning it was dark,

it was around five o'clock in the morning, we were walking to the rail yard and the Germans started to spot check everybody. And fortunately the guy who was in our line began searching the guy ahead of me, and while he was searching him I got around and went on down to the boxcar. Unfortunately at that time there was another guard who was doing some searching and again I didn't know what to do about whether to wait and try to sweat it out toward the end when he might give it up

CAMPBELL: Why did you not want to be searched?

ALAIMO: I had a horde of chocolate bars from the Red Cross parcels and things of that nature.

CAMPBELL: That was considered to be contraband?

ALAIMO: Oh yes, well, yes. Not only that, but the jig would have been up. The only reason I had had that was because I was trying to escape. He was again searching the guy ahead of me, and I was able to throw my knapsack where I had the stuff in the corner of the boxcar and he didn't see it, so we got by it and we got into Munich that morning.

CAMPBELL: In other words as you were leaving to go on this work detail you had in mind escaping that day?

ALAIMO: Yes.

CAMPBELL: That was what you were gonna try to do?

ALAIMO: Yes.

CAMPBELL: I am sorry go ahead.

ALAIMO: And did. When we got to Munich we were taken to an army school and there was an air raid. We went down in the basement. When we got down there I was able to get away from the group and go into a room that had ... the windows had all been shattered and knocked out and so on and pretty much disarrayed. [I] went in there and took off my G.I. clothes which I had on over these civilian clothes.

CAMPBELL: So you had civilian clothes under your G.I. clothes?

ALAIMO: Sure, yes worn civilian clothes. [I] started to crawl out the window which was about eye level. As I did the German Sergeant who was in charge of our detail was walking up the walk, looking right at where I was, but somehow he didn't see me. I'll never understand that because he was looking right at me and I thought I could see his eyes, but anyhow he didn't notice me. I crawled out and walked on down Route Number two.

CAMPBELL: So you are out in the street in Germany but you don't have any papers?

ALAIMO: No, none.

CAMPBELL: Were you able to walk down the street without being checked?

ALAIMO: Yes, you were. One of the difficulties was not turning around to see if anyone was following you. But at any rate, I knew the approximate location of what they called a French Commando camps. They were impressed Frenchmen who were operating the big state farms that the Germans had. And it was in a small town called Grünwald, not far south of Munich. And so I did go there, and sure enough they put me up for the night.

CAMPBELL: How did you know where that place was?

ALAIMO: Well, I didn't I knew it was south of town someplace. I roamed around and was able to see this big barbed wire fences around the place.

CAMPBELL: Did they know you were an American G.I.?

ALAIMO: I told them. I told them who I was and they said sure they'd put me up for the night. In fact, what was really hilarious, we played bridge and for the only time in my life I made a grand slam double and redoubled and no trump.

CAMPBELL: You remember that? [Both chuckle]

ALAIMO: Boy do I, but it is just strange, but anyhow. They then gave me directions to the next camp, farther south, and gave me some foods, [and] some bread. And so the next day I tramped on down to this next town and the directions to it were rather bizarre. They said you'll go into this town at Traubing and go to the south end of town. There will be a fork in the road and at one of the roads of the fork will be a farmhouse, and there will be a Frenchman pitching hay in the farmyard. Well you know, I thought that was weird. But anyhow I did just that, sure enough there was a Frenchman, you could spot them they had on berets, who was pitching hay on a wagon. He took me to the camp and I spent the night there. Then they gave me directions to the next one.

CAMPBELL: So you just went from these camps through ... you're still in Germany now?

ALAIMO: Yes, oh yes. Then [I] went to Starnberg which was much larger city. There the barracks chief, a Frenchman, discussed where I should try to go. I thought I would go into Switzerland from Germany. He said, "No, there would be too many guards on the Swiss border." Since I was fluent in Italian he said, "Your best bet is to go into Italy."

CAMPBELL: Of course Italy was on the side with Germany?

ALAIMO: At that time sure. He bought me a rail ticket in down at Garmisch-Partenkirchen and then to Innsbruck. That night he took me to the station and slipped the ticket to me in my hand. And as I went to board the train, the Gestapo was checking papers. There was an

iron pipe fence that separated us from where the rail car was. It was dark of course again. I vaulted that fence and the Gestapo didn't see me do it and got on the train.

CAMPBELL: Had you been caught there. You would have ...

ALAIMO: Yes, the jig would have been up.

CAMPBELL: Would they have executed you?

ALAIMO: Particularly the Gestapo. Well, I don't know you never know during war you didn't know what these guys would do.

CAMPBELL: So now you are making your way through Italy?

ALAIMO: Well, no I was making my way through Germany.

CAMPBELL: You're not into Italy yet?

ALAIMO: No, no I hadn't got into Innsbruck yet. Went to Innsbruck then went through the Brenner Pass into Italy and I was lucky there too. When we got to the passage itself everybody disembarked. And I noticed that there were two groups of Italians who were being taken back as German prisoners of war actually by two guards. There were thirty-five of them, one group eighteen, and the other one seventeen. Well, I sort of got around the one

that had seventeen and eventually I guess the guard assumed the guard had the eighteen because he never said anything about my being there. Anyhow, we went on down to and stopped in Bolzano and there got the first real warm meal I'd had in a long time of good spaghetti. Believe it or not, these Italian women had cooked lunch for...

CAMPBELL: That was a happy occasion.

ALAIMO: Oh boy wasn't it though.

CAMPBELL: During the time you were going through Italy I read somewhere you had an interesting experience. You went to an opera?

ALAIMO: Oh yes, in Milan.

CAMPBELL: How did that happen?

ALAIMO: Well, I got to Milan on trucks because, by that time, all rail transport was just nonexistent because the American Air Force would bomb it everyday. And again I lucked out and as I have often said, the law of averages must have been suspended during that day because I had so many lucky breaks. But anyhow, I was able to get through a search there in Milan and in Innsbruck I had talked to an Italian who gave me some information about partisans in Milan.

CAMPBELL: When you say partisans, [you mean] somebody who would help people who were escaping?

ALAIMO: Yes, right. They were very strong groups of partisans in northern Italy at that time.

CAMPBELL: The Italians and the Germans were not very close anyways.

ALAIMO: No, no, no the Italians hated the Germans. They just always have. But in any event they gave me an address and I went to that address, and as it turned out it was a pastry shop. Can you imagine that for a hungry prisoner? Anyhow, I went to the proprietor and asked him if he knew who that particular man was. He said, "Yes I know him. I'll go get him." He went and came back and said, "He is gone. He's not here. What can I do for you?" So I decided then I would tell him. As it turned out he was a Sicilian, I said, "If you can't help me let me go." And he said, "No I can help you." Well, he put me in an apartment got me a new set of clothes, gave me money where I could eat everyday. In a restaurant believe it or not, at least the evening meal in the day I would go to his pastry shop and eat me some cookies. Anyhow after I was there a couple of weeks I said to him, "Can you get me into Switzerland?" and he said yeah.

CAMPBELL: Now did you in ... You were going to tell me about the opera you went to and how did that happen?

ALAIMO: Well, before that, well, he took us all to the opera some friends as well as myself to the opera in Milan and was not in La Scala because it had been damaged, but there was another opera house there. And as luck would have it, I sat next to a German SS Colonel. [Both laugh] Fortunately he had his girlfriend with him, and he was more interested in the girlfriend than anything else. It was a *The Barber of Seville* believe it or not.

CAMPBELL: So you eventually got into Switzerland and Switzerland was neutral right?

ALAIMO: Right. The experience I had there, when I turned myself in to the cops and during interrogation, they finally said, "You are not an American you're Italian." I had Italian papers with me at the time, which I thought I'd keep as a souvenir, which was dumb. But anyhow, I really blew up and fortunately a Swiss major came in and he laughed at me and said, "We'll send you to Geneva they'll know who you are." Sure enough the next day a Swiss private took me to the station and we went to Geneva.

CAMPBELL: How did your parents find out you had escaped and were no longer a prisoner of war?

ALAIMO: I wrote them a V-mail from Paris.

CAMPBELL: That's the first time they knew you were out?

ALAIMO: Yes, yes.

CAMPBELL: After the war you came back and got married to a young lady you had met in college. You wound up in Atlanta. How did you happen to wind up in Atlanta?

ALAIMO: Yes. A professor of mine in undergraduate school was a graduate of Emory and he had suggested that I come down here and that's what I did.

CAMPBELL: Had you ever come to Georgia before?

ALAIMO: Never had, well been through it during the war, but not to really come down here for any period of time.

CAMPBELL: You had decided by then to go to law school?

ALAIMO: Yes

CAMPBELL: You came to Atlanta specifically to go to Emory Law School?

ALAIMO: Yes.

CAMPBELL: Was that on the G.I. Bill?

ALAIMO: Yes, yes.

CAMPBELL: Did that pay all your expenses?

ALAIMO: It did.

CAMPBELL: How hard was it to get into Emory?

ALAIMO: I walked up to the registrar's desk and said I have got a degree from Ohio Northern University and I want to enroll into the law school and I signed up.

CAMPBELL: You didn't take any LSAT or anything like that?

ALAIMO: Heavens no. [Both laugh]

CAMPBELL: So you were at Emory. How did you enjoy law school at Emory?

ALAIMO: Oh very much so. You know I had one of the best classes that ever came out of Emory.

CAMPBELL: Were there a lot of other G.I.'s there on the G.I. Bill?

ALAIMO: Most of them, well, ninety percent of them were G.I.'s.

CAMPBELL: You mean of the entire law school class?

ALAIMO: Yes, at that time, in that class, yes. Elmo Holt, Louis Slayton, Earl Phillips

CAMPBELL: These are all prominent judges, lawyers and a district attorney in Atlanta.

ALAIMO: Yes, very much so.

CAMPBELL: So you graduate from Emory Law School and then you went to practice with a well known trial lawyer, Reuben Garland. How did you happen to go with Mr. Garland?

ALAIMO: He was the only person who would hire me. [Both chuckle] I had tramped the streets of Atlanta for a month.

CAMPBELL: Did you go to the big firms and try to get a job?

ALAIMO: I did you know Smythe Gambrell said to me you've got a good record at Emory, but you don't have the right background. And he was right.

CAMPBELL: They weren't looking for anyone born in Sicily, from Jamestown New York.

ALAIMO: No, no. Not Smythe.

CAMPBELL: Reuben Garland was of course a very well known and successful trial lawyer who had somewhat controversial.

ALAIMO: Flamboyant.

CAMPBELL: Flamboyant.

ALAIMO: And controversial. Yes, you're right.

CAMPBELL: And did you try cases with him while you were there?

ALAIMO: Yes.

CAMPBELL: So you had an opportunity to observe him in action?

ALAIMO: I did. And I was really lucky because I handled all the demurrer practice, and all the pleadings, and really got a good education that way that I otherwise wouldn't have gotten if I had gone to a big firm.

CAMPBELL: I've heard it said before by other lawyers that he was great at cross-examination.

ALAIMO: Oh, the best.

CAMPBELL: So you learned a lot of valuable skills?

ALAIMO: I did, but you had to put them together with his personality in order to make them work.

CAMPBELL: He was held in contempt of court by a lot of judges.

ALAIMO: Oh yes.

CAMPBELL: What was the reason for that? What would he do?

ALAIMO: Well, he was a judge baiter. He would always walk almost right up to the jailhouse steps and then retreat and later come back again and he kept doing that and when a case would last three or four days. He finally got to where the jury thought that judge is biased. And he worked that to perfection.

CAMPBELL: How well did he compensate you?

ALAIMO: Reasonably well. Yeah.

CAMPBELL: How many people were practicing?

ALAIMO: Originally it was thirty-five dollars a week.

CAMPBELL: That doesn't sound like very good compensation now.

ALAIMO: No it doesn't.

CAMPBELL: But back then it probably wasn't that bad.

ALAIMO: Well, it was the best you could get. It was less than the elevator operator made.

CAMPBELL: How many lawyers did Mr. Garland have practicing with him?

ALAIMO: One other besides myself.

CAMPBELL: He has a son that is a very prominent Atlanta lawyer now, Edward Garland. I guess he was a young ...

ALAIMO: He was just a little kid 7 or 8 years old.

CAMPBELL: At that time, right. Did you ever have any second thoughts about practicing law in terms of if that was what you wanted to do?

ALAIMO: Yes I did. Because the difficulty in really getting ... and I realize that working there with Reub was not exactly the best place to be. My father-in-law of course had a big farm up in Ohio and he kept importuning us to come up there and we did then in 1951 we went up for two years.

CAMPBELL: That was after you'd been practicing with Reuben how long?

ALAIMO: Yes. A couple of years. Then one November I was picking corn in a snow storm, believe it or not, and the gathering chain on the corn picker broke and I had to get down fix it. Boy I froze and I decided I am going back to Atlanta and practice law.

CAMPBELL: Practicing law looked better than farming didn't it?

ALAIMO: Sure did.

CAMPBELL: So you came back to Atlanta?

ALAIMO: Yes.

CAMPBELL: And did you go back with Mr. Garland?

ALAIMO: Yes.

CAMPBELL: How long did you practice with him at that point?

ALAIMO: About three years.

CAMPBELL: Okay. And then you wound up in Brunswick. How did that happen?

ALAIMO: Yes. Well, we had been associated by Way Highsmith, who is a brilliant lawyer, had two double firsts from Oxford, and was Phi Beta from University of Georgia. [He was] just a brilliant guy, and had been a general counselor to Hercules. But he was slave to the bottle, finally got him and he came back to practice law. He had a very good damage suit down in Camden County and he asked Reub to come on down and help him try the case because Reub had a pretty good reputation for final argument. So I came on down to prepare the case and we got the biggest verdict ever rendered in Georgia as of that time. Then later on there was another case that he associated us in it was a real estate commission case where we got a verdict for \$165,000.

CAMPBELL: That was a lot of money back then wasn't it?

ALAIMO: Boy wasn't it, as a real estate commission in particular. But anyhow, I had become disenchanted with Reub pretty badly because, you know, he was considered for Superior Court Judgeship by Marvin Griffin, there was one open in Atlanta. He had at that time had said, "Don't think that because I am going to be judge that I am not going to get a share of the profits of this firm." Well, that was the end and by that time Way Highsmith had

importuned me to come on down here and join him. My wife made the decision ...[Both chuckle]

CAMPBELL: Brunswick suited her better than Atlanta?

ALAIMO: I can't say that I was not disenchanted. There just was no activity down here. You know, the old proverbial saying about, the most activity you saw was the old hound dog moving from one side of the street to the other. [Both chuckle]

CAMPBELL: Was Rueben upset when you decided to go?

ALAIMO: Very much so. Very much so. And he bad mouthed me down here.

CAMPBELL: So you came down here and did you have essentially the same kind of practice in Atlanta?

ALAIMO: Yes, yes a general practice in a small town is about all you'd have.

CAMPBELL: Is that representing both plaintiffs and defendants?

ALAIMO: Yes, but mostly plaintiffs.

CAMPBELL: Because you were very active in the plaintiffs bar.

ALAIMO: I was.

CAMPBELL: You were on the board of directors of the plaintiffs...

ALAIMO: Yes. I was one of the originators of the Georgia trial lawyers.

CAMPBELL: Right. How would you compare the economics of the practice here compared to Atlanta? Did you do as well financially?

ALAIMO: Yes.

CAMPBELL: Better?

ALAIMO: Yes. Oh yes better.

CAMPBELL: And you practiced here for almost fifteen years before you were named judge and that was in December of 1971.

ALAIMO: Right.

CAMPBELL: When did you first become interested in becoming a judge and what accounted for that?

ALAIMO: Oh, I had always been interested in been a judge from the day I was sworn in as a lawyer, but never expected that the chance would arise. And certainly I was always interested in this job, not the Superior Court.

CAMPBELL: I know you had some communication with Senator Russell in '68 ...

ALAIMO: I did.

CAMPBELL: ... because I was working in his office at that time. Judge Alexander Lawrence was selected, there were two judges ... at that time were there one or two judges?

ALAIMO: One. There was only one that was Judge Scarlet.

CAMPBELL: And Judge Scarlet retired or died.

ALAIMO: He became senior

CAMPBELL: He became senior and then Judge Lawrence got that.

ALAIMO: Yeah, he got the appointment.

CAMPBELL: Then did they create a new judge ... the seat you got?

ALAIMO: Yes they did when Nixon became president remember that first year they increased the number of judges in Atlanta as well as here.

CAMPBELL: And you got the additional judge here?

ALAIMO: Yes I did.

CAMPBELL: Now the southern district where you had set for almost thirty-five years goes all the way from Brunswick to Augusta.

ALAIMO: Augusta and McRae.

CAMPBELL: McRae. How did you decide back when there was only two judges who would hear cases in which town?

ALAIMO: Judge Lawrence did. Principally, he was chief. We had six divisions, statutory divisions that we had to hold court in.

CAMPBELL: He was from Savannah?

ALAIMO: Yes, he was from Savannah. He retained Savannah and Dublin and Swainsboro. I was required really to move to Augusta and I had Augusta, Waycross and Brunswick.

CAMPBELL: And you had obviously in thirty-five years you had a lot of significant cases, but one of the most significant and most well known is the Georgia Prison case Guthrie v. Evans. Tell us about that case?

ALAIMO: Well, I mentioned to you earlier that one of the first things that Alex Lawrence did for me was to get me to sign an order assuming the all the cases coming out of the Reidsville prison, the Georgia state prison.

CAMPBELL: That was Georgia's maximum security prison at that time?

ALAIMO: It was and still is. And it was of course in his division.

CAMPBELL: He didn't want those cases?

ALAIMO: No he did not. [Both chuckle] Because you know you really got a whole bunch of them [chuckles]. But he had the order ready for me to sign when I was on that bench. Went on right after I lowered my hand, he slipped that over and said sign this. Of course I'd have signed anything.

CAMPBELL: He didn't ask you if you wanted them? [Both chuckle]

ALAIMO: Oh no. I did and of course I inherited those cases. In '72 an action was filed not class at that time by some black prisoners claiming unhealthy conditions and things of that nature. Then the assistant Attorney General, who is Dorothy Beasley, later Judge up there, she came down and suggested that it be transferred into a class action, involving all inmate complaints.

CAMPBELL: At Reidsville?

ALAIMO: Yes, at Reidsville alone. And it was, and in the course of it we had some difficulty with a lot of the prisoners up there. They were they had a riot one time. So we decided that we had better have a monitor. A monitor was hired who came on down to observe the conditions, and make suggestions, and prepare orders for me to sign rectifying many of the conditions that were there at that time. It was sort of a monthly thing; they would come in with some other order to be signed regarding the prison conditions. But with the state's approval and also cooperation, we were able to develop probably the best in among the state prisons that was in existence at that time, to where Georgia came to the very forefront of prison administration after it had been considered only as the chain gang place. That was the reputation we had nationally before that. And we developed really an excellent system.

CAMPBELL: The way that case was handled became a model for prison cases around the country.

ALAIMO: It did, it did. What happened is what we accomplished there became adopted in all the other prisons in the state of Georgia.

CAMPBELL: There is a case going on in Atlanta now involving the Fulton County Jail where a Federal Judge in Atlanta has appointed a monitor.

ALAIMO: Yes.

CAMPBELL: Very similar to what was done.

ALAIMO: Yes. Yes.

CAMPBELL: Now among the lawyers that were involved in the Guthrie case was Sanford Bishop, who is now Congressman ...

ALAIMO: From Columbus, yes.

CAMPBELL: Now a congressman.

ALAIMO: Yes, and a very good one too.

CAMPBELL: So there were some good lawyers in that case?

ALAIMO: Oh, very good. Yes very good lawyers.

CAMPBELL: Was that the most difficult case you had?

ALAIMO: It was. It was.

CAMPBELL: Another case you handled that got a lot of publicity in Atlanta, where I am from, involved a scandal at the Atlanta airport. And because the brother-in-law of one of the Federal judges was one of the people indicted, all the judges up there disqualified themselves and brought you in to try that case.

ALAIMO: Yes.

CAMPBELL: I heard some lawyers that participated in that case grumble about how hard you worked them. Tell us about that.

ALAIMO: Well, it was a very controversial case as you can recall involving the Atlanta city administration of the airport. So I decided we'd sequester the jury.

CAMPBELL: Now sequester the jury means that they stay in a hotel room throughout the whole trial?

ALAIMO: That's right.

CAMPBELL: They can't go home?

ALAIMO: That's right, they cannot go home or communicate with anyone at home. It is not a desirable thing if it for an extended period of time, but they had anticipated this case would take six weeks. Well, I knew that it wouldn't because when you sequester a jury that is all they've got to do. You can spend a lot of time trying a case that otherwise would be frittered away. Well, the lawyers representing the defendants, Larry Thompson was one, Bobby Lee Cook was another, and Emmett Bondurant, they didn't want the jury sequestered as defendants very seldom did. Well, in any event, we did sequester them and the case went on for three weeks. And we worked almost every Saturday and some Sunday's at the request of the jury itself.

CAMPBELL: That's so they could get through quicker?

ALAIMO: Sure. And as a result we did.

CAMPBELL: The lawyers didn't like that?

ALAIMO: No they did not. It was hard on them. There is no question about that. You have to be a lawyer trying the case to realize how hard it is to be in there that long. They were pretty well exhausted. Nevertheless the jury got a more compact case. Really the evidence was all pretty cohesive and they didn't have the family to discuss the case with by going

home. As a result we usually got through the case a much more quickly than you ever could otherwise.

CAMPBELL: How old were you when that case was being tried?

ALAIMO: It was '95 was it?

CAMPBELL: It was about ten years ago, so you were seventy-five years old at that time.

ALAIMO: Yes, I was old. I've been old a long time. [Both chuckle]

CAMPBELL: I guess you figure if a seventy-five year old judge can go seven days a week, these younger lawyers ought to be able to ...

ALAIMO: Well, I know but that was unfair really, I realize it. But nevertheless the important thing was to get the case tried. If a lawyer had to suffer a little bit he was being paid.

CAMPBELL: Now aside from the prison reform case, and the Atlanta airport case, what would you say is the most interesting case you've had? Or can you say? You've had so many.

ALAIMO: I really can't. It's all just one great big pile of cases.

CAMPBELL: Do you enjoy trying civil cases more than criminal cases or ...

ALAIMO: About the same.

CAMPBELL: In terms of the mixture, what percentage ... maybe now that you're a senior judge it may be different ... but if you're an active district judge in this district what percentage would be criminal compared to civil?

ALAIMO: 70:30

CAMPBELL: Criminal?

ALAIMO: No, Civil.

CAMPBELL: Civil. Okay. The criminal cases have some special requirements about how quickly you try them.

ALAIMO: Oh yes, you have to try them pretty quickly, under the Speedy Trial Act. But in the early days involving Marijuana we had a lot of criminal cases. Now we very seldom have to try them, after the rule I initiated in this district. I require the U.S. Attorney to turn over his file before trial of the defendants so you don't have any of these discovery disputes.

CAMPBELL: Was it not required prior to that time?

ALAIMO: No. It's not required now, except under local rule. The fact of the matter is the defendants see what the government has, and realize the best thing for them to do is not go to trial but to work out a deal. So we very seldom try a criminal case anymore they are all pleas.

CAMPBELL: What is the hardest part of being a judge?

ALAIMO: Sentencing people to the penitentiary. Because then you act almost like God don't you? It doesn't get any better with age it really doesn't.

CAMPBELL: Now the Supreme Court of the United States has recently declared unconstitutional or invalidated the sentencing guidelines which were guidelines that federal judges had to follow in sentencing criminal defendants. What is your view about the impact of that decision?

ALAIMO: Well, so far the cases indicate there is much impact in that most judges are using the guidelines in an advisory capacity, so that that question doesn't arise much. I never had any problem with it in that I generally got an admission by the defendant who was pleading guilty about the other facts that the Booker case is all about. So it didn't make any difference. In other words that obviated the necessity of having a jury pass on it. I never had any problem with them on that.

CAMPBELL: What is the most enjoyable part of being a Federal judge?

ALAIMO: What I enjoy more and it's personal to me, is the ceremonies where we admit citizens. Because that is the way I became a citizen.

CAMPBELL: You mean naturalized citizens that are ...

ALAIMO: Sure. We have three or four times a year. I usually go down and speak to them individually and give them their certificate.

CAMPBELL: You served as Chief Judge of the District court here for almost 15 years.

ALAIMO: Right.

CAMPBELL: You made a number of reforms that were very significant during your tenor as Chief Judge. Tell us about the most important of those.

ALAIMO: The one that I just mentioned to you, the requirement that the U.S. Attorney turn over the file. The next thing was I did adopt a set of local rules which pretty much delineated practice in this court.

CAMPBELL: Prior to that time the Southern district did not have any local rule?

ALAIMO: None whatever, no.

CAMPBELL: Because now all courts have ...

ALAIMO: Judge Lawrence did not believe in them.

CAMPBELL: All courts have local rule now don't they?

ALAIMO: Yes, as far as I know. Yes, all of them do.

CAMPBELL: What were some of the, other than in criminal cases requiring the district attorney to turn over the file, what were some of the other things?

ALAIMO: The pre-trial orders, the practice of pre-trial hearings to decide every potential problem that might arise during the trial. So that you make a record of it and obviate the necessity of argument during the trial of the case, which meant the case could be over much more quickly, and in a neater fashion as far as a jury is concerned. And as a result, [you] got better verdicts I thought.

CAMPBELL: I know as a lawyer myself that the Southern district has a reputation that the judges strictly enforce the rules, and there is very little tolerance of disobedience of the rules, or that kind of thing. Would you say that that's ...

ALAIMO: You are right about that that is one of the things you learned.

CAMPBELL: [In] a lot of courts, lawyers think that they can get away with things and therefore they try. But probably coming from practicing with Reuben Garland, that probably impressed on you the need for rules.

ALAIMO: Very much. But it makes a tremendous difference in the way the jury perceives the case and after all that is the purpose of the entire system.

CAMPBELL: One of the unusual things about the American system of justice is the jury of peers. And you have now tried many many cases and observed it. Are you a big fan of the jury?

ALAIMO: Yes. They do a better job than I do.

CAMPBELL: If you were accused of a crime would you rather be tried by jury as opposed to a Judge?

ALAIMO: Very much so.

CAMPBELL: I think that is very interesting and significant. Another thing that has been written about some recently, is the apparent demise of professionalism and civility among

lawyers in court proceedings. Although, you sit here in the Southern district you've tried cases all over the country and I wonder what observations you have about civility and professionalism.

ALAIMO: Well, fortunately I have not encountered that sort of thing. I don't know whether is because I look bad or look mean or whatever it may be. Down here as I mentioned earlier we enforce the rules and the lawyers know we enforce them. So we don't get problems with the lawyers. And in these other places I have sat they are always a little skittish about a visiting judge so they don't bother you much.

CAMPBELL: If they read about your background having been a WWII POW and trying to escape four times, that would probably put them being a little bit careful too.

ALAIMO: I don't know about that but at any rate I have never had any problem with lawyers.

CAMPBELL: Now how is it that you try cases outside this court, in other words ... of course you were invited to come into Atlanta for the airport case?

ALAIMO: They invite you in to assist in cases, or in districts where they are kinda overwhelmed with pending cases.

CAMPBELL: I have read somewhere that you have been brought in frequently where a given court might be overloaded to clear out the docket so to speak. How many different cases?

ALAIMO: A number of them number in Florida, Tampa, Miami, Jacksonville Gainesville, St. Louis, Chicago, New Orleans, Toledo , Cincinnati, so on, Pittsburg.

CAMPBELL: You sit as a trial judge in the Federal Trial court and then the next highest court up is the court of appeals. Then the next highest is the Supreme Court. On occasion you will sit on the appellate court – How does that happen?

ALAIMO: They call you and say we need some help will you do it. I reluctantly say yes because I don't like it to tell you the truth.

CAMPBELL: That was going to be my question do you enjoy trying a case more than you do being an appellate judge?

ALAIMO: All you do up there is read briefs. And I would have to consign myself to a lifetime of reading briefs.

CAMPBELL: Much more interesting being in the court room?

ALAIMO: Well of course. Sure.

CAMPBELL: Well, this has certainly been a fascinating interview Judge Alaimo and I very much appreciate you doing it and I am sure that your transcript will be put to good use at the Russell Library.

ALAIMO: Well, I fumbled through it and I haven't been quite as loose as I should have been but nevertheless that is the way it is.

CAMPBELL: Thank you.

[End of interview]

## Biographical Information

RBRL OHD 004

Anthony Alaimo

b. March 29, 1920 in Termini, Sicily, Italy

- o U.S. Army Air Corps Second Lieutenant Pilot, 1941-1945
- o Attorney Atlanta, Georgia, 1948-1957
- o Attorney Brunswick, Georgia, 1957-1971
- o Judge, U. S. District Court, Southern District of Georgia, 1971-1976
- o Chief judge U. S. District Court, Southern District of Georgia, 1976-1990

## Subject Analysis

RBRL OHD 004

Anthony Alaimo

- Early Life
- Education
- WWII
- Enlistment and training in the Army Air Corps.
- The crash which led to his time as a POW
- Time as a POW and escape attempts
- His role in the film the *Great Escape*
- Time at Emory Law School
- Life as an attorney in Atlanta
- Life as an attorney in Brunswick
- His time as a judge
- The Georgia prison system and the Guthrie V. Evans case.
- Significant changes he made as a Federal Judge

## Alphabetical Index

Dulag Luft, 22, 23

Garland, Reuben, 47, 48, 51, 52, 67

Georgia State Prison, 57, 58

Graland, Reuben, 47, 48, 67

Great escape (Motion picture), 2, 24, 27, 30, 72

Griffin, Marvin, 52

Guthrie v. Evans, 57

Highsmith, E. Way, 52

Lawrence, Alexander A., 55, 56, 57, 66

Nixon, Richard Milhous, 2, 56

Russell, Richard Brevard, 55

Stalag Luft III, 22, 23, 24, 25, 32, 34

Stalag VII A Moosburg, Germany, 23, 32