

The LIFE and TIMES of
RICHARD J. HUGHES

The Politics of Civility



JOHN B. WEFING

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Frontispiece: Bil Canfield was a longtime cartoonist for both the *Newark Evening News* and the *Star-Ledger*. During his career he regularly portrayed Hughes. He became a great admirer of Hughes and prepared this cartoon especially for this book. It is produced here with his permission.

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This book is dedicated to my family—my wife, Dorothea, who, in addition to being my best friend and soul mate, also did a final edit of the book; my son John, a graphic designer; my son Paul, a detective with the Passaic County Prosecutor's Office; and my daughter Dorry, a graduate student and coach. They have enriched my life immeasurably.

It is also dedicated to the memory of my parents,
Henry and Freda Wefing.

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Introduction

RICHARD J. HUGHES, the only person to serve as both governor and chief justice of New Jersey, was also the state's first Catholic governor. He was also the first truly modern governor to lead the state. Known on both the national and international political stage, Hughes won widespread praise for chairing the Credentials Committee at the contentious 1968 Democratic National Convention, and he was one of Hubert Humphrey's finalists as vice-presidential running mate. Hughes was a close and trusted friend to President Lyndon Baines Johnson, leading to his involvement in the historic Glassboro Summit, during which President Johnson and Soviet Premier Aleksei Kosygin engaged in crucial diplomatic talks in the wake of the Six-Day War.

In addition to his governorship, Hughes's multifaceted career included six years as chief justice of the New Jersey Supreme Court, ten years as a superior court judge on both the trial court and the Appellate Division, four years as an Assistant United States Attorney, and many years in private practice. During his eighty-three years, he met hundreds of thousands of people, decided thousands of cases, signed innumerable bills into law, gave thousands of speeches, and appointed hundreds of judges, prosecutors, and other government officials. In addition to Johnson and Humphrey, Hughes forged relationships with many U.S. leaders including John F. and Robert F. Kennedy, and Nelson Rockefeller, and he traveled the world as a U.S. emissary, even monitoring the 1967 South Vietnam elections.

Born to a working-class family with strong commitments to the Democratic Party and the Catholic Church, Hughes did not particularly excel in school; however, he greatly expanded his knowledge as a result of his love of

reading. From an early age, he was inspired by his father's deep involvement in Democratic politics, and this homegrown political education impelled the young Hughes to pursue a political path. His admiration for Presidents Woodrow Wilson and Franklin Delano Roosevelt convinced him of the importance of government and its role in helping the less fortunate in society.

Devoted both to his Catholic faith and his Irish heritage, Hughes became an Irish politician of the best kind. A great storyteller, he could win over an audience with wit and humor—much of which was self-deprecating. The father of ten, he was devoted to his family, devastated by the loss of both his wives, and deeply concerned about the futures of his children.

Richard J. Hughes was a man of strong convictions and ideals, but also a man who knew how to compromise. He could argue fiercely with an opponent and immediately afterward enjoy a friendly drink with the same person. There was hardly a person who disliked Hughes, and he was always able to find the good in others. For him, political disagreements were never personal. While he was a strong and dedicated Democrat, he had deep personal friendships with many Republicans.

Early on, Hughes gained the nickname “two buckets.” This name reflected his ability to satisfy both sides of a dispute. As one student of his style put it, the name captured his capacity to balance two pails of water on his shoulders without spilling a drop.¹ His son Robert recalled: “He was nicknamed two buckets, given that name by the late New Jersey Congressman Frank Thompson because of Dad’s instinctive practice of trying to bring about compromise between warring factions of a political party, or two sides of a litigation. . . . [H]e understood that, in the world of politics, the finding of common ground would enable the party to do the most good for the most people.”²

People who knew Hughes refer to him as a “great guy,” a “considerate person,” a “caring individual.” They rarely bring up his brilliance or keen intellect. However, one of the lawyers who worked most closely with Hughes throughout his career described him as the smartest person in any room, even though he never projected that image. Hughes was never one to flaunt his intelligence and preferred to be seen as a man of the people. Late in his life, when asked how he wanted to be remembered, Hughes said: “I don’t want to be remembered as a great governor. I don’t think I was. I’d like people to say, ‘He was a good man and he tried his best.’”³

Hughes had an extraordinary zest for life. He seemed to enjoy whatever he was doing at the time—whether representing clients in court, speaking

on the rubber chicken circuit, campaigning, swimming with his children at the New Jersey shore, having a martini (or more likely several martinis) with friends, or campaigning in Humphrey's losing race for the presidency. This enthusiasm had a downside, however, as Hughes had a tendency to be impulsive, at times having to retract statements and positions and restate them more carefully. Hughes's verve did not allow him to escape life's difficulties and sorrows. He grieved over the relatively early death of his beloved mother, and he was devastated by the very early demise of his first wife, and childhood sweetheart, Miriam. He endured the death of his father on the very eve of his election to the office of governor, the longtime illness of one of his sisters, the early death of his brother, the abuse of alcohol by some family members, the difficult birth of his youngest son, who was legally blind and almost died, the death of his second wife, Betty, and the death of a grandson.

Hughes also suffered when a number of his closest political colleagues abused their positions and ended up pleading guilty to improprieties. Though Hughes himself was never implicated in the improprieties, he often left campaign fundraising in the hands of those trusted advisors, and his trusting nature may have permitted him to ignore the danger signs.

Hughes's devotion to his faith never wavered. He spent a year-and-a-half in a seminary as a young man and remained a devout Catholic until his death. Friends recall having to wait while Hughes stopped to go to confession. His children remember him rousting them out of bed to go to church.

He often turned to Saint Thomas More, the patron saint of lawyers, as his model. He would say that Thomas More's position as Chancellor of England was somewhat akin to the roles he played as both governor and chief justice. A portrait of More hung in his office and he named his youngest son after the saint. Hughes liked the fact that More attempted to compromise with the King of England and persisted until it became absolutely a matter of principle, at which time he knew he would have to die for those principles. Throughout his own political career, Hughes attempted to work out deals through compromise and conciliation, but when all his efforts at persuasion failed, he would rely upon and stand for his principles.

HUGHES'S MEMORABLE YEARS AS GOVERNOR are the focus of this book. His two-term governorship coincided with a time of great change throughout New Jersey and the country. From 1962 through 1970, the United States

witnessed the civil rights movement, the beginning of the women's rights movement, the Warren Court, the Vietnam War, and the assassinations of both John F. and Robert F. Kennedy and Reverend Martin Luther King, Jr.

Hughes took office in a wealthy state with few financial resources. Only one of three states in the country that did not have a broad-based tax to support the state government, New Jersey was very much tied to the concept of home rule by local municipalities, utilizing property taxes as the primary mechanism for spending. Upon being elected, Hughes was faced with the serious problem of meeting the increased demand for state services without adequate financial resources.

During his tenure, Hughes increased the role of state government, created a county college system, an office of community affairs, and a public defender's office. He expanded the four-year college system, instituted a sales tax, opened the first public medical school and the first public television station in the state, increased the role of the Port Authority to better serve New Jersey residents, and appointed numerous capable judges and administrators. Many of these initiatives were bold and were greeted enthusiastically; however, the costs associated with these dramatic expansions resulted in both an increase in borrowing and a higher tax burden. Later administrations picked up where Hughes left off and continued to expand these programs, resulting in serious and continual budget crises for the state.

Hughes's years in office also included many destructive civil rights riots throughout the country, and New Jersey was not spared. The Newark riots in 1967, in which 26 individuals were killed, were particularly destructive and had a significant long-term effect upon the viability of the largest city in New Jersey. Many criticized the state for not doing enough to deal with the festering problems in the inner-cities, suggesting that more attention to these issues might have prevented the bloody riots. Hughes had supported measures to improve urban conditions, but his efforts were criticized as being too little, too late.

His work as governor was intense, but it never stopped Hughes from playing an energetic role in supporting Democratic candidates throughout the state and nation. He campaigned for national candidates including John F. Kennedy, Lyndon Baines Johnson, and Hubert Humphrey, and he campaigned for many state candidates as well.

In large measure because of his interest in people, Hughes relished the campaign trail. Reflecting on Hubert Humphrey's decision not to select him as a running mate in 1968, Hughes always said he would have loved the campaign but wasn't so sure he would have liked the position.

In politics, it's important to be in the right place at the right time. While Hughes had great talents and abilities, he also found himself in the right place at the right time on more than one occasion. His selection as governor was serendipitous. He was not expected to win and was chosen because the original favorite had a heart attack. His selection as chief justice was an example of an extraordinary alignment of events. He was appointed by a Republican governor under unusual circumstances.

Hughes excelled in many areas. He was a fine trial attorney, a well-regarded trial and appellate judge, a distinguished chief justice of the New Jersey Supreme Court, and a loving husband and father. Some remember him most for his vigorous campaigning, others for his interest in people. Hughes's life was an extraordinarily rich and active one that blended personal, professional, and public roles in exemplary fashion.

Chapter 1

The Early Days

RICHARD J. HUGHES was born at home in Florence, New Jersey, on August 10, 1909. His parents, Richard Paul Hughes and Veronica Gallagher Hughes, were working people, struggling to make ends meet. His paternal ancestors immigrated from Ireland during the potato famine. Hughes's grandfather, also named Richard, a native of County Clare who arrived in the United States in 1856, served in the Union Army during the Civil War. He married Irish-born New Jersey widow Alice Lynch Duffy, and became a citizen in 1876, signing his citizenship papers with an \times .¹ The couple's first son, Richard Paul Hughes, was born the same year.

Richard Paul Hughes was not well educated and often told his son that he'd had no schooling past the fifth grade. Despite this lack of formal education, he was intelligent and possessed a great love for reading, with a particular fondness for Charles Dickens. He was also passionate about politics and maintained close personal and professional ties to the Democratic Party throughout his life. He married Veronica Gallagher when she was eighteen, and two years later Richard J. Hughes was born. Richard would become the oldest of four siblings, and the first of two sons. Veronica was a devout Catholic, and a member of Catholic Daughters of America and the Holy Rosary Society.

Richard J. Hughes spent his early years in a white house on Front Street built by his father with the help of friends. While Hughes did not live there long, he "loved Florence"² and enjoyed swimming in the Delaware River and hiking in the woods. At the time, that area of New Jersey was quite rural. When he was young, he indulged in a then-popular activity in rural communities—smoking corn silk. He lied about it to his parents, but his

conscience bothered him so much that after a few days he confessed. Years later he would use that story to communicate to his own children the value of integrity.³

When the future governor was born, his father was a foundry worker. He would soon become a foreman, however, earning a more stable income and acquiring the skills necessary to manage and deal with large groups of people. The foundry employees were a diverse group, and the elder Hughes had a particularly good rapport with the Italian workers, even though, at the time, many Irish were critical of this newer wave of immigrants.

An extremely social man with a distinct political sensibility, Richard Paul Hughes held a variety of jobs throughout his life to earn money, but he always “considered politics his first calling.”⁴ He was a dapper man who favored tailored suits and a derby, and he seemed to know everyone in town. A member of the Democratic State Committee for thirty-four years, his political career stops included postmaster of Florence, postmaster and mayor of Burlington City, and Democratic chairman of Burlington County. Although the elder Hughes did win a mayoral election, he unsuccessfully ran for state senate and the state assembly, and was unable to secure a nomination to run for Congress. The losses were not surprising considering the overwhelmingly Republican population of Burlington County.

When the younger Hughes was seven, Governor James F. Fielder singled out Richard Paul Hughes for the position of “Keeper of the State Prison.” Hughes’s father had a personal relationship with Governor Fielder, had entertained him in his home and had served on his campaign committee.⁵ This appointment took Hughes away from his work on the Burlington County Board of Taxation and required the entire Hughes family to move to Trenton, where they lived in a house across the street from the Trenton prison. Many years later, Hughes lamented the conditions of the state prison that his father set out to remedy. “[My father] found a large number of psychotic prisoners, who were confined in the dungeons,” chained to walls, hosed, and generally mistreated because of their mental state. After he transferred “all of them to the New Jersey Hospital for the Insane . . . [my father was] called a ‘bleeding heart.’”⁶ He did not, however, hold this job for long. When Governor Walter Edge took office, Hughes was replaced. The younger Hughes’s interpretation of the events suggests that the head of the powerful Democratic Party in Hudson County at the time, Jersey City Mayor Frank Hague, who also engineered the election of Edge, was behind his ousting. Hague had been

convinced by Harry Heher, the Democratic leader of Mercer County, to give the post to a resident of Mercer County, as opposed to someone from Burlington. When he was not reappointed, hundreds of prisoners signed a petition in protest.⁷ It stated that Hughes “has done more toward making the convicts here respect society and become better men than any other warden in the memory of the oldest convicts, some of them more than fifteen years. This warden has been here less than a year and he is respected if not loved by every prisoner in here.”⁸

In later years, while the elder Hughes was serving as Democratic leader of Burlington County, he would work with Mayor Hague. His son would later say that his father “was loyal to Hague as every Democrat had to be.” His remarks suggest that the father exhibited two characteristics that others would later detect in his son: “the tendency to depersonalize political disputes and the ability to adapt to changed political realities.”⁹

After losing the prison position, Hughes and his family returned to Burlington County and lived with Veronica’s mother, Katherine Gallagher McCloskey, a Democratic ward leader who also ran a rooming house.¹⁰ In fact, whenever Hughes’s father lost a political job, the family would return to McCloskey’s house. It was a full and active residence, family and boarders totaling fourteen people. McCloskey was firmly devoted to the Democratic Party, and between her political views and their father’s passion for politics, the party loomed large for the Hughes children throughout their early years.

During his young years Hughes was expected to help out with various jobs. His father joked that the future governor was a “migrant worker,” since at the age of ten he helped neighboring farmers pick beans.

Hughes did not participate actively in organized sports. In fact, some friends have described him as “non-athletic,” even though he took up golf as an adult.¹¹ The Hughes family lived in a number of different places in Hughes’s formative years, so the young boy did not have a large circle of friends. Additionally, his interest in reading probably set him apart.

Hughes started his education at Mount Saint Mary’s Academy in Plainfield. He later attended Captain James Lawrence School in Burlington, went on to Wilbur Watts High School, and finally transferred to Cathedral High School in Trenton, where he spent the final two years before graduation. Of that last experience he said: “I loved that school. Came up on the train every morning, there were other commuters, who came up too—who wanted to go to a Catholic High School. That was the nearest; there were none down in Burlington County at that time.”¹² He never minded the

train ride, considering it an acceptable price to pay for a Catholic education, and he thought Cathedral was a “very fine school.”¹³

In 1922, Governor Edward I. Edwards, with whom the elder Hughes also had a close personal relationship, appointed him as a Civil Service commissioner.¹⁴ It was a worthy position; however, it was not nearly as lucrative as Keeper of the Prison. As commissioner, Hughes virtually sat as a judge, listening to the complaints of civil servants who believed they had been improperly treated. This experience played an important part in his outspoken desire for his son to pursue a career in law. Hughes served on the Civil Service Commission until 1929, when he was forced out in a political battle with the Republican Party boss in Camden.

In 1932, Hughes unsuccessfully sought the Democratic nomination for Congress in the Fourth District. Interestingly, his son would run as the Democratic candidate for that same seat in 1938 and lose to the same opponent, D. Lane Powers.

In 1934, Franklin Delano Roosevelt appointed Hughes’s father as postmaster of Burlington, reappointing him in 1938, and again in 1942. Finally, on November 4, 1948, Hughes—at the age of seventy-three—won his only election, as mayor of Burlington. He was the first Democrat in forty years to win that position, which he held for one term.

Despite his dedication to the Democratic Party, Hughes told his son, “Richard, I always want you to remember that in both parties the majority of the people are fine, decent people and both parties contain a certain group of no-goodniks. . . . [I]f you ever see somebody on the Republican ticket, don’t hesitate to split your ticket if he’s a better person than the one running on the Democratic ticket.”¹⁵ The younger Hughes was known to use that line in his own campaigns years later, and then conclude: “Now, would you believe it, I’ve been voting forty-two years and that problem has never come up.”¹⁶ As a result of his father’s constant involvement in politics, Richard J. Hughes was introduced early to the life of a politician. As the oldest in the family, he often accompanied his father to rallies and official political visits. Politics was constantly discussed in his house, and Hughes spent time as a youngster listening to “governors, mayors and legislators swapping stories and planning strategies on the back porch of his home.”¹⁷ By the time he was in high school, Richard J. Hughes was a seasoned Democrat with a true appreciation for public life.

It was at Cathedral High School that Hughes met Miriam McGrory, who’d been born and raised in Trenton. He was a senior when he first laid eyes on her. “I followed her all the way out to West State Street until

I found out where she lived, and then I arranged to get introduced to her . . . great humorist, very funny girl, kind of like the sense of humor Betty [his second wife] had.”¹⁸ The two became fast friends and were often seen eating together at the Warren Confectionery, a luncheonette just down the street from Cathedral.

Upon graduation Miriam went on to Georgian Court College in Lakewood, New Jersey, where she served as president of her class. Miriam was active in numerous campus activities ranging from religious organizations to the varsity basketball team. The commentary under her yearbook graduation picture described her as “extremely unselfish,” interested in making “everyone happy” and a “charming and lovable character.”¹⁹

Despite his attraction to Miriam, Hughes entered the seminary after graduating. “My mother had always encouraged me to go away to be a priest, as most Irish mothers did, and there must have been twelve in our class that went to Saint Charles, a seminary. I was there about a year-and-a-half, but I was always very upset about, you know, doubtful about having a vocation and fortunately I was dismissed.”²⁰

Hughes describes his expulsion this way: “A very silly thing; some fat kid from Pittsburgh, I forget, he was an Irish kid, and a boy named Mallon from Philadelphia, three of us, decided on, I think Thanksgiving Day, to go off campus which was strictly against the rules. Only because we were starved, we weren’t after beer or women or anything of that kind, we were starved for candy.”²¹ The head of the seminary spotted the truants and they were expelled. Hughes considered it providential. “I might have stayed with it to be a credit to my mother but many kids who didn’t have a strong vocation turned out to be bad priests—drinking priests, or hell-raisers, or something. No, I felt a great sense of relief as though a big burden had dropped off my shoulders.”²² But Hughes, who would become the first Catholic governor of New Jersey, never turned his back on his religious heritage. One commentator said: “Hughes’s religious training contributed to the political values he articulated as Governor and to the political style he exhibited in office. His theological pursuits taught him to accept imperfections in human nature, work for change within established social structures and institutions, and place the needs of the community ahead of those of the individual.”²³

After his dismissal from the seminary, Hughes attended Saint Joseph’s College in Philadelphia to complete the second half of his sophomore year. In those days college students were often immersed in a classical education. Hughes took Latin, Greek, English, history, religion, and chemistry. “Good school,” said Hughes of Saint Joe’s, “but I just worked enough to pass, and I did pass my sophomore year and then decided to go to law school.”²⁴

In his own estimation, Hughes was a “mediocre student, bright but lazy.”²⁵ He was, however, always an avid reader. He read the classics, biographies, and history. Like his father, one of his favorite authors was Charles Dickens. Two favorite books which influenced him were *The Last Hurrah*, a book on Boston politics, and *For the Defense, Thomas Erskine: the Most Enlightened Liberal of His Times, 1750–1823* by Lloyd Paul Stryker. Erskine is described in the prologue as “a man who believed in something—believed enough to fight for it. What he believed in was justice and liberty. . . .”²⁶

Hughes also loved his Irish heritage, and he often referred to Samuel Lover’s *Handy Andy*, a sophisticated novel about life in Ireland. Andy, the title character, is a silly young Irish lad who gets himself into ludicrous situations. But the book is also a vehicle for discussions of the Irish political and legal system. In an introduction to the book, John Sheridan describes it as “a classic in its own right, a book that has vitality, uproarious humour, a zest for life, and no bitterness.”²⁷ The qualities ascribed to the book are qualities Hughes exhibited in his own life. Hughes also enjoyed quoting Irish poems and ballads. His fascination with St. Thomas More spurred his interest in English history.

Hughes entered New Jersey Law School (which would later become part of Rutgers Law School) in 1928, after completing his sophomore year at Saint Joseph’s. At the time, an undergraduate degree was not required for law school admission. His decision to go to law school was influenced by his father, who had always been fascinated by the law. His admission, however, was not a foregone conclusion. As Hughes said, “It was a long shot getting into law school.”²⁸ As was often the case in Hughes’s life, a friendship helped. Harry Heher, a prominent attorney who would later go on to be a member of the New Jersey Supreme Court and a mentor to Hughes, arranged for Hughes to meet Edward Craig, a friend of the law school dean. Hughes described the outcome of that meeting this way: “Dean Harris reluctantly admitted me with two or three deficient credits. And he said he’d try me for a year. If I made it, fine. And I did make it.”²⁹

Ironically, the same Harry Heher who helped him get into law school had previously caused Hughes’s father to lose his position as Keeper of the Prison. It was telling that a former opponent of his father’s would become an ally. Hughes’s talent for maintaining friendships with people of opposite views became a hallmark of his career.

Hughes admitted that he was a “mediocre student” in his first year of law school. He attributed his subsequent turnaround to his constitutional law professor, Richard Hartshorn. “This fellow had a knack of teaching the American Constitution kind of in a Boy Scout way, and he just made it come

alive.”³⁰ Hughes’s love of the Constitution would demonstrate itself often in his later years both as governor and as chief justice. Hartshorn inspired Hughes to become, for the first time in his life, a truly diligent student. “I wound up my final year as I recall with straight As or pretty close to it.”³¹ Additionally, Hughes was remembered as the “best speaker and most dignified”³² in the class.

His eventual success in law school was tempered when he failed the bar exam. Although he passed it on his second try, his initial failure made a strong impression on him. “I was very shocked. I was really traumatized by that, scared to death. And in those days there was a four time rule, four failures and you’re out.”³³ At that time, a lawyer had to pass a separate exam to qualify as a counselor in order to handle more complex cases. Three years after passing the bar exam he successfully passed the counselor’s exam on his first try.

Hughes was now poised to begin his active and successful career as both a lawyer and a political leader. As he blended the busy life of a practicing lawyer with dynamic participation in Democratic Party politics, the generosity of spirit and devotion to faith that he learned from his mother, and the understanding of political realities and the need to maintain friendly relationships with all that he learned from his father, would serve as his guide.

Chapter 2

The Young Politician

WHEN HUGHES GRADUATED FROM LAW SCHOOL IN 1932, the country was still in the midst of the Great Depression and employers were not eager to hire a twenty-three-year-old novice lawyer from the non-ivied halls of New Jersey Law School in Newark.¹ Joseph Katz, who served in the Hughes administration, writing about Hughes much later, said, “Given his exquisitely ill-timed entry into the profession, his professional prospects could only improve.”²

By this time Hughes’s father had started a small insurance business. Hughes worked for a while as a single practitioner in an office connected to his father’s office in Burlington. Shortly thereafter, he returned to Trenton to work in the law office of Harry Heher, a prominent attorney.³ It was expected that young lawyers working with senior attorneys would not only help those lawyers with their cases, but would also bring in business. Since the Depression was still affecting the economy, however, it was a struggle for Hughes to attract business. Things became even more difficult when, not long after, Heher became a judge. Hughes was, as he said, “out of luck.” According to him, “Had it been say two years later I could have inherited his entire practice and been off to a fast start. But it was just an unfortunate time, and his practice was distributed around to various lawyers, older lawyers of Trenton. Maybe it’s just as well, because I had to, you know, work from scratch and make my own way along.”⁴

Although Hughes did not take over his practice, Heher was instrumental in helping Hughes get his start in politics. In the early thirties, before the Constitution of 1947, it was still permissible for a New Jersey judge to be involved in politics. In 1932, while simultaneously serving as chairman of

the Democratic State Committee and a judge, Heher appointed Hughes chairman of the committee's Speakers' Bureau during Franklin Delano Roosevelt's first presidential campaign. Hughes learned a great deal from Heher about the ins and outs of political life, just as he had from his father. Since his family still lived in Burlington, Hughes called the Trenton Knights of Columbus his home during that time. He was both a member and an officer of this Catholic organization, whose clubhouse had rooms where members could stay.

The romance Hughes began with Miriam McGrory back at Cathedral High School continued during his law school days and beyond. The couple married in 1934, not long after Hughes passed the bar. They lived with Miriam's parents in Trenton until they were financially secure enough to find their own place. Miriam, who was described as refined and retiring by Hughes's sister, Alice Hulse, gave birth to two sons, Richard and Robert, during the early years of their marriage. Two other children, John and Mary, would be born several years later. The young Hughes family became accustomed to difficult financial situations. It was challenging for a young lawyer to provide for a growing family in the Depression era. Years later, Hughes's sister remarked, "They never had any money."⁵

Claire McQuade, who would later become Hughes's sister-in-law when he married her sister Betty after the death of his first wife, recalled that Hughes and Miriam were a striking couple. When they came into Blessed Sacrament Church with their children all heads would turn to see the charming young lawyer and his handsome family.⁶ Miriam had grown up in the Blessed Sacrament parish, and it was an important part of their family life. Her sons were altar boys at the church and Hughes regularly attended mass there. Miriam played an active role in her community and particularly her parish, serving as president of the Blessed Sacrament School's Parent Teacher Association.

While Miriam was not particularly interested in political life (her son Robert described his mother as "detesting politics"⁷) she was devoted to her husband and she supported his efforts. When Alice Hulse was asked about Miriam's attitude toward Hughes's political activity, she said, "He [Hughes] could engage in politics because that was what he wanted—they were very happily married."⁸

At the time, Hughes was active in the Young Democrats, an organization that remained central to his life until he became an Assistant United States Attorney in 1939. Reminiscing about those years, Hughes said, "So then those years went by '34, '35, '36. I was a hot young Democrat."⁹ Following in his

father's footsteps he got to know all the important people in the Democratic Party, and in 1937 he became president of the local Young Democrats organization. He then ran, successfully, for a position on the Democratic State Committee. This was an especially daring move because he did it without the approval of party leaders. Hughes ran against Judge Irwin E. Marshall, who was the Mercer County prosecutor and a former judge.¹⁰ But as Hughes said, Marshall was "an inactive politician; and I beat him about 12,000 to 7,000 or 5,000."¹¹

Congressional Candidate

In 1938, only six years after his father had unsuccessfully sought the nomination to run for Congress from the Fourth Congressional District but was passed over for a Democrat from Mercer County rather than Burlington County, the party asked Hughes to seek the same seat against the incumbent Republican, D. Lane Powers. Hughes described himself during this experience as a "sacrificial lamb." Not only was the district heavily Republican, but President Franklin Roosevelt, a Democrat, was unpopular, having just ended a controversial effort to enlarge the Supreme Court to make it more supportive of his Great Depression agenda. The existing court had declared some of the legislation supporting Roosevelt's agenda unconstitutional, and in an attempt to obtain a more agreeable court, the president suggested increasing the membership, and allowing him to appoint more supportive justices. This "court packing" proposal was very unpopular.

Nonetheless, during his congressional campaign, Hughes trumpeted his support for Roosevelt, adopting the campaign slogan, "Hughes, a Roosevelt Democrat." His campaign speeches demonstrated his liberal views, and he criticized his opponent for being a reactionary who would take the country back to the days of monopolies. Hughes told voters that, "Today liberal thought pervades the thinking of the people of this country and of the Fourth Congressional District particularly."¹² Apparently, voters in the Fourth Congressional District did not agree. Powers easily won reelection. Ironically, Hughes had previously attributed the loss by the former Democratic candidate for that seat to his failure to hitch his wagon to the right star—Roosevelt.¹³ It seems clear that Hughes lost, at least in part, because he did hitch his wagon to Roosevelt.

Hughes knew he was likely to lose, but he knew that the campaign would increase his visibility and demonstrate loyalty to the party. The process also allowed him to discover just how much he enjoyed the political game,

including going door-to-door to garner votes. Years later, he would say that the congressional campaign provided great training for his run for governor.

Hughes also learned the importance of taking care of constituents during that campaign. Much later, when talking about the race, he remembered that while he disagreed with Lane Powers on policy matters, he respected his attention to the problems of constituents. He recalled that Powers had hired a newsman to see to it that every letter he received was answered over the Congressman's personal signature within 48 hours. While Powers was not on the same page as many of his constituents politically, they still voted for him because of his concern for their needs.¹⁴

Even though Hughes ran as a Roosevelt Democrat, he very much opposed the court-packing plan. He later stated: "[A] vastly popular American President [Roosevelt] elected in 1936 by the electoral votes of 46 of 48 states, attempted in 1937 to 'pack' the United States Supreme Court which had been less than friendly to his New Deal legislation (the latter itself was supported by a clear majority of the people). Yet in 1938 this same electorate administered a severe rebuke to this challenge to judicial independence, refusing to displace many Congressional members of the President's own party, who had opposed his plan, and against whose election he had mounted a vigorous campaign. His own reelection had he been a candidate that year, would obviously have been at risk."¹⁵ Hughes had great respect for Roosevelt, but he believed that the independence of the judiciary was crucial. He would argue for judicial independence throughout his career.

Hughes worked full-time on his campaign for Congress, to the great detriment of his personal finances. This was not easy on his family, but for Hughes, politics was an essential element of his being. He stopped working on July 4 and campaigned virtually full-time until the November election. He owed nothing at the start of the campaign but by the end he was \$10,000 in debt, which was a fortune at the time. Luckily Hughes had friends who could help him out. One of them was Mary Roebing, one of the first women to preside over a major bank, the Trenton Trust Company. Hughes constantly rolled over loans from the bank, later acknowledging, "It was an uncomfortable thing to be that much in hock."¹⁶ Ironically, the Roebings, who were quite helpful to Hughes, were wealthy Republicans.

When asked how he spent the \$10,000, Hughes said: "Oh, it slips away, you know, you stop in Bordentown at the local tavern and you'll spend \$12, buying beer for people and so forth and so on, you don't want to look cheesy. We had a candidate for Congress one time who was a Princeton

professor, and he didn't understand spending; he was in the same bar one time, and I was campaigning with him and he opened his little wallet to pay for his own beer, lost a lot of votes, I think."¹⁷

Hughes wrote a letter many years later to a "Sis Bernhardt" reminding her of a "generous beer-bust" she had given for him when he was running for Congress in 1938. "As Miriam and I left, I heard later that you said to your friends—'See that little Irish Mick over there—he's going to be Governor of New Jersey someday!' This was possible because of my windbag performance at your party, but it *was* somewhat prophetic."¹⁸

Assistant U.S. Attorney

Hughes's political involvement and legal ability led to his appointment, in 1939, to the position of Assistant United States Attorney. The job was part-time, so he was able to practice private law simultaneously. Hughes believed that Thorn Lord, whom he met when they were both active in the Young Democrats and was then serving as an Assistant United States Attorney, had recommended him. The routine F.B.I. investigation of Hughes at the time he was appointed shows that, in fact, Lord had supported his application.¹⁹ However, a number of other prominent members of the bar and judiciary had also spoken on his behalf.

Hughes handled many different types of cases as an Assistant United States Attorney. After the attack on Pearl Harbor, on December 7, 1941, the office became extremely busy. Many cases dealing with war fraud came to Hughes, and he tried the first war fraud case in the country.²⁰ It involved a defendant named Herman, who was accused of bribing a sergeant to sneak 6,000 pairs of pants out of Fort Dix. Hughes handled the prosecution, and Herman was convicted.

Hughes also tried the case of *United States v. German-American Vocational League*.²¹ The league was accused of masquerading as a social and fraternal organization while really acting as a propaganda agency of the German Reich. In 1938, Congress passed, and the president signed, the McCormack Act, a national security measure requiring anyone performing public relations of any nature on behalf of a foreign government to register. The German-American Vocational League failed to register and was charged with conspiracy to violate the act. Hughes handled the case through trial and appeal, winning at both levels. Rather than exploiting the evident patriotic angle, he focused on the legal issues. At the conclusion of the trial, District Court Judge Thomas F. Meany described Hughes as "a most

effective trial lawyer . . . he gives tremendous attention to detail.”²² Hughes loved trial work of all sorts.²³

During his time as an Assistant United States Attorney Hughes worked with Judy Sarosky, the only secretary in the office who could keep up with the fast-talking attorney as he dictated his briefs, letters, and memoranda. Sarosky would remain his secretary, through all his careers, until the time he died. Hughes always said that he was lucky about the women in his life, including his mother, his mothers-in-law, and his wives. He and his family would come to recognize his secretary’s place in this group of women. Judy was an immense help to Hughes in his private practice, and in his work as a judge, governor, and chief justice. A friend, who was unaware that Sarosky was married, once asked Hughes, after observing the close working relationship he had with his secretary, why he had not married her. Hughes responded that the presence of Bill, Judy’s husband, was a major obstacle, and besides, why would he want to take a perfectly fine secretary and make her his wife?

During his years at the United States Attorney’s office, Hughes forged a close personal and political relationship with Thorn Lord, the man who had recommended him for the job. They were an unlikely pair but the two were constant companions who consistently supported each other’s political careers. While Hughes was gregarious and outgoing, Lord was withdrawn and taciturn, even described as “eccentric, moody and saturnine.”²⁴ He was “aloof, diffident, cavalier about money, he dressed oddly, and gave the appearance of a typical, absent-minded professor.”²⁵ Despite all of that, Lord had many friends in Washington who had been part of the New Deal, including Justice Abe Fortas, Thomas Corcoran, and Walter Lockheim.²⁶

Alvin Felzenberg, the author of a study of three New Jersey governors, including Hughes, said: “Together Hughes and Lord forged one of the most successful political alliances in the history of their state. . . .”²⁷ They worked together to invigorate the Democratic Party in Mercer County. Ronald Grele, who wrote about the development of liberal Democratic ideology in Mercer County at the time, wrote: “Thorn Lord, who succeeded [Crawford] Jamieson as the dominant influence in party politics after 1944, was a brilliant tactician of politics. His registration drives, his clever manipulation of ethnic politics, and his awareness of the liberal imagination allowed him to forge the Democratic constituency of industrial, working-class Trenton into a solid political base.”²⁸ Richard Leone, a major figure in New Jersey political life and currently the head of the Century Foundation, said of

Hughes and Lord, “Together they transformed the solidly Republican County [Mercer] into a solidly Democratic one. . . .”²⁹

While serving as Assistant United States Attorney, Hughes was elected Mercer County Democratic leader. In an editorial, the *Trenton Evening Times* criticized Hughes for continuing to work at the United States Attorney’s office after the election,³⁰ stating that it was a violation of the Hatch Act, which prohibits federal employees from engaging in political activities. Hughes did not actually assume the position, however, until after his resignation as an Assistant United States Attorney. In the interim period, Frank Katzenbach held the position as acting county leader. Apparently Hughes believed that the interim appointment of Katzenbach eliminated any violation. However, the editorial writers for the *Trenton Evening Times* thought differently, and accused Hughes of serving in both capacities simultaneously, and of “fence-straddling” and “double-talk” by having Katzenbach fill-in.³¹ The editorial writers concluded by saying that it was unlikely that the United States Attorney’s office would prosecute one of their “own.”³² There was never any formal complaint made against Hughes for this activity.

During World War II, while Hughes was still serving as Assistant United States Attorney, he attempted to gain a commission in the Navy. He was turned down because of his bad eyesight. He was eager to serve, so he asked what he could do to remedy the situation. He was told to drink a lot of orange juice and eat a lot of carrots and try not to use his glasses. Hughes would later recollect, “We had dinner that night. I drank about a quart of orange juice and at breakfast another quart, a lot of damned carrots, all that crazy stuff. I’d go out in the street without my glasses on and pretty nearly got killed by a cab.”³³ When he went back for the next test, not only were his eyes still bad, but he also tested positive for diabetes from all the sugar he’d consumed from drinking so much orange juice. He was turned down again.

Later, when the need for soldiers intensified, he was drafted. “I had to go to Camden to take a draft examination. And it was the funniest thing, talk about psychology . . . when I was Assistant U.S. Attorney, you know, these United States marshals are holding your coat, ‘Can I get you a glass of water on the table? And ‘Can I carry your bag out to the car?’ and so forth and so on, very obsequious. Now, on examination day, down at Camden Armory, the same assistant marshals are there, to supervise the examination, you know, watch the people so no one gets away. And they’re altogether different. Now you’re a civilian again. It was a good lesson for me.”³⁴ He

was also amused by the draft examination itself: “Everybody’s naked in a row with their wallet, and the guy with a lot of hair on his chest, the sergeant says, ‘You so and so, I told you to leave the sweater in the locker.’ But, it was an experience, I enjoyed it very much.”³⁵ After the physical he was called in to meet with the draft officers. “There was an Army captain and a Navy lieutenant commander. The Army guy looked through the whole sheet, and he said, like this, nodded his head, ‘No Way,’ in disgust, turned me over to the Navy guy. And I had about half vision in this eye (left), which had been detected when I tried to get a Navy commission two years before this incident, and it was good enough now so they accepted me for limited service.”³⁶ Hughes never served, however, because just before he was to be inducted, President Roosevelt declared that no pre-Pearl Harbor fathers over twenty-six, categories Hughes fell into, were to be sent to war. Additionally, he’d been worried about the induction because of the physical fitness demands (he was told he would have to do fifty push-ups, and even with practice, he could never get past eighteen).

County Democratic Leader

In 1945, Hughes had returned to private practice and joined Thorn Lord, who had also left the United States Attorney’s office. For the next three years, Hughes threw himself into the practice of law and into politics. Hughes said of this time, “I had a general practice and was doing rather well.”³⁷ He was also involved in charitable as well as political activities. Sometimes those activities combined, as when he joined with the Republican leader of Mercer County to raise money for cancer prevention research.

Politics certainly played a major role in the lives of Hughes and Lord at the time, as they worked to expand the liberal voter base in Mercer County so Democrats could take control and increase their influence statewide. This effort, undertaken by these two men, seemed unlikely to some. Grele wrote, “Richard Hughes and Thorn Lord could not, on the surface, have seemed less qualified to express this new liberalism and to reorganize the local and state parties. Hughes has been described by most who knew him as a ‘glad hand,’ a man who consistently compromised and thus earned the sobriquet of ‘two buckets.’³⁸ Hughes was always ready to say yes to whoever asked for something. His wife quipped that the only time he said ‘no’ was when he misunderstood the question.”³⁹ Lord was an even more unusual choice to become a political leader in New Jersey. He was a newcomer, having been raised in the South. Quiet and shy, he feared “crowds so much that he hid

from them during his unsuccessful senatorial campaign of 1960.”⁴⁰ He hated to make decisions and often just let things happen. Unlike Hughes he never said yes, but he never said no, either. In spite of these perceived shortcomings, however, Grele explains the many reasons that the two men were actually perfect to develop the liberal agenda. Hughes had his father’s liberal philosophy and his memories of the anti-Catholicism of the Al Smith campaign of 1928⁴¹ to guide him as he “remained committed to equal rights throughout his career.”⁴² Lord, too, came from a family devoted to liberalism and was an early supporter of the New Deal. The two would work assiduously to bring liberal Democratic ideals to the forefront in Mercer County.

When asked to explain their success in this endeavor, Hughes replied, “[the Republicans] didn’t work as hard as we did. I had a corps of Young Democrats, maybe 300 members, we would go out and we would canvass door to door, in a hot July, August, summer. We’d have what they called mobile registration, say at a certain public school. We would canvass the neighborhood, anyone who looked like a Democrat or an independent, take them to the place and get them registered. Make a note, take them to vote on election day. And we registered thousands of people. Thorn Lord and I, and Thompy [Congressman Frank Thompson] was so enthused about that technique that [Thompson] ran the nationwide registration campaign for President Kennedy in 1960, which was very successful. But the seed was planted right here. And that made it; the Republicans never even thought of such a thing.”⁴³

Thompson was a close associate of Hughes and Lord. He was elected to the House of Representatives in 1954 and reelected twelve times. “A leader of Democratic liberals in the House, he oversaw passage of major education and labor bills in Congress and the Civil Rights Act of 1964.”⁴⁴ Hughes would later, as governor, work closely with Congressman Thompson to obtain support for New Jersey from the federal government.

Hughes was very proud of his work in organizing the Democrats. Although some of the older members of the party were not happy with his new procedures, he was able to convince party leaders to let him run the show. One of Hughes’s techniques was the use of “street money.” “We used to have a great committeewoman named Sarah Harkins down on Centre Street, good territory for Democrats, and I’d call her up, I’d say, ‘Hey, Sarah, I want to come down and see you. I’ll be there 5:15. I’ll have a bottle of booze. I want you to get your committeemen, your two election officers, and your two best workers in. I want to talk to you and them.’ So I’d go

down and we'd go over the cost, one guy could work a half a day so he got \$7.50, say Joe Doakes. Another guy could work a whole day and use his car, he got, in those days, \$25. The committeewoman got \$50. I slipped her an extra ten; I said, 'Don't let the committeeman know this.' You had to do all that stuff. But the district was tightly organized; nobody had ever done this before. So that on Election Day, when I'd drive down the street and look across, everybody would be huffing and puffing and working, bringing people in. And that did it."⁴⁵

Hughes saw his street-level involvement as a way to meet the committeemen and -women directly. "I must have talked to thousands of people. And it showed for years. It established a kind of pattern of personal attention by the guy in charge, to the little guys as well as the big shots."⁴⁶ Hughes's attention to the "little guys" would continue throughout his career. He was just as happy talking with a secretary, janitor, or workman, as he was talking to Presidents Kennedy or Johnson or the Duke and Duchess of Windsor. And Hughes remembered the names of those "little guys." Many marveled at his ability to remember names, an important talent for a politician. When Hughes's son Michael Murphy was asked about this he said, "Dad had some tricks that helped him, but basically it was a gift."⁴⁷ One of those tricks was a Rolodex loaded with names and information about the people he met.

While working to invigorate the Democratic Party in Mercer County, Hughes knew he had to work with Democrats of all stripes, particularly the other county leaders, if he hoped to reach his ultimate objectives. During 1945, Hughes worked with Jersey City Mayor Frank Hague on a number of political matters, despite Hague's earlier harsh treatment of his father. Hughes never really liked Hague himself, but he recognized that Hague had been a dominant political force in the state for many years, able to turn out huge numbers of voters in his Democratic stronghold in Hudson County.⁴⁸

One example of Hague's political prowess was his successful courting of Franklin Roosevelt. In the Democratic primary in 1932, Hague had supported Al Smith, the former governor of New York and 1928 candidate for the presidency. When Roosevelt beat Smith, Hague quickly displayed his loyalty to the chosen Democratic candidate.⁴⁹ "If FDR opened the presidential campaign in New Jersey, Hague promised to stage the biggest political rally in the nation's history."⁵⁰ And he lived up to his promise. With amazing efficiency, the Hague organization shipped more than 150,000 Democrats from Hudson County "to Sea Girt, site of the summer residence of New

Jersey's Democratic governor, A. Harry Moore.”⁵¹ Hughes, who was at the event, recalled that Roosevelt “was very impressed . . . became a Hague man right away.”⁵² Hague subsequently became the party's spokesman in New Jersey and controlled the patronage from the federal government. John Cunningham's book on New Jersey refers to “‘Rice Pudding Day,’ the annual day for ‘contributions’ to the Democratic machine” when each government employee in Hudson County was expected to pay for the privilege of working for the government. Cunningham takes note of “the mayor's [Hague's] immaculate attire and the uncanny budgeting ability of a man who never officially made more than \$8000 a year, yet paid \$7000 annual rent for his apartment in Jersey City, had a \$125,000 summer home in Deal, and owned a handsome villa in Miami Beach. He lived like a millionaire on a Jersey City's mayor's salary: he traveled only first class, spent big, and dazzled his followers with personal splendor.”⁵³

By 1945, when Hague and Hughes were working together, however, Hague was beginning to lose his control over the Democratic Party. He had both local and national problems. According to Hughes, toward the end of his presidential career, Roosevelt was beginning to lose respect for Hague and “Truman never had any time for Hague, at all. Always hated him.”⁵⁴ When Truman became president after Roosevelt's death, Hague lost most of his control over federal patronage, and he faced opposition within his own party. In 1947, Hague resigned the mayoralty of Jersey City—a position he'd held for thirty years—and installed his nephew as mayor. Others in the party, incensed, began to plot Hague's downfall. Hague felt he could regain some of his stature by getting a Democrat elected to the Fourth Congressional District, and was desperate for a Democrat to win that congressional seat. But despite the efforts Hughes and Lord had made to turn Mercer County into a Democratic bastion, they were unable to deliver the vote in that particular case. While he did not like Hague, Hughes's pragmatism made him willing to work with Hague because it was their mutual objective to win the congressional seat. However it was this willingness to work with the bosses, and clearly Hague had been the most powerful in the state, which would lead to criticism particularly in his first run for governor. Hughes, in part, blamed himself for the loss. As Mercer County party leader, Hughes chose Frank Katzenbach, a former judge and well-regarded person, to run for the position. “I was the county leader then, harmony leader, both sides were playing friends with me, and we blew it because I had thrown the C.I.O. [Congress of Industrial Organizations] out of my office; they wanted to nominate the congressional candidate.

So they persuaded George Pelletierri, a city district court judge, to resign from the bench and run, and he got all C.I.O. labor votes, he was a big man with labor, and we were beaten by 7,500 and George Pelletierri got 10,000 Democratic votes in between us. So we blew that election, and Hague kept on going downhill.”⁵⁵ The C.I.O. was a federation of unions that organized workers and it was a very powerful force in elections. The Republican candidate, Frank A. Mathews, won the seat.

Hughes described Hague’s political strategy: “[H]e had a magnetic personality. He showed me a picture in his office one time; ‘Now,’ he said, ‘Hughes or Hughesie,’ whatever he used to call me, he said, ‘I want to tell you something. You see this picture?’ Picture of an infant child, with footprints, like fingerprints, in the corner. And a little dedication to the kid’s mother, Italian name, signed by Mayor Frank Hague. He said, ‘I gave a duplicate of that picture to that family. She delivered that baby at Margaret Hague Hospital; no cost.’ He said, ‘Do you think they’re ever going to take that family away from me?’ See, that was his technique. As it was the technique of all the Irish politicians at the turn of the century, during depressions. Somebody would move into a district and the Democratic committeeman would be around the next day offering to help in getting hold of Public Service to turn on their power, and telling them which day the garbage was collected, did they need anything for Thanksgiving, did they need a job, like that. It was personal attention to these people, which, you know, made lifetime friends. The political club would dig up some money and send out 2,500 frozen turkeys in the area. Of course, people now, with welfare and changing times, don’t need this but they needed it very much back in the 1920s, 1910s. That’s when the big machines in New York and Boston and Jersey City were built. I don’t excuse . . . what would now be called corruption, then it was regarded as everybody did it, the Republicans the Democrats, but, you don’t excuse that but you accept it as a fact of life.”⁵⁶ Hughes’s acceptance of those political facts of life led to some criticism in later years that he was too close to people like Hague.⁵⁷ During 1945, Hague urged Hughes to run for state senate, but Hughes decided against it. Perhaps his decision was based on the debt he had built up when he ran for Congress. He often described his mistake in funding his own campaign, and years later when his son Brian ran for the same congressional seat he urged him not to spend his own money on the race.

In 1948, Hughes served as an alternate delegate from New Jersey to the Democratic National Convention. He and his father, who was still serving as Burlington County Democratic leader, both attended. Hughes continued

to serve as Democratic leader of Mercer County until he was appointed to the Court of Common Pleas in 1948.

While politics were important during those years, Hughes was also successfully practicing law. One of the prestigious positions to which lawyers in New Jersey aspire is membership on the editorial board of the *New Jersey Law Journal*. Hughes was chosen to serve on that eleven-member board. Many of those eleven would go on to be prominent jurists and leaders of the bar, including the future Justice of the United States Supreme Court, William Brennan. One of the editorials that Hughes wrote as a member of the board during that time praised the creation of the new state constitution but worried about continuing problems related to the juvenile justice system.⁵⁸ When Hughes joined the bench he continued to have concerns about juvenile justice and served on a number of committees examining that system. His combined successes as an Assistant United States Attorney, practicing lawyer, member of the editorial board of the *New Jersey Law Journal*, as well as his involvement in politics, were all factors that led to his next career as judge.