

James L. Oakes (1924-2007)
Papers, 1966-1998 (bulk: 1966-1969)
MSA 535

Introduction

This collection contains a small portion of the papers of Vermont Attorney General and U.S. Judge James L. Oakes (1924-2007) of Brattleboro. The collection focuses on Oakes's 1966 campaign for Attorney General, its immediate aftermath, and his involvement in the "Irasburg Affair" in 1968. The collection was given to the Vermont Historical Society by Oakes' wife, Mara Williams, in 2007 (mss. acc. no. 2007.8). It consumes .5 linear feet of shelf space.

Biographical Note

James L. Oakes was born in Springfield, Illinois, in 1924. He received an A.B. degree *cum laude* from Harvard in 1945 and an LL.B. *cum laude* from Harvard in 1947. After law school he clerked for Harrie B. Chase of Vermont, a judge on the U.S. Second Circuit Court of Appeals. He lived in California for a year before returning to Vermont in 1949 when he became a law partner of Robert T. Gannett II in Brattleboro. He served as a state senator from Windham County from 1961 to 1965. In 1965, he joined protestors on a Civil Rights march from Selma to Montgomery, Alabama, an experience that affected his later work. The next year he ran for Vermont Attorney General and was the only Republican to win a statewide office that year. He ran for governor in 1968 but lost in the Republican primary to Deane C. Davis. Oakes was appointed to the U.S. District Court in 1970 by President Richard M. Nixon. In 1971, he was elevated to the Second Circuit Court of Appeals. He served as Chief Judge from 1989 to 1992 when he went to senior status. He retired in 2007.

Oakes married Rosalyn Landon in 1946. They had three children: Cynthia, Elizabeth, and James, Jr. In 1973, he married Evelena "Deede" Stevens and, in 1999, he married Mara Williams. Oakes Hall at Vermont Law School is named for him and his second wife.

Historical Note

What came to be known as the "Irasburg Affair" began on the night of July 19, 1968, when shots were fired at a house owned by an African-American Baptist minister named Reverend David Lee Johnson. The case attracted state-wide and even national attention when the police focused their attention on Rev. Johnson rather than the perpetrators. Eventually Larry Conley, a resident of Glover, Vermont, was arrested by the state police. He was charged with "breach of peace" and pled no contest. Shortly after the incident occurred Johnson and a white woman, who had been staying in the house, were arrested on charges of adultery. The woman pled no contest, was fined, and left the state. Charges against Johnson were eventually dropped when the woman refused to return to Vermont.

A board of inquiry was appointed by Governor Philip H. Hoff and chaired by former governor and U.S. District Judge Ernest Gibson Jr. The board eventually concluded that the state police acted inappropriately by delaying the shooting investigation and moving quickly with the adultery charges. The board also concluded that Oakes, as Attorney General, was proper in taking a leading role in investigating the case. Public Safety Commissioner E. A. Alexander, who criticized Oakes for “interfering” in a “breach of peace” case, refused to discipline any of his troopers that were involved in the case and was censured by Governor Hoff for his actions.

Scope and Content Note

This collection focuses on the election of James L. Oakes as Vermont Attorney General in 1966, its immediate aftermath, and the racially charged incident known as the “Irasburg Affair” in 1968. There is a small section on the Kehoe/Ballou case, involving a deer taken out of season.

The first part of this collection is made up of a great many letters, cards, telegrams, etc., congratulating Oakes on his election as Vermont Attorney General, and the replies he sent to those greetings. A few of these messages included suggestions about what he might concentrate on in his new office. Then, there is a section on suggestions of how the office of Attorney General might be better organized. Two folders have been created of some of the issues he had to face in late 1966, such as issues around the fairness of elections, voting irregularities, suggestions on how to rebuild the Vermont Republican Party, irate citizens’ letters on property rights and trespass laws, how to organize meetings of the State’s attorneys, and many other issues. There are also a number of newspaper clippings of that period. All of this consumes a little more than half of the collection.

Most of the rest of the collection deals with the “Irasburg Affair.” This includes many newspaper clippings, arranged in chronological order, from November 8, 1968, through July 17, 1969, plus two retrospective clippings from ten years later. There is an original manuscript, presumably in Oakes’ hand, of extensive comments on the “Irasburg Affair,” written on October 18, 1968, along with a printed draft of the same. There are many papers relating to Judge Gibson’s inquiry into the affair, including his report entitled “Findings and Recommendations of the Board of Inquiry Investigation the so-called Irasburg Affair”. In 1998 there was a Judicial Education Program organized around the “Irasburg Affair” and many papers were collected for that presentation, including the *Life* magazine article on the events.

Lastly there are some papers relating to a case of taking a deer out of season. The 1967 case involved the Vermont Fish and Game Commissioner Edward Kehoe who served as a character witness for the accused poacher, James M. Ballou, a member of the New Hampshire Fish and Game Commission.

With some exceptions almost all the material about the “Irasburg Affair” in this collection are copies of the originals.

Related Collections

A typescript and other documents related to the “Irasburg Affair” assembled by M. Jerome Diamond, law clerk for U.S. District Judge Ernest W. Gibson, Jr., is housed in MSA 418:12. A collection of clippings about the case is in the same box, MSA 418:1-11. A copy of the board of inquiry’s findings is in the pamphlet collection (pam. 305.8 F492).

In the April 4, 1969, issue of *Life Magazine* there was an article published about the incident entitled, “The Ruckus in Irasburg” (folio 051 L626). In 1989, Vermont author Howard Frank Mosher wrote a novel about the incident entitled *Stranger in the Kingdom* (813 M853s). The novel was made into a movie of the same title in 1991 (Video C-10). Photographs of Judge Oakes are filed in F-PO-Oakes.

A more extensive collection of Oakes’s papers is at Vermont Law School.

Inventory

MSA 527: 01	Attorney General, campaign for, 1966
02	_____, post-election letters of congratulations
03	_____, _____
04	_____, _____
05	_____, how to reorganize office
06	_____, post-election issues, November 1966
07	_____, post-election issues, December 1966
08	_____, Irasburg Affair, newspaper articles,
09	_____, _____, Oakes comments, Oct. 18, 1968
10	_____, _____, Gibson Board of Inquiry
11	_____, _____, Miscellaneous
12	_____, _____, papers collected for Judicial Education Program, 1998
13	_____, Kehoe/Ballou case, 1967
14	_____, miscellaneous

Ethan W. Bisbee
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