

University of Virginia School of Law
Arthur J. Morris Law Library | Archives & Special Collections

Oral History Interview Transcript
Cover Sheet

Narrator: Edwin “Ed” Finch, Francis “Frank” McDermott

Interviewers: Randall Flaherty, Addison Patrick

Place of Interview: University of Virginia Law Library; Birmingham, AL; Tyson’s Corner, VA

Date of Interview: March 19, 2020

Other People Present: Meggan Cashwell

Recording Equipment Used: Zoom

Transcription Equipment Used: Otter.ai

Transcribed by: Jane McBrian

Subjects: University of Virginia – Students – Political activity – History – 20th century; Vietnam War, 1961-1975 – Protest movements – United States

Forms: Informed Consent Agreement, Deed of Gift

Project Title: Marshaling May Days

Project Abstract: Marshaling May Days is a multimedia project produced by Law Special Collections to commemorate the 50th anniversary of the May 1970 student protests and strike against the Vietnam War. Law Special Collections conducted oral history interviews with law students, faculty, and a local photographer who were involved in the events.

Interview Abstract: Oral history interview with Edwin Finch, class of 1970, and Frank McDermott, class of 1970. Finch and McDermott discuss the events surrounding the UVA student strike in May 1970 against the Vietnam War and their participation in the events as legal marshals.

Beginning of interview

Randall Flaherty: Just give it a minute. Okay, so we'll just jump in. This is March 19, 2020. And we are doing an oral history interview for the [University of Virginia] Law Library May Days Oral History Project. And I'm Randi Flaherty. I'm at the UVA Law Library. And could each of you just introduce yourselves? Just give us a face—your name and where you are right now. Let's start with—we could start with Mr. Finch.

Edwin Finch: This is Ed Finch. I'm elderly now, I understand.

Francis McDermott: That happened about twelve years ago, Finch.

Edwin Finch: Yes, well now I've just now found it out [laughter]. So, I'm seventy-four years old, and what else did you want, Randi? Where I am. I'm in Birmingham, Alabama.

Randall Flaherty: Great.

Francis McDermott: And I'm Frank McDermott. I'm seventy-six, I'm in my office in Tyson's Corner Center. Virginia, sorry.

Randall Flaherty: Addie, do you just want to introduce yourself, too?

Addison Patrick: Oh, yes, my name is Addie Patrick, and I'm a fourth year at UVA and I'm currently in my apartment in Charlottesville on social distancing quarantine.

Randall Flaherty: This is our first social distancing oral history. So. Well, wonderful I—we're here to talk about, obviously, May 1970. But I'd love just to start to hear how each of you ended up at the UVA Law School. So, if you wouldn't mind just giving us a quick intro to sort of where you grew up and sort of your basic education and whatever steps brought you to the UVA Law School.

Francis McDermott: Randi, do you want us to be serious, or can I inject a little bit of my sick humor every now and then?

Randall Flaherty: Sick humor welcome. Anytime.

Francis McDermott: Okay, go ahead Ed, you go first.

Edwin Finch: Well, I was thinking the old guy 'ought to go first [laughter]. So, I'm going to defer to you.

Francis McDermott: Alright, I—after graduating from Holy Cross College in '65, I taught high school for two years, a series of, well, Latin, English, French, and sociology, and then began my applications to law school, and my joke was going to be that Virginia was my safety school, but it wasn't. No, Virginia is where I wanted to go. My two

interests were Virginia and Duke, and I got waitlisted at Duke, accepted at Virginia, and ended up down there. My brother was there in medical school, he was a year older than I and a year earlier graduate from Holy Cross, but because of my two-year hiatus teaching he was three years ahead. And he and I lived together my first year and Finch would show up every now and then. But that's it. I wanted UVA, outstanding law school and family ties to Virginia, as well as to UVA itself with my brother. [pause] Ed?

Edwin Finch: That's your story, you're sticking to it, huh?

Francis McDermott: That's as much as I can remember [laughs].

Edwin Finch: So, Randi, and [Addie], and Meggan, I grew up in Birmingham, Alabama, got into UVA undergraduate. I wanted to go away from home, so to speak, to undergraduate, so I got lucky and got in UVA undergraduate and had a great time there. In the spring, I'm trying to decide whether to go to law school or business school. I applied to several of both around the country in Philadelphia, California, Cornell, I don't know, several of them. And I got in and really didn't decide until very late whether I wanted to go to business school or law school, I basically flipped a coin and decided to go to law school. And since I had had such a wonderful time at UVA undergraduate, I decided that would be—it was a highly ranked school and it would be great for me to stay there and go, so that's how I got there.

Randall Flaherty: And how did you each decide to go to law school? What was it about law school, that being a lawyer that you wanted to do?

Francis McDermott: Go ahead Ed.

Edwin Finch: I'm afraid I don't have a good answer to that. I consulted my girlfriend at the time and—but basically really I decided that if I went to business school I would be limited to business, if I went to law school I could do either over time. So, I chose law.

Francis McDermott: I just had had an abiding interest in going to law school, and again with my brother in medical school it was a nice fit. And the two years of my teaching were actually more in the line of, [to] be candid, avoiding the Vietnam draft. And—but law school was not itself—it was a desire—I have always been fulfilled by having an impact and I figured that law school was, for me, the best way to create a path to having an impact in a whole lot of areas: political, economic, and social. And by that I mean socio—political, not play social. And that's, that's why I went, and I wanted to help people out, but I wanted to have a real impact on a fairly broad scale. And it has worked out, it has worked out very nicely.

Randall Flaherty: And then could you—what would—I guess I'm curious about the culture of the Law School when you got there. If you could sort of describe it. I mean, you know, the culture of being a law student, but also like, you know, what did people wear and what was the music like? I mean, just what was the culture like?

Francis McDermott: Go ahead Ed.

Edwin Finch: Well, it's a little hard to remember back, but that was in the '70s, I guess the bell bottoms and all that was going on. I think we had Woodstock in, what, '69? So that was kind of the culture in the country. UVA was one of the more conservative schools in the nation. And so there was not, you know, as much of that but there were certainly some of that in Charlottesville and in the Law School. But I think we were just fairly classic, you know, university environment. And in the times, the music was what you heard about and read about and the dress and so on were the same and we just we were—still some people, I guess, still wearing coats and ties, which you—which had been a tradition at UVA, in undergraduate anyway, forever and that was melting away, but pretty much it was what you, what you knew about those times. I don't think we were much different, except a little more conservative.

Francis McDermott: And I do think, Ed, my recollection is that we, at least that first year and probably much of the three years, we wore coats and ties with pretty great frequency. And the environment there, I know Ed and I were in different small sections. And being, he being at the front of the alphabet and I in the second half, we had different large-section professors. I know I had the dean of the Law School for my Contracts and that was a large-section class. And Ed, you had what became later Supreme Court Justice [Antonin] Scalia for your Contracts, I think.

Edwin Finch: I sure did.

Francis McDermott: And he became a friend to both of us, and very much also was—we didn't have him until second year, he was not a first-year law class professor. But we—Charlie [H.] Whitebread [II] was a tremendous presence and a tremendous influence. I think he's no longer with us. But he was an awesome presence and particularly, jumping ahead, during this these May Days. And—go ahead.

Randall Flaherty: I was just curious if you could—you said you had him in class as a professor?

Francis McDermott: We both did in our second and or third year. I know I had him in my third year, and I think I had him in my second year.

Edwin Finch: Yes, I think we did in the second year for Criminal Law.

Francis McDermott: Yes.

Randall Flaherty: He's one of those people that you know, he comes up all the time, but he still is kind of a mystery to me, and he did pass away, I think 2008. But, so I'm curious—what is—what was he—I know, we're straying a little bit, but what was he like as a teacher? Can you describe him in class?

Francis McDermott: Go ahead Ed.

Edwin Finch: He was very bright, and very open and accommodating. And I think, as I remember, early in the—oh gosh, we also had him, you're right, Frank, third year for Trusts and Estates, maybe? I think that's right.

Francis McDermott: Something for which I did a take home exam in May.

Edwin Finch: Yes. So, I guess it's Trusts and Estates I'm thinking about. He started the class with that he thought the best idea for tax law, inheritance law, was to—for everybody to be treated like it's a Monopoly game. Everybody got \$200 and you went—and you got \$200 every time you went around go, which was when you were one year old, two year old, three on—and that nobody got anything else. You didn't—no inheritance, nobody—you couldn't pass any [money], any wealth on to anybody. And I thought that was a really interesting idea. It was—we learned quickly somewhat tongue in cheek on his part, but basically [McDermott laughs] he did, he did like to just make it fun and enjoyable and just was as Frank said, a wonderful influence and a good friend of ours, both of us.

Francis McDermott: Yes.

Edwin Finch: We—I don't know how we got to be friends with him.

Francis McDermott: He was young, obviously, and very, very engaging. Very involved with law students, whether they were in his classes or not, and just a significant contributor to the life in the Law School. Okay.

Randall Flaherty: And in this time, even before May 1970, I mean is the outside—did the outside world and what was going on in 1969, 1970, did that enter into the law classroom? I mean, were you talking about events in classes?

Edwin Finch: Oh, yes. Oh, yes.

Francis McDermott: Well, Ed, let me say one thing and then you go on. There was a big difference in our second semester, from our first semester, and second semester was absolutely full of all of the influences from things going around the world and around the country. Go ahead Ed.

Edwin Finch: So, that's what I was going to say, you talking about our second semester of our third year, Frank, right?

Francis McDermott: Third year, yes, yes.

Edwin Finch: Yes, I would say the—Frank's 100 percent, right, of course it—the entire University got involved, as they did everywhere. I mean, there were some dramatic events going on, in that semester. They were, I think, all, most people anyway, were glued to the newspapers, a little bit to the television, but I remember reading the—trying

to get *The Wall Street Journal* and *The New York Times* every day and reading everything I could read about it. It was fascinating. I'm sure my grades were suffering as a result of my fascination with the whole thing.

Randall Flaherty: And then, you know, the announcement of troops going into Cambodia, but particularly the Kent State news. Do you remember hearing that news? Where you were, or how you felt?

Edwin Finch: I'll let Frank go first.

Francis McDermott: Well, let me go back a couple of steps. Ed and I were studying in the lounge in the Law School in spring of our first year, when one of our classmates came crashing through the door to announce to us, and I forget whether it was the assassination of Martin Luther King [Jr.] or the assassination of [Robert F.] Bobby Kennedy[, class of 1951], but we were doing an all nighter and this fellow came in and announced one of those. So, it—we've had, we had some traumatic events, almost throughout our law school career. Now, I'm having a senior moment here. What was the question I was supposed to answer? [laughs]

Randall Flaherty: When you heard—do you remember hearing about the news of the Kent State shootings? And do you remember sort of where you were? How you felt?

Francis McDermott: I don't remember that moment. But I do remember—Ed and I—for one thing, Ed and I were very close starting in first year law school. We just did a lot of things together and when—

Edwin Finch: And didn't get caught [laughter].

Francis McDermott: Ed was much more adventurous than I was. We—I don't remember—

Edwin Finch: That makes me sound like the ringleader.

Francis McDermott: Yes. I do remember moments of other events in my life that were significant, but the moment of the Kent State killings I didn't—I don't remember that. But I do remember we were already in a very strained, anxious environment on the Grounds. And then this thing happened and a bunch of us in the Law School, frankly, came together to try to help calm things down and to help protect the property of the University. And frankly, protect the students from the state police. And that was sort of the origins of the marshals activity. And I remember us being in one of the classrooms in the Law School as we were being organized. And Randi, I mentioned to you there was another person who was very active with us who I think was a second-year student when we were third year, but she might have been a first and her name was Arden Brannan [Schell, class of 1971,] and then she married a classmate of ours, John [T.] Schell[, III, class of 1970]. So, she became Arden Brannan Schell, but she was

somebody who was very involved with the organization and all the activities we went about, as marshals. Go ahead, Ed, I'm sorry.

Edwin Finch: No, I didn't say anything. You keep going until you're through.

Francis McDermott: I've exhausted my memory. [laughs]

Edwin Finch: Okay. Well—

Randall Flaherty: Do you remember that early—that you're talking about the people coming together right away? I mean, do you—was there a—do you remember there being a specific meeting?

Francis McDermott: Yes. It was an organizational meeting that, I mean, I think the effort was what I would call a grassroots effort. And the leadership of it were just several of us who were all very close and given, for example, Ed's background with the University from his undergraduate days—somebody who was one of the real leaders—and we just decided spontaneously among us to gather. We gathered in that classroom, and it was quite a few of us, and set about planning what we were going to do and how we were going to do it, if I recall. Ed, do you recall that?

Edwin Finch: Well, not—let me go back and start with the beginning of that question. Randi, I clearly remember the shooting at Kent State. I can see in my mind's eye today the film of it. And in fact, there's this picture of this woman, distraught, I think it became just sort of the shot heard round the world a picture of her kind of crumbling in horror. And it was—

Francis McDermott: And I do remember that too, Ed, but I just don't remember when we first heard it, but it was probably pretty immediate.

Edwin Finch: Oh, yes, it was. Yes, I think it was that night or that—even that afternoon after it happened. So, I'll go back and say a couple of things. One, I think I consider my law school years an evolutionary period where I—okay I came from a relatively conservative background and undergraduate at UVA was fairly conservative experience. I was a fraternity member and class officer, and etc, etc. And a rugby player, for goodness sake. So, I was one of the dumb guys of the class. [McDermott laughs] And—but we—

Francis McDermott: Randi, if you don't know it, rugby specializes in beating one about the head [laughs].

Randall Flaherty: Yes [laughs], that's about as much as I know.

Edwin Finch: So, I really evolved, I think. My political leanings changed. And I would not say I became radicalized in any stretch of the imagination, people would laugh if I made that claim. But Frank and I hung out with some pretty far-left folks, we also hung

out with some pretty conservative folks, we were really sort of in the middle of kinds of folks. And I was also at that time the, as I remember, the Law School representative on the Student Council, which was interestingly divided. And we had, in fact, a African American, who was the president named [James] Jim Roebuck, who by the way did a wonderful job during those times. And so, I had felt some responsibility to, you know, this—to do the things that Frank's talking about as that position. And at that—I don't remember the meeting that Frank remembers, quite frankly. But it is—I think that was the environment—it was a polarized environment. There were people who were very liberal in the Law School. And there were people who were very conservative in the Law School and a few of us trapped in the middle.

Edwin Finch: And so, in fact, I got—I wrote at least one, maybe two editorials or letters to the editor of the *Richmond Times [Dispatch]*, fussing about the newspaper talking about all the radicals at UVA. And I was—I viewed myself as somebody in the middle and somebody who could see both sides, somebody who deplored some of the things that were going on, but some—and believed that students had the right of freedom of speech and assembly, but they didn't have the right to tear up things and cause mayhem. And so, I think I was part of the founding of the marshals to try to calm the more left leaning student body and control the conservative part of the student body who wanted to go to war with the more leftists and so we—Frank and I were just kind of caught in the middle, as they say. And what we—that was our job, that's what we undertook to do was to try to balance the interests that were being displayed.

Randall Flaherty: What type of law student joined the marshals, was it a diversity of perspectives, or was it people who thought sort of in the middle of the road like you guys?

Edwin Finch: I would say, a lot—a fair number of middle of the road guys. I think they were people who didn't feel the need to be demonstrating, but who felt the need to protect those who were. So, I think that was kind of—but the kind of the general tenor, although there were some people that were, again I would say, more liberal that were certainly marshals and some perhaps that were even more conservative that were marshals. I wouldn't ascribe too much of a political bent to it. Frank, what about you?

Francis McDermott: No, I was going to say, [clears throat] excuse me, earlier that there was a significant difference between the left-leaning elements of law students versus the undergraduate and other students on the Grounds. And the Law School was, I mean, those who—we had some very good friends who were more to the left of us. And they were responsible people and weren't tearing down flags or destroying property or anything like that. And for the most part, their approach to it was just like ours. A responsible approach and let's protect the school and let's protect these students from what might happen if they get too far out of line. And that was a strong motivation.

Randall Flaherty: And this early meeting, I think you're the only person we've talked to who can really recall it [laughs]. Can you describe it any more? I mean, I was curious. What was the vibe like? Was it tense? Was it collaborative? What was it like?

Francis McDermott: All of the above. It was certainly collaborative. It was organizational. It was, again, figuring out plans and plans of action and that we were certainly living and breathing in a very anxious time. And it's that anxiety frankly, that probably brought us together from the perspectives that Ed and I just described. And the classroom was— Ed will laugh at this. I remember Arden there in her jeans, which was not a commonplace thing to see in the Law School at that time, I don't recall it being, and she was one of the few women in the meeting, most of the people were male. And—but again, it was very collaborative with a lot of concern and a lot of sensed need to get out there and try to keep a lid on things from every direction.

Randall Flaherty: And do you remember some of the plans that you guys made in that initial meeting for—what were the plans of action?

Francis McDermott: Honestly, I don't. I know that we allocated particular physical locations to some of us. And I don't remember, and Ed I don't know whether you do, at what point we reserved that room at the—on the top corner of the Downtowner. And I think that was primarily Ed's move. I don't even know whether that was discussed in that meeting, but it could well have been. But it was Ed's idea. And we operated out of that room as a headquarters base and Ed had one of the walkie-talkies that helped direct people to hotspots to alert people to movements of the state troopers and movements of the students. But again, it was organizational and planning and allocation of strengths in a way that we thought would best help the overall situation.

Randall Flaherty: So, interesting, so [Finch starts] sorry.

Edwin Finch: I was going to say, I'm—as I've said, I really don't remember that meeting. I really don't remember, exactly, but somehow I was in touch with the administration, which was how I got a walkie-talkie and was granted the request for the University to provide me with the room and the access to the roof of the—of that motel down there at the intersection—

Francis McDermott: The Downtowner.

Edwin Finch: The Downtowner, yes. And I remember reporting to somebody in administration, but I couldn't tell you who it was. I got a nice letter from Dr. [UVA President Edgar F.] Shannon [Jr.] at the end, but I can't remember who my primary contact was. I don't—I'm sure it wasn't Dr. Shannon. I don't know who it was.

Randall Flaherty: So, do you mean the Law School administration or the UVA administration?

Edwin Finch: UVA.

Randall Flaherty: Oh, wow. And so they—so you did get walkie-talkies, pretty quickly, it sounds like.

Edwin Finch: Yes, we did. And I don't remember who else had them, as I say I remember using it to talk to the administration, we must have been talking to some of the marshals.

Francis McDermott: You definitely were, Ed. I remember that.

Edwin Finch: And—well, that's what I got. That's all I can say. And I don't remember how that took place.

Randall Flaherty: And then the first thing that happened just, you know, as we've been researching and reading—I mean, Maury Hall seems to be—there were two occupations, and that seems to be one of the first things that happened. Did you guys go there at all?

Edwin Finch: Yes, I know that I went there.

Francis McDermott: [Laughs] You've got to tell them the story of the stone wall on University Avenue.

Edwin Finch: Look, I'm going to let you tell it, because I don't—which do you mean?

Francis McDermott: Your escape from the advancing troopers, yes. [laughs]

Edwin Finch: Well, I think that comes later in the story. Not quite there. But I will tell it but, at Maury Hall—yes, I went there, and I can't remember—I remember being anguished that I was having a really hard time bridging the gap between some very—

Francis McDermott: Hostile.

Edwin Finch: Hostile and, well, people on both sides. And you know, I remember getting fussed at by both sides. Randi, during the whole process, I received a few death threats for what I was doing.

Francis McDermott: From the extremists. Yes.

Randall Flaherty: Oh, my goodness. So, you had gone there in the role of a marshal? Is that what you're saying?

Edwin Finch: I'm not even clear whether the marshals were a formal entity then or whether I was just going there as the Student Council representative from the Law School, and therefore with some, quote, legal background, having some feeling of that I should, I should help and stop what was going on. And that I could help. But my legal reasoning didn't do so well there. I remember that. Neither side cared much to listen to my recitation of the Constitution.

Francis McDermott: Ed, I think you went there in both capacities because that—the occupation of Maury Hall was far enough into this whole series of episodes that I think the marshals would already have been established, but again, I'm speculating.

Edwin Finch: I think that's possible. I do.

Randall Flaherty: I think there were two occupations and I think the first one was the sort of the wee hours of morning of the fifth, which I think it could have been before the marshals were started. So, it makes sense if you went as a Student Council representative, possibly. Could you just describe, Mr. Finch, could you just describe that a little bit more, sort of what it was like being down there, these conversations that you had?

Edwin Finch: Randi, I really can't give you much in the way of detail except I remember feeling very outnumbered and very much in the middle and very much ineffective. You know, there's just nobody wanted to, on either side, wanted to hear about a middle ground. You know, that people were entitled to protest, were entitled to free speech, were entitled to freedom of assembly, but were not entitled to tear things up and be obstructive and so on and it just didn't—and I don't think there were a lot of people in the middle at that time, at that point, at that place.

Randall Flaherty: And so, do you remember some of your first actions as marshals, or some of the most memorable?

Edwin Finch: I don't re—yes, I guess I do remember one particular, a couple of them maybe. You know about the event at U[university] Hall with [William M.] Kunstler, [Jerry C.] Rubin and Kunstler, when they spoke. So, I was there. And when they—when it was clear that as it broke up that the mission was to go destroy the president's house. I guess I got on a phone and called—I was involved in fraternities and student government and so on. So I had friends in the fraternity houses, you know, that were younger than I was. And I called several fraternity houses and told them to turn out all the fraternities and take them and get everybody down to Shannon's house and surround it. I think some other folks did likewise. And, and fortunately, I think we got a good cadre of people to stand between the mob, at that time they were inflamed, and the house. And I don't know if there hadn't been people there I don't know what really would have happened to that house. Kunstler and Rubin did a great job of firing everybody up. I remember that clearly.

Francis McDermott: Well, and Ed, I got it out of that article what you're referring to—sounded like Kunstler was actually right on the steps of President Shannon's house.

Edwin Finch: He was, indeed. Yes.

Randall Flaherty: And what happened after he started speaking, did it change the tone at all?

Edwin Finch: Kunstler? No, he was—no, he was, you know, inciting everybody to riot and burn down the house. Fortunately, there were some—a good number of fairly, some fairly tough guys standing around there that said, you know, come on. And nobody did.

Randall Flaherty: Do you feel like you had any training for this? [Laughter] To be, I mean, was there any type of training? [Finch and McDermott laugh]

Francis McDermott: Finch was a rabble rouser; he was well trained. [laughs]

Edwin Finch: Wait a minute, I'm trying to portray myself as non-rabble rousing. [McDermott laughs] Training, gosh, I played—all I can say is I played a lot of sports and was involved in student government and—

Francis McDermott: Leadership.

Edwin Finch: For all my younger time and I don't know whether that trained me or prepared me or not, maybe it did. Frank was as well.

Francis McDermott: Yes, I was applying all of my training as a teacher. Hah! [laughter]

Randall Flaherty: But I mean how did [McDermott starts] the marshal know what to—sorry.

Francis McDermott: Randi, the fair answer to that is, we both had, Ed and I had similar backgrounds in that we both had played a lot of different kinds of athletics and were pretty athletic, also pretty short. But Ed was one hell of an athlete. More so than I. But that background and our leadership activities throughout high school and college certainly contributed to this sense of responsibility and the need to protect, frankly, the Grounds and the President and the and frankly, the students who were organizing. That all comes out of many years of the kinds of leadership activities we were involved in. No, there was no formal training, but it was intuitive.

Randall Flaherty: And did you wear your armbands through all this? Marshal armbands?

Edwin Finch: You know, I wouldn't have remembered that if you hadn't said it. But yes.

Francis McDermott: Yes.

Randall Flaherty: And did people take note of that?

Edwin Finch: Never got beat up, I never got beat up because of it.

Francis McDermott: Just, just threatened. [laughs]

Edwin Finch: Yes, that's right. I think some people did. I think it gave us a little bit of leverage on some of the undergraduates anyway.

Francis McDermott: Well, and frankly, we were recognized by the faculty who were actively involved in trying to keep things calm. And I believe we got some deference from the troopers, up to a point, because we ended up—I know it—I, my recollection is at one point, we ended up in a line between the line of troopers and the stone wall there on Commonwealth [University] Avenue, where the Mayflower van, the huge Mayflower van was parked and ready to receive the people who were arrested. And I, for the most part, I think the policemen respected us and didn't come after us generally. But when the swarm started and they were grabbing everybody, and some of the marshals also got thrown into that van. But I now want you to hear the story from Ed about what he did from that line on University Avenue. [laughs]

Randall Flaherty: I'm ready to hear it. I'm intrigued. Are we talking about the night of the arrests, no?

Francis McDermott: Yes, yes.

Edwin Finch: Yes. So, Frank's right. We stood between the police, and the—or troopers and the kids you know, and talking, you know, to the kids—"calm down"—talking to police, saying, Don't worry, we're going to keep this under control. And I think the troopers were, I think they probably—I'm not sure [they were] probably pretty mixed, like, maybe the politics of the time were pretty mixed. But they did seem to at least respect the armbands. But at some point, and I think I was later told, the police said that somebody threw a bottle at them. And I don't know whether that's true, whether that's just the story, but they did just charge all—everybody standing in front of the University and, and I don't know how far down towards the Corner or how far down the hill there they—the line was because I was right in front of the Rotunda. And they came at us and everybody, because they had German shepherds too, and they came at us with clubs and dogs and everybody ran, and I guarantee you I was leading the charge away from the cops. [laughter] I had no courage whatsoever. And—

Francis McDermott: No, you had wisdom.

Edwin Finch: I hit the serpentine wall or maybe it's just a flat wall there, right to the right of the Rotunda in full stride and I was over it in a vault, I didn't have to climb it, I vaulted it. And I had been running with some guy—caught up some guy who was just about to go over the wall also, and I was over it while he was still trying to climb it, so I had to go back and get him over it. But I was then in the gardens, where I had spent some time as an undergraduate. I was—I lived on the Lawn for a year, and I explored the gardens to full extent while [McDermott laughs] as an undergraduate—

Francis McDermott: Enough said.

Edwin Finch: —and so, I knew where to hide, and I did so. And when the police were all roaming around they didn't find me, they found—they didn't go—they went back in there a little bit in the gardens and maybe picked up a few people. But after some short time, I—when it was kind of calmed down, I climbed out of where I was and I went and found a few people still hiding on out in front of the Rotunda with the police—some police still around and took them back to the gardens and put them in places where they'd be safe. Then made my way, I guess, back to the Law School to see what the heck we were going to do.

Randall Flaherty: And Mr. McDermott, where were you during all of this? Did you—were you similarly out observing or no?

Francis McDermott: Oh, I was out. I was definitely out amidst it, and I was definitely on that line between the police and the students, and I absolutely remember, I have a vivid image of this Mayflower van with its side doors open. But I don't have any recall of—maybe I was the guy that Finch came back and helped over the stone wall. [Finch laughs] I don't remember. [laughter]

Edwin Finch: I don't think so, I would have taken you to my hiding place [unclear]—[McDermott laughs]

Randall Flaherty: Do you remember the buildup to this? I mean, what was it like before the charge? Can you—even like what did it sound like? Were people yelling? I mean, what was it like?

Francis McDermott: Well, let me add a sort of a pre-charge impression. The—at that time it was University Hall, as opposed to John Paul Jones [Arena], and that huge parking lot was absolutely full of state police vehicles, including some armored vehicles. I mean, there was an enormous presence of state troopers on the Grounds. And frankly they, I was going to say earlier, I think they were very well disciplined. And it was only when they, I think on orders, charged after they felt something had occurred that was the end of it, the peak of it, that they were not disciplined per se but they were working in synchronism with each other. And they started hauling people. I don't remember where I escaped to, but I definitely was not caught. I don't know whether that was your question.

Edwin Finch: Yes, I don't—Randi, you and [Addie] maybe you can actually help us remember. It seems to me that we were in front of the Rotunda for, I don't know, two or three days before this final incident occurred. Is that correct?

Randall Flaherty: Yes. It could have been, because I think the "honk for peace" rally, the—or the "honk for peace" initiative. I think that was along University, right?

Francis McDermott: It preceded it, yes, it was it preceded too. And Ed, you, and we, were operating out of that Downtowner for more than just that night?

Edwin Finch: Oh, yes, for days. Yes.

Randall Flaherty: Can you tell me a little bit how that even came about and then what it was like?

Edwin Finch: I cannot recall. I really can't recall how I—how that happened. I just remember being there and being on—sometimes on the roof, sometimes we'd be in the room and I was in communication with the University officials and maybe some other folks that were marshals. I just don't remember.

Francis McDermott: You definitely were with marshals as well. I do recall that because you were moving people around.

Edwin Finch: Yes. So.

Randall Flaherty: And can you describe what you could see from your room?

Edwin Finch: I'm going to let Frank do that. I don't remember.

Francis McDermott: Well, we certainly had a tremendous view and remember, not just in the room, but up on the roof. I think we might have been able to see University Hall and that parking lot, but we could certainly see any activity coming down Route 29, what was it called, Emmet Street, and moving, frankly in a more easterly direction towards, is it Carr's Hill, and the Grounds and the Rotunda. We were able to see pretty much the police movements and frankly able to see the movements and the collection in collecting the students. It was just a very good vantage point at what was a very important strategic corner intersection during these bad days.

Randall Flaherty: And so then you would sort of be—is this correct, that you would then get on the walkie-talkie and sort of tell the marshals where they were needed?

Francis McDermott: Ed would, that was part of what he was doing, even though he's sublimated it. [laughs]

Randall Flaherty: Well, a really the important question is did you have a camera? Did you take any pictures of these views that you had?

Edwin Finch: We didn't have iPhones then. [laughter] No, no, we—I didn't—and I don't know I don't think Frank took any pictures.

Francis McDermott: No. I don't recall anybody having photographic equipment.

Edwin Finch: That was much later, people were doing that.

Francis McDermott: Well, and it was—we were busy. And we were coming in and out of engagement. And we wouldn't have been carrying around equipment like that.

Edwin Finch: Yes, yes, you yes—you have to remember cameras were big old things then. It just wouldn't have worked.

Randall Flaherty: Yes. Were you there all day?

Francis McDermott: Certainly all night. [laughs]

Edwin Finch: Yes, I was going to say mostly, I remember the nights at the hotel. I think we were probably around the Grounds during the day, you know, checking on marshals and checking on where trouble was and meeting with the University folks or, or other people and just kind of roaming around.

Randall Flaherty: What do you remember about the administration? I mean, did you ever meet with Shannon or any of the people? What was it—what were they going through?

Edwin Finch: Well, as I said, I think Dr. Shannon did just an incredible job of threading a needle of, you know, calm and the right to freedom speech and assembly, but not tear things up—

Francis McDermott: And took a tremendous amount of political abuse for it.

Edwin Finch: Boy, he sure did. And I think that one of the things I wrote was in defense of him, and. So, I don't really remember who I talked to in the administration. I am, you know 90 percent sure that it wasn't Dr. Shannon directly. I haven't been there now since, you know, been seven years, knew some people in the administration and so I don't know who I was talking to really but—

Francis McDermott: Ed, somebody that we both, but particularly you, were communicating with a lot was Charlie Whitebread, who was very much a presence, physical presence out and about, but also interfacing with Law School and other administration people, I believe.

Edwin Finch: I forgot that. You have jarred my memory, no, you're 100 percent right, of course, as always.

Randall Flaherty: Can you tell me a little bit about what Professor Whitebread was doing during these days?

Edwin Finch: What who was?

Francis McDermott: Charlie.

Randall Flaherty: Yes, what Charlie Whitebread was—what was he doing? What was he doing during May Days?

Francis McDermott: Smoking pot. [laughter] Not true, I want to say for the record not true.

Edwin Finch: He's gone now, we can tell the truth. No, [McDermott laughs] He— Charlie was out and about, as Frank said, and really engaged in trying to do really what Frank and I were trying to do, which was hold down the temper of both sides.

Francis McDermott: And very involved in getting those who were arrested out of jail on bail. Very involved in that.

Edwin Finch: Yes, that night, Charlie and several of the University professors went down to the jail and—

Francis McDermott: Law School professors in particular.

Edwin Finch: Yes, I should have said that, I meant Law School professors. When I got a—I want to comment on that because it's really, really important. Law School seniors are, you know, third-year law students, who were all getting ready to go off to various jobs and to get to practice law you have to, of course, get a law license and to do that you have to fill out this questionnaire and one of the questions is always, of course, have you ever been arrested? And so, these people that got caught that night were arrested, and the professors went down there and pleaded with the police and the, you know, chief of police, and DAs, or whoever, I wasn't there, so I don't know. But as I remember, Frank, they were successful in getting those, what 'nolle prossed' or something like that, so it wasn't on the kids' records.

Francis McDermott: And that, of course, wouldn't necessarily have happened that night though, because that would have been part of a judicial proceeding, but they definitely got people physically out of jail. Definitely. And I think were involved in cleaning up records after that.

Edwin Finch: Yes, good memory. That's where we rely on Frank for all this.

Francis McDermott: [laughs] And that's a sad story.

Randall Flaherty: So, Charlie Whitebread led the charge, you're saying, to go down to the police station. And I guess I'm also just curious in these days before, sort of, you know, you've mentioned it, and other people have mentioned, that he was active. And I guess I'm just, I'm curious sort of what form that took? If you can recall at all, I mean, do you remember seeing— was he hanging out, sort of with the protests and with the marshals? Was he talking to Shannon? I'm just sort of curious if you remember anything about what form his actions took.

Francis McDermott: He was certainly not hanging out. He was, well I'll use another term, poetry in motion. He was forever moving from place to place, advising, trying to calm, trying to intercede. He was a tremendous source of support for us in our activities.

And, candidly, we would—we were more in communication with him through Ed, than actually seeing him, except from time to time, because he was moving around a lot. Very dedicated man.

Edwin Finch: Wonderful, wonderful human being and did a very wonderful and important job that night—those days, I mean.

Randall Flaherty: Do you—I think he gave a speech at some point on the Lawn? Did you, either of you hear that speech?

Edwin Finch: I would not have remembered if you hadn't, again, said it, but I do remember it now. Yes, I was there. It was fabulous.

Francis McDermott: And I'm pretty sure I would have been too, Ed.

Edwin Finch: Yes, I'm sure you were.

Randall Flaherty: Do you remember the—

Francis McDermott: Don't ask me what he said. [laughs]

Randall Flaherty: Do you remember how it was received? Or anything about it?

Edwin Finch: Yes, but as you can tell it's a pretty dim memory in my small mind. But I would say it was a very important speech that made a difference to some people. You know, there were—there was such a wide spectrum. It didn't have people, you know, way on one side or the other didn't care what he said. But a lot of people were kind of wondering what's going on, why is this happening? Where should we be, you know, emotionally and physically and politically, and I think he, I think he helped draw together the middle.

Francis McDermott: I agree. I agree. And it was a very important speech and an inspirational one.

Edwin Finch: Yes.

Randall Flaherty: Did you ever talk to him about May Days afterwards? Did you ever sort of reflect back on it, with him or maybe with anyone?

Francis McDermott: [laughs] Ed, let me tell a story if I may. I mentioned earlier on that I was doing a take-home exam for him. And of course the Law School was shut down. But come graduation day, I did not do the procession on the Lawn because I was back at my apartment working on this take-home exam. And I turned it in, I think I turned it into him at the ceremony where the law diplomas were given out in front of the Law School. And I was there in my cap and gown with shorts on underneath it. That's how

formally I was dressed. And I think I was probably unshaven because I probably had done close to an all nighter. And then he sent me a note—

Edwin Finch: What do you mean close to? What do you—wait, wait, wait, what do you mean close to? You always did it all night. It was all night.

Francis McDermott: For any exam. [laughs] And you were mostly there with me, too. But I got a note from him or spoke briefly subsequent to that and he said "Frank, you should have not, not have gone pass/fail, you turned in an A exam." I said, "Charlie, I just wanted to get the hell out there." So he was, I mean, that's an example of some of the accommodation that he provided because he allowed us to do a take home exam on a pass/fail basis or a grade basis. Because our time in that time frame was very disrupted.

Randall Flaherty: Well, that's directly relevant to what's happened actually, this week at UVA. I think that's what undergrads find themselves with, in terms of grading, so it's a history comes around again.

Francis McDermott: Yes.

Randall Flaherty: Well, we've reached our time. So, I do want to conclude, but I do have one specific question before sort of asking, you know, if there's any sort of greater significance in this moment for you. But the specific question is, I—we've read that there was a vigil outside of the Law School, an all-night—I think it's an all-night vigil. People marched outside of Clark Hall. Do you remember that at all?

Edwin Finch: I do, I remember the vigil. Yes.

Randall Flaherty: Can you describe it at all, or what you remember about it?

Edwin Finch: I don't remember much about it. I remember candles and people—

Francis McDermott: Yes.

Edwin Finch: There all night and but that's about all I can remember. I couldn't tell you where in the process, what day it occurred. That's all I can remember.

Francis McDermott: Ed, I was probably the sacrificial lamb at that vigil. Do you think? [Laughs] Kidding.

Edwin Finch: You could have been.

Francis McDermott: [laughs] No I do, I do have a vague memory of it too, it definitely did occur, and [it] was candle and it was all night, but I don't have much more beyond that either.

Randall Flaherty: And then just as sort of as we're wrapping up, looking back on May 1970 fifty years later, does this—do these events have any significance for you today? What significance do they have?

Francis McDermott: You go, Ed.

Edwin Finch: Gosh, I was certainly going to let you go. You know, as I said, I think I was—I evolved over, politically speaking, over my three years in the Law School. I think that event probably firmly set me in the middle. I don't claim to be a Republican or a Democrat. I vote for the person these days. And I think it was because I saw the—being firmly set in the middle, I think, is because I saw the extremism on both sides as being not what I thought was right, and not what I wanted to be part of. And so, I think maybe that's the significance I take away from it is that it anchored my political feelings.

Francis McDermott: And I recall it as being a very profound time and a very profound experience that has not been and will not be forgotten. They were, politically across the country, they were very dangerous times. Very volatile times. And we, of course, were, frankly, probably an age group that was most impacted by the draft. And by the events of the war, and friends of ours not coming back or being maimed and then there's this political overtone that occurred right there on the Grounds, and the levels of involvement, and again, a very significant figure in that is Charlie Whitebread. But there were other professors who were very helpful and involved too. And it was a sad, somber, dangerous, profound period of time. And it wasn't just those couple of days, it was a pervasive feeling for me.

Edwin Finch: Yes, it lasted for, you know, for a good while. Particularly all the way into, you know, the Pentagon Papers and Watergate and all it was—that was a continuation of an episode of intense political trauma in our country.

Randall Flaherty: Yes, and for you—[McDermott starts] sorry.

Francis McDermott: I didn't come at it from a political standpoint. For example, in terms of the right or wrong of our being involved in Vietnam, it was just something that was shaking the core of our country. And I thought, as Ed said a minute ago, clearly brought out the danger of extremism on both ends of the spectrum.

Randall Flaherty: Well, I think that's a great place to end it. But I do want to ask you, if there's anything else we haven't talked about, a story, a memory, a point you want to make that you want to make now?

Edwin Finch: I have some stories to tell about Frank. [laughs]

Francis McDermott: I did get my diploma in my shorts. [laughs]

Randall Flaherty: I know, that was a great detail. [laughter]

Francis McDermott: Sorry, Ed, what were you saying?

Edwin Finch: I have some stories to tell you about Frank, but I'll do it offline. [laughter]

Randall Flaherty: Oh good. Well, well, thank you so much for joining us.

Francis McDermott: Randi, I think they had a name for us. Do you remember it, Ed?

Edwin Finch: Oh, I do the twins or something like that, what was it?

Francis McDermott: The Bobbsey Twins, yes. [laughter]

Edwin Finch: I suppressed that Bobbsey part, but okay.

Francis McDermott: Yes, yes. Anyway, we had we had a tremendous three years. Great experience, great professors, great learning time, and also great classmates. I mean, it was a tremendous if not at the end there, painful period of time.

Randall Flaherty: Yes, as a class, you seem very close.

Edwin Finch: I think we probably are very close. I feel like that.

Francis McDermott: Yes.

Randall Flaherty: Great. Well, we can end it here. I'll just say thank you.

End of interview