

Arizona Bar Foundation
Oral History Project:
Arizona Legal History

Interview with the Hon. Estes D. McBryde
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ARIZONA BAR FOUNDATION
ORAL HISTORY PROJECT:
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HISTORICAL NOTE

Although Arizona was frequently referred to as "the Baby State," due to its twentieth-century entry into the Union, the history of the legal profession in the state is rich and colorful. In the earlier days, lawyers were mostly self-educated men, who practiced alone, or with one partner at the most, and spent much of their professional time alternately defending and prosecuting some of the most colorful characters of the Old West, and trying to collect on bills from people who had come West to escape their creditors.

Through the first half of this century, some of the nation's finest lawyers took up practice in Arizona. As the state's population grew, a law school was added to the University of Arizona and lawyers formed an integrated state bar in 1933. After World War II, the state exploded in development with the rest of the Sun Belt, and the law profession kept up with this growth, experiencing many changes in the process.

Today, there are law firms in Phoenix and Tucson which employ upwards of 100 attorneys, who may specialize in fairly narrow areas of practice. Half of the students in the state's two law schools are now women. Over the years, Arizona's influence on legal matters at the national level has been significant. Several landmark cases have originated in Arizona,

such as In re: Gault, and Miranda. Arizona can claim the first woman to sit on a state Supreme Court: Lorna Lockwood. Two members of the State Bar now sit on the U.S. Supreme Court, one as the Chief Justice and the other as the first woman to be appointed to the Supreme Court.

However, because Arizona is a young state, there are still attorneys living who knew and remember Arizona's earliest legal practitioners during Territorial days. Many of these senior members of the Bar practiced or sat on the bench before the profession, and indeed society itself, experienced the changes of the last forty years. In an effort to preserve their memories, the Archives Department of the Arizona Historical Society/Tucson developed the Evo DeConcini Legal History Project, an oral history project. From 1986-1988, twenty-one oral history interviews were conducted, focusing on the reminiscences of lawyers and judges in the Southern Arizona area.

In 1987, the Board of Directors of the Arizona Bar Foundation expressed an interest in continuing to document the history of the legal profession in Arizona on a state-wide basis. In particular, the Board felt that the collection of oral history interviews with senior members of the State Bar would stimulate scholarship and publication on various topics relating to legal history, such as water rights, land use and development, and civil rights, as well as on the history of individual firms and the State Bar, itself. The Bar Foundation and the Arizona Historical Society/Tucson agreed to work together to expand the

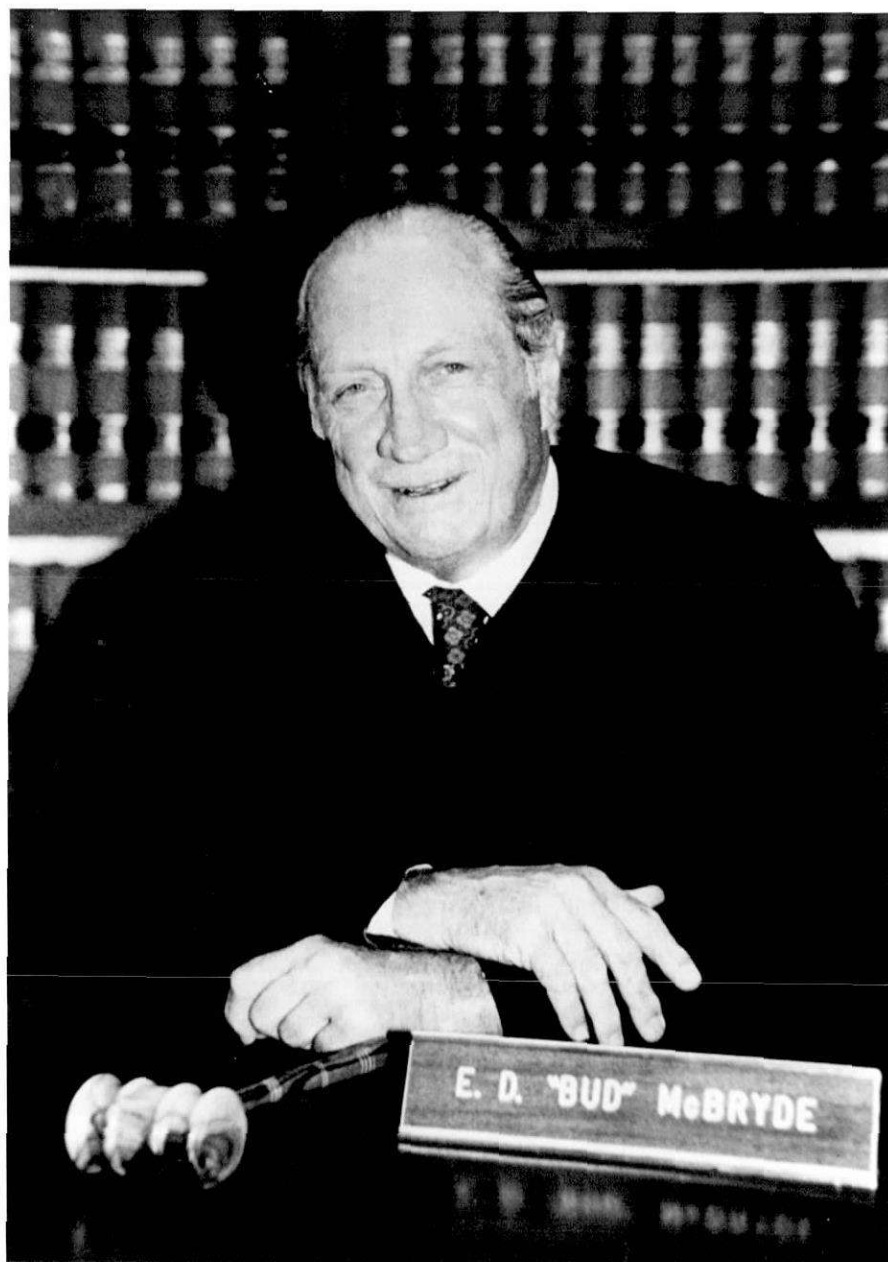
DeConcini Project statewide, calling it the Arizona Bar Foundation Oral History Project: Arizona Legal History.

Raising funds for two interviews initially, the Bar Foundation designated that the first two recipients of the Walter E. Craig Distinguished Service Award, Mark Wilmer of Snell and Wilmer (1987), and Philip E. Von Ammon of Fennemore Craig (1988) be interviewed in October, 1988. Both interviews were conducted by James F. McNulty, Jr., who conducted most of the interviews for the DeConcini Project. Subsequently, other interviews have been conducted with Congressman Morris K. Udall, Frank Snell, Estes D. McBryde, Amelia Lewis, and William Copple. Joana D. Diamos conducted the interview with Lewis and John Westover conducted the Copple interview. The Legal History Committee of the Bar Foundation is developing a list of prospective interviewees in consultation with Adelaide B. Elm, Archivist, Arizona Historical Society, coordinator of the project.

Because it is open-ended, it is not possible to fully define the scope and content of the Arizona Bar Foundation Legal History Project. However, in order to archive the greatest depth and balance, and to insure that many viewpoints are represented, every effort is made to include both rural and urban practitioners, male and female, of varying racial and ethnic perspectives. Interviews are conducted as funds are made available. Transcripts of the interviews are available to researchers at the Arizona Historical Society in Tucson, the libraries of the Colleges of Law at the University of Arizona and

Arizona State University, and at the Bar Center, in Phoenix. The Historical Society is also cooperating with the Ninth Judicial Circuit Historical Society in making copies of interviews with Arizona lawyers and judges for their project available to researchers here in Arizona.

The Arizona Bar Foundation Legal History Project is important not only because it is documenting the history of the profession in Arizona but because legal history encompasses every aspect of society's development. To study legal history means to study land development, environmental issues, social and educational issues, political history, civil rights, economic history--in short, the history of our society. All of these topics are, and will continue to be developed in these oral history interviews. They may be seen as a valuable and unique supplement to the written record, as scholars begin to write the history of the legal profession in Arizona.



Estes D. McBryde Interview

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Estes D. McBryde Interview

Estes DuMont (Bud) McBryde was born December 9, 1919, in Dallas, Texas. His family moved to Tucson in 1933. While a student at Tucson High School, McBryde played baseball and basketball, and was captain of the baseball team. McBryde enrolled at the University of Arizona with a baseball scholarship and received a Bachelor of Science degree in Business in 1942. Upon graduation he received a commission in the Marine Corps and spent the next three years in the South Pacific. After he got out of the Marine Corps in 1945, McBryde played minor league baseball in the Southern Association. In 1946 McBryde enrolled in the University of Arizona Law School and received his J.D. degree in 1949.

Upon graduating, McBryde opened a law office in Casa Grande, where he could both practice law and play baseball for the Casa Grande Cotton Kings. In 1952 McBryde was appointed Deputy County Attorney and in 1960 he became Pinal County Attorney. He was appointed Pinal County Superior Court judge in 1966. He served as presiding judge from 1978 until 1989.

In this interview, McBryde discusses practicing law in a sparsely populated rural county, and reminisces about many of the lawyers and judges with whom he was acquainted. Among these are Tom Fulbright, Harry W. Bagnall and Charles W. Stokes. McBryde reflects on the obligations of the judge and the attorneys toward the defendant, and his attitudes on mandatory sentencing. He discusses methods of selecting

judges and his opinions on judges and politics. He reflects on changes in the practice of law and the contributions women have made to the legal profession. The interview ends with a discussion of McBryde's plans for retirement.

ESTES D. McBRYDE INTERVIEW

Good morning. My name is James McNulty. It's Tuesday, June the 20th, 1989, and we're in the chambers of Division One of the Pinal County Superior Court. It's my great privilege to have as an interviewee this morning Estes D. McBryde, presiding judge of the Pinal County Superior Court, and a friend of many, many years standing.

McNulty: Bud, nice to be with you.

McBryde: Good morning.

McNulty: Let's start as I always do in these things, with the factual material. Where were you born and where did you go to high school and the like?

McBryde: Jim, I was born in Dallas, Texas, December the 9th, 1919. Both my mother's family and my father's family were Texans. Unfortunately my father died when I was very young and my mother came out to California first and then Tucson. She brought my older brother and I to Tucson in 1933. And I grew up in Tucson. I went to Safford Elementary School, Mansfield Junior High School and Tucson High School, class of 1938.

McNulty: In those days Mansfield had folks [who] became great athletes often, at the University of Arizona, did they not?

McBryde: Yes, there were--I was even in those days interested in athletics, and there were some great athletes.

McNulty: You went to what was called in those days Tucson Senior High?

McBryde: Yes. Tucson Senior High School. The only high school in town at that time.

McNulty: Amphitheater hadn't even been begun then, had it?

McBryde: Amphitheater started, probably, just a year or two after I graduated, as I recall.

McNulty: What year did you graduate from Tucson?

McBryde: It was 1938.

McNulty: Did you compete in athletics at Tucson Senior High?

McBryde: Yes. I played baseball and was captain of the baseball team. And also played a little basketball. I wasn't quite as adroit in basketball as I was in baseball.

McNulty: Who were the coaches there?

McBryde: One of the people who I think really influenced my life was my baseball coach, Andy Tolson.

McNulty: Later principal of Tucson High.

McBryde: Bud [Bryan C.] Doolan was basketball coach. They now have a junior high school named after Bud, I'm sure you know.

McNulty: Yes. And Tolson is the father of Brad Tolson who played a lot of baseball himself.

McBryde: Right.

McNulty: Did you have an idea you might be interested in

professional athletics when you got out of high school?

McBryde: Yes. That was one of my ambitions, Jim. My older brother was a professional baseball player for ten years. I realized I--I could hit the ball pretty well. I'm not sure I was a great fielder, but I could hit the ball pretty well. And I wanted to play professional baseball. Which I did later on, after the war. But also I realized I wanted to go to college, so I was torn between those two ambitions.

McNulty: When you got out of Tucson Senior High in 1938, had your brother preceded you and already gotten into baseball?

McBryde: Yes. My brother was a great athlete. He was an all-state football player in high school. For Rollin [T.] Gridley. And he didn't even finish high school. He went to play professional baseball in 1937, seventy dollars a month, down in Bisbee--remember the old Bisbee Bees?

McNulty: Bees. Yes.

McBryde: Well, that's where he started.

McNulty: Was that the Arizona-Texas League?

McBryde: The Arizona-Texas League.

McNulty: Yes.

McBryde: That's where he started.

McNulty: And he lived in Bisbee?

McBryde: That one season, yes.

McNulty: Yes. Then did he get promoted?

McBryde: Then he worked his way up through the minor league system, Jim. He played all over the country. He played about ten years. He got as high as Kansas City, the old Triple-A team.

McNulty: Were they Royals even then, or Monarchs?

McBryde: No. There was a--I forget what they called them. But he never made the big leagues, but he was a good solid minor league ball player for a number of years.

McNulty: Had your mother remarried?

McBryde: Yes, Jim. When we moved to Tucson my mother remarried a fellow who worked for the railroad, Edward [R.] Nemitz.

McNulty: So you lived down on South Fourth Avenue?

McBryde: Yes. In those days, the middle of the Depression, we lived always around the railroad tracks. I often remarked we used to move every time the rent came due, you know. No, it was a good life. Railroad people, you know, had a good job in those days.

McNulty: So did you enroll at the University of Arizona?

McBryde: Interesting story, Jim. When I got out of high school I knew I wanted to go to college. I knew my

family didn't have a lot of money. During the course of playing baseball, the baseball coach at Oklahoma--I don't know if you remember him--Jap Haskell. He was quite a well-known fellow. He told me if I wanted to go to college, come down to Norman and he would see what he could do about helping me out.

McNulty: How had he found out you were a ball player? Where had he seen you?

McBryde: Well, I had run across him a couple of times, Jim. In 1937 we were the Junior American Legion champions, the Morgan McDermott Post in Tucson.

McNulty: Yes.

McBryde: We were their Arizona champions. We'd gone over to California and had won the . . .

McNulty: Regional?

McBryde: . . . Western Regional, whatever they call it. Went back to Oklahoma where the--I don't know what they call it--the. . . .

McNulty: The national, perhaps.

McBryde: It wasn't the national. It was the next step. It was the semi-finals, was held in Oklahoma. He was there and talked to me there. Also I later ran across him up in Denver at the old Denver Post Tournament, the semi-pro tournament. And so that's where I was headed, for Norman, Oklahoma, when I

got a letter from Pop [J.F.] McKale and Pop told me in the letter that he had a baseball scholarship available if I wanted to go. It would pay for my tuition and my books. Since my folks lived in Tucson I thought, "Gee, that's a great opportunity to get an education." So I immediately took the bus--or the train--home and went to the U. of A. [University of Arizona].

McNulty: And enrolled in the fall of 1938?

McBryde: Yes. Right. Incidentally, Jim, there were four of us who had baseball scholarships that year.

McNulty: Who were the others?

McBryde: Hank Stanton.

McNulty: Yes.

McBryde: One of the all-time greats of the day.

McNulty: Perhaps the greatest athlete. Yes.

McBryde: You know he was not only an All-American football player, he was a hell of a baseball player. He really was. He could have been a major league baseball player if he had put his mind to it. Art Van Haren. A fellow named Donny Cantrell from Casa Grande who was an excellent pitcher and later played a lot of professional ball, but wasn't much of a student. He didn't even hang around for the baseball season.

McNulty: I remember Van Haren because he came back to the university after the war and finally got a law degree, did he not?

McBryde: Yes. He's a lawyer up in Phoenix now.

McNulty: But Cantrell I don't remember. Did he come back to school after the war?

McBryde: No. He didn't. He never stayed in college.

McNulty: What college were you enrolled in at the university?

McBryde: Jim, I really didn't know what I wanted to be. I'd thought about being a coach or a teacher because I admired Andy Tolson so much. And also a fellow named Danny Romero. Down at Tucson High.

McNulty: Oh, yes. T.D. Romero.

McBryde: T.D. Romero. But I enrolled in the business administration, College of Public and Business Administration, and got my B.S. degree in 1942.

McNulty: In May of 1942?

McBryde: May of 1942.

McNulty: By now the war had broken out.

McBryde: Immediately reported for active duty.

McNulty: To what branch of service?

McBryde: Well, it's an interesting little story, Jim. Actually, of course, I had applied for a commission in the marine corps. In those days they didn't have a Naval ROTC unit, but the marine corps used

to award one commission to each Army ROTC unit. There were three of us young men who applied. I was the only one who could pass the physical, so I got the Marine Corps commission. (laughs) But it didn't come through, so I had to go ahead and take--I took a commission in the cavalry, went back to Fort Riley [Kansas]. A couple of months later the marine corps commission came through, they discharged me, I went to Quantico [Virginia], and was overseas within six months.

McNulty: The four years you were at the university, did you play baseball every year?

McBryde: Yes. In those days freshman could not play varsity ball, but I played the three years: 1940, 1941 and 1942.

McNulty: Did the team do well?

McBryde: You know, Jim, we didn't have--there was a Border Conference in those days, but we didn't have a baseball competition. We played Arizona--what did they call it then--Arizona Teacher's College or Arizona State. We played New Mexico. One of the great competitions was the San Diego Marines. They had a great baseball team.

McNulty: El Paso? Texas Mines?

McBryde: No. We didn't play them.

McNulty: You'd be lucky to get, what, fifteen games?

McBryde: Probably. Twenty games at the most, yes.

McNulty: Yes. They play sixty now.

McBryde: Had great teams, but they had no tournaments. They didn't have the NCAA. But we had a great tradition. Arizona has always had a great baseball tradition.

McNulty: What position did you play?

McBryde: I played second base and the shortstop for Pop McKale.

McNulty: And did you play all three years as a starter?

McBryde: Yes. The last year I played center field as I recall. But, yes. I played for Pop. As I say, I've often remarked, I don't know what kind of a lawyer I've been or what kind of a judge, but I could hit the ball, Jim. I was a pretty good ball player. (laughter)

McNulty: Did you have any idea of the law at that time?

McBryde: No. I really didn't. When I got out college I really wanted to be a stockbroker and go into business of some sort. In fact, Mac [Pop McKale] sort of helped me there, in a way, but I'll tell that story later. But during the war years I met a marine corps officer who was over me, and he was a lawyer, and I was tremendously, again, tremendously impressed by him as a gentleman. And it got me to thinking about being a lawyer. And of course, in

those days they had the GI Bill. So I was sort of without any concrete plans, what I wanted to do. I was tired of taking orders from people. I thought, "Gee, it would be nice to be a lawyer. Be my own boss. Don't have to get up at a certain time or anything, so . . . (laughter)

McNulty: How long were you in the marine corps?

McBryde: About three-and-a-half to four years.

McNulty: And where were you?

McBryde: I think I was the first one overseas from my class. When I got my commission, I went to Quantico for a ten-weeks course for reserve officers to teach them the marine corps tradition and things. Reported to San Diego and went overseas immediately in the fall of 1942.

McNulty: To the South Pacific?

McBryde: The South Pacific, yes.

McNulty: And did you stay there, then, pretty much until you. . . .

McBryde: I was overseas for I think it was thirty-six months, Jim, before I came back.

McNulty: That seems an exceptionally long hitch.

McBryde: Well, it wasn't that bad. We spent about a year in New Zealand. It was a beautiful place. I don't know if you've been there or read about it. Just a fabulous place.

McNulty: What was that serving? As a base for some operation?

McBryde: Yes. I went overseas with the Second Marine Division, Jim, and they, part of our unit fought on Guadalcanal in the later stages and then we trained in New Zealand, the whole division. And then in 1943 I went to Tarawa and--I didn't actually make that operation because I was in the hospital. Then from there we went to Hawaii and trained some more. Then I took part in the Saipan operation Tinian, then we later had a small part in the Okinawa operation.

McNulty: Had you pretty much given up the idea of baseball as a career by then?

McBryde: Well, I knew I was getting pretty old. Twenty-four, twenty-five. But I came back and my brother was still playing ball, so I went down to see him. He was at Mobile, in the Southern Association, and they gave me a tryout and they signed me. So I played a couple of years of minor league ball.

McNulty: What years were they?

McBryde: That would have been 1946 and 1947.

McNulty: You must have gone with them within a month after you got out of the marine corps.

McBryde: Yes. Interesting little story, Jim. When I got back I knew I wanted law school. I knew I wanted

to play baseball. I was torn between the two ambitions. One of the things that maybe I regret, maybe I don't, I got accepted to Stanford Law School. And they told me, you have to come and start immediately in January of 1946. And I said "Well. . . ." I thought it over and decided I wanted to go play baseball. Which I did that summer. And then enrolled in the U. of A. Law School in the fall.

McNulty: Of 1947?

McBryde: Well, you know it's been so many years. The war was over in 1945, right?

McNulty: Yes.

McBryde: So I played my first year of baseball in 1946. Enrolled in law school in the fall of 1946.

McNulty: Did you get to play at Mobile?

McBryde: I played a little bit. They farmed me out. I played in Daytona Beach, Florida, in the old Florida State League. The second year I played in Class B ball. That was up in Ashville, North Carolina, in what they called the Tri-State League.

McNulty: How much money did you get?

McBryde: About two-fifty a month, Jim. (laughs) Not too much money.

McNulty: So, you referred a little bit ago about McKale and

your decision to go to law school. What was that incident?

McBryde: Oh, yes. When I got back I went to see Mac, you know, because he was one of my favorite people. And he helped--in fact he arranged several interviews for me, different business people in town, stock brokers and things like that. He sort of encouraged me to stay in Tucson. And you know, he was always very interested in "his boys" and their future.

McNulty: I was one of them.

McBryde: Yes.

McNulty: So you went to law school and graduated in . . .

McBryde: In 1949.

McNulty: Did you go right through or did you take the three years?

McBryde: Well, I made it in three years because I went . . .

McNulty: Summer?

McBryde: I took out one session to play baseball, but then I went back and finished in summer school, a couple of summer schools. So I graduated in 1949, Jim. Got admitted to the Bar. In fact I think I showed you, I'm supposed to get my forty-year certificate from the State Bar any day now.

McNulty: Did you play any baseball when you were in law school?

McBryde: Yes, that's another interesting little story, Jim. When I was in law school, a fellow named Johnny Singh, who was a farmer, cotton farmer in Casa Grande. . . . Interesting story in himself. The son of a Hindu immigrant, his dad and he became prominent cotton farmers. Johnny was a baseball player. He had the idea and started it: a semi-pro baseball team, in Eloy first, and then Casa Grande. Became the Casa Grande Cotton Kings. I played for Johnny my last year in law school. When I got out of law school, it seemed like every member of my class was going to settle in Tucson and become a lawyer there and I said, "Well, I think I'll"--for whatever reason, I wanted to go to a small town.

I had pretty much decided I would go to Flagstaff, because Pop McKale had gotten me a job in the summer of--I think--1940, playing baseball up there. In the summertime. And I really loved Flagstaff. Very impressed with it. Pine trees and the nice weather. But then low and behold Johnny Singh had come to me and said, "Why don't you come to Casa Grande and practice law and you can play with our baseball team. Stay with our baseball team." So I went to Casa Grande. There was only one lawyer in town, Gene [Eugene K.] Mangum. He's

still around. I saw Gene at the State Bar here a week or so ago. So that's how I settled there. Instead of going to Flagstaff I came to Casa Grande and played with the Casa Grande Cotton Kings. We were the semi-pro state champions for ten years. I could read you a list of the players we had and you would know most of them, I'm sure.

McNulty: The national semi-pro used to have a tournament in Wichita, Kansas. Did you go there?

McBryde: I went there ten years, Jim. That was my summer vacation from practicing law. I would go to Wichita.

McNulty: And play baseball in this tournament.

McBryde: Yes.

McNulty: Did the Cotton Kings ever win that tournament?

McBryde: No, we didn't, Jim. The highest we finished was fourth, one time. We just didn't quite have the players to be able get over the hump. But we had an excellent ball club.

McNulty: Just tell us a few of the names of the guys you remember.

McBryde: Oh, well. You know, Shanty Hogan, he was our . . .

McNulty: Tom Hogan, from Albuquerque that played catcher for the U. of A. Isn't that his real name? Tom?

McBryde: Thomas Ellsworth Shanty Hogan from Albuquerque. Yes. He went to the U. of A. on a football

scholarship, I believe. But was a good catcher. Donny Lee, who pitched for the U. of A., also in a major leagues. Buddy Grainger, Lee Carey, Chet McNabb.

McNulty: Bobby Winkles?

McBryde: Bobby Winkles. I could go on and on.

McNulty: You didn't simply play in Wichita though. You would have played in the late spring and summer around the state. Usually on weekends?

McBryde: Yes, we played probably two or three games a week. Travelled all over the country--not all over the country, but we'd play in New Mexico, Texas, California occasionally.

McNulty: And was Singh the angel underwriting all of this?

McBryde: Johnny Singh put in a lot of time and a lot of his money. He also got contributions from the other cotton farmers. And even from the business people in town. Probably people don't remember unless they're as old as I am, but semi-pro baseball was a pretty big community endeavor in those days. Because you didn't have television and all the entertainment we have. People loved their baseball.

McNulty: When did you officially open for practice of law in Casa Grande?

McBryde: Jim, I was admitted to the Bar, I think in September. I borrowed, as I recall it, seven hundred fifty dollars from my brother, and bought a set of the Arizona Code and, I think, Bender's forms, and went to Casa Grande and rented me a little office and started out.

McNulty: By yourself?

McBryde: By myself.

McNulty: How long did you continue in solo practice?

McBryde: Oh, boy, those are hard times to remember. Probably four or five years. I did go to work as a part-time deputy county attorney for T. [Timothy] J. Mahoney in Casa Grande. And continued in private practice until I, actually I became county attorney.

McNulty: What year was that?

McBryde: What year was John Kennedy nominated, elected?

McNulty: That was 1960.

McBryde: It was right after that.

McNulty: That fall perhaps?

McBryde: They created a second division here and Judge, T.J. Mahoney was appointed. I think it was probably--what's the date up there? When did he become judge?

McNulty: This picture here on the wall?

McBryde: In 1961. . . . I would say right around there, Jim. In 1962, 1961 or 1962.

McNulty: So you were initially appointed as county attorney. And then subsequently ran, and you were re-elected?

McBryde: In those days, Pinal County was considerably smaller, Joe--T.J., Joe Mahoney, we called him--he was the county attorney. Irv [Irving] Vincent and I were the two deputies. When Joe became judge Irv really--I didn't want the job. I wanted to continue what I was doing. I enjoyed it. But Irv did not want to become county attorney. He did not like politics at all. So I sort of became county attorney by default. Because I was the only one available.

McNulty: T.J. going on the bench as a second division means that Judge [William C.] Truman was here then.

McBryde: Yes. Judge Truman was still alive. And Judge Truman died in December of 1965. I was county attorney at the time. I had been active in Democratic politics. I had gone to the convention that we talked about, in Los Angeles. When Judge Truman died, Sam [Samuel P.] Goddard, one of my classmates in law school, was governor, and he appointed me to the bench.

McNulty: And you've been here since.

McBryde: Since January the 6th of 1966.

McNulty: I'm amazed that there was only one lawyer in Casa Grande in 1941. I remember Gene Mangum. I think he was city attorney, and I was city attorney of Bisbee in 1951, and that's how we came to know each other. There must be forty lawyers over there today, aren't there?

McBryde: Oh, maybe not that many, but a considerable number, Jim. Yes.

McNulty: Was there simply no business there? Or was it hard times?

McBryde: I don't think it was that, Jim. When I first came to Casa Grande, Ernest [W.] McFarland knew us through Tom Fulbright, and of course Joe Mahoney was a resident up here. He appointed us to help take the census. The 1950 census. Isn't that when they have the census?

McNulty: Yes. Every ten years. This was when McFarland was majority leader of the United States Senate?

McBryde: Yes. Of course, he got us the appointment. At that time Casa Grande had fifty-two-hundred people. Coolidge had about the same and Eloy was just a little larger. But there weren't many people in those days. There were a lot of cotton pickers during the fall, but of course they didn't vote and they didn't count in the population.

McNulty: This is when cotton was picked by hand?

McBryde: Right.

McNulty: Fulbright would have been a lawyer in Florence?

McBryde: Yes. Tom Fulbright. One of my favorite people.
One of the best lawyers I ever knew.

McNulty: Had he been in partnership with Ernest McFarland?

McBryde: Yes. He and Mac were partners.

McNulty: In Florence?

McBryde: In Florence.

McNulty: And Tom was still very much alive and active when
you got here?

McBryde: He was very much alive, very active. You know, Mac
had served as judge here before he ran for the
Senate and got elected.

McNulty: Is that how Bill Truman became judge, was when Mac
went to the Senate? Or was there an interim there?

McBryde: No, I think there were a couple of judges
intervening before. But I'm not sure of the time
sequence.

McNulty: Was Fulbright kind of the senior lawyer in the
county?

McBryde: Yes. Tom was--he was one of my favorite people.
He took an interest in me and liked me when I was a
young lawyer. And I used to go to him and get
advice and things. A lot of people didn't like Tom
because he was a very aggressive and astute lawyer
and he did not hesitate to show that, both in his

practice and in his courtroom. He was a very gruff individual, but underneath it he was a pussycat. He really was a very nice man. And he helped me along the way.

McNulty: He had a reputation as being a very competent lawyer.

McBryde: Oh, yes. To this day I think he's one of the more competent lawyers I've ever seen. Unfortunately, in his later years he became a little senile and it damaged his reputation. But in his better days he was just a brilliant man.

McNulty: Did he have a good practice?

McBryde: Oh, yes. Well, you know, for a small town.

McNulty: Was he the only lawyer in Florence?

McBryde: Well, I'm not sure. They had, of course, Preston [F.] Sult and in those days the county attorney could practice law. They had another lawyer too, around here.

McNulty: Were there any lawyers in Eloy?

McBryde: Yes, Brock [Ronald J.] Ellis.

McNulty: Oh, yes.

McBryde: Brock Ellis, an excellent lawyer. Still active.

McNulty: He is remarkable.

McNulty: You had to do your business over in Florence. That meant that way back, even then, you were commuting from Casa Grande to Florence.

McBryde: (laughs) I know the road between Casa Grande and Florence pretty well now.

McNulty: Did people in Pinal County hire lawyers from Tucson or Phoenix very much in those days?

McBryde: Yes, they did. In fact, we used to lament the fact that it seemed like all the really lucrative cases would be handled by Phoenix lawyers, and Tucson lawyers. Unless you were a Tom Fulbright or a Charlie [Charles H.] Reed. Or somebody who . . .

McNulty: Were Reed and [George] Wood both practicing in Coolidge those days?

McBryde: Yes, they were both active.

McNulty: How good a lawyer was Charlie Reed?

McBryde: Charlie Reed--I didn't know him very well. He was a very well-regarded lawyer. He was one of the people who worked on the Central Arizona Project, you know.

McNulty: Were there more than ten lawyers in the whole county in 1949?

McBryde: Probably not over fourteen. And maybe not that many.

McNulty: You never came up against Reed in court, though?

McBryde: One time. He tore me up, and I was very impressed.

McNulty: Yes.

McBryde: I was just a young lawyer. But he was a very brilliant man. I understand he was largely

responsible for most of the legislation dealing with the Central Arizona Project.

McNulty: Do you remember George Wood?

McBryde: Very well.

McNulty: Is he still alive?

McBryde: No. George has been dead for some time. But he was an excellent lawyer too. That was a good law firm, Reed and Wood.

McNulty: Yes. They had a fine reputation. Were you reluctant to take a case against Charlie Reed in front of his brother-in-law, Judge Truman?

McBryde: No, I didn't think much about it. Of course I've been a judge for many years, but I had a great respect for the legal profession and for the judiciary. I have never in my career ever noticed a judge. I'd say, "This man's a man of honor and integrity. He would not be a judge if he was not."

McNulty: You're referring now to procedure in the code under which--we used to call them affidavits of bias and prejudice--we could kick a judge out of a case. There's still another version of that ability in the code. I'm interested to hear you say that, because I've practiced for thirty-eight years and I never filed an affidavit. Not even in the case when the judge asked me, "How come you're not going to affidavit me out?" And I said, "Because I think

you're a good judge and I think you'll do the right thing, and if you don't, I'll appeal you."

McBryde: Sure. You always have that avenue.

McNulty: Is there a good camaraderie among the lawyers in Pinal County?

McBryde: Not as close as it used to be, Jim, because we have so many lawyers. We must have forty or fifty lawyers now. We had, as I recall, maybe about fourteen when I was really active.

McNulty: Was there a Pinal County Bar Association?

McBryde: Yes. And we all went to the Bar and we would all--we were all friends.

McNulty: No feuds like they had in Cochise County?

McBryde: Oh, maybe one or two. Harry [W.] Bagnall and Tom Fulbright used to feud. You were good friends with Harry. (laughter)

McNulty: I knew him well. I worked with him.

McBryde: Harry was a wonderful guy. He and Tom, for some reason, didn't hit it off. But that's really the only feud I recall. And I think that was more of a good-natured feud than anything else. I could tell you some stories there, too. (laughs)

McNulty: We're waiting.

McBryde: Well, maybe one. You know, Harry was in the legislature for a while.

McNulty: And a big man at one time.

McBryde: And just a--Harry was a brilliant man. A good politician. Could have gone far. But, well, Harry knows we love him. Harry had acquired a drinking problem.

McNulty: He did indeed.

McBryde: And it hurt him. It hurt him terribly. And it led to his being defeated when he ran for the legislature again. And for whatever reason, I don't recall, Tom and Harry feuded. And they both had very caustic wits, as you know. Not quite as good as you, but pretty good, Jim. Anyway the story--and this is a true story, because I was there. When the election was all over, Tom had helped get Harry defeated. And he asked Harry to come in the office and he said, "Harry, now the election's all over." He said, "I just wanted to let you know, if you'll quit lying about me, I'll quit telling the truth about you." (laughter)

McNulty: Harry had joined, of course, the firm of Reed and Wood by then, had he not?

McBryde: I think he may have started out there. I'm not sure, Jim. He was with [Charles W.] Stokes and Bagnall and [Carleton L.] Moring, I think it was, most of the time that he practiced.

McNulty: Yes. But initially, in 1951 at least, he was at Reed and Wood, because that's when he recruited me

to work for the City of Coolidge as a recreation director in the summer of 1950.

McBryde: I'd forgotten that. I thought I was a lot older than you. I probably am.

McNulty: Now, Johnny Stokes, I hadn't thought about him in a long while. I suppose he's gone now?

McBryde: Yes. Johnny was a wonderful man. I don't know if you knew him well.

McNulty: I did.

McBryde: He was just a great lawyer. I had a great amount of respect for him. Not many people knew, but he was a colonel of an armored regiment during the war and fought over in Guam and the Philippines and other places. Had considerable decorations. As you know, he was a very imposing fellow.

McNulty: Yes.

McBryde: Very military bearing. He was just a tremendous gentleman. Surprisingly Johnny--his name was Charles, but everybody [called him Johnny], Charles W. Stokes--Johnny ran against me when I was county attorney, once. A gentlemanly race. We were good friends and we remained good friends. Johnny told me, "I want to be judge, and this is the avenue and so I'm going to run against you." And that did not affect our friendship.

McNulty: A partner in the firm that I joined, Bilby and Shoenhair, was a guy name Bill [William A.] Scanland. Do you remember him?

McBryde: I remember Bill very well. I had a great deal of admiration for Bill. Bill was county attorney here when I first came. He was also in the Coolidge law firm. Was it Reed and Wood or the other one? I'm not sure.

McNulty: Reed and Wood. Yes, he was.

McBryde: Bill was an excellent, excellent lawyer. Is he still alive?

McNulty: He is indeed.

McBryde: What was he, a referee in . . .

McNulty: Bankruptcy.

McBryde: Bankruptcy, yes. I remember when Bill was county attorney back in the early 1950's, I guess, his salary was thirty-two-hundred dollars a year. I remember him telling me that. Of course you could still practice law in those days.

McNulty: Yes. Do you remember how much money you made your first year of practice?

McBryde: No, I don't, Jim. It probably wasn't a hell of a lot more than that. (laughter)

Tape 1, Side 2

McNulty: Can you remember your train of thought back when you were talking about the lawyers and you started to say, "I remember when," and then I disrupted.

McNulty: I forget who we were talking about, Jim.

McNulty: Okay. I want to talk about William C. Truman, who is certainly one of the most famous judges in the history of the state of Arizona. You had to practice before him and know him.

McBryde: Yes. A very gracious man. Excellent judge. He was from an old pioneer family here in Florence. I believe his mother or his grandmother was a Mexican lady, so he had that Hispanic heritage. I've always felt, and I've heard other lawyers say, he was a great trial judge. He was so compassionate he had trouble sometimes making decisions--but that's why you didn't want to let Bill take something under advisement. But he was an excellent judge. He really was. A tremendous gentleman. Always dignified, very judicial.

McNulty: Did he speak Spanish?

McBryde: Oh, yes. He spoke excellent Spanish. Yes.

McNulty: He was an outstanding student at law school, as I remember. Had exceptionally high grades and did extremely well on the bar examination.

McBryde: Yes. I think both he and Charlie Reed were top students down there.

McNulty: Yes. You practiced under him from 1949 until about 1960, was it, when he died?

McBryde: Well, Bill, Judge Truman, died in 1965. December of 1965.

McNulty: In 1965. He was still on the bench at that time?

McBryde: Oh, yes. Very, still active and I got to know Judge Truman very well, because I was here in the courthouse as county attorney. He took a great interest in what was going on. He'd tell me--he had been born with some sort of congenital heart problem. I don't recall what it was. And that was a concern of his, and that's what he died of, a massive stroke or heart failure.

McNulty: Have you any idea how many years he was the only judge in Pinal County?

McBryde: I know when he died he had been on the bench about twenty-three years. I believe I have now exceeded his tenure just by months, you know.

McNulty: Yes. T.J. Mahoney had to be a real close friend of yours when you worked for the county attorney's office and then when he went on the bench.

McBryde: Yes. Sure.

McNulty: He was another exceptionally well-known figure in both the Bar and the bench, was he not?

McBryde: Yes. Joe Mahoney was one of the most compassionate people I have ever known. He was a good Irish-Catholic type of a person who loved his toddys and he loved his stories, but I don't--the names of people he helped are legion. He was just that kind of a person. Probably, I'd say, the most caring person I've ever known, Jim.

McNulty: Had he come from University of Arizona to Pinal County?

McBryde: Yes. He was born and raised in Superior, with Johnny O'Donnell, Don Mahoney and, you know, his brother, and some other people. He went to ASU and he was actually a school teacher for a couple of years, including in Casa Grande. He taught school in Casa Grande until the war came along. He joined the navy, got a commission, had a ship sunk under him--I forget what ship it was--and then came back and went to law school along with so many of the other ex-GI's of our era.

McNulty: And came right then to Florence?

McBryde: Then came to, I think first he practiced in Superior for a little while. Then he was hired as a deputy county attorney and came to Florence. Probably right--you know, early on, probably 1950 or even earlier. In 1949 or--I think he graduated a half a year before I did.

McNulty: With respect to your own practice, I always like to ask a little bit about cases that particularly stand out in your mind that you were associated with. Can you think of a couple of examples?

McBryde: Yes. I was not in--of course I've been a judge so long and I was county attorney for five-and-a-half years so I really didn't build up an extensive private practice, although I think I enjoyed private practice more than I did the prosecutorial end of it. But I guess probably the more noteworthy cases I tried or was involved in, Jim, were probably in the criminal field. Joe Mahoney and I prosecuted the last fellow that was executed in Arizona, Manuel Silvas who was executed in about 1966 or 1967 [1963], something like that.

McNulty: Out here at the prison.

McBryde: Out here at the prison. He was the last person executed.

McNulty: What had he been charged with and found guilty of?

McBryde: He was found guilty of first-degree murder. He had murdered his paramour over in Casa Grande. Joe and I--Joe was county attorney, I was his deputy--we prosecuted with great vigor because Johnny [John F.] Flynn was the defense lawyer, and I'm sure you know John Flynn by reputation.

McNulty: The hot-shot criminal defense lawyer.

McBryde: Oh, he was one of the most eloquent, Irish blarney, he was a great persuasive speaker and an excellent lawyer. The architect of the Miranda decision, as you know. And we were really anxious to try ourselves against Johnny Flynn. (laughs)

McNulty: Did the jury convict him of first degree?

McBryde: Yes. You know, looking back, Johnny Flynn knew he was going to lose the case. The evidence was overwhelming. The guy--after the fellow shot his girl friend, he walked into the Casa Grande police station, laid the pistol on the counter and said, "I just shot a woman." Wanted to tell the, he wanted to talk about it. I was a deputy county attorney. I went down to the police station and took a complete confession from him. You know, he just, he had no defense except perhaps temporary insanity, which was hard to sell in those days. Johnny wanted to plead him guilty, if we would not ask for the death penalty. We felt in those days, and I still do, we just didn't take a position. We said, "We won't take any position." And Johnny was reluctant to cop a client out to first-degree murder without some assurance that he wasn't going to get the death penalty.

McNulty: Who was the judge?

McBryde: Judge Truman. And Judge Truman was a stern judge. So, we've often wondered if maybe Johnny should have entered a plea.

McNulty: I had a guy charged with first-degree murder once, and I went to the judge and said, "Would look over all the things in this case and tell me whether or not you think it more or less likely that you'd give the death sentence? I know it isn't fair, in a way, to ask you, but it isn't fair for me to tell this guy to plea. Not with that kind of stakes."

And this judge, whose name was Raul [H.] Castro, said, "I think that's a perfectly reasonable request on your part. I will study it and tell you tomorrow morning." And I went in the following morning and he said, "I don't think it's aggravated enough to be a case calling for the death penalty. I'd sentence him to life imprisonment." And I made the plea. I suppose some people would worry about the ethics of all of that kind of business now, but that's the way the world worked then.

McBryde: Well, I think it still works that way to a certain extent, Jim. I will frequently have the prosecutor and the defense attorney come to me with a problem such as you list and want to know what I might likely do. And I don't, I'm not offended by that.

I think it's legitimate, before you roll the dice for your client, maybe you're entitled to feel the judge out and see what he's going to do. I don't think you ought to do it ex parte, but certainly with the other side present.

McNulty: Do you think that expedites the criminal justice system?

McBryde: Oh, by all means. By all means. Sure.

McNulty: And that fundamental justice is done a lot less expensively and a lot more quickly than the alternative would be?

McBryde: You, know, Jim, there's not as much of that now as there used to be, because with the mandatory sentencings and the new--you know, the judge doesn't have a lot of discretion anymore. The prosecutor is the one who has the discretion: how he charges, whether he alleges priors, whether he alleges a dangerous offense and so forth. It takes a lot of it out of our hands.

McNulty: Has that improved the administration of the criminal justice system?

McBryde: Well, it's cut down on the the number of trials, because a lawyer, depending on how his client is charged, frequently is almost forced to make a plea agreement. Even though his client may questionably be guilty. You can't risk twenty-five or thirty

years in prison if they're going to offer you a plea where you maybe spend three or four.

McNulty: So what you're saying is, that the discretion, the power with respect to exercising discretion, has pretty well flowed from the judiciary to the prosecutorial.

McBryde: Yes.

McNulty: And they rig the system by the things that they charge you with and can, by backing off on this count or that count, make the deal a little sweeter. And the alternative is so deadly that the defense attorney doesn't feel like he's got much . . .

McBryde: I don't like the word "rig", Jim. But, yes, in effect, the prosecutor in effect, has more input on the sentence the defendant is going to receive from the judge. Frequently, not all the time. But very frequently. And it's a tremendous tool in the hands of the prosecution. And, you know, that's what the people, through their legislators, have mandated, so I'm not going to--I have expressed my concern about it. I think many judges have. That a lot of the discretion has been taken out of the judge's hands and put in the hands of the prosecution. And I would say, generally speaking, it's exercised fairly.

McNulty: If you had your druthers, though, you would use the prior system.

McBryde: Well, I think it only makes sense. Most judges have been lawyers, and judges for a number of years. And I, think everything being equal, they are in a better position to use their experience and their knowledge to impose an appropriate sentence than a young prosecutor.

McNulty: If a prosecutor is a little ambitious or even a little ruthless, he's in a position to make some very significant decisions, isn't he?

McBryde: Oh, yes. Theoretically speaking, he has tremendous power.

McNulty: But you would not expect the judiciary to be subject to those influences, or at least to the same degree, that the prosecutor might be subject to.

McBryde: Oh, I think we have to be realistic, Jim. I think judges are subject to pressure just like anybody else. When they make a decision, whether it's unconsciously or sub-consciously, I think they consider what the impact will be with the public. Sure. You'd be naive not to say that.

McNulty: That is undoubtedly a fact, although the idea of ambition entering the picture, I suppose, what you would think that the judge might want to be

retained in office. And in that sense, ambition could play a very minor part in decisions.

McBryde: In all fairness, Jim, I think the merit selection system has taken a lot of that out of the business of being a judge. If you don't have to run for re-election you don't have to go out and persuade people what a great guy you are and what a kind person you are or maybe what a tough judge you are--you're going to lock up all the criminals--and you can decide the cases based upon what you perceive to justice. Then I think you're better off, yes.

McNulty: Would it be agreeable to you to have the Missouri selection system extended to the thirteen rural counties?

McBryde: Well, again, I have mixed emotions. I've enjoyed politics. I really have. And I've run across you many times in your political endeavors. I enjoyed politics. I thought it was a great experience. And I guess if you're successful, it's a lot more fun, isn't it, Jim?

McNulty: (laughter) Yes. A great deal.

McBryde: But I do think in fairness to the judiciary that perhaps a judge shouldn't have to go out and raise money, shouldn't have to go out and solicit votes, and become indebted to people. Even though they're

usually your friends, they're going to--they don't regard it as being indebted, or you being indebted to them--but I think especially as the population becomes heavier--like in Phoenix they have, what, fifty-five, sixty judges?

McNulty: Yes.

McBryde: The voting public, there's no way that they could make an intelligent decision on fifty or thirty or forty contested races. So I think it's coming. It probably would be appropriate for the smaller counties.

McNulty: Do you think the four judges in Pinal County are fairly well known throughout the county?

McBryde: Yes. We're all pretty good politicians.

McNulty: Yes.

McBryde: We've all run for office. Most of us have had a contested election, so we've been forced to get out and campaign and raise money. Yes, we're all pretty well known.

McNulty: The guy in the street might say that running for election is a good way to keep a fellow's sense of humility intact and all. Would you agree with that?

McBryde: I think so. I'm not opposed to the elective system. I'm just saying if the population--and you have so many judges that it's difficult to know

anything about them, then I think the Missouri plan is the best. I think the elective system still works fairly well in the rural counties. And I'm not sure there's any overwhelming move to dispense with it. At least not in our county.

McNulty: The reason I asked is that I'm the author of the amendment that said, "In counties having a population of more than 150,000," which was an amendment to the Senate bill I was able to get when I was a member of the Senate. Because Phoenix and Tucson badly wanted the Missouri Plan in their two counties. And as well as I could tell, the average guy in Cochise County did not want the selection system, notwithstanding the fact the vast majority of judges first get to the bench by appointment.

McBryde: Yes. That's true. I think it works well in the small county. Ironically speaking, I guess, Jim, the last two vacancies we've had in Pinal County on the bench, the governor has appointed a very qualified person to take that position. And he's been promptly defeated in the forthcoming election.

McNulty: You're talking about Bill [William E.] Platt from Coolidge?

McBryde: Bill Platt, a wonderful gentleman, a fine judge. A rather introspective--not introspective, but he was not a political figure. He was not a political

figure. And Judge Don, Jimmy [James E.] Don was county, he was county attorney, he was very outgoing, very well liked. He knew all of the J.P.'s. He knew everybody in the county. He ran and defeated Bill Platt.

A similar situation when we created a fourth division. [W.] Allen Stooks, the chief deputy county attorney, was appointed, a bright young man, a good lawyer. I thought had the makings of a good judge. Again, not a really good politician. And he wasn't well known. So Frank [Franklin D.] Coxon from Casa Grande, who was an old pioneer family, has brothers all up and down the eastern end of the county, he defeats him. So it pays to be a good politician.

McNulty: Do you think that the practice of law as you know it, starting back in 1949, has changed significantly over the last forty years?

McBryde: Jim, you know, you like to think that things were more pure and more ethical when you were a young lawyer. And sometimes I feel that way. But I'm not sure that's true. Because some of my classmates were disbarred and thrown out of the practice. I'm not sure that the ethics have changed that much. There are considerably more lawyers now, so you read more about lawyers being

disbarred. But I would hate to think that our young people are not as ethical or as honest as we were.

McNulty: How about the degree to which people are litigious? Has that changed over the years?

McBryde: I don't know whether it's the people or the lawyers. The more lawyers, the more litigation you have. Obviously if you have more lawyers, you have more hungry lawyers that want to go to trial. I don't think human nature has changed a lot.

McNulty: Do you think people resort to the law more quickly than they used to?

McBryde: Probably. Because the lawyers are there to avail themselves of. But I don't know. That's a pretty deep question. I'm not a sociologist.

McNulty: Among the lawyers themselves, is there the same sense of collegiality and professionalism that you think there was forty years ago?

McBryde: Well, there's not the closeness or the friendship or the congeniality over all, Jim, because there are just so darned many lawyers. Like, when there were fourteen lawyers here in Pinal County, we were all personal friends. And if a lawyer called me and said, "Bud, I'll get an answer in. Would you hold off for ten days?" I'll hold off for ten days. There's just no question about it. Now, the

guy who's in that position may not know the other attorney. You can't rely upon that. So I think that element is missing. But I would hope the ethics are just as high. Just the fact that there's not the close personal knowledge or friendship between the lawyers.

McNulty: You've seen some pretty good lawyers in your years on the bench. Can you tell us of a couple of them that you particularly remember and what their talents were that made them memorable?

McBryde: I can tell you the people who have impressed me, and I've already told you about Tom Fulbright. I thought one of the finest lawyers and one of the finest gentlemen I've ever met was Mark [B.] Wilmer. And when I was a young lawyer I got involved in a case somehow and he was on the same side with me. I forget what the case was all about, but I was tremendously impressed with Mark Wilmer as a gentleman, and as a lawyer. And then he tried a case when I was a young judge and that was a great experience. Mark was such a gentleman. Never made an objection, unless it was the critical piece of evidence. He didn't--he was a real gentleman and obviously one of the best regarded lawyers in Arizona.

We've had some good lawyers here in the county. We've had some--Charlie Reed, George Wood. Brock Ellis, a great lawyer. We've had some good prosecutors: Lloyd [D.] Brumage, who, unfortunately, had some problems later. But he was a great prosecutor. We have some good lawyers now in the county: Tom [Thomas A.] McCarville, excellent lawyer; Tom [A. Thomas] Cole over in Casa Grande is a great young lawyer, he has great promise. There are many others, but those are just a few.

McNulty: Did you sit frequently in other counties?

McBryde: Yes. When I was a young judge starting in 1966, Jim, I used to love to go to the other counties and try cases. In fact, I've tried a case in every county in the state.

McNulty: Have you really?

McBryde: Yes. I haven't tried a jury trial in every county. I missed Graham County and La Paz. But I did go there and have a hearing. So I've been to every courthouse in the state. A great experience, as Mahoney used to say, and he would encourage me. He'd say, "You're going to make some mistakes. Why don't you go out of the county to make them. (laughter) So they, you know, they won't know how stupid you are, here in Florence."

McNulty: Did any lawyers in any of these outlying counties particularly catch your attention in cases that you heard?

McBryde: Oh, there've been so many, Jim. Of course, Tucson is full of good lawyers. Tom [Thomas] Chandler and yourself and, oh, Freddie [Alfredo C.] Marquez. Just too numerous to mention. [H.] Karl Mangum up in Flagstaff, people like that.

McNulty: Looking back on the whole experience, are you glad you went to law school?

McBryde: Yes. I'm glad I became a lawyer.

McNulty: Why?

McBryde: Well, because I've always been very proud to be a lawyer. I came from a working-class family and, you know, I made something of myself and I . . .

McNulty: Were you the first person in your family to go to college?

McBryde: First person in my family to go to college, as far as I know. Of course, my father and my father's family especially, were ranchers down in Texas. And my father died when I was two, so. . . . And yes, they've got college people down there. But in my immediate family I was the only one who went to college. And I thought it was a very honorable profession. I still do, Jim. I think it's a very high, moral calling to be a lawyer. I've spent

forty years in the profession and I'm very proud of it. I've enjoyed it all. I'm going to have to quit before my seventieth birthday in December. But I've enjoyed it. I hope that I haven't tarnished the profession. I don't think I have.

McNulty: No one would so claim. What do you think you'll do when you leave the bench in December?

McBryde: Well, I think the first thing I'm going to do, Jim, is, I bought me a little cabin over in New Mexico and up in the mountains. I'm going to go fishing for a couple of months and see how bored I get.
(laughter)

McNulty: Where? In the Glenwood area?

McBryde: In the Glenwood area. Up in the Mogollon Mountain area. The climate is very similar to Prescott or Chino Valley.

McNulty: Yes.

McBryde: A nice place to spend the summers.

McNulty: You've noted the number of women practicing law, especially by our lights, in relatively recent years?

McBryde: Oh yes.

McNulty: What kind of a contribution have they made?

McBryde: I'll tell you, Jim. The Pinal County Attorney's office, I think, probably has fourteen or fifteen lawyers. More than half of them are women. In

fact, just a few days ago, one of the young prosecutors, a lady lawyer, got killed in an accident, and we had a memorial service for her here yesterday.

McNulty: I read that.

McBryde: Very moving. She had made--a young, thirty-eight-year old lady lawyer prosecutor--she had made a tremendous impact on the people here. I've never seen such an emotional gathering in my courtroom. It was standing room only. Lawyers and court personnel. And some of the tributes were quite touching. I think there are some excellent lady lawyers and there are some--let's face it. Like there are some lousy men lawyers, there are some lousy lady lawyers, you know. But I think overall, they've proven they can practice law.

McNulty: Bud, it's been a great morning for me. And you have no doubts if you had it to do all over again, you'd have done it?

McBryde: I think so, Jim. And I really, I have mixed emotions about stepping down, but unless I want to go to the U.S. Supreme Court I guess I'd better step down. It's been fun. And I wouldn't do this interview for very many people other than you, Jim.

McNulty: That's a very kind thing for you to say. And everyone knows that your tenure in this county for

forty years has been nothing but positive to every community in the county, and to the county and the state as well. And reflects most honorably and positively on the Bar and the bench.

McBryde: One more story. My old friend Tom Fulbright. He used to say, "McBryde, why is it that all the lawyers refer to you as a ball player, and all the ball players refer to you as a lawyer? Is there something. . . ." (laughter) He had a caustic wit. (laughter) It's been fun, Jim. I say, I feel very comfortable talking to you as an old friend, see. Some stranger comes in here and it would be difficult.

McNulty: I've done twenty of these and I'm on my way up to Frank [L.] Snell's office to do him. I did Big Shorty Morris King Udall three or four weeks ago, and you are in elegant company, and you belong there.

McBryde: Well, I'm not sure about that, Jim.

McNulty: Yes, you do.

McBryde: Thank you anyway.

McNulty: Thanks, Bud.

End of interview.

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