

Evo DeConcini  
Oral History Project:  
Arizona Legal History

Interview with Ora W. DeConcini  
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THE EVO DECONCINI ORAL HISTORY PROJECT: ARIZONA LEGAL HISTORY

HISTORICAL NOTE

In 1985, James F. McNulty, Jr., former U.S. Congressman from Arizona and currently an attorney with Bilby and Shoenhair in Tucson, proposed that the Arizona Historical Society develop an oral history project to collect the reminiscences of senior judges and lawyers in Southern Arizona. As a former partner in one of the oldest law firms in the state, in Bisbee, he had long been aware of the wealth of information and experience expressed in many of his colleague's lives and careers, some of whom had been practicing law for over fifty years. In an effort to preserve and disseminate their stories and observations about the profession, the Archives Department of the Arizona Historical Society/Tucson developed a pilot program focused on Southern Arizona, with the goal of collecting the reminiscences of fifteen to twenty individuals associated with the legal profession over the last fifty years.

The project was funded through a challenge grant made by Roy Drachman and money subsequently donated by members of the Pima County Bar Association and the DeConcini family. At Mr. Drachman's request, the project was named for the late Judge Evo DeConcini, a highly-respected member of the Arizona Bar and a long-time friend.

Most of the interviews were conducted between 1986 and 1988, by Mr. McNulty. Interviews were also conducted by Robert

Palmquist, Jack August, and Adelaide Elm. Additional interviews with judges and attorneys conducted previously for other oral history projects were included with the DeConcini Project, to expand the scope of the project. The narrators, representing both rural and urban practices, were identified for inclusion by Mr. McNulty and other members of the State Bar. They included three judges, sixteen attorneys, the wife of a former state Supreme Court justice, and the legal secretary of one of the oldest law firms in the state. All transcripts and tapes are available to the public at both the Arizona Historical Society and the University of Arizona College of Law.

In addition to preserving the recollections of legal practitioners in Southern Arizona, the Evo DeConcini Legal History Project has spurred the collection and preservation of primary documents relating to legal history, such as day books, client ledgers, correspondence and photographs from law firms and individuals connected with the profession. It is hoped that the DeConcini Project will serve as a model for the collection of such memoirs and historic materials on a state-wide basis.

THE EVO DECONCINI ORAL HISTORY PROJECT: ARIZONA LEGAL HISTORY

SCOPE AND CONTENT NOTE

This collection consists of 43 cassette tapes (60 to 90 minutes in length), thirty-two 1/4-inch audio tapes, and twenty-one transcripts produced for the "Evo DeConcini Oral History Project: Arizona Legal History" by the Archives Department of the Arizona Historical Society between 1986 and 1988.

The collection is arranged in two series: (1) Oral interviews conducted for the project; and (2) Oral interviews gathered from other projects.

Series One consists of fifteen interviews: (1) Charles Ares; (2) Ralph W. Bilby; (3) Thomas Chandler; (4) Elizabeth Daume; (5) Ora DeConcini; (6) Gordon Farley; (7) Martin Gentry; (8) Thomas L. Hall; (9) Virginia Hash; (10) Norman Hull; (11) Ashby I. Lohse; (12) James F. McNulty, Jr.; (13) James Murphy; (14) Alton C. Netherlin; (15) Joseph C. Padilla; and (16) Wesley Polley. Interviews 1, 2, 3, 5, 6, 7, 8, 10, and 13 were conducted by Mr. McNulty. Interviews 11, 14, 15 and 16 were done by Robert Palmquist. Adelaide Elm conducted interviews 4, and 9, and Jack August conducted interview 12.

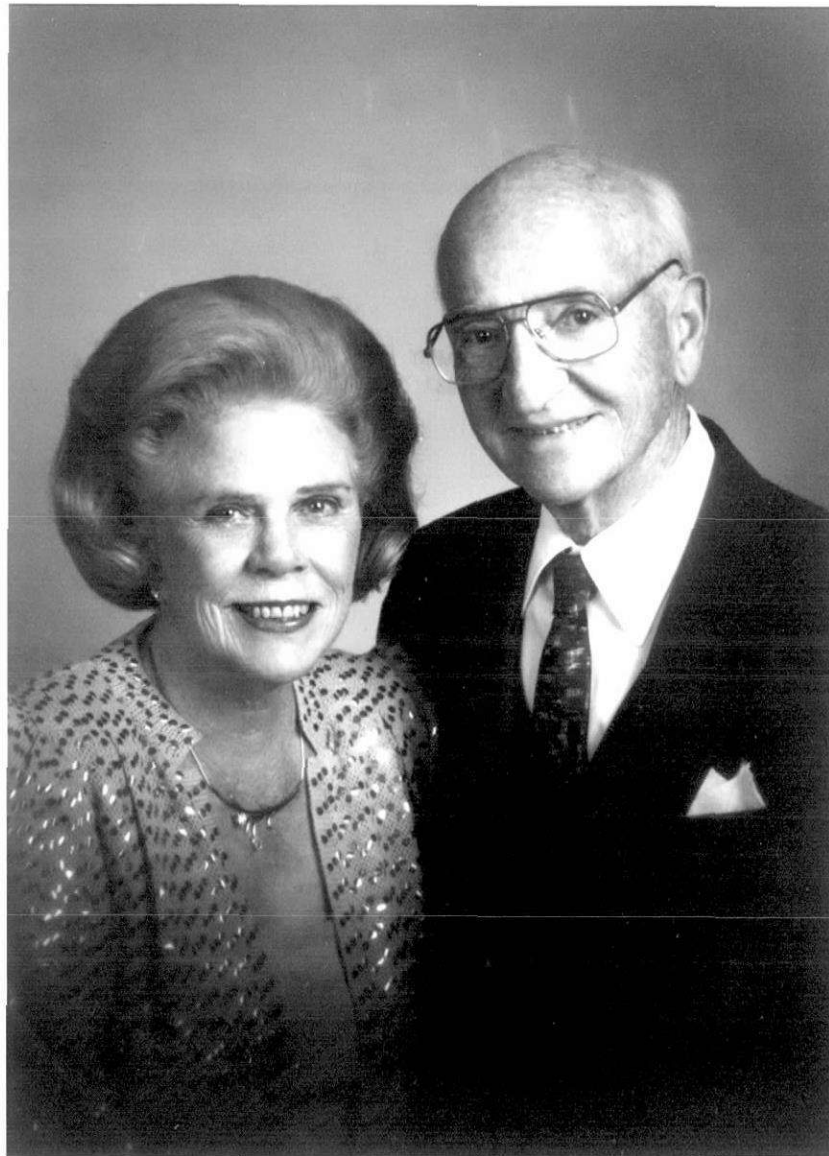
Series Two consists of five interviews: (17) Harry Gin; (18) Don Hummel; (19) Hayzel B. Daniels; (20) Rubin Salter; (21) Rose Silver. The Gin interview was conducted by Bonita Lam for the "Chinese in Tucson" project; Don Bufkin, Acting

Executive Director of the Arizona Historical Society, conducted the Hummel interview; Richard Harris and Carol Jensen conducted the Daniels interviews; Baiza Muhammad interviewed Salter for the African-American History Internship Project; and Rose Silver was interviewed by Mary Melcher for the "Women and Work: An Aural History," a joint project of the Arizona Humanities Council and the University of Arizona.

The bulk of the collection deals with the experiences and observations of these individuals relating to the legal profession in Southern Arizona over the last sixty years. The interviews document the following topics: education preparatory to the profession (law school, reading law, the bar exam); legal practice during the Depression, and the influence of the New Deal; relationships between the legal profession and politics; the role of judges vis a vis the Bar; the increasingly litigious nature of society; the effect of social changes on the practice of law; the experiences of women and minorities in the profession; and post-World War II changes in the legal system. Of particular interest are anecdotes about particular cases and clients; histories of several old law firms in Southern Arizona; University of Arizona Law School professors and courses of study; opportunities some had to practice law without a law degree; and remembrances of the colorful individuals who influenced the profession in Territorial days and early statehood.

The collection is valuable for its comprehensive look at

the law profession in Southern Arizona over the first half of this century, and its emphasis on the changes which have occurred within the profession during that period.



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### Ora DeConcini Interview

The last child of a pioneer Arizona family, Ora Webster DeConcini was born near Thatcher, in Graham County. She attended Mormon schools, and Woodbury Business College in Los Angeles, and taught business courses at Gila Academy while still a student herself. Upon completion of a degree in Accounting and Business from the University of Arizona in 1930, she taught school in Tucson.

In 1932 Ora Webster met and married Evo DeConcini, who was just completing a degree in law. In the years after their marriage, Evo's career and land development projects prospered. The family, which eventually included four children (Dino, Dennis, David and Danielle), moved from Tucson to Phoenix, and back again, as Evo served as Pima County Superior Court judge, State Attorney General, and justice of the Arizona Supreme Court. During this time, Ora was active in political and civic organizations, including the Tucson Fine Arts Board, the Symphony Women's Association, the Newman Foundation, and St. Joseph's Hospital. She served as a precinct committeewoman for the Democratic Party for thirty years, and was on the Democratic National Committee for eight years. In 1978, she was named Arizona's Mother of the Year.

This interview has a dual focus: Ora Webster DeConcini's background and her marriage to Evo, and Evo DeConcini's background, and his career in the legal profession.

Ora's school experiences emphasize the importance placed

on education in the Mormon community. She talks of the support and encouragement given her by her parents and other community leaders to pursue a college degree. Her reminiscences about early married life during the Depression include Evo's real estate ventures, and the kind of barter system that was often used as payment for services.

Relating to Evo's background, Ora tells of the DeConcini family's move to Arizona in 1920, and how Evo came to the law profession. Of particular interest are her recollections of attorneys and judges with whom Evo was associated, in Tucson and in Phoenix.

She is able to share with the interviewer many of Evo's feelings and attitudes toward the law and toward public service. A strong sense of the family's respect for the law as a profession emerges from this interview.

### Evo DeConcini Biography

Evo Anton DeConcini's name is conspicuously absent from the roster of names included in this oral history project. His interview should have led the list of attorneys and judges who have played a part in the legal history of Southern Arizona during this century. Prominent in the legal profession for over fifty years as a lawyer and judge, DeConcini also assumed a significant role in the fields of Arizona politics and urban land development and use. His death in May of 1985, just as this oral history project was being designed, precluded the opportunity to record his recollections and reflections on his career and the legal profession. However, his wife, Ora Webster DeConcini, and his many friends and colleagues have contributed greatly to his memory through their own reminiscences.

Judge DeConcini was born in Iron Mountain, Michigan, on March 25, 1901. He moved to Tucson in 1920 upon the death of his father, to help his mother and sister operate the American Hotel. During the next ten years, between various business ventures, he completed a law degree at the University of Arizona, and was admitted to the state Bar in 1932. While still a student, he developed seven or eight subdivisions in Tucson, including Country Heights, Government Heights, National City and Colonial Estates, and operated two water companies.

In 1932, DeConcini married the former Ora L. Webster, and they raised four children: Dennis, Dino, David and Danielle.

He began his law practice in Tucson in 1933, and continued to maintain his interest in land development. The next years saw the family move to Phoenix, as Evo served as Assistant Attorney General. With a move back to Tucson, he resumed his law practice and real estate ventures. During the early 1940's, when a second judgeship was added in Pima County, he served two terms as Superior Court judge.

Always active in Democratic Party politics, DeConcini was elected state attorney general in 1947. In 1949, he began a four-year term as a justice on the Arizona Supreme Court. Following this, he returned to Tucson, where he continued his professional work, as well as extensive civic and charitable activities. He served as president of Tucson Community Chest, United Appeal and United Way, and as a board member of St. Mary's and St. Joseph's hospitals.

Although Judge DeConcini's reminiscences are not included in this oral history project, his career speaks for itself. His active participation over a sixty-year period in the legal profession, political arena, and public service has inspired the respect and esteem of his friends, family and colleagues.

ORA WEBSTER (MRS. EVO) DECONCINI INTERVIEW

Good Morning. This is Jim McNulty and I'm in the home of Ora Deconcini on East Third Street in Tucson, Arizona, on Tuesday, the ninth of December, in the year of our Lord 1986, and have with me Ora DeConcini for the purposes of the Evo DeConcini Oral History Project of Law, Lawyers and Judges in Southeast Arizona in the twentieth century, or as much of it as has gone by as has. [Tim McIntire, sound technician, is also present.]

McNulty: Ora, good morning to you.

DeConcini: Good morning, Jim.

McNulty: You were born in Graham County, Arizona.

DeConcini: Right. On the farmhouse which is still standing over there on Webster Lane.

McNulty: Were you delivered by a physician?

DeConcini: I was the first of my mother's eight children to be delivered by Dr. William Platt.

McNulty: Your mother had come from Utah.

DeConcini: Yes. When she was eleven years old.

McNulty: How had the family traveled from Utah?

DeConcini: They traveled, they had three covered wagons and an assortment of loose stock, such as milk cows. My mother rode a horse bareback and took care of the loose stock that was following the wagons.

McNulty: Have you any idea how long it took them to get there?

DeConcini: I really don't know exactly, but something like two-and-a-half to three months.

McNulty: Her name was what?

DeConcini: Olla Damron.

McNulty: What town in Utah had they come from?

DeConcini: She was born in Kanosh, Utah.

McNulty: How do you spell that?

DeConcini: K-A-N-O-S-H.

McNulty: Is it still around?

DeConcini: I think so.

McNulty: Had her family lived in Utah a long time?

DeConcini: Her mother was born in Mississippi and her father was born in Illinois. And how they got to Utah, I do not know, but that's where they met, and that's where they were married.

McNulty: Did they come to Utah following the Church of Jesus Christ of Latter Day Saints?

DeConcini: I presume so. I do not know exactly when they became Latter Day Saints. I think that they were not when they were in Mississippi. But that I don't know for sure.

McNulty: Probably they were not, at that time.

DeConcini: Yes, although there were missionaries going into Texas and Mississippi and that part of the country.

McNulty: But in any event, by the time your mother married your father, they were firmly within the L.D.S. Church.

DeConcini: They were Mormons. Yes.

McNulty: Your father, he came from Utah as well.

DeConcini: Yes. He came from a place near St. George, Levan, which is J-A-U-B [Juab] County. I don't know how to. . . . "Job" County? He always referred to it as Chicken Creek. (chuckles) It's a little tiny place not far from St. George.

McNulty: Did his family travel by wagon train as well?

DeConcini: Yes. They traveled the same way. The details of his family: they were three days apart, the two families. I don't know too much about the details as to who was driving and all that sort of thing with my father.

McNulty: But the objective of both your father and mother's expedition was Graham County, generally, and Thatcher in particular?

DeConcini: Yes. They arrived first in Pima. And my mother's family arrived in Pima, where they lived in tents for the first winter that they were there. My grandfather and his oldest daughter taught school. They immediately established a school for the children that had come down from Utah. And during that winter they taught school. He later moved to Thatcher and established a mercantile store there. And the building where he established the store, is still standing over there on that highway. I think it's a car wash now.



McNulty: Did these people come from farming backgrounds, all of them?

DeConcini: Yes. They did.

McNulty: And was Thatcher and Pima regarded as potentially . . .

DeConcini: As farming communities. My father helped his father, in 1882 he helped his father clear the land where our farm still is over there, right below the Union Canal. I don't know when the Union Canal was put in, that would be a good, an interesting question, but they did farm under that Union Canal watering rights.

McNulty: Had your grandfather any background to be teaching or did he just say, "This is a job . . ."

DeConcini: I presume . . .

McNulty: ". . . that needed to be done"?

DeConcini: I presume that he just learned all that he could learn. Because he later held many county offices over there in Graham County, such as school superintendent and, I've forgotten what all of them were, I should have read some of these things again. Postmaster in Thatcher, and then he was some sort of judge. You know they took whoever would perform, and he had a good reputation for honesty and whatnot, and so he held quite a few of those positions. I think it was mostly self education.

McNulty: Did your father and mother go to public schools in the Thatcher, Pima area?

DeConcini: They went to the fifth grade. I presume they went some after they arrived in Arizona, but they both completed the fifth grade.

McNulty: And that was as far as they went.

DeConcini: That was as far as they went, but they could always outspell me. (laughs)

McNulty: Were there public schools, or were these church . . .

DeConcini: No, they started with my grandfather. I mean, as far as I know. Maybe other people started them in different communities, too, I wouldn't know about that, but my grandfather on my mother's side established the first school there and started teaching.

McNulty: How about your schooling? Where did you go to school?

DeConcini: I went to school in Central, which was a three-room schoolhouse. And I have written a little story about the Central School. I remembered, have recalled in that article the teachers and so forth.

McNulty: That was a public school?

DeConcini: Yes. It was a public school. The building was standing until just a few years ago. About three or four years ago when I was over there I noticed it

had been torn down.

McNulty: Were all the children, practically speaking, L.D.S. children?

DeConcini: Yes.

McNulty: How many years did you go to Central School?

DeConcini: Pardon?

McNulty: How many years did you go to Central School?

DeConcini: Oh, eight.

McNulty: Conventional . . .

DeConcini: Seven, because I skipped one grade. So seven years.

McNulty: I see. Did you go to high school?

DeConcini: I went to high school in Thatcher. Thatcher did not have a high school, per se. The high school students then went to what is now Eastern Arizona College. It was run by the Mormon Church, and they had a junior college, but they also had a high school there, and that's where I went to high school.

McNulty: Was it called Gila Academy?

DeConcini: It was called Gila Academy. My sisters and brothers went there too.

McNulty: Was Gila Academy a church-sponsored organization, entirely?

DeConcini: Yes. Entirely.

McNulty: Was there any other place for people to go to high school in Graham County?

DeConcini: No. Yes. Someplace along the line Safford had a school. That's where Judge Richard Chambers went and we had a great rivalry between the basketball teams. And so there was a school at Safford. I don't know when other schools were established, but those were the first two that I remember.

McNulty: At that time these would have been the only two high schools in Graham County.

DeConcini: To my knowledge, yes.

McNulty: Did you graduate from Gila Academy?

DeConcini: Yes. I did. I still have my diploma.

McNulty: Is that the equivalent of a high school education?

DeConcini: Yes. It is.

McNulty: What year was that?

DeConcini: That was 1925.

McNulty: Did you pursue schooling beyond that?

DeConcini: Oh, yes. While I was going to school there I was majoring in shorthand and typing, business subjects. My father always wanted me to get a good education. My grandmother too. She was very influential on my--the only grandparent I knew was my mother's mother and she lived in Thatcher. She got married when she was--I'm digressing a little bit now--but she got married when she was seventeen and had twelve children. She constantly impressed on me, "Don't get married too young", and "Get an

education." So she was very influential on me continuing school. So I was taking shorthand and typing, and I was in the class, when this teacher suddenly was not able to conduct the class for some health reason. So the--they used to call them presidents--President Creer came in. He asked me to keep the class together. So I started assigning work and we just sort of did the work together. So he came in and watched me and I thought, "Oh, my." Then one day when he went out he said, "Miss Webster, may I see you in my office, please," and I thought, "Oh, boy, I'm going to get it now." Well he asked me if there was any way that I could go to school all summer and take over this job of teaching shorthand and typing.

So I went to Woodbury Business College that summer and the following summer and I signed a contract when I was seventeen years old, to teach shorthand and typing. That was through the Mormon Church, of course. I suppose through the public schools you couldn't do that. So for two years, while I was still finishing my high school and taking the beginning college units, I was teaching shorthand and typing at Gila College, Gila Academy.

McNulty: Woodbury would have meant living in Los Angeles.

DeConcini: Yes. Right.

McNulty: You did that for two summers?

DeConcini: For two summers. Yes.

McNulty: Was that quite an intimidating experience?

DeConcini: Well, yes. My mother, of course, wouldn't let me go by myself, even though I had turned eighteen during the process, so my sister went with me. She had two children, but she went with me, and we lived in an apartment and every morning I got up and took the streetcar and went downtown in Los Angeles. And the school was right downtown on Eighth and Hill, and I attended these classes. And then my mother--my sister had to come home for some reason or other--but my mother came and stayed with me for part of the time. Then, in three months' time, I could not complete the necessary units to get a Secretarial Diploma or whatever it was--I still have it--so I went back the following summer for about half the summer and got the equivalent of a six-months' course in shorthand and typing. I even was a court reporter at one time under Judge Bilby's father, when I worked over at the courthouse there.

Then after Woodbury, of course, I went to work at the Bank of Safford, also. And Wickersham was the President of the Bank of Safford. I had a pretty good job there and I was very torn as to whether or not I could go on to school. My father

wanted me to but times were very bad for ranchers and cattlemen back in the twenties. But I remember my father came into the bank one day and Mr. Wickersham said to him, "Mr. Webster, where are we going to send this girl to school?" Not, "Are we going to send her." My father said, "Well, wherever she wants to go." I'm sure not knowing where he was going to get the money to send me. And then that following year, I went to the BYU [Brigham Young University], for one year.

McNulty: The school in Provo, Utah.

DeConcini: At Utah. Provo, Utah.

McNulty: Tiny place in those days.

DeConcini: It was a very small, very Mormon school at that time.

McNulty: And you spent a full year there.

DeConcini: A full year there.

McNulty: With the idea of getting what kind of a certificate?

DeConcini: Well, I was always in business. I eventually got a degree from the University of Arizona in Accounting and Business Finance. I just stayed at Provo one year. It was kind of a homesick time for me. Transportation was--you had to take the train into Los Angeles and come out . . .

McNulty: Come back.

DeConcini: Yes. And so when you got up there, you were there

for the year. Although, I hitched a ride with some boys that were going through Mesa for Christmas, and they took me as far as Mesa and then my folks came and got me so I got home for Christmas.

McNulty: When you finished the year at BYU, had you completed a curriculum of any kind?

DeConcini: One year of college. And when I transferred to the University of Arizona, I was surprised at some of my units that transferred. I had taken Literature of the Bible, and they had a course in that, and I got full four units credit for that. Of course they cut out any religious courses that I'd taken, like other Bible studies and anything to do with the Book of Mormon, but I transferred pretty well. I only took one summer of summer school to get so that I graduated in time.

McNulty: What kind of a degree did you get from the University of Arizona?

DeConcini: I got a B.S. in Accounting and Business Administration--no. . . . Let's see. I got mixed up here. Accounting, I had a double major. Finance and Accounting. And the reason for that was, I had to shuffle my units some way, and in order to fulfill some of them, I ended up with a double major.

McNulty: Did you get credit for some units from what is now



Eastern Arizona Junior College?

DeConcini: Oh, yes. Some of those, I got my first English transferred to BYU and also down here. We had a very good teacher from Salt Lake City--Miss Jacobs was her name--and I think an economics course. . . . And then, I can't remember what other, else, but they transferred pretty well. Of course, I was not taking a full course, because I was teaching part time.

McNulty: What year did you get your degree from the University of Arizona?

DeConcini: In 1930.

McNulty: What did you do then?

DeConcini: That was really the depths of the Depression. And someone told me--a girl named Rose Bush from Globe, who was in my class--told me that the Tucson Unified School District was starting the six-three-three plan of having junior high schools. They were going to open four junior high schools. So we all rushed down and applied. And of course I had--well, while I was in the University, besides taking these majors, I took all of my electives in education. They won't let you do that now. It's just not done. But I did it. As I often said, I seldom took anything I really wanted to take, because all of my electives were in education.

So when I graduated, I was a certified teacher, as well as having this degree in accounting. And so I went down and applied to C. E. Rose, who was the Superintendent then. That was during one week. At the end of that week, superintendents came from all over the state looking for teachers, and I had several offers, to go to Round Valley and to go to Willcox and some other place. My better judgement told me that Evo was not going to be there--I had not met Evo, but my better judgement told me that that was not the place for a girl of my age to go to teach, that that was going to be kind of a dead end. And yet I had to have a job. I just had to have a job. I did not know. . . .

Someplace along the line I learned that my father had borrowed money to keep me in school. So I felt an obligation to pay this money back. I made an appointment and went down to see C. E. Rose and told him that I had these offers, but that I wanted very much to stay in Tucson. And Monday morning I got my contract in the mail. After I became a teacher I learned that that was what you didn't do, was go down and put any pressure on C. E. Rose. It worked, so I think it was the right thing to do. It wasn't pressure. It was just asking, was he going to give me a job or not.

McNulty: Your mother had reconciled herself now, to her daughter living alone, away from home, in Tucson?

DeConcini: Yes. She had. Of course I'm sure, as mothers do, she worried about me and so forth. One of the first things I did when I got my school debts paid off and got myself on my feet at all, was to buy a little car, because I wanted to go home to visit my folks. Here again, you had to go on the train to Bowie and change to the old Eastern Arizona [Arizona Eastern Railroad] that went to Globe, and that was the only way to get there. There were no buses or anything else. So it was one of the first things I did, was buy a car.

McNulty: The school year you signed up for was, what, 1930-1931?

DeConcini: 1930. I taught for two and a half years.

McNulty: You had not yet met Evo DeConcini.

DeConcini: No. I met Evo in February of 1932.

McNulty: Where?

DeConcini: On a blind date. At the old, at the Arizona Women's Club, down on Granada. When it used to be down in Snob Hollow. And we danced. And we danced for fifty years.

McNulty: (laughs) Was he still in school at that time?

DeConcini: He had completed his units for his law degree, but, like I, he was doing it backwards. He had to

fulfill his pre-law. So he was taking English literature and one other subject to fulfill his pre-law.

McNulty: He had been born in Michigan, had he not?

DeConcini: Right.

McNulty: And his parents had been born in the Trentino Region of Northern Italy and Southern Austria?

DeConcini: Yes. His father was born in Trentino, in that area, seven kilometers from where Father Kino was born. Father Kino was born in Segno and Evo's father was born in Casez, which is seven kilometers away. It's in the beautiful Val di Non area, which was a part of Austria at the time, before they gave it back to Italy. His mother was born in Udanai, which is north of Venice, near Trieste.

They both came--let's see, his father came to America when he was seventeen. His mother came younger, about ten or eleven years old. I have the little chest of drawers that she carried in her arms when she came. She came, not with her mother, she came with relatives. For what reason I do not know exactly, but she was sent with an uncle and different relatives that she came with, and then the parents, the family finally got back together.

McNulty: Evo's father's training, or skill, occupation in Italy had been what?

DeConcini: Well they had a farm there and later had fruit trees, that's a very good area for growing fruit. His father once said that he wouldn't mind going back to Italy to farm if they would raise the land up, but the land was too low. (laughs) It was too back-breaking. So from that remark, I suppose he did farm. Then when he came to this country, he went to Hazelton, Pennsylvania, and went down in the mine as a miner. He got a dollar and three cents a day. The three cents was for the kerosene in his lamp. He went down, I think, twice. There was an accident and the man next to him was killed. When he came out he said, "There's got to be a better way to make a living." He was a musician. I have his concertina, too. He started playing the concertina and he came West, and I know that he came on the freight trains and he was able to get into the caboose because he played the concertina and entertained the railroad men. Now I don't know details, but that I do know. He ended up in Iron Mountain, Michigan, and he met and married Ida Tramontine. And they moved to Canada, and their first child was born in Canada. And they moved there, I think, because of his music. He had some kind of a job playing the concertina. It's very sketchy, what I know about the family.

McNulty: Yes. But they didn't stay in Canada.

DeConcini: No. They stayed there perhaps one year. And then they came back to Michigan. Then he got in the business of--he had a hotel and a bar and a restaurant. His wife did all this work; and I bet it was a good place to eat.

McNulty: (laughs) Is that the ambience around which Evo was born and raised?

DeConcini: Yes. He was born in Iron Mountain, Michigan, on what was known as "the North Side". Up there they used to segregate the Italians here and the Irish here and the French; they each had their own parish, even. So he was born in what was called "the North Side."

McNulty: And how long did he stay there?

DeConcini: Evo stayed there until he was seventeen, when he went to Florence, Wisconsin, because his family moved there. He went there and finished high school in Florence, Wisconsin. Then he started at the University of Wisconsin. It was during that time that his father and mother came to Arizona, in November of 1920. Then in February of 1921 his father was killed, and that's when Evo came to Arizona. His father had bought a hotel, the American Hotel, down near the railroad station. He had bought an apartment house on South Fifth Avenue,

where they lived. And he had bought a vacant lot, which we still own, across the street, it's a parking lot, across the street from the American Hotel. And so, naturally, Evo . . . I mean, there was more property than there was cash left, so his big interest was to come out and see about what could be done about it, after the funeral, which, of course, was a very sad thing for his mother. His mother was with him [Evo's father] when he was killed. It happened on the Nogales Highway. Evo and Alice, his sister, did not know anyone in Arizona. And they get a telegram from someone, they did not even know who it was, saying, "Prepare for the worst." Well the worst would be that both parents were dead. Well the worst was that his father was dead and his mother was injured. So then they got in touch with somebody, maybe the mortuary, eventually Gerald Jones, who was Evo's attorney, but I don't think Gerald was the first one they got in touch with. Then they arranged for the father to be sent to Chicago, and the mother came with him. They met them in Chicago and then the father was buried in Iron Mountain.

McNulty: Was Evo the oldest child?

DeConcini: Yes, Evo was--No. Alice was the oldest child, but Evo was the oldest and the only son. Which is an

interesting bit of law, too. The property back in Casez, of course went to the oldest son, who was Evo's father, who came to America when he was seventeen. The brother Carlo came with him, but didn't stay and went back to Italy and ended up taking care of the parents there and living with them in the same house. But when the parents died, Evo's father inherited the property and eventually Evo inherited the property. And not until 1931, when Evo took his mother and sister back to Italy, he took the whole family who had taken care of the parents, to the courthouse or whatever the place was, and made the papers right so that. . . . And they still have that piece of property, the relatives of that family. But Evo felt he, of course his father had helped them financially, but when you live with a mother-in-law and help, that's a different kind of help.

McNulty: Yes. For which money is not ever quite adequate.

DeConcini: That's right.

McNulty: So Evo is out here and now head of the family, for all practical purposes, and he's only twenty years old.

DeConcini: That's right.

McNulty: What did he do?

DeConcini: His number one job was to see that his mother and



sister never had to work nor want for anything. They worked, yes, in that eventually--well they had this apartment, you know. They did that kind of thing. His sister, Alice, had worked in the courthouse up there, so she knew--she was qualified in secretarial skills. But out here, they eventually moved into the American Hotel, because Evo was running the American Hotel on a twenty-four hour a day basis. Sleeping there and running it. So eventually his mother and sister moved in there so that they would have some semblance of a family situation. In his book he writes about how he was so often disturbed by somebody who wanted the room for less than a dollar and woke him up and then didn't take the room. Of course he was twenty years old then, and of course he didn't marry until he was thirty-one, and that was part of the reason, was because he just wanted to make sure his mother was taken care of. After the hotel, well there's a--I should have re-read the book to refresh my memory but he sold everything and the family moved to California one year. And that was when he went in the cactus candy business. You've read his book, Jim.

McNulty: Yes. I have.

DeConcini: And that's what he calls his, he cites that as his

one complete failure, was the cactus candy job. They had a candy store on Seventh Avenue where one of the big stores is now, like Bullock's or Sloane's or one of those stores. And people would come in and buy ten cents worth of candy and all. I ran across even a picture of the candy store. I ran across the recipes for the candy store in going through Evo's papers. Can you imagine a little book with all the recipes? (chuckles) So, Jim, if you want to go into the candy business, maybe we can do that. So then he stayed there one year, and the candy store folded. Then he went out and made some effort at selling real estate and selling adding machines. None of it with any success. He did have the properties here sold. And the income was not very steady, so they came back here and took back the properties and he, someplace along the line bought the property at 1301 East Speedway, where his mother lived for sixty years. The University now owns it. But they bought that property and he and his mother and sister lived there all that time. While he went to school, he worked in a service station.

McNulty: What stimulated his return to school?

DeConcini: That's very interesting. Gerald Jones was his lawyer, to settle his father's estate, and Gerald

said to Evo, "Young man, you would make a good lawyer." He could see how Evo's process of thinking worked and he said, "You would make a good lawyer, had you ever considered it?" So, Evo was always doing different kinds of things like getting into some mining thing or some into water thing or buying a duck pond, and so he started taking law piecemeal, like contracts, water law, mining law. And how he arrived at a law degree was by chance. The dean, I think it was Dean Fegtly, called him in one time and said, "Evo," he said, "do you realize you have enough law units for a law degree, if you'd go back and fill your pre-law?" So that's how he became a lawyer.

McNulty: He actually went to law school first and undergraduate school second?

DeConcini: Right.

McNulty: And it took him five years?

DeConcini: Well, I'm not sure about the time. It might have been a little longer than that. Of course he worked . . .

McNulty: Was he ever a full-time student?

DeConcini: I don't believe so. He might have been right at the last. I'm just not real sure. But he worked in the service station there near the University. He put air in tires and gas in cars of people who sometimes

may have looked down upon him (chuckles) because he was working in a gas station and didn't amount to very much right then.

McNulty: Did he wait to take the bar examination until after the completion of the University work? In those days, I think you could have taken the bar exam before you got your degree.

DeConcini: You could have taken it at any time. He did wait until he had taken that. We postponed getting married until after he'd taken the bar. We met in February. He was completing those courses then. Then he was studying for the bar exam with Rose Silver. That was in the fall and so then he took the examination in December, on the nineteenth, if I remember correctly. And we were married right a few days after that, the twenty-fourth.

McNulty: Where were you married?

DeConcini: We were married, would you believe, the Episcopal Church at the corner of Speedway and Stone. I can't remember the. . . . Grace Episcopal.

McNulty: Grace Episcopal Church.

DeConcini: Yes. We tried, our marriage was kind of a thing we were trying to complete along with Law School and Evo had not given very much thought as to who would marry us. When he asked the priest, the priest said, "Well you haven't given me time to give me

[Ora] the proper instructions." I didn't wish to be married by the Mormon Bishop, neither did Evo. And neither did I want to be married by a J.P. [Justice of the Peace]. So at the very last minute we didn't know who was going to marry us. But we knew we were going to get married.

McNulty: Who . . . ?

DeConcini: This priest, minister down there was a friend of Evo's, is how we went down there.

McNulty: What was your relationship with the L.D.S. Church by this time?

DeConcini: Well, I had, as I told you before, gone to church schools all my life, up until the time I registered here at the University in 1927. And I used to room with girls from the L.D.S. Church. And my family were always known as what they call Jack Mormons. Maybe not always, but most of the time. My father was always there to buy the piano for the church or help them put the new roof on, but he was not very active otherwise, in the ministry of it. I remember, well Spencer Kimball, the one who just died, was a friend of mine at the Bank of Safford when I worked there, with Spencer Kimball. He was a teller and I was a secretary to the president of the bank.

McNulty: You're talking about the President of the Council of

Apostles.

DeConcini: Right.

McNulty: The highest position you can obtain in the Mormon Church.

DeConcini: Right. The one who just died. Was a friend of mine in Safford. His father was president of that stake and also ruler of the Gila College. He came to see my father. I'm digressing a little bit, but to tell you how my family was. He came to see my father once to ask him to go on the Bishopric. At that time my father was buying mohair for the Rider and Brown Mohair Company in Boston, Massachusetts, as well as owning ranches. So he was gone a great deal of time. So this Brother Kimball came and said, "Brother Webster," he said, "you have had the call to be on the Bishopric of this Mormon Church." And my father said, "Well, Brother Kimball, I have to tell you that I just can't do it. I'm not here enough. I don't have time. And it would be wrong for me to accept it." Brother Kimball said, "Brother Webster, if you don't accept this call, you'll go down, down, down." And my father said, "Well, down I go." So that was my father's definite--that he didn't really ever break with the church other than that, but that was how he told Bishop Kimball, Brother Kimball that he couldn't be

on the Bishopric.

McNulty: So neither of your parents were distressed by the fact that you were married in the Episcopal Church?

DeConcini: No. My mother. . . . No. My mother and father never mentioned to me that I had married a Catholic. Of course, our marriage was later fixed up by Bishop Green. But Evo didn't give them enough notice to start with. My older sister, who sort of ran the family and sort of raised me, she did raise the question. She said did I. . . . No, it was when I became a Catholic. They all liked Evo so much that they never said anything about me marrying Evo. My father thought Evo was the smartest man he ever knew because they used to use barter when nobody had any money. If you want me to tell you about that, I will, go back to the thirties. But my older sister, when I became a Catholic, that's when she asked me, did I have to become a Catholic. And I said, yes, I did, because I believed. And that closed that chapter. But my mother never raised the question, my father either. Of course, my father was killed. We were married in December; my father was killed the following February, also in an automobile accident.

McNulty: What about Evo's mother? How did she feel about his being married in the Episcopal Church? Was she a

practicing Roman Catholic?

DeConcini: Well, yes, she was. She was not like some of the Irish Catholics that thought you had to do certain things. (chuckles) She thought that it was time Evo was getting married. And I guess she liked me. I know he tested her one time. After we were going to get married, he went home one night and he said, "Momma," he said, "I don't know if I'll get married or not. I don't know if this is a good idea or not." "Oh," she said, "what are you waiting for anyway?" She just put her foot down. So that showed him that she thought, "Yes, it's time you were getting married." So she never objected. She did object--now Evo, when we got children, he did nothing about their education. So at one point I tried to go back to the Mormon Church. I took the children and we went to these little classes. Momma DeConcini did say to me then, "Are you going to make Mormons of these children?" I didn't know what I was going to do. I just felt that they needed some religious education and I didn't know anything about the Catholic religion. I didn't then. I later took instructions myself and had them take instructions.

McNulty: Yes.

DeConcini: Could I take a moment, Jim?

McNulty: Yes. You do so.



(tape stops, then starts again)

McNulty: I think we've got Evo graduating from the University of Arizona about 1932?

DeConcini: Right.

McNulty: And admitted to the Bar the same year?

DeConcini: Yes.

McNulty: He had a meteoric career, and I don't use the adjective lightly, in the next twenty years. How do you account for the extraordinary speed with which he progressed through the ranks of the law, public service, Democratic Party, the Bench?

DeConcini: Yesterday I had a meeting with David, who is administrator of my husband's estate, and we were talking about many things. And just to give David a little background about how we started, I told him this little story, which I'll tell you. We were married in 1932 and it was really the depths of the Depression. We didn't have any money. Evo did have some land, lots, various lots. He traded a lot for three cows. No money involved. He traded one cow to a tailor who made a suit of clothes for Evo and one for me. He traded two other cows to the dairy that delivered milk to us for a year, or whatever the time was. And that's how we got along. We lived on--he had a mortgage on a little house on Hawthorne Street and he told the man that he wanted

the house to live in. So we moved in there. It had a corrugated roof on the garage. Someplace along the line we bought a washing machine. I used to get up at five o'clock in the morning and go out there to wash. For two reasons: if I waited until it was later, it was too hot--maybe I didn't do it in the wintertime--but, also I had babies awake, so I got up early for two reasons and got the family wash out of the way.

Then, also when we moved in there, there was a furniture store down on Scott Street that was having a real hard time selling anything, and for very little money, like, I don't know, a hundred, eighty-five dollars, we bought enough furniture to live in that house. I still have the little fireplace stool, wrought iron, that he gave us as a present, wedding present, for having bought our furniture from him. Well, I was just bringing David up to the facts that--I'm sure he knows some of these things, but I wanted him to know where we started from.

Then Evo, he was always an adventurous person. He went into my--well when I first met, knew Evo, he had an oil well in Hermosa Beach, California. He was very concerned about one part of it. He had given a man who was helping him with it--in what capacity I don't know exactly, but he was running

the business--he had given him some money to take workman's compensation and the man had not taken it, and a man got hurt over there. And so Evo was very concerned for fear this man might come back and sue and so forth. How he settled it, I don't remember exactly, because at that time there were many things going on. It finally was settled all right, so that he didn't have any problem about it. So that was one of his adventures. And then, of course, he had various mines out around here. He never really got in very deep in any of them to the place where it broke him. Then he got started into real estate. All of the streets in this town that are named for poets were named by Evo. Did you know that?

McNulty: No, I didn't.

DeConcini: Longfellow, and all those streets. They were all named by Evo. He owned some pieces of property several times. Like the corner of Broadway and Alvernon, it was part of a subdivision that he bought. In a big deal he sold off the corner for two hundred and fifty dollars, or whatever. Then, a few years later, he thought it was a good buy, so he bought it back for, we'll say, five hundred. Then, a few years later--he owned it three times, anyway. I think the last time it sold was something like two hundred, seventy-five thousand. I believe that's

about right. So this was the kind of thing that he did.

He bought land down by the government hospital--he always was able to see where something would work. The government came here and built a hospital. Well that told Evo that people were going to need homes down near that hospital. So he went down there and started Government Heights. Then following that he had National City. The first one that he had, he had a company come here and teach him how to subdivide it. And of course people didn't have any money then. So they paid a dollar down and a dollar a week for their lots. Then they built their own house. One time a man built his house on the wrong lot, and Evo had to straighten that out.

So then after he did the Government Heights that way, then he did National City on his own. And he also had to put in the water wells to furnish these people with water. So when I first knew him, he had this company called the Monterrey Water Company. He had loaned Harry Bryant ten thousand dollars, and Harry Bryant did not repair the water company, but he milked the water company--and he put up the water company for security. So eventually Evo got this water company back, which was not in

good condition. When we lived on Hawthorne, I really hated to answer the telephone because I knew somebody was out of water. And Evo was doing his best to get it back in shape.

He had a secretary that he had for forty-some years, her name was Hassie Baker, and when he got her--he got her with the Monterrey Water Company-- she was making six dollars a week. So Evo promptly raised her to ten dollars a week. Well, she stayed with him for some forty years, and after that she. . . . She has now died, but her husband is part owner in a valuable piece of property with us, so he always took care of his help. He had a bookkeeper named Romeo Cogliolo and he had him for some thirty years. So this was the way his help was. So it's been hard for Evo to see the office change over to computers. David has purposely left everything to do with Evo's own business in the old-fashioned bookkeeping.

McNulty: Did you work at all after you were married?

DeConcini: Well. This is interesting. When Hassie Baker would take her weeks off, Alice, Evo's sister who was also a secretary, or I, we would fill in for Hassie, depending on which one of us was not pregnant at the time. And that's the only work that I did, then, because I had two babies right away and then later

had two others. During the war when everyone was out working on the war effort and school teachers were very hard to come by, they were pleading with anyone who had ever been accredited [certified] to come back. So I went down and registered and did substitute teaching at Roskruge School. I didn't tell Evo I was going to do it. He came home one day at four o'clock and I was in bed. And he said, "What are you doing in bed? Are you sick?" I said, "No. I'm dead." I said, "I've been teaching school all day and I really am dead." Substitute teaching in the junior high school level is a hard job. So that was the only work that I did.

McNulty: Did Evo open up a practice or go in with somebody as soon as he was qualified and had passed the bar?

DeConcini: Yes. Evo started out at 90 North Church Street. And he never formed a partnership with anyone, but he was in with Hartman. Hartman's first name has skipped me.

McNulty: Francis?

DeConcini: Francis Hartman, that's right. I've got a lot of those other names down, but I. . . . So Francis Hartman was a. . . . Oh, wait just a minute. Let me digress. His first experience was with Hilzinger, George Hilzinger, who was a brilliant lawyer, but had a problem with the bottle. So that

was at 90 North Church Street. And I'm sure that Hilzinger gave Evo a lot of good advice on law when he was there.

McNulty: Was he making any money there, though?

DeConcini: His first fee was five dollars and his second one was fifty dollars. I remember those two. Then, in one of the letters that I read, that he had written to somebody, he said, "I had a good month this month. I got a fee for seven hundred dollars." So those are the three fees that I remember. That was back in the thirties.

McNulty: Why did he move on from Hilzinger to Hartman?

DeConcini: Exactly why he moved from 90 North Church, I'm not sure. He had the water companies in with the law practice. He always had that. And someplace along that line he was appointed Assistant Attorney General, and I'm not sure that that had anything to do with the move. I don't--I think that he was still at 90 North Church then. I think that it was when he came back from being Assistant Attorney General that he moved to 510 Valley Bank, where he was for quite some time.

McNulty: As Assistant Attorney General, did he practice here in Tucson, or was he required to go to Phoenix?

DeConcini: No. We moved to Phoenix. We had one baby then, and we moved to Phoenix. He was making \$250 a month.

He had some properties here that were paying in, like a dollar down and a dollar a week and maybe enough of them that he had a little business going here. So he gave me his big check of \$250 a month. We had that little house, then, that I mentioned, on Hawthorne Street. We rented it furnished for \$65 a month. We were looking for a house in Phoenix on West Portland Street, near Seventh Avenue, and the woman wanted \$75. I said, "I have a comparable house in Tucson that I'm getting \$65. That's what I'll give you." And she took it. So we moved in there and we stayed there during the time that Evo was Assistant Attorney General. I think it it was during that time that the banks were closed and he did this thing with the Bank Department, you know, of, when all the banks were closed in Arizona? And he liquidated these banks.

McNulty: During the so-called Bank Holiday.

DeConcini: Yes. I remember remarking that I moved to Phoenix to be with Evo, and I wasn't sure if I should have moved to Globe or someplace else. Evo gave me his check and I ran the house up there, and I saved a thousand dollars.

Tape 1, Side 2



DeConcini: I remember these things very well. So it shows you what you can do on \$250.

McNulty: Had he been active in a political campaign for the person who was elected Attorney General?

DeConcini: Yes. He was active in Sullivan's campaign.

McNulty: And was it Sullivan for whom he served as a deputy?

DeConcini: As assistant. Yes. That's right. It was. Then, as you know, later Sullivan was indicted, and that's when Evo, when Governor Sidney P. Osborn appointed Evo as Attorney General. I have the headlines and all of that--it would have been interesting if I'd have dragged them out, but I didn't think of that.

McNulty: Yes. So it was Governor Osborn . . .

DeConcini: . . . who appointed him as Attorney General. It was Sullivan who chose him as an assistant.

McNulty: Yes.

DeConcini: And then Evo knew of this problem that was going on with Sullivan, so he just didn't feel that he could go out and work for Sullivan, so then we moved back to Tucson.

McNulty: Could not Evo have run for the job himself?

DeConcini: He did run. See Sullivan was indicted before the next term time was up.

McNulty: O.K.

DeConcini: So he did run the very next time.

McNulty: And was elected?

DeConcini: No. He was appointed. He was appointed and then ran. All right. And was elected.

McNulty: And served one term.

DeConcini: Right.

McNulty: Why did he forsake that and decide to come back to Tucson?

DeConcini: Probably the salary, was the thing. I know that's why he left the court. Very likely it was the salary and plus the fact that he had business going here, and he felt that he could do better for himself here.

McNulty: Was he trying to be Attorney General and take care of these businesses down here as well?

DeConcini: Yes. And he ceased to buy or deal in anything when he was holding public office. He didn't do any buying at all. Nor subdividing or anything.

McNulty: But he had several subdivisions already in place.

DeConcini: Whatever was going, he let go and let someone else run. Because that was done and just being, you know, paid in and all. But he never went out and sought other real estate ventures.

McNulty: Is Harry Bryant a guy who married a woman named Machie Piggs and whose sister was George [W.] Chambers' first wife?

DeConcini: I think so. I have forgotten. I remember where Harry Bryant lived and all, but what his first

wife's name was I'm not sure.

McNulty: He was a great athlete at the University of Arizona?

DeConcini: Yes. I think that's right.

McNulty: And he had trouble with alcohol as well.

DeConcini: Right.

McNulty: His son was my best friend.

DeConcini: Oh, really? That's interesting.

McNulty: Yes. Isn't it. (pause) So, O.K. You folks are now are on your way back to Tucson after serving a term as Attorney General. Is this when he began the law practice in the Valley Bank Building?

DeConcini: Yes. And we went back to our little house on Hawthorne Street and had another baby--that was Dennis--and he continued to practice in the Valley Bank.

McNulty: What happened during the war years?

DeConcini: Well, during the war years, Evo was, always thought that he might be drafted. This is in his correspondence, too. He was too young for the First World War and he always thought of the possibility that he would serve in the Second World War. He didn't for some reason, that I guess it came to an end before his his number came up.

McNulty: Well, he was forty or forty-one years old the day of Pearl Harbor.

DeConcini: Yes. If they had continued to, if the war had

continued, he may have had to go in.

McNulty: His interest in the judiciary. . . . Do you remember when he first had that interest?

DeConcini: Not exactly. I remember that he. . . . When Pima County was large enough they were going to have a second judgeship, he decided to run for it. He was a good friend of Bill [William G.] Hall's. And that's when he ran for the second place.

McNulty: Was Hall the judge at that time?

DeConcini: He was the judge, yes. The only judge.

McNulty: I see. So when this additional court was created, nobody was appointed, initially?

DeConcini: That's a good question, Jim. I'm not real sure. I think maybe Evo was appointed.

McNulty: Initially.

DeConcini: Yes. And then ran for it. He did have opposition, but he won it.

McNulty: That would have been in the forties, early forties?

DeConcini: Right.

McNulty: And Governor Osborn would still have been the Governor.

DeConcini: Yes. Right.

McNulty: And after appointment, he did run and serve another term?

DeConcini: And served a term as Superior Court judge.

McNulty: Then once again he resumed his private practice and

business life?

DeConcini: He was always doing that. Like I said, I should have read his book again to get these things in sequence. Because he always came back and practiced law, which was one of the reasons he never established a firm. Because he had these things of coming and going and he always wanted to be able to do his own thing.

McNulty: He was registered as a Democrat. Did he have strong feelings of a political nature?

DeConcini: Yes. He did. He had strong feelings about being a Democrat.

McNulty: Had he brought them with him from Michigan?

DeConcini: That I don't know. He registered, of course, for the first time here in Arizona.

McNulty: Or was that an outgrowth of seeing the condition of the nation through the Depression?

DeConcini: I think his father was a Democrat too. So I think that he did bring these things with him.

McNulty: Yes. I read a speech he made to the Bar convention in which he deals, in a good-natured, humorous way with the Democrats and--this was shortly after Harry Truman had been elected President. But it was obvious that he did it with some pleasure, as well.

DeConcini: Yes.

McNulty: Did he have a strong identification with Franklin

Roosevelt, for example?

DeConcini: Oh, yes.

McNulty: The time period between his leaving the Superior Court Bench and his seeking the Supreme Court was relatively short, I don't know, four, five, six years.

DeConcini: Yes. His book would tell us that. But I didn't review it last night.

McNulty: What stimulated him to go back, once again, into public life and run for the Supreme Court?

DeConcini: That's a good question, Jim, and I don't know the answer. He liked the judicial part of it, and I know why he didn't stay was because we were living in Phoenix, he had served up there four years. They elected two judges, Judge [Marlin T.] Phelps and Evo, when they changed the court from a three-man court to a five-man court. Evo and Judge Phelps were elected. Judge Phelps, being from Maricopa County, got a higher vote count than Evo did. So he took the six-year term and Evo took the four-year term. And so we moved to Phoenix once again and he served the four years, and enjoyed the work very much. And he said. . . . Well, let me digress just a little bit. Jim [James M.] Murphy told me last night that once when he was trying a case in front of Evo, Evo knew that a certain law was a certain

way and he said, "Let's take a recess and see about this." And they checked on it and it was a Supreme Court decision that Evo had written when he had been invited to serve as a guest judge up there. So he had an interest in this all the way along. We were living on Flower Circle in Phoenix when he told me that he did not intend to run again. And I think that he had a very good reputation, I don't think he'd had any very strong opposition. So I said, "Why are you making this decision?" And he said, "I've looked around the house and I've got four children to educate, and I'm making \$6500 a year. Now Dino's tuition at Georgetown this year is \$3000. So the facts are the facts." So that was when he decided to come back to Tucson the last time.

McNulty: Do you know any people, particularly lawyers, that were in his corner when he ran for the job, that urged him to run, that served on committees for him?

DeConcini: No, I don't. Evo was always kind of a one-man team, so to speak. He was a one-person-practice office. He spoke of many lawyers. The old-timers, I remember the ones he used to talk about, but I do not remember that any of them were, so-called on his team. Bill Hall, who was the judge then, was a friend of ours and thought that it was a good idea for Evo to run. I don't think a judge who is also

maybe going to run again, necessarily goes out and campaigns for someone running. Gerald Jones may have encouraged him, because Gerald thought that he would be very good to be a lawyer.

McNulty: You must have gotten to know the members of the Supreme Court. That's a relatively small society, even in a tiny state like Arizona.

DeConcini: Yes, I did. The lawyers I remember in Phoenix so well. . . . The first one who came to call on us when we moved up there, the very first time, was Allan Perry's wife. She came with this little boy who is now Allan Perry, Jr., practicing law in Phoenix. Then, of course, Allan and Evo were very good friends and we went out socially together. So Allan Perry, I would say, was our best friend in Phoenix. He was not on the court. The lawyers who were on the court with Evo were Levi [S.] Udall, who was the Chief Justice. . . .

McNulty: Raughlie [C.] Stanford.

DeConcini: Raughlie Stanford.

McNulty: Art [Arthur T.] La Prade.

DeConcini: Art La Prade and Phelps. What was his first name?

McNulty: Marlin.

DeConcini: Marlin Phelps, and Evo were the five that served at that time. We were never social friends with any of them. We were at occasions, but mostly business



occasions. I, for one, was busy raising a small family and I think most of these men were older men, who had grown families. Which accounts, in some part, for your friendships and so forth.

McNulty: Yes. Did Evo enjoy his time with these people?

DeConcini: He did. He enjoyed it very much. He worked very well with all of them and was a good friend with all of them.

McNulty: Did he ever talk to you about the other members of the court or his impressions of them?

DeConcini: Yes, he did. He used to talk about how some of them hung onto certain ideas, you know, longer than others did, and how some of them had a certain way of working and all. I think he's mentioned quite a bit of it in his book.

McNulty: Was he especially fond of any of the members of the court?

DeConcini: He was. He was fond of Levi Udall. He saw Levi's strong points and his, what you might say were, what Evo thought were his weak points or his weaknesses. He also was very fond of Judge Phelps, who was one of the harder ones to get along with as I understand.

McNulty: Judge Phelps, in later years, was extremely conservative . . .

DeConcini: Yes.

McNulty: . . . and was said to be either partial to or a member of the John Birch Society.

DeConcini: Right. He and Evo had very different philosophies, but when it came right down to deciding a law case, I think that Judge Phelps was found to be quite fair. He probably was bound to be affected a little bit by his philosophy, but . . . .

McNulty: With Judge Udall he would have been dealing with somebody with much the same background that you had yourself.

DeConcini: Yes.

McNulty: Did you know Judge Udall at all?

DeConcini: Oh yes. And I knew his wife also. I have a very funny story about his wife, which is not quite to do with this, but it's such a good story about early Arizona I think it might be interesting to tell. Stewart [L.] Udall told me this story not too long ago. He said that when his mother was old and they were having different ladies from the church take care of her and she did not have very many days to live, as obvious, he said one of the ladies was telling her how wonderful the hereafter is and how great it was going to be there. She would join Levi and her parents and so forth, and telling her how wonderful the hereafter was going to be. And Mrs. Udall said, "Well Sister so-and-so, I kind of like

it here." (laughter)

McNulty: She wasn't ready to make the trip quite yet. With respect to Evo and practicing law, did he like to practice law?

McNulty: Yes, he did. He had a great respect for the law. He thought that the law was a wonderful thing to study, for many reasons. He thought it was a wonderful background for a person to have. And, as you know, he had several times had articles published in the Case and Comment magazine and he always drew on his law background for things that he did, in his speeches and other things. He really had a sort of a reverence for the law.

McNulty: Had there ever been any people trained in the law in the background of his family?

DeConcini: Not that I know of.

McNulty: Did he encourage the four children to have that same attitude toward the law?

DeConcini: Yes, he did. He always told them that it would be a wonderful thing, a good background. I think the two older sons never had any doubt but what they would study law. When David came along, he thought that we might be upset, because he had decided he didn't want to study law. And our reaction was, "Well David. Not everyone has to be a lawyer." And David has a wonderful philosophy without being a lawyer.

McNulty: Did Evo go to court, and try cases, at all?

DeConcini: He did occasionally although that was not his main forte. He was not known as a trial lawyer.

McNulty: Did he enjoy the give and take of the courtroom when he acted as the judge?

DeConcini: Yes. Yes he did. And I happen to know some of the experiences that he had there. This one might be worth relating, I won't mention names. But at one time when he was holding court, two lawyers got real heated in their discussion and they got in a fist-fight!

McNulty: (laughs)

DeConcini: One of them hit the other in the nose and there was blood everywhere. Eva Cloud who was the Clerk of the Court then, or the Court Reporter, she got so upset, she was a very delicate person anyway, and Evo immediately said to Bailiff, "Lock the doors!" The press never knew about it. It never-- there was never a word of this in the press. Had they come in, they would have ruined both those men's lives. But that was the first thing he did. So he gave both the lawyers a good dressing down about it and probably dismissed the court for the time being, but finished the trial afterwards, and the media never ever knew about it. I thought that was pretty smart.

McNulty: What was the relationship between the Judge and these two lawyers, or for that matter, you and these two lawyers? You surely saw them in years after . . .

DeConcini: Yes. It was, the relationship was good. One of them we knew better than the other. And our relationship with him was very good, and the other one I only knew as I knew a lot of other lawyers in Tucson at the time.

McNulty: Did Evo ever talk about lawyers that he thought were exceptionally skilful or good at trying cases, good at making talks to the jury?

DeConcini: Well, he did. Of course he had a great respect for Gerald Jones, both as a lawyer and as a friend. He also spoke very highly of Archie Conner. . . . Cliff McFall was another one who I think shared office space with Evo at one time, and he had a great respect for Cliff. And also for. . . . Hartman, the one who was in his office for a long time. He spoke of many of the lawyers. John [D.] Lyons, of course, was a good friend of his, and later served as judge. And he spoke of him very highly. Of course Bill Hall was a personal friend of ours as well as being a legal friend.

McNulty: Did Evo ever hire a lawyer occasionally to do things for him in connection with the water companies or

the subdivisions, things like that?

DeConcini: I think he did, but I'm just not prepared to say.

Of course, Evo served on the water commissions, the Arizona, the Western States Water Council and the Arizona. . . . What was the one on Arizona called? It's in his book again.

McNulty: Oh. I think it's called, probably those days, Arizona Interstate Stream Commission?

DeConcini: Interstate Stream Commission. Yes. He served on both of those commissions, and used to go to represent Arizona through all the Western states. This was one of the very interesting things that he did.

McNulty: What was Evo's disposition toward the general subject of public service?

DeConcini: Well Evo always felt that it was something that people, in general, should, people had to do, to make the process work. You had to give something for what you received. He had a very great patriotism for this country and he felt that this country had given him a lot and that he needed to give back something. And he taught his sons the same way. And I think they have given a great deal.

McNulty: Well, all the kids have at some level or another, beginning with a place as high as the United States Senate, participated vigorously in the life of the

Tucson, Southern Arizona community.

DeConcini: Yes. They have.

McNulty: But, certainly the L.D.S. church had the same disposition toward that subject, did it not? Public service?

DeConcini: Yes, they did. Of course they served within their church, mostly. I guess that's not accurate either because lots of the L.D.S. people also served in public office.

McNulty: I'm getting at, is your disposition towards the subject of public service much the same as you've just described Evo's?

DeConcini: Well, it was in that I served--I was thirty years a precinct committeewoman, and did all these precinct phones, which I should be doing now to get this proposition passed. (laughter) But for thirty years I served as a precinct committeewoman and then for eight years I was the Democratic National Committeewoman, all at my own expense, and travelled back and forth to Washington. And I thought it was a great learning experience and a--really, I felt that it was a great privilege for me to be able to serve, and if I did anything that was for the good of the community, I'm grateful.

McNulty: Did Evo have any pet peeves or any sorrows about the evolution of law in the United States, as he saw it,

over the long period of his. . . .

DeConcini: I don't think I can answer that, Jim. I really don't know what his feeling would be in that regard.

McNulty: I've read an article where he said he thought that it would be inappropriate to do away entirely with capital punishment. He said that he thought in some circumstances that was still an appropriate punishment.

DeConcini: I think he did feel that that was an appropriate punishment.

McNulty: In another place he talked . . .

DeConcini: The other thing that he did, even though he felt that that was a proper punishment, he was always a little grateful that he never had to impose it, the death penalty on anyone. That I remember of him speaking about.

McNulty: In those days judges weren't as departmentalized as they are now, and he spoke on a number of occasions about the subject of dealing with juveniles. He apparently found that very distressing.

DeConcini: Yes. That was a distressing part of his practice. I don't know for how long a time, but for a period he had the juvenile, did exclusively the juvenile work. And it was very distressing, he just thought these young kids were so belligerent and he just didn't know what to make of it, and I don't know



what he would think now, of what has come.

McNulty: In your opinion it's a great deal worse now that it was then?

DeConcini: Oh, I think it's a great deal worse.

McNulty: Yes.

DeConcini: Less parental control and more harmful things such as drugs and alcohol abuse and all of that.

McIntire: Stop tape here.

(tape turned off, then turned back on)

McNulty: We're going to kind of wind up now with just some general philosophical views. What's your opinion about the frequency with which people resort to the law? Are we too litigation minded?

DeConcini: I think we are. It seems to me that years ago there used to be ways of settling some of these affairs through their church or their lodge or some means of arbitration, without everyone starting a lawsuit for ten million dollars over every little thing. It now it seems that no matter what the question is, they're going to go to court. And it overloads our courts and it is time consuming and money consuming and I think it's wrong myself.

McNulty: You mentioned Ralph [W.] Bilby's father, who was a Justice of the Peace in Graham County.

DeConcini: Yes.

McNulty: Was that a more honored position, you think, in

those days, than the position is today?

DeConcini: Well I think it was, because, there was only one. He was one, of the county there. I knew Ralph and knew his family, his brothers, all. I knew his first wife, Marguerite; she taught at Gila College, where I went. So, I do think that the Justice of the Peace, then, was a prestigious position.

McNulty: And if he brought some people in and told them what to do, there'd be a fair chance that they'd follow his advice and think he had the power to do it, even if, perhaps technically, he did not?

DeConcini: I would just assume that, I really don't know it. I was a little girl, then, and growing up in, over there, and I didn't know too much about what was going on in the courts.

McNulty: Is the degree which society seems to be litigation-minded a function of the number of lawyers or is it just a general disposition or unruliness on the part of the people?

DeConcini: Well, that could go either way. Maybe the reason there's so many lawyers is because there is so much litigation. (laughter) If there wasn't some idea that there was a need for them they probably would go into some other field, so, I don't know which way that goes, Jim.

McNulty: Did Evo ever express his distress about the degree

to which everybody wanted to run to court?

DeConcini: Yes. Yes, he did. He thought that was wrong. He always thought that many things could be settled out of court. And which I think he did settle out of court many times.

McNulty: His impulse would have been to follow Cochise County Proverb Number Seven, which says, "A bad settlement is better than a good lawsuit"?

DeConcini: I think he, yes, well I don't know about a bad settlement, but he would go along with the idea of making a settlement. (laughter)

McNulty: That that almost invariably was a wiser way to solve a quarrel.

DeConcini: Yes.

McNulty: Was it some sense of, when people do take quarrels to court that there remains for a long time thereafter some hard feelings and, even perhaps bitterness toward the outcome?

DeConcini: Oh, I think so--and of course there's a tendency to blame the lawyers and blame the judges by the people who lose. Someone has to lose, and I hear that from time to time and of course they think the judge was crooked or whatever, if they lose the case. Not always, but that's the way some people see it.

McNulty: Did Evo ever talk about having made a hard decision and made somebody angry, and have any sense that

this was disturbing to him?

DeConcini: Oh yes. He had times when he was fearful of people that he had decided against. Because sometimes people were belligerent about it.

McNulty: Did he ever seek any kind of protection?

DeConcini: No. No, in those days he, I don't know what he did but he did not have the kind of protection that Dennis has had to have since he's been on the, as a United States Senator.

McNulty: Yes.

DeConcini: Against drugs. [Senator DeConcini is a member of the Senate's International Narcotics Caucus, and a leading advocate against drug use.]

(pause)

McNulty: The subject of women in the law has come up in some of the recent interviews. Did Evo have any feeling about women as lawyers or judges?

DeConcini: Evo had a respect for women in the law. There were not very many at that time. Rose Silver is the only one I can think of that went back as far as Evo did, and he had a great respect for Rose's ability. He even took her law course to brush up before he took the examination to be a lawyer. And of course my own opinion is that now that they have made women citizens they can also become lawyers. And I, in my studies, twice took law courses. I took business

law at the University, which was one of my requirements, and I took a business law course at Woodbury Business College. And I had a little ability for it, and had that been the thing then, it might have been something that I would have pursued instead of teaching, because I liked it, I really liked it. I took the course from Dean Fegtly rather.

McNulty: Dean Fegtly. Yes. The first, who came out to be the first Dean of the Law College.

DeConcini: Right.

McNulty: And I guess did that all his life.

DeConcini: Yes. But Evo always felt that--well Evo's opinion of women, in general, he used to say that women are smarter than men. He said, "Go back to the grade schools." He said, "Who was always the head of the classes, in grade school? It wasn't the boys." He said, "It was the women, the girls." So he had a great respect for women, generally, and to their abilities. So he would naturally think that they would have ability to do the law if they wanted to.

End of interview.

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