

JACK D.H. HAYS INTERVIEW

Silverman: Today's date is September 18th, 1992, and it's 9:15 a.m. We are conducting the oral history of Justice Jack D.H. Hays. That is your full name Justice, is that correct?

Hays: Yes.

Silverman: That's going to be my first question because I did hear from one of the other Justices about your initials. Is there some story behind the D.H.?

Hays: Well, I started using that name with the two initials in it. Merely, I liked it, and it was a compromise between the two names, Jack D. Harrington, but then when I was a child my stepfather adopted me and I got the name Hays so I ended up picking the name I wanted. And that's it.

Silverman: Okay. Well we'll start out with your background information. Perhaps you could tell us about the date of your birth and the place of your birth?

Hays: Lund, Nevada. February 17.

Silverman: The year?

Hays: It was 1917

Silverman: In 1917. Where is Lund located in Nevada?

Hays: Oh, it's on the eastern portion of the state. Lund is about northwest of Las Vegas I guess would be the best way to identify it.

Silverman: Okay.

Hays: A couple hundred miles.

Silverman: Is it a mining community, or a farming community?

Hays: Ranching.

Silverman: Ranching.

Hays: Lund itself has a population, or had, a population of, oh, three or four hundred people.

Silverman: And it's still there, Lund?

Hays: Still there. I checked about, oh, four or five, oh, it was as much as, maybe it was ten years ago I went through Lund on purpose and had a hard time finding it.

Silverman: Could you tell us something about your parents? Your father's side you could start with.

Hays: Well, my father died when I was an infant. My mother after that moved from Lund to Salt Lake City. My stepfather I will refer to as my father because he was my father for all intents and purposes from the time. . . .

Silverman: Did you know any of your grandparents?

Hays: I knew, on my step, on my father's side, my grandmother Harrington. Now that just belies what I said before because he's on my father, the not adopted father, but the natural father.

Silverman: And what was your mother's maiden name?

Hays: Thelma Savage was her, that was her name.

Silverman: Do you know where her family came from?

Hays: Yes. Southern Arizona. Cedar City would be one of the little areas. It was all--that's all Mormon country.

Silverman: Were they in farming? Or what type of businesses were they in?

Hays: Mostly agriculture.

Silverman: Do you know anything back farther than your grandparents?

Hays: No. My mother's mother was--my mother was born in that area I talked about. And her mother was alive--oh, I think she died. . . . She was. . . . Shut her off a minute. (Tape turned off and then turned back on.)

Silverman: Okay, so your mother's family's name was Savage and they came from Cedar City. Do you know the names of any of her, like her mother's name maiden names, do you know any of those other names?

Hays: No, I don't.

Silverman: It's amazing, when you go back, how much you don't know about your families (laughter).

Hays: Yes, that's right.

Silverman: It's really amazing.

Hays: I have something that--when I was a very small child,

maybe four years old, we were in, at Lund at that time. I remember being beside a small irrigation ditch and I fell into the ditch and my aunt reached over and caught me by the hair and pulled me out. Now this is something I remember at four and. . . .

Silverman: Who was the aunt that pulled you out?

Hays: Let's see, her name was Wilma.

Silverman: Aunt Wilma. On your mother's side?

Hays: Yes, yes.

Silverman: So she was a Savage too?

Hays: She, Wilma, was married. . . .

Silverman: Do you know her married name? Wilma's?

Hays: Yes, that's what I was trying to get to. Heinroid or Henriod.

Mrs. Hays: Henroid, H-E-N-R-O-I-D

Hays: Henroid. Who was a Supreme Court justice for Utah.

Silverman: Did you have other lawyers in the family?

Hays: No, I don't know of any.

Silverman: Do you know what your natural father did for a living?

Hays: Transportation. I think, frankly, it was some wagons, because they were still using them in that part of the country.

Silverman: Maybe hauling cattle or something?

Hays: Yes, yes.

Silverman: Do you know how your parents met?

Hays: My mother worked in Salt Lake City. We went from Lund to Salt Lake City. My mother was a secretary and he was the boss. That was their association.

Silverman: And what was your stepfather's full name?

Hays: Charlie Hays. And it was Charlie, not . . .

Silverman: Charles.

Hays: . . . Charles.

Silverman: What kind of a business did he have?

Hays: A variety. When moving pictures were barely moving-- why, he owned some of the new moving pictures. "Birth of a Nation", one of the earliest ones. He owned some of them and had three or four theaters. Then he went into radio in Salt Lake City and got involved working on, well the forerunner of. . . .

Silverman: How long did you live in Salt Lake City?

Hays: Until I was about ten.

Silverman: And then where did you move to?

Hays: Chicago; Detroit; Toledo; Elmira, New York.

Silverman: I know an attorney in Elmira, if you can believe that, of all places.

Mrs. Hays: His father worked in a bunch of different places. Isn't that right?

Hays: That's right.

Silverman: And he was in the entertainment business, basically?

Hays: No, no. He was in the some of the technical things of

putting these radios together.

Silverman: What did you think about all this moving? Did you enjoy that?

Hays: Yes, I enjoyed it very much. I recall when I was about, oh fourteen, going up to my father one day and saying, "Dad, we've lived in this place for a year. Isn't it time we move on?"

Silverman: Do you have siblings? Brothers and sisters?

Hays: Oh, a sister who is now deceased.

Silverman: Was she older or younger?

Hays: Younger.

Silverman: And what was her name?

Hays: Moonyeen.

Silverman: Oh, how do you spell that?

Hays: M double O-N-Y double E-N.

Silverman: M double O-Y

Mrs. Hays: M double O-N.

Hays: Moonyeen. Moon-yeen.

Mrs. Hays: M double O-N-Y-E-E-N. Moonyeen. Where do you think she ever . . .

Hays: Irish

Mrs. Hays: Well, wasn't your father, didn't your father, your stepfather, work at this company that made scales. Wasn't he a troubleshooter

Hays: Yes.

Mrs. Hays: He wasn't always in just this radio.

Hays: No, no, no.

Mrs. Hays: See, you never mentioned that at all. It's a well known company, and I'm trying to think of the name of it.

Silverman: So, how old was Moonyeen, or how many years apart were you?

Hays: Five years.

Silverman: Five years? And, is the Harrington, is that Irish too or the Hays is Irish?

Hays: The Harrington is Irish.

Silverman: Okay. Do you know where your relatives were from in Ireland?

Hays: Over on the western side of . . .

Silverman: Like what is it? County Cork and?

Hays: There's a little Irish corner that isn't very big, and nor do I know when they came to the country.

Silverman: And how about the Savage side? Is that English?

Hays: Yes.

Silverman: Did your mom work at all, or did she do any community activities while you were growing up?

Hays: She worked a good bit of the time as a secretary. In fact she ran a business, training, teaching stenography and so forth.

Silverman: So you did most of your grammar school in Salt Lake

City? Through age ten?

Hays: Well, I couldn't tell you the exact. . . .

Silverman: So you went to quite a few schools then while you were growing up.

Hays: Yes, yes.

Silverman: Did you live in any one particular city for a long period of time?

Hays: A couple of years was the longest until I got to college.

Silverman: Where did you graduate from high school?

Hays: Senn High School in Chicago.

Silverman: Is that like Sand, like S-A . . .

Hays: S-E-N-N.

Silverman: Was Chicago a real big town back then? It was a pretty big city, wasn't it?

Hays: Oh yes, yes.

Silverman: There was probably a couple of million people there, I imagine, even in the twenties. Were you there during all the mob activity?

Hays: I don't know when it started or stopped.

Mrs. Hays: You were here, weren't you?

Silverman: Do you remember any of that stuff that went on?

Hays: We were living in Chicago and I had been joking with my uncle about the bad part of Chicago. He said, "Well Jack, I'll take you by and let you see a little

of this." So we drove over in the, I assume it's the Italian section of town, and there was a floral shop.

As we started to come by there, you look in the windows and you could see as we came closer, I mean we were in a big black car and we drove by slowly. There was more activity in there, whether they were getting machine guns or what you sort of felt that way and I was ready to agree with him that that was possibly a mafia area.

Silverman: It was Al Capone, was the most famous back then, wasn't he?

Hays: Yes, yes.

Silverman: Do you remember anything else about Chicago?

Hays: I lived in Chicago twice. I mean with an interruption there. We had a deep snow one winter and I had to carry my sister to go to school. That was when they had those temporary buildings that they put together. That's the kind of school we were going to then because the schools could not keep up with the inflow of people.

Silverman: Did you live in an Irish community? Do you recall?

Hays: No. There was a new, we moved into a new apartment, and there wasn't any particular ethnic group. Most of them had only lived there a short time.

Silverman: Did you have any--well I suppose with all the moving

around then, did you get to know any uncles or aunts
very well?

Hays: Well, when my mother's sisters . . .

Silverman: Aunt Wilma? Did she have another sister?

Hays: Leona.

Silverman: Leona? What was Leona's last name?

Mrs. Hays: Thompson.

Hays: Thompson, when she married. And--I've lost that.

Mrs. Hays: Well, Henroid, wasn't that one of them?

Hays: Yes, that's Billy.

Silverman: That's Wilma. Were there any other ones? Wilma,
Leona, and what was your mother's?

Hays: Thelma, that's my mother.

Mrs. Hays: Roberta.

Hays: Yes, Roberta.

Silverman: Do you know her last name?

Hays: Timberlake.

Mrs. Hays: Yes, Timberlake.

Silverman: Timber--just like it sounds.

Hays: Yes.

Silverman: And where was Leona living?

Hays: Salt Lake a good bit of the time. Then she married
and went to Monterey [California?].

Silverman: And Roberta's in Texas?

Hays: Yes, she was . . .

Mrs. Hays: In Dallas.

Hays: . . . in Dallas.

Silverman: How about on the Hays side? Did you have any aunts or uncles that you were told?

Hays: Well the uncle that I managed driving in front of a big glass window.

Silverman: Oh, yes. What was his name?

Hays: Ace C. Darling.

Silverman: Ace C. Darling. Is that Ace, like A-C-E?

Hays: Yes.

Silverman: Do you think that was a nickname or do you think that was his real name?

Hays: I don't know, he was rather secretive about that.
(laughs)

Silverman: So how was he related to your father?

Hays: He was married to my father's sister.

Silverman: And they lived in Chicago too?

Hays: Yes.

Silverman: Was your father originally from Chicago before he moved to Salt Lake?

Hays: I think he was born in southern Illinois. But the dates I can't give you.

Silverman: Do you know anything about his parents?

Hays: Yes, his father was a watchmaker in Rockford, Illinois.

Silverman: Do you know grandfather Hays's wife's name?

Hays: Gee.

Silverman: That's a tough one. Oh well, you can fill that one in if you think of it. You know, when you get the transcript. So now I think we'll go on after you graduated from high school. What college did you go to?

Hays: Southern Methodist University.

Silverman: How did you pick that college?

Hays: Well, my father was then working in Texas and in some of the other near states, I guess I could say. He travelled through certain states.

Silverman: Is that in Dallas or Austin? Where is Southern Methodist?

Hays: Dallas.

Silverman: Dallas. Did you go all four years there?

Hays: Well, it was all of six. I took both of my degrees there. They had a special program in those days when could, had a short cut.

Silverman: So you got a bachelor in what?

Hays: In. . . .

Mrs. Hays: Business administration.

Hays: It's right in here. (laughs) Let's just take this and. . . .

Silverman: Oh yes. There's an article that's got it all there.

Okay. Do you remember your college very well?

Hays: Quite well.

Silverman: Did you make any good friends in college that you kept over the years?

Hays: Yes.

Silverman: Who are those?

Hays: Specifically one. I lived in Elmira, you said you had a friend in Elmira.

Silverman: Who is your friend in Elmira?

Hays: Chat Welsh.

Silverman: Do you think he's still there?

Hays: It's been seven or eight years. I think--let's see, I had a visit from him. He was going someplace in a hurry and just went to the phone at the airport. And then we've written brief notes to each other. He was a very successful lawyer in, I think it was Syracuse [New York] he finally ended up in.

Silverman: He went to college with you?

Hays: No, he went to college back east.

Silverman: So he was a friend from high school?

Silverman: Yes, from high school.

Mrs. Hays: How about McGrand? He's a friend of yours.

Hays: That was in college--that was in college at SMU.

Silverman: That's okay, we can go back to high school too. As you were growing up, did you have any special hobbies

that you liked?

Hays: Hunting, fishing, having lots of fun, until I got to law school.

Silverman: Do you remember any teachers that were very influential as far as deciding on a law career?

Hays: No, I'd had my career all pretty well in mind. I wanted to be a lawyer, possibly a senator, and anything related to the law that way.

Silverman: What lead you to make that decision, or how did you do that?

Hays: I don't know. I really don't know. There we were in Dallas and I was going to go to college and I thought, "Well, I might as well stay here for my schooling," and then I stayed all, what, six years.

Silverman: Do you think Wilma's husband, Mr. Henroid, had an influence there at all?

Hays: Not particularly. I saw him on occasion and so forth, but we weren't particularly close. I guess we got closer when Henry, as we call him, Henry or Hiney, visited in Salt Lake City and I had come to Salt Lake City to see my grandmother. Spent some time with him but not a lot.

Silverman: Were you active in high school or college in any particular special events or clubs or anything like that?

Hays: Now we're talking about?

Silverman: Debate, newspapers, both high school and college.

Hays: Oh boy.

Mrs. Hays: Drama.

Silverman: Drama?

Mrs. Hays: Yes, he was in drama. Remember?

Hays: Yes, I was president of the Arden Club.

Silverman: Oh. President of the, say it again, Arden Club?

Hays: Yes.

Silverman: How do you spell that? A-R

Hays: D-E-N.

Silverman: That was high school?

Hays: No. That was in college.

Silverman: That was the drama club?

Hays: Yes.

Silverman: Do you remember any of the plays you did?

Hays: "High Tor", "Bury the Dead". I don't know why I remember these so well.

Silverman: Because you had fun. You remember the fun things the best. Shakespeare?

Hays: Yes, Shakespeare.

Silverman: But you decided not to become an actor then?

Hays: No. I never did. (laughter)

Silverman: That was your hobby?

Hays: Sort of.

Silverman: And practice for becoming a lawyer.

Hays: (laughs)

Silverman: Were you active in any other activity? How about politics? Were you into any politics at all?

Hays: Yes. I was in politics.

Silverman: Young politicians club? That kind of thing?

Hays: Yes.

Silverman: What were you in?

Hays: Barney McGrath. He was involved in dramatics. And we still exchange notes with him.

Silverman: Did you live on campus at Southern Methodist?

Hays: No.

Silverman: Lived at home?

Hays: Lived just, it was the--oh, I've got a blank.

Mrs. Hays: _____ where you lived?

Hays: Where we lived was only a couple blocks from where the school started.

Silverman: Were you in the military service or did you do any ROTC [Reserve Officer Training Corps] or anything like that?

Hays: No, I didn't. My military career started in July of, oh, I never remember it.

Mrs. Hays: 1940 or 1941, wasn't it?

Hays: Yes.

Silverman: So that was after college?

Hays: No, that was before.

Silverman: You were in the military before you went to college?

Hays: No. No.

Silverman: Then that was after. We'll stick with college a little bit longer. I have a few more questions.

Mrs. Hays: _____

Hays: May I look at that.

Silverman: Oh, I see, one area I didn't cover was part-time work, if you worked at all in high school or college.

Mrs. Hays: Oh, I think so.

Hays: I had a couple of aide in my . . .

Silverman: Teacher's aides? That type of thing?

Hays: One, two, I don't know what you would call them,

Silverman: Assistants?

Hays: Assistants, right.

Silverman: What courses were you assisting in?

Hays: Library was one and some research for one of my professors. They gave me a nice little pittance, but it helped.

Silverman: Did you have a paper route or do anything when you were in high school?

Hays: No. No.

Silverman: You moved around a lot, so that was . . .

Hays: Well, I did do something in Elmira, New York. I was about sixteen or so then. We had a garden of I don't

know how many acres, but a lot of them. That was during the depression and our produce did very well. So I did some farming. I haven't thought about that in a long time.

Silverman: Okay. Do you remember any courses or teachers in college that you really enjoyed or stand out in your memory?

Hays: Really, nothing. None of the professors did I have a particular attachment to or. . . .

Silverman: How about the law school, when you got into the law school?

Hays: Oh. (pause)

Silverman: The law school was two years?

Hays: No, the law school was three years.

Silverman: Oh. So you did your undergraduate in three years? Combined the whole thing. Did you like law school?

Hays: Yes, very much.

Silverman: Was it difficult for you?

Hays: No.

Silverman: Do you think it was a good training for your legal career?

Hays: Yes.

Silverman: Did you make any friends there that you kept over the years?

Hays: Oh, if you asked me to name them I wouldn't be able

to, but I had some friends. And they keep dunning me for money.

Silverman: A law school does, yes. Okay, so what year did you graduate from law school?

Hays: Oh, let's see. I was admitted to the State Bar in 1946.

Silverman: That would have been the state of Arizona?

Hays: Yes.

Silverman: Do you know if you took the Texas bar?

Hays: Yes. In fact, and I, because I was involved with the war then, why they granted me an admission.

Silverman: Did you get drafted or did you sign up?

Hays: I was drafted with the--because of being in law school, they let me stay until I was through.

Silverman: What branch then? You went into the army?

Hays: Yes, artillery.

Silverman: They didn't have the judge's adjudicates then at that time? What do they call, the lawyers? What do they call them in the military? The judge advocates or . . .

Hays: Oh, judge advocate.

Silverman: Yes. They didn't take you into that even though you have a law degree?

Hays: Well, no. They had plenty of lawyers at that stage. See that was before the war had really commenced.

Silverman: So you were assigned to artillery.

Hays: That's right. Went to officers candidate school and the whole bit. After I had been in training for close to six months, why, went to officers training school.

Silverman: Where were you stationed when you were in training?

Hays: Camp. . . .

Mrs. Hays: Roberts?

Hays: Yes, Camp Roberts, yes.

Silverman: Where is that?

Hays: Halfway between Los Angeles and San Francisco [California].

Silverman: Where did you go then, after Camp Roberts?

Hays: Went to Officers Candidate School. Got my lieutenant's bar.

Silverman: And that was about 1940, 1941? Had the war started then?

Hays: The war started 1941.

Silverman: So had the war started when you were drafted, or this was like in preparation for the war that you were drafted?

Hays: Well, the draft was just running on.

Silverman: Then after you became a lieutenant where did they assign you?

Hays: To Fort Huachuca, Arizona.

Silverman: So was that your first time coming to Arizona?

Hays: Oh no, I had been in Arizona before.

Silverman: Visiting relatives?

Hays: No, just . . .

Silverman: Visiting?

Hays: Just visiting is right.

Silverman: And how did you like Fort Huachuca?

Hays: Beautiful place.

Silverman: Now didn't you have relatives still there in that area of Southern Arizona?

Hays: Well, my mother came to visit me.

Silverman: Her family was originally from Southern Arizona. Cedar City, is that right?

Hays: Yes. That where my mother lived as a child.

Silverman: How long were you at Fort Huachuca?

Hays: A couple of years.

Silverman: Then were you ever sent overseas?

Hays: Yes.

Silverman: Where did you go?

Hays: Well, ultimately, Italy.

Silverman: Under Patton?

Hays: Nope.

Silverman: No?

Hays: No.

Silverman: Who was the commander there?

Hays: Clark.

Silverman: Clark. Tell us something about Italy? Were you in combat there?

Hays: Yes. We ended up with about thirteen months, most of which was combat. I had an assignment as captain initially when we were in Italy and then came out, they gave me my majority.

Silverman: Where was the combat in Italy at that time?

Hays: Well, I'm trying to think.

Tape 1, Side 2

Silverman: . . . the mountains, they had Alpine and. . . . Okay, where do you recall being stationed in Italy?

Hays: Well, we landed, came into the harbor of--I gave it to you and now I can't remember it

Silverman: Navarno?

Hays: Livorno.

Silverman: Livorno.

Hays: Called Leghorne by the English speakers.

Silverman: Sure. That would be the southern tip of Italy?

Hays: No. No. North of Rome in a little town of Pietrasanta. We did quite a bit of our fighting then.

Silverman: Was that under American control at that time or did you have to actually go in and take control? Did the marines come first and do the landing?

Hays: Well, we came in from Leghorne and moved up to the tower of Pisa. We were stationed right in that area.

Silverman: That's Florence?

Hays: No. I am not to Florence yet. The thing that's falling down. Went to Ligirian coast and area and the mountains were here and the, across the plain to the ocean. And that's the general area. One of the most interesting, in that regard, because of my legal training, they loved to use me for all these court martials. You'd be trying a case--in fact I tried one for murder and whatnot--as a, and as I said, use this if we could. We were in the midst of a rather serious trial at night. We did it sort of by candlelight. And then a big, an attack. Here we were with them fighting all around us with machine guns and we've got witnesses up here and they had gone down and got some officers to make them the--well I called them, brought up some rear-area bastards, the behind the lines sort of people. And I had another situation where I was ordered up to--I hope you've got lots of time.

Silverman: Oh yes. That's fascinating, World War II, the way people lived is just unbelievable, isn't it? So you actually started your legal career in the service?

Hays: That's right. That's right.

Silverman: Were you the prosecutor or the judge?

Hays: Prosecutor.

Silverman: So these murders were fellow soldiers?

Hays: Trials. Incidentally, this unit I was with was all black. In fact there was a black division in there. And all of them, my troops, were black.

Silverman: Oh, that's very interesting. Was this your first exposure to black people?

Hays: Oh, no. Remember, Dallas was in--at that time, blacks were ordered to the back of the bus and all that sort of thing.

Silverman: Did you get close to some of these soldiers?

Hays: Oh, yes.

Silverman: Become friendly with them? Do you think that influenced your feelings later on in life? As far as their civil rights go?

Hays: Yes, it changed my attitude some. Before, I was not particularly interested in them one way or the other. I felt I was someone who was fair and that sort of thing, but really not thinking too much about it. But eventually, I made some friends, if you will. They were enlisted men and I was an officer, but when you work closely in combat, why, the leaves drop off and everybody is pretty much the same.

Silverman: Did you lose a lot of your troops?

Hays: No, we didn't. Another little tale. Word came back to us, we were at headquarters, they had found a little, a girl, about, I'd say, fourteen or fifteen. Her father, her mother and a couple other strange _____, blacks, part of our unit. And they wanted an investigation immediately, division headquarters. So we conducted a, brought the troops all out, had them standing in ranks and here was this horrible thing that had happened. One man's liner, the middle part, dropped off. As it dropped off, there was a spot of blood, and one of the soldiers said, "You keep your mouth shut." He didn't realize I was standing behind him. He said, "Don't you let"--what was the word they used? Well maybe I can pick it up when we redo this. But the soldier who had dropped his helmet with the blood on it, tried to get the other black to be quiet and do nothing and so forth. But they determined who it was and they went to a trial. I wasn't, because I had been an investigating officer, I hadn't, well they couldn't put me in that one.

Silverman: So did he murder this girl?

Hays: Yes. Well it was one of those automatic--just mowed them down. The little girl ran and she obviously had been shot at and hit. She was right on down on a ditch bank.

Silverman: Were they Italian civilians?

Hays: No, they were our troops.

Silverman: They were our troops?

Hays: Yes. That made it . . .

Silverman: Even worse.

Hays: Real bad.

Silverman: But the little girl, she was an American or an Italian?

Hays: Italian. The troops would go, you know, and, some family, they would stay in this spot for a while with this family, they would go in and have a glass of wine with them and that sort of thing. But after that, why, things were pretty cold and difficult for the first few days after that happened.

Silverman: Were the Italians glad that the Americans came, or not really?

Hays: In spots. It varied. The Italians loved the troops because the troops gave them food.

Silverman: How long were you over in Italy?

Hays: Twelve to thirteen months.

Silverman: Then after Italy, where did you go?

Hays: Well, we came back, we started back and they gave me a high position, called for a bigger number than the one I got but I didn't care, I wanted to get home. And we left Italy and weather hit us and those, some of those

ships were, oh, they worried you.

Silverman: They were old and rickety you mean?

Hays: Yes.

Silverman: And you had to sail across the Atlantic Ocean on those ships?

Hays: Well, we turned around and went back to Europe, because the boat's captain says, "We can't go through that. This thing will split." So we turned around and went back. It was about Thanksgiving, I think. And we got, oh about half way, again, about half way back home and the weather improved and we kept on coming and came in at Boston. Then they released me pretty quickly after that. I told them I didn't want any more.

Silverman: About what year do you think that was?

Hays: Oh.

Silverman: You took the bar in 1946. How many years were you in the service, total? You think four?

Hays: About four. I think it was four years.

Silverman: So, what, about 1945, 1944?

Hays: Yes.

Silverman: And then from Boston, what did you decide to do?

Hays: Well, I've got a blank. Something new.

Silverman: Well, let's see. It was 1946, that was, the war was over in, wasn't it 1946?

Hays: I think so. 1945 or 1946.

Silverman: Yes that was the armistice was like December of 1946, wasn't it?

Silverman: Armistice Day? I know because I was born in 1946 and my mother always says that was the end of the war. So did you go back to Texas, to Dallas?

Hays: Yes.

Silverman: Your father and mother were still in Dallas? And your sister?

Hays: Well, no. My father and mother had gone to--that's a move I didn't make--they had gone to California.

Silverman: And where did they move to California?

Hays: I went, took a refresher course to get ready for the bar here.

Silverman: So how did you decide to go to Arizona as opposed to Texas or California?

Hays: I'm trying to figure why. (pause) Let's see, I went for a refresher course, just two or three. . . .

Silverman: Was the refresher course in Phoenix or Tucson or . . .

Hays: It was at the U. of A. [University of Arizona]

Silverman: Oh, at the U. of A. So that would be in Tucson.

Hays: That's right.

Silverman: Do you think it was because you liked Fort Huachuca? Did it have something to do with your military experience, that you thought you would like to settle

in Arizona?

Hays: Well, I thought about settling in Tucson and my wife thought it was a good idea. And then I decided that it would be better if we get where all the action is and hopefully the business, law business.

Silverman: Well, at that time, wasn't Tucson as big as Phoenix?

Hays: No, I don't think so.

Silverman: No, Phoenix was still the bigger town?

Hays: Yes. I think it was sixty thousand. That's just off the cuff but. . . .

Silverman: That's hardly a drop in the bucket today, is it? Sixty thousand people? Okay, so then you decided to move to Phoenix after you took the--you took the bar in Tucson, or you took the bar here in Phoenix?

Hays: I think I took it at Tucson. And after that we were sworn in and. . . .

Silverman: And then did you start looking for a job right away or you had one lined up? Or how did you decide on a job?

Hays: Three of us went together and shared our property.

Silverman: Who were your partners?

Hays: Well, let's see. Ron [Ronald Jr.] Webster. I can't think of this other guy's name.

Silverman: Well, you'll think of it eventually. Just interrupt when you think of it. It will come to you in five or ten minutes. That's what always happens to me. Okay,

so you had three of you in a private practice, and that was in Phoenix?

Hays: Yes.

Silverman: What kind of cases did you take?

Hays: Anything that would come in the door.

Silverman: Did you eventually, kind of, each of you specialize in some area? Or, that never happened, you took anything?

Hays: That's right.

Silverman: Where was your office?

Hays: Adams Street. About a block from Main.

Silverman: Central, near Central, or . . .

Hays: A block, just a block . . .

Silverman: Down near the old courthouse.

Mrs. Hays: Wasn't it Adams and First Avenue?

Hays: Yes, that's it pretty much.

Silverman: Was there a name of that building, do you recall?

Hays: Was what?

Silverman: Did the building have a name, like the Luhrs Tower or anything like that?

Hays: No, this was a little smaller, kind of squeezed in, sort of. And it was on the second floor.

Silverman: Did you have a secretary?

Hays: There was an arrangement with a secretary and there were about six or seven lawyers and other types.

Occupied little cubicals.

Mrs. Hays: Robert [E.] Kersting. He practiced with him.

Hays: Good. Robert Kersting. And he had some business connections that made us not starve completely.

Silverman: So the secretary did the work for six or seven lawyers.

Hays: You can tell how busy we were. Some of them were real estate and that type of work that was a bit common to ours.

Silverman: Did she have a manual typewriter to type up your documents? Or were they handwritten?

Hays: No. They were typed.

Silverman: What was your hourly charge at that time? Did you do it like on a job basis or were you charging by the hour? How did you bill your client?

Hays: We had some idea of how much we would charge, but so little was coming in that--and incidentally, some of that income coming in, for a brief time there was a government program on anything like this where you got a hundred and fifty dollars or something like that. And we made use of that, I think, three or four times. Just to indicate another source.

Silverman: Was that like from the, like a G.I. type bill? Had something to do with your military service?

Hays: Yes. Oh, yes, yes.

Silverman: Do you remember any interesting clients or cases that you had back in the beginning?

Hays: Well, there was one where a lady came to our office and she looked kind of odd. Fairly well dressed. The two of us sat there to find out what her problem was. It sounded like she was going to have to have a divorce. We prepared the necessary items to get into court. The next day she showed up again, she had a black eye and whatnot. I told her to run along and. . . . The next time she came in, and this happened four times, the next time she pulls her dress up a little bit. What she was really doing was, in a sense--what's that where you stick your back end out of a car window?

Silverman: Mooning?

Hays: Mooning. I think she was mooning. And it came as a little shock. We had a hard time keeping her from coming in so she gets this thrill or whatever it was she got.

Silverman: That was an unusual client, yes. Did you ever get her divorce?

Hays: No. She really didn't want a divorce. But she took a lot of beating for this. Black eye and torn dress. It just indicates that people are funny.

Silverman: Right. And that still happens today. Tell us

something about your daily routine. What time you'd go to the office, and who you'd have lunch with.

Hays: Which office?

Silverman: Your first one. With your two partners.

Hays: Oh, we brown-bagged it. One of the judges, one of the . . .

Silverman: One of your partners? Ron or Robert?

Hays: Ronald. We would come down to an office occupied by two people on down the hall from us, both lawyers, and we'd go down there and all of us would bring a chair and that's how we'd have our lunch.

Silverman: What would you discuss over the lunch hour?

Hays: Well, we discussed politics. In fact, ultimately got into politics. We were a part of a movement, we being the sandwich people. We got to talking about how bad the city was. And it was. And we talked [Barry M.] Goldwater and [Harry] Rosensweig--I think those names are familiar to you--into putting up a slate trying to get the rascals out. And Jack [John R.] Williams was one of those. And I mentioned Rosensweig.

Silverman: Jack Williams was governor, wasn't he?

Hays: Yes. Yes.

Silverman: Do you know what year that was that he was elected?

Hays: No. I couldn't give you those.

Silverman: Early fifties?

Hays: That would get it in the ball park.

Silverman: Was there much of a Republican party in town when you started your activities?

Hays: The Republicans were starting to come into prominence and were able to stir up a group larger than a phone booth. And from that time on it built up, and hands changed, but the charter government is what was the name of it.

Silverman: Were you living in Phoenix, in like north, or downtown, or where were you living at the time?

Hays: In Phoenix.

Silverman: Do you remember your old address?

Hays: Oh, well, the house I lived in ran where the street car tracks were.

Silverman: Let's see, that was--I was just down there, is that Madison?

Hays: No. This was on. . . .

Silverman: Grand? Were you out that way?

Hays: No, not that way. Pretty close to in town. Went from the Indian School and headed south. Gee, I have to give this a little bit more thought.

Silverman: Okay. How did you get to work? Did you walk or take the street car?

Hays: Well, the funny thing is, it was dead by the time I got involved with it. The tracks were still there and

they had one running, and then cut the whole thing out.

Silverman: They had buses or you drove to work or?

Hays: Drove to work. Or walked.

Silverman: What kind of car did you have?

Hays: Oh, heavens.

Silverman: Was it a 1948 Ford?

Hays: A cheap Oldsmobile, I think it was. Not second-hand, third-hand.

Silverman: You had telephones?

Hays: Yes. In fact, we had it on one of those switch deals. So that we didn't have to pay for a separate one for each. So we got the switch board deal so we'd save money. So it was two or three phones rather than six or seven phones.

Silverman: So the secretary answered the phone?

Hays: Yes. Or if they didn't, one of the persons occupying an office would reach up and catch the phone.

Silverman: Was there a local Bar Association?

Hays: I don't think I recall one.

Silverman: There was a State Bar Association?

Hays: Yes. They had a meeting up at Grand Canyon and we put together enough money to attend it.

Silverman: Did you get active in the Bar at all?

Hays: Yes. Not a lot, but. . . .

Silverman: Did you have any strong influences in your early career years as far as lawyers that helped you, mentored you? Or judges?

Hays: Well, Judge Ross [F.] Jones, now deceased, was a good friend and a real nice person and knew his law real well. George [M.] Sterling. He's now deceased. Those are two that stand out right now.

Silverman: Did you ever specialize in any area?

Hays: Well, if you look at the resume and whatever, you'll find not too much. There wasn't any specializing because I was going from one job to another, but pretty much related.

Silverman: How long were you in this three-man partnership?

Hays: Oh, maybe a year.

Silverman: Where did you go after that?

Hays: We set up an office. Got rid of one of the, Kersting, got rid of him for many reasons that we wouldn't want to put in there. My mother worked with us for a time in this new office we had opened up and it was doing pretty well.

Silverman: She was secretary, office manager, or . . . ?

Hays: The whole bit.

Silverman: So your parents, then, had moved from California to Arizona?

Hays: That's right.

Silverman: And your dad was living in Arizona, Phoenix, too?
Working?

Hays: Yes.

Silverman: Well that was kind of convenient, that they moved
back, just when you needed a secretary.

Hays: Well they happened to be here when we asked them if
they would like to do it. And I think my mother was
getting bored with nothing to do.

Silverman: How was that, giving orders to your mother?

Hays: We didn't have any problem.

Silverman: So it was you and Ronald Webster? In that office?

Hays: Right, right.

Silverman: And how long were you in that office?

Hays: Probably another year. And we broke up. And I went
on the city. . . .

Mrs. Hays: City Attorney.

Hays: City attorney.

Silverman: Do you recall approximately when that was?

Hays: There's too much in here to find it.

Silverman: I don't remember seeing City Attorney in there, in
that article. I remember U.S. Attorney, but. . . .
Oh yes, Assistant City Attorney for Phoenix in 1946.

Hays: Yes.

Silverman: So you did that while you were in private practice?
It was a part-time position?

Hays: Well, the sequence there is a little . . .

Mrs. Hays: Wasn't that full time?

Hays: Oh, it was full time, yes.

Silverman: Was it full time?

Hays: Yes.

Silverman: Okay. Well this might be the wrong year here then too. Because it says you were admitted to the bar in 1946 and became City Attorney in 1946.

Mrs. Hays: No.

Silverman: So that's probably not quite right.

Mrs. Hays: That's right, There's something wrong with that.

Silverman: Yes. It says you were elected to the Arizona legislature in 1952?

Hays: Yes. I think that's right.

Silverman: So, how many years were you Assistant City Attorney?

Hays: Three. I'm sure though.

Silverman: So, it was probably 1949 that you became assistant City Attorney. That would kind of jive with the time span, 1948 or 1949.

Mrs. Hays: I can find out . . .

Silverman: Okay. You'll add that later. And then President [Dwight David] Eisenhower appointed you as the U.S. District Attorney? How long were you in the legislature?

Hays: Very briefly. Through one session only.

Silverman: Did you like politics at that time, as far as running for office and doing that type of activity?

Hays: Well, I was, at that stage I was very serious about doing something in politics, as were a lot of our group of lawyers, we were all anxious to get into the political thing.

Silverman: What kind of problems were in the state legislature when you were in the session?

Hays: I don't remember that.

Silverman: Well, I would reckon that probably taxation was always of a problem.

Hays: And budget.

Silverman: Budget. Making ends meet. Did they have an income tax then?

Hays: Oh, yes.

Silverman: Okay. So then, it was 1952 you became U.S. Attorney?

Hays: Yes, 1952.

Silverman: And you were appointed by Dwight D. Eisenhower?

Hays: Right.

Silverman: And at the time, there was one U.S. Attorney and one assistant? Or were there two assistants? I know William [A.] Holohan was your Chief Assistant, it says.

Hays: And there was. . . .

Silverman: How did you get that appointment? Did someone come

and say to you . . .

Hays: Pure politics.

Silverman: Right. Who was it that said, "Jack, do you want to be U.S. Attorney?"

Hays: John [J.] Rhodes and Barry Goldwater.

Silverman: So you had worked on their campaigns?

Hays: That's right.

Silverman: And they knew you were a lawyer?

Hays: And I had worked for them, as had some of my colleagues. And I got a call on the phone one day. I was in another connection with a--what am I trying to say?

Silverman: You got a call from Barry Goldwater or John Rhodes?

Hays: That's right. But I can't. . . .

Silverman: Quite remember. And then did you have to get through, when you're appointed by the president for U.S. Attorney, do you have to get congressional approval for that too? Like for judges they do congressional approval. I'm not sure about the U.S. Attorney.

Hays: They do the whole business on him too. I mean all of the FBI checks and all that sort of thing.

Silverman: Did you have to go to a hearing or anything? Just interviews?

Hays: No, no. They had been known to do it, but they weren't doing it then.

Silverman: Arizona was a pretty small state then, wasn't it?

Hays: Too big.

Silverman: And what kind of cases did you handle as the U.S. Attorney?

Hays: There were lots of criminal cases. They predominated.

Silverman: Because of the public lands? The criminal jurisdiction extends over the Grand Canyon and the [Indian] reservations?

Hays: That's right. And then you had certain things to do with the indians.

Silverman: Did you actually do the prosecuting yourself, or were you more in an administrative capacity?

Hays: I made a resolution to myself that I would try a case at least every three or four months because I didn't want to forget.

Silverman: Do you remember any ones that you had that were interesting?

Hays: There's some there, but I. . . .

Silverman: I remember one that Judge Holohan talked about was the immigration case where they had radios and they were going out in the cotton fields. Were you in on that case at all? They had two-way radios because they were trying to get the employers who were hiring illegal immigrants in the cotton fields. And then they had a problem with the Federal Communications Act

because the radios weren't registered and then they registered them and it was quite long and involved.

Hays: I don't remember that. (laughs)

Mrs.Hays: Didn't you have a mafia case once?

Hays: Well that was down in, yes, down in Tucson. We had some of our prominent mafia characters living in Tucson. I participated because it was sort of in my field. Why I sat in all of the. . . .

Silverman: Was it organized crime, like in liquor and prostitution, that type of thing? Or what were the crimes?

Hays: Yes.

Silverman: Did you have a racketeering statute at that time? Or did you have to get them on individual. . . .

Hays: That was back when you had to have them on individual.

Silverman: Okay.

Tape 2, Side 1

Silverman: All right. So you had a mafia case in Tucson? Can you recall anything about that case? What kind of crimes were involved?

Hays: Yes. What stage are we now?

Silverman: We're back when you were U.S. Attorney.

Hays: Okay.

Silverman: And I was wondering if you remembered any cases that stuck out in your mind and Mary said you had a mafia case.

Hays: Yes, one of them the . . .

Silverman: Was it actually related like to the New York mafia, or was it a local type mafia?

Hays: This was Purple Gang.

Silverman: Purple Gang?

Hays: That's . . .

Silverman: Was it an Italian-based mafia, or . . .

Hays: Yes. Italian. Bonanno. Bonanno.

Silverman: Bonanno. Oh yes, the Bonannos still live in Tucson.

Hays: Yes. Yes.

Silverman: I recently read that one of the Bonannos, the son, was indicted for insurance fraud.

Hays: Wasn't there a lot of stuff up at the . . .

Silverman: I wonder how long ago the Bonanno family went to Tucson. Was that like in . . . Do you know anything about how they got down there? Are they from Chicago or New York?

Hays: Well, Detroit too.

Silverman: Detroit too?

Hays: And you've got a piece of it at Los Angeles, San Diego.

Silverman: And Las Vegas, I'd imagine.

Hays: Yes.

Silverman: They're still giving the U.S. Attorney some business, I think, too.

Hays: Yes. Yes.

Silverman: Things haven't changed. Were you successful in that, in your mafia-type cases?

Hays: These cases were taken over by the, the Department of Justice people came and took it all over. There it came.

Silverman: Right, Department of Justice. Now they do that in their real high profile cases, don't they?

Hays: Oh yes, yes.

Silverman: Do you remember any other cases while you were U.S. Attorney?

Hays: Well, we did a--there was a case presented to the grand jury involving. . . . I can't come up with the detail.

Silverman: Did you have any political cases? You said that the Republicans wanted to throw out the rascals. Did you have any really good political scandals at that time?

Hays: Well, we had one where . . .

Silverman: Anybody caught with their hand in the till?

Hays: No, they usually deal with bigger things than a till. I've got it in my other stuff, big whiskers. And this had to do with a forum trying to make Goldwater

look bad. So they had these built up. These notices that he had, or somebody had, were brought up and the big question, "Who did it?" There were people who claimed that Goldwater had it done, that he was the perpetrator. The newspapers went wild and. . . . If you think that's pretty good, we'll leave it in there, something.

Silverman: So, Goldwater was running for senator at that time?

Hays: Yes.

Silverman: And you were active in his campaign.

Hays: Not as U.S. Attorney.

Silverman: Oh, right. When you're U.S. Attorney, you can no longer be active in politics.

Hays: That's right. You see, this was involved with a federal issue.

Silverman: Were you socially friends with Goldwater.

Hays: Not particularly. He was very helpful to me in his home a few times, working on--but not really socially.

Silverman: Besides William Holohan, do you remember what other lawyers you worked with in the U.S. Attorney's office?

Hays: The Roylstons. Which one? Robert [O. Roylston] was the one who was in the U.S. Attorney's office. And Mary Anne Reimann Richey.

Silverman: She became a judge. Did Robert Roylston become a judge too?

Hays: I don't think so. No, Robert was the only one.

Silverman: Do you remember Mary Anne Richey, which court she was on?

Hays: Just the Federal District Court.

Silverman: Maricopa County?

Hays: No, she was Tucson.

Silverman: Oh, she was Tucson. So it was Pima County?

Hays: Yes.

Silverman: Do you recall how long you were in the U.S. Attorney's office? It says, "1960, Justice Hays resigned as U.S. Attorney."

Mrs. Hays: You were there four years, weren't you. Weren't you appointed, wasn't Eisenhower in 1956? Or was it before 1956?

Silverman: Well this article has 1952 . . .

Mrs. Hays: 1952, well, yes.

Silverman: . . . to 1960.

Mrs. Hays: To 1960, sure, when Kennedy . . .

Silverman: So it was six years.

Mrs. Hays: _____

Silverman: Okay, so Kennedy was elected so you were sort of forced to resign, is that what they . . .

Hays: No, I wasn't forced.

Silverman: No?

Hays: Oh, no, no. It's a part of the game when the

administration changes, why you go along with it.

He'll put you there and leave you there as long as you need to be, to your convenience and the office, and that's handled very neatly.

Silverman: And then, Governor Paul Fannin appointed you to the Maricopa County Superior Court?

Hays: Right.

Silverman: And that was kind of simultaneously or did you have a period in there where you were doing something else?

Hays: No, it was done right together. It might have been a month or so. And Mary Anne took over as U.S. Attorney briefly for a while.

Silverman: How many judges were on the Maricopa County Superior Court at that time?

Hays: I couldn't tell you.

Silverman: Had you been active in Judge Paul Fannin's political career.

Hays: Well, there was a lull there when I was in the U.S. Attorney's office.

Silverman: So you weren't active in politics in that time. Can you tell us about working as a Maricopa County Superior Court judge?

Hays: Well that was probably the most enjoyable.

Silverman: At that time did they divide you into sections, like criminal section, and civil section, and family law

section?

Hays: Well we did that on occasion for a period of time, and then somebody would move in, and you had probate . . .

Silverman: Juvenile, maybe?

Hays: Yes, I had juvenile for two years.

Silverman: Did you like the juvenile court end of it?

Hays: Yes, I enjoyed it. If you do it right, it half kills you though.

Silverman: There's heavy burn-out there?

Hays: Yes.

Silverman: Let's see. Isn't that the days when there was a lot of activity in the Supreme Court with juvenile law? In re: Gault, wasn't that early 1960's?

Hays: Doesn't click.

Silverman: Did you get a lot of help from the other judges?

Hays: Oh, yes.

Silverman: Do you remember any particular judges that were quite helpful to you.

Hays: I mentioned them. Jones and Sterling. You've got that.

Silverman: I've got that. Yes. So they were county judges? Maricopa County?

Hays: Yes, yes.

Mrs. Hays: There were nine judges when you were on Maricopa County Superior Court, no more than ten. Just look at

it now.

Silverman: There's sixty.

Hays: Sixty some odd, yes.

Silverman: Did you have a clerk, or just a bailiff, or who'd you have to help you back in the sixties?

Hays: One law clerk bailiff. That was the way I set it up.

Silverman: Did you have a secretary, or were they in a pool?

Hays: Secretary.

Silverman: Do you remember any of your--were your law clerks graduates from law schools or they were law students?

Hays: Changeable. Some of them were, some of them had passed the bar in some other state. Some of them just wanted the experience and law firms, at times, would let exceptionally good people by the agenda.

Silverman: Do you remember any of your clerks that have gone on to political life or have become outstanding in their careers?

Hays: Bob [Robert C.] Broomfield on the federal bench here.
Bill [William E.] Eubank on the court of appeals.

Mrs. Hays: Strick, was he . . . Gerry [Gerald J.] Strick.

Hays: Yes. And the Roylston's, or one of them, Robert. And Mike [Michael A.] Lacagnina. That's all I can conjure up yet.

Silverman: Can you tell us what a typical day was at the Maricopa County Superior Court?

Hays: Very hectic. And I sometimes was not appreciated because I had hearings from eight o'clock sometimes until six o'clock, and some of the lawyers didn't like that.

Silverman: You would call court at eight o'clock in the morning?

Hays: Right.

Silverman: And they were set up that they could handle that?

Hays: That wasn't every single day. But that was sort of a limitation on how I would go.

Silverman: How did you try your cases? What was your approach to trying cases? Were you a strict disciplinarian, or you let everything go, or. . . .

Hays: I don't care for too much levity in the courtroom. But I don't think anyone has been too unhappy with me.

Silverman: Did you have a hard time making decisions with cases?

Hays: Nope.

Silverman: Do you remember any significant cases you had at the superior court level? Or interesting?

Hays: Well, let's see. I've got one or two helpful deals here. Cut it off if you want to while I fumble with these papers. (Tape turned off then turned back on.) A sample of some of the things that I handled. One, a woman was convicted of robbery, the Arizona State Treasurer's office. The woman drove the getaway car. And an eighteen year old girl was convicted of

manslaughter for allowing her three-month-old son to die of malnutrition. We get a number of those. And we had one involving the racing commission, and we got a lot of press indicating they weren't handling things right. That didn't make any difference. One, quite interesting, was the case of Loretta Ciavelas who shot her husband with her three children looking on. And John [J.] Flynn--I don't know whether you knew John or heard of him--was her lawyer, and he did a beautiful job of it.

Silverman: Was that the John Flynn related to all the lady attorneys, Virginia Flynn and . . .

Hays: I don't know, I don't think so.

Silverman: Was it F-L-I-N-N or F-L-Y-N-N?

Hays: I.

Silverman: I.

Hays: Loretta Ciavelas went to trial and the jury found the defendant not guilty by reason of insanity. Two psychiatrists got on the stand and each one told a different story, which is not uncommon with psychiatrists. The verdict was not guilty by reason of insanity. For, I think I have it written here, six years thereafter each Christmas I got something like this.

Silverman: A Christmas card with bells on it?

Hays: Yes. She was a very nice lady and she wanted to let us know how great we were to. . . . The son actually got on the stand and told the story as it was. Another interesting one was a young black who was sentenced in the state prison. When his sentence was produced, his mother cried out and went into a hysterical fit. The judge left the bench in haste, that was me, and the court attendants found the mother, kind of in the corner, sticking pins in a voodoo doll. Contrary to common belief, I felt no pain as the pins were stuck in the doll. There was another one where a grandmother was beaten to death by the defendant. The trial went on for two weeks and the jury found him guilty. The press had a field day. When the defense attempted to introduce a line of testimony, Myna birds counsel tried to put on. You know Myna birds, they're kind of like a parrot and they've got a horrible squawk. And the defense counsel tried to sell the court on the idea of taking the Myna birds and they said that these Myna birds squawked so horribly, like the grandmother, I just had to kill her. That's weird. If that's weird enough, I've got others of them here.

Silverman: (laughter) That was the defense? The Myna bird defense?

Hays: Yes. Myna birds. I saw them. They're weird things.

Silverman: How long were you on the superior court?

Hays: How about some help, Mary?

Mrs. Hays: Eight years.

Hays: Eight years. Thank you.

Silverman: Were you in the courthouse that's on Jefferson right now, _____, 201 East Jefferson?

Mrs. Hays: No. He was in the old building. You were never in that new building?

Hays: No, no, I missed that completely. In fact every time they had a change it seemed like they gave me the old.
(laughter)

Silverman: What street is that, the old courthouse on, is that Washington?

Mrs. Hays: The old one?

Silverman: First and . . .

Mrs. Hays: First and Washington.

Silverman: Right. What kind of changes did you see in that eight year period? Were there big changes in that eight years on the bench there?

Hays: No, I didn't see a big change except in the numbers. And the, there's so many cases that they have to take care of.

Silverman: The case load increased per judge then.

Hays: It really increases.

Silverman: Did you see a lot of changes in the criminal procedures? Is that when the Warren court was in?

Hays: Well, ultimately, that was kind of cleared out. You're thinking of the . . .

Silverman: Miranda?

Hays: Miranda. Well, Miranda held things up for a while, but now they've chipped away and Miranda really isn't anything anymore. Of course, as a part of that was the assignment as juvenile judge. That, we mentioned before but. . . .

Silverman: Was there a good relationship among the trial attorneys in town? I mean, they could trust each other, and it was more informal than it is twenty years later?

Hays: I think they got a little stiffer, a little more--the old attitude of where. . . .

Silverman: Friendly adversaries?

Hays: Friendly adversaries. Very good.

Silverman: That was gone by the sixties?

Hays: Well, no. It was sort of on its way out, I think. Of course, so much of that is sixty, we mentioned eleven judges, and now we're up in the sixties. I think that's indicative of, the whole judicial system has this problem.

Silverman: Was there much discovery done then?

Hays: Then, no.

Silverman: Were the cases tried in a pretty fast manner? Did you have your eighteen-month to three-year wait?

Hays: Get me back on track, will you? Where we were.

Silverman: How fast were the cases tried back in the sixties? Could you get into court in three months?

Hays: Yes, you could. And all the information I had in times past was that Maricopa County in Arizona had one of the best records of number of cases handled and that sort of thing.

Silverman: So then from the superior court you ran for election for the Supreme Court?

Hays: The first time.

Silverman: You want to turn it over?

End of interview