NINTH JUDICIAL CIRCUIT HISTORICAL SOCIETY

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ORAL HISTORY INTERVIEW

with

Orme Lewis
Partner, Lewis and Roca

An Interview Conducted in 1987
by Douglas H. Frazer
Phoenix, Arizona

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This is Douglas Frazer for the Ninth Judicial Circuit Historical Society. The date is November 9, 1987 at 10:00 o'clock in the morning and I'm here interviewing Mr. Orme Lewis of Lewis and Roca.

Frazer: Mr. Lewis, your full name is Orme Lewis?

Lewis: That's right.

Frazer: When and where were you born?

Lewis: Here.

Frazer: In Phoenix?

Lewis: Right.

Frazer: And what was the date?

Lewis: January 7, 1903.

Frazer: How did your family arrive in Arizona?

Lewis: There were four of them and they came at different times. The first one in '69 and variously to '81, I think, speaking of 1800's. There were three boys and a girl, left-overs of the Civil War.

Frazer: When exactly did your father arrive?

Lewis: 1898.

Frazer: And his name was?

Lewis: Ernest William Lewis.

Frazer: Your mother was an Orme.

Lewis: Right.

Frazer: And her family had arrived earlier?

Lewis: Those are the four that I just mentioned.

Frazer: From your mother's side?

Lewis: Yes. They were the, one of them was her father. She was born here. As old biographical books tend to all say she was born near Phoenix. The place she was born was on a family homestead and today the location would be about a block north of Oak on 9th Street.

Frazer: Tell me a little bit about your father's occupation and what brought him to Phoenix and what he did here.

Lewis: He lived in St. Paul. He went to law school there. He got pneumonia in his last year of law school. He had a friend here named George Smally who lived in Tucson who in turn suggested that he come down to Tucson because in those days getting well from pneumonia was more than the undertaking it is today. So he went down to Tucson. Eventually, about the same year I think, he and George Smally came to Phoenix by horseback because George Smally wasn't very well and as an aside George Smally married Lethia Roca who was an aunt of Paul Roca, his father being Latara Roca. All of that in Tucson. George Smally stayed here long enough to get well and went back to Tucson. My father stayed here, supported himself by - he was just a youngster - by being a stenographer or court reporter, that sort of thing. Was admitted to the bar in 1900, I believe it was. What next?

Frazer: And he practiced law in Arizona after that?

Lewis: He did until he died.

Frazer: And when was that?

Lewis: He died very suddenly in a piece of litigation in which he represented a subsidiary of Goodyear Tire, namely what we refer to today as Litchfield Park, in connection with a water matter. Nobody knows what the ailment was because it wasn't a then known ailment, he just developed an eight or nine day temperature of 108° and at the end of the time he wasn't there, he was 51. His firm still exists under an entirely different name. It's the Streich Lang firm of today. It's in this building.

Frazer: What was it called back then?

Lewis: Armstrong and Lewis.

Frazer: Interesting. Was he a trial lawyer or a business lawyer mostly?

Lewis: There wasn't any such thing. They were all generalists.

Frazer: So it was catch as catch can, do what came across your desk?

Lewis: I assume so. There were, I don't know how many lawyers there were then. Very few. That is pretty much the history right there. That picture and the building, the announcements. The announcements are merely one dissolving the firm because he went on the territorial Supreme Court in 1909 and the other one is a recreation of the firm after statehood in 1912.

Frazer: Whereabouts did you grow up in Phoenix?

Lewis: What you would call today downtown. I was born on 2nd Avenue about half-way between McKinley and Roosevelt Streets, on the east side of the street. The house doesn't exist and I don't know anything about numbers.

Frazer: Where did you go to grade school and high school?

Lewis: I went to grade school at Central school which was located on a city block now completely occupied by buildings. The school faced on Monroe and it backed up to, well not the building, the grounds backed up to Van Buren. Central was the east side of the block and First Avenue was the west side of the block. That was the grammar school. That closed in my seventh grade, at the end of my seventh grade, because it was considered not worthy of rebuilding and it was dangerous, so they said. Interestingly enough, the war started, the Red Cross moved in and occupied it throughout the war and for some time after that. I then went to Monroe School for the eighth grade, graduated, and went to high school at the only high school, which was Phoenix Union High School. The one that does not exist any longer.

Frazer: What were your parents' political affiliations? And was that influential on you growing up?

Lewis: I don't know that it was. My mother was a democrat because her family had all come out of Maryland and

were all confederates. And my father was a republican cause he came from that part of the country, I guess, because he was of a conservative turn of mind. So are the democrats. The state, the territory was democratic because the presidents, at least during their period, were for the most part republicans during the territorial days. And as historically has been true of every territory, Alaska and Hawaii are good examples. They immediately become the opposite party when they became a state because they objected to having the president name their officers before.

Frazer: When you were in high school, did you anticipate going to college and then going into law school?

Lewis: No. I didn't anticipate anything. I was bored with the idea.

Frazer: Did you have any ideas of what you wanted to do?

Lewis: No.

Frazer: Did you go to college right after high school?

Lewis: Yes.

Frazer: Where did you attend?

Lewis: Safford.

Frazer: Were you anticipating that with any kind of happiness or was it something that was just expected?

Lewis: Neither. Just most of the people I, kids that I knew, went there, so I did.

Frazer: That was the school that most of your college-bound classmates would attend if they did not go to the University of Arizona?

Lewis: Right. Not all but essentially all.

Frazer: Are any of your high school classmates still in --

Lewis: Nobody's alive that I really was around.

Frazer: Did any of your classmates go off with you to Stanford and then came back and eventually settled here to practice law?

Lewis: I've no recollection of it. I didn't stay. I flunked out at the end of, no the middle of my second year. Matter of fact, I anticipated flunking out so at Christmas vacation time I took a dollar bill and handed it to the registrar at Stanford and said send me a wire if the news is bleak which I expect it to be and he sent me the wire.

Frazer: So at that point, what did you do?

Lewis: My family concocted the idea of sending me to Washington, D.C. which was as far away from my friends as possible, because they did the same thing I did. There were thirteen of us, and twelve of us flunked out or left.

Frazer: You mean there was thirteen siblings, thirteen children?

Lewis: No, not in my family.

Frazer: Oh I see.

Lewis: From Phoenix High School that went up at the same time I did and of them, twelve either left or flunked out. We weren't ready. I graduated from Phoenix High School in two and one-half years and I was over my head when I went to Stanford and just lost. My family sent me to Washington merely because I had, one of my mother's sisters were married and had a couple of youngsters and they lived in Washington. They were going to Geneva, Switzerland, to an assignment my uncle had there for four years' duration, so they used it as an excuse to send me there to see them before they left, and I went to business school there. They didn't tell me to go to business school, but I went to business school. I learned very little because I still hadn't grown up. I took a civil service examination in which I flunked the shorthand and passed the typing. I got a job as a clerk in the Department of Justice, and worked as a package wrapper, and then as a photostat operator, and then as a typist, and then as payroll clerk.

Frazer: Was it there that you got the idea of going to law school?

Lewis: Well, the fellow that I was rooming with was going, had gone to law school, and he was a little older than I, and his friends, younger friends, were all going to law school, and so they were the people I

was thrown with. My job ended I think at 5:00 in the afternoon, or thereabouts, and they all went to school at 5:00 to 7:00. Everybody worked and everybody that I knew went to school, and I didn't have anything to do from 5:00 until 7:00. It's too long to wait for dinner alone, and nothing to do, so I went to ... The school was starting in the fall so I started to law school, because they were there.

Frazer: Which school was this?

Lewis: George Washington.

Frazer: George Washington? And do you recall the date?

Lewis: Yes, the fall of '22.

Frazer: So, at that point, you had finished business school, you had graduated from business school.

Lewis: No, they didn't have graduation from business school. You just went until you thought you had learned enough. I didn't think, I was bored with it. I still wasn't grown up. I was a slow grower.

Frazer: So, you worked during the day and you went to business school, excuse me, law school at night.

Lewis: Right.

Frazer: How long did this continue?

Lewis: All the way through. Let me see, well at the end of the first semester, unbeknownst to the student body of G.W., and as I recall the student body of the law school counted, and I may be wrong on this, but I've

always remembered it as a thousand students, and the school had without telling us decided to seek accreditation by the A.B.A. Those were the early days of accreditation. And so A.B.A. accredited them, but in doing so, they set the standards such that they flunked out fifty percent of the student body. Five hundred of us went out. I didn't. I was in the middle and I was called before some kind of a board and they queried me, and they said, "Well, if you'll take contracts again, you can stay." So I did, and I stayed.

Frazer: What year did you finish?

Lewis: '26.

Frazer: You finished your course of study in '26? Did you anticipate staying in Washington?

Lewis: No.

Frazer: Did you like being in Washington?

Lewis: Oh, it was alright.

Frazer: It must have been different from growing up in Phoenix.

Lewis: Yes, but it was still a small town. Quite a small town. Probably 180,000, maybe 200,000. It was a city to me, but its attitude was pretty much like a small town.

Frazer: Were there any particular courses in law school that you liked?

Lewis: No. Nobody ever told me in the entire time I went to school why I was going to school for, how I should approach it, until either the last, just before the last examination, or maybe it was mid-year examination, of the last year, I can't remember which. I was standing in our new building which was called Stockton Hall leaning against the wall. A professor was standing close by. Somehow he remembered my name and in those days, everybody was Mr. He said, "Mr. Lewis, why are you so glum. Is something wrong?" And I said, "Yes, its examination time." He said, "Well, why should that bother you?" Well, I said "I've never done well on examinations." He said "Will you do something for me?" And I said, "What is it you would like?" Well he said "How do you take an examination?" I said, "Well, there are ten questions," and that's the way they did it in those days. I said, "I try and figure out the first question, what the professor is trying to find out if I know, and if I feel that I know it all, I answer that question. The next one, if I don't, I skip it until I've gotten through the ten, and then I go back and do the best I can on the ones that I didn't answer." Well, he said "Don't do that this time, please." He said, "pretend that you're in your first office and you haven't got any books or anything, and

someone walks in with a problem. Just do the best you can in telling him what to do with his problem. In all likelihood, it's going to be relatively simple anyway. But in any event, tell him the best you can. Approach the question that way. You haven't any books. You have a question, answer it. Don't attempt to remember the rule in Shelley's case, or anything of that sort. Just answer the question." I got my first A. Either in the last moment of law school, or half-year of my last year, I don't know which. Whether I got other A's or anything, I don't know. I was so shocked at getting an A that that's the only recollection I have.

Frazer: Did you make plans for yourself at that point?

Lewis: No, I never made plans for myself. My father, I wrote my father and told him I graduated, and he said "Why don't you come home. Come into the office." So I did. And in those days, you were allowed to practice law if you were in a law office and were taking the bar examination, and I spent the summer, I really worked on nothing but two cases. Spent the summer doing the leg work on a case, or a matter really, that the office had that was getting the bonds for an irrigation district accepted. One of the jobs was to see to it that it was properly organized. The organization of an irrigation district was like the organization of most things.

There was an enormous amount of paperwork. So I went to the courthouse, it doesn't exist anymore, but it's located where they now call the old courthouse. It was the old older courthouse in those days. There was no air conditioning. It was summer. I sat in a steel vault taking files out. In those days, the files were folded in a fashion that would permit their filing in a very narrow file. Made it very hard to stretch them so that you could read them. And I would do that and make my notes on each of the steps of a corporation. When I got through, I was pretty wet every evening from long-past perspiration, it was pure and unadulterated sweat in that steel vault. Phoenix, summertime. When I got through, I made my notes into kind of a schedule of how the corporation was organized, and then I prepared a letter to a Wall Street law firm. I'll never forget the name as the young lawyer that I met in Nausau in a meeting a couple of years ago. Hadn't ever heard it. Cravath, Gurnsdorf, Swaine & Wood. It's now Cravath, Swaine & Moore. He had never heard the name of Gurnsdorf, who was a very important individual of the era. If he was still alive then, I don't have any idea. And anyway, I carried it to the place where I filled in the blanks and did the things that were necessary that were clerical in their nature and I guess people in the office did the others, I don't

know. And I think I had one of, oh yes, I had one other job. Greyhound Bus Company that existed in San Francisco, that operated in Arizona. The office had the job of taking care of this purchase by Greyhound Bus Company. My job was to be sure that inventory of buses was correct, and that was a dirty, difficult, very clerical job, because it was the custom in those days to take the engines out of buses when they really got in bad shape and slip new engines in. The numbers were on the engines. The result was that none of the engines jived with the records. As a result of that, not by any great thinking on my part, the highway department, the bus company and the office all had to change the system so that the number would be on the frame of the bus instead of on the engine. Maybe it was also on the engine, I don't know. But in any event, that was that job. And then my father died while I worked on his case, which was the original case of that era. It was the original underground water case. I worked on it as sort of a leg man. It lasted three months and its preparation took about three years. Very interesting experience for a kid. And at the end of the three months, it was finished except for tying the few knots of no great importance, but at the time, my father was apparently not feeling very well, and he walked in to Judge Jencke's chambers. That was Joe Jencke's

father, who used to be with Evans, Kitchel & Jenckes, and asked if he might be excused and Jim Moore might take care of this part of it, Jim Moore being one of his newer partners. Jenckes said sure. And we lost him, we couldn't find him. We finally found him that afternoon and he was awfully steamy, talking steadily. He had gone to Trinity to the Bishop's house next to Trinity Cathedral up on the dead end of First Avenue. So I took him from there home and he went to bed. And after that, I've not told you more than you wanted.

Frazer: Who were your father's other law partners at this time?

Lewis: Well, by the time I was there, there was a fellow named Cramer, Bob Armstrong, son of Mr. Armstrong, my father's partner. I don't know whether Shupp was there yet or not. There was a fellow named Shupp. At least he was there a little bit later.

Frazer: So, when your father passed away, you stayed in the office?

Lewis: Well, that's the next part of the story. He passed away in April and shortly afterwards, I was told by Cramer that I would remain there the rest of the year, but then I would leave, and that happened. And, I finally found an office. Phoenix was strange at that time. That was the opposite of the time we are going through now. There was no office space.

It took me almost three months to get an office and it was only possible through my friendship with George Luhrs who ran his father's buildings. And this was the Luhrs Building before Luhrs Tower was built. And he finally got an office for me there by willingness of somebody to give up an office.

Frazer: Now, you had taken the bar by this time.

Lewis: Oh yeah, I had taken the bar almost immediately. I think I took the bar in September, I believe, about 1926.

Frazer: 1926. That was given in Tucson in those days.

Lewis: No, it was given in Phoenix in the house chambers. 26 of us took it. 7 of us passed. All the lawyers got annoyed about that. And they apparently eased up or they had dummer, or different at least, prospective lawyers, the next time brighter I guess than most of them. Because there were 26 that took it, and 6 or 7 flunked. Just the opposite, and I was admitted. They were slow in admitting us. I was admitted on December 24, 1926. So I am now approaching my full 61st year of practice. Will on the 24th of December of this year.

Frazer: So, when you opened your new office in the then Luhrs Building, how did you get clients, or how did they find you?

Lewis: I don't really know. All I did, because in those days, we did not do anything to further our

practice. And I had taken this room and I had a partition built so that I had a little secretarial space and an office space, and I had the equipment, had a typewriter. And I would move back and forth. I would be my secretary and eventually I had enough work so that I hired a secretary. With an exception that occurred in 1932, and ended in I believe 1935, I'm not actually certain, I practiced alone until we created this firm, which was in June of 1950. And the two years I was with a very bright, delightful individual, Harold Elliott, Hal Elliott he was known. He used to be with the Ellen, Wood and Ross firm, which is the same as the Evans, Kitchel & Jenckes firm, and he had become an alcoholic and they eventually had to say goodbye to him, but he had been on the wagon for six years and he was marrying a very good friend of my mothers and she wanted him to take me along, and because of that I said alright. And his record indicated that he had burned his list, and so we went together and I learned a great deal from him and we would have been just splendid together, but toward the end of the period he went off the wagon and there was all sorts of difficulties and eventually I had to ask him to end up, which I did too. And then I went back to practicing alone. And by that time, the situation for lawyers as it was for

everybody else was extremely difficult, and I had a few clients that either stayed with me after Hal dropped out of the picture or that I had before, had developed myself, and we have two of them active today, three of them, but the other one seldom needs the services of a lawyer. One is Westinghouse, another one is Zorbach. I was collecting bills for them. And the third one, well it isn't important, the third one.

Frazer: You were married by this time?

Lewis: No I was not married. No, I can't say that I truly grew up. I don't really know when because I guess I started to grow up when I started doing work in my father's office, but I don't think I became grown up until an incident occurred that I'll mention anyway. Along about that time, I got married. Married a girl named Marjorie Booth, and we had a son who is still living who I guess was somewhat slow growing up himself, but never had the difficulties that I - well, yes, he had his own difficulties - but, he's splendid now. He's not a lawyer.

Frazer: What was that son's name?

Lewis: Same as mine. And one day Midge, as Marjorie Booth was called, said my cold is so nasty, I think I'll stay in bed this morning. That was a Saturday. On Monday, she died of pneumonia. Orme was ten months old. And that probably completed my growing up.

And I remained single for a couple of years. My mother moved in with me and sort of became the mother of my son.

Frazer: When did she die? What year was that?

Lewis: Well, I learned to avoid years, so my years are not very safe. I think she died in '34. Two years later I married Barbara Smith, and that was in '36, if my dates are right. I certainly could be wrong. She lived for 44 years after we were married. She died in 1980. Then I married this year again to a woman who had two husbands before who died. One of them died 14 years ago. Mine died 8 years ago, or 7 years. So that's that part of the picture that had nothing to do with the practice of law, except the practice of the law was very necessary because it fed us.

Frazer: You mentioned to me in an earlier telephone conversation that you tried to avoid the courtroom whenever possible.

Lewis: It bored me. The slowness of it just absolutely bored me. I found myself almost going to sleep in the court room. Practicing alone I was faced with a problem of having to go to court. So I became a courtroom lawyer in a very limited sense of the word now and then. But ordinarily, I called somebody else in to do it, because I couldn't, I just, too slow for me, that was all.

Frazer: What was your work day like in those days. Has it significantly changed?

Lewis: Only in the sense that it was writing letters, simple contracts, bringing suits mostly in the justice court on the debts, because I said I represented Westinghouse. The truth was I was representing something called Southern California Electric Company. They had a branch here. It was bought by Westinghouse. And then, such things as organizing corporations and I did a lot of work for people who were in the transportation business. I guess I spent every Wednesday in those days - that would be hearing day at the Corporation Commission - I think I spent every Wednesday out there representing matters for clients. I did a lot of that kind of courtroom work. That kind of courtroom work was fast.

Frazer: One second, I think we're going to have to switch the tape.

Lewis: That's fine with me.

Frazer: At the time you were practicing by yourself in the 30's and through the 40's, who were the leaders of the State Bar at that time?

Lewis: I guess on my father's side, and John Gust, those were the primary water law lawyers. The town didn't have very large law firms. Ten was about, that was a big law firm. Then the depression kept them from

growing, so the town was mostly made up of a few ten-lawyer firms, many of which came into existence, most didn't last. Law firms are very delicate animals and it's very hard to find people who, somehow nobody can really tell you how, they grow up and become, to a certain degree, a fixture. They never get away from being delicate. You tend to meet the partners of any law firm, and I went to law school with a fellow who was in a law firm in Cleveland of about 250-300 lawyers, 92 partners, same problem. Where were we? I lost my train of thought.

Frazer: Well, the leaders of the bar.

Lewis: Well, I mentioned two of them. Fennemore. Of the young ones, Dick, his son, one of the brightest I've ever know, he was my closest friend of that era. Certainly my closest friend of lawyers.

Frazer: That's Dick?

Lewis: Dick Fennemore. He's dead. All of them are dead. I never stopped to identify people that were leaders of the bar, really. I know names, but I don't know whether I am capable of identifying them as leaders or not.

Frazer: Were there any judges, either state or federal, that come to mind that were particularly influential or important to that time?

Lewis: Well, early there was Judge Kent. That was territorial. Later, there was Levi Udall, who as a trial judge, was an exceptionally fine one. As a Supreme Court judge, he was good, but he wasn't as good like he was as a trial lawyer. He was superb as a trial lawyer. Then a man whose name doesn't come to me this moment in Yuma. All fell in the same category as far as a trial judge is concerned. The situation, the relationship between Tucson and Phoenix was such that in my judgment of those, except in a very few instances, there was a fellow named Picket. Except for his temperament, he was a very fine trial judge. The leader of the bar down there probably just died in his 90's and was practicing law until then. Now I can't say his name. It will come to me by and by, but I can forget names faster than I can remember them.

Frazer: Did you know Judge Chambers?

Lewis: Very well, yes. He was a very bright fellow. I was on the bench. I assumed at least his peers thought well of him. I assume he was extremely good. It would be hard to believe he wasn't very good. Conversationally, he was one of the most difficult people I ever ran into.

Frazer: How's that?

Lewis: Well, he just spoke in a most odd way.

Frazer: How about Jim Walsh.

Lewis: Jim Walsh is very good. Very good as a Federal trial judge. And so was Ling.

Frazer: David Ling?

Lewis: We had an interesting one, an old one, Federal trial judge. Remembering people who weren't my peers is difficult as far as their standing was concerned. I knew what some of them had by way of reputation. You take for instance, Elwood and Ross. Those were both extremely fine lawyers. Very fine lawyers. That was an interesting firm, different from other firms. It started out in Douglas and Bisbee and did nothing except work for what is now Phelps Dodge and for businesses that were related to Phelps Dodge or for people that were related to Phelps Dodge. They represented the bank. They were all Phelps Dodge people and the bank they represented in that area. They represented the store, it was a company store, but it was owned by the Brophies, operated by the Brophies. That was their practice then. They moved to Phoenix in about 1932. At the same time that I moved over from the Luhrs Building, I moved there because I needed space. I got a political job that didn't interfere with my practice of taking the census in Maricopa and Yuma Counties, and I needed more space and so I moved there. Then I moved from

there to the Title Building, and I formed this little firm with Elliott. And, I think there were more firms of two people than there were of almost any grouping of lawyers. I stayed in the Title Building for 40 years when we moved to this building.

Frazer: Maybe you could tell me a little about the formation of Lewis and Roca. I know it wasn't called Lewis and Roca then.

Lewis: Well, at the time that we started, well, let's put it this way. I took a deep breath during the depression, I did what everybody else did. I ceased having an office of my own. One of the reasons I ceased temporarily was that I broke up with Elliott, I wasn't going to keep all of the space that the two of us had, so I rented a room which was a common placement of an individual lawyer, with the firm of... That's silly, that's silly as can be. I'll come back and tell you what it was. It was a firm of two lawyers. And they had two extra rooms, so they rented those two rooms. I had one. And, there was a reception area where we kept our secretaries, and I was there for fourteen years practicing alone. The reason I was there and the reason somebody was in the other room was because none of us could afford any more space than that and they couldn't afford to have the space unless we were there, because times were

that way. And, Cunningham and Carson. The Carson firm still exists. Cunningham died, Carson since has died. His son you might say was the first name in that firm. It's a medium-sized firm. Now what got us on this subject.

Frazer: Well, we were leading up to the formation of Lewis and Roca.

Lewis: Oh, yes. One day, I got up an awful lot of courage. I went home and I talked to Barbara, my wife, about it. I said I've got to get off the dime. What I'm doing now is all wrong. I said for the first time there is space in Phoenix office buildings. And that's because the power company had the ninth and tenth floors of the Title Building and they moved to a building down on 4th Avenue or 3rd Avenue and Washington. So, I had represented the title company, not all the time, but on special matters, quite a good deal, so I went to them and told them that I would like to have a space at 919, which consisted of four or five offices and an anteroom. I didn't have any money. I borrowed the money to do it, and my wife agreed with me. I carpeted it and I fixed it up and made it ready to use. The first person I talked to was Roca. He was in a firm Moore, Romley & Roca. Moore, by the way, turned out to be an alcoholic, too. That was one of my jobs at my

father's office was to see to it that Jim didn't drink. And, needless to say, I did a poor job of it. Nobody can handle a person who's an alcoholic. I learned that bitterly. In this office and everything. Being old, I've learned it. In any event, I talked to Paul, as a result of which he gave me some names of people who might be prospects. All I wanted to do was rent. The last thing in the world I wanted was to have a partner. I'd had a partner. I had two bitter experiences and I just didn't want any more of them. So I talked with Mark Wilmer. Mark made an entertaining remark that I won't make. He said no. I talked with Harold Scoville. Scoby said I just came off the bench and I spent a lot of money fixing up this office and creating this firm and I can't afford to. Come around and see me in a year, or let me come around. I said fine. Then, I saw other people. Then I ran into Roca one day and he said, "You know, you visited with me last week about wanting somebody to move in to rent space." He said, "You didn't say anything about me. Were you excluding me?" I said, "of course not, you're in a good firm. Why should you be interested?" "Well," he said "that's my problem. I'm going to leave. I want a place to go. I'd like to move in with you." I said, "I can't think of anything I'd like better."

So we moved in. That was January, 1948. And then Scoby came along in '49, in January, and said he was going to leave his group for much the same reason as I had created the office.

Frazer: He had been a Superior Court judge?

Lewis: Uh huh. So he came with us and one day in the summer, early summer, 1950, the three of us met in my office, I guess. Got to talking about bookkeeping problems that we were having, because we were all working for each other as well as alone, and it was getting insane. We decided that we'd form a firm. So we adopted a name and formed a firm. We were not as much of a firm as we became a couple of years later. In other words, we still did what we had done before. Tried to identify work we were doing, who brought it in, and all, and then a couple of years later, we abandoned that. Nowadays, you can't do that anymore. That isn't permissible. In those days it was a very commonplace method of doing things and a very clumsy, and a basis of disputes, everything else, we didn't have them but it was an easy basis was one of the reasons it took a long time before any firm could form because ordinarily if people got angry easily, they surely would get angry that way because just dividing the pie wasn't dividing the pie. It was dividing a million pies and not practical. Anyway, we started in June 1, 1950. And

that was it. Nothing much has happened since except it was by happenstance a great break for Paul Roca and Orme Lewis. Paul was a typical Latin. His father was half Chilean and half Mexican. His mother was from Nebraska. Paul never forgave his mother for going to Nebraska one summer for vacation from Tucson where he grew up, because he was born then in Nebraska. He wanted to be able to say he was born in Arizona. Anyway, he was much younger than I. Brilliant. Extremely brilliant. And had been what today is referred to as administrative assistant, or A.A. as they speak of it, in those days it was called secretary of a senator. He was that for six years for Hayden. Set up Hayden's system by which Hayden was able as a business of the work of senators could continue as it had in the past. Hayden was very famous for, when you called him or wrote him and asked for his help, he could give it on a matter he then had a system which was easy enough in the quiet days, to keep track of it and always tell you about it before anybody else told you about it. Paul, among a million and one other things, devised a system for Hayden, so Hayden could continue that as things became tremendously busy. Paul went to school the same way I did. Went to George Washington and worked for Hayden. On the other hand, he took a lot more time than I did, but that was because his work

for Hayden was work on the head, mine was clerical work. The only work I did that was any fun was the payroll work, and the payroll work at the Department of Justice was truly interesting. I'll make an aside on that and go back to the other stuff. They paid everything in cash in those days. All salaries were paid in cash, including the Attorney General. The Attorney General was the highest paid person, obviously, $7,500.00 a year. I was there during three attorneys general. One of them was Dougherty, who got into all sorts of trouble. Another one was Stone, who became Chief Justice of the Supreme Court. Another one was Sargeant, who came from the same little town and practiced law much in the same way Coolidge did, and was named by Coolidge. The payroll, I would take a sheet of paper and I would put down the name, the amount of money they earned for the pay period, which was two weeks, typical pay period, and divide it up into twenty dollar bills, ten dollar bills, nickels and dimes. I almost got fired, because another fellow and I found out that we could get a hand-operated adding machine and have a device on the side that would break it down into the amounts of bills so that as you added up a payroll, you automatically knew how many twenty dollar bills and whatnot you needed to make up your request

voucher. The payroll in the United States Department of Justice at the time, including the beginnings of the F.B.I., the entire thing, was $30,000.00 a payday.

Frazer: That was it?

Lewis: That was it. $60,000.00 a month it cost by way of pay to run the Department of Justice. It was a little bit smaller than this office.

Frazer: Amazing.

Lewis: Two of us, when I worked as a package wrapper, two of us, a black and me, received the requests from all of the United States attorneys, all the Federal judges, and the United States and the territories, and we filled them from shelves and wrapped them, put them on a lift, that went up to the street level where they were loaded on a truck and went on their way. And it only took two of us to do all that work.

Frazer: That's amazing. That's truly amazing.

Lewis: Really, now, we're down to the firm. We had no idea of growth or non-growth. We did have a philosophy which made us very different than other firms. Very different. Most law firms have tended toward being identifiable philosophically or religiously. Speaking philosophically, you find democratic firms, you find republican firms, you will find left firms, you will find very conservative firms, you will find Catholic firms, you will find Jewish firms, and they

are just that exactly. Nothing else. We decided first, it wasn't all done just sitting down and we just, it grew. We decided that we would never ask anybody that we would hire anything about either their religion or their political leanings, or philosophical leanings that touched on politics; that is, liberal, conservative, whatnot. It only got us into trouble once. We got a person that became a complete and absolute socialist in the most extreme sense of the word. That's the only time that it really got us into difficulty. He finally got to the place where he couldn't stand us, so he left, thank God. That solved our problem there. We didn't want to fire somebody because of their political, because we had already told people, everybody knew the philosophy of the office. And that was the only difference between us and the others. We did have one thing that was interesting, and it's very hard to describe. You can't describe it. Somehow or other, Paul thought a great deal of me, and I liked Paul very much. And Paul had a typical Latin temperament. He could get madder quicker than anybody I've ever run into in my life. But if he did anything that was like being temperamental with me, he was back in my office if it happened some other place than my office within a minute apologizing. He

didn't want it to happen any more than a man in the moon. With other people, that wasn't true at all. But we had this unique relationship. The result was that about all I had to offer - and this sounds in a sense of the word, a criticism to myself and also a touch of bragging, and it isn't intended as either one; it's trying to describe the situation. Here we had Roca on one side who was truly brilliant and who could always find a way to accomplish the purpose that the client wanted accomplished that if it were done otherwise it would have been completely wrong, improper. He would find a proper way. He would find a route that could be followed that was absolutely proper, in the utter sense of the word. And besides that, that was a part of brilliance. But besides that, he was a very, very brilliant person. All I had to offer really, basically, on one hand was the conning influence, and the other one a peculiar legal sense of judgment. Now, that's the part that I don't like to say, because it is as though I were blowing my own horn. But, I know from things that have been said to me time and time again over sixty years that there must be something to it, because it's been said too often to me. It wasn't because I was the greatest lawyer, or anything like that. I did my work; I kept my clients happy. My clients never got

into trouble. But, I always had Paul and, as we grew along, others to play things back to, which is a great advantage of a law firm. Is to come to a conclusion, and then go and try it out on somebody else.

Frazer: Right. When did John Frank come to you?

Lewis: We had a mutual friend. The last person in the world you would ever expect to be a friend of mine. Bill Benton. Bill Benton was the Encyclopedia Britannica. Bill Benton was a person that could turn lead into gold. And did time and time and time again. And Bill was even past being a liberal. He was a liberal liberal. And, we built a house relatively close to theirs. It was when the South slope of Camelback mountain was the desert. We built the thirteenth house on the South slope of Camelback mountain in 1947. That's how little it's been used. And, I guess we, our houses, were probably I don't know, 300 hundred yards, maybe not that much. In any event, Bill had a wife, Helen, who was an utterly wonderful, delightful person. One day, we sat down in our own living room, the two of us, Barbara and me, and said, we've got to make up our minds. If we're going to keep Helen as a friend, we've got to be a friend of Bill Benton's, whether we like it or not. Shall we just give up right now and say no, we're through, or shall we do? Well, we liked

Helen so much we said, we are going to try our damnedest to make Bill our friend. And the strange part is, and it was illustrated by an incident that occurred years later, I can't tell you how we accomplished what we had set out to do, because it certainly had no distinguishing features. But one day, we were over at Benton's house, and our yards were close. That's the way we wandered back and forth. Their house was so built, you damned near had to walk inside the house before there was any method of calling attention to the fact that you were there. Bill had been down at the swimming pool and he saw us so he came up, and I guess he dried himself off. I guess he hung it on a rope. And as he walked into the room, he had just been appointed the United States Senator from Connecticut, and to replace somebody who's no longer there. Later he was elected. Anyway, Bill walks into the room and as he did, he threw this cloth around his neck. Barbara looked at him and said, "Ah, the toga." And Bill laughed. Now, Bill would not have been capable of laughing unless we were good friends. That would have been an absolute insult. It would have been taken as an enemy making a nasty remark. And it was taken the absolute opposite way. Anyway, so John and Bill were friends, and Bill suggested that he talk

with me about his offer to John to use his house for the summer, to find out whether or not living in Phoenix would help him any with his asthma.

Frazer: Because the Bentons wintered here.

Lewis: That's right. He had a nice home. So Bill came down. I don't mean Bill. John came down to my office while I was at the Department of Interior and he told me the story. And I said it probably will help you. Bill's house is nice, you'll enjoy that part of it. It's got air conditioning, so at least you'll be cool. And if you'd like to, you can use our little library. Our office was very small, but we had a better library than the size that the offices called for because Roca and I were nuts on buying books, and under our original formation, the firm didn't buy any books. Lawyers bought books. That was true of all law offices in town. Libraries were not owned by the firm. They were owned piecemeal by the office. And, so it shows how silly it was, because when I moved out of our office, I took my father's books and one of them was the New York supplement. You can imagine a new lawyer starting out with it being the primary set that he would have. The last one that he'd be interested in buying. Anyway, I think the New York supplement, the original volumes, the same ones that came with it.

Anyway, John came out and used our office. He had three briefs to write. Used our office and after the summer was over, they invited him to join with them. That was John. There really is not much else to the story. The only other parts of the story that are different from anybody else's story of a life, I was just a non-court lawyer who had a pretty good practice and somehow or other participated in creating an atmosphere that held us together.

Frazer: Tell me a little bit about your stay at the Department of the Interior.

Lewis: Well, I, along with Dick Fennemore, and a half a dozen other lawyers, it was not necessarily lawyers, mostly lawyers, decided after the debacle of 1930 when it became apparent that the country had become Democratic, that we were going to create for Arizona something that had never happened before. We were going to create a Republican party. It's unbelievable that any bunch of kids would do something like that. We did nothing else in our spare time until 1950. 1930 to 1950 than that. That was our golf, that was our tennis, that was everything, except possibly our drinking. We drank because somebody told us it was against the law. We succeeded in electing a governor. That was the only person we succeeded in electing, or perhaps, some

members of the House but not control. And, as far as the Department was concerned, in 1952, Barbara turned to me and said alright, what do you want? And I said, what do you mean, what do I want? Well, certainly, after working twenty years, you're entitled to practically anything you ask for. Do you want to go to Washington? What would you like to do? It had never occurred to me, I never thought for one minute about what all this work would do as far as I personally was concerned. So, we had a congressional directory in the house, because of our interest in politics. So, she got in the personal directory. Or perhaps we just pulled it off the shelf because we were sitting right beside a little reference shelf. And, opened it up. And I said what department? Well, she said, the one that you probably would know most about, and would be most interesting, would probably be interior, I would guess. So I turned to interior. And exchanged telephone calls and probably two things made it possible. One, Len Hall who was the Republican big-wig in the background was a very good friend. He and his wife. For both of us. We had visited in their home and we were just good friends. Perhaps because of a mutualality of interest in politics, but just because we liked each other. The other was the Hayden and Orme family were friendly, although I

never got in touch with Hayden about it. And, so after a few exchanges on the telephone, I went back, Barbara and I went back to the inauguration. Len and I had never settled on anything. He had asked me once whether I wanted something, if it was to be - I've forgotten what the title was - it was second in command at the post office department. And I said no. And that was the only suggestion he ever made. Apparently, there was an opening there that he could move somebody into. So, at the convention, I've forgotten which hotel, there was this hotel where the floor was devoted to booths. Booths represented states, and so I was standing in front of the Arizona booth, and a woman came up to me and started to talk to me about something in Rock Creek Park. And I said I really don't know anything about Rock Creek Park. Well, she said, this was something musical, you must have heard of, whatever this musical organization was. She said, well will you let us stay. And I said, I don't understand your question at all. She said, please don't play games with me. I said I'm not playing games with you. I don't know what you're talking about. And we just went back and forth, and she finally just gave up and left. Well, I guess I was asked to come down to the department, to Doug McKay's office, he was the new secretary. And I went in to see him and pass the time of the day. He said,

would you like to be assistant secretary for land management? And I said, I don't know, I haven't even given it any thought. He said, well give it some thought and let me know, will you please? I said, certainly, I'd be glad to and I appreciate your asking me. I left and I went off to see Barry, Barry was a green-horn senator, just elected, and I said this is what happened. He pulled out a book, and he said let's see public lands, national parks, indians, territories. In those days that included Alaska and Hawaii. Undated Islands. Fish and wildlife. A perfectly ridiculous assignment. And he said, for Christ sake, why are you asking about this? What more do you expect? Well, I guess the idea of being an assistant didn't appeal too much. He said, you got the cream of the crop there, go ahead and do it. So I did. Shortly afterwards, who was Jack Anderson's boss, publicity man?

Frazer: Oh, I don't remember.

Lewis: He was the meanest communist in the United States, Jack Anderson was his leg man, and retained the same thing after this fellow died. He wrote a very nasty column about Doug McKay for two reasons. One, he wanted to write it for readership; and the other one was that he was very disappointed that the Republicans were in office, because he had built a

new fence all around himself. The doors that he was accustomed to using were no longer available and he had to make them available somewhat, or anyway, this was just as nasty as it could be. Doug was a little man, short man, and was furious and wanted to answer, and we, I think there were three assistant secretaries at that time, and an under-secretary, all of us told him not to answer. He had a P.R. man that he had brought with him from Oregon who didn't know a God damned thing about politics, and he wrote an answer, which from Doug's point of view was a good answer. While we were unavailable, he used it.

Frazer: This boss of Andersons had run a seven-column spread about the secretary that proved to be embarrassing.

Lewis: Well, he attached to him, if I recall correctly, I could be off-base with this. Give away McKay, the host, just to give everything away. That may have been Doug's method of operations and, in any event, the situation might very well have been the same if nothing had happened and if he still had the same latitude that he lost by reason of this faked reputation that he acquired. But, in any event, whatever the reason was, his method of operation was that I not only had the five bureaus which was far too much for one guy, far too much. I had to find methods of handling it so that I could leave to the

directors of the bureaus a hell of a lot of latitude, because I just didn't have the time to fiddle with it. But that was partly solved by an incident. There was an administrative assistant secretary, which was a bureaucratic job, that is to say, it didn't require a confirmation by the senate in that category. And it was filled by a very bright, very nice fellow. But Doug, and so were the others, pretty leery about using in such a position somebody that was already there. And I said, okay. The guy pretends to be a Republican, and he might be a Republican, but I have a sneaking feeling that he's the sort of a British type of bureaucrat that he will behave as the appointees require, as distinguished from undermining them, which I am sure that the bureaus will attempt to do with us. But what are we going to do if we get rid of him. Are we going to find somebody that is really good to appoint to really a minor job, and expect that fellow to learn enough about the bureaus to be able to do anything for us. I said, we can always fire this guy, not in the sense of getting rid of him, but at least moving him to some other spot where he can't do any damage if it proves that way. And we'll only be hurt the one or two times that causes us to do that. Well, I guess word got to him that I had sold the secretary

and the other assistant secretaries, and the under-secretary, to take the chance. The result was that he taught me a number of tricks, not many. For instance, I'll tell you one and then I'll be through. The one trick that he taught me occurs by reason of fact that a good many letters have to be signed by assistant secretaries. Well, I had five bureaus from which letters would come that would be prepared for my signature. Along about 4:00 in the afternoon, this enormous stack of files with this letter on top would appear. There obviously would not be the time to make use of the files. Just picture painting to have files come up. But I did read the letters, and I learned to scan letters pretty well. So, when I got to a really bad one, I would draw a line through it like this and send it back. And, one day I was talking with Otis Beasley, this fellow about it, he said, Orme, that's exactly why he did it in that fashion. They wanted you to draw the line with it. They can now send out a post-card saying it is under secretarial consideration. And, they don't have to answer the hard question. He said the next time you run into one of those letters, keep the file and the letter. Give it to your best assistant. And people in those days didn't have any titles. Now they're called deputy under-secretaries, or deputy assistant

secretary, so they're not, they weren't quite as useful, but they were still quite useful. They were just bright, young guys. So, I would turn it over to one of those and I'd say, I don't care what your answer is, I want this fellow to get a short, clear-cut, polite answer to his question. And I want it to stand up in the event that any arguments are made about it. And I'd like it to be done as rapidly as possible. But, bring me the letter and the yellow copy. I don't want anybody to know anything about this. So I would get it, I would sign the letter, and I would keep the yellow copy, and I would let the letter get into the mail, and when I was sure that it was in the mail, because I'd have somebody follow it to see to it that it got into the mail, I would then send the copy and the file and their letter with no comment that it was replaced to the bureau. And within a few minutes, the first time, two people would appear, the director and his major assistant, that the letter might relate to, would be in my outer office insisting to one of my secretaries that they had to see me. She would call me and I would say certainly, send them in. They'd come in and they would Mr. Secretary me to death. This was very, they understood why I did it, fine letter, and all of that, but. That isn't the way things should be

done, because in this fashion, there is nobody in the bureau to be responsible. Many times, you have noticed the initials on the side of the letters, of the copies of letters, to indicate that various people who are affected by what a letter says have had an opportunity in input. And I said, yes, I'm aware of all that, but I said it really is up to you and to them to make the letter in such a fashion that I won't be writing a letter. I will only write a letter when I get one like the one that caused me to write this one. But you can bet your sweet life that this will happen again if I get another one of those letters. It didn't take very long for word just to pass through the whole damned department and all the five bureaus, and to other bureaus, that that's what I was doing. Because I passed it to the other assistant secretaries in our usual weekly meeting that we had so they would be aware of the opportunity that existed there. And he kept feeding these things like this, and I got quite a reputation as a result and was able to accomplish a great deal more than most assistant secretaries. One of ours was typical of assistant secretaries. He didn't do a damned thing. He had a good bureau head from his point-of-view, and he didn't need to do anything, but just enjoy the job. But I didn't. I worked my tail off. But somebody had to.

Frazer: How long were you assistant secretary?

Lewis: Oh, a short three years. I went there right after, shortly after, the beginning of '53, and left in the fall of '55.

Frazer: So you just returned to Phoenix to resume your practice.

Lewis: I left, I went home one day and I said we're going home. Barbara said, why, and I said because I'm believing too many of the things I'm told by the bureaus. It's time for a new person to be there. That's it.

Frazer: Do you have any regrets about your career. About becoming a lawyer.

Lewis: No. No, I've enjoyed it. The nicest thing about being a lawyer, particularly being my type of lawyer, particularly having gone through all kinds of problems which, in spite of yourself even today is apt to happen if you practice long enough. The joy of being able to enjoy a conversation with an individual, entrepreneur, who can't talk about a damned thing except the automobile he builds, or the dairy chain that he runs, or whatever it happens to be. I can sit on a plane, and in those days, you were on the plane a long time, and you eventually had to talk to the fellow next to you, and the fellow could only talk about dairies, but for some reason or

other, you could put in a word here and there that showed that you understood dairies and you made him happy, and you just learned a little bit more about it, and you were accustomed to talking about things with people when you didn't know a great deal about them, and you were accustomed to picking up the information because it was necessary in your work, and had it made it something to do in a conversation. And that's the nicest thing about a lawyer. The entrepreneur is locked into his trade; the lawyer is quite the opposite.

Frazer: Orme Lewis, thank you very much.

Lewis: You're welcome indeed.