

Arizona Bar Foundation
Oral History Project:
Arizona Legal History

Interview with Frank L. Snell
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ARIZONA BAR FOUNDATION
ORAL HISTORY PROJECT:
ARIZONA LEGAL HISTORY

HISTORICAL NOTE

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

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

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

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

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

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

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

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

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

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

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



Frank Snell L. Interview

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Frank L. Snell Interview

Frank L. Snell was born December 23, 1899, in Kansas City Missouri. He came to Miami, Arizona in 1924 after graduating from the University of Kansas Law School, and went to work for George F. Senner. In 1927, Snell moved to Phoenix where he was associated with various partners before he and Mark B. Wilmer became partners in 1938. The two have been partners since that time.

Snell has always been active in the business community in Phoenix and served for many years as a director of the Arizona Public Service Company. He has also served on the boards of directors of several other companies, including Arizona Bancorp, Allison Steel, Bagdad Copper Corporation, and Arizona Equities Company. He was also a founder of the American Graduate School of International Management.

In this interview Snell talks of beginning his practice of law in Miami and Globe in the 1920's and of his move to Phoenix three years later. He mentions many lawyers and judges he has known. Prominent among these are Clifford C. Faires, Joseph C. Niles, and Fred J. Elliott.

Snell reflects at length about his involvement with Arizona utilities companies. He provides valuable insight into the histories of utility providers in Arizona, particularly the Arizona Public Service Company. He also discusses his work as lawyer for other corporations.

Snell discusses changes in the practice of law and the valuable addition of women to the legal profession. The interview closes with a discussion of the Arizona Historical Society's legal history project.

FRANK L. SNELL INTERVIEW

[James F. McNulty, Jr.]: Good afternoon. It's Tuesday, June 20th, 1989. We're in the Valley Center in Phoenix, Arizona. We are happy to have distinguished lawyer Frank Snell as our guest for this interview for the Arizona State Bar Foundation oral history project of law, lawyers and judges in Arizona.

McNulty: Frank, good afternoon and welcome.

Snell: Good afternoon, Jim.

McNulty: We're pleased that you're here and pleased to have this opportunity. And we'll start along factual lines, which would include your being born when, in Kansas City, Missouri?

Snell: In Kansas City, Missouri, on December 23, 1899.

McNulty: What kind of work did your father do there?

Snell: Groceryman.

McNulty: How long had the family been in Missouri?

Snell: My father was born in Cleveland, Ohio. As a baby, the family moved from there in a covered wagon to southern Missouri, Lamar, Missouri, where Truman I believe was born. They were farmers. My grandfather was in the Civil War, on the side of the North, actually was wounded. When the war was over he lived for a short time, and died. My father, as I understand, was then someplace between thirteen or fourteen. He went to work immediately. I'm not sure he even got out of the eighth grade, and never

did get back to school again. But he grew up in that area. It's interesting, because it was the area of the James Brothers, and my father remembers incidents. I'm not sure he didn't even see them once or twice. In due time he came to Kansas City and worked for, I believe, a wholesale grocery company there. My understanding is that my mother, I believe, was a bookkeeper in the organization.

McNulty: Did she come from Ohio as well?

Snell: No. My father was on the English side, traced clearly and easily. My mother was on the German side, only the second generation in the United States, having been born in Leavenworth, Kansas. Came from there to Kansas City, Missouri, and met my father, in the same business together. Or working for the same company. They were married, I can't remember the date. Obviously it had to be before 1899 because that's when I was born. By the time I was born, I believe my dad had established his own business. And continued it. Moved out to the newer section, then, of Kansas City. Our home was there. Still standing.

McNulty: Did you go to public schools in Kansas City?

Snell: Yes. I went to the grade school, which was very close to our home. And then I went to high school, Northeast High, which is still operating. And then

from there I went to Kansas University at Lawrence, Kansas, for law.

McNulty: Had anybody in your family been to college?

Snell: No.

McNulty: You were the first?

Snell: Yes. My mother graduated from high school and a stenographic type of school.

McNulty: Had you always wanted to go to school?

Snell: Oh, yes. My dad was insisting on it. (laughs) But I did. A very close friend of our family was a lawyer and it looked pretty good and I kind of wanted to be [one]. As a matter of fact, I never remember when I didn't want to be a lawyer. My brother, on the other hand, who was five years younger, was an engineer.

McNulty: Did you go immediately into law school at the University of Kansas?

Snell: No. I was in service for almost a year. As a matter of fact, it just reminds me of it. It was what they called S.A.T.C.

McNulty: Like R.O.T.C.?

Snell: Yes. Very similar. I went up to K.U. for that service and took, I think, a course or two while I was in service.

McNulty: Why did you go to Kansas University instead of University of Missouri?

Snell: That's a good question. Two reasons. One, I was told that they thought K.U. was a little better. I'm not sure that's true at all, but it was closer. About forty miles from Kansas City. My family were of very modest means. My father was doing quite well. We were a very happy family. I would often go back on Saturdays to help my dad in his store.

McNulty: So Lawrence was a good deal nearer Kansas City . . .

Snell: Forty miles.

McNulty: . . . than Columbia [Missouri] was.

Snell: Columbia must be a hundred to a hundred-and-twenty-five miles. Fifty maybe.

McNulty: How long were you at Lawrence?

Snell: Four years.

McNulty: Did you get both degrees?

Snell: No.

McNulty: With that program you got a J.D. rather than an LL.B.?

Snell: No. Not at that time. That came later.

McNulty: Oh. Okay.

Snell: You remember, that probably happened with many schools.

McNulty: Yes. What year did you leave Kansas?

Snell: It was 1924. Well, I left Missouri. My home was Kansas City, Missouri.

McNulty: Yes.

Snell: Oh, you mean when I left K.U.? In 1924.

McNulty: Had you taken a bar examination in Kansas?

Snell: No. I was thinking I might practice in Missouri.
In my senior year I took the Missouri bar at St.
Louis, at Washington University.

McNulty: Campus. Yes.

Snell: On the campus. Yes.

McNulty: And were you admitted to Missouri?

Snell: Yes.

McNulty: Did you ever practice in Missouri?

Snell: No, I never did.

McNulty: In 1924 did you leave Missouri?

Snell: Yes, I did. Relating a little bit of what we were
talking about awhile ago, while I was at K.U., I
remember a contact was made. I can't remember how.
But he came to see me at the school from Hartford
Insurance Company. Wanted to know whether I would
be interested in practicing law in their legal
department. It sounded interesting and it wound up
by my making a trip to Hartford to meet their
general counsel, and we made a deal.

McNulty: Was it to work in Connecticut?

Snell: Yes. Work at Hartford. In their legal department.

McNulty: What were the terms of the deal?

Snell: I think it was a hundred and fifty a month as I
recall, with some promise of an increase.

McNulty: Did you then, after you got your degree in law, go to Hartford?

Snell: No. After I graduated I was all set to go--I remember yet--on July 15 to leave Kansas City by train. In that interim I had an uncle that was in the lumber business at Miami, Arizona. He'd always been, I won't say maverick, loosely, but he was one that we didn't see much of in the family. I had met him once or twice and was very fond of him. Anyway, we were having breakfast while he was there attending a Rotary convention--yes, Rotary--and he said, "What are you doing, Frank?" And I told him. And he said, "You ought to come west." He described it to me, thought I'd do all right and so I decided I wanted to do that.

McNulty: I'd like to come back to him. But before that, tell me something about K.U. Law School. Do you remember how big the student body was?

Snell: Yes. The graduating class, as I remember, was about sixty or seventy, maybe seventy-five. I might say that when I started in the law school, a most interesting dean of the law school, Uncle Jimmy Green. He had been dean of the school for a long time. He died, and by the time I got in the law school they had a new dean, from Yale University, a professor. I appreciate it now. At the time we all

thought he was awful tough. But he certainly turned out to be a great fellow, a great dean to be under. A truly academician and a good lawyer.

McNulty: How big would the faculty have been?

Snell: I think about eight.

McNulty: And did you spend three years in the College of Law?

Snell: In the law school. Right. I had an interesting time. I belonged--I don't know about you--but I was a PAD, a legal fraternity and was president of it in my senior year. Went back to a convention in Washington, D.C.

McNulty: Did you go to school summers, or did you go home?

Snell: No. I went home and helped my dad in his store.

Snell: Did you have any brothers or sisters?

Snell: Brother. He also helped out. He was five years younger, and later followed me at Kansas University. In engineering.

McNulty: Did you acquire quite a bit of knowledge of the practicalities of running a grocery store?

Snell: You bet I did. My dad, as a matter of fact, during my junior year at law school, got ill. I actually stayed out about a month to help until we got some help. He got well again and carried on.

McNulty: Were there any chain grocery stores in those days?

Snell: Oh, you bet. Just starting. A&P.

McNulty: Was your dad in one of them?

Snell: No. This was his own independent store. A&P was just down the street five or six blocks. Scared us to death.

McNulty: You thought of them as the big competitors?

Snell: You bet. My dad was a member of the Associated Grocers there--and I know it was of concern to all of them.

McNulty: The uncle who was in lumber in Miami, Arizona, was he a brother of your father or your mother?

Snell: No. He was really a second uncle of mine. He was the brother of my grandmother. I don't know whether that would be a real uncle or not.

McNulty: Well, a great-uncle.

Snell: Yes. A great-uncle, that's right. His name was John C. Light.

McNulty: Where had he been born and raised?

Snell: In Missouri. Part of the original group that came to the midwest. But always in the lumber business. He and another man had established a really good-sized lumber company in one of the smaller towns in Missouri.

McNulty: Where had he gone to law school?

Snell: He didn't go to law school. Oh, no. He was in the lumber business. I don't think he even graduated from college.

McNulty: Do you know how he ever got attracted to Miami, Arizona?

Snell: Yes. He came out here to Phoenix, Arizona. Liked it. Heard of this new mining camp that was going in over there. And I think made connections with one of the companies. Because I know he bought for and finally was sort of a consignee for maybe both of them. I know it started him off quite well.

McNulty: This would have been about what year?

Snell: I think--I went in 1924--it must have been about 1915, 1915, along in there.

McNulty: Of course, with the war in Europe and the war coming on in America . . .

Snell: That's right.

McNulty: . . . copper mines were booming.

Snell: Very booming. You bet. When I got there, and more when my uncle was there, really booming. You're quite right. But even in 1924 copper was relatively high. And they were working three shifts. As a matter of fact, it was interesting to me that Miami must have had seven or eight thousand people over there and Phoenix down here with probably twenty-five or thirty.

McNulty: So this Rotary convention that your great-uncle attended, was that held in Kansas City?

Snell: In Kansas City, yes. At the Biltmore Hotel.

McNulty: And this would have been around the year 1924?

Snell: It was 1924. It was the summer of 1924.

McNulty: And based on his representation that this was a good place to go, you gave up the Hartford contract?

Snell: Right. Well, as I told you I got a little insurance policy. I would have come anyway, but I called Mr. Johnson who had met me and talked to me and whom I liked. I called him and told him what I was thinking about. He said, "Well, I can understand that, Frank. And if it doesn't work out in a couple or three years, give me a ring."

McNulty: And you can come back to Hartford, Connecticut?

Snell: Well, that was what he was inferring. I must say I didn't think at the time, later it was pretty good insurance. By that time I'd decided to go. I think it is interesting though, what affected me, Jim, to come to Miami. I had just two or three weeks before read quite an article about the Colorado River Compact and the dam that would probably be built in the Southwest. It went on to say, and it was quite a story about the Southwest generally. it would bloom and things would be great, and that intrigued me a little. Quite a little. So it fitted in when my uncle suggested the possibility. I think it's rather ironic that my partner [Mark Wilmer] later had to protect . . .

McNulty: So it would be that far apart?

Snell: Seven miles. And Claypool in between. And then the railroad depot was in Globe.

McNulty: That would have been the end of the line, hadn't it?

Snell: That's the end of the line. Except for the rails going up to the mines.

McNulty: Yes. Because the line never went on through to Superior or anything.

Snell: Yes, that's right. It was really a copper railroad, although they did have passenger cars.

McNulty: Did you stay that night in the old Dominion Hotel or stay with your uncle?

Snell: No. He had me all fixed up at his own home. He had a son and daughter-in-law who was with him in the business over there and had a very nice home.

McNulty: Was he selling timber to the mines?

Snell: Well he was--it was a peculiar condition, Jim. You would know more. Maybe more like a consignee. I think he ordered for them and shipped direct to them. He was pretty much, I think, for a while, their agent.

McNulty: We talk about lumber and we talk about timber. People out of mining backgrounds think of lumber as being two-by-fours for houses, but timber as being four-by-fours and six-by-sixes to brace up the mine and the tunnels.

Snell: You bet. Well put. That's absolutely right.

McNulty: And was he doing this latter kind of business?

Snell: I am not sure.

McNulty: Did you arrive there with the intention of practicing law?

Snell: Yes. My uncle had made a connection with a man, by the time I got there, by the name of Mr. Senner. And I worked with him for, I'd say, six months to a year.

McNulty: But when you arrived you had not taken the bar examination in Arizona?

Snell: No. I was able to go to federal court based on my Missouri examination, which turned out to be fortunate.

McNulty: Did you take an Arizona bar examination?

Snell: Oh, you bet. That same year, I think it was in December that same year, because my certificate shows 1924.

McNulty: This lawyer named Senner, is George F. Senner, is that his name?

Snell: Yes, that's right.

McNulty: He's the father of another George F. Senner who was . . .

Snell: Who was later, what, corporation commissioner.

McNulty: And a member of the United States House of Representatives.

Snell: That's correct. I might say, and I'd like to say that I don't know what I would have done, Jim, without this uncle of mine, Mr. Light. Everybody knew him. He was very popular. He opened many, many doors for me. Not only in Miami. By that time he knew the governor and he knew a lot of people. I remember meeting Governor [Thomas E.] Campbell.

McNulty: Tom Campbell.

Snell: Tom Campbell.

McNulty: Who said, "Dear Old Cochise."

Snell: (laughs) Yes, that's right. I'm sure he did when his double doors were shut. He had--you would know--but I understood that he had something to do with helping make a fairly decent road from Superior to Miami. I don't know that that's a fact, but they gave him credit for it. I must say, when I first arrived there wasn't much of a road.

McNulty: What kind of a practice did you have when you and Mr. Senner were together?

Snell: Collections, contracts for business men. He had connections with business men. A good deal of Spanish business. And as you know, the town was not all Spanish. It was, what do we call it, central Europe.

McNulty: Sure. There were Croats and Slavs and Serbians and . . .

Snell: Oh, You bet. Yugoslavians.

McNulty: . . . and Czechs and Slovaks. . . . After you were admitted to the Bar, and you left Mr. Senner, did you practice by yourself?

Snell: Yes.

McNulty: Were there other lawyers in town?

Snell: Yes. In Miami there were good lawyers. I wish I could think of some of their names. There were only maybe four or five of us in Miami, because the law center was at Globe. There were some very fine lawyers.

McNulty: Who were they?

Snell: Rice and Mathews, as you know top lawyers.

McNulty: This is Clifton Mathews?

Snell: Clifton Mathews, that's right.

McNulty: Who later became a federal judge?

Snell: Ninth Circuit.

McNulty: Ninth Circuit.

Snell: He was United States Attorney here and then to the Ninth Circuit. His partner Rice was a brilliant attorney.

McNulty: What was his first name?

Snell: Ed [W.] Rice.

McNulty: I don't remember him.

Snell: And then there was Morris and Malott.

McNulty: That would be Sam [Samuel H.] Morris?

Snell: Sam Morris. And James, Jim, [R.] Malott. Right.

McNulty: They represented the copper companies?

Snell: Old Dominion and Miami Copper. Rice and Mathews, Inspiration. And then Rawlins, Charlie [Charles L.] Rawlins, and a man by the name of [Cullen A.] Little who was a very good lawyer.

McNulty: Was one of the Hills up there?

Snell: Yes.

McNulty: Ginger Hill?

Snell: Ginger, and his brother Rowland W. Hill. Then there were several other attorneys, but I must confess I can't remember their names. It was a good bar.

McNulty: In those days the federal judge sat in Globe, did he not.

Snell: You bet. [William H.] Sawtelle. From down at Tucson.

McNulty: Yes.

Snell: Yes. Sure did. Many of the cases were against the mines, also bootleggers, and selling of liquor to the Indians.

McNulty: Tell us something about Sam Morris, who's certainly one of the famous names in Arizona's legal history and political history as well.

Snell: Deservedly so.

McNulty: Yes.

Snell: He was a very fine basic lawyer, but he did many things. He represented in public relation or, let's say, with respect to the legislature, for the mines. He was a good lawyer. Well, wait a minute. He also served on the Board of Regents.

McNulty: Yes.

Snell: And a very worthy one as I was told. Helped a great deal.

McNulty: It was often thought that he, at least unofficially, was the voice of the mining industry in Arizona during those, 1940's, 1950's and maybe early 1960's.

Snell: I think that's a fair statement as I understood it.

McNulty: When did you leave Miami?

Snell: I'd like to get Jim Malott in on that because . . .

McNulty: Let's talk about him.

Snell: Well just briefly, Jim had called me over with Sam and I went and they asked me if I wanted to become partner with them. I felt quite honored.

McNulty: Indeed.

Snell: They had a very fine practice even in a business practice. And I, of course, readily accepted. I might say that they knew that I was going with a lady by the name of Betty Berlin; that we were engaged. I was just about to sign up for a house as a matter of fact. Near where my uncle lived in Miami. We agreed I would stay in Miami. I had a

pretty fair practice by that time, of business men. And they were fair-sized businesses for the area. And so it was agreed I would come with them. I don't remember what was proposed. I'd have come for nothing. But I suppose some arrangement. I went back, told Betty, she thought that was fine. About two weeks later Jim Malott called me, and he said, "Frank, our deal still stands. But I know of an opening in Phoenix." And the opening--Jim, you probably don't know this. This is going back to ancient history. Elliott practiced in Globe and put together the Miami Copper Company for the Louisands of New York.

McNulty: This is, is it Fred Elliott?

Snell: Fred J. Elliott.

McNulty: Yes.

Snell: Fred J. Elliott. And Mary Kavanaugh or later, who stayed right with his firm, and I inherited her when I took over.

McNulty: Elliott had a practice in Phoenix?

Snell: Yes. Then he transferred his practice to Sam Morris and Jim Malott. He had invited Jim Malott, who was in Hawaii, to join him in Globe. Elliott created the firm. It was Jim first and then Sam Morris came to it. So I had a close relationship with both Sam and Jim. But Elliott had come to Phoenix and so I

came down to see Mr. Elliott, liked him, and I thought then and found out later, one of the most honest men I've ever known. And, also, a very good corporate lawyer. Elliott was also an expert in cooperative law. I stress that because it was quite important at that time. Betty and I were not married when I first met with Elliott, but we were going to get married. We were married on August the 3rd, 1927, in California.

McNulty: Was she from a family in the mining camp?

Snell: No. Not at all. Her brother was a surgeon and doctor for the Miami Inspiration Hospital. As you know, the mining companies always had good hospitals for their people.

McNulty: They did.

Snell: And he had come to Miami to join the staff at the hospital. His name was Dr. Harold Berlin. And so his sister came down just on a lark, as a matter of fact. To spend a year or two teaching. She was a teacher over in California and graduated from California University. Dr. Berlin rented the apartment under my uncle's home. My uncle took to her right quick and I think he steered us right into marriage. Thank goodness.

McNulty: Why would Fred Elliott have left Miami after he did the organization of the . . .

Snell: He was intrigued by this valley. Had saved up quite a little money and bought some cotton land. He was intrigued with cotton and that led him into the cotton business. He formed the Pima Cotton Growers which became a very large and powerful cotton organization, growers organization; also what is today the Arizona Citrus Growers Association; and then the Arizona Hay Growers Association. Had a lot to do later, with the Arizona Milk Producers Association. He was an expert and in fact shaped a lot of the laws for co-ops at that time.

McNulty: So this is a lawyer who's got a farmer inside him really trying to get out.

Snell: Really was. Yes. And he did very well on cotton, at first.

McNulty: What was his background that would have generated that?

Snell: Mr. Elliott graduated from Colorado Law School and later came to Globe.

McNulty: You then elected to join Elliott in Phoenix?

Snell: In Phoenix.

McNulty: In what year?

Snell: In 1927. I said to Mr. Elliott, "I'm going to get married, we're going on a honeymoon, and I'll be back on September 1st. And that's when I started in 1927.

McNulty: I have a pal named Joe Refsnes and I understand you have a pal named Joe Refsnes.

Snell: He was the first man outside of my uncle that I met in Arizona. He was running the Gila Valley Bank.

McNulty: At Miami.

Snell: At Miami. And my uncle said, "I know a young man I want you to meet." He was doing business with him. And I met Joe Refsnes.

McNulty: He was Danish as I remember it?

Snell: Norwegian.

McNulty: Oh, it was Norwegian.

Snell: Norwegian.

McNulty: Had he been born in Norway or were his parents?

Snell: No. No, parents. Came from--well he came there, as you probably know, from Montana. There's where he got to know Dr. Ricketts. One of the Anaconda people was responsible for getting him to Arizona and then ultimately into the bank.

McNulty: Working at this bank?

Snell: That's right. Well, you know, then he took over, you remember, the securities department of the Valley National Bank at a time when they could operate a securities department.

McNulty: And then founded the firm later know as Refsnes, Ehley and Beck.

Snell: Mr. Walter [R.] Bimson made that possible when the bank had to get out of the security business. He practically set them up in business. They were, two of them were working for the bank.

McNulty: Yes.

McNulty: And that's now merged into the Rouscher Pierce.

Snell: That's correct. And we have been with them all the time. I mean, representing them and using them for securities.

McNulty: How long did you and Fred Elliott practice together?

Snell: Only about seven or eight years. Mr. Elliott gave me a lot of authority very early. We represented what was known as the Pay-N-Take It Grocery Stores. A very successful chain, owned by four men here in Phoenix. Very successful. We were representing them. I felt right at home in the grocery business.

McNulty: I can imagine.

Snell: I think it was about 1934, 1933 maybe. When Mr. Charles Merrill, of the firm now known as Merrill, Lynch, Pierce, Fenner and Bean, came to see if they could buy the Pay'N'Take It Stores for Safeway. Our clients agreed to sell. I helped put together the contract, with Charlie Merrill who was here for four or five days. And I remember we had agreed we were going to close by Friday of that week.

McNulty: Who was Mr. Merrill's lawyer?

Snell: I'm coming to that. (laughs) So we were going to close on Friday. Merrill insisted we get it closed that week. Anyway, Wednesday I said to Mr. Merrill, "Who are you going to get as a lawyer?" He said, "I don't need any lawyer." And that's exactly right. He didn't. He said, "Tell me, Frank"--we were at dinner with Betty--and he said, "Tell me, is there anything in that contract I should worry about?" Well, I said, "Charlie, I represent the other side. I couldn't do that without their consent." I knew there was one. No non-competitive clause at all. Silent. I called George [W.] Mickle that night and told him, and he said, "Well, tell him." So Thursday morning I told him. He said, "That's all right, Frank. I know that. We'll take care of that Friday." Well we got to Friday's closing and Mr. Merrill said, "You know, I've got a question here before we close. Frank told me about the non-competitive clause. Are we paying you fairly for everything you own? Good will, name and everything?" Of course I'm just telling you substance of the conversation. They said, "Sure." "Well, do I have your word of honor that you will not go back in the grocery business in any manner?" "Sure." "Forget it," he said. "Let's close." So we closed it up and as we got the last things done

he turned to me. I'll never forget it, Jim, and now that you're part of the organization you can see why I'm proud for all of us. He said, "Carry on for Safeway." And we did. Safeway is still a client. Or I did, really. Because in 1935 or 1936 I bought Jerry out. He wanted to retire and go up into the Northwest. And so I did.

McNulty: Was the firm composed of just the two of you?

Snell: Yes. I quickly got another young man to help me. I remember his name was Smith and I can't remember his first name. He was only with me a year or two. I took over the business, bought the library and bought Mary Kavanaugh, his secretary of many years, along with it.

McNulty: After Smith, did you have someone when he left?

Snell: Yes. Mr. Charlie [Charles L.] Strouss came to see me. Wanted to know if we might office together--he and Riney were sort of practicing together, I think, at the time. And I know that just the two were together.

McNulty: This is Riney [B.] Salmon from Bisbee?

Snell: Yes. I understood that.

McNulty: Who married Wes [Wesley E.] Polley's sister.

Snell: Well, the name is, help me. A delightful person.

McNulty: And the brother of Button Salmon, who died in an automobile crash.

Snell: Oh, yes. Exactly. The one who said, "Bear Down."
In any event, the three of us were together, and Mr. Mickle wanted us to come over to the Phoenix Title and Trust Company where their offices were, and give us some business.

McNulty: Was that George Mickle?

Snell: George Mickle.

McNulty: I'll be darned.

Snell: Yes, George Mickle. He was one of the men in the Safeway Store. President of the Pay'N'Take It Stores. George Mickle, Laken and Peters, two Peters.

McNulty: George Mickle, of course . . .

Snell: Of Phoenix Title and Trust.

McNulty: . . . wound up selling Phoenix Title and Trust to Transamerica.

Snell: That's right.

McNulty: Boy that's a different kind of a business.

Snell: Entirely. Yes.

McNulty: So anyway, you and Charlie Strouss and Riney Salmon have now got a . . .

Snell: Went to the Phoenix Title together. Never really formed a partnership, although they called it Snell, Strouss and Salmon for a few years.

McNulty: When you went to the Phoenix and Trust, though, you mean you rented part of the building or you were . . .

Snell: No, we rented offices there.

McNulty: From Phoenix Title?

Snell: Yes. And called it Snell, Strouss and Salmon.

McNulty: Yes.

Snell: We weren't over there very long until the Heard--I'd been in the Heard Building. That's where I originally went to work with Mr. Elliott. The Heard people came to me and said, "If you'll come back we'll turn a large part of the Heard business over to you." I personally took on the burden of going to see George Mickle. He said, "Frank, I can't blame you. That's a very fine account." And back we came to the Heard Building. Ultimately we went in the Security Building.

McNulty: Still practicing as Snell, Strouss and Salmon?

Snell: No.

McNulty: Oh, it's Snell, Strouss and Salmon.

Snell: Yes. We had by that time taken on two or three other lawyers. Riney and I were working together, trying cases. It worked very well. Charlie Strouss was a top-notch corporate lawyer. He represented Del Webb, and had a good corporate practice. Then Riney had left us. I simply had to have somebody to

help me with the trial work. Do you want me to say, Jim, how I came on to [Mark B.] Wilmer?

McNulty: Yes.

Snell: There were four judges at that time in the Superior Court of Maricopa County--I hope I can remember them: [Joseph S., Sr.] Jenckes . . .

McNulty: That would be Joe Jenckes' dad?

Snell: That's correct. [Joseph C.] Niles was one. I'm thinking of the fellow I just said that looked like his picture a minute ago. Jenckes. . . .

McNulty: Stanford?

Snell: No. Phelps. Judge Phelps.

McNulty: Marlin [T.] Phelps.

Snell: I think [Dudley W.] Windes had come on. I'm not sure. Niles was handling probate work. And these other three were handling regular trial work. All of them were good friends of mine. I told them what I needed and they knew it. I was working too darned hard. And they all recommended Mark. He had just been trying cases for the attorney general's office, and also in cooperation with the county attorney's office, against the sheriff and some of the deputies, on fraud. Won all of them. He was living in Mesa; I had never met him. When I asked him if he wanted to come over he said, "Sure, I'll be over." So we talked for an hour or so and he agreed

to join us, Strouss and myself, as Snell, Strouss and Wilmer. In 1938.

McNulty: Charlie?

Snell: Strouss and I were still together, but he and Riney were thinking about forming a firm with Irv Jennings. And shortly after, they did. By that time we had added Joe [Joseph T.] Melczer and I believe [Edwin] Beauchamp. [James A.] Walsh came a little bit later. So they pulled out and we carried on.

McNulty: "They" being Charlie Strouss and Riney Salmon?

Snell: Right. And Mark and I carried on as Snell and Wilmer.

Tape 1, Side 2

McNulty: We've reached a point now where Charlie Strouss and

Snell: Riney Salmon.

McNulty: Riney Salmon are about to form a practice with . . .

Snell: Their own firm.

McNulty: . . . with Irving [A.] Jennings.

Snell: Yes.

McNulty: And at this point your firm consists of you and this newly-added trial attorney named Mark Wilmer?

Snell: That's right. That was in 1938.

McNulty: What kind of a practice did you have?

Snell: I was building a pretty good practice. Corporate--oh, I should say: I mentioned those co-ops. I inherited the Pima Cotton Growers, Milk Producers and the Citrus Growers. It was a good law business. I first met Walter Bimson then. He was connected with Harris Trust Company of Chicago who was negotiating loans to the Pima Cotton Growers for their farmers.

McNulty: From Chicago.

Snell: From Chicago. I remember very well a barbecue in Mr. Elliott's back yard with Walter Bimson on one of his trips to Phoenix. Mr. Roy Wayland, heading the Valley National Bank, and others, went to Chicago and induced Walter Bimson to become president of the bank, after which he moved to Phoenix permanently.

The Pima Cotton Growers, one of the farmers' cooperatives, had a fine and successful operation but they were having some difficulty with their manager. Jerry Elliott, my partner, was a very capable and intelligent lawyer. He got on the phone and called Mr. Will Clayton of Anderson, Clayton Cotton Company. I am sure that Mr. Clayton had

heard of the Pima Cotton Growers and Jerry advised him they were having some difficulties. He would like Mr. Clayton to consider a connection with his cooperative. Mr. Clayton asked Mr. Elliott to come to Houston and there they agreed upon a tentative deal where Anderson, Clayton would work out an arrangement with the Pima Cotton Growers in a helpful and constructive manner. I helped close the deal with Anderson, Clayton. They became clients of Elliott and Snell and the company is still a client of Snell and Wilmer, as is Safeway. Both clients of more than fifty years.

McNulty: Were you working for the Valley National Bank or its predecessor in any capacity at that time?

Snell: No. Walter and I were good friends and remained so over the many years following his arrival in Phoenix, but we did not represent the bank until later on.

McNulty: But Bimson initially came out here for Harris Trust?

Snell: Well, yes.

McNulty: But as an employee of Harris in Chicago.

Snell: Of Harris, yes. He was not connected at all with the Valley Bank at that time.

McNulty: But subsequently the Valley Bank did . . .

Snell: They went back and got him to come here and be the president. If you remember, right in the Depression.

McNulty: Central Arizona Light and Power Company, did you work for them?

Snell: No. Can we talk about the utility business? Because I did get into that early. I remember Roy [W.] Wayland and I had become very close friends, civic-wise, and I don't know how it all happened. One day Roy Wayland called me and he said, "Frank, I need your help." I said, "Anything." And he said, "Come over to the fourth floor of the Phoenix Title and Trust Company." I knew there was a utility by the name of Arizona Edison Company. And I knew Roy was on that board. So was George Mickle. So I went over and they were four and four for selecting a ninth man [for the board]. Couldn't agree on anybody. So when I got there they announced they'd come to terms on me. (laughs) Didn't ask me. I was in. A very interesting company. A man by the name of Phil [Phillips B.] Shaw was president of the company.

McNulty: Is this Arizona Edison?

Snell: Arizona Edison Company. As you know because you come from that area, they served the southern part of the state: Yuma, Douglas, Bisbee, Pinal County.

McNulty: Yes.

Snell: Good company. Well, it had just gone through Chapter 11 or whatever they called it in those days, Jim. And Phil Shaw was called from New York to take over the company as president.

McNulty: But though the headquarters was in Phoenix the service area was elsewhere.

Snell: That's right. The office was here. And many men, Claude Quebedeaux, an automobile dealer, Mickle, Roy Wayland and one or two others bought stock of the company after the receivership, at a dollar a share. And Phil Shaw, as president, built up a good company. He taught me something: in the utility business, don't count on public relations just by advertising in the paper. First give them good service and then as cheap as you can. He was a capable president. I know Walter Bimson thought a lot of him.

McNulty: How, in subsequent years, did Arizona Edison and Central Arizona Light and Power and perhaps Northern Arizona Light and Power . . .

Snell: That's what I'm leading up to. Is it all right?

McNulty: Good.

Snell: All right. Well we went along. And Phil was doing all right. I got very much involved in Arizona Edison. One day he said, "You know, Frank, I think

you ought to get a group together because they're going to have to let go of the Central Arizona Light and Power--by reason of the attack by Congress on the Holding Company act--he said, "I just think you ought to take a look at this." Well, it sounded good, and I went to Walter Bimson. He said, "Let's do." Central Arizona Light and Power was owned by American Power Company, part of the Ebasco organization. We got together Mac [M.O.] Best, Johnny [John M.] Jacobs, Mr. [Lloyd E.] Eisele of the Holsum Bakery, and Ted [Edward] O'Malley and others. About ten or so. And they were . . .

McNulty: [E.] Ray Cowden?

Snell: Yes. Ray Cowden, right. Charlie Becker instead of Lloyd Eisele to begin with. They were all very much interested. So we began to work on the matter.

McNulty: The view of this was for Arizona Edison to buy up . . .

Snell: No. No, not to buy. We were doing this as a whole new group. To get hold of--we didn't have money enough to buy it. But I did have out of Arizona Edison Company, there was a banking firm, an investment banking firm by the name of Coffin and Burr in Boston who heard about this, came down to see me, and said, "Frank, we'll back you. We'll take it public. We'll back you." And so I began to

get in touch with Howard Aller. He was president of Electric Bond and Share. He had been president of this company, Central Arizona Light and Power, years before and president of the Phoenix Country Club. So I went back to see him, and he said, "I'll work with you. See what we can do." Next thing I knew, he and I went to the Federal Power Commission to see if we could make a private deal to handle the sale. Under certain conditions, they approved of it. I came back from New York feeling pretty good. We'd worked out something all right. And he seemed to be happy. About ten days after that I picked up my paper to find that Mr. Aller had decided to sell at public auction. (laughs) That was Howard. Coffin and Burr began to back out. The First Boston of New York learned of our interest. George Woods, who was the president of First Boston, called. He said, "I understand you folks are interested in bringing back management of Central Arizona Light and Power to Phoenix. I want to ask you a question. I've checked in Phoenix and you've sure got some good men together. Would you fellows take over the board if we buy it? We like local management if it's good." I said, "You bet. That's what we're after." I never will forget, he said, "You know, we may go up a quarter of point higher if you fellows will do

that." And that's exactly what First Boston got it for. So there we were in.

McNulty: So First Boston owned all the stock of the company.

Snell: Well they went public immediately with it, you see.

McNulty: I see.

Snell: Reserving a block that we had ordered. I don't think we had over two or three million dollars among the whole group of us. The rest went public. And went out very well.

McNulty: And was traded as Central Arizona Light and Power?

Snell: Yes. So we took it over. Immediately knew we wanted to look for a new president. We knew the president, a man by the name of "Pappy" [Edward H.] Coe. A good president, but we wanted a younger man. And, as a matter of fact, Electric Bond Share helped us locate him. Henry Sargent of Mississippi Power and Light. Mac Best and I sat for an hour-and-a-half visiting with him one afternoon and hired him. As you may know, Henry did a great job here. We began to expand.

Well, jumping whatever he did in between, you were asking about Arizona Edison. We then began to have trouble with the administration. Phil Shaw had died. The idea of merging into Central Arizona Light and Power was suggested and the board of Edison liked it. Oh, by that time, I was on the

board of CALAPCO. The board of Central Arizona Light and Power was interested. (laughter) And so in due time we merged. But I must say, it was made easier when we only had one firm of lawyers involved. We weren't kicking any lawyers out. Then came Northern Arizona Light and Power.

McNulty: With the merger, was the name CALAPCO kept, or was that when APS . . .

Snell: No. No. The name of Arizona Public Service was adopted for the combined company.

McNulty: Did you own Northern Arizona Light and Power Company?

Snell: Not yet.

McNulty: That was a subsequent acquisition?

Snell: That came later. Barkus and Kendred of Chicago controlled that company. They were brokers.

McNulty: You must have spent a lot of your time with the utilities.

Snell: I did. You see, the individuals were right from the beginning: Mac Best was chairman; I was chairman of the executive committee; Henry as president; and a fine Board of Directors.

McNulty: Did you do all the work that a utility lawyer does today?

Snell: Oh, not at all. I backed away from it very quickly. I think you're in a dangerous spot to be your own

lawyer in a thing like that. Joe Melczer, Mark Wilmer, Bud Jacobson, Fred Steiner and others from the firm quickly came in. Very quickly. When we acquired Northern Arizona, we inherited a very good lawyer, Nick [Nicholas H.] Powell. Whom I don't know that you knew, but he had been with Reed and Priest. A firm of attorneys that were all utility business, pretty near. They represented Electric Bond and Share, and all their subs, too.

McNulty: Did you ever take a rate hearing?

Snell: Oh, you bet. Oh, in the meantime, I must say, before we merged, Mr. McNulty, Mr. Shaw and I, for Arizona Edison, got an option on Tucson Power and Light.

McNulty: From them or from the Stone and Webster Company?

Snell: No. From its parent company.. We went back and negotiated the deal and got it, in black and white, subject to approval of the Arizona Corporation Commission. I am almost sure, Jim, we asked your firm to help us in Tucson. It would have been Thompson, I think, that I approached first. Because it was--funny how memory can be so lousy. And certainly Mr. Clifton Mathews didn't like it at all. Now he was pretty much public power.

McNulty: Yes, he was.

Snell: You bet. And so was M.J. Dougherty, who was an attorney in Phoenix.

McNulty: Oh yes!

Snell: And they were right together against us.

McNulty: The first head of the Arizona Power Authority.

Snell: Yes. M.J. Dougherty.

McNulty: Yes.

Snell: I thought we had the support of the Arizona Corporation Commission, and especially Wright who had been my friend.

McNulty: Rusty Wright?

Snell: Rusty Wright. The governor was against us. Mr. [Sidney P.] Osborn.

McNulty: Yes. He would be.

Snell: As a matter of fact he was over the first day of the two-day hearing, and I saw him--I knew Osborn, Sid, very well--and he said, "Frank, I'm going to have to testify against you tomorrow." I said, "That's all right, Sid, but when you get on that witness stand you are not governor, you are a witness. And I intend to show how much interest you have in the Public Power." He didn't appear.

McNulty: Is that so?

Snell: Yes. He didn't come. (laughter) Anyway, we lost it with the Commission.

McNulty: Oh, the Commission ruled against you.

Snell: Ruled against us. Wright would not go for it.

McNulty: Tucson Electric Power at one time was owned . . .

Snell: There was another man, too. But I thought Wright was safe and we'd have two at least on it. We didn't.

McNulty: Tucson Electric Power used to be called. . . . Tucson, TGE were the initials. [Tucson Gas and Electric Company]

Snell: That's right.

McNulty: It was controlled, perhaps indirectly, by an outfit called Stone Wall or. . . .

Snell: Exactly. Stone and Webster.

McNulty: Oh, Stone and Webster.

Snell: I think that's the one.

McNulty: Yes.

Snell: I'm quite sure that's right.

McNulty: And in a sense, was absentee ownership for some period.

Snell: Yes. But who we went to--I'm trying to remember the one. It wasn't Stone and Webster at the time we. . . . It was another power company name.

McNulty: Yes.

Snell: It was a very easily negotiated deal, as a matter of fact. Apparently they wanted to get rid of Tucson.

McNulty: What reason did Wright advance for refusing to go along with this?

Snell: (laughs) He didn't tell me, but I told him. I said Osborn told him not to vote for it. The only man who was with me was, I think, the man who went into business. . . .

McNulty: Peterson. Bill Peterson.

Snell: Yes. Peterson. Bill Peterson. That's right.

McNulty: Was there a man named Betts? Was he a third commissioner?

Snell: No. He was off by that time. I cannot remember when. But I lost. And Mark really conducted the case.

McNulty: Were you gradually adding lawyers as time went by?

Snell: Yes. You bet. Sure were.

McNulty: You and Wilmer started when?

Snell: In 1938. I was doing a lot of finance and corporate law. I got acquainted with the Sullivan and Cromwell firm very early.

McNulty: By finance work, do you mean bond issues?

Snell: Stock and bond issues. Sullivan and Cromwell were handling this kind of work for First Boston. Art Dean and I became very close friends. As a matter of fact, someplace along the line we want to get to the Colorado River Case.

McNulty: Yes.

Snell: Art Dean said to me one day, "You know, Frank, I think you're going to grow. And I think you ought

to start specializing." This is way back in the early days. It was funny, because I had heard about Joe Melczer being a pretty good tax man over at the bank. That's where we started. But we didn't do like we do now. No we recruit ahead of time. In those times we hired as we needed them. And that's when we got Beauchamp, and Walsh.

McNulty: How did you come to employ James Walsh?

Snell: Mark knew him. They had been partners in Mesa before Mark came with me. Very close. As you know, Mark just gave him the Bar award the other day.

McNulty: Had Walsh been on the Maricopa [County] Superior Court bench? Or was that when he left.

Snell: He was already on. We took him off the bench.

McNulty: Is that so?

Snell: Yes.

McNulty: And then he subsequently was appointed to the federal bench.

Snell: Yes. I have to say, Mr. Truman did a very dirty thing to us.

McNulty: Yes. (laughter) Well, Mr. [Ernest W.] McFarland had a role in that too.

Snell: He sure did. As I look back, it was a sacrifice that we should have been glad to make. He turned out to be a very fine judge.

McNulty: So actually, Mark Wilmer had the principle role in promoting Jim Walsh into the firm?

Snell: He sure did. I knew Jim. But Mark was the fellow who got him. No doubt of it. And Beauchamp too. Mark has been the outstanding man with the other lawyers. Mark is a better lawyer than I am, to begin with. I mean as a lawyer, he's just sounder. He had the relationship with the Bar, always has had. And with other lawyers.

McNulty: Ed Beauchamp is a great name. Did Mark get him?

Snell: He was on the bench, too. He came from the bench to us.

McNulty: Did Mark go and talk those guys into leaving?

Snell: I guess he did. They came on.

McNulty: Do you remember when you began doing any work for Valley Bank?

Snell: Oh, yes. We were doing some assigned work, in a general way. Walter wanted to form the Arizona Bancorp. He had been thinking about it. He said, "I want you to come in and help me do it." Well, I knew when he said "wanting me," he wanted Joe Melczer and two or three others to help. We incorporated Arizona Bancorp in 1968. Then we really got into the banking law business, and took over all the Arizona Bancorp law business. And more and more of the Valley Bank work. It just kind of

grew like Topsy, the work with the bank. And you know, they've used other very fine lawyers: your own firm; the Gust firm and Rawlins' office. Historically, rightly so. Gust and Rawlins' offices, as you know. Rawlins was in the very early days of the Valley Bank.

McNulty: When you mentioned earlier, Joe Refsnes working for the Gila Valley Bank, that is actually the corporate predecessor of Valley Bank is it not?

Snell: Exactly. That's right.

McNulty: You mentioned Arizona Bancorp, if you traced that back through you'd wind up with Bank of Bisbee and Bank of Douglas, would you not?

Snell: Exactly.

McNulty: The Brophy family?

Snell: That's right.

McNulty: So you worked for both the Brophy family, Arizona Bancorp Corporation . . .

Snell: No, for Arizona Bancorp in the merger.

McNulty: . . . and the Valley Bank.

Snell: Yes. Well, you remember the Arizona Bancorp, didn't it, as I remember, sort of grow out of the employees, or the stock held in the employees' fund?

McNulty: ESOP. Employees' Stock Ownership Plan. Yes.

Snell: Yes. Exactly.

McNulty: Yes. For a while did they not try to run as statewide as the Bank of Douglas and decide that was too limited?

Snell: Well, I think that is right.

McNulty: Then they wanted to be called the Arizona Bank, and the Southern Arizona Bank objected to the name that was too similar to theirs?

Snell: Right.

McNulty: Were you involved in that litigation?

Snell: Yes. I remember. I was around when they settled it.

McNulty: Over the years, you've been involved in some very significant litigation, have you not?

Snell: Personally? No, not really.

McNulty: Did you not like trial law?

Snell: Yes, I loved it. But I knew that--I must tell you, the more I got into corporate and business law, I liked it better. I think I was made more for that, and Mark was certainly made as a trial lawyer.

McNulty: But back in your early days in Gila County, you had tried cases?

Snell: Oh, yes.

McNulty: And when you worked for Mr. Elliott, too?

Snell: Yes. Quite a little of it for the co-ops. They seemed to have quite a little trial business. And

then, really doing a lot for the Pay'N'Take It Stores. Just small matters, but a lot of it.

McNulty: How about insurance defense work, did you get into that?

Snell: Yes. I got into that. I had brought over, as a matter of fact--I don't know if it's still around--General Insurance Company, I did a lot of work for over in Miami. I represented a local agent who had the big agency business in the Miami area, well Miami-Globe area. He helped me obtain two or three insurance companies. I did quite a lot of defense work. With fair success.

McNulty: Was it as much personal-injury related work as would be the case today?

Snell: Yes.

McNulty: Even then?

Snell: But not all the discovery and all that you go through today. Entirely different procedure. I'd be lost today.

McNulty: You talked earlier about the Central Arizona Project. And that's got to be the most significant litigation affecting this state in this century.

Snell: No question about that. Probably one of the biggest cases. Yes.

McNulty: You had to be very close to the ringside when that was going on.

Snell: I was. Well, it happened this way, Jim.
Indications were that we were not doing very well.

McNulty: Is this when the matter was before a Master by the Supreme Court?

Snell: Yes. Simon Rifkind. Yes. Master Rifkind. And I got a call from McFarland. He called me and he said, "Frank, I want you and Mark to come out and see me. And I'm not telling you why. I just want you." So, you go when a governor calls.

McNulty: This was when he was governor?

Snell: While he was governor.

McNulty: I see.

Snell: And we went out, and he said, "Mark, I want you to take over this Colorado River Case, and I mean now! Right quick."

McNulty: Who had been in charge of it?

Snell: Frank.

McNulty: Charlie [Charles H.] Reed?

Snell: No. No, he was known as counsel.

McNulty: John Frank?

Snell: John Frank.

McNulty: John R. Franks or John P. Frank?

Snell: Which is the one with [Orme] Lewis?

McNulty: John P.

Snell: Yes.

McNulty: He was in charge?

Snell: He was handling the trial work. If you followed it, Jim--I did. I was really following the case very closely. I appreciated Mark keeping me advised. But they changed the complete theory when Mark went in. I don't know whether you know that. Master Rifkind had almost indicated he was going to rule against Arizona, when Mark was called in.

McNulty: Rifkind's indication would have been that if you're using the theory of prior appropriation, California did appropriate earlier.

Snell: Yes. That was sort of the basis of it. Mark got in and I remember him talking with me, but not for advice. It looked hopeless. And that's when he went back and read the legislation and the Compact. Why get into all the Gila River--the Gila River was involved in this. All kinds of side issues that had no basis there. So Mark fell back on the legislation, particularly in which California had agreed to a limit of water they were going to get out of the rivers.

McNulty: Almost sort of a breach of contract they had made.

Snell: Exactly. That's just putting it pretty quickly. That's right.

McNulty: Probably represented the turning point.

Snell: Well, yes.

McNulty: Mark would have been really the spokesman for the cause during this time?

Snell: He really was. Although Reed was in there. Reed was in, in a very important position. Reed and Mark were working--my gosh, Reed was in our office all the time. I think he almost had an office fixed for him.

McNulty: This is Charlie Reed from Coolidge?

Snell: Charlie Reed from Pinal County.

McNulty: Yes. We spoke about him this morning.

Snell: Yes. Carson, C.A. Carson was involved in this along the way, too.

McNulty: C.A. who'll be sixty-five years old, or his father?

Snell: No. His father. I knew and liked him an awful lot. "Charlie" we called him.

McNulty: Did you ever go to any of the hearings or. . . .

Snell: Nope. Never did.

McNulty: Did you ever read any of the evidence?

Snell: Yes. There'd be some critical stuff, Mark would--well, he was just keeping me advised, knowing how much I was interested.

McNulty: You felt the outcome of this legislation was really critical to Arizona's future?

Snell: Of legislation or of the case?

McNulty: Litigation.

Snell: Oh. I can think of no more critical matter.

McNulty: Yes. Were you a director of Arizona Public Service at this time?

Snell: Yes.

McNulty: Were you a director of any other corporation?

Snell: May have been of the Arizona Bancorp created by Walter Bimson.

McNulty: I see.

Snell: Oh, yes. I was a director of Allison Steel.

McNulty: Yes.

Snell: You see, later on I became--this is not pertinent--but I became a director of Henry's company back in New York, and that was an interesting part of my life.

McNulty: This is Henry Sargent's company?

Snell: Senior.

McNulty: What was the name of that company?

Snell: American Foreign Light and Power. A very interesting assignment.

McNulty: Once it had Central American companies?

Snell: Yes. In twelve countries, including Cuba. I've said before, nobody should ever have invited me on a board. I went on and the next week the company lost Cuba, which was over a hundred million dollars on the company's books.

McNulty: Was this [Fidel] Castro's . . .

Snell: Oh, sure.

McNulty: . . . ascent to power?

Snell: Yes.

McNulty: You got on the board and the first thing you do is write off a hundred million dollar investment in Cuba?

Snell: The next week. If you'll remember, the government did give us ten years to write that off. I don't mean to write it off, but to deduct a certain portion of it in reporting tax returns.

McNulty: The work you did in connection with the utility companies was obviously of enormous consequence to the state. What other . . .

Snell: Not as an individual. Wait a minute, Jim. I'm talking about good boards of directors and many other fine people.

McNulty: Yes.

Snell: Oh, I helped. I contributed, maybe, as a board member.

McNulty: Well, I'm getting at the things that you did with great consequences, and certainly the Safeway business, that had a long-lasting influence for the good, I would think.

Snell: Yes, but you're saying that in such a personal way, Jim, which isn't true.

McNulty: Well, I got the impression that you . . .

Snell: If I left it that way, I want to withdraw it. Okay?

McNulty: (laughs)

Snell: I do.

McNulty: I know. I know.

Snell: You know, the trouble is, I like--I wish we were at my desk, I'd pull it out and show it to you, what Michener said.

McNulty: James Michener?

Snell: Yes. He was to receive an honor of some kind. He said, "This is a very embarrassing thing. Everybody that helped, we all worked together, they all helped, but they're all gone and I'm the last one." And that's unfortunately true.

McNulty: That's sort of like having hay fever and not deserving it.

Snell: Yes, exactly. (laughs) I'm really not being immodest. It is embarrassing. I'm very embarrassed.

I like negotiations, I must say that.

McNulty: When you talk about negotiations, did you ever do any labor negotiations?

Snell: A lot of it. You bet. I was very much involved in it.

McNulty: Who were you representing?

Snell: All the grocery companies. All the bakeries at one time. It got so big, Jim, that I--and I enjoyed it to a certain extent, but that is hard work. And I

reached the conclusion that a lawyer is not the best negotiator.

McNulty: Why do you think that?

Snell: I think labor men--and I had some that were very good friends of mine--I think they were afraid of the lawyer. You know, some people have a feeling toward a lawyer that he'll double-talk and all that sort of thing. So we formed what was called the Arizona Employers' Council. I put all my clients in to start it. And got a man by the name of Jack Arnold who was helping me on other matters, and put him in charge. It's still going, and doing very well. There was a benefit to that in that you could enter into a contract with the bakers that would be perfectly all right for them, but might hurt the restaurant people to beat the band. So we put it into one central office and they watch the overall situation of provisions in contracts. I'm sure you know what I mean.

McNulty: Yes.

Snell: That something you get into this contract is incidental, over here it's critical. Yes, I enjoyed that, but I knew I couldn't do that and continue practicing law. It was night and day. Today I think you negotiate based more on statistics and

facts. In those days it was a question of how long could you stay up, and sometimes it meant all night.

McNulty: Yes. I remember negotiating with the I.B.E.W. [International Brotherhood of Electrical Workers] for Sulphur Springs Valley Electric Co-op, and we began in Willcox at seven at night and we would go home as the sun was coming up the next morning.

Snell: Exactly. You know what I mean. That's exactly right.

McNulty: And finally the issues became survival, not economic.

Snell: (laughs) That's exactly right, Jim.

McNulty: All these years, the Snell and Wilmer firm is getting bigger and bigger.

Snell: Yes, it just continued to grow. It did.

McNulty: Did that ever disconcert you?

Snell: It was rather challenging. (pause) That's a good question. Yes. It did. Because unfortunately an awful lot was left with me--some people have jokingly said, that I was a beneficent dictator. I'm sure it wasn't, but it certainly was not structural as we have to have today. I'm sure that I never made a decision, other than the day-to-day decisions, that Mark and Joe and I didn't talk about it. Just informally.

McNulty: Go to lunch and just . . .

Snell: Sure. Particularly the division of money. I never did that without talking very seriously about it.

McNulty: But size begets rules, and rules beget procedures.

Snell: Yes. We began--got up to a printed, I mean a written partnership agreement.

McNulty: Yes.

Snell: Way late. Way late.

McNulty: Were you interested in the administration of a law office?

Snell: Well, because I had to be. Mark didn't want it. Joe was too busy. Joe has been a busy, busy lawyer all his life.

McNulty: And more or less by default you wound up as an administrator.

Snell: Exactly. That's right. I remember the morning that I fibbed a little bit. We were at a partnership meeting. The doctor had told me I ought to lay off a little, and I indicated at the meeting that my blood pressure was a little too high. Not too bad. I then said, "I want to turn this thing over." So I did. We appointed an executive committee.

McNulty: I see.

Snell: It was a compliment. They had five men instead of one. (laughs)

McNulty: I kind of fell into the administrator of a very small law office, and that's the first time that

what is now called the economics of law practice
ever really occurred to me.

Snell: Yes. That's right.

McNulty: Yes. But if you don't think about that, you're
going to be in trouble in a hurry.

Snell: That's right. The law business has been a very
exciting and great thing in my life, of course.

McNulty: With enormous changes in sixty years.

Snell: Oh, my. Terrific. I can't believe it.

Tape 2, Side 1

McNulty: We were talking about the size of law firms. And
you were mentioning that you and Mark Wilmer
pondered the development, the changes it brought
about, that almost has industry kind of
implications, rather than the same professional
implications that you started with.

Snell: In some ways, that seems to be true.

McNulty: Is that a bad thing?

Snell: It depends on--maybe age makes you say that, Jim.
Certainly lawyers are practicing top law under much
more complex conditions, under much more complex
laws, requiring the specialists today. Our
relationship with a client, and I'm sure in your
early days too, you did everything for them. You

may have had somebody to help you, but you knew pretty well what they were doing. You did it because of time. That's impossible today. for example: I know very little about profit sharing and pension plans with employees. That's a specialization in itself, and a very complex one. And so we go. Twelve departments in our office, I've been told.

McNulty: Is there any possibility that this development is ultimately going to price middle-class America out of the law purchase business?

Snell: I think it's almost approaching that now. It's rather disturbing, and it's something I think we've got to try to counter in some way. Because the lawyers need public relations just as well as any business needs it. I regret lawyers being referred to in the wrong way. I hear and read things at times that disturb me.

McNulty: Are people more litigious today than they were sixty years ago?

Snell: Yes, and I think the courts have helped that to happen. Jim, in the early days, this class-action business was never thought of rarely. Some of it is appropriate, but they've opened the doors wide open on the subject. Punitive damages is another matter that's disturbing and abused. Also I'm told by Mark

and other attorneys of the discovery problem and the endless preparatory work for a trial.

McNulty: Will society one way or another find a cheaper way to resolve conflicts?

Snell: Well, in a measure they have by the use of house counsel. Many corporations have increased the use of house counsel. I don't think we can any longer say that those people are not as capable as we are. I've worked with too many of them. They become a specialist in their particular business, which is itself a help to the president and the officers. That's one way I think industry itself is trying to minimize its legal costs. I was the first one who advised the utility it should have it's own counsel.

McNulty: Does it chip away at your sense of the professionalism you once associated with the business?

Snell: Some. I think we're still professional people. I feel we don't have the same contact with our clients.

McNulty: When you talk about the trustees, now you are talking about the formal relationship of a trustee?

Snell: Yes. Growing out of wills and living trusts.

McNulty: But wasn't there a lot of that same thing without the formality of establishing a trust?

Snell: Oh, yes. Oh, sure. I'm thinking, though, in actual practice, out of wills and living trusts and so on. Oh, yes. You bet. And you socialized a lot more with your client because of that. At least I did. And I think a lot of them did.

McNulty: Yes.

Snell: But yet, I'm very proud of the firm, Jim, and that your firm [Bilby and Shoenhair, of Tucson] and ours have been put together. Because we're practicing, I think, good law.

McNulty: Yes.

Snell: And that's what businessmen need, and individuals too. And to that extent, I'm very proud of it. My criticism goes beyond firms. It goes beyond the whole concept of the law business. And that disturbs me a little.

McNulty: You sit here today as the first name in a group of over two hundred lawyers.

Snell: I know.

McNulty: You never had any idea that might happen when you were in Miami.

Snell: No. I don't deserve that any better than hay fever either.

McNulty: (laughs) I want to talk about some of the judges that you've known, before whom you've practiced,

whose way of doing things caught your eye, made you admire them.

Snell: Well, I can start off very quickly. I was the luckiest man in the world to have started in Gila County under Judge [Clifford C.] Faires. I look back and I think he strained a little bit to help me as a young lawyer. I don't think to the damage of the other lawyer, but he certainly was helpful. So I started off with an excellent judge. From Miami I practiced before Judge [E.L.] Green in Pinal County. I tried a case down in Safford. I can't even remember who it was.

McNulty: Judge Chambers?

Snell: It could have been. I'm back in the twenties now.

McNulty: Yes. Or Judge [E.L.] Spriggs?

Snell: That might be. That sounds more like it.

McNulty: Claude Spriggs.

Snell: I remember I got Anderson to sit with me.

McNulty: Guy Anderson?

Snell: Yes. Because I was suing a Mormon bishop.

(laughter) On a conditional sales contract, as I recall.

McNulty: What judges did you practice before in Maricopa County?

Snell: What?

Snell: Did you practice before most of the judges in Maricopa County?

Snell: Quite a few. [Howard C.] Speakman, of course. Windes. Phelps. Tried one or two will cases before Niles, one that is a rather important case; went on appeal. Let me see. Tried up in Yavapai [County]. I remember Dick Lamson because I thought a lot of him and enjoyed the one or two cases I tried. [Henry C.] Kelly, I think, once, down in Yuma. Those I remember.

McNulty: Did you ever argue a case to the Supreme Court?

Snell: Yes.

McNulty: What was the name of that case?

Snell: Well, it was an interesting one to us as lawyers. Frank O. Smith, Judge Smith was part of the Gust firm, Gust, Smith, Rosenfeld, I think. Anyway, Judge Smith was a very capable lawyer here in town. And he and his wife contracted undulant fever at about the same time, and serious undulant fever. Frank O. and his wife signed wills leaving everything to the other--they had no children--with kind of the understanding (and the reason I'm not sure [Devans] Gust did it, I think Gust would have taken care of this) but with the oral understanding, I think, that the other would leave it half and half to each side of the family. In any event, Frank O.

died first, leaving Mrs. Smith. She had changed the will and left all her property to her side of the family. Gust called me, and said, "Frank, I'm recommending you handle this case for them." So I did. Greig [E.] Scott was on the other side. I don't know whether you know Greig or not. An interesting attorney. It was tried before Niles.

McNulty: Claiming what? There'd been a contract?

Snell: I had to show that she mentally knew what she was doing at the time she signed the will. They were trying to prove that she wasn't. She was a peculiar woman. She was different, irritable, just a lot of side things that if maybe you put them together you might reach that conclusion. This is the humor of this case. We were before the jury. I asked her doctor, I said, "I want you to sit with me the whole day that we get into the medical and mental questions." Joe Banks, a very capable doctor. I put him on the stand first to describe her mental condition. On cross-examination Scott starts in and said, "Wouldn't you say that Mrs. Smith was odd?" "Yes, very odd." "Peculiar?" "Yes, very peculiar." "Wouldn't you say she was a person that lost her temper unreasonably?" "Well, she did do that." And four or five similar questions. "Well now, Doctor, when you add all those up together, wouldn't you say

that she was mentally unsound?" He thought for a minute, he said, "You know, Mr. Scott, I've been in court all day and I've been observing you and your little habits, and I think if I added all of those up together I wouldn't want to say you are mentally unsound." (laughter) Judge Niles, he pretty near fell out of his chair. Anyway, we got the verdict. That was an interesting case.

McNulty: What judges particularly stand out in your recollection from the Supreme Court?

Snell: You mean in the Supreme Court?

McNulty: The Arizona Supreme Court, yes.

Snell: [Alfred Collins] Lockwood. [Henry David] Ross. I'm talking about those that I thought were good judges.

McNulty: Did you ever practice before Alfred Lockwood in Cochise County?

Snell: No. No.

McNulty: Of course, Lockwood's opinions are in case books for law students even to this day.

Snell: I know. I thought he was a good judge.

McNulty: Was Ross John Wilson Ross?

Snell: John Ross? Oh, no. Oh, what were Ross' initials?

McNulty: Henry?

Snell: No, that isn't right either I don't think, Jim. Isn't that funny, Judge Ross is what I remember him as. I thought a good judge.

McNulty: Did you ever know Judge Levi [S.] Udall?

Snell: Not too well. Friendly, but. . . .

McNulty: Yes. What about an interest in the political scheme of things. Had your folks been interested in politics in Kansas City?

Snell: No. All we knew about was Pendergast.

McNulty: Well, but that was an enormous political force in those days.

Snell: Oh, it dominated. But you know what they did, Jim. They did somewhat as Daley did. They reaped a lot of money out of contracts that Kansas City gave. But they gave pretty good government taking care of the town. I think my dad felt--he knew Pendergast. But was not at all [interested in politics]. My father was not, he was too busy trying to earn a living.

McNulty: Were you interested in the political events?

Snell: Very little.

McNulty: But in time you became interested?

McNulty: Well, I came to your state with Gila County being at least five to one Democratic. (laughs) I learned one thing, Jim, and I'm glad it stayed with me all my life. I learned to vote for the man, not the party. I voted for good Democrats that I thought were good. No, I never had any interest.

McNulty: Did you ever run for office?

Snell: No.

McNulty: Ever contemplate it?

Snell: No. I decided that I wouldn't.

McNulty: Were you ever urged to run?

Snell: Yes.

McNulty: Have you ever served in any campaign roles or contributed . . .

Snell: Name and money about as much as anything. Worked too hard at law.

McNulty: Yes.

Snell: I didn't have much time, Jim. I was practicing law pretty hard.

McNulty: Did you keep track of your billable hours?

Snell: Certainly not in the early days.

McNulty: No.

Snell: Just figure it out and send a bill.

McNulty: Yes. It was simpler and easier times.

Snell: A lot simpler, yes. Then we got the hours system, and we did it very clumsily for a long while. We would meet every Friday morning around the table and you would bill in front of everybody.

McNulty: Yes.

Snell: And there it kept the bills so that friends weren't particularly favored, but it also kept the lawyer on the spot if he wasn't billing. And that's the way

we did that for years. Even when we got to be twenty lawyers.

McNulty: Does the law profession have all of the same attributes that you think it had when you began the practice?

Snell: No. And that isn't meant to be critical. It's different. The law practice is certainly different. I loved the relationship of other lawyers. I still do. I've heard of the word "professional jealousy" and I don't know what that is. I just respect the other lawyer. If he's a good lawyer and all, that's fine. The reason I'm saying that, I remember in the early days, even as we got larger, I would go around and serve my own papers just to meet the other lawyer. It was certainly much more informal.

And, you know, when you think about it, the lawyers we practiced with, because of the way we practiced, their individualism, their character was known more than today. I'm thinking of Judge [Fred L.] Struckmeyer, as a good illustration: very dramatic and a tough guy to compete against.

Stockton was a very interesting fellow.

McNulty: [A.] Henderson Stockton?

Snell: Henderson Stockton, yes.

McNulty: Do you think there was more congeniality and good feeling between lawyers in years gone by?

Snell: I think so. It was in my own case. But not sure.

McNulty: Was that a wholesome thing?

Snell: I thought so.

McNulty: It wasn't a conspiracy against the public?

Snell: Oh, no.! Not at all.

McNulty: It was more fun?

Snell: Yes. (laughs) I remember one night, Kitchel, Denny [Denison] Kitchel and I were trying a case, one of the big families out on the westside, I've forgotten. He was on one side, and I was on the other. We were really going at it hammer and tong. And were still at it when we were having dinner together. I don't know, I'm sure you did the same thing down here, but in Phoenix in the summertime, our families mostly out of town, we met around a big round table down at the Arizona Club. Solved all the problems of the times, and made some others. But Denny said, "You know, there's a good picture at the Orpheum. Let's go over." So we went over. And there was a pretty fair crowd or line there. So Denny said, "Frank, I've got to duck." He saw his client over in the line going in. (laughs) I understood, so I. . . . I don't remember whether I went on in the show or not, now. But I remember his ducking out. And I understood it.

McNulty: It's hard to imagine something like that happening today.

Snell: Oh, yes. And it happened because his clients were that way. (laughter) I understood that.

McNulty: You've seen women occupy consistently increasing slots in the law profession over recent years.

Snell: You bet.

McNulty: Has that been a positive development, on balance?

Snell: Well now, Mr. McNulty, I'll ask you back. What would you do if your granddaughter was a lawyer?

McNulty: I'd be very proud of her. My daughter-in-law is one.

Snell: What would your attitude be about women in the law business?

McNulty: Well, I think it would be unrelated to whether or not my daughter-in-law was there.

Snell: You're entirely right. (laughs) That's right. No, I--gee, I've been pretty strong. I've seen right in our office good women lawyers that do a better job than men. And on details and all--I love working with them on an estate, for instance, handling an estate. Handling--well, I think of one of them in our office that is known as one of the top real estate lawyers here in town. One of our big clients insists that she look over every real estate deal, I understand. And she's not the only one.

And secretaries! These paralegals. What would we do without them. I've got one right now. Just a crackerjack on it. What little work I do is in wills and estates. I'd never keep straight without her. . . . It is a funny thing. I've seen cases where women clients are not sure they want women lawyers handling their matter. I don't know whether you've had that experience. I've had it a couple of times. She didn't come right out and say it, but it was clear to me.

McNulty: Did you encourage your granddaughter to go to law school?

Snell: No.

McNulty: Did she ever ask?

Snell: Yes. We talked about it. And do yet. Did just the other day.

McNulty: Did you recount your own experiences?

Snell: Some.

McNulty: In a positive way?

Snell: Yes.

McNulty: If you had it to do over again?

Snell: Would I do it?

McNulty: Sixty-five years?

Snell: You're an interesting guy, because one of my principle clients, this last week, at dinner, said, "Frank, would you take law all over again?"

(laughs) And here you come and ask the same question. I stuttered a little bit, and finally said, "Yes."

McNulty: One interviewee said no, out of twenty-five.

Snell: Yes.

McNulty: That was Norman Hull.

Snell: Is that right?

McNulty: Yes.

Snell: A good friend of mine. How is he? Is he still well?

McNulty: Very.

Snell: Good.

McNulty: Fit looking, yes. And a hell of a good lawyer.

Snell: You bet. Oh, you bet.

McNulty: But I thought it was kind of sad to hear him say that.

Snell: And I'm amazed, really. His daughter and my daughter went together an awful lot. Pat.

McNulty: Yes.

Snell: She's living down in Tucson, now. His daughter.

McNulty: Is she?

Snell: She married a retired colonel in the air force, I think.

McNulty: I knew the two boys. They were classmates at the University of Arizona. Stanley and. . . .

Snell: Yes, Stan.

McNulty: I've forgotten the other boy. One of them's a lawyer.

Snell: Is Norman playing the organ?

McNulty: I don't know.

Snell: He did. Pat told me. Enjoys it. That is interesting, though. Norman's the only--the rest all said, yes, they would take it over again, did they?

McNulty: Yes. I'm about at the end of my questions, Frank.

Snell: Good. I've rambled an awful lot for you.

McNulty: No, you haven't.

Snell: It's been boring to you, my friend.

McNulty: We're mighty grateful to have this part of it.

Snell: Well, I hope it's going to be of some benefit to you.

McNulty: It's going to be a great addition.

Snell: Oh, I don't know.

McNulty: Yes, it is.

Snell: I'm back to the same thing, you know. The town's been good to me, and it's a very embarrassing thing, to--for instance, to the American Graduate School, of which I was one of the founders.

McNulty: I didn't know that.

Snell: Well, Barton K. Yount was the man who had the idea. He came first to me in Phoenix.

McNulty: That's Bob Yount's father?

Snell: No. No. No relationship. He was in charge of Air Force Training Command in Fort Worth, or Dallas. I've forgotten.

McNulty: Yes. My daughter graduated there.

Snell: At the school?

McNulty: Yes.

Snell: That's right. You told me. Oh, I'm very proud of the school. And we have got a fine man as president, Roy A. Herberger, Jr. Sometime when you're up here I'd like to have you meet him. I just had lunch with him again this week.

McNulty: You mean, Bill . . .

Snell: American Graduate School. Bill Vorris is retiring, July 1st.

McNulty: Oh, are you talking about Bill or his successor?

Snell: I'm talking about his successor. But Bill's been great--oh, boy, we've worked so close together.

McNulty: Yes. He's a good fellow.

Snell: Oh, he's done a great job. We've graduated our twenty-thousandth graduate this year. I mean over the twenty thousand.

McNulty: Yes.

Snell: And some of those people, Jim, are in a hundred countries. Serving.

McNulty: That many different?

Snell: The thing that interests me is that we're serving young people and serving this country out there, internationally.

McNulty: You wouldn't think of internationalism as being in the interest of somebody from the heartland, who's lived pretty much in . . .

Snell: You know, it's a coincidence almost. I had just read within the six months before Barton K. Yount came in my office, The Ugly American. I doubt if you've ever read it.

McNulty: No, I've read that.

Snell: All right. I had read it and I thought, "Oh, boy. Correct this some way." And here comes a man in my office with a partial answer at least. I don't know how we've survived, many times. It was nip and tuck, but it has come through. Now this fellow has just resigned as dean of the business school of SMU [Southern Methodist University], with a very fine international background too. And this lunch I had the other day just makes me higher than a kite. I think it's going to go great. . . . (laughs) You know, crazy things I've done, though, Jim. I was president of the stock show here for ten years.

McNulty: The Arizona National?

Snell: Yes.

McNulty: In January?

Snell: Yes. We started it. In fact, I think we stole it away from Tucson, so I was told. I don't think it had really gotten under way down there. (laughs) Right after that, I became president of the art museum here, and I remember one dignified lady said to me one day, "Frank, what's the relationship between the stock show and the museum." And, gad, what a terrible answer, I said, "Did you ever see a picture of a good-looking bull?" (laughter) Terrible!

McNulty: So you're a man of eclectic tastes.

Snell: Crazy fool. Most of them had to use lawyers along the line and they wanted free advice. It's true. They had to get somebody to form the legal background for the stock show.

McNulty: Sure.

Snell: Don't tell me you haven't had to do the same thing, too.

McNulty: Oh, of course.

Snell: Yes. Of course you did.

McNulty: And gladly so.

Snell: That's right. Right.

McNulty: Ted Roosevelt said, "Everyone owes some time to upbuilding the profession in the public sector."

Snell: You bet. That's the thing I hope we keep preaching. And right here we owe--at Snell and Wilmer, in the

old times, we owe an awful lot to this town. It was awful good to us, Jim. Awful good. I don't know if we've repaid it yet. Well, I've enjoyed this, Jim.

McNulty: Have you?

Snell: I'm glad you were the guy.

McNulty: Well, I'm very complimented to have the opportunity.

Snell: Oh, come on.

McNulty: Yes. I am.

Snell: No.

McNulty: Hey. I had said, "I'm done with this."

Snell: And then you get stuck with me.

McNulty: Southern Arizona was what I cared about. I lived there for thirty-eight years. I'm still a legal resident of Bisbee.

Snell: Are you?

McNulty: And I remember guys like Frank Thomas and some others . . .

Snell: You are good at this, because you have lived here a long time, and especially in the legal phase of it.

McNulty: Yes.

Snell: It's perfect.

McNulty: And I knew, I even tried a case with Jubel Early Craig. Can you imagine that?

Snell: For gosh sake. No.

McNulty: That's a great treat for a first-year lawyer.

Snell: Oh, I agree. Do you remember the law dining room we had over at the Security Building? Were you ever up in that?

McNulty: Yes. I belonged. I belonged to that.

Snell: Very nice.

McNulty: Jimmy Bush, my fraternity brother, talked me into it.

Snell: Oh yes. Sure. Well, Early and I used to have lunches there every once in a while.

McNulty: Did you?

Snell: Yes. And one day he was having his martini, and I said, "Early, did you ever check that with, did the doctor say that was all right?" He said, "Yes. I went to a doctor twenty years ago and he said that was all right, and I haven't asked one since."
(laughter) Oh, he was really a fine lawyer and good friend.

McNulty: Yes.

Snell: Gee, we've had some great lawyers and good guys.

McNulty: Yes. Well, after I thought I'd resigned, I was told, "Well there are some folks that--maybe you'd have a second thought about resuming your interviewing career. We've got folks like Mark Wilmer and Frank Snell and Phil von Ammon." And I said, "Then on that basis, I'd like to resume my career."

Snell: Thank you. For Mark, I agree with you. I'm not kidding when I told you what I did about Mark. Mark is a far better lawyer than I am. No doubt about it.

End of interview

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