

LOUIS L. WALLACE INTERVIEW

Weisberg: I'm meeting with Lou Wallace. I'm Shelly [Sheldon H.] Weisberg and this is in Kingman, Arizona. This is August the 8th, 1992. We're meeting to talk with Lou about what it was like practicing law in the old days. Lou, I want to ask you first about your background some. Where were your grandparents born or where did they live? Were they in Arizona or were they back East?

Wallace: On my mother's side, my grandmother lived in Los Angeles. She had prior to that lived in Peoria, Illinois. That's where my mother was born. My dad's, my grandfather on my dad's side came from Bedford, Michigan. He was a farmer back there. My father was born in Warrensburg, Missouri. My grandfather had been in Missouri for about eight years farming. He was originally from Michigan. Then they moved back to Michigan and that's where my dad went to grade school and high school and college.

Weisberg: From the biographical sketch that you gave me about your father [father's name], he was born in 1879?

Wallace: That's right.

Weisberg: When were you born?

Wallace: I was born August 26th, 1913. I'll be seventy-nine

the twenty-sixth of this month.

Weisberg: Where were you born?

Wallace: I was born in Los Angeles, California.

Weisberg: When did you move to Arizona?

Wallace: I entered first grade so I must have been--my father moved to Oatman about 1915. I was about two years old; I don't recall Oatman at all. We were there for about two years. My father then went back to Los Angeles because my sister was born in Los Angeles in 1918 and I think we moved to Kingman in 1919. I entered first grade in Kingman.

Weisberg: I see. Now your father was a lawyer, is that correct?

Wallace: Yes.

Weisberg: Where did he go to law school?

Wallace: The University of Michigan.

Weisberg: Then he moved where? The first place he practiced law was in Los Angeles?

Wallace: He started to practice somewhere in Michigan, either Lansing or Battle Creek. The farmers were paying him off with a bushel of this and a peck of that. He had been to Arizona prior, right after he came out of high school. So he liked Arizona so well he decided he was going to come on back.

Weisberg: So he was in Arizona during the territorial days?

Wallace: Oh, yes.

Weisberg: Did he tell you anything about what it was like then?

Wallace: Well he told me quite a bit about Brewery Gulch in Bisbee when he was down there.

Weisberg: He'd been a miner down there?

Wallace: He was a time keeper for the Copper Queen [Mine] and he was down there for probably five years or more.

Weisberg: Now he took the bar exam in California?

Wallace: He was admitted through reciprocity from Michigan.

Weisberg: Oh, I see. So he took the bar in Michigan and then was admitted through reciprocity in California and Arizona?

Wallace: And Arizona too.

Weisberg: Since he went to Los Angeles to practice first, what made him choose Oatman and then later Kingman over Los Angeles? Did he ever say?

Wallace: Well he had been in Oatman before and I think he was intrigued with mining law.

Weisberg: I see.

Wallace: There were a number of mines in operation then. In fact Oatman was a boom town and I would imagine there was five thousand people living in Oatman in those days.

Weisberg: It was a center of mining was it not?

Wallace: Yes. And at that time, I recall Dad saying there were two other attorneys in Oatman.

Weisberg: Is that right? There was a stock exchange there too, wasn't there?

Wallace: I don't recall one being in Oatman but I do recall one being in Kingman. There could have been one in Oatman too.

Weisberg: So he basically decided to practice in Oatman as opposed to Los Angeles because of his interest in mining law?

Wallace: I think so.

Weisberg: When he moved to Oatman, now of course you were just a toddler then, do you recall where you lived? Or did anyone tell you where you lived, I'll put it that way.

Wallace: It was in a, it had a wooden floor and canvas tent. It was located, I'd say, about two blocks up from downtown north going toward that elephant's tooth that's over there.

Weisberg: What kind of clients did your father represent in Oatman while he was there?

Wallace: Well I'd say strictly, mostly mining interests. He incorporated many mining corporations. I have a safe full down there full of old mining stock that my father had.

Weisberg: The big mines were what? The Tom Reed and United Eastern?

Wallace: Tom Reed, United Eastern. There was the Moss Mine,

Silver Creek Bonanza. There were the Bivian below Oatman. There were a number of mines operating then.

Weisberg: What made your father decide to move to Kingman then a few years later?

Wallace: Well I think because Kingman being the county seat, he felt it would be better to have his practice in Kingman. He could still go to Oatman whenever he wanted and Chloride. And a little more, at that time Oatman was a pretty rough place. He decided he'd rather raise his family in Kingman.

Weisberg: So Kingman was a more stable community as opposed to all the miners that were in Oatman?

Wallace: Yes.

Weisberg: Did he keep most of his larger clients, do you think, when he made the move? Any of the mines?

Wallace: He kept all his old clients.

Weisberg: Do you recall any of the mines that he did work for?

Wallace: Tom Reed was the largest mine and they retained my dad for many years. He took several cases that I know to the Supreme Court. Of course he handled the general practice too. He handled everything.

Weisberg: When your father moved to Kingman do you know where he put his office?

Wallace: Yes, downtown. At that time in Central Commercial. That's at Fourth and Beale. Then there was the Miner

office, then there was a beauty shop, then my father's office, then there was Erickson's Plumbing shop and about where, across the street from Valley Bank was an assay office. And later years we did move our practice from where Dad had been, that's when I started practicing with him, up to that building across from the Valley Bank where Jack Everett used to be.

Weisberg: About how large was Kingman when your dad moved here?

That would have been right after World War I.

Wallace: Oh, probably twenty-three hundred, somewhere like that.

Weisberg: So when you came to Kingman you started first grade, it that right?

Wallace: First grade.

Weisberg: Where was the school? Was it the Little Red Schoolhouse?

Wallace: We called it the Little Red Schoolhouse, at Oak and Fourth. I went through the first four grades there. It only handled four grades. The rest of my grade school was in the basement of the high school at First and Oak, a two-story building. So I went through the sixth, seventh and eighth grades in the basement of the high school, then I went upstairs to go to the high school.

Weisberg: When you were in the Little Red Schoolhouse did you have separate classes for each of the grades?

Wallace: Yes. There were four rooms, first, second, third, fourth grade.

Weisberg: How many people were in your class as you recall? Was it very large?

Wallace: Oh, the classes, probably through the first four grades, ranged twenty to thirty.

Weisberg: When your father first moved here, did he ever tell you about the judges who were on the bench at the time he came?

Wallace: Oh, yes. I remember quite a few of them. I remember when E. Elmo Bollinger was judge, Ross [H.] Blakely was judge, Carl [G.] Krook was judge. I can remember a few attorneys that I don't hear mention of anymore, when we first came to Kingman.

Weisberg: Who are they?

Wallace: I can remember a Scotty Stewart, a Charlie Herndon. There were a few here that I just don't remember.

Weisberg: When your dad started practice--well you grew up around a law office then, in effect?

Wallace: Yes.

Weisberg: How far away from the office did you live?

Wallace: Well we lived at Eighth and Beale and the office was at between Fourth and Fifth on Beale.

Weisberg: And of course your school, the schoolhouse you were at when you were a little boy, was even closer than that, wasn't it?

Wallace: Well it was just a block up from, you might say, from my dad's office.

Weisberg: During the week did you drop by and see your dad very often?

Wallace: Oh, I'd drop in his office all the time. (laughs)

Weisberg: What do you recall, from a young boy's perspective before you became older, what do you recall about your dad's practice and your visits to it?

Wallace: I can remember being in grade school when my father was defending the Chinese. There was a tong war between the Bing Kong and the Hop Sing tongs. We had a restaurant owner that was, I'm not sure whether he was a Hop Sing or a Bing Kong, but five Chinamen came over from San Francisco [California], went in the rear of the restaurant which was located at that time next to the Beale Hotel, and they shot this Chinese restaurant owner. They got in the car, they strung a cable across the bridge at Topoc and that's where they were apprehended. Well they were brought back and they retained my father as their attorney.

Weisberg: All five of them did?

Wallace: E. Elmo Bollinger was judge at the time. The reason I

recall the case, I was in grade school but three or four of my buddies and I wanted to see my dad in action and it being a murder trial, we wanted to sit in on the trial. So we went up to the courthouse and sat down in the courtroom. It wasn't but a minute or two the bailiff was over and says, "You children will have to leave. You can't hear this." (laughs) So we all left.

Weisberg: Whatever happened? Were they convicted?

Wallace: They were all convicted, but one was under eighteen years of age and they gave him life imprisonment. After the trial my father was invited, I think it was the Hop Sing Tong that he was representing, he was invited up to San Francisco. I can remember him telling me about the experience. He got up into Chinatown, they blindfolded him and he was led down, he says, "I know I was going down stairs," and he was treated to a sumptuous banquet by the tong headquarters, there at the tong headquarters. He told that story many, many times.

Weisberg: Is that right? Were the other four . . .

Wallace: They were all hanged.

Weisberg: I see. So they were hanged.

Wallace: And let me tell you, when I went to college, I first went through the insane asylum on my way to college.

We had a mercantile owner that took me and a fellow by the name of Howdy Walters, his father was the bank president at the time, but he took us through the insane asylum and he also took us through the penitentiary. At the penitentiary I got to see the rope, two ropes that hanged those four chinamen. They were on display.

Incidentally, when we went through the insane asylum, it was the same time Winnie Ruth Judd was there. I didn't get to see her, but she was in the insane asylum at that time.

Weisberg: About what year was that case? Would that have been in the mid-twenties?

Wallace: Well let's see. The Chinese case?

Weisberg: Yes.

Wallace: It was in the early twenties. But this was 1931 that I went through the penitentiary and the insane asylum.

Weisberg: When your dad was practicing, before you started, did he ever talk about how cordial it was to practice or how the lawyers generally worked with each other or with the judges?

Wallace: Well, he was, except when he was on a case against one of them, they could be bitter enemies but they always were good friends after a case was over. Charlie [Charles P.] Elmer started his practice with my father

and Carl [D.] Hammond followed him. Charlie wasn't there too long. He moved into a separate practice down on Beale Street. But Hammond stayed with my father until, I think he ran for county attorney.

Weisberg: About when was that, do you recall?

Wallace: That would be in the early thirties. No, wait a minute. It would be a little later than that. Later thirties.

Weisberg: Are there any other cases that you'd want to mention that your father ever talked about?

Wallace: Well, he represented so many clients. I can remember mostly cattlemen. At that time all cattlemen resented sheep owners, saying that they took the grazing down too low. Dad's most famous cases, I think, in my memory, would be his mining law cases.

I can remember one mining law case where the Tom Reed had leased certain areas of the mines to lessees. They would go in and mine the ore and they were paid a per cent. This one case involved some bad mining on the part of the lessee and a couple of levels caved. The suit was brought because the lessee claimed he had so many tons of ore that he had mined out. Of course it was all lost when the mine caved and the level caved.

Weisberg: Your dad represented the Tom Read?

Wallace: My dad was representing the Tom Reed. My dad also represented Santa Fe for many years. He was instrumental in even getting me a pass so that I could go down to school. In those days we took a train. I didn't have a car. I'd have to take to Barstow [California] and then wait for the Santa Fe branch line which ran from Barstow to Phoenix. Then I'd catch that train to Phoenix. Then I'd have to lay over until I could get the Southern Pacific train to Tucson.

Weisberg: That was the fastest way from Kingman to Tucson?

Wallace: Yes.

Weisberg: How long did that take you?

Wallace: Well sometimes if I didn't get right connections I'd be stuck in Phoenix maybe overnight.

Weisberg: Was there a time when you first thought you wanted to be a lawyer or did you always just assume you were going to be a lawyer?

Wallace: I wanted to be an archeologist. My father said, "There's no money in archeology. I want you to be an attorney." And my dad was instrumental in seeing that I became an attorney.

Weisberg: So you went through high school in Kingman?

Wallace: Yes.

Weisberg: Then where did you go to college?

Wallace: The University of Arizona.

Weisberg: Is that where you went to law school as well?

Wallace: Yes. I took three years of pre-legal, three years of law. You've got to remember, in those days there was a depression, although the mines operated fairly well until a few years after the depression. But my father gave me fifty dollars a month. I pledged Sigma Chi, became a Sigma Chi down there. Fifty dollars a month. That was to pay for my room and board. If I wanted any other money I had to get out and work for it. So I worked in grocery stores as a clerk and that's the only way I could get some extra money.

Weisberg: What year did you graduate as an undergraduate from U. of A.?

Wallace: I took three years of pre-legal. I went into law school in, from 1931 to 1934 I was in LA and S [Liberal Arts and Sciences?]. Then from 1934 to 1937 I was in law school. I did not get a bachelor of laws because I'd have had to go back another semester and in lieu of that my dad said, "Why don't you try the bar exam?" I was eligible because I had had three years of law school. So I passed the first time and I decided I'd better go into practice.

Weisberg: Who were some of your classmates down at law school? Were there any lawyers who you later have worked with,

as you recall, or worked against perhaps?

Wallace: Well I can remember some. There was a Gibbons, [Fred L.] Struckmeyer, Whitney. I think Struckmeyer had a brother. This was a [James A.] Jim Struckmeyer. He had an older brother. Harold [E.] Whitney's father was an attorney in Phoenix. There were other prominent ones but I just don't recall them at this time.

Dean [Samuel M.] Fegtly was dean of the law school at that time. I don't think we had much over a hundred students in law school.

Weisberg: For all classes?

Wallace: All classes. Because I know, of course, the freshman class, first year, was the largest, but that was weeded down for second and third years. I can remember Chester [H.] Smith, professor. [James] Byron McCormick was another professor.

Weisberg: Where was it that you took the bar exam?

Wallace: In Phoenix.

Weisberg: What were the conditions like when you took the bar exam?

Wallace: Well, of course there was no air conditioning in those days. All they had were fans, and it was extremely hot.

Weisberg: Was this during the summer that you took it?

Wallace: Yes. I think it was in June, in June or July. June I think. I'd just come out of law school and I took the bar exam the following month.

Weisberg: Now when you passed that, did you go right back to work, did you start working with your dad immediately?

Wallace: Started working with my father.

Weisberg: Other than Kingman, was Oatman still a thriving community?

Wallace: Oatman and Chloride were both thriving communities.

Weisberg: I see. Were there any other communities where any other lawyers were located in Mohave County back then?

Wallace: There was no lawyer when I started practice either practicing in Oatman or Chloride. They were all in Kingman.

Weisberg: I see. So there were no lawyers actually lived back in Oatman or Chloride in the thirties as you recall?

Wallace: No.

Weisberg: Who were some of the lawyers in Kingman in the thirties when you started practice?

Wallace: Well I can remember Carl Krook, Elmo Bollinger.

Weisberg: And they'd both been judges before?

Wallace: Yes. Ross Blakely.

Weisberg: And he'd been a judge before.

Wallace: He'd been a judge. Then there was, as I recall, oh, it must have been about 1930, 1931 when I entered

college, [J.W.] Faulkner and Hubert Smith had a law office here. When I started my practice here Faulkner was judge.

Weisberg: So there were probably half a dozen or eight or ten lawyers practicing in Kingman back then?

Wallace: Yes.

Weisberg: How large was Kingman in the late thirties when you graduated?

Wallace: It was under three thousand. We really didn't have any growth in Kingman until, oh I would say after World War II. They had a gunnery field here. I wasn't here when the gunnery field was running. I was in the navy.

Weisberg: How did they lawyers stay busy back in the late thirties in Mohave County? What was the bulk of their practice like?

Wallace: Well, it was a general run of cases, involving cattlemen, there was always quite a few transients coming through Kingman. I just hated it. We all had to take turns, you know, in representing criminals. I've handled everything from burglary on down.

Weisberg: So everyone was a general practitioner?

Wallace: Yes. I didn't like criminal law at all.

Weisberg: How did you enjoy practicing with your father?

Wallace: I enjoyed it. One thing that always sticks in my

mind: my dad wouldn't help me. "You do this cold turkey." I'll never forget the first time I went into court. I was frightened.

Weisberg: Who was the judge?

Wallace: I think at that time it was Faulkner. He kept to the legal points to right. He was a stickler for that. I felt I always had to have an iron-clad case before I'd get a decision from him.

Weisberg: What was the first case that you had, if you recall? That first case that you went into court on.

Wallace: When I first started my practice about all I was doing was collections. You know, a Central Commercial, past due accounts, and it just seems to me that that's the type of cases I was handling.

Weisberg: How large were the collections? Do you recall the kinds of things you'd be filing suit over back then?

Wallace: Well you've got to remember, back in those days I probably drew a bill of sale for two-fifty, a deed for five dollars, a will for fifteen. So your money went a lot further in those days. If I got a divorce, maybe fifty dollars.

I'll never forget, when I went in the service in 1942, I was discharged in 1945. I came back to practice in 1946. I had four or five clients, I'd forgotten all about it, they had owed me money, voluntarily came in

and paid me the money they owed me.

Weisberg: After you got out of the service?

Wallace: After I got out of the service. And I couldn't even remember doing it for them.

Weisberg: That must have been a welcome-home present. Was your dad still practicing when you got out of the navy?

Wallace: Yes. He was practicing from home while I was in the service, right up here at Eighth and Beale. When I came back then we moved back downtown across the street from the Valley Bank.

Weisberg: Both your dad and you?

Wallace: Yes.

Weisberg: Was Judge Faulkner still on the bench at that time?

Wallace: Yes. He was judge for all that time. I've forgotten now whether he retired or what, but Charles Elmer was the next judge that went in.

Weisberg: Now I've seen the old photograph of Judge Faulkner in the courthouse and his photograph looks intimidating. Was he as intimidating in person as his picture looks?

Wallace: I'd say so.

Weisberg: It looks as though he didn't have . . .

Wallace: He was quite stern.

Weisberg: That's how he looked. Was he that stern when he presided?

Wallace: He was.

Weisberg: Was there any cordiality when he was off the bench, between the local attorneys . . .

Wallace: Not as much as with the other attorneys. He didn't drink or smoke and he just hated it. We would have a Bar meeting and he wouldn't take a drink.

Weisberg: So he stayed rather aloof from the Bar members?

Wallace: Yes.

Weisberg: How about the rest of the Bar members? Was it a fairly sociable group?

Wallace: Very sociable. We were well acquainted with each other. Very friendly.

Weisberg: Was that both during the day and evening hours?

Wallace: Yes.

Weisberg: Let me go back a little bit. You said you went into the navy in 1942?

Wallace: Yes.

Weisberg: Had you enlisted at that time?

Wallace: Yes. I've got the date here. I was One-A and I decided I didn't want to be drafted, so my younger brother and I both enlisted on November 20th, 1942. We went down to Phoenix and enlisted in the navy.

Weisberg: Can you tell me a little bit about your active service?

Wallace: Yes. I was sent over to training camp at San Diego.

That's where I first met Henry Fonda. I was Recruit CPO of my company and Henry Fonda was the Recruit CPO of the next company before me. So I got acquainted with him. My brother was not twenty-one, so we'd go to a restaurant and bar in San Diego and my brother was always admitted because Henry Fonda was there. The three of us, you know. I was, after my boot training, I was sent to Bloomington, Indiana, to go to storekeeper's school. I remember Henry Fonda was sent up to Bremerton, Washington, and there he got a commission and he was commissioned first lieutenant. I came out of storekeeper's school at Bloomington, Indiana. I was in the first ten in ranking and I was told I could have any assignment I wanted. So I said I'd like to go to the Naval Training Station in Miami, Florida. Instead they sent me to Farragut, Idaho, made an instructor out of me and I was teaching storekeeping for two years at Farragut, Idaho, never been aboard a ship and here I was teaching disbursing, navy small stores and a number of courses that storekeepers were required to take. I got up to first class storekeeper and I thought I was going to be shipped overseas. I never applied for a commission. Instead they sent me back to Upstate New York, I'm trying to think, Samson, New York. That

was on Lake Geneva. It was another huge training station like Farragut, Idaho, was. I spent a year there and then I was shipped for further service to outside of San Francisco. I'm trying to think of the name of that place. Anyway, they had dropped the bomb and I was frozen there. So I never did go overseas. They shipped me on down to San Diego and I was discharged. That was in September 23rd, 1945.

Weisberg: Had you ever been aboard ship?

Wallace: Never been aboard ship. (laughs)

Weisberg: When you got back after you were discharged, what was your practice like then? What kind of cases did you have?

Wallace: The general run of cases. You know, divorces. I was in all types of litigation.

Weisberg: Do you recall any specific case that is memorable?

Wallace: Well, one that I think was interesting. At that time I did not represent Santa Fe and the Santa Fe had built the eastbound spur. Before that the east and westbound trains came, were the westbound. They were both eastbound tracks and westbound tracks. They built a spur and inside the spur, they called it the "Y", were a number of Indian families. Santa Fe tried to get them to move, they wouldn't, so they brought a suit against them, an ejectment. I represented all

the Indians.

Weisberg: Can I interrupt for just one second?

(Tape turned off then turned back on.)

Weisberg: You were saying?

Wallace: We were talking about this Indian case. Judge [Hugh L.] Russell was the presiding judge on this case. He came down from Flagstaff. Of course, every Indian, there must have been ten to fifteen families, but I had about thirty Indians that wanted to testify. They all wanted to testify, but it was all repetitious about how they and their ancestors had lived in this area for all these years in the past. So after about seven or eight had testified, I remember Judge Russell said, "Are all these other witnesses going to testify to the same thing?" I said, "Yes, Your Honor. They all want to be heard." He said, "I'm not going to allow it. This is just too repetitious and I've heard enough."

Well, of course Santa Fe won the case, but a very nice thing that they did after the case was over, they gave the Indians an area north of the "Y" and had a civil engineer come out, E. Ross Householder. He plotted off fifteen to sixteen parcels and they gave that to the Indians. I remember at the time I said, "Now you're going to have to pay taxes on this." They kind

of resented that because they thought they should live there free. But I imagine they're still living out there, some of them. I don't know.

Weisberg: It's still owned by Indian families?

Wallace: They all had deeds to their property.

Weisberg: I see.

Wallace: Another case I remember was a mining law case. Judge Elmer was presiding judge on this one. I represented a mining man by the name of Harper. This involved some mining claims out near Chloride, not too far off [Highway] Ninety-Three, just, let's say, a little south. You could see the claims from Ninety-Three. There was a cattleman that had a ranch above by the name of Wooten. He came in and relocated on the claims that my client owned. He contended that my client didn't do his assessment work. So I filed suit to quiet title. I can't remember the attorney that was on the other side, but anyway he was relying on his relocations and the fact that we had failed to do assessment work.

I can recall my client testifying that he had gone in, he had set off dynamite blasts and that. Of course the cattleman said, "I would have heard those dynamite blasts going off from where I live, just a mile or so up." So my client said, "I think there's some

dynamite that might still be out there under a tin." Well for some reason Elmer said, "I'd like to see the premises." So we went out there and we went right to that piece of tin and sure enough there was a stick of dynamite with a date on it. We came back and naturally I won the case. (laughs)

Then I remember another case. There were two cattle ranchers here, that's on [Highway] Sixty-Eight. They were partners and they decided they wanted to dissolve their partnership. The one would take everything north of Sixty-Eight and my client would take everything south of Sixty-Eight. That included Fig Springs. It just seemed that Fig Springs, that's on the south side, a good source of water there, but for some reason the partner of his, the former partner, claimed that Fig Springs wasn't in the deal, that that was still his. So we filed suit.

Weisberg: Who was on the other side of that case? Do you recall?

Wallace: I can't think of who the other attorney was on this. Anyway, we had a court reporter that took the testimony and I can't, I'm not sure whether Faulkner was judge or not. But anyway, he failed to transcribe his notes and, well, he was fired. I got judgment but the other side appealed. It could have been Frank

[X.] Gordon on this, too. I can't recall that.

Weisberg: Senior or junior?

Wallace: Junior. Because we had to appeal it and we had to submit what we thought the testimony was. And, well, the Supreme Court upheld me on it.

Weisberg: Is that right? Do you recall if you agreed on what you thought the testimony was?

Wallace: Pretty much so. There had been a deed made out and this is what the other side was contending, that an attorney by the name of [Edward B.] Ashurst, he had a law practice in Wickenburg, I brought him up to testify in the case. It seems that this deed was with a bunch of other deeds that involved all the property north of Sixty-Eight, see, and it was inadvertently put in when it should have gone to my client Peterson. So his testimony won the case for me, because when they were executing instruments, you know conveying each their own, for some reason this one deed got into the wrong pile.

Weisberg: I see. Well tell me now, there was only one judge in Mohave County for quite a long time, correct?

Wallace: That's true. I also have to tell you that the county attorney had no deputies.

Weisberg: Was the county attorney used part time back then?

Wallace: No, it was full-time. However if Carl [_____] ever

wanted to take a little vacation he'd always call on me and I'd go up and if he was gone two weeks I'd take over the duties of county attorney. I'd help him out so he could have a little vacation.

Weisberg: Was there any formal swearing in?

Wallace: No, he paid me out of pocket.

Weisberg: I see. How busy was the county attorney's office? If you took over for two weeks would you have many cases?

Wallace: No, very few, and it was in the summer and things were slow. I can't remember anything spectacular coming up while I was sitting in for Carl.

Weisberg: Did that happen often that you would sit in for Carl?

Wallace: Well I did it for four or five years I know that I can remember.

Weisberg: It was just an informal thing where you would take over?

Wallace: Yes.

Weisberg: Do you recall if anyone ever challenged your authority?

Wallace: No.

Weisberg: Everyone would just pretty much go along with it?

Wallace: Everything went fine. I was city attorney, too, for a couple of years.

Weisberg: When was that?

Wallace: As I recall it was around 1957.

Weisberg: So that was only a couple of years, a few years after the city incorporated?

Wallace: Yes. Frank Gordon Junior was the first city attorney, as I recall, and he resigned. Charlie McCarthy was head of the council and he prevailed on me to come over. He said, you'd just have to go to the council meetings and give a little advice. They paid me fifty dollars a month. That was what I got.

Weisberg: Where was the city hall?

Wallace: It was downstairs in the courthouse. See, the city hall hadn't been built, so we always met downstairs in the courthouse. It was in a room right close to where the old jail used to be.

Weisberg: Were there any permanent city offices then? For example, was there a city manager with an office? Or anyone who had a permanent office to meet with the people?

Wallace: Not at that time. I probably was city attorney for a couple of years.

Weisberg: Did you have any cases for the city back then?

Wallace: A few. Not too many. We were having trouble with Elmer Butler and Claude Neil over water. That was one reason why I resigned. I was advising the council to do one thing and they'd do something else. I said, "To hell with it. I'm going to resign." But I can

recall Dean Pitello was on the council, Stubb Schafer, Dorothy Osterman. Who else was on there? Charlie McCarthy was mayor. Anyway, when I resigned, Jack Everett went in as city attorney.

Weisberg: Back then the city didn't have a water system of their own, did they?

Wallace: They bought the water system when they incorporated, from Claude E. Neil.

Weisberg: I see. So before it was incorporated then Claude Neil . . .

Wallace: It was privately owned. Yes, Claudie had the water, he was supplying the water, I think, while the army base was out here, the gunnery field.

Weisberg: When you got back to Kingman after World War II was there still any activity out at the air force gunnery base?

Wallace: I watched them bring in all those huge bombers. I watched them cut them up, Wonder Lake. I can remember a couple of cases where the pilots came over and tried to the plane that they'd flown. I can remember, well, there were cases involving theft. It seems to me I recall a couple of guys getting killed. The plane that they were trying to take all this loot with off was too heavy and . . .

Tape 1, Side 2

Wallace: Did I tell you about running for county attorney?

Weisberg: No, you didn't. Why don't you tell me. About when was that?

Wallace: That was in 1954.

Weisberg: Who were you running against?

Wallace: Barney Caine, Bernard [T.] Caine.

Weisberg: Had he been a lawyer here for a long time?

Wallace: Not too long. But that was my only experience in politics.

Weisberg: What party were you in?

Wallace: Democrat.

Weisberg: I see. And he was Republican?

Wallace: Yes.

Weisberg: Please tell me about it.

Wallace: Did I tell you about going up to Short Creek?

Weisberg: No. No you haven't. Was this during the election campaign?

Wallace: Well, it was campaign. I went up on the Strip, little communities such as Little Creek, Short Creek, Cane Beds, Moccasin. I got into Short Creek, my wife was with me . . .

Weisberg: Short Creek was the center of polygamy for the dissident Mormon sector?

Wallace: Yes.

Weisberg: Was this before or after that Short Creek raid?

Wallace: This would be after. After Short Creek.

Weisberg: A couple of years after?

Wallace: Yes. Anyway, when I got into town there wasn't a soul. The garage was open, they had a community store. There wasn't anyone. So I finally saw a young kid, I said, "Where is everybody?" "They're all up picking peaches in the orchard north of town." So I drove up, my wife and I. Sure enough they were all picking peaches in an orchard. That's where I campaigned. The one thing I later found out, this peach orchard was located in Utah. So here I was campaigning for county attorney up in Utah. (laughs)

Weisberg: How did the campaign go? What happened?

Wallace: Well I lost. Barney Caine was elected county attorney. That was, I'd had my fill of politics. I decided I didn't want to get into that any more. So I stayed away from politics.

Weisberg: What was your office practice like back then? Let's say this, we're in the fifties now. What kind of hours did you keep? What was it like as far as routine, going to the courthouse or perhaps even to Oatman or Chloride if they weren't winding down too much at that time?

Wallace: I've got to tell you something. My father, of course, couldn't type or anything, so we always had a legal stenographer. But after my father died in 1951, I never used a stenographer. I did all my own typing, I did all my running around. I did everything by myself. So I was kept pretty busy.

Weisberg: I'll bet you were.

Wallace: But I handled all kinds of cases. I remember a divorce case I handled. It involved the Short Creek deal. His natural wife had come to Kingman. She wanted a divorce. I told her I'd represent her. She told me he had two plural wives and I don't know how many children, some children by her. But he got an attorney up in St. George [Utah] and, anyway, I knew I was going to be able to get the divorce all right. But he came down unbeknownst to me, her husband, and prevailed on her to come back to Short Creek and be his wife. She was living, this was before the polygamy case because he was living with his two plural wives as well as this one. But anyway, she went back. So that case just dropped.

Weisberg: Now, it was during this time that Oatman and Chloride began to dwindle?

Wallace: Yes.

Weisberg: And the communities of Bullhead City and Lake Havasu,

in the fifties, really hadn't started to grow. Is that right?

Wallace: Right. I can remember when they were building the dam down there.

Weisberg: That's Davis Dam?

Wallace: Davis Dam. Bullhead City was developed after that. I can remember some of the people down there, Green and, oh, I can't remember the fellow that sold, where, it's called the River Queen, which eventually was sold to Laughlin, you know.

Weisberg: So for a time in the fifties there really wasn't much activity in Mohave County as far as in an urban area, outside of Kingman.

Wallace: That's right.

Weisberg: How large was Kingman then during the fifties, if you recall?

Wallace: I think we started to grow after World War II. It was sort of a steady growth from then on. After we incorporated--I can remember Jay Gates just fought the incorporation of Kingman.

Weisberg: He was the owner of Central Commercial?

Wallace: Yes. He just fought for it. He didn't want Kingman incorporated.

Weisberg: Why not?

Wallace: I don't know why, but I can remember a time when,

after Jay senior died and Jay junior was president, he'd have me go to council meetings and take the notes of every council meeting and bring them back to him so he could keep up with what the council was doing.

This was before I became city attorney.

Weisberg: Because he just didn't trust the council, is that it?

Wallace: I guess not.

Weisberg: What was life like in Kingman then, in the fifties let's say? Both just as a resident and what was work like as a lawyer?

Wallace: Well we were kept busy. I can recall that. As I say, there was, it started to be a steady growth then and of course with Bullhead City and Havasu starting. I can remember when Havasu started too.

Weisberg: What kinds of things did you and your family do for recreation, let's say after World War II and into the fifties and such?

Wallace: Well I loved to fish. I used to go out to, we had a friend, Al Cook, and he had a boat, so periodically we'd go out to Temple Bar. He had built a little house there, leased it from the, I guess the Bureau of Land Management. We'd spend three or four days fishing. I loved to fish.

I wasn't much of a hunter. My dad was a, loved to hunt. I can recall going deer hunting with him a

couple of times, but I just hated to kill a deer even.

I can remember one time, just east of Kingman was, we called it the Cactus Patch, that being a greater Kingman addition now, but there were lots of quail and lots of cottontail and jackrabbits. I can recall Dad killing a rabbit, just as one of the trains went by. He asked me to retrieve the rabbit. So I was reaching under the barbed wire fence to get the rabbit, I still carry a scar today where the barb was. It went into my knee.

Weisberg: What was the Bar Association like after World War II?

Was it a strong bar association? You were fairly isolated from Phoenix, certainly, back then.

Wallace: Yes. We always had a strong local Bar. I was Bar president, I think it was in 1966. That was the year I was Bar president. But we were always quite active.

Weisberg: Now I've seen an old Bar fee schedule from, I think the last one was printed in 1969.

Wallace: What was this?

Weisberg: I think I saw one that was printed in 1969 that may have been the last one that was printed. Did lawyers usually follow a fee schedule in Mohave County back when you were, back in those days?

Wallace: Yes. We had a minimum fee schedule. Every attorney had one.

Weisberg: So, would every lawyer, as far as you know at that time, charge the same fees?

Wallace: I know some that charged less but I won't mention names.

Weisberg: I see. So it would have been considered ungentlemanly to charge less at that time?

Wallace: Right.

Weisberg: How did you get together to decide what the fees were going to be?

Wallace: We'd meet and decide how much we'd charge for a will, how much we'd charge for a deed . . .

Weisberg: Was there much debate about how much you ought to charge?

Wallace: No, it was all very reasonable in those days. I never thought any of the fee schedule was--it was just a minimum schedule.

Weisberg: How often did it get revised?

Wallace: Well there was no definite time, whenever we thought we should revise it, it would be revised.

Weisberg: Can you remember, if you took a case like a trial on an hourly rate, what your hourly rate was when you first started practicing?

Wallace: I can't recall ever taking a case on an hourly rate.

Weisberg: Is that right? It was always a set fee?

Wallace: It was, depending on how much I did, I tried to keep

from setting any fee, but of course you and I both know they want to know how much you're going to charge them. But I'll tell you, I never overcharge any client. I did more than my share of pro bono work. I still do it today.

Weisberg: It wasn't mandatory or required, was it?

Wallace: No. You know Judge Gordon talks about, you know, pro bono work, but I'll tell you, I certainly did more than my share.

Weisberg: Let me ask you this, just to go back in time. You told me, you mentioned what you charged for different documents back when you started. Do you recall or did your dad ever tell you what he used to charge when he first started in Arizona?

Wallace: No. I don't recall. I'd say what the traffic would bear. (laughs) But you've got to remember, there were no huge fees in those days.

Weisberg: Lawyers who did personal injury work, how did they . . .

Wallace: Most of them took them on a contingent fee basis.

Weisberg: Was the contingent fee generally one third back then?

Wallace: Yes.

Weisberg: So it really hasn't changed much.

Wallace: I can remember a case that my father and I had and it involved an automobile accident going toward Hoover

Dam, right, I think it was the Golconda Mine. The road came into [U.S. Highway] Ninety-Three and these huge ore trucks would drive up. Anyway, our clients were all killed when they rammed into one of these ore trucks. We claimed that the ore truck hadn't stopped and came out into the highway. God, we went through that whole case, it was appealed to the Supreme Court and reversed. We'd got a judgment and we did all that work for just court costs. And we did a lot of work on that case.

You know, as I talk to you I think of other things.

Weisberg: Sure, go ahead.

Wallace: We were talking about contingent fee. I can remember one case I had where it was foreclosing a mortgage. I never got paid. All they paid was the court costs. Several cases like that, where I started to get money up front. You know you learn by experience.

Weisberg: Lawyers in Kingman didn't get rich.

Wallace: I have to say there was only one time that I ever sued a client.

Weisberg: What was that?

Wallace: Over my fees. But I was disgusted with him. He had the money to pay me and he didn't pay me so I went into justice court and I had to collect it by filing a suit. That was the only time. Lots of my time was

just written off.

Weisberg: Lawyers really weren't getting rich.

Wallace: No, I wouldn't say any of us were getting real rich.

Weisberg: Have you ever been sorry that you didn't become an archeologist and instead went to law school as your dad wanted?

Wallace: Well, I've thought about it. You know, as a kid I used to go out here to Beale Springs and I'd find arrow heads and I used to find almost complete pots and a lot of metate stones. I remember E. Elmo Bollinger had a law office there right next to U-2 factory and in front he had lined all the metate stones that had been given to him. Nobody took them. They stayed there even though. . . .

Weisberg: He kept them there all day and night?

Wallace: Day and night. But I enjoyed getting out like that. That's why I wanted to be an archeologist. As I say, I realize--of course when I went to college I met a friend that became an archeologist. But I never pursued it after I became an attorney.

Weisberg: Have you enjoyed practicing for all the years that you've practiced now?

Wallace: Yes, I have.

Weisberg: You've practiced for about fifty-five years now.

Wallace: Fifty-five years in June. Last June it was fifty-five

years.

Weisberg: And you're still practicing.

Wallace: Well I'm trying to wind down now. The last few months, maybe three months ago, I hadn't thrown a file away, my father's or mine. I guess I must have taken twenty-two garbage sacks full of files out and just dumped them.

Weisberg: Would these include files back to when your dad first started?

Wallace: Oh, back, yes.

Weisberg: Have you saved some of them? I hope you haven't thrown all the interesting ones away. They might be of some historical value.

Wallace: Well you know, we used to get patents and things like that for mining claims, which reminds me. The last time I tried for a patent it involved a man by the name of Lotiano. This is just over the hill on Sixty-Eight, just over the hill on the right. There's still a house over there. It's on past Ferrar's place where Lonnie Ferrar lived, which was that orchard on one side. Anyway, that was a mining claim on the other side where that little house was. Water had been developed there. And I started patent proceedings for this man.

Weisberg: What court would that have been in?

Wallace: This was in . . .

Weisberg: In federal district court?

Wallace: Yes. So everything went through, the publication, everything, except the U.S. Engineer hadn't come up to see if there was ore of commercial value. When he did he said, "There's no ore here of commercial value to warrant a mining operation." But at that time you could apply for five-acre tracts if you lived on the mining claim. So when I found out that I wasn't going to get the patent I applied for the five acres and got it. So that's held that way.

Weisberg: Well, as you go through your files to throw things away, if you see things you're going to throw away anyway but you think they may have some interest to others, please run them by for us to look at.

Wallace: Well, I've got things in the safe, I mean, lots of mining stock, various mines that my father incorporated.

Weisberg: From a local history perspective, or from lawyers, you know, we're always interested in looking at some things that perhaps we can preserve because it may be rarer than you think.

Wallace: I had a mining client of mine interested in mines, he lives out in Dolan Springs, but he has about six hundred mining claims located in the River Range.

I had a little [R.S.] Morrison on mines [Mining Rights on the Public Domain], a little volume, they used to call it the mining law bible. It was my father's.

And I had a three-volume set of [C.H.] Lindley on mines [American Law Relating Mines and Mineral Lands].

Well, I'd been giving this guy all my old code books, you know, as I supplemented them. He said, "I'd sure like to have these, that little Morrison on mines." I said, "You give me two hundred dollars and they're yours." So he did and I sold them to him. I had no use for them anymore, but they were collector's items really.

But I've got a safe full of mining stock. I was going through it the other day. I found an old statement from Loving and Withers Grocery Store. That used to be down at Fourth and Beale.

Weisberg: Right. They were the ones who more or less started Goldroad [Mine].

Wallace: Yes. Well, that was Henry Loving, a Mexican that came over that he had grubstaked.

Weisberg: What was the statement about?

Wallace: Oh, just a statement that you would bill on, you know. I just happened to run across it, this scrawly lettering that they had in those days.

Weisberg: I hope you saved that.

Wallace: I still have it. I also have a picture of Loving and Wither's store. That was taken probably, it would have to be in the early 1900's. I thought of giving it to the museum.

Weisberg: Did you ever know Mister Loving?

Wallace: Oh, yes.

Weisberg: What was he like?

Wallace: Well, congenial. He lived right down the street here on. . . .

Weisberg: About Fifth and Beale, was it?

Wallace: Fifth and Sixth on Beale.

Weisberg: He had been sheriff. Was he sheriff while you were living here?

Wallace: No, I don't remember that. It seems to me he was in the state legislature, one of the first ones during, maybe right after statehood. Yes, I knew his--my father used to represent him and his wife after Henry died. I think, what's her name, Mrs. Wakefield is it?

Weisberg: Woodward?

Wallace: Fannie Woodward is a daughter.

Weisberg: Most of the stores that were in Kingman, did they get their supplies by railroad back in the twenties and thirties or were there trucks bringing things in?

Wallace: I don't remember so many trucks in those days. It all came by train. I'll tell you this, I can remember in

my early practice, a letter mailed from Los Angeles would be in Kingman the next day. We had real good mail delivery.

Weisberg: A lot faster than today. How long would it take to Phoenix, though?

Wallace: That would be a little longer because that would go down by train, you know.

Weisberg: When you were practicing, in the early days especially, if you had something, oh, cases involving things downstate, did people commonly use the phone for long distance calls or was it all by letter?

Wallace: Mostly letter.

Weisberg: So cases would progress a lot slower I would take it.

Wallace: Yes. Oh, we could always get continuances on our cases. It was no problem.

Weisberg: A much more civilized practice?

Wallace: Yes. If we wanted an extra ten days it was easy enough to get a stipulation.

Weisberg: Did you take any cases, as a matter of course, outside of Mohave County?

Wallace: A few. Not too many. I remember handling a probate from Maricopa County. I didn't do much practice out of the county.

Weisberg: Were there many lawyers from outside of the county that used to come up here to practice?

Wallace: Well every now and then I can remember [Alpheus L.] Favour and [Keith F.] Quail coming over . . .

Weisberg: Prescott.

Wallace: . . . and some from Flagstaff. I can't recall their names now, but they're prominent attorneys up there. They used to come down here quite a bit.

Weisberg: I know you've taken some notes. Did we cover everything that you wanted to mention?

Wallace: I told you I was president of the local Bar and city attorney.

Weisberg: Yes. What do you think about the practice now, from what you see of it, compared to what it was like when you started?

Wallace: It's changed considerably.

Weisberg: For the better or for the worse?

Wallace: Well, I quit litigation ten years ago. I'll handle a few probates and things like that, give legal advice, but at my age it was getting too stressful for me to get involved in litigation, so I cut it out completely. Most of my clients know I don't handle it. If they want some legal advice I'll give it to them but they know I won't go into court on it.

Weisberg: These have been clients you've know for a long, long time?

Wallace: Oh, yes. There's clients I've had for years and years

and years.

Weisberg: Well, I think . . .

Wallace: That pretty well covers it.

Weisberg: That does cover it. I'm sure we'll think of some things later.

Wallace: Not that I can't tell you more, but I just don't remember. It's hard.

Weisberg: Fifty-five years is a lot to tell, that's for sure.

Wallace: Yes.

Weisberg: Well, thank you, Lou. I've sure enjoyed it.

End of interview.