

An Oral History Interview

with

JAMES McNULTY (part 1)

Tucson, Arizona

conducted by
Julie Ferdon

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The Morris K. Udall Oral History Project
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JF: This is Tape #15 of the Morris K. Udall Oral History Project. Good morning. It's Thursday, July 9, 1998, and we're at the office of James F. McNulty in the law firm of Brown and Bain, at Suite 1900, 1 South Church, Tucson, Arizona. My name is Julie Ferdon, and I would like to welcome Jim McNulty to another in the series of oral history interviews that form the Morris K. Udall Oral History Project.

Jim, I'd like to thank you for your participation in this project, and start with just a little biographical information. You were born on October 18, 1925, is that correct?

JM: I was, yes.

JF: And you graduated from Boston Latin School?

JM: Yes.

JF: Could you tell me something about Boston Latin School?

JM: Oh, it's the oldest public school in North America. It was founded in 1635 in Boston, five years after the Puritans took over the city of Boston, and it has functioned from then 'til now. Today it's a school of about 2,500--about half men, half women. In my days it was strictly a boys' school. It has about 2,500 kids in it and all the great names of the American Revolution are Latin School people: Benjamin Franklin....

JF: Is it the same building as then?

JM: Oh, no. No, although it's the same building since the 1920s, that I attended. Here we are seventy-plus years later, and it hasn't been changed very much.

JF: Is it a fairly traditional education?

JM: It's a six-year school. You're required to take Latin six years. The emphasis is on language. At one time I was taking English, German, French, Latin, and one science course. That's in the tradition of the Transcendentalists and, oh, Henry Thoreau. And who wrote the essay on self-reliance? The head of the Transcendentalists movement. Of course, that would have been shortly before the [American] Revolution. It's a public school. You go there by grades and an examination. It is regarded as a very formidable education, which it is.

JF: You graduated from there in 1944?

JM: Yes.

JF: Were you active in sports (JM: Yes.) at all when you were there?

JM: I was on a football team. I was a scrub, way down the ladder, but I was on it. And we were undefeated and untied until Thanksgiving Day when we played our great archrival, Boston English. That year was of course war years, so there wasn't much in the way of entertainment, so it matched Latin School, which was unbeaten and untied, against Boston English, which was unbeaten, untied, and unscored upon. And we played before 25,000 people on the old Braves Field. And it was a scoreless tie. I was more interested in the track, though. I ran four years at Latin School. And then I ran for Boston College subsequently, and later for the University of Arizona.

JF: And still later for the Senior Olympics.

JM: Well, that's a great deal later, yes.

JF: (empathetic laugh) In 1944 you joined the U.S. Army for about eighteen months.

JM: I did.

JF: Where did you serve?

JM: I was inducted at Fort Devens in Massachusetts, where my father had been inducted at the start of World War I. And I was finally shipped off to Fort McClellan, Alabama, which was an infantry training center. I completed basic training and was held over as what they call cadre. I got to be a corporal, and I stayed there until I was discharged in September of 1945.

JF: What did you do then?

JM: I took a test and got myself admitted to Harvard.

JF: And did you then attend Harvard?

JM: I did not. My health was poor and I traveled westward and came to Tucson, Arizona, not for any reason that I can think of in retrospect.

JF: Did it sound exotic to you?, or the train just happened to be headed that way?

JM: Well, I was going to go to the Southwest, I knew that. And I think I thought that the school here was Arizona State. I don't suppose there were much over 1,500 students at the University on January 5, 1946, when I arrived on the California, the day coach from Chicago to Tucson.

JF: So that was in 1946, in January?

JM: It was.

JM: When did you enroll at the University?

JM: Immediately. Yes, I went to see Mr. Lesher --his son is a lawyer here in town. And his granddaughter [Jan Lesher] I'm sure you know her activity in politics. I brought my transcript with me. I guess people trusted students with transcripts not to bring them hopped up or fraudulent transcripts. And I showed that to C. Zaner Lesher, the registrar, who had a very classical bent himself, and he was most complimentary about Latin School, about which he had heard. And I was admitted on the spot. I was entitled to the G.I. Bill and I began school in a matter of days.

JF: In 1940, which was six years before Mo had entered the University for only one year before he went off and served in the military as well.... In 1946, he returned to the University and ran for student body president. He was opposed by a fraternity man from Boston named Bill O'Brien. Did you know this person?

JM: O'Brien was from Los Angeles.

JF: He was from Los Angeles?

JM: Yes, his sister was something of a movie star, and later married a man named Justin Dart, who was the head of the Rexall Corporation based in Boston. Dart moved Rexall to Southern California and met O'Brien's sister at that time. I think he was divorced then and married the O'Brien gal. In the meantime, a fellow named Bill O'Brien who came from Southern California had met a woman from Boston whose family were old-time financial house folk. I think the company was called Paine, and then it may be at least the spiritual parent of the current Paine-Weber Company, although I'm sure it's gone through a number of hands since then. So O'Brien came here to go to the University, and he did run for student body president as the nominee of the Phi Gamma Delta House, and solicited me to be his campaign manager, which I did unsuccessfully.

JF: Unsuccessfully?

JM: Mo beat us.

JF: Do you remember anything about the campaign?

JM: Yes, we did a big torch-light parade. I think I'd seen that in a motion picture or something. And we marched through the sorority and fraternity row: the houses over there I guess are on First and Second Street between Campbell and maybe Highland or Mountain. And it wasn't a blowout, but Mo being an Arizonan and being a man of great confidence, was the winner. Mo promptly reached out and gave me a position, as tradition, as assembly chairman, and gave O'Brien something else, so there would be no wounds coming out of all this.

JF: Do you remember what Mo's campaign did?

JM: Yes, he said this is not a ceremonial thing, and these aren't a bunch of eighteen-year-old children here. They're adults and they know what they're doing and where they're going--and to a large extent he was right about that. And they intended to have a say on the methods used by the University administration, which was not greeted with much applause by the administration. But

he insisted that he had to have an assembly once a week as his student body president. And they announced they couldn't do that because they didn't have enough classrooms and enough openings to accommodate all these kids who wanted to go to school. And he demanded a hearing with Dr. Nugent, who was the vice-president, who gave us the hearing, and then he went back (chuckles) into another room and he powwowed with a fellow named Alfred Atkinson--the kids called him "Alfalfa Al," he had come from Montana State down here to take over the job--and the answer was there would be no slot set aside. And Mo Udall said, "Well, I'm sorry, but we've got to appeal this. Where and when is the next meeting of the Board of Regents?" And Dr. Nugent left the room again and came back out and said, "Well, we'll figure out some way to allow you to do this."

So Thursday morning at 11:40 we had assembly at--they now call it Centennial Hall, but it's pretty much the same building it was then. And I was the assembly chairman, my job was to do anything that would get people there. And we'd fool around for fifteen or twenty minutes and then Mo would come in and read them the gospel according to Saint Mo, and stir things up a little bit. Like the fellow who ran the bookstore had a contract to run the bookstore which was a pre-World War II contract. After World War II, with all these thousands of people, you know, 6 or 7 million American people, mainly boys or young men for reasons not complimentary, but they were a fact of life at the time. I would get fraternity houses to put on skits, that was one of the most widely-liked event. And they would tend to be a little bawdy from time to time. We had a Dr. Herrick who was head of the Geography Department, and he taught a course on economic geography, and it was a great favorite of the students, he was the chaperon. I had to come down, bring the skit, or an outline of the skit, and then hope that the fraternities or sororities would adhere to their skit and their preliminary draft. So we had some great times.

JF: Was it mostly fun times, or were there serious things talked about at assembly?

JM: Oh, yes. Well, there were a few serious things--but only a few.

JF: Mo said in his book, *Too Funny To Be President*, that the two of you worked hard and played hard and he gave as an example some trouble you got into for organizing a mock shooting of ducks at Centennial Hall. Do you have any memories of that?

JM: Sure, that was one of the skits. The Sigma Chi and Sigma Alpha Epsilon, SAE, they were big fraternities, they turned out big efforts. The Sigma Chi's had a show called "The British are Coming." And the high point of it was when somebody jumped up in the back and shouted "The British are coming! The British are coming!" And at that moment, oh, twenty or thirty members of the Sigma Chi House, wearing red jackets and carrying women's brassieres into which they'd deposited tennis balls and spun them around over their heads like a sling, and then when they got it up to high enough speed, let go. Well, that ball was traveling pretty fast--they must have had fifty or a hundred of them, tennis balls, all over the auditorium, and it was exciting and we got people to come back.

Your mention of the duck, that was another one, I think maybe the SAE house. In those days, there was a show called "Hell's a-Poppin'" [which] was very popular on Broadway. It was just one 2 1/2-hour endless sight gags, and we kind of copied our plays on that show. So the deal

was that I was supposed to be talking something about birds, and we had a guy in the audience named Bob Burns who had one of these rubber noise makers that you blew with your mouth, and we called that a razz or a raspberry. So I had said the magic word and he leaped up, and we had a guy on the lights that spotlighted him and he said something about "Are you giving me the bird?" And I said, "Yeah, well, I was quite willing to do that." "Well," he said, "I'll give you the bird!" And he took a box that he had on the seat beside him, opened it up and six or eight pigeons flew out, and I called for the police or the "safety squad," which consisted of two guys: One of them was named Dale Chambers, old long-term family here in Tucson. George Chambers was the business manager of Tucson newspapers. Chambers had this muzzle-loading, black-powder rifle into which you rammed toilet paper, little pieces of toilet paper, and I said, "Go get 'em!" or something, and he ran to the stage, to the center, picked up this gun and fired it. And I'd say a tongue of flame about a foot long came out the end of that, with thousands of pieces of tissue all over. And that kind of brought things to an end. The pigeons, who were stunned by it all, finally, in a scene I will never forget, got to one of the exit doors and they just walked through the door like they were guests. They were not interested in having that gun go off any more. And the last I saw of them, they were outside the building and flew away, and, I think, no worse for the experiment. But that was the kind of thing that we did at assembly day.

JF: Okay. I've heard other stories of things that Mo was involved in as student body president, like something about a takeover of a bookstore?

JM: Yes, that was what I just was telling you about.

JM: Okay, that was the....

JM: With the G.I. Bill and thousands of people going to school, this contract suddenly became a gold mine. I tend to think that they figured out that the guy was going to make more than the president of the University with his percentage contract on books, because the government paid for all the books. You just walked in, gave 'em a card. "Here you go. Five books. On your way." So that was attacked, and properly so. But there were things like that: the artists series, we found out that every student had to pay \$1.25 each semester for the artists series, and with that they went out and hired people like Rubenstein, for God's sake, the pianist, and.... Well, the administration let all the members of the faculty, for \$1.25, buy into this, too, which maybe you could justify. But you couldn't justify that the faculty took 300-400 [of the] best seats before the students were allowed to come in and ask for tickets. You got 'em for nothing. So, that was attacked, and the method by which people were chosen to perform was attacked. There were no students on that board. So that was all changed around, and there was a formal Artists Series Committee created, and it sat with the members of the faculty--not very comfortably--at the next choice of artists for the coming year. And when tickets were made available, they were made available simultaneously to the students and faculty.

JF: So he was a really active student body president.

JM: Oh, yes. Oh yes, he was.

JF: How would you describe the post-war campus? What effect did the returning G.I.s have on the campus?

JM: Well, I had only been at Boston College for ninety days, I guess, so that wouldn't give me much of a comparison. This school, in January of 1946, was still kind of a lackadaisical, something of a party school--we had our own polo team, and everything was very nice. The climate was so good that they were able to recruit pretty strong members of the faculty--not paying them money, but giving them a job in a nice climate. The students though tended to be veterans, and as veterans, I thought that they were really pretty responsible. They knew what an opportunity this was. People didn't routinely go to college before World War II. Everybody says they're going to college--they don't, and probably shouldn't. But the percentage, I don't know what they are, but I'd guess that you had three or four times as many people enrolling [in the] University, out of the potentials after the war, than you had done before the war.

JF: So it sounds like it was an older and more appreciative student body (JM: Yes.) than otherwise. (JM: Yes.) During college, did you meet Tom Chandler at all during that time?

JM: Just vaguely. He was pretty near through by the time I got here. I was a brand-new nobody, and he was a somebody.

JF: Did you have any impressions of him then?

JM: Well, only that whatever he was for, I figured it was the right thing to do. He probably was gone by, what, 1947?

JF: Something like that--yes, I think he was.

JM: Of course the University was the city of Tucson--maybe for the first fifty years of this century.

JF: How about Chuck Ares, Charles Ares? Did you know him in college?

JM: Yes. He was, I think, a semester or a year behind me. And he was a bright comer. Everybody knew that right from the start. We were still using the old system of go to the law school, prove you'd completed eighty, eighty-two units--something like that--with at least a "C" average--"A" being the best. If you could show those two things, you were in. I think there were 150 in my starting class in 1948. By Christmas, I think there were half. Then we went to the LSAT and all of that business. But I came up through the ranks as an LLB--I don't have a Juris Doctor. I can have one if I mail Dean Ares twenty-five dollars, but I'm not going to do that.

JF: Is there any functional difference between [the two]?

JM: No.

JF: I didn't think so. How about Mary Ann Ryman, who became Mary Ann Richie, who became a federal district judge here?

JM: She was one of three or four women: she and Francis Long, Luis Long's daughter, from over in Eastern Arizona. And who else? Mary Ann, maybe Jo Ann Damos. She might have been a little after me. But there weren't many women at law school. Mary Ann was a trailblazer. My God, she was flying airplanes.... I think she ferried airplanes from South America to the west edge of Africa.

JF: Something like that.

JM: Yes. That was the shortest land-to-land cord you could get, so they flew all the way down to, I don't know, Brazil or somewhere in there, and then they flew into some African country--Dakar or Senegal--something like that. But that was to have a short a trip as possible over water, because the planes were not equipped with pontoons. They would be planes fighting the war.

JF: Did you run into Raul Castro when you were in college?

JM: Yes, I did. He was a little further along. He came from Douglas, although he'd been born, I think, in Cananea, but they came across the line. It was a big family, and I think he was teaching some graduate courses. I think my wife took a course from him--this is way back there, of course. But yes, he was a leader right away, and was good company.

JF: It's quite a star-studded class you all had.

JM: Yes.

JF: You entered law school in 1948. (JM: Right.) Why did you chose law?

JM: Oh, I was hanging around with nothing but lawyers, it seemed to me, and I still had some time. And the work at the College of Business was not difficult for me at all.

JF: That was your major, the business program?

JM: Yes. But I remember thinking, "I really ought to do something more with myself than get a degree in marketing." That's what I was going to do, get a degree in marketing from the College of Business. There was no down side. You could go to law school, flunk out, come right back to business school. A number of them did that. But after I survived the first cut, I figured that law was where I would go. I knew that in time it'd be tough, because my G.I. Bill was going to run out. Then my athletic eligibility ran out. Then a wife and a child. So it was slim pickin's that last year or two.

JF: You and Mo were both on the accelerated program, weren't you?

JM: It was accelerated only by your inclination. I think they had two 6-unit courses in the summertime, and you could go to those and speed it up a little.

JF: But you had three years of law school, but only two of undergrad?

JM: Well, I started Jan[uary] of 1946, and I graduated in June of 1951, so it's five-and-a-half years. So three of those would be at law so I was two-and-a-half at business school.

JF: Okay. Now, in 1950, you and Jackie were married.

JM: We were.

JF: Did you live in the married veterans' quonset huts?

JM: No, no it was almost impossible to get into them.

JF: Was it?

JM: And once you got in, you were allowed to stay until you graduated.

JF: Were a large percentage of students married then, because they were older, returning G.I.s?

JM: Well, probably more than the percentage before the war, but were they the majority of the students enrolled? I wouldn't think so. No, we rented a house (laughs) sort of a house, right next door, across the street from the Tucson Senior High School field.

JF: In 1949, Mo and his first wife, Pat Udall, were married.

JM: Yes.

JF: Do you recall if they lived in a quonset hut, or did they do like you did and find something else?

JM: I don't know.

JF: Did you know Pat?

JM: After they were married.

JF: What are your recollections of her?

JM: Well, she was a very glamorous figure. She was a graduate of what, Vassar?

JF: I'm not sure.

JM: I think so. And she was from a very prominent family in Colorado and they did live here and she had a bunch of kids in a relatively short order. And I remember visiting with her. She was very--well, she was someone to whom you would not hand your hat by mistake.

JF: During college, Mo was still involved with the Mormon Church.

JM: I didn't know that.

JF: Well, as I understand it from talking to Tom Chandler, Tom Chandler recruited him to join his fraternity, and instead of doing that Mo decided to go to, I think it was to play basketball for the LDS fraternity or organization, so he still must have had ties.

JM: Well, you can imagine how steeped he was in that tradition by the time he got here. He was born in Saint Johns, was he not?

JF: Yes.

JM: So he got down here. He's probably eighteen years old. He had eighteen years of strong LDS influence. That LDS Church in Saint Johns, that's where everything important happens, I think.

JF: And yet he was in college, involved, as I understand, with attempts to integrate the sports program and all, so he must have been at odds with the Church even by then. Do you have any recollections of when he split with the Church, or did he ever talk to you about....

JM: I don't know that he ever split in any formal sense. Did he?

JF: I honestly don't know. I wonder if it was kind of a gradual moving away or....

JM: Well, he was very strongly, civilly righteous oriented and then this business of no black athletes was a concern to him. And there were other efforts. The veterans around right after the war formed a chapter of the American Veterans Committee--AVC, so called--whose motto was "Citizens first--veterans second." Well, you can imagine how the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans felt about that. And it carried on to the point where they published a little newspaper and called it The Ruptured Duck. When you got discharged, the first thing they did was sew a little patch over your left pocket of an eagle in a circle, and that became known as the ruptured duck. There was an effort made to pass a public accommodations ordinance for the City of Tucson. This was a Confederate State when I got here, in every respect. The Democratic Primary made the decision. The Republicans, lots of them, registered as Democrats, so they could vote for the more conservative of the two Democrats in a contested race. But it wasn't until 1952 that anyone thought the Republicans could do a lick. And that's when Barry Goldwater beat Ernest McFarland. From then on, it's been a different game.

JF: Uh-huh. In 1949, Mo received his law degree. In 1951, as I recall, you received yours. Mo went off and joined his brother Stewart in a firm, Udall and Udall, and you were hired by Gentry and Gentry in Bisbee.

JM: Yes.

JF: Why Bisbee, why Gentry and Gentry?

JM: I had run on the University of Arizona track team. Dr. Larson was the head of the old Border Conference and he found out that I had competed in some obscure meet as a sophomore, the year that I was out most of the time with an injured leg. And he came and said, "You can't run this year." So I went to the track coach, Lymie Gibbings, and Director of Athletics, J.F. McKale and told them, "I'm in a predicament here. I have a wife and a child on the way." The two of them said, "Well, we'll think about it." They came back and said, "Well, we never had a freshman track coach before, but we'll have one this year, and you're it. And that will give you your scholarship." And I looked in the year book a few months ago and my picture is in there as the freshman track coach of the 1951 team. Okay, now I'm finishing law school "on my uppers" again. You know what that means, "on your uppers"?

JF: No.

JM: It's when your shoes are worn out, the sole's gone, now your walking around on the uppers.

JF: Okay. (laughs)

JM: That's pretty near what I was doing. And I went back to McKale and asked him if he could find a job for me anywhere. And he said "I'll call some fellahs in Bisbee. Do you want to live in Bisbee?" I said, "I don't know, I've never been there." He picked up the phone and called Gentry, they said, "Tell him to get in his car and drive down to the Copper Queen Hotel. We'll interview him at high noon."

JF: High noon at the Copper Queen.

JM: And there I was, and interviewed. They said, "Fine. As soon as you pass the bar, let us know." So, I went back to McKale and told him I had this job. And he said, "It's a good job and you'll do well. They're just opening up a mining camp, there'll be a lot of activity, a lot of law work, and all of that business." So there I was.

JF: And that eventually became Gentry, McNulty, and Kimble?

JM: Yes.

JF: Which Kimble was that?

JM: William E. Kimble, Mark Kimble's father. He was a Cochise County Superior Court judge for several years, but decided he had to live in Tucson to put all his six kids through college, so he moved up here.

JF: In 1952, Mo was elected Pima County attorney.

JM: Yes.

JF: In 1954, Stewart Udall decided to run for Congress. Backing up just a little bit, do I understand you roomed with Stewart Udall during college?

JM: Burr, I roomed with Burr.

JF: Oh, with Burr, okay. When Stew decided to run for Congress, as I understand it, Mo wanted to run at that time, too. To your knowledge, did this cause any kind of a rift or any problem between the brothers?

JM: No. I suppose I spent more time with Stew in those years. He was running against Porky Patton for Congress in 1954.

JF: Yes.

JM: And I was enthusiastic about it. I was something, Cochise County whatever, and I remember....

JF: You were active with the party?

JM: Oh, yes. I think in 1954 that I probably was first elected a precinct committeeman. And Stew, I remember, came down campaigning, and he slept overnight at our house, which (chuckles) was pretty modest, and Mo was doing the other. I knew Stew better, I just was around him more often. But I'm sure I would always be considered to be a Stewart Udall loyalist and a Morris King loyalist. I remember Levi Udall coming to Gentry and Gentry law office in 1952. He was a little uneasy at what he heard about his son, Stewart, that he was liberal, civil rights, and all of that stuff.

JF: Is that the first time he'd heard that?

JM: Well, no, but he found that he heard it a lot more. He was running for the Supreme Court himself, and so as he's around pushing his own candidacy, he's getting some static about Stewart's positions. And I remember Levi saying to Jim Gentry, "I don't know, the Bible says that the sins of the father should be visited on the sons, but I didn't know that the sins of the sons were going to be visited on the fathers."

JF: Did you work on that campaign of Stewart's?

JM: Oh, yes.

JF: And after he was elected, did you stay in touch with him?

JM: Oh, yes. Of course, those days they got one round trip a year, or maybe two, but very little pay. It was tough.

JF: What was your impression of him as a congressman?

JM: He did all the things that I would have liked to have done--or liked to have had him do.

JF: Was he fairly effective?

JM: Well, a brand new guy in those days, where you pretty much fetched and gathered. I think he was influential, but it wasn't very easy. That was a Congress that believed in seniority and thought if you want to really contribute something around here, stay here for twenty years. Then you'll be in a position.

JF: Yes.

JM: Committee chairmen were absolute despots. But still, it was the liberal voice.

JF: Mo, deferring to his brother running for Congress, decided then to run for the Arizona Superior Court, and lost from a ballot problem, as I understand it.

JM: A fluke. I think it was the only time they used those voting machines that Chicago had thrown away or--I don't know--it's some story like that. But anyway, there was no requirement that the names be put on alphabetically and rotated. And I think Mo's name was actually on the second line. A lot of people never even got down to vote in that area. But whatever, he lost and was pretty wounded by it.

JF: Did you ever sense any rivalry between the brothers?

JM: Sure.

JF: Anything serious?

JM: There were some real strains occasionally during the presidential campaign, but before that I don't have any recollection of such.

JF: Okay, I'm going to flip the tape because we're just about near the end here.