

**NEW MEXICO STATE BAR ASSOCIATION**

**Oral History Project**

**INTERVIEW – WILLIAM H. DARDEN**

**AUGUST 23, 2007**

**INTERVIEWER: SARAH BRADLEY**

## **DARDEN INTERVIEW – SIDE A, TAPE 1**

SB: This interview is part of the oral history project sponsored by the State Bar of New Mexico and its Senior Lawyers Division. I'm Sarah Bradley, a member of the Senior Lawyers Division of the State Bar. Today is August 23, 2007 and I'm interviewing William H. Darden at his home in Raton, New Mexico. Mr. Darden, is there anything about your childhood or early adolescence that influenced the direction of your life?

WHD: Well, I suppose the main thing was that my father was a lawyer, and I grew up in an atmosphere of the law. My father had started out practicing in Alabama before World War I and one of his associates and friends in the Bar back there was Hugo Black, who later became a United States Supreme Court justice. He moved here after... Well, he was in World War I, and he moved here to New Mexico after the war, first to Clayton, and spent about a year in Clayton practicing law and he met lawyers in Raton. Raton was a booming place at that time and needed lawyers, so he came to Raton and worked for the law firm of Crampton and Phillips and later joined the firm. Mr. Crampton was an old-time lawyer here, had come before the statehood and was a very respected lawyer. Orie. Phillips later became a federal judge in Albuquerque and then after that became a Circuit Court judge in Denver. With that I associated with a lot of lawyers, knew all the lawyers in town, and I guess that sort of thing influenced me that the law was a good thing to do, and I know my dad wanted me to be a lawyer and my brother also. I have a younger brother, Bob, who was also a member of the New Mexico Bar at one time. Unfortunately, my father died when I was 16 years old, and I didn't have a more mature time to be with him and understand more about the law, but I decided to go to law school. I went into my undergrad at Boulder, the University of Colorado, and went to law school there.

SB: Were there any professors or other role models there that were a particular influence?

WHD: Well, I had one very interesting professor at Boulder. His name was P. I. Folsom. Folsom Field, the football field, was named after him. He came to Boulder as a football coach, but he had been a lawyer in Pennsylvania, I think it was, somewhere back there, so he finally joined the faculty and the law school. He was a very exacting professor in class. Everyone had to stand up to recite. He would call on them. He had a file of cards, and there weren't very many of us in this class, about 25 I think, and he shuffled these cards every morning and picked out a card and called on you, and of course we were using the case system, and you had to recite your information about various cases. He might let you go after a minute or two or he might make you recite the whole class. That happened more than once where for the whole hour he was quizzing me. He was a very interesting fellow, and influential. Interesting enough, for New Mexico people, Henry [sounds like "Weihofen"] who was later a professor at

the new University of New Mexico Law School – you may have known him – he had taught in Boulder before the war, and he was a professor of mine then, and then there was a fellow by the name of Fred Storke who was a very influential and professional lawyer and teacher I'd say. He was incapacitated physically, but very sharp mentally. He was a great lawyer and influenced me too.

SB: Did they have any influence in the field of law you decided to focus upon?

WHD: I didn't focus on any field of law. I came here and practiced law, a sole practitioner I started out. I took pretty much what came in the door. Shortly before I came to practice law here, the mines began to go downhill. They got competition from the petroleum industry. The railroad was changing over to oil from coal, the town was going over to oil, people were stopping using coal furnaces and stuff like that, so the mines were going downhill, so there was quite a bit of unemployment, so I took what came in the door.

SB: Were you mentored at all by any your father's contemporaries?

WHD: Yeah, there was a fellow by the name of Hugh Roderick who had an office in the same building that I had my office in. He was a real old-time codger, bachelor, and when I had a question I'd go up to see him. Well, unfortunately, that just started him talking, and even though I didn't have a whole lot of practice, I still didn't have time to listen to him all day, but for a while I took his advice and went to see him every once in a while about problems, but finally I had to cut him off. I could no longer take the time to listen to old Hugh, but he was quite a character.

SB: What was the practice like in a small town?

WHD: Well, Raton had a number of corporations. The coal company was a big corporation and had its lawyers. The banks of course had their lawyers, and there were stockmen around in the area who had business with lawyers. It was a pretty diversified practice. As time went on I got involved in corporate work and a lot of real estate work. I guess I did more real estate work than anything else. I handled divorces; then I got involved as an assistant district attorney. Back in those days – 1947 is when I began practicing – both the district attorneys in this state and the assistant district attorneys were part time. You could have a private practice on the side, so I got involved as an assistant district attorney and did a lot of work that way. The district attorney handled Children's Court stuff and we represented the county in its county work. We handled, of course, all sorts of criminal cases, so it was pretty diversified, too.

SB: I notice you mentioned it was 1947 that you went to work in the DA's office. Had the war interrupted your practice?

WHD: No. I had not quite finished law school when the war came along, and I went into the service and spent four years in the service, and then I came out, finished law school and then started practicing. It might be of some interest, too, to tell exactly how that worked. I finished law school in March of 1947. I didn't actually get my degree and everything until graduation time, but I came home after finishing law school. I wanted to take a break because I had been working hard to try to get through law school and all. I came home and wanted to take a break, but then it turned out that the Bar exam was going to be held. The Bar exam was in March, the 26<sup>th</sup>. I finished law school on the 10<sup>th</sup> of March, 1947, so I had to get ready for the darn Bar exam, and I really poured the coal to that. I took the Bar exam. It was a three-day Bar exam, and the fourth day of the Bar exam they announced who was being admitted. There was no big long delay like there is now. I became a member of the Bar the fourth day of taking the Bar exam. Well, I was pretty pooped by that time, and came home. I was not married then. I lived at home with my mother and started relaxing. Well, then I found out that the April term of court was coming up, and in those days they had two terms of court, a spring court and an autumn court usually, and sometimes an extra court around Christmas time.

SB: Did you have circuit judges that would...?

WHD: No, they didn't really circuit. Well, the district judge here had three counties like he has now. They moved around, but it wasn't strictly a circuit. Every lawyer in town was expected to be at the opening of the term of court, so I went down as a fresh, new member of the Bar, and the first thing that came up was there was a widely publicized murder case, a car jacking basically, and the judge, he was from Clayton, was presiding, and so this person came up for arraignment and appointment of a lawyer, and he didn't have a lawyer and he couldn't afford one, so the judge said, "Well, I'm going to appoint a couple of lawyers for you," and he appointed a fellow by the name of Bill Kearns who had been admitted to the Bar six months prior to the time I was, and me. We were appointed to defend my first jury murder case, so that happened. And then he says, "We'll go to trial on the 21<sup>st</sup> of April." That's how much time we had to prepare for this case. Kearns had never had any murder cases before. He had had a little bit of practice before, and I'd had none, and we had to learn how to practice law pretty fast there.

SB: And in those days they didn't have a Public Defender's Office with investigators or anybody provided to you, was there?

WHD: No, and it was interesting. Of course, there was no Miranda ruling then either. This fellow had killed a traveling salesman, stolen his car and put him in a culvert out east of town and shot him to death in the culvert and taken off in the

car, and he was captured back in Indiana using the guy's credit card. He sort of confessed back there to what he had done, and they sent back the sheriff and the assistant district attorney, a fellow by the name of John Wright who later became a district judge here, and they went back to bring this fellow back to Raton. For a couple, three days in the car they were talking to him about this case all the time. No lawyer to protect him or anything of course, and he even showed them the place where he had killed this man and they found the body. They got some written statements from him also. So that's the kind of case we had to try.

SB: How long did that jury trial go, or was it a jury trial?

WHD: Oh yes, we had a jury trial. I think about three, four days is all, not too long, and the jury convicted him. Kearns and I appealed it to the Supreme Court, and we went to the Supreme Court the next winter. And an interesting thing—at that time the Supreme Court building and most of Santa Fe was heated by gas, but the gas supply had had an interruption or something when our hearing was going to happen, and they told me this was the first time that the Supreme Court had ever met outside of its own chambers. We went over to the La Fonda Hotel which had a coal furnace so we could keep warm in the hearing.

SB: What other cases in your career stand out in your memory?

WHD: Well, this was not really a case, but I had a client who was a wholesaler for petroleum products, and he called me one night and said that he was conferring with some people about a deal that he'd like for me to sit in on and advise him about it. Well, it turned out that these people were from down around Amarillo, and they claimed that they had – they were in the business of selling propane tanks – and that they had a customer up in Utah who wanted to buy a bunch of tanks but he didn't have any real good credit rating and they wanted somebody who would co-sign his note and they were going to give my client something in order to sign. They wanted him to co-sign the note, and of course I told him you're sticking your nose way out there. You'd better not do that, so he didn't do it. Well, I think within a month of that time the Billy Sol Estes case broke. I don't know if you've ever heard of Billy Sol Estes, but this was Billy Sol Estes and his crew. They were trying to defraud my client out of 50,000 bucks, I think it was, worth of tanks, and I thought that was kind of interesting.

SB: Indeed. Practicing in a small town like Raton, are you able to call opposing counsel over the phone, or are things still kept on a fairly formal basis?

WHD: Back then we did. I don't know what they're doing now, but back when I was practicing law we were on good terms with most of the lawyers in town and we'd talk to them, sometimes even about cases and stuff. I wouldn't say we were very formal about it generally.

SB: Were the same people that were the opposite side of cases with you social friends?

WHD: Oh yes, a lot of them. I guess you could say my best friend was Bob Skinner. We fought in court all the time. Did you know Bob?

SB: I did.

WHD: He finished law school at Boulder at the same time I did, and I've known him for his whole time he was here. There were other lawyers. Paul [sounds like "Kastler"], John Davidson, Gordon Robertson. I don't know whether you know him or not, and a lot of us had gone to Boulder. At that time there wasn't any law school in Albuquerque, so we went to law school in Boulder. At one time there were five of us in the Bar locally that were grads.

SB: Did you remain as a sole practitioner?

WHD: Yeah, all the time. I never got around to teaming up with anybody, and there were other sole practitioners around here too.

SB: I would assume that as tight knit as the Bar was, if you had questions there was always somebody you could brainstorm with?

WHD: Well, I wouldn't say that really, no. I did my own research. Except when I was just getting started with old man Roderick, I don't think I really consulted with anybody else very much about it.

SB: Were you ever involved in politics?

WHD: Yeah, very shortly after I got out of school and started practicing law, we had a city election come up. Some of the big Democratic big wigs decided they'd get me to run for mayor, so they talked me into it. I had some reservations, but they talked me into running for mayor, so I made some speeches around town, and I guess they didn't care very much about what I was thinking about for this city. In the first place they probably wanted me to do what they said, so they turned against me and I lost by a hundred votes I think it was.

SB: And that was your one foray into politics?

WHD: Well, no. After that I ran for probate judge, and I served two terms as probate judge, but those were the only times I was really involved in politics.

SB: And even as probate judge you ran for election?

WHD: Oh yes, and it was of course part time work also.

SB: Was that strictly county-wide or was that for the whole district?

WHD: That was a county office.

SB: You started talking about an association with the DA's office.

WHD: I served as assistant district attorney for about 20 years I guess, part time. In 1977, the law was changed to require district attorneys and assistant district attorneys to be full time employees. Well, it just happened at that particular time I lost two or three clients who had retired or died or moved away, important clients, and my business kind of had a hole in it. I had, as I said, over 20 years as assistant district attorney, so I had a lot of time for retirement piled up, and I was getting ready to retire any way. Kathryn and I don't have any children and we wanted to travel and do things on our own, so I decided to go full time in the DA's office. I spent three years as a full-time assistant DA. During all that time I of course prosecuted many, many cases – murder cases, all sorts of cases, rape cases.

SB: Was it mostly criminal or was it mostly representing the county on issues?

WHD: Well, I'd say it was mostly criminal. Representing the county mostly consisted of attending the county commissioner's meetings and sort of ad hoc advising them. I don't recall any big litigation as far as the county was concerned.

SB: Tell me a little bit about your family. You mentioned your father was a lawyer and you have a brother who's a lawyer.

WHD: I have a brother who was a government lawyer, and he was the attorney for the Small Business Administration in Albuquerque for a number of years.

SB: I know they're also some Dardens in Las Cruces.

WHD: I have a second cousin and his son, John Darden, who lives there still. Byron Darden was his father. Byron was my second cousin. His father was a lawyer before him too back in Alabama.

SB: So the Darden family originated in Alabama then?

WHD: Well, they were there for a long time. My brother retired and lived in Albuquerque for quite a while, and then he moved to Connecticut.

SB: What are your primary interests or involvements outside of law?

WHD: Hobbies you mean and stuff?

SB: Sure.

WHD: Well, of course I read a lot. I have a lot of books. In the past I've been interested in photography. I've been interested in some astronomy, backyard astronomy. I used to do a lot of fly fishing and then travel.

SB: I was going to say you mentioned travel.

WHD: Kathryn and I have been to Europe seven times, been to Egypt, been through the Panama Canal, we've been in all the states except Alaska and Hawaii and we enjoyed it.

SB: Now you're pretty much sticking close to home.

WHD: I have to stick pretty close to home now because as I say, Kathryn had a stroke about five years ago and it incapacitated her, so we stick pretty close to home now.

SB: Are you still involved in any local associations?

WHD: I still belong to Kiwanis Club, which I've belonged to for over 50 years. We're involved in our church, the Presbyterian Church, and I go to lunch on Friday with a group of guys. Some of us have been going to lunch together since 1947. We've had new additions from time to time because we've lost a lot of people, so I get around that way.

SB: How would you say the practice or the legal community in Raton has changed during your career?

WHD: Well, I'm not sure exactly how it's changed. I don't think it has changed too much. We still have a fairly small Bar; 10 to 12 members most of the time. I always thought it was a pretty high-quality Bar. The people were not too greedy, didn't try to go out and take everybody's money and that sort of thing, very few tort cases of any big, serious nature. I think that's still true. I would say it was a pretty good class Bar.

SB: Do most of the lawyers here have licensure in Colorado as Well, since you're so close?

WHD: I don't think so. I know Paul Kastler does, but I don't think they do. I'm not sure really because some of them I haven't practiced against them at all. Some of them came here long after I retired.

SB: When did you retire?

WHD: I retired in 1980, so it's been 27 years. There's a lot of new blood in here.

SB: Who are some of the people you have lunch with on Fridays?

WHD: Well, no lawyers. Mostly it was veterans that we started out with together, and most of them are veterans now.

SB: What would you say is your most significant contribution to law?

WHD: Well, I don't know. I appealed a couple of cases to the Supreme Court that made law, not significant law, but I guess you'd say that was of some significance [unintelligible]. One was a very strange case. I'm surprised that it happened at all. I was involved in a big foreclosure of a housing project, and I represented the electrician who had not been paid, and he had a good friend who was the plumber there. I brought suit for the electrician, and they finally talked me into representing the plumber also, on the agreement that my first responsibility was to my electrician friend, so we filed a Motion for Intervention by the plumber and it was granted by the trial court, but the other side appealed to the Supreme Court and their appeal was on the basis that after the Lower Court had accepted the intervention that I had not filed a separate complaint for the plumber. Well, as you probably know, in making an intervention you have to submit your pleading that you're trying to intervene with, so we went to the Supreme Court and the Supreme Court had never decided this case before, New Mexico hadn't, but they decided that you didn't have to do two things separately. Once you filed that petition and showed what your case was about, you didn't have to separately serve the other side with a new thing just like it, and this was back in the time of course when it was a lot of trouble to make a copy. If you hadn't made a carbon copy, you had to type the whole thing over again and that sort of thing. We didn't have any copying machines or anything, but I thought that was kind of an interesting thing. I guess they still go by it.

SB: I would think. Did you have a series of secretaries over the years or did you do your own?

WHD: Kathryn was my secretary most of the time. I had had others, but we didn't get married until we were fairly up in years, so when we got married she started being my secretary. I didn't marry her for that reason though.

SB: So a real family business, huh? Are there any other aspects of your career or your life that you'd like to share?

WHD: Well, let me see here if I can think of anything else. Well, like everybody my age, our experiences in the war was a big thing, and I was an officer in a combat engineer battalion, served both in Europe and in the Philippines, but having had a couple years of law school before that, I always got appointed on a court martial, and I always, in addition to my other duties, was either a counsel, mostly counsel in a court martial of various sorts. I remember one case in Germany. We were trying a guy for murder of a civilian, and we got about half way through our case. There was another fellow with me and we took off a couple of days for something, I don't know what, and reconvened, and during

the time that we had been absent, our star witness had been murdered himself, so we had quite an experience there, and there were things like that that occurred everywhere of course.

SB: You actually had some experience in trial work then before you ever even got through law school.

WHD: Yeah, you would say so. Probably four years, but it was different. Well, it was different in one way. The military had developed a word-by-word résumé of what you would say in court in these cases, and every once in a while I'd run into somebody who wanted to go by the book, and it was not always the best way of trying a case, but generally I got away using a good legal system to try these cases, and sometimes it didn't work out too well. I had a case when I was down in Mississippi. The commanding officer of this company was notified by the First Sergeant that one of their privates wouldn't get up out of bed one morning and refused to get out of bed, and the Captain told the First Sergeant, you go over there and tell this guy to get out of bed or I'm going to court martial him. Well, the First Sergeant went over and apparently said, "You get out of bed or you're going to get court martialled." I think the Captain intended that he say, "The Captain says you get out of bed or you're going to be court martialled," but he didn't do it. Anyway, the Captain filed a court martial against him for disobeying the verbal command of a superior officer. Well, I was preparing this case and I needed to go down to headquarters to look at some law books, and I bummed a ride with the executive officer of the battalion who was going down there also, and on the way down in our jeep he asked me what I was doing. I said I was getting ready for this case, and he says, "Well, that man has to be convicted." I was defending him, and I started to gulp and I said, "Well, I'm going to try to get him off and defend him," and he says, "He's got to be convicted. We've got to make an issue of this." Well, we went to trial and I brought up this question of who gave the order, and the Court Martial Board agreed with me and acquitted this guy. I think it was about 10 days later I got transferred. They didn't want me in that outfit any more.

SB: You said you were in an engineering division?

WHD: Yeah, combat engineers.

SB: So were you involved in building of bridges and that sort of thing all over Europe?

WHD: Oh yes. Europe and we went to the Philippines; got there just before the war was over, so they put us to work building a big camp for American soldiers. They had been in Manila for almost a year, and they had leases on a bunch of buildings in downtown Manila and the people wanted their buildings back, so the Army decided to build this big camp for them, so we built that. In England we spent almost all winter building bridges across the Thames River. We'd

build a portable bridge across the Thames one day, tear it down that night, rebuild it again, rebuild those bridges time after time. We got pretty good at building bridges I'll tell you.

SB: What would you say to encourage younger lawyers to come to some of the smaller outlying communities in New Mexico to practice law?

WHD: Well, it's not the dog eat dog, clawing, aggressive sort of thing that I think a lot of law is in a big city. I don't speak from first knowledge about big-city law, but I get the impression it is pretty dog eat dog in a place like Albuquerque. Here, I don't think that's true. It wasn't when I was practicing law. I think it's a rewarding deal. You know people so Well,, people know you, and if you're any good you get to have some respect from the public generally, and among the members of the Bar you have a much better relationship because you are dealing with them all the time and know them. I think that there's a lot to be said for it. I know that a lot of lawyers want the excitement of a big city, but we have excitement here and things to do. We have a very active theater program here, live theater, and they have things to do, so you're not just giving up everything in order to be in a small town.

SB: It seems that there's a real tight-knit community, both of lawyers and the lawyers with the community itself that maybe is missing in other places.

WHD: Yeah, I think that's true. I'm getting awful dry. Can we quit for a while?

SB: Sure.

### **[SHORT BREAK; INTERVIEW RESUMES]**

SB: Mr. Darden, I understand that you are a collector of wonderful books.

WHD: Well, I consider them wonderful. I have bought a lot of books, some of them good books and some not so good, but I've got some that are my pride and joy. When I was in England during the war, I bought the first complete edition of *Blackstone's Commentaries, the Oxford Edition*, which is the original edition. They were first editions from Dublin, London and all over, but the original was the Oxford Edition.

SB: Do you have that? Could you show those to us?

WHD: Yes. This is Volume 1, which incidentally is a third edition. Blackstone wrote his first two volumes and printed them, had them published before he finished the work, and the last two volumes, which I have also, were published later in the same format, and I have those as first editions. This is the third edition here from Oxford, and as you can see it's very fine paper. This was published in 1768 and you see the paper is just as soft and nice as it ever was.

SB: Did you use that during your practice?

WHD: Yes, I did use it at times, because the common law of the United States is the common law of England as it's been amended later by statute, but a lot of our law is still common law, and under the Constitution, the common law of the United States was the common law of England when the United States was formed, and it just happened that Lord Blackstone had written these magnificent commentaries on the laws of England just prior to that, so everybody's accepted the fact that this is the law of the United States. Before my time, every lawyer had a copy of *Blackstone's Commentaries*. Usually though, they had the name of some annotator on them, like Chitty on Blackstone and that sort of thing that were annotated with United States cases upheld under the common law of England, but they went on and of course some of it's been amended by statute.

SB: Did you go specifically looking for these?

WHD: Yes I did. My brother was in the Air Force, and he got overseas before I did, and he wrote back and said that he had bought a Blackstone. His was a Dublin edition I think, and he was really proud of it, and that's where I decided I'll beat him. I'll get a good one. I was on leave one day and I went to where legal booksellers had their places, and I went to the store and he had a number of these things. I was surprised. Mine apparently was owned at one time by a Kenneth A. McAndrew. His bookplate's in this. I guess people turned them in and tried to sell them later; maybe people that weren't really lawyers. I don't know how this got into circulation, but as you see it's beautifully bound in calf and I think a very valuable book.

SB: Right, and you actually quoted from that in some of your cases?

WHD: I have. There was a district judge from Santa Fe up here one time. We were trying a case he had been appointed in, and I think the question came uop. . .

**[END OF SIDE A. BEGIN SIDE B, TAPE 1]**

WHD: ...any maybe involved the definition of various grades of murder. There was some confusion about it, and there was at that time confusion in the New Mexico law on exactly what the definition of the various grades of murder was, so I came home – I didn't keep this in my office – I came home and got this and took it back and showed him, so that's it.

SB: What other particularly outstanding volumes have you managed to collect?

WHD: Well, I have an incunabulum, which means a cradle book. A cradle book was a book printed in the first half century of printing after Guttenberg. In other words up until 1500, and I have a book that was printed in 1497.

SB: I think it's right by your chair.

WHD: No. I think I put it up here, here it is, and this is a book printed in 1497, and it's made to look like a manuscript. It doesn't have page numbers, and each page has a word that is printed to indicate what the word on the next page is going to be so they could keep things tracked out. Without a page number, Well, of course you wouldn't know, and this book is a book by a Third Century Egyptian hermit from the Sahara I think. It was a famous book. His name was [sounds like "Cassianus"], but it was made to look like a manuscript, and you see that the initial letters are written in by hand with a pen.

SB: How long have you been collecting?

WHD: Oh, probably 60 years. I don't do too much of it now, but I have bought a lot of books in my time.

SB: Any other special collections other than books?

WHD: No, I wouldn't say so, not anything special. My wife collected antique furniture. We have a lot of antique furniture around here, but I don't know that I could say I collected anything much besides books.

SB: Did the practice itself take you on any travels of significance?

WHD: Not especially. I of course had to go to Santa Fe and Albuquerque frequently for cases, Taos and Clayton, but I never left the state for any deal. I will tell you something of interest. Not many people remember this now, but in 1958 the State Bar decided that they would have their meeting in Mexico City, and to be official about it, we spent one night in Las Cruces and then boarded a special train from El Paso and went to Mexico City and spent I think it was four or five days there meeting with the Bara Mexicana in Mexico City, and of course we spent most of our time sightseeing and that sort of thing, but we had some sessions with the Mexican Bar, and I don't think that the State Bar has done that any more, but we had to have a New York Central train, it was solid bedrooms. We really enjoyed it, and we zipped down to Mexico City and then we came back and it was a great deal.

SB: How many people went on the trip?

WHD: I would say it was 10 cars in this train, possibly 20. There might have been as many as 20 people in a car. I'm not positive, but there were a couple hundred of us.

SB: That's a pretty good percentage of the Bar back then, wasn't it?

WHD: Yeah. Of course I got to know a lot of the people that I hadn't known otherwise even though I've been going to Bar conventions a long time. I can't name very many of them, but there were a lot of prominent lawyers who were on this train.

SB: Were you fluent in Spanish?

WHD: No. I was ignorant in Spanish really. I don't recall having had any difficulty as far as Spanish is concerned. One night Kathryn and I decided we wanted to go see a jai alai game, so we got out on the street and hailed a cab and asked to go to the jai alai stadium, and this guy didn't know what we were talking about at all. We had an awful time. Finally he stopped somebody on the street and asked them, and oh, you mean the fronton, what was the word they used? They had another name for jai alai. I was really surprised because I thought jai alai was a big sport in Mexico, Spain and all over the Spanish countries, and apparently they didn't know it in Mexico.

SB: They did have the game but they just didn't call it the same?

WHD: That's right. We went to this big stadium and you bet all during the game. You don't have to quit betting by the beginning of the game. Every time one side scores, then a bunch of people want to alter their bets by putting some more money or something else, and it got very interesting, and there was a bunch of the lawyers there too who had gone.

SB: Do you know if the New Mexico Bar ever reciprocated?

WHD: I think they did one time. I can't remember too much about that, but I believe they did.

SB: But you pretty much made a point of going on the Bar conventions when you were practicing?

WHD: Oh yeah. That's the way you get acquainted with the lawyers and stuff, and at that time it wasn't such a big outfit that you couldn't [unintelligible]. They had it all over the state. We had the Bar convention up here one time, and that was when I had just become an assistant district attorney, and they assigned me the job of booking all the hotel rooms and stuff like that, so I got kind of involved there.

SB: What were some of the communities that you went to for Bar conventions?

WHD: Well, we went to Clovis, we went to Hobbs, Roswell, Cruces, Santa Fe, a number of times to Santa Fe and Albuquerque of course, Tucumcari I think. It's a little hard for me to remember all the places, but we went to a lot of places and you get acquainted with the people there too and lawyers that were there that didn't necessarily go to other conventions.

SB: I don't think I ever realized that conventions were held really throughout the state. How interesting. What was the turnout typically if you were having them in places like [inaudible]?

WHD: The turnout would be a couple hundred people, and we'd have a big time.

SB: Do you know what the population of lawyers was back then?

WHD: No, I don't. I would guess less than a thousand, but I don't know. I really don't know. Of course Albuquerque at that time was a city of probably 50,000 and I don't know how many lawyers were in there, but certainly not the number of lawyers that are there now.

SB: So it really did help you meet all the lawyers throughout the state.

WHD: Yes.

SB: How wonderful.

WHD: And of course I served on some committees and stuff like that for the Bar. I got acquainted with people more that way.

SB: Any major changes that took place through the Bar at that time?

WHD: Well, of course one of the major changes is the fact that when you take a Bar exam now you wait six months or so to find out whether you passed or not. As I told you, I found out the next day after the last part of the examination. I think, and I'm not positive about this now, but when I applied to become a member of the Bar I had to have letters from two practicing lawyers certifying to my good character, and I don't think they require that now, do they?

SB: I think you may have to have letters, but not necessarily from lawyers, but I'm not sure.

WHD: I don't know either. I have the impression when people get in that you wouldn't necessarily get a good review from some lawyer.

SB: I understand back in the 50s that there were lawyers who would give speeches on really important areas of the law or newly emerging issues in the law. Do you recall that?

WHD: Well, I think that at the Bar conventions they would have discussions of that sort. I guess they still do it, but when I went to law school I had to write a dissertation, and my dissertation was on slip and fall in theaters, darkened

movie theaters. That was new law then. I don't know what they do now. They do have to write a dissertation?

SB: No.

WHD: I'll be darned. Yeah, we had to write it. At least at Boulder that was the way it was. We had to write a dissertation and that's what I did.

SB: Have you continued to be active in the Bar Association since your retirement?

WHD: For a while I was, but I stopped that within the last 10 years.

SB: Is there anything that you could pinpoint as your legacy to the legal profession?

WHD: I doubt if I have any legacy to the legal profession. I couldn't think of anything, except that I tried to be a good lawyer. I tried to help people, and I tried not to overcharge them and I managed to make a good living, and that's all there was to it.

SB: Well, I thank you very much for your time.

WHD: Well, thank you for coming. I enjoyed it.

**[END OF INTERVIEW]**