

Joseph Morris

A lover of law whose remarkable career includes serving as U.S. District Court Chief Judge.

Chapter 01 - 1:06

Introduction

Announcer: Judge Joe Morris was formerly Vice President and General Counsel of Shell Oil Company, General Counsel of Amerada Petroleum Corporation and Dean of the College of Law at the University of Tulsa where he taught arbitration law for more than 20 years as an Adjunct Professor of Law. He is a former United States District Court Chief Judge for the Eastern District of Oklahoma.

Joe Morris has been with GableGotwals law firm in Tulsa for over thirty years. The last twenty years, he spent the majority of his time as an arbitrator in significant commercial arbitrations, both domestic and international. He is a former regent of the State of Oklahoma's higher education system.

Reared on the family farm, Joe rode his horse to the same country school his father attended, and graduated from high school in Nickerson, Kansas, from a junior college in Hutchinson, Kansas, from Washburn University with a Bachelor of Administration, and from Michigan University with a doctorate of Juris Prudence and a Master of Laws.

His career was launched at Michigan when he met a fellow graduate student who had worked for Shell Oil in Tulsa.

Joe Morris is a good storyteller, and you will enjoy his journey as you listen to VoicesofOklahoma.com.

Chapter 02 - 8:05

Horse Riding to School

John Erling: My name is John Erling. Today's date is January 30, 2018.

Judge Morris, would you state your full name, please?

Joe Morris: Joseph Wilson Morris.

JE: May I call you Joe throughout the interview?

JM: You may.

JE: Your date of birth?

JM: April 28, 1922. I am ninety-five years old, and if I am still alive this next April, I'll be ninety-six.

JE: Did anybody else in your family live to be this age?

JM: Not to my knowledge. My father lived to his early to mid-eighties, but my mother died early, age sixty.

JE: Where are we recording this interview?

JM: We're recording this interview in my office in the law firm of Gable and Gotwals, downtown Tulsa.

JE: Where were you born?

JM: I was born in a small frame house that my grandfather had built, I'm told, when he rode on a horse from Western Kentucky out to Kansas. He didn't tell me this, but he was looking for land. He found a 120-acre tract of land and he built a very, very modest, small house on that tract of land. And I was born in that house.

JE: Was there electricity and plumbing?

JM: No, no, no electricity. We used coal-oil lamps, coal-oil or kerosene.

JE: You were born there but then you remember it when you were four or five years old.

JM: Yes. Because that was where I was living when it came time to go to school.

JE: Your mother's name, maiden name, and where she was born and grew up.

JM: My mother's name was Hazel Sluder, S-l-u-d-e-r. I'm not positive I know where she was born, but she grew up in Hutchinson, Kansas, which is about twelve miles south of that farmhouse.

JE: Describe her personality.

JM: She didn't grow up on a farm. She had grown up in the town of Hutchinson. She did not go to college and neither did my father go to college, but they were both high school graduates. She was an outgoing person. She liked to play bridge. She had a good personality.

JE: Did you have brothers and sisters?

JM: One brother, five years younger.

JE: And what was your father's name?

JM: Bert, B-e-r-t, Bert Morris.

JE: His profession then?

JM: He was a farmer.

JE: What type of farming was that?

JM: Wheat, corn, soybeans, and row crops of various kind. And then in addition, on our farm, we had quite a bit of pastureland, so we had cattle.

JE: What was his personality like, your father?

JM: He was very warm, outgoing, friendly. He was fairly well-known in the community and well liked.

JE: Anything that would jump out at you when I ask what either one of them may have contributed to you? What did you draw from your mother or your father?

JM: I went to a one-room country school that was about a mile and a half away from our house. And there wasn't any question, there was not any discussion that I remember about whether or not I was going to school. I went to school; that was grades one through eight. My father and mother both encouraged that and I did that.

There was not much discussion that I remember about whether or not I was going to go to college; it was just a given that I was going to go to college.

JE: Well, that was amazing, at that time, probably, for them to think that way.

JM: Well, that was, in a way, because as I remember it, there weren't very many children in that one-room country school who went ahead and went to high school and then went to college.

But my brother did and I did.

JE: Were there any stories about your grandparents, going way back?

JM: Well, my Grandfather Morris, who came after Kansas, I think by horseback, bought that 120-acre tract of land on which our house was built. And then I can remember as the years went by, if there was an adjoining tract of land to that 120, or if it was adjoining to any additions that he had made, and if he had the money, he would buy it. Because I can remember when I was in high school, that farm had grown by virtue of his industry. He owned 1,120 acres of land.

JE: Then your family lived on that farm that your grandfather had purchased?

JM: That's right. And, oh, and my dad and mother were first married, my father and mother and my grandfather and grandmother all lived in that same house. But that didn't work out very well, I guess. So my grandfather went down the road a half mile and built another house. And he lived down there.

JE: Often back then families got together and lived in the same house, didn't they?

JM: That's correct.

JE: Until somebody started saying, "No, this is not going to work."

JM: That's right, that's correct.

JE: Well, he was wealthy enough to be able to go out and build another house. This was a one-room country schoolhouse?

JM: One-room country schoolhouse. One teacher taught all grades, one through eight. I entered school with two others—one boy and one girl, and we went through eight grades together.

JE: How did you get to school?

JM: I got to school by walking. It was about a mile and a half, or I rode my horse. And every country school in that area there, there was always a barn. So I'd put my horse in the barn during the daytime while I was in school. And then I'd ride her back home that night.

JE: I suppose there were other kids who rode their horses to school?

JM: That is correct.

JE: That was kind of fun, wasn't it? [laughing]

JM: Well, in a way. It was just a way of getting there.

JE: Right, well, you had many opportunities to ride the horse. Do you think you were seven or eight years old when they let you ride a horse to school?

JM: Maybe, or six; six or seven.

JE: Oh, really? Yeah.

JM: Yeah.

JE: You remember what you might have done for entertainment back then?

JM: My brother was five years younger than I was. There weren't any other children. The nearest person that lived more closely to us than anybody else, there was one boy that lived about, oh, a half mile away. And I would get together and play with him. He was about my age but he did not go to the same school. Because the road that ran in front of our house was a county line. He lived on the other side of the line and I lived in Rice County and he lived in Reno County. And he went to a different school.

Then when I got old enough, I used to make what we call slingshots.

JE: Yeah.

JM: And I'd shoot at birds with the slingshot with rocks. There are some birds I wouldn't shoot at, I mean, an Oriole, I wouldn't shoot at an Oriole, but I'd shoot at a blackbird or a sparrow. I was a fairly good shot.

JE: You didn't know that later on you'd become a very good hunter.

JM: [laughing] I didn't know that then, no.

JE: No, you didn't.

Chapter 03 - 9:00

Depression - Dust Bowl

John Erling: Along in here we're coming into 1929 and the Great Depression—

Joe Morris: Yes.

JE: . . . which was worldwide and the stock market crashed October 29, 1929, known as Black Tuesday. You were about seven. You probably didn't feel any of that.

JM: Well, I can remember the Depression. I don't know just how old I was. But it was serious, I mean, I can remember that.

President Roosevelt was elected in 1932. My mother was a Democrat and my grandfather and my father were Republicans. I can remember voting was very important

and there was always a lot of discussion about that. So my grandfather, on election day in 1932, had a car then and he drove from his house, which was a half mile west, along with my grandmother, and they stopped and picked us up and we had to go to another school, which was about five or six miles away.

And when my dad and mother got in the car to go over there, my grandfather said, "Bert, who are you going to vote for?"

My dad said, "Well, wheat is only worth twenty-five cents a bushel and times are hard. I'm going to vote for Roosevelt."

My grandfather said, "I ought to let you out and make you walk to the schoolhouse."

JE: [laughing]

JM: Because he was a hardcore Republican. I remember that. And then I remember as the years went by, the different programs that President Roosevelt put into effect. He was the president for a long time, and, of course, he was president when the Japanese attacked Pearl Harbor.

JE: Right, and I'm going to get to that. Then in 1932, you're ten years old, and in the '30s, the Dust Bowl affected Oklahoma, Kansas, Colorado, and Texas.

JM: It did.

JE: It was actually a newspaper editor in Kansas City that coined the phrase "Dust Bowl," by the way. Did your area then, you were living in Kansas, were you affected by the Dust Bowl?

JM: Oh, yes, yes. Not as badly as it was out in Western Kansas and in parts of Texas and the Panhandle of Oklahoma. But we were badly affected. Sometimes the dust was so bad you could barely see. I have a memory of that. The conditions were really bad.

JE: Could you see clouds of dust?

JM: Well, there would just be darkness that would come by virtue of the dust that was in the clouds and in the wind.

JE: This dust would seep in under the doors, around the windows?

JM: Oh, that's right. And people would dip towels and sheets in water and put them around the edges to keep the dust from coming in the house.

JE: Probably felt dirty—

JM: That's right.

JE: . . . a lot of the time. I mean, you could take your Saturday night bath and go outside and within an hour be dirty.

JM: Yeah, and see, in the early days, we didn't have any plumbing. We had what everybody referred to the "outhouse," which is where you had to go when you had to go to the bathroom.

JE: Right. You got your water from a well?

JM: Yes, we did.

JE: Then did you take the famous Saturday night baths?

JM: Yes, yes, we did. My mother saw to it that both me and my brother did that.

JE: The Dust Bowl, did it affect the farming, did it affect the income of the farm?

JM: Oh, yes, very much. Because it had an adverse affect on all plants and trees because there wasn't any moisture, there wasn't enough water. And it had an effect on all crops.

I can remember one of the programs that President Roosevelt put in, "Shelter Belts," they called them. They had people put in trees in a line that ran east and west because the wind normally came from the north or south. And it would tend to diminish the strength of the wind and give some protection to the land.

JE: As I recall, that was a program that ran up from Texas through Oklahoma, Kansas, Nebraska, clear up to North Dakota.

JM: Oh.

JE: What did you do for food? Could you plant gardens? You didn't have water.

JM: Oh, yeah, we planted gardens. There was a garden out behind our house and one of my duties when I got old enough was to carry in a bucket, or in some kind of a container, and pour water on plants in the garden.

Then we had a row of trees that was on the west side of our house. My dad had set out some trees, and my duty was to get a bucket and I had to water each of those tree plants to keep those trees alive, under the circumstances.

JE: You were developing a strong work ethic, weren't you, as a young boy?

JM: I did, that's correct.

JE: The cattle you had, beef, you didn't do dairy, did you?

JM: Well, we always had from two or three to six or seven cows. We had milk. When I got older, but I was not big enough to be very helpful, when we cut wheat, it was my duty every evening about five or six o'clock, to get on my horse and go out in the pasture and bring the cows in, put them in the barn. And then I had to milk them.

JE: Oh, you milked them?

JM: I milked them.

JE: You have to have strong hands to do that.

JM: Well, that's right, you have to learn how to do that. And, of course, the conditions surrounding the effort to milk the cow were anything but sanitary.

JE: Right.

JM: A lot of flies and manure on the tails of the cows. The insects that would bother the cows and she'd wave her tail around and sometimes stuff would drop in the bucket with the milk. After you milked all the cows, then you had to take the milk in and we had, you wouldn't call it a cave, but it was an underground facility in which you'd put a milk separator. You'd pour the milk in the top of that and it would strain out all the bad materials that were visible. And, of course, milk was a good food product.

- JE:** Did you separate cream so you had cream separated out?
- JM:** Yes. It was my job after I milked the cows to put the milk in the separator, crank the separator, and separated the milk from the cream.
- JE:** [laughing]
- JM:** That's correct.
- JE:** It's kind of fun to remember those days.
- JM:** That's right.
- JE:** Kids listening to this now have no idea, or city folk did either. So it was your job—did you milk twice, morning and evening?
- JM:** I don't have a memory about milking in the morning, but I can remember during harvest time it was always my duty to round the cows up, bring them in, put them in the barn, and milk the cows. Sometimes it was two or three, and sometimes it was maybe as many as seven.
- JE:** You had wheat on the farm?
- JM:** Yeah.
- JE:** Then you had a threshing machine?
- JM:** My dad had a twelve-foot combine. He was a smoker, he smoked. My mother smoked too. But he wouldn't let anybody smoke when we were in the field because he was afraid that would catch fire. And so they all chewed. My mother didn't chew, but the men that were farming would chew because he wouldn't let them smoke.
- JE:** Did you ever take up smoking?
- JM:** I tried it a time or two but it didn't appeal to me very much. And so I never have smoked.
- JE:** In the harvest, didn't you have a steam engine that would drive the threshing machine?
- JM:** No, no, we had an International tractor, it was a big tractor, and it had lugs on it. They weren't on rubber, no rubber in those days. And it would pull the combine.
- JE:** Except—
- JM:** The combine would cut the wheat and separate the kernels from the chaff.
- JE:** That was kind of a fun time, wasn't it, the harvest?
- JM:** Well, I don't know if it was fun or not.
- JE:** You were milking cows. [laughing]
- JM:** Yes.

Chapter 04 - 4:05

Pelts for Sale

John Erling: So you go on to junior high school and to high school. Where did you go for high school, what was the name of the school?

Joe Morris: Nickerson High School in Nickerson, Kansas. But before that, one thing I did when I grew up, and a lot of farm boys did this, they would trap. They'd trap animals like skunks and possums and muskrats. Muskrat was a good animal to trap too. And then you'd either skin those animals yourself, or in Hutchinson, Kansas, when the weather was cold, I mean, well below zero, if you couldn't or didn't want to skin the animal on Saturday—farmers always went in to get supplies for the following week—and the boys who'd caught some animals during that week, would take them in and there was a fur buyer, Mr. Rohleder he was a German. He was always nice to me and I remember I took a skunk in one time. They were bad to skin, it was frozen hard. And he said, "Well, Joe, I'll give you seventy-five cents for that skunk. And then I'll charge you ten cents because I'll have my man." And he had a hole in the bottom of the fur house. And there were some people down in the hole and they were skimmers.

And then I got old enough and fur buyers in Kansas City, or St. Louis, Missouri, would send out catalogs to all the farm boys. They'd say they'd pay so much for this and so much for that.

I took some skins one time and sent them to Missouri, and they came back and they paid me but they didn't pay me according to what I thought I was worth. They were just smarter than I was, I guess.

JE: [laughing]

JM: So, I just decided to stay with Mr. Rohleder and I'd sell my pelts to him.

The first animal I ever caught, I was pretty young, and it was a badger. He was alive, just caught him by the foot, and they were pretty fierce animals. So I jumped on my horse after I found out what I had, went back and got my dad. And my dad came out because I wasn't big enough then to shoot a rifle. And my dad shot the badger and that worked out pretty well.

JE: [laughing] Do you recall yourself as being a reader back then when you were young, interested in books?

JM: Yes, I was. Not avidly interested but pretty interested in books.

JE: Your high school, I thought that was Reno Community High School.

JM: That may have been its official name. Reno Community High is probably true.

JE: But it was in Nickerson, Kansas?

JM: Yeah.

JE: Any time in high school or as you were coming out, were you thinking about law as a profession at all?

JM: I never thought about being anything other than a lawyer. I always thought about the law.

JE: At an early age?

JM: I can't say that I thought about it at too early an age. But by the time I got into high school, I began to think about that.

JE: Okay.

JM: And, of course, it was just a given, I was going to go to college. But the Depression was on, it was terrible. The only two colleges I knew anything about were Kansas University, KU, in Lawrence, and K State in Manhattan, and I couldn't afford to go to either one of those.

So in Hutchinson, Kansas, they have what they called in those days a "junior college," two years, they call them community colleges now. So I went two years to that community college.

JE: What was the name of that school?

JM: Hutchison Junior College.

JE: Okay.

JM: I went my first two years there, and then funds were meager, so I decided to go to Washburn University in Topeka, Kansas.

Chapter 05 - 10:08

Pearl Harbor

Joe Morris: I was visiting a friend of mine over at KU, at the Phi Kappa Psi house, that was early on Sunday morning. And somebody ran in the room and said, "Pearl Harbor has been bombed!"

I didn't have the vaguest idea where Pearl Harbor was. That's when the war started.

John Erling: Yeah. You were nineteen years old then. Do you remember being nervous that they were going to come over and bomb the continental United States and Kansas?

JM: No, I don't think so, because I found out where Pearl Harbor was and I knew there was a big ocean out there and so I wasn't very concerned that the Japanese would come from the West. And I can remember hearing on a radio, Hitler and his people were taking smaller countries, Belgium, and then in France.

JE: Poland.

JM: And Poland, that's correct. So when I was at Washburn, I signed up so that when I got my degree I would then go to Officer Training School, and that's what I did. Nav.

JE: Did you get your news on radio, but in the theaters they had the—

JM: Yes, if you'd go to a movie, first, before they showed the movie, they'd show the news, what had happened, maybe during the preceding week, in the war. There would be well-known men who were the broadcasters and they became famous. Names that you came to know.

JE: Edward R. Murrow was one of them.

JM: That's right, he was one. He smoked too.

JE: Yes, he did.

JM: And he died from smoking, I think.

JE: Yeah. Did you have family members or neighbors who signed up right away?

JM: No, I don't remember that, but I do remember that I had an uncle that was my mother's brother, he wasn't in World War II, but he had been in World War I, maybe a second lieutenant in the army. He rode horses, I know, and he had a quirk that he used on his horse, and I have that now.

JE: You were involved militarily because you joined the US Navy Reserve.

JM: Actually, I was in the Navy Air Corps. When I graduated from Washburn, I had my degree, and I was eligible then and did some training in New Jersey and some other places. I learned how to fly.

But one day they said, "People with college degrees can become line officers. And we need line officers more than we need aviators."

And there were some people that were in flight training that didn't have college degrees. So anybody with a degree can go to Officer Training School and become a line officer—and that's what I elected to do.

JE: Would you have rather been a pilot?

JM: That's what I thought I wanted to do, rather than a pilot. And I must have written on the navy papers that I want to be a lawyer, because when I graduated from Officer Training School in Ft. Skyler, New York, I was sent to the staff of Admiral O. C. Badger. Admiral Badger was, I think, the second in command under Nimitz, not positive about that. I was on his staff on the island of Oahu in the Hawaiian Islands.

And that's where I was when the bombs were dropped on Hiroshima and Nagasaki, to end the war.

JE: What were your thoughts about that?

JM: I was glad.

JE: Yeah.

JM: And I think a bunch of Mickey Mouse people are highly critical of President Truman for giving a command that we drop the bombs. I realize that they were devastating and there were many, many people killed. But there would have been a lot more people killed. The attacks that had been made on the islands, leading up to the dropping of those bombs. Many people were killed, many marines and army officers and men were killed.

JE: But you were there in Hawaii?

JM: In Hawaii on the staff of Admiral Badger.

JE: That wasn't bad duty, was it? It was pretty good duty.

JM: [laughs] It was. I was serving under a full lieutenant. Now a full lieutenant in the navy would be the equivalent of a captain in the army. I reported to him and then we had some enlisted men under us.

Admiral Badger had the chief of staff, who was a graduate of the United States Naval Academy, and all of us recognized that if you're in the reserve and hadn't gone to the academy, you wouldn't have a big time life in the navy because you weren't wearing one of those Naval Academy rings that everybody who graduated from the Naval Academy had.

The man to whom I reported was a full lieutenant, and he got a message that his wife's father had died. The bombs had been dropped by then and depending on how many points you had, you were going to be released from duty. He asked to go back home to Connecticut to his wife's father's funeral.

They said, "You can do that and because you're so near to being available for discharge from the navy because the war is over, you won't have to come back."

Here am I, just a mere [laughing] ensign in the Navy Reserve, and I'm now in charge of that group of people.

The chief of staff called me on the phone one day right after my superior officer had gone back. He shouted so loudly over the phone, I wouldn't have needed the damn telephone. And he said, "Morris!"

"Yes, sir."

"Now you're going to be reviewing all the orders that come in from people on ships who have been court-martialed and sentenced to some kind of penal duty." And he said, "I want you to examine those carefully because I don't want any of them to go to Washington, because they'll have Admiral Badger's signature on them and I don't want them sent back. Do you understand that?"

And I said, "Yes, sir! I understand that."

So one day, he called me and he said, "Morris!"

"Yes, sir!"

"Get up here right now!"

"Yes, sir!"

The rule was, in a proceeding on a ship, if you had a captain's mast—captain's mast was a proceeding in which the captain would deal out the punishment to the person who had committed the infraction of some kind, some wrong. And the rule was that a statement could be made by the person who was about to receive punishment in mitigation of the punishment. But that statement could not be inconsistent with his plea of guilty if he had pled guilty.

So this fellow, Admiral Badger's chief of staff, said, "I've looked at these proceedings, you have approved them, and that statement is inconsistent with the plea of guilty, isn't it?"

And I said, "No, sir, I don't believe it is. I wouldn't have signed it if I had thought it was inconsistent."

"Well, damn it, Morris, read that again."

So I read it.

And he said, “Now don’t you believe that that’s inconsistent with a plea of guilty?”

And you know, everybody recognized that a four-striper, that’s what that chief of command was, that a four-striper who had graduated from the academy had authority because of his background, which would exceed a four-striper if he was in the reserves. I was just an ensign in the reserves and he asked me that a second time.

I said, “No, sir, I don’t think it is.”

And about that time, the admiral had called the chief of staff, so the proceedings stopped. We had to wait there until the chief of staff came back.

Well, I had with me an old, I can’t remember the name of the term, but in the navy there were some people who grew up as an enlisted man, maybe went into the navy just as an eighteen-year-old boy and grew up, became an officer. And he was an officer and I think he was a three-striper. So this three-striper—he was a great guy, he’d come up from the ranks. He said, “Are you sure you’re right about this?”

And I said, “Yes, sir, I think I am. I wouldn’t have signed it if I hadn’t thought it was right.”

He said, “Well, give those papers to me and I’ll convince that old *%*#@ he’s wrong.”

We left and then in some period of time, which was fairly soon, I was sent back to the West Coast and I never heard anything more about it.

JE: [laughing]

JM: Nothing bad happened.

JE: That old man was convinced, apparently?

JM: Yeah he was.

JE: That’s pretty remarkable, you’re in your early twenties, that you would stand up to somebody like that.

JM: Well, that’s right, I mean, it was pretty hard to do because the way navy people were trained, rank meant something. And rank from the Naval Academy really meant something.

JE: Did you doubt yourself? Wondered, *Well, maybe I’m wrong?*

JM: No, I didn’t because I was pretty convinced I was right.

Chapter 06 - 7:50

A Fortuitous Coffee Break

John Erling: Now we should say, we jumped ahead, that you had mastered laws from Michigan University.

Joe Morris: Well, I didn’t have it that then, see, because I was discharged from the navy and I’d only had one year in law school when I was discharged from the navy. Went back and took two more years at Washburn Law School and got my LLB.

I had a wonderful mentor, he taught several courses at the law school. He was on the Supreme Court of Kansas, Judge Allen.

I now had the GI Bill of Rights. I could now afford to do graduate work. He said, "You ought to go do graduate work."

So I did. After I graduated from Washburn, I went to the University of Michigan and I got a master of laws degree and a doctor of science of laws degree.

JE: It's on your wall, right over there.

JM: On my wall, right over there.

JE: Right. Let me ask you, when you had that facedown with the four-striper, how much law training did you have?

JM: One year.

JE: One year?

JM: One year. [both laughing] That's right, that's right.

JE: And had he been trained in the law?

JM: No, no, no, he hadn't been trained in it.

JE: Oh, at all?

JM: He was a four-striper.

JE: Okay.

JM: Graduate of the Naval Academy.

JE: Yeah.

JM: Line officer. And he probably, as a four-striper, the next step up would be admiral.

JE: All right. Well, you had more standing then, because at least you had a year of law school.

JM: I had one year, that's right.

JE: I believe you were admitted to the bar then in Kansas.

JM: After I got my law degree at Washburn, I was admitted to the bar in Kansas, that's correct. And I was admitted to the bar, see, when I went up to Michigan and got my graduate degrees. That's why our graduate class at Michigan was not very large, it was small. My memory is it might have been eight or ten. But the regular people in law school would have to go to law school just three years. But for the war, that's what I would have been doing.

Michigan Law School was a big law school at that time. I have a memory that it was eight or nine hundred in law school at Michigan. Michigan had a fine law school—still does.

JE: You were admitted the bar, I think, in 1947?

JM: That's right.

JE: You were also in Oklahoma, weren't you, admitted back then?

JM: Well, afterwards, later.

JE: Nineteen forty-nine?

JM: Well, yeah, but that's after I graduated from Michigan.

JE: Right.

JM: Then later on, before I went to be vice president and general counsel of Shell Oil Company, I then became admitted to the bar in Texas. So I'm admitted in three states: Kansas, Oklahoma, and Texas.

JE: What is your first law job?

JM: When I was in Ann Arbor, Michigan, and the University of Michigan, I came out one morning to drink coffee, and there was a man in our graduate class, he had been in the legal department of Shell in Tulsa, Oklahoma. But he decided that he wanted to teach law the rest of his life. So that's why he had come to Michigan, to get a graduate degree.

I got out and he was sitting there and we had coffee and he said, "Joe, would you have any interest in the legal department of Shell Oil Company?"

Why, I didn't know what that meant, I was just a farm boy and I'd never heard those words: legal department of Shell Oil Company. I said, "What do those people do? And do they practice law?"

And he said, "Oh, yes, they practice law but they represent Shell and subsidiary companies that Shell may own."

I didn't know where I was going to get a job after I finished at Michigan. I said, "Well, yeah, I'd be interested in applying for that."

He said, "Well, Mr. Cunningham is the head of the legal department of Shell in Tulsa." That's a subsidiary office, the general counsel, and the head office of Shell, at that time, was in New York. He said, "Go to Tulsa and apply to Mr. Cunningham."

Before I went back to Ann Arbor, I came down here, paid my own way down here, they didn't pay my way down here. And I went to see Mr. Cunningham. Well, he wasn't a very warm and congenial person. I mean, he didn't know anything and wasn't interested in hunting or fishing. He kept wanting to talk to me about the great benefits of Shell Oil Company and when you retired.

Well, I didn't give a damn about the retirement benefits, I wanted a job.

JE: [laughing]

JM: And he told me, "Well, I want a letter from the dean of the Washburn Law School." That's the first thing he wanted. Then he said, "If I make you an offer, it'll be for \$275 a month."

I said, "All right." So I went back, and on my way to Ann Arbor, I stopped in Topeka. I went on the train. I went into the dean's office and I knew the dean's secretary, she was a lovely lady, nice woman. And I said, "I just made an application down in Tulsa and he wants a letter from the dean of the law school. Can you arrange that?" She worked for him.

She said, "Well, the dean's not here anymore."

I said, "What do you mean?"

She said, "Well, he's gone to New York and we have a new dean."

And I said, "Well, I don't know him."

And she said, "Well, he writes a good letter."

So I said, "All right."

I went on back to Ann Arbor and I was up there in the law quad where I lived. The phone rang and this male voice said, "Joe?"

"Yes, sir?"

"This is George Cunningham."

I said, "Yes, sir."

He said, "I got—" he didn't say a nice letter, he said, "I got a pretty nice letter from the dean of the Washburn Law School about you. As I told you when you were here, if I made you an offer you'd get \$275. And I make you an offer of \$275." He didn't talk to me about anything else, I mean, that question came right at me.

I hadn't been interviewing and I was stunned and I was quiet. I didn't say anything. I didn't know what to say, exactly. I found out later on, Mr. Cunningham was an impatient man. And he said, "Well? Well? You will have a graduate degree. I'll pay you three and a quarter."

I said, "I accept."

JE: [laughing]

JM: And that's how I ended up here in Tulsa, Oklahoma.

JE: Wow. Well, it was one of the best moves that ever happened to you, wasn't it?

JM: It was, it was a good move, yeah. Because I worked for Shell for twelve years. The first eleven years were here in Tulsa. And then the general counsel of Shell in New York came out here and he said, "Joe, I want you to come to New York for two years. And if you like it, you can stay. And if you don't, I'll send you back out to Tulsa or Houston or San Francisco."

And I said, "All right." I wasn't very keen about going to New York but I thought, *That will be a good thing to do*. I was still young, I'd had eleven years with Shell, and I'd liked it, so that's what I did.

Chapter 07 - 6:40

First Jury Trial

John Erling: But here in Tulsa, what was an issue or two for Shell back then? Do you remember what you might have been dealing with?

Joe Morris: Well, as a young lawyer going into the legal department of Shell, the first two years I was here, all I did was examine titles to land where Shell had leases and where Shell might, if they did the requisite examination and thought it was prospective for oil, they'd

drill on it. So two years of examining titles to be sure that the lease that we had from the man who owned the minerals, who owned the land, that we had a good oil and gas lease.

Then the next two years I spent working for a different lawyer and he did contract work. Contracts were arrangements of all different sorts.

I started the next two years in litigation. The man who was head of the litigation section had been a graduate of the University of Texas Law School. He was very able.

And the first jury case that I ever had was when I was working for him. And it was up in Pawhuska.

JE: Do you remember what that was about?

JM: Yeah, Shell Pipeline was a subsidiary company of Shell Oil Company. Shell Pipeline had a pipeline that ran through this farmer's land. He claimed that the pipeline had broken and that the oil had gotten into the creek and on the land, and that some of his cattle had drunk the oil and died. So he was suing Shell Pipeline for damages to recover that loss.

I was not very bright, really, even though I'd been around for ten years. Instead of hiring a local lawyer up there to help me, I decided I'd go up and try it myself. I'd inquired a lot about the lawyer on the other side who was representing that farmer and he was a highly respected former president of the Oklahoma Bar Association. And he also had an ordained minister, Mr. Hamilton was his name, nice man. But tough, I knew he'd be tough.

I wanted to go up and look at the area. I went up to Pawhuska and I found out that we couldn't get to the area where we wanted to go because there had been flooding in the springtime. So we couldn't drive over there.

And the farmer said, "You'll have to ride over there on a horse."

Well, Mr. Hamilton thought that I was city boy and I wouldn't know a damn thing about horseback riding. And I said, "Well, that will be fine."

So he and I rode across the stream, went up there and looked at the land, and came back. And I decided that I'd be ready to try that case. That was in the State District Court. We were picking the jury.

I had gone to a seminar in Dallas by able, experienced trial lawyers about what to do and what not to do in the trial of a case. I asked each member of the jury, "Do you know Mr. Hamilton?"

"Yes."

"Do you know him well?"

One woman said to me, "I know him pretty well."

I said, "Well, if you are chosen as a juror in this case, will you be as fair to me and my client as you will be to Mr. Hamilton and his client?"

It turned out that she was seated in the front row of jury. She sat there and looked at me for a minute, and we just sat there and looked at each other. And then she answered, "Yes, I will."

Then I had to decide whether or not I was going to challenge her and she'd have to step down off the jury because we each had a certain number of peremptory challenges. And I decided I'd leave her on because she'd answered the way she had.

Then we tried the case. It had gone to the jury and there was a question as to whether the statute of limitations had run and thus barred the plaintiff and his case. The jury asked the judge, would the judge read the testimony of certain people? He read the testimony and he said to them, "When you've heard what you want to hear, raise your hand."

And they got to a certain place and they raised their hand. So then the jury went in to discuss what was going to happen. And they held in my favor—they held that the statute of limitations had barred the plaintiff.

Why, I was elated, of course, when they came in and announced that verdict. It was pure luck, really, on my part, very lucky. After it was all over and the decision was in the favor of Shell Pipeline Company, both Mr. Hamilton and I went over and shook hands with the members of the jury. And I went to that lady that answered that, and I said, "I appreciate your forthrightness."

And she said, "Well, you know, the first thing I've got to do?" She said, "I've got to go over and talk to Mr. Hamilton and tell him why I did what I did."

That was lucky.

JE: Yeah. I should remind those who are listening, you are ninety-five years old and you remember such details that's it's pretty amazing. And you're pretty fortunate.

JM: Well, that's right.

JE: Shell Oil people must have congratulated you and slapped you on the back?

JM: Well, [laughs] Mr. Cunningham, I think, was amazed. I was still working for him, you know. I think he was amazed and it was the practice in those days that just before Christmastime, if any bonuses were to be given to any people, not just lawyers but engineers and geologists and people if they'd done something good.

So Mr. Cunningham gave me a bonus of a hundred dollars. And that was a big bonus for a young lawyer back in those days.

JE: Yeah.

Chapter 08 - 2:55

Stetson Hat

John Erling: Here in Tulsa, you became known for your cowboy hat.

Joe Morris: [laughs] That's true.

JE: And I see one sitting right over there.

JM: I've worn one for more than fifty years. I had been here more than twelve years because I was working in the legal department as assistant general counsel of Amerada Petroleum Corporation. We were seeking oil and gas leases in the British sector of the North Sea. And I had been to London two or three times. I had some very close friends in law school at Washburn. Two couples that were friends of ours came here to spend the weekend with us. It happened that that weekend was my birthday.

We had a few drinks and the two men came out and they had a box. And they said, "We give you this birthday present. It's a Stetson hat. You used to say," and I never have any memory of this at all, I don't think I said this. "You used to say, 'I would really like to wear a Stetson hat but I don't have the guts to wear it.'" And they said, "We give you this Stetson hat on the condition that the next time you go to London you wear it."

Well, I did that, and, of course, went out to the airport and, I mean, I had on clothes just like this.

JE: A suit and a tie and everything.

JM: Yeah, a suit and tie and no cowboy clothing.

JE: Right.

JM: Of course, if you go into the airport in New York or any place other than some western town or Houston or some place, people, if they look at you and see that you're wearing a western hat, they immediately look down and see if you have boots on. Of course, everybody looked and I got on the plane, went to London. Had that Stetson hat on. Everybody looked and I was conscious of it. Didn't make me feel very good, but the longer I wore it the more I liked it. So I wore it over there and then I wore it back.

By now, I'm used to it, so I just decided I was going to wear a western hat. I've worn one ever since. And, I mean, I don't pay any attention to it anymore. And anybody who knows me know, I mean, at night or daytime, I always wear—and I've bought several western hats. I'll wear them until the day I die.

JE: Did you ever buy cowboy boots?

JM: Yeah, but I didn't wear them regularly. I've had some boots.

Chapter 09 - 3:23

Bishops Law School

John Erling: Back then, stores in downtown Tulsa that you might have remembered?

Joe Morris: The—

JE: Department stores like Renberg's?

JM: I remember Renberg's, yes, now that you mention the name. I've bought clothing at Renberg's.

JE: Clarke's Good Clothes?

JM: Yes, I've been there.

JE: Restaurants?

JM: Bishops. Bishops Restaurant. When I was working for Shell, we would always go to Bishops for lunch. There was a time in the early days, like the first five or six shares or maybe almost up to ten, the law was that the federal income tax was less if you were married and you were paying income tax that you paid less tax, that you were treated differently than if you were in a common-law state.

So a group of prominent lawyers here in town, including Ellis Gabel and a lot of prominent lawyers, decided that they would start meeting at the Bishops Restaurant once a month or so, and they'd study that law. Which wasn't the law in Oklahoma—we have the common-law, with respect to real property. And the legislature passed an act, enacting this new kind of law. That was effective for a couple of years.

Then the federal government made it equally applicable to people who were in a common-law state, so the legislature of Oklahoma changed the law back to what it had been before it had passed this other law. And we had the regular common-law.

Well, these prominent lawyers who had been meeting at the Bishops Law School—

JE: Bishops Restaurant.

JM: Bishops Restaurant—they called it the Bishops Law School.

JE: Okay.

JM: They didn't have anything to study, so they thought, *Well, we ought to study something and we like to get together once a month. There's that fellow, Joe Morris, that teaches oil and gas law and future interests as an adjunct out at the law school and—*

JE: At Tulsa University?

JM: Yeah, out at Tulsa University. *And maybe he'll come teach us future interest law.*

So they invited me to do that, and I said, "Well, sure, I'd do that." But I said, "You are the men who have made the law in Oklahoma on this topic and it's a bit presumptuous to have me teach this area of law, but I'll do it." And I said, "Now I'm going to assign cases to you." So like for Ellis Gabel, I'd say, "Now next month, you're going to be responsible for this case." And I used the casebook that I used when I taught out of the law school as an adjunct at the Tulsa University Law School.

That's how I got to know a lot of those lawyers, including Mr. Rogers, Mr. John Rogers.

And then while I was doing that is when I went to New York to be on the staff of Shell Oil Company in New York.

JE: What was the law that you were studying when you taught at Bishops Law School?

JM: Future interest law.

JE: Yeah.

JM: That's a specialty in the law of real property.

JE: All right.

Chapter 10 - 2:40

Marriage

John Erling: You mentioned being married. Somewhere in here you were married.

Joe Morris: Well, I got married right after I finished the University of Michigan.

JE: Who did you marry at that time?

JM: Deane Conklin. Deane and I were married and we had three children: Jeffrey, and Marilyn, and Cindy. We had a great marriage; time rocked along and we were married, I think, thirty-five or thirty-eight years. Deane got ovarian cancer and died.

And then a year and a half or so went by and I had been a federal judge by now. The federal judges in Kansas knew me and knew I'd been a federal judge. So they were matchmakers for a woman whom they knew in Wichita, Dona. Dona is now my wife. She had been married and had three children. Her husband had died; I didn't know him. He was a lawyer in Wichita. She had five grandchildren, one of whom is in her senior year at law school at the University of Oklahoma. She'll be graduating in the spring of this year.

JE: Hmm (thoughtful sound).

JM: She's a great little gal.

JE: And you actually went out to that class and lectured.

JM: I did. Her oil and gas teacher at Norman, at the University of Oklahoma, had found out that I had been the former chairman of the mineral law section of the American Bar Association and had given a speech. That speech had been entitled "The Shaping of Oil and Gas Law by Academicians."

I went over there about a month ago and talked to Emily's oil and gas class. And that was fun.

JE: It was an honor for you and her, both.

JM: Well, it was certainly an honor for me.

JE: Did you have grandchildren by your children?

JM: No, I have two daughters and one son. Neither of my daughters have ever been married. Marilyn lives here, she's the older one. And Cynthia, or Jeta, lives in Dallas and she's never

been married. And then I have a son, Jeffrey, and he was married but his wife died and I don't have any grandchildren from that marriage.

All three of my children are living and I'm in touch with all the time. But I have no grandchildren, but Dona has five.

Chapter 11 - 2:50

Dean of Law School

John Erling: Nineteen sixty, you became general counsel of Amerada Petroleum Corporation.

Joe Morris: I first went to Amerada as the associate general counsel and then became general counsel.

JE: And you were there for twelve years?

JM: Yeah.

JE: With headquarters here in Tulsa?

JM: That's correct.

JE: You're about thirty-eight years old then, I think, at that time.

JM: They may have been about right. And Leon Hess of Hess Oil and Chemical acquired Amerada. That company then became known as the Amerada Hess Company. It had an office here in Tulsa, and, of course, Mr. Hess had started his company in New Jersey and New York. He didn't know anything about the exploration and production area, but he was in refining and marketing.

So he was out here one time, they had a cocktail party for Mr. Hess. He and I were standing over there in the corner talking. He said to me, "Joe, what would you think about coming to New York?"

Well, before I had a chance to answer that question, somebody stepped in between us. They wanted to talk to Mr. Hess; they didn't want to talk to me.

So I didn't have to answer the question.

Some time went by and I knew what was on his mind. He went back to New York before he asked me that question again. I knew it was on his mind, and I was sitting in my office one day, my long-time friend with whom I played tennis every week, was Paschal Twyman. He was the president of the University of Tulsa. And he said, "Joe, would you have an interest in being dean of the law school?"

I said, "I'll let you know in the morning." I thought about it and talked to my wife about it and I said, "I'm going to have to answer Mr. Hess if he calls me and asks me that question." I said, "I think I'll just go tell Paschal that, yeah, I'd have an interest in that."

I called him the next morning and said, “Yeah, I would have an interest in being dean of the law school.”

He said, “Well, you know, this is an educational institution and we have to form a search committee.”

I said, “Yeah, I know about that.”

They formed a search committee and they found me.

JE: [laughing]

JM: And I was dean for two years.

JE: But weren't you, from '69 to '72, vice president and an associate general counsel for Amerada Hess?

JM: That's correct. Then general counsel of Amerada Hess.

JE: After that—

JM: Yeah.

JE: . . . in '72, you left to become dean—

JM: Yeah.

JE: . . . and you were there from '72 to '74.

JM: That's correct.

Chapter 12 - 7:05

Justice Rehnquist

John Erling: Now is it true that many major cities at that time had downtown law schools?

Joe Morris: That's true. After World War I and World War II, cities grew and they got bigger and there were people that lived in the cities that were working in some capacity. And some of them began to think they wanted to be lawyers. So there were a lot of downtown law schools that were formed in a lot of cities, including Tulsa.

Mr. John Rogers had been in World War I. Mr. Rogers came back after World War I, and he, among others, were very active in forming a downtown law school in Tulsa, Oklahoma. There were a lot of good lawyers that had gone to work there, but at the beginning, it didn't have the credentials that a university law school would have. Although it was recognized by the American Bar Association. A lot of top-flight lawyers were graduates of—they called it Tulsa Law School. And I'm not sure exactly how this happened, but Mr. Rogers, I'm sure, was a dominant force because he was very prominent, highly respected. He had some wealthy clients and they were all interested in education.

What had been the Tulsa Law School became the University of Tulsa College of Law.

JE: He was instrumental in moving it to TU?

JM: I don't know that I can say that I really know that he was instrumental, but I'm confident that he was a moving force in that law school becoming a part of the University of Tulsa. Because it was then the University of Tulsa, and they were going to move it from that building right across the street from Trinity Church, where it was, when I first became dean.

And then they moved it on campus and they've got a great facility out there, a law school, a university law school.

JE: Well, you were there while this was happening.

JM: I was dean of the law school when it was moved out there. And I wanted a Supreme Court Justice to give the dedicatory address of the College of Law. Mr. Rogers was still alive. I didn't know any United States Supreme Court Justice. But I thought, *I'm going to get one if I can get one. And the easiest one to get would be the newest one, because he'd have fewer commitments than the others who have been there for a long time.*

So I wrote a letter to Justice Rehnquist, and I told him that we would love to have him be the dedicatory speaker for the new College of Law at the University of Tulsa.

He wrote me back a very gracious letter, and he said, "I'd like to do that but I can't do it on the day that you're going to have the dedication."

So I called Paschal, I told him what had happened, and I said, "I want you to give me authority to tell Justice Rehnquist that we'll have the dedication whenever he can come."

And he thought that was a good idea. And that's what I did. I didn't know Rehnquist, he was a stranger to me.

There were two lawyers here in town who knew him, that I knew. One was Maynard Ungerman, and Maynard was the son of Irving Ungerman. And Irving Ungerman had gone to Washburn to law school.

And the other one, I can't think of his name, but he had clerked on the United States Supreme Court when Rehnquist, who had gone to Stanford to law school, when Rehnquist had clerked on the Supreme Court. So he knew Rehnquist as a fellow clerk.

I got both of them to write a letter to Rehnquist telling him, "We understand Dean Morris has invited you to come whenever you'd come. We'd very much like for you to come."

I'm sure that he looked favorably upon their letters as well as mine. And he came. And he gave a great speech.

Mr. Rogers was there, and Mr. Rogers loved it.

Years went by, and I was sitting over there at my desk one morning, and I got a letter in the mail. And it was from Justice Rehnquist, and he said, "I have been invited to become chief justice of the United States Supreme Court. And as a part of that, they want all of the speeches that I have given between the time I went on the court and now." And he said, "One of those speeches was the one I gave at the dedication at the University of Tulsa College of Law." And he said, "It awakened great and pleasant memories."

Because in addition, after he said he'd come, I told him, "That's going to be a formal occasion. You ought to have some fun while you're here too. Now if you want to hunt quail, I'll take you quail hunting. Or if you'd like to play golf," it was in the winter, "if the weather will permit, I'll arrange that." I didn't belong to Southern Hills then. And I'd heard that he played tennis. But I said, "If you want to play tennis, we'll have a tennis game."

He said he wanted to play tennis. So we did that and we had a good time, and, of course, everybody wanted to be his partner.

I can remember one person of the foursome that I put together, and that person is John Morley. He's still alive and he still lives in Tulsa.

So we played tennis and we had a good time.

JE: Did you beat Rehnquist?

JM: [laughing] Well, I don't remember about that.

JE: [laughing]

JM: But I got to be his partner for a while.

JE: Paschal Twyman, you played tennis with him too, didn't you?

JM: Oh, I did, I played tennis with Paschal every week—

JE: O—

JM: . . . out at the Tulsa Tennis Club.

JE: Okay, so you became close to him. Another president that was a major influence on the university was Ben Henneke. Did you know Ben Henneke?

JM: Well, oh, I knew Ben Henneke, sure I did. Not well, but I knew him.

JE: And we have his story, he gave us his oral history here on VoicesofOklahoma.com.

JM: He—he—yeah, he was a wonderful man. And I remember I was shocked when he retired from the University of Tulsa and he moved out at the Saint Simeon's. He lived out at Saint Simeon's and I thought he was way too young to go out to Saint Simeon's and live. But that was his business, not mine.

JE: Yeah.

Chapter 13 - 4:22

John Rogers Hall

John Erling: Now the name of John Rogers, we should talk about, because John Rogers Hall was there at the campus of the University of Tulsa.

Joe Morris: It was on the front of the building, which constitutes the law school. John Rogers Hall.

JE: And we're in 2018, but probably in 2016, or last year?

JM: '16 or '17.

JE: Right.

JM: Yes.

JE: They wanted to remove John Rogers' name from that building. Why did they want to remove his name?

JM: I have never been on the board of the University of Tulsa. And I do not know exactly how or why the question arose. But the question did arise; research was done, and it was discovered that Mr. Rogers, when he came back from World War I to Oklahoma, he had organized a chapter of the Klu Klux Klan. There's no evidence, that I'm aware of, and, of course, I was not present when the arguments were made on the board of the University of Tulsa, I don't know everything that was said. But it is my understanding, and it's not been disputed, to my knowledge, Mr. Rogers was never, ever active in the Klu Klux Klan. All he had done was as a lawyer, he established a chapter.

So the matter came before the board of the University of Tulsa that they ought to sand off the name of John Rogers Hall on the front of the law school.

I was asked, would I write a letter to Steadman Upham, who was then president of the University of Tulsa, and express my views about that question. I was very fond of Steadman Upham, and I continued to be fond of him until his death. I told him that I thought it would be a big mistake to take Mr. Rogers' name off the front of John Rogers Hall, because that law school would never, ever, ever have been part of the University of Tulsa. And indeed, there are some who said that Tulsa University itself would never have continued to exist but for the big money that was given by Mr. Rogers and Mr. Rogers' clients to the University of Tulsa. Because they gave big money to educational institutions. And they were a moving force in establishing the University of Tulsa College of Law, on the campus of the University of Tulsa.

Steadman and I had correspondence going back and forth, and I've still got it in my file. A day came and they took a vote and they decided that Mr. Rogers' name ought to be taken off the front of John Rogers Hall. And it was taken off.

In my view, it was a terrible mistake.

JE: You knew John Rogers. You didn't know about his background?

JM: I did not.

JE: So you never did get to talk to him about it?

JM: I did not.

JE: Yeah.

JM: I knew Mr. Rogers well. He was busy when I was here and he found out that I'd done graduate work at the University of Michigan and Mr. Rogers, after the starting of the Tulsa Law School, he taught a course in Indian land law, and he taught a course in oil and

gas. I knew Mr. Rogers well. He was also the highest ranking layman of the national body of the First Christian Church, or Disciples of Christ. I just thought it was a terrible mistake to take his name off of the front of the law school.

JE: But it didn't affect your friendship with Steadman Upham?

JM: No, no. I was shocked and saddened to hear about Steadman Upham's death.

JE: Untimely death, yes.

Chapter 14 - 5:53

Federal Judge

John Erling: But in March of 1974, President Richard Nixon nominated you to the federal bench.

Joe Morris: That's correct.

JE: You got a nice big smile on your face.

JM: That is correct.

JE: How did that come about?

JM: Well, in Oklahoma, there are three districts: the northern, the western, and the eastern. At the beginning of statehood, there were just two districts, the eastern and the western. What I'm about to say is hearsay, I don't know it to be true, but there was a very, very strong-minded federal judge who was a federal judge of the eastern district. He had come to Oklahoma from Alabama. He was never married and he was a dominant figure in Oklahoma. He had become the governor of Oklahoma and I think he had been on the Supreme Court of Oklahoma.

Back in those days, there wasn't anybody here who wasn't a Democrat, hardly. [laughs] He was the judge for the eastern district and somebody else was the judge for the western district.

Then, I think, Theodore Roosevelt, but I'm not positive about that, appointed somebody to the eastern district also, as a federal judge. And he was a Republican, and he didn't get along at all. They didn't get along, so the decision was made politically—I'm not familiar with exactly how that occurred.

And the northern district of Oklahoma was carved out of the eastern district. Then Oklahoma had three districts: eastern, western, and northern.

After Judge Langley, who was the judge in the eastern district, died, then there was an opening, like there is right now. Because Judge Payne has taken senior status. And when you take senior status that creates an opening for a regular sitting judge. Different names were floated around in the legal community of Tulsa.

And my name was floated around when Judge Langley died. Of course, the general rule is that at the district court level, the person that gets appointed to an opening must have gained the favor of the two United States senators, and typically they are of the same party as the president. The two US senators from Oklahoma were Senator Henry Bellmon and Senator Bartlett.

Kansas is just one district, and because the two senators in couldn't agree on who ought to be appointed to the federal bench, it was not filled for a couple of years. It is my understanding, and it appeared in the paper, that Senator Bellmon and Senator Bartlett had an oral agreement that if any federal judgeships came open while they were both senators and if there was a Republican president that they would take turns, and that Senator Bartlett could make the first appointment.

I was dean of the law school and I told my secretary, "I don't want any phone calls until after ten o'clock." [laughs]

She came in my office about nine o'clock and she said, "Senator Bartlett is calling, will you talk to him?"

I said, "Yes, I will talk to him."

The very first question he said to me is, "Joe, if I decide to recommend that you be the appointee to take Judge Langley's place, where will you live?"

I'd never thought about it. And I said immediately, "I'd live at the seat of the court." And the seat of the court was Muskogee, Oklahoma. And it seemed to me that that was the natural thing.

Because of their agreement, that was the first one, that's how I got appointed. And then there were two more that were appointed. The next one was appointed for the northern district. And then there was another one appointed by Bartlett in the western district. So there were three who were appointed when Bellmon and Bartlett were senators.

JE: You made reference earlier, you said Kansas had only one district.

JM: Yes, all of Kansas.

JE: And so you were showing that as an example of what they were going through. And they had a hard time coming to the decision.

JM: That's right.

JE: But here you didn't have that problem.

JM: That's correct.

JE: So that wasn't a problem; you lived in Tulsa, Muskogee's a smaller community. Did you enjoy living there and that work?

JM: I did very much. I loved doing what I was doing, I did.

JE: In that position you represent the United States in civil and criminal litigation in the court.

JM: Well, I don't represent them but I'm the judge for deciding civil and criminal matters that came up in that district.

JE: Is there anything that stands out in your mind?

JM: Yeah, one thing stands out in my mind, and that's how I had to come to the decision about whether or not I was going to leave the bench and go be vice president and general counsel of Shell Oil Company in Houston, Texas.

JE: Okay, what was it that led to that?

Chapter 15 - 8:25

John Bookout

Joe Morris: I had a friend in law school at Washburn, who called me on the phone one day. And I'm a federal judge in Muskogee, Oklahoma, and he said to me on the phone, "Joe, will you have lunch a couple of weeks from now with John Bookout and me?"

I looked at my calendar and I said, "Well, sure I will, be glad to." I'd never heard the name John Bookout before. I didn't know who that was, meant nothing to me.

So that date arose and I was in the midst of a trial, what I considered to be big. Many defendants in a marijuana case, a criminal case. Before I'd gone on the bench I'd had minimal experience with criminal matters. Most of the matters I dealt with were all civil matters. But I enjoyed the criminal law and I wanted to do it right. And I didn't want to make any mistakes.

I was in the middle of that trial, and they got that there that morning. We were to have lunch. It was about ten thirty, the jury had taken the morning break. And into my chambers came my law school friend and a man named John Bookout. And he introduced me to him.

I said, "Now I may be a little late in going to lunch with you but I want to get a certain witness on and off the witness stand before we take the noon lunch." I said, "You can either drive around town and look at Muskogee, or if you want to hear the trial you can go into the courtroom." There's always plenty of room in the courtroom to hear cases being tried, if it's not some celebrity.

So they decided they wanted to go in the courtroom. After events had passed, I realized that that was a good decision from their point of view because they got to see how I conducted myself as a judge. They sat in the courtroom while we finished the next hour, hour and a half, in the courtroom.

Not too many places to eat in Muskogee, there's some good places. But I think we went to the Holiday Inn for lunch. I was driving. It had been seventeen years since I'd been away from Shell Oil Company. I remembered some people that were in Shell Oil

Company that were not lawyers, geologists and geophysicists and I asked him, "Where is So-and-So?" And, "Where is So-and-So?" And then I said, "By the way, who is the president of Shell Oil Company these days?"

Bookout was over on the passenger side and my friend in the back said, "John Bookout."

John Erling: [laughing]

JM: Well, I was stunned. I said, "Okay." Well, I guess they both thought I was insane because in their world everybody knew who John Bookout was. They thought everybody in the world knew that, I guess.

So we went to lunch and we talked and talked about nothing, it seemed to me. In a little bit, John Bookout turned to me and he reached in his inside coat pocket and he took out a white envelope. He said, "My general counsel is retiring and I've talked to a lot of people about you. I want you to come and be vice president and general counsel of Shell."

I said, "How soon do you need to know?"

He said, "You can take as much time as you need."

We finished lunch and they left and I left. I went back to my chambers and my desk and I took that envelope out of my pocket. I did not unseal it, I did not open it up. I put it in a middle drawer and locked the drawer. And it stayed there until I finished the trial of that case. And that was about a week.

I then opened it up and saw what it was. It was the offer and what the salary would be and so forth. My wife and I talked about it a lot and that's the hardest decision I ever had to make, professionally, because a federal judgeship is for life. And to say that you're going to give that up, uh, if you like it, and I did, I loved it.

So we talked, we talked and talked and [laughs] I said to Dean, Dean was my wife's name, we're Episcopalians. I said, "We're going to go to the Episcopal church, we're going to say a prayer and we're going to decide."

We went to the Episcopal church, and the Episcopal church was locked. [both laughing] I thought, *What a hell of a note*. And I said, "Well, let's go over to the Roman Catholic church, I bet it's not locked."

So we went over there and we decided that we were going to move to Houston to be vice president and general counsel of Shell.

I called John and told him I would, and he said, "Well, I'm going to have my lawyer draw a contract for you to come." So he did that.

And then we talked on the phone again, and he said, "There's one thing I didn't put in that contract," but he said, "it's going to be required."

I said, "What's that?"

He said, "You have to agree that you're going to stay five years."

I knew from my early days with Shell that all officers and general managers in Shell Oil Company had to retire at the age of sixty. I said, "Well, I can't agree to that because I am fifty-six."

And he said, "We'll waive that."

So that was out of the way. I signed a contract, and I left the bench. Actually, I stayed with Shell, I believe, six years.

It turned out, I got to know John Bookout well. He was a quail hunter. He and I never had any serious disagreement about anything. I met with him every Tuesday morning to tell him what was happening in the legal world. And I had a great relationship with Shell.

JE: And your Stetson hats fit right in with Houston.

JM: [laughing] Well, I guess it did. I wore it. It may have shaken them up when I wore it to church.

JE: [laughing]

JM: But I wore it just like I wear it everywhere, wherever I go.

JE: What might have been an issue that you dealt with while you were there?

JM: I dealt with issues involving exploration and production, and I dealt with issues involving refining and marketing, and I dealt with issues involving mergers of companies and whether or not it violated the antitrust laws. I dealt with all of those kinds of things that all big companies like Exxon and Shell deal with.

JE: You know, I've got to ask you, when you made that decision to go to Shell, was it because the work seemed more challenging? I'm sure your salary was increased quite a bit from the bench.

JM: Substantially.

JE: So I don't know if that led you or the work?

JM: Well, I knew it would be a great variety of work. Of course, I love the work. I had 105 lawyers on my staff.

JE: Hmm (thoughtful sound).

JM: When I went to Shell, scattered around everywhere. I like being around lawyers—that's why I still come down here. I like to be around lawyers, young lawyers, but it was nonetheless hard, 'cause I like being a federal judge.

JE: That continued to '83 with Shell Oil. And then you joined Gabel Gotwals.

JM: That's correct.

JE: How did that happen?

Chapter 16 - 11:00**GableGotwals**

Joe Morris: Well, Ellis Gable, he had been in that group that we met down at the Bishops and I'd known Ellis for a long time. He and his wife were celebrating their fiftieth wedding anniversary out at Southern Hills. And he invited Dean and me to come down. That's while I was general counsel of Shell.

We came down and Ellis and I were talking one night and he said, "What are you going to do when you finish this job you're working on now?"

And I said, "Well, I'll probably come back to Tulsa."

He said, "Well, come see me."

So I went on and finished my tour of duty with Shell and I came to see Ellis. Ellis had now gotten a bit older and he was not really in charge. At that time, Gabel Gotwals has a board and I was invited to come and meet with the board.

There's one lawyer who's a good trial lawyer that worked for Gabel Gotwals. I remember when I came to the board meeting [laughs], he was a straightforward kind of guy, a great guy. He turned to me and he said, "Now, Joe," or he may have called me, "Judge." He said, "Do you want to be of counsel or do you want to work?"

John Erling: [laughs]

JM: And I said, "I want to work." So I was lucky enough to be afforded the opportunity to come here. And I've been here now, I think, thirty-four years.

JE: [laughing]

JM: I believe that's correct.

JE: We should mention your secretary Diane.

JM: Yes.

JE: She—

JM: Diane's been with me twenty years. I've had two great secretaries: Catherine was the secretary that I had when I went to work for Amerada Petroleum Corporation. When I had first been here and worked for Shell as a brand new lawyer, right out of Michigan, Shell's office was right down here, the sixth floor of the Mayo building.

JE: Which you can see from your office here.

JM: Oh, I can, I can look over there and see it. We had a good law library, Shell did, here. And people who officed in the Mayo building sometimes, who didn't have as good a law library as we did, would ask could they come and look up the law? And that's how I got to know some people who were in the general practice of the law.

JE: Speaking of the Mayo building, the Mayo Hotel, of course, is right next door there.

JM: Yeah.

JE: They're in very close proximity there.

JM: Yes.

JE: Do you remember the Mayo Hotel when it was in its heyday and—

JM: Oh, I remember it well. Now I remember something that occurred—not when I was vice president and general counsel of Shell, but when I was a young lawyer with Shell—Shell had been indicted for an antitrust violation in the United States District Court, I think, in Virginia. The lawyers who represented Shell all told the judge and the court that all of the witnesses in this case that will testify concerning whether or not there's been antitrust violation will be in or near Tulsa, Oklahoma. "We want you to transfer this case out to Tulsa, Oklahoma."

So the judge did, he transferred it out here and Judge Savage was then the only judge on the federal bench here in Tulsa. So he was going to try this case.

I'd been with Shell maybe six or seven years here. And the general counsel of Shell and the head office of Shell was in New York. So he came out here. And I was talked to by the general counsel of Shell, I'm sure he talked to many others, about who Shell ought to get to represent it if that antitrust case went to trial before Judge Savage.

And there was a lawyer here in town named Richard McDermott. He knew more about antitrust law than any lawyer in Tulsa. And he hadn't been picked yet. All these other companies were indicted too. Exxon, all of them, five or six or eight, I don't know, a lot of them. They had to meet from time to time and they had to talk about whether they agreed on certain things from time to time. There wasn't any place to meet except they all met on the mezzanine of the Mayo Hotel.

JE: Yeah.

JM: And my only duty was to see to it that all the doors were locked that nobody could get in there. That was my only job.

The last question they had to decide was whether or not the case would be tried to Judge Savage or would it be tried to a jury? And they all agreed that it would be tried before Judge Savage, except one lawyer, who was a prominent trial lawyer in Tulsa. He did a lot of trial work, a lot of trial work before juries, and he wanted to be before a jury. But he finally agreed that it could be tried before Judge Savage.

It was a criminal case and Judge Savage decided against the government, decided in favor of all the companies.

And then about three or four years later, Judge Savage became the vice president and general counsel of Gulf Oil Company.

JE: Former mayor of Tulsa, Susan Savage, is she a relation?

JM: Yeah, she's related, she's related—

JE: Would that be her uncle?

JM: Well, maybe, I'm not sure how that relationship is.

JE: Your work here at Gabel Gotwals, is in arbitration?

JM: For the last twenty-five or thirty years I've done principally arbitration work, yes. Most of my arbitration has been in the United States. Maybe only one little case in Tulsa. It's been all over the United States, in all the big cities.

Then I've done about four big international cases. The biggest case I've done was in Melbourne, Australia. I've done one in Singapore, and I've done one in England. Those were international cases because among other things, I was lucky to be chosen. Because the litigants have to agree on an arbitrator. They typically wouldn't come to Tulsa, Oklahoma, to look for an international arbitrator. But because of my background, my education, and the work that I'd done, I guess I was lucky enough to get picked.

And that case in Australia, it was an oil and gas case. And that's no doubt why I was picked.

There was another arbitrator, he was from Sydney, Australia, good lawyer. And then Judge Roskill, Lord Roskill had been a law lord in London. The arbitration agreement provided that the two arbitrators who were picked by the two parties would pick the chair. Bob Ellicott and I decided that we would recommend Lord Roskill. We were together, I've forgotten where we were but we called him on the phone in London. We told him that we had been appointed arbitrators in a case in Australia involving oil and gas. The arbitration agreement gave us the power to pick the chair of the arbitration panel, and we would like for him to be the chair.

As we talked, of course, appropriately, we always said, "Lord Roskill this," and, "Lord Roskill that." After we'd talked for maybe five or ten minutes, this female voice came on the line and said, "Why don't you give up this Lord business, just call him Eustace."

Well, of course, the lawyers had appeared before us never called him anything but "Lord Roskill," and—

JE: Yeah.

JM: . . . it was natural for us to do that. But we were on a first-name basis from that day henceforth. We tried that case and the law of Australia was that an award by an arbitration panel could be appealed just like a court decision could be appealed in a common-law court.

JE: Yeah.

JM: They appealed our award in that case, up to the highest court in Australia. We were all in agreement, the three of us were in agreement, and we were affirmed in all respects.

Then the two sets of lawyers on either side said, "We've got other disputes, will this panel sit and decide those disputes?"

We said, "Yes, we would."

And they brought to our attention—my memory is—four other disputes. So we decided five disputes between those parties.

Of course, the decision had to be made about what the remuneration would be for the arbitrators. Bob Ellicott, the Australian, said, in effect—he didn't say this but he was the highest ranking one of the three of us, "Let's let him decide what the remuneration ought to be." So he decided what it would be in pound/sterling. And then we'd convert that to Australian dollars and to US dollars, and that's what our remuneration would.

That's what we told them and they said, "That's fine."

So, we got four of the cases decided and Lord Roskill became ill, but he got well and he recovered. In a meeting that we had before the parties, Lord Roskill said, "I'm well and I'm able to go ahead with this last case." But he said, "I don't want to leave my bones in Australia. Can we try this last case in London?"

JE: Ah, [laughing].

JM: They said, "Yes, you can." So we did.

Donna, my wife, says to me now and again, "Why don't you get another case like that case you had in Australia?"

I said, "You just get one of those in your lifetime."

JE: [laughing]

JM: "And I've had mine."

JE: The work of arbitration, do you bring that to this law firm or have they been doing that before?

JM: Well, I was principally the person, I mean, we've got other people here who do arbitrations too, but I have done the most.

Chapter 17 - 11:10

Luck Happens

John Erling: What do you think has been your most rewarding work?

Joe Morris: I expect arbitration. I thoroughly enjoy arbitration. I mean, I don't hesitate to decide cases. I may have to think about them quite a bit about what the evidence tells me, but I thoroughly enjoy doing arbitration work.

JE: Do you think there's a significant change in the business of law in law firms and how they conduct business and how they solicit business or advertise on TV? That's all changed, hasn't it?

JM: That's right, that's changed during my lifetime.

JE: Right. And what do you—

JM: See? I don't like that.

JE: Yeah.

JM: I mean, I don't like all those ads. You see them every night. And no matter what you watch, they're advertising. And mostly the people that advertise are plaintiffs' lawyers.

JE: Um-hmm (affirmative).

JM: Because they want to help people. They say that to have automobile accidents or that they owe the government forty thousand dollars or a hundred thousand dollars. "Come to us, we know more about that than anybody else." I don't like those ads.

That was decided during my lifetime about whether or not you could advertise and pick a lawyer based on advertising.

JE: Because it was just word of mouth, wasn't it?

JM: Yeah.

JE: Maybe TV advertising does a service, because people will say, "Man, I need a lawyer. Who's it going to be?" And most people don't have a lawyer's name.

JM: Well, that's correct, they don't, but they can talk to other people and find out.

JE: Yeah. Young law students that now come to this firm, and you were a young law student too, are they ahead of the game, back when you were a young law student? Are they better equipped? How would you access that?

JM: Well, I don't know that they're better equipped, but most law firms that are big law firms like ours do typically recruit from the top academic graduates of the law schools. We've got lawyers from all law schools. We've got a lot of lawyers from the University of Tulsa, a lot from the University of Oklahoma. We have lawyers from Virginia. We have lawyers from all different law schools, but usually, not always, but almost always, they stand high academically in their class.

JE: It would be unusual probably for somebody to track your career and for it to happen to them. Luck plays a lot in our life, or you can give credit to God, if you like. But you had a lot of those luck moments when somebody just mentioned your name.

JM: Yeah, I don't know if I told you this before or not, but Donna has a granddaughter who is a 3L, she'll be graduating in the springtime at the University of Oklahoma. And she's taking a course in oil and gas law. And her oil and gas teacher is a woman who, I think, was trained in Calgary, Canada. And, of course, Canada applies as a common-law. That's where she learned it and then she decided to be a teacher and she's married to an oil and gas engineer or a geologist, I've forgotten.

Well, when she found out that this little gal in her class, that I was her grandfather, she had read a paper that I had written. So she said, "I want him to come over here and talk to the class."

So I went over about a month ago and I talked to the class, and I told them that "I'm not going to talk to you about anything involving oil and gas. I'm going to talk to you about some

of my experiences in the arbitration world.” And then I said to them, “You, each one of you, is going to have something happen to you that you don’t know and I don’t know, and it’s called luck. It can be either good luck or bad luck. And how you deal with that matter may shape substantially where you end up in the field of law.” I believe that to be true.

And I had good luck. I met that fellow up at the University of Michigan and he asked me, “What would you think about the legal department of Shell Oil Company?” Yeah—

JE: He set your whole life in order, didn’t he?

JM: I’d never heard of a legal department of an oil company.

JE: [laughing] Oil company, right.

Here you are ninety-five and you’ll be ninety-six—

JM: In April.

JE: In April. I’m sure people ask you, “Why do you think you’ve been able to live this long?” And do you even have an answer?

JM: Oh, well, I don’t know.

JE: Right.

JM: I can’t answer that. I mean, I’ve had, basically, I’ve had good health.

JE: Well, what is the toughest part of growing old?

JM: Well, you do encounter some things that I think are more difficult to resolve, maybe, when you’re older. I mean, I don’t move around as well, but I’m still able to drive. I drove to the office every day. Now there may be some difference of opinion between my children and me about whether or not I ought to be driving up to my farm in Kansas. I mean, I think I can still do that. They may have doubt about that.

But for example, the Dove Season opens every year on September 1, in Kansas and Oklahoma. Now I can’t hunt quail because I can’t walk around like you have to walk around to hunt quail or pheasants. But, you know, some things you don’t do as well.

JE: Right.

JM: When you get older.

JE: But you have your mind. And so clear and you can remember all these details that you’ve talked to us about now. I mean, it’s absolutely amazing. You’ve been really blessed that way.

JM: Well, I guess that’s right.

JE: What advice do you give to young people in general or people of the law, what do you tell them?

JM: I answer any questions they want to ask. They want to know, “How did you get picked as an arbitrator?”

Well, I don’t know, necessarily how I got picked.

JE: Yeah.

JM: But my name has appeared and I belong to various groups of people organizations that do arbitration work. They may recommend to people that are in a dispute, “You might give thought to this fellow, Judge Morris.”

Sometimes, not very often, but four or five times, the lawyers on the two sides will say, “Can we come in and talk to you together, sit at this table?”

I can remember one [laughing], it involved language in an agreement. The lawyer on the plaintiff’s side wanted me to say, “I think that I could be persuaded that that language might not be overriding.” He wanted me to say that it wouldn’t be overriding, even though it was pretty plain. So he said to me, “How would you read that language?”

He was sitting right there and the other one was. I had looked at that language pretty carefully, and I said, “If it’s clear, I’m likely to be affected by its clearness.”

Well, he didn’t want me to say that. They, they didn’t pick me. [laughing] That’s understandable, that’s all right. Because on some occasions there have been other factors that have persuaded me that maybe there were other things that led the parties to do what they did that were a bit of a departure from that language there. You don’t always know.

JE: You love the law.

JM: Oh, I do.

JE: I just think it’s remarkable that the interest in law came to you, probably in junior high school, I think you said, and nobody had an influence in that. Nobody talked law—how that came to you then, you talk about luck.

JM: Yeah.

JE: Or the Man Upstairs? That happened to you then, didn’t it?

JM: It must have.

JE: Yeah. How would you like to be remembered?

JM: Well, I’d like to be remembered as a good lawyer. And a person that loved the outdoors, loved to hunt, enjoyed sports. I thoroughly enjoyed, for example, this last weekend, Roger Federer is thirty-six years old and he won the Australian Open.

JE: How many has he won?

JM: Oh, he’s—

JE: Twenty?

JM: . . . won a lot, more than anybody else.

JE: Yeah. You enjoyed watching that?

JM: Oh, loved watching it. I never played golf but I like to watch gold.

JE: Um-hmm (affirmative).

JM: Donna, my wife, she used to play golf. So she knows more about gold, really, than I do, but I like to watch golf. I liked one of the opening tournaments, the one at Torrey Pines this year. Not yesterday but the day before yesterday, it closed that night and they were tied.

JE: Right.

JM: So then they started again yesterday morning, just two of them, and they were tied. And I think on the second shot for each of them, they both made very good shots and the golf ball went right on the green. But there was a slope and one of them, his golf ball went over into a trench in the water. And, of course, that determined that the other fellow won.

JE: Yeah.

JM: Well, that was luck.

JE: Yeah, it sure was.

JM: Bad luck.

JE: Yeah, it was, good luck and bad luck there, right. You looking forward to being a hundred?

JM: [laughs] As I get closer to it, see, people that are getting old, they have something happen to them, just like your friend that you told me about. They got up the next morning and he was dead.

JE: He was fifty-five, yeah.

JM: Now nobody knows how to account for that exactly.

JE: No.

JM: And that's more likely to happen to you when you get old.

JE: Yeah.

JM: But I don't worry about it. And I'll tell you what I don't want to happen, is I don't want to end up in some nursing home where I don't know what I'm doing. I mean, I hope when the lights go out, I want them out.

JE: [laughing] Well, you have a delight and I have so looked forward to this interview with you. You're just great. This law firm is lucky to have you here. And the town is too. So thank you, Judge, you're Judge for life. Thank you for sharing your life with us here.

JM: Well, thank you, I've thoroughly enjoyed it.

Chapter 18 - 0:33

Conclusion

Announcer: This oral history presentation is made possible through the support of our generous foundation-funders. We encourage you to join them by making your donation, which will allow us to record future stories. Students, teachers, and librarians are using this website for research and the general public is listening every day to these great Oklahomans share their life experience.

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