

## [Mr. Doolittle]

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MR. DOOLITTLE

JAMES EARL DOOLITTLE, Attorney at Law, caught my eye as I was walking down the main thoroughfare of our city. I decided to get a story from this promising young lawyer.

After climbing the long flight of steps I found his name on the door of his office. I knocked, very promptly I was invited into his office. He smiled when I told him my mission, saying: "Now I really don't have anything very interesting to tell. I am sure an older person would have a more interesting life history than mine. But I don't mind telling you a few of the experiences I have had that might be of some interest to people who don't know about law."

There are several desk desks in his office, littered with papers, at one of the desk desks sat a man typing away at a rapid gate rate , apparently not conscieous conscious of my presence. Bookcases filled with well -chosen law books lined the wall, and a coal heater was going full blast.

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“Well, I suppose you would like for me to begin when I was born? I was born July 4, 1907 in a small town in Middle Georgia. Both of my parents are living, and are still living in the town in which I was born. My father has his own business. A modern machine shop, when he first opened up his business it was known as a blacksmith's shop. [C.? ? ?]

“My sister and I finished high school, but my parents had to sacrifice to send us to college. My mother doing her bit by selling 2 milk, butter and eggs. I attended Mercer University for a year and stopped to teach school. After a year of this being principal in a small country school. I again went to college, this time to the University of Georgia in this city. My sister went to college at Bessie Tift. After she left school there, she went in training to be a nurse at St. Joseph Infirmary in Atlanta. She worked in that city, in the town we were reared in , and was nursing in Gainesville during that terrible storm, and continued to work there a while afterwards. Than she went to Washington, D. C. to take a special course in nursing. Now she is working in a hospital in Lynchburg, Virginia.

“Before I finished high school, I had determined to be a lawyer, although I did not have the slightest conception of what a lawyer was. My only acquaintance with attorneys was confined to the several ones in the town in which I lived as a child. However, I believe that the following incident decided me on the career I was eventually to choose.

“When I was in high school I saw an advertisement for some books, stating among other things that they could be ordered on trial, and, if the purchaser was not satisfied after inspection, they could be returned within ten days. After they came, I found that I was not interested in them and returned them. Shortly after this I had a letter from the seller stating that I had made a binding contract with their company, and threatening suit unless I kept them. At first I did not know what to do, and had mental visions of being sued. I was so frightened that I did not show the letter to my father or mother. Fortunately when it came 3 I met the postman, and they did not know that I/ had received it. After worrying about the matter for several days I chanced to see Mr. Simpson an attorney who had often visited in our home. I told him about my trouble. He laughed and told me not worry any more for I

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was a minor and could not be sued, and just not to answer the letter. However, when I told him that I was afraid that the concern would write me again and my parents would find it out. He agreed to write them for me. I suppose that he did, for I never heard [any?] any more from them.

“This incident cemented my determination to become a lawyer, so when I attended the University of Georgia, I enrolled in the Lumpkin Law School. Fortunately, I had a good teacher there and especially one, an old gentleman, who I will call Dr. Myers. He was very peculiar, but managed to instill in the minds of his first year pupils the principle of law. This he did by sarcasm, cajolery, and incessant reading of cases, and by pure luck in the case of some of us. He was very fond of telling some unfortunate pupil who had forgotten to study his lesson that in his (the professor's) opinion the student would make a better farmer than a lawyer. Although this professor was not popular with the students of his class while they were in school, yet all of those to whom I have talked since they finished and began practicing, now admit that they learned more law in his class than in any other.

4

“Finally, in July of 1929, I received my Bachelor of Laws degree and was shortly afterward admitted to practice before the courts of my State.

“I determined to start practicing law in the city where I finished college, although there were some thirty or forty lawyers practicing there when I finished. I therefore rented an office, bought furniture, supplies and books, and put out my shingle.

“Unfortunately, I entered into partnership with another young man who was a resident of this city, and whom I had known around town when I went to school. Naturally I thought he too had been admitted to the bar to practice in the State, so we printed stationary and begun business. At first we handled only collection matters, small claims upon which we usually received fifty per cent of the amount that we collected. We were

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doing fairly well and was making enough to pay expenses of our office. However, we had not been in partnership long when someone informed me that my partner did not have a license to practice law. Naturally, I did not believe anything of the sort, but asked him about it anyway. Finally he told me that he did not, but that he was going to stand the State Bar examination again shortly and was sure that he would pass. However, this occurrence led to other misunderstandings and we shortly desolved our partnership.

“Now, I was on my own and really began practicing in earnest. I had to learn step by step and by experience. I had only been practicing a short time, several months, when I got my first big case. The man and woman with whom I was 5 boarding had a disagreement which finally led to divorce proceedings. He determined to contest her application for alimony and also was determined to gain control and possession of his two children. Since he and I were close friends he employed me in the case. I was young and over confident and would not associate an older lawyer with me, when the case first started although the wife had employed two of the best lawyers in the city. We had hearing after hearing and trial after trial. Finally after months of litigation the judge awarded one child to the wife and one to the husband, so altogether I could not say I won my first case of importance. I did not lose it either.

“After ten years of practice, I do not feel that I have accomplished very much. At least I have survived, and have now built up a sufficient practice to support myself and family. I married in 1929, soon after I begun practicing law and now have three children, two girls and a boy.

“Practice in a small town is not confined to any particular (?) bond of law. Small town lawyers do not have either the money or the opportunity to specialize in any one particular branch of the law. Criminal and Civil practice has been incriminately indiscriminately mixed with my practice.

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“ Surmmoned Summoned by small county courts. I try, criminal cases, suits for land, divorce cases and all kinds of collections work. usually when the city and county courts concerns several lawyers having business there will they go together. The legal profession in small southern cities is a free and congenial body, fraternizing together, as is not, the case in larger cities and other 6 sections of the country. Then too, procedure and practice in the average country courts is informal, free and easy. Of course there are exceptions, but very few. During chamber hearings, which are usually held in the Judge's office (Superior Courts) on Saturday in each week, all the lawyers and parties are allowed to smoke, chew tobacco and very few rules of procedure are enforced. day of each week all the lawyers and parties are enforced.

“The greatest trouble that lawyers in small courts have to contend with is getting their cases to trial. Usually, if one or the other side does not want a case tried it goes on from term to term and from year to year until it wears out — parties dies die, get together, or a case is finally dismissed for want of prosecution. The main cause for this is the fact that attorneys in small places have to depend upon the good will of fellow attorneys and of the judge in order to make a brotherhood, and they do not care, except in exceptional and rare cases, to incur the displeasure of their associates by insisting upon a trial in the face of a motion for continuance from the other side. Of course as procedure is being constantly simplified and “stream-lined” this objection is being overcome by these reforms.

“I joined church quite young, and I couldn't be anything else but a Baptist, as all of my people are of that denomination. I have an uncle who is pastor of one of the largest Baptist churches in South Carolina. Before I finished high school and left home I belonged to all the organizations that the boys attended at my church, and taught a Sundayschool class. Mother thought I could sing so I took voice, and sang in the choir every Sunday. I did this to please my mother. I served as deacon in my church in this 7 city and taught a class too. However, I don't go to church as I should now, as I am subject to call at anytime and I feel it's my duty to serve my clients whenever they call on me.”

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Mr. Doolittle is such a busy man it was necessary to make a second and third visit before I could finish this story. One evening I called at his home, to finish the narrative. Mrs. Doolittle met me at the door and invited me in. "Won't you sit down. I am awfully sorry my husband isn't in, one of his clients came by for him just a few minutes ago. There is no telling when he will be back. A lawyer's wife is like a doctor's, then they leave home, there is no need of looking for them until you see them." Mrs. Doolittle is a charming person, stout and has a pleasing personality. \* Their home is nicely furnished [?], it is a one-story five-room frame house painted brown and trimmed in white. [Abelia?], ivy and a climbing rose bush makes up the shrubbery in the yard.

My last trip to his office I found him very busy there were at least ten waiting in line to see him. So I took a chair and waited with the others. At last my turn came. "Well," he said, "Where shall we begin?" I told him I would like for him to tell me some of his experiences during the time he has been practicing. "Oh, just to tell you the truth, I have been so busy to day I am afraid I can't collect my thoughts on anything that would be interesting just now." I assured him whatever he told me would be sufficient. He, continued: "Well [?] let me think a few minutes. Take this one. The strangest murder case I ever engaged in or defended occurred in 1933. I was employed to defend a middle aged Negro man who was indicted by the Grand Jury for the murder of a younger Negro. The murder took place at a Negro "hot supper" [md] all were drinking, engaged in a free for all fight and during the meal the younger Negro was stabbed in the heart with an ice pick.

"My client went on trial his defence being that although he was present, that he did not commit the crime. Without going into all the facts and circumstantial evidence adduced at the trial, he was convicted and sentenced to the electric chair. I immediately appealed for a new trial, went to the supreme court where the judgement of the lower court was affirmed. Then I appealed to the Governor of the State for executive clemency, and the case was set down before him for a hearing.

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“On the morning that I was to appear to Atlanta, I came to my office unusually early so as to have time to drink a cup of coffee and read the morning paper. When I opened to paper the first thing that met my eyes was a news item stating that a man by the same name as my client was to be electricuted electrocuted that morning at the State Farm. I grabbed the telephone and tried to get the Governor. Not being able to reach him I called his secretary and in a disjointed manner, for I was highly excited, tried to tell his secretary what had happened. Imagine my relief when he laughed and said, “That reporter in getting facts for a news article on executive matters. Not knowing that his case had been set before the Governor and his Executives automattically automatically staged stayed until it could be heard.’ [? ? ? ? ?.]

“So I went to Atlanta, I believe that the Governor felt sorry for me since I had all ready been scared out of my wits, so after he had heard the recommendation of my client's chracter and 9 read the evidence adduced at the first trial, he commuted the sentence from death to life imprisonment. So my client was sent to the penitentiary for life. He soom became a trusty and was allowed full privileges of the camp.

“His wife after two or three years began asking me to apply for his pardon. I told her that I thought it was little too early.

“Finally after nearly five years had passed I did apply for a [?] pardon in 1938.

“Just before I could get a hearing before the Crime commission I received word that my client had been killed. When I investigated. another prisoner, a trusty, had stabbed him with an ice pick [in?] the heart!

“You know there are two things a Negro will do; that is steal and lie. Well, one day two peg leg Negroes from Atlanta came here in an old ramshakled ramshackled chevrolet truck to collect scrap rion iron . They were indited indicted for stealing. One of the bailiffs called me on the case. When I reached the scene I found they had half of the truck filled with iron

## Library of Congress

and the other half was bottles of all sorts and discription description . When the next term of City Court came , a man was put on the stand who was president and general manager of a plant here who [?] uses milk bottles.

“When he was put on the stand, he was asked: ‘Are these bottles yours?’ ‘Yes, he quickly answered.’ ‘Well, how do you know they are?’ ‘there is nothing to show they are yours.’ Just the same he answered I know they are mine.’ ‘very well, you sell milk don't you?’ ‘I do,’ ‘You get 13¢ [?] per quart for your milk, 10 isn't that true?’ ‘Yes, that is right.’ ‘Well how do you get them back?’ ‘I pick them up when the milk is delivered next day.’ ‘very well.’ ‘When anyone goes by your place to buy a quart of milk what do you sell it for?’ ‘thirteen cents for the milk and 5¢ deposit on the bottle.’ ‘that makes 18¢ for it, does it not?’ ‘that's right.’ ‘Well do you insist upon the person buying the milk returning the bottle?’ ‘No, it don't make any difference to me what the do with them it , as I have the money for the bottle.’ ‘Well than you don't have a case against these Negroes. Unless they went to your place and deliberately deliberately took them without your knowledge.’ The case never went to the jury. That man won't speak to me today if he can get out of it. I lost about thirty dollars on that case, they paid me part of their bill and gave me a mortgage on their truck. When I checked up on them in Atlanta I could find no trace of them, even at the State Capitol.

“All lawyers have trouble collecting their money. Sometimes you get it in such small amounts you don't realize when the bill is paid in full.

“Once a woman came to me for a divorce. ‘I asked her where her husband was she said, ‘ out of the State [.]?’ she was a middle age aged woman. I got the divorce for her. About a year later she came back to me and said, ‘Mr. Doolittle I want another divorce.’ [?] ‘Another divorce I answered who did you marry this time?’ ‘Your first husband, ‘I said.’ ‘Yes, my first husband.’ After I was seperated separated from him I married again, than I divorced him and married my first husband. Now I want a divorce [?] from his so I can marry my second husband again.’ ‘My heavens can't you make up your mind which 11 one you want to live with?’ ‘Yes, sir, I mean to marry my second husband again and live with him the rest of my



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days. They married and left the State, and I lost track of her. I understand she lived with him until her death. That was a case where the woman married four times and just married two men. Each one twice. However, I did not get her first divorce. That took place before I began to practice law, but I did get three divorces for her.

"I don't know whether you want me to tell you about a rape case I had or not. It was ridiculous, telling this brings out the highlights in the experience of us lawyers. A boy's father employed me to represent his son. The boy was accused of raping a woman much older, who lived in another county. When the case came up she her testimony was positive. Stating he went to her home while her husband was away and assaulted her. They were of low character. My client didn't have any witnesses, of course. Her statement sounded logical, so I decided to let her come off the stand and do the best I could for the boy. I had seen her around the court house several days. I asked her how they got down here, she told me she had to pay someone a dollar a day to bring her. 'do you realize what it is costing the State to pay the witnesses and and jury?' 'Yes, sir.' 'so you and your husband will get \$30.00 out of this suit for hanging aried around [seve?] several days [?]' 'Yes, sir.' ['so your sware out a warrant against his boy [? ? ? money?] she had answered yes, to so many questions she, said yes to that one. I put my plea before the jury. The judge was mad as fire about it. But that cleared the boy. The jury wont was out [?] about five minutes[;?] their verdict was ' not guilty. ' Of course it wasn't as easy as it is pictured, and it was proven she was mad with the boy for something else. And not what she had sworn out a warrant for.

12

"Now, I believe [?] have told you about all I know that perhaps are of very much interest. I have had these things happen time and time over. To tell you about other things would only be telling simular similar cases over.

"One other incident my be of interest. A very young woman and her husband came to me to file divorce papers. It was posted and the case was to come up in the next term

## Library of Congress

of court. She sued [?] him for alimony, which he agreed to pay. She went her way and he his. Just a few days before court was to convene he went for her. They patched up their misunderstanding and went back together and the divorce proceedings were withdrawn. Now they are a happy couple. This was a case among many where young people marrying before definitely making up their minds as to how it would work [?] out. Now, this is all I have time to tell you to day and perhaps you will find it of sufficient interest to use .” what I have told you.” At this time four men entered his office, When I left [?] they were busily engaged in earnest conversation.

While she was talking to me I glanced about the room, which contains a two piece livingroom suit upholstered in gree green , a mahogany occasional chair done in blue, with a rocker to match. Over a console table hangs a mirror, a pretty pottery vase on the table was filled with training ivy. A white lamp, [?] and books filled the long libary library table (mahogany). Two vases that had the appearance of luscious bunches of purple grapes. The mouth of the vases are the stem and a vine formes a handle on one side of the vase. Green leaves make up the decorations on the vases, these resposes respose on a spinnet spinet desk. There are several pieces of pottery on the mantel. Hanging over the desk and radio are squares of taperstery tapestry about eighteen inches square. There are two handpainted pictures, also several plaques arranged on the wall. A what- knots not was filled with doo- dabs dads . New curtains at the windows. An old fashioned low split bottom chair sat in the corner by the fireplace, a magazine stand filled with magazines and several scatter rugs places over the hardwood floor. [?] One of the children in the next room called her. “Do lets go into the diningroom? We sit in there and it is warmer.” I followed her into the room where the three children were playing. She picked up the baby to quiet her. In this room was a mahogany dinnet suit. A wicker sunroom suit a large comfortable chair, fresh criss-cross curtains at the window. A babies baby's high chair, a congelouem linoleum rug on the floor. There are several pieces of china, and old fashion shaving set [md] mug, pitcher and brush holder. Vases and several other pieces of china on the plate rack around the wall. There are a few pictures hanging on the wall. There was a clock and

## Library of Congress

a vase on each end of the mantel. The baby wanted water, she asked me to excuse her while she went into the kitchen for it. I told her I would like a drink too and insisted on her letting me go with her to get it. Into the kitchen was a wood range, kitchen cabinet, a table on which sat a dishpan full of dishes 2 that was evident they had just finished their evening meal.

“You know we don't own this house. We have only been living here a short while.” Do you mind showing me through the house I asked? “Not, at all, I would like for you to see it.” She said, “Come this way.” We went back to the diningroom into a narrow hall there was a wardrobe trunk and a cedar chest in it. She opened a door. “This is the sleeping porch, I cant wait until summer so we can sleep out here. Now, this is our bed room.” There was a gray bedroom /# suit, of wood. An iron bed and the babies bed. “Now this is the bathroom I am crazy about the shower. James My husband perfers prefers taking a shower instead of the tub, but I can't give the children cold showers in winter. There was a clothes barket basket , [?] towels and bath mat. This is the other bed room I have given this room to my oldest daughter, she is ten years old. [#?] This room contains a walnut suit, cedar chest , chair and several other things . a little girl of that age enjoys having in her own bedroom.