

JUDGE W. T. DEAN

[Recording begins mid-sentence, with James Mackay's introduction of Judge W. T. Dean.]

MR. MACKAY [addressing Judge Dean ]: . . . and ask you some leading questions, and we've got several people in this room—you better keep your guard up—Andy Robertson, here, is an eyewitness of most everything you got to talk about, and he will contradict you if you're not careful with the truth.

JUDGE DEAN: I've known Andy through the years. [laughter] Ladies and gentlemen, first I want to thank Mr. Mackay, and I think we could adjourn the meeting at this time, and I'll be happy with the tape as it now stands [laughter]. You can see very quickly why I am ill at ease and why I do not think that I should attempt to make any talk to you after those glowing remarks of Mr. Mackay. Jim, I think the wheel has made its circuit; I think it's rotated. I say this, ladies and gentlemen, for the reason that I was first introduced to an audience in this county in 1954 in the old Candler Hotel, and I was an unfortunate candidate for lieutenant governor, and Mr. Mackay made practically the same speech at that time [laughter]. Exactly twenty years later he repeated this statement before the Civitan Club at Pritchett's Restaurant, and so he has concluded it this afternoon in practically the same remarks [inaudible], and has just about made me believe that part of it's true. If you'll keep on, I'll certainly bow to you and give you the opportunity to introduce me at any other time and all times.

MR. MACKAY: Well, I read them just like you wrote them. [laughter]

JUDGE DEAN: With speakers like Mr. Mackay, and with a [inaudible] like he is, I don't think the Historical Society needs much assistance. I've known him through the years, I've known his family, and I don't know of a finer person in the world. He's a credit to the community, he's a credit to the civic life, the religious life, and he's a topnotch lawyer, and I'm always glad to see him come into my court. But I don't always rule with him, but he's never held it against me.

I have conflicting emotions and several thoughts that I'd like to bring to you today. I can see others in the audience that know more of a history of DeKalb and the surrounding area than I do. I'm

sure that you've heard from them and will hear from them. What I say will be more or less off the cuff, and then I have this understanding with Mr. Worley, who was my court reporter for a long time, that he would let me edit the tape if there was anything said that shouldn't be on there [laughter]. So Phil, you can just cut it out if you think that there's something wrong that comes out that should not be said. I've known a good many of you in the audience here through the years [inaudible], the mayor here, Andy, for a good many years—I won't say how long, but it's been almost a half a century. Those of you who do not know a certain person who's here in the audience, I'd like for Gene Sanders to stand up. I know him very well—

MR. MACKAY: He's self-effacing, too.

JUDGE DEAN:-- Gene Sanders is one man that we all should know, and if you ever want someone that can give you the history of most any area of the state—I think he was a Methodist minister's son, and they traveled quite a bit [inaudible]. But Gene Sanders has been with the courts for the last ten years. He never fails to be there at eight o'clock in the morning, he is loyal to his work, and he's been one of the most competent persons we've had on the payroll in the county.

Being in this building—before I tell you when I hit the county—brings back a lot of memories. I will early indicate to you a few. I was in this courthouse, of course, for some fifteen years, as the judge of the Superior Court. Prior to that time I had visited here through the high school years: high school meets, the various political meetings. And in my work as a judge on the Compensation Board for three years, I traveled half of the state, and I think I have been in at least a hundred county courthouses in the state of Georgia. And I'll say to you without fear of contradiction, ladies and gentlemen, that the Rockdale Superior Courtroom is the prettiest courtroom in the state of Georgia. I always felt that I was on hallowed ground when I had my little play on life's stage in such a sacrosanct place, as I continue to be. And I'm glad that you all have plans to go further and renovate the courthouse as it was in the prior years.

I was a little bit concerned and amused, too, by a note that I received from Ms. Ruby Sunbrook [spelling?] yesterday. She indicate that she wanted this setting to have the appearance of a courtroom, and she brought up the word *cuspidor* [audience laughter] and wanted to know if we had any cuspidors and whether or not they used them in the courtroom. Well, Miss Ruby, you hit the nail on the head. They do use them—they did use them—but I don't think that you see them too much now. Of course, there is a certain amount of smoking in a courtroom, but I've never permitted that, and I certainly wouldn't want a cuspidor close to me. I have at home a cuspidor; it was given me by the one who wrecked the Rockdale County Courthouse in 1939. I intended to bring it today for Miss Ruby to see it, but I did not get to see it [laughter].

In thinking back along the tobacco-chewing era, I was amused at a statement or a happening that was told to me by one of the most prominent judges in the city of Atlanta. We had them all come to this court on these damage suits that were more or less—they represented the defendant, I think, and this was probably a plaintiff's area to a certain extent. Well, this portly gentleman, he was handsome, curly redheaded—and I could almost name him from that. He tells me the story, and his followers said, that he was trying a case, and he was very much concerned with it and only interested in the trial of the case. But he did use a little tobacco to chew on during the trial of the case, since he could not smoke. His wife happened to come into the courtroom. She had never heard him try a case, so she thought she would see would see her husband in action, and it was quite a celebrated case at that time. So he stated that he looked around and saw her there, and he said, "Oh, my Lord, she doesn't know that I use tobacco at all." He said he made one gulp, swallowed [inaudible], and said he was sick for a week thereafter, but that stopped the tobacco-chewing in his family [laughter].

We'll go back now—and if I seem a little hazy in my recollection, you'll have to attribute that to my fourscore. My first visit that I can recollect or recall to DeKalb County was in 1914—July the fourteenth. I was eleven years old at that time, [to mayor in audience] Andy, if you wish to know. I

came here to visit with my favorite uncle and aunt. At that time, you may—some of you—I doubt that many of you can remember him, but he was a schoolteacher at the little schoolhouse out here on Rockbridge Road, Professor T. H. Meacham [spelling?]. I don't know whether you remember him or recall him or not, but he and Aunt Belle—Uncle Henry and Aunt Belle—lived there. He carried on classes at night in their little farm, and these boys worked on the farm during the daytime, and night they'd go to school with Uncle Henry. Well, I was named as a page that year to the state legislature—it was 1914. I was named by Mr. D. P. Melson [spelling?], who was a representative from Clayton County, where I resided at that time. Not being able to go back and forth to Jonesboro daily, I proceeded to put up on Uncle Henry's house, and I stayed there during my service as a page, if I may call it service. And at that time, Andy, believe it or not, I had a little eighteen-inch bicycle. It was three hours from DeKalb County, where we were pages at that time. We rode our bicycles through the cobblestones and the mud from here to the Capitol every day for sixty days.

It was a long time ago, and I might indicate to you some of the people that you know or have heard of or read of who were with me at that time, my associates. Dr. Sam Matthews was a page with me, and I don't know if he started the bicycle-riding or not, but I imagine that I rode it because I didn't have that extra nickel a day for carfare, so I think I had rode the bicycle instead. Dr. Sam Matthews was there with me for the entire time, and as you may recall, Dr. Matthews met an untimely death at the hands of an assassin, he and his wife, in Cobb County recently. Another man [to Mr. Mackay], Mr. Mackay, that you know, I'm sure, is Henry Nevin. Henry Nevin at that time was a page also; I think he was a year or two my senior—at least he was larger than I am, which I will credit to his age. His father was editor of the *Atlanta Georgian*, Mr. John A. Nevin [Note: James Nevin?]. There are others in that picture [Perhaps a picture in the newspaper? Not explained], and I would like to have had it and brought it and submitted it to you, not for the looks of yours truly but for the other gentlemen that are shown there. In that particular picture there is one of the Stewart [Stuart?] boys, who was from

Coffee County, who was also a page; Mr. Green[e?], whose father, in later years, I think tried to revive the Ku Klux Klan in Fulton County, Georgia, and those are some that I remember.

At that particular time, as you may recall, in 1914, they had just completed one of the most widely publicized trials in the state of Georgia that they ever had or that ever will be, I presume, that was that of Leo Frank. He was tried in 1913, the year prior to my coming to live with Uncle Henry. Henry Nevin's father was editor of *The Georgian* at that time, and they got credit for a rather lurid headline that caused quite a bit of trouble over the state, and that wasn't the only paper that played the unfortunate killing up. Tom Watson did his part in stirring up strife and the trouble that occurred later.

As an aside illustration, I might indicate to you how fortunate you are in this society to have people that are bringing to you the events of the past, not this in particular, but what I have referenced to. And in Jonesboro, they are attempting to re-create some of their past history and put it in a form for use by future generations. The former clerk of the Superior Court there called me a night or two ago, and it was a rather interesting and unusual situation, and the conversation was such that I had to go way back and search my memory to come up with the answer to his query. And that was, then, he wanted to know why in the world Judge Leonard Roan ever came to Jonesboro to try a case, because he had read so much about Judge Roan's trial of the famous Frank case. And so I told him, I said, "Pierce, you ought to go back to your statistical register slightly, and you will find that Judge Roan was a judge of the Stone Mountain Circuit—on the Stone Mountain Circuit at the time—and he was designated or recruited to try the case that he did try. And he by rights was in Jonesboro, being on the bench of the Stone Mountain Circuit." Judge Roan, as you probably know, did not last more than a year after the trial because, he indicated in his memoirs, that the strain and the stress that he was under at the time caused him to fail in health, and I don't think that he lasted over a year after the trial of the case. And the trial of the case had not been concluded at the time that I was associated with Henry Nevin, who

was the son of the [editor of the] paper, and naturally we got all of the gossip that was such on the side of [inaudible] families.

At that time, the Fulton County Tower was right across the street from the Hunter Street entrance of the Capitol. And they had slits—and there are those of you that may remember seeing the old tower—that you could see through the tower and see what we were told was the gallows. And, of course, you can imagine what a thirteen-year-old—his thoughts would run rampant, knowing that he was that close to a person that was that close to being placed on the gallows there. But there's no need to go into that in detail because that is quite a bit of history and not particularly this county, but the only way it was connected to DeKalb County was due to the fact that Judge Roan played such an important part. And Judge Roan was a fine, scholarly gentleman. I believe that as his later years ended, his son was a judge out here, Gus Roan. Gus was a fine person. I knew him through the years, and I practiced law before him, too, at the time he was a judge of the Municipal Court of Atlanta, DeKalb Division, and I believe that that was his style.

So, at that time, I might indicate to you, ladies and gentlemen, [something that] weighed heavily with me and was quite a tragedy in my life, at least I considered it such. After the verdict was rendered in 1913, and that was the year prior to coming to DeKalb County, I was a *Constitution* carrier for Jonesboro. Our papers came down on the express [train] early in the morning, and we'd get them and deliver them to our subscribers. The morning of the verdict of guilt, my papers came, and people piled off the train and [inaudible] around town, and very quickly grabbed up my papers for five cents apiece. Since I only got five-sixths of a cent apiece to deliver them to my subscribers, I was quite in the money that morning. I don't know what I had made, but, anyway, it was a large sum to a country boy at only eleven years of age. So I wired the *Constitution* that I needed so many papers back on the next train. They let me know right quick that there were no papers for sale; the papers had been sold out. And

[inaudible] had lost his route, because he had lost his subscribers by selling his papers to the passengers on the train [laughter]. That was quite a blow to me, of course, at that time.

Later—we'll skip a few years from then, and—I did not visit Uncle Henry very much, but he, as I indicated, ran a little truck farm, and I think he peddled his produce around, and he had a large wagon, and on the side of it was written, "Meacham's Vegetables," or something to that extent. And I can recall now with the boys and myself getting in the wagon with this gray horse and going to Stone Mountain on picnics and, and I was one of the vegetables sitting in the wagon with the men [laughter]. And those were the good days, though.

But in later years I would come to Agnes Scott to visit a young lady. And those [inaudible] endured what you'd call trials and tribulations we had to undergo to get to see a girl, why, you can understand the situation that existed at that time. I was very much enamored at the time, I thought—this was in my high school days—with a young lady from Conyers, Rockdale County, and I don't mind calling her name, she was Sarah [inaudible]. We'd go to—weekend, I think, was the only time that Ms. Hopkins would let us come to Agnes Scott, come on Saturdays and Sunday nights. She was a fine person, and she believed in looking after her charges. And she had different ways to discourage us from any ardor that we might want to show. As I recall, the lights were winked by her at nine o'clock, and that was an indication to get your hat and leave, because the girls had to retire at that time, and you could not stay. Well, you didn't get close enough to hold a girl's hand in the presence of Ms. Hopkins, who had her ever-watchful eye on you. Some way or another we always thought there was the possibility that someone had bribed the man who pulled the switch, because he would let them stay for a second or two shrouded in darkness in the room, and that's where you'd get a hasty goodnight kiss [laughter]. Those were quite the days.

I attended high school in College Park, we resided there. We were part of the Fifth—Sixth—District—the school, I don't know exactly the setup at that time, Andy, to where we'd compete with

other schools. We were in Fulton County, we were an independent system, but Fulton County Schools did not compete with us. We competed with Decatur and Kirkwood and Lithonia and Conyers, I think those were main schools that had the competition in the various high school meets. I think they were hosted in DeKalb County mainly because it was convenient, and it was such a nice place to visit, and the people were so cordial and courteous and nice to us.

In this graduating class of College Park, there was eleven students; there were two boys and nine girls. And the other boy in the class with me, he was quite a musician, and he didn't take the time to do too much studying, but he made a success in music. And I wish that I could have done the same thing. If I had followed him, I might have had a little better economic standing than I have. But they left it up to me to carry the banner for College Park High School. So we'd have our meetings here in the courthouse. It had been built only a short while; it did not have these ells at the east side at the time as I recall. I was in reading, writing, debate, and spelling; but where I really failed to spell, I lost out to a DeKalb student on the word *separate*. And I think I can spell it now without [sic] an *a* [laughter]. But anyhow, if you know how imbued with the righteousness of the cause high school students can get, we always felt that the judges were unfair and would always give the first prize to the local citizenry and the local students; and we would complain until the next year.

My first political venture, I believe, was in 1934. During the years I've had--my contacts mainly had been with the political figures of the county and also the court and the court administrators and the court officers. I have had the pleasure of knowing most of them through the years since nineteen hundred and—the early nineteen twenties. I was admitted to the Bar in 1925. I attended the University of Georgia Law School for a year and started working for Mr. Ham Douglas, Sr., at that time. He was operating the Atlanta Law School, and he turned the monitoring of his classes and the scheduling of speakers all over to one person by the name of H. E. Cole, Judge Cole at present, one of the municipal judges in the City of Atlanta, and I believe he's still active. He and I carried on for him at the Atlanta Law



School. But be that as it may, I did get my diploma and also passed the Bar and have been in active practice since 1924. And I have enjoyed every minute of it.

I have always said that it's the noblest profession going and that lawyers—I have never in my life known a lawyer that I would call a scoundrel or one that you couldn't relate to in some manner, and I feel that through the years that I've had friends in the profession. I have ruled against a number of them. Of course, we have had our differences, and we probably still do. But there's never been a harsh word or ill feeling between me and any of the many members of the Bar that have practiced before me or constituents either. And I have, as I sit here today, I don't know that I have an enemy in the world or—I have never carried or do not carry and would not carry any ill feeling or ill will towards anyone. I'm not like the old man, they asked him about whether or not he had had any enemies, and he with a smile said, "No." And [they] said, "Well, I thought you had one." And he said, "Yeah, but that rascal's dead" [laughter]. I'm not in that particular position because I've never had one that I could look and see whether or not he's passed on.

I don't want to ramble too much, and I don't want to digress too much, because I know that what I have to say would not be of benefit to too many people and probably not be interesting because my acquaintances, the source is limited because, as I've indicated, to one segment of society that I've had my closest contacts with. I have been fortunate in my political life and the various trials and tribulations connected with the political world. I did—[to Mr. Mackay] Jimmy, the first time that you introduced me, that I was a candidate for lieutenant governor. At that time I had a few friends, and they all pat me on the back, and I had a broken-down Chrysler two-door sedan at that time and two ambitious boys. We rode the state. I got a very nice vote—I carried two counties, I think—and the first name, Ernie Vandiver, was elected lieutenant governor. Ernie Vandiver is a man that, in later years, when he became governor, appointed me as chairman of the Workmen's Board—Board of Compensation. Then, at the unfortunate and untimely death of Judge Vaughn, he called me to his office

and said, "Bill Dean, I want you to be a judge of the Stone Mountain Circuit to replace Judge Vaughn." Of course, I could have never replaced him. He was a great man, as indicated by Mr. Mackay. But [to Mr. Mackay] Jim, I don't know of many people where you could have a statewide contest—he probably said things he shouldn't have—and he heaped coals of fire on their head by appointing you to the highest and best office in the state of Georgia, which I consider to be the Superior Courts of the state. I don't know of a calling that's any greater or any more satisfying than being in the legal and law work and try to help people through the years.

I was fortunate enough to have been elected to the legislature I think about probably five or six times; I can't keep up with the dates too many times. But there was one person that I remember very well in the legislature and I have known, I think, all of the members of the legislature through the years since the 1920s. There was a young man, and I believe it was about 1954 or '55 when I first met a person named Jim Mackay—[to Mr. Mackay] is that correct, sir? You sat right in front of me, [to audience] and I was impressed with his knowledge and his ability at that time. Any question that arose or came up before the assembly, why, you can be assured that Mr. Mackay was going to rise right in front of me [laughter from Mr. Mackay], and he would expound not only with interest but with knowledge of the situation before the body, and I could follow him at all times and know that I was safe and that the people were safe as long as I voted according to Jim Mackay [laughter]. I've enjoyed his friendship through the years.

I have enjoyed the friendship of those that I have served with. I have made a list—it's not complete—of the members of your county it has been my pleasure to know and to serve and work with in the General Assembly. And all are "blue hen's chickens," if you want to know the truth about it. These that I've also—I did not serve with some of them, and in particular, the first one I will call. We had, of course, our Congressional races in between when there were legislative races, and it was interesting to watch a caliber of Congressman that you elected from this district. We, of course, got

confused a little bit with the Fourth and Fifth Districts at one time; [to Mr. Mackay] and I think you helped get the matter adjusted.

But at the time—I will go back to the members of the legislature in a moment—the Congressmen that I can recall, you will note that each one of them served their apprenticeship in the Georgia legislature. And I don't know whether that's a good bit of information to let out at this time or not, because I might base my opinion on my father-in-law. He was very active in politics and served in the legislature, and he had a nephew in Congress. We visited Washington in the thirties—about '36, I think—and I told him, I said, "Mr. Cannon, I'd like to go see Congress in session." He said, "Bill, you don't want to go." And I said, "What's the matter?" And he said, "Well, you'll shut your eyes, and you'll think you were back in the Georgia legislature." He said, "You'll hear the same noise, you'll see the same tobacco-chewers, the wool-hat boys and those that murder the English language." He said, "There's not much difference between Congress and the Georgia legislature."

But the ones that we sent from this district, though, were tops, and they were above reproach. These are the people that I have known in the Congress through the years, and every one of them were a man of some substance, men that were dedicated and had the best interests of the state at heart. Congressman Leslie Steele: I'm sure you remember Congressman Steele. And Congressman Billy Howard: If you did not know Mr. Howard during his lifetime, you missed a treat. I don't know of a man that was better acquainted or knew more people, and he was a servant of the people. He served for a number of years—I believe it was around ten years—in the Congress, and also he served almost that long in the Georgia legislature before he was elected to Congress. And he was also district attorney, or solicitor general, as we called them at that time, for the Stone Mountain Circuit. And it's interesting to note two of the various generations of the same people who have been in public life and have their sons and their grandsons follow in their footsteps. And I particularly refer to Mr. Billy Howard. His son Pierre was in the legislature—I believe he was in the legislature at the time of the "two-governor session,"

and [to Mr. Mackay] that was before you were there the next session, as I recall. And then Pierre Junior is now a prominent member of the Senate, and I look for him to go places in the state, and I think he could have probably advanced himself at this time if he had a desire to, but I think his interest now is to make a good senator and continue as he is now; and I'm sure he has a bright future before him. There was one other gentleman of the Howard family—I don't know whether many of you knew him or not—and that was Schley Junior. Schley Junior was a personage in his own right, and I've never known a friendlier person or a man more willing to accommodate you at any time or in any way than Schley Junior was. Schley was assistant solicitor for the state court—I believe that that was his designation at the time. He was quite a sportsman, and any time that he could, you could find him out there in the woods rambling with his shotgun, looking for game of some description. He was quite a gunsmith. I think everyone in the county that had a pistol or gun that wouldn't work, it would wind up in Schley's workshop, as I recall. I know he fixed my old gat, and I've still got it; and [unclear whether "It hasn't been shot yet" or "I haven't been shot yet"]. [laughter]

In addition to those that we've named, Bob Ramspeck would—these gentlemen that I'm calling, they've gone to the Congress, served as members of your legislature, some in the House and some in the Senate. Of course, we have—Congressman Ramspeck stayed there I expect longer than Mr. Howard, and he was a very able Congressman. He was quiet but in his own way, but he was quite effective. He resigned in later years, I believe, and took the position of head of the Civil Service Commission or something like that. I knew him very well and associated with him and also his—what, you don't call him clerk—his assistant, Tom Camp, who worked there with him, he was his assistant there. And I think Tom was a better politician maybe than Bob, but Tom learned it the hard way. He and I were neighbors, and I used to associate with him quite often. But he was a good man, and he was thorough and a hard worker.

Then, of course, Judge Davis was an ex-Congressman; we also had Jim Mackay from the legislature, and next Mr. Levitas. Now those are the Congressmen that I have known and served in the legislature with, all except Mr. Levitas; I did not serve with him. You had a redistricting going on at the same time, [laughs] at least we had a Fourth and a Fifth District, and I think we had Congressmen from [inaudible] both districts from this county. Of course, Ben Blackburn, Charlie Weltner, Fletcher [Thompson] Thomas [sic], and I believe Andrew Young were all Congressmen, and they claimed to be from this area.

There is one other incident—I don't know whether I should mention it or not—but it was always interesting. Knowing the character—it'll stay with you, things like that, and hide in the recesses of your mind, but sometimes something will come that will bring it forth. I don't know whether you recall or not, but we had a distinguished DeKalb countian who was in both the Senate and the House for a good while; I'm speaking of the Honorable Paul Lindsey. Paul Lindsey at one time had an opponent named one Rube [Reuben] Garland in this county. They ran for the legislature—[to Mr. Mackay] or the Senate, which was it? I think it was legislature. Mr. Garland carried the majority vote. And I don't know how things are controlled or how they operate at these conventions; I've never attended many of them, because I've never had a contest. But there was a contest, and Mr. Garland lost the contest, and Mr. Lindsey went to the legislature. And Rube didn't like us people in DeKalb too much, and so he moved out at the time, and I think a little bit disappointed because he was not able to serve the county as he would like to have.

I'm afraid I'm talking too much or going too much in detail, and I'm looking for Gene Sanders to hold up his hand when he wants me to quit, because I usually use him for that purpose here.

I've been asked to speak on the "two-governor" session. That was a very interesting session. Before we get to that, first let me give you an insight on how I think the politics work. It's not always aboveboard, but they're all honorable men, and they all want to carry their point. And I've never known

any, like I say, any scandal or any crooked work or anything like that going on. But sometimes a lot of persuasion will do wonders. In 1943—and I feel I have the promise in some of these matters that if I call the names that I shouldn't that we'll delete them from the video. And so I'm to you [speaking to Mr. Mackay?], and I believe you'll do it for me on account of our past association and my friendship with your family. In 1943 the bill came before the legislature—I was in the Senate at that time—to lower the voting age. It was argued, debated back and forth, kicked back and forth. It came to a final vote before the Senate. They said the bill was lost by two votes. Of course, you know, you can always reconsider a bill the next morning; and sometimes, when a bill is that close, you can do a little missionary work and get a vote changed. I was one of the two votes that could have made the majority, and the other man was former judge Claude Pittman of Bartow County. So the governor in office—I don't know the governor; I'm sure that the governor would be above anything like I might suggest about trying to put pressure on any voters up there—he'd leave that to the lieutenants. But the governor's office, as I was told—I never got to visit it too many times--had a roll call up on his wall, and they'd go down the line and say, "We've got to take care of this bill some way or another. What votes can we change? Or how can we put pressure on them?" And the word is—so they tell me, I don't know—but said you could usually change a vote by giving a man a road for his constituents or something like that. And when the vote came around the next time, the man would be persuaded to cast his vote in the correct direction. So Judge Pittman next morning came up and they called for him. They didn't come for me. [inaudible] known that I was stubborn; and when I made my mind up, it was rather difficult to change, and I probably didn't need a road or anything like that at that time. So I never will forget, I got a call that said, "Bill," said, "I'm going to vote for the bill this time." As you recall, the bill came up and passed. I happened to be in the legislature with Judge Pittman in 1949, six years later; and he told me, said, "Bill," said, "I voted like I was supposed to. I sold my birthright for a mess of pottage, and I haven't gotten my road yet" [laughter]. That's just to illustrate in some small way as to how they tell me things were done.

Probably Mr. Mackay could tell you better than I do. But anyway, I enjoyed the association there during both terms that I was in the Senate there. [To Mr. Mackay] Should we go into the 1947 session, Jimmy, or do you expect that the people here are more conversant with it--?

MR. MACKAY: No, I think that we would all like to hear the view when you were presiding in the Senate, unquestionably was the most dramatic political event of the century and almost without precedent. When I hung out my shingle in '47, there were two governors, two grand juries, and two Leagues of Women Voters out here, and all of them were litigating. But I would like—I think all of us remember those stories in the press. But what was your feeling down there? Because people were saying that it was getting like Latin America.

JUDGE DEAN: Well, I don't know—[glances at watch]

MR. MACKAY: You're right on time—go right ahead.

JUDGE DEAN: Someone must have run my watch up, because I haven't talked that long [laughter]. That was an interesting period of history. In nineteen hundred and—I may be hazy in some respects, but I have lived it and relived it and read of it and discussed it and all, and it was quite interesting. And I'll say for both the Senate and the House that they had men of some substance. We had mighty good leaders on both factions, if you want to call it factions. But Governor Gene Talmadge was nominated for reelection, and he was on his deathbed in the fall of 1946. He died in December of '46. I do not recall the exact time, but prior to the election; it became nosed around or whispered around, by the grapevine over the state that he could not last and that whoever had the majority vote next to him would be the governor. M. E. Thompson at the time was a lieutenant governor, the first lieutenant governor nominee for the state; I won't say the person, because a good many years—I think about twenty years—prior thereto Delacey [spelling?] Allen had been elected, but the general election turned him down. He was elected in the primary. But anyway, the powers that be, the legal lights and all, indicated that if Talmadge were not alive, the election would be thrown into the House of

Representatives for vote by both parties in the Senate and the House. So there was a campaign on to get voters to mark the ballots prior to the general election and write in the names, and the two top ones, you recall, were Jimmy Carmichael and Herman Talmadge.

There's some good stories that came out of that election after it was all over, but I've always enjoyed this little one. The story that I'm giving you has no bearing on the outcome, but they say that there were people out trying to get votes, and they visited a cemetery. There were complaints and contention that some of the dead people had voted. And they said that they were canvassing this particular cemetery and the names on the tombstones and so forth, and the leader hollered to someone who was in the corner of the cemetery, said, "Come on, let's go. We've got enough votes." And said this other man hollered back, said, "Well, there's one man back here." Said, "Let's vote him anyway. He's entitled to vote like the rest of us, and we don't want to miss anyone." [laughter] I've always enjoyed that little joke.

But be that as it may, I was elected as the president of the Senate. Mr. Thompson never did take the oath of office. But prior to the meeting of the General Assembly, we had a session called to determine the governor—who would be the governor—for the election of the governor. It started around ten o'clock, I believe, the morning of January 13, 1947. We stayed in session from ten o'clock that morning until three o'clock the morning of the 14<sup>th</sup>. Of course, there were speeches, consults galore—everybody wanted to get his say-so on, motions to be heard, motions to adjourn right often—which are good at any time you have [inaudible—to vote on?]. And the longer we stayed, the more some of the—I won't say the members, but some of the onlookers—would imbibe a little bit on the "corn juice," and the crowd got rather boisterous, and there was a lot of noise, and it was difficult to control the House because there was so much noise going on. And it was like a bitterness that pervaded the atmosphere; it was so thick you could almost cut it with a knife. They had Jimmy Carmichael in a car, riding him around. He wanted to withdraw. This is some scuttlebutt, to a certain extent, hearsay,



as far as I'm concerned, but I would get the various messages from the various emissaries where I would stand at the speaker's stand. But they prevailed that Jimmy would make a statement and came out that he would take the place if he was named by the House. The votes were canvassed there, and I don't know the exact tally, but they were read, and they were canvassed in the presence of all of the House, because, I think one—if you want to call them—side, but, as I say, one side of the issue or other does place them in that category, was more or less concerned with the correctness of the votes, and they were scrutinized very closely. As it developed, we tried to adjourn there, being we thought to have a calm atmosphere the next day to vote, but we could not get a vote sufficient to adjourn. The vote finally came; I put the final question to it—on the resolution—it was to name Talmadge as the governor-elect. After a roll call—and I don't think [to Mr. Mackay], Jimmy, that you've ever attended a session where the doorkeeper had to attend a member of the legislature to vouch for his identity before we could count his vote. We had to be sure that there'd be no ringers. And the vote there, that night—the final tally—was a hundred twenty-six to a hundred twenty-four; one vote different, and it could have been some close counties [?]. The vote would have been tied. And if it had been, Herbert Jenkins told me later, said, "Bill Dean, you'd have had to go out the back window" if I had cast the vote breaking the tie, which I would have done it for the lieutenant governor. I thought by law that the lieutenant governor should have had it. But anyway, Governor Talmadge was elected at that time, and he was sworn in by Judge Worrell [spelling?], who's known all over South Georgia, he's quite active. He's controversial to some extent. He's a man that prevailed over his court for—I believe he enforces complete order, [to Mr. Mackay] does he not, with [inaudible] his pistol lying on the bench. I haven't had to use that—or anything like that—even in the stress [distress? the threats?] in my experience on the bench. But anyway, Judge Worrell [spelling?] came up, and there was such a crowd on the stand and around the stand that the president of the Senate at that time could not get to his gavel to rap for order, and you could imagine what was going on when they brought a candidate that had just [been?] elected the

governor. One of our friends, a very good friend of ours, and very, very enthusiastic, and he was imbued with the righteousness of his cause, hollered out where call of us could hear him, said, "Tell old so-and-so to take his hat off before he swears Herman." And I trust that that statement did not get on the video--the radio that night. But anyway, after he was sworn in, and, of course, as you know the history of it: he did serve, I think it was forty-something days. In March the Supreme Court, by a five-to-two decision, declared M. E. Thompson be denominated.

Now, Jimmy and friends, I'm sorry that I've taken so long because I've indicated, Jimmy, that I did not want them to let me run over thirty minutes. And I apologize for rambling as I have. As I've stated, for twenty-three years that I have been here—on the twenty-third year in this courthouse and the courthouse adjoining—I've met a lot of people, I expect I've signed my name a good many times, I've passed on a lot of issues, and to me it's gratifying that I have been accepted. And the friendship that you have extended to me and have shown me and the wonts [sic] of your love [Here Judge Dean is visibly moved, almost to tears.] will always be with me.

MR. MACKAY: Thank you very much, Judge. [Audience applause]

JUDGE DEAN (now composed): Jimmy, you indicated that you might have a question or two, I—

MR. MACKAY: No, I had to keep you going. I didn't think I'd have any trouble, but I was prepared to ask you some questions. I would like to invite anyone here that has a question that they'd like to ask Judge Dean about anything that he's spoken about. I'm always fascinated by Mr. William Schley Howard, Sr. He seems to be sort of the standout of the personalities that have been around the courts in various capacities, and Judge Almand told us some anecdotes about Mr. Howard. Just wondered if you have any Schley Howard anecdotes to tell us.

JUDGE DEAN: I have two, but I doubt that they're [pauses; audience laughter]. I might—now, this one, I think it happened to all of us. At one time, Mr. Billy liked to take a little dram with the country boys, and he knew them all and could call them all by their first name. And in later years, as we

all do, we see the error of our ways, and we try to correct it and teach our juniors to walk in a straight-and-narrow. So he took a very strong Prohibitionist stand in the Atlanta days, and he didn't mind calling the town drunks and anyone else that he had known through the years and give them a lecture. And so one fellow, I never will forget him, he says, "Oh, Uncle Billy," says, "the trouble is with you," said, "you done changed so you're just a damn gastronomic Prohibitionist." [laughter] I think that's the only one that I could very well tell at this session [inaudible].

MR. MACKAY: What about other lawyers? Do any of them stand out even in the twenty-three—I mean your service here on this bench? You never had any trouble with Rube Garland. Judge Hubert said that he never had any trouble with Rube Garland. Did you ever have any difficulty with him?

JUDGE DEAN: No, Reuben was smart. He was a good lawyer. And Reuben in his latter days, he was not as effective as he was. But he was quite a character, and I knew him. All of them—every one were different in some manner. Those I knew out here, well, I think I could probably make a fast feast of most of them, but they were all, as I said, gentlemanly in every respect.

We had one particular person that I've always loved through the years—and those of you that did not know Bob Broome's daddy missed a treat. He was quite a character. He never missed an opportunity to shake hands. Everyone that he would see or go across the street, why, he'd have to shake their hand. You couldn't beat him politically. He was a member of the legislature, very effective, and also the sheriff, as you know, out here. The story was told that he was coming across the courthouse lawn one day, and he ran into a lady and stopped and said, "Lady I want to shake hands with you. My name is W. Broome." And it happened to be Mrs. Broome, and she just said, "I'm happy to know you, but," said, "I don't think my husband will sleep in my room with me tonight." [laughter] I've always enjoyed that story. He was so intent on getting all the votes he could that he did not hesitate to call for his wife's assistance.

You have one—I know I’m taking too long. My time is limited also. But you have one family here—and I know, through the years, that you’ve had the best people here, to give you lectures on the past [inaudible] talk. I’ve never heard too much publicity given for the clerk’s office, [to MR. ROBERTSON] Andy, for the Clerk of the Superior Court office of this county. It was known all over the state as a model of efficiency. It was operated by a family for three generations, and it is one of the most, if not the most, important office outside of the judgeship in the county. That’s where your property rights are determined, that is, by the recording, and if they’re not recorded, you could lose your home. Your criminal record is there, your divorce record is there, and you have to be an efficient person to keep the records straight; and if they’re not, you can run into all manner of trouble. But through the years I have known the clerks as of the past to date, and I want to mention the three that—the three generations. Mr. Ben Burgess—who was not Ben, Sr., but Mr. Ben Burgess—was the first one that—I think he was in the early—it was prior to 1920. I did have the date, but not exactly. But he was a clerk of the court, and in his office force were two young men: “Little Ben,” as we called him, and Theron. Mr. Ben Burgess died, and he had one of the best, most efficient clerk’s office that I’ve ever visited. Everything was at your fingertips. Your clerks would accommodate you and wait on you. It’s just beyond belief that they’d give you such service.

Well, after he died, Theron—pardon me--“Little Ben” took over in 1935, I believe it was. He kept the place for thirty-five years. He died in 1970. And his office was a model of efficiency. All the state would recognize it as such, and it was mentioned at the various seminars what a delightful occasion it was to visit the office of the Burgesses. Then Theron took over after “Little Ben” passed on in 1970 and maintained the office for six years. And the third generation there, I don’t know whether it can be met anywhere in the state, particularly with the efficiency that they had and that they left, and they left to the present clerks a way of keeping the books and all that’s beyond belief. And I want all of

you to remember, to recall, when you do, when you're mentioning the people of this county that have contributed so much to its welfare, that no one has done more than the Burgess family.

And I know that you have had the powers that be, you've had the people who are responsible for the county being in the position it is. There's one or two that I'm a little bit prejudiced for. And I want to mention Walter McCurdy, Jr.; I know what a stalwart he is, how he's worked with you [Mr. Mackay] and this organization [the Bar Association and/or the DeKalb Historical Society?]. I can see him now, when he first came here to practice law. I think he wore out this pavement around here, soliciting funds not only for Callanwolde but for the Swanton House. And I was in on it to a certain extent, and Lucille, while she was able to go; she was very much interested in the Swanton House. The Swanton House owed part of its condition and the standing it has now to the work of that certain lady. And there are those of you, I'm sure, that know better than I do what has passed—in the future—in the past—relative to their work. But Mrs. Douglas McCurdy headed the committee. She was assisted by Mrs. Frank Guess, Mrs. Walter McCurdy, Sr., and Lucille and I to chauffeur us for a time. But they carried on the work day after day and month after month as long as they were able to go, until the Swanton House was completed, and it reached the stage that it has. And I was glad to have a little part that I could be chauffeur for those kind ladies who worked so [inaudible], and I don't know of anyone who could have worked any harder than Walter Jr. to seek funds. And he knew where they were, of course; and I think he had a mighty delicate job, having the [inaudible] work that he did in putting Callanwolde where it is today.

MR. MACKAY: Well, that's a very fine tribute. And I think on that note, we will adjourn, and we have refreshments, thanks to Mrs. Sunbrook [spelling?], we want to thank her.

From the audience, presumably MRS. SUNBROOK [spelling?]: And Velva Cleveland—

MR. MACKAY: And Velva Cleveland.

MRS. SUNBROOK [spelling?]: --beautiful food [inaudible].

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ANDREW ROBERTSON (from audience): Let me make one comment about his remarks about the Burgess family—that's my mother's people, my middle name is Burgess. And I will say that Uncle Ben succeeded *his* father. My great-grandfather said after he came back from the Civil War, "There ought to be an easier way to make a living than plowing." And somebody said, "How about public office?" [laughter] And that set him off. And in those days it was a fee job, you know. And it was a pretty good job. So there was my great-grandfather and his son, Uncle Ben, and his nephew, Little Ben, and Little Ben's brother, Theron, and finally it ran out.

JUDGE DEAN: Well, thank you, Andy. [Applause]

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