
Trailblazers of the Mississippi Legal Frontier

Jesse Boyce Holleman Gulfport, MS



"it is those things you don't get paid for that I look back on with a great deal of satisfaction"

After hearing the story of Boyce Holleman's life, it is hard to describe him. Try for starters a war hero, a legislator at the age of 23 before attending law school, a man who tried his first case while a freshman law student, a district attorney who took on the Dixie Mafia and corrupt politicians on the Mississippi Gulf Coast and endured death threats and an attempt on his life, an outstanding trial lawyer, a president of The Mississippi Bar, a master bridge player, and an actor who has appeared on stage and television and in movies. Without a doubt he has been a man ahead of his time.

Boyce was born in 1924 in Fruitland Park, in Stone County, Mississippi, about three and a half miles north of Wiggins, into a family which made its living in the timber business and later in construction. His father was always interested in politics, and Boyce grew up listening to political speeches of Theodore Bilbo and Mike Conner. Boyce's mother was a stenographer and would often record and transcribe Bilbo's speeches. Boyce's father, who tended to imbibe from the bottle, encouraged him to be more like Governor Conner, who was a teetotaler.

At an early age, Mike Conner became Boyce's idol. Even today the hero worship remains, as in Boyce's estimation, Mike Conner saved the State of Mississippi when he assumed the office of governor in 1932. At that time, with only \$13.50 in the State's treasury, neither teachers nor anyone else could get paid. Governor Conner instituted the sales tax, a radical idea in Mississippi for which he was almost hung in effigy. Although he saved the state, its voters would not re-elect him, and he became a one-term governor. Perhaps it was Mike Conner who first taught Boyce about the price one may have to pay for one's convictions.

Boyce attended Perkinston Junior College and then spent a year at Ole Miss. At the age of 18, he left school to enlist in the Navy and join World War II. He passed all tests except for his dental exam which failure only temporarily stymied his military career. If his uncle had not loaned him \$10.00 for dental work (\$.50 for big fillings and \$.25 for smaller fillings), the Navy would have rejected him.

Boyce became a naval torpedo bomber pilot and, while on a bombing run in the harbor of Saipan supporting the Marines, he was shot down, landing between Japan-

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ese on an island 150 yards away and American ships. Boyce was the only survivor on the aircraft. Not knowing if he would be beheaded by the Japanese or rescued by Americans, he waited in the late afternoon on top of his plane, which rested on a reef in the water. Fortunately, American soldiers reached him first. After 36 surgeries and 15 months of recovery from severe burns to his hands and face, he was eager to return to active duty. Although his superiors urged him to quit the war and return home, he returned to flying instead, having to undergo training again himself at Corpus Christi and later staying on the staff as an instructor. But the war ended before he could engage in combat again. His last flying student was John Grower who became a well-known attorney in Jackson.

After the war, he returned to Ole Miss as an undergraduate on the G.I. bill, earning a degree in physics and astronomy. At the age of 23 and before entering law school, he was elected to the Mississippi Legislature. At that time, a total of 32 legislators were also Ole Miss law students. Under these circumstances it was the law professors who routinely asked their students what laws they had recently passed.

What a debt we owe to these post-war legislators. They passed the Workmen's Compensation law (now called Worker's Compensation) and, overcoming opposition, created the medical school in Jackson.

As a man ahead of his time, Boyce unsuccessfully introduced a bill to move the law school from Oxford to the Old Capitol building in Jackson. An architect had estimated it would only cost \$250,000.00 to renovate the Old Capitol for use as the main campus building. Had Boyce's bill been enacted into law, Mississippi College School of Law would likely not exist today.

Boyce also opposed constructing stadiums at the colleges. Boyce advised the legislature he was going to school at Ole Miss in army barracks and could not understand building stadiums when students lacked adequate facilities. With Boyce's voice, the bill was defeated. However, a couple of years later the bill was revived and passed.

While serving as a legislator, Boyce found that he was often branded as a liberal. For example, he vigorously opposed

a constitutional amendment to allow circuit clerks to pass on the moral character of voter registrants. Boyce knew a lot of circuit clerks, and, in his opinion, the ones he knew should not be passing on a person's moral character. Although it passed the legislature, the voters of Mississippi agreed with Boyce and did not endorse it at the ballot box. It failed 2 to 1.

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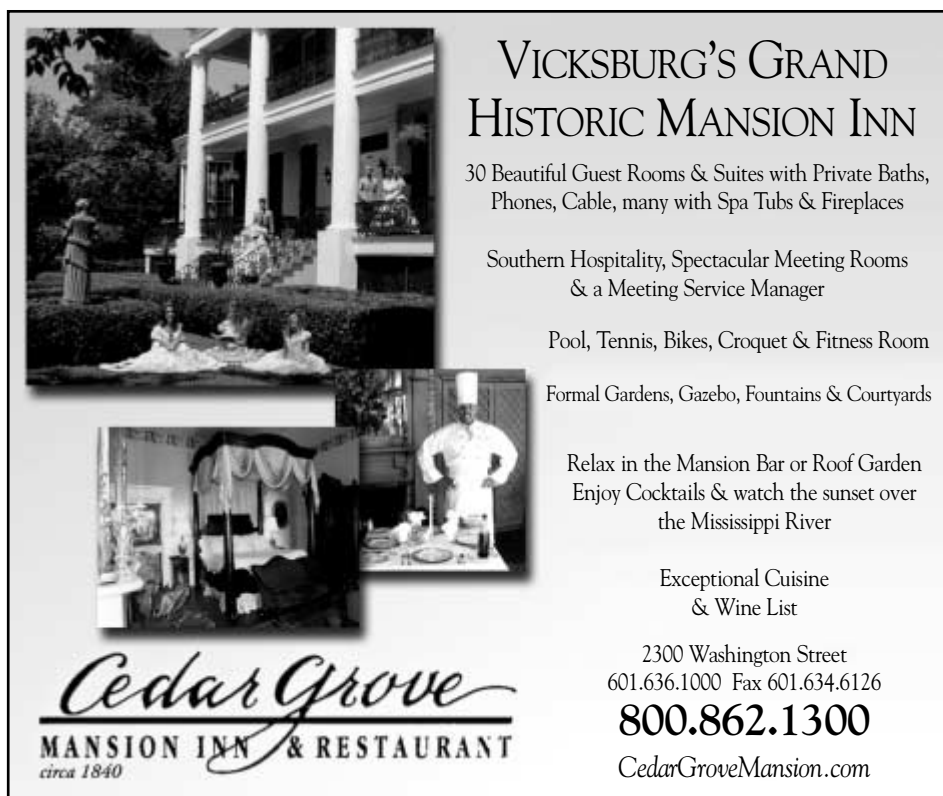
Contributing to his reputation as a liberal was his unsuccessful support of an attempt to create a university system in the state that probably would have averted the *Ayers* lawsuit. Under the plan one might receive a degree, for

example, from the Jackson State University/University of Mississippi division. Another progressive stance that Boyce and other veterans took was legalizing liquor, but their efforts failed by two votes.

Not known for doing things in the normal order, while a first year law student, Boyce tried his first case which was highly publicized with coverage by two Memphis newspapers. He filed the lawsuit in justice court to recover damages for the death of his little Scottie dog named Shorty which was run over and killed by an errant taxi cab driver on the streets of Oxford in front of the veterans' housing. In preparation for the trial, Boyce and his fellow law students researched every known "dog" case, and Boyce was ready for his adversary, Bramlette Roberts, a local lawyer and trial practice instructor at the law school. Halfway through the case, the judge, seeing tears in the jurors' eyes and knowing the case was going in Boyce's favor, granted Bramlette's motion for a mistrial.

After graduation, Boyce returned to the Gulf Coast. He recalls that he had wanted to be a district attorney at least from the time he was thirteen or fourteen years old, since watching a seasoned

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district attorney in the courtroom in Wiggins. In 1953, he was appointed District Attorney of five counties and served in that position for 19 years.

At that time, the district attorney's office only paid \$500.00 a month with no secretary or office expenses provided. In spite of the small salary, as a part-time position, the officeholder could maintain a private law practice on the side which helped in building a client base.

As Boyce says, "The power to prosecute is the power to destroy," and the district attorney's office is a very powerful position. Boyce reminds us that a district attorney can do a lot of good and can hurt a lot of people if he is not careful. Because once charges are filed against an accused, people always remember it whether a good lawyer gets the accused off or not.

Boyce soon found the public officials and politicians on the Coast overwhelmingly corrupt – gambling and liquor were illegal but were everywhere, the sheriff was crooked, the juries were fixed by

the big criminal lawyers, ballot boxes were stuffed with ballots cast by deceased voters or were thrown in the river when the political bosses did not want them counted. Boyce and County Attorney, Gaston Hewes, took on the fight to rid the Coast of corruption.

It was a serious battle. To overcome corrupt voting practices and be elected to a second term, Boyce had to file a lawsuit to contest his first re-election results. Justice prevailed and Boyce was declared the winner.

Together, he and Gaston endured death threats, the Dixie Mafia, and governors commuting sentences of and giving pardons to the criminals they convicted. Boyce even lost his plane in 1963 in an explosion of ten sticks of dynamite placed under the pilot's seat that were intended for him. No one was ever caught, but Boyce always suspected the Dixie Mafia.

The ongoing challenge of cleaning up the Coast was never more prominent than in the case of a handsome Montana rodeo star by the name of Dale "Cowboy" Morris. It occupied three to four years of Boyce's career. Morris was charged with murdering Bay St. Louis resident Charles Flink in the middle of the night when Flink went outside to investigate a strange noise. The noise was Cowboy Morris attempting to steal tires from Flink's car. The physical evidence against Morris was overwhelming, and the trial in Hancock County received a lot of press. Law enforcement from the Mississippi Gulf Coast and New Orleans, where Morris had been arrested, were involved.

Although Cowboy Morris was a cold-blooded killer, he was particularly handsome, and women swooned for him. They even sent gifts for him to the jail, and crooked jailors allowed women into the jail to visit him.

Morris proved to be either more charming than anticipated, or the jury possibly more susceptible to tampering, but at any rate, the jury was unable to reach a verdict a total of three times. The local female newspaper editor was quite fond of Morris and wrote flattering articles about him. Her newspaper was particularly critical of Boyce, especially when he announced he would try Morris after the third mistrial.

In spite of his opposition in the newspaper and in some parts of the citizenry, Boyce was determined to keep Morris in jail and opposed his bond. It was appealed to the Mississippi Supreme Court, and the Court upheld the denial of bond. Fearful that his luck had run out, Morris escaped from jail but was captured about two months later in Long Beach, California. Boyce's view of Morris' threat to society was vindicated. When Morris was returned to Mississippi, he pled guilty and requested a private meeting with Boyce.

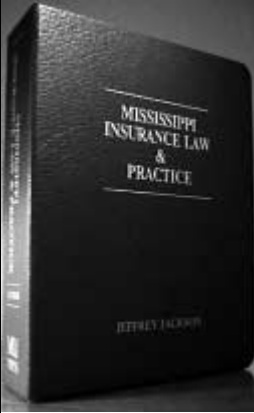
Through the cell bars, Morris told Boyce, "I know you think that I should get the death penalty." Boyce replied, "Morris, I have tried as hard as I can to put you in the gas chamber, and, if I had one vote that I could cast that would put you there I would do it because you killed a very fine man in his own home on Thanksgiving eve. Absolute murder." Morris retorted, "I know I would have gotten it anywhere except Hancock or maybe Harrison County." Boyce wished he could have played Morris' speech on all the radio stations in Hancock County.

After his capture, Morris revealed that his escape had been set up by Aden Bellew, whom Boyce had tried for murder prior to Morris' escape. The first trial of Bellew ended in a mistrial with an eleven to one verdict for murder, and Boyce continued holding him in jail for a new trial. Aden Bellew and his nephew had also been charged with assault and robbery of a game warden. Bellew knew he had to kill Boyce to be free, so he put Morris up to it. Bellew set up Morris' escape and gave him a map and the .45 automatic that Aden's nephew had taken from the game warden. Bellew planned for Morris to murder Boyce and Gaston.

Morris' revelations resulted in new indictments against Aden Bellew for breaking Morris out of jail and the attempted assassination of the district attorney and the county attorney, adding to Bellew's pending charge of murder. Morris agreed to testify against Bellew on the new charges.

Boyce brought Bellew to trial for the second time on the murder charge. At the urging of Bellew's defense attorneys, the judge announced he was going to reduce the charge of murder to manslaughter and allow Bellew to take

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a plea for a lesser sentence. Boyce vigorously opposed this action and presented law which convinced the judge that only the prosecutor and not the judge had authority to reduce the charges. With the authority issue settled, the jury was placed in the box. Fearful that Boyce was going for the death penalty, the defense attorneys finally agreed to a plea bargain which was acceptable to Boyce, and Bellew received a sentence of 35 years.

The turning of the tide in the corruption on the Coast probably began with the Jack Morris case involving an airman at Keesler who had brutally assaulted and attempted to rape a woman on the beach. Doubting that they could get a felony conviction on the assault with intent to rape, Boyce and Gaston included a constituent offense of simple assault and battery. However, the jury surprised them and convicted him of a felony and sentenced the defendant to three years in the penitentiary. Governor White suspended the sentence, much to the consternation of Boyce and Gaston.

Boyce and Gaston later attended an Ole Miss alumni banquet and spied their convicted felon in a tuxedo about to be introduced as a new Rebel football player. Because Boyce and Gaston were in attendance, he was skipped over and not introduced. Afterwards, Boyce told Johnny Vaught, the Ole Miss Rebels football coach, that he had a prisoner in the D'Iberville jail who had killed two men with his bare hands. He suggested that Vaught put this killer on the front line to make a hole for the rapist to run through for a touchdown. Coach Vaught said he did not want Morris to play at Ole Miss and that Boyce and Gaston should contact the Chancellor who had been in contact with the Governor. The next day a letter was written directly to Chancellor Williams, and Morris did not play for the Rebels. Three years later, Boyce watched Jack Morris on television kick the winning field goal in the Rose Bowl for Oregon State.

Boyce believes this case helped to turn the tide because the public realized the governor was overturning a jury verdict that their fellow citizens had decided. The publicity of the case started to turn the citizenry against public officials who set convicted criminals free.

After many years as District Attorney, Boyce returned to private law practice. He recalls one of his most notable clients being John Connerly, the former governor of Texas. However, even with a busy law practice, Boyce found time in 1969 and 1970 to serve his fellow attorneys as President of The Mississippi Bar. In spite of his high profile and headliner cases, Boyce remembers that it is those things in law practice you don't get paid for or don't get paid much for that he looks back on with a great deal of satisfaction.

Not only does the video highlight the more serious times in Boyce's career but it also provides entertainment, as Boyce delights the viewer with true stories from his legal career. One of the

Gaston came in and announced to Boyce, "The safe is locked and we can't get the evidence out. We're going to have to do something here." Boyce had the solution and said, "I know what we will do. Send over there to the jail and get so-and-so." Well, so-and-so was a safecracker and had the safe open in five minutes, and the trial went right on.

most hilarious stories is about a rather large woman with "a rather large derriere" who attended the Cowboy Morris trial in the packed Hancock County Courtroom. This lady left the courtroom during a supper break and, returning late, she saw she would not be able to get through the crowd and back into the courtroom to keep her seat. To avoid the crowd, she went onto the roof and tried to climb through the ladies' bathroom window. In doing so, her "rather large derriere" became stuck in the window. When rescuers came to her aid, they began to push her out since it was easier than pulling her in, somewhat like getting a cork out of a bottle. Wanting not to lose her seat in the courtroom, she shouted, "Don't push me out, pull me in, pull me in. I don't want to miss the trial." Then there was the time Boyce convicted a woman in justice court and

she appealed to county court. On appeal, she testified to just the opposite of her testimony in justice court. Boyce asked her, "Do you remember when we tried this case down in Judge Rhodes' court about three months ago?" She responded, "Why, certainly." Boyce continued, "Didn't you testify to just the opposite than what you told this jury?" She replied, "Why certainly I did Mr. Holleman. I got convicted down there. I hope you don't think I'm going to say the same thing on appeal."

Some of the funniest true stories are those about Governor Ross Barnett. Boyce recalls a man came to Ross and said, "Governor, I've got a man in the penitentiary who has \$25,000.00." The Governor replied, "A man with \$25,000.00 doesn't belong in the penitentiary." Boyce says he was not there long either. And then there is the quip attributed to Governor Barnett who said, "If you can't trust a trustee, who can you trust?" The real irony is that he said this about Cowboy Morris whom the governor had sent to pick up a horse.

Boyce passes along good advice he still remembers from an old lawyer who spoke to the freshmen at Ole Miss fifty-one years ago. He admonished, "Gentlemen, always remember that when it comes down to a choice between whether you or your client is going to the penitentiary, be damn sure your client goes."

He recalls for the viewer a funny incident that happened before a criminal trial. There was a big evidence safe in the circuit clerk's office, and the circuit clerk who knew the combination was out of town. Gaston came in and announced to Boyce, "The safe is locked and we can't get the evidence out. We're going to have to do something here." Boyce had the solution and said, "I know what we will do. Send over there to the jail and get so-and-so." Well, so-and-so was a safecracker and had the safe open in five minutes, and the trial went right on.

Then there was the time Boyce's brother-in-law Joe Pigott, who was also a district attorney, heard about a ruckus in Walthall County, one of the counties under his jurisdiction. Joe drove over to the courthouse to see the sheriff. Joe walked in and asked the sheriff, "What

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happened, Sheriff?" The sheriff said, "Joe, you want facts or testimony?"

For Boyce, all of the world is a stage. Always in love with the theater, Boyce acted in numerous plays at Center Stage in Gulfport and elsewhere. He has appeared in "Cat on a Hot Tin Roof," "Camelot," "Inherit the Wind," "All the King's Men," "You Can't Take It with You," and many others. Boyce also performed the one-man "Clarence Darrow Show," which is a phenomenal feat of both memory and acting. He appeared several times with Carroll O'Connor in "In the Heat of the Night" and in such movies as "A Simple Twist of Fate" with Steve Martin, "Kingfish" with John Goodman, "The Secret Passion of Robert Clayton" and Eudora Welty's "The Ponder Heart" with Peter MacNicol.

Boyce is a master bridge player, having played with Oswald Jacoby, Jim Jacoby and such celebrities as Omar Sharif. He has attained the Gold Life Master level in bridge playing.

In Boyce's opinion, the legal profession is the noblest profession of them all. After 51 years of practicing law, he opines, "There is more good that can be done, and more people can be helped, more sorrow can be laid to one side, more wounds can be healed by the legal profession than the medical profession. I mean we deal day in and day out with problems that sometimes seem to be so big to that person, and maybe the lawyer can just write a letter or pick up the telephone and give them relief... Lawyers in the community are very important." To Boyce, anyone is privileged to be in the legal profession.

This video was produced and directed by Cynthia Speetjens and Gerald Cruthird. It was filmed in Boyce Holleman's office and home and at Center Stage in Gulfport.

Cynthia Speetjens, the daughter of Gaston Hewes, who grew up watching and admiring Boyce Holleman and living through some of the history Boyce recalls, does a superb job of interviewing, providing stirring voiceovers and editing. The viewer sensed that for Cynthia the production of this video was a pure labor of love and admiration for this man. The viewer hates for this marvelous video to end. Boyce is so entertaining that a sequel should be done. ■

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