

Excerpts from  
Original Transcript of  
Interview with Irving Engel  
By Charles Morgan, Jr.  
1970

C: = Charles Morgan

E: = Irving Engel

E: My name is Irving M. Engel. I was born in Birmingham, and was reared in Alabama and practiced law in Birmingham from 1913 to 1924, except for a period of <sup>Some</sup> 26 months during World War I when I was in the Army.

M: That's great. And you left Birmingham in 1924 and why.

E: Well, I had volunteered for the Armed Service because I honestly felt that we were fighting a war to save the world for democracy. And I got back to Birmingham and some of my comrades in arms could hardly wait to take off their uniforms in order to put on the sheet and the hood of the Klan. The city, the county, and the state just yielded to complete Klan control without a struggle. I was never affected personally or threatened in any way but I was just unhappy in being in such a community. And about that time I got an opportunity to join a firm in New York and decided to take it.

C: You told me that a fellow came to you and told you that you were not the kind of Jew that they were after.

E: Yes, Jim Merrill, m-e-double r-i-double l, had been clerk of the Circuit Court in Jefferson County for some time. I had know him as a boy and he came to me persumably as a representative of the Klan and urged me not to leave. He said, "You are not the kind

E: (continued) of Jew we are after."

M: My father-in-law--do you have any coffee.

E: Oh, I was going to ask you, yeah.  
.....

M: My father-in-law came to Birmingham I think when he was 13 years old, about 1913, he was Catholic. He gave up the church in order to get a job. Walked around the streets in paper shoes and finally got a job and went to work at Armstrong Smith Company. Was it as hard on Catholics as it was on Jews in Birmingham then.

E: Most of them. It was very interesting, in those days the Klan supposedly was anti-Catholic, anti-Negro and anti-Jew. But they had an attitude toward the Negro and the Jew more of contempt than otherwise, but against the Catholic there was fear and hatred that I saw as a result of 300 years of religious warfare.

And there are many instances to demonstrate that. One was the Father Coyle case where this man who was <sup>had been</sup> ordained as a minister of some Protestant denomination. He had no church, no congregation.

M: Is that C-o-y-l-e?

E: C-o-y-l-e. And he rented a house near the courthouse. He spent his entire time in the office of the Clerk of the Probate Court who issued marriage licenses. And any couple who came in he went up volunteered to marry them. And he didn't ask what their religion was or any of that sort of thing. If they had the five dollars or

E: (continued) whatever he charged, he would marry them. And I know this because I went with my sister and her finance to get her license. This man came up and offered to marry them. Well, it happened that his daughter fell in love with a Puerto Rican. And one day while he was at lunch they went to the Probate Clerk, <sup>took out</sup> and got a license. The girl was <sup>of</sup> white Catholic--the girl was Protestant, the man was Catholic, so they went next door. The Catholic church occupied half of that block and the courthouse and jail the other half. And presented themselves with the license to the Catholic priest, it was Father Coyle. And he married them. The father of the girl came back and some time in the late afternoon his attention was called to this license and by that time I think the certificate had been filed showing they had been married by Father Coyle. So he went home and got a .45 pistol, walked around the block two or three times to get up his nerve. Father Coyle was sitting in a hammock reading the paper of course unarmed. And finally this man walked up the steps and shot Father Coyle dead. He walked over to the courthouse, surrendered himself. He was treated as a hero. The Grand Jury indicted him for second-degree murder. When the trial came up the Solicitor assigned his youngest assistant to the case. He was given a perfunctory trial and triumphantly acquitted. Went

E: (Continued) back to marrying couples in the Probate Court. The other instance, Chancellor Benners, he was chancellor of the equity side of the Court, had been there for some thirty years.

You know the Benners family, one of the leading families in

Alabama. He had a fine reputation as a judge and as a man.

He had a clerk who was a Protestant who had married a Catholic girl. And the Klansmen went to him and said to him, "Either

you discharge this clerk or we are going to run somebody against you. He refused to discharge him, they ran somebody against him, and Benners was thrown out after some <sup>distinguished</sup> thirty years of service.

Just to give you some idea of the feeling, as I say, the brunt

of it was directed against the Catholics and all of this reached its height in 1928 when Al Smith ran for the Presidency.

M: You were president of the American Jewish Committee <sup>when</sup> Plan.

E: Yes, from '54 to '59.

M: And where did you grow up?

E: Well, I was born in Birmingham, but when I was about three we moved to Blossberg, Alabama. That's <sup>where</sup> my brother Bill was born. I'm sorry. We moved to Cottondale, Alabama where Bill

was...

M: That's out of Tuscaloosa.

E: Yes. And then after a year or two, my father had a little store

E: (Continued) there. And the town depended largely on the cotton mill business and one like that burned down. One of my earliest recollections is that fire. And then we moved to Blossberg,

Alabama.

M: Where is Blossberg?

E: It's about 18 miles northwest of Birmingham, between Birmingham and Jasper.

M: Is it in <sup>Waver</sup>Walton County or Jefferson?

E: And it's in Jefferson. And we lived there from the time I was about four until I was 11 or 12. I went to school in a one-room school house and learned to read out of a McGuffey reader and then we moved to Birmingham and I finished my elementary school and I went to high school there. And then I went to work for a couple of years and then went the law school and when I finished I came back to Birmingham to practice.

M: And that was 1910 that you were admitted to the bar.

E: That's right. Before I went to law school.

M: Before you went to law school, right.

E: I had studied law while I was working in this office.

M: And Mr. Justice Black got there in 1908 I think.

E: Well, I don't remember. He was there during this period when

I was there.

M: Do you remember when you first met him?

E: No.

M: That's always a bad question for me. Sometimes people say,

"Where did you first meet Martin King?" And I cannot conceivably think of when I first met Martin King.

E: Right. But I identically see both before the war I was with

(2)

this firm of Stokely, Scribener, and Dominick, the representatives of Southern Railway, Southern Bell Telephone, and a number of liability insurance companies. And we did a lot of defense of negligence cases.

M: And he was on the other side.

E: He was on the other side. And I remember being in cases opposed to him.

M: What kind of lawyer was he?

E: Oh, an excellent lawyer. He was one of the top trial lawyers in Alabama and you've seen that article I did for NATION. The press up here said he was <sup>only a</sup> ~~the~~ police court lawyer which of course was untrue. He had one of the largest practices in Alabama.

M: Was Fornie Johnson a big opponent of his? I've heard that he was a major opponent and didn't like him.

E: Well Fornie Johnson's firm also represented corporations and I'm sure they were on opposite sides of litigation