

FIVE DOLLARS A MINUTE.

Hoo Sue and Yang Kay Object to Paying So High a Rate.

A case of considerable interest was tried in the Municipal Court of Appeals yesterday morning. D. W. Douthitt, an attorney, was the plaintiff and Hoo Sue and Yang Kay the defendants. The suit was brought to recover a fee of \$250 alleged to be due for legal services rendered by the plaintiff in the month of August, 1877. The testimony in the case is remarkably conflicting, but the general facts, as gleaned from the evidence, are substantially as follows: At the above-mentioned date D. W. Douthitt and F. A. Bee occupied an office together at No. 330 Pine street, and through the influence of the latter Mr. Douthitt succeeded in establishing a lucrative professional business among the Chinese. He had conducted a number of suits for one of the Chinese theaters, of which corporation Hoo Sue and Yang Kay were influential members. The last one of these suits, however, had not resulted in a manner satisfactory to the trustees of the institution, and when two new actions involving a sum of \$20,000 were commenced against them they determined, instead of, as usual, retaining Mr. Douthitt as their attorney, to employ the professional services of Lloyd & Newland. Yang Kay, soon after the commencement of these new suits, met F. A. Bee, and, al-
luding to

THE DISASTROUS RESULT

Of the last case Mr. Douthitt had conducted, complained that the company had been ruined, and told Bee of their intention to engage Mr. Lloyd. Bee asked Yang Kay to bring the copies of the complaints in the case referred to around to his office and said he would assist him with his advice. In compliance with this request, Yang Kay, according to his story, brought the complaints to Mr. Bee's office on the afternoon of the same day, and finding no one there, laid them on that gentleman's desk. On the following morning Hoo Sue, Yang Kay and F. A. Bee reached the office about the same time, and the latter, handing the complaints to Mr. Douthitt, asked his opinion on the matter. Immediately thereafter, according to the evidence of Douthitt and his clerk, W. A. Coulter, there followed a general legal consultation; different authorities were consulted, Mr. Douthitt outlined the course of action which should be followed, and gave his opinion as to what should be the conduct of the cases. At the conclusion of the consultation the Chinamen asked for the copies of the complaints and stated their intention of retaining Mr. Lloyd. Mr. Douthitt told them he was perfectly willing they should do so, but said that he would charge just as much when associated with another lawyer as if he conducted the cases alone. The Chinamen consented to pay him his usual fees, took the complaints with them, left the office, and that was the last Mr. Douthitt ever saw of the cases. He made out a bill of \$50 for his services on this occasion, which F. A. Bee endeavored to collect, but without success. Subsequently Yang Kay agreed to pay this charge if he could get the money from the company, but never being able to obtain the coin he

NEVER PAID THE BILL.

F. A. Bee, in his testimony on the stand, admitted that he generally acted as the agent of the defendants in the case, but on that particular occasion he had not handed the copies of complaints to Mr. Douthitt in the capacity of their agent. He said he had tried to collect the bill merely to mollify the wrath which Douthitt displayed on the subject, and not because he thought the latter had any legal claim to a fee, for his real opinion was that Douthitt had rendered no professional services in the cases whatever, but had only joined in a general and desultory discussion as to the merits of the cases. The testimony of the defendants was diametrically opposite in several important particulars to that of Mr. Douthitt and Coulter, his principal witness; and Judge Freelon said he never knew of a case in which the testimony was more contradictory. Two attorneys testified on the part of the prosecution that \$250 was a reasonable and moderate charge for the services alleged to have been performed.

Mr. Douthitt in his argument before the Court critically analyzed the testimony of F. A. Bee, and accused him of having prevaricated on the witness-stand with the object of aiding the defendants in their case. He said that Bee had become so thoroughly Mongolian in his tendencies, that he was now part and parcel of the Chinese; that his evidence deserved no credit whatever, and he was no longer entitled to the respect of the people of his own race.

F. A. Bee on being subpoenaed as a witness in this case refused to obey the summons, on the ground that as Chinese Consul at this port he was not subject to the jurisdiction of the Court. Authorities were wanting, however, to support him in his lofty attitude, and he took the witness-stand yesterday morning and testified.