



Court Historical Society NEWSLETTER



Eastern District of Tennessee

JANUARY 2006

Custom or Customs?

Many of the early federal buildings housing the federal courts had the word "Custom" or "Customs" in their names. But which is correct, the version without the "s" on the end or the one with it?

"They were called 'Customs Houses,'" according to a spokesman at what today is the Customs and Border Protection Service, which originally was the Bureau of Customs. It later became the U.S. Customs Service, and in recent times was given its current name, the spokesman said.

Nonetheless, historians refer to the early buildings as "Custom" houses. **Steve Cotham**, manager of the McClung Historical Collection of the Knox County Public Library, said newspaper articles from 1874 referred to Knoxville's "Custom House," which was built in that year, so he has always used that term in referring to the building. **(Please note the reproductions of the postcards on the back page. The term "Custom House" was used to identify the older buildings in Knoxville and Chattanooga.)**

"Customs"--with the "s"--probably is more popularly used today than the form without the "s" because people are more familiar with this version.

The role of the Bureau of Customs in the building of federal structures in the early days was an important one, even though that agency had nothing to do with the actual construction. "We didn't build anything. We just collected the money to finance buildings," the spokesman said. "Back in 1776, there was no tax. The duty on imported goods went toward buildings and other things. The money went into the Treasury fund" and was allocated to the various government agencies.

She said that sometimes the federal buildings were given the name Customs Houses, especially if they housed Customs facilities.

The Treasury Department was responsible for the construction of many of the government's larger buildings in earlier years. In 1949, the General Services Administration was created to handle the construction and management of public buildings. ■

A Tinker's Dam(n)

Would you use the term "tinker's dam" in arguing a case in court?

In the 1960s, the late **Clyde Key**, one of Knoxville's most highly regarded lawyers, did, and he got into trouble with **Judge Robert L. Taylor** for doing so.

But did he say "tinker's dam" or "tinker's damn"?

Whatever Key had in mind, Judge Taylor didn't like it.

"I had never seen Judge Taylor get that mad at a lawyer," longtime

court reporter **Stanley Ford**, now deceased, said in his oral history in 1993.

When Key made a reference to something not being "worth a tinker's dam," Ford said, "Judge Taylor almost stood up out of his seat. He jumped all over Mr. Key for using that kind of language in his court."

Key tried to explain the meaning of the term in its less offensive sense--the way he wanted Judge Taylor to think he was using it.

It was amusing, Ford said, "to hear Mr. Key trying to wiggle out of it. He finally got the judge calmed down, but, boy, the judge was mad."

Ford added, "The judge respected Mr. Key and he liked him. But I've never seen him madder at a lawyer than he was on that day."

* * *

(Editor's note: *There has long been controversy about the terms "tinker's dam" and "tinker's damn," both of which date back to the 1800s. A tinker's dam was a small wall of dough used by a tinker (a pot and kettle repairman in olden days) as a barrier to hold melted solder in a certain area until it has cooled. The dam could be used only once and then was discarded. It, therefore, became useless and was worthless, perhaps giving rise to "not worth a tinker's dam." Some language experts say the "damn" version refers to the tinkers' frequent use of "damn" in swearing. Presumably, they used "damn" so often that it began to have little impact, and "tinkers' damns" became particularly worthless, even more so than ordinary damns, handbooks say.)*



PAINTING OF COURTHOUSE--This painting of the old courthouse in Greeneville was done by **Mrs. Judith Plucker**, shown here with **Don K. Ferguson**, left, executive director of the Court Historical Society; **Judge Thomas Gray Hull** on the right; and **Brandon Hull**, Judge Hull's son, who is president of Greeneville Federal Bank, which purchased the old courthouse and remodeled it as bank offices. Ferguson is holding a print of the painting, donated to the Society by Mrs. Plucker. The print, along with a history of the building, written by Ferguson, a copy of which he is also holding, will be hung in the James H. Quillen U.S. Courthouse in Greeneville. This photograph was made December 16 at the bank's open house for the remodeled building. Numbered prints of the painting and copies of the building history were given to customers.

Scenes Not Seen Today



130—
Chattanooga,
Tenn.
U. S. Custom
House.



POST OFFICE. CHATTANOOGA. TENN.

B-145



1227 Post Office and Custom House,
Knoxville, Tenn.

K-6 UNITED STATES POST OFFICE AND GOVERNMENT COURT HOUSE, KNOXVILLE, TENN.



Tell A Story

Members are invited to offer articles for publication in the *Court Historical Society Newsletter*. Do you have an interesting story to tell about a case or trial you were involved in? Perhaps you could write a profile of a colorful lawyer you knew or were associated with. Maybe a judge.

Do you have a humorous anecdote you could share with fellow members? Maybe you can tell about how it was in days gone by--the operation of a law office, the way you practiced law, how the practice of law differed then. The subject should deal with something or somebody in the past, preferably 20 or more years ago.

We want to capture those interesting and significant memories and stories before they fade. Articles can be short (three or four paragraphs, single spaced) or long (preferably no more than a page and a half, single spaced). If you would like to discuss an article before offering it, please contact me (see addresses and phone number in the masthead of this newsletter).--Don K. Ferguson ■

The old postcards at the left depict some of the federal court buildings in the Eastern District of Tennessee in days gone by. They will be displayed by the Court Historical Society in the U.S. Courthouses in Knoxville and Chattanooga. The cards, dating back to generally the 1920s and 1930s, were donated to the Society by law clerk **Stephanie Slater**, a collector of old postcards. Postcard companies don't make photographs of these kinds of buildings today, according to **Bob Calonge** of Southern Postcard Co. in Goodlettsville, Tennessee. "Pictures of post offices and dams don't sell today; what does sell are scenic scenes and pictures of attractions like Graceland, Dollywood, and Opryland." ■

THE HISTORICAL SOCIETY
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