



Court Historical Society NEWSLETTER *Eastern District of Tennessee*



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At the request of your editor, Maryville lawyer Duncan Crawford provided the following account of how, in the early 1960s, a federal judgeship eluded his father, former Eastern District of Tennessee U.S. Attorney John C. Crawford Jr.--Don K. Ferguson, Editor.

John C. Crawford Jr., U.S. Attorney, 1953-61

By Duncan V. Crawford

In July 1953 my father, **John C. Crawford Jr.**, at age 47 was sworn in as the United States Attorney for the Eastern District of Tennessee, following his appointment by newly elected **President Eisenhower**.¹ He had a staff of four assistant attorneys, three in Knoxville and one in Chattanooga. Consequently, he was regularly taking his turn with his assistants in the courtroom, personally trying cases as the prosecuting attorney.

Throughout my father's eight-year tenure the Eastern District had two judges, **Judge Leslie Darr** and **Judge Robert L. Taylor**. Judge Darr had been appointed to the federal bench by **FDR** in 1939 and held court in Chattanooga and Winchester. Judge Taylor was a **Truman** appointee in 1949 and presided in Knoxville and Greeneville.

My Crawford family traced its Republican heritage back to the 1800s, and my father was as loyal a Republican as Judges Taylor and Darr were loyal Democrats. I was 7 when my father became the U. S. Attorney, and I was made to understand at an early age that my father's job was dependent upon a Republican holding the office of president. The presidential election in 1956 was not of great concern to our family, for **President Eisenhower** was easily reelected. However, my father was not optimistic about the future of the Republican Party on the national level. He had witnessed five consecutive Republican presidential defeats from 1932 through 1948, and he was convinced that the Republicans won in 1952 and 1956 only because its nominee was a well-respected military leader and hero of World War II.

In January 1957, when I was 11, my father took me to Washington, D.C., to attend Eisenhower's second inauguration. I remember hearing my father explain more than once to friends that he had always wanted to attend an inauguration and that he was afraid that there might not be another Republican inauguration



John Crawford



Duncan Crawford

in his lifetime. That week with my father in the Nation's Capital was one of the great experiences of my life. One day we went to the Senate office building, where my father paid a call on his friend, **Democratic Senator Estes Kefauver**. Senator Kefauver grew up in Madisonville, just a few miles south of Maryville, and before his election to the Senate he had practiced law in Chattanooga. The two men, who were about the same age, knew each other professionally and considered each other a respected acquaintance. After leaving Senator Kefauver's office, we encountered **Vice President Nixon** in a hallway, and I was pleased to tell my schoolmates back in Maryville that I got to shake the Vice President's hand.

By the time the 1960 election approached, I was an ardent Republican at age 15 and an enthusiastic supporter of Richard Nixon in his campaign against **John Kennedy** for the presidency. I worked at the Blount County Republican headquarters that summer, ran errands, answered the telephone, and handed out campaign buttons and literature. I understood that it would be a tough and close race, but in my unbridled optimism I was sure that Nixon would win and that my father would retain his position as U.S. Attorney.

Surprise News

My bubble burst a few days before the election. On the Thursday or Friday before Election Day, my mother picked me up after school, and on the way home we discussed the election campaign. As we got out of the car, my mother said, "Your father is sure that Nixon is going to lose." I was absolutely stunned, and then came the second blow. "It may be for the best," my mother added. "If Nixon wins, we'll probably have to move to Chattanooga." I listened in disbelief, as she explained it to me. I was sternly admonished to mention this matter to no one, not even to my father, who apparently had told my mother to keep it from me.

It seems that Judge Darr, who was 74 in 1960, was no longer handling the criminal docket or presiding over jury trials due to his health.² The situation was such that Judge Taylor was trying all criminal cases in the district, not only in Knoxville and Greeneville, but also in Chattanooga and Winchester. Judge Taylor had spoken with Judge Darr about the situation and had suggested that he consider retiring, or more accurately taking "senior status," so that a new judge could be appointed to handle the Chattanooga-Winchester responsibilities. Judge Darr demurred. Being ever loyal to his party, he declined to give President Eisenhower the opportunity to appoint a Republican judge to the "Chattanooga bench." Finally, however, when it became apparent that Judge Darr's health would not permit him to return full-time to the bench, he relented somewhat by agreeing to retire

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John C. Crawford Jr., U.S. Attorney *continued*

after the November 1960 election. If Kennedy won, a Democrat would be nominated to replace Judge Darr, and, if Nixon won, it was agreed that my father would be nominated to replace him.

The groundwork for my father's possible appointment by a Republican President to the "Chattanooga bench" had been in the making for several years, I learned later. In 1960 Tennessee's two U.S. Senators were Democrats, **Estes Kefauver** and **Albert Gore, Sr.**, and only two of its nine U.S. Representatives were Republicans. Consistent with the political protocol of the time, **Congressmen Howard Baker Sr.** and **Carroll Reece** agreed to recommend my father's appointment to the federal judgeship to the Republican President. Senator Kefauver agreed to sponsor his nomination in the Senate, although Senator Gore declined to support him.³

Watched Late Returns

In the days that intervened between this revelation from my mother and the election, I was torn between the thought of Nixon losing the election and, on the other hand, if Nixon won, of our leaving Maryville and moving to Chattanooga. By Election Day I had convinced myself of a satisfactory solution: Nixon would win, my father would be appointed federal judge, we would remain in Maryville, and he would commute Monday mornings and Friday afternoons between Maryville and Chattanooga. Election Day finally arrived, and my father and I sat up until after midnight watching television, as Nixon closed an early Kennedy lead to an inconclusive result that evening. But Texas and Illinois tipped the scales for Kennedy, and Nixon conceded the following afternoon.

With Nixon's defeat most U.S. Attorneys quickly left office in order to accept opportunities at large firms. My father, however, simply made plans to re-enter private practice in Maryville with his brother, **Roy Crawford**, in the family firm founded by their father in 1930. In December my father received a letter from **Attorney General-designate Robert Kennedy** asking him to remain in office until his successor was appointed and confirmed. He responded that he would remain in office through the end of President Eisenhower's term, and he submitted his resignation, effective on January 20, 1961.

Wilson Succeeds Darr

Judge Darr kept his word to Judge Taylor by taking senior status in March 1961. President Kennedy appointed Oak Ridge lawyer **Frank W. Wilson** to replace Judge Darr. In June 1961 Judge Wilson was confirmed and sworn in, and he subsequently moved to Chattanooga.

I am sure that my father was quite disappointed at the time in not realizing his dream of becoming a federal judge. He and I never discussed the details of his potential appointment and how

it came to be arranged, and I never gave it much thought before his death in 1981. Most of what I know now I learned from my mother and my uncle Roy. A few years after the 1960 election, my father told my mother that his not being appointed to the federal judgeship in Chattanooga had certainly turned out to be the best for him. School integration issues, civil rights cases, and expanding rights of criminal defendants were placing new and heavy burdens on federal judges, he told her and added that he was enjoying immensely being back in private practice with his brother.

When I graduated from the University of Tennessee College of Law in 1973, the speaker at my hooding ceremony was Judge Frank Wilson. After the ceremony he and my father greeted each other warmly, and I do not think that either one had any regrets about the paths their lives had taken. ■

Endnotes:

¹ Prior to his appointment he had practiced law in Maryville, had served as a Tennessee State Senator and as mayor of the City of Maryville, and had been active in Republican politics, Masonry, and civic organizations.

² Judge Darr's daughter, Katharine Hastings, confirmed that her father's physical health was "fragile" at the time of his retirement in 1961, although he remained mentally alert until his death in 1967. Telephone conversation with Don Ferguson, October 9, 2009.

³ Obtaining Senator Kefauver's support was not difficult. As related earlier, he and my father had a long and comfortable relationship, although gentlemen of different political parties. Their relationship was such that, when my grandfather died in 1949, Senator Kefauver stopped at my grandmother's house to pay his respects.

Getting the support of Senator Gore was another matter, for my Republican father had no relationship or connection whatsoever with the Middle Tennessee Democrat. However, one of my father's best friends in Maryville was Jesse C. Gillespie, a prominent businessman, whose insurance offices adjoined my father's law offices on the second floor of the old Bank of Maryville Building. Mr. Gillespie had been Albert Gore's county chairman when he successfully ran for the U. S. Senate in 1952, and he prided himself on his association with Tennessee's junior senator. When my father approached Mr. Gillespie about contacting Senator Gore on his behalf, Mr. Gillespie said that he would gladly recommend my father to Senator Gore and proudly assured him that Senator Gore's support would be forthcoming. Sometime thereafter Mr. Gillespie had the opportunity to meet with Senator Gore, who reportedly told his ardent supporter, "I can't support John Crawford – he's a Republican!" Mr. Gillespie was terribly disappointed in the Senator's response and in his own inability to deliver on a favor for his close friend. Mr. Gillespie had a photograph of Senator Gore on the wall of his office, and his feelings were so strong that he turned the picture around so that it faced the wall; later he took it down. Conversation with Roy Crawford Sr., September 2009.

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