



Court Historical Society NEWSLETTER

Eastern District of Tennessee



MARCH 2011

About Judge Wilson

The following letter was written to the Court Historical Society by retired Tennessee Supreme Court Chief Justice E. Riley Anderson. We have reproduced it here with his permission. Justice Anderson was prompted to write the letter after reading in the December 2010 issue of the newsletter an excerpt from the oral history of the late Knoxville lawyer William C. Wilson about the appointment of his brother, Frank W. Wilson, to the federal bench. Judge Wilson served in Chattanooga from 1961 until his death in 1982. Anderson and Frank Wilson were law partners in Oak Ridge before either was named to the bench.--EDITOR

I read the Bill Wilson excerpt from his oral history about Frank's 1961 appointment. I had been with the firm four years at the time. It's true that Estes Kefauver was quick to support Frank, but Albert Gore held back for a time, which disappointed Frank, because he had been a statewide manager for Gore as well. It obviously took both senators to agree.

It wasn't that long before Gore agreed as well, perhaps a month or two, but an eternity for Frank. Usually the political thing for the senators to do is wait till all the aspirants are known.

There was opposition from Chattanooga, because Leslie Darr, who had the position, was from that area and they wanted a successor from Chattanooga. Frank later was very popular with the Chattanooga lawyers, but initially stubbed his toe by having hearings on Saturday mornings, which interfered with attorney travel to football games at UT.

Frank had a very strong work ethic and worked every day of the week, including Saturday and Sunday. I used to say I was glad he was religious, because I got Sunday mornings off! I, of course, was not required to work the weekends, but I was ambitious, so I was always with him, both in preparation and in every trial.

Frank was a great trial lawyer. He had a unique combination of high intelligence, superb preparation and an ability to communicate with all levels of society, which, in Anderson County, was both Ph.D. scientists and farmers and others of less education. ■

Alex Haley's Visit

Alex Haley, the Pulitzer prizewinning author of Roots, spoke at a naturalization ceremony in Knoxville 20 years ago this month. U.S. District Court reporter Jolene Owen was instrumental in making the arrangements. In her off-duty hours, she served as a reporter for a deposition that took place at his Norris farm and volunteered to convey to him the court's invitation for him to speak. The Court Historical Society has in its archives a copy of the program that he autographed and inscribed with the words "Brotherly Love!" The opening portion of his talk appears below.

It's obviously a privilege for me to be able to speak on this occasion. I was thinking, sitting there watching and hearing, that at one time, say 200 to 300 years ago, all across Europe the most exciting single word to be heard was 'America.' When that word was heard, families which had been together for generations immediately began to think about who was going to go there and who would stay in the old country, as it came to be known.

The people who made the decisions were generally the older men of those families. And finally there came a day in the history of the ancestry of everyone in this room who is of European ancestry that the family gathered somewhere. There were children, parents, grandparents, dear friends and there was hugging and kissing and crying because people knew that they were hugging and kissing and crying with other people dear to them, indeed who they probably would never see again.

Then the day came when the steerage tickets were bought and those who were going to this magical place called America got on immigrant ships and came across the Atlantic Ocean, and then in that way, a family which had been one big family in Europe had split and then on this side of the Atlantic Ocean those who had come began to have children, and on the other side those who had stayed began to have children, and one of the most exciting things in the

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Oral History Notes

The following excerpts are from two of the more than 50 oral histories that the Court Historical Society has conducted over the years. These histories are on file in the Society's archives in the Howard H. Baker Jr. United States Courthouse in Knoxville. --EDITOR

W. Hugh Overcash, who served in the early 1950s as a law clerk for **U.S. Circuit Judge Xenophon Hicks**. The judge's chambers were in what is today the Historic U.S. Post Office and Courthouse in Knoxville. (Today, those offices serve as the chambers of **Tennessee Supreme Court Justice Sharon Lee**.) Hicks served as a district judge in the Eastern District of Tennessee from 1923 to 1928 and as a circuit judge from 1928 until his death in 1952. We conducted an oral history with Overcash in 2000. He died in 2009 at the age of 83:

When I joined Judge Hicks, he had a little age on him, but he was very methodical in everything he did. He was very sharp the whole time I was with him. He had had one eye removed because of glaucoma, his left eye, as I recall. He read with a magnifying glass, but he had used one before he had the eye removed.

Judge Hicks was succeeded on the Court of Appeals by Judge Potter Stewart, who later was appointed to the U.S. Supreme Court.

Wallace W. Baumann, a Knoxville business executive whose father, architect **A.B. Baumann**, designed the U.S. Post Office and Courthouse on Main Street in Knoxville. Wallace, on recalling the big dedication ceremony for the building in 1934:

I was only 9 years old at the time, and I didn't attend the ceremony, but the family talked about it a lot. The main thing I remember is that the family was all upset because my grandfather Baumann's pocket was picked. That was the news of the day in my family. There were a lot of people at the ceremony, and I guess my grandfather looked prosperous, so the pickpocket targeted him.

[Wallace died in 2009. His grandfather, as well as his father, was an architect.] ■

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field of genealogy or family searching today is how, in this country, virtually everybody who is of the European ancestry has anywhere from dozens to scores of literal blood cousins somewhere in Europe who don't even know the cousins on this side, and likewise, the cousins on this side don't know who the ones over there are.

So the big exciting thing now in genealogy is trying to bring together the families which were split 100, 150 200 years ago by the magic of that word 'America.' ■

Historical Poster

Following is another in the series we have published over time about the large color posters distributed by the Judicial Conference of the United States and the National Archives and Records Administration in 1989 commemorating the bicentennial of the Judiciary Act of 1789. Titled "And Justice for All," the posters summarize specific cases reflecting federal court jurisdiction.

Treason

United States v. Douglas Chandler, in the United States District Court for the District of Massachusetts

Douglas Chandler was a World War II 'radio traitor,' an American who broadcast Nazi propaganda to the United States over Radio Berlin. Taking the pseudonym 'Paul Revere,' Chandler signed on to the sound of thundering hoofs on cobblestone streets and 'Yankee Doodle Dandy': 'From the heart of Hitler Germany, your messenger Paul Revere greets you again.' Referring to himself as 'a patriotic American' and to **President Franklin D. Roosevelt** as a 'warmaker,' Chandler attempted to fill his American audience with doubt about the Allies' ability to win the war.

Captured by American authorities at the end of the war, Chandler was returned to the United States in 1946 to stand trial for treason, a crime established as a federal offense by the U.S. Constitution. On July 30, 1947, the jury found the defendant guilty. [He was fined \$10,000 and sentenced to life in prison.] In 1963, the 73-year-old Chandler was released from prison when President John F. Kennedy commuted his life sentence. He is believed to have died in the 1970s.

The poster contains reproductions of exhibits submitted during Chandler's trial--his 1940 Application for Validation of Passport, a copy of the indictment, a picture of the microphone he used, and photos of Nazi troops parading in Nuremberg in 1938.