



Court Historical Society NEWSLETTER



Eastern District of Tennessee

JULY 2008

Judicial Evolution

Magistrate judges are so much a part of the federal judicial system today that it is very likely that younger lawyers can't remember a time when there were no magistrate judges in the Eastern District of Tennessee.

The evolution of the magistrate judge positions was brought to mind by the death in late May of retired **U.S. Magistrate Judge Joe A. Tilson** of Morristown, who was the first full-time magistrate judge in the Northeastern Division of the district. He was appointed in December 1985. Previously, there was only the post of part-time magistrate judge in that division, held by the late **Thomas W. (Jack) Overall** of Greeneville.

At the time of Judge Tilson's appointment, there were two other full-time magistrate judges in the district, **Robert P. Murrian** in Knoxville and John Y. Powers in Chattanooga, both now retired, and a part-time magistrate judge in Sevierville, who handled violations in the Great Smoky Mountains National Park. That position was held by attorney **Ron Sharp** of Sevierville. It was abolished in 1991, when a second full-time magistrate judge position was created for the Knoxville office.

Today, the district has five full-time magistrate judges: **Dennis Inman**, Greeneville, who succeeded Judge Tilson and who serves as chief magistrate judge; **William B. Mitchell Carter** and **Susan K. Lee** in Chattanooga; and **C. Clifford Shirley** and **H. Bruce Guyton** in Knoxville. ■

Historical Happenings

History was made and history was reviewed when judges and delegates met in Chattanooga for the Sixth Circuit Judicial Conference in May.

It was the first time the conference had been held in Chattanooga. And one of the city's most notable federal court trials was reviewed by the delegates.

The trial was that of Teamsters President **Jimmy Hoffa**, who was convicted in 1964 and sentenced to prison. A panel discussion about the trial was a highlight of the conference.

Three of the trial participants were panelists: **James Neal** of Nashville, the lead prosecutor; Chattanooga lawyer **Marvin Berke**, who, with his father, **Harry Berke**, served as local defense counsel; and Chattanooga lawyer **Charles Gearhiser**, who was a law clerk for the trial judge, **U.S. District Judge Frank W. Wilson**.

continued on page 2



EARLY COURT REPORTING--Court reporters **Netta Kocuba**, left, and **Jolene Owen**, of the Knoxville division of U.S. District Court, discuss old Stenotype machines that are shown at the East Tennessee History Center by **Michele MacDonald**, center, curator of collections for the East Tennessee Historical Society. The machines, which date to the early 1900s, were donated to the ETHS by **Faith Bean Beighley Cooke** of Jacksonville, Florida, in memory of her mother, **Mary Ellis Bean** (1896-1978) of Knoxville, who received her court reporter certificate in 1913. One machine belonged to Ms. Bean, one of the first graduates of Knoxville Business College; the other one belonged to her friend, **Cora E. Newman**, also a KBC graduate. It is not known whether either woman ever served as a reporter in federal court.

OLD STENOTYPE

The striking difference between these nearly 100-year-old Stenotype machines and the ones used today, other than being a little larger, is that the keys have letters of the alphabet on them. Starting in 1914, the Stenotype company stopped identifying the keys. Also the works of the machines are encased today rather than exposed, as they are here.



Photo by Dan MacDonald



HIGHJACK EVIDENCE--Eighth-grade students at a rural Monroe County school visited the Howard H. Baker Jr. U.S. Courthouse on May 9 and were given a tour of the Court Historical Society Museum by Society Executive Director **Don K. Ferguson**, who is shown displaying a two-wheel dolly that was an exhibit in a Jack Daniel's whiskey highjacking trial in 1972. **U.S. Representative John J. Duncan Jr.** invited the students to the courthouse for a tour and a visit to his office as part of a day-long treat for them.

Historical Happenings continued from page 1

In addition, conference delegates were shown a documentary produced under the auspices of the Chattanooga Chapter of the Federal Bar Association titled "Balancing the Scales: The Chattanooga Trial of U.S. v. James R. Hoffa."

The chapter produced the documentary to preserve the history of the trial and to promote discussion of the legal and ethical issues that were highlighted in the trial. An article below tells about the Historical Society's role in the production of the documentary.

U.S. District Judge Harry S. Mattice, who presided at the panel discussion, said, "The Hoffa trial, for people like me, is arguably the most significant case that has ever been tried in federal court in Chattanooga. This national drama played out here in little Chattanooga, and the case gives local flavor to the conference."

U.S. Magistrate Judge William B. Mitchell Carter said, "Several people have told me this is the best conference of the Sixth Circuit they've been to."

The principal speaker was **U.S. Supreme Court Justice John Paul Stevens**, who is assigned to the Sixth Circuit.

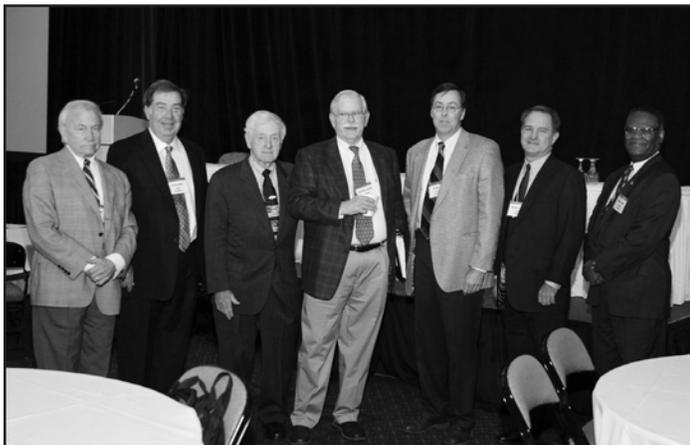


Photo by Tom Smith Photography

ALL ABOUT HOFFA--A panel discussion about the trial of Teamsters president **Jimmy Hoffa** in federal court in Chattanooga in 1964 was a highlight of the Sixth Circuit Judicial Conference on May 8-10 in Chattanooga. Some of those shown here participated in the trial: Nashville attorney **James F. Neal**, left, the lead prosecutor in the case; next to him is Chattanooga lawyer **Marvin Berke**, who, with his father, **Harry Berke**, served as local defense counsel for Hoffa; and in the center, Chattanooga lawyer **Charles Gearhiser**, who, at the time of the trial, was a law clerk for the presiding judge, the late **U.S. District Judge Frank W. Wilson**. Third from the left is panel moderator **John Seigenthaler**, a former Nashville newspaperman and former assistant to **U.S. Attorney General Robert Kennedy**. Others shown are **Judge Collier** at the right; next to him, **Judge Mattice**, who presided at the panel discussion; and next to Judge Mattice is Chattanooga lawyer **Randy Wilson**, son of Judge Wilson.

Because of the historical significance of the Hoffa trial to this district, the Court Historical Society contributed \$1,500 toward the cost of producing the documentary and is acknowledged as a contributor in the liner notes accompanying all copies.

We have the copy in the Court Historical Society office, and it is available for loan to any member, law firm or organization that might wish to show it. As specified by the Chattanooga chapter of the Federal Bar Association, no profit may be derived from

THE HISTORICAL SOCIETY
OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE, INC.

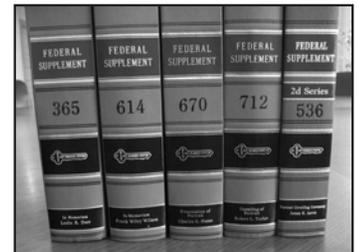
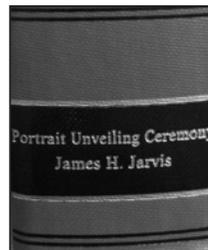
Honorary Chairman Curtis L. Collier Chief United States District Judge	Arthur G. Seymour Jr. Knoxville, President	
		Northeastern Division
Jack B. Draper Knoxville Vice President Northern Division	T. Maxfield Bahner Chattanooga Vice President Southern Division	Robert S. Peters Winchester Vice President Winchester Division
	Roy L. Aaron Knoxville, Secretary	
	Don K. Ferguson Executive Director and Newsletter Editor	
	Howard H. Baker Jr. U.S. Courthouse • 800 Market Street, Suite 130 Knoxville, Tennessee 37902	
	865/545-4234, Ext. 2222 • Don_Ferguson@tned.uscourts.gov	

Jarvis in Federal Supplement

Judge James H. Jarvis has become the district's fifth judge to be memorialized in the Federal Supplement.

A reproduction of his portrait and the transcript of the portrait unveiling ceremony held last November are in 536 Federal Supplement 2nd just off the press. The volume also has his name imprinted in gold lettering on the spine of the book.

The other four judges so honored are **Judge Leslie R. Darr**, 1939-1961, Fed Sup 365; **Judge Frank W. Wilson**, 1961-1982, Fed Sup 614; **Judge Charles G. Neese**, 1961-1982, Fed Sup 670; and **Judge Robert L. Taylor**, 1949-1985, Fed Sup 712.



showing the documentary, however, and no group or individual may charge a fee to show it.

It's worth noting here that the widow of **Judge Frank Wilson**, the presiding judge at the Hoffa trial, died on June 27, six weeks after the presentation of the Hoffa trial documentary at the Sixth Circuit Judicial Conference. Though the Wilsons had made their home on Signal Mountain since he was appointed to the federal bench in 1961, they formerly lived in Knoxville and in Oak Ridge, where he was practicing law at the time of his appointment. As a homemaker, **Mrs. Wilson** endured the around-the-clock security that the U.S. Marshals Service provided the Wilsons at their home during the trial. She is briefly shown in the documentary commenting on the security. ■