



Court Historical Society NEWSLETTER *Eastern District of Tennessee*



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ON 1979 VISIT--*David Lilienthal*, second from the left, an original member of the Tennessee Valley Authority's board of directors, appointed in 1933, and its second chairman, visited the region in May 1979 as the agency marked its 46th anniversary. He and the others are shown at a gathering at Norris Dam, the agency's first dam. That's the late U.S. District Judge *Robert L. Taylor*, second from the right. At the extreme right is Knoxville lawyer *Herbert S. Sanger Jr.*, former general counsel for TVA, who provided these photographs (another photograph is on Page 2) to the Court Historical Society. The two men sitting on each side of Lilienthal are *Richard Freeman*, left, a TVA director in 1979, and *David Freeman*, then TVA board chairman.

Taylor Lost A Client

Knoxville lawyer *Herbert S. Sanger Jr.*, former TVA general counsel, recalls driving U.S. District Judge *Robert L. Taylor* to a TVA celebration at Norris Dam in 1979, where an original TVA board member and later chairman, *David Lilienthal*, was an honored guest.

The judge was one of the special guests. "He asked me to drive him there. He joked that he wanted to talk with the man [*Lilienthal*] who took one of his best clients," *Sanger* said.

In a News Sentinel article in 1979, *Taylor* told how he first met *Lilienthal*--on a train trip from Washington to Knoxville soon after *Lilienthal* was appointed in 1933. "I was the lawyer for East Tennessee Power and Light Co. back in those days, and he was about to take my best client away from me. I wanted to talk to him about it. I didn't get a very receptive ear, though." TVA acquired East Tennessee Power and Light Co. in the 1940s.

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Oral History Notes

The following excerpts are from the more than 50 oral histories that the Court Historical Society has conducted through the years. These histories are on file in the Society's archives in the Howard H. Baker Jr. United States Courthouse in Knoxville and will be available for review and research by future historians. Those quoted below are deceased.--EDITOR

U.S. District Judge *L. Clure Morton*. Date of the interview, April 10, 1997. Judge *Morton*, a native of Knoxville, served in Nashville and later in Cookeville. After retiring in 1996, he returned to Knoxville. He died in 1998. Judge *Morton*, though not a supporter of school busing, followed the law of that time and ordered an increase in the busing of students to further the desegregation of Nashville's schools. The order proved to be very unpopular.

They ran me out of town eventually. They were nasty to my wife. They followed her around. When she would go to the grocery store, they would make derogatory remarks. She was afraid to mention her name anywhere. They put on a telephone campaign and called every five minutes for 24 hours for about a month. They put it on a rotating system. We would not have an unlisted number because my wife took the position that it was better for them to talk than to shoot.

When I went to Nashville to take the judgeship, I planned to live in Cookeville and commute back and forth to Nashville, but the chief judge of the district and the chief judge of the circuit had the right to designate the town in which I lived, and they refused to let me live in Cookeville. When I became chief judge in 1978, I moved. When anyone raised a question about it, I said, 'My vote outweighs yours.' So we moved.

I would never have taken the judgeship if I had it to do over. I would have been practicing law.

[The U.S. Post Office and Courthouse in Cookeville was named in honor of Judge Morton in 1996.--EDITOR]

U.S. Bankruptcy Judge *Ralph Kelley*, Chattanooga. Date of the interview, May 2, 2002. He died in 2004. He told how his appointment to the judgeship came about.

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Taylor Lost A Client, *continued*

When Taylor again talked with Lilienthal, this time at the TVA anniversary in 1979, he told him, “To show you I have a good heart, you took away the best client I ever had, but I forgive you.”

While in the region, Lilienthal also visited the Sequoyah Nuclear Plant in Chattanooga and other TVA facilities. Lilienthal, one of TVA’s most notable directors, served as chairman from 1941 to 1949, during the period when 12 hydroelectric dams were built. He said his years at TVA were his happiest. He later served as the first chairman of the former Atomic Energy Commission. Lilienthal died in 1981 at the age of 81. ■



AT TVA LUNCHEON--U.S. District Judge Robert L. Taylor, left, and former TVA general counsel Herbert S. Sanger Jr. talk at a May 1979 luncheon at Norris Dam marking TVA’s 46th anniversary.

Special Events

Two events that the Court Historical Society is helping sponsor, along with the court, will be held in October, one in Chattanooga and the other in Greeneville.

The Chattanooga event, a seminar, is the one that was to have been held on April 28 but was canceled at the last minute when high winds and storms struck. It will be held on October 13. The subject is the 1987 federal court lawsuit, tried by U.S. District Judge R. Allan Edgar, that changed the form of Chattanooga’s city government. T. Maxfield Bahner, Chattanooga, Society vice president for the Southern Division, is chairman of the program.

The Greeneville event, a luncheon scheduled for October 28, will commemorate the 25th anniversary of the Hawkins County textbook case, a highly publicized case tried by the late U.S. District Judge Thomas Gray Hull. Circuit Court Judge Thomas J. Wright, Greeneville, Society vice president for the Northeastern Division, is chairman of the program. ■



JUDGE GUYTON HOSTS VISITORS--Magistrate Judge Bruce Guyton, a member of the Court Historical Society, explains some of the exhibits in the History Suite on the first floor of the Howard H. Baker Jr. U.S. Courthouse in Knoxville on June 2. The suite, maintained by the Society, has a number of artifacts on display, including a large model of the courthouse (partly seen in the center of this picture), a 77-year-old safe, a telegram sent to the clerk in the 1930s by U.S. District Judge George C. Taylor when he was delayed in New York and couldn’t get back for a trial in Greeneville, the snail darter fish that was an exhibit in the Tellico Dam trial in the 1970s, many historic photographs and other items. The visitors were members of the First Thursday Club, a women’s group. Judge Guyton’s mother, retired lawyer Arline Guyton, is a member and was among the visitors.

Oral History Notes, *continued*

I learned from [U.S. District Judge] Frank Wilson about this job of referee in bankruptcy. I was a friend of Frank’s. We had worked in political campaigns together, and he said, ‘I’ve got a man who’s going to retire. You’ve got three years in the military, six years in the Congress [as a Senate page] and if you were to accept this federal appointment I’m going to talk to you about, you would have nine years of seniority the first day you went to work.’ That was back when the district judges appointed the bankruptcy referee [as the position was known then].

I said, ‘Well, Frank, I had never thought about that before. I might have thought about running for Congress or for governor but I had never thought about being a judge.’

He got the other two district judges--Charlie Neese and Judge Taylor--to sign the order. That was in December 1968, and I took the oath of office the first of 1969. And that was my first appointment.

(Judge Kelley’s widow, Mrs. Barbara Kelley, is a member of the Court Historical Society.--EDITOR)

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