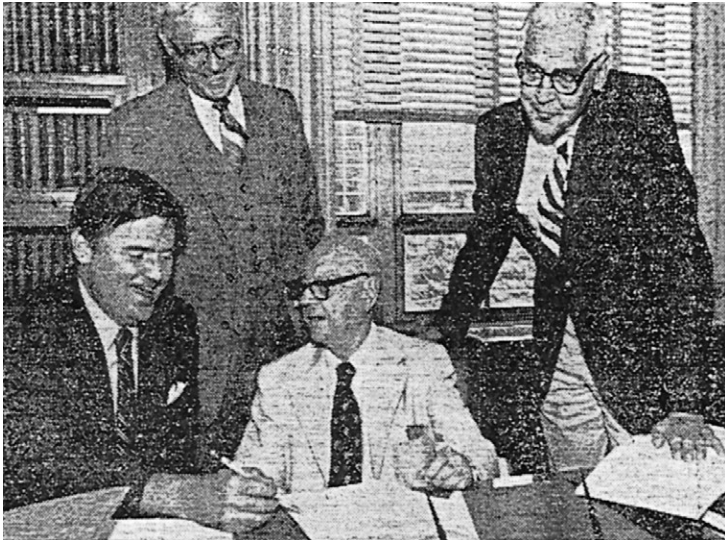




# Court Historical Society NEWSLETTER *Eastern District of Tennessee*



September 2017



*ESTABLISHMENT OF FUND--UT Law College Professor Fred LeClercq, seated at the left, now retired, is shown in this 1981 Knoxville News Sentinel photograph describing the establishment of a legal research fund named for U.S. District Judge Robert L. Taylor, in light suit. Looking on are the then-acting dean of the law college, James Kirby, left, and the UT chancellor at that time, Jack Reese.*

## Transcripts of Lengthy Interviews Added to Society's Archives

The transcriptions of extensive interviews done with the late **U.S. District Judge Robert L. Taylor** in 1981 have been donated to the Court Historical Society.

The donor is **Frederic LeClercq**, who, at the time of the interviews, was a professor at the University of Tennessee College of Law. Professor LeClercq is now retired and he and his wife own and operate Alkyon Arts & Antiques in Charleston, S.C.

In 1981, a Nashville lawyer who wished to remain anonymous donated \$3,000 to the law college to establish a legal research fund named for Judge Taylor. The acting dean of the law college at that time, **James Kirby**, said the initial research project would be to develop an oral history of Judge Taylor's career.

Judge Taylor was 80 years old at the time and was in his thirty-second year on the bench. He took senior status in 1985 and died in 1987.

Throughout most of his career, Judge Taylor was the only district judge in the Knoxville division of the court. In the Knoxville

*continued on page 2*

## Valets, Bailiffs, or Criers?

Before there were law clerks in the federal courts, there were criers, who functioned as bailiffs, messengers, and personal assistants to the judges.

The last crier in the Eastern District of Tennessee was **William "Slim" Crum**. He served in **U.S. District Judge C.G. Neese's** court in Greeneville and Winchester during the judge's entire tenure on active status, 1961 to 1982.

The earliest crier in our district recalled by anyone today was James Smith, who came on duty in 1946 under **U.S. District Judge George C. Taylor** and continued under **U.S. District Judge Robert L. Taylor**. Smith retired in 1972.

These two black men were as constant a presence in the courtroom as the judge. They escorted the judge to and from the courtroom, called the court to order, called court recesses, closed court, drove the judge to and from other divisions for court sessions, and assisted the judge in a variety of ways.

They were most noted by attorneys, litigants and other courtroom visitors for the commanding court-opening call to order that they gave in their strong, deep voices after rapping the gavel three times. The words to that call-to-order cry are as follows:

*Hear ye! Hear ye! Hear ye!*

*The United States District Court for the Eastern District of Tennessee is now open pursuant to adjournment.*

*All persons having business with this honorable court, draw near, give attention, and you shall be heard.*

*God save the United States and this honorable court.*

EDITOR'S NOTE--The last court crier in the Chattanooga court was **James Stooksbury**, who served with **U.S. District Judge Frank W. Wilson** from 1962 to 1973. He also used the full court-opening cry.



*Smith*



*Crum*

## Transcripts of Lengthy Interviews . . .

*continued from page 1*

division today, there are two active district judges and two who serve on a semi-retired basis in senior status.

Professor LeClercq's project also included lengthy interviews with **Karl D. Saulpaw Jr.**, now deceased, who served as U.S. District Court Clerk for 24 years, from 1964 to 1988, and with Judge Taylor's longtime secretary, **Jean Barr**, who was with him from 1959 to 1983.

Professor LeClercq's gift to the Society consists of some 1,200 typewritten pages that give a detailed analysis of Judge Taylor's methods and decisions and how the court operated during the three decades of the Taylor tenure.

Professor LeClercq said, "I carefully preserved the various interviews in separate files. I covered diverse topics. I spent four or five hours preparing for each interview. I also read the reported cases of Judge Taylor and have in my retired files records of most of his reported cases and related press reports on his cases."

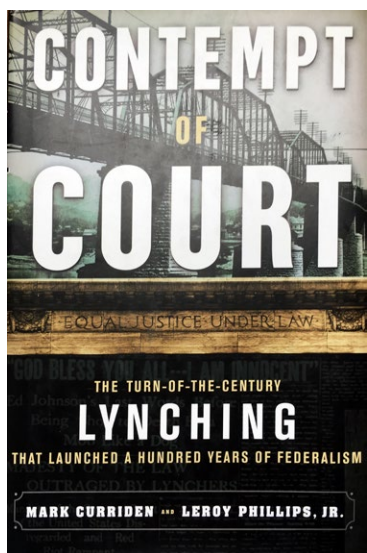
Professor LeClercq added, "The interviews are but 'the tip of the iceberg.'"

He conducted 41 interviews with the judge, four with the clerk, and two with the secretary. The gift of the transcripts of the interviews is a valuable addition to the Society's archives, and we are grateful to Professor LeClercq for the gift.

Copies of the interview transcripts are also on file at the UT Libraries' Modern Political Archives at the Howard H. Baker Jr. Center for Public Policy.

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The Taylor-Saulpaw-Barr transcripts add to the some 70 oral histories and historical recollection summaries that the Society has in its archives from interviews with judges, marshals, U.S. Attorneys, clerks, deputy clerks, lawyers, and a court crier, whose service with the court began in 1946 and continued through 1972. [EDITOR--Please see the story about court criers on page 1.]



*BOOK GIFT--Mark Curriden, co-author of the book pictured here, "Contempt of Court," has donated an inscribed copy to the court. He gave it to Judge Reeves while she was at the American Bar Association's mid-winter meeting in Miami in February, and she in turn gave it to the Court Historical Society for its archives.*

### Movie Coming

Discussions are taking place for a film based on the book "Contempt of Court," which

details the 1907 case of a black man, **Ed Johnson**, who was taken from the Hamilton County Jail by a mob and lynched after being convicted of raping a white woman.

It is "a magnificent revelation of a true American nightmare, and a fired-up Supreme Court at its most courageous," according to **Richard Dysart** of the Executive Board of the American Judicature Society, whose words appear on the inside of the book's cover.

Dallas writer **Mark Curriden**, who co-authored the book with Chattanooga attorney **Leroy Phillips Jr.**, gave a copy to **Judge Reeves** for our court, inscribing it with these words: "The judges and lawyers in East Tennessee have played a major role in the

advancement in the rule of law. This case is one great example. Best wishes."

The book was published by Faber and Faber, Inc., an affiliate of Farrar, Straus and Giroux, New York. The price is \$30.

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Knoxville's **Edward T. Sanford**, an Assistant Attorney General of the United States at the time of the case, was the leader of a team of lawyers who prosecuted the Hamilton County sheriff and five of his deputies before the U.S. Supreme Court--the only time that the high court has conducted a criminal trial.

The justices convicted the six on a charge of contempt of court for violating the court's order that Johnson's execution be stayed and that he be protected while the court considered whether it should review the conviction.

Sanford later was appointed the judge for the Eastern District of Tennessee and following that service was appointed to the U.S. Supreme Court.

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