



Court Historical Society NEWSLETTER



Eastern District of Tennessee

NOVEMBER 2006

A Voice from the Past

The woman who served as secretary to **U.S. District Judge Leslie R. Darr** from 1950 through 1967 died a few weeks ago, but in an oral history she did for the Court Historical Society in 1997, she left us a description of life inside a judge's chambers a half century ago.

Judge Darr served the court in Chattanooga from 1939 to 1961 in active status and continued as a senior judge until his death in 1967.

His secretary, **Mrs. Betty Cutchin**, did the oral history jointly with her friend, Judge Darr's daughter, **Mrs. Katharine Hastings**, who lives in Chattanooga.



Judge Darr

Mrs. Cutchin said Judge Darr dictated his opinions and she typed them on a manual typewriter, using, of course, the only copying method available to secretaries in those days, carbon paper. While she did obtain an electric typewriter before her career ended, photocopiers never made it to court offices before she retired.

Judge Darr took senior status in 1961, and **Judge Frank W. Wilson** was appointed to succeed him. Judge Darr's chambers

were a few doors down the hall from Judge Wilson's chambers, and Judge Wilson visited with Judge Darr often during the trial of Teamsters leader **Jimmy Hoffa** in 1964, Mrs. Cutchin recalled.

It was a difficult trial, and Judge Darr would encourage Judge Wilson emotionally and help him occasionally on a legal point, Mrs. Cutchin said. "I think Judge Wilson would have had a more difficult time with the trial if he hadn't had Judge Darr to lean on."

Some time after the trial, when Judge Darr was sitting with the Court of Appeals in Cincinnati, a law clerk for one of the other judges sitting on the court stopped Mrs. Cutchin in the courthouse hall and inquired about the health of Judge Darr. The young lawyer had been an assistant to one of the lawyers who defended Hoffa and had known of Judge Darr's presence in the courthouse.

He said he would like to visit briefly with Judge Darr but that he was reluctant to do so, that he was embarrassed to, because he didn't know how Judge Darr would feel about him having worked for a lawyer that represented Hoffa. "I told him Judge Darr would be glad to see him, and he did," Mrs. Cutchin said.

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Donation of Papers

We have written here from time to time about the importance of people donating their papers to a special collections library or repository so that the papers can be preserved for future generations.

The Court Historical Society has coordinated the donation of the papers of several deceased judges of this district, working with the judge's family and an appropriate special collections library.

It should be noted, however, that the papers of persons other than judges are also worthy of donating, and members of the Court Historical Society are urged to give consideration to doing so. We will be glad to discuss the matter with any member who wishes to explore the donating of his or her papers, and actually assist in the transferring of the documents.

First, one might ask if his or her papers are worth donating. How can you decide? Experts in the business say most people don't really know whether they have papers worth donating. The experts advise that the thing to do is contact a special collections library and discuss the matter.

It doesn't have to be a vast amount of papers. It might be just one letter, maybe a few file folders full, or one box of documents.

Many might ask what makes up one's papers. In general, it can be correspondence and a variety of other documents or items relating to the activities of the person, whether it be of a personal nature or involving the individual's professional or community activities. Collections repositories are not interested in having documents relating to an individual's personal finances.

And the person doesn't have to be someone of prominence.

"Sometimes, the papers of a person or a family not necessarily conspicuous in the life of the community can be worth keeping in terms of social history," according to **Nick Wyman** of the research services of the UT Special Collections Library.

"For example, from the 1920s up through the 1950s, you're dealing with the Depression, World War II, all about this whole period of time, and the papers are likely to include a lot of correspondence back and forth between family members and friends that is going to reflect what life was like for those people, for an ordinary, middle-class family during a particular period of time," and not just the period named above but for any period. "They would reflect attitudes, the way they lived," Wyman said.

The donation doesn't have to be from the family of a deceased person. It can be from a person still living who wants to be sure his or her papers are preserved for future generations.

Once receiving papers, the collections repository sorts through them and catalogs them, compiling a list of every item and placing them in acid-free boxes, usually in the same order that the person had the papers. When someone makes an inquiry about the papers, he or she is given a finding aid to review, a document that lists the items in the collection.

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Describing Judge Darr's manner throughout his service, Mrs. Cutchin said he had a relaxed way and a wonderful disposition. "He expected you to maintain the dignity of the court and uphold the standards of judicial conduct," she said.

In air-conditioned courthouses like we have today, few can identify with how the wearing of a judicial robe was difficult at times during the summer months, before air-conditioning was installed in the courthouses in the early 1960's. "Judge Darr would sometimes have to come off the bench because he got so hot from the heavy robe, and he would stay off until he got some relief," Mrs. Cutchin said. ■



MUSEUM ADVISORS--Members of the advisory committee of the Farragut Folklife Museum in West Knox County visited the court museum in the Knoxville federal courthouse November 2. Court Historical Society executive director **Don K. Ferguson** is shown explaining some of the items displayed in the background--an old blackboard that was used in the courtroom for lawyers to write on in presenting their evidence to juries, and an old dictionary and metal stand used in the judge's chambers, all of which came from the old courthouse and date to 1934. At the right is **Mrs. Linda Ford**, wife of Farragut Mayor **Eddy Ford**, who was also in the group. At the left is **Mrs. Frances Abel**, and next to Mr. Ferguson is **Mrs. Libbie Haynes**. The Court Historical Society consulted with officials of the Farragut Museum when setting up the court museum a few years ago.

Photo by Mike Karnitz

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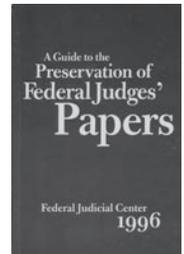
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Who asks to review the papers that are in these collections repositories? It usually is someone with a particular question they need an answer to, someone doing historical research, maybe someone writing a thesis, a genealogist, historians, authors.

To assist federal judges in donating their papers, the Federal Judicial Center published "A Guide to the Preservation of Judges' Papers." The guide says, "Perhaps the greatest potential contribution to be made by judges' papers is toward broad studies of legal history. The papers of federal judges help to explain a wide variety of topics related to law and public life, including the evolution of legal doctrine, court enforcement of federal legislation, or popularly organized litigation campaigns."

The guide tells, among other things, what to save and how to save it, how to manage chambers documents for preservation, and how to identify documents to be saved. ■



Historical Posters

Following is another in the series we are publishing about the large color posters distributed by the Judicial Conference of the United States in 1989 for the commemoration of the bicentennial of the Judiciary Act of 1789. Titled "And Justice for All," the posters summarize specific cases reflecting the federal court jurisdiction over the years. The case description below is taken directly from the poster.

Antitrust

United States v. American Telephone and Telegraph Co.

U.S. District Court for the District of Oregon

Case No. 6082

"... defendants ... are hereby perpetually restrained ... from continuing to monopolize ... said commerce"

Decree, March 26, 1914

The break-up of American Telephone & Telegraph Co. (AT&T), overseen by a federal district court judge, was a major business story of the early 1980s. But complaints about "the telephone company's" monopoly on service date back to the early 20th century.

By 1914, to the dismay of independent telephone companies and consumers alike, the Bell System, with AT&T as its primary component, monopolized telephone service to the Pacific Northwest. Its practices cut small companies out of competition, allowing AT&T to control service and regulate rates.

The Justice Department sued AT&T and its subsidiaries, charging that they violated the Sherman Anti-Trust Act of 1890. That act gave federal courts the power to enjoin companies that had monopolized trade or commerce. The government's case was a strong one. In 1914 the district court decreed that AT&T was in violation of the 1890 act and directed it to take certain steps designed to help restore competition. ■