



Court Historical Society NEWSLETTER



Eastern District of Tennessee

DECEMBER 2004

A Justice Forgotten?

Knoxville lawyer **Francis Lloyd** wants the bar of the Eastern District of Tennessee to discover more about a former judge of this court who went on to become an associate justice of the U.S. Supreme Court, **Edward Terry Sanford**.

At a meeting of the Hamilton Burnett American Inn of Court in Knoxville on November 9, Mr. Lloyd, a member of the firm of Kramer, Rayson, Leake, Rodgers & Morgan, said, "I exhort us all to engage in discovering more and honoring the memory of Justice Sanford." He said it struck him as "quite astounding that we could have somebody from this region...go on to the high court and then, generations after his death, be almost forgotten."



TREASURED MEMENTO—This photograph of U.S. Supreme Court Associate Justice Edward T. Sanford, autographed by him, was given to his brother-in-law, the late William Wallace Woodruff Jr., a prominent Knoxville businessman, in 1923, shortly after Justice Sanford became an associate justice. It belongs to Mr. Woodruff's grandson, retired Knoxville businessman and historian Wallace W. Baumann. Justice Sanford's wife was a great-aunt of Mr. Baumann and of Knoxville lawyer William C. Skaggs's wife, Ethel Baumann Skaggs, and of Mrs. Lucy Baumann Zemp, Kingsport.

The Eastern District of Tennessee had only one judgeship during the period that Judge Sanford served—from 1908 until 1923—and he held court in all four divisions. He became an associate justice in 1923 and served until his death on March 8, 1930. By coincidence, he died on the same day that retired **Chief Justice William Howard Taft** died, and, because of the timing, his death did not receive the kind of attention in the press that the death of an associate justice normally would receive, according to an article in the UT publication "Volunteer Moments, Vignettes of the History of the University of Tennessee, 1794-1994," by the late **Dr. Milton Klein**, husband of Historical Society member and Knoxville lawyer **Margaret Klein**.

Judge Sanford was born into a wealthy Knoxville family in 1865. "He grew up with the love of literature and art and a great measure of erudition, which included a fluency in French as well as English, enabling him on one occasion to address a meeting of the American Bar Association in London and then to cross the channel and address

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PAPERS FROM THE PAST—U.S. District Judge Ronnie Greer, right, and Senior U.S. District Judge Thomas Gray Hull, second from right, are shown in Judge Greer's chambers with retiring Greeneville Postmaster James Ellenburg, left, and Court Historical Society Executive Director Don K. Ferguson, second from left, with an array of photographs and documents that tell the history of the construction of the old U.S. Post Office and Courthouse in Greeneville 100 years ago.

Old Greeneville Documents

The Court Historical Society has had a role in helping to preserve 100-year-old photographs and documents pertaining to the construction of the old U.S. Post Office and Courthouse in Greeneville.

Retiring Greeneville Postmaster **James Ellenburg** knew that the old records--yellowed and faded--had been in a drawer in the postmaster's office for years, and he wanted to be sure, before he left office, that they were properly preserved for future generations. So on the eve of his retirement on October 29, he turned to **U.S. District Judge Ronnie Greer** for some guidance, and Judge Greer in turn contacted **Don K. Ferguson**, executive director of the Historical Society, for assistance.

Mr. Ferguson arranged for the photographs and papers to be placed on loan to the Nathanael Greene Museum in downtown Greeneville, which is the repository for a wide range of historical information about Greeneville and Greene County. It is expected that most of the historical items will ultimately be donated to the museum, with some to be chosen for display in the new James H. Quillen U.S. Courthouse.

The approximately 50 photographs in the collection show the old building under construction in 1904 and when it was expanded in 1964. In addition, there are copies of contracts for the original construction. ■

Society Receives Gift

Knoxville lawyer **Douglas A. Trant**, a member of the Court Historical Society, has written a book about **Clarence Darrow** and donated a copy to the Society for inclusion in its archives. It is titled *Clarence Darrow: Lessons for Today's Lawyers*.

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HISTORIC STAIRWAY—Five of our judges stand at the base of the stairway that leads to the rooms that served as the federal judicial chambers in Knoxville's Custom House when it housed the federal courtroom and court offices from 1874 to 1934. The judges, who toured the Custom House on October 25, were among the first visitors to the newly remodeled building, owned today by the Knox County Public Library. The former courtroom, on the third floor of the building, serves as the reading room for the library's McClung Historical Collection. The judges were most impressed by the historic surroundings they viewed on their tour, led by **Cheryl Henderson**, director of the East Tennessee Historical Society, and staff member **Michael Toomey**. Shown here are, in front, left to right, **Magistrate Judge Shirley**, **District Judge Varlan**, and **Magistrate Judge Guyton**. Behind them are **District Judge Phillips** and **Senior District Judge Jarvis**.

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the Bar Association of the Advocates of Paris in their native language," Mr. Lloyd said.

"He was a person who gave back to his community, and I would like to remind us, as lawyers, of the importance of doing that," Mr. Lloyd told his audience. Community leadership positions Judge Sanford held during his career included: Member of the University of Tennessee Board of Trustees; twice president of the UT Alumni Association; and active membership in the Tennessee and American Bar Associations.

Mr. Lloyd said Justice Sanford "was a person who believed that the ancient doctrine of noblesse oblige...applied to lawyers. And in that fact, I believe he honored this community and we should honor him." ■

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Mr. Trant said he has "always had an interest in Darrow and has done a lot of reading about him and the Scopes trial." Writing the book, he said, "sort of gave me something to do when I needed a break from the rigors of practicing law."

In the introduction, Mr. Trant says, "Clarence Darrow was one of the greatest lawyers not only of his time, but of all times. The lessons that we can learn from him are as applicable today as they were in the first part of the 20th century. This book will let lawyers learn by his words and deeds in court."

The 150-page softback book sells for \$20, a portion of which Mr. Trant said he is donating to the Knoxville Bar Association for its new offices. ■

Judge Kelley's Papers

Much work has been done to preserve the papers of **Senior U.S. Bankruptcy Judge Ralph H. Kelley**, who died June 24 after a 35-year career with the U.S. Courts. Preserving judicial and court papers is one of the missions of the Court Historical Society, and we are pleased to report that the Society participated in discussions dealing with the placement of Judge Kelley's papers, offering some suggestions and guidance.

Chattanooga lawyer and Court Historical Society Vice President **T. Maxfield Bahner** and Society Executive Director **Don K. Ferguson** have urged **Mrs. Kelley** to donate some of Judge Kelley's vast collection of papers to the Chattanooga-Hamilton County Bicentennial Library genealogy department, and preliminary arrangements have been made for this to be done. Others have already been sent to the Biddle Law Library at the University of Pennsylvania Law School, site of the National Bankruptcy Archives. This repository was established at the Biddle Law Library in 2000 by a contract between the American College of Bankruptcy and the University of Pennsylvania Law School upon "recognition of the need to gather these historic materials in one place."

Mrs. Kelley and the late judge's judicial assistant, **Carole Weaver**, along with retired **U.S. Bankruptcy Judge Mary Davies Scott** of Little Rock, Arkansas, a volunteer archivist with the American College of Bankruptcy, spent a considerable amount of time sorting through and selecting documents in Judge Kelley's chambers in August. In September, 26 boxes of materials were shipped to the Biddle Library.

A copy of the indexed list of materials donated to the Biddle Library was given to the Court Historical Society by Judge Scott, and it has been placed in the files that the Society has compiled over the years on Judge Kelley, who had been a member of the Society since its formation in 1993. The Society will also be given a list of the materials donated to the Chattanooga Library.

The papers sent to Biddle include bankruptcy legislation Judge Kelley was instrumental in writing, speeches he made, numerous photographs, correspondence relating to Judge Kelley's service as a member of the budget committee of the Judicial Conference of the United States, and many other papers. ■

<p>THE HISTORICAL SOCIETY OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE, INC.</p>		
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