



Court Historical Society NEWSLETTER *Eastern District of Tennessee*

MARCH 2010



*HISTORIC MURAL VIEWED--The historic mural in the background, which adorns a wall of the third floor courtroom in the U.S. Courthouse in Chattanooga, was viewed recently by these four as a prelude to an upcoming reception jointly sponsored by the Court Historical Society and the Chattanooga Federal Bar Association. Shown here, from the left, are **Ellen Simak**, chief curator at Chattanooga's Hunter Museum of American Art; Chattanooga lawyer and Court Historical Society member **Herbert Thornbury**; lawyer **T. Maxfield Babner**, Chattanooga, Southern Division vice president of the Court Historical Society; and **Dr. Andrea Becksvoort** of the University of Tennessee-Chattanooga History Department.*

An Unveiling

The federal court in Chattanooga and the Court Historical Society have acquired a rare piece of art and will unveil it at a reception from 4:30 p.m. to 6 p.m. on Tuesday, April 27, at the Chattanooga Theatre Center.

It is one of the studies, or samples, submitted to the U.S. Treasury Department by artist **Hilton Leech** in the mid-1930s as he sought to obtain the contract to paint the mural *Allegory of Chattanooga* on the wall of the courtroom on the third floor of the Joel W. Solomon Federal Building and U.S. Courthouse.

The study, which measures approximately 6 feet wide and 2 feet deep, was purchased by the court last fall from an art dealer in Sarasota, Florida, who, representing the artist's daughter, listed the residue of the Leech art collection for sale on eBay. The Leech family lived in Sarasota, where artist Leech taught at the Ringling School of Art. Today, the daughter, **Jayre Leech**, lives on a ranch in Virginia City, Montana.

Hamilton County Circuit Judge Neil Thomas saw the mural listing and mentioned it to U.S. District Judge **Harry S. Mattice**, who, in turn, alerted the Court Historical Society to its availability, and arrangements were made to purchase the artwork.

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Reddy Precedes and Succeeds Crawford

*This article is a follow-up on the profile published in the January issue about **John C. Crawford Jr.**, who served as this district's U.S. Attorney from 1953 to 1961. Crawford was preceded and succeeded by the same man, **John H. Reddy** of Chattanooga.--EDITOR*

John H. (Jack) Reddy had a 20-year tenure in the office of U.S. Attorney for the Eastern District of Tennessee--from 1949 to 1969--and during that time, he twice served in the top job, on an interim basis and by presidential appointment.

Reddy, an assistant attorney in the office, served as U.S. Attorney on an interim basis from January to July 1953, after U.S. Attorney **Otto T. Ault** of Chattanooga, a Democrat, stepped down upon the election of Republican **Dwight D. Eisenhower** as president. **John C. Crawford Jr.** of Maryville received the presidential appointment in the new administration, and he took over from Reddy in July 1953.

Eight years later, in 1961, in the newly elected Kennedy administration, it was Reddy's turn again, this time by presidential appointment, and he took over from Crawford, who, with the change in administrations, had resigned

Reddy's second appointment was actually on an interim basis also, but merely until he could be cleared for the presidential appointment.

Although he was slated to get the presidential appointment, the screening process required for the an appointment hadn't been completed. The presidential appointment was made a few months later.

Newspaper reports from 1961 say that before U.S. District Judges **Leslie R. Darr** and **Robert L. Taylor**, the only district judges serving the district at that time, made the appointment, they checked with the state's two senators, **Sen. Estes Kefauver** and **Sen. Albert Gore Sr.**, who were planning to recommend Reddy.

A note of interest is that Reddy was a close friend of Kefauver, with whom he shared living quarters for a time soon after arriving in Chattanooga in 1929. After graduating from Dickinson College of Law in Carlyle, Pa., Reddy joined the Maryland Casualty Co., which assigned him to its Chattanooga office. He met and married a Chattanooga woman, **Margaret Marchbanks**, and they settled in Chattanooga. In 1939, they moved to Washington, where Reddy joined the Justice Department. They returned to Chattanooga in 1949, and that's when Reddy became an Assistant U.S. Attorney.

Reddy died in 1997 at the age of 91, and his wife died in 1969 at the age of 62. ■

An Unveiling

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The mural study has been described by art experts as a truly historic piece. Upon viewing it, retired University of Tennessee art history Professor Howard Hull said, “It’s a wonderful acquisition. After all these years, it is aesthetically pleasing and it can also be enjoyed historically.”

An official in the General Services Administration Fine Arts Program in Washington praised the piece. “It has a great lineage. You can trace it back to the artist. This gives it great provenance,” she said. ■

A Lesson Learned

The profile of the late U.S. Attorney John C. Crawford Jr. in the January issue of this newsletter caused one of our readers, a retired newsman, to recall a lesson he learned in his dealings with Crawford. It appears below.--EDITOR

By Edgar Miller

As a young reporter for The Knoxville Journal assigned to cover the U.S. District Court in the early 1960s, I got a dramatic lesson in the journalistic craft from an unexpected source: U.S. Attorney John Crawford.

On my daily round at the courthouse one afternoon, I stopped in to ask General Crawford about a story I was working on. He offered to give me the full details, but with the caveat that I couldn’t use anything until he gave the go-ahead.

Eager to get the information, I agreed to his terms.

A few minutes later, I ran into a deputy U.S. marshal down the hall, and he gave me the story--on the record. I hustled back down to Crawford’s office and told him I had gotten the story and could attribute it to the marshal. But Crawford reminded me of our deal. I knew that ethically I couldn’t use the story.

My competitor, Don Ferguson of The Knoxville News-Sentinel, hadn’t cut such a deal and his story was in the next day’s paper.

In a career that has spanned nearly half a century, I never forgot that lesson, and I was always very cautious when accepting any information that I could not publish.

While I missed the “scoop” on that one story, I did get a glowing recommendation from General Crawford when I later left The Journal to join The Associated Press. ■

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History of Appointment Authority

The article in this issue about past U.S. Attorneys John H. Reddy and John C. Crawford Jr. brought to mind the changes over the years in the procedures by which U.S. Attorneys are appointed, a procedure that, oddly enough, involves the Judiciary.--EDITOR

The authority for the appointment of an interim U.S. Attorney when a vacancy occurs has an unusual history that involves two branches of government, Executive and Judicial.

Statutes giving the courts the authority to appoint interim U.S. Attorneys date back as far as 1863, when Congress vested the early federal circuit courts with this authority under the Vacancies in Offices Act. It was switched to the district courts in 1898, and there it remained for 88 years.

In 1986, during the Reagan administration, the law was changed to give the Attorney General the authority to appoint an interim U.S. Attorney when there was a vacancy in the office, but the appointment could last for only 120 days. At the expiration of this period, if a presidential appointment had not yet been made, the courts had the authority to appoint the U.S. Attorney until a presidential appointment was made.

Twenty years later, in 2006, the Patriot Act brought about a change, with the appointment authority of the Attorney General being expanded, giving him or her the authority to make an indefinite appointment until a presidential appointment was made.

Later, the 120-day Attorney General limitation was reinstated, and today, after the 120-day period, the appointment authority goes to the district judges.

Russ Dedrick, a member of the Court Historical Society, is the current U.S. Attorney for this district. He was first appointed in April 2001 under the Vacancies in Office Act, and in August 2001 was court appointed, serving until October 2001, when Harry S. Mattice, now a district judge, received a presidential appointment as U.S. Attorney.

Once again, in 2005, when Mattice was appointed to the judgeship, Dedrick served as a result of the Vacancies in Offices Act, later under the Patriot Act, then was appointed by the court. On October 11, 2007, he was presidentially appointed and continues in that role today.

Dedrick said he has been appointed four different ways through the years--under the Vacancies in Offices Act, under the Patriot Act, by the court and by presidential appointment--very likely making him one of the few people in the country, possibly the only one, to hold this distinction. Dedrick also served as the U.S. Attorney for the Eastern District of North Carolina from January to December 1992 and was appointed under the Vacancies in Offices Act and later was court appointed. ■