



# Court Historical Society NEWSLETTER

Eastern District of Tennessee



MAY 2017

## Taylor on Trials and Verdicts

We recently ran across comments by the late **U.S. District Judge Robert L. Taylor** about long trials and about the importance of juries reaching a verdict.

The comments were reported in a 1977 article in the *Washington Post*, which is among a collection of old newspapers in the Court Historical Society's archives. The collection includes the *New York Times*, the *Baltimore (Evening) Sun*, and the *Washington Star*. They are from the period of time of the criminal trial of former Maryland **Governor Marvin Mandel**, which Judge Taylor was specially appointed by the Chief Justice to try.

The headline on the *Post* article reads: "Tired Judge Is Ready For Return to Tennessee."

Here are some excerpts:

Judge Taylor "said that before his plane leaves, he wanted to talk again with some of the reporters who had shared the courtroom with him during the 12-week trial.

"In a 45-minute conversation, he spoke of his concern that the judicial process should be speeded up," the article said.

"I am convinced that courts must do something to expedite the trial of these lawsuits. A three-month trial is just too long. I think if the judges and lawyers don't find some way to expedite these trials, the citizens will go somewhere else, to another tribunal, to settle things." [A trial this long in front of Judge Taylor was rare, almost unheard of.--EDITOR]

"Several of the defense attorneys had complained that Taylor moved the proceedings too fast, but Taylor thinks they didn't move fast enough.

"He said he was very much concerned that the Mandel trial would end in a hung jury. All sides want a verdict and the court wants a verdict. It doesn't matter what it is. An acquittal would have been all right with me. But I spent almost a year on this case, and to spend three months (in the courtroom) and not get a verdict would have been unthinkable for me." [The jury deliberated 13 days.--EDITOR]



*TAYLOR AND SECRETARY--Judge Taylor is shown here with his longtime secretary, Jean Barr, known to court personnel and those dealing with Judge Taylor as "Miss Jean," the name by which he always addressed her. This picture, which appeared on the top half of Page One of the Baltimore Sun on August 4, 1977, was snapped outside the federal courthouse as the judge and Miss Jean were returning to court following lunch.*

He told the reporters that he didn't consider himself old. "Until I came to Baltimore, I rarely knew my age. Then every day at breakfast, lunch and dinner, I'd read (news accounts referring to) 'the 77-year-old judge.'"

He told the reporters that he was "anxious to leave the 'brick and mortar' of Baltimore to 'walk on the grass' back home in Tennessee," the news article said.

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### Editor's Notes

**Governor Mandel** and five co-defendants were convicted of mail fraud and racketeering in the 1977 trial and sentenced to prison. The charges stemmed from what prosecutors said was a complex scheme in which Mandel was given money and favors for vetoing one bill and signing another to help his friends make money on a horse racing deal. The convictions were overturned in 1987 as the result of a U.S. Supreme Court ruling in another case.

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For the articles in this newsletter about **Judge Taylor**, the Court Historical Society is indebted to Society member **James Brennan**, a law clerk for Judge Taylor, who spent considerable time in Baltimore

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## A White House Visit

While **U.S. District Judge Robert L. Taylor** was in Baltimore in the summer of 1977 conducting the trial of former Maryland **Governor Marvin Mandel**, he took time out while the jury deliberated to go to the White House, but not as a tourist.

According to an article in the *Washington Star* on August 12, 1977, he was asked by then-newly named TVA Board of Directors member **S. David Freeman** to give him his oath of office. The ceremony took place at the White House, with **President Jimmy Carter** present.

While the appointment of TVA board members has always been significant news in East Tennessee, it apparently wasn't so in Washington in 1977. The article was in a collection of small sidebar articles about the Mandel trial.

It said Judge Taylor “administered the oath of office to a new director of the Tennessee Valley Authority,” not even giving the name of the director. Nine months after his appointment, Freeman became the chairman of the TVA board, which then consisted of three members.

In the article, Judge Taylor was quoted as saying that to the best of his recollection, he was last at the White House to attend a reception for presidential electors supporting **President Franklin D. Roosevelt**. Judge Taylor was appointed to the bench in 1949 by **President Harry S. Truman**.

## Taylor on Trials . . .

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with the judge during the trial and saved dozens of newspapers he gathered during the trial. He later stored them at his Chicago home for 35 years, and in 2014 decided to donate them to the Society. Judge Taylor's other law clerk at that time, **Charles T. Huddleston**, a longtime Society member and Atlanta lawyer, also spent considerable time at the Mandel trial.

It was in the sorting of those yellowed newspapers as we prepared them for filing in the Society's archives in the Howard H. Baker Jr. U.S. Courthouse that we ran across the news items about Judge Taylor. The trial was a major news story and commanded a daily Page One article in the *Baltimore Sun*.

## Hoffa Article Revives Memories

When Court Historical Society member **Harold Pinkley**, a Nashville lawyer and former Chattanooga lawyer and earlier a law clerk for the late **U.S. District Judge Frank W. Wilson**, read the article about the **James Hoffa** trial in the March issue of the Society's Newsletter, he was reminded of a couple of occurrences during his days with the judge.

Judge Wilson presided over the trial, which took place in the Chattanooga federal court in 1964.

Pinkley served as a law clerk for Judge Wilson in 1982 and 1983 and was serving at the time Judge Wilson died in 1982. “Judge Wilson didn't talk much about the trial,” Pinkley said. “We clerks didn't want to bring it up. It was inherited knowledge within the law clerks' corps that he didn't like to discuss it.”

“When he died, we found a copy of the transcript of the trial in the coat closet in his chambers,” Pinkley said. “Since we had no judge for a while, there wasn't much to do, so I filled the time by reading the transcript. It was fascinating.”

Pinkley recalled one of the stories told by the late **Granville Sertel**, a deputy marshal during the trial, “one of the many great stories he told me.” The one Pinkley said he remembered best was about Hoffa's daily pretrial dressing down of his lawyers. “Sertel said Hoffa would line them up in the corridor outside the judge's secretary's office and cuss them loudly and at length.”

“One day, **Harold Brown** (father of former Hamilton County Circuit Court **Judge William “Chink” Brown**, one of Hoffa's local counsel) had enough and said to Hoffa, ‘I've had about all I'm gonna take from you, you sawed-off little son of a bitch.’”

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