



Court Historical Society NEWSLETTER *Eastern District of Tennessee*



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Reflections by Judge Neese

By *Don K. Ferguson*

We can be grateful that the late **U.S. District Judge Charles G. Neese** was a typist, a skill he developed in his early years while working as a news reporter.

Among his papers archived at the Howard H. Baker Jr. Center for Public Policy are numerous pages of his recollections and musings about his career, which it appears he typed in 1981 on a manual typewriter. This was about a year before he took senior status and transferred from the Eastern District of Tennessee to the Middle District of Tennessee. He titled his writings "Trials of A Judge."



Judge C.G. Neese
Photo, Greeneville Sun, 1982

Judge Neese, appointed to the federal bench in 1961, was headquartered in Greeneville and was the first federal judge to be domiciled there. He also held court in the Winchester Division. After serving 21 years, he took senior status in 1982 and transferred to the court in Nashville, his home at the time of his appointment.

The Court Historical Society has obtained oral histories from many of our judges since its formation, but we do not have one on Judge Neese, because he died in 1989, four years before the Society was formed. But he, in effect, did his own with these archived notes.

The Society can be proud that it was instrumental in arranging for Judge Neese's papers to be donated to the Baker Center, where they will remain for review by future generations of historians and academics. We suggested to his widow in 1992 that she donate the judge's papers, which she did, and we assisted her in the transfer.

It is from those papers that we have obtained the information for the articles that appear in this issue of the newsletter.

What's in a Name?

Judge Neese wrote, "One of the first things anyone about to enter upon duties as a public official must decide is what name to use. It's awkward and potentially confusing if he or she uses one a part of the time and another at other times."

The judge's name most often appeared as C.G. Neese, which he decided on at the time he took the bench. "Among my reasons for going officially to the abbreviated version of my name was the fact that I recognized I was to sign my name hundreds of thousands of times in my official capacity as a judge," he wrote. "I have been glad on many occasions that I took that shortcut."

Another reason he went to initials, he said, was that he had "played politics hard-and-fast, far and wide" for a dozen or more years and he wanted to disassociate his name "as a politico from my name as a jurist to heed completely the advice of one of my patrons," the late **U.S. Sen. Albert Gore Sr.**, who he said told him after his judicial appointment to "forget that you were ever in politics."

"Neither of these, however, was the 'mainest' reason," the judge wrote. [Judge Neese explains his use of the word "mainest" elsewhere in this newsletter.] His key purpose was that C.G. were his father's initials. The elder C.G. was a justice of the peace in the judge's hometown, Paris, Tennessee.

"My daddy never could get to be a real judge because of the lack of formal education and a law degree, but I had a degree and a minimum of formal education and got to be a judge. He would have been a better one than I ever have been, and by using his name in my work, I hope to honor his name!"

[Editor's note: Judge Neese said that he was known by some as Charles G. Neese Jr. but that technically, he was not a junior. The judge's full name was **Charles Gelbert Neese**. His father's name was **Charles Gentry Neese**.]

Of his father, Judge Neese wrote, "My daddy was no howling success economically, socially or otherwise, but he was widely liked and respected. When Daddy's funeral was conducted, the entire town closed up shop for an hour; the florists had the

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most orders ever; there was a seemingly endless procession of vehicles following the hearse bearing my daddy's body to the cemetery. Why?"

"Charlie Neese was a 'GOOD man!'" they said. "What a heritage to leave behind!"

"Find Me Some Law"

"When Daddy's lack of formal legal training became a barrier, he would call me--first as a law student and later as a young lawyer (with not much better to do)--and ask me to drop by his office on my way home," **Judge Neese** wrote.

He said his father would say, "I had a lawsuit like this, Son," and then recount what the issue had been and what the evidence had shown, in his view," Judge Neese said. "Then he would add, 'Now, the right of the matter is thus and so; you find me some law to back me up.'"

Judge Neese wrote, "It was to be my portion many years afterward to conclude that this is not a bad philosophy for any judge to follow in rendering decisions."

"Mainest"

"Mainest' was defined for me," Judge Neese said, by the late **U.S. Magistrate Judge Thomas "Jack" Overall**, "who was a friend and my most constant companion on the golf course."

In earlier years, Overall was assistant chief clerk of the Tennessee State Senate. His story was that there was a man who kept asking the clerk to get him a job with the state. "Just what kind of job is it that you want?" the clerk asked.

The man replied, "Well, right now, the *mainest* thing is to get on a payroll!"

Job and Salary Secure? Second Thoughts

After being appointed to the federal judgeship, Judge Neese had some thoughts about his tenure and salary.

"The tenure and assured-minimum salary I was given in my new job were sources of great comfort to me when I started

judging for a living," he wrote. "I was set off pretty much in rural areas, away from the persistent glare of the spotlight, and operated largely in a vacuum in-so-far as publicity of what I did and didn't do was concerned."

"I reassured myself that it was unlikely that the U.S. House of Representatives would reach all the way down into the small town of Greeneville in the East Tennessee mountains and accuse me by impeachment, when, in such event, the big U.S. Senate would have to grind to a screeching halt and devote itself completely in trying me under the impeachment.

"Then, one day I pulled up short when I remembered they had done it to one of us Greeneville boys: **A. Johnson**. [**President Andrew Johnson**] No longer did I feel secure from all alarm; at all cost I would just have to behave myself," the judge concluded.

Edited Notes

Throughout the notes from which these stories have come are the editing marks **Judge Neese** made on his own copy, marks common with newspaper reporters and editors, obviously a carryover from the judge's news reporting days.

An early magistrate judge who served during Judge Neese's tenure, **Robert P. Murrian**, Knoxville, said in his oral history that Judge Neese would edit in red ink the drafts of memorandums he would send the judge for review. "He would, in effect, grade my papers," Murrian said. "And if I got one through without red marks, I thought that was pretty good."

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