



Court Historical Society NEWSLETTER *Eastern District of Tennessee*



May 2022

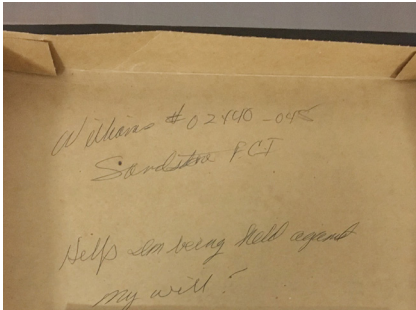
Amusing Exhibits

Two of the exhibits in the Don K. Ferguson History Center always amuse those touring the center. One is the lid from a box of envelopes on which a prisoner had scribbled a message for help on the underside. The other exhibit is a two-wheel dolly used in the hijacking of a truckload of Jack Daniel's whiskey.

Prisoner Sends Note For Help

“Help I’m being held against my will!” the prisoner wrote on the underside of a lid of a box of envelopes shipped to the court from a prison. He identified himself as “Williams #02440 - 045” at “Sandstone FCI.”

The shipment of envelopes was received by the Court Clerk’s Office in Knoxville in the 1980s from Federal Prison Industries at the Federal Correctional Institution at Sandstone, Minnesota. FPI is a prison labor program for inmates. The printing for many government agencies is done at the various prison facilities.



Box Lid with a Message

The box with the lid that had the prisoner’s note on it was in a shipment of cartons of envelopes that had been on hand at the Knoxville office for two or three years. This box had just surfaced as the next box to be opened.

A deputy clerk spotted the message when opening the box and asked the Clerk about it. The decision to was to ignore it, and the lid was laid aside on a shelf. About 20 years later, we decided to make the box lid an exhibit, investigated and learned that the prisoner was from Los Angeles and had served a 10-year sentence at Sandstone for bank robbery, a sentence that had begun in 1983.

Unload the Whiskey

The crude two-wheel dolly shown here was used by hijackers to

unload 1,250 cases of Jack Daniel’s whiskey from a stolen truck in a crime 50 years ago.

The dolly was an exhibit in the federal court trial of 11 men charged in the theft, and it is now a popular exhibit in the History Center in the Howard H. Baker Jr. U.S. Courthouse in Knoxville. For some reason, the mention of the whiskey crime to those touring the center always brings at least a grin, often a chuckle.



Used in Hijack

The crime touched three divisions of the Eastern District of Tennessee court. The theft occurred at the Jack Daniel’s Distillery in Lynchburg in the Winchester Division, the defendants were indicted in Chattanooga, and the trial took place in 1972 in Knoxville, where seven of the defendants lived and where they unloaded and stored the whiskey, valued at \$123,000. (Eight of the 11 men were convicted, two were acquitted, and one pleaded guilty.)

The dolly was never retrieved from the court by trial lawyers. Court Clerk’s Office personnel eventually started using it around the office, and eventually it became an unofficial part of the office equipment. Later it took its place in the History Center as an exhibit.

[EDITOR’S NOTE--The hijackers’ market would have been bootleggers. The sale of alcohol was still prohibited in many cities and counties in the early 1970s, and bootlegging still flourished.]

Transcripts by Judges?

Until well into the 20th century, federal court trial transcripts were not prepared by court reporters, but by trial judges themselves or by private stenographers who were hired and compensated directly by the parties in a case, according to a report by the Federal Judicial Center.

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Transcripts by Judges? . . .

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In 1901, Congress chartered the Commission to Revise and Codify the Criminal and Penal Laws of the United States. It recommended that each district court be permitted to appoint an official stenographer. But it wasn't until 1944 that Congress amended the Judicial Code to authorize the appointment of a "court reporter" to record "by shorthand or by mechanical means" the proceedings held in open court, the FJC report said.

The shorthand method—pen on paper—is rare in federal courts today. But it was used in our court as late as 1979. Court reporter **Stanley Ford**, who served in the Knoxville office from 1955 to 1979, took notes by ink pen—not ballpoint pen. He explained that using a ballpoint pen was tiring, because he had to press harder with it than with an ink pen with flowing ink. He could often be seen during court proceedings quickly filling his pen with ink from a small bottle.

Today, of course, it's all digital.

Two History Societies May Associate

The Court Historical Society, which has members throughout the Eastern District of Tennessee, is considering the possibility of associating with the East Tennessee Historical Society, whose membership covers the same general region. The board members of both organizations are exploring this opportunity.

The Court Historical Society would retain most of its independence but would have support from the ETHS, which has a large staff, plus volunteers. Court Historical Society **Executive Director Don K. Ferguson** will continue his duties, with ETHS support.

Before finalizing the move, we would like to hear from any member of the Court Historical Society who might wish to offer comment on the proposal.

Comments may be sent to Don K. Ferguson at: ferguson111@comcast.net.

Robert Peters Dies

We regret to report that Court Historical Society Vice President for the Winchester Division **Attorney Robert S. Peters** died on September 30, 2021. We are grateful to him for his long service. Our sympathy to his family.

Homeless, But Working

Back in the 1980s, before homelessness was in the news daily, as it is today, rangers in the Great Smoky Mountains National Park came upon a unique homeless situation in the park – a man who had set up an illegal, permanent campsite in the park.

"It was the most unusual case I ever had," said **then-Magistrate Judge Ronald E. Sharp**, who heard cases arising from violations in the national park.

"When making their rounds, the rangers noticed a man regularly walking late at night along the Spur, the route between Gatlinburg and Pigeon Forge. They would drive past him and then return in five minutes or so and the man would be gone," Sharp said in an interview in 2009.

"They got curious and started checking and found the man had built a structure and was living in the park. It was sort of a semi-submerged dome sort of shape about 100 yards or so off the road. He had a bed with some coils of plastic or metal underneath the bedding. This was in the middle of winter. He had built a fire and let water pass through those pipes near the fire, making sort of a heated water bed.

"He was working as a dishwasher at a Gatlinburg restaurant, and when he got off from work at night, he would start walking to that campsite.

"The rangers arrested the man, because it's a violation to live inside the park or to build anything like that in the park."

When they brought him into court, he was very humble, the judge said. "He didn't have anything to speak of, and I imposed the normal \$50 assessment. The rangers and the prosecutor asked that the structure be destroyed, and I granted the request. The man broke down and started crying."

But the matter took an odd twist. "It was sad to see him upset, but on the other hand, something good came out of it," Sharp said.

"He had done such a wonderful job of building that structure – what amounted to a survival structure – that the National Park Service hired him to teach other people how to build one."

[EDITOR'S NOTE—An article about this incident appeared in this newsletter 13 years ago, but with homelessness so much in the news today, we thought it was worth telling the story again.]

Don K. Ferguson, Editor

865-329-4693

Don_Ferguson@tned.uscourts.gov