

The History of the Tennessee Supreme Court Law Library

In exploring the history of the Supreme Court's Law Library, the intertwined nature of the Tennessee State Library and Archives (TSLA) and the Tennessee State Supreme Court emerges. Created in 1854, the State Library in the Capitol Building served as the initial site of the state's law library. The original conception of the State Library was that of a storehouse of law books for the use of the Legislature and the higher courts. But, the Supreme Court proved to be not just a patron agency with borrowing privileges, not just a source of guidance and commissioner of legal acquisitions, and not just the fount of voluminous state records that have enriched TSLA beyond measure to this day. Supreme Court Justices manned commissions controlling the State Library during pivotal decades of the institution's history. The agencies united in a quest for better housing for the Law Library that ultimately led to the construction of the beautiful Supreme Court Building on Seventh Avenue North.

Tennessee's 1796 Constitution provided for the Secretary of State to assume responsibility for the books and documents belonging to the State. Prior to the construction of the State Capitol, those holdings consisted of state laws, reports (judicial decisions), and state publications, as well as exchanged volumes of other states' laws, and Federal documents. This unwieldy cache accumulated in the Davidson County Courthouse on the Public Square. Given that state officials occupied space there and that the General Assembly met there, this arrangement seemed logical. The location of the materials, however, proved to be a room that constituted a passageway leading to the offices of the Governor and Secretary of State and to the Legislative Chamber. Unimpeded access to this storeroom twenty-four hours a day led to loss.

The creation of the State Library in 1854 shifted the location of the state's law books to the Capitol and installed the Secretary of State as the *ex officio* State Librarian, with the task of collecting, arranging and cataloging the books and documents of the State. The law that gave birth to the State Library also indirectly gave life to the State Law Library. From this point forth until the Law Library found

its own home in 1937, the law books in the State Library would always be expressed as a unit—either as a collection, a division, or a physical library within the State Library quarters. It should be noted that the State Library had a law library antecedent that impacted the newly founded institution: the Advocate’s Library. This forerunner of the State Library had been established by the Legislature in 1844 “to procure a more extensive Law and Miscellaneous Library in Nashville than can be compassed by the means of individuals.” The existence of this library may have contributed to architect William Strickland’s inclusion of a state library in his 1845 plans for the Capitol. One of the Advocate’s Library commissioners was Return J. Meigs. The Advocate’s Library, for all intents and purposes a law library, employed a lending policy. The Tennessee State Library, created by Chapter 41 in the Acts of Tennessee 1853-1854, was initially to be a lending library with one-month loans. Chapter 330 from the same legislative year, however, forbade the removal of books and maps from the library by anyone “except legislative, executive, and judicial officers of the State.” The borrowing concept, with all its evolving components and varying degrees of enforcement, would be a continuing source of turmoil for the State Library and its law book and document holdings.

The state’s collection of law books were in such demand that they were delivered to the Capitol Building before the State Library quarters were completed. W.B.A. Ramsey, Secretary of State and *ex officio* State Librarian, placed them in a room in the Capitol adjacent to the Secretary of State’s Office that had been designated an archives room. Good fortune shone on the State Library and its law collection with the appointment of Return J. Meigs as the first official State Librarian in 1856; he had been commissioned to make the purchases for the library in 1854. With his training as a lawyer, his service as a State Reporter, and his membership on the commission that compiled the first authorized Code for the State of Tennessee, the library was in good hands. He set about spending his \$5,000 appropriation and attending to his set of statutes. His purchases of rare and foreign language volumes would greatly enhance the value of the collection, and his efforts were reflected in the 1855 printed

catalog of the library. He continued to lobby for further appropriations and emphasize the importance of the exchanges of state documents, laws, and judicial decisions with other states and foreign countries.

With his Second Biennial Report to the Legislature, covering 1855 to 1857, Meigs noted that prior to his oversight the “pernicious practice of borrowing” had resulted in the loss of all earlier volumes of laws and reports from other states. He had at that time no complete set of such from any state. He wrote, “I shall not press the importance of perfecting this part of the Library; because it seems to me that it would be impertinent to urge what is so self-evident.” Meigs went on to proclaim the Library too small to serve the people and the Legislature and to call for an additional investment of ten thousand dollars to create a library worthy of the State. With his annual appropriation of fifteen hundred dollars, he planned to put three hundred dollars toward the purchase of law books and two hundred toward inter-State exchanges. He encouraged the Legislature to print at least a hundred copies of any document printed by either House to allow him to use in the exchange process. Meigs revealed in his Third Biennial Report to the General Assembly that the State Library collection had grown to 8,250 volumes. Return J. Meigs’s Fourth and last Biennial Report concluded on May 17, 1861 with, “My instrumentality in founding this Library, under the auspices of the Legislature, has been, with me, a labor of love...” Meigs had resigned as State Librarian in 1860, but he stayed in office until his Union sympathies forced him to leave Nashville in June of 1861. President Lincoln would appoint him Clerk of the Supreme Court of the District of Columbia, and he served for twenty-eight years in that position until his death in 1891.

The Tennessee State Capitol served as a fortress and a barracks during the occupation of Civil War Nashville. Damage and loss to the State Library was inevitable, and there are differing accounts as to the degree of loss. The May 1865 Comptroller’s report to the General Assembly dealing with the effects of the war called the State Library “the noblest ornament of the State” and stated, “A review of

the shelves will show that it has been guarded with care and anxiety. Nor has the war been able to diminish its volumes.” The report of the Superintendent of the Tennessee School for the Blind to that same General Assembly contended, “Books from the State Library and bacon on the roadside were alike esteemed as common property.” Decades later, State Librarian Mrs. John Trotwood Moore, who served from 1929 to 1949, observed that many pilfered books “dribbled back” during her tenure.

Subsequent State Librarians were forced to fill in the gaps that had resulted from wartime attrition. Dr. Augustin Gattinger, who served from 1864 to 1869, received an annual \$2,500 appropriation for the State Library. He invested heavily in the purchase of law books and acquired many law reports through the exchange system to rejuvenate the law collection. This learned scholar and scientist was the first State Librarian (in his Biennial Report covering 1865 to 1867) to refer to the “Law Library”; Gattinger divided the statistical part of his report for the State Library holdings into the categories of “General Library” and “Law Library.” The Law Library numbered 7,439 of the total 15,923 volumes held at the State Library at the beginning of 1865. Total volumes in 1867 were 17,972, with the Law Library comprising 8,059. Keep in mind, however, that numerous duplicate volumes were included in the totals. Over the course of three years, Gattinger added 620 books to the Law Library. He had, at the time of the report, 319 volumes out on loan: one hundred and sixty-three of which had been loaned from the Law Library. Gattinger’s report for 1868-1869 reflected similar strides for the Law Library; of the 1,017 additions made to the State Library’s holdings since 1867, 562 were added to the Law Library. Yet, he remarked, “A still greater extension of the Law Library is demanded to meet the wants of the Supreme Court and for the benefit of the legal profession.” His earlier report had mentioned attending to eight to ten thousand persons over the course of a year, and he had asked for and received a special appropriation for reading desks and additional furniture. The February 1868 news item announcing the formation of a communal law library for lawyers ensconced in the “Porter’s building” may also have mirrored a growing need for access to scarce legal resources.

As a point of fact, Gattinger's Biennial Reports went to the Governor, who then conveyed them to the General Assembly. Gattinger was the first State Librarian overseen by a Board of Commissioners composed of the Governor and the Supreme Court Justices. The Act of the General Assembly passed on March 7th of 1867 created this board to superintend and control the State Library. The higher court would not only provide guidance and requests for legal acquisitions, and use and borrow from the holdings, but also administer the institution. Years later, Governor Peter Turney, an early member of the Board of Commissioners, would comment, "The Library is more especially under the control and supervision of the Supreme Court than any other department." This arrangement held until 1901 and served to strengthen the ties between the two entities.

The next milestone in the administration of the State Library and the development of its Law Library would be the appointment in 1871 of Paralee Haskell, the first in a long series of women to occupy the post of State Librarian. Information on the laudable service of these women remains sparse, but Haskell's tenure as State Librarian received extra attention because she produced the first printed catalog of the State Library since that of Meigs in 1855. This catalog was to reflect the complete law holdings of the State Library; the Meigs catalog did not. The *Catalogue of the General and Law Library of the State of Tennessee Prepared by Order of the Judges of the Supreme Court* was created as a result of a harshly worded letter from the Commissioners to then State Librarian Dr. William H. Wharton. In this letter, the Commissioners had voiced their unhappiness over the collection losses sustained by the Library. They reiterated the codification that allowed Supreme Court Judges to take out a book for any use, while members of the Legislature were allowed to remove books from the General Library *only* during legislative session. Consultation of the books by other judges and lawyers was to be done in the Library. The Commissioners then revoked any general orders they might have passed in the past dealing with loaning books, and ordered the State Librarian to call in as many loans as possible, and to produce a complete catalog that also provided reference to the location of the holdings. This letter, or order, is

printed at the front of the 1871 catalog. Paralee Haskell would see that this directive was carried out, for she was appointed to take over the unexpired term of Dr. Wharton upon his death. Dr. George S. Blackie prepared the catalog under Haskell's direction. He reveals in his "Report to the Librarian," also printed at the front of the catalog, that Haskell suggested the placement of the Law Library in a separate room "where its shelves can be consulted by the lawyers of the State with comfort and quiet." This is the first time separate quarters for the Law Library within the State Library premises seem to have been mentioned. Over time, the main room of the State Library had been partitioned to form two anterooms off the north and south sides of the primary space. According to Dr. Blackie:

The South room is the Law Library. The various Laws, Digests, and Reports, are arranged Alphabetically by States, and placed at a convenient height from the floor. The Reports of the English Parliament and High Courts, Congressional Debates, and Reports of the Trials, are placed on the upper shelves. The Northeast corner contains the Law Textbooks, and near the fire-place, a full set of the Public Documents of Tennessee.

The Law Library held 4,500 volumes of the 18,373 total books on the shelf at the time of the Report; the Supreme Court Judges were said to have 128 volumes in their custody. The Appendix of the catalog contains the "Memorandum of Books" in the possession of the Judges of the Supreme Court. This list had been placed in Haskell's hands at the last moment. The catalog's publication received attention in the press. The *Republican Banner* of November 25, 1871 described the book as "a neat, compactly bound volume of 432 pages, unexceptionable in its letter-press, that would be a credit to any of the first-class book-publishing houses in the country." While acknowledging Dr. Blackie as the one responsible for the general arrangement, classification, and editing, the newspaper article makes no mention of State Librarian Paralee Haskell.

An ongoing theme in the development of the state's Law Library is access to precious legal resources. The existence of the Advocate's Library pre-dating that of the State Library bespeaks this concern. One newspaper article previously mentioned revealed efforts to establish a communal law library by law offices seeking access to needed legal resources. A controversy playing out in the

Nashville newspapers in the early part of 1873 revealed that lawyers statewide, with the support of Supreme Court Judges and influential citizens, called for the State to republish Tennessee's Supreme Court decisions from their very beginning. The petition was delivered to the Governor, who transmitted it to the General Assembly with the comment, "The reprinting of the reports of the decisions of the Supreme Court is of *incalculable importance* to the people as well as to the legal profession of the State." When lawyers of the Nashville Bar met in March of 1875 and formed themselves into an Association, one of their primary objectives was establishing a law library. By early June, three hundred and fifty books had been collected for the Nashville Bar Association Law Library. A mere two years later, the same entity would be touting the acquisition and display of portraits of national legal giants in their Library in the Davidson County Courthouse.

The Law Library in the State Library still housed, however, the most coveted legal treasures. The District Attorney of the U.S. Court received borrowing privileges by an Act of the General Assembly approved February 27, 1879; Federal court judges had received those privileges in 1871. But the Forty-First General Assembly had issues with the State Library. A House Joint Resolution charged, "many of the books belonging to the State Library, have been taken from the same, and not returned, and that they are said to be scattered throughout various parts of the State..." This Legislature called a committee to look at the operations of the State Library with regard to keeping the law collection safe, accounted for, and viable. The 1879 report of the Committee found State Library holdings numbered 22,183 volumes. While eighty-three volumes had been borrowed, only seven were deemed lost. Mr. H. L. Pickett made this report and commented, "The condition of the Library is very good, except that some of the volumes are soiled." The Committee recommended maintaining the appropriation level at \$600, rejecting the proposal that a demotion to \$300 would be sufficient. The body also recommended the publication of a catalog dealing solely with the Law Library collection, since one had never been produced.

The questions that led to the creation of the Committee and those dealing with the location, enhancement, and management of the Law Library of the State were answered with Chapter 195 of the Acts of 1879. This Act heralded a \$1,000 donation from a private Nashville citizen providing for the improvement of the Law Library's holdings and for a separate physical footprint. If this footprint simply expanded upon the South anteroom location described in the 1871 catalog, management of the Law Library stayed with the State Librarian. If its location changed, and the one hundred steps up to the Capitol to reach the State Library may have encouraged this option, the Board of Commissioners of the State Library was to choose a deputy librarian to oversee the relocated Law Library. The Commissioners were authorized by this act to accept donations and loans of books for the Law Library. The State Librarian also received additional duties and instructions to ensure the accounting for and return of volumes borrowed by Legislative, Executive, and Judicial officers of the State. Most controversial, it seems, was the collection of a small annual fee to be extracted from patrons in advance, not to exceed six dollars. Those excluded from the fee were Legislative, Executive, and Judicial officers of the State, and attorneys from outside of Nashville called to the city for sitting court business.

The Law Library of the State faced challenges fulfilling all the needs of its patrons at this point in its history. The call in the 1879 Act for its improvement by additions seemed to indicate holdings were a bit lacking. A few short years later, the Tennessee Bar Association, at an annual meeting being held in Memphis, suggested that its members lobby the Legislature to increase appropriations for the State Law Library. The Nashville Bar Association called for a special meeting to deal with the new State Law Library law. While the fee imposition was an obvious source for discontent, the Nashville Bar Association Minute Book does not record an entry for this meeting. Selections for the Law Library were still being made by the Supreme Court Judges. And the Supreme Court faced a growing backlog of cases at this time and was seeking relief from its docket. The High Court, when sitting outside of Nashville, was still faced with dragging about a traveling law library, whose composition had been described in 1877 as

fifteen boxes and one trunk. The State Law Library would remain in its location in the South anteroom of the State Library in the Capitol for the foreseeable future, albeit with improved “fittings.” In July of 1883, a Nashville newspaper account described an Assistant State Librarian, Miss Em. Hatton, engaged in dusting and rearranging that law collection. No separate catalog of the Law Library was produced, and the appropriation reduction took place.

Approaching the turn of the century, the lady Librarians strove to make improvements for the Law Library. State Librarian Mrs. Irene Ingram shared plans with a reporter in June of 1895 for renovating the Law Library, stating that she “intends to make the lawyers more comfortable in there than they have ever been before.” November of 1898 found State Librarian Miss Pauline Jones in Washington watching her plan for an association of state librarians come to fruition. The plan was an extension and perfection of the exchange system introduced by Return J. Meigs as a means of building a Law Library. State Librarian Jennie E. Lauderdale in her 1899-1900 Biennial Report, however, proposed changes that would affect the administration of the Law Library from 1901 to 1923 and also impact the connection between the High Court and the State Library. Lauderdale recommended that the Library Commission be composed of members *other* than the Judges of the Supreme Court; she noted that their absence from Nashville for long periods of time prevented the State Library from receiving the proper supervision. Yet she also continued the practice that law books continue to be purchased only upon their recommendation.

In 1901 the General Assembly did indeed pass legislation to alter the composition of the Board of Commissioners for the State Library. Only the Chief Justice of the Supreme Court remained from the High Court Bench. The Board also included the Governor and the Attorney General and Reporter. Under this legislation, the newly-formulated Board would appoint the State Librarian beginning in 1903. The arrangement allowed for continuity and longevity in the position that had been missing in the relatively short administrations of past State Librarians. The last to serve under the old system was Lulu Bringhurst

Epperson. Her Biennial Report for 1901-1902 contained accomplishments, proposals, a thorough history of the State Library, and some straight talk. Epperson immediately undertook the rearranging of the law books, and she installed additional electric lights in the Law Library. While incorporating the Dewey Decimal System throughout the rest of the Library, Epperson arranged the Law Library alphabetically. A reporter contended that the law books were “so arranged that a child can find any book there.” Epperson found the Law Library congested. She worked to alleviate this by bricking up an old fireplace in the Law Library South anteroom and inserting shelving. To augment the fifteen new electric lights, she adjusted balcony bookcases so that more natural light from the windows could reach the main floor level. She also proposed steel shelving for the Law Library, and a continuation of the biennial appropriation of \$500 for law books bought under the direction of the Supreme Court Judges that had been in place since 1895. Epperson stated, “The Law Library is the most frequently consulted, because it is without doubt the best collection of law books in the State, and it should be so housed as to give the best accommodations to those who use it.”

Lulu Bringham Epperson was no shrinking violet. She turned in a Biennial Report that challenged the appropriation levels for the General Library, the salaries, and General Assembly neglect of the State Library. Epperson railed at the disregard of the lending policy that no doubt impacted the Law Library. She wrote, “Custom gives a law its operative force; and as my predecessors in office have established the precedent of letting State officials take out books for themselves and their friends, also members of the bar of the State, upon receipt or charge ticket, the law with regard to this has not been enforced.” Epperson also took it upon herself to append a list of the State Reports from other states that were missing from the Library in an effort to get them secured.

The turn of the century found the Tennessee State Library with approximately 37,000 volumes on the shelves, a newly composed Board, and trained librarian Mary Skeffington, who took office in 1903 and held the position until 1919. Lulu Epperson had used the terms “modernize” and “popularize”

in passing with regard to her efforts. The transformative idea also surfaced in the press; one column contended, "The State Library is now valuable only as a law library. It contains many other books of great value, but they are never or seldom seen, because the library is practically inaccessible to the general public. Lawyers visit it, but other people do not, save as a matter of curiosity to look at the portraits and relics." The author went on to suggest that the State give the General Library to another facility, so that the public could more readily benefit.

State Librarian Mary Skeffington swiftly made some rather drastic changes with regard to the Law Library. She moved the Law Library from the South anteroom, where it had been since 1871, with its reported poor ventilation and inadequate natural light, to the North anteroom. She had drop lights installed in the new quarters, set up tables by the windows, lobbied for steel book stacks to replace the wooden ones, and disposed of duplicate law publications. Most importantly, her 1903-1904 Biennial Report urged the State Library Commission (Board of Commissioners for the State Library) to support the raising of the appropriation for additions to the Law Library from the long-standing \$500 biennially to \$1,000. Skeffington included in her report a letter sent to her from Judge John S. Wilkes, by order of the Tennessee Supreme Court. Judge Wilkes argued that the meager appropriations the Law Library had been receiving over the course of decades had barely allowed for maintaining the Federal Reporter, the American State Reports, the United States Reports, and the encyclopedias, let alone adding new series of reports and digests and needed legal textbooks. He wrote, "The consequence is, that the Supreme Court and other courts are compelled to send to law libraries at Memphis, Chattanooga and Knoxville for many books necessary for proper investigation of cases before them, which should, by all means, be in the State Library." Judge Wilkes stated that the increase in appropriations was necessary to keep the Law Library in "respectable working condition."

Skeffington's sixteen-year tenure as State Librarian witnessed the rapid growth of the Law Library. She pursued a thorough subject classification of the Law Library, and sought to secure the 425

missing early State Reports, the updating of the English Reports, and the addition of State statute revisions. Skeffington would get the Second Assistant Librarian that she asked for, the steel shelving, the more stringent borrowing policy, and the increased appropriations that she requested. By her 1911-1912 Biennial Report, Skeffington was recommending that her \$2,000 biennial appropriation for the Law Library be raised to \$4,000, to be directed by the Supreme Court and the State Attorney General. A 1917 Legislative Committee Report commended Skeffington's management of the State Library and revealed, "The great value of the law library is acknowledged by lawyers all over the state and it will rank with the best libraries of other states." A March 5, 1919, newspaper article dealing with Skeffington's retirement went further, "The law library was small when she took charge, but has grown to be the best law library in the state, perhaps in the South."

Mary Skeffington entered the position of State Librarian as the "Library Movement" was sweeping the nation. This progressive notion of a state library, led by the states of New York, Virginia, and California, advocated a state library truly serving the entire state, not just the Courts, the Legislature, and the State Departments. To accomplish this in Tennessee, Skeffington had divided the State Library into four departments: Law, Legislative Reference, General Reference, and Extension. The Extension Department cultivated the interest of school children and adults alike, as it brought traveling libraries into communities all over the state and encouraged the development of permanent libraries. Skeffington also advanced the concept of an Inter-Library Loan System as another method to get books out of the library and into the hands of the interested. The Law Library was truly, for the first time, forced to share the spotlight with other State Library departments, but with its undeniable importance, its influential proponents, and the training and wisdom of Mary Skeffington, it did not suffer—it flourished.

These were the national trends and public demands that faced the newly appointed State Librarian in 1919. Add to that, the initiative, which had been supported by Skeffington, to bring the

functions of the Department of Archives and History (alternately known as the Department of History and Archives) under the State Library. It would take an extraordinary man to balance all these responsibilities and expectations with the limited resources afforded the institution. And, would the Law Library get lost in the shuffle? Enter John Trotwood Moore.

Noted poet, scholar, and historian John Trotwood Moore took the reins of the institution and became the first Tennessee State Librarian *and* Archivist. Moore not only took charge of the departments that Mary Skeffington created within the State Library, he became responsible for the State Archives, as well. John Trotwood Moore invested in the development of the State Library's materials on Tennessee and the South and actively collected relics for what would soon become the State Museum. He cultivated a strong foundation for TSLA of military documents representing Tennessee soldiers. Through him, the State Library and Archives became the repository for numerous collections of military and biographical questionnaires. He assumed the Chairmanship of the Tennessee Historical Committee, championed the archiving of World War I military documents, experiences, and relics, and became a driving force behind the construction of the War Memorial Building. John Trotwood Moore considered the crowning achievement of his administration, however, bringing the Tennessee Historical Society holdings under the custody of the State and under the administration of TSLA. With all of these responsibilities and more, one would think the Law Library would fade into the background. John Trotwood Moore did not allow the potential of the Law Library to lie fallow. Even this author, who has spent years studying the administrations of both Moores, was taken aback by the plans she discovered John Trotwood Moore had for the Law Library and the extremes to which he was willing to go to see them become reality.

Mary Daniel (Mrs. John Trotwood) Moore said, "Mr. Moore looked upon the fine law collection with pride." In the unsettled times that followed Mary Skeffington's retirement, however, suggestions were floated to dissolve the State Library and Law Library or move them from Nashville. One writer

objecting to this notion stated, “It is not mere sentiment to keep what belongs to all the state at the state’s Capitol; it is a carefully calculated piece of good business. The state library is not any more an extravagance than is the Carnegie library; the library at the Capitol has a collection of law volumes that can’t be found anywhere else.” When addressing his “Library Force” by letter, John Trotwood Moore also revealed that before he took charge of the State Library, the Commissioners had considered something drastic—along the lines of dissolution. Something drastic did happen in 1923. Under the Reorganization Act of 1923, the Board of Commissioners of the State Library (or State Library Commission or Library Board), made up of the Governor, the Chief Justice, and the Attorney General, was abolished, and the Tennessee State Library and Archives was put under the control of the Commissioner of the Department of Education. From the inside, this move was viewed as a loss of stature for the institution. Unwilling for the State Library to suffer additional loss, Moore set about amassing and protecting its assets. John Trotwood Moore realized one of the State Library’s biggest assets was the Law Library and desired that its holdings and its housing reflect the respect due the lofty resource. When the Tennessee Memorial Commission decided that neither the Supreme Court nor the Law Library would be moved to the new War Memorial Building, new dreams had to be dreamed. Moore went after more space in the State Capitol Building and increased appropriations.

The Secretary of the Bar Association of Tennessee, Memphis Senator Walter Chandler, heard of Moore’s plans to ask the Legislature for increased funding “for the purpose of completing the State Law Library.” Chandler suggested that State Librarian Moore address the lawyers of the State at the annual convention of the Tennessee Bar Association in Chattanooga in June of 1924. In further correspondence between the two, Moore revealed it was “understood” that he was to have the rooms across from the Supreme Court Chambers for an expanded Law Library and private quarters for the judges, as Memorial Hall freed up space in the Capitol. John Trotwood Moore wrote to Chandler, “By suggestions of many

eminent lawyers throughout the State, a bill will be introduced asking the Legislature to appoint a sum to the state sufficient to make ours the greatest law library in the South.”

Following Senator Chandler’s suggestion, John Trotwood Moore travelled to Signal Mountain to speak before the Forty-Third Annual Session of the Bar Association of Tennessee. After describing the inadequate space allotted the Law Library, Moore announced his intention to ask the 1925 General Assembly for \$25,000 to equip new quarters with steel shelving, provide for study and consultation rooms for judges and lawyers, and secure additional acquisitions. Moore asked that the lawyers support the appropriation, and his recommendations were referred to the Committee on Legislation. Published at the back of the Proceedings of the meeting was Moore’s “List of Law Books in State Library At Nashville.” Appearing at the front of the Proceedings was a commendatory poem entitled “The Lawyer” that John Trotwood Moore had given Senator Walter Chandler permission to publish.

By fall of 1924, Moore communicated to Senator Chandler his desire to have a committee of lawyers and judges from the Tennessee Bar Association appointed to help secure the appropriation for the Law Library. January of 1925 found Moore seeking to galvanize Chandler and the Bar Association to action, while informing Chandler that the steel bookcases alone would cost \$10,000. Moore continued to mention chambers for the justices, as well, and at this juncture, he suggested a committee of lawyers and judges oversee the plan and the expenditures. Senator Chandler reiterated his commitment to help with the plan, but he asked Moore to secure the support of the Commissioner of Education, now superintending the State Library and Archives. Chandler also asked Moore to draw up a list of desired purchases, the physical arrangement of the Law Library and the judges’ offices, and a statement of need justifying the expenditures.

But, by this point, John Trotwood Moore was having trouble holding onto the suite of rooms across from the Supreme Court Chamber “understood” to be his. Moore sent an urgent telegram to Senator Chandler in July of 1925, which, coincidentally, reached him during that year’s annual meeting

of the Tennessee Bar Association. In the telegram, Moore wrote, “Danger of losing this great chance for a great Law Library unless you bring all possible pressure...” Moore had requested that Chandler have the Bar Association telegram the Governor and Commissioner Creveling demanding the space in the Capitol for a Law Library. With the approval of the Association, Chandler carried out Moore’s instructions.

The stakes were raised when a bill was introduced in the Senate in 1927 to erect a new Supreme Court Building. It was said to have the support of the Supreme Court and the Tennessee Bar Association. There had been earlier calls for such a building; in 1905, Governor James B. Frazier suggested the construction of a new building to house the Appellate Courts, the Attorney General, and the Law Library. The 1927 Senate bill passed a second reading but did not proceed further during the legislative session. The bill provided for the creation of a Capitol Improvement Commission to oversee the construction of a building to house the Supreme Court, the Court of Appeals, the legal department of the State, and “such other departments of the State as to said Commission may seem right and proper.”

It was time for John Trotwood Moore to pull out his secret weapon—the women’s historical, patriotic, and civic organizations of Tennessee. Moore sent out a circular letter on January 23, 1928, to the Tennessee Daughters of the American Revolution, the Tennessee Society of Colonial Dames, the Tennessee Federation of Women’s Clubs, the Tennessee U.S. Daughters of the War of 1812, the Tennessee Division of the United Daughters of the Confederacy, the Tennessee American Legion Auxiliary, the Ladies’ Hermitage Association, the President Andrew Jackson Society, the Tennessee Parent-Teacher Association, the Business and Professional Women’s Clubs of Tennessee, and the Battlefield Memorial Association. The State Librarian described the desperate need for housing of the State Archives and then moved on to the plight of the “Supreme Court Library.” Moore described the catalog of the Law Library as having “no superior in the United States.” He detailed his appearance at

the Bar Association annual meeting and the resolution of support that was passed; he then conveyed his failure in obtaining legislative approval to secure the rooms opposite the Supreme Court for the Law Library. Finally, he brought up the Senate bill introduced in 1927, and he referred to the proposed building as the "Supreme Court Library and Historical Building." According to Moore, it was intended to house the Appellate Courts, the Supreme Court records, the Supreme Court Library, the State Library, the State Archives, and the State Historical Museum. John Trotwood Moore added that it should have at least one floor devoted to the use of the women's organizations, and then he asked the women to get behind similar legislation to be presented again in the next General Assembly.

Moore received an array of supportive responses from the women. Flora Myers Gillentine of the D.A.R. wrote, "I am glad that you have gotten the letter out and we women will get squarely behind this Supreme Court Building now and see if we cannot put it across." Other letters expressed interest and support but requested additional discussion or information. While courting the favor of Mrs. Herman Feger and her organization, the Tennessee Congress of Parents and Teachers, Mr. Moore wrote, "It has been suggested by the Supreme Court that we should have a new building known as the Supreme Court and Library Building where the Library and Museum would be assembled on one floor and one entire floor be given over to the various patriotic associations in the State. How would that appeal to you?"

At this same time, State Librarian John Trotwood Moore was also in communication with Chief Justice Grafton Green about the Law Library's options. In a letter to Justice Green, Moore admitted that when he spoke before the Bar Association back in 1924, he did not have a realization of the strength of the Law Library. He wrote, "At that time, not knowing just how good a Law Library we did have in comparison with others, I sent a complete list of our books to Librarians of Philadelphia, Boston, and I think, Hartford, Conn. All three wrote back congratulating us saying our library was inferior to none." Moore acknowledged the validity of Justice Green's comment that the current Law Library space was

“not at all suited in any way for a Law Library.” The State Librarian referenced the “Supreme Court and Library Bill” as an eventual source of relief, but asked Justice Green for the support of the Supreme Court and the Bar in the acquisition of the proposed wing of rooms in the Capitol opposite the Supreme Court Chamber.

John Trotwood Moore reiterated his need for support of this plan to Chief Justice Grafton Green in January of 1929, just prior to the assembly of the Legislature. According to Moore, the plan, under the guidance of the Supreme Court and the Court of Appeals, took the form of Senate Joint Resolution 29 written by Judge DeWitt. The resolution proclaimed the current Law Library “an overcrowded room and largely inaccessible” and stated that, “Said Library is constantly needed for proper and convenient use by the judges and practicing lawyers of Tennessee.” With this in mind, the northwestern section of the first story of the Capitol was designated for the Law Library, and six thousand dollars was appropriated for the move, preparation of the rooms, and the addition of shelving. The Miscellaneous Appropriation Bill contained the listing for the \$6,000 appropriation “For the removal of State Library” and a notation that a “Caretaker for the Law Library” would be provided at the salary of \$100 per month for the biennial period. Finally, everything was falling into place for the State Law Library, but time ran out for State Librarian John Trotwood Moore.

John Trotwood Moore died in May of 1929. The Senate Joint Resolution was never put into force; the appropriation was never used for this purpose. Possibly, a combination of Moore’s death, financial insecurities following the crash of the stock market, and uncertainty concerning the capabilities of Moore’s successor to carry out such an undertaking scuttled the plan. Neither the 1929 Annual Report from the State Library and Archives, nor any Historical American Building Survey drawings of the period, nor the notes from a talk Keeper of the Archives and Museum P. E. Cox gave about the State Library and Archives to State department heads shortly after Moore’s death reflect any change or projected change of the physical footprint of the Law Library.

Any doubts about the abilities of Moore's successor, his widow Mary Daniel Moore, would prove unfounded. Mrs. Moore used the knowledge she garnered from ten years working alongside her husband to pick up the mantle and guide the State Library and Archives through the challenging years of the Depression. Her affiliation with historical, patriotic, professional and civic organizations maintained vital connections for the State Library; she held leadership positions in the Historical Records Survey programs of the Works Progress Administration; and it would be Mrs. John Trotwood Moore who would secure the funding for the new Tennessee State Library and Archives facility that would be built next to the Tennessee Supreme Court Building on Seventh Avenue North.

In Mrs. Moore's first Annual Report submitted in 1929 to the Commissioner of Education, P. L. Harned, she wrote, "There are approximately three hundred thousand volumes in the State Library, including what is said by visiting lawyers to be one of the strongest Law Libraries in the United States..." In describing the condition of the quarters at that time, P. E. Cox recalled, "The height of the main library is approximately 40 feet, and is crowded to the ceiling; in both State and Law library every available space is being used, even the space between the steel shelving having been shelved with wood." The situation appears dire in Mrs. Moore's 1930/31 Annual Report. She reveals that with crowded conditions being what they are, standard systems of classification and location cannot be followed. She writes, "All vacant space on the main library walls, the two adjoining rooms and two balconies have been utilized. Built-in shelves have been placed between windows, above doors, beneath running boards, and in narrow end spaces between stacks. We wonder where the next year's accessions can be placed!" In reporting conditions specific to the Law Library to the American Association of Law Libraries in a November 20, 1935, correspondence, Mrs. Moore states, "Our space is so crowded that we have to remove old editions to a store room in this building to make a place for new editions..." About the same time, the State Librarian and Archivist wrote a column in the *Nashville Tennessean* describing work revolving around the Law Library, "Much time of the library staff is given to legislative reference,

assisting researchers in locating material, guiding inexperienced researchers and replying to increasing numbers of letters and questionnaires from other libraries inquiring into Tennessee laws. Books borrowed by the legal profession reach into the thousands each year and those used in the reading room are beyond our count.”

Relief was at hand. By 1935, the Supreme Court had been kept waiting long enough, and its needs were great. Chief Justice Grafton Green and the Tennessee Bar Association undertook the arduous task of securing a new building for the Appellate Courts, and this time they would be successful. The end of 1937 saw the Courts settling into their beautiful new building at the corner of Seventh Avenue and Cedar (now Charlotte) Avenue. Chapter 78 of the Public Acts of 1937 provided for the removal of the law books owned by the State and court records to their new home. This initiative was to be overseen by a newly created Law Library Commission, made up of the Chief Justice of the Supreme Court, the Presiding Justice of the Court of Appeals, and the Attorney General. The State Library in the Capitol retained duplicates “for convenient use of members of the General Assembly and other State officers.” Under this Act, the Supreme Court Clerk became the *ex officio* Librarian and Archivist of the new library. The legislation also provided for a “Custodian” and a “Helper for the Custodian” to staff the Supreme Court Library.

Mrs. John Trotwood Moore was making preparations to transfer the long treasured volumes to their new home at the end of January of 1938. When she requested instructions concerning the removal of the books from Chief Justice Green, the conditions under which the staff had been operating were revealed. Mrs. Moore wrote, “You see we have been so crowded in this library that the books have had to be separated and housed in three or four different rooms where ever a space could be found and where the different sized books would fit on the different sized shelves. This has complicated things ...” Though Mrs. Moore was no doubt happy to recapture some space for the State Library, parting with the law collection, given its history, was no doubt bittersweet. This echoes in her words to

Justice Green, “I am desirous of holding anything you are willing to omit which would be a duplication on your shelves and which would help the State Library to hold its reputation for service.” The strain of the move shone through in her correspondence with historian Stanley Horn on May 10, 1938. She recalled, “with the removal of the nineteen thousand volumes of the Law to the Supreme Court Building, with checking, listing, stamping, organizing the personnel, labor help, and keeping the library open at the same time, our service going on just as though nothing extra was being done, has taken our complete mind and energy for several weeks...” But the State Library and Archives had one last thing to share with the Supreme Court—one of its own.

Aaron Taylor, an African American porter for the State Library since 1902, moved to the Supreme Court Building with the law collection. The Giles County native had obtained his appointment upon the recommendation of Senator Newton White. Chief Justice Neil had supplied Taylor with training in the law books, as had John W. Gaines. Taylor’s expertise was recognized by lawyers, judges, and legislators alike. An article in *The Nashville Banner Magazine* concerning the new Supreme Court Building highlighted Taylor’s special knowledge. Mrs. Moore was quoted in the article stating, “Aaron knows the value of such records and is to be trusted implicitly. He has made a special study of the law library and is more interested in it than any other library department.” When asked if Taylor was coming with the law books to the new Supreme Court building, Justice Green said, “I don’t see how we could get along without Aaron.” Taylor would indeed make the move and the correspondence of the State Librarian and Archivist shows that he was largely responsible for setting up the new Supreme Court Law Library. In the coming months and years, Aaron Taylor’s name appears in Mrs. Moore’s letters when specific checks of Supreme Court Library resources are needed.

Though the Law Library settled into its new home in the Supreme Court Building, the transfer did not mark the end of the close connection between the Supreme Court and the Tennessee State Library and Archives. After all, as Mrs. Moore stated, “In fact, the law library was the nucleus around

which the whole State Library was developed.” The two institutions are still united by the vast collection of historic Tennessee Supreme Court records housed at TSLA. The two agencies continue to collaborate on the records management needs of the Supreme Court. The ongoing Supreme Court Project provides for the conservation and indexing of the voluminous Supreme Court Trial Case Files and a growing TSLA web site database giving the public research access. Additionally, the Tennessee State Library and Archives continues to provide support, research assistance, and material loans to enrich the Judiciary Museum housed within the Supreme Court Library. These sister buildings sit side-by-side today, in the same way the institutions have traveled their parallel paths of history.

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