John Stice wouldn't give up. He filed a $1,000,000 law suit against the Beacon Newspaper Corporation alleging that the newspaper, when covering the police burglary investigation, had printed articles about him that were libelous, defamatory, malicious and untrue. He claimed the articles falsely implied that as an attorney and judge of the Court of Common Pleas, he was criminal, dishonest, guilty of misconduct, lacking integrity and unfit to serve as a judge. One of the articles stated that the police had named Stice and Trail as the ringleaders of the gang.

The trial court ruled in favor of the newspaper, and Stice then appealed. The Supreme Court of Kansas put the matter to rest, affirming the decision of the lower court and saying that the articles and their accompanying headlines were not an exaggeration of the judge's misconduct.

JUDGE RAULSTON SCHOOLFIELD (TENNESSEE)

Judge Raulston Schoolfield of Chattanooga, Tennessee, was a colorful character on the bench, reminiscent of some of those jurists who made Wild West courtrooms seem more like saloons.

In 1957 Judge Schoolfield, at fifty-one, appeared to be a man of quiet manner, but he was noted for a violent temper. He would fight at the drop of a hat.

As Chattanooga's foremost criminal lawyer before he was elected to the bench, Schoolfield defended a wide range of gamblers and hoodlums. It was said he never had a client he

couldn't whip. Some of these men were his close friends. As a trial lawyer he scored victory after victory before juries entranced at the audacity of his slashing attacks on prosecution witnesses.

As a politician, Schoolfield was regarded as an expert manipulator and a forceful campaign orator. In 1954 he was the "avowed racist" candidate for the Democratic gubernatorial nomination against former Governor Gordon Browning and the incumbent Governor Frank G. Clement. Schoolfield received 29,000 votes of a total of 605,000.

He was first elected criminal court judge in 1948 to fill out an unexpired term. In 1950 he won a full eight-year term.

There was never a breath of scandal attached to his name until December 1957 when the Senate Select Committee on Improper Activities in the Labor or Management Field heard evidence of a reported payoff of $20,000 by a Chattanooga local of the International Brotherhood of Teamsters. Much of the testimony centered on the actions of Raulston Schoolfield. It seemed that Judge Schoolfield had dismissed indictments against thirteen teamsters in 1951 and 1953.

A key witness before the committee was Glenn W. Smith, who held two union offices, serving as president of Chattanooga Teamsters Local 515 and president of Joint Council 87, made up of teamster locals in Tennessee. He had also served two prison terms for robbery and larceny.

Smith and twelve others were indicted in the Hamilton County Criminal Court in 1951. They were charged with dynamiting, arson and other acts of violence in connection with teamster organizing.

In June of that year Smith negotiated a loan of $13,500 from the Southern Conference of Teamsters. The money was added to the thin bank account of the Chattanooga local on July second. On that same date Smith and H. L. Boling

(secretary-treasurer of the local and also one of the defendants) cashed a draft for $18,500, charging it on the union books to "attorney's fees." Smith refused to tell the committee whether any of the money had gone to the judge, and claimed the Fifth in refusing to answer any questions about the money or who got it.

Raymond Hixon, a deputy state fire marshal, testified that on July eighth Boling had offered to bet him $500 that there would not be a trial. Hixon said, "Then he told me that $18,500 had been passed to quash the indictment."

On March 14, 1952, Judge Schoolfield quashed the indictments.

On March 17, 1952, officers of the local cashed a draft for $1,500 and again charged it to "attorney's fees."

On February 25, 1953, the Tennessee Supreme Court reversed the judge's decision and sent the case back for trial.

The trial began in late June 1953. After the prosecution had completed its case, Judge Schoolfield ordered a directed verdict of not guilty. The prosecutor was stunned. In his research and preparation of the indictments he had relied in part on a similar case in which the judge himself had helped to draw the indictment.

The courthouse was full of rumors of a "fix."

On December 18, 1957, another Senate committee witness testified that he had paid $1,000 to have a case "fixed" in a Tennessee court. The witness was James Spence Galloway, a one-time filling-station operator. Soon after he paid the $1,000, Galloway testified, he received a new trial, pleaded guilty, was sentenced to three years and was paroled—all in Judge Schoolfield's court in Chattanooga.

Galloway had been convicted of concealing stolen property. Judge Schoolfield, on May 24, 1954, overruled a motion for a new trial.

Galloway then went to Raymond Boling, still secretary-treasurer of Teamsters Local 515, "who said he'd see what he could do to help me." Boling talked to Sam C. Jones, a professional bail bondsman, who said "he could get the thing handled for $1,000." Galloway raised the money and turned it over to Jones between June 5 and June 10, 1954.

Jones and Boling together met Mr. Harold Brown, a special prosecutor in the Galloway case (who was at the time of the Schoolfield scandal an Assistant Attorney General of Tennessee), in the courthouse corridor one day. According to Jones, Boling and Brown went off to the side and spoke together for awhile. After a few minutes Mr. Jones handed over the $1,000 to Mr. Brown.

When Brown testified before the committee, he insisted that he had regarded the money only as a legitimate contribution from Sam Jones to Judge Schoolfield's campaign for the gubernatorial nomination. Mr. Jones, however, said he had understood the payment had been made to help Galloway. Boling pleaded the Fifth.

In order to resolve the conflict in the testimony as to whether or not the payment was a campaign contribution, a search was made of Schoolfield's financial reports for the 1954 campaign. The search failed to show that the judge had filed any document reporting a campaign contribution, as required by Tennessee law.

On December 27, 1957, Judge Schoolfield, in an hour-long speech over local radio and television, scathingly denounced the committee witnesses, the committee, the governor, the supreme court, the Chattanooga *Times* and the *New York Times*. In addition to this list of enemies, he said there was "a hidden and secret government devoted to the destruction of all precepts of liberty and freedom heretofore enjoyed by the citizens of this country and to deliver the people of this

nation into the hands of an international conspiracy too horrible to think about." He claimed that a "tyrannical central government" aided by "arrogant bureaucrats" wanted to destroy him because of his advocation of state sovereignty.

The judge denied any wrongdoing in the Galloway case, or in the case of the $20,000 bribe allegation. In the case of the campaign contribution, he pleaded that because of fatigue at the end of a grueling campaign, he had forgotten about the filing provisions.

He closed by warning his listeners, "if they are going to bring me crashing to earth, then the shackles and forges being fashioned for me today may well fit your hands and ankles tomorrow."

The authorities in Tennessee were not impressed. Governor Clement initiated a complete investigation into the judge's activities with a report to be made to the Tennessee legislature. Both the state and Chattanooga bar associations recommended that Judge Schoolfield step down from the bench pending completion of the inquiry. He refused. Clement then appointed dapper John J. Hooker, Jr., as a special prosecutor.

On May 3, 1958, Schoolfield held a political rally in his courtroom and announced he would enter the June third primary to seek his party's renomination for criminal court judge. He lost.

On May 6, 1958, the Tennessee House of Representatives, called into special session by the governor, began considering charges of impeachment. Within a few days, it issued a report containing some twenty-five charges of misconduct.

The report also declared that grand juries chosen by Judge Schoolfield had released more accused law violators in two court terms than had been released in that county in the last ten years. (Harold Brown, the special prosecutor in the Gallo-

way case who resigned as assistant attorney general, had once been appointed by the judge as foreman of the county grand jury.)

On May sixteenth the house voted 89 to 7 to impeach on twenty-four charges. The trial began in the senate on June 10, 1958.

Judge Raulston Schoolfield was convicted on July 11, 1958, on three articles of impeachment, and removed from office. The senate failed by three votes to disqualify him from again holding public office in Tennessee. The charges in the three articles on which he was found guilty were distinct from those disclosed in the hearings before the senate subcommittee in 1957.

Judge Schoolfield was convicted of having, in 1950, accepted a gift of a new Pontiac automobile in return for favors he had extended, and was to extend, in his official capacity to some of the donors. The money to buy the car had been solicited and collected by the judge's court officer from defendants and lawyers who practiced before his court.

He was also found guilty of engaging in active politics, using the power of his judicial office to promote the candidacy of political friends and to influence persons in politics to become or not become candidates for public office. He commanded and directed the political actions of known racketeers and met with them at "shady and questionable places" to coerce them to do his "political will." In connection with these activities, he had accepted $2,500 from Joe Frank, a former Chattanooga gambler, to be used in preventing passage of an antigambling bill in the 1949 state legislature.

Finally, the judge was found guilty of using profane and obscene language while acting as judge.

But the matter was not closed with Schoolfield's removal from the bench. The Tennessee and Chattanooga bar associations still had a few jabs to take.

Disbarment proceedings were instituted in August 1959 using the same charges relied upon in the impeachment action. In the course of the proceedings it was further discovered that Schoolfield had on two previous occasions been before the supreme court for disciplinary action in matters in which he had been found guilty.

In the first of these indictments he had impersonated someone else and taken the bar examination for him. The second incident related to his refusal, when a lawyer, to represent two defendants jointly indicted for burglary; for this refusal he was fined for contempt of court.

Raulston Schoolfield was permanently disbarred from the practice of law in the state of Tennessee on January 21, 1960. That year his son, a brilliant student, graduated from Cumberland Law School, and John Hooker, Jr. launched a political career that took him almost to the governor's mansion.