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A Tribute to Mac Swinford

Bernard T. Moynahan Jr.

United States District Court for the Eastern District of Kentucky

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In recognition of his long years of distinguished service to the Commonwealth, the editors and staff respectfully dedicate this issue to Judge Mac Swinford.

A Tribute to Mac Swinford

BERNARD T. MOYNAHAN, JR.*

Judge Swinford was born in Cynthiana, Kentucky, on December 23, 1899. He received his elementary education in the public school system of Cynthiana and his advanced education at the University of Virginia Law School and received a Bachelor of Laws Degree in 1925. In 1926 he was elected to the Kentucky House of Representatives and served two terms. He practiced law in Cynthiana, Kentucky, from 1922 to 1933. In 1933 he was appointed United States Attorney for the Eastern District of Kentucky and held that position until he was elevated to the federal judiciary in 1937.

On August 21, 1937, he was appointed United States District Judge by President Franklin D. Roosevelt to fill the newly created "Roving Judgeship" for the Eastern and Western Districts of Kentucky. He served as Chief Judge of the Eastern District of Kentucky from 1963 until 1970. In 1965 he received an honorary Doctor of Laws degree from the Salmon P. Chase College of Law, of Cincinnati, Ohio. He was a member of the Kentucky Bar Association, then a voluntary organization, from the time he was admitted to practice and was a member of the American Bar Association for many years. He was also a member of the Judicial Conference of the United States from 1966 to 1969. Judge Swinford continued in active service as a United States District Judge for the Eastern and Western Districts of Kentucky until his death.

He died in Cincinnati, Ohio, on the evening of February 3, 1975, having just completed a protracted jury trial in Covington, Kentucky, which was scheduled to go to the jury the next morning. At the time of his death he held the second oldest commission in active service of any living member of the federal judiciary.

During almost 50 years of public life he demonstrated a

* Chief Judge of the United States District Court, Eastern District of Kentucky.
remarkable combination of abilities. During 35 years of this
time, I was afforded the rare opportunity to appear before him
as a practicing attorney and a United States Attorney and was
privileged to serve with him as a United States District Judge.

During this long period of association, I came to realize
that he was a man of many talents. He was not only a legal
scholar and a lawyer's judge, he was also a judge's judge. Be-
neath a stern exterior he had a great understanding and com-
passion for the frailties of human nature, which were fre-
quently revealed to him in the courtroom.

He possessed to the “nth” degree that indefinable element
known as “judicial temperament.” He was patient to a fault
with those who had a real cause, even though they were pres-
enting it badly; however, he had absolutely no patience with
sham or pretense.

To be present at one of his naturalization ceremonies was
an ennobling experience. He never failed to convey, not only to
the new citizens, but also to the native born, his great admira-
tion for this country, its history and institutions, and above all,
it’s Constitution and Courts.

He traveled continually throughout Kentucky during his
long tenure as District Judge and exhibited a vast knowledge
of our people and of the history of the Commonwealth. Tall and
erect in physical bearing, with a heavy shock of steel gray hair,
he not only acted, but also looked like a judge; indeed he would
have been a classic prototype for a judge in a Hollywood
thriller.

In addition to his many other sterling qualities he was a
great wit and raconteur. His ability in this regard is amply
demonstrated in the book Kentucky Lawyer, which he au-
thored several years ago, and by his reputation as a story teller.

He was a devoted father and family man and served for
many years as an Elder in the Cynthiana Presbyterian Church.
He enjoyed being a United States District Judge and truly
considered it the greatest office in the land.

He was a jurist of outstanding ability and of unquestioned
integrity. His contribution to the federal judiciary and to the
history of the Commonwealth will grow ever larger with the
passage of time. It was one of life's great experiences to have
known and to have been associated with him.