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Morison Buck

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NATHAN ROBERTSON GRAHAM:  
(1898-1958)

THREE-SCORE YEARS OF SERVICE  
AND ACCOMPLISHMENT

On February 21, 1898, scarcely a week after the mysterious scuttling of the U.S. battleship MAINE in Havana harbor, a happening which triggered the Spanish-American war, Nathan was born in Lebanon, Tennessee. The site of his birth was not far from the Hermitage a few miles east of Nashville. He was the youngest of five children born to J.W. and Lucie Robertson Graham. Graham was a lineal descendant of James Rufus Graham who immigrated from Scotland to middle Tennessee in the late 18<sup>th</sup> century.



Whether or not the future judicial officer's given name had some familial significance is not known to this reporter. The biblical Nathan, son of David and Bathsheba, described by one writer as a *minor* prophet, was at the epicenter of one of the most familiar parables in the Old Testament. The story related to King David by Nathan was that a certain rich man had stolen and killed a sheep, the only animal owned by a poor neighbor. Upon hearing the tale, David was enraged and demanded the thief be punished. Nathan looked at David and said: "You art the man!" (Samuel 12: 1-7). The prophet's later namesake from Tennessee was surely a *major* player in the legal and judicial history of Hillsborough County, Florida.

After completing high school in Franklin County, TN (some distance south of Lebanon), Graham attended George Peabody College for Teachers (now integrated with Vanderbilt University) in Nashville. His next step up in the educational ladder brought him to Cumberland University in Lebanon, an institution established in 1842. It was also the home of Cumberland law school for about 150 years. Then it became known as Cumberland College of Law at Stamford University in Birmingham, Alabama. A great many distinguished lawyers and judges in Florida earned their degrees in law at Cumberland.

Nathan Graham was admitted to Tennessee Bar in 1920 after graduating in law from Cumberland. Dr. Frank Burns tells me that all records of the law graduates of that year have been lost or destroyed.

While attending Cumberland as an undergraduate student, he was a member of the wrestling team. Nathan also happened to be dating the best friend of a young woman named Janie Cook from Lebanon. Ms. Cook was also dating someone else and at some point the four of them attended a football game together. He met his future bride for the first time that day, and, to use a phrase more common in that day, Nathan “courted” her.

Janie was a home school economics major at Cumberland while Nathan was in law school. The courtship led to marriage in their hometown of Lebanon on October 27, 1923. Sydney Smith, English clergyman, author and wit, is credited with having this to say about the sacrament of marriage. Marriage, he said, “resembles a pair of shears, so joined that they cannot be separated; often moving in opposite directions, yet always punishing anyone who comes between them”. By all accounts, such was the kind of marriage Judge and Mrs. Graham enjoyed for thirty-five years. The Grahams had two children: Nathan R. Graham, Jr. who was born in 1927, but who only lived seven months, and Janie E. Graham (now Mrs. G. Blaine Howell, Jr.). They also had three grandchildren: Jane Trice Thomas, Ann Blaine Howell, and George B. Howell, III. Their daughter and grandchildren all reside in Tampa, Florida.

Nathan Graham began his long career close to home by commencing the practice of law in Nashville, the state capitol, and was a busy lawyer there for five years.

In 1926, about the time the massive boom in real estate speculation had crested, the Grahams moved from the Volunteer State to Florida. Nathan’s great uncle, Nathaniel Robertson and the latter’s son, John Fite Robertson, also transplanted from Lebanon, were getting established as lawyers in Sarasota County. Nathaniel had a winter home in Sarasota and, for a time the Grahams resided there. Nathan teamed up with C.L. McKaig who had been admitted to practice at about the same time, forming the small firm of Graham & McKaig and were so listed in the Martindale-Hubbell Law Directory. This writer could find no connection between the Graham and Robertson law firms.

Although none of his ancestors is known to have sought or held public office in Tennessee, Graham decided along the way to become active in the Republican Party in Florida. In 1927, he became a member of the Republican state committee, and was thereafter prominently identified as a leader in the GOP in this state.

Graham’s commitment to public service became manifest when, while living in Sarasota in 1929, he was appointed an Assistant United States Attorney for the Southern District of Florida, with responsibility for trials in Tampa, Jacksonville, and Miami. In addition to being the Chief Trial Attorney, he was in charge of condemnation proceedings for all manner of government facilities and projects. Initially, he worked under U.S. Attorneys, W.P. Hughes and John W. Holland (later a U.S. District Court judge in Miami) and upon the latter’s death, Graham unsuccessfully sought the appointment to fill that vacancy.

In 1931, the family moved to Tampa where Graham worked as an Assistant United State Attorney under Herbert S. Phillips of Tampa. Mr. Phillips, a tall, slender man of erect carriage who always wore a high-necked, stiff collar in the manner of Woodrow Wilson, was an almost legendary fixture in the downtown federal courthouse and post office building (such a building is at this writing being seriously considered for acquisition by the City of Tampa for municipal purposes). Serving longer than any other man in Florida history, Mr. Phillips (usually addressed as “Judge” out of respect) had been originally appointed by President Wilson, and was recognized as a man of solid ability and integrity. He died in Tampa at his longtime residence on Bayshore Blvd. on July 21, 1962 at age 90.

The Graham family took up residence in the old “Bruin house” on the corner of Magnolia and Bayshore, at the location known as Spanishtown Creek. The site later served as offices for Berkeley Preparatory School. In 1932, Judge Graham purchased the home at 2310 Ardson Place. Mrs. Graham remained in residence there after her husband’s death. The property remained in the family after Mrs. Graham’s life ended in 1992.

Graham’s service as a judicial officer had its genesis in his appointment as Referee in Bankruptcy (now called Bankruptcy Judge) in 1934 by Senior Federal Judge Alexander Akerman. His initial appointment extended for three 2-year terms; then he was reappointed by Judge William J. Barker (whose career story is in this series) for another term. Serving as a referee at about the same time as Judge Graham, but in the Northern District of Florida, was John A.H. Murphree of Gainesville. Murphree later went on to render distinguished service as Alachua County Circuit Judge for many years.

During his tenure as Referee, Judge Graham was also named master in municipal compositions for Belleair, Tarpon Springs, Sarasota, Clearwater and others; he was also in charge of numerous corporate reorganizations. After seven years of laudable service, the Judge resigned his post to return to private law practice in 1941.

At the somewhat advanced age of 45, Graham volunteered for World War II military service in 1942, and received a commission as Captain in the Judge Advocate General’s department of the Army. He had an extraordinary but brief tour of duty just prior to the end of the First World War. From September 1918 until the end of that eventful year he was on active duty as an enlisted man (Private) in the Student’s Army Training Corps at Peabody College in Nashville.

Upon his discharge from JAG duty in June 1946, he was promoted from Major to Lieutenant Colonel in the U.S. Army reserves. His service during WWII was abbreviated when it became known that an infection in his toe following a marching drill led to a diagnosis of severe diabetes. Consequently, he returned to Tampa and law practice. Back in 1936, he first became associated with Ray Brown in the Citizens building. Later he teamed up with Paul Dixon before bringing in a younger partner, Roger D. Flynn. The latter later won election as Circuit Judge, without opposition, when senior Judge L.L. Parks, who began his long service in 1923, elected not to offer for reelection in 1960.

Paul B. Johnson, well-known Tampa lawyer and former State Attorney for the 13<sup>th</sup> Judicial Circuit, responded as follows to a request for his memories of Judge Graham:

“Judge Graham was very dignified in appearance and practiced business law and real estate law, although it was not known to many, he possessed a great sense of humor. I was the butt of one of his practical jokes in 1950. I had worked for the firm for one year while in law school as a clerk and was offered a job upon graduation from law school. In those days graduates from University of Florida had their diploma privilege and were admitted to practice upon graduation. I graduated from University of Florida in September 1950 on a Friday, and the next morning I showed upon for work at the office. Also, in those days the courthouse was open one-half day on Saturdays. I was dressed in a short sleeve sport shirt, because we had no air conditioning and that was the acceptable way for attorneys to dress. Mr. Graham had told me that he had arranged for me to be sworn in and we all walked over to the courthouse. Mr. Graham stated: “Judge, we are here to have our young associate sworn into the Bar.” Judge Spoto stared at me sternly and said: “Young man, have you come to be sworn into the Bar dressed that way without a coat and tie, does that show proper respect for the Court?” I started stammering and saying, Your Honor, I apologize, it will never happen again. I apologize. At that time everyone burst out laughing. Judge Spoto did not have a coat in his office and had borrowed a coat and tie from a Bailiff in order to pull the little joke on me. After the laughter subsided, I was sworn in and went back to work. Judge Graham told us about practicing law in the depression when attorney’s fees were hard to come by. However, during much of that time he was a Referee in bankruptcy and did very well financially as he received a commission from the bankruptcy cases. Mr. Graham was also very proud of his athletic abilities in Tennessee, and he would tell me about his experiences as a wrestler in college. Although when I worked for him he was very short and round.”

For most of his adult life, Nathan Graham was an active leader in the Methodist Church. From 1946-52, he was elected District Lay Leader for the Tampa District (Pinellas, Hillsborough, and parts of Pasco and Hernando). For a short period during the last years of his life, he had a professional connection with the late Judge Robert T. Mann, also an outstanding Methodist churchman. The firm was Graham & Mann located in the Wallace S. Building at 608 Tampa Street. Judge Mann’s widow, Elizabeth, says that her husband held Graham in high esteem. While at Hyde Park Methodist, Judge Graham, taught Wesleyan Fellowship Sunday School class. Prominent Tampa couples who reportedly found him to be a studious and well-prepared Bible scholar, including Jim and Martha Ferman, Cope and Edna Newbern. Nathan was an officer at Hyde Park and when he later transferred his membership to First United Methodist near downtown Tampa, he became deeply involved as a Board of Stewards member until his death. His other community interests over the years are too extensive to list fully, but include: President of Kiwanette Club in Tampa; was twice President of Civic Music Association (now the Florida Orchestra), a 33<sup>rd</sup> degree mason; President, Cancer Society of Hillsborough County, and a host of other charitable organizations.

In 1950-51, he took on the chairmanship of the Hillsborough County Republican party executive committee. On January 29, 1952, he announced his candidacy for the U.S. house in the First Congressional District. His formidable opponent was William J. Cramer of Pinellas County, another staunch Republican. When the final vote count was

tabulated in the May 6, 1952 primary, Judge Graham tallied 3,545 of the 10,525 votes cast, but it was not enough. In the general election that fall, Cramer was defeated by a narrow margin by Courtney Campbell, a Democrat. Cramer was later successful in winning a seat in the Congress where he served for many years.

“Nathan Graham became a candidate (as an active Hillsborough County Republican) in an effort to invigorate the party and with the encouragement of the county committee, of which he was a member.

He talked about himself as a lay leader of his church, a long-time experienced lawyer, good family man and a party leader with mature judgment. Thus, he attempted to contrast his candidacy, running against a young 32 year old state legislator “politician” with a mere three years of law practice.

His non-confrontational, lawyer like conservative approach to the campaign failed to excite and garner enough support. Of course, I campaigned as a war veteran, an experienced legislator, a proven winner, a former county attorney with youthful vigor and conservative philosophy needed to back Ike, our president-to-be. Ike needed a GOP Congress to be able to effectively govern and I was a proven winner, even in a Democratic county.

As a result of his failing to win the primary, he graciously supported me in the general election of 1952 and thereafter.”

Judge Cramer never ran for office again although he was a serious contender with other of his party in 1955 (Eisenhower was President) for a newly created federal judgeship. In July 1955, Florida Senator Spessard L. Holland wrote John Fite Robertson, Nathan’s kinsman, that he was not indisposed to Graham’s appointment. As it turned out, neither Graham nor the other Tampa lawyers, Henry H. Cole and Miles H. Draper, considered to be in the running were successful. One suspects that Nathan experienced some disappointment because of his judicial record, legal background, and unquestioned party loyalty. But, as they say, that’s politics.

There is an old maxim: “The King can make a nobleman, but he cannot make a gentleman.” The word itself is from the Latin root, *Genero* meaning, “give birth to.” Consequently, it is commonly accepted that gentlemen have simply been born that way. That’s the consensus of Nathan Graham’s friends and associates. People like:

- a) Peggy Spamer Funk, whose family were close neighbors of the Grahams on Ardson Place. Judge Graham sent her to Tampa Business College in 1936 before hiring her as his assistant while presiding in bankruptcy cases. She recalls that M.J. Hulsey Co. was one of his most complex.
- b) Mary P. Capitano, Ybor City-born, retired teacher and his friend from First Methodist Church.
- c) Richard F. Cours, 83 year old retired Tampa lawyer who is a highly regarded, well-liked professionally who knew Graham when they both had a law office on the 4<sup>th</sup> floor of Wallace S. Building, confirms that Judge Graham was a quiet, soft-spoken, consummate gentleman.
- d) Sharing the same opinion is Miriam Wilson (Mrs. Murray J. Pascual), member of an old Tampa family.

Years of coping with diabetes, an infirmity which this writer's mother, an R.N. on private duty in Asheville, NC about the same time as Graham's military duty during World War I, called a "wasting" disease, finally took its toll. On May 27, 1958 at the VA Hospital in Augusta, Georgia. Judge Graham succumbed. Mrs. Graham, who outlived her husband by three decades, continued to live at the family home until her death in 1992.

Morison Buck

Afterword:

What a wee little part of a person's life are his acts and his work. His real life is led in his head, and is known to none but himself.

Mark Twain