

1-1-2000

Laurence Ayres Grayson: Southern traditionalist to the core (1895-1961)

Morison Buck

Follow this and additional works at: http://scholarcommons.usf.edu/flstud_pub

 Part of the [American Studies Commons](#), and the [Community-based Research Commons](#)

Scholar Commons Citation

Buck, Morison, "Laurence Ayres Grayson: Southern traditionalist to the core (1895-1961)" (2000). *Digital Collection - Florida Studies Center Publications*. Paper 2482.

http://scholarcommons.usf.edu/flstud_pub/2482

This Article is brought to you for free and open access by the Digital Collection - Florida Studies Center at Scholar Commons. It has been accepted for inclusion in Digital Collection - Florida Studies Center Publications by an authorized administrator of Scholar Commons. For more information, please contact scholarcommons@usf.edu.

***** CHIPS OFF THE OLD BENCH *****

**Laurence Ayres Grayson:
Southern Traditionalist to the Core (1895-1961)**

Born January 30, 1895 in Vienna, Virginia virtually within the shadow of the nation's Capitol, L. A. Grayson (he used his initials even on the ballot) was truly a product of the old South. A southerner, one writer observed, is a man born in the last homogeneous society in America.



It is perhaps ironic that the year following his birth the case consistent with his own deeply-felt social convictions, so freely expressed from the criminal bench years later, was decided. *Plessy v. Ferguson* was the instrument whereby the U.S. Supreme Court upheld state laws enforcing segregation by race provided public accommodations were equal as well as separate. It was likely the last case out of the high court relating to that issue which found favor with Grayson. As every

high school history student knows, or has at least been instructed, *Plessy* remained law for almost six decades until the Warren court fired the judicial shot heard around the country in *Brown v. Board of Education of Topeka* (1954).

Grayson entered the University of Virginia at Charlottesville in 1916. Before completing his first year there he responded to the nation's call to colors, volunteered in the Army Air Service (forerunner to the Army Air Corps and U.S. Air Force respectively) and was commissioned a second lieutenant in February 1918. While assigned to the Royal Air Force overseas, his plane went down near Lincoln, England (northeast of Nottingham, close to the North Sea). His injuries were so severe that he was hospitalized for two years. After his recovery and the end of hostilities, he returned to UVA and got his law degree in 1925. He was involved in athletics, including football and track. In 1921 he was Asst. Freshman football coach, and the following year became a full-fledged member of the coaching staff. Grayson was chosen for membership in Eli Banana Society, the first honor ribbon society at UVA, formed in 1878. It was, according to one Tampa alumnus, an elite "partying" assemblage; like a contemporary Greek fraternity with a pedigree.

We don't know what induced this single, 30-year-old lawyer to move to Tampa in 1925. Perhaps it was the climate which continued to lure thousands of new residents every month. Tampa's population, according to census data, was only 51,608 in 1920, but grew to 101,161 just ten years later. More probably, the move south was an opportunity for a professional connection with the firm of Macfarlane, Pettingill, Macfarlane and Fowler. His association with that firm continued until 1930 when he began practice on his own account. Nevertheless, the 1938 Martindale-Hubbell lists him as an associate of Cody Fowler in Citizens Building.

Of medium height, with piercing eyes, thin lips and rimless eye glasses, Grayson had a fine stand of hair parted in the middle which turned a rich silver with the passage of the years. It provided a vivid contrast with the black robe worn for 22 years. Judge Grayson sitting on the bench dominating the courtroom was the handsome epitome of how a judge ought to look

The absence of Judge R. Himes, duly elected Judge of the Criminal Court of Record, due to wartime naval duty, made it necessary that an Acting Judge be designated. In early 1944, Grayson was selected by Governor Holland for the interim appointment. Judge Grayson's name appeared on the ballot for the first time in 1948, opposed by O.D. Howell, Jr. (elected Judge of the Juvenile Court in 1954). He won election by a substantial margin, and was challenged but once at the polls thereafter.

Grayson quickly became the darling of the press. He was so often "copy" for reporters covering both the old courthouse, and after 1952, the present edifice. Most mornings before court convened, he could be seen drinking coffee and giving vent to his opinions on wide-ranging subjects, surrounded by a group of young lawyers, including this scribe, and hangers-on in the lobby of the old, unairconditioned courthouse. He was a hard worker, and took pride in clearing his docket. Prior to 1960 when a new judgeship was created, Judge Grayson had the burden of trying all criminal cases other than capital offenses, so he stayed busy. Former prosecutor, Harry M. Hobbs remembers that he would start a jury trial at 9:00 in the morning, take short breaks for lunch and dinner, and continue until midnight if necessary. He was effective at setting examples of miscreants. For example, Retired Judge Jim Lenfestey recalls that there was a time when there were bomb threats to public buildings, schools etc. After a 17-year-old youth had been found guilty of making a false report, he sentenced the offender to one year in County Jail. That was the end of the bomb threats.

Judge Grayson's favorite targets for his prickly criticisms were the Supreme Court of the United States and also of the State of Florida, followed closely by the State Pardon Board and the Fla. Parole Commission. Especially in a high profile case, the judge would impose the maximum sentence, then state into the record, "Let the boys in Tallahassee do something with that." In those days, appeals from his court went directly to the Supreme Court. When

President Eisenhower ordered federal troops to Arkansas in 1957, Grayson said, “Ike’s now kicked Arkansas out of the union.” The next day he ordered the bailiff to vary the court opening as follows: “Hear ye, hear ye, hear ye, the Criminal Court or Record of Hillsborough County is now in session. God save the United States, the great State of Arkansas, and this Honorable Court.” The local press reported that in 1958 he endorsed public flogging of juveniles, erring husbands, and even “footloose mothers.”

His comments about the appellate courts were bland in comparison to his feelings about the late, former Governor Leroy Collins. Collins was his *bete noire*. He reportedly said that he doubted Collins parents had ever married. Even though the judge said that he was a Democrat and believed “in the destiny of the Democrat party,” he resented the Governor’s liberal views on racial integration. When Grayson took on the Pardon Board stating: “It sometimes frees a man before he can get to jail. I don’t know why these pardons cost so much but they do.” Upon hearing about that comment, Collins responded that Grayson had falsely and recklessly impugned the character of the Board.

Betty C. Byrd was Judge Grayson’s judicial assistant (before that title was in vogue) from 1953 until he was overruled by the Judge from whom there is no appeal. She recalls him fondly, and remembers that he was upset in a case where the jury was deadlocked five-to-one, and ordered five meals and one bale of hay to be sent into the jury room. An appeal in that case was successful.

Retired Judge Peter Taylor tells the story of a trial before Grayson in Courtroom 5 at the north end of the 3rd floor. Harry Hobbs was prosecuting a case when a prominent Tampa attorney known in the argot of perhaps less illustrious lawyers as “The Suit” strode through the front doors down the aisle and directly to the bench. This individual always wore heel taps on his shoes and could be heard tap-tapping as he approached. Without concern for the ongoing trial, he propped himself up close to the judge, whispered to him for a few moments, then walked out without saying an audible word. His name is withheld to protect the innocent, but he was a member of the firm which succeeded Macfarlane, Pettingill, Macfarlane and Fowler.

He presided over many memorable trials. One was State v. Hoyt, where defendant was convicted of 2nd degree murder with a baseball bat of her husband, an Air Force Captain at MacDill AFB. Retired Judge Carl Durrance and C.J. Hardee, Jr. were defense counsel. The pivotal issue on appeal was the constitutionality of Sec. 40.01(1), Fla. Stat., which required registration with the clerk by any female desiring jury service. The statute was upheld all the way to the Supreme Court of the U.S. Judge Durrance advises that 20 years later the statute was invalidated. Then there was State v. Uрга, which must have been the longest-running courtroom drama-cum-soap opera in Tampa’s history. Defendant was ultimately convicted of performing an abortion in a prosecution handled by prosecutor Lois W. Putney and had a six month sentence. The

original conviction resulted in a 5-year sentence that was overturned after yo-yo'ing back and forth between the trial and appellate courts for longer than 10 years.

When the present courthouse was opened in 1952 the water fountains throughout had the traditional signs – “White” and “Colored.” Judge Grayson continued the separation of the races in his courtroom, a practice carefully monitored by his bailiff, long after the fountain restrictions had disappeared. Paul B. Johnson, longtime State Attorney, feels that the Judge ruled fairly in trials regardless of the race or station in life of the accused. Even so, some of his conduct, such as producing an air freshener from under the bench and spraying it in the area of an evidently unwashed witness on the stand, would not be acceptable today.

Voters liked his reputation of being tough on criminals. In the primary of 1956 he swamped his only opponent, William H. Frecker (former Asst. County Solicitor) by amassing 70% of the vote, the largest vote for a candidate in county history at that time. He was no slouch at campaigning, having been seen by veteran lawyer Bayard Angle passing out cards and shaking hands in St. Joseph's Hospital while in a bathrobe as a patient just before the '56 race.

His neighbor in Temple Terrace for 20 years saw him watering his fruit trees in the yard just prior to his being stricken with a fatal coronary. That was Dr. Dexter Clayton (now living in north Georgia) who regarded him as a Virginia gentleman. Someone said that men who are supremely confident, never being in doubt about being right, frequently die in the bathroom at home of a heart attack because they are positive it is indigestion.

Away from the courtroom, Grayson was a man of good humor and conviviality. T. Paine Kelly, Jr. and Clayton Tittsworth knew him as a man who enjoyed a good story and a good drink. His contemporaries like Leroy (Chubby) Allen called him “Stud” Grayson. The Elks Club had its headquarters at Madison and Florida Avenues and he liked to have lunch there with old friends John Dekle, Supvr. of Registration, and Jack Simmons, Clerk of County & Criminal Court.

The "Tampa Times" described him in a posthumous editorial as a colorful personality, and a firm fighter for state's rights under the Constitution who, on many occasions, would, in effect, reverse the Supreme Court of the United States.

A Tampa lawyer was recently heard to say that there were no longer any “characters” on the bench in Hillsborough County. There is no hard evidence of the declarant's identity. But it sounds very much like something irrepressible Broaddus Livingston might have said. Whoever it was, he may have had Judge L.A. Grayson in mind.

Morison Buck

AFTERWORD:

Yesterday is for regret

Tomorrow is for grief.

The time for laughter

The time for laughter,

The right time, is now.

Ballad from the Yiddish theater