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Morison Buck

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William Shelby Graham: Judicial Hat-Trick (1861-1953)

Cricket, England's foremost outdoor pastime, is the too-complicated-to-explain forerunner of baseball in the former colony. Both games have a pitcher, batter and fielders, but the similarity ends there. The action in cricket centers around two wickets each consisting of three 28 inch high stumps with sticks (bails) resting in grooves atop the stumps. The object of the bowler (pitcher) is to get the batter out. The most direct method is to bowl the ball off the wicket. Sources more familiar with the game, like Steve Otto, the widely-read Tribune columnist, former sportswriter, and a fair athlete himself, tells me that if a bowler achieves that result on three successive balls, he has accomplished a "hat-trick," an expression also common in soccer and hockey. Upon achieving the trick, the bowler is entitled to a new cap from his club. Cricket, according to former British cabinet member, Rt. Hon. Lord Bancroft, is "a game which the British, not being a spiritual people, had to invent in order to have some conception of eternity."

It is a safe bet that Tampa's W S. Graham never played nor observed a game of cricket. But he surely accomplished, in fine style, an unusual 3-way feat in the first quarter of this century. He was Municipal (Police Court) Judge, County Judge, and Judge of the Criminal Court of Record, all in Hillsborough County.

Graham, one of eleven children, was born on July 10, 1861 in Lowndes County, Alabama, a place which was in the eye of the civil rights storm a century later. Professional versatility seems to have been a family tradition for his father was a lawyer, probate judge, and later a Presbyterian preacher.

In his teens, Graham's family relocated to Oxford, Mississippi where he attended Ole Miss (University of Miss.). In 1877, he ventured to Nashville, Tennessee (home of the gracious lady, twenty years his junior, he married 30 years later), entered University of Nashville and Peabody Normal from which he graduated with honors. Not only an honor
student, he was a gifted speaker, winning the school's oratorical contest in 1882. After getting his undergraduate degree, he taught at Montgomery-Bell Academy, a prestigious private school in Nashville, becoming principal of its grammar department. Showing his zest for knowledge and desire to excel, he enrolled in Vanderbilt Law School and reportedly polished off the two-year program in a single year, 1888.

Unmindful of the subsequently popular notion that you can't go home again, Graham returned to the Yellowhammer State, was admitted to the Bar, then, for a time, associated with his brother, Needham, publishing the local newspaper, Tuscaloosa Gazette.

It was more than a yen to get sand in his shoes that brought W S. Graham to Florida. Family members tell me that he moved to Tampa in 1892 because his brother, B. C. Graham, got here first. B. C. became prominent in the Hillsborough County school system, becoming School Superintendent in 1899. When erected in 1922, the grade school on Massachusetts Avenue hard by Columbus Drive in Tampa was named and remains B. C. Graham Elementary.

W S., meanwhile, postponed the start of his career in law. For reasons known only to him, perhaps to get established and better known, or for economic reasons, his first connection in Florida was as a teacher of science in Tampa's only high school. The 1893 City Directory lists him as a teacher boarding at 1712 Third Avenue, Tampa. A few years later, while living on 7th Avenue off Florida (a good, fashionable address at that time with a substantial number of prominent Tampa families as neighbors), he commenced the practice of law with Judge W A. Carter. Their office was in the First National Bank Building. Carter was then serving as judge of the Criminal Court of Record. A native South Carolinian who graduated first in his class at Washington & Lee, Carter served both as city attorney and state attorney for the 6th Judicial Circuit (which included Tampa). Like his partner, W S. Graham, he sported a splendidly, fully bloomed mustache in keeping with the masculine vogue of that era. Under present Canon, 5G judges are precluded from the practice of law. Such was not the case, however, during the entire public life of both men.

The Tampa Tribune edition of Wed. August 16, 1899, carried a front page story reporting that W S. Graham, Judge of Municipal Court (usually called Police Court) who had served for two years under Mayor Bowyer was not seeking reappointment. The newspaper's masthead proudly proclaimed, "The Tribune is the only morning paper published in Tampa. Its telegraphic service is superb and it covers the field thoroughly."

By the time he had concluded his tenure as Municipal Judge, it is beyond peradventure that he was comfortably at home in political activities. A Tribune story in 1900 describes Judge Graham as "an ardent and aggressive democrat (small d)." He was then President of Tampa's Young Men's Democrat Club, a well-organized and potent force in turn-of-the-century politics. Will Rogers, who had a lot to say about politics for many years, made the trenchant comment, "the more you read and observe about this politics thing, the more you've got to admit that each party's worse than the other. The one that's out always looks the best." One thing's for sure, anytime the name of W S. Graham appeared on the ballot in any election prior to 1920, he was certain to be elected. In the south at that moment in history, nomination in the Democratic primary was tantamount to election.

Judge Graham was a prime mover in an event which occurred in February, 1900 and
must have attracted national attention as well as elevated the political blood pressure of Graham and his conferees; William Jennings Bryan was in Tampa! In the photograph is a wonderfully detailed look at the three-time nominee for President of the United States with Judge Graham standing immediately next to Bryan, and holding his bowler hat in both hands. But Bryan was not successful in pulling off a "hat-trick," losing in three persistent efforts to attain the nation's highest elective office. In the BayLife section of the Tribune on August 23, 1985, Leland Hawes penned a grand article about the Bryan visit, also giving prominent mention of the well-known members of the welcoming committee.

In October, 1904, after serving for four years in Criminal Court of Record, Graham submitted his resignation to the Governor to take effect at the pleasure of the chief executive. His stated reason for leaving was the heavy volume of work in his law practice. He was also busy tending his 250 acre orange grove in Mango; Paradise, he called it. One of his hobbies was astronomy and he devoted time to that interest as well.

On March 11, 1908, while resident on his grove property, he announced his candidacy for County Judge. The newspaper expressed the expectation that he would make a strong clean race having been "one of the most successful judges of the criminal court." He was expected to do well in the contest, and he did. He won.

He served only one term as County Judge, then records show that he was returned to the Criminal Court of Record. Things were lively in Hillsborough County, even in 1918. In addition to a story in the Tribune on July 2, 1918 about the work of such Tampa notables as C. A. McKay, Abe Maas, and Col. Hugh C. Macfarlane to raise money to support tourism in the area, there was an account of a contempt proceeding in Judge Graham's court. It seems that attorney, W K. Zewadski, had kept the judge waiting in a pending case. The judge responded by imposing a $10 fine. The stiff fine was later remitted with a warning. The next day's edition reported that Fernando Maseda charged with attempted extortion of $1500 from Celestino Vega of Tampa changed his plea from not guilty to guilty. The criminal information alleged that the accused had threatened to kill Vega's son should the money not be forthcoming. The evidence presented to the court revealed that Maseda's plan went awry when the police placed the funds along with a dye pack in the toilet flush tank at a local restaurant, and the defendant's hands (if not his face) turned red. Judge Graham accepted the reduced plea and imposed a $1500 fine, plus costs, or a one year jail term. One tends to believe that the fine was paid to avoid the slammer.

In 1920, prior to the party primary, friends of Graham ran the following ad in the local daily:

*People of Hillsborough County appreciate good service and will return Judge W S. Graham to the position he now holds. From every section approval of his administration comes in. Fair and impartial, dealing with all alike, whether rich or poor, white or black. This is an important office, and, should have an able man at the helm. Vote for Judge W. S. Graham.*

Unfortunately for the judge and his friends, he fell just short of victory, losing to Lee J. Gibson whose vote totalled 3,717 to Graham's 3,078.

Graham never again practiced law but evidently, at age 60, spent most of his time managing the Mango grove until it became too much of an economic burden, and was lost in the pre-1940 depression in Florida.
Judge Graham was less than average in height, never weighed more than 150 pounds, and did not get married until age 52. There was, nevertheless, a tenderly romantic aspect of his personal life. When he was a student and part-time teacher in Nashville he saw a young girl one day and remarked to whoever was with him that he would one day marry her. Sure enough, he made a lifetime compact with that Tennessee belle named Sarah Elizabeth McCreery, and they were married in the bride's home in 1913. Performing the ceremony was Dr. John G. Anderson, pastor of the First Presbyterian Church in Tampa whose travel expenses were paid by the bridegroom. One returning to Tampa, the couple moved into a large two-story house at 301 E. Oak Avenue. In the same block lived the Kennedy family. One of that solid clan, Mary Hester Kennedy Youngblood, worked for this scribe for nearly 25 years.

Remarkably, all of the Graham children (except for the first child who died in infancy) raised in the Tampa Heights home are still, at this writing, alive and well. They are Margaret Graham Peeler, W S. Graham, Jr. (retired from U.S. Navy and also Hillsborough County Tax Collector's office), Katherine Graham Avant and John Thomas Graham. Judge Graham was no doubt proud of his offspring, but space does not permit inclusion of their achievements. His bride, Sarah, taught Latin and French at Hillsborough High School before and after her husband's judicial service. She was honored by the dedication to her of not one but two school annuals - 1912 and 1949. Mrs. Graham survived the judge by about 15 years.

W S. Graham had an extraordinary career, and a long life featured by success in education, in politics, and, most felicitously, in law.

- Morison Buck

Afterword:

The distance that the dead have gone
does not at first appear;
Their coming back seems possible
For many an ardent year.

- Emily Dickinson