

RESOLUTION IN MEMORY OF

THE LATE FRANK GRAY, JR., JUDGE  
UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

Born at Franklin, February 25, 1908

Admitted to Practice Before the  
Supreme Court of Tennessee, 1928  
Died at Franklin, September 6, 1978

Judge Frank Gray, Jr. lived for seven decades, and in that unfortunately brief span of time he learned, he practiced law, he participated in the affairs of his community, his state, and his country, and he made a significant contribution to each of these in particular and to the law in general. It is the memory of this truly extraordinary man that we honor today as one of our profession who departed this year.

It is just that memory which dictates that he be honored in terms more celebratory than mournful, for he was a man of the present and future, not of the past, a man of humor and optimism, and a man concerned more for others than for himself; and his last days among us are a tribute to those beloved qualities.

2074 MARSHALL & BRUCE-NASHVILLE

Judge Gray was born in Franklin in 1908 and lived there most of his life. He graduated from Battle Ground Academy and, at the age of twenty (20), graduated from the Cumberland University School of Law and was admitted to the bar. He served as an auditor in the State Comptroller's Office and worked over seven (7) years for the Federal Resettlement Administration, the last four (4) of which he was the agent in charge of the Birmingham district office. He resigned in 1944 and returned to Franklin to open a law office. In addition to his law practice and other pursuits, he served as Mayor of Franklin for fourteen (14) years, commencing with his election in 1947 and ending with his appointment to the Federal Bench by President John F. Kennedy. He stood for re-election every two (2) years and was never opposed. As Mayor of Franklin, he became a leader of the Tennessee Municipal League, serving eight (8) years on its board of directors and as Chairman from 1956 through 1959. He was voted "Mayor of the Year" in 1957.

One of Judge Gray's abiding interests was politics; he considered it both a joy and a duty of citizenship. He actively campaigned for Al Smith and the Democratic ticket in 1928 and always pointed with pride to the fact that his home county was not part of the Republican landslide of that year. He was named an elector in President Roosevelt's last race. He was a prominent supporter and advisor of Senator Estes Kefauver and managed the successful campaign of 1960.

Assuming the Federal Bench in 1962, Judge Gray served nearly sixteen (16) years and, from 1970 until 1977, he was Chief Judge of the United States District Court for the Middle District of Tennessee.

Although his other contributions were substantial, it is as a judge that he will best be remembered; indeed, it is virtually impossible for any one of us who practiced in his Court to refer to him without the preface "Judge," for he was, in the strictest sense of the word, a judge. Judge Gray was, most certainly, a devoted and intelligent student of the law, a legal scholar, but he brought much more than this superior learning to the bench; he was blessed with an innate sense of fairness and a special ability to discern right from wrong. His superlative talent, and his unique and distinguished contribution, as a jurist, was this instinctive judgment and the courage to follow it. Judge Gray's actions and opinions in the larger and more famous cases, like the decision striking down the durational residency requirement for voting, reserve forever his place in the annals of law and government, but his true greatness was manifested in the day-to-day judgments, fair judgments rendered with dignity and compassion. The word, "greatness," perhaps has become trite, but I use the word advisedly because Judge Gray did have the mark of greatness and he unselfishly shared it with us all.

As a man, he was incomparable. He was a true gentleman, a loving husband, a cherished friend. Judge Gray's lack of vanity, his unselfishness, personal warmth, love for people, and inestimable personality gave him a wonderful capacity for friendship, an abundant capacity for living. And we cannot remember him without remembering his wry wit and tremendous sense of humor which, more often than not, were employed to make fun of himself. At the ceremony presenting his portrait to be hung in the court room, Judge Gray rather sheepishly glanced at the portrait and remarked, "Never has one artist done so much with so little." He also requested that the portrait not be hung before his death, saying he had a lifelong aversion to the concept of living monuments.

Thus, though we have lost a distinguished and faithful servant, and a dear friend, we remember him both with a sense of profound respect and with a grateful smile. Judge Gray was a person who always took his job, but never himself, seriously. We are thankful for both: we honor him as a man because of his warmth, intelligence and humor; we honor him for his job because he perceived what was right and did it.

BE IT, THEREFORE, RESOLVED that this resolution be adopted at this assembly of the Nashville Bar Association and be spread upon the minutes of the Memorial Book of the Association.

Respectfully submitted,  
JAMES F. NEAL

\*\*\*\*\*