

Whitaker, Spier ^[1]

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by Robert M. Calhoon, 1996

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Spier Whitaker, was born in Davenport, Iowa, the son of Charles and Sallie Grant Whitaker. His grandfather Spier Whitaker ^[2] (1798–1869), had emigrated to Iowa from Enfield, Halifax County ^[3], before the Civil War ^[4], but the family had retained close ties with North Carolina, where his uncle, Spier Whitaker ^[5] (1841–1901), had a distinguished career as a lawyer, judge, and Democratic ^[6] political leader.

Like his two namesakes, Whitaker was a distinguished lawyer. Chief Justice Charles Evans Hughes once commended him on having one of the most brilliant legal minds in America. He enrolled in The University of North Carolina ^[7] in 1898 but after one year transferred to Harvard University ^[8], where he received an A.B. in 1903 and an LL.B. in 1905. As an undergraduate he took courses in philosophy from George Santayana, whom he deeply admired. Throughout his life he remained a member of The University of North Carolina Alumni Association ^[9].

In 1905 he moved to Birmingham, Ala., the home of his aunt, Mrs. Fanny De Berniere Hooper Whitaker, and formed the legal firm of Whitaker and Nesbitt. In 1917 he became vice-president and on 1 Dec. 1917 president of the Birmingham Bar Association. He resigned that position on 1 Apr. 1918, when he moved to Washington, D.C., to join the staff of the Bureau of Law, Office of the Custodian of Alien Property. The same year he was promoted to assistant general counsel to the Custodian of Alien Property, and in 1919 he became special assistant to the attorney general. Whitaker was involved in litigation that upheld the constitutionality of the Trading with the Enemy Act of 1917 ^[10] and the authority of the Custodian of Alien Property to seize property.

In 1920 he moved to New York and formed the partnership of Rogers and Whitaker. Two years later he successfully represented Paul Reinemann, a German-born naturalized U.S. citizen. Reinemann had been in Germany at the outbreak of World War I ^[11] and remained there throughout the conflict; prior to 1914 his wife and child had not emigrated, and he had confined his residence in the United States to business trips. But in 1917 his passport was revoked and his property seized. Reinemann's suit to recover his property and regain his citizenship therefore raised important issues concerning naturalization and expatriation. A transcript of the case—the only surviving documentation of Whitaker's legal career—which includes his exchanges with the bench and examination of witnesses is in the records of the Custodian of Alien Property, National Archives.

In 1908 he married Haidee Meade of Birmingham. They had two sons, Charles (1916) and Meade (1919). In 1928 he partially retired from legal practice in New York and returned to North Carolina, where he purchased and restored the family home in Enfield known as Shell Castle ^[12]. As late as 1938 he still retained his law office at 52 Wall Street. During his later years he became interested in the improvement of farming methods on land he owned in Halifax County.

References:

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Subjects:

Biographies ^[14]

Lawyers ^[15]

Authors:

Calhoon, Robert M. ^[16]

Origin - location:

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