

Memorial of the Racine County Bar Association on the
Death of John T. Gittings.

May it please the Court:

Once again Death, that bailiff whose command may not be denied, has summoned from the bar of this Court to that great court around the judgment seat of the Judge of all the earth, the soul of our colleague and friend John T. Gittings, who departed this life on the ~~1st~~ day of January 1923, and the undersigned, members of a committee appointed by the President of the Racine County Bar Association ask leave to present the following memorial to this Court:

John Thomas Gittings was born August 9, 1870 on a farm in the town of Caledonia in this county. He came of sturdy Welsh parentage. His father came to America in early manhood and worked his way west from New York, coming to Wisconsin in ~~the 60s~~¹⁸⁵⁵. His mothers maiden name was Elizabeth Gittings. These worthy people while not pioneers were yet entitled to be classed as early settlers, and by their industry and thrift and by their loyal support of their adopted country, they contributed largely to the upbuilding of Racine County and its various institutions. They were religious people, and strong believers in the cause of education; they provided for their children every educational advantage and required of them filial obedience and a strict observance of the laws of God and of their country.

It was in this simple Christian home and surrounded by these influences that John Gittings grew to manhood. His boyhood days were spent in attending district school and in doing chores and working on the farm. After completing the course in the district school he entered Racine High School, from which he graduated in 1889. His genial ways and happy disposition made him justly popular among his class mates and school companions.

After finishing high school he taught school for a year and then entered an insurance office in Racine, where he was employed until the fall of 1892 when he entered the Law School of the University of Wisconsin. His two years in the Law School were years of hard and conscientious work to fit himself for his chosen profession. He was neither the brilliant type of student who with a minimum of effort coupled with a large amount of self assurance is able to make a creditable showing, nor yet of the easy going type content to "get by", but he was the kind of student who by hard and consistent study prepares his lessons day by day and completes his course with honor to himself and with the respect of his fellow students and instructors.

He was graduated from the University on June 20, 1894, receiving the degree of L. L. B. and on the same day with other members of his class was admitted to practice at the bar of the Supreme Court and of the Federal courts for Wisconsin. After his admission to the bar, and while seeking a permanent location he spent a year in the offices of Palmer & Gittings in the city of Racine, and on the first of September 1895, in partnership with his classmate, George W. Waller, he opened an office in Burlington, Wisconsin, under the firm name of Waller & Gittings. Burlington was then a city of but 2600 people and already had a bar of three established lawyers, and the new partners soon learned that there is more truth than pleasantry in the proverbial saying that the young lawyer must face a starvation period of seven years; but during those first years, when clients were few and expenses many, John's even disposition, his optimism, his willingness to wait for the success which he believed would come, and his steadfast adherence to the ethics of his chosen profession, served to hold the partnership together and built up between the partners a bond of

friendship, trust and affection which remained unbroken, and which will ever remain with the survivor as a cherished and enduring memory.

In the spring of 1897, upon the death of Henry Wiesman, a lawyer practicing at Union Grove, John bought his library and office fixtures, intending to spend two days each week in the new office, but experience soon proved that business could only be secured and held by being on the ground continuously, and in a short time he took up his permanent residence in Union Grove. The partnership was continued for several years longer, when by mutual consent it was dissolved, and John continued to practice alone until a few years ago when he formed a partnership with Olin R. Moyle of Racine under the firm name of Gittings & Moyle, maintaining offices both in Union Grove and in Racine.

On June 4, 1903, John T. Gittings was united in marriage with Miss Aresteen Edgoose, of Union Grove, and to this union were born two children, Eleanor May in 1905 and John Halbert in 1907. Shortly after the birth of her son death claimed the young mother, and left the husband and father with the care and nurture of two small children, a responsibility which was bravely met and successfully carried out. In December 1910 he married ^{Miss} Stella M. Sears, a companion of his boyhood days, and who with the children, now grown to young manhood and womanhood, survive to mourn the loss and cherish the memory of a loving and indulgent husband and father.

A number of years ago he built a cottage in Pan Yak Park on the shores of Eagle Lake, and in this beautiful spot, surrounded by his family and by congenial neighbors he spent many happy summers, becoming an enthusiastic swimmer and golfer, and it was here in the summer of 1922 that he was stricken with the illness, which in spite of all that loving hands and medical skill

could do, at last claimed his life on the 2nd day of January of this year.

What shall we say in eulogy of our departed brother? We cannot acclaim him as a great trial lawyer, because he never aspired to that branch of the law; we cannot hail him as a political leader of his fellow men, for he never sought public office. The plaudits of the crowd, the front page of the newspaper, the publicity and notoriety which some men seek and upon which they thrive were to him distasteful and things to be avoided. If these things were the measure of success, then we might say he had failed; but not so, for the true measure by which the success of the lawyer is to be determined, is the word "service," and he best succeeds who serves most his chosen clients and the community in which he makes his home. Judged by this standard, the life of John Gittings, cut short as it was in its very prime, stands out conspicuously as an ideal seldom equaled in the history of our Bar.

Casting his lot with the people of a small community, he devoted his life to serving the every day needs of his fellow men, and more often these needs were for friendly counsel than for legal services. He sought not to foster litigation, but to prevent it; not to set neighbor against neighbor but to reconcile enmities and promote harmony, regardless of financial consideration to himself. The country lawyer must be the arbitrator of disputes, not the advocate of either party, for he must retain both parties as his clients in order that he may build and retain a business sufficient for his support; and the members of this bar will, I think agree with me when I say that few and far between were the cases or matters of business arising in Union Grove or in the surrounding territory, in which the services of any other lawyer were sought or retained.

To my mind the highest tribute which can be paid to the memory of John Gittings as a man and as a lawyer, is to say that he spent 25 years in the practice of his profession in one community, and that to the day of his death he commanded the confidence and respect, the good will and affection, not only of his friends and neighbors who knew him best, but of the entire community in which he lived and served.

"There are hermit souls that live withdrawn
In the place of their self-content;
There are souls like stars, that dwell apart,
In the fellowless firmament;
There are pioneer souls that blaze their paths
Where highways never ran -
But let me live by the side of the road
And be a friend to man.

Let me live in a house by the side of the road
Where the race of men go by -
The men who are good and the men who are bad
As good and as bad as I.
I would not sit in the scorners seat
Or hurl the cynic's ban -
Let me live in a house by the side of the road
And be a friend to man."

John Gittings not only served his community as a legal adviser, but as a constructive and useful citizen. He interested himself in every project for the betterment of his home town and gave liberally of his time and money to these ends. He was intensely interested in education and served for many years on the School Board. He was Secretary of The Old Settlers Society and worked hard to make its annual meetings a success. He was a member of the Church, the Masonic Order, Eastern Star, The I.O.O.F. Modern Woodmen, and other local organizations.

He was stricken down in the prime of life, and at a time when he was beginning to enjoy the material rewards for the labor and sacrifices of former years. It is with profound sorrow that we as members of the bar pay this tribute to his memory. He was a good lawyer; a loyal and high minded citizen; a genial and whole-

souled companion; a kind neighbor; a loving husband and father.
With those that knew him, his image and the impress of his presence
will long remain.

"Death is a mood of life. It is no whim
By which life's Giver mocks a broken heart.
Death is life's reticence. Still audible to Him,
The hushed voice, happy, speaketh on, apart.

There is no vacant chair. To love is still
To have. Nearer to memory than to eye.
And dearer yet to anguish than to comfort, will
We hold by our love, that shall not die."

Dated at Racine Wisconsin April 9, 1923.

Respectfully submitted:

George W. Waller

E. John Welshoff
Committee

Resolutions to John T. Gittings.

May it please the Court:

In concluding this memorial The Committee respectfully ask the adoption of the following Resolutions:

WHEREAS, Death has taken from us our dearly beloved friend and brother, John T. Gittings, who died at Racine, Wisconsin, on January 2, 1923, and who for a period of twenty-nine years practiced his profession at the Bar of this County and State;

RESOLVED, that while bowing in submission to the Divine Will: we in common with the other members of the Bar deeply deplore his loss;

RESOLVED, that in his death the Bar has been deprived of one of its useful and honored members and the county in which he lived has been bereft of a public spirited and useful citizen; and the community in which he lived of one who took a prominent part in its religious and civic life.

BE IT FURTHER RESOLVED, that while we mourn his loss yet the example of his unselfish and honored life will ever remain to us an inspiration and incentive to better things and higher ideals.

BE IT FURTHER RESOLVED, that our heartfelt sympathy be tendered to the bereaved family; that this memorial and these Resolutions be spread upon the Minutes of this Court and a copy be transmitted to his widow; and as a further mark of respect that the Courts of this county adjourn for the day.