

MEMORIAL TO LIFE AND CHARACTER

of

JACOB M. WEISMAN

FILED

OCT 5 1964

EDW. F. DALEY
CLERK OF CIRCUIT COURT

MAY IT PLEASE THE COURT:

The committee appointed by the Racine County Bar Association respectfully presents to the Court this memorial to the life and character of JACOB M. WEISMAN, long and well liked and respected member of the Racine County Bar, who died at Racine, Wisconsin, on May 11, 1964, at the age of sixty-four.

Jacob M. Weisman was born in Russia on September 14, 1899, the son of Isaac Weisman and Ida Weisman. The father, Isaac Weisman, came to the United States alone in 1903, and in 1907 his wife followed him to the United States bringing with her the boy, Jacob M., and his brother, Joseph, who had also been born in Russia in 1902. On August 19, 1908 another son was born to this family, Samuel, who was practicing law in partnership with his brother, Jacob, when he died in 1964.

Jacob M. Weisman attended the public schools of Racine and graduated from Racine High School in 1917. After his high

school graduation he was ill with a continuing virus for a year and did not continue his education until the year 1918, when he entered the University of Wisconsin and finished there in the year 1923.

When he was in his last semester of Law School some fellow-student made a wager with him that he could not pass the State Bar examination. This wager was accepted by Jake and he wrote the Bar examination and successfully passed it with flying colors, and was admitted to the Bar of Wisconsin upon such examination. His lifetime of practicing law then covered the period from 1923 to his death on May 11, 1964, a period of 31 years.

Jake had been very active in debating throughout his high school career and also at the University of Wisconsin. This practice in debate undoubtedly sharpened and accelerated his keen delight in courtroom debate and his skillful reasoning and deft handling of many situations is well remembered by the Bench and Bar before whom he practiced.

He started the practice of law alone in the Arcade Building in Racine, where he had offices from the time of his

beginning practice until the time of his death. In 1926 he formed a partnership with Leonard P. Baumblatt known as Baumblatt & Weisman. This partnership lasted until 1928 when Jack Wilbershide, Sr., joined the firm, which was thereafter known as Wilbershide, Baumblatt & Weisman. It was this firm that brought the late Eugene L. Haley to Racine, and Haley started his law practice in 1928 as an employee of the firm of Wilbershide, Baumblatt & Weisman.

In 1930 Jacob M. Weisman withdrew from this firm and Wilbershide & Baumblatt formed a new partnership under their own names, while Jake practiced for a while with various associates in his own offices. These various associates from time to time were Paul Jorgensen, the late Edmund Gilday, and Frank Feil.

In the year 1935, his brother, Samuel M. Weisman, was admitted to practice, and in 1939 or 1940 became a partner of his brother, and the firm was thereafter known as Weisman & Weisman, which was its name until the time of Jake's death earlier this year. Sam practiced law with his brother for a couple years until he was called into the army, where he served from October, 1942 through September, 1945, and upon

his release from the army again rejoined his brother, Jake, in the practice of law in Racine.

It was while Sam was in the army in 1943 that Jake opened the Gourmet Restaurant on Sixth Street, and after Sam's return from the army, he was also interested in the operation and management of this restaurant. The brothers ran this restaurant until June, 1951, and of course, it was run as an adjunct to their law practice. Jake particularly enjoyed the management of this restaurant, because he always took a keen delight in good food, and those of his friends who were familiar with his running of the restaurant know that he attempted to provide a menu which would delight the palates of his customers.

He was active in politics all of his life. His first commitments in the field of politics were in the Progressive Party, but later on, as was common with many liberal Progressives, he became a Democrat. He was his Party's nominee for Congress in 1940. He ran an unsuccessful campaign and was defeated by his fellow-lawyer, Lawrence H. Smith. He was an early leader in the State Democratic Party, and his voice was often heard in the councils of the State Democratic

group. It was his activity in the Party, along with others, that brought about the defeat of long-time Democratic National Committeeman Charles Broughton of Sheboygan.

He also for a period was a power in local politics in the City of Racine. He started out as a vigorous antagonist of William H. Armstrong, who was a long-time mayor of Racine. He took part in a campaign which eventually defeated Armstrong and elected William Swoboda as mayor of Racine. Jake remained Swoboda's advisor and confidant, and was generally considered to be the "power behind the throne" during all of the Swoboda administration.

He had a love for political battles and for the power that success brings to winning political wars. These ventures into politics undoubtedly cost Jake money and time from his law practice, but we believe it safe to say that it was his love of being in the thick of the battle which kept Jake in politics and not any particular personal gain for himself.

His law practice was extensive and variegated. He was at home before a jury, before a Court alone, or before the Appellate Courts. He practiced extensively in the Federal

District Court in Milwaukee, and also before the Circuit Court of Appeals in Chicago. He practiced extensively before the various tax tribunals, both State and Federal.

Among the many important cases he tried, two are worthy of mention: His successful defense of Mrs. Valente, charged with the murder of her husband was as brilliant as any that can be found in the annals of the criminal law of this County. He stretched the McNaughton rule to cover his argument of irresistible, insane impulse, and his strategy throughout the case showed Jake at his resourceful best.

The other, the Wisconsin Screw case, was tried at intervals for 4 or 5 long years in the Federal District Court at Milwaukee. The case reveals Jake's dogged tenacity, - a good simile here because Jake never let go of this bone in his teeth, - and in the end, because the Court before whom the case was tried failed for a long period of time to render its decision, Jake had the courage to mandamus the Judge before the Circuit Court of Appeals to compel a decision from the Court! This typical fearlessness of his deserves recognition in this memorial.

He was a member of the local and State Bar Associations

all of his life, and took a continuing interest in the affairs of the local Bar Association attending all of its meetings with regularity. He was friendly with the rank and file of the Bar, and many members of this Bar can attest to Jake's loyalty and friendship in times of trouble of one kind or another at which time Jake usually appeared and offered his services and aid. He was President of the local Bar Association during the 1958-1959 term, and the Legal Aid activities of this Bar were put into action during his years as President.

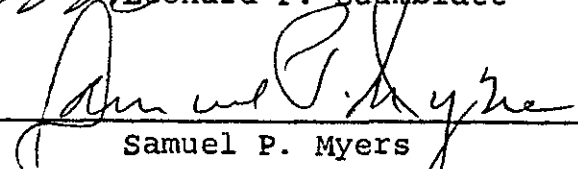
At the time of his death he was a member of the Beth Israel-Sinai Temple.


Jake never married, but he was, all during his life, a close family man. He lived on close intimate terms with his father and mother, and his brothers. After the death of his father in 1949 Jake lived with his brother, Sam, in a very close brother to brother relationship. Sam loyally and faithfully looked after all of Jake's needs at home, while Jake placed his emphasis on the direction and management of the law office. Between the two of them they made a very good team, and their devotion to each other is a good example to this Bar of the devotion and loyalty that can exist between brothers.

Jake was always a scholar of the law of the highest caliber. He had a keen, analytical mind; his courtroom manner was forceful and incisive; he represented his clients with vigor and wholehearted zeal. Any member of the Bar who underrated Jake in any controversy committed a great mistake, because he was uniformly found to be resourceful and relentless in the pursuit of the goals in which he believed. He was a fine lawyer and it is to be regretted that his ailing heart brought a close to his life as soon as it did.

He will long be remembered by this Bar and by his many clients and friends in this community.


Leonard P. Baumblatt


Samuel P. Myers


Harold A. Konnak

Committee

Jack M. Whelan
1964

MEMORIAL OF THE RACINE COUNTY BAR ASSOCIATION

LEONARD P. BAUMBLATT
(1896-1964)

May it please the Court: The undersigned committee, appointed by the Racine County Bar Association to present to this Court, with its permission, a memorial in honor of the late Leonard P. Baumblatt, do now present the following:

Leonard Philip Baumblatt was born on April 13, 1896 in Chicago, Illinois. With his mother and father, he moved to Racine in the same year, which continued to be his home until the date of his death on November 13, 1964. He attended the public schools in Racine. He took his undergraduate work and received his degree of Bachelor of Laws from Marquette University. He took graduate work under the tutelage of Professor Wigmore at Northwestern University. He enlisted in the United States Army during World War I. Upon his honorable discharge from the Service and completion of his education, he was admitted to practice law on August 25, 1920. This profession received his full attention and devotion until his death.

Upon his entering his professional career, he became associated with Elmer Gittins. After this relatively short association, he joined with the late Jacob M. Weisman, under the firm name of Baumblatt & Weisman. These two men became associated with the late J. C. Wilbershide as Wilbershide, Baumblatt & Weisman. This firm was dissolved and the firm of Wilbershide & Baumblatt was created. In 1951, Mr. Wilbershide began a firm with his son, James, and Mr. Baumblatt joined with Louis Hardy and William W. Storms in the firm of Baumblatt, Hardy & Storms. Mr. Baumblatt's last association in the practice of law was with Robert P. Goodman, beginning in 1955.

Leonard Baumblatt married Ruth Leeds, of Chicago, Illinois, on February 24, 1929. Besides his beloved wife, he left surviving him, four devoted children, Glenn, of Youngstown, Ohio, Don, of Racine, Wisconsin, Michael, of Madison, Wisconsin, all physicians, and Beth,

of Racine, Wisconsin, now seventeen and one-half years old, and two daughters-in-law and five grandchildren. His family received the same devotion as his professional career. He was extremely close to his wife and children, giving them the same understanding and care as he did his clients. His non-office hours were always spent with his family and close friends.

He was a member of Beth Israel Sinai Congregation and past member and officer of its Board of Directors, B'nai Brith, American Legion Post #76 of Racine, and the Racine County, Wisconsin and American Bar Associations. He served with distinction as President of the Racine County Bar Association.

It is said of many lawyers that "He was a 'lawyers' lawyer'". In each case, we are certain that it is deserved. To repeat this phrase in the case of the man whose memory we honor today, is to have him join ranks with the many men of our profession whose zeal, dedication and scholarship have been sought after by other lawyers. His counseling was always willingly given. Leonard Baumblatt was a true helpmate and friend to all of his brother lawyers who sought his advice and counsel on professional and personal matters. No lawyer's request was ever rejected. His record of aiding and assisting lawyers is a legend in this community.

Leonard Baumblatt's devotion to his clients' cause is also legend. He worked long and hard for his clients, and never gave up in his fight on their behalf. He continued in his efforts on behalf of his clients after many lawyers of lesser stamina would long before have given up. He was extremely ingenious in his scholarly approach to complex legal problems. Time and time again, his persistent nature and continuing study provided a novel theory which frequently was adopted by the Court. His route was not the easy path of least resistance, nor the familiar, well-trod path in his quest of truth or justice. A client going to Court with Mr. Baumblatt at his side always had the hope and feeling that he had a chance at victory. This chance resulted in victory many,

many times, where others would have faltered and let the opportunity slip by.

Through his 44 years of practice, Leonard Baumblatt developed many close friends and associates. He was always gentlemanly and kind to those who came in contact with him. He had unlimited patience and never assumed a superior attitude. His keen sense of humor endeared him to all those who knew him. He was always busy in his practice of law, but always had time to see one more client or see one more friend who dropped in, even though the matter might be insignificant. With all his other qualities, Leonard Baumblatt had a keen insight and understanding of human nature. He knew that although all men are created equal, all men do not have equal opportunity in life. He understood that there ^{are} is the skid-row human being^s and the underprivileged citizen^s who are unable to prevent their problems and are probably financially unable to hire an attorney. Nevertheless, they are entitled to and have a right to a hearing. Mr. Baumblatt always took such cases when they came to him, and he fought with equal vigor for the rights of these people as he did for those who were abundantly able to pay him for his services. He never let the little man down. By such equal application of his talents, he secured and retained the love, affection and high regard of the members of the Bar and others with whom he was in almost daily contact. He was highly regarded by the Bench and Bar alike because of his ability and his tremendous dedication to duty and responsibility. His record of achievements in the field of law is spread upon the records of the courts of this county as well as many other counties and the Supreme Court of Wisconsin.

Mr. Baumblatt had the capacity for great loyalty, not only to his family, country and clients, but in equal degree to his brother lawyers and those in his office. His loyalty to them received in return their loyalty and fidelity. His employees felt that Mr. Baumblatt was not

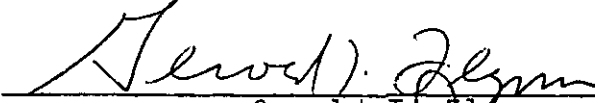
only an employer, but a good, kind, considerate friend.

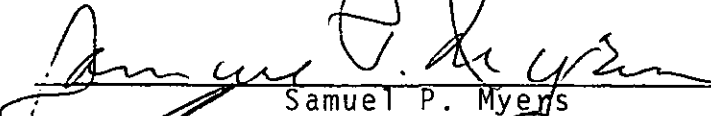
We have learned, "You have been told, Oh Man, what is good and what the Lord requires of you: To do justly, to love mercy, and to walk humbly with your God". Leonard Baumblatt learned early and well, this Biblical injunction for a good and purposeful life. We all might learn from the example of his life. In every medieval Spanish village, it was the custom to ring the church bells upon the death of any resident, whether of high or low status or birth. It was thought that when any human being died, a bit of every one left living also died. It was not for the deceased that the bell rang, but rather for the living. So when the stranger would inquire, "For whom does the bell toll?", the reply was, "It tolls for thee." So it is with the life of Leonard P. Baumblatt, a life we could all do well to emulate, and with his death - a death which caused a little death to all of us who knew, respected, loved and were touched by him.

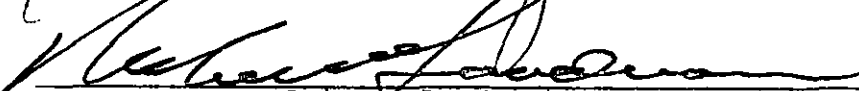
We file this inadequate, printed sketch of his life, of a record unsurpassed, one of hard work, of great accomplishment and of friendship generously given and bountifully received - the story of a man we were pleased to know, one who left with us the record of a great and distinguished career, but greater still, the record of a true and trusted friend. May he rest in peace.

We respectfully request that this memorial be spread upon the records of this Court and that a copy be furnished to the departed's family.

Respectfully submitted,


Gerald T. Flynn


Samuel P. Myers


Robert P. Goodman
Committee, Racine County Bar Association

F. Reed
Apr 4, 1945

IN MEMORIAM
LEONARD F. BAUMBLATT

By Honorable Howard J. DuRocher
Judge Circuit Court, Racine County

The court recalls Mr. Baumblatt from the years that its presiding officer was engaged in the general practice of law as a resourceful and worthy adversary. In latter years the court saw him as a diligent sensitive and humane advocate. It is particularly noteworthy of Mr. Baumblatt that he did not adopt and present a position merely because it served a particular selfish end of a client. He never forgot his professional duty and responsibility to justice even if it was not to his client's temporary advantage.

He framed his words not to please and flatter, but to instruct and enlighten. His broad knowledge of human nature and of the law was always at the command of those most needing his talent, not only of those who could sufficiently recompense his time.

One rather special occasion comes to mind. It was a day on which I was sailing a model sloop with one of my boys in a lagoon across the street from Mr. Baumblatt's home

and as he walked by with his little girl of about the same age as my child, he stopped to chat with me. It was a fine day, but there was sadness and concern in his manner as we spoke of our children, comparing their ages, accomplishments, and interests. He was suffering from a premonition that he might not survive to see his daughter through the difficult and important years intervening between her childhood and adulthood. This furnished an insight into Mr. Baumblatt's character. His concern, and solicitude, as a loving and devoted father, as contrasted with shallow sentimentality, could not have been more apparent.

May I be permitted one further reflection. It was late one Friday morning. The day had seen a particularly sordid, depressing and dispiriting parade of the weaknesses, cruelties, and faults which characterize man's inhumanity to man. Mr. Baumblatt was tired. The Judge was perhaps too obviously showing the effect of the morning's work. As he was leaving the courtroom Mr. Baumblatt, with a twinkle in his eye, said to me "Aren't our wives the most fortunate of women?" The court was startled out of its dismal reflections. The day was appreciably brighter.

It is entirely fitting that the profession to which Mr. L. P. Baumblatt devoted his useful and productive life should

pause in its busy proceedings and reflect upon the
lessons which may be learned from it and so, in honor-
ing him improve itself. Let us stand a moment in silent
prayer and meditate upon the memory of it. Amenblatt.

STATE OF WISCONSIN)
) ss
RACINE COUNTY)

I, Margaret Jensen, do hereby certify that I am a stenographic reporter; that I was present at the foregoing Memorial service and that I recorded the speech of Honorable Howard J. DuRocher in shorthand; that the above and foregoing is a true, correct and exact copy, in longhand, of my shorthand notes taken at said Memorial service.

Dated this 4th day of April, 1966.


Margaret Jensen
Official Circuit Court Reporter

April 5, 1966

Mr. Adrian Schoone
Attorney at Law
220 - 9th Street
Racine, Wisconsin

Dear Adrian:

It was the consensus of Judge Howard J. Dufocher and Attorneys Robert Goodman and Richard Harvey, when they met to discuss the procedure of the Memorial given on Monday by the Racine County Bar Association, that the copy of said Memorial be presented to the family through the Association. It was felt that the close association between Mr. Baumblatt and his fellow lawyers would be best remembered by the family if it was done this way.

Yours very truly,

CLERK OF CIRCUIT COURT

EFD/cd

Enc. Memorial