TO THE HONORABLE COURTS OF RECORD OF RACINE COUNTY:

MEMORIAL IN BEHALF OF BENJAMIN P. SCHWARTZ

Benjamin P. Schwartz, a member of the Racine County Bar, died February 14, 1966. Surviving are his wife, Elisheva Iushewitz Schwartz; a son, Jay Schwartz, who is an attorney practicing in Racine and Kenosha, and who has been associated with his mother and father in the practice of law; Sander Schwartz, an attorney at law practicing in Cleveland, Ohio; a daughter Judith, who lives in Illinois, who holds a masters degree in social service from the University of Chicago; and Robert Schwartz, who has done his collegiate work at Boston University.

Mr. Schwartz was born in Racine on December 12, 1908 and attended the Garfield Elemetary School and the old Racine High School, graduating in 1927. He attended and graduated from Marquette University and Marquette Law School in 1932 and was admitted to the bar in that year. He met his wife at Marquette University. They were classmates throughout their acedemic career. They were married while still in school, and enjoyed the romance of a secret marriage, because of expected disapproval of the Marquette faculty. Both Mr. and Mrs. Schwartz used to recall that the dean wanted them to stop associating because he felt that it would adversely affect their grades, and that neither one would finish the law school. However, the association actually caused an improvement in Ben's scholastic rank.

Ben and his wife started the practice of law in 1932 with an office in the Reshan Building, near Douglas Avenue and High Street,

and have often told how they had but one client in the office during the first six months of their practice. In 1933 they moved to offices on Sixth Street, where they have remained ever since.

Mr. Schwartz was active in Democratic Party affairs for many years and was very much interested in the Labor Union movement. He and Mrs. Schwartz represented many unions in legal matters and negotiations with employers, and this represented a substantial portion of their practice.

Mr. Schwartz handled a great variety of litigation and was involved in the interesting Schmidt Bankruptcy litigation which was finally disposed of in the Seventh Circuit U. S. Court of Appeals in Chicago after protracted and vigorously contested litigation.

Mr. Schwartz also participated in the complicated Hornstein Will litigation in which counsels and attorneys representing various Iron Curtain countries were involved.

Mr. Schwartz was responsible for the selection of the property and the erection of the attractive, new Labor Center building on Mt. Pleasant Street.

Mr. Schwartz had a large practice and was always willing to take the case of the most humble person, who might be in need of help. Ben was an individualist and courageous and vigorous in his representation of clients. He seemed to enjoy the feeling of combat which comes with contested litigation. He worked very hard and never took a real vacation during his entire career.

Ben lived a simple life and had no social pretentions. He was truly an advocate of the poor and the under privileged and the helpless.

Ben and his wife had a very close family life, and Ben was particularly proud of his wife and all his children. There was great mutual affection and loyalty in the family.

Respectfully submitted,

Richard G. Harvey, Jr.

FILED
OCT 3 1966
EDW. F. DALEY
CLERK OF CIRCUIT COURT

IN MEMORIAM FOR BENJAMIN SCHWARTZ

By The Honorable Howard J. DuRocher

Thank you Mr. Webber for the excellent Memoriam of the Bar Association. My own reflections upon the life and character of Mr. Schwartz serve to convince me of the hopelessness of the task of attempting to epitomize the vitality, compassion, the objectives and the aspirations of a man like Ben Schwartz within the frame of language. It truly would have to be seen, observed, or its manifestations experienced to be appreciated.

Mr. Schwartz was a true representative of the phenomena rapidly vanishing in our modern mechanized, computerized society, the individual man. He practiced law as an individual, assisted, supported and comforted in adversity by his beautiful and devoted wife who had carefully prepared herself to be his professional as well as social partner. They complemented and supplemented each other in a way very rare in a social order in which marriage tends to become but a civil process.

While I was a student in Law School I was introduced to Ben by a mutual friend and though, or perhaps because, he was but a few years older than I, I frequently took advantage of his time and generosity to discuss my student problems with him. He was never too busy to see me and he cast a light of sympathy and understanding of humanity upon my questions which often tended to complicate my problems to an extent and in a way I did not truly

appreciate until I assumed judicial office. As I began to practice law I found myself in frequent opposition to Mr. Schwartz, but regardless of the heat of the contest, the bitterness of our clients, or the diversity of our views of the merits of our respective causes, I felt a mutual sympathy and understanding which underlay the antagonism of advocacy and helped me to recognize and see diverse positions we sought to advance.

During much of his life Ben experienced excruciating physical pain which he, by almost spartan self-control, completely suppressed as a possible prejudice to the cause of the individual he championed. It was seldom anyone in a court or hearing room in which he appeared was aware of his discomfort. He was above making capital of it. His sense of fairness eschewed the advantage, privilege it might bring.

Examples, illustrative anecdotes, even ponderous analogies are particularly inadquate to characterize Ben Schwartz, their futility will be obvious from these words, but he is sadly missed by his many friends and clients and particularly by the profession to which he devoted his useful life.

It is ordered that the Memoriam of the Racine County Bar Association and these remarks be spread upon the records of this court and a copy thereof, certified under the seal of the court be furnished to the family of Mr. Ben Schwartz.

I am authorized to say that the Judges of this county join me in this response.

Oct 5, 1956