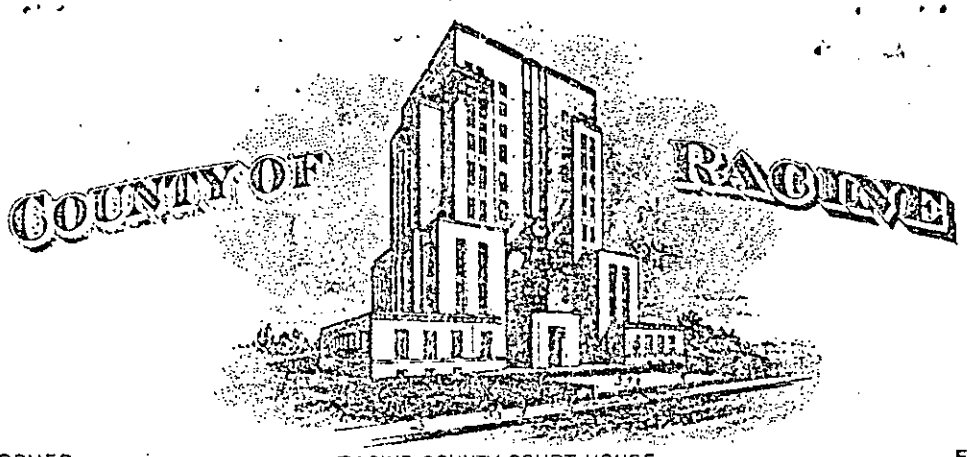


HOWARD J. DU ROCHER
CIRCUIT JUDGE
TWENTY-FIRST
JUDICIAL CIRCUIT

RACINE COUNTY COURT HOUSE
1931
RACINE, WISCONSIN

ELIZABETH MARTIN
DEPUTY CLERK

MAGNHELD JENSEN
COURT REPORTER

March 12, 1976

Honorable Thomas P. Corbett
Honorable Gilbert A. Geraghty
Honorable William F. Jones
Honorable John Ahlgrimm
Honorable Richard Harvey
Honorable James Wilbershide
Mr. Lawrence Flynn
Mr. Harley Brown

Gentlemen:

Please be advised that the Racine County Bar Association has arranged to hold memorials for deceased lawyers hereinafter named in the court room of Circuit Court Branch 1 on April 5, 1976 at 10 A.M.

The following members of the bar will present the memorials on behalf of the deceased lawyers:

1 - Roy Stewart on behalf of Don Butchart
3 - Henry Dorman on behalf of Edwart Sowickey
2 - Charles Constantine on behalf of Fred Nelson

I would be very pleased if all of the Judges could arrange to be present at the memorials out of respect to those lawyers no longer among us.

Yours very truly,

Howard J. DuRocher
Judge

HJD:mj

FILED

APR 5 1976

LAWRENCE E. FLYNN
CLERK OF COURTS

April 5, 1976

Mrs. Frederick W. Nelson
1208 Colonial Drive
Racine, Wisconsin

Dear Mrs. Nelson:

I am enclosing a copy of the Memorial as read in open court by Attorney Charles M. Constantine on Monday, April 5, 1976.

As a first term elected Clerk of Circuit Court, it was never my pleasure to become acquainted with Mr. Nelson. I am, however, aware that he was held in very high esteem by those who also practiced in the law profession. He is missed by all who knew him.

My kindest personal regards.

Very truly yours,

Lawrence E. Flynn

Lawrence E. Flynn
Clerk of Circuit Court

LEF/alb
Enclosures

April 5, 1976

Mrs. John B. Schliesmann
23 Queens Court
Racine, Wisconsin

Dear Mrs. Schliesmann:

I am enclosing a copy of the Memorial as read in open court by Senator Henry Dorman on Monday, April 5, 1976. I also enclose a copy of the response given by the Honorable Howard J. DuRocher.

It was my good fortune to have known Ed as a friend prior to my election as Clerk of Circuit Court, while he practiced in his chosen profession.

He is missed in the corridors of the Court House.

My personal regards.

Sincerely,

Lawrence E. Flynn

Lawrence E. Flynn
Clerk of Circuit Court

LEF/alb
Enclosures

HON. HOWARD J. DU ROCHER'S

Calendar for

Monday, April 5, 1976

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9:00 A. M. Motion 76-001-PE Change of Name for: Joan Pellar Kamerman

10:00 A.M.

Present

MEMORIALS

1 - Donald A. Buchart - ROY STEWART

3 - Edward A. Sowicky - HENRY DORMAN

2 - Frederick W. Nelson - CHAS. CONSTANTINE

Pretrials:

74-825-CI
1:30 P.M. Williamson-Form vs. Thomas Langenfeld

Duane L. Arena
Charles Pehlivanian
Jerome D. Grant

2:30 P.M.
73-395-CI Syring Construction Co., Inc. vs. Sherrer Construction Co., et al

Gerald J. Rice
Thompson & Coates, of counsel
Heft, Dye, Heft, & Paulson
Stroul, Stroud, Willink,Whompson & Howard

3:30 P.M.
75-508-CI Ursula Nichols vs. Racine Water Dept., et al

Duane Arena
Heft, Dye, Heft, & Paulson
Hayes & Hayes
City Attorney

IN MEMORIAM

IN CIRCUIT COURT, RACINE COUNTY,

WISCONSIN

DONALD A. BUTCHART

MAY IT PLEASE THE COURT:

The Committee appointed by the Racine County Bar Association respectfully presents to the Court this Memorial to the distinguished life and character of DONALD A. BUTCHART, who for more than 45 years practiced law in Racine and was greatly admired and respected by his fellow members of the Bar.

Donald A. Butchart passed away at Racine, Wisconsin on August 23, 1975 at the age of 69 after a long illness. He had served as President of the Racine County Bar Association in 1946-47 and was a member of said Association and the State Bar of Wisconsin on the date of his death. At the time of his death he was the senior partner in the firm of Benson, Butchart & Haley. He was a former President and member of the Kiwanis Club, having been its President in 1955, a member of Racine Country Club, the Somerset Club, the Milwaukee Athletic Club and the University Club of Milwaukee. In his earlier years he was an officer and active member of the Racine Art Association. He was one of the first members and instrumental in its first membership drive.

Donald A. Butchart was born on July 21, 1906 at Waukesha, Wisconsin, the son of Andrew and Margaret Butchart. He graduated from Waukesha High School. He prided himself in his Scottish descent. Don's father had a greenhouse and flower shop in Waukesha which is still run as a family business. He

is survived by his devoted wife, Marie and two sisters of Waukesha, Mrs. Frank Hoag and Marguerite Butchart.

Don,as everyone called him,was admitted to the Bar in 1930. He had gone to Carroll College for his undergraduate work and graduated from the University of Wisconsin Law School, receiving his LLB. in 1929. He graduated with honors and was a member of Gamma Eta Gamma Law Fraternity and the Order of the Coif.

Don knew he wanted to have a profession and have his own business and through the encouragement of his father decided to become a lawyer. No man loved his work, life and living more than Don. Don came to Racine at the invitation of Guy Benson to form the firm of Benson & Butchart, right out of Law School. Guy Benson went to Madison to interview law students. He knew he wanted a young man who was an Order of the Coif, the same as he, and Don filled the bill.

Don was a very quiet but cheerful person and possessed a keen and inquiring mind, a pleasing personality, and a ready wit. He had the attributes of thoroughness, preciseness, determination and scholarship. He built up an extensive law practice, particularly in the Probate and Corporation field. He was Vice President and Legal Counsel for Jacobsen Mfg. Company for 40 years.

During his middle years of practicing law Don appeared and argued many cases before the Wisconsin Supreme Court. His preparation of the facts involved in any case and his briefing of the law were always complete and scholarly. He was unusually successful in the cases because of his preparation, knowledge of the law and his ability as a trial and appelate lawyer.

He was appointed by Judge Drury to be Divorce Counsel

for Racine, and at that time Kenosha was included, and this he did for four years from 1940-1944.

Don and Marie loved to travel. This was their hobby and real enjoyment. They made hundreds of friends throughout the country, and isn't this what life is all about? The two together, enjoying, loving, living and working together for 40 years. Don and Marie Campbell were married on June 29, 1935.

Don Butchart's name will live on for many years in the hearts of his fellow lawyers. His cheerful smile will be missed among all of us. Don had the esteem and respect of his colleagues, and will be remembered as a truly eminent and able lawyer as well as a devoted and loving husband. It was a privilege to know him and be associated with him not only as a fellow lawyer, but as a friend. He will be missed by his colleagues, by his many devoted friends and more especially by Marie, his wife. We extend our sympathy to Marie. Don never expressed a desire to follow any other career other than the law, nor did he ever think of retiring from it.

We respectfully request that this Memorial be spread upon the records of the Court and that a copy be given to Marie Butchart.

Respectfully Submitted,

Roy D. Stewart

Charles M. Constantine

Gerry Boerner

Dated April 5, 1976

# MEMORIAL TO FREDERICK W. NELSON

April 5, 1976

This memorial is presented to the Honorable Judges of the Racine County Circuit and County Courts and to the members of the Racine County Bar Association by the Special Memorial Committee recently appointed by Mr. Harley Brown, President of the Racine County Bar Association.

Frederick W. Nelson was born in Racine, Wisconsin in 1896. The date of his birth, February 22, no doubt led his parents to give him the middle name Washington, and may have influenced his later interest in American History.

His father, Fred Nelson, was born in Denmark. His mother, Thora Hansen, was a native of Racine. One of her brothers was a partner in the one-time well-known Thronson-Hansen Funeral Home and Furniture Store.

Mr. Nelson resided during his childhood in a home on LaFayette Avenue (now North Memorial Drive) near Winslow Avenue. He attended public schools in Racine. After graduation from Racine High School he studied accounting at the University of Wisconsin. His college studies were interrupted by World War I, during which he served in the United States Army Ordinance Department.

After World War I he entered the law school of the University of Wisconsin, from which he graduated in 1923. In the same year he was admitted to the Wisconsin Bar, and signed the Register of Attorneys in the Racine County Circuit Court.

On November 18, 1926, he married Anna Pauline Sorensen. Although she was born in Norway, the daughter of a Norwegian sea captain, she grew up in Racine. She first met her future husband in her and his childhood years. In keeping with the customs of earlier times, their marriage was deferred a few years while they accumulated capital to establish their own household.

Mr. Nelson's first professional experience was as an assistant district attorney serving under Mr. L. D. Potter, with whom he also engaged in general practice in a partnership. After several years with Mr. Potter, he started practice on his own. Thereafter, although from time to time he shared office space with other lawyers such as the late Eugene Lawton, he practiced alone.

Because he did practice alone and was not often in matters which came to public attention, little can be recounted of the moments in his life of unusual professional achievement and disappointment which occur in the lives of active lawyers. The grist of his practice were real estate transactions and probate. He was competent in his area of work and honorable in his dealings with his clients. Because of his and his wife's Danish and Norwegian ancestry much of his practice was drawn from Racine's large Scandanavian community.

Mr. Nelson gave generously of his time in community affairs. He was a commander of the American Legion Post 76; president of the City of Racine School Board; president of what was then our largest Civic Music Association; and a member of the council of the Atonement Lutheran Church. He had a deep interest in American History and was long a member of the Racine Historical Society.

His abiding interest was music. He could play the piano before his legs could reach the pedals. He supported himself in law school, at least in part, by playing the organ at the Bethel Lutheran Church in Madison. After his admission to practice, he played the organ for the old Universalist Church. He eventually discontinued professional musical work because of his concern that the public would not think of him as a lawyer.

According to Mrs. Nelson, her husband, in keeping with a professional tradition, displayed little interest in yard or garden maintenance, even after he and Mrs. Nelson moved into their pleasant home in Colonial Heights. He was always willing to hire someone to do the yardwork.

He became seriously ill in February, 1972, and soon became totally disabled. Because of his need for constant care he was admitted to Racine County High Ridge Hospital in 1975, at which he died on August 20, 1975.

Mr. Nelson is survived by his wife, Mrs. Anna P. Nelson, to whom the Committee extends its deepest sympathy.

Respectfully submitted,

Special Memorials Committee

Charles Sr.

Roy D. Stewart

Gary Bostman

MEMORIAL TO EDWARD A. SOWICKY

TO THE HONORABLE COURTS OF RACINE COUNTY:

May it please the Court:

The undersigned committee of the Racine County Bar Association presents this memorial to the memory of Edward A. Sowicky, member of our Bar, and a warm and respected friend.

Edward Sowicky was born in the City of Racine on January 29th, 1912. He was the son of Stella and Louis Sowicky, who were first generation Lithuanian immigrants. They were born in Lithuania in the 1880's and came to Racine in 1903.

One brother, William, five years Ed's senior, passed away in 1960. Edward is survived by his sister Bernyce (Mrs. John B. Schliesmann), three nephews, and one niece.

Edward Sowicky attended the Garfield Elementary School, the Washington Junior High School, Horlick High School, and the University of Wisconsin, where he received both his B. A. degree and his law degree.

While attending Horlick High School, Ed was a member of the first Racine basketball team to go to the state tournament. His teammates were such respected members of the Racine community as Nick DeMark, Pete Vallone, John Fucilla, Paul Chobanian, and Alex Dorman. They reached the finals, and Edward was a member of the quintet that engaged in such a spectacular display of basketball skill that the Racine athletic community still speaks of the great game.

During World War II he was a captain in the armed forces, being associated with the Judge Advocate's Division. He served his God and his country with honor and distinction for a period of four years.

Edward Sowicky was a devout member of St. Casimir's Church; he was an

organizer and secretary of the Meadowbrook Town and Country Club; a worker with the United Fund, and belonged to the Racine County Bar ASsociation and the American Legion.

Edward worked his way through college, graduating from the University Law School in 1937, as we were emerging from the great depression.

Upon graduation he was employed by the Racine County Welfare Department as a part time attorney, where he did counselling and legal work and learned firsthand the plight of the needy. Subsequently he was associated in the practice of law with Jake Waismann, who is now deceased, Jack Harvey, former city attorney, Charles Zinnen, and Henry Dorman.

Today the law schools are producing a new breed of attorneys -- highly imbued with idealism and faith in their fellow men. These young attorneys are entering store front offices, Indian reservations, public defender programs.

Edward A. Scwicky was a forerunner of this idealistic breed. He served a whole generation of Baltic people, especially Lithuanians and Latvians, the friends and neighbors of his parents. He spoke their language, and interpreted the intricacies of the law to them. He guarded them and assisted them with their legal problems, and ofttimes without a fee and without a subsidy.

While many of his colleagues were competing fiercely in the race for fame and fortune, Ed worked quietly, and with dignity in his little office suite, giving counsel with compassion, with sincerity, with competence.

At a time when the bright young attorneys of Watergate have cast a shadow over the legal profession, it is men like Ed Sowicky who restore our faith. Men who eschew power and prestige to practice their profession quietly and with integrity.

Ed was a good attorney, he was a true friend, he stood for all that is honest and fine in the practice of law.

To paraphrase former Dean Garrison of the UW Law School, there are some who say that the legal profession is great because it develops decent human beings like Edward Sowicky; there are others who say, and perhaps more correctly, that the legal profession is illustrious BECAUSE of men like Edward A. Sowicky.

The Bar, The Bench and his host of friends will never forget him.

We respectfully request that this memorial be spread upon the records of this Court and that a copy be given to the family of Edward A. Sowicky.

Respectfully submitted,

Henry Dorman

Charles M. Crist

Roy D. Stewart

RESPONSE OF HONORABLE HOWARD J. DUROCHER
TO MEMORIALS FOR DONALD A. BUTCHART
FREDERICK W. NELSON AND
EDWARD A. SOWICKEY

Relatives and friends of Donald A. Butchart, Frederick W. Nelson, and Edward A. Sowickey, Members of the Racine County Bar Association, Ladies and Gentlemen

I cannot preside upon an occasion like the present, in memorial to men among whom - for so many years - I've lived, moved, and truly had my being, with the detachment which is demanded and which I must maintain during the trial of an action at law.

These men, in what I fear, is a passing era, devoted their lives to the service of the public, individually and (at times) collectively. They were the contemporary equivalent of feudal champions, serving indiscriminately the oppressed, the poor, the wealthy, the disenfranchised, and the privileged. There is no inconsistency in this whatever. The rules of law and the principles of justice are the same regardless of the state or condition of the entity upon whose behalf they are applied.

It has been my privilege to know each of these men in each posture. Each has earned my admiration and respect for his devotion to his client's cause, for his meticulous scholarship, and for his aggressive diligent, but invariably courteous, application of both changing and changeless principles of justice in every contest in which his energies were engaged.

It is a saddening experience to have the realization that they are no longer among us so forceably imposed upon one's consciousness by the presentation of memorials to their lives.

With the lives of these men immediately brought to its attention, the court cannot escape reflections upon the decay in the world today of mutual respect and understanding, even among and between themselves, for individuals who devote their lives to public service. The disease is present in all levels of service, within and between all branches of government in which vituperation and unwarranted accusations are indiscriminately and irresponsibly applied in the interest of self aggrandizement.

We loudly profess to deplore the diminution of respect for authority and the undeniable right and dignity of others among our children and mong those who should be in their most vital and productive years. Yet those responsible for the loudest lamentation, perhaps out of personal or vicarious anguish, but in an attempt to fix responsibility farthest from themselves, make an incalculable contribution to disorder.

The men who we remember today were not of that stamp. They seldom erred, but erring, acknowledged error with sincerity and courtesy. They were not gods, but they possessed a divine spark. They are no longer with us, but it is my fervent prayer, that their lives may, by example, affect many lives in being or to come.

Let us all stand in a moment of silent meditation upon the lives of these men and the influence those lives have had upon ourselves and will have upon those who follow us.

At this time I wish to convey the appreciation of this court and of all of the courts of this circuit to the Bar Association and to its committees who have prepared and presented these testimonials to Donald A. Butchart, Frederick W. Nelson, and Edward A. Sowickey.

It is ordered that those memorials be spread upon the records of this court and that copies thereof and of the court's response be furnished to the families of those today memorialized.

Filed
Apr. 5 - 1976