

The Honorable
W. Lynn Parkinson

In Respect to the Memory

of

The Honorable

W. Lynn Parkinson

Proceedings had on the Sixteenth Day of November
One Thousand Nine Hundred and Sixty

Before the
United States Court of Appeals
for the Seventh Circuit



HON. W. LYNN PARKINSON

Painted by Grace Annette DuPré

**Memorial Ceremony for
Judge W. Lynn Parkinson
Held in the United States Court of Appeals
For the Seventh Circuit
on Wednesday, November 16, 1960
at 2:00 o'clock p. m.**

Before:

Hon. John S. Hastings, Chief Judge,
Hon. F. Ryan Duffy, Circuit Judge,
Hon. Elmer J. Schnackenberg, Circuit Judge,
Hon. Win G. Knoch, Circuit Judge,
Hon. Latham Castle, Circuit Judge,
Hon. J. Earl Major, Circuit Judge (Retired).

By JUDGE HASTINGS:

The Court now convenes for the purpose of having Proceedings relating to the presentation of Memorial Resolutions in tribute to the memory of the Honorable W. Lynn Parkinson, a former member of this Court.

The Court now recognizes Mr. Samuel Levin of the Chicago Bar, President of the Bar Association of the Seventh Federal Circuit.

Mr. Samuel Levin addressed the Court

MAY IT PLEASE THE COURT:

On behalf of the Bar Association of the Seventh Federal Circuit and on behalf of all members of the Bar of this Court, I ask leave of this Court to present the memorial this day in tribute to the late member of this Court, the Honorable W. Lynn Parkinson. I ask this Court to permit Thomas W. Munger, Esq., of the Indiana Bar, to present this tribute to the late Judge Parkinson.

May I also move that this Court record the proceedings of this day upon the permanent records of this Court and that a suitable copy thereof be delivered to the family of this distinguished jurist.

BY JUDGE HASTINGS:

On behalf of the Court, the Motion is hereby granted, and the Court now recognizes Thomas W. Munger, Esq., of the Indiana Bar.

**Mr. Thomas W. Munger, of Lafayette, Indiana
Addressed the Court**

MAY IT PLEASE THE COURT:

It is an honor, indeed, to be privileged to address this Court in tribute to its late and beloved member, the Honorable W. Lynn Parkinson, in whose memory this session is today convened, and bench and bar, family and friends are gathered, to pay respect to this eminent jurist.

Indiana proudly claims Judge Parkinson as one of its illustrious sons. He was born near Attica, and grew up in Rensselaer, where his father was engaged in the practice of law. At the close of World War I, the senior Parkinson removed his office to the City of Lafayette, which thus became the Parkinson home. Even as a boy, Judge Parkinson made friends readily, and although a newcomer, he did not long remain a stranger in the community. He came to love it and its people, and that they came to cherish him is well attested by the tribute being paid him this day.

Judge Parkinson attended Purdue University, but because of his father's poor health withdrew from school to read law in the Parkinson office. To make up for this loss of classroom work, Judge Parkinson set out upon his own educational program of reading and study. This he pursued with his customary vigor, and being an avid and voracious reader, gifted with keen perception and inquiring mind, he covered many and varied subjects, ranging from the classics through the sciences. The extent of his success in this field is clearly written in his published judicial opinions.

Nurtured, as he was, in the law since infancy, Judge Parkinson had little difficulty in mastering its principles, and when intricate problems presented themselves which his own ingenuity and research could not solve, he had available the sustaining counsel of his father and mentor. The senior Parkinson, an able trial lawyer himself, came more and more to rely upon his son in their practice. And Judge Parkinson profited by the wealth of practical experience early afforded him and from the sage counsel of his father as well.

Under his father's guidance and tutelage, Judge Parkinson rapidly matured as an accomplished and skillful lawyer. His thorough familiarity with the tools of his profession, coupled with his polished demeanor, and articulate speech, brought him quickly into prominence as a successful trial attorney. From here it was natural that he should gravitate into the absorbing field of politics, and thereafter it was but a short step to election as Judge of the Tippecanoe Circuit Court, a position which he held by successive unopposed re-elections from 1937 until his appointment to the Federal Judiciary.

During his long tenure of that state court bench, with its crowded docket and heavy case load, Judge Parkinson was reversed only twice, a record eloquently attesting to his competence and skill as a trial judge.

His well deserved reputation as an able, conscientious and successful judge earned for him presidential appointment to the Federal Judiciary. On September 1, 1954, in a special session of the Federal District Court convened in the County Courthouse, at Lafayette, Indiana, Judge Parkinson was given the oath of office as District Judge. He then ascended the bench which he had so ably occupied for eighteen years, this time as a United States District Judge for the Northern District of Indiana. He there-

upon became the first resident of Tippecanoe County, Indiana, to be honored with appointment to the Federal Bench, and the first District Judge to preside in the newly constructed District Court Room in the City of Lafayette.

As District Judge, he sat at South Bend and Lafayette, as the case load necessitated, retaining his home in the latter community, in which he had long been one of its recognized leaders. During his tenure of that bench, he was awarded the honorary degree of Doctor of Laws by Valparaiso University in recognition of his outstanding service as a jurist.

His impressive record as a District Judge brought further recognition of his abilities, and resulted in his elevation to the bench of this Court, of which he became a valued member.

Transition from the trial forum to that of the more cloistered appellate tribunal was made by Judge Parkinson with ease. Although there were perhaps occasions when he missed the activity and spontaneity of the trial, such feelings were only natural, particularly to one who had spent over twenty years as a trial court judge, and who was, both by training and predilection, a trial lawyer. Any such misgivings were short lived, however, as he found happiness in the purposefulness and the challenge of the appellate work.

His penchant for detailed and analytical study of briefs, argument and record enabled him readily to cut through the tangle of technicalities frequently found in appeals to reach the crucial and determinative issues. Clear and precise exposition was his constant goal, and he was never content with opinions failing to meet this standard. He resolved at the outset of his judicial career to avoid mediocrity, and even though it entailed additional work for him, he preferred to pen his opinions in longhand so that

they would clearly, concisely and without equivocation set forth the decision of the Court.

Both on the bench and off, Judge Parkinson displayed that quiet self-assurance and dignity which inspire confidence and trust, and which must be part and parcel of him who would merit the accolade of his Bar. He never forgot that he was once a lawyer himself, and always accorded counsel the utmost consideration and patience in their partisanship, yet he always remained in complete control of the proceedings. His tongue never burned to lash out in criticism or excoriation. Neither did he ever find room for malice, ill-will or pettiness in his heart.

Judge Parkinson was a man of warm and infectious personal charm which endeared him to all who had the opportunity to know him. These characteristics were naturally more apparent to those of his home community, where he was free to relax in social activities with his friends, than to those whose only contact with him was as a member of the Bar of this Court. If it could be said that there was anything about life as a judge on this Court of Appeals which he did not truly enjoy, it would be only this—that it deprived him of the friendly and intimate relationships of life in a small town, which he loved so much.

As a leader in civic affairs in his home community, Judge Parkinson was constantly sought to spark this movement and that. To the extent that he was able to do so, he gave generously of himself to these projects. Notwithstanding, however, that demands upon his time and energies were legion, he kept his family uppermost in his mind. He was a devoted husband and parent. He is survived by Mrs. Elsie Ruth Parkinson, his wife, William L. Parkinson, his son, Mrs. John Southworth, his daughter, his mother, Mrs. Emma Parkinson, and his sister, Mrs. John Stockton.

Judge Parkinson was justly proud of his place on this bench, yet withal, in his own words spoken at his elevation to the Federal Bench,

“humble in the grave responsibilities of office.”

He rejoiced particularly in his pleasant associations with his judicial colleagues, and always looked forward to the warm companionship of the luncheon table with them.

Judge Parkinson was taken from us while yet in the early afternoon of his life, leaving, as all of us will leave, uncompleted tasks, unfulfilled dreams, perhaps aspirations for things yet to come. For us the living, his life holds many inspirations, not the least of which is triumph over adversity. He achieved eminence over obstacles that would have thwarted the less resolute.

He has helped to prepare his own monument, something more lasting than marble. It is made of the words of this Court—often his own words—found in the strong decisions which he helped to formulate, and which will endure so long as free people remain free. Judge Parkinson was, and will in our hearts remain, the personification of those qualities which make a jurist truly great.

Response by
Honorable John S. Hastings, Chief Judge

On behalf of all members of the Court, I express our sincere appreciation to the officers and members of the Bar Association of the Seventh Federal Circuit for the memorial presented today honoring the life and memory of our late colleague, Judge W. Lynn Parkinson. We are particularly grateful to Mr. Samuel Levin, of Chicago, Illinois, President of the Association, for his participation, and to Mr. Robert C. Williams, of the Chicago Bar, as Chairman of the Memorials Committee. We note with satisfaction the attendance of a number of lawyers from Lafayette, Indiana, and we thank Mr. Thomas W. Munger, of the Lafayette Bar, for his eloquent and appropriate tribute.

Judge Parkinson was born in Attica, Indiana, on September 18, 1902. He spent his youth in Rensselaer, where he was a boyhood companion of the Honorable Charles A. Halleck, now the senior member of the Indiana Congressional delegation and a lifelong friend of the Judge. He was married to Elsie Ruth Bausman on June 17, 1927. To this union were born two children, William Lynn and Ruth Ann. His widow and children survive.

He studied at Purdue University and received an honorary Doctor of Laws degree from Valparaiso (Indiana) University. He was admitted to the Indiana Bar in 1923 and engaged in the general practice of law in Lafayette, Indiana, from 1923 to 1937. During this period he made an

outstanding record as a successful practitioner of his chosen profession. His father was an honored member of the same Bar.

He was elected Judge of the Tippecanoe Circuit Court in Lafayette, Indiana, and served with distinction in that post for eighteen years from 1937 to 1954. A testimonial resolution of the high esteem in which he was held by the members of the Lafayette Bar was to be seen on the wall of his chambers. This was a well deserved tribute from the lawyers who appeared before him in that court and bore their personal signatures. It was one of his most cherished possessions, and rightly so.

Judge Parkinson was commissioned to the federal bench in 1954 by President Eisenhower when he became a United States District Judge for the Northern District of Indiana. He made an enviable record on the district bench from that date until his elevation to this Court in September, 1957. When he left the district court the lawyers in that area honored him with a public testimonial dinner in South Bend. The tributes paid to him on that occasion were striking evidence of his professional competence as a federal trial judge. He frequently spoke of the great pleasure and satisfaction he found in his twenty years of service in presiding over the trial of cases. This was his first love.

He was inducted as a member of the United States Court of Appeals for the Seventh Circuit in Chicago, Illinois, on September 10, 1957, by Chief Judge F. Ryan Duffy. He filled the vacancy occasioned by the death of Judge H. Nathan Swaim, of Indianapolis, Indiana. It was my personal pleasure to come to our Court and be sworn in with him on the same date. He served faithfully in this high post until his death on October 26, 1959.

The Judge was an honorary life member of the Lafayette (Indiana), Indiana State and Seventh Circuit Bar Associations. He was initiated as an honorary member of Phi Delta Phi legal fraternity by the Indiana University chapter. He was a member of Kappa Sigma social fraternity at Purdue University and served for many years as its alumni chapter adviser. Hundreds of young Purdue undergraduates came to know and admire him and benefited from his wise counsel and sympathetic help. He was honored by them for this service on several occasions. Shortly before his death he spoke at a dinner of his fraternity in Lafayette.

As a circuit judge on our Court during his more than two years of duty he earned the respect of his colleagues. He worked long hours and gave his undivided attention to each case he heard. His opinions were clear, concise and to the point. They reflected a thorough study of the issues to be decided and a sound understanding of the law to be applied. He was meticulous in his preparation and labored hard to achieve accuracy in every detail. His passion for work during this period excluded almost all outside interests, except for his family. He was on the bench in the afternoon of the day of his death. His passing was untimely and a deep shock to his associates.

Judge Parkinson was a devoted family man. This devotion was mirrored in the affection and loyalty of his wife and children. He had a justifiable pride in his son and daughter and was constantly interested in all their activities. This he manifested in his close parental relations with them. He found much joy in his two grandsons, Mike and Kent. His grandfatherly love for them was always apparent.

He was a devout member of the Methodist Church and for many years was an active layman in its service. He was constant in his political affiliation. He had a long record of civic and professional achievement in his native state. He was much sought after as a public speaker and enlivened his talks from a fund of good stories. He was a widely known and respected citizen on the Hoosier scene.

Judge Parkinson lived a useful life and will be sorely missed.

It is now ordered by the Court that the proceedings of this memorial service be spread upon the permanent records of this Court, and that a copy thereof be delivered to the members of his family.