



Judge Marovitz in his World War II Marine uniform

IV. WAR YEARS, 1943-1946

JFM: Tell us about your decision to enlist and difficulties you encountered.

ALM: I enlisted in 1943 at the age of 38. When I first went to enlist the first time, I was rejected because of being color-blind, but they would have permitted me to serve as a Judge Advocate. I was the first professing member of my faith to have been elected to the Illinois State Senate and I didn't want to give up that seat. I thought it might be a long time before another member of my faith would get in there. So I didn't enlist then. There was a columnist at that time, in the same vein as Kup, by the name of Nate Gross. He had a column called the Town Tattler in the American Hearst paper. Nate Gross mentioned that I had been turned down because I was color-blind.

A young doctor friend of mine, named Leo Kaplan, who was a psychiatrist at the Criminal Court Building, read the column and called me asking why I hadn't told him I wanted to enlist in the Marine Corps, and I asked him what he could do for me. He told me that there was a doctor at the Marine Recruitment Center who interned under my friend, Dr. Karl Meyer, at the County Hospital and also was a friend of his. I told Dr. Kaplan to talk to his friend. About a month later he had me meet him at St. Hubert's Grill for lunch and the other doctor was there, too.

St. Hubert's Grill was a very fine restaurant next to the Union League Club that a fellow named Tommy Kelly ran. It was a meeting place for a lot of good Irish politicians, judges and lawyers. Dr. Kaplan's friend remembered me. He said, "You're Col. Fordney's friend." Fordney was the head recruiting officer for

the Marine Corps. They called him "Bulldog" Fordney, but I think his first name was Chester. I told Dr. Kaplan's friend what had happened regarding my being color-blind and he told me to "try again . . . maybe your eyes have improved." I did and he passed me.

Since I went in to the Service as an enlisted man, I didn't have to resign my senate seat: it had to be held for me, unlike the circumstances if I had accepted a commission.

My senate colleagues threw a grand party for me before I left and I told them that I'd be back "to help elect my friend, Dick Daley, as the Mayor of Chicago." Even one of my colleagues with whom I'd had a donnybrook when he called me an un-nice name for Jews - we'd had a fist fight at the time, in the committee room - attended the party and apologized.

When I returned from the service, Governor Green invited me to lunch at the Union League Club and our picture together appeared in the newspaper. Gov. Green was a very decent man and I'm pleased to say we were good friends. He lost his re-election bid and became seriously ill, but when I was elected to the state bench, I invited him to speak at my induction, which he did, although he was quite ill and died soon after.

CTF: Judge, I was just reading the articles that ran in the *Illinois State Registrar* on Monday, May 17, 1943, and the *Chicago Daily News* on May 4, 1943, regarding the nice send-off that your colleagues gave you as you went into the Marines. It's interesting that there are people from all over the state who are speaking favorably of you. I particularly enjoyed the comments from Charlie

Wheeler when he was writing about filling out the FBI report, where it asked on the confidential questionnaire whether anything was known of your morals and personal habits. Charlie Wheeler wrote, "Liberal but clean." When asked what he knew about your family life, he said, "He is devoted to his mother." A third question was why did he think you were volunteering for service in the Marines? In response he wrote, "To help win the war."

ALM: That was Charlie Wheeler of the *Chicago Daily News* who was making those responses. He was the senior political editor with the *Daily News*, for many years. His grandson, Charlie Wheeler, III, is now working for the *Chicago Sun-Times* or *Tribune*, I forget which. It was a very exciting and moving period in my life.

When I told my mother I had enlisted, she asked, "Why the Marines, it'll be so hard?" I told her that I thought I had kept myself in pretty good shape, that the country had been good to us and I owed something to the country. I had a hell of a time getting in: I guess I used as much influence to get in as some of our illustrious leaders did to stay out!

CTF: Are you color-blind?

ALM: Yes. My former housekeeper had everything marked for me - all my ties, shirts, suits, shoes and stockings. I'm lost without her. Just the other day I wore a suit and tie which I thought were brown and my secretary, Janet, had to tell me that the suit was gray. She usually waits until the end of the day to make those revelations, so I don't feel uncomfortable all day. That was nice about being in the service, everything matched.

JFM: What arrangements did you make for your office, your practice, and your mother when you went off to basic training?

ALM: We had a live-in housekeeper, Mrs. Arie Lee Harris, who looked after my mother. I set up a bank account for Mother with my sister Bess to take care of all her expenses and my brothers had access to my money for the office expenses.

JFM: Where did you go for your basic training?

ALM: San Diego. It was very tough at age 38 competing with those youngsters who'd been drafted.

When I applied for overseas duty, they turned me down three times. My first commanding officer did it twice. My second commanding officer, once, but he did approve my transfer eventually. I was with the Marine Air Group 24, First Air Wing.

This may be an interesting story. One day I received a message from my sergeant, who said that there was an important call for me at the commander's office. I went there, thinking something had happened to my beloved mother, God forbid, some bad thing. My commanding officer said that some governor wants to talk to you. It was Governor Green of Illinois. He and his wife, Mabel, were in Los Angeles, at the Biltmore Hotel, in a bungalow on the property owned by Sinclair Oil Company of Chicago. Sheldon Clark was the Chief Executive Officer and had been chairman of the boxing commission and was my very good friend. He'd let me use that bungalow occasionally, when I

made trips out to the West Coast. When he gave it to Governor Green of Illinois to use, he told Green to call me and see if I could join them for a weekend.

When I asked my commanding officer if I could go, he said, "You can't say "no" to a governor!" When I hung up, he asked me - in four-letter Marine words - who I was. He wanted to know how I knew a governor and I explained that I was a state senator in Illinois. He wanted to know how come I was a private and I explained to him about vacating the senate seat if I had taken commission. I told him I wanted to go overseas, but that Colonel Spalding had turned me down twice, primarily because of my age, and I reminded him that he had turned me down once. I told him that although I'd never fired a gun in my life, I'd become a sharp-shooter and had finished 15th out of 63 in the obstacle course. I had never swam in my life, but I jumped off a 50 foot tower on the ship swimming pool and swam the length and back in the largest pool. He told me in Marine language what he thought I was full of and I told him to check my record.

When I returned from my weekend pass, my commanding officer wanted to see me. He had checked my record and found I was telling the truth. He told me he wanted to go overseas, too. I told him, "Now that you know I know a governor, I also know the assistant secretary of the Navy, Adlai Stevenson. And Sheldon Clark, who owns the bungalow I stayed at, is a civilian aide to Secretary of the Navy Knox." I told him that if he'd help me, maybe I could help him. He was very skeptical, but after a couple of days he told me to put my application in, along with his and told me that "we'd better both go over there." It took me awhile to reach Adlai Stevenson.

Here's how I met Adlai. I was trying to get a little culture and joined the Chicago Council on Foreign Relations, where Adlai was a big-shot and he took a liking to me. We became very good friends. He was a guest in my home for dinner on a few occasions.

Sheldon Clark helped me reach Adlai, who said that my mother would never forgive him, but I told him I'd never forgive him if he didn't get me, and my commanding officer, overseas. We both went over and I went from private to master sergeant in about 23 months, the highest noncommissioned rating.

While I was in San Diego, an interesting thing happened. I was called to my commanding officer's office and told that there were two FBI agents there who would like to speak to me - that they didn't have any subpoenas - did I have any objection? I told him no, not as long as he knew where I was. I went to the FBI office and it was the first time I met a Jewish FBI agent, and he was in charge. He asked if I knew that Willie Bioff was turning government evidence, was testifying against co-defendants Nitti and 5 or 6 others, including a fellow named Brown who was pushed out for Bioff. The FBI said that Bioff claimed he had paid me a lot of money and that I was a conduit for money paid to politicians, the mayor and other people. I told them that I represented a lot of bad people as a criminal defense lawyer: that Bioff was the worst, he had absolutely no sense of integrity or honor. I asked them if anyone knew I was in their FBI office other than my commanding officer and one of them replied that he didn't think so. I told one of them that I knew his counterpart in Chicago, George McSwain, who was a good friend of mine and I suggested that they call George and ask him to send men to my office to see my brothers, Harold and Sydney. I told them that I kept two boxes, one for the law firm and one personal: and I told them I had a friend since high school who was my

bookkeeper, Lou Brookstone; that, without subpoenas, my brothers and my bookkeeper would supply them with any information they wished. I told them that I earned some substantial fees from those people, but every dime I made was accounted for in my income tax returns.

They excused themselves for 15-20 minutes and when they returned, they asked me if I would have any objections to remaining incommunicado for a few days. I told them that I didn't so long as I could talk to my mother twice a day and my brothers at least once a day. They agreed and put me up at the San Diego Hotel under a different name. On the third day I was escorted back to the FBI office and released to return to the base. I later found out that they had checked with McSwain who told them that he had a high regard for me and "wouldn't dignify anything Bioff had to say about me." They did go to my law office and talked to my brothers, but never asked for anything and I was never asked to testify.

When I came home on a furlough, the *Chicago Daily News* had somehow found out about my visit from the FBI. They wanted to publish the story of my interview by them in San Diego.

CTF: Were they going to print that you had met with the FBI?

ALM: Yes. But thanks to three good friends at the paper: the Managing Editor, "Ev" Norlander; the City Editor, Clem Lane; and an outstanding reporter by the name of Ed Lahey, the story was pulled and not printed.

CTF: Where did they get their information, do you know?

ALM: I don't know, never did find out. But there were two new reporters from the *Cleveland Plain Dealer* who didn't know me, who wanted to put the story of my voluntary detention in the paper. They were persuaded not to by Norlander, Lane and Lahey. I expected all this to surface when I was investigated for my appointment to the federal bench and to be mentioned at my confirmation hearing for the federal bench, but it didn't.

CTF: You went to the South Pacific?

ALM: Yes. We went to the Philippines.

CTF: Did you have any interest in going to the European theater?

ALM: No. I was glad to be able to go and went where they sent me.

I had an especially emotionally moving day recently, at the American Legion Convention. They had a special naturalization ceremony for new citizens for the Philippine guerrillas. I administered the oath to them and had done it once before.

CTF: The reason I asked about Europe was I wondered how much was known in '43 about the Holocaust? People knew Hitler was bad and that there were a lot of refugees, but how much did the general public know about what Hitler was doing?

ALM: One of the sad things of that time of my life was that Franklin Roosevelt, who was so highly regarded by the Jewish community, locally, nationally, and

internationally, was aware of the atrocities committed against the Jews and what was happening generally. I don't think there's any question about it. And he refused to let a ship-load of Jewish refugees from Hitler dominated countries to land in our country.

CTF: In May of '43, though, when you joined the Marines, Roosevelt knew . . . or somebody in the government knew about what was going on?

ALM: No question about it in my mind.

CTF: Did the people know? Did you know that this was going on? Was this covered in the press?

ALM: Yes. Mainly the Yiddish papers, but not a helluva lot in the general press.

CTF: There wasn't an opportunity for people here to organize to pressure the government to act?

ALM: One thing sticks in my memory . . . that is when Roosevelt turned that ship away that was full of refugees. I've forgotten the year and the name of the ship, but it was eventually sent back to Europe and the people died. I've never forgiven Roosevelt for that.

CTF: Wouldn't let them land in the U.S.A.

ALM: Yes.

CTF: Was that covered in the press?

ALM: Yes. It fired in me a desire to do something. I don't mean to be immodest, Collins, but I really had the good life. Mother, God bless her beautiful soul, never tried to discourage me from enlisting, a great compliment to her. When I left, she hired a tutor to teach her how to print in English, so she could write to me. I called her twice a day until I went overseas.

JFM: When you were in the service and stationed in San Diego, you were the guest of Delores and Bob Hope at their home on several occasions. Would you tell us about that?

ALM: Well, I think I told you how I met Bob . . . how Joe E. Lewis asked me to help Bob get a gal for his act when he came to town in 1928 to appear at the Stratford Theater and to show him the town while he was here. We became very good friends from that initial meeting. Through the years I visited his home in California and stayed overnight a few times.

Then when I was at the U.S. Marine base, in San Diego, before I shipped out to the Philippines, and Bob would come out to the base and bring his troupe with him to entertain. He'd invite me to bring two or three guys to his place and we would have a nice bungalow for ourselves, and Delores would provide hot dogs and corned beef, we had a swimming pool and could get a massage.

JFM: I remember your telling me about one occasion when you were there for dinner and the subject of a Father Coughlin came up.

ALM: Bob's brother came in from, I think Ohio, and he had a dinner party to which I was invited. There were several people there, including a couple of Bob's

writers. Father Keane was there. He was a Servite and my very great friend, whom I'd met when I was a state senator. He had come to San Diego to visit me and I asked the Hopes if I could bring him with me. Now Delores Hope is an intensely devout Catholic. She was talking about a Father Coughlin from Detroit, who, from his sayings and his writings I had determined that he didn't like my people, the Jewish people. I made some uncomplimentary remark and Delores was very hurt and upset. I felt very bad - I think it was about a week before I was shipping out. After the dinner, one of Bob's writers, who was Jewish, came up to me and told me that he'd felt like saying the same thing, but he just couldn't do it 'cause he was working for Bob. He was glad I did speak out. Delores forgave me and still is my very beloved friend today.

JFM: At some point, before you shipped overseas, didn't you rent a home and bring Mickey and your mother out to stay in San Diego?

ALM: Yes, I did. In San Diego. Many years later, I discovered that while she was in San Diego, my mother had written a letter to one of my sisters while she was out there: about how bad she felt because she thought I wasn't getting married because of Bernice being Catholic; and my loyalty to my mother; and that she would prefer that I **did** marry her than remain single; that she had really gotten to know her during their time together; that Bernice was a wonderful gal.

JFM: But your sister never told you . . . and your mother never told you . . . ?

ALM: No (chuckling). It was one of those rough things, one of the great sadnesses of my life. So we've been like brother and sister these years, instead of husband and wife.



Richard J. Daley is sworn in for his first term as Mayor of Chicago by Judge Marovitz in 1955. Former Illinois Governor and Presidential Candidate

Adlai Stevenson (next to Judge Marovitz) looks on.

V. SUPERIOR COURT AND COOK COUNTY COURT YEARS, 1950 - 1963

CTF: Were you offered a judgeship in the state court? Did somebody slate you for it?

ALM: I'll tell you how I found out about it, although maybe I shouldn't:

I was still in private practice and I received a call from a croupier in Las Vegas. He told me that my friend, Joe E. Lewis, who was scheduled to open in a night club in a couple of days, was in hock to the house for \$35,000 shooting craps. I immediately flew out there and went directly to the casino. There was Joe, drunk, and in debt to the tune of about \$35,000. I sent him back to his room and watched a gal at the table making pass after pass with small bets and I was confident that she was a skill. She was betting dollars and winning. I bet along with her and got most of Joe's money back. While I was there at the table I heard a page for someone with a name similar to mine, but they were paging a judge and I was still a senator. Finally a bellhop came up to me and told me there was a call for me. It was Jack Arvey to tell me I had been nominated for a Circuit Court judgeship. He also told me that if I was elected, I was going to be assigned to the Juvenile Court because of my interest in helping juvenile delinquents change their ways.

When I returned to Chicago, my mother became ill with pneumonia. Dr. Karl Meyer, and Dr. Ed Foley, a very wonderful internist who specialized in cardiac conditions, were with her. Mother had a high fever and delusions. She kept saying, "My son, Abe, he's up in the world! My son, Abe, he's up in the world!" Thank God she recovered and I was elected judge of the Superior Court of Cook County instead of the Circuit Court. I had been critical of how

the Juvenile Court was being run by the incumbent and since he was re-elected from the Circuit Court, the powers that be had selected me to run for the Superior Court.

CTF: Do you think anyone wanted to slate you as a state judge in order to get you out of the senate?

ALM: That may have been. I was surprised at some of the people who were enthusiastic about my becoming a judge.

CTF: Did you originally go to the County Civil Division when you were first elected to the state court?

ALM: No. I went to the Criminal Court building, having criminal law experience.

CTF: Let's talk a little bit about the state court.

ALM: At that time I think there were 56 judges in the county. We had 20 in the Circuit Court, which was a constitutional court. They had to amend the constitution to increase it and instead created the Superior Court by statute.

CTF: So you were a Superior Court judge. You mentioned how you had an annual party for your probationers when you were a Criminal Court judge.

ALM: Yes. Just like when I came to the federal bench. I also had an annual party for my colleagues on the bench.

When I sent people to jail, they knew they belonged there. I had correspondence with some of them while they were incarcerated. I would get birthday cards from people who were put on probation, some from people I sent to jail. There's a plaque mounted on one of the doors in my chambers that has a brass head of Lincoln on wood. It was made by a prisoner whom I had sent to the penitentiary. And in the corridor is a picture of Lincoln, done on black velvet, also from a prisoner.

I remember a case where two young defendants killed a policeman. The state's attorney wanted me to have them electrocuted. They were defended by a lawyer named Sam Adler. I don't know if he's still around, I haven't seen him for some time. We had a jury trial and I observed one of the defendants doing a lot of writing. I thought they were notes to his lawyer. When it came time for his sentencing, I learned that he had been making sketches of me that were very good. They're around here somewhere. I told the defendant, who was 22 years old and on drugs, that I had to send him away for the rest of his life. I told him the prosecutor wanted to have him electrocuted, but because he had never known his father and had so little help in his life I was going to sentence him to life. I told him to use his talent to make time serve him and not to just "do time."

After I went on the federal bench, about six or seven years later, his sister came to see me about whether I could get her brother released with a prison guard, to exhibit about 24 beautiful paintings he had done for a show at the Hyde Park Fair, where they could be sold. I told her I couldn't get him released to show them, but I might be able to have the paintings brought to the show in Chicago where she could sell them. I contacted the alderman of the 5th Ward, a lawyer

friend by the name of Bert Moss, about renting a stall for the display of the pictures at the fair. Bert Moss was a very decent person, a very good lawyer and a good alderman. Because he voted against a school appropriation bill that Mayor Kelly wanted, Kelly dumped him in a primary election and put up Bob Merriam, then a Democrat, for alderman and he beat Bert. Later Bob Merriam changed his politics and ran as a Republican candidate against Daley and lost. Bert Moss wouldn't let me pay for the stall, he insisted on doing it himself. Then I talked to the warden at the penitentiary about getting the paintings to Chicago. He was familiar with the prisoner's talent because he was the warden's driver, and the warden was very cooperative. The warden called me three or four days before the fair opened and told me he was bringing the pictures and would have a couple of "friends" with him. He brought the two prisoners I had sentenced to life. One of them brought me the brass Lincoln plaque and the other brought the picture of Lincoln on velvet. The prisoners were handcuffed to guards.

CTF: He brought the prisoners you had sentenced?

ALM: Yes. The warden didn't let them go to the fair, but he brought them to my chambers and we all had lunch together there. The sister sold all 24 pictures at the fair. Both the sister and her brother, the prisoner, eventually died.

CTF: Abe, why don't we start with when you went on the bench.

ALM: Well, when I went on the bench . . . I think I told you, John Bolton was chief judge
of the Superior Court, which is now part of the Circuit Court. The Superior

Court was a statutory court. You had to amend the constitution if you wanted to enlarge the Circuit Court. The Superior Court was created by statute and I was elected to that court and had several assignments. I was chief justice of the Criminal Court and also head of Chancery Division. At that time they only had two of us in the Chancery Division. For four years a wonderful human being, Judge John Lupe, and I alternated as chief judge of that division.

Everybody loved Judge Lupe. He was a very fine judge, a very honorable judge. We both worked hard, each handling a substantial calendar. I think there may now be 15 or 20 judges in that division. There was a lot of pressure on us to politically appoint favored masters of chancery and receivers. Both Judge Lupe and I were independent in that area. We appointed receivers who we knew would do a good job for a modest fee. And we appointed good lawyers and assigned cases to masters of chancery, not for their political clout, but because they were good lawyers. It worked out well.

When I began my term as chief judge of the Chancery Division, the clerk of the Superior Court was Frank Lorenz, who later was elevated to judge. I told him that I was sure there were hundreds of cases still on the books that had been settled between the lawyers and dismissal orders had never been entered. I asked him to send a form letter I drafted to all lawyers, inquiring about the status of their case pending in our court. He was reluctant because of the cost, but I persuaded him and we learned that about 40% of the cases had been settled. The *Law Bulletin* wrote a nice article about us.

CTF: Anything else particularly interesting to tell when you were in the state court and served with Judge Lupe in the Chancery Division?

ALM: We had cases involving partnership fights, we had family feuds. I'll tell you about Jimmy Gallagher, a nice man and longtime acquaintance with whom I still correspond. He did public relations for the Cubs. He called me one day and said his parish priest asked him to talk to me about a family feud that arose between members of his church, which was on Addison Street in the vicinity of Wrigley Field. The feud was between a spinster gal, her married sister and their brother. Their mother had died and left a little house worth about \$8,000 or \$9,000 to all three of her children. The spinster thought it should have been left to her because she had lived in one of the two apartments with her late mother and had paid most of the expenses. The spinster sister had filed a suit. I read the file and all the parties were represented by distinguished lawyers. I suggested a settlement which I thought would be fair and after a couple of hours discussion they agreed to accept my settlement proposal, but the spinster was not happy about it.

Until the mother died, the families had been close. The children of the married parties loved their spinster aunt and had visited her often. I wanted to help repair that breach, so I told them that on Thanksgiving, which was only two days away, I would like to stop by for a visit - it was near my home - if they would all be present. The spinster was not inclined to attend the family dinner, but her lawyer convinced her to agree to do so. The others were enthusiastic.

I was due at my brother Harold's home in Highland Park at 5:30 p.m. but I didn't make it until 6:30 p.m. because at 4:00 p.m. I was at the married sister's home with wine, candy, and fruit, where I stayed about an hour and a half. It was a moving experience for me. There were a couple of children who were very fond of their aunt, but since the family feud they hadn't been able to visit

with her. On Thanksgiving they were hugging and kissing her and it warmed my heart to see the family reunited.

Jimmy Gallagher writes to me every couple of months and has never forgotten what we did for that family.

I believe a judge should have the will and the heart to reach out to bring litigants together, to go "beyond the call of duty," to bring love where there is hate, especially when family members are involved in a law suit.

I read a quote a short time after I was elected judge: "Fill the seats of justice with good men (and women), but not so absolute in justice as to ignore the human frailties." Immodestly, I tried to be that kind of a judge.

After I left the Chancery Division, Judge Ed Robson, who was head of the assignment division there, asked me to take a special calendar for CTA cases, streetcar company cases and city cases that had a tremendous backlog in dispositions. We didn't have any law clerks or externs in those days. We had to do our own research and writing. But, being single and having an understanding mother, hours weren't important to me and I worked long into the night and early morning hours. My mother used to complain a bit when I'd come home very, very late and I'd say, "Don't worry, Ma, I sleep fast," and I'm still doing it. I left the chambers this morning at about 2:15 a.m., got home by 2:30, to bed by 3:00 and up at 7:00. The good Lord has been kind to me in that way so I need very little sleep.

The CTA representative for my pretrial settlement conferences was somebody appointed as their chief counsel. The corporation counsel, of course, was

controlled by the Democratic Party. I got the corporation counsel to give me a settlement commitment and name one of its members the chairman of its committee. That happened to be Eugene Wachowski, for whom I had a great deal of respect. Gene later was elected to the bench, became the chief judge of the Municipal Courts and retired with a very fine record and great respect and admiration by his judges and practicing members of the bar who appeared before him.

I would put on 25 cases in the morning and 25 cases in the afternoon. I would have the plaintiff's lawyer summarize in letter form the nature of the case and what they were willing to take in settlement. I would have the corporation counsel submit what they were willing to pay as settlement. I did not exchange the letters with the lawyers, nor did they with each other. Many times I would look very, very good because there wasn't a hell of a lot of difference between what was being asked and what the other side would be offering! There were times though, especially in death cases, where there was a wide variance. Immodestly, I was very successful in getting settlements in the routine cases.

I don't want to forget to mention my colleague on the state court, Judge Wendell Green. When I was a young lawyer in the state's attorney's office, the outstanding criminal lawyer was an African American lawyer named Wendell Green, whose picture is here in the chambers. None of the big-shots in our trial department wanted to try a case against him because they lost them all. So I took the cases and I lost them all, but I became a better lawyer every time I lost a case to him. He and his charming wife, Lorraine, who, thank God is still around at about 104 years of age, became my friends and were guests in my home for dinner on many occasions. I asked Jack Arvey to appoint Wendell as

a minority member of the Civil Service Commission. He made a wonderful record for himself. When Judge Charles died and the Governor Horner had the power to fill the vacancy, Jack Arvey and I asked him to appoint Wendell Green to fill the three year vacancy, and he did. It was called Municipal Court then. When he ran for election three years later, he led the ticket. Then he joined the Circuit Court and was assigned to the Criminal Division, where I was sitting. He died young and I was instrumental in having a school named after him.

Lorraine, his widow, was a public school teacher and I asked the then Mayor (Richard J.) Daley to appoint her to the School Board, where she served with distinction. When the Union League Club honored me as their Distinguished Citizen of the Year in 1990, I invited Lorraine Green to be my guest. She was close to 100 years old at that time, still driving and still traveling the world on speaking engagements! She's a tiny little women who dresses in a Victorian style.

She's an absolute delight. When I invited her to the Union League Club, she pulled my leg about " not being allowed in there," but I told her not anymore! There was a time when African Americans - or "Coloreds" as they were called then, and members of the Jewish faith were not "encouraged" to apply for membership. Not only there, but many, many other private clubs (Lorraine Green died in 1996 at the age of 106).

When my friends, Jack Arvey and Dick Daley submitted my name for the bench, I had opposition because when I was a senator, I had an investigation started which affected Judge Bicek of the Juvenile Court who was sending a lot of kids to the Catholic foster homes, but many of them weren't being helped and were returning to the courts.

Judge Bicek was a very decent man, but there was so much recidivism in that court. They weren't salvaging kids. I started an investigation in the legislature. The Bar Association set up a blue-ribbon committee. Bill Campbell was asked to chair it, but they wanted assurance that the committee wouldn't remove Judge Bicek and Bill wouldn't promise that. The Bar Association appointed Weymouth Kirkland, who was the senior member of the law firm which represented the *Chicago Tribune*. Anyone who wished to speak on the subject was invited to appear before the committee. There was Glenn Lloyd, a lawyer for the *Daily News*, another man named Tony Czarnicke, who was a political editor for the *Daily News*, and others. I was the last to speak. I documented the recidivism: how many kids they had lost, how they had salvaged very few. I said they had to do a better job and urged the appointment of three judges instead of just the one. I told them about the influence of the Catholic Chancery Office, getting the kids into those homes, which was fine, but they weren't doing anything for the children. The kids were going right back into court. The recidivism rate was 72% or so. Czarnicke shouted out, "Who would you put there? Jew judges? Jew judges?" Glenn Lloyd said, "You wouldn't be saying the Senator's anti-Catholic, would you? He's recommended three Catholics. He's recommended "Duke" Dunn, Bill Brothers and Cornelius Harrington."

CTF: When were you elected to the Superior Court?

ALM: In 1950. Immodestly, I had quite an induction. Friends and relatives from all over the country attended. The governor, Adlai Stevenson; and his predecessor, Dwight Green; the mayor, my friend Richard J. Daley and Sis Daley; Chief Justice of the Illinois Supreme Court Walter Schaefer; Justices of the U.S. Supreme Court Tom Clark and Sherman Minton, who were in town for a

meeting and stopped in, were all present. My dear, dear friends, Joe E. Lewis, a very popular night club entertainer flew in from New Orleans; and Herb Graffis, popular sports writer flew in from Ft. Meyers, Florida; my old bosses from Mayer, Meyer, Austrian & Platt, Mr. Carl Meyer, and Mr. Isaac Mayer, and his son, Frank D. Mayer; rabbis and priests and ministers like Rabbi Berman, Bishop Sheil, Dr. Preston Bradley; and my dear, dear friend, the late Judge Charley Dougherty, who broke me in, in the state's attorney's office in 1927. My beloved mother, God bless her beautiful soul, was there, as were my beloved brothers and sisters. Dad had passed away before my induction.

Col. Jack Arvey was chairman and he called on Joe E. Lewis, who said that now that I was a judge I probably couldn't go to Las Vegas and shoot craps with him. Then Herb Graffis, in the same vein, said that since I was now a judge, I couldn't go night clubbing "and chase the broads" with him on Rush Street anymore. Then Judge Harry Fisher, the dean of the judges of both the Circuit and Superior Court of Cook County said that now that I was a judge I'd have to be more dignified.

Collins, last night I was rummaging through some of the things I've accumulated over the years and ran across my sister, Bess' eye-witness account of the induction. I'd like to read it to you so it can be included for the family's benefit.

"The Marovitz family have lived through the most interesting, exciting and satisfying period in our existence. Scores of men have been elected to high offices and no doubt their families have had similar experiences - but to me it is all like something out of the Talmud.

Abe's selection as a candidate for this judgeship came as a surprise to most of us. The instant response and cooperation that came his way is nothing short of phenomenal. I am

writing this as much in detail as I know how, because I feel you are sincerely interested in practically all our doings and certainly I want you to share this joyous occasion with us.

Abe was feted by so many friends - new ones, old ones, rich ones, poor ones, black and white. There were luncheons, dinners and even an old-timers dinner dance. Besides all the political meetings he had to attend he was one busy boy. Harold and Sydney accompanied him as much as possible. Of course, they enjoyed it very much, too.

Well, the day of the election was a thrilling one. Abe had arranged for a beautiful suite of rooms at the Morrison Hotel where we all gathered to await the election returns. A beautiful buffet table was set up along with a bar. Folks kept coming up to hear the news and as the night wore on, others gathered to congratulate the new judge.

Though I don't have the exact figures, Abe polled close to 455,000 votes and his opponent about 250,000. I do know, however, that in the final count Abe came just about 9,000 behind his running mate who had served as State's Attorney for Cook County for four years and whose name is William Touhy. I mention his name because it is so unlike M A R O V I T Z. To me this is a tremendous victory for a little Jew boy. Someone once mentioned that with a name like ours, Abe should not try to gain the limelight - he should sort of stay in the background. Naturally, Abe had different ideas, thank God. His name was painted on billboards from one end to the other - about fifty feet across. Thousands upon thousands of post cards were sent through the mails by friends and their friends. His name was known from one end of the county to the other, as the final results showed. With it all, he still remains the same sweet, humble fellow he has always been.

Yesterday, May first, was the big day, really the day of days, his induction. I know I don't have the ability to attempt to describe what I really witnessed. I've attended a few inductions in the past, but truly this was something the county had never seen.

Of course, the courtroom was hardly large enough to accommodate one-fourth of the people who would have liked to attend. We understand at the hour the induction was to take place, the corridor was so jammed with people, it was next to impossible to get near the door. I was told the Governor paced a full five minutes before someone recognized him and forced the crowd aside to permit him to enter.

The courtroom was bedecked in the most beautiful display of flowers. I wish I could have had a picture of it as a reminder, though I'm sure I will never forget any of it. Abe arranged to have his family, and you know how considerate he always is of what he always refers to as **MY** family, seated in the jury box. Of course the children were all included, even little Billy Boy.

As the induction was about to start, mama was ushered up on the bench and Col. Arvey rose to announce Court would be called to order by Mr. John J. Duffy, Sr., who was bailiff in the first courtroom Abe had served in as Assistant State's Attorney. Mr. Duffy now is 85

years old.

Then Abe was sworn in by his very good friend, Richard Daley, who is the present county clerk. Mama stood up there right along side of Abe just like a major. There were many photographers taking pictures, a few of which have been printed in the daily newspapers.

Following this, Rabbi Morton Berman invoked the blessing, and had you been there your eyes would have been filled with tears of joy and pride like everyone else there. Before the blessing, the Rabbi lauded Abe for his activities in his community as well as for his people and all people. As he blessed Abe, the Rabbi held both his hands on Abe's head and offered his prayer entirely in Hebrew, later translating it in English. It was so touching, yet so beautiful.

The Colonel who inducted Abe into the Marine Corps, Col. Fordney, presented him with a beautiful American flag on behalf of the U.S. Marine Corps and General Julius Klein did likewise in behalf of the Jewish War Veterans.

Then the Governor (Adlai Stevenson), spoke and he started by saying he wasn't as happy as most folks there because what is the bench's gain is the Senate's loss and he for one was surely going to miss Abe in Springfield. He said Abe was smarter than he. When he was young he went to work for a newspaper but found that too hard, so he became a lawyer. That too was difficult so he became a governor. Now, Abe, he said, move over and make room for me on the bench. He extended greetings to Abe and asked him again to please not forget his address.

Our Mayor followed him and then Abe's first employer, 85 year old Isaac Mayer of the firm of Mayer, Meyer, Austrian & Platt, was called upon. You should have seen him. He made me think of Disraeli, or rather my impression of him. A most dignified Jew, and there he stood telling everyone how happy he was to be there to wish Abe good luck; how when Abe was their office boy he recognized he had rare qualities and therefore was proud to have been instrumental in starting him on his career (they had sent him to school by paying Abe's tuition, which Abe repaid at \$2.00 per week). He said many other fine things about Abe, as those who followed him did. Mr. Austrian, now deceased, helped sponsor Abe for his first political position.

Judge Charles Dougherty spoke. He was the first one Abe worked with in the state's attorney's office. He, too, praised Abe.

Oh, oh, I'm a little ahead of myself. Actually, the first speaker was Abe's childhood friend, Sandy Frankenstein, whom Abe grew up with and went through both high school and law school together. They have remained steadfast friends these many years, and believe me, we were mighty proud of Sandy, too. He expressed his feelings toward Abe as one who romped with Abe and grew up with him. He told how Abe still retains those many friends he

had while still a child and how his door has always been open to one and all of them. He's really a great little guy, that Sandy, and what he said came from deep within his heart.

After Judge Dougherty came Ex-Governor Dwight Green under whom Abe served for about eight years in the legislature. The president of the Chicago Bar Association spoke, praising Abe as one of his board of managers. A fine speaker, the president of the Illinois Bar Association, followed him saying how pleased his association is with Abe's election and how much they hope Abe will remain on the bench and other men of his caliber should be elected to serve with him.

A judge from the Virgin Islands, Judge Herman Moore, a Negro, delivered a beautiful tribute to Abe, whom he has known for the past ten years, as did Abe's personal friend, Judge Wendell Green, also a Negro. Then two priests came to add their praise of him and they were surely well received. Joe E. Lewis, the entertainer, flew in from New Orleans and he was called upon to add more color to this beautiful display. Herb Graffis, a favorite of mine, a fine newspaper columnist and an ardent friend and admirer of Abe's was called on and as he came up on the bench he bent down and kissed our Abe on each cheek. It truly was a sincere expression of friendship, if every any was shown. Herb is a born humorist - I wish I could have recorded his words.

The District Attorney, Otto Kerner, Jr., spoke beautifully about how touched he was at the ceremony. It exemplified to him true Americanism like he had never seen before - all races and creeds represented. He was thrilled to be a part of it.

The state's attorney, attorney general of Illinois, Arthur X. Elrod, Judge Matt Hartigan, and Judge Fisher also spoke and then Colonel Arvey said how very, very proud he was of Abe today. That he had always been proud of him. Abe typified everything, except being a judge, that he had hoped to be. You know how eloquent Col. Arvey can express himself and that he truly did. It was all simply beautiful.

Now came our Abe's turn to respond and believe me when he rose in that black robe, surrounded by his good friends and his mother, amid those myriads of flowers, looking down into the faces of all who had come to pay him honor, he had a little difficulty to being his remarks. I will try as best I can, to give you an idea of what his response was like. I think I can do a fair job of that:

"I have so much for which to be grateful and so many to whom I am thankful, that I only know where to begin - and that is with God who has been especially kind to me by permitting me to share along with my good brothers and sisters the joy of having our wonderful Yiddishe Mama with us this eventful day in our lives.

I visited the grave of our good dad yesterday and looked at the last picture he

had taken on which he wears a smile that seemed to indicate to me that he had done a fair job. He died without money, but my brothers and sisters inherited from him his sense of intensity for honesty, that coupled with my good mother's simple but wonderful philosophy of teaching us right from wrong has made this day possible for me. To my father, my mother, family and devoted friends and political associates who have tolerated my many shortcomings these past many years and especially to my devoted friend and mentor, Col. Arvey, I want to say from the very core of an appreciative heart, I shall try my very best to do justice in the manner that will make them no less proud than they seem to be today.

I've had much advice from well-meaning friends about the manner in which I should pattern my future conduct and I appreciate the advice but I mean to continue to do in the future as I have in the past - the very best I know how so that I may continue to merit the esteem and confidence of my family, friends and the public and to feel in my own heart I am worthy of it.

To all of you, my heartfelt thanks. It may not be in my power and capacity to be a great judge but nothing will prevent my being an honest judge and that I will be, and a just one, and for the benefit of the fourth estate a fair one to capital-management as well as to the men and women who labor."

Abe concluded by reciting his favorite poem; one that Mama had given Abe, Syd, and Harold upon the opening of their first office, entitled "*My Sons*."

The Court adjourned with as many as could forming a line to shake his hand and wish him well. The actual ceremony took an hour and a half but it was a while before the courtroom was empty.

Have I done a fair job? I hope you have lived this thrilling event with us from my meager description of it."

Bess Marovitz

When the program was concluded, Mother said, "Son, I know you better than all the speech-makers put together. Just remember this: as a lawyer you were paid to talk, as a judge you'll be paid to listen. That won't be easy for you, because you like to talk. So listen more and talk less. But above all else, stay

the *mensch* that you are." I'm not sure I followed my dear mother's good advice about talking less and listening more!

I have the transcript from that induction on May 1, 1950. Maybe it could be added as an appendix to this history? However, if I'm not mistaken, my brother's had it edited a bit to eliminate undignified but funny remarks from a couple of people.

Collins, this may sound corny but I learned more from my uneducated parents about simple decency, that hopefully has held me in good stead, that I don't think I would have learned in college had I had a college education. I always remember my beloved mother saying to my brothers and sisters, in mixed English and Yiddish like, "Wherever you go, walk in with your self-respect and make sure you leave with it." Another thing she would say when my brothers and I were in a bit of an argument, she'd say, "Boys, you have to learn to disagree without being disagreeable."

Jack Arvey had sponsored me for the bench and I remember I had a case where I issued an injunction without notice, without bond, enjoining a bank from permitting anybody to enter a safety deposit box. It was the box of a man who was in the hospital and involved in a divorce proceeding and his wife took the key to the box and wanted to go in the bank and remove everything there. Two young lawyers whom I didn't know appeared before me. I issued a temporary injunction without notice or bond. Then the next day four lawyers from Arvey's office appeared, seeking to vacate the temporary injunction. I said, "No, I think that's what the facts called for. It's unusual, but that's what relief the law provides." They asked if the matter could be continued for a couple of

days to give them time to bring in some law, to which I agreed. Instead of bringing in law, they brought in a lawyer named Louis Mantyband, who was a partner of Arvey's firm, and who had a son who was finishing law school and was clerking in the Arvey office. Arvey had wanted me to join his law firm and I had said I would, if I could bring my two brothers with me. That was agreeable to Arvey, but Sam Epstein and Louis Mantyband, his partners, weren't interested because they had sons they wanted to have join the firm. I certainly could understand their concern. I would have felt the same way in their respective positions.

So, they brought Louis Mantyband in on the case. He was very belligerent. Instead of facing me, he turned his back to me and was addressing the audience in the courtroom. He said that no court in the world would affirm my decision. I said, "Uncle Louie . . ." I always called him Uncle Louie, even in court, ". . . regardless of the little respect you may have for this court, when you address it, you face the court. I don't want your back to me because I'm not hearing you." So then he said, "I'm convinced that no court is going to sustain this after that remark and I want the record to show it!" I told him the record **would** show it and overruled his motion.

About six months later, Arvey called me and said John Gutnecht, who was running for reelection as the state's attorney, was complaining that although I could help him, I hadn't raised a finger to do so (Adamowski was his Republican opponent). Jack said, "He's a good friend of your friend, Col. Henry Crown and mine." I think there was some family relationship between Gutnecht's wife and the Crowns. I said, "Jack, I've made two appointments for Gutnecht with a very fine Polish commentator on a Polish radio show and

both times he didn't show up and didn't call to cancel. He didn't even let me know he wasn't going to keep the appointments. I was embarrassed." Arvey said, "Meet me at the Covenant Club for lunch and I'll have Gutnecht there, too." I said, "Jack, I don't want a problem with you, but I don't like to go to the Covenant Club": and this is a fact, I never wanted to go to any club that restricted anybody decent from applying for membership. The Union League Club, the University Club, the Chicago Club, the Chicago Athletic Club, at that time they all had restrictions, no Blacks or Jews. Now the Covenant Club was a Jewish club and they wouldn't allow non-Jews to apply for membership, so I never joined it. I said to Jack, "I practice what I preach, I don't want to go as a guest to a club that won't let me apply for a membership. And I don't want to go to a Jewish club that won't let non-Jews in." So Arvey said, "Well, I asked John Gutnecht to meet us there, so please join us," and indeed, in deference to my friend, Jack Arvey, I did go there.

When John Gutnecht arrived, Arvey said, "I don't know what you see in this guy, I put him on the bench and we've lost every important case we've had before him. My brief men in the office told me that they argued a case recently in front of the appellate court regarding an injunction he issued without notice or bond and they're sure he'll be reversed." I said, "Jack, I wish you hadn't said that, because just this morning I got the unanimous opinion from the appellate court affirming me." He said, "You're full of bunk!" I suggested he call his office, which he did, asking to speak to his appellate attorney, a lawyer named Seigel, who confirmed that I had been affirmed. Arvey said, "Then you must have been right in the other cases, too!"

Ben Adamowski, who had been a staunch Democrat, switched parties and ran as

a Republican and was elected as state's attorney. John Gutnecht lost the election.

I was later selected by the Courts Executive Committee to serve in the Criminal Court. I was a strong believer in probation and I was the only judge sitting in that court - there were about 12 of us - who was permitted to have his own personally selected probation officer who would handle all of my probation cases. Let me tell you the story of how I got my own probation officer in the state court.

When I was a young prosecutor, in many instances I would recommend probation for a defendant. A particular incident comes to mind. There was a young lad who lived next door to me whose parents and older brother and sister had died, leaving him with his younger sister and three younger brothers to raise. He was stealing cars to feed them and keep the little family together and out of an orphan home. I appeared before a very fine judge, named Lambert Hayes, in the felony court. Charlie Bellows was the prosecutor on the case. I told Judge Hayes about the lad and I said, "If you put him on probation, I'll help him. He lives right next door to me. He doesn't want his younger brothers and sister to go to an orphanage: that's why he's been stealing a car or two." I told the judge that I got the lad a job at an automobile agency and promised the court I'd help him stay out of trouble. Within a few years he opened his own agency with the help of another friend of mine and myself and he was able to keep his little family intact.

Now in those days in the state court, there were no qualifications necessary to become a probation officer. They were generally some precinct captain's or

ward committeeman's son or nephew, with no training at all, many times without even a high school education. So when I became a judge in the Criminal Court Division, the head probation officer was a fellow named Bill Meyering who was a very decent man. He had his arm shot off in the war. He'd been sheriff and was defeated for reelection, so they made him the head of the Probation Department in the Cook County Criminal Court. I went to him and said, "Bill, I'm very much interested in probation, but I want my own probation officer." He said, "Abe, you can't do that. You know it's a patronage thing." I said, "I'll pick someone" - he was against my picking someone from outside - "I'll pick someone from the inside." He told me he couldn't do it, but I should talk to the chief judge.

At that time the chief justice of the criminal court was an excellent judge named Harold O'Connell, who was from the South Side. He was a good lawyer and a decent and an honest man. He knew me, of course, from the days when I was a trial lawyer specializing in criminal defense work, before I went on the bench, and I told him what I wanted to do. I said, "Harold, I'm a strong believer in probation and I think I can salvage some of these kids. We have a lot of recidivism." He said, "I realize that." "So, I'd like to get my own probation officer." He said, "Let me think about it. Somebody from the inside?" I said, "Yes, let me check around for someone among the probation officers." I got reports about this lad named Willard Seitz, who hadn't finished high school, who lived in the same house in which he'd been born. He was very honest and I liked the things he accentuated in the reports he prepared. He worked hard and his reports would mention the probability of employment, weaknesses, religious interests, family background: he was quite thorough in his investigations. I interviewed him and was impressed by him. Judge O'Connell

agreed to experiment with my idea, but cautioned me to not talk about it too much. I told Bill Seitz about the experiment and told him we'd have to keep it to ourselves. I told him he had insight into the things that I was interested in knowing about a defendant. I told him he'd have to cover the whole county, not just a particular zone. He was enthusiastic, but told me that he and his wife had one car and she needed it. So I told him I'd get him another car.

CTF: How did you get the car for him?

ALM: I bought it from a friend of mine and one of my first clients when I went into private practice, Mitch Gersh, at City Auto Sales at 18th and State Street at that time. I bought him a used car, but later got him a new one and he became the best probation officer in the county.

There's more. I used to swim at Postl's gymnasium, 188 W. Randolph Street and Rev. Ralph Gallagher of Loyola used to swim with me. We became very good friends. One day I said to Father Gallagher, "I want you to do me a *mitzvah*. He said, "Whose Bar Mitzvah?" I said, "Not a Bar Mitzvah, that's a confirmation. A *mitzvah* is a good deed, which you good Catholics call good works. I want you to let my probation officer into your sociology classes. I don't want him to be enrolled. I don't want him to pay any tuition. I just want him to sit in the classes, listen and learn." He said, "What the hell do you think we're running here, anyway, a free organization?" But he did let him attend his classes for two semesters.

Then, the federal probation officer, a University of Chicago fellow, a very nice fellow, by the name of Ben Meeker . . .

CTF: Meeker?

ALM: Yes, Ben Meeker was head of the federal probation office and they had their requirements. You had to have a college degree in social science. Ben and I would appear on panels on radio occasionally, discussing probation. I went to see Ben and told him that I wanted to have Bill Seitz sit in on a training program that newly appointed federal probation officers had to attend, that I didn't want him to participate, just to listen. Meeker said he didn't think he could do that without Chief Judge Bill Campbell's authority, but he'd certainly talk to the chief. I told him that Bill was my good friend and I'd ask him. I told Campbell I wanted Bill Seitz to sit in the class when they had seminars for the new probation officers and he said, "no problem." Bill Seitz became the best probation officer in his department and I was the only judge to have his own probation officer.

Now, on the first Monday of every month, I would take a certain number of my probationers who had completed their first year and have them come in to my courtroom with their families and talk about how they were doing. This sounds awfully immodest, but I got many jobs in various places for those probationers. I would personally drive those who had a narcotic problem to an inspiring young doctor named Adams at the Provident Hospital for monitoring and treatment. My personal bailiff, Carmi Fratto, would accompany me.

If the probationer had done a good job, I would have a little ceremony and discharge him or her, giving them a certificate complimenting them on their fine work, for making me look good, making themselves look good. I would hear from them from time to time for years afterward.

When I came to the federal court I found very good probation officers and I got to know them all and they got to know my interest in probation.

Before I left the state criminal court, four young fellows who were graduating from a Catholic high school on the South Side who got a crazy idea and went on a two day spree of holding up several milk wagon drivers and one of the youngest had a gun. They pled guilty and I put all of them on probation over the strenuous objections of the state's attorney, Ben Adamowski, who went ballistic! He blasted the hell out of me and Judge Leonard, who had put someone on probation in a gun case who had subsequently killed someone, while on probation. None of my four ever got in trouble again.

That was when a newspaper reporter did an editorial about me and said, "We oppose robbery and we oppose probation . . . not only is Judge Marovitz soft-hearted, but he's soft-headed as well." All of the youngster involved did well and I attended the wedding of one of them.

CTF: Let me ask you a question about the state court. We have a good number of indictments of judges from the state courts and convictions. Is that a recent problem or were there rumors of that being a problem when you were on the bench?

ALM: That was a problem then, too. As a matter of fact, the brother of a good friend of mine sends me clippings from old newspapers from the time when I was chief justice. One of them was about my not putting in enough time on the bench. A bum rap!

In those days we had an assignment system which permitted the chief judge to assign the cases to the judge of his choice. They didn't have the random system they now have. There were many instances when some lawyer would call me, when I was chief judge of the Criminal Court, and ask me to have a case sent to a particular judge. I would tell them that they had the wrong guy. Even the head court bailiff would occasionally ask me to send a case to a particular judge. I'd say, "I practiced law and every once in awhile I'd ask the chief judge to send a case to "anybody but Judge X" - there were 12 or 15 to choose from - "but I'd never ask him to have a case sent to a particular judge." I remember the head bailiff told me that if he couldn't "make a buck" with me as chief judge he'd have to request a transfer and I accommodated him by asking his boss to take him out of my court.

CTF: Did you have any particularly interesting cases, either on the criminal or civil side?

ALM: I had some real tough criminal ones. There was one involving a police officer who was charged with killing three Mexican youngsters that was particularly upsetting because I knew the policeman (Moretti) and his family.

CTF: Were you the trial judge?

ALM: Yes. I had told the chief judge not to assign me to any cases where either of the lawyers asked for me specifically. In this instance, my brother Sydney told me I was going to get a case, before it was assigned to me! I had told the chief judge I especially didn't want the Moretti case, but he did assign it to me. When I confronted him, he said that I was the only judge on which both sides could agree. The lawyers said they'd take a change of venue from any of the other

judges. Dick Austin was appointed one of two special prosecutors in that case, I believe the other one was Harold Smith, a former president of the Bar Association. The defense lawyers were Louie Blumenthal, Mike Romano and a lawyer named Block were defending the policeman. There was nothing I could do but try the case. When it was finished, the jury was deadlocked, eleven to one. I transferred the case back to the chief judge and it was reassigned to another judge and the policeman was subsequently convicted and sent to jail.

Another time, when I was chief judge, I exited the elevator at the 6th floor, where my courtroom and chambers were, and the hall were jammed with people. I thought some notorious hoodlum was up for trial. I asked my bailiff, Carmen Fratto, what was going on and he told me that there was an old man who looked like he was 90 years old in the bull pen, charged with murder. I looked at the indictment and saw that the defendant was charged with smothering his wife and killing her. He was actually 69 years old. A lawyer appeared for him who was unfamiliar to me. When the case was called it seemed like everyone in the courtroom wanted to approach the bench. I told them all to step back with the exception of the defendant's family and a fellow with a clerical collar, who was a minister. I let him remain at the bench.

The defendant was arraigned and his lawyer pled him guilty to murder. The defendant's daughter testified that her father was the most wonderful man in the world, that her mother had been dying of cancer and had pleaded with her, the defendant and other members of the family to help her out of her misery. She said her father worked all day and stayed up all night caring for her mother, for many, many nights. The daughter arrived one morning to take over for her father so he could leave for work and found both of them on the floor. He had

smothered his wife and taken pills in an effort to kill himself. She had called the doctor, who was able to revive her father. She asked me to give every consideration to her father. Then the minister talked to me and told me how wonderful the defendant was, that he was the kindest man in the community. I asked his lawyer why he had pled him guilty. He told me because the man had admitted killing her. He told me some lawyers told him that I could find him guilty of manslaughter. I told the lawyer to bring the deceased's doctor to court, to tell him that Judge Marovitz "invited" him, and I told him I'd subpoena him if he didn't agree.

The doctor came, he was an elderly man with a Vandyke beard. I asked the doctor if he could give me his best guess, medical guess, as to how long the woman might have lived. He told me it would have been a miracle if she had lived a month. He also told me that she had begged him to put her out of her misery. He also praised the defendant. I told the defendant's lawyer to withdraw the guilty plea and enter a plea of not guilty and sign a jury waiver. One of the state's attorneys - there were three assigned to my courtroom - said he didn't think the state's attorney would agree to a jury waiver and their consent was necessary. But one of the other assistants asked me to pass the case for a few minutes so they could consult with each other, and one of the assistants agreed to sign it. I asked them to stipulate on the evidence we had heard and they agreed after both sides rested. I told them that I couldn't find it in my heart to find the defendant guilty of anything . . . that he would make his peace with the Lord and I found him not guilty.

Later that night a friend and I went to the Blackstone theater and when we came out there were headlines in the paper: "ADAMOWSKI DEMANDS

MAROVITZ RESIGN. TURNS SELF-CONFESSED KILLER LOOSE." In the story Adamowski also told of how I put 18 defendants on probation in dope cases and said that they were all represented by the B & B Boys. The B & B Boys were Brodkin and Bieber, who were prominent criminal lawyers. Jerome Weiss was president of the Bar Association, then. He asked me about the blast by Adamowski and I told him I wouldn't answer in the newspaper, but if he filed charges before the Bar Association, I would be glad to answer them. I suggested he appoint a blue-ribbon committee of past presidents and I'd appear before them and answer any questions they asked. He did . . . he appointed Floyd Thompson, who had just resigned from the Supreme Court and joined Bert Jenner's firm and four other former presidents of the Bar Association.

When I appeared before them, I was the last witness to their investigation. I told them all about the "murder" case which I prefer to think of as a "mercy killing." Then I told them that Adamowski was wrong about Brodkin and Bieber representing all those defendants I put on probation and showed them that the public defender had represented all but one of them. All of the youngsters were African American, except for one Caucasian boy, who was represented by a superb African American lawyer by the name of Charles Evins, whom I had appointed to represent that particular defendant. I would sometimes appoint Evins in cases where the defendant didn't want a public defender. I told the committee how I took these boys to Provident Hospital where Dr. Adams would administer a Naline drug test. I documented how I got jobs for these boys and how they were salvaged. The committee called Adamowski to appear at the hearing and gave him an opportunity to refute what I had told them, but he couldn't. The committee wrote a report saying that Adamowski had distorted the facts in the newspapers and said I was justified.

Adamowski went to the state legislature and had a bill passed calling for a mandatory minimum sentence of 10 years for the sale of dope. There were 10 or 11 judges then and they were all concerned with adverse publicity and would give the offenders the 10 year mandatory sentence: youngsters whom I would normally put on probation with instructions that they be monitored by Dr. Adams. Adamowski removed the possession count which was probationable. I held that possession, which was probationable, was inherent in the sale and that you couldn't sell something you didn't possess. Adamowski would write a one count indictment, for the sale. I still put many of them on probation.

When Ben Adamowski ran for reelection for the state's attorney's office, Dan Ward ran against him. Adamowski used me as a target, saying I was soft on dope. However, I imposed the longest sentence ever imposed in the Criminal Court building, 75 years, in a dope case. The defendant was a middle-aged man who wasn't on dope himself, but was selling it to students at Wendell Phillips High School. He died in the penitentiary. Adamowski knew I wasn't soft on dope peddlers. I got jobs for the ones I helped, from friends of mine who owned gas stations or car washing businesses. The youngsters were very appreciative and often remembered me with a card on holidays or my birthday.

Another story I remember . . . Wyatt Jacobs was trying a case against Jim Dooley. It was a civil case in the County Building. I was in the process of discharging one of the four fellows from probation who had been involved in the robbery of milk wagon drivers that I told you about earlier. So Jacobs, Dooley and I were picking a jury for their civil case and I explained to them about my release from probation ceremony, which I had just concluded during the recess. The probationer had married and fathered a baby and was a responsible citizen

after four years of probation. I saw Charlie Carpentier, the secretary of state, sitting in the back of the courtroom and I had him get up and introduced him to the jury. I told them that he was a Republican when I was a Democratic state senator: that we were good friends although we seldom voted the same way. He had a large package with him, which he gave to me to open. It was this large Lincoln picture, which has his name on it, hanging here next to the replicas of Lincoln's hands and identified at #82. We took pictures at the discharge from probation ceremony and Carpentier sent a copy to the city editor of the *Tribune*, who was a good friend. It showed the probationer, the wife and baby and told them how well such things could turn out if one had a capable probation officer. I was only able to do that because I had my own probation officer.

CTF: For which you had to fight.

ALM: Yes. You know, sometimes a probationer would need a little jerking up and I would do that. At times I'd impose a 10 day contempt of court order instead of a violation of probation and send them to jail for a brief spell, give them a taste of it. Then they'd really straighten out. Of course, there were a few exceptions.

For instance, I had a 17 year old youth appear before me on a Friday, for stealing autos and gave him five years probation when he pleaded guilty of auto larceny. Then I told him that if he ever got into trouble again, I'd send him to prison. The following Monday he went out and stole another auto! I sentenced him to 5 to 12 years in prison for violation of probation.

I couldn't try a criminal case now. The judge has so little discretion under the

sentencing guidelines. I would see the witnesses, the family, the defendant. I think those guidelines are the worst things that have happened to the criminal justice system. I know some of the other judges feel as strongly as I do . . . I don't know of any who like them.

Now, going back to my court routine. I used to start pretrial conferences at 8:00 in the morning, with the agreement of the lawyers, of course. I didn't just arbitrarily set the cases for that hour. I would call them and ask, "Before you get started on something else, would you mind having an early pretrial conference?" I remember my brother, Harold, called me one day and raised hell with me . . . "What are you doing, starting at 8:00 in the morning?" I told him, "Brother, I don't do it unless the lawyers agree to it. I don't pressure them and we accomplish a lot, we settle a lot of cases that way." My brothers were my best critics.

So, I was a bit of a maverick, I did things differently than most judges. I'm the least educated judge on the federal court and my opinions show it! I went from high school to a night law school. I remember when Plymouth Court was dedicated to be "Abraham Lincoln Marovitz Court" I said that I knew one thing for sure, it wasn't being done for intellectual ability or my scholarship! In fact, Judge James Alesia (U.S. District Court, IL-N) was responsible for that happening. He wrote to the mayor, suggesting it. I was never afraid to experiment with things, especially in the social conscience area, and it paid some good dividends for me.

After Mother and I moved to Lake Shore Drive, about 44 years ago, and while was on the state court bench, she was looking through the windows of the

apartment one day and directly across the street was the Belmont Yacht Club. She said, "Son, what a difference! In the old neighborhood you could look out the window and see rats the size of cats. Now I see boats as large as the one I came over on from the old country." She was very appreciative.

I read something interesting today. I read about the difficulty they're having burying Jews because of a strike. In my religion you have to be buried within twenty-four hours. They don't embalm Orthodox Jews. Mother died on a Thursday night (August 8, 1957), and I called my rabbi, Rabbi Herman Davis, a wonderful rabbi, born in Chicago and educated at the University of Chicago, who died much, much too young. Anyway, I called Rabbi Davis at 10:00 p.m. and he told me Mother had to be buried the next day, Friday. I said, "With all due respect, Rabbi, no. Mother has relatives out of the city, east and west. I told him that it would be my sin, but she'd have to be buried on Monday so they could attend." He said, "It's against the Jewish law, Abe, to hold the body that long . . . and she should be buried in a shroud." That was a custom among very Orthodox Jewish women. Mother had a very tough early life, but the last forty had been good. She liked nice clothes and she liked flowers. I told the rabbi I was going to pin orchids on her. It was my custom to stop by a florist every Friday evening and buy flowers for her on my way home. The rabbi told me that was against the Jewish law, too, but I told him again that it would be my sin, not Mother's.

When my mother died I knew that Dick (Mayor Richard J. Daley), was taking his first vacation with his family since he was elected in '55 and I decided not to call him and spoil their vacation, but the next morning the newspapers carried the story of her death.

At lunch time on Friday, the day after her death, our wonderful housekeeper for 46 years, Arie Lee Harris, who lived with us and was a part of our family, was making lunch for me. I had just picked up a Bible to read during lunch and had randomly selected a discourse between Moses and the people, about when he was denied entrance into the promised land. He was discussing man's relationship to God, man's relationship to man, and man's relationship to government. In this portion, he was saying that the highest honor that could come to a member of the Hebrew tribe would be to be a judge. The doorbell rang and Lee opened the door to Mayor Daley, who had come to pay a condolence call. Of course, we embraced and I remember he said, "Abe, your mother was very proud of you, you could have been the governor!" I said, "Dick, I don't know about that, but I know she was very proud of me and this is the reason". . . I read the portion of the Bible that told about the highest honor that could come to a member of the Hebrew tribe was to become a judge. Collins, my mother didn't know books - like the *Harvard Classics* that I have on my shelves - anymore than I do, but she knew the Bible. I know she was very pleased that I didn't leave the bench to run for governor or any other office.

In 1960, I took a trip around South America with the first cruise ship to stop at the Falkland Islands. The Democratic Party ran Herb Paschen for governor.

CTF: That was Paschen Construction?

ALM: Yes, and he was the county treasurer at the time. Some little scandal developed about a "flower fund" that employees allegedly were forced to contribute to. When that story broke in the newspapers, Paschen removed himself, with the help of the Democratic leaders, as the candidate for governor. Mayor Richard

J. Daley and Joe Gill, the Democratic committeeman of the 46th Ward, in which I lived, phoned me from shore to ship to urge me to return because many of my former downstate colleagues from the senate, and Jack Arvey, thought I'd make a good candidate in Paschen's place. There had been some talk of my candidacy for governor in 1956, but my beloved mother was adamant that I remain on the bench and "her wish was my command" as far as I was concerned.

This is what happened then. In 1956, Joe Gill was the county chairman. He was a very decent man. He had an insurance company. He lived next door to the building I lived in, and still do, at 3260 N. Lake Shore Drive. I had a friend named John Parish, who was in the senate with me from Centralia and another friend named John Fribley, from Panama, Illinois, and they were interested in my being a candidate for governor. They were frequently on the telephone, telling me they would do the fund raising and encouraging me to run. Arvey and Daley were also boosting my candidacy.

Barney Ross was boxing for the lightweight title in New York. As a former boxer, I was a fight fan and so was Joe E. Lewis . . . the night club entertainer, not the prize fighter, Joe Louis. Joe called me from Las Vegas and said that he was coming to Chicago to spend the weekend with me and see my mother, then we'd go to New York for the fight. I was on the Superior Court of Cook County then. Joe arrived and I checked him into the Blackstone Hotel and took him home with me for dinner. Joe, God bless his soul, ate like the Russians were over Gary! Mother was a great cook. That night we had all the traditional delicacies Jewish mothers make: matzo ball soup, gefilte fish, kugel, etc. After dinner, we watched Fahey Flynn, my mother's favorite anchorman, on the tv

news. He was on CBS then. He started his program saying, "It looks like the next Democratic candidate for governor will be Judge Abraham Lincoln Marovitz, long-time friend of Jack Arvey and Mayor Daley." My mother said to Fahey on the tv screen, "I don't like you anymore. I don't want my son to be governor. Let him alone! I want him to stay a judge." Joe and I laughed and told her it was a long way between a comment on tv and getting the nomination and being elected. She said, "I know all about that, but your phone keeps ringing and ringing. I don't want you to leave being a judge."

Joe and I bounced around the town that night, went to several night clubs then I took him back to the Blackstone Hotel. By the time I got home it was about 5:00 a.m. Saturday morning. Mother was wide awake in her bedroom, reading her Jewish newspaper. So I asked her if she was all right, did she feel well. She said, "I feel fine, but you don't look so good," - I'd had a few drinks during the course of the night - "sit down." She continued, "Son, I never interfered with your life although I was always worried when you were practicing criminal law and involved in politics, but you have to make me one promise, that you won't leave the bench to run for governor. It killed your friend, Henry Horner, and it will do the same thing to you." I told her again that it was a long way between a comment on tv and getting the nomination and being elected. She said, "I know all about it. I'm no fool. But I just want you to promise you won't leave the bench." I told her that she had my promise, that I liked what I was doing. Mother died in 1957.

So in 1960, I received that shore-to-ship call about the governorship again. I told Dick that I had made a promise to my mother that I wouldn't run. Dick was then the county chairman. There were many people urging me to run . . .

except one, his name was Harris Pearlstein. I think he had the controlling interest in the Pabst Blue Ribbon Beer Company. He was a very generous man, very charitable and an outstanding member of the Jewish community. He was my good friend and a good friend of the late Governor Horner. He said, "Judge, you've . . ." Collins, I sound awfully immodest to repeat this, but he said, "You've made an excellent reputation in our community, first as a state senator and then as a judge. Just be a good judge." And I must say that I'm pleased that I took the advice of my beloved mother and my friend, Harris Pearlstein.

JFM: You have a good story involving Eleanor Roosevelt . . .

ALM: Yes, the first president of Roosevelt College - whose name escapes me at the moment - asked me to chair a dinner honoring Eleanor Roosevelt. He told me she had agreed but had certain conditions. She didn't want any liquor served and there couldn't be any cocktail party. The dinner had to begin at 6:00 promptly - and wine could be served - and it had to be over by 9:00 p.m. because she was catching a 10:00 plane back to Washington. She didn't care how many speakers we had, but Madam Pandit had to be the principal speaker. Madam Pandit was the sister of Prime Minister Nehru of India. She was the ambassador from India to London and apparently was Mrs. Roosevelt's very good friend.

Between the president of the university and myself, we invited Governor Green, Mayor Kelly, Bishop Sheil, Dr. Preston Bradley and Rabbi Simon.

I introduced everyone with a poem which I thought was appropriate. I

introduced Rabbi Simon with some words from "The Ethics of the Fathers" from the Old Testament: "If you save one life, it's like saving the world." And then I introduced Bishop Shiel with a Catholic prayer from St. Francis of Assisi:

Lord make me an instrument of thy peace,
Where there is hatred, let me bring love,
Where there is hatred, let me sow love,
Where there is injury, pardon,
Where there is doubt, faith,
Where there is despair, hope,
Where there is darkness, light,
Where there is sadness, joy.

And then I introduced Dr. Bradley and I said, "Doctor, I don't know who wrote this, but whoever it was must know you because this is how you live your life," and I began to recite this poem called *When the Talk Turns on Religion . . .*

JFM: We've got the poem in another part of this book, but if you want to recite the first few lines.

ALM: "When the talk turns on religion, I have notions of my own, have my version of the bible and the thoughts I think alone," etc.

When I was finished, Dr. Bradley asked me, "Abe, how many times have you introduced me? I said, "I don't know, maybe a dozen or two." "Well", he said, "more like twenty five or thirty, but that's the best introduction you've

ever given me. You said you didn't know who wrote that poem," and I interrupted him and said, "No, if I did, I'd certainly mention his or her name." "Well, I got news for you," he said, "I did - I wrote it!" It was his poem!

Some years later, Dick and Sis Daley brought me a St. Francis figurine from Assisi, Italy, which is in the chambers and I treasure.

JFM: How about Hubert Humphrey. How did you meet him?

ALM: It was one of the great friendships of my life. When I was in the senate, I introduced a resolution to bar discrimination in housing and employment and we only got seven votes for it out of 51. I became aware of Hubert Humphrey during that time. I was president of the largest B'nai B'rith lodge in Chicago and I brought Hubert to Chicago to speak.

Now, when I returned from my time with the Marines, after the war, he invited me to join him in a meeting in Duluth, Minnesota. He was then mayor of Minneapolis. They were talking about discrimination against Blacks in the states and he was pioneering, trying to get legislation against it. While I had heard many great speakers, he moved me more than any other. And when I spoke that night, I did one of my better jobs. He invited me to return to Minneapolis with him.

When I was being honored by some organization - I think it was held at McCormick Place - I invited him to come speak. I remember I was terribly sick, but I got out of my sickbed to be there to receive the award, but especially to hear him.

And when he was dying, I took Jimmy Durante to his home on his birthday. We had a great, great time. He didn't live too long after that. I remained in touch with his widow, Muriel, for several years, but then she remarried and I haven't had contact with her.

JFM: Didn't you try to counsel him when he was running for president, wanting him to try to separate himself from Johnson and the Viet Nam War?

ALM: Well, he had more brains in his rump, than I do in my head. I did let him know that I thought he should find some way of "disagreeing with the president, without being disagreeable." He felt it would be disloyal because the president picked him for vice president.

JFM: Didn't you meet your present chief judge, Marv Aspen, when you were on this bench?

ALM: He was in the Corporation Council's office. He appeared before me many times and I liked him. He was a very smart person and very nice: a lot of the smart ones aren't nice, but he was. I was very impressed by him. And when he went on the state court bench, he asked me to administer the oath, which I was extremely moved and proud to do.

JFM: Tell the story about Cardinal Cody.

ALM: I first met him in New Orleans, before he was a cardinal, through a mutual friend. We had dinner together, with my mother.

Some years later he was assigned to Chicago, and Mayor Richard J. Daley appointed me to a committee to board the train on which he was arriving in the stop before Chicago and escort him. Well, I never mentioned to the mayor that I had met him: I had no assurance he'd remember me and then it would look like I was name-dropping. But when the mayor introduced us, the first thing the cardinal said was, "How's your mother, Abe?" Well, Dick was a little peeved at me, that I hadn't forewarned him that we were already acquainted so he wouldn't be caught unaware. I explained that I thought there was a good possibility he wouldn't have remembered me, but it took awhile for the mayor to get over it.

In later years, the cardinal transferred my friend Father Jim Roache from the cardinal's staff. I took the cardinal to lunch to talk to him about it and he told me he had talked to Jim and explained it to him and that Jim understood. Well, afterward, Jim told me the cardinal never said a word to him, just let him go.

JFM: I don't think you've mentioned your "brother" Msgr. John (Jack) Egan.

ALM: I haven't! When I first met him it was at some interfaith meeting and I recognized we were of like minds and we developed a great friendship. He's an activist. He has the capacity to express himself so articulately about his feelings. When Cody was here, Egan was too liberal for him and he shipped him back to Notre Dame. Whenever he'd come back to Chicago for a visit, he'd call and we'd go out to lunch or dinner.

Then he was reassigned back here and there was a reception for him at a huge hall around 33rd Street. It rained like hell that day. I don't think if it had been

Yom Kippur I'd have gone to the synagogue, the weather was so bad. But I liked Father Jack.

When I arrived, there was a long line, outside. There were policemen, who knew me, who wanted to take me to the front of the line. I wouldn't do it and stood there in the rain and got pretty wet. Every one in front of me got wet too, but they just shook Jack's hand and they entered the hall where he was receiving guests . When I got to him, I gave him a big hug and he got soaking wet!

VI. FEDERAL COURT YEARS, 1963 TO DATE

CTF: Tell me about your federal court appointment.

ALM: The first time the subject came up was in 1952. There were three vacancies. Sam Perry, from DuPage County, was assured of getting one of them. Judge Neil Harrington and I were being recommended for the federal judgeship in 1952. The Democratic Party wanted Neil Harrington, an outstanding judge. His big booster was Jim McCahey, president of the School Board and a good friend of President Truman. Because of Jack Arvey's influence and Sen. Paul Douglas, the party leadership also wanted me, and Sen Douglas also wanted Bill King.

Here's a little sideline story about President Truman. Whenever he would come into Chicago, he would stay at the Morrison Hotel, of which Jim McCahey was president. Truman would play the piano and McCahey, who had a pretty good voice, would sing. They formed a pretty good duet and I was privileged to have been present on a number of occasions.

Now, back to the first time the subject of my appointment to the federal bench came up:

One day Sen. Paul Douglas called me from Springfield and asked me to meet him in his office in the old federal building. He told me that he was interested in nominating me and a lawyer named Bill King, who was a former president of the Chicago Bar Association. King was a very good friend and a neighbor of

Douglas' campaign manager, a man named Mike Greenwald. Sen. Douglas explained that if my name was submitted first and I was nominated, McCahey would get the appointment for Neil Harrington and King would be shut out. He said that if my name went in first, he would have to withdraw it. I told him I was thrilled and flattered that he would give consideration to my appointment. I told him that I would urge Jack Arvey to not submit my name first, which I did, and Arvey told me not to worry about it.

Now, Al Woll, my old pal from the state's attorney's office was in the attorney general's office in Washington and not too long after my conversation with Senator Douglas he called me and told me that my name had been submitted to the president. I asked him, "Just my name?" and he said "Yes." I said, "Well, I'm dead then." Then Sen. Douglas phoned me and asked me to meet him at the Windermere Hotel, where he lived, and said, "Abe, they did what I thought they would and I did what I told you I would do, withdrew the names." Neither Neil Harrington, Bill King or I got the appointment. The only one Truman appointed was Sam Perry.

It wasn't until 1963 that I was considered again. Sen. Dirksen called me to his office in the old federal building and said, "Abe, you'll get the next one. Ward Just - I think that was his name - some newspaper man in Waukegan, wants to put Bernie Decker on that court" (Judge Bernard Decker, Northern District, Illinois). I did get the next appointment, which was the last appointment made by President Kennedy and confirmed in his lifetime. Sen. Douglas was the moving force and Sen. Dirksen, who was the Republican leader, was my very good friend.

JFM: What do you recall about your confirmation hearing?

ALM: After my nomination, I went to Washington for the confirmation hearing. I believe Sen. Dirksen, who was chairman, Sen. Eastland from Mississippi, Sen. Johnson were the committee members. Sen. Douglas escorted me to the hearing room and presented me to the committee. He told them a little about my background and Sen. Dirksen said to Sen. Douglas, "I know you're the senior senator here, but I've known this young man for almost 25 years myself " and he went on to praise me. They took a recess, but never left the podium. When they reconvened, Sen. Johnson said, "I am junior only to Sen. Eastland on this committee. This is the first time in a long time that we have a candidate who doesn't seem to have any objectors" and he asked me if I would like to say something. I said, "If I learned one lesson in life, it is to quit while I'm ahead." The committee recommended my confirmation to the full senate and I was never asked anything about my criminal law practice and the clients I represented.

As far as the induction, or installation as it was called, let's attach the transcript for the benefit of present and future family members who might be interested.

CTF: Who were the judges on the district court bench when you joined it?

ALM: Well, there was Bill Campbell.

CTF: Was John Barnes still there?

ALM: I think he was on senior status.

CTF: Well, (Walter) LaBuy was there, right?

ALM: But LaBuy was on senior status, too. There was Campbell and . . . I'll go on and guess: Campbell, (Sam) Perry, (Edwin) Robson, (Julius) Hoffman, Hu (Hubert) Will, (James) Parsons, (Bernard) Decker, and myself, with Barnes and LaBuy on senior status.

But when I went on the federal bench, I think there were eight or nine judges. I think we only had one senior judge, LaBuy. Bill Campbell was the chief judge. For some reason there was a big backlog - maybe a couple of judges had been ill - Robson, who had previously been appointed to the federal bench and become chief judge came to me . . .

Oh, when I got on the federal bench they had a calendar for me and all the judges, no matter how close a friend they were, unloaded all their "dogs" on me, all the cases they'd had laying around for years unto me.

In the beginning, I had a hundred cases more than the average judge. They just unloaded their calendars of all the dogs. Well, that's what they'd do to all the new judges so I couldn't complain too much.

CTF: Now those were the days of a system in which there was no control, there was no fair system for giving the cases to the new judge.

ALM: That's right. Now they did that to Judge Julius Miner, who was appointed in 1958, I believe and whose place I took when he died. Judge Miner was a truly admired judge who sat on the state court for some time. Miner complained to

the Judicial Council and everybody else, but they didn't do a thing for him. His calendar, of course, was assigned to me when I was appointed.

I got down to work. I didn't take any vacations and put in long, long hours. In three years I had the best calendar of any judge on our court, by a hundred cases. Judge Campbell retired, went on senior status, and Robson became chief judge. We were good friends. He came to see me and wanted me to take 50 cases each from two judges calendars who had exceptionally heavy loads, for some reason. I said, "Ed, my good friend, when I came here you did what everybody else did, unloaded all of your dogs to my calendar. I worked late and cleaned them up." Immodestly, I was reportedly good at settling cases and I was able to settle a lot of them. I said to him, "I'll take anything you take. You take ten cases, I'll take ten cases." Well, they weren't happy with me, but that's what I did.

CTF: They wanted you to take cases from two judges who were slower?

ALM: Yes. Now, we had about eight or nine judges at that time. Judge Campbell was conducting seminars all over the country. We had a seminar for the new judges like me and a few others who were recent appointees. They talked about multiple district litigation, air plane crashes where you have citizens from different states. Hu Will talked about antitrust litigation. Hu Will was quite a scholar, as he still is. Ed was no slouch, both very nice guys. They delivered excellent papers and new judges, like me, were asked to relate how we were handling our calendars. When it was my turn to talk, I spoke off-the-cuff and told the group that when I a case was assigned to me, I would call the plaintiff's lawyer, even before there was an appearance filed by the defendant. I would

tell him that I had read the complaint and it looked like something could be worked out before a lot of money was spent. I told the lawyer to notify me when the defendant filed an appearance and I'd arrange for an early informal pretrial hearing. Even before there were any pleadings filed by the defendant, I'd have both sides come to my chambers and would settle about one or one and a half percent of the cases then - right then, before there were pleadings filed by the defendant.

In most preliminary pretrial hearings I'd say, "Now, don't take any depositions, give me some affidavits of important witnesses as to what they would testify about. Then we'll take a look at the case again." They would do that and I'd set it down for another pretrial conference. A lot of cases were settled at that stage.

I only had one law clerk. All of the other judges had two, but I kept my bailiff from the state court and made him my crier. That first law clerk stayed with me for three years, the subsequent clerks stayed a minimum of two years.

CTF: Now, in the federal court, did you have a choice of whom you wanted as a probation officer?

ALM: No.

This is a story involving my beloved brother, Harold, to familiarize you a bit with brother Harold's temperament:

As brother Harold's 80th birthday was approaching in 1983, I contacted the

dean, Lew Collens, and asked him to do me a favor, although it might be uncomfortable for him. I explained how Harold had been unable to get his certificate due to lack of funds and asked him to bring one to the birthday party we were going to have. I warned him that Harold might not be gracious, but I asked him to please take the chance that he would be. Dean Collens was very gracious and understanding and brought the degree to Harold at the Grill Room at the Standard Club. I had said some extra prayers the night before and when I saw Dean Collens enter the room, I crossed my fingers and held my breath, awaiting brother Harold's reaction. After the presentation, Harold got up and hugged Dean Collens and thanked him profusely. I tell you, Collins, it was one of the happier moments of my life because Bother Harold could be very temperamental at times.

I'll never forget one day when Harold phoned me and said, "Do you use a telephone on the bench?" I told him I did, once in awhile. He said, "I think you're nuts, I don't know of another judge, especially in federal court, who does that!" I said, "Brother, how would you like to be one of four or five lawyers that go to court on a case three or four times and the fellow who controls the destiny of the case doesn't give you or the other lawyers the courtesy of making a phone call to say he can't be present: he doesn't call the court or the clerk's office and notify them to that effect; and he does that two or three times? What's wrong with picking up the phone on the bench, calling his office?" I've had it happen that after identifying myself to the lawyer's receptionist I've been told the lawyer's "in a deposition." I say, "Get the lawyer on the phone and for every minute I wait, it'll cost the lawyer \$100." The lawyer will get on the phone pretty fast and will apologize. I remind the lawyer of all the times he/she didn't appear, without even the courtesy of a phone call,

and give him/her 15 minutes to show up, and say that for every minute the individual is late, it'll cost \$100!

What's wrong with that, I asked Harold. Haven't you been in a courtroom when a key lawyer doesn't show up, once, twice, or three times, without even the courtesy of a phone call? Harold said, "Oh, well, that's a different story, never mind."

In 1967, I attended a 90th birthday party for Isaac Mayer, the brother of Levy Mayer at his office - here's a picture taken at the party with his secretary, Catherine Donovan, who was my great friend until she died. Isaac Mayer was given this book, *The Lincoln Reader*, by Paul Angle, at the party. It's inscribed: "Presented to Isaac Mayer by his partners as a token of their esteem and affection on July 6, 1948." It's signed by Paul Godehn, Austrian's right-hand man, Carl Meyer and Frank Mayer, Isaac's son - who is "Denny" Mayer the office manager of the firm today - and all the members of the firm. In 1967, Frank Mayer gave the book to me, inscribed: "To Judge Abraham Lincoln Marovitz, as a token of the affection of the Mayer family. Abe, we thank you."

Paul Angle, the author of the book, was the head of the Chicago Historical Society and was my very beloved friend. I delivered the eulogy when he died. He wrote in this same book: "On October 17, 1967, many years after 1945, I was given the opportunity to inscribe this book to my valued friend of many years, Abraham Lincoln Marovitz. Paul Angle." Paul wrote many, many books on Lincoln and his time.

Collins, the day before yesterday, I learned that a new building for the IIT-

Chicago Kent Law School is to be built and that the state-of-the-art, moot courtroom will bear my name. I am so deeply, deeply touched.

When I think how, in 1943, at age 38, I enlisted in the Marine Corps as a private, received some shrapnel in my arm while in the Philippines, and could have received a Purple Heart. But I saw guys without eyes, without limbs, boys half my age being killed, who had no chance to live their lives. I couldn't accept a medal. By that time, I had lived five lives. We thought we were fighting for a better world. Getting rid of the hatred, the prejudice against people, only because of their color or religious beliefs. And today, in my judgment, it is still very, very bad. What bothers me are some of the intellectuals, the youngsters who come from homes whose parents are college graduates, who are "skinheads." They're not goofy kids, they come from good homes and many are in college. It just breaks my heart.

I was having lunch at the Marquette Inn restaurant at 60 W. Adams a month or two ago and as I crossed the plaza at 230 S. Dearborn I noticed a group of Arab-looking people assembled, shouting "F... Israel, F... the Jews!" I know all about free speech, but it's tough for me to hear that stuff. There was a big guy among them and I walked up to him and confronted him, daring him to "say it again, go ahead, say it again." If there hadn't have been federal officers and city police present, I would have kicked him in a very vulnerable spot and I know I would have been in real trouble! The federal officers recognized me and intervened before I did anything rash.

After the Plymouth Court street dedication on September 8, 1992, I received a letter of congratulations from a former FBI agent, a man named Shanahan, who

prepared the case against Cerone and four or five other defendants. I think I told you about when they wanted to introduce some wiretaps . . . did I ever tell you that story?

CTF: No.

ALM: Well, I was trying Jackie Cerone. He and four other defendants were up on conspiracy to operate a multi-million dollar interstate gambling ring and one of the defendants turned government witness. The FBI tapped the wires in a tailor shop north on Michigan Avenue run by a fellow with whom my younger brother Syd went to high school and they wanted to introduce these tapes that reflected conversations that the defendants and their lawyers had in the course of trying to get somebody who could make a connection with me. They had two lawyers who were given that assignment.

CTF: To get a connection of Cerone with you?

ALM: Not Cerone. No. Trying to get some powerhouse to reach me, to talk to me about being "cooperative" in the trial of the case. So Agent Shanahan brought the transcripts of the wiretaps into me. He said, "I think you'll be pleased and surprised by what you're going to hear and read." I won't mention their names, but there were two lawyers who were partners who were delegated, among others, to make contact with Arvey and Daley to see if I could be "a little more cooperative." The two lawyers were heard to say, "Well, we knew him (me) in the state's attorney's office and tried cases against him. If he wants to do something, if he thinks it's right, he'll do it. You can't pay him and you can't pressure him." And the lawyers talked about trying to reach Arvey, who told

them that his office had four big cases before me in the Chancery Division and they lost them all. The taps revealed the names and conversations of several persons close to me, all of whom said in substance "no way!" The defendants were all convicted and I sentenced all of them with the maximum sentence I could impose, five years and \$10,000.00 fines. They were Jackie "the Lackey" Cerone, Don Angelini, Joseph Ferriola, Dominick Cortina and James "Tar Baby" Cerone, who was a cousin of Jackie.

CTF: What issues did you think were big issues, or important issues that faced the U.S. District Court during the time you were an active judge, 1963 to 1989?

ALM: Just after I took senior status in 1975, there was legislation passed changing the sentencing power of a judge. Now I know there are discrepancies between sentences at times for the same offense, different people. I wouldn't try a criminal case today under the present sentencing laws. I think taking away the power of a judge who sees the defendant and their families, sees the witnesses and evaluates their character and credibility, knows their problems and their ability to rehabilitate themselves, or their lack of a desire to do so, is wrong. To say that this is the mandatory punishment for the crime you committed . . . I think I told the story about the defendant who said I changed his life around 24 years ago when I put him on probation. He's director of a Boys Club now.

I think that taking away the power of the judge to fix the sentence is the worst thing that has happened to our criminal court system. The federal government had and has a good probation department. They are qualified. Now, I think the prosecutors have more to say about what should be done with defendants than the judge or the probation department, especially these days when gang

members are jailed. What those fellows do sexually and emotionally to youngsters, who the average judge might have placed them on probation except for the mandatory sentencing laws. They abuse the hell out of them. Jailing them has just the opposite effect then what is intended. You see more defendants coming out of jail and returning to a life of crime, ruining their lives and the lives of their families. I also think there is more race prejudice among the general public than ever before.

I think it was Judge Cudahy with whom I had lunch some time ago who was telling me about the prejudices up at the University of Wisconsin. It's this great liberal state, as is the University of Wisconsin. There are skinheads there: anti-Black, anti-Jewish, anti-Arab. When we went to war in WWII, we thought we were fighting for an ideal: to make this a better country and a better world. That was one of the things that disturbed me when I enlisted in the Marine Corps. It was that the Blacks were segregated. We didn't have any in our outfit. I wrote to our late President Truman about changing that and eventually an order was entered by him, changing the policy. I'm not taking credit for the change, but it was gratifying to see it done. We have to make progress in one area, and that is in our murder rate. We had a good chief of police, Leroy Martin, and we have a superb one in Matt Rodriguez, but there's only so much they can do. You read the crime statistics and they are heart-breaking. More murders than we've ever had. They don't seem to be able to infiltrate the gangs as they did previously. I'm in favor of declaring martial law. Put the Marines in the trouble spots, in the low income housing areas where the crime rate is the highest. Give the decent people in those areas a chance to live in safety. It's a tough thing and I know it's drastic. I must sound awfully corny, if not crazy. In a way, I'm glad I'm "on the way out, instead of coming in." We have to fear

for the future of our youngsters.

Every day someone comes to see me with a problem and I try to help them, wherever I can. I don't think we should ever be too busy to talk to youngsters when they come to visit. They need role models. Especially the kids who don't know who their fathers are, or even their mothers, sometimes.

CTF: Do you have a story about one of your probationers? You mentioned something earlier about a fellow who became associated with the Boys Club . . .

ALM: Yes. Not too long ago, my secretary, Janet Miller, said there was a nice looking man about 45 or 50 years old in the reception room who wanted to see me. She said he told her I might not remember him, but that I had changed his life about 24 years ago. I told her to send him in.

He was a nice looking fellow, but I didn't remember him and said so. He told me that 24 years earlier he had come to Chicago to attend the wedding of a cousin, his father's niece. His father was supposed to attend, but had become ill and sent the young man in his stead. He liked Chicago and his uncle, the father of the bride, got him a job with a trucking company, delivering tv's and radios. He worked there for two or three months when he was approached by a couple of men who told him they'd make him rich. They'd stage a fake holdup - steal the contents of the truck with his help. He fell for it and they all were caught. He said his father was furious and refused to help him, and the uncle wouldn't have any part of him either. The case came before me and I appointed a public defender for him. He pled guilty. The other perpetrators had told him they would kill him if he testified against them and he believed them. The prosecutor

wanted to "hang" him, a lawyer named Francis McGreal - I remembered him, he was a tough guy. He told me his lawyer made an application for probation and I put him on probation. He said I took him in my chambers and called a friend of mine in California by the name of Ben Maltz, who was chairman of the board of a bank there and I asked Ben to get him a job there. Mr. Maltz wouldn't put him in the bank, but promised to help him get a job and he went to California and was put to work. I asked him what he was currently doing and he told me, "Thanks to you and your friend, Ben Maltz, I am chairman and director of the Boys Club of California."

CTF: Speaking of scholarship, thinking back, what's the most interesting case that you've worked on?

ALM: Well, I had an interesting experience develop from a patent case - and I must confess that I wasn't very knowledgeable about patent law, though I read a lot. I never missed reading the advance sheets. I realized the importance of them. I had an important patent case involving Sara Lee cheesecake company. The company was represented by a well-respected law firm and they were suing another company who was represented by my old law firm, Mayer, Meyer Austrian & Platt. It involved a lot of money and something about a machine they claimed infringed on a patent. The law firms had two or three experts on each side. I told them all that I wanted to go to the plant and see the subject of the suit with patent experts who could point out relevant things to me, and I told them that I wanted to appoint a court-appointed expert, with input from them. I asked them to give me four names and their backgrounds of experts who were not going to testify for them, but who would have knowledge of the subject. I told them I would select one of them and my selection would sit in the

courtroom and could confer with their experts, but not with the lawyers. I told them I would put the court expert on the witness stand when their experts were finished and he could be cross-examined to their hearts content. I also told the lawyers that I had worked for the defendant's law firm as an office boy many, many years ago and that I knew the head of the plaintiff's law firm for many years. I told them that if either side was uncomfortable about that to tell me so and I would transfer the case out. They conferred a bit with their respective clients and assured me they had no objection to my keeping the case.

Well, one of the litigant's experts was an engineer from Cape Town, South Africa. After about three or four days of trial I made a recommendation of what I thought would be a good settlement. They thought there was some merit, but would have to talk to people back east. I suggested that since these people were only a few hours away, by air, and the case involved the expenditure of a lot of time, including court time, that they have the people come to Chicago, to which they agreed. I recessed the case for the afternoon and offered to make the call myself, which I did. The people I spoke to agreed to come in to Chicago, which they did on a Friday. By afternoon, the case was settled.

As I entered my chambers, with all the parties, experts and lawyers in tow, they saw me kiss my mezuzah which is affixed in the doorway of my private entrance to the chambers. Remember, this is Friday and the beginning of the Sabbath. For the record, Collins, a mezuzah is an emblem that we have on the door of Orthodox Jewish homes, at least in most of them. There is a piece of parchment inside on which is written a prayer, "The Lord is one, the Lord is my God, and I will love the Lord, my God with all my heart, with all my soul and all my mind." It is customary to kiss the mezuzah upon leaving or entering the

doorway.

CTF: Is that related to Passover at all?

ALM: Yes, as a matter of fact it's the symbol of the time when the Pharaoh of Egypt decreed that all first born Jews be killed and the good Lord sent a message that we should mark the door with lamb's blood and the home would be passed over. That is the significance of our Passover holiday.

Back to the patent case: I brought all the parties into my chambers and offered them a drink in celebration of settling the case. I noticed that the South African engineer also kissed the mezuzah. I was taken aback. He didn't "look Jewish." He didn't have a Jewish name. But he said to me in Hebrew, "*Shabat Shalom*" which roughly means happy Sabbath. I told him I was surprised, but he told me he was Jewish and we eventually became good friends.

When I was invited by the chief judge of the South African court system to speak to the lawyers and judges on the occasion of their 75th or 100th anniversary about pretrial conferences and calendar control, my friend in Cape Town invited me to stay in his home, which, as an "old bachelor," I declined and checked into a nice hotel instead. When he came to pick me up for dinner I told him I had to visit a synagogue because it was the anniversary of my mother's death and I never miss attending on that occasion. He had planned to take me to one anyway as it was the eve of a holiday and told me of the wonderful cantor he thought I would enjoy hearing and another cantor he wanted me to meet. He told me that one of them was the *blinda hazzan*, the blind cantor, who knew the Bible by heart and was their former cantor, but was

presently teaching Sunday school. The active cantor was wonderful.

My friend then introduced me to the blind cantor and he gave me the heartiest of handshakes and I told him of the nice things I'd heard about him. When my friend introduced me to the cantor I'd heard perform, the cantor said, "Who doesn't know Judge Abraham Lincoln Marovitz?" I said, "Now don't carry this too far." He said, "You don't remember me, but I remember you. I worked for a rabbi in a South Shore temple in Chicago. The rabbi lived next door to me. I was the *hazzan* there for several years and you spoke there once. The following year you brought Jimmy Roosevelt there to speak." I asked him how long he'd been in South Africa and he told me eleven years, and that he was going to Miami the following year. This is in South Africa!

And the expert in the patent case, from South Africa, is still my friend today. We stay in touch through correspondence.

Another case that stands out in my mind was the one involving David Tom, a Chinese immigrant who came to Chicago in 1949, and starting in 1952, was kept in Illinois mental institutions for thirty years because he could understand only Chinese. No one had made the effort to communicate with him in his native language all those years! It began when he was hospitalized for tuberculosis at Oak Forest Hospital and sent to a mental hospital after he allegedly exposed himself and kept taking off his clothes. A psychiatrist from Michael Reese (Hospital) testified his behavior was probably due to the culture shock of receiving care by female nurses. The jury awarded \$400,000 in damages to assure that he was cared for the rest of his life. He was then 53. Because he was institutionalized for so long and given large doses of drugs, he

couldn't function outside of a carefully structured setting and had to remain in a state institution. Patrick Murphy, the Cook County Public Guardian found him in 1978. He took him to a Chinese restaurant where the cook was able to talk to him readily.

I also had the distinction of giving the infamous Paul "Peanuts" Panczko the maximum sentence of ten years and a \$500 fine on a charge of illegal possession of keys to post-office mail boxes. There were six "stand-up" witnesses, boys between the ages of ten and thirteen, who described Panczko's determined efforts to lose the keys before the police took him off one day in April of 1963, to answer questions about having blocked police pursuit of a stolen truck.

If anyone reading this is really interested, I understand they can go into Westlaw or Lexis and pull up the citations of many of my cases. My last law clerk, Bill Kresse, did that once and came up with 463 cases, three of them from state court. I understand there's a limit to how far back you can search.

I've made some wonderful friends in your court, Collins, in the Court of Appeals. I think of Bill Bauer: I like him like a younger brother. He has a great sense of humor and doesn't take himself too seriously (Judge William Bauer was also on the U.S. District Court, IL-N). And what he has to say when he's serious is meaningful and helpful. I'm very fond of Cudahy. Woody (Harlington Wood) . . . he's like my little big brother. And Joel Flaum and Ilana Rovner (both of whom were also on the U.S. District Court, IL-N). Judge (Thomas) Fairchild is another superb judge and beautiful person.

CTF: You know that Mrs. Wood, Catherine, is sick?

ALM: Yes. I called Woody when I heard about it.

I had just sent him a terrible picture of himself which appeared in the *Illinois State Bar News*. You know he always has a smile on his face, but this had a scowl. I sent him the picture from the *News* and suggested that he send them a new one for their files.

I've had some interesting cases, but I remember when I first went on the federal bench, I found I knew many of the lawyers very well. I went to see Bill Campbell on one case in particular, where a lawyer who appeared before me many times in the state court and now was a defendant in a criminal case and Bill said that if I recused myself whenever I knew the lawyers or litigants, I wouldn't be hearing very many cases! So, just as with that patent case where I knew everyone, I thereafter adopted a practice of simply telling both sides up front of my relationships with the people involved and assuring them of my impartiality. With maybe two exceptions, no one ever objected to my hearing their case.

In 1963, soon after my appointment to the federal bench, I had a criminal tax case against a political leader on the South Side that nobody wanted to try.

CTF: Who was the defendant?

ALM: It was John "Bunny" East. He was a ward committeeman of the 4th Ward. It was pending for several years. I set an early trial date for it and the defendant pled guilty. I disposed of it to everyone's satisfaction.

One of my very last cases gave me a great deal of satisfaction. My law clerk was Bill Kresse, who fortunately, for me, is also a C.P.A. and was invaluable in the resolution of the matter:

Seven lawyers appeared before me in the case of a DuPage County divorce case before Judge Coffin there. The case involved the profit sharing plan of a corporation held by the husband and his family. Under ERISA, they came to federal court because the wife's attorney had been unsuccessful in getting the husbands attorneys to turn over all the information about the profit sharing plan, to which the wife was a beneficiary and was entitled to receive the same. There was a \$100.00 per day fine for not turning over the information. It was a divorce case involving a young man and his wife. The man was a member of a family corporation consisting of the father and his two sons. The corporation had reduced the divorcing son's salary and reduced his interest in the plan in which the wife had an interest under Illinois divorce law. In reviewing the files, I discovered that over \$300,000.00 had been spent in attorney's fees in the litigation up till then and I told them they should be ashamed of themselves, there was a five year old boy involved and that money could have been better spent on his education. I also told them that I had only sat in Divorce Court for one week in the state court and that was one week too much for me! I asked the lawyers and parties if they wanted me to try to settle the whole case, to which they agreed. From the bench, in open court, I called Judge Coffin in DuPage County and asked her if she'd mind if I tried to settle the whole thing. She said it was terrible case and she'd kiss me if I could do it. I wish I had a picture of the expressions on the lawyers faces as they listened to my phone conversation with the judge! Later, I got them all on a conference call and told them I wanted the grandparents to come to my chambers with the parties. One of the

lawyers said his clients parents lived in Arizona and I told him that wasn't Siberia! The welfare of their grandson was at stake. The other grandparents lived in Indiana. This was the day after the Court of Appeals held that a judge has a right to bring non-litigants into a hearing . . .

CTF: The *Heileman* case (*G. Heileman Brewing Co., Inc. v. Joseph Oat Corp.*, 871 F. 2d, 648 (7th Cir. 1987)).

ALM: Yes. The lawyers were questioning my right to do it. I told them I didn't know if I had the right, but I wanted the grandparents present. It was a matter of simple decency. Of course, one of the grandparents was an officer of the family corporation.

CTF: The Court of Appeals said you had the right, in a six to five decision.

ALM: Yes, when that decision came down, I looked good.

I had also asked the lawyers on both sides to provide me with "final offer for settlement letters," not to be exchanged with each other, but for me to study and then make a "take it or leave it" recommendation. One of the lawyers for the respondent (husband) was Bill Austin, son of the late Dick Austin. Bill's a very decent guy and I am fond of him. He had a very fresh young associate working with him who said something very "un-lawyer like" to a lawyer for the petitioner (wife). I had also read the transcript of the state court hearings and saw that they were calling each other liars. There were seven lawyers in all, four from DuPage County and three from Chicago. I said to the young lawyer, "I don't know how you practice law anywhere else, but in my chambers, in my

courtroom you will be a gentleman as well as a lawyer and I told him to apologize to the other lawyer. Then I told him to walk over to my display cabinet and read the Prayer of St. Francis of Assisi aloud. He looked at Bill Austin, who told him, "You better do what the judge tells you to do." So he did. More about this later.

There was one of the lawyers for the wife who would send me ex-parte notes and make non-conference calls to me. I issued an order that there was to be none of that and they were to copy each other on any communication to me. I had no knowledge of this particular lawyer, so my law clerk put his name through a Lexis search and I learned he, himself, was involved in his own nasty divorce case in Ohio. He had been ordered to pay a lot of money, which he didn't and had come to Chicago. He had appealed the judgment and it was affirmed. I also found out that he represented the property owners in Oak Brook who were upset with one of the members of the Butler family for selling her home to a black family, a man who owned car washing establishments. The lawyer was quoted as having said, "They don't want any niggers here." I was reading all this the day of the hearing, set for 2:00 p.m. I also had the lawyers agreement to have the DuPage County judge present in the event a settlement was reached, she would have to implement it. My clerk, Bill Kresse, the C.P.A., worked with me on the figures - the pension figures, the value of the wedding rings, the furniture, the house ad infinitum and ad nauseam. We came up with a written proposal and I told them I wouldn't entertain any counter-proposals. It was "take it or leave it."

When they arrived for the 2:00 p.m. hearing, with the litigants and their parents, I took the lawyer aside whom I'd checked through Lexis and put him

on notice regarding his behavior. I let him know that I knew where he was coming from. I told him I wanted no discussion with the other side, no counter-proposals. I would finish about 2:30 p.m., then they could discuss my proposal with their clients, and I would give them until 7:00 p.m. to make up their minds. I reminded them that they had now spent about \$400,000.00 in lawyer fees between both sides and that there was a five year old youngster involved. I told all of them that my proposal was what I would do if I was in their respective positions. At 7:00 p.m. it was settled.

As they were all leaving, the fresh young lawyer stopped by the door and said, "Judge, I learned more about lawyering in this case than I did since I went to law school and have been practicing law." He later wrote me a beautiful letter and told me that he had purchased the St. Francis of Assisi prayer, had framed it and it now hangs on the wall in his office. He also invited me to attend his wedding, which I did, sitting with Bill Austin and other members of the firm. During the service, someone at the altar sang the St. Francis of Assisi prayer! At the conclusion, when I greeted him in the reception line, he told me that I had no idea what an important part I had played in his life: and recently, he was in my chambers asking if he could write an article about me. I told him no, no, just be my friend and keep doing nice things.

And the other lawyer, the one who represented the Oak Brook property owners, I've been his and his lovely wife's guest on several occasions and think he's on a different track now.

JFM: Judge, I think you have an Al Capone story from this period, would you share it with us?

ALM: One of my cases involved the family of Al Capone. They had sued the producer, sponsor and tv network involved in the 1959 installments of "The Untouchables" based on Capone's life. The family charged that each defendant profited greatly by "appropriating the name, likeness and personality" of Capone.

On June 17, 1964, in a fourteen page opinion, I dismissed the six million dollar suit and said that while the plaintiffs had alleged the programs to be an appropriation of a property right, the case boiled down to an invasion of privacy suit. I concluded that Capone's privacy was not invaded because he had been dead twelve years when the telecasts occurred. And, since the members of the family weren't mentioned in the telecasts, their privacy wasn't invaded either.

The family members were Mae Capone, the widow, his son, Albert, and his sister, Mafalda Maritote, who was also the administrator of his estate. The defendants were Desilu Productions, Columbia Broadcasting, and Westinghouse Electric Corporation (*Maritote v. Desilu Productions*, 230 F. Supp. 721 (ND IL 1964)).

CTF: Judge, you've always been very much of an activist in the community and doing good deeds. You've been able to balance the life of a judge with also knowing a lot of people and doing a lot of things. I'd say in the last fifteen years the concept of a judge has become much more, at least in the academic writings, the ideal would be probably a Trappist monk, somebody who isn't of the world at all. How do you see that? As good? Do you see that as bad? How do you reconcile?

ALM: Well, I've had some bittersweet experiences in this. I remember when I was on the state court, the Lawyers Division for the Combined Jewish Charities - now it's the Jewish United Fund - asked me to be chairman of it. There were and are restrictions on judges soliciting charitable contributions. I accepted the chairmanship, but told them I wouldn't make any personal calls to any lawyers. I'd just chair the program at their dinner. I'd invite lawyers to be on the committee and recommend people they could call, but I wouldn't personally call or write any lawyer to solicit his or her contribution. I'm trying to recall the names of lawyers who were very active in the Jewish community until they became judge. One of them was Judge Ulysses Schwartz, (Bankruptcy) Judge John Schwartz's father, a very wonderful man and a very dear friend and superb judge. As a matter of fact, I took his courtroom when he was elevated to the state Appellate Court.

When I became a judge, I refused to become a second-class citizen. I was very much involved in the community as a lawyer and I wanted to remain involved, not only in the Jewish community, but I wanted to be involved in several other areas, especially those involved with youngsters in trouble.

After I came on this court, I went to a dinner for an organization called CASE (Community Assistance for Secondary Education - in Israel). I was privileged to have the friendship of the late Arthur Goldberg, a highly respected labor lawyer and later a U.S. Supreme Court justice. Arthur called me from Washington to tell me he was arriving in Chicago and asked me to join him for a cocktail at the Standard Club about 4:00 p.m. He was interested in knowing what was going on politically here and he thought I might be of some help. We gabbed and when he left for a barbershop appointment he said, "I'll see you

later tonight." I said, "Where?" He asked me if I wasn't attending the CASE dinner for Abe Brussels, who was his former law partner and now a state court judge. I told him I wasn't going, that I'd never heard of CASE. He explained that it was an organization that was having a dinner to honor Abe Brussels, who was resigning as president because of going on the bench, and that he, Arthur, was the guest speaker.

Arthur invited me to join him that evening and I was put me on the dais with him. There was to be no fund-raising that night. There were about 175 to 200 people there at the old Sheraton Hotel on Michigan Avenue. The toastmaster was making introductions and he introduced me. When he did, a former client of mine by the name of Tom Burke with the Stage Hands Union and who liked his liquor: but, if you asked him to do something in connection with his office when he was "feeling no pain", he'd remember it the next day and let you know it had been taken care of. Tom stood up and announced, "I want to contribute five grand from the Stage Hands Union in honor of my old mouth piece, the greatest little Jew in this town, Abe Marovitz!" Everybody laughed, but other pledges followed.

I was invited by Judge Brussels to a luncheon the following day and in attendance were several outstanding men and women, all active in one way or another in our Jewish community, such as Rabbi Cohen, of a leading synagogue on the North Side, Anshe Emet; Dave Silbert, a prominent lawyer who specialized in labor relations on the employers side; and, Judge Harry M. Fisher, the dean of the Jewish judges on our state court. I was urged to take the chairmanship that Judge Brussels had vacated. I told them I had more restrictions than Judge Brussels since I was then on the federal bench, but I

accepted it for one year, after which they promised I would be relieved of the responsibility.

The following year, I was asked to be the honoree at a banquet sponsored by the Israel Bond Organization on the occasion of Israel's 25th Anniversary. I was assured I would not be expected to solicit any funds, personally, and under those conditions I accepted. Over a thousand people attended, at the Hilton Towers Hotel. I received a few critical letters for lending my name and speaking at the function. One of them was from someone who today is my very dear friend.

My friend, Chief Judge Luther Swygert of our Seventh Circuit Court of Appeals, chided me a bit and told me that I should curtail my public charitable activities. Luther was my good friend: I performed his second marriage some time after the death of his first wife and remain in touch with his widow.

I will remember that banquet the rest of my days. My friends, Robert Merrill of the Metropolitan Opera and his charming wife, Marion, flew in from New York to entertain for only the cost of their air fare and hotel room.

CTF: What did Chief Judge Luther Swygert say to you?

ALM: He told me there had been some complaints. I said, "Luther, don't get mad at me now. You come from a little town in Indiana and I'll bet there wasn't a Jew living there. I was raised by wonderful parents to believe that the word *tzedaka*, the Hebrew word for charity, was very important to our family."

Collins, in doing a little research for this project, I came across sister Bess'

written account of the night I was honored by Israel Bonds in 1973. I'd liked to have it included here for the family:

"The party last Sunday night was spectacular to us. There were 3,000 people in the International Room of the Conrad Hilton. There was a double tier dias, at which sat such men and women as Gov. and Mrs. Sam Shapiro, Col. Crown, Judge Otto Kerner, Jack Arvey, Dr. Preston Bradley, Philip Klutznik, Sol Polk, Arthur Rubloff, Sam Ruby, Seymour Weiss, who owns the Roosevelt Hotel in New Orleans and who has been a great friend of Abe's, Congressman Sidney Yates and many others.

Our own Rabbi Davis made the invocation - our Cantor sang the national anthems - the Chicago Fire Department Glee Club rendered several selections, after which Joe E. Lewis introduced Jimmy Durante. He was most generous and was surely enjoyed by everyone.

It may be of interest to you to know that it is customary for the Bond Office to assume the expenses of the stars who entertain at these affairs. Jimmy Durante would have none of that. He paid his own transportation - made his own hotel reservations and even bought a \$1,000 bond! On Tuesday morning, before the affair, the Bond Office received a check from Jimmy Durante for twelve fifty for his dinner reservation. It made my heart feel good to hear all this.

Marshall Korshak was chairman of the evening and he was especially good. He referred to our Abe as a dear friend and consular to both Hubert Humphrey and Mayor Daley. Neither Humphrey nor the Mayor were able to attend because of the flu. Humphrey sent a substitute, a Sen. Muldane from Minnesota. He was charming. His first few remarks amused us. He said when the V.P. called him to substitute for him he replied, "You mean you're asking a minister's son to speak at an Israeli Bond Dinner - you're asking me to take your place to present Judge Marovitz with your thoughts - that's *chutzpah!*"

Kupcinet was master of ceremonies. Though we have heard him speak many times, he was superb last Sunday. He was jovial, completely at ease, articulate and genuinely happy to act in the role assigned to him.

Jack Arvey presented Abe with an elegant plaque and had many fine words to say about our dear Abe. He said he just had to write his speech because Abe makes him so emotional in his friendship to him, he finds himself unable, from emotion, to speak extemporaneously about Abe.

Abe replied magnificently. Never was he better. His delivery and the content of his talk were something we'll always remember (he had been in bed since Friday night with temperature and a bad cold and we feared the affair would be held with Abe in absentia.

Thank God he made it.).

In Kup's column Tuesday, he wrote, "U.S. District Court Judge Abraham Lincoln Marovitz was at his eloquent best in describing the meaning of friendship while accepting his "Man of the Year" award at the Israel Bonds dinner Sunday night. It should be must reading for anyone wondering about the purpose of life."

Our niece, Iris Bernard, was there as Abe's guest and she was so absolutely thrilled, she had trouble containing herself. She wrote us a note in which she said she was so inspired by Uncle Abe's words and those of his many friends, she'll always remember him. She said she was so proud to be related to such an incredible and wonderful man. We thought it was a nice way to express herself."

CTF: Did you ever aspire to be on the Court of Appeals?

ALM: Howard Ellis called me one day when I was on this court. Daley was talking about there being a vacancy on the Court of Appeals. I think one of the judges drowned. I forgot what caused the vacancy. There was talk about my going up there and it was mentioned by one of the newspaper columnists or a radio announcer - I think Fahey Flynn - and Senator Hubert Humphrey from Minnesota and my dear friend, was urging me to let him start the "ball rolling" to quote him, but I told him I wasn't interested in making the move.

CTF: It was Parkinson (Judge William L. Parkinson drowned in Lake Michigan in 1959).

ALM: So Howard Ellis, of the *Tribune* law firm, phoned me and asked me if I was interested in going to the Court of Appeals and I told him that I wasn't interested. I didn't feel I was equipped for that job. I'm not a scholar. I think I'm a good bread and butter judge. We had a judges' meeting a few days later and Hoffman asked, "Where do you get applications for the Court of Appeals?"

Someone said, "How about Hu Will?" Lynch (William J. Lynch) was at the meeting and I said, "Billy and I will waive for Hu Will." Lynch said, "Speak for yourself!" The next day, after I returned from lunch, Bill Campbell asked to see me right away. He asked me if I was interested in going to the Court of Appeals and I told him I wasn't, not one bit. He asked if I was pulling his leg. He got a little rough with me because he resented my not being interested. He told me he had received a call from the Department of Justice, inquiring about me. I told him that Hubert Humphrey may have mentioned me, he was my good friend, and that Howard Ellis had asked me the same question over lunch and I'd given him the same answer. Then Bill said he was glad, that he would have hated to lose me.

Then they wrote that series of articles in the *Chicago Tribune* on the front page for six consecutive days (May 21-26, 1967). Lynch was very cool to me until he was dying. Dick (the mayor) thought I should go see him and I did. We became friends again and the Christmas before he passed away, Bill Lynch sent me a beautiful gift.

JFM: Judge, you have a menorah, a star of David, and a gavel all made out of wheat. Would you tell us how you came to acquire them?

ALM: There's a fellow named Dale Niewenhouer in Rugby, North Dakota - which is the geographical center of North America, I learned - who is a mortician. He went to school in Chicago and developed a strong attachment to our city. One of the publications he subscribes to is *Chicago* magazine, where he read an article about me. He has a hobby of collecting the death certificates of Chicago's gangsters and when he read about my criminal law practice, he wrote

and asked if he could visit me the next time he was in Chicago, to which I agreed. He came to town and we had a nice visit. After he returned to North Dakota, he mailed me the menorah woven out of wheat by a local woman. Then, on subsequent visits, he brought me the star of David and the gavel. We correspond regularly and once he asked me to intercede when his nephew was preparing to marry a Jewish girl and the young man's parents were withholding their support, making everyone uncomfortable. The couple did marry and as far as I know are living happily ever after. I recall that they weren't youngsters and both had been married once before.

JFM: Judge, I took the liberty of writing to a couple of your law clerks and asking them to send me anecdotes from when they worked for you: but some of them also included personal observations and I'd like to share them with you .

ALM: Go ahead . This should be interesting .

JFM: Jerry Esrick said, "Of particular meaning to me is the Judge as a person. This was epitomized not only by the kind and generous way in which he mentored me, but in subsequent events. For example, his getting up from a sick bed to attend my son Danny's Bar Mitzvah in 1985 and his braving a driving rainstorm, again while under-the-weather himself, to attend my surprise 50th birthday party in 1991. This is the Judge that counts with me."

Mike Leavitt, in Washington, DC, who calls you regularly, said, ". . . the richness of the clerkship experience came not just from the interesting cases that came before the Judge, but even more from the honor and privilege of merely working with Judge Abe on a daily basis on matters large and small."

JFM: Judge, would you tell us some stories involving your law clerks while you were on the federal bench?

ALM: I remember having Jerry Esrick and his bride, Ellen, over to my home for dinner when Jimmy Durante was there, too. Jimmy sang them a personal version of "Goodnight Mrs. Calabash" and took quite an interest in them. On another occasion, the great actor, Pat O'Brien, was in town and came to visit me. He strode into the courtroom while a trial was in progress and I invited him to sit on the bench as was my custom. During recess, I took Pat over the table where Jerry was working and introduced him. Pat looked surprised and said, "This kid looks like he is still in high school!" Also, Jerry's wife, Ellen, would bring her 4th grade classes down to visit me and on one visit when I was just beginning to introduce myself to them a young African American lad said, "My name is George Washington!" I didn't miss a beat and said, "Well, I'm Abe Lincoln!" Everyone in the chambers had a good laugh.

When Mike Levitt was interviewed he had the longest hair I'd ever seen on a young man up to that time, and when the interview was over, I told him he was hired. Then I asked him how important that long hair was to him and he said, in effect, "Not important at all, Judge, if it bothers you!" and went right out to a barber and had it cut to a conservative style. Mike was with me from August, 1973 to August, 1975. With Bill Daley's appointment to Washington, Mike will be working for him. Small world.

All of my law clerks were very special and I'm fond of them. I've attended their weddings, their children's christenings and Bar Mitzvahs, etc. The last one was Bill Kresse and I'm very close to him.

CTF: Judge, would you like to tell us about the secretaries you've had over your long career?

ALM: There have only been five who worked for me personally: Kathleen Houlihan, Pat Reeves, Bernice "Mickey" Curtin, Aileen Jensen, and now, Janet Miller. They've all been wonderful in their own way. Each had their own style and we worked well together.

Bernice Curtin worked for me from about 1950 to 1971. Prior to her retirement, she selected Aileen Jensen ("Blue Eyes"), from the Clerk's office as her replacement for my approval. Aileen was with me for 18 years, from 1971 until her retirement at the end of 1989, when I ceased to try cases. I never met anyone so dedicated to exercising. She lives in a high-rise on Michigan Avenue and usually ran the stairs in her building on the weekend. No matter the weather, she always walked to and from work.

Janet Miller is the widow of a long-time friend of mine, Leo Miller, who was an attorney. I first met Janet at Chicago Bar social events in the late 1950's. When my crier left to return to school, I knew Janet was at loose ends, having closed Leo's law office after his death in late 1983, which she had run for the ten years prior to his death. I asked her if she'd like to join my staff as a crier and she said she would, but she wasn't interested in a 9:00 to 5:00 p.m., five-day week job in the Loop on a permanent basis. She was rather enjoying a variety of part-time jobs and voluntary positions. One was as a paralegal at Legal Aid, another was teaching English as a second language at Niles North High School at night. I'm afraid I told her it would only be for six months, that I was going to retire. That was May of 1986 and she's still with me! She

became my secretary in January of 1990. I work odd hours, being a night-owl, and she is one too, having no dependents except her late husband's brother, who's in his 80's and deaf and mute and lives with her. Fortunately, he's still pretty self-sufficient.

I am so grateful that I've been permitted to continue to occupy my chambers and do my own thing, that I thought the least I could do is save the government the cost of my secretary, which they would have provided, so I employ Janet myself. 'Course she doesn't get the benefit of the federal employees' benefits, but it's an arrangement that suits us. Aileen would have preferred that she and Janet share the job on alternate days, but she was a strictly "9-to-fiver" and doesn't drive, which Janet does often. I wished I could have done it, but I just didn't see how I could divide up the duties, depending upon whose day it was to work. Aileen couldn't take another position in the federal building because it undoubtedly would have been at less salary and would have thereby reduced her pension if she continued to work for a few years.

JFM: Judge, you have many visits from teachers with their classes after which you receive a number of letters from the students. Would you share some of them with us?

ALM: Yes, Mr. Wayne Wagner, a superlative teacher at Rolling Meadows High School has been bringing classes down to visit the federal building and my chambers in particular for about 19 years. Afterward I receive many letters from the students and they mean so very much to me. I wish I could respond to all of them, but I do to some, those that sound like they need a personal word of encouragement. Some of the letters are pretty funny, some are very moving,

and they're all addressed to either "Dear Judge Abe" or "Dear Abe."

ALM:

From Jessica: "Your wise words are an inspiration to me. I only hope that I will be able to live my own life with as much concern about others as you have. I will make every effort to live through my actions and not my words and to make every day count."

From Amy: "I wish a lot of times I did grow up in the past, there wasn't as much crime and controversy."

From Stephanie: "I need to do more for other people. I think about myself way too much and others not enough."

From Tiffany: "I was the only Afro-American on the trip and I felt very different. But you changed that to show the others that everyone is different. I think you are a wonderful man and I would love to adopt you as my personal grand-pa . . . I come from a good decent home. My step-mom is white and my dad, of course, is black, but people who don't know she's my step-mom really bug me when they stare and act ignorant. Since I listened to your talk, I realized that they are just ignorant and that I'm happy I'm not like them! . . .P.S. You can call me any time if you want to talk . . . Love ya."

From Michelle: "Every time I get an urge to yell at someone, I will remember what you said."

From Greg: "If in the future, I turn out at all like you, I will pray to God saying, Lord, thanks for making me like Abe and not like that son-of-a-bitch!"

From Chris: "I know your speech got through to many people that day, because I saw a change. When we left, everyone was different, nicer to one another, and we helped the people less fortunate than us on the street by giving them our money and a warm hello."

From Tim: "You see, I don't have much respect for my mother, but I love her. My parents got divorced when I was about 3 years old. Both of my parents got remarried. So I live with my mother and my step-father. I don't see much of my real dad, but at least I know I'm always welcome there" . . . and . . . "One day I'll be one of the greatest golfers in the world!" . . . and . . . "A kid would die to have a father or grandfather like you." "P.S. - Tomorrow I am giving this gorgeous girl a pink rose and I am attracted to her, so if we write again, I will tell you how it went."

From Hassan: "What do you say to a guy who makes friends daily? Well, I know that

on December 15, 1993 you made at least one new friend to your endless collection. At least I know the coolest, top-notch judge!"

From Joe: ". . .made a true impact on me with your near-ancient wisdom (no offense)."

From Faishal: "When I came to the court I met a judge. When I left I felt like I went out with a grandpa."

From Melissa . . . she starts out with "Hey! Judge Abe!" on bright orange paper. "I decided to pick this bright orange paper to not only wake you up, but also because of Halloween soon approaching . . . do you like it? I'm sure you are getting a million of these and are sick of reading them (maybe not)" . . . and she ends with "P.S. I hope you really did read this letter because I had to skip my favorite T.V. show, Beverly Hills 90210, in order to write this letter to you. Just Kidding!!!"

From Ann Marie . . . I called this young lady at her home after I read her letter, in part she says, "You said in your presentation that you are what your home life is. I don't quite understand that. What if your dad works two jobs and your mother works full time so the only time you really see them is at dinner? What does that make me? Don't get me wrong, I have wonderful friends and a great boyfriend, but you said the **home** makes you what you are. Could you explain that a little further?"

From Larysa: "After you had spoken to us about helping other people, I did just that. Outside the Court House, an old man was standing asking for money, so I gave him \$3.00 and my friends did the same. I'm not saying \$3.00 is a lot of money, but I think he will have a good meal for once. It just proves to say that your speech did a lot of good for me and my friends."

From Paul: "Thanks a lot for spending your free time entertaining us. Because of you, I am a nicer person. Thanks again. P.S. You're much better than Judge Wapner (on TV)."

From Heather: "I think I would have liked to live during your time rather than now. I want you to know I understand your point of view on life now. Even though I was not alive when you were, I can see that things would have been better."

From Tom: "I thought about all the times I made a racist joke and felt very small. I also thought about all the times I did not use words like "Thank You" and "Please," but instead used foul language. I am attempting to stop these bad habits. Thank you for the encouragement."

From Barbara: "You stated that if you got through to just one person you would be happy. Well Judge, start smiling because you got through to me and for that, dear Judge, I

thank you."

From Norman: "While walking on the sidewalks we came upon a man who wanted money for lunch. After listening to you, at least 15 people gave change to help the old man."

From Mike: "It must be cool to have a name like Abe Lincoln, but don't you get scared when you go to a theater? Just kidding."

ALM: And I just received a letter from a young man who visited with his class and returned to school and organized some students, with a teacher supervisor, to meet after school at each other's homes and discuss kindness and what to do to overcome the prejudice and meanness they encounter every day among their classmates. His letter is very moving. He's making a plea for help in his endeavor. He says the members of the groups - the original groups divided into four separate ones of about 12 kids each - feel their efforts are futile. This is taking place in a school in a very affluent area of the suburbs.

JFM: Judge, you've performed so many marriage ceremonies. Are there any that stand out in your mind particularly?

ALM: One of the most recent was the wedding of my nephew, the former Senator Bill Marovitz, to Christie Hefner (*Playboy*) in July of 1995. It was one of our hottest summers on record, I believe, especially the day of the wedding. That morning I noticed that the water pressure in the building I live in was reducing and had the foresight to fill up some pans with water. Later that day, there was no water, but I was able to sponge bathe and shave and make myself a cup of coffee with what I'd arranged. However, all the electrical power was off and I live on the 8th floor. As the time to leave my apartment, in my tux, approached, I knew I'd probably have to walk down the eight flights in the pitch

dark. Fortunately, the bride and groom had provided for a limo to pick me up, because the garage door in my building wouldn't have been able to have been opened either. Then, like a miracle, as I stepped out my apartment door, the power was restored and the elevator resumed running!

When I arrived at Rockefeller Chapel for the ceremony, it was apparent that everyone was suffering from the relentless heat: all the men had removed their jackets and the women were using all manner of paper fans in an attempt to find some relief. There were a few electrical fans operating, but only a handful of people in the front pews got any benefit. All the doors had been opened and birds were flying back and forth through the side doors. Everyone was in their finery and apprehensive about being bombed by the birds. I had been prepared to do a quick ceremony, but I think I must have set a record for brevity that day! Everyone was very appreciative.

JFM: You gave a lot of Christmas/Hanukkah parties in the federal building, didn't you? I think the last one was 1988 or 1989.

ALM: Yes, for many years, each December I'd have a party. I invited everyone who ever changed a light bulb, or dusted my desk, or hung a picture, all the judges, secretaries, plus many more. Each year I'd designate someone as "Man (or Woman) of the Moment" and highlight him or her. One year it was the chambers housekeeper, another year it was Pren Marshall (Judge Prentice H. Marshall, U.S. District Court, IL-N), and so on. I had a wrapped gift for each person, with a personal note, and the Marquette Inn would cater the food. The libations flowed freely. We would do it in one of the courtrooms and a few celebrities would always attend. Wally Phillips, Kup and Jack Brickhouse were

regulars. Sometimes some of the musically-inclined employees would perform.

JFM: Down the hall, in your former little hearing room (1986C), there are still several pictures on the wall. Among them is a huge wooden sculpture of Lincoln's head. How you acquired it is an amusing story you should tell.

ALM: When I was in the state court, there was a nice Italian lad who had a restaurant across from City Hall on LaSalle Street. I'd go there at noon and some evenings and he had a huge wooden carving of Lincoln on his wall which I admired. One night after dinner, I jokingly told him that some day I might have some former burglar client of mine steal it for me! He said, "maybe I give it to you some day."

Well, long after that, when I was on **this** court, I was trying a tough criminal case. Three mob guys stuck up a night club that was run by Botchie Connors' brother, Johnny Connors, called the Erie Cafe. There was a lot of publicity about it and the marshals were searching everybody who came into the courtroom to observe the case. One day during a break in the testimony, one of the marshals told me there was a guy in the hall who had a package for me. I told him to have the guy come in.

In comes this little guy - I don't think he was 5'4" - with two busboys, carrying a huge package wrapped up in paper. It was winter, I remember he had an overcoat, a hat with ear flaps and galoshes and he walked right up to the microphone in front of the bench and said, as the whole courtroom listened, "Judge, you don't have to steal this, I sold the restaurant, but I kept this and I want you to have it!" He unwrapped the huge Lincoln carving and everybody

laughed.

JFM: I know you have a good story about your colleague, Judge George Marovich, would you tell it for this?

ALM: Oh, sure. I never knew him before he became a state court judge, but he had two good friends who were also good friends of mine, Saul Epton and Richard Fitzgerald, who was Chief Judge of the Criminal Court - both of them very high class guys and they were friends of Marovich's. I read that they were speaking at his induction, so I wrote him a letter and said, "Your two very special friends told me what a nice guy you are, so I'm claiming you as a cousin," because of the similarity in our names.

Some 15 to 20 years later, he was appointed to the federal court. At his induction, his family and friends and members of the bench were all there, and when it was his turn to speak at the conclusion of all the other speakers, and he was introducing his family, he said, "And I have a relative on this bench, too," and he read the letter I had sent him so many years earlier! Whenever we see each other, we call each other "cousin."

His chambers is on the same floor as mine and I get many of his phone calls and I'm sure he gets some of mine and I get some of his mail and I'm sure he gets some of mine. But if there had to be someone with a similar name, I'm glad it's him. He's a great guy.

JFM: Tell us about the dedication of the street, Plymouth Court, a couple of years ago, 1992, I believe. When they put up an additional honorary street sign that

reads Abraham Lincoln Marovitz Court.

ALM: It was one of the nicest surprises of my life. I wasn't aware of the plan to do so until I think Kup had something in his column. So I called the alderman, the son of a fellow whom I had known well - who had a restaurant I often patronized years ago. I asked him how this started and he told me that the mayor had told him that one of my colleagues had written him a letter suggesting it. He found the letter the mayor had sent him and told me that it mentioned Judge Alesia, who had been a police officer who had appeared before me as an attorney several times. I always liked him, the way he handled himself. Then he got sick and because I had a lot of respect for him and liked him, I kept in touch. I talked to his wife almost daily. He was the guy who suggested the street dedication. The street on which the Bar Association and the Standard Club is on, and Binyon's was there, and it dead-ends at the federal building. They had quite an affair out in the street with a Klezmer band and my beloved friend, Jimmy Damon sang. The speeches were short and sweet.

Mrs. Richard J. Daley didn't feel well, but she came out for it. I remember when it was my turn to speak I said something like, "If I knew you guys were going to eulogize me this way, I'd have done the decent thing and died first!"

The president of the Standard Club invited every one there to lunch at the Standard Club at the conclusion. I think he was very relieved when only three or four tables of people accepted 'cause there were a lot of people there.

JFM: Judge, a former extern, Rick Rogich, stopped by recently to visit you and I asked him to recall something from the days he worked with you - in '81 to '82.

He said, "First, I remember his great love for his parents and other family members. Second, I remember the adversity he overcame. He told me how he cried when he was fired from the state's attorney's office: how he worried about supporting his family. This held me in good stead during a part of my life when bad, negative things were happening and I was fired. I got strength from recalling the Judge's experience. Third, I will always think of the Judge as a very strong, positive person. And finally, I remember him telling me, "You get what you give in this life!""

ALM: That's very moving. I should call him and take him to lunch soon.



Judge Marovitz with his longtime friend Bernice "Mickey" Curtin

**VII. POTPOURRI: 90th BIRTHDAY PARTY, MORE CELEBRITY STORIES, AND
POEMS**

JFM: Judge, it is now 1996 and you celebrated your 90th birthday last August 10th. For the record, would you talk about that milestone?

ALM: Well, a couple of years ago various organizations started contacting me about honoring me with a fundraising dinner in recognition of the upcoming 90th birthday. I turned them all down and began to think of throwing a party, myself, for all my dear friends and close acquaintances, people who had touched my life, many who had played a role in my modest career. The price of tickets for fund-raisers in these days is so high, I knew many, many of my friends wouldn't have been able to attend. I also felt that the 90th should be a fun event, with no long-winded speeches.

I remember that about the time the different organizations were contacting me, you let me know that you were starting to keep a list of all the people I received greeting cards from, dined with, remembered their birthdays or anniversaries, etc., with the thought in mind of an invitation list and we started to kick around some party plans. Over the next year and a half there were a couple of times I thought it might not be in good taste, be too showy, to have a party like I would want to, but eventually the day of reckoning came and I had to either go forward or drop the whole idea.

Right around that time, I had lunch with Barbara Lee Cohen, the sister of a former lawyer friend who had some problems over the years and she told me that the planning of events was her business and she wanted to participate.

Things really began to jell when Barbara got involved. First, I had to review the invitation list you had roughed out and make many, many additions. Then I entered into a contract with the Hilton and Towers Hotel, approved the invitation, the food and the entertainment. Then there were photos to select for the picture gallery, decor, video, and sound details to be discussed and approved.

After the invitations went out to some 3500 people - I had estimated about 1200 would attend 'cause many were too infirm or lived too far away, but I wanted them to know I was thinking of them and wanted them present - the calls began to pour in from people requesting that their children, grand-children, great-grandchildren, cousins, in-laws, sisters, brothers, companions, and the like also be permitted to attend. Originally I had thought that I could just invite some of the lawyers who officed downtown without their spouses if I didn't know the wife, but that was a mistake. Ninety-nine percent responded for themselves and their wives, requesting additional tickets. It was almost impossible to say no. So we wound up with about 1800 people at the party.

JFM: Describe the party . . . and what were the highlights, from your perspective?

ALM: First, I couldn't sleep for a couple of nights before it nor after. I was really operating on adrenalin. I was supposed to get to the hotel early in the day to see the set-up before the guests arrived, but I was in such a state I didn't get there until 15 minutes before the ballroom doors were opened. I didn't really see any of it except wonderful, smiling, familiar faces until I viewed the video tape some days later! We didn't intend to have a receiving line, but it just developed and I hugged and kissed and shook hands for two hours, until I was led to a

table by the stage by a U.S. Marine color guard, to the playing of the Marine Hymn, to watch the entertainment.

It was a night I'll never forget: so many, many wonderful old friends and acquaintances from all walks of life, all races, all religions. And so many special moments. The first was when I was escorted over to a corner and there was Jimmy Durante's widow, Margie, their daughter, Cece, and her husband, Steve Bloum, all whom had flown in from California to surprise me. Another was the presence of Bob and Marion Merrill of the Metropolitan Opera, who came in from New York, and, of course, Bob and Delores Hope, who insisted on taking the stage and doing a couple of songs. This was to be a party for the guests and as I looked across the room of people watching the Hope's, I knew I'd achieved giving them all a good time. An especially moving moment for me was when Hubert Will had me join him in song doing "Our Way," knowing how ill he was and the long distance he had traveled to be there. The daughter of Bill Brooks, my boyhood friend who is now in a wheel chair, brought him to share the evening with me. Bill Roemer the former F.B.I. agent, turned author, who interviewed me for the federal bench, was there. People I knew who had difficulties and keep a low profile now, like Tom Keane and Ed Hanrahan, were there. Sis Daley, the Mayor and Maggie, all of Sis' children and most of their children, were there. The Briscoes from Ireland were there: Dr. Joe Briscoe and his son, Dr. David Briscoe; and Ben Briscoe, the second Jewish Lord Mayor of Dublin; and their nephew, Dr. Donald Briscoe all made the trip.

I loved all the entertainment, much of it I had forgotten was planned, like the Sally Rand look-alike (the fan dancer), because I had escorted her to the opening of the Empire Room in the Palmer House; the roller-skater, me as a kid,

delivering telegrams; the "cab" driver bicyclist, me at age 15; the dancing Uncle Sam; Max and Donna Daniels who are Abe Lincoln and Mary Todd look-alike; the wonderful clowns and magicians Fred Lane and friends; the organ grinder and monkey; the Mexican Band; the Klezmer Band; the combo who accompanied the performers on the stage; Julie Frazin and some of the Christmas Spirits performers; Joel Daly from WLS-TV, who did "The 3260 Lake Shore Drive Address;" Judges Ilana Rovner (U.S. Court of Appeals, 7th Circuit) and Ann Williams (U.S. District Court, IL-N), who brought down the house with their personalized rendition of "Abe" to the tune of "Mame;" June Brown, who sang the Battle Hymn of the Republic; Nan Mason, the Fanny Brice look-a-like; my wonderful friend Jimmy Damon; Bill Kurtis; the gorgeous red-haired kids in the Dennehy Dance troupe; and Johnny Frigo, the violinist. And I mustn't forget the magnificent birthday cake that the Schulman's of Eli's sent over . . . not only the cake, but hundreds of individual slices. It was all just so wonderful.

Then, when I saw the video and saw how cleverly the ethnic food stations (Oriental, Mexican, Greek, Italian, Irish, Jewish deli), were set-up, including my mother's candy store on Maxwell Street, the Good Humor wagon, and Fluky's Red Hots, I was just delighted. Down the center of the room was the watering-hole, where only wine and soft drinks were served.

JFM: Tell what occurred after the party.

ALM: Well, I was spending the night in the Conrad Hilton Suite and all the people who had come in from out-of-town were invited to join me there about 9:30 p.m. for a more intimate gathering. Cocktails, tea, coffee and wonderful

desserts, including the magnificent birthday cake which Eli's had provided, were served. There were about 100 people, but I was able to visit with those who had traveled so far, like an old buddy from my Marine Corps days, and his wife, who came in from Texas, and the Briscoes, who came in from Ireland, and the many who came from California, some from South Africa. Most of them stayed until midnight, when I finally had some real food delivered from room service, the first I'd eaten since breakfast! I think it was an \$80.00 spinach omelet! I didn't try to go to bed until about 2:00 a.m. but I was too wound up and stayed up reading.

The next day, the folks from out of the country joined me for brunch. That lasted until 3:00 p.m. After that, I went back to the office to collect flowers that had been delivered there and phone messages, then home for the same thing. I didn't sleep that night either, still re-living all the festivities. It took a few weeks to come down from the whole thing.

I received wonderful, wonderful letters for weeks after the party. And, although gifts had been prohibited, I received notices from hundreds of charities that contributions had been made in honor of the occasion. Then the pictures came in from all my photographer friends who were there. By the way, that reminds me, I heard that when the guests saw all the recognizable people at the party, many made a run on the drug store in the hotel and exhausted their stock of throw-away cameras!

JFM: I remember there was a lot of press coverage, mostly afterwards.

ALM: Yes, far more than I deserved. I was trying to keep a lid on it to keep the

requests for tickets down and my worst fear was that I'd forget to invite someone and they'd read about it in the papers and be hurt. And I did forget a few, unfortunately. I'll have to make certain they get invited to the 100th!

The day before the party I was to be interviewed by Bob Sirott from FOX-TV, they like to do something from the bedroom of the interviewees, which didn't appeal to me, but fortunately, they couldn't get a signal from my residence to the station: so instead I got up at the crack of dawn and went to the Marquette Inn at 60 W. Adams - as though I was there daily for breakfast - and was interviewed from there. I performed Bob Sirott and Carrie Cochran's marriage some years ago. The day of the interview was Bob's birthday.

Then, a few days after the party, John Calloway had me on his *Chicago Tonight* show and that was one of my best interviews, because John kept a tight rein on me and asked good questions. But that brought a lot of mail and telephone calls, people looking for help with their problems, or wanting copies of my favorite poems. I have a great deal of respect and admiration for John Calloway.

I received a most unusual and precious gift from Bob and Delores Hope at my apartment after the party. It was a box that I thought might contain a couple of bottles of champagne, but when I opened it I found a large crystal block about 8" by 11" by 4", and embedded in the center were the original letter I had sent Bob from the Philippines in 1944, requesting an autographed photo - I don't remember if I received it back then - and a photograph of Bob and Delores entertaining the troops in WWII, autographed for the 90th birthday. Can you imagine! They had kept and then were able to retrieve a letter I had sent in

1944!

I only wish my sisters and brothers, who are all up there with the angels, and Bernice "Mickey" Curtin, could have shared the birthday festivities with me: that's my greatest sadness. But all the nieces, nephews, grand-nieces and nephews, a great-grand niece, and many cousins were there, even some from California. It was just great!

JFM: Up till now, you've enjoyed pretty good health.

ALM: Yes, I was always very athletic as a kid. And, even though I was 38 when I enlisted in the Marines, I was never in better shape than during those years. Then, I swam every day, six days a week for many years, at the Standard Club after I went on the federal bench and had an honorary membership.

JFM: You hadn't belonged to social clubs before that.

ALM: No. I had a phobia about belonging to any social group that discriminated against an applicant because of their race or religion. I often refused to attend even as a guest. I didn't feel so strongly about religious groups like the Catholic Lawyers group. I thought that was okay. Although I was initially opposed to the Decalogue Society, the Jewish lawyers organization, but I did join it eventually. I hadn't belonged to any of the Jewish social clubs, because non-Jews couldn't join. I just had a thing about restrictions. But by the time I was given an honorary membership at the Standard Club - where they had a magnificent gym and pool - because of the liquor laws, memberships were open and I felt it was okay to utilize the facilities.

However, after brother Sidney became so ill - I would drive to his home on the Far North Side of the city to see him at the end of the work day instead of swimming - and when I tried to go back to it after more than a year, I just didn't have the stamina anymore.

JFM: You never smoked?

ALM: No, never had the desire to.

JFM: But you did enjoy a bit of booze?

ALM: Yes, but really not to excess, with very few exceptions.

JFM: Did you ever break a bone?

ALM: No, I don't think so.

JFM: Didn't something happen in Cuba?

ALM: By God - you've got a hell of a memory.

Yes. I went to Cuba to visit a good friend of mine, Ben Marden, who had a financial interest in a race track in Havana and I got to know the mayor of Havana. He invited me to go horse back riding. At that time I had my own horse that I kept in Michigan. Rex Pevine. He was a saddle horse and I rode him on weekends. So something happened to startle the horse in Cuba and I fell off and broke my ankle. I called a doctor friend who represented the Bears and

the Cubs and he told me to not let them operate in Cuba, to get right back to Chicago. I couldn't get a reservation. I finally reached a fellow who had a piece of a hotel in Miami that Joe E. stayed at and he told me about a labor leader he'd fixed up with a couple of drawing rooms. I saw the labor leader and he reluctantly let me get a ticket for his extra drawing room. I had to get back to Chicago because Willie Bioff had been pinched . . . and I think we talked about that elsewhere.

JFM: You told me once how terribly ill you got once in the chambers in state court.

ALM: Yes. I got terribly sick. I couldn't stand even to have my clothes on my body. I was alone at the time, but I managed to call my brother Sidney and he and brother Harold and my bailiff came over and took me to Edgewater Hospital. The doctor there - he owned the hospital, his name escapes me at the moment - wanted to operate. I told him, "No, no. Dr. Karl Meyer at Cook County Hospital is my good friend and has done a lot of things for free for me for needy people. I can afford to pay and feel he should be the one to do it and get the business."

We let my mother think I was out of town with my pal, Joe E. Lewis, so she wouldn't worry. I called her every day, pretending I was down south. But she knew the minute she saw me that something had happened: my weight loss and my pale color gave me away.

JFM: What about the time your housekeeper found you lying on the bedroom floor?

ALM: I never did find out what happened. I used to say I "lost all my blood," maybe

it was a bleeding ulcer. I remember that just before they were going to operate, the condition reversed itself. It gave me a huge scare. For years afterwards, I'd go to a lab every 6 to 8 weeks for a complete blood test and have the results sent to my doctor. There never was a recurrence.

JFM: You've always had a lot of gastro-intestinal problems, right?

ALM: Yeah . . . except when I was in the service. Everything worked right then.

JFM: And then, along about 1989 or so, as I recall you were having a general check-up and the doctor at Billings told you that you had cancer of the prostate.

ALM: Yes, they explained the options: surgery, radiation, chemotherapy. The doctor, Chodak, consulted with an expert at Mayo Brother's clinic, my beloved friend Dr. David Utz, and I made the decision, with Dr. Utz's advice, to opt for a synthetic hormone shot each month (Lupron). My PSA decreased rapidly and remains very acceptable. I remember laughing when I was told - with deadly seriousness - that it would affect my sex life! I was in my 80's!

JFM: Now you have glaucoma in your right eye and have to have a drop of Timoptkin put in once a day, and occasionally you see a doctor for the removal of skin cancer.

ALM: Yes. The eye drop, my blood pressure pill (Clinirol), and one pill for arthritis is all the medication I really take, plus the Lupron, but, I do consume a lot of Titalac tablets (like Tums), for my tummy problems.

JFM: Well, I know well-meaning people are always pushing vitamins and minerals and different concoctions on you, but it's my contention that they only hope to get to be your age and be in your shape. "If it's not broke, don't fix it." You have a healthy appetite, eat a good balance of food, and don't need to be taking any of that fad stuff or extras. Whatever you've done all these years, worked.

ALM: What bothers me the most these days is my memory. I keep asking you the same things, over and over, like, "explain the Internet to me again."

JFM: Let's change the subject. You haven't talked about the other members of your family. Many of them will get copies of this and don't you think it will mean a great deal to some of those youngsters when they grow up to see their names mentioned?

ALM: Yes, I do, and they are all important to me. I've talked about brothers Harold and Sidney, whose widows are alive at this time. You know I phone both of them every day, without fail, Gertrude and Jane.

The oldest was my sister, Jeanette Bernard. I loved all my siblings dearly, but Jeanette had a bad marriage and it broke my heart to watch her suffer. I did a lot of things to try to make her life better, sent her on a wonderful trip, helped her financially, anything to try to help.

Jeanette had two children: Adrienne Garman, a beautiful girl, who unfortunately was widowed young when her husband, Sylvan Roth, died suddenly. She was left with two small children, Mark and Reni. Adrienne remarried and her husband adopted the kids, but that marriage failed. Now she

has some health problems, but I'm impressed with how well she's handling them.

Mark Garman married a lovely girl named Holly. He's a computer whiz. They live in the Boston area and have a son, Sam. I don't get to see them as often as I'd like. Mark calls often.

Reni Garman is a super wine salesperson, married to a nice guy, Joshua Orlan. They have a lovely home in Skokie and have two children, Sara, who's just wonderful, and Jacob. He's an infant and I don't know him very well, but hope to since I'm his godfather.

Sister Jeanette also had a son, Howard Bernard, who died young. He was a superb athlete and a very nice young man. He married Ruthe and they had two daughters, Debra Rae Bernard - Rae after my mother, Rachel - who's a very successful attorney in Chicago, and Iris Bernard, who's married to Steve Halpern, another real nice guy. I performed their marriage a few years ago, but now they live in San Diego. No children. They're both in the computer information field.

Then there was sister Bess who married our half first cousin, Jack Marovitz. He was an especially nice guy. They had no children. She lost the will to live after her husband died and died herself not too long later. She had many of my mother's qualities.

Brother Harold was married to Gertrude and they had three sons: Ivan, a real handsome kid who married very young. I performed that marriage, too. Ivan

died young scuba diving, leaving two small boys, Richard and Anthony Marovitz. Anthony is married to a lovely gal, Thelma, and they live in Henderson, Las Vegas. Richard is married to a fine gal, Michelle, and they have two darling little girls, Melissa and Amber Rose. Tony, Thelma, Richard, and Melissa came to Chicago for my 90th birthday party.

Then they had a son, Sanford, whose marriage to a charming Greek girl, Nora, I performed. He's a retired English professor in Kent, Ohio and she's a high school French teacher. They have no children.

Last of Harold and Gert's children is James. Jim is an attorney at Sidley & Austin and he's married to Gail, who's a high school guidance counselor. They live in Deerfield and graciously host the whole family every Thanksgiving. Jim and Gail Marovitz have two sons: Andrew, who is an attorney at Mayer, Brown and Platt and is married to lovely Laurel. They have a sweet daughter, Alena, who's a precious toddler. Then there's Scott, who is in the radio/tv sales field in Detroit. He's married to Andrea and they have no children, yet.

Brother Sidney was married to Jane and they had three sons: Jerald, who died very young, just before I returned from the service; William, who's second marriage, to Christie Hefner, I performed. Bill is an attorney and was a state senator. And, Robert (Bob), who's a bachelor working for Anheuser Busch Theme Parks.

I'm proud of all of them.

Both brother Harold and brother Sidney died in 1989. Sidney first, in April,

then Harold in September. Sidney's death was expected, following a long battle with cancer, but Harold died suddenly. I remember he was at home, having lunch. Suddenly, he stood up and said that he had to get to a funeral. . . and died! I miss them every day. We were three brothers, three friends.

Of course, I miss my beloved parents and my sisters, too.

I also have many, many cousins - several of whom stay in touch regularly - and I am fond of them all. Special among them are Charlene Wexler, Amy Greenwood, Fay Wray Yager: they've all produced children who are fine people. Another cousin, Jerry Marovitz, and his late wife, adopted an African American boy they'd taken in as a foster child after he'd been abandoned on an el platform. His name is Barry Marovitz and he'll be Bar Mitzvahed this year.

Each year I host the Passover *seder* for the family. For many years we had it at the Palmer House, but at the time of the Chicago Flood they couldn't accommodate us and we moved it to the Hilton Towers, and have been there ever since. I invite several non-family members so we are generally about 35 to 40 people. Msgr. Ignatius McDermott is a regular: he starts things off with an ecumenical blessing. Supt. Matt Rodriguez and his wife have attended the last few, and last year we were honored to have retired Admiral Mack Gaston and his lovely daughter, Sonja, with us, as well as Julian and Rhona Frazin. A stone cutter, Walter Arnold, his wife, Fely, and her two children, have also become regulars - I performed their marriage - as well as my 1995 summer extern, Jonathan Levy, whose like a member of the family. Dr. Irving Slott and his wife, Carol, and Dr. Ernest Mhoon and his wife, Debbie, all of whom are as precious to me as brothers and sisters, are regulars as well.

I've made financial arrangements for the Passover *seder* traditional gathering to continue after I'm gone.

CTF: Abe, where did you meet the celebrities from show business?

ALM: First, I met Joe E. Lewis in New York, through a friend of mine named Lou Wolfson, who later changed his name to Wilson. He worked for the William Morris office, which was one of two large theatrical talent agencies. The Morris office represented Joe when he was a young night club entertainer out of New York. Lou took me to a night club where Joe was working and we kind of took to each other. When he would come to Chicago to work the night clubs, I'd be there almost nightly. I remember he worked at a place called the Green Mill Garden. The mob had a piece of it and it was in Jack "Machine Gun" McGurn's territory.

Joe was cut up badly. He had received an offer to work for a new night club that was opening, run by a fellow named John Fogarty, a good Irish name, but he was Jewish. Joe gave notice where he was working that he'd be leaving in two weeks. He was making \$500 a week then. Fogarty had offered him \$1000 a week. McGurn told Joe he had to work where he was told to work. Joe told him he'd work where he wanted to and went to the new place.

At 6:00 a.m., the morning after a very successful opening, he received a phone call in his hotel room from someone he apparently knew and told the person to come up to the room. He was then living at the Commonwealth Hotel at Diversey and Pine Grove. When he opened his door, a couple of guys slashed his face and throat. They clubbed his head with the butt of a pistol and left him

for dead. He was taken to Columbus Hospital where they fixed him up the best that they could. There was a patient there who was a priest from South Bend who helped Joe recover his voice. The show people ran a big benefit for Joe at the Oriental Theater, on Randolph between Dearborn and State. Many of the night club stars came and performed there to raise money for Joe, people like Jack Benny, Al Jolson, Eddie Cantor, Sophie Tucker, etc.

I was told that Al Capone felt very bad about the situation because he liked Joe. When Joe recovered, Capone gave him a job at the Midnight Frolics on 22nd Street, between State and Wabash. It was one of the leading night clubs in Chicago. After Joe finished his engagement there, I asked a fellow I knew for whom I'd done some legal work, by the name of Denny Coney in the First Ward, who was "in charge" of gambling and night clubs, to put Joe to work in one of his places. He put Joe in the Frolics on Wabash Avenue, just south of Van Buren Street, where Jimmy Wong's restaurant is located. I was a young lawyer then, specializing in criminal, labor, and show-business law. Coney put Joe in there at a salary of \$250 a week. Joe couldn't sing very well anymore, but he developed into a great comedian. He hired a straight-man for \$50 a week. He did well there and then another client of mine, also an underworld character, Gus Winkler, opened a very fancy night club on Superior Street, the 222 Club. He hired Sophie Tucker as the star attraction and I asked him to put Joe in as the opening act. Now, Sophie knew Joe very, very well. Very well. She had come to his fund-raiser after he'd been cut-up. The club was small, but it attracted the gamblers. Joe went out there and had the crowd eating out of his hand. They wouldn't let him off the floor. Sophie got so mad she wanted Joe fired, but I was able to keep him there after Sophie decided that it would be all right so long as Joe followed her. The club was run by a man named Eddie

Leibensberger, but the influence behind it was Gus Winkler.

Joe E. Lewis' life story appears in the book *The Joker is Wild* which was made into a movie by the same name, starring Frank Sinatra as Joe.

CTF: Was that the St. Valentine's Day massacre, Winkler?

ALM: Well, it was rumored that Winkler had some involvement in it. Winkler was about six foot two. To look at him, you'd think he was a bank president instead of an alleged bank robber.

CTF: You represented Winkler?

ALM: Yes, I did.

So, for the next performance - there were two that night - Sophie wanted to perform first. She said Joe wouldn't get off the floor and he had spoiled the audience for her. And that's what they did - she went on first. She still wasn't happy, she wanted Winkler to fire Joe. Winkler said to me, "Abe, I've got to do something because Sophie brings in the wealthy gamblers. I'll put him in some other time and pay him twice as much." I told him to let me think about it.

Since he wasn't working, I convinced Joe E. to go to Mayo Clinic in Rochester, Minnesota about his injuries. I told him that I had to go for a physical and wanted him to accompany me. He wouldn't go otherwise. He had a line about there being more dead doctors than dead drunks. I'd been there previously with

my late and dear brother, Sydney, where he had spinal surgery and I had made a few good friends, with whom I'd kept in touch. One of them was related to the Mayo Brothers and was connected with the *Rochester Post*, the daily newspaper there.

When Winkler found out I was taking Joe E. to Rochester, he said he'd like to join us. He had lost the sight in one of his eyes in an automobile accident, which allegedly took place after a bank robbery, I believe in Itasca, Illinois. I must say that I wasn't eager for Winkler to join us, but he was a good client. I represented him when he was indicted for the bank robbery and was identified by witnesses although he was totally concealed by bandages - I may have told you about that, Collins, check your notes - if I haven't, I think, immodestly, it was quite a case.

The book *The Joker's Wild* tells the story of the altercation I had with Winkler on the train trip to Mayo's - I'd rather not tell it here. In any event, the doctors couldn't do anything for Joe.

CTF: Getting back to the celebrities . . . was it through your friendship with Joe E. Lewis that you met a lot of the other stars?

ALM: Yes. Through Joe E. I met Jimmy Durante and Frank Sinatra and they became my good friends. Joe and I went to see Jimmy Durante in New York, in Greenwich Village, and Jimmy joined us at our table. We had a wonderful evening. When Joe E. came to work in Chicago, at a small night club called the High Hat, I went there every evening and brought people with me.

JFM: Who are some of the folks you met through Joe E.?

ALM: Oh, so many: there was Red Buttons and Pat O'Brien and Bob Newhart to name a few who were very kind to me over the years.

JFM: Tell us the other story about Sophie Tucker. Wasn't she called "The Last of the Red Hot Mamas?"

ALM: Yes, that's right! Well, another was when I was in the senate and in Springfield. There was a miniature "Standard Club" in Springfield, run by Jewish businessmen and I was invited to speak there inasmuch as I was the first professing Jew elected to the senate. Sophie was appearing at the Lake Club in Springfield. It was a restaurant/night club and had gambling. We were both staying at the Abraham Lincoln Hotel and at lunch on the day I was to speak I invited Sophie to join me at the dinner about 5:00 p.m., and told her I'd go with her afterward to the Lake Club.

We went to the dinner and the president, a man named Myers - who, with his brothers, bought the building in which Lincoln's office had been - called on me to speak. I told them that I was in Springfield six months a year, they could hear me anytime, but that I had Sophie Tucker with me, and I called on her to get up and do something. She said, "No, I came here to hear you. If they want to hear me, they can come to the Lake Club." So I told the audience the story about Friday night Sabbaths at my home and how Sophie had been there several times and observed the tradition of Dad blessing all of us and Mother lighting the candles. She was so moved by what she witnessed that some weeks later she phoned me and read the following to me. She'd had her songwriter, an uncle of

Ray Wallenstein who was a law partner of mine, write it. It's a little long, but
it's called

My Mother's Sabbath Candles

Among the smiles . . . among the tears of my
childhood's sweet and bitter years,
There's a picture that my memory fondly frames
And in it softly shine . . . two tiny flames,

My mother's Sabbath candles - that made our home so bright
That faithfully she lighted, with a prayer
each Friday night.
And then around the table we gathered and we heard
My father chant the Kaddish (the Sabbath Prayer) . . .
his heart in every word.

Our humble home became a mansion in that
mystic glow.
Our hearts were filled again with hopes and
dreams of long ago.
Through all the tragic story of Israel's
darkest nights
They've never dimmed the glory, of our
mother's Sabbath lights.

The heart won't let one forget my mother's
Sabbath candles
And how we sat at that table so beautifully
arrayed.
The father makes the Kaddish . . . how sweet is
what we hear . . .
It's really not surprising that the eye
lets fall a tear.

How well I remember . . . as do some of you
Who have mothers like mine in their
memories, too.
How sweet is that picture . . .
Just look! There she stands and waves
over the candles

Those dear, willing hands.
Then covers her eyes . . . softly, whispers the prayer
That welcomes the Sabbath she toiled to prepare.

The table is set . . .
The house spotlessly clean . . .
For tonight it's a palace
And she is the queen.

And now from the synagogue, father comes home
And joyfully greets her with
"Shabat Shalom!"
The Kaddish is chanted and then we partake
of a feast only
Yiddishe mamas can make.

The struggles, the hardships
of all other nights
Are forgotten tonight in the glow of those lights.
Those two tiny candles that burn like a flare
The torch lights of hope . . . in a peoples' despair.

And no Hitler's ovens . . . no armies of vandals
Have yet dimmed the light of those two little candles.
How brightly they shine now for those who still roam
To guide them at last . . . to their land . . . to their home.

We have gone a long way, some of you and myself . . .
And mother's candlesticks may still stand
on some dust-covered shelf.

But let's keep them burning . . .
Let's light them again . . .
Reminders of peace . . . and good will to
all men.

Like the candles of others . . . on altar and tree
Whose bright shining lights are intended to be
The beacons of tolerance . . . and brotherly love.
For that is the message . . . the sweet meaning of
My Mother's Sabbath Candles.

CTF: That was from 1940?

ALM: Yes, about then.

JFM: Do you remember how you met the wonderful Metropolitan opera star, Bob Merrill?

ALM: Yes, Bob has been a very, very good friend. I first met him, I think, at a Jewish function where he was singing Jewish songs like a cantor. I took him out to the Chez Paree, he and his wife, and we became good friends. I called them the other day to wish them a Happy New Year.

JFM: He came in to Chicago and performed for you several times.

ALM: He did. He did. I think it was my 85th birthday was the last time. He came in for my 90th. We went to dinner together the night before the party and he mentioned to my extern, Jonathan Levy, who was with us, that he wasn't prepared to sing anything, so we didn't ask him. I think we should have, that he may have been hurt that he wasn't asked. We did introduce him from the stage. He received a huge ovation.

JFM: There aren't too many of the ones you knew years ago still around, like Danny Thomas, but you still hear from Joey Bishop.

ALM: Yes, he stays in touch. But the great friendships from show business have been Joe E. Lewis, Bob Merrill, Bob and Delores Hope. I go back with them many, many years and they have been so very kind to me.

JFM: And the Durante family . . .

ALM: And the Durante family, and Frank Sinatra. I was supposed to perform the marriage of Frank and Barbara and when I arrived in California, we discovered a federal judge couldn't do it. It was at the home of a multi-millionaire who had a scratch sheet newspaper for the race tracks. They had to get whatever state court judge they could round up on short notice to do it. Through the years Frank gave me some nice friendship gifts and we always had dinner together when he came to Chicago to perform, and made sure I had tickets to the show. Frank Jr. stays in touch.

JFM: Remember what happened a few years ago when you were hospitalized at Columbus Hospital with pneumonia?

ALM: Yeah. The phone in my room was shut off so I'd rest and stay off it. Frank called and it was re-routed to the nurse's desk in the hall. He asked for me and identified himself, "This is Frank Sinatra." The nurse didn't believe him and told him, "Yeah, I'll bet. Well, I'm Madonna." That story made the rounds for weeks at the hospital, everyone got a big kick out of it.

I've got a picture under the glass on the conference table in the chambers. It shows Joe E., Frank, myself, and a couple of others at his home. It's accompanied by a note from Frank which reads, "March 12, 1969 - Dear Judge: Sorry these pictures were so long in coming. The guy who took them is a drunken bum. Did you know you were so photogenic? Love and Kisses, Francis Albert Sinatra."

I think you know that he played Joe E. Lewis in the movie *The Joker's Wild*, which was the story of Joe's life. I have a few copies of the book from which it was taken.

I remember a few years ago that Sandra Guthman, from the Polk Brother family and wife of noted attorney, Jack Guthman, came to see me about contacting Frank in connection with her position on the board of the Hubbard Street Dance Company. She wondered if I could help them get permission for the group to perform a number called "Nine Sinatra Songs," choreographed by Twyla Tharpe. Frank was very gracious and gave his approval.

JFM: Judge, Jimmy Durante was one of your favorite people. Will you share some stories about him?

ALM: Sure, there's a book *Jimmy Durante* by David Bakish, who interviewed me, that has these stories in it . . . but I'll elaborate on them.

Joe E. Lewis, a great night club entertainer, was a very generous guy and a gambler. At one point in our friendship, I convinced him to let me "manage" some of his money for a rainy day. Joe was concerned about what he'd do with all this money if it never rained! But, Jimmy asked me to do the same thing for him, so both of them were invested in tax free municipals, that I kept rolling over, and eventually they both acquired substantial amounts of money.

One time Jimmy was appearing at the Empire Room of the Palmer House Hotel with Sonny King. We'd had a fine steak dinner at the Cart Restaurant and were strolling the few blocks back to the hotel through an area that had many pubs

and panhandlers. A fellow approached us and asked for money. I said, "Ah, you're a drunk. Get lost." Jimmy, always a soft touch, said, "Oh, Abe, go ahead and give him a buck." Sonny gave the guy a dollar and I did, too. Then Jimmy handed him a dollar. The panhandler looked at Jimmy closer and said, "You're Jimmy Durante! I'm a wino. I'm a mooch. I'd take money from anybody, but not from you, Jimmy. You've made too many people happy." And he insisted on returning Jimmy's dollar to him.

Then, in 1962, Jimmy and Margie were scheduled to go through the formal process of adopting their daughter, Cece, who they'd taken home in December of 1961. Jimmy was 69 and Margie was 41. Jimmy called me and asked me to "put in a good word" for him with the judge in California. I told him it would do more harm than good for me to try to talk to the judge but I would be happy to write a letter to the Social Service Department, to be forwarded to them by a friend of mine at a similar agency in Chicago, with a transmittal letter from them attached attesting to my good character, which I did do.

When the judge in California granted the adoption, he told Jimmy and Margie that he had received many, many letters - even one from me - about what wonderful parents they would be and about how Jimmy wasn't too old. Then he told them that what really convinced him was when he heard Jimmy sing "Young at Heart!"

Many years later, when I attended the wedding of Cece Durante to Steve Bloum, one of the musical numbers they played during the ceremony was *Young at Heart*. It was very moving . . . there wasn't a dry eye.

Another time, Jimmy was appearing in town and called my office. I was at friends for dinner and my secretary gave him the phone number of their apartment. They were so thrilled to answer their phone and find Jimmy on the other end! They talked him into coming to dinner at their place the next time he was in town. They were Italian and even though Jimmy was also, he wasn't particularly fond of Italian food, he agreed because they were friends of mine.

So the next time Jimmy came into town, I took him to their tiny apartment - the kitchen wasn't much bigger than a closet - but the wife, Mrs. Francesca Ubertini, made a banquet! It was wonderful, we ate like the Russians were over Gary.

Now, Jimmy was running late because it was a stormy night and it had taken us longer to get there than I had thought it would because of the weather. Jimmy was very concerned about getting back on time to do his show. Then on top of the weather problems, neighbors of my friends saw us arriving and recognized Jimmy. They begged him to come up to their apartment as well. Jimmy was so gracious, he told them he would do so after dinner, even though he was already behind schedule.

We went to their apartment after dinner and there were a whole bunch of little kids in the process of getting ready for bed all running around naked. The family was just beside themselves to be visited by Jimmy. Eventually he did get to the Chez Paree and started his show late, which he almost never did.

JFM: How about your stories about George Halas?

ALM: George was represented by Mr. Austrian, my boss at the law firm I worked at as a kid. That's where I first met him. He took a liking to me and gave me tickets to the games. They weren't in the demand they are today. As an adult, I had eight tickets on the 50 yard line for many, many years. George and I became very, very dear friends and we organized a club. We called ourselves "The Super Eight". It consisted of George and his wife, Dr. Jim Callahan and his wife, Mike Notaro and his wife, Bernice Curtin and myself. We took turns hosting dinner for the group once a month. We had great times, felt free to say anything we felt like. I miss the group.

Mike Notaro considered himself a connoisseur of wine and one time at my home, they were all raving about the wine I served from a decanter and were very curious about its origin and vintage. I told them I'd give each couple a bottle when they left that evening. So when they were ready to leave, they were anticipating receiving some very fine French wine. I handed each fellow a brown paper bag, containing a gallon jug of ordinary American table wine! That's what I had served and they couldn't believe it!

JFM: What about the twenty-dollar gold piece?

ALM: Oh, yes. Well, when I went out into private practice and began to make a few bucks - and George had been so very kind to me, the tickets and all - that I would host a birthday party for him each year. The party would get bigger each year and when I became an honorary member of the Standard Club, I had it there. Each time, George would give me some kind of an inexpensive gag gift. One time it was a thing you could spin, with a donkey's rump on one side and a donkey's head on the other, for "heads or tails."

At his last party, his 87th birthday, he gave me a small package and I just put it into my pocket, not paying it much note. But when I got back to the office and opened it, I discovered he'd given me a 1920 \$20 gold coin. So I called him and said, "George, you must think I'm an ungrateful bum. I thought you were giving me another gag gift." He said, "A gag gift! I gave you my \$20 gold piece that all the original owners were given at the 50th anniversary of the founding of the League!"

When George died, I was at the casket with Art Rooney, owner of the Pittsburgh Pirates, and we were talking about the good times we'd enjoyed with George, and I showed him the coin I carried with me. He said, "He must have loved you, to part with that," and he showed me his. He said his sons would have to fight for his coin when he died.

JFM: What about Adlai Stevenson . . . how did that relationship begin?

ALM: If ever two guys were different, it was Adlai and me. He was very scholarly, very intellectual, very well educated. And I'm a "Dees, dem, and dos" guy. But I joined a very fancy club, in hope that some of the intelligence of those people would rub off on me.

JFM: Was that the Council on Foreign Relations?

ALM: Council on Foreign Relations! By God, I'm glad I've got you around to fill in the blanks. It was the Council on Foreign Relations. That's where I met him. He wasn't an easy guy with whom the average person could cultivate a friendship. Somehow I was able to do it.

Prior to his becoming governor, I thought he'd make a fine senator and Paul Douglas a fine governor. But, when I talked to Douglas, he was not interested in being a candidate for governor, but very much interested in being a candidate for U.S. senator. Adlai Stevenson's brain trust - and I say that affectionately and with respect - were very reluctant to accept a party nomination for the governorship. They thought he'd make a great U.S. senator.

But I knew Paul Douglas longer than I knew Adlai Stevenson and Paul invited me to his home on the South Side for dinner one night and was very definite about what he wanted to do and was very intent on running for the U.S. Senate and I think the Stevenson group finally agreed to the ticket of Douglas for the Senate and Stevenson for governor. It was a real good parlay and they both performed their jobs exceptionally well. I want to add that my activity in this internal maneuvering in no small way, I think, earned me the support of Sen. Douglas for the federal judgeship. I had the support of my very dear friend, Richard J. Daley, who was fast becoming an important leader in the Democratic Party.

One of Adlai's friends was Morry Leibman, an exceptional lawyer with a firm that merged with Sidley & Austin. Incidentally, after Morry's first wife died, I performed his marriage to his second wife. That circle of friends included Newt Minow, Morry Leibman, and a young lawyer from a very wealthy family, and were his brain trust. I think he consulted them on matters concerning the legislature and public life and they gave him very good advice, in the main. Stevenson and I would have dinner occasionally and I had him at my home a couple of times. He was very fond of my mother and when I brought Mother down to my re-election to the senate, he was very gracious to her.

He inscribed a picture to me, "To Judge Abraham Lincoln Marovitz from a devoted friend and admirer - January 1963 . . . Adlai E. Stevenson."

ALM: I think back to some of the highlights of my legislative and judicial career . . . what I told you about, as I was limited in scholarship and education, but the innovations which I think I brought into my own courtroom were effective for me at least.

CTF: One is clearly how you used the probation officer in the state court and another one is clearly how you were very successful in getting cases settled, both in the state court and on this bench.

ALM: I held early pretrial conferences and avoided the so-called fishing expeditions. I wouldn't let them do what they do today, spending a lot of money on unnecessary discovery.

Justice Kennedy of the U.S. Supreme Court was speaking at the John Marshall Law School, and Dean Howard Markey invited me to attend, and a man about my age, came up to me when I arrived and said, "Judge, Howard Markey was saying some nice things about you." He continued, "I'm going to tell you a story I should have told you a long time ago. I appeared before you in the Chancery Court when you were on the Superior Court in Cook County and I had a woman client. We argued the case and you decided against us. As I was walking back to my office at 100 North LaSalle Street with her, I was berating you to her and telling her what a bad decision that was. She said to me, "I think the way the judge explained it to us, we were wrong." The lawyer said to me, "Well, I finally got that off my chest!" I told him, "It's taken you a hell of a

long time to get around to tell me this story!" He said, "I didn't know how you would take it." I told him I was just happy to hear it.

Honestly, Collins, to hear things like that - or some litigator will say that he were before me and I helped him (or her), settle a case - is better than medicine for me.

No one knows better than I, my shortcomings. You know what Shakespeare said: "This above all: to thine own self be true. And it must follow, as the night the day, thou canst not then be false to any man."

I'm the least educated judge on this bench. I know that. I went from high school to night law school, but I learned a lot from my seemingly uneducated parents about simple decency and lack of bigotry, kindness and integrity. Those lessons have held me in good stead all my 89 years, I've had a lot of help from many and I've never forgotten to remember a kindness.

You know, Collins, there's an art in making friends, but I've found that there is a greater art in keeping them. I've probably told you this many times, but once I take someone to my bosom as a friend, they can spit in my face once or twice and I'll think it's rain. I don't judge anyone by one silly thing they do, because I do a few silly things myself. And I don't want people to judge me by one bad, but honest, decision I may have made.

The best example I can give of what I'm talking about involves Henry Crown and Abe Pritzker. They came out of the same neighborhood and were life-long friends. They did many things together, traveling, social functions and

business. They made a lot of money and both became multi-millionaires. They helped many people and were very generous to the charitable organizations, here and elsewhere, without regard to race, color or creed. However, they were exceptionally generous to Israel and the Jewish institutions.

Then there was some deal - it may have involved millions - something happened and they stopped talking to each other, after decades of friendship. I felt very badly. They had both been very kind to me through the years. I contacted Abe Pritzker and persuaded him to meet Henry Crown in my chambers - they wouldn't have met anywhere public - to try to iron the situation out and restore their friendship. Pritzker was very reluctant but he agreed. Then I tried to reach Henry Crown. He was ill, but no one knew just how ill. I called his wife and she permitted me to visit him briefly. He was very sick and of course, I didn't discuss anything serious with him when I saw his condition. They never got together again. It just broke my heart.

I just hope that when the good Lord takes me to his bosom, I can honestly say, "I haven't wasted the day," as one of my favorite poems says. That I didn't "toss" it away, that I did a little something, however small, for somebody each day.

Collins, I think you heard me say at the street dedication, when Plymouth Court was "changed" to Abraham Lincoln Marovitz Court, "I know one thing for sure, this isn't for my scholarship!" To make up for what the good Lord took away from me upstairs in the brain department, I think maybe he gave me a little extra in the heart department.

JFM: Judge, you have several favorite poems that reflect your philosophy, would you recite some of them for the history, please?

ALM: I'd be happy to, but I hope you know that I didn't write any of them.

This one's a prayer. It has many verses, but I usually just recite a part of it. It was first given to me on my birthday in 1936 by my beloved friend, Bishop Bernard Sheil, who was director of the CYO (Catholic Youth Organization):

Lord, make me an instrument of your peace,
Where there is hatred, let me sow love,
Where there is injury, pardon,
Where there is doubt, faith,
Where there is despair, hope,
Where there is darkness, light,
Where there is sadness, joy.

ALM: And then there's:

Kindness

It's kindness, human kindness
That the world needs most today.
Not quite so much talk of duty,
But a friendly, kindly way.

Sometimes the good are selfish,
And the righteous stern and cold,
But the kind are always welcome,
For kindness never grows old.

And there is no force more potent,
Than a gracious act or smile.
It's the kindly men and women
Who make our lives worthwhile.

(Author unknown)

ALM: And:

At Days End

Is anybody happier because you passed his way?
Does anyone remember that you spoke to him today?
The day is almost over, and its toiling time is through;
Is there anyone to utter now a kindly word of you?
Can you say tonight, in parting with the day
 that's slipping fast,
That you helped a single brother of the many that
 you passed?
Is a single heart rejoicing over what you did or said;
Does the man whose hopes were fading, now with courage look ahead?
Did you waste the day, or use it?
Was it well or sorely spent?
Did you leave a trail of kindness; or a scar of discontent?
As you close your eyes in slumber,
Do you think that God will say,
"You have earned one more tomorrow by the work you did today."

by John Hall

ALM: And the origination of this one is a funny story involving Dr. Preston Bradley,
which I know I told earlier in this book:

When the talk turns on religion,
I have notions of my own.
Have my version of the bible
And the things I think alone.
And I've found them satisfying,
Found them comforting to me;
But I'll never lose my temper,
If you chance to disagree:
For religion, as I view it,
Is a pathway to the goal,
And is something to be settled
Between each person and their soul.

Now I'm not a Roman Catholic,
But I wouldn't go so far
As to fling away the friendship
Of the folks I know who are.
I have lived and neighbored with them,
Come to love them through and through;
I've respect and admiration
For the kindly things they do,
And I've come to the conclusion,
Though bigots think it odd,
That it makes **no** difference to me,
How a good person worships God.

I know Methodists and Baptists,
Protestants and Lutherans,
Muslims and Buddhists,
Scientists and Jews,
Whose friendship is a treasure,
Which I wouldn't want to lose.
And I honor and respect them,
And I wouldn't dare condemn,
The form of prayer and worship
Which is comforting to them.

So when bigots talk religion,
I just settle back and see...
The helpful friends and loyal
Every church has given me!

By Dr. Preston Bradley

ALM: There are others, some quite long, like this one, called:

I Stood With Abraham

I stood with Abraham in his lonely vigil
and read the destiny of my people in the stars.

I was with Isaac when he built the altar
where his faith and devotion were put to test.

I stood with Jacob at Jabbok's ford,
when he wrestled through the night
with the angel of despair
and won a blessing at the break of dawn.

With Joseph I dreamt of sheaves and stars
and climbed the steps from the pit to a prince's throne.

I was with Moses, an alien prince among an alien people,
unshod, I stood with him before the vision in the wilderness
and from the fire I heard the voice summoning him to service.

I was at Sinai and entered there the everlasting covenant
between my people and its God.
I suffered and I hungered with them
all the way across the wilderness to the promised land.

I was with Joshua at Gibeon,
and with Deborah by the waters of Megiddo
when the stars in their courses fought against Sisera.

I stood with the blind Samson in his agony
and I heard the wild cry of his desperate courage
as he pulled down the pillars over the Philistines.

I heard Samuel admonish his people to remain free
and not reject God by enslaving themselves to a king.

I listened to the harp of David,
and I saw him bow before the wrath of Nathan
and before the truth of his accusation.

I heard Solomon in the temple
on the day he dedicated it as a house of prayer for all people
and I learned from him
of a God whom heaven and the hosts of heaven cannot contain

Whose compassion extends to all,
Even to a stranger who comes from a far off country.

I was with the prophets
who came to destroy old worlds
and to build new ones.

I heard them lash out against injustice,
I warmed at their compassion for the weak,
From them I learned what a raging fire within one's soul
an unfulfilled mandate from God can be.

I was with my people by the rivers of Babylon
and I heard their oath;
If I forget thee, O Jerusalem.

I entered their makeshift synagogues in Babylon,
and learned there that prayer and study can be as beloved to God
as the sacrifices of the priests in the temple
or the songs of the Levites.

I returned with them from the captivity
and saw how a people can rebuild upon ruins.

I sat with the sages and the scribes
who patiently interpreted the word of God
and slowly formed the oral law.

I moved among the mountains of Judea
with the lionhearted sons of Matathias.

I saw the miracle of the single cruse of oil
that illumined the temple of the Lord.

I was with Hillel
when he summarized the whole Torah
in the commandment to love your neighbor as yourself.

I was with Akiba when he inspired a revolution,
defied an empire, and died a martyr.

I wandered with my people into many lands,
where the cross and the crescent reigned,
I walked with them over all the highways of the world.

I was with them when they drank out of bitter chalices
of pain, humiliation, cruelty and hatred,
I saw them stay sane, in the midst of madness,
I saw them stay civilized, in the midst of brutality,
I saw them lighting candles in the midst of darkness.

Then I saw the night lift and the dawn break,
and into a new world, blessed with liberty and freedom
I marched with them exultingly.

I saw the shackles fall from off their limbs,
I saw the radiance of their emancipated minds and hearts,
I saw them enrich every land that gave them opportunity.

I was with them when they landed at Ellis Island,
and fell in love with the land that stood for liberty.

Then I saw the night descent again.
I saw them suffer as no people has ever suffered BEFORE,
I saw them burned and gassed and tortured.

Then, like a Phoenix, I saw them rise again in the old land
I saw them begin a new life there
based on the ancient teachings of justice and mercy.

I saw them nurture saplings in the wilderness,
and I watched them make the desert bloom.

I was with them in the six day war,
I stood by them when their precious hard-earned state was in danger,
I trembled when they did, and I rejoiced when they rejoiced.
I was at the Wall. I was in the Sinai. I was on the Golan Heights.

Shall I leave them now?
Can I part company with this immortal band whom I love?
They have become too dear and precious to me.

They are bone of my bone
flesh of my flesh
soul of my soul.

They are my people.
Their quest is mine.

They will live within me,
and I will live with them,
forever.

By Rabbi Solomon Freehof

ALM: And this one, which my mother had framed and gave it to my brothers and me when we opened our first law office:

Sons

To press my lips
Upon a fair cheek, or a brow
Of my young sons -
So long have I stooped down.

But suddenly today, to my surprise,
I find that I must lift my eyes
To meet their eyes;
That I must stand on toe tips
And reach up
To kiss their lips.
These tall young sons,
Each straight as any pine,
Can they be mine?

Soon I must share them,
Soon I know that they will go -
But, oh! I am so glad
That I have had
Small sons to stoop to,
Tall sons to reach to,
Clean sons to give
That other sons might live.

(Author unknown)

ALM: And this one, which my dad could have written if he were a better educated man:

To My Son

I have no wealth to leave you, and no fame.
This must be your inheritance; my name.
It has not been my fate, in life's sharp struggles,
To win the honors other men have won.

Mine has not been a life of great achievements;
I have not done the deeds some men have done,
But I have kept unsullied and untarnished
That precious thing - my name.

Entrusted to my care by my beloved parents,
I have not let dishonor dim its luster,
Nor have I let shame leave its black mask there.

I have not let my name be classed with malice,
Nor fear, nor moral cowardice, nor greed;
Nor bigoted intolerance for others,
Nor lack of charity for those in need.

But I have made, instead, my name synonymous
In all men's minds, with things . . . the things worthwhile;
With strength to do the right, though none might see me,
With grit to meet disaster with a smile.

With loyalty to those with claims upon me,
With justice equally toward foe and friend; with charity
With honor, truth, integrity, square dealing.
And, above all else, my son,
"My word . . . My Bond"
My great wealth - my good name.

By A.G.M. Campbell

ALM: And these words about lawyers:

I Am The Lawyer

I am the lawyer.
I displaced brute force with mercy, justice and equity.
I taught mankind to respect the rights of others to their property, to their personal
liberty, to freedom of conscience, to free speech and free assembly.
I am the spokesman of righteous causes.
I plead for the poor, the persecuted, the widow and the orphan.
I maintain honor in the market place.
I am the champion of unpopular causes.

I am the foe of tyranny, oppression and bureaucracy.
I prepared the way for the Ten Commandments.
I pleaded for the freedom of the slave in Greece and for the captive in Rome.
I fought the Stamp Act.
I wrote the Declaration of Independence and the Rights of Man.
I defended the slave. I was an abolitionist. I signed the Emancipation Proclamation.
I punish the wicked, protect the innocent, raise up the lowly, oppose brutality and
injustice in every land and clime.
I fought in every war for liberty.
I stand in the way of public clamor and the tyranny of the majority.
I plead for the rich man when prejudice prevents him from getting justice, and I insist
that the poor man be accorded all his rights and privileges.
I seek the equality of mankind, regardless of color, caste, sex or religion.
I hate fraud, deceit, trickery and bribery.
I am forbidden to serve two masters or to compromise with justice.
I am the conservative of the past, the liberal of the present and the radical of the future.

I believe in convention, but I cut the Gordian Knot of formalism and red tape to do
justice and equity.
I am the leader of mankind in every crisis.
I am the just judge and the righteous ruler.
I hear before I condemn, I seek the best in everything.

ALM: And also, pertaining to lawyers, I like:

A Lawyer's Reward

The highest award that can come to a lawyer is the esteem of his professional brethren. It is won in unique conditions and proceeds from an impartial judgment of his professional colleagues. It cannot be purchased, - or artificially created and is not measured by pecuniary gains. It is an esteem which is born in sharp contests and thrives despite conflicting interests. It is an esteem commanded solely by integrity of character and by brains and skill in the honorable performance of professional duty. No subservient "yes man" can win it. No mere manipulation can secure it. It is essentially a tribute to a rugged independence of thought and intellectual honesty which shines forth amid the clouds of controversy.

ALM: And:

Abe's Advice

It is altogether fitting that the *Sun-Times* should break its story on some highly successful lawyers in Chicago on the anniversary of the birth of a highly successful lawyer from downstate, Abraham Lincoln. His success was won, however, on the strength of these principles - set down in his "Notes for a Law Lecture", and not on the basis of fraud.

"Discourage litigation, persuade your neighbors to compromise whenever you can . . . as a peacemaker the lawyer has a superior opportunity of being a good man. There will still be business enough."

"Never stir up litigation. A worse man can scarcely be found than one who does this . . . a moral tone ought to be infused into the profession which should drive such men out of it . . . "

"There is a vague popular belief that lawyers are necessarily dishonest . . . let no young persons choosing the law for a calling yield to the popular belief - resolve to be honest at all events; and, if in your own judgment you cannot be an honest lawyer, resolve to be honest without being a lawyer."

By Abraham Lincoln

ALM: And this one:

The Meaning of Success

That man is a success
Who has lived well, laughed often and
Loved much;

Who has gained the respect of intelligent
men
And the love of children;

Who has filled his niche
And accomplished his task;

Who leaves the world better than he found it

Whether by
A perfect poem
Or a rescued soul;

Who never lacked appreciation of earth's
beauty
Or failed to express it;

Who looked for the best in others
And gave the best he had.

By Robert Louis Stevenson

ALM: And for weddings, I like to do:

The Wedding "Prayer"

God Bless your lives with sunshine
And a rainbow after the rain,
May your love always bloom and flower,
Even in the event of pain.

Each day do something special,
No matter how small it may seem,
To brighten the eyes of your loved one,
And to cause you both to beam.

God grant you the grace to listen
With an open mind and open heart,
To really try to understand,
Until for you, it becomes an art.

My you have the wisdom to doubt,
That you are always right,
And the generosity of spirit,
To convey that your partner is bright.

Trust in each other's loyalty,
Dwell on the good you have done,
Remember you chose each other freely,

It's no meager success that you've won.

Your marriage is your greatest treasure,
Treat it with the utmost care.
You will be rich without measure,
And find peace beyond compare.

By M. Brebrick

ALM: I also have some favorite quotes, such as: "There is but one rule of conduct for a man - to do the right thing. The cost may be dear in money, in friends, in influence, in labor, in a prolonged and painful sacrifice; but the cost not to do right is far more dear. You pay in the integrity of your manhood, in honor, in truth, in character. You forfeit your soul's content, and for a timely gain you barter the infinities," by Archer G. Jones. And: "One man with courage makes a majority," by Andrew Jackson. And:

What Is A Gentleman?

"A man that's clean inside and out; who neither looks up to the rich nor down on the poor; who can lose without squealing and who can win without bragging; who is considerate of women, children and old people; who is too brave to lie, too generous to cheat and who takes his share of the world and lets other people have theirs."

ALM: and another couple of favorite poems:

Let Me Go Quickly

Let me live out my years in heat of blood!
Let me die drunken with the dreamer's wine!

Let me not see this soul-house built of mud
go toppling to the dust, a vacant shrine!
Let me go quickly like a candle light
Snuffed out just at the heyday of its glow!
Give me high noon--let it then be night!
Thus would I go.
And grant me, when I fact the grisly "thing",
one haughty cry to pierce the gray "perhaps"!'
O let me be a tune-swept fiddlestring
that feels the "master melody " - and snaps!

ALM: And, finally:

Compensation

I'd like to think when life is done
that I had filled a needed post,
that here and there I'd paid my fare
with more than idle talk and boast;
that I had taken gifts divine
the breath of life and manhood fine,
and tried to use them now and then
in service for my fellow men.
I'd hate to think when life is through
that I had lived my round of years
a useless kind, that leaves behind
no record in this vale of tears
that I had wasted all my days
by treading only selfish ways
and that this world would be the same
if it had never known my name.

By Edgar Guest