

A MEMORIAL TO THE LATE JUDGE  
PATRICK T. STONE

Mr. Chairman: As Chairman of a committee appointed by the president of the Bar Association of the Seventh Federal Circuit for that purpose, I wish to present a brief memorial.

On January 13, 1963, there departed this life the Honorable Patrick T. Stone, District Judge of the United States for the Western District of Wisconsin. At the time of his death he was the senior active federal judge in the Seventh Circuit who had not retired to Senior Judge status.

Born in Ontario, Canada on June 21, 1889, Judge Stone came to Northern Wisconsin in his childhood. He won his way from early boyhood, mainly through his own efforts. He graduated from the Law School of Marquette University in 1912 and embarked in the practice of law at Wausau, Wisconsin. After serving in the United States Navy during World War I, he returned to practice at Wausau. It was a busy general practice, and included 8 years of public service as City Attorney, and much activity in civic affairs. On June 17, 1933, only 21 years after his admission to the Bar, he became District Judge of the United States for the Western District of Wisconsin, in which position he served for 29 years and 7 months.

The challenge to the young lawyer thus called to the Federal bench, was met with distinction. He soon demonstrated that he measured up to the large demands of the position. Not only did he handle the business of his own district with ability and dispatch, but he was frequently called to other districts in various parts of the United States, to hear important cases.

During his long service on the bench, Judge Stone tried many important, protracted and difficult cases. Perhaps the most formidable and best-known of these was the anti-trust prosecution of 84 corporate and individual members of the oil industry, including over 20 major oil companies, which was tried before a jury for 122 days in 1937-1938, and in which Judge Stone's judgment was affirmed in United States v. Socony-Vacuum Oil Company, 312 U. S. 150. He also handled a substantial amount of patent litigation, including several cases of exceptional length and complexity.

While Judge Stone dealt successfully with many great and complicated matters, he always kept the human touch. He had wisdom, human understanding, common sense, the practical touch. He tempered justice with mercy. He understood the human frailties, and had consideration for the weak and the unfortunate; but he was quick to see through sham, fakery and pretense, and dealt with them firmly. He had the courage to do his duty regardless of clamor or sentiment.

Courteous and considerate, he was yet always the firm master of his court. He was decisive, but was diligent and painstaking. He was a good administrator. The judicial business of the Western District of Wisconsin was handled with efficiency and dispatch. His decisions had an excellent record in the Court of Appeals; according to the Clerk of his court he was affirmed in 138 out of 177 appeals.

Judge Stone had a quick smile, a sense of humor, and genuine love for his fellow men. He was a man with many friends, and he valued his friends and their friendship.

It is impossible to do justice to the career of Patrick T. Stone in the short time available on an occasion such as this. Assuredly, however, nothing that could be said in a memorial would add to the judicial stature of our departed friend and judge. His measure is found not in words, but in the record he made in the difficult, demanding and important office which he held for nearly 30 years. The record is there; it is known to the bench and to the Bar. To sum up in the words spoken by Judge Duffy, then Chief Judge of the Court of Appeals, at the presentation of a portrait of Judge Stone in 1958 --- over the years his was a record of judicial service of which all of us, laymen and lawyers alike, can be extremely proud.

President McSwain called on Mr. Telford B. Orbison of the Indiana Bar to present a Memorial Resolution on behalf of Mr. Ralph F. Lesemann, late Past President of the Bar Association of the Seventh Federal Circuit.

Mr. Orbison read the Memorial Resolution on behalf of Mr. Lesemann and moved that the Resolution be spread upon the records of the Conference and of the Bar Association of the Seventh Federal Circuit. Motion seconded and unanimously carried.

IN RESPECT TO THE MEMORY OF  
RALPH FREDERICK LESEMANN

The fifth President of our Association, Ralph Frederick Lesemann, died at his home in Belleville, Illinois, on October 19, 1962, leaving behind him a distinguished career not only as a lawyer but also as a leader in community and fraternal affairs. His death came as a shock to many of us despite the fact that he had been in ill health for several years, having suffered heart attacks in 1957, 1958 and 1959.

Ralph was born at Nashville, Illinois, on December 9, 1899, a son of Phillip B. and Anna M. Leseman. In 1917 he graduated from the Nashville High School where he served in later years as instructor and principal. In 1922 he received a Bachelor of Arts degree from the University of Illinois, graduating with high honors, and in 1924 was awarded a degree of Doctor of Jurisprudence by the Law School of that University. He was admitted to the Bar of the Supreme Court of Illinois and all other Illinois State Courts in 1924 and to the Bar of the Supreme Court of the United States in 1928. Of course he was also admitted to practice in the United States Court of Appeals for the Seventh Circuit and other lower United States Courts.

In 1937 he was married to Ruth Haney of Centralia, Illinois, and from then to the time of his death they were a devoted couple and an exemplification of what married life should and ought to be. Also surviving is a sister, Mrs. Russell Hileman, of Nashville, Illinois, of whom both Ralph and his wife were most fond.

From 1924 to 1927 Ralph was employed as an attorney by the then firm of Kramer, Kramer & Campbell, East St. Louis, Illinois. From 1926 to 1931 he served as first Assistant United States Attorney for the Eastern District of Illinois and in 1931 became a member of the firm of Baker & Lesemann of East St. Louis and Nashville, Illinois. This continued until 1937 when the firm became Baker, Lesemann, Kagy & Wagner, and this continued until 1951 when he became legal counsel and Professor of Law at the University of Illinois at Urbana. He resigned on September 1, 1962, because of ill health resulting from his heart condition.



MINUTES OF THE ANNUAL JUDICIAL CONFERENCE OF THE SEVENTH  
CIRCUIT HELD AT CHICAGO, ILLINOIS ON MAY 14 AND 15, 1963

The Annual Judicial Conference of the Seventh Circuit convened, pursuant to Section 333 of Title 28 of the United States Code and Rule 30 of the Rules of the United States Court of Appeals for the Seventh Circuit, at 10:00 A.M. Tuesday, May 14, 1963 in the Four Georges Room of the Ambassador West, Chicago, Illinois.

Present were:

Hon. Tom C. Clark, Associate Justice of the Supreme Court of the United States, and Circuit Justice for the Seventh Circuit  
Hon. John S. Hastings, Chief Judge  
Hon. F. Ryan Duffy, Circuit Judge  
Hon. Elmer J. Schnackenberg, Circuit Judge  
Hon. Win G. Knoch, Circuit Judge  
Hon. Latham Castle, Circuit Judge  
Hon. Roger J. Kiley, Circuit Judge  
Hon. Luther M. Swygert, Circuit Judge  
Hon. John C. Pickett, Circuit Judge, United States Court of Appeals for the Tenth Circuit  
Hon. Michael L. Igoe, District Judge  
Hon. Robert E. Tehan, District Judge  
Hon. Casper Platt, District Judge  
Hon. William E. Steckler, District Judge  
Hon. J. Sam Perry, District Judge  
Hon. Julius J. Hoffman, District Judge  
Hon. Cale J. Holder, District Judge  
Hon. Kenneth P. Grubb, District Judge  
Hon. Frederick O. Mercer, District Judge  
Hon. William G. Juergens, District Judge  
Hon. Robert A. Grant, District Judge  
Hon. Omer Poos, District Judge  
Hon. Edwin A. Robson, District Judge  
Hon. Richard B. Austin, District Judge  
Hon. James B. Parsons, District Judge  
Hon. S. Hugh Dillin, District Judge  
Hon. Hubert L. Will, District Judge  
Hon. George N. Beamer, District Judge  
Hon. Jesse E. Eschbach, District Judge  
Hon. Bernard M. Decker, District Judge  
Hon. Fred L. Wham, Senior District Judge  
Hon. Walter J. LaBuy, Senior District Judge  
Hon. John W. Holland, Senior District Judge, Fifth Circuit, Miami, Florida  
Mr. Warren Olney, III, Director, Administrative Office of the United States Courts  
Mr. Will Shafroth, Deputy Director, Administrative Office of the United States Courts  
Mr. Kenneth J. Carrick, Secretary of the Judicial Conference  
Officers and Members of the Bar Association of the Seventh Federal Circuit.

United States Courts. He stated that he had written personal letters to the widows of each of the deceased Judges of the Circuit inviting them to attend the Judges' dinner, and had received warm and appreciative replies.

Judge Duffy read a Memorial Resolution on behalf of Hon. Patrick T. Stone, late Judge of the United States District Court for the Western District of Wisconsin, which was unanimously adopted and ordered spread on the records of the Conference.

A committee comprised of Chief Judge Tehan, Judge Grubb and the speaker, was appointed by Chief Judge Hastings to present at this conference a Memorial to Honorable Patrick T. Stone, late judge of the District Court for the Western District of Wisconsin. The Committee asks leave to present the Memorial at this time.

#### HONORABLE PATRICK T. STONE

Patrick Thomas Stone was born at Pembroke, Ontario, Canada on June 21, 1889. When he was two years of age, his parents moved to Tomahawk, Wisconsin. Patrick Stone attended the public schools in Tomahawk and even in those early days, gave many indications that he would be a success in any business or job which he might undertake. He graduated with the Tomahawk High School Class of 1906. At the graduation exercises he was listed on the program as the "Oration Speaker." His subject was "Responsibilities of the Young Man."

Pat Stone attended Marquette University of Milwaukee and was graduated from the Marquette Law School in June 1912. However, he couldn't wait, in his ambition to become a practicing lawyer. In midyear of his senior year at the law school, he wrote the Wisconsin State Bar examination. He passed, so that at the time he received his LLB degree, he already was licensed to practice law in Wisconsin.

He was successful in his law practice which he set up at Wausau, Wisconsin. In 1921, he was appointed city attorney of Wausau, a position which he held for some eight years. The starting salary was \$1,000 a year. Of course, he was permitted to carry on his own law practice. In characteristic Pat Stone fashion, he wrote to his father about "The Wisdom and the Farsightedness of the Wausau City Council" for making this appointment.

I met Pat Stone by reason of his early activities in the American Legion. He had served with the Navy in World War I. The year the Legion was organized in Wisconsin, he was selected as its State Historian. He was later the Judge Advocate of the Department of Wisconsin. Our paths crossed on numerous occasions in Legion work.

In 1918, Pat Stone married Miss Blanche Dessert. To this happy marriage, three children were born who grew to manhood and womanhood, - Mary Lou Yeshek, Lewis Owen and Patrick Henry. Judge Stone was devoted to his family and in late years really lavished his affections on his ten fine grandchildren who always referred to him affectionately as "Judgie." Mrs. Stone predeceased the Judge.

Undoubtedly, many here present today have heard Pat Stone make this statement: "The best thing that Senator Duffy did during those years he was in the United States Senate was to have me appointed federal judge." And, I say to you



frankly, I do not disagree at all with that statement. I think it was a splendid recommendation.

A vacancy in the office of the District Judge for the Western District of Wisconsin had existed for some time due to the death of Judge Luce. Many cases had accumulated on the calendar and were ready for trial. Shortly after the new administration took office on March 4, 1933, I did make a special trip to the White House and urged the President to make an early appointment of Pat Stone as District Judge for the Western District of Wisconsin. Considering the tremendous number and variety of matters awaiting the new President's attention at that time, the nomination came through with reasonable promptness.

While still a young judge and necessarily with limited judicial experience, Judge Stone was called to Detroit, Michigan, to preside at the so-called Bankers' Trial. Due to the depression and the closing of the banks throughout the country, bankers were indeed in low repute. There had been many infractions of the banking laws, and a considerable portion of the people seemed to think that all bankers should be criminally prosecuted.

Among the defendants in Detroit were bankers who had theretofore had excellent reputations and were among the most prominent citizens of Michigan. Judge Stone handled the trials in a very competent manner. My recollection is that most of the charges against the bankers were dismissed.

The big oil antitrust case held at Madison, Wisconsin, was tried by Judge Stone when he had completed about four years of service on the federal bench. In that case there were eighty-four defendants. The trial extended over three and a half months. Many new and novel propositions of law were urged. The manner in which Judge Stone conducted this very difficult trial brought to him praise from all parts of the country.

And then, there was the case where two assistant United States Attorneys in Chicago had been indicted on conspiracy charges. There wasn't a federal judge in Chicago or even in Illinois who had the slightest desire to preside at that case. It was a difficult situation. But again, it was Judge Stone who was called upon. He conducted the trial in an extremely able manner and all of his friends were proud of the fine record which he made.

Sometime later there was pending in New York the largest counterfeiting case which had ever been tried in the country. There were so many ramifications that it was felt an outside judge should be called in. Again, Judge Stone was called upon, and again he acquitted himself in an admirable manner.

Limitation of time will prevent more than a mere mention of other important trials over which Judge Stone presided. One was the Kraft patent case pertaining to rindless swiss cheese - this was regarded as a very important decision to all dairy farmers. Then, there was the so-called windfall case where Judge Stone's decision put a stop to a practice which was unfair and very costly to the Government. And there were many, many others.

The reason that Judge Stone was selected as the Judge in these tremendously important cases was because of his great courage, because of his high integrity and because everyone knew that he had the fine qualifications for handling difficult legal situations. Judge Stone had an outstanding record as an able, efficient federal judge. The Seventh Circuit can be ever proud that Patrick T. Stone served thirty years as a United States District Judge in our Circuit.



Judge Stone was a very human person. He always tempered justice with compassion. He didn't try to hide his sympathy for a man or a woman whom he believed had not had a fair shake in this game of life. Yet, when the time came for decision or sentence, nearly everyone would be convinced that by such decision or sentence, justice had been done.

Judge Stone often used a pungent manner of expression. He didn't beat around the bush. In one income tax fraud case which had been often delayed with preliminary motions and otherwise, Judge Stone was called in. His first announcement from the bench was, "I am going to take this show off the road."

Judge Stone liked to spend as much time as possible at Kemah, his summer home on the north shore of Lake Tomahawk, Wisconsin. He liked to fish. He went swimming nearly every day that he was there, and that was true during the summer of 1962. He greatly enjoyed sailing his boat. He liked to take visitors in his motor boat to show them the sights around Lake Tomahawk and also several other nearby lakes which were accessible to motor boat travel from Lake Tomahawk.

Judge Stone's love for the outdoors can be illustrated by a short quotation from the Judge's response to those who had spoken on June 12, 1962, at the Anniversary Dinner at Wausau honoring the fifty years that Judge Stone had been a practicing lawyer and a judge on the bench. Judge Stone there said: "Fate has been very kind to me, at every turn of the road. First when our family moved from Ontario, Canada, to Tomahawk when I was just a child. In those boyhood days the world to me was made up of the Wisconsin River, the Somo River, and the Tomahawk River, the beautiful lakes in that vicinity and the virgin timber that surrounded the community. At that time I saw nature at its best; the old swimming hole, the trout streams, and the virgin forest, as I said, were my happy hunting grounds."

Judge Stone loved to play a practical joke on his friends. The more important they were, the better the Judge liked it. One such instance comes to mind as to which Judge Michael Igoe can bear eloquent witness.

Judge Igoe had a son in a boys' camp on Lake Tomahawk across the lake from Judge Stone's cottage. The Judge offered to take Judge Igoe and a friend over to the boys' camp in his open motor boat. I went along for the ride. As we were about to start the return trip, I noticed that the wind had freshened and whitecaps were rolling on the lake. I quickly seated myself in the front seat snugly behind the windshield. There was no place for Judge Igoe and his friend except the rear seat. I noticed on the return trip that Judge Stone would permit the prow of his boat to shift a bit from time to time and whenever he did so, a curtain of spray would arise and go through the air toward the rear seat of the boat. I didn't dare look back until we had nearly reached the other shore. When I did, I saw two gentlemen soaking wet. They didn't have a dry stitch on them. Of course, Judge Stone was profuse in his apologies and condemned himself for being such a poor pilot.

During the period of about two years before his death, Judge Stone had two serious operations at Rochester, Minnesota. During those two years he was, in fact, in a precarious condition of health, although he carried on his work in an able and courageous manner. He knew that his condition was serious and yet, to use his words, he always carried on with the healthy optimism of his boyhood.

However, in December 1962 and early 1963, he became weaker day by day, and on January 13, 1963, he resigned to the inevitable and gave up his earthly spirit. He stated he had no fear in undertaking his journey to the Great Beyond.

To know Pat Stone was to love him. All who had contact with him were enriched by that experience. He possessed those splendid qualities of heart and mind which will cause his memory to live long among his devoted friends. We mourn his loss but he has earned his rest.

Respectfully submitted,

ROBERT E. TEHAN

KENNETH P. GRUBB

F. RYAN DUFFY, Chairman

Judge Robson read a Memorial Resolution on behalf of Hon. Julius H. Miner, late Judge of the United States District Court for the Northern District of Illinois, which was unanimously adopted and ordered spread on the records of the Conference.

WHEREAS, the untimely and unexpected death of United States District Judge Julius H. Miner occurred on March 13, 1963, we, the Judges of the Seventh Circuit Judicial Conference, wish now to record his passing and pause to note the great breadth of his accomplishments.

Judge Miner was born May 25, 1896; educated in the public schools of Chicago; received his law degree from the Chicago Kent College of Law, and subsequently a Master's degree from the Northwestern University School of Law. He was always a student of the law and at the time of his death was preparing a thesis for a doctorate degree in law. He taught law at Northwestern University, the John Marshall Law School and the University of Chicago, Downtown Center.

His judicial career was one of steady advancement, first serving as a Master in Chancery in the Circuit Court of Cook County, Illinois, to which position he was appointed in 1924. Later, in 1940, he was elected to the Circuit Court of Cook County, of which court he served as Chief Justice. He was also named Chief Justice of the Criminal Court of Cook County. On March 7, 1958, he was appointed by President Eisenhower to the United States District Court for the Northern District of Illinois, in which capacity he was serving at the time of his death.

He made many contributions to the profession. He wrote on diverse legal topics, including textbooks on mechanics' liens, bank liquidation and stockholders' liability, and numerous articles on legal subjects.

He was an innovator of reforms both in substantive law and in procedure, including such measures as the 60-day "Cooling Off" law in divorce proceedings, and the separation of issues for trial.

Judge Miner was deeply interested and active in many charitable endeavors and patriotic organizations. He abounded in good fellowship, keen humor and sociability. Northwestern University bestowed upon him its Merit Award for 1959. The Decalogue Society of Lawyers presented him with its 1960 Merit Award. He



MINUTES OF THE ANNUAL JUDICIAL CONFERENCE OF THE SEVENTH  
CIRCUIT HELD AT CHICAGO, ILLINOIS ON MAY 14 AND 15, 1963

The Annual Judicial Conference of the Seventh Circuit convened, pursuant to Section 333 of Title 28 of the United States Code and Rule 30 of the Rules of the United States Court of Appeals for the Seventh Circuit, at 10:00 A.M. Tuesday, May 14, 1963 in the Four Georges Room of the Ambassador West, Chicago, Illinois.

Present were:

Hon. Tom C. Clark, Associate Justice of the Supreme Court of the United States, and Circuit Justice for the Seventh Circuit  
Hon. John S. Hastings, Chief Judge  
Hon. F. Ryan Duffy, Circuit Judge  
Hon. Elmer J. Schnackenberg, Circuit Judge  
Hon. Win G. Knoch, Circuit Judge  
Hon. Latham Castle, Circuit Judge  
Hon. Roger J. Kiley, Circuit Judge  
Hon. Luther M. Swygert, Circuit Judge  
Hon. John C. Pickett, Circuit Judge, United States Court of Appeals for the Tenth Circuit  
Hon. Michael L. Igoe, District Judge  
Hon. Robert E. Tehan, District Judge  
Hon. Casper Platt, District Judge  
Hon. William E. Steckler, District Judge  
Hon. J. Sam Perry, District Judge  
Hon. Julius J. Hoffman, District Judge  
Hon. Cale J. Holder, District Judge  
Hon. Kenneth P. Grubb, District Judge  
Hon. Frederick O. Mercer, District Judge  
Hon. William G. Juergens, District Judge  
Hon. Robert A. Grant, District Judge  
Hon. Omer Poos, District Judge  
Hon. Edwin A. Robson, District Judge  
Hon. Richard B. Austin, District Judge  
Hon. James B. Parsons, District Judge  
Hon. S. Hugh Dillin, District Judge  
Hon. Hubert L. Will, District Judge  
Hon. George N. Beamer, District Judge  
Hon. Jesse E. Eschbach, District Judge  
Hon. Bernard M. Decker, District Judge  
Hon. Fred L. Wham, Senior District Judge  
Hon. Walter J. LaBuy, Senior District Judge  
Hon. John W. Holland, Senior District Judge, Fifth Circuit, Miami, Florida  
Mr. Warren Olney, III, Director, Administrative Office of the United States Courts  
Mr. Will Shafroth, Deputy Director, Administrative Office of the United States Courts  
Mr. Kenneth J. Carrick, Secretary of the Judicial Conference  
Officers and Members of the Bar Association of the Seventh Federal Circuit.