

1 IN THE COURT OF COMMON PLEAS OF THE 39TH JUDICIAL DISTRICT
2 FRANKLIN COUNTY BRANCH
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10 TRANSCRIPT OF PROCEEDINGS
11 OF THE 100TH ANNIVERSARY OF THE
12 FRANKLIN COUNTY BAR ASSOCIATION CEREMONY
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16 BEFORE: HONORABLE JOHN R. WALKER, P.J.
17 HONORABLE WILLIAM H. KAYE, J.
18 HONORABLE DOUGLAS W. HERMAN, J.
19 HONORABLE RICHARD J. WALSH, J.

20 DATE: May 21, 1999; 3:00 p.m.

21 PLACE: Courtroom No. 1
22 Franklin County Courthouse
23 Chambersburg, PA 17201
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1 (Thereupon, the following proceedings were held in
2 open court:)

3 MRS. VAN HORN: May it please the Court. Welcome
4 honored guests to our centennial celebration. It was on May
5 23rd, 1888 that 43 visionary attorneys met in this courtroom
6 to form the Franklin County Bar Association and here we are
7 nearly 100 years later to celebrate that event.

8 We're here both to celebrate our past and also to
9 look forward to our vibrant future. We're pleased to have
10 so many people here present, not only attorneys but members
11 of our community and distinguished guests with us that you
12 will be hearing from later.

13 At this point in time we would invite Senator Punt
14 to come forward to make brief remarks.

15 SENATOR PUNT: Members of the court, Carol and
16 members of the bar, ladies and gentlemen. It is indeed a
17 pleasure and honor to be here with you to celebrate your
18 centennial anniversary and to pay respect, as I am very
19 proud of you that are members of a most honorable
20 profession, our legal community.

21 When the bar was formed a hundred years ago it
22 brought about positive change and intercourse with our
23 communities, with our people, our individuals, and you have
24 been part of a rich and proud history over those years.
25 Just as your history is one to be proud of, the future is

1 even more promising to be a more vibrant future in years to
2 come.

3 And today in your celebration of your centennial
4 you also pay tribute to one of your own, a former member who
5 was killed during World War II, Downey Benedict from
6 Waynesboro.

7 I look around and I see members of the bar that
8 are not just attorneys by profession but are leaders within
9 our communities all taking an active part, whether it be
10 with the hospital board, with United Way, whether it be with
11 Ruritan or Lions Club or other organizations, you are
12 involved in our communities.

13 You help to build those communities and the
14 foundation within those communities. So I salute you and I
15 congratulate you, and I would like to present to you this
16 citation from the Senate, Madam President Carol. I'd love
17 to read it but when I jumped out of the car I forgot my
18 glasses, but it says some real nice things and it's very
19 pretty.

20 Carol, congratulations. Thank you very much.

21 MRS. VAN HORN: I'm sure we'll read it later.
22 Thank you, Senator Punt.

23 At this time I would invite representatives, Jeff
24 Coy and Pat Fleagle to come forward.

25 REPRESENTATIVE COY: Members of the Court and

1 other honored guests, both of us have our glasses, so I
2 suspect we could read. The good news is this is not an
3 election year for members of the legislature so the speeches
4 will be short, but I am glad to be here to help in this
5 celebration.

6 I know over the years, as Terry said, many people
7 have served and have served well as members of the bar in
8 the Franklin County Court and many people have served well
9 as judges, and certainly the four who are here today are
10 sterling examples of that good service.

11 But I think all of us have many fond memories of
12 people who have served in the past and while we're here
13 today I recollect that my first job, my first place of
14 employment, was the Franklin County Courthouse years ago as
15 a deputy sheriff.

16 Some of you remember that, and I see Judge Keller
17 in the audience and it's good to see him again, but many
18 fond memories I have of service here, of service with some
19 of you, and I am very happy to be back today just to add my
20 voice of congratulations to those who are here to say that
21 we are, as Senator Punt said, proud of you.

22 We're proud of the tradition that has occurred in
23 Franklin County, and we look forward to many many more years
24 of good service by both the Court and the bench and with the
25 bar of the Franklin County Bar Association.

1 So, Carol, Representative Fleagle, I'm sure, will
2 make some brief remarks also and we'd be glad to present
3 this citation to you.

4 REPRESENTATIVE FLEAGLE: Thank you all so much for
5 allowing us to be a part of this joyous occasion. Franklin
6 County does have a rich tradition, both through the bar and
7 through other areas, and I'd just like to echo the words of
8 my colleagues.

9 I look around and I see people who have been a
10 part of my life and had an impact on my life. Many of you
11 sitting here today serve on boards with me, and there's just
12 three things I'd like to thank all of you for, and even
13 several of these judges are colleagues of mine on several
14 boards, but I'd like to thank you for what you do for the
15 community, and I'd also like to thank you for the pro bono
16 work that many of you do that I send to you.

17 I haven't gotten a bill for it yet, so I hope it's
18 pro bono, but thank you for helping those unfortunate
19 citizens that just don't have the money to access the court
20 system.

21 And finally, I'd like to thank all of you not
22 being -- I guess none of the legislators here are
23 attorneys -- but I know I depend on many of you for
24 reviewing legislation that I quite frankly don't know all of
25 the aspects of or how it will affect Franklin County. So

1 thank you so much.

2 I just thank all of -- I don't want to say the
3 older members -- I know Jeff mentioned Judge Keller -- who
4 for -- there's not a whole lot of young people in here, but
5 just part of the trivia quiz I always like to tell people is
6 that Judge Keller was a member of our Pennsylvania
7 Constitutional convention, and I know I always call upon
8 him, not much lately, but Judge Keller what did they mean by
9 this and I always get the answer from him.

10 So thank you so much for what you do for me, a
11 legislator, for my constituents and for the people of
12 Franklin County and this Commonwealth. Thank you.

13 MRS. VAN HORN: We want to thank Senator Punt,
14 Representative Coy and Representative Fleagle for taking the
15 time to be here and share in our celebration today.

16 The next guest I want to introduce is Kit Conner.
17 Louis N. Teti is president of the Pennsylvania Bar
18 Association but was unable to be present today and Kit is
19 our zone governor for this region. Kit is also a classmate
20 from law school of both myself and Judge Walsh.

21 Kit?

22 CHRISTOPHER CONNER: Thank you, Madam President,
23 members of the Court, distinguished guests, and it is true,
24 I am a classmate of Carol and Judge Walsh, and we all
25 graduated from college when we were 15, about 20 years ago.

1 It is an honor and privilege for me to extend,
2 like the distinguished senators and representatives, my
3 congratulations on 100 years of the Franklin County Bar
4 Association. The Franklin County Bar Association has been
5 in partnership with the State Bar Association and has been
6 very supportive of the work of the State Bar Association.

7 Franklin County is what is known as a unit county
8 or a 100 percent county, and that means that every member of
9 the Franklin County Bar Association is also a member of the
10 Pennsylvania Bar Association, a fact which we find very
11 important, very significant and which the Pennsylvania Bar
12 Association is very appreciative of.

13 I would also like to recognize two members of the
14 Franklin County Bar Association who I have had the pleasure
15 of serving with in the Pennsylvania Bar Association House of
16 Delegates and they are Kim Gray and Lynn MacBride, who had
17 worked with me and been supportive of the efforts of Zone
18 III and the work that we have tried to do in making policy
19 on behalf of the State Bar Association.

20 With that, I do come bearing gifts on behalf of
21 President Teti and, Carol, if you could just step forward
22 I'd like to read this flag which says:

23 "Presented to the Franklin County Bar Association
24 in recognition of 100 years of outstanding service,
25 dedication and support to the Franklin County legal

1 community. We extend to you our congratulations and best
2 wishes for your many accomplishments by the Pennsylvania Bar
3 Association, Friday, May 21st, 1999."

4 MRS. VAN HORN: Thank you very much. Thank you,
5 Kit.

6 At this time it's the opportunity to hear from the
7 bench. I will turn things over to President Judge John
8 Walker.

9 PRESIDENT JUDGE WALKER: Thank you, Carol.
10 Before I get into my speech I publicly want to thank Senator
11 Punt, Representative Coy, Representative Fleagle,
12 Commissioners Elliott, Thomas and Plumber for supporting the
13 fourth judge position about a year and a half ago. Your
14 support is really appreciated. Judge Walsh is doing a fine
15 job for us.

16 On the 100th anniversary of the Franklin County
17 Bar Association I pause to look back and speculate what
18 prompted lawyers in Franklin County to organize a bar
19 association. What is especially curious is that there were
20 several lawyers practicing in the county as early as 1784
21 but it took them until 1899 to form a bar association.

22 Perhaps they were all very independent
23 practitioners back then. Perhaps the founding fathers of
24 the bar desired the friendship and collegiality of an
25 organization to discuss common problems and improve the

1 legal system.

2 Or was it a more notable reason such as advancing
3 legal scholarship or representing the poor and downtrodden?

4 The Constitution of our bar association as drafted
5 in May 1899 states that the promotion of the administration
6 of justice upholding the honor and dignity of the Bar
7 cultivating cordial relationships among its members and
8 perpetuating the memory of the deceased members were its
9 prime objectives.

10 Today as we think about our modern day association
11 we should reaffirm those ideals and add another important
12 goal, that of performing public service.

13 Our association has done a fine job of public
14 service. Its Law Day events, the Stepping Out Program in
15 our county high schools, the Law and You public lectures,
16 just to name a few of the excellent programs designed to
17 educate young and old about our legal system. The Lunch
18 and Learn Program and the bi-annual bench-bar meeting allow
19 the lawyers to keep abreast of the new developments in the
20 legal field and to involve the Court in meaningful dialogue
21 with lawyers as to how we can improve what we do.

22 The bar association members also participate in
23 substantial pro bono work helping Legal Services with
24 protection from abuse on Wednesday afternoons, criminal
25 appointments, arbitration panels, juvenile appointments and

1 in ways that assist the helpless, the indigent, the mentally
2 ill and others to preserve and protect their legal rights.

3 Through the years the Court has enjoyed a very
4 close relationship with members of the Bar. Much of this
5 fellowship, mutual respect and trust emanates from
6 involvement of the Court and all the lawyers on our bar
7 association.

8 I hope this is ever so...and I hope it never
9 happens in Franklin County as it happens in other counties
10 where some attorneys dismiss the bar association as
11 irrelevant, unworthy of their participation and just another
12 tiresome commitment.

13 As long as I am president judge I will encourage
14 our attorneys to all be members of our association. I
15 strongly believe that attorneys ought to serve the public
16 and the legal system in ways that our association upholds so
17 well.

18 Additionally, the importance of the bar social
19 functions in promoting friendships and collegiality among
20 all attorneys is critical to our continued civil behavior
21 and professional courtesy to each other.

22 Even though our bar association has accomplished
23 such, there are new challenges awaiting us in the 21st
24 century. The bar association must continue its tradition
25 of strong leadership reaching out to include all members in

1 its activities, never losing sight of the spirit of public
2 service.

3 May the accomplishments of our first 100 years set
4 the standard for the years ahead and this occasion will
5 hopefully serve to renew our individual commitment as
6 attorneys to the ideals and work of the Franklin County Bar
7 Association.

8 MRS. VAN HORN: Thank you, Judge Walker, for
9 those remarks.

10 At this time I would ask the Chair of our Board of
11 Commissioners Warren Elliott, to make remarks on behalf of
12 himself and on behalf of Commissioners Thomas and Plumber.

13 MR. ELLIOTT: Thank you, members of the court,
14 members of the bar, distinguished guests, good afternoon.
15 I am happy to be up here today in this momentous occasion on
16 behalf of Commissioners Thomas and Plumber, and I was told
17 by your president, Carol Van Horn, that this was a somber
18 event and that no attorney jokes were allowed.

19 However, Judge Walker overruled that decision and
20 he said that if I would tell a joke that included a judge, a
21 judge involved with fishing, and if the joke made the Judge
22 look good, then I could tell the joke. Well, I have one.

23 A lawyer and a judge went out on a three day deep
24 sea fishing trip. The lawyer had never been to sea before,
25 and he started to get just green at the gills, and he was

1 standing over the rail contemplating what he was about to do
2 when the judge came up to him and asked if there was
3 anything that he could do to help. The lawyer responded,
4 yes, judge, overrule the motion. Given the parameters you
5 gave me to work with that's the best I could do.

6 We as a Board of Commissioners have had an
7 excellent relationship with your bar association and with
8 the leadership. In particular in working with president Van
9 Horn, past president Kaminski and others collaborating to do
10 things like creating the position of Master in Divorce,
11 making improvements to our law library, computerizing some
12 of our offices that the members of the bar believe will make
13 not only information more accessible to you but more
14 accessible to the public and also establishing the position
15 of a fourth judge.

16 So, therefore, today we offer our congratulations
17 on a significant milestone for you and your organization and
18 we believe it's only appropriate. I hope some of you, this
19 is maybe the first time you have been in here in awhile to
20 do so in a room that is now restored to what it would look
21 like some 100 years ago today when maybe they first met
22 here, so on behalf of my fellow commissioners, good luck,
23 congratulations, thank you for including us here today and
24 thank you for all that you do on behalf of the citizens of
25 Franklin County.

1 MRS. VAN HORN: We have been the recipient of
2 many gifts and kind words today, and now it is our turn to
3 give back. In looking at this 100th anniversary the bar
4 association wanted to give a gift to the citizens of the
5 county and after speaking with the commissioners and their
6 staff, we decided it would be appropriate to mark this fine
7 third floor of the courthouse clearly as the judicial branch
8 of the courthouse.

9 So in very short order we'll have brass lettering
10 installed in the third floor outside of the elevator marking
11 this as the 39th Judicial District, Franklin County Branch
12 so it is clear to everybody getting off the elevators and
13 citizens of the county that this is the floor we're proud to
14 work on.

15 COMMISSIONER ELLIOTT: Thank you very much.

16 MRS. VAN HORN: The next part of our ceremony
17 comes about as a lot of hard work and research in our past.
18 At this time I would call Phil Cosentino to come forward to
19 chair our centennial celebration. Through his efforts we
20 learned of Mr. Benedict who gave his life in World War II
21 and in this part of the ceremony we want to honor Mr.
22 Benedict.

23 Phil?

24 MR. COSENTINO: Thank you, Carol. Your Honor,
25 honored guests. In preparing for the centennial

1 celebration the first thing that we did was to go to the
2 original minutes book -- that's what this -- is starting
3 with the opening minutes from 1899.

4 In going through it, it's paging through history
5 and the names that you had heard years ago, William Tell
6 Omwake, Oliver Cromwell Bowers came to life in the minutes.
7 The most heart-wrenching minutes that we came upon was the
8 memorial resolution that was passed in this very room in
9 September of 1944 recognizing the ultimate sacrifice of John
10 Downey Benedict.

11 Mr. Benedict was an attorney in Waynesboro. He
12 was the partner of N.F. Keller, Judge Keller's father,
13 grandfather of John and Dave Keller. Mr. Benedict had
14 volunteered for service and served in the European Theater.
15 We learned that he had received the Purple Heart from wounds
16 received earlier in 1944, and had been awarded the Bronze
17 Star for action in the summer of 1944.

18 Then in August of 1944 was killed in action in
19 Southern France and received posthumously his second Bronze
20 Star.

21 I contacted Judge Keller, and Judge Keller was
22 able to locate Downey Benedict's son, Tom Benedict. I
23 contacted Tom in Reno, Nevada and Tom was all too happy to
24 come here today.

25 And I'd like to recognize the Benedict family.

1 Tom will be called up when we present the plaque honoring
2 Downey, his father, but present today are Tom, his wife
3 Emmy, his son Winston, who flew in with his family from San
4 Francisco, Winston's wife Stephanie, their 16 month old
5 daughter, Emily, Tom's son, Scott, Tom's daughter, Andrea,
6 his son Beau was not able to attend. He's in Reno.

7 Also here is Dr. John Slade, who is a nephew of
8 Downey Benedict, and they have all come here today to help
9 us in honoring John Downey Benedict.

10 In putting the ceremony together we felt that the
11 most appropriate remembrance would be a plaque to be erected
12 outside the entrance to the courtrooms on Courtroom 3 on
13 that same wall that Carol alluded to where the lettering
14 announcing that you are now in the courtroom area that we
15 would also put at that place where we all will walk through
16 and where members of the public will walk through to go to
17 the courtrooms that so zealously guard all of our rights.

18 And as you walk past you will always be reminded
19 of the ultimate sacrifice that was paid for those rights and
20 that price being paid by one of our own, Downey Benedict.

21 In putting the ceremony together we felt that it
22 would be the most appropriate to have a plaque dedicated and
23 presented to Downey's family by President Judge John Walker
24 and the parallels here are moving.

25 Judge Walker, whose father was killed in World War

1 II. Judge Walker, who was about a year old or an infant at
2 the time that happened, the same as Tom Benedict. Both
3 fathers having served in the European Theater and losing
4 their lives in France.

5 In preparing for the ceremony it struck me how
6 appropriate the words would be to this occasion, the words
7 written to Lydia Bixby, who was a mother during the Civil
8 War, who lost five sons in the service over the Union cause.
9 After noting the emptiness of words on such an occasion,
10 President Lincoln ended his letter to Mrs. Bixby by noting
11 the solemn pride that must be yours to have laid so costly a
12 sacrifice upon the alter of freedom.

13 I thought what more appropriate words than those
14 for today. Judge Walker, if you will do the presentation.

15 PRESIDENT JUDGE WALKER: I felt honored when Phil
16 Cosentino asked me to make brief remarks at the presentation
17 of the John Downey Benedict memorial plaque. First
18 Lieutenant John Downey Benedict was the only member of the
19 Franklin County Bar Association who lost his life in active
20 duty in the service of his country.

21 In preparing the tribute to John Downey Benedict I
22 referred to a 1944 clipping out of the newspaper and the
23 Franklin County Bar Association Resolution of September
24 21st, 1944. It was in the course of this preparation that
25 I realized Thomas Benedict and I had more than passing

1 common background.

2 My own father, Robert Walker, was shot down flying
3 with the RAF on July 14, 1943 over Paris and was listed as
4 missing in action. His body was never recovered. At the
5 time of his death I was six weeks old. The only way I ever
6 knew my father was through reading letters he had sent to my
7 mother during his period of time in the service and letters
8 from people who were flying his squadron at the time of his
9 death.

10 It is therefore from this personal history of my
11 father's loss that I so deeply identify with John Downey
12 Benedict and his family who are here today to join in our
13 bar association's tribute to him.

14 John Downey Benedict was born in Waynesboro,
15 Pennsylvania on November 29th, 1909, son of the late John G.
16 Benedict and Zula Downey Benedict. He received his
17 education in the Waynesboro School District and graduated
18 from Lehigh University with a degree in engineering.

19 He enrolled in the study of law at Fordham
20 University and later transferred to the Dickinson School of
21 Law where he graduated. He was admitted to practice before
22 the Franklin County Bar on November 25th, 1935 and practiced
23 law in Waynesboro, Pennsylvania. January 21, 1937 he
24 formed a partnership in the practice of law with N.F.
25 Keller, father of Senior Judge John W. Keller.

1 He first volunteered for service with the Army on
2 June 1, 1941 but was refused because at that time he was
3 more than 28 years of age. After Pearl Harbor, December
4 1941, John Downey Benedict volunteered again and was
5 inducted as a private on February 11, 1942. He received
6 his preliminary training at Fort Meade, Maryland, and Camp
7 Chaffee, Arkansas.

8 During this time he was promoted to the rank of
9 corporal, then sergeant, then qualified for Officers
10 Candidate School where he was commissioned at Fort Sill,
11 Oklahoma.

12 In August of 1943 he was sent overseas and was
13 first stationed in North Africa. From North Africa he went
14 into the front line service in Italy. From that time forth
15 was exposed almost daily to the hazards of modern warfare.

16 On August 15, 1944 Lieutenant Benedict
17 participated in a landing operation in Southern France. In
18 action as a liaison officer Lieutenant Benedict went forward
19 with the advanced tank unit and directed artillery fire
20 against the Germans.

21 While so engaged he was wounded when a German
22 shell had exploded near his tank and was awarded the Purple
23 Heart and Bronze Star for meritorious service.

24 On August 25, 1944 Lieutenant Benedict gave his
25 life for his country while serving with an armored field

1 artillery battalion.

2 The Bar Association's resolution goes into
3 significant detail regarding John Downey Benedict's
4 personality and his relationship with his fellow lawyers in
5 the community. What impressed me was that his colleagues
6 in the practice of law stated he was extremely generous both
7 in time and money.

8 He was philanthropic in the truest sense of the
9 word. His idealistic temperament pushed him to strive to
10 benefit his community, not only in cultural but in practical
11 ways. His desire for the better things of life for his
12 community was a driving force of his commitments.

13 At another point in resolution the members of the
14 bar state that Mr. Benedict was highly intellectual and
15 deeply spiritual. Soon after his admission to the bar he
16 became interested in the curriculum of St. John's College,
17 the basis of which is comprehensive study of selected books
18 of all periods covering the whole realm of human
19 experiences.

20 As a result, he formed a reading club in
21 Waynesboro which met weekly over a long period and he led
22 many discussions in philosophy and religious topics. The
23 bar members go on to state that no member of the Franklin
24 County Bar has ever been better read than Mr. Benedict.

25 The compliments continue within the resolution

1 describing Mr. Benedict as industrious, courteous and
2 understanding. He was a man of great charm, handsome, and
3 vivacious personality and fine sense of humor. He had a
4 courteous and gracious manner, which engaged him to make
5 friends easily.

6 No occasion was complete without him and he took a
7 lively interest in matters connected with the Franklin
8 County Bar Association. I quote to you from the bar's
9 resolution, which section we have today reproduced on the
10 plaque we present, because it so aptly summarizes better
11 than I could, the bar's deep respect for Mr. Benedict.
12 This is a quote.

13 "It was no spirit of aggressiveness or desire for
14 glory which prompted Mr. Benedict to enter the United States
15 Army. His innate sense of justice and of right made him
16 feel that it was his solemn duty to do his part as a soldier
17 in the most awful conflict of all times. To him it was not
18 a matter of only defending the United States or even a war
19 of liberation. It was a crusade against the forces of evil,
20 against the spirit of oppression and intolerance which over
21 the centuries has brought so much sorrow and misery to
22 mankind. It was with this conviction that he entered the
23 active military service of the United States."

24 It is only fitting that on this occasion of the
25 100th anniversary of the Franklin County Bar Association

1 that the bar recognize and pay tribute to a former member of
2 the bar who was so well liked by his colleagues and who
3 volunteered to serve in the armed services of his country
4 which resulted in him sacrificing his life for this country.
5 Therefore, it is most appropriate that the plaque the bar
6 association has prepared to present to his family be hung in
7 the Franklin County Courthouse to remind everyone that
8 liberty is not a gift but has to be paid for with a price
9 and Mr. Benedict was the only member of our organization who
10 gave his life for the cause of freedom.

11 (Thereupon, a plaque was handed to Thomas
12 Benedict.)

13 THOMAS BENEDICT: My family and I would express
14 our deep gratitude for the recognition my father's receiving
15 today. And we're all very pleased to be here and want to
16 thank all of those that made this possible.

17 When my father was killed I was two and a half
18 years old. I was born March 31, 1942 so I have no personal
19 recollection of my father. However, I remember the things
20 my mother told me and there was a vast amount of
21 correspondence that went back between them while he was
22 overseas. So it has given me some great understanding of
23 the man he was and what he did and what he stood for.

24 I can't add a lot to what has already been said
25 but I'd like to read a couple letters that he sent to my

1 mother in 1944.

2 The first one. "Dearest, you were right, my pet,
3 the war has no doubt given us a different vision. I think
4 that I understand people a little more. These rest periods
5 give me a chance to think and get the cob-webs out. At
6 least I hope I will be less dogmatic. I can see that the
7 solution of this disease that we all have more or less of,
8 will take years, maybe centuries and I don't want to beat my
9 brains out worrying too much.

10 "The British are grand. They are true blue, have
11 good sense and a wonderful philosophy. They believe in
12 their cause more firmly than we do, so do the Germans for
13 that matter. We're learning that we must be men and that
14 the war won't be won by guns and equipment alone. It takes
15 men and lots of men.

16 "The battle may be long and tough, but then comes
17 the song. After so much strife it will be heavenly to have
18 peace and happiness again. Love, Downey."

19 Here is another letter that was written in
20 August -- excuse me, April 20, 1944.

21 "Thanks so much for the books and also for the
22 Martha Washington candy. The letter is swell and I know I
23 shall enjoy Van Doven and Beard. Life is really very
24 wonderful when the weather is so nice, and I have letters
25 and books from you. You are the grandest sweetest person

1 in the world.

2 "We seem to be very busy, although not in combat.
3 There is training, teaching and also the paperwork and
4 details such as reports, investigations, court martials are
5 endless. Sometimes I think I do not want to go back to
6 law, too much paperwork, but I guess it is inevitable.
7 Besides, law is about the only thing I know. I want also
8 to go into politics."

9 There was a letter my father wrote -- my mother
10 wrote to my father in September 4, 1944, and it was quite
11 long and went into how their life would be after the war.
12 I'd say that -- let me quote.

13 "The Allied how wonderful their life would be
14 after this mess would be all over."

15 She talked about her concerns for me and how she
16 missed him not being able to take care of me. She said at
17 times I misbehaved. She wanted his help to work with that.
18 She said that when they got home that they wanted to get a
19 little place in the country. They would spend some time to
20 have a second honeymoon.

21 This was actually the longest letter. This one
22 that was written in September 4, 1944 that she wrote, and it
23 went into a lot of detail. I don't have time to read it all
24 here, but it was quite detailed about how devoted she was to
25 him and how much it illustrated to me really how much they

1 meant to each other.

2 There is one comment, you know, that follows what
3 other people have said that she understood. She said that
4 I don't want you to be there, but I totally understand that
5 if you weren't there you would not, you know, have been
6 satisfied.

7 My father didn't have to go over there. He didn't
8 have to put his self in harm's way. He was 27 and it's
9 already been said before he totally volunteered. He
10 dedicated -- he felt that he had to be on the front line.

11 He was the type of man that did not feel he was
12 better than any other man, and he wanted to be right in the
13 middle where all the action was. He was very -- oh, one
14 other thing.

15 I was told by my mother that he was killed without
16 checking on the safety of his other men. So, in other
17 words, he put himself in jeopardy to make sure that his men
18 were being properly secured and properly taken care of and
19 were positioned right.

20 He was buried in a small cemetery in Southern
21 France and personally I have been there. I think that it is
22 one of the most beautiful unique cemeteries in a small
23 village near Nice in all of France.

24 My father was killed in action but he will never
25 die in my -- in any of our hearts or memories. I believe

1 that he has been with me and been my support and inspiration
2 and guardian angel for the last 55 years.

3 Again, thank you very much all of you for making
4 this happen.

5 MRS. VAN HORN: Thank you, Mr. Benedict, we're
6 glad to have your family with us and look forward to getting
7 to know you better at the reception afterwards.

8 At this point in our program we're going to induct
9 two new members into our bar association.

10 (Thereupon, Nancy H. Meyers, Esquire and Kristen
11 G. Donsen, Esquire were inducted into the Franklin County
12 Bar Association.)

13 (Thereupon, the 100th anniversary ceremony was
14 concluded at 3:54 p.m.)

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6-28-99, I hereby certify that the foregoing is a true and correct transcript of testimony taken by me in the above-entitled matter.

Melissa J. Little
Melissa J. Little
Official Court Reporter