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September 21, 1944

A special meeting of the Franklin County Bar Association was held in the Courtroom at Chambersburg, Penna., on Thursday, September 21, 1944, at 2:00 o'clock P. M.

Those present were:- Honorable Watson R. Davison, Edmund C. Wingerd, President, A. J. White Hutton, John McD. Sharpe, W. Blair Minick, James A. Strite, Edwin D. Strite, Arthur W. Gillan, N. F. Keller, Stewart Glen, Stenger Diehl, Benj. L. Heefner, Geo. E. Wenger, William C. Hazlett, Lawrence C. Zeger, Millard A. Ullman, Albert Strite, Thos. K. Scheller, D. Edw. Long and J. Glenn Benedict.

The meeting was called to order by President Edmund C. Wingerd, who stated that this special meeting of the Bar Association was called to take appropriate action on the death of John Downey Benedict who was reported killed in action on August 25, 1944. He stated that never before in the history of this Bar association has it been called because of the death of one of its members while in the armed services of his country. The Bar Association has lost not only a good lawyer who was a critic to it but a fine young man and a good citizen.

John McD. Sharpe, Esq., Chairman of the Resolutions Committee, read and moved the adoption of the following resolution:-

"Minute of appreciation, adopted by the Franklin County Bar Association at a meeting held on September 21, 1944, upon the death of John Downey Benedict, First Lieutenant, United States Army, serving on active duty in France.

An August 25, 1944 John Downey Benedict, a First Lieutenant in the United

States Army, gave his life for his country. An intelligence officer with an armored field artillery battalion, Lieutenant Benedict was killed in action in France on that day. Thereby the Franklin County Bar lost one of its most promising, successful and beloved members.

As at the Bar, Lieutenant Benedict had had a most successful career in the Army. He first volunteered for service about June 1st 1941. At that time he was refused because he was more than 28 years of age. He again volunteered shortly after Pearl Harbor and was inducted as a Private on February 11, 1942. His preliminary training was received at Ft. Meade, Maryland, and Camp Chaffee, Arkansas. He was promoted to the rank of Corporal and Sergeant and then, qualifying for Officers' Candidate School, he was commissioned at Ft. Sill, Oklahoma. Later he received further training at other camps, including Camp Ritchie, Maryland, returning from there to Camp Chaffee. In August of 1943 he was sent overseas and was first stationed in North Africa. From Africa he went into front line service in Italy, and from that time forth he was exposed almost daily to the hazards of modern warfare. On August 15, 1944 he participated in the landing operations in Southern France.

Acting as liaison officer, it was Lieutenant Benedict's duty to go forward with advance tank units and direct artillery fire against the Germans. While so engaged he was wounded when a German shell exploded near his tank, and for this he was awarded the Purple Heart. Later he was awarded the Bronze Star for meritorious service. The citation accompanying this award pays great tribute to his ability as an officer and to his bravery.

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Lieutenant Benedict was well qualified for his work as an intelligence officer with the field artillery, for he combined with his legal training a background of engineering experience which he received at Lehigh University. We have heard accounts of his skill in directing artillery fire to the destruction of the enemy, and we know that he carried into his work as a soldier the same fine mind and oneness of purpose that he exhibited as a lawyer. We have heard too how much he was beloved by his comrades before he received his commission and by his fellow officers afterwards. Knowing Downey as we do we can well appreciate the loss which they have sustained.

Lieutenant Benedict was born at Waynesboro, Pa., on November 29, 1909, the son of the late John G. Benedict and Zula Downey Benedict. He received his preliminary education in the Waynesboro public schools and was graduated from the high school at that place. He then graduated from Lehigh University in engineering, where he was a member of Phi Delta Theta fraternity, and deciding afterwards to study law, he first attended Fordham University and later the Dickinson School of Law, where he graduated. He was admitted to practice before the Franklin County Bar on November 25, 1935 and from that time until he enlisted in the Army he practiced law continuously at Waynesboro. On January 1st, 1937 he formed a partnership with N. F. Keller, Esq., of Waynesboro under the firm name of Keller + Benedict, and this partnership was preserved even though Mr. Benedict was absent in the armed forces. He was a member of the Bars of the Supreme Court and the Superior Court of Pennsylvania, as well as the United States District Court for the Middle District of Pennsylvania. He was also a member of

the Pennsylvania and American Bar Associations.

Mr. Benedict was a member and Trustee of the Evangelical Lutheran Church of Waynesboro, and took a keen interest in civic affairs in Waynesboro. It is unnecessary to recount the organizations, both fraternal and civic, of which he was a member, but they were many. Mr. Benedict was also associated with several business organizations and was on the Board of Directors of the Landis Machine Co., which for so long had been under the capable and successful management of his father. Mr. Benedict brought to his business and civic activities an enthusiastic and different point of view. He was highly regarded by his associates in all that he did.

In all Mr. Benedicts human relationships he was extremely generous, both in time and in money. He was philanthropic in the finest sense of the word. His idealistic temperament constantly urged him to strive to benefit his community, not only in a cultural but in a practical way, and his desire for the better things of life was the driving force of all his undertakings. He would have gone far in attaining his goal had his life been spared.

Mr. Benedict was highly intellectual and deeply spiritual. Soon after his admission to the Bar he became interested in the curriculum of St. John's College, the basis of which is a comprehensive study of selected books of all periods covering the whole realm of human experience. As a result, he formed a reading club in Waynesboro which met weekly over a long period and he led many a discussion in philosophy and on religious topics. It can safely be said that no member of the Franklin County Bar has ever been better read than Mr. Benedict.

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Mr. Benedict was a lawyer of ability and great promise. His law firm had a large and lucrative practice and Mr. Benedict was industrious courteous and understanding. He was a man of great charm and attractiveness, with a vivid personality and fine sense of humor. He had a courteous and gracious manner which made friends for him easily. He was not essentially a trial lawyer, but he appeared frequently before the Court and whenever possible was present at our gatherings. No occasion was complete without him and he took a lively interest in matters connected with our Franklin County Bar Association.

No member of our Bar could be missed more greatly than Mr. Benedict. His loss has come as a severe shock to all of us. The realities of war have have fallen upon us in the saddest possible way. Within our recollection, he is the only member of the Franklin County Bar who has ever lost his life in active duty in the service of his country. We can ill afford the loss of so talented a man, so true a friend. Mr. Benedict's talents were never wasted. He utilized them to the utmost in all that he believed to be right. They would have borne full fruit had he continued to live.

It was no spirit of aggressiveness or desire for glory which prompted Mr. Benedict to enter the United States Army. His innate sense of justice and of right made him feel that it was his solemn duty to do his part as a soldier in this most awful conflict of all times. To him it was not a matter only of defending the United States or even a war of liberation. It was a Crusade against the forces of evil, against that spirit of oppression and intolerance which over the Centuries has brought so much sorrow and misery to

mankind. It was with this conviction that he entered the active military service of the United States.

In the death of Lieutenant Benedict we have lost a loyal friend, a happy and most entertaining Companion and a good lawyer. None of us realizes even now how much we shall miss him. He was a gallant Knight and a gallant gentleman.

To his wife, Mary Welker Benedict, and to his young son and mother and sister, by whom he is survived, the members of the Franklin County Bar Association send their deepest sympathy and hereby express their great affection for Downey. We shall fondly cherish his memory and his example will continue to be an inspiration to us.

John R. Lashley, Jr.
Charles W. High
N. F. Keller
W. Blair Minick
John McDowell Sharpe, Chairman
Committee."

Honorable Watson R. Davison in the move to adopt the resolution, recalled his acquaintance with and affection for John Downey Benedict from his childhood to his death pointing out his energies, his efforts and his possibility for service in the Community.

Edwin D. Stritc seconded the motion and stated that John Downey Benedict's life at the Bar was like his death in the service of his Country. He was full of enthusiasm and energy and cautious of his responsibilities and opportunities.

N. F. Keller recalled his associations with Downey Benedict and referred especially to his graduation from Officers Training Camp and a note which he had received from him while at the front.

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H. Blair Minick paid tribute to Downey Benedict as a friendly, aggressive and fair opponent.

A. J. White Hutton recalled his associations while at the Carlisle Law School and in practice prior to his enlistment in the armed forces.

On motion, that the resolution be adopted, that it be spread in full upon the records of the association and that a copy of it be sent to his widow, was unanimously adopted.

On motion, meeting adjourned.

J. Wilson Benedict
Secretary