

JAMES B. McGIFFERT

By Andrew L. Herster, Jr.

May it please the Court, members of the family of James B. McGiffert, my fellow attorneys, ladies and gentlemen.

On this day, we pause to honor and recall the life of James B. McGiffert.

Jim, as we affectionately called him, was in all respects a legal professional. Jim was a student of the law and when he quoted the law, he did so only after careful research. No one ever doubted the word of Jim McGiffert and no one asked that any commitment made by him would ever have to be put in writing. His word was his bond.

Jim was born in Roselle, New Jersey on February 20, 1913, the son of Julian E. and Eloise S. McGiffert. Jim's father, was for many years, the right hand of Mr. Hugh Moore, the founder of the Dixie Cup Company.

Jim graduated from Princeton University with a B. A. Degree in 1934 and Princeton University continued to be uppermost in his thoughts during his entire lifetime. Not many colleges or universities ever have the devotion and dedication of such a loyal alumnus.

Jim and I would talk Princeton and Lafayette football during the years we were associates and partners. We were excellent Monday morning quarterbacks. Unfortunately for Lafayette, Princeton usually was the winner of the then annually played football game between the two schools and so my Monday's after such games gave no room for rejoicing.

In 1937, Jim graduated with an L. L. B. Degree from Columbia University Law School and he was admitted to the Pennsylvania Bar the same year.

Jim then associated with the distinguished law firm of Maxwell and Frack from 1938 to 1941; he was during the war years an administrative assistant for Lehigh Foundries in Lancaster, Pa. between 1941 and 1944; Jim then associated with Fox & Oldt between the years 1944 and 1946; he practiced privately from 1946 through 1948; he was a partner in Gross & McGiffert and Gross, McGiffert & Herster from 1948 to 1956.

During those years 1948 through 1956, Jim and I talked

Phillies baseball, both being devoted Phillies rooters, and we unsuccessfully managed the Phillies on a day to day basis.

Jim, thereafter associated with Fackenthal, Teel, McGiffert & Danser from 1956 to 1968, when thereafter the firm of McGiffert & Fishbone was formed.

Due to failing health, Jim, during the last several years, was semi-retired but still practiced law privately.

Jim was listed in the 1957 edition of Who's Who in the East.

Jim, in addition to this dedication and devotion to his legal profession, found time to unselfishly serve his community. He was a civic leader, he was active in all sorts of fund raising. He participated in raising funds for the then called Community Chest, American Red Cross and YMCA. In 1952, he was the Chairman of the Easton Area Annual Fund Campaign of the Northampton County Unit of the American Cancer Society.

In addition, Jim found the time in 1956 to be Chairman of the Easton Area Joint School Authority.

Jim served his profession in Northampton County by being President of the Northampton County Bar Association in 1957, having also served as its Treasurer and Vice President.

Jim was also a former President of the Northampton County Children's Aid Society.

In 1954, Jim was appointed Chairman of a committee in Northampton County to secure public support for salary increases for all federal judges.

In 1967, he was approved by the Northampton County Bar Association as a qualified candidate for County Judge, however, Jim, after long deliberation, decided not to be a candidate. Jim, because of his legal qualifications and outstanding character would have made an outstanding jurist.

Jim also was a former director of the McAbee Printing Company.

He was the first President of the Easton Junior Chamber of Commerce and Chairman of the first Easton City Charter Commission.

In addition to his community and civic accomplishments, he

was also active in his church. He was an elder and trustee in the College Hill Presbyterian Church.

I can well remember Jim both as a friend and as a law partner. I can well remember one incident shortly after my admission to the Bar when Jim agreed to sit with me during my first real civil trial, which was to be tried before Judge Barthold. The trial was proceeding too slowly to suit the Judge and he was continually, in Jim's opinion, harrassing me to move on with the case. Jim, after one such urging by the Judge, walked to the side bar and said, "Judge Barthold, you are not giving Mr. Herster the opportunity to present his client's case and I object." Judge Barthold sat back, blinked his eyes and said, "Mr. McGiffert, I accept your admonition, please proceed with the trial." The trial proceeded without further incident and we did win a verdict.

I might add that Jim helped many young lawyers during his legal career and did so out of a profound love for his profession. Jim continued his interest in the law and an interest in the community until he died on April 24, 1979.

Jim had the good fortune to continually have around him a closely knit family. Jim's family was his first love and Jim's wife, Libbie, his children and grandchildren during his lifetime, were the object of his unqualified devotion. Jim lived for his family and his last desire was to be alive when the latest grandchild was to be born. Unfortunately, this was not to be, but, he made a most gallant effort and probably this desire to see his yet unborn grandchild kept him alive for a longer period of time.

Surviving are his wife, Libbie, a son, James, Jr., two daughters, Carolyn and Julianne and eight grandchildren. In addition, there are surviving two brothers and two sisters.

I am glad for this opportunity to pause and make a small contribution to the memory of an excellent lawyer, community leader and a warm and personal friend.

I thank the Court.

I respectfully offer the following resolution in memory of James B. McGiffert and move its adoption.

RESOLVED, that the foregoing remarks and this Resolution be entered on the minutes of this Court, that copies thereof be sent to Mrs. Elizabeth McGiffert, and that when Court adjourns this day, it does so out of respect for the memory of James B. McGiffert.

September 24, 1979