

JOHN B. O'BRIEN

by
Norman Seidel

Members of the bar, and friends of the late John B. O'Brien. It was my privilege to serve first, as a law clerk for, and later, as an associate, of the late John B. O'Brien. He will long be remembered as one of Northampton County's outstanding trial lawyers.

His was a career in advocacy that spanned a period of 32 years. His practice not only covered just about every field of law, but his professional accomplishments therein were marked with outstanding success.

Those of us who were his contemporaries at the bar found him to be one who truly epitomized the industry, thoroughness and tenacity of the "Trial Lawyer".

While some will be quick to praise his dedication as a hard working member of the District Attorney's Staff, when he prosecuted some of the most important cases to come before our criminal courts; others will be apt to reminisce about his skillful defense of many criminal defendants. His innumerable trial appearances on behalf of injured plaintiffs, his skillful recovery of what was then, the highest verdict in the history of our county in the now legendary case of *Stark v. Lehigh Foundries Co.*, gave ample proof that he was one of our Bar's leading Plaintiff's Counsel. Yet, with his unbounded versatility, we all recognized him as an equally skillful defense counsel, representing a number of insurance carriers.

It was to Johnny's credit that he brought to his every legal endeavor a burning desire — one might even say — an irresistible compulsion — to competently advocate his client's cause.

With practically every trial list — be it civil or criminal — studded with the name of John B. O'Brien as counsel for the Commonwealth, Counsel for Plaintiff or Counsel for Defendant — one might assume that his every waking moment was filled with the painstaking work of preparing for trial, and pleading the causes of his clients before Courts and Juries.

His intense devotion to the law was not, however limited to Trial Advocacy. His was a varied practice, both in his serv-

ice to his clients, to the Court, to his Profession, and to his Family and the Community as well.

While a student at Easton Catholic High School he made the acquaintance of Federal Judge William H. Kirkpatrick who greatly influenced John's life. After completing two years at Lafayette College he was appointed a Bailiff (Tipstaff) in Judge Kirkpatrick's Courtroom in Philadelphia so that during the evening hours he could continue his education, at Temple University Law School where he received his L.L.B. Degree in 1934. The late Attorney General Francis Shunk Brown moved Johnny's admission to the bar, before Judge Kirkpatrick. At that ceremony General Brown marked the occasion as a typical "American Story" recounting John's industry and sacrifice, culminating in his advancement from Tipstaff to Attorney in four short years.

Shortly after his return to Easton John renewed his professional association with the late Joseph S. Levine. The firm of Levine and O'Brien made its mark at our bar until 1951.

Possessed of boundless energy and tremendous drive, John B. O'Brien's career, however, was not limited to the private sector. His devotion to the law was paralleled by a penchant for public service.

One year after his admission to the bar he was the Democratic Candidate for the Easton School Board. From 1939 to 1942 he was a special Assistant to the Attorney General of the United States and thereafter, during World War II, served as Area Rent Director, Field Operations Officer for the Rent Division of the OPA in Washington, D. C. culminating in his being named Chief Regional Rent Attorney for the entire Middle Atlantic Region in 1944. He served in the latter capacity until the end of the War, and supervised 167 rent attorneys in New York, New Jersey, Pennsylvania, Delaware and Maryland.

Declining a high government position, John ended his Federal Service in 1946 and returned to private practice. Upon the late Jacob A. Raub's election as District Attorney, he served with Elias A. Spengler, George Weitzman, and Alfred A. Nittle, as an assistant District Attorney. His colleagues on the staff would be the first to acknowledge that John was, until 1951, the trial work horse of the prosecutor's office.

In 1951, upon the retirement of the late Frank Reeder, John was appointed United States Commissioner, a position he held for 2 years.

In 1957 John was one of the Republican Candidates for Judge of the Court of Common Pleas of our County. As one who lived with him through the ups and downs of that hectic campaign, which he conducted with the same intensity that marked his every endeavor, I found him philosophical in defeat. For the remaining ten years of his life he appeared to enjoy, more than ever, the give and take of Jury Trials.

Despite a number of health problems and intermittent hospitalization, John asked no quarter and gave none. He was imbued with the feeling that in every cause, his client was entitled to the best that was in him. To have given less, would, to John, have been a complete repudiation of the ideals of his profession.

Recognition of his many talents was not limited to the many public and private clients whose causes he espoused. The great esteem in which he was held by his colleagues at the bar was merited by his unselfish work as a member of our Bar Association. He worked singlehandedly for the ultimate adoption of the Inter professional Code resulting in greater cooperation between the legal and medical professions.

All of us recognized his election as President of our Bar Association as merited by his tireless work beyond the call of duty. Our Bar is much richer for his having served in that office. I know that he in turn considered his term as president, a high point in his professional life.

Saint Bernard's and then later St. Janes Catholic Church were important in John's life for his religious activity was not limited to being just a parishioner. He was a leader in the church, active as an early proponent of the more recent ecumenical spirit, and a deeply religious person. May I say many organizations in our community suffered a great loss on Mr. O'Brien's demise for he gave of his talents to many of them.

I remember so well the sparkle in his eyes when he would, with due modesty, relate his pride in the accomplishments of his family. His wife, Irene, his son John Jr. and his daughters, Patricia, Geraldine and Gail, were a constant source

of comfort and personal happiness for him.

John championed the cause of the underdog during his entire professional career. He represented the labor movement at a time when the very unpopularity of that cause discouraged other lawyers with less moral fibre. That he could represent, with equal fervor and intensity, the United Steel Workers C.I.O. Union and the Greyhound Bus Company, the International Ladies Garment Workers Union and the Employers Liability Insurance Company — bespeaks his total dedication to the highest ideals of his profession.

In the course of preparing these brief remarks, I had occasion to review, among John's papers letters commendation expressing the high regard in which he was held by the late Judges Herbert F. Laub, and William A. Frack who, 20 years ago described John O'Brien as:

"a lawyer who has demonstrated good poise, excellent judgment and complete reliability and candor at all times, having a superb faculty to analyze problems and accomplish results".

Our President Judge, William G. Barthold, on the same occasion said:

"In view of my personal acquaintanceship with him and my opportunity to observe his character and ability, I am pleased to state that he is deserving of my highest commendation. Mr. O'Brien is absolutely reliable, loyal, and has an unimpeachable record as an attorney. He has acquitted himself with honor and distinction."

It is difficult to imagine a more sincere testimonial to John O'Brien's position at our bar than the great esteem in which he was held by his fellow lawyers. In reality, beyond his acknowledged leadership in his own field — the trial of cases — no further promotion was possible. He held that position virtually unchallenged for the last ten years.

Only death retired him.