

Marquette Law Review

Volume 46
Issue 4 *Spring 1963*

Article 1

1963

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Repository Citation

Reynolds C. Seitz, *Francis A. Darnieder*, 46 Marq. L. Rev. 402 (1963).
Available at: <https://scholarship.law.marquette.edu/mulr/vol46/iss4/1>

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Vol. 46

SPRING, 1963

No. 4

IN MEMORIAM FRANCIS A. DARNIEDER



FRANCIS A. DARNIEDER

By Reynolds C. Seitz*

It is appropriate that the pages of the Marquette Law Review be used to memorialize Francis A. Darnieder, who died on November 20, 1962.

And who is Francis Darnieder? Ask the administrators of Marquette University where he served as a professor of law for thirty years. Ask the members of the Law School faculty with whom he was intimately associated and by whom he was universally respected. Ask the judiciary and attorneys in practice who remember his early success in the practice of law. Ask the thousands of alumni who had him as a teacher and will never forget his expertise in his specialties of Pleading, Practice, and Administrative Law. Ask the Law School students who worshipped him as a friend as well as a teacher.

During a span of thirty years Francis Darnieder served with distinction as professor of law at Marquette University Law School. He was nationally recognized as an expert in the fields of Pleading, Practice and Administrative Law. At frequent intervals from the early 30's to the early 50's Professor Darnieder edited treatises on Pleading and Practices which were marketed nationally. He served with distinction on the committee appointed by the United States Court of Appeals for the Seventh Circuit for the purpose of improving pre-trial procedure. On many occasions he lectured before state and local bar association groups.

In spite of his acknowledged expertise in the fields of his specialties in the law, it is most probable that Professor Darnieder's greatest accomplishment was that of being able to light in so many students a spark which would kindle into a flame that made it impossible for them as attorneys to sink to the level of mere technicians. He did a superlative job of making a student realize that law is a true and great profession which has as its goal safeguarding rights and liberties, educating as to responsibilities and duties and working for the betterment of laws that govern Society. He taught that there never has been a civilization that has existed without a system of law administered by professional men of integrity.

In his day to day effort Francis Darnieder did not merely teach the analysis of judicial decisions and the technique of making a living. He was literally training young men and women to build a civilization.

Francis Darnieder showed the marks of a teacher from his student days in Law School. His Law School classmate, Arold F. Murphy,

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Judge, Twentieth Judicial Circuit, State of Wisconsin, said of him: "To those of us who were privileged to be his classmates, the mark of the teacher was already apparent in Frank Darnieder in his undergraduate days at Marquette. We were the first of a long line of students who would bear the imprint of his profound intellect. Before every examination, beginning with the second semester of our freshman year, he would gather a half dozen or so of his friends and conduct a review of the law of many subjects. These were not the ordinary cram sessions so familiar to all college students. He was then, in fact, the teacher and we were his students in prolonged and richly rewarding sessions."

In his personal life Francis Darnieder was an exemplar of what he taught. He literally loved what he was doing. There never was a man whose sense of dedication to duty was greater. Even after thirty years he prepared for each class in the same intensive manner as for the first class he taught. Indeed, on the very day he suffered a fatal heart attack he was reviewing some material preparatory to leaving home for his early morning class.

Professor Darnieder was born in Sheboygan, Wisconsin, on March 6, 1893. He held both an A.B. and LL.B. degree from Marquette University. He served in the First World War as an officer. He was decorated for bravery in action in the second battle of the Marne. It was in this battle that he was severely wounded and as a result hospitalized for three years. In 1920 he passed the Wisconsin Bar Examination and began the practice of law. His experience included serving as a special assistant to the district attorney of Milwaukee County.

Professor Darnieder had a great devotion to the lawyer saint, Thomas More. One of his best talks depicted the life of Thomas More. Those who heard the talk realized that Professor Darnieder was holding up a goal which he himself was vigorously pursuing.

In the words of the man who preached at Professor Darnieder's funeral, "Francis Darnieder was not only a man of books, he was a student of men and of affairs. He was a self-sacrificing and devoted citizen. He was a man of intense loyalties: loyalty to God, to country, to family and friends, to his parish church, to Marquette University, and to the community in which he lived. These loyalties were deep and he was ready to sacrifice life itself for them."

In the appealing story and movie of a few years back, "Good-by Mr. Chips," there is a vivid scene of the English boy quietly leaving the home of Mr. Chips—the personification of all a great teacher should be—whispering a last "good-by" to the old school master whose last nap had turned into the sleep of death. It would have been a scene beyond human endurance if we had not realized that somehow the right principles which Mr. Chips had taught would never be forgotten

by those young English students who had come in contact with him for over half of a century. Marquette's loss of Francis A. Darnieder would be beyond human endurance if we did not feel that he had earned his place in eternity and know that thousands of professional men in the Wisconsin community and the country have absorbed the ideals he taught so well.