

In Memoriam: Professor A. C. Umbreit

Anonymous

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In Memoriam



PROFESSOR A. C. UMBREIT

WHEN a tree has reached maturity and is in its prime, it casts a more than welcome shade and is beloved by many. The loss of the aged oak is the more keenly felt because it has served mankind the longer. A. C. Umbreit is dead.

Dean Max Schoetz was called to plead his own case before the High Court of Heaven, suddenly and with no opportunity to prepare a brief in his behalf. A. C. Umbreit followed his brother attorney more slowly. "Death sat all day and studied him compassionately, and patiently," from February, when he suffered a physical breakdown while teaching, until June of 1927. His last effort was expended for those whom he seemed to love most—his students. In May he attended the memorable banquet given for the graduating class of the Law School at the Hotel Pfister and mixed with the boys in his friendly, social way.

A. C. Umbreit was an avowed enemy of "ignorance of the law." He labored long and well to educate out of existence what Jeremy Bentham called "the fee gathering system for promoting the ends of established judicature at the expense of the ends of justice." He was a maker of lawyers, and might rightly be called the father of Mar-

quette University Law School. In the year 1907, he organized the Milwaukee University Law School, and less than a year later saw it combine with the Milwaukee Law School to form the present Marquette school in which he has taught for twenty years.

A. C. Umbreit had entered the political field as well as that of practicing and teaching law. When only eighteen years of age, in Green Lake County where he was born in 1861, he began making stump tours in political campaigns and from 1882 until 1884 he was secretary of the Republican League. Perhaps his best known work was done in the Milwaukee district attorney's office with which he became associated in 1896 as assistant district attorney. He was associated with that office several times since, his work being especially valuable in 1925 when his labors disposed of a large number of aging cases.

He was for a number of years counsel for the Wisconsin Medical Society and in that capacity conducted numerous prosecutions against quack practitioners.

But he is most affectionately remembered as a teacher of the law. There was no more familiar figure on the avenue than that of old "A. C." hurrying to his classes and lost completely to the world about him, his brows knit, his eyes seemingly staring ahead into the distant space, and seemingly oblivious to the hails of passing students. He seemed to live in a world of his own making as he walked along, perhaps dreaming of another existence on a friendly planet where students of the law briefed every case assigned to their earnest endeavors and did not contradict the professor.

But when once enthroned as czar in his classroom he lost his seeming detachment from things mundane and resolutely ruled with a firm hand over his classes in administrative law, sales, criminal procedure, international law, and damages. He was *deus maximus* in that student Slough of Despond, the bourne from which no flounder e'er returned—common law pleading. At times when he was provoked by unprepared students his determined voice cracked like a whip over the heads of his neophytes as they struggled against the effects of their original sin and strove to brush the cloud from their understanding while he addressed them thoroughly in re: pleas in abatement, trespass *de injuria*, and that magic incomprehensible *absque hoc*. He put a "ninety" and pulling one's self up by one's boot straps on a par. His quizzes in common law pleading left in the minds of his students no doubts as to what was necessary if they wished to secure their credit in the course. When once "A. C." had determined that a laggard was slipping into the abysmal depths of a flunk, for the student's benefit he was constantly in pursuit of him, with the thought that he had either to swim with the subject or sink. He once conditioned a student who

he thought needed further preparation in common law pleading on a mark of 69 per cent, the passing mark being 70 per cent. The victim, flaming with indignation, approached "A. C." with the proposition that "no teacher can make his decisions so perfectly that he can fail a student by a margin of one per cent!" That steely cold and powerful lance, A. C.'s eye, pierced the doubter's conscience through and through, and he unhesitatingly replied: "Look him over."

It was this effort-provoking sarcasm, always misunderstood, that sometimes kept a gap between some of the students and "A. C." *Quo usque tandem abutere patientia nostra, Catalina?* But it was only an outward sarcasm—a habit that had gripped him in the course of a life filled with constant fighting for the right. His heart glowed like a welcoming candle, when the prodigal returned to the fold. He was the first to excoriate in class, and the first to plead in conference. Many an incautious malcontent has left the classroom with "A. C.'s" parting advice to stir him to further study stinging like a lash only to find that it was "A. C." who later insisted that he be not dropped from the roll by the faculty in grand conclave assembled.

And "A. C.'s" incomparable sense of humor—he was always ready with an answer. His was not a mind that retailed the brilliance of others. Every flash of wit was his very own. Without him the annual school banquet will seem strange indeed. "A. C." was a necessary fixture there. There were in history Castor and Pollux, Damian and Pythias, and at the spring banquets—brothers Fox and Umbreit who tossed the ball between them. No man can be said to have great faults who has a sense of humor.

Predominant among "A. C.'s" virtues were his loyalty to Marquette and his willingness to serve her. For twenty years he taught law in her classrooms for what to him must have been a pittance. He received his compensation in a true teacher's inspiration from his ability to keep the students that were his charge. Nor was he loathe to give this *Review* his talent. In his writings therein he advocated the codification of International Law to gain world peace. He wrote extensively on the World Court and the League of Nations. His "substance was retained compactly between the covers of a book" when he wrote in the *Review* of his pet, the common law and common law pleading.

In spite of the fact that "A. C." will always be remembered as a seemingly lonely elderly man who, in his last illness, visited and clung to the Law School corridors like an emigrant on returning to the scenes of his youth, he liked young men and was never completely happy unless he was with them in their study activities and social gatherings including their smokers and their banquets.

He worked for Marquette to the end. Even when his illness was at its height he wrote that he wanted to resume his teaching before the end of the school year. He felt that his spirit had to be instilled in the students of his making so that like the Phoenix he might rise in youthful freshness from his own ashes.

The spirit of A. C. Umbreit *will* endure in the products of his last labors—his students.

Lawyer make lawyer.

A. FORMER STUDENT