

**MEMORIAL RESOLUTION OF FRANKLIN COUNTY BAR ASSOCIATION
ON THE PASSING OF BLAKE E. MARTIN, ESQUIRE**

WHEREAS, on Thursday, August 21, 1997, Almighty God called from our midst, our colleague, fellow member and friend, Blake E. Martin, Esquire, and this death especially saddens us; and

WHEREAS, we, the members of Franklin County Bar Association, are now specially assembled, to reflect upon our various recollections of Blake and to adopt such Memorial Resolution, upon his passing, as may be appropriate; and while the following is, by no means, an exhaustive list of Blake's many attributes, both personal and professional, nor of his considerable accomplishments, nor of all our many, fondly remembered experiences with Blake, we hope that it will convey, at least a part of why we feel that Blake was such a very special person, as well as so considerably successful, in a way which surpassed a mere pecuniary measure of success, in his practice of the law, to wit:

Blake was born on January 14, 1929, in Chambersburg, Franklin County, Pennsylvania, the son of the late, well known local grocer, of that same name, and his wife, also now deceased, Edna M. Senseny Martin, and attended the Public Schools, there. This was followed by service in the United States Army, during the Korean Conflict, and then, a college education, at Shippensburg State College, and a legal education, at the Dickinson School of Law, from which law school, Blake graduated, in 1957. Later on, Blake became a member of the Pennsylvania Association of Criminal Defense Lawyers, and was State President of that Association, from 1979 to 1982 and received its first "Gideon Award," in 1994. His other memberships included the Pennsylvania Bar Association, the Franklin County Bar Association and a number of Veterans' and other civic associations. In 1993, Blake received the Citizen of the Year award, from the Benevolent and Protective Order of Elks, No. 600. A member of First United Methodist Church, in Chambersburg, Blake had, at one time, taught Sunday School, there.

Blake's entire career in the practice of the law, was conducted, primarily, in Franklin County, Pennsylvania, although, on occasion, he represented clients, in litigation, in other counties. He was well grounded in knowledge of the general practice of the law. As his career went on, however, Blake began to develop a keen interest, as well as a special expertise, in the criminal law. Some of his long time colleagues opine that, perhaps not fully realized, even by Blake, himself, it seemed to become a driving force, to Blake, that there is a basic human right, in every person, of whatever station, when standing before any branch of the government, be it the Judicial, the Legislative, or the Executive Branch, and under whatever

circumstances, even if, for example, that person be charged with a heinous offense, to be accorded reasonable, restrained and fair respect, in the just resolution, of the matter, at hand. This could also be expressed, more simply, perhaps, as "a concern for the little guy." Blake felt that this was essential, to the very existence of useful government, itself. This feeling was probably the driving force, behind Blake's decision, to accept the position of Public Defender of Franklin County, at a very low salary, when that position was first created, through a non-profit corporation, comprised of the members of the then unincorporated Franklin County Bar Association, in 1967.

The entire Public Defender idea was then in its infancy and not widely accepted nor held in high regard, generally. Prior to that time, assistance of legal counsel for the indigent, in at least some criminal matters, had been available, largely, only through various systems of Court appointments of privately practicing attorneys, some not being well versed in criminal law practice, at all. Accordingly, Blake became the first attorney in Franklin County, to hold the title of "Public Defender." His office, for doing this job, was, at first, located in a small space under the stair steps, inside the south side of the front of the old Courthouse building. Some time later, Blake was given an Assistant Public Defender and a secretary, to help him, in the task. Eventually, the Franklin County Bar Association's special non-profit corporation ceased to manage the operation, because a statute was enacted which made the Public Defender's Office a government financed function. Eventually, also, the office was moved, to the third floor of the old Courthouse Annex Building, now no longer in existence, on Lincoln Way East, where there was some, additional space. During continuing years, at this latter location, Blake broke in a number of successor Assistant Public Defenders and secretaries. Blake also began the practice of employing "Student Interns," from nearby colleges, who would work, when not in class, and over the summers, during this time. Blake was, also, permitted to employ an Investigator, and there were a number of successors, from time to time, over the years, in this latter position. Still, Blake continued on, as Public Defender, and, at last, when the new Courthouse addition was constructed, the Public Defender's Office moved to space on the fourth floor of that new addition, about equivalent, to space on the other side of the building, occupied by the District Attorney's Office. The Public Defender's Office is located in this latter place, at the present time, and Blake, who officially retired, after twenty-seven (27) years service, in the job, in October of 1993, was still serving, in Public Defender type work in some cases, under special Court appointment, at the time of his

death. It is believed that, until the time of his official retirement, in 1993, at least, Blake had been a Public Defender, longer than anyone else, at least, in the Commonwealth of Pennsylvania.

Always having a good relationship with the press and other news media, Blake had been able, during his official Public Defender career, to keep the public abreast of developments, in that Office. In the later years of his law practice, Blake contributed writing services to various publications. He wrote editorials for newspapers and otherwise commented, especially, on the substantive and procedural criminal law. Blake never really got started, however, on the book he was often heard talking about writing, as far as we know. Perhaps that was because he did not have time for it. He was too busy living it.

There was more to Blake than this, professional "specialty" he carved out, for himself. It all seemed to fit together, somehow, however.

Aside from his strictly professional activities, Blake was also very active in the Franklin County Bar Association. For a number of years, he served as Social Chairman of this Association, and was noted, not only for the social events of the Franklin County Bar Association, but for the many parties, hosted by Blake and his wife, "Ginny," at their large residence, "Blakewood," located on the Letterkenny Road. During the late 1960's and early 1970's, Blake was very active, also, in the "Junior" Bar Association, comprised of the younger members of the Bar, of that time. The social events held by this satellite association were so popular that some of the older members of the Bar wanted to attend, as well. This was permitted, although the enlargement of the satellite association led to its losing any separate identity.

Blake was always an immaculate dresser, and kept his wardrobe updated with the finest of clothing, some of which was hand tailored by Blake's tailor, in Harrisburg. Best known for his amiable personality and keen sense of humor, Blake is remembered, with regard to his penchant for clothing, for his many visits to clothing stores, factory outlets, and tailors, sometimes, taken as side trips, when he was officially in some location, such as Baltimore, on business, and also, for his vast collection of hats. It was a regular event, for Blake to show up at a party, at his residence, in his African pith helmet. On one occasion, he purchased a hat, being worn on the top of the head of a friend, while walking along Lincoln Way near the Courthouse, to add to his collection, because of its uniqueness.

It should be mentioned that Blake brought this amiability and sense of humor, into his professional practice, also. It is remembered, for instance, how Blake commenced and proceeded with an action in Habeas Corpus, in an effort to have a county jail prisoner released from solitary confinement, to the general

jail population. In such action, Blake alleged that, under an early Pennsylvania statute, then still in force, the prisoner was entitled to his daily ration of "beer and victuals," and of this, he had been deprived. Blake invented, or, rather, named several so-called defenses, among them, the "S. O. D. D. I." (pronounced "Soh'-dy") defense, which was an acronym, he said, for "Some other 'dood' did it." Sometimes, Blake would say, to a colleague, upon an adverse decision of some Court, which he had read about, "Justice has taken another nose-dive!" One time, when he was discussing a successful defense with one of his assistants, Blake said, "Now, you want to remember that, in that case, you and I were, both, afraid of what the other might say, and so we spent the entire trial, tugging at each other's coat, to keep him seated and silent, whenever he began to speak. As a result, neither of us said one word, the entire trial. That is what won it, too!"

Blake was also a skilled practitioner of the criminal law. It has been said that he carefully built every case, for the protection of appeal rights, from the very start of the case, on. He had a considerable memory and must have been well read, or else he just had a gift, for such things, but he could find issues in every factual situation, as well as the legal theories for the successful resolution of many of those issues. Then, he would send his Assistants and Student Interns off, to the law library, to spend hours, doing research. After such research, most times, the citation of authority for the principle Blake had been expounding would be found. Blake had done all the thinking, if not the digging, although the Assistants and Student Interns may not have thought of it, exactly that way. In such endeavor, Blake helped with the legal education of his Assistants and Student Interns. It has been said that it must be more than a mere coincidence, that all three of this Judicial District's presently seated Judges have had experience as Assistant Public Defenders, while Blake was in office. Also, among the former Student Interns, there have become at least one Pennsylvania State Policeman, and several people who went on, to become lawyers or to enter other law related careers.

It has been suggested that we remember, also, that Blake was never, exclusively, engaged in the practice of the criminal law, although he became pretty much of a specialist in that field. Some of his other practice, however, involved decedent's estates, real estate, and, from time to time, he would engage in some municipal matter. He was a highly skilled attorney, in a number of areas of the law.

It has, also, been suggested, and, we think, even more importantly, that we not overlook the fact, that Blake was, forever, the consummate gentleman. This was reflected in his personal life, and also, in his

demeanor in the Courtroom and, even, with his dealings with opponents. He had respect for the Courts, an understanding and feel for the decorum and traditions of the law, and he treated everyone with congeniality and a cooperative attitude.

ACCORDINGLY, now, this 25th day of August, 1997, in special meeting duly assembled, be it RESOLVED, by the Franklin County Bar Association, that we do hold the memory of Blake E. Martin, Esquire, in high regard, for his friendship, congeniality, great sense of humor, professional skill, and service, both to his profession and to his community, and we do hereby express our deep sense of loss. He will be sadly missed, by all of us, as well, we are certain, as by his family, other friends and associates.

IT IS FURTHER RESOLVED that this Resolution be spread upon the minutes of this meeting, and that a copy hereof be delivered to Blake's widow, Ginny, to his sister, Nancy L. Martin, and to his foster brother, C. Paul Gladfelter.

August 25, 1997

MEMORIAL RESOLUTIONS COMMITTEE

By Kenneth G. Harkins, Jr. Chair
[Signature] Member
Robt. H. Harkins Member