

# A Tribute to the Late Alexander Holtzoff Order (and Speed) in the Court\*

By IAN GLASS  
Miami News Reporter

A tiny judge with the stature of a giant slipped into Miami 10 days ago from his natural habitat of Washington, D.C., and 11 attorneys are already beginning to wish he had decided to withstand the rigors of winter in the Capital.

He is the Hon. Alexander Holtzoff. He is 81 years old, stands about 5 feet tall, has the demeanor of a happy leprechaun, the firm, disciplinarian authority of a Victorian schoolmaster—and a mind like a steel trap.

Most of the 11 frustrated attorneys who spend much time muttering behind their hands, had not been born when he was admitted to the New York State bar in 1911.

He is an AB, an MA and an LLB, the author of one book on court procedure, and the co-author of two others. He even rates 23 lines in *Who's Who in America*.

The Hon. Alexander Holtzoff is a federal judge; has been for 23 years.

He has been temporarily loaned to Miami to hear the fraud conspiracy case of 11 men accused of misapplying funds of the Five Points National Bank of Miami between 1964 and 1966 so that they could gain control of it.

The case entered its second week today in the East Courtroom of the Federal Building at 300 NE 1st Ave.

Edward Haufmann, special Assistant U. S. Attorney in charge of the government case, reckoned originally the trial would last at least four weeks.

After the second day, one of the defendant's attorneys said, "We'll be lucky if we last till the weekend. I've never seen anybody move so fast."

The judge has a motto: "Trials should be conducted expeditiously with no waste of time. Sometimes, being on the sidelines, as it were, a judge is able to suggest short cuts that may not be immediately obvious to counsel."

He started off last Tuesday by having a jury picked in two

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\* Reprinted from the *Miami News* newspaper of February 12, 1968.

hours. In such a complicated trial, this normally would have taken several days, slowed by a flood of objections from the attorneys.

He set the pace by remarking: "We will proceed more quickly than counsels anticipate. It is not my practice to hear protracted arguments on routine. We will not waste time with trivialities."

Many a Miami attorney, used to being able to prolong trials needlessly with specious and long-winded objections, would find Judge Holtzoff very difficult indeed. They would wish after a couple of days they had never left traffic court.

"What is your objection, sir?" he will say, cupping a hand behind his ear, because he is slightly deaf. After about 10 words: "Will you please come to the point?" Invariably, he will snap out "Objection overruled," in a quiet, croaky voice. But he always smiles nicely when he says it.

The smiles, so far, have been no consolation to the attorneys.

"What is an account signature card?" one attorney asked a bank officer the other day. "I'm disallowing that," the judge said impatiently. "Everyone knows what that is."

The government has not got away with anything either. The official who was brought in to liquidate the bank in January, 1966, was told by the judge as he gave evidence, "Look, sir, please use non-technical phraseology we can all understand."

When one attorney tried to get the liquidator to recap what his duties are, the judge said, "We have heard all that before. Do not repeat questions already asked by other counsel."

One attorney who quoted a certain law in an effort to bar the introduction of bank records into evidence, was told by the judge. "Overruled. Incidentally, I know about that law. I authored it." (Thirty years ago, while working for the Department of Justice.)

And the next day, before the jury was brought in, Judge Holtzoff told the assembled lawyers, "There were just too many technical objections yesterday. I don't mean to lecture you, but I'd hoped some of you at some stage would have got up and admitted these were the files from the bank.

"It would create such a better atmosphere if you'd get up and say, 'Yes, these are the records,' and sit down. These pointless objections just irritate and bore the jury, you know."

If the attorneys are less than happy to have the judge

among us, he is personally delighted to be trying his first-ever case in Miami.

"The federal judges of this district, headed by Chief Judge (Charles B.) Fulton are an outstanding group, and I am proud to be associated with them even temporarily," he says.

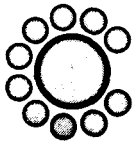
A number of fellow judges have been in to observe him at work, and one was seen smiling broadly at his method of dealing with attorneys who persist in pressing an objection after he has overruled them.

He bounces in his chair, wags a finger remonstratively and says, "Ah-ah-ah," like a kindergarten teacher admonishing one of her charges.

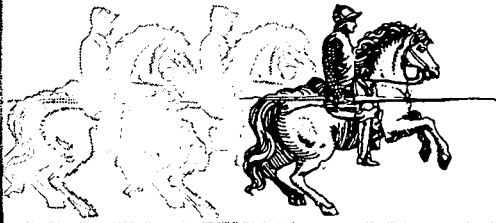
Then he will say kindly, "I know that a lawyer is under strain, like a surgeon, and sometimes in his zeal, he will go further than he should . . ."

The trial was continuing today. Expeditiously.

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# U. S. District Court Pays Homage to Judge Holtzoff

## In The United States District Court For The District of Columbia

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### Memorial Exercises in Memory

—of—

### The Honorable Alexander Holtzoff

Proceedings before the Court, sitting in banc, with the following Judges present: Honorable Edward M. Curran, Chief Judge, presiding, Honorable David A. Pine, Honorable Richmond B. Keech, Honorable Charles F. McLaughlin, Honorable Burnita Shelton Matthews, Honorable Luther W. Youngdahl, Honorable Joseph C. McGarraghy, Honorable John J. Sirica, Honorable George L. Hart, Jr., Honorable Leonard P. Walsh, Honorable Oliver Gasch, Honorable William B. Bryant, Honorable John Lewis Smith, Jr., Honorable Aubrey E. Robinson, Jr., Honorable Joseph C. Waddy, Honorable Gerhard A. Gesell, Honorable John H. Pratt, Tuesday, September 9, 1969.

CHIEF JUDGE EDWARD M. CURRAN: Distinguished members of the Judiciary, members of Judge Holtzoff's family, Mrs. Smith, members of the Bar, ladies and gentlemen:

It is my sad duty this morning to announce the death of a distinguished Senior Judge of this Court, the Honorable Alexander Holtzoff.

Today we pause to pay tribute to him, who has come to his eternal reward and who we pray is at peace.

Judge Holtzoff was born in Riga, Russia in 1886. He attended Columbia University School Of Law, graduating in 1911. As an under-graduate he was a member of Phi Beta Kappa. After admission to the Bar he practiced Law in Man-

hattan until 1924, except for a period in the Army during World War I. In 1924 he served as a Special Assistant to the Attorney General of the United States, the Honorable Harlan Fiske Stone, and later served in various executive positions in the Department of Justice until his appointment to the District Court on September 28, 1945. He helped write the Federal Rules of Civil Procedure and the revised Federal Rules of Criminal Procedure, both of which are used in all Federal courts of this country.

What type of man was he? For years he stood as a tower of strength to the legal profession. Strong in his convictions, he was a leader among men. He knew that lawyers faced a challenge to prove themselves worthy of the shining shield of strength with which their profession had endowed them. He knew it was hard to fail but he believed that it was worse never to have tried to succeed. His sterling qualities commanded our respect, his learning earned our admiration, and his true spirit inspired us.

He was a Judge who was a model for all Judges; a Judge whose grasp of the law and its legal principles is unsurpassed in the annals of legal history; a Judge whose deep-seated convictions resulted in his interpreting the law as it is written and not what he thought the law ought to be; a Judge whose passionate devotion to the cause of human rights, the rights of society as well as the rights of the individual, will live long in our memory; a Judge whose kindness endeared him to his brother Judges as well as to the members of the legal profession; a Judge who lived the law and reveled in the principle that the law meant common sense; a Judge whose devotion to the cause of liberty will live in letters of living light upon our hearts.

This Court received yesterday the following telegram from the Federal District Judges in Miami, Florida, where Judge Holtzoff had sat:

“The Federal Judges in Miami recognize and honor the distinguished career of Judge Alexander Holtzoff. He was a truly great jurist. He wore the mantle of greatness with real humility. His extensive service in the Court at Miami endeared him to each of us and enriched our lives. Your Court and our Court and the entire nation has not only

lost a superb jurist but also a warm-hearted, lovable human being.”

At the Law Dinner of May 2, 1966 at Harrisburg, Pennsylvania, Judge Holtzoff said:

“The Founding Fathers who labored at Philadelphia had complete realization of the need of guaranteeing the rights of individuals and limiting the powers of government but at the same time establishing a stable system of law and order in order to protect individual citizens and the public as a whole.”

His life was characterized by a seriousness of purpose which singled him out as one from whom great things were to be expected. He fought the good fight and he was faithful and loyal to his God, his family, his friends and his profession.

In this day of desolation, when around us lie the broken fragments of our hopes and our joys, none but an abiding God can help us.

The radiant picture of our sainted dead will dwell in the memory of our survivors and, though dead they will speak; though departed, they will influence succeeding generations, for God, for righteousness and for truth.

Oh it is times like these that we, the living, realize that the relentless blade of time has cleaved with impartial strokes.

This morning in this Temple of Justice, Alexander Holtzoff has earned the accolade; Well done thou good and faithful servant.

May he, with the rest of the faithful departed, through the mercy of an Almighty God, rest in peace.

All branches of this Court now stand adjourned until tomorrow in memory of Judge Alexander Holtzoff.

Mr. Marshal.

THE DEPUTY MARSHAL: This Honorable Court now stands adjourned.

IN MEMORIAM

THE HONORABLE ALEXANDER HOLTZOFF

Chief Judge Edward M. Curran announced the death of THE HONORABLE ALEXANDER HOLTZOFF, Senior Judge of the United States District Court for the District of Columbia, and thereupon directed that an appropriate entry be made upon the records of this Court as a testimonial to the high character of the deceased as a jurist and citizen, and of sorrow for his death, which is done.

The Court adjourned in honor of his memory.



Tuesday, September 9, 1969.

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