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# Joseph P. Lieb Gentleman, Gentle Judge (1901-1971)



Tom Wicker, Tarheel-bred newspaper columnist, once quoted his professor in journalism at the University of North Carolina, "If you're going to tell a story about a bear, bring on the bear." The subject of this piece was a bear of a man named Joe Lieb, the seventh son of George Francis & Mary McManus Lieb. There is no evidence that the news of his birth in Faribault, Minnesota got international attention. But it is nevertheless true that the year 1901 chronicled both his arrival and the first wireless transmission across the Atlantic by Marconi. Lean and athletic in his youth, Lieb ultimately grew to about 6-1 in height, and weighed in about 220 pounds.

It's no wonder Joe fled the cold climate of Minnesota as soon as he could. Average January temperature in Faribault is 11.2 degrees above zero. January, 1970 saw a one-day record low of 34 below. That's chilly!

He attended St. Thomas College in St. Paul for two years, then transferred to Georgetown University in Washington, D.C. on a football scholarship. He had to "beef-up" to reach the minimum playing weight of 150 lbs. When he checked in, the scales read only 137. He continued to play guard for Georgetown while in law school there. The book entitled "The Georgetown Hoyas - The Story of a Rambunctious Football Team" lists Lieb as a guard on the roster of the 1921 and 1922 teams. Those were the years before behemoth linemen, advanced protective gear, and coaches who someone described as fellows who are willing to lay down your life for his school.

Other Lieb brothers worthy of note included: John Lieb, who was a roommate of Dwight Eisenhower at West Point; Tom Lieb was Coach of the University of Florida Gators from 1940 to 1946.

After graduating in 1924 with a law degree from Georgetown (one of his classmates was the late John Twomey, a Tampa lawyer), and admission to the D.C. bar that year, Lieb applied to the U.S. Dept. of Justice for appointment as Special Agent with what was then known as the Bureau of Investigation, until 1935 when by Act of Congress it became the FBI.

Joe Lieb, Jr., only child of judge and Mrs. Lieb and a music prodigy, relates how his father was called upon to identify in a police lineup the organized crime figure, Arthur (Dutch) Schultz (whose real name was Flegenheimer). Schultz was playing poker with

Arnold Rothstein (and others) at Park Central Hotel in Manhattan when the latter was gunned down in the gangland style of that era. Rothstein had been a gambling czar whose principal claim to fame was fixing the 1919 World Series.

After leaving the Bureau, and doubtless benefiting from his fine record and reputation acquired during his experience in law enforcement, Lieb was appointed an assistant prosecutor by U.S. Attorney, John W Holland (who, incidentally, became a federal district judge in Miami, and whose retirement created the vacancy filled by Joseph P. Lieb in 1955). He served as Asst. U.S. Attorney in Miami from 1931 until 1934. While in that assignment, he met his wife, the former Helen Bowman of Knoxville, Tennessee, on a blind date. Their son still resides in the family home on Bayshore Blvd.

In 1934, the Liebs settled permanently in Tampa, bought the home overlooking the bay, and Joe began the practice of law. Associated with the Shackelford firm for several years, he established himself as a journeyman lawyer in real estate and trial practice. Armin Smith, Jr., a fine lawyer and partner in the Gibbons firm for many years before retiring, tells of his wife, Rebecca's experience with Joe when she was in the secretarial pool with Shackelford in 1944:

*"He was delightful to work with, always the gentleman, and very upbeat and cheerful. He was so thorough that he insisted on hand-drafting all of his legal handiwork. "*

*Armin says of his own contact with Joe during the same period -*

*"Behind his usually serious facade lurked the good old Irish humor, and none of that delightful demeanor vanished after he became a federal judge. "*

In 1946, at the invitation of Morris White, he joined the Fowler, White firm. One of his close associates there was the energetic and capable James E. (Jimmy) Thompson, who indulges these reflections:

*"Joe Lieb was always totally prepared for his trials and later, as a judge, he expected lawyers to be also. Morris White used to say that Joe's only fault as a trial lawyer was that he thought like a Judge and went out of his way to insure justice when he had been hired to win for his client. Later as a Judge, Morris was heard to say that his only fault was a tendency to think as an advocate for whichever side of a case he felt was right.*

*I recall asking for Joe's advice once on hiring an expert. I asked him what examining physician would be likely to give favorable testimony in a case I had coming up. He chastised me for the question and told me to look for the best qualified with unquestioned integrity, and preferably one who could testify in terms that layman could understand. He then added that if the expert's opinion agreed with my theory of the case, use him as a witness, and if it didn't, use the exam in my evaluation for settlement purposes, but NEVER try to get an expert involved as a partisan other than as a partisan for his opinion. That was good advice. "*

John Arthur Jones, veteran lawyer and senior partner with Holland & Knight, laughingly remembered a case where he was defending Western Union. Joe Lieb represented the plaintiff who had lost part of a finger when his vehicle collided with a WU vehicle. Unbeknownst to Lieb, the Western Union driver had a physical deformity causing him to have a crab-like walk. Jones said that when Joe Lieb saw the misshapen appearance of the defendant's agent, contrasted with the robustness of his plaintiff, he turned pale, evidently thinking that a jury might conclude that the defendant's driver was the one really injured in the collision.

Mrs. Lieb was a power in state and national Republican politics for years. In 1952, an

election year, she was a member of the Republican National Committee. On September 4 (her husband's birthday), she was on the platform at Plant Field to introduce Dwight Eisenhower who was appearing in support of his booming candidacy for president. Thirty-six years later, Leland Hawes wrote a detailed story in the *Tribune* with a picture of Ike, Helen Lieb and Joe, Jr. He called it, "The Day Eisenhower Stumped in Tampa." It may only have been coincidence, but when Judge Holland retired, President Eisenhower chose Joseph Patrick Lieb over Nathan Graham, a senior Republican from Tampa, who was reportedly supremely confident that he'd be the appointee.

Hon. Alexander L. Paskay, Chief Bankruptcy Judge in Tampa, became associated with Judge Lieb as his Law Clerk in 1958. He has a great store of knowledge about matters Liebman, and his keen recollection of the events taking place in the *U.S. v. Hoffa* trial, in particular, must be shared:

*"You may recall that Senator McClellan of Arkansas chaired a Congressional investigation into the alleged infiltration of the Mafia into labor unions, especially the Teamsters. JFK was a ranking member of the Subcommittee and Bobby Kennedy was the chief counsel for the Subcommittee, The constant fiery clashes between Hoffa and Bobby Kennedy were well publicized and left no doubt there was no love lost between the two. Thus, there was no great surprise that Bobby Kennedy wasted no time to go after Hoffa as soon as he became the Attorney General. There was no resident judge in Orlando at that time, and the Orlando calendar was handled by Judge Dozier DeVane, a Senior U.S. District Judge. As soon as the Hoffa camp learned that the criminal case would be handled by judge DeVane, they immediately hired Julius Parker of Tallahassee, a former schoolmate and neighbor of the Judge. They also hired former Governor Fuller Warren, a close friend of the Judge, and Frank Ragano, of Tampa, who had started practicing in Tampa, and who also had close connections with Santo Trafficante. When Bobby Kennedy learned of this lineup he panicked and called Earl Warren, Chief justice, and urged him to remove DeVane immediately. I never forgot the Friday afternoon when I brought the news to Judge Lieb that he was a very lucky fellow. All pending motions were to be heard in Orlando the following Monday at 9 A.M. The Judge instructed me to go posthaste to Orlando, get the file, read the motions and debrief him when he arrived Sunday afternoon.*

*I got to the federal courthouse on Saturday. It was closed but I was able to locate the deputy clerk and got the file. Justice Dept. attorneys who were staying across the street from my hotel told me that their rooms had been bugged and likely the Judge's and my room would be likewise. Rather than discuss the case in the hotel, Judge Lieb and I walked around Lake Eola until midnight discussing the 32 count mail fraud indictment. When the court convened on Monday, the Hoffa people were stupefied to see Judge Lieb on the bench and immediately asked for a recess. That request was denied. One of the grounds for dismissal was that the grand jury was improperly convened. The law required that there be two jury commissioners, one Democrat and one Republican, but when the two who had selected the grand jury testified it turned out that both commissioners were registered as Democrats. Needless to say, all hell broke loose. Instead of ruling immediately, Judge Lieb told the lawyers to come back after lunch recess. When court reconvened, Hoffa fired his entire entourage except the regular Teamsters attorney and Frank Ragano and asked for and was granted a recess until the following day. Hoffa immediately brought in a new lawyer, a Mr. Katz*

*from Philadelphia, who argued the motion. Prosecution argument was presented by James Neal who later became famous during Watergate. Katz presented a persuasive argument, with which I was in agreement, and the indictment was dismissed. "*

Toward the end of his career, Judge Lieb, who received a number of letters after his ruling in *U.S. v. Hoffa* which accused him of taking bribes, being a communist, and other scurrilous charges typical of "hate mail," had to deal with difficult and volatile cases involving integration of public schools and facilities. According to his son, more than 100 phone calls threatening his life were received. On one occasion he was hit in the stomach with a wine bottle while shopping at the old Winn-Dixie store on Kennedy Blvd. at Brevard.

As he was leaving chambers late one afternoon in November, 1971, he was stricken, rushed to the hospital, but was unable to recover. Although Joe Lieb's life was destined not to exceed the Biblical three-score and ten years, his record of public service, impeccable personal life, and his judicial mien - gentle yet firm - will be his indelible monument.

*- Morison Buck*

***Afterword:***

One who claims that he knows about it  
Tells me the earth is a vale of sin;  
But I and the bees, and the birds, we doubt it,  
And think it a world worth living in.

*- Ella Wheeler Wilcox*