S. Leo Ruslander

THE LIFE AND TIMES OF S. LEO RUSLANDER

(A Quasi-Autobiography)

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By
S. LEO RUSLANDER
Pittsburgh, Pennsylvania

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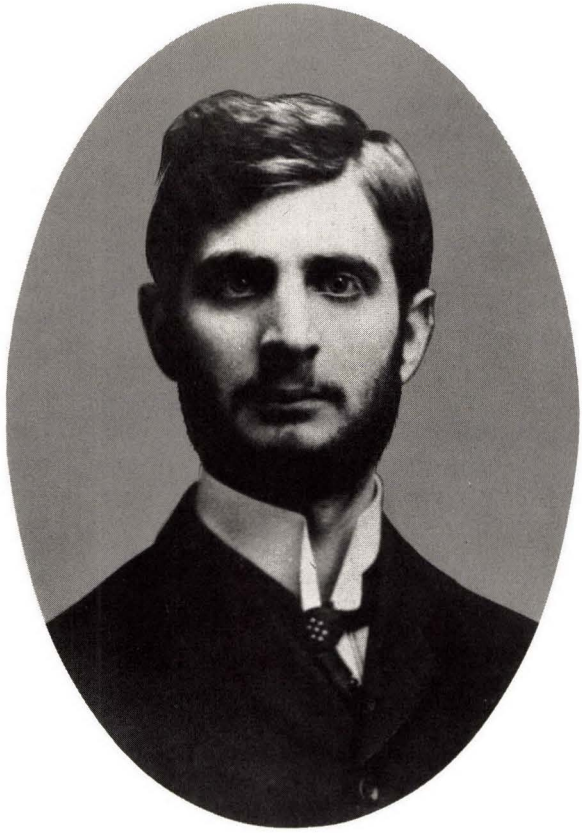

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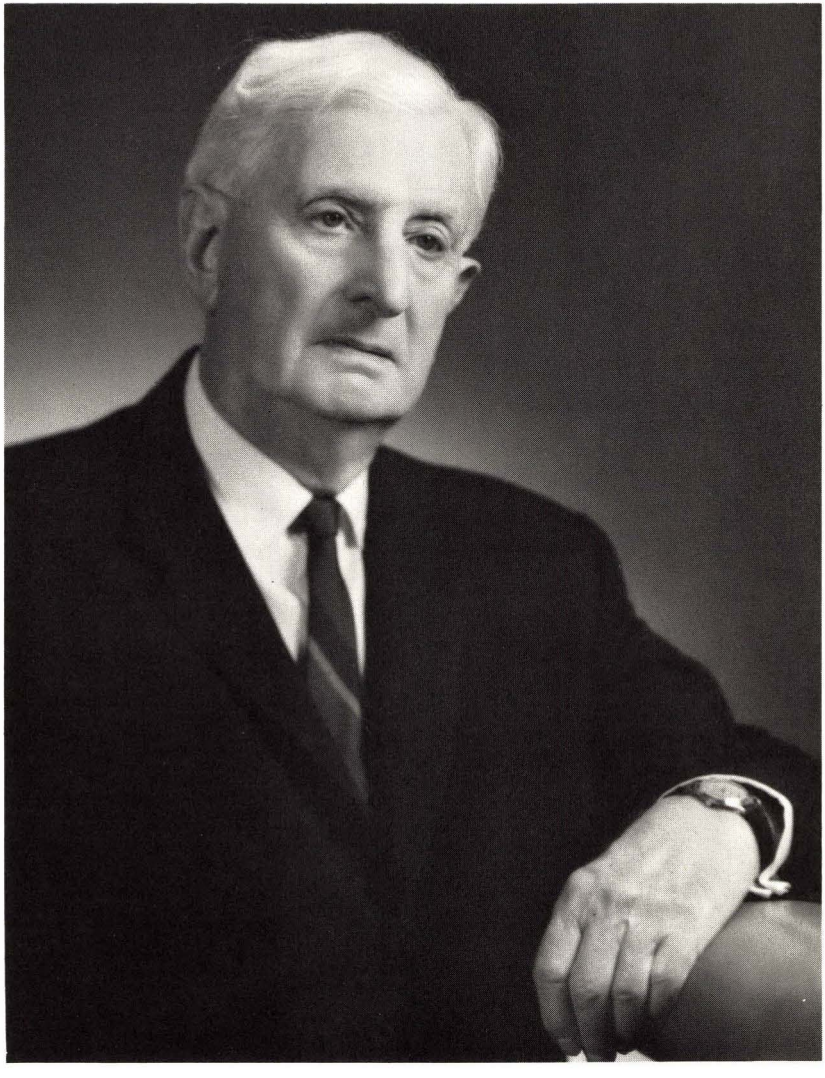

S. LEO RUSLANDER
1964

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AUTHOR'S PREFACE AND FOREWORD

This book is dedicated to my three grandchildren, Patricia Jane Adler, Lee and John Ruslander. As my Father often said to me: "If I had it to do all over again, I would only have grandchildren." Of course, I do not subscribe to this one hundred per cent.

The use of the word "quasi" in the title is a deliberate choice. "Quasi" (Latin) means, "as if; almost. A term used to mark a resemblance, and which supposes a little difference between two objects." Law dictionary.

I have depended, in the main, on my memory. This book is finished in 1964, at which time I attained the age of eighty-five years.

I know that the tendency of an old man, when he has an audience of one or more, is to reminisce and that these reminiscences usually prove primarily that he has a bad memory. My excuse is that this book is written only in the spare moments of an active professional life and prior to attaining the status of a one hundred per cent retirement.

"God has given us wit and flavor, brightness and laughter, and perfumes to enliven the days of man's pilgrimage and to charm his pained steps over the burning marl." Sydney Smith.

Steinbeck, the famous author and Nobel prize winner, when asked for biographic information said: "Please feel free to make up your own facts about me as you need them. I can't remember how much of me really happened and how much I invented. Biography by its very nature must be half-fiction."

As one author has put it, "If I may in some way contribute to the interest and pleasure of those friends and members of my family who read this book, I will be repaid for the effort I made to write it."

The above quotations will suffice to explain the spirit that moves me to write. However, I hope no reader will dismiss this book as did a famous book reviewer who said of a book he reviewed, "Too much space between the covers."

It will be noted that I deliberately pass over or give almost no details with respect to members of my family, partners, associates, or persons who have died within the past five years and those who are still living. Exceptions to this rule are found in Chapter XI. I want them, if they read this book because they get it as a gift, to read without the prejudice or perhaps some well deserved pride that might otherwise result therefrom.

I wish, hereby, to acknowledge my debt of gratitude to my brother Fred, who has aided me in preparing this book. His corrections, additions, encouragement, and other services, have been of great value to me.

As of January 1, 1965, the present law firm of Ruslander, Ruslander & Lieber will merge with the law firm headed by Allen H. Berkman and will practice under the firm partnership name of Berkman, Ruslander, Lieber & Engel. My position will be that of Counsel to the new firm. It will start with eleven lawyers and a staff of nine office employees. After March 1, 1965 this firm will occupy offices on the 20th floor of the Frick Bldg. in Pittsburgh, Pa., consisting of approximately 5,000 square feet of office space.

S. Leo Ruslander.

CHAPTER 1

Birth, Deaths and Ancestors

I was born in Bradford, Pennsylvania, in that part of the City known as Pig Island. The term "Pig" was due to a prior history, but at the date of my birth, April 16, 1879, this was a desirable, residential section. In 1879, my Father was thirty-one years of age and my Mother twenty-one years of age. I was told I was the first Jewish boy born in Bradford, but a Louis Friedman (deceased) claimed he came first. We were friends and used to argue about this.

My Father, Moses Ruslander, as set out in his United States Citizenship Certificate, filed in the Superior Court of Buffalo, New York on October 28, 1876, arrived in the United States in 1866 and was then (1876) twenty-seven years old.

On the back of the copy of this citizenship certificate, (in my safe deposit box), in my Father's handwriting, it is set out that he was born September 27, 1849 in Spittule, Poland. Arrived in United States at seventeen years of age. Former allegiance, Czar of Russia.

He married Phoebe Jane Katz, of Titusville, Pennsylvania, on July 9, 1878.

From the Tombstone of Ephriam Ruslander (Father of Moses Ruslander) - Cemetary at Augusteuva, Lithuania, Russian Poland, translation of the inscription engraved in Hebrew:

"Peaceful and righteous you were in your deed, seventy four years the days of your life. Your life you lived from the skill of your hands, your efforts were never to become rich. You always shared your bread with the hungry. You kept far from your house evil and presumption. The love of your life was the fear of God exalted as your soul therefore will be your rest.

"Our Father, Ephriam, may his life be a blessing. He is buried here in good rest.

10 Thammunz 1888"

Above taken from a photograph brought back by Lester Ruslander, a grandson, who visited this graveyard some years after World War II.

I was named after my maternal Grandfather, Solomon Leo Katz. He was born in 1819 and died operating an oil lease near Titusville, Pennsylvania. As set out on his tombstone, he died at half past two o'clock, February 6, 1871, Age 52 years. Cause of death, explosion of the boiler on the oil well he was operating at the time. I have been told that his picture shows I resemble him - all six foot of him.

According to my Father, Moses Ruslander, who relied solely on his memory, the original Ruslanders came from the interior of Russia to the then border between Russia, Poland and Germany. The name Ruslander indicates that the family came from Russia. The original Ruslander men were all coppersmiths and made a living working with brass and copper, making and mending copper and brass utensils. Also made brass items, such as candlesticks. In those early days, the coppersmiths, like the gypsies (also coppersmiths) wandered from place to place to ply their trade.

My paternal Grandfather, Ephriam Ruslander, had four sons and three daughters. He and all of his sons, except my Father, were coppersmiths. My Father was chosen to be educated as a Rabbi and so never learned the trade of a coppersmith. More about my Father in later chapters, especially Chapter II.

My Mother, Phoebe Jane Katz, was born in Poland and came to Titusville, Pennsylvania at the age of one year.

My knowledge of my maternal Grandfather comes, in part, from my Mother, but in the main from her oldest Brother, Ellis Katz, who died at the age of ninety-nine years. As told to me by Uncle Ellis, who relied solely on his memory, his Father with his family lived in Poland in territory bordering on Russia and Germany. He had a farm but was early involved in the war between Russia and Poland. He was a Polish patriot and before and during the invasions of the Polish border by Russia ran arms and ammunition from Germany to the Polish Army. This gave him the reputation of a smuggler. He was tall, athletic and very strong. The border country between Poland and Germany was rough and wild, which involved great hardship in passing from one border to another. At the end of one of these civil wars when Russia overran the border lands, the Russians put a price on his head and he fled to the United States to escape capture, leaving his family behind. Uncle Ellis recalled the time when the Russian soldiers (Cossacks) came on horseback to their farm to capture his Father. When they found he had escaped, they took Uncle Ellis, then about sixteen years old, a prisoner as a hostage. Uncle tells that he was not treated unkindly and won favor by teaching the Russian soldiers to read. In the

meantime, through family influence and bribes to the Russians, he was released to accompany the family to the United States for reunion with his Father, then located at Titusville, Pennsylvania. The family which came over consisted of the oldest sister, Esther, married to Abe Simons, three younger sisters, of whom my Mother was the youngest, Uncle Ellis and a younger brother, Hiram.

They were enabled to come to the United States by relatives named Harris. Three brothers who had previously settled in Titusville, Pennsylvania, were at that time prosperous merchants and later successful in the oil business. The first oil well drilled in the United States, the Drake Well, was drilled at Titusville, Pennsylvania.

My Grandmother Katz lived with my Aunt Rachel (a daughter) married to Hiram, one of the three Harris brothers, and died when I was about seventeen years old. She became almost blind and never mastered the English language. She was the only Grandparent that I knew personally. She was, to us, a wonderful person and greatly loved by all of her grandchildren.

Dates

Moses Ruslander (Father) Born September 27, 1849, Died December 24, 1932.

Phoebe Jane Katz Ruslander (Mother) Born March 19, 1859, Died November 9, 1939.

S. Leo Ruslander, Born April 16, 1879

Fred E. Ruslander (Brother) Born December 1, 1882

Gertrude Hartwig Ruslander (Wife) Born March 24, 1882, Died July 7, 1954

Marcella Lina Ruslander (Daughter) Born April 5, 1913, Died May 22, 1920
Julian Ruslander (Son) Born October 23, 1916
S. Leo Ruslander, Jr. (Son) Born February 15, 1920, Died September 13, 1944
Patricia Jane Ruslander (Adler) (Granddaughter) Born January 21, 1940
S. Lee Ruslander (Grandson) Born September 10, 1945
John Ruslander (Grandson) Born July 25, 1948

CHAPTER II

My Father, Moses Ruslander

He was born in Spitulle, Poland, the first day after the second day of Succoth, in October 1847. This date taken from Bible record. September 27, 1849 is date noted on his Citizen's Certificate. He died on December 23, 1928 in Pittsburgh, Pennsylvania. As already stated, he was to be educated as a Rabbi. He gave up his studies because in those days students from poor families who were to study to become Rabbis had to leave home and go to a town where there was a proper school. The well-to-do Jews in these towns took in students without charge on a rotating system, so much time with each family. My Father disliked this system, it hurt his pride and otherwise made him uncomfortable. As he had no trade and no education except that received in studying to be a Rabbi, it was decided to send him to America. The family was so poor, it had to sell the one cow it owned to raise the money to send him to America. He left behind him two older and one younger brothers, (All coppersmiths), two older and two younger sisters. In due time, he brought all of the family except his parents and oldest brother to the United States. As to his arrival in the United States, see Ruslander Reminiscences (Pittsburgh Legal Journal of October 29, 1955 in the appendix). My nephew, Rabbi Selwyn D. Ruslander writes, "I have

some early Nineteenth Century printings of philosophical, legal and texts in Hebrew, which my Grandfather carried from Europe to America."

By the time he was twenty-eight years of age, my Father had a clothing store and interests in some oil properties in Bradford, Pennsylvania. He became friends with the Simons family (Aunt Esther), who lived in Bradford, and asked her to help him find a wife. His basic and most important requirement was that she should be well educated. Through Aunt Esther he met and married her sister, my Mother. As a high school graduate and a school teacher in Titusville, Pennsylvania, she was classed as high, if not a higher educational status than a college graduate of today. It was not easy at that time to find a young Jewish girl with that much education. She could play the piano and sing a little. She also was an elocutionist and recited with ability and the gestures fashionable at that time. I still remember one of her songs, it ran about as follows: "In the twilight, in the gloaming - Oh my darling think of me."

My Father, at the time he married, was considered a rich man. He was restless most of his life and as soon as a business venture prospered he left it to clerks and partners and started new ones. In the oil excitement days of that time, with the gambling in oil properties and oil, with wide fluctuations in the daily price of oil, you could be rich one day and poor the next day. Bradford had an oil exchange open every day where oil was sold like stocks are sold in the New York Stock Exchange.

It was not very long before my Father lost all his property and had to go through bankruptcy to get a fresh start. He had at one time or another stores in Bradford, Pennsylvania, Buffalo, New York, Olean, New

York and DuBois, Pennsylvania, also oil interests and real estate ventures in various places. At the time of his death he was in the business of building and renting low priced houses for workmen in West Park, Stowe Township, adjoining McKees Rocks, Pennsylvania. Most always, as long as I can remember, in business, as distinguished from personal debt, he was hard up for money. He could never for any length of time work for another person, or get along with his various partners.

My Father was an educated man. He was very well versed in the Bible and Talmud and would stay up all night when he could discuss these matters with other like educated men. He could not tolerate an ignorant man, no matter how rich, or treat him as an equal. He read all the best classics of his time, and in particular, the works of the ancient philosophers. Plato and Socrates were his favorites and he read and reread their books over and over again. He once offered me a substantial sum if I would memorize "The Republic of Plato." It was a small book that did not appeal to me as one to be memorized. Another favorite book of my Father was "Getting on in the World," a collection of quotations from many authors. I used this book often for material for speeches.

Father was temperamental, was adversely affected by bad weather and worked only when the spirit moved him. He kept his own books, which demanded much time. He would work on them all night at a stretch and then refuse to touch them for weeks at a time.

While he did not devote much time to church or social welfare activities, he encouraged my Mother to do so and she did. He was violently and aggressively against the use of pork or any part of swine as a food.

He claimed those who ate much of it turned into pigs. My wife had to promise him that as long as he lived she would never have pork or pork products in our house. Otherwise, he would not have eaten a meal with us because he would consider the dishes as pork contaminated. Father was sociable and agreeable to all who came to our house. However, he wanted people to come to him and was slow to go to them.

He enjoyed a game of penny ante (poker) for small stakes. He was a very good swimmer and that is the only sport we ever engaged in together. He also delighted in Turkish Baths and I frequently went with him but could not stand the intense heat he delighted in.

Up until the auto, telephone, radio, television, movies and country clubs occupied the educated and intellectually inclined persons, the Public Lectures by noted persons were very popular. They were given on an entrance charge (fee) per person basis. My Father never passed up an opportunity to attend such Lectures and to discuss them with the family or friends who would listen. His favorite was Robert Ingersoll, an agnostic, who drew immense crowds even from so-called protesting church members. Father liked a small book published by Ingersoll called, "The Mistakes of Moses." He was ready to argue for or against the views of any of the noted lecturers, depending upon which side his visitor cared to take.

Father was a heavy smoker of any kind of a smoke except a paper cigarette. In the morning before he got out of bed and dressed, he started to smoke. An all tabacco cigarette, called "Between the Acts" was his favorite. He also liked one drink of rye whiskey (straight) before every meal except breakfast. However, at a family wedding or other celebration,

especially if his brothers were present, they would stay up all night singing, eating and drinking.

My Father was the one who influenced me to become a lawyer. He was of the opinion that while business might offer greater money rewards, even the moderately successful professional man need never go bankrupt. Even with the low costs of those early days, it was a heavy burden for my Father to finance my education. However, he did so most willingly and never complained about it.

Beginning in 1903 my Father began the building of low cost rental housing in West Park of McKees Rocks, Allegheny County, Pennsylvania. My wife and I lived in one of these houses, transferred to me, subject to a mortgage, and next door to my parents. The second year of our marriage, urged on by my wife, we moved to an apartment on Melwood Street in Pittsburgh.

My Father also acted as Sales Manager in West Park for the Freehold Realty Company. He had a small office building there. I put up my sign on this office building and built up a modest practice among clients who lived in West Park and wanted to be able to consult a lawyer evenings.

At the time of my Father's death in 1932, he was living in an apartment on Beechwood Boulevard, Pittsburgh. He attended to his West Park (real estate) properties up to the time of his death. Some years before his death, he developed a growth on his vocal cords, which was removed by an operation but resulted in a loss of voice. He could talk only in a whisper. Later the growth reappeared and as he was considered too old for another operation, this growth, which was cancerous, ultimately caused his death. He

suffered no pain from it and the night he died he undressed himself and passed out so quietly that my Mother, in an adjoining twin bed, did not know he had died until the next morning.

My Father mortgaged all his real estate to the limit and also borrowed from banks. The difference between his income from rents, less expenses, gave him a living and he calculated his equity just prior to his death as about $100,000 based on his calculation of income capitalized. The mortgages were not reduced by annual payments and when the 1929 crash came after his death, rents were unpaid and very much in arrears, so that I had to let most of the property go to satisfy the mortgages. I was endorser on an unsecured note of my Father in the sum of $25,000 held by the Fidelity Trust Company of Pittsburgh. With the sale of the remaining property and sale of some of my personal stocks, the note was paid. His estate was liquidated at a considerable personal loss to me. My son, Julian Ruslander, took an interest in these properties and looked after them for some years until we both decided to liquidate and devote all of our time to the practice of law.

The following appeared in a local newspaper as a death notice for Moses Ruslander (December 24, 1932):

> "One of the pioneer members of the Zionist Organization of America and the Hebrew Union College. He was one of the first supporters of the late Rabbi Isaac M. Wise, in founding the Hebrew Union College at Cincinnati, Ohio. He celebrated his Golden Wedding, July 9, 1928."

CHAPTER III

My Mother, Phoebe Jane Ruslander

As related in Chapter I, my Mother, Phoebe Jane Katz, was born in Poland and came to the United States when about one year of age. She lived in Titusville, Pennsylvania, until her marriage, when she moved to Bradford, Pennsylvania.

Her Father, who preceded the family to the United States, as set out in Chapter I, was employed by and aided financially by three brothers, Ellis, David and Hiram Harris. They were distantly related and at that time well-to-do financially. The Katz family after the Father's death were kept together and survived by the efforts of my Uncle Ellis Katz with the assistance of the Harris brothers. Hiram Harris married my Mother's older sister, Rachel, and she then helped the family financially and otherwise.

Mother never had to work outside of the family until after she graduated from the Titusville High School and became a teacher. In high school she was usually second high in her class. Ida M. Tarbell was first. She (Ida M. Tarbell) became a famous writer and author. Her history of the Standard Oil Company with its attack on the first Rockefeller, the founder of the Standard Oil Company, created a tremendous sensation. She and Mother remained friends until her death. She never married.

The Titusville Morning Herald of July 10, 1878 reported the wedding of my Father and Mother as follows:

"Mr. Moses Ruslander, Bradford, Pa. and Miss Phoebe Katz, of Titusville, married at 3 o'clock Tuesday afternoon, the 9th of July, at the Beth Zion Temple by Rev. Felix Jeaselson. The ushers were Messrs. A. Silverberg, L. Hymen. Mr. Adolphus Weil acted as groomsman and Miss Jennie Kleinmeyer as bridesmaid.

The bride was attired in a rich white satin trimmed with orange blossoms and wore diamond ornaments, and the groom in a dress suit of black.

Reception in the Union Club Rooms where many valuable presents were displayed. In the evening a ball was given in honor of the happy event.

This morning Mr. and Mrs. Ruslander will step aboard the early train for Buffalo and the East."

The Adolphus Weil mentioned above combined his first and second names to A. Leo Weil when he began the practice of law. He was the Weil of Weil & Thorp, of Pittsburgh, the firm which gave me my first job after I graduated from Law School in 1901 and with whom I remained for nineteen years.

Going back to the wedding trip of my parents, they went to Niagara Falls. I mention this because the start of my honeymoon was from Buffalo to Niagara Falls.

After my Father lost all his property about 1887, the only asset remaining was a 150 acre farm near North Collins, New York, about twenty-five miles from Buffalo, New York. This asset remained because it was in the name of my Mother, who had received it years previously as a gift from my Father. We moved from Bradford, Pa., to the farm which my

Mother managed. It gave us a living while my Father went back to the oil fields to recover financially by dealing first in oil leases and later securing some oil producing properties. Mother called the farm "The Leofred", a combination of the names of her two sons.

My Mother's first task at the farm was to get rid of the tenants put there by my Father. They were two families of immigrant Polish Jews. My Father intended to found a colony and to try to make Jewish farmers as an example to the people of the United States. They were impossible in every way. All I can remember of them was that the men looked like foreign gypsies. Mother ran the farm with hired help, usually two men and a maid for housework. She was successful and popular. She was the first woman of the neighborhood to ride horseback without a side saddle and was the first woman elected to the board of the local public school.

The farm house had no indoor toilets or bath, used kerosene oil in lamps for light, but had cold water in the house run through a pipe from a spring on the hill back of the house. When extra water was needed it had to be pumped from a hand pump in the yard.

Buffalo friends were frequent visitors to the farm. Among others, the Hartwigs. Gertrude Hartwig, who was to become my wife, was often a summer visitor. I remember when she was about seven years old and on a visit, my Mother asked her to do some little task. She drew herself up and said, "I am here as a guest and not as a servant." After a few words from Mother, she obeyed orders. Mother taught her to recite the poem, "Over the Hills to the Poor House." This poem is in "Farm Ballads" by Will Carlton. She always

put a shawl over her head for this recitation, and was able to and did on occasion recite it almost up to the time of her death. On the farm we were the only Jews within a radius of many miles.

Mother was always active in welfare and social work. In the different towns, about five in number, before coming to Pittsburgh in 1902, she was active and greatly respected as a leading spirit and worker in communal activities, both Jewish and non-Jewish. In Pittsburgh she was very active and an officer in the Local and National Council of Jewish Women; was the founder of reform Jewish Sunday Schools in towns outside of Pittsburgh working solely with volunteer teachers.

She inaugurated services on the Jewish High Holidays in the jails and penitentiaries in and around Pittsburgh, working with volunteer laymen who conducted the services. I was one such. She made public speeches and worked hard for Woman Suffrage. She was active in non-Jewish affairs and worked with the Organization of Women's Clubs of Allegheny County. She founded the Pittsburgh Branch of the Pennsylvania Association for the Blind. There is a plaque dedicated to her memory in the building used as the Workshop for the Blind on Craig Street and the stationery of the Association, to this day, carries her name as the Founder. Due to my Mother, I have been a Board Member and Secretary of the Pittsburgh Branch for many years. The Pittsburgh Branch was the first of the many branches now associated as the Pennsylvania Association for the Blind with headquarters in Harrisburg, Pennsylvania.

The foregoing omits many other activities which I know existed but no longer distinctly recall.

Mother was a good cook and housekeeper. She did not keep a Kosher table but meat or products from swine were never present. She preferred to go to Temple Services on Saturday mornings, and while she did not always walk to Temple, would do no sewing or other like work on the Sabbath. Father attended services on the High Holidays and seldom on other occasions. He claimed that the fast on Yom Kippur did not bother him except that he craved a smoke. Mother and Father both fasted up until the last years of their lives. We were all members of the Rodef Shalom Congregation of Pittsburgh.

My parents had very little money to spend on themselves, belonged to no social clubs, and never had an automobile. Most of Mother's co-workers had a much easier life, but there were no complaints. Street cars were the family car.

While living in DuBois, Pennsylvania, my Father belonged to the Elks but this was for business reasons and he never was an active Elk.

Mrs. Max Solomon, ninety-four years old in 1964, lives in Pittsburgh. She likes to tell that my Mother was her teacher in the Public Schools of Titusville, Pennsylvania, and what a fine teacher she was both in and out of class.

CHAPTER IV

Life on the Farm

As the farm was near the Village of North Collins, New York, we always located it as the North Collins farm. It was about three miles from North Collins, where the railroad station was located. Consisted of 150 acres, mostly cultivated and pasture.

I cannot remember exactly my age on the farm but believe it was from eleven to fourteen years. As was the case with all farm boys of that day, I learned to milk a cow, harness and drive horses and work with a horse drawn plow and cultivator. Also tried to raise my own flock of chickens. They were Buff Cochins. As the original couple were egg eaters and destroyed their own eggs, nothing came of this venture.

The principal money crops of the farm were strawberries, red and black raspberries and potatoes, all sent to the market in Buffalo, New York, for sale. The berries were picked by hand and the pay for picking about two cents a quart. Indians from the nearby reservation were the principal source for berry pickers. I learned to converse, in a very limited way, in their Indian language.

Our farm wagon was often loaded for night departure for the market at Buffalo, about twenty-five miles away, and sometimes I rode with the hired men.

The trip took almost the whole night. The amount received at the market, mostly through commission agents, varied according to the daily supply and demand. There were times when the receipts were less than cost. Berries were perishable and had to be sold without delay. Potatoes could be held by the commission agents when the prevailing price was too low. Many shipments to the market were by railroad express delivered to commission agents.

On our farm we had about twelve cows, four horses, chickens, ducks and pigs, called hogs.

The milk was sold and delivered to a cheese factory located about three miles from the farm. Our wagon brought back so-called whey, which was the remaining fluid after the cheese was made. It was fed to the hogs. The cheese factory was across the street from the one room school I attended. At recess we ate cheese curds given free at the cheese factory. These were the result of the first step in cheese making.

I soon outgrew the courses taught in this school and transferred to a Public School on Delaware Avenue in Buffalo, New York. I left North Collins by train each Sunday afternoon and returned to the farm Friday night. Boarded in Buffalo with a family named Wittman and started a friendship which lasted for years with the two sons of the family. Hugo was some years older but Sigbert was my own age.

On our farm we had a woods with a number of chestnut trees. Every fall we waited for the first heavy frost to open and drop the burs and which released the chestnuts, trying our best to get partly ahead of the squirrels and roving Indians. We also had butternut trees. These gave a good yield which could be harvested more leisurely. Our supply of

nuts lasted well into the winter months. We also had cider which the farm hands made from apples raised on the farm.

The woods at the rear of the farm were a source of great pleasure to me. There were many wild flowers there and each spring my Mother took me out to pick them. She taught me the names of all of the many flowers and much about their life and qualities. Regret that as of today I can hardly remember the names of these flowers but as a boy I knew them well. The outskirts of the woods furnished an abundance of wild berries. Around the spring on a hill back of the house, which furnished water to the farm, were vines of edible wild grapes.

At one end of the farm furthest from the woods there was a stream of water which furnished some bathing and fishing. To me as a boy it seemed quite a stream, but when I viewed it many years later I could not believe that such a small stream was ever used for bathing or fishing.

As stated elsewhere, my Father did not believe in holding debt free any property that could be mortgaged and so the farm, after we left it, went to satisfy a mortgage.

Many years later I took my son Lee, when we were visiting in Buffalo, out to see the farm. Found it occupied by a large and very friendly Italian family. The barns were in poor condition but the house was fairly well kept up. When I explained that I once lived on the farm and that my Mother was still living, was given many samples of farm produce to take back to her. Lee was not too much impressed with the farm as I had probably pictured it more glowingly in my descriptions when he and Julian used to urge me to tell them stories of my life on the farm.

Getting back to farm life, we burned wood for cooking and heating. The hot water for the weekly bath was heated on the kitchen stove. On winter nights when the fires died down we were cold even in bed, and in the morning ran down to the kitchen where a fire was kept up to dress. The fire wood was piled outside of the house in large piles. We called it cord wood.

There was a partial dirt celler under the house where apples, preserves and other farm products were kept. We also had a small building used as an ice house. We cut ice from a pond on the farm and stored it in sawdust in the ice house and therefore had ice for most of the summer.

When the snowfall was heavy, before we could use the outdoor toilet, which was the only one we had, we had to scrape the snow from the seats. The heavy snows often blocked the country roads with high drifts and there were times when we were snowbound and had to miss school.

Social life and amusements consisted of square dances in homes, parties in homes, picnics and once a year a big day when the circus came through. The whole family attended these affairs, even infants in arms. One musician and one caller was the dance crew. A favorite dance was called the "Crooked S." Instead of movies we had Magic Lantern shows, lectures, elocution recitals and readings by local and outside talent. I had no church life as we were the only Jews. Attended Christmas and other church parties with my friends.

A haircut was twenty-five cents in the Village Barber Shop and always ended with a rubbing in of so-called bear grease, which was supposed to be good for

the scalp. Boys did not wear long pants until well along in years. The first long pants suit was a big and eagerly awaited event.

I had a high wheel bicycle, large front wheel and small back wheel. It took me a long time before I could mount the bicycle from the ground. Used a barn platform and when demounted on the road, had to wheel the bicycle back to the farm. There was a hand brake on the big front wheel. When you used this brake suddenly, the back wheel went up in the air and you landed over the handle bars on your head.

There were no paved roads or sidewalks. No mail delivery service. We had to go to the Post Office in North Collins for our mail.

Angola, New York, about ten miles from the farm, was located on Lake Erie. There was a very fine sand bathing beach but no bath houses, eating places or other facilities. We carried our own food and made a trip by horses and wagon to the beach, a full day's holiday.

Our food on the farm consisted of garden crops of many kinds, home made bread, much poultry and very little fresh meat. However, the North Collins stores carried ample stocks, among the other products and articles, all the needed food supplies. Each fall a hog and large calf were slaughtered for meat. Some parts were smoked in a small so-called smoke house. A professional did the slaughtering and cutting up of the meat.

I had my own horse, a small mustang pony and would saddle him and ride to all parts of the country. Once on the Fourth of July in North Collins some bad boys threw a large firecracker under my pony, who jumped and lit out for the farm at high speed. I

could scarcely hold on the saddle and when there was the sudden stop at our barn door, I went over the pony's head and was unconscious for so long that my Mother sent for the village doctor. By the time he arrived I was fully recovered.

For companions I had the son and daughter of one of our farm hands. A next door farm was occupied by the Evans family. The father was a farmer and skunk hunter. He hung the skunk skins all over the outside of his barn for curing. You could smell his farm a hundred yards away. His daughter Hattie, while older than myself, was also a companion especially at dances and parties. A senile grandmother lived with the Evans family. Almost every large farm family had a senile or crazy member of the family. We called them queer and accepted them as a matter of course. My brother Fred, three years younger, tried to be a companion but I was not overly kind to him and used to chase him back when he followed me and my friends.

The farm provided some small game hunting, principally squirrels. I was promised a gun for hunting but while it was on order, a neighbor's boy shot himself while hunting and so I got no gun. I never during my whole life owned a gun and so almost never hunted. Developed over the years into an ardent fisherman, spending many vacations fishing in Canada and elsewhere. Did some brook trout fishing in Pennsylvania streams. To make up for loss of the gun, my Father purchased a large black Newfoundland dog for me. He was named Pompo. Stood six feet when erect on his hind feet. He was my constant companion as long as he lived, but passed away before we left the farm. Taught him many tricks including

pulling the sled back up the hill when we went sled riding in winter. After a few trips he would sit at the top of the hill and refuse to come down to pull up the sled.

CHAPTER V

Relatives

The Sam Ruslander Family.

Uncle Sam Ruslander was an older brother of my Father. He had ten children and they all married, and, with the exception of Mose Ruslander, had families. When Uncle Sam and his wife, Aunt Brina, had a family celebration, such as their Golden Wedding Anniversary, which I attended, they filled a hall. There were over one hundred, including grand and great grandchildren. Uncle Sam was a fine looking man up to the time of his death at ninety-five years of age. He wore a full beard and wrote poetry mostly in Yiddish.

When my Father brought Uncle Sam and his family to the United States, he put them on the North Collins farm but they did not adapt themselves to farm life and moved to Buffalo, New York. Uncle was a coppersmith by trade and had a small shop back of his house in Buffalo, New York. In time he operated a small hardware store in connection with this shop. I was a frequent visitor in Buffalo and in close contact with Uncle's family. Levi, a son, who was a little over a year older, and Rachel, a daughter, who was a year younger than I, were my favorites. A family picnic was something to be remembered. Used to

hold one from time to time at Crystal Beach across Lake Erie from Buffalo. We played baseball and Levi, who liked to show how tough he was, would be catcher. He refused the use of a mask or glove. The eats were tremendous. I remember the potato pancakes made in a very large wooden wash tub and eaten by the hundreds. Uncle Sam never made much money because he was very independent and insisted his customers do business with him on his own terms. All of the family prospered as they grew up with, in most instances, not even a high school education. David, older than Levi, worked his way through high school and college to become a lawyer. He was on the faculty of the University of Buffalo Law School and served on the School Board of the City of Buffalo. The day before his funeral, Buffalo was visited by a severe snow blizzard. The streets were blocked with high snowdrifts, but because Dave was a member of the School Board, the City sent fire trucks and snow plows to clear a path to the Cemetery. Dave's son, Lewis, is a successful practicing lawyer in Buffalo. His daughter Zella is head of the largest Public School in Buffalo.

Levi started to work for his Father as a young boy and never got to high school. He developed and ran the business to a very successful and prosperous enterprise. The original Mr. Statler, who lived in Buffalo and who built Statler Hotels in Buffalo and a number of other cities, took a liking to Levi and gave him the contracts for all kitchen equipment in every hotel. As long as he was the active head of the hotel chain, he never asked for bids and even, in the early days, loaned Levi the money he needed to buy the material necessary to carry out these contracts. Today, the Ruslander firm, headed by twin sons of

Levi, is one of the largest in its line in the United States. It furnishes kitchen equipment for plants, hotels, hospitals, schools, etc. It also has a line of refrigerators. Every passenger carrying ship of the United States must carry a refrigerator unit to preserve the body of any person who dies at sea, so that the body is preserved for a shore funeral. These units come in different sizes for one body or more. The Ruslander firm has (1964) the largest business in the United States turning out these special purpose units. In the old days when a person died at sea, because his body could not be preserved, it was dropped over board.

The kitchen equipment of the Rodef Shalom Congregation of Pittsburgh was installed by the Ruslander firm. They have made other and much larger installations in schools and hospitals in the Pittsburgh district.

I was best man at the wedding of Levi to Nellie Zolkie. The families were so large they had to hire a hall. Levi had a brother Harry who was a merchant tailor and so entrusted with the making of a full dress suit for Levi. When I got to Buffalo a day ahead of the wedding, I sent the coat of my full dress suit to Harry to be pressed. On the day of the wedding, just before it was time to dress, Harry delivered one suit, my coat and Levi's pants and vest. He had closed shop and gone home to dress and there was a long delay before we got the full suit for Levi. I offered to lend Levi my coat but as he was so much shorter, the tails hit the floor. By the time we reached the hall for the wedding, the bride was in tears and the whole family upset.

The wedding was, and continued to be for over fifty years, a grand success. I was at the Golden Wedding Celebration. The first children were boy twins. They have for years, even before Levi died, successfully operated the business but never failed to praise and pay tribute to their Father whose ability, hard work and supervision built the business up from a very small beginning. These boys, of course, went to college and now have sons and other relatives employed in the business.

Levi was prominent in Buffalo communal affairs. He was President of the Reform Temple on Delaware Avenue, President of the Jewish Country Club and active in many other Jewish and non-Jewish communal activities.

As a boy and young man he loved speed. He had to ride his bicycle at speeds to outdistance pursuing police. He had high priced and speedy automobiles and was never adverse to being chased by a traffic cop. Physically he was very strong and liked to take on workers in his plant in wrestling matches, which he always won. As soon as the twin boys could handle boxing gloves he had them put on the gloves and fight him, two against one. He never smoked or drank liquor or if he did, it was never enough to charge my memory with it. Nellie made him a wonderful wife. She outlived Levi by a number of years and is entitled to a whole chapter in this book. Levi had, in addition to the twin boys, a daughter who is married and lives in Columbus, Ohio.

Rachel Ruslander, sister of Levi, married Abe Weinstock and lives in California. They recently (1964) celebrated a 64th wedding anniversary.

Levi had an older brother, Aaron, who at an early age married a Catholic. When he announced his marriage, Uncle Sam chased him out of the house and went into mourning because in such a case, according to the old Jewish ritual, the son was, to the family, the same as dead.

This was patched up in time and Aaron worked for the Ruslander firm. As a result of this wedding there are Catholic Ruslanders in Buffalo and other cities, some being very successful in their careers. There is a night club performer (a head liner named Danny Ruslander who is of this Catholic family).

Mose Ruslander, another older brother, worked for the Ruslander firm.

Jennie Ruslander Goodman is survived by a son, Marcus Goodman, who lives in Rochester, New York. We are close friends and for a number of years, he organized fishing trips to Canada, which my wife and I joined. His brother-in-law, Dick Sippel and wife, went with us on these trips. He had a wonderful sense of direction and on our trips, which were by auto, could always find his way, even in darkness.

When Uncle Sam's wife, Aunt Brina died, he was unhappy in many ways. None of his daughters or daughters-in-law living in Buffalo kept house according to the strict Kosher laws, which he demanded and none lived near enough to a Synagogue so that he could walk to services on those days when it was forbidden to ride. So he married a second wife who kept Kosher and lived near a Synagogue. This marriage was a success. Uncle survived this wife.

I once asked Uncle Sam how he liked having a second wife. He said, "My boy, my first wife, Brina, was pure silk, my present wife is near silk. Feels like silk but is not the genuine article." After she

died, Uncle lived in the Old Folks Home in Buffalo as a paid resident and was apparently well contented there. He died in the Home. I once took Uncle a bottle of whiskey to the home as a present. I had purchased what, for me, was high priced whiskey and wanted Uncle to appreciate that fact. He said, "My boy, there is no bad whiskey for me, some is better than others."

I hope all of the living Ruslanders will forgive me for not writing about them and their ancestors as they deserve in this book. I loved and was loved by all of them but time and space requires me to call a halt to writing about them.

Uncle Wolf Ruslander.

He was the youngest brother of my Father. Was middle aged when my Father brought him to the United States. Uncle was a handsome man with a full beard. In my office is a picture called the "Concert." It depicts different people listening to music. The man in the picture with the beard is a perfect likeness of my Uncle Wolf, which is one reason why I bought the picture.

Uncle was a coppersmith by trade. After several other jobs he was employed by a firm in Buffalo, New York, engaged in the manufacture of brewery equipment. For the delicate jobs, usually working with copper, Uncle was the one selected. As a hobby he hand-made brass candlesticks and copper kettles, giving them to the family as gifts. I had two very fine pieces, but sad to relate they have disappeared. Uncle had a son, Lester, who worked for the same company as his Father. He advanced to be superintendent of installations. After World War II, he and

his Father were retired. The company they worked for went out of business. Certain breweries in Germany needed help to get back in business. They traced back to Lester, who went over for the job and handled it with success. Uncle had other children and grandchildren but my personal contacts seemed to have been largely confined to Lester. He died about 1960.

Aunt Ruslander Hollander.

She was brought to this country by my father and lived in Buffalo. She was much younger than Father and died quite young. She had, as I now recall, three sons, two of whom were lawyers and two daughters. A grandson, Paul Sukernek, of Buffalo is a successful real estate promoter and at the present time (1964) my son Julian is looking after a Pittsburgh business project for him.

Aunt Brina Ziskind.

An older sister of my Father. She lived on Canal Street in New York. When I was a law student at Columbia University, I went to her home as often as I could on Saturdays because of the big and otherwise satisfying meals she served. At this time (1899), the new apartment houses erected in New York installed a system by which, before you gained entrance to the building, you phoned to the apartment to be visited and when approved, a button was pressed in the apartment which opened the front door. The system used by Aunt Brina and other apartment tenants on Canal Street was to have the visitor ring a

front door bell, twice for second floor, three times for third floor, which was usually the top floor. The tenants on the floor rang for looked out of the street windows. The visitor backed out into the street crowded with push carts, baby carriages, children, dogs, etc. When recognized from the window, a key tied to a piece of cloth was thrown down with which the front door could be opened. Aunt was popular with the family but her husband was so pious he lived a life somewhat apart. I scarcely remember him. Aunt had a large family and a daughter, Fanny, about my age who introduced me to social life in this New York Jewish Ghetto. Parties, weddings, dances and other social events, usually with plenty of good food and drinks. I enjoyed all this and can testify that Author Harry Golden of the Carolina Israelite, in his stories of life on the East Side of New York did not exaggerate. Fanny married and lived in Buffalo and so we remained good friends until her death. She was a great favorite of my Mother and even before I went to New York, Mother had her as a visitor at our farm. She had no children.

My Father's oldest Brother.

Cannot recall his first name. He never came to the United States but lived and died in the old country. Was a coppersmith and had a large family. Some of his descendants came to the United States and settled originally in the State of Massachusetts. They changed their name to Rose and I never met any of them. Father was told this Uncle lost his life defending a granddaughter from abuse by drunken Russian soldiers.

When my nephew Edward Ruslander was in the Army in World War II, he was at one time stationed in the Panama Canal Zone. There he became friendly with a family who called themselves Ruslenders and claimed to be related through the Ruslanders in Poland. The family tried to get to the United States but were stranded by the War in Panama. Through Edward, I went to Washington (about 1950) and was able to get them admitted to the United States. Levi Ruslander and I went on their bond to secure admittance to the United States. They landed in San Francisco and stayed there. Simon Ruslender, the Father, started a children's shoe manufacturing business and was quite successful. They have a daughter and son both married now. Some years ago when my wife and I stopped in San Francisco on our way to Hawaii, I contacted them. Simon and his wife practically stopped his business activities and with his auto and wife acted as our guide and host during our stay of two days. They were on the Dock to see us off. We still (1964) correspond at intervals.

Uncle Ellis Katz.

In a previous chapter I have told about the life of Uncle Ellis before the family came to live in Titusville, Pa., U. S. A. The early death of his Father left Uncle as the head of the family and he was good to his sisters and brothers.

My Mother told me that at one time he went West to try his fortunes there. He did not remain away long and returned to Titusville wearing a revolver strapped around his waist and used language punctuated with the then prevailing western oaths.

When my Father and Mother were married they lived in Bradford, Pennsylvania. Uncle lived for a time with them. It must have been after I was born because Uncle used to baby-sit with me. He never interfered with my activities and once my parents found me covered from head to foot with dirt and coal dust derived from playing with the coal bucket kept in the living room. They burned coal for heat in those days. By reason of this Uncle lost his job as a baby sitter. My Mother aided and abetted Jennie Kleinmeyer, who was bridesmaid at her wedding, into a marriage with Uncle, which was a long and happy union. Uncle was a good businessman and never went through the financial upsets that my Father and other members of our family experienced. Uncle had four children, two boys and two girls. The youngest girl eloped and married at a very young age and I never had any personal contacts with her. The marriage turned out very well. At the time of the elopement Uncle lived with us in West Park, looking after a business interest he had in Pittsburgh. As he always said I was his favorite nephew. I was elected to break the news of this marriage to him. He was much upset but did not carry on to the extent we had feared. Uncle lived until he was past ninety-nine years old. Did not quite make it one hundred years. His last years were spent with his son, Henry. He was confined most of the time to his bed. Due to bad circulation, a leg had to be amputated.

My Mother often complained that Uncle did not write or answer her letters and she used to telephone him from time to time when he lived in Marion, Ohio. Once when Uncle must have been well past eighty, Mother was told he could not come to the telephone

because he was on the roof fixing the shingles. He told me that when he passed the age of eighty years, the State of Ohio refused to renew his automobile driver's license. He was indignant about this and said he was the only safe driver in the family. He was handy with tools and as a hand carver of wood. He turned out toys and figures valued by those who received them as gifts.

I will only touch very briefly on Uncle's children because, as I have stated before, tread softly where the persons written about are still alive.

Sidney, the oldest son, who graduated from college as a chemist, worked at one time in Pittsburgh in the United States Bureau of Mines. He was a frequent visitor at my house, fond of my wife and children and always doing something nice for them. He was in the United States Army for war duty and stayed there until his retirement. At one time, because of his Army work with poison gasses, the British Government borrowed him from the U. S. Army to help solve some of their pressing problems.

Much to my regret and perhaps due to my own fault more than his, we have drifted apart and have not had personal or other contacts for many years.

May, the older sister was a successful school teacher in Pittsburgh. She was well thought of and had many friends here up to the time of her retirement to live with Sidney. Unfortunately, we have drifted apart.

Henry, the youngest son, practices as a child psychiatrist and in allied fields in Philadelphia, Pa. He is very successful and has a very high professional standing. After Uncle died, we too have drifted apart.

Aunt Rachel and Uncle Hiram Harris.

Aunt Rachel was an older sister of my Mother. She married Hiram Harris, the youngest of the three Harris brothers who lived in Titusville and brought the Katz family over to the United States. They lived first in Titusville, then Olean, New York and finally in Pittsburgh, Pa. At the time of this marriage, Uncle Hiram was well-to-do and this enabled Aunt Rachel to do many things for my Mother and the other members of the family. They (Aunt Rachel and husband) were cousins, and two of their four children (two boys and two girls) had defective eye sight. Ethlyn, the youngest, was so handicapped that this interested my Mother in the work for the blind in Pittsburgh. Because Uncle and Aunt were cousins, my Father used to point out to me that cousins should never marry if they wanted healthy children. The State of Pennsylvania has a law forbidding such marriages, but it is easily avoided by marrying outside of the State of Pennsylvania.

When we lived in Olean, New York, our families were close together. When my folks moved to DuBois, Pennsylvania, I had one year left to finish high school and so lived with Aunt Rachel and her family until my graduation in 1896.

Uncle Hiram had a small store in Olean which was on the downgrade, more so every year. As he was reluctant to sell anything below cost, his stock, outside of a few items like handkerchiefs, was in the main obsolete. He had so few customers that he would take off his trousers in the store, sew on buttons and make repairs without customer interruptions. The store was near the railroad station and one day the only

customer who came in rushed up to Uncle and said give me a handkerchief quick as I must catch a train. He blew his nose in the handkerchief and said I have no money. Uncle was too astonished to run after him.

My cousin, Julian Harris, and I used the front of this store for a refreshment stand when the street was crowded, because a circus came to town or on certain holiday celebrations. We had a tub of lemonade on display with ice and slices of lemon floating on top. The lemon taste was obtained by a powder which came very cheap and dissolved in the water. Usually had a bunch of bananas, peanuts and pop corn. At the end of the day we put up a sign, "All the lemonade you can drink for five cents." One man drank so much that we were afraid he would get sick on us, this because of the lemon substitute chemical we used in the lemonade. However, he went away and we rejoiced at his parting. We made good money for two young boys. Uncle would not take anything for rent, although we always offered to pay, probably because well aware that the offer would cost us nothing. Julian was a son of David Harris, a brother of Hiram Harris, who also lived in Olean, New York.

As I stated above, the store had mostly out of date items. One that was always a joke to us was a ladies coat, probably first put on the market during the Civil War. It was covered with buttons, front and back, and had several layers of short cloth skirts, one on top of the other, in the back. One afternoon when Julian and I stopped in the store after school, as we often did, Uncle was jubilant. He had sold this garment to a man who wanted it as a gift for his wife. The next day the man was at the store waiting for Uncle to open up. He brought back the coat and asked for his money

as he said his wife was so upset at his purchase that she threatened to shut him out of the house. Uncle took back the coat. It was never resold.

Aunt and Uncle moved to Pittsburgh and lived there until their death. Their children were Helen, who lived until about ninety and died in 1962 in the Home for the Aged in Pittsburgh, which she entered after Lester's death. She never would tell her age. She never married and lived with her brother, Lester, who never married. Rose married, had no children and died in Pittsburgh in middle age. Ethlyn, the youngest had limited eye sight. My Mother got her a position at the Pennsylvania Association for the Blind, office work. She died quite young, never married. Lester had night blindness and could not see well after dark.

Uncle Joe and Aunt Minnie Bahney lived in Olean, New York. She was a little older than my Mother and the best looking woman of the Katz family. Leon, their oldest son, was about my age. He was drowned while a student in college. The other children, two girls and a boy were younger and we were never close in our relationship. None ever married. The youngest girl is still (1964) living and resides in Texas. Both girls were hard of hearing and here again, my Father claimed it was because their parents were cousins.

Uncle Abe and Aunt Esther Simons

They lived in Bradford, Pennsylvania. Aunt was the oldest girl of the Katz family. There were five boys and two girls in the family. Aunt kept open house for all relations and the house, large as it was, was often

crowded by day and by night. The family was musical, with members who could sing and play the piano and other instruments. Lester, the lawyer, played a musical instrument called a "sweet potato." More about this household in the chapter dealing with the David Harris family and Julian Harris.

Jennie, of this family, was my Mother's favorite niece. She, with the encouragement and help of my Mother, rose to be the President of the National Council of Jewish Women. Her married name was Harris; husband no relation.

Lew Simons, the oldest son, left home while a teen ager. He ran away and had so little money that he had to talk the conductors on the trains he boarded into trusting him on his promise to pay later. He settled in San Francisco, California and was very successful in business. He made many trips East and was always helping out the family financially and in many other ways. He lived into his eighties. Lew had one son, Garwood, still living. Garwood sold his Father's business after his death and retired. He was, like his Father, always helping out the family with money and services. He was a world traveler, spoke several languages, was musical and a lover of music and good literature. He never married.

Ike and Lester Simons, sons of Uncle Abe and Aunt Esther, enlisted in the Army for the Spanish American War and both returned with the rank of Captain. I happened to be in New York when they sailed for the theater of the War. I was at the dock to see them off. I remember how I was impressed with the size of ships and number of men being carried on them. I was rather proud to think our family had furnished two men to help win the war, never dreaming that the time would come when my own son would

be lost to us by reason of a war. They saw no active shooting service and were on duty for some time in the Phillipine Islands. I remember Lester telling me that if it had not been for his family, he would have remained in the Phillipines as he saw a great future there in business for Americans.

Uncle Hiram Katz.

He was my Mother's younger and bachelor brother. He spent most of his life out West. Disliked the business conditions and struggle for money and position in the East. He made his own living in a small way, his last years as a merchant, and on his death left a small estate. The family did not like his way of living alone out West and from time to time tried to set him up in business in the East. I remember that on one of his trips to Olean, New York, the family got him to invest in a horse and wagon to go about buying old rags and junk for resale. Rags were the most valuable and commanded the highest price. Uncle was so unworldly that once after he came in with a large load of rags that he had purchased by the pound, he found many stones concealed in the rags, as he had been badly cheated by the householders, mostly women. This stone business was the last straw. Uncle sold his horse and wagon and left for the West. He was a great companion for his nieces and nephews and was very popular with us.

David and Bertha Harris.

Uncle David, as we called him, was really only a cousin on my Mother's side. He was an older brother of Hiram Harris and I knew him best when he lived in

Olean, New York and later in New York when I was a student in the Columbia Law School. Aunt Bertha, his wife, came from a well-to-do and aristocratic Jewish family of Poland. She was more reserved and not as popular as Aunt Rachel Harris. She was, however, good to all the family and we respected her very much. Uncle David was never very successful in business.

This family consisted of three boys. Edwin, the oldest, graduated from Columbia. He was Captain of the Varsity Tug of War Team and when he came home vacations with his white trousers and college clothes, he was a hero to his young cousins. He was six feet tall and very good looking. George never went to college but entered into business with a brother of his Mother's (Simon Ascher) in New York and was very successful in business. He took his brothers, Edwin and Julian, in business with him. He was looked up to by all of us as the richest member of the family. However, in his later years, he was unable or unwilling to meet competition and changes in the business (wholesale knit goods, for years turned out by hand work of women in New York who worked at home;) and even though at long last he turned to machine knitting, he lost out in business and was soon a sad retired man. However, he had a rich wife, who inherited her money from her Father, so that they never had to give up their usual way of living. However, his pride suffered a severe blow from which he, George, never fully recovered. They had one son with whom I never had any contact.

Julian Ascher Harris, the youngest son of David Harris, was my age and my most intimate friend and companion. Technically, he was only a third cousin

but always wrote and repeated to me, "I am your third cousin but first friend." We were together practically part of each day in Olean and much together when I was a student in New York. The family had moved to New York because George was a success in business there. Julian was best man at my wedding and my son Julian is named after him. At my wedding some Ruslander cousins got hold of Julian's suit case. Thinking it was mine they tied up the pajamas, poured in confetti, all for me.

He married an English girl, May Willinsky, in London, England. They were happy together. She was a wonderful wife and he a wonderful husband. As they had no children, they adopted a son David, who was everything to be desired as a son. May is still living. David is a Vice President of the Equitable Life Insurance Company. He has a daughter who is a musical prodigy.

When Julian and I were teen agers, probably starting at about eleven years of age, we frequently walked from Olean, New York to Bradford, Pa., about twenty miles one way, to visit the Simons family. The walk each way took about seven hours because of stops. We went over hilly country by way of Rock City, New York, where we usually took time out to climb over, under and around the big rocks that made this place a tourist attraction. There were always room and a royal welcome for us at the Simons' home even if cots had to be put up to take care of us.

The biggest treat on these trips was the rolls served at breakfast. Bradford had, as Olean did not have, a Jewish baker and his rolls were so good that Julian and I were accused of getting down to breakfast early in order to eat most of the rolls. We were

often disappointed because on what seemed to us the too frequent Jewish holidays, no rolls were baked.

Julian's formal education ceased with his first year of high school. He developed an eye disease that was not only painful but required him to lie in bed in a dark room for days at a time. These attacks came at irregular periods and as he grew older were often as far as one year apart, but he always had to conserve the use of his eyes. Aunt Bertha took him abroad to the best doctors available but no cure was ever effected. For this reason, he sold his interest in the business to his brothers and retired at a comparatively young age. Because his wife's relatives lived in England, he spent much time there. Always joined a local golf club and a local chess club. He was better than average at both games. While in later years, our personal contacts were less and less frequent, our love and regard for each other never lessened.

To Julian, every relative and friend was almost perfect, an attitude with which I often disagreed. There were occasions when I scolded him because, in my opinion, he allowed his brothers, other relatives and friends to take advantage of him. We never had real disagreements, even though when we played chess and golf, we each did our best to win. As a chess player he was way above me.

Even after Julian retired we were often together. I had, in those days, frequent business trips to New York when he lived there, and he visited me in Pittsburgh and at times we joined each other at Atlantic City or other vacation places. My wife, Gertrude, shared my love and admiration for Julian and May. They both reciprocated her feelings.

May (1964) still lives in a New York suburb near her son David and his family. Because of my resolve not to write of persons who survive this book, I close this chapter without paying the tribute to May which she so well deserves.

CHAPTER VI

The Hartwig Family - (My Wife's Family)

Dr. Marcel Hartwig and his wife, Lena.

While my parents, during the first years of their marriage, resided in Bradford, Pa., they became acquainted with Dr. Hartwig, who, even though he lived and practiced in Buffalo, New York, became their close friend and Doctor for all serious ailments. For a number of years, after Bradford and the farm, we lived in Buffalo. The farm was twenty-five miles from Buffalo. The Hartwigs had two children, Gertrude, who was to become my wife, and a son, Max, still living (1964).

It was the understanding of both families that when the time came, I was to marry Gertrude. This goes back to when we were less than ten years old. I have a treasured book in my library dated over seventy years ago, inscribed as a birthday gift from Gertrude in her Mother's handwriting. It is "Farm Ballads" by Will Carlton.

And so, on June 3, 1907, we were married at a home wedding in Buffalo. I was not quite twenty-nine years old and Gertrude twenty six years old. I have always claimed, although I could not prove it, that Dr. Hartwig was so pleased at the marriage that he stayed up after the guests left and played the piano until daylight. At least, he never denied it when I made the claim to him.

Dr. Hartwig born and educated in Germany was an outstanding and successful physician, general practice and surgery. He read and spoke the following lan-

guages: English, German, Polish, Italian and a limited amount of French. Because of the large number of Poles and Italians in and around Buffalo, they flocked to Dr. Hartwig. I can remember the large number that came on Sundays. The office was on one side of the house (884 Main St.) The line formed at the office door early and extended on the sidewalk past the front of the house for at least one-half a block. In those days it was the custom of these foreigners to have the family accompany the sick person to the doctor's office. I can remember the doctor's greeting, "Which of you is the sick one" and "the rest of you get out of the office." This accounted in some measure for the large number of persons in the line up.

Mother (Lena) Hartwig was a very good German-born and bred housewife. Her Mother brought her from Berlin to Buffalo to marry the Doctor. She ran the house and the Doctor's office, kept his records and looked after sending out bills. As they had a good income, she always had two maids. She kept herself in the background but most of the time had at least one of her family as a free boarder, first the Doctor's Father for a very short time, and then her two brothers and a sister. To please the Grandfather, she made the children take Hebrew and Sunday School lessons at home, but seemingly with little effect on the pupils. The Doctor called himself a "Free Thinker." He refused to join or support the Jewish Temple. He claimed that religion was the opiate of the masses and that the masses were asses. While my wife, to please me, attended Temple services, joined the Sisterhood and served on some of its committees, she never entirely forgot her Father's opinion of religion, Jewish or otherwise.

Mother Lena died by reason of a bad heart, defective from the time of marriage. She died at a comparatively young age. There were funeral services at the home, 881 Main St. I was there but do not remember if a Rabbi was allowed to officiate. She was cremated and her ashes scattered.

Before the days of the auto, the Doctor drove a horse with a buggy to call on patients. He kept a high priced and speedy horse. Always had a man to look after the horse and to act as a houseman. The last two were Italians. The Doctor did all the driving. He had one of the very first autos on the streets of Buffalo. It was always breaking down or stalling and we never knew after he started out when or how he would get back to the house. When he passed seventy years of age, he retired from practice in Buffalo and moved to Los Angeles, California. His wife's youngest sister, Aunt Martha, who lived with them in Buffalo kept house after Mother Lena died and went along to California with the Doctor. She outlived him.

Dr. Hartwig engaged in a consulting practice in Los Angeles. Other doctors who knew of his reputation, called him in as a consultant. However, he had a stroke which paralyzed his left arm and side and ended this practice. He lived on for some years and died at the age of seventy-eight. In Los Angeles he took up and mastered the Spanish language so he could go to the theater for the Spanish Plays.

When he died he left instructions, which were carried out, that he was to be cremated and his ashes scattered before his children, my wife and her brother, were notified of his death. He wanted no funeral or mourning for him.

For many years in Buffalo he had a hunting dog in the house. They were well trained and the Doctor kept a whip handy for any disobedience. At times when he thought it necessary, he insured the obedience of his children by use of this whip, although in most instances waiving it in his hand was sufficient.

From the Buffalo Express, April, 1918:

"A dinner was given last night by the Staff of the Erie County Hospital in honor of Dr. Marcel Hartwig, President of the Staff, who has resigned. Dr. Hartwig received a silk lounging robe and an engraved testimonial. He is going to Southern California to live.

"Before his term as President, Dr. Hartwig was its vice president for fifteen years. In all he has been on the staff about thirty-five years. In 1900 he was President of the Buffalo Academy of Medicine. He was one of the founders of the Maimonides Club and is also a member of the University Club.

"Dr. Hartwig practiced medicine in Buffalo forty years. He spent twenty years as a surgeon on the staff of the German Hospital and has been in a similar capacity on the staff of the General Hospital for thirty years. He was graduated from the University of Berlin in 1873."

CHAPTER VII

Gertrude H. Ruslander

Gertrude was a good wife, Mother, Grandmother and housekeeper. At the time of her death, July 7, 1954, aged seventy-three, we had been married forty-seven years and were planning a Golden Wedding Celebration. She suffered from hardening of the arteries with resulting high blood pressure and passed away after three strokes. Was confined to her bed for less than six months prior to her death. She wanted to and fought hard to live, worked faithfully at rehabilitation after the first stroke and for a short time was able to walk with the aid of a cane.

We were married in the Hartwig home, 884 Main St., Buffalo, New York, and the first stop on our honeymoon was Niagara Falls. When we left the train and got into a cab late at night at Niagara Falls, although I had made a prior reservation, I could not, due to the excitement of the wedding and wine consumed, remember the name of the hotel so as to tell the cab driver where to take us. After some delay, with the first irritation shown by my wife, and after she recited the names of all the hotels at the Falls, I recalled the name of our hotel, The Cataract Hotel. It has long since been burned down. The next day we left by train for Albany, New York, where we stayed overnight and then took a boat on the Hudson River to

New York City. After a few days in New York, we went to Pennsylvania State College in time for June commencement festivities. The boys at my Fraternity (Phi Sigma Kappa) made a big fuss over Gertrude and she thoroughly enjoyed this visit. Next home to West Park, McKees Rocks, Allegheny County, Pennsylvania. We had a frame six room house on Woodward Ave., West Park, next door to the residence of my parents. I owned the house subject to a mortgage.

Had a maid from the first day of housekeeping, $3 a week. She was a German immigrant unable to speak English. As German was a common language in her home, Gertrude could speak, write and read German. Food prices that I now recall (this was in 1907) were eggs ten cents a dozen; rump roast, called brisket used for pot roast, five cents a pound, when steak went up from twenty cents to twenty-five cents a pound, Gertrude was indignant and complained to our butcher. My Father loved to go shopping with Gertrude and believed he taught her how to deal with the butcher and grocer.

West Park was considered to be undesirable as a place of residence, absolutely no social status, especially for Jews. The street cars that ran from downtown to West Park were thirty minutes apart on day schedule, worse at night, one hour, with no cars after twelve midnight. When we were up late to a Pittsburgh party or affair, we had to stay at a hotel all night. As our Jewish friends from Pittsburgh had to take a street car to downtown and change to a West Park car, we had few of them as visitors. However, there were a number of congenial couples who lived in West Park. We had a tennis club and a social life with these people.

I had a West Park night office and some night practice that amounted to about $100 a month, which helped out, as my salary at Weil & Thorp was, in 1907, $120 a month.

Gertrude made me move to Pittsburgh in about two years, although both I and my parents were not at first happy at this separation.

First we lived in an apartment on Melwood Street, then I purchased a small brick house on this street next to Frank W. Main and in 1928 we built our house on Fair Oaks Street. The lot, 50 x 150 cost $5000 and the house about $24,000. Our original furniture was purchased by Gertrude with a $3000 cash gift from her parents. There were many replacements during the years and much new furniture, carpets, etc. for the new house. At that time I had a good income and enough money on hand to pay cash for everything. All this was put to an end by the depression of 1929 even to mortgaging the house. This mortgage was paid off in about two years.

In order to induce me to move to Pittsburgh, Gertrude saved up the money to pay for the moving. She claimed it was a loan which I promised to but never repaid. My son Julian, who knew about this, used to once in a while ask his Mother when would she collect this loan. It always amused him to hear her respond that it was a loan and not a gift.

Gertrude graduated from a Buffalo High School and from a Buffalo Normal College, which gave her a certificate entitling her to teach in the Public Schools. She did a little teaching and then transferred to a job with the Buffalo Turn Verin where she was the swimming and physical culture teacher for classes of women. She was a good swimmer and could do all

the fancy dives from the spring board. She was a fair tennis player and a good dancer. After we moved to Pittsburgh, she took up golf at the Schenley Park links and enjoyed the game very much, but after a fall from the porch of our house, she developed back trouble. This caused her to give up the game. However, she swam, danced, walked, drove the auto and worked in her flower garden. For years on Sundays, we walked, weather permitting, to the Temple and back, about one mile each way from Fair Oaks Street. She was an ardent fisherwoman. Could not get enough fishing on our many trips to Canada and other places chosen because of the lure of fishing.

She was careful of money. Had her own checking account out of which she paid our household and her personal bills and each month balanced her check book stubs against the balance reported by the bank. It was very seldom that she asked me to help her with her bank account.

Activities - She was a volunteer worker at the Irene Kaufmann Settlement, Chairman of different committees of the Rodef Shalom Temple Sisterhood, and she worked as the head of a Committee for the education of immigrants at Pittsburgh night schools. The Board of Education furnished the teachers but Gertrude and her committee had to form the classes and obtain class rooms, mainly in Temples and churches. She loved her flower garden and helped organize a Jewish Garden Club in Squirrel Hill, which took many prizes in county-wide flower clubs competition. She was also interested in our colored population, kept in touch with the Urban League and attended many of its public functions. We had a colored maid, Georgia Edwards, who outlived Gertrude and who at the time she had to retire had worked

for us over thirty years. Martha Moore, my present housekeeper (1964) was an admirer of my wife, as her Mother worked for us prior to reign of Georgia Edwards.

Gertrude loved music. As a girl she took singing lessons and could always oblige with a song such as "My Rosary." She went to the concerts without me as I had no ear for classical music. When our son, Lee was at home, they went together. He played the piano and other instruments and showed his Mother's love and appreciation of good music.

Gertrude disliked funerals and never attended one except under compulsion by reason of family ties. She claimed death was the end of everything and yet left written instructions that all the letters our son, Lee, wrote when he was in the Army should be placed in her coffin. She had kept them all in a special drawer in her desk.

Our first child, a boy was still born. Our second child, a girl named Marcella, after Dr. Hartwig, died at the age of seven after operations on both ears for mastoids. She was a great joy to both of us while she lived and even today, I cannot bring myself to write about her because of the memories that rise up to disturb. Our next child was Julian and then came Lee, Jr., who died while in the Army in World War, II. He was over six feet tall, a fine looking fellow and very popular. Graduated from Taylor Alderdice High School, Pittsburgh, then from the University of Wisconsin and was in his second year in the University of Pittsburgh Law School when drafted. At that time he was second in his law school class. Here again I find it too difficult to write more about him. The report that we received of Lee's death was that in

England he was attached to a Squadron of Bombers training to invade France; that on a training trip to Edinborough, Scotland, he was struck by a plane's revolving propeller and killed instantly. I cannot understand how this could happen as he was on the ground when struck and carefully trained to keep out of the danger of revolving propellers. He is buried in the United States Military Cemetery at Cambridge, England. I visited this Cemetery in 1955.
From Official Citation:

> "In grateful memory of First Lieutenant Solomon L. Ruslander, Jr., A. S. No. 0-1646153, who died in the service of his country in the European Area September 13, 1944.
>
> "He stands in the unbroken line of patriots who have dared to die that freedom might live, and grow and increase its blessings.
>
> "Freedom lives, and through it he lives in a way that humbles the undertakings of most men."
>
> Franklin D. Roosevelt,
> President of the United States

As Julian is still with me, I only briefly and very inadequately pay tribute to him as a partner, as a lawyer and as a public service worker, all in other chapters in this book.

Gertrude did not smoke and did not like hard liquor. She would drink wine at a meal with the proper food. For this reason she would not serve hard liquor drinks or cocktails to dinner guests before the

meal. She claimed that when you filled your guests with liquor before dinner, they could not appreciate the fine food she served. Said drinks were a cover up for poor food. So, certain of our friends knowing this, took a drink or two at home before coming to our house and some only complained to me.

CHAPTER VIII

Why I came to and remained in Pittsburgh, Pa.

A classmate of my Mother in the Titusville, Pa., High School was A. Leo Weil, who became a lawyer and started his practice in Bradford, Pa. While there he continued his friendship with my Mother, who moved to Bradford on her marriage, and he became a friend of and the lawyer for my Father.

When I decided to leave Penn State College after a two year pre-law course and enter Columbia University to study law, influenced very much in making this decision by my Father, my Mother had me go to Pittsburgh to ask the advice of A. Leo Weil, who was then practicing law in Pittsburgh. Mr. Weil treated me with consideration and said in parting that when, after three years, I graduated from the Columbia Law School, I should get in touch with him and he might have a place for me in his office. I wrote him on graduation and heard nothing from him until July, 1901, when I received a telegram to come to Pittsburgh at once, (within two days) if I still wanted a position in his office. I did so and remained, first as a law clerk, and then as a Junior Partner for nineteen years. I left to set up a Tax Law Practice with Frank W. Main, C. P. A., and his accounting firm of Main and Company.

When I started in 1901 the firm was Weil & Thorp. Besides Mr. Weil and Mr. Thorp, there were two other lawyers, Howard D. Montgomery and Harry Wassel. Also three stenographers. Offices were in the St. Nicholas Building, corner of Fourth Ave. and Grant St., long since torn down. Mr. Weil and Mr. Thorp had the only two private offices. The rest of us had desks along a wall separated from clients and others coming to the office by a two foot high wooden railing. Mr. Weil had a panel of buttons on his desk connected with a buzzer on each of our desks. He summoned us by sounding the buzzer.

Mr. Weil, his wife, Mother and bachelor brother, Nat, took charge of settling me in Pittsburgh, selected my room in a house on Shady Avenue and a boarding house on Highland Ave., one block away. They also looked after my social life. Mr. Weil had three children, two boys and a girl, Aimee, who was near my age took me into her social set. She has remained my friend until this day (1964), although for many years she has lived in California. She married twice and outlived both husbands.

Weil & Thorp had a large general practice with clients in the oil, gas and steel business. Represented two banks, all the large scrap iron firms of Pittsburgh, who in those days did a big business with the steel companies and as a class had a great deal of litigation, and represented many other classes of clients too numerous to mention. Outside of criminal law, we had a general practice, a few divorce cases, one breach of promise of marriage suit for the defendant, negligence suits mostly but not exclusively for defendants (no workmen's compensation in those days and no general coverage by insurance, which

came about later), ejectment suits, equity proceedings, tax cases, State, prior to the first Federal Income Tax Law of 1913; Orphans' Court practice, bankruptcy cases, strikes, always for the employer in Injunction and other court cases, now called Labor Relations. We passed on real estate titles, as in those early days title insurance was not in general use. The Title companies furnished us "Abstracts of Title" and based on these Abstracts, we passed on the titles. There was also a large volume of legal papers to be drafted. Among other clients, we represented the first Taxicab Company in Pittsburgh, which carried no liability insurance, three large hotels and two large department stores. Our fees were considered high even in those days. Mr. Weil was an outstanding trial lawyer and so able to command large fees, especially in cases where he was regarded as having the odds against his chances for winning. He was at his best when the other side and even the Judge indicated that he had his back up against the wall and no readily apparent way to evade the wall. I remember a number of cases where the fee was over $100,000. In 1901 the firm had, among other retainers, a $10,000 annual retainer from the American Tin Plate Company and a $10,000 annual retainer from the American Sheet Steel Company. Later these two companies were merged and the fee reduced to one annual retainer of $10,000. Still later, these companies were taken over by the U. S. Steel Corporation, represented by other attorneys, and so these retainers ended. However, there were other retainers and always lucrative business to keep the earnings of the firm on an increase from year to year. While a $100,000 fee in one case may not look so large today, (it still does to me) remember that in those days

a $100,000 fee was the equivalent in purchasing power of at least a $300,000 fee as of today (1964).

Mr. Thorp did not like trial work and kept out of it whenever possible. Montgomery was an office lawyer. He worked on briefs and drafted legal documents. He did not care for trial work. Wassel was an expert stenographer and Mr. Weil kept him so busy with stenographic duties, bookkeeping and other office clerical work that he had no time or inclination for trial work. This left the trial work not handled by Mr. Weil to me. I was anxious to develop as a trial lawyer. Also was assistant to Mr. Weil in his trial work and had to give time to attendance at the trials and working on trial briefs. Acting as assistant to Mr. Weil gave me very valuable experience used when I tried cases alone. Had to take over the bookkeeping and office management when Wassel left the firm. We ran a double entry set of books and I had to prepare a trial balance at the end of each month, as well as take charge of getting out the bills. I knew nothing about bookkeeping, credits, debits, double entry, etc. and got along with this work only by the patient help of Mr. Thorp and Montgomery. I hated it. The trial balance never seemed to come out right and balance on the first draft. In the beginning and for a few years, I had another job I disliked very much. Instead of the Shepherds Annotations in use by lawyers today, we received gummed sheets with the annotations in small type. These had to be cut out and pasted on the margin of report of each case in the bound volumes in our office law library. Mr. Weil kept a law library at home and I had to paste these annotations in his home set, as well as in the office library. This took much of my time, nights, Saturday afternoons and Sundays.

Within two years I passed on these non-legal jobs to new young lawyers who came in as firm employees and gradually developed into a seasoned trial lawyer, reasonably successful with juries except in negligence cases where I represented the defendants. I thought the juries were too liberal in awarding damages. I remember one case where the jury awarded a lady passenger in a taxicab case $1500 for a broken collar bone. This seemed much too high to me and I tried hard, without success, for a new trial or to have the Judge cut down the verdict. Today this $1500 verdict, under the facts of that case, would be counted a victory for the defendant.

I battled with the best and leading negligence trial lawyers of the period. They were Rody Marshall, Meredith Marshall, Fred Mercer, John Marron and others.

I never tried and never wanted to try a jury case after women served on juries. We so-called old timers thought it was a mistake to let women serve on juries. Practice changed and insurance company lawyers took over the damage suits against our clients, which had been the bulk of my jury work. However, my continuing court work included cases in the United States courts, the State and Appellate courts. I had one case which involved the Admiralty Jurisdiction of the U. S. courts. My later trial practice was, in the main, with Federal tax cases in which juries were seldom requested. This, because you had to pay the tax first in order to get a jury trial in a suit based on a claim for refund.

In 1919 I left, on the best of terms and with cordial relations, the firm of Weil & Thorp to engage in the so-called Tax Practice associated with Main and

Company accountants. As a lawyer could not form a partnership with an accountant, I was careful to keep my practice separate from Main and Company as to name, stationery, services and billing. However, I had my offices in the offices of Main and Company, who kept all my records, paid my expenses, and kept my bank accounts. Frank Main and I allocated, at the close of each year, the amount to be paid to Main and Company out of the fees collected for my legal services to cover the rent and services due Main and Company. Due to the procedures governing tax issues raised by the representatives of the Commissioner of Internal Revenue, this practice required attendance in their offices in Washington, D. C. Frank Main and I were in Washington at least twice a month, often for as long as a week at a time. The adjustment and settlement of tax issues usually required the services of both an accountant and a lawyer. We were successful both in getting good results for our clients and financial returns for ourselves.

The first high (up to 85% of income, Excess Profits Tax Act) had its initial effective on tax returns filed for 1918 and audited by the Commissioner of Internal Revenue in 1919 and later years. Main and Company had many big business corporations as regular clients and referred them to me for legal tax services. In those days, the average lawyer paid little attention to taxes, leaving the field open to the accountants and the very few lawyers who, like myself, specialized in Tax Practice. In this Tax Practice, Frank Main and I worked the cases together. We had as much business as we cared to handle and often refused tax cases unless paid an initial retainer of $5000. In those early years, we handled a number of

tax cases, each involving over $1,000,000 in contested taxes. We were successful and made a lot of money which we later lost in investments wiped out in large part by the big depression that began in 1929.

I have in one of my scrap books a photostatic copy of a check dated October 4, 1928 from the Kelly case in the amount of $87,921. This was my largest single fee in one tax case. As the 1964 value of a dollar is about one-third in 1928 terms, as of today this fee would represent over $263,000.

Through the branch offices of Main and Company in Harrisburg, Philadelphia and New York, I was employed in tax cases originating in these offices. Frank had his two brothers in the firm, Fred in charge of the New York office and William R. in charge of the Harrisburg and Philadelphia offices. They were of great help to me in getting and conducting tax cases. This meant much trial and conference work outside of Pittsburgh.

Starting in 1920 I taught tax accounting at the night school of Duquesne University, one night a week there and one night a week at the office of Main and Company for teaching their staff members. I had to give up teaching because of the time consumed. As the tax laws changed from year to year, I could not use the data prepared for one year for the next year. The men in the Duquesne University night class were mature and very good students, anxious to get better jobs in the tax fields. They all had day time jobs. I found that when the class exceeded twenty, I could not maintain personal contact with the students. Some became very successful in the tax field and brought me business from their employers.

From time to time while with Main and Company, I had as many as three lawyers working for me. Those who left me to go into business for themselves were and are all successful. As all but one of these lawyers are still living (1964).

In 1948 Frank and I decided it was time to physically separate our offices. I took separate rooms in the same building, First National Bank Building, Pittsburgh, Pa. At first, I resented the move and argued with Frank Main against it. However, as it turned out, this was a very good move for me and Main and Company in many ways. I could handle my own employees and business without first considering the effect of any move on Main and Company. I found that many valuable clients who followed me after I left Weil & Thorp preferred to come to me in my own separate offices. We no longer had to consider whether or not the way we conducted our business would lead to an accusation that I was actually a member of the firm of Main and Company.

By the time I made this move, most every lawyer, contrary to the conditions that existed in 1919 and for a few years thereafter, considered himself capable of handling tax issues. The larger law firms set up separate Tax Departments, as did the corporations with large operations. This made me more dependent on clients who gave me all of their law business and pushed me into developing what is known as a general law practice, as distinguished from the specialty of a tax practice. Today, 1964, we, under the firm name of Ruslander, Ruslander & Lieber, have a general corporate practice separate and aside from taxation; a substantial amount of tax work (income, gift and estate taxes) and tax litigation growing out of the

same; Estate Planning, Orphans' Court Practice; labor relations prior to strikes, equity practice and many other branches of the law which are important in our practice.

See chapter on "Loose Practices" for my comments on the change of practice to a business as contrasted with a profession.

The following letters to Malcolm Goldsmith, written in 1918, give the reasons that led me to leave the firm of Weil & Thorp and associate myself in the practice of tax law with Frank Wilbur Main.

11/14/18

Dear Mac:-

Frank Main wants me to go in business with him - have charge of his tax report dept., which is growing by leaps and bounds and generally to be his right bower. Much more money (if his business keeps up as in the past) than I can expect here. His (Main's) business is growing beyond his control and he needs help - has 32 men out now and is behind with work all the time. Mr. "W" admits the financial gain but thinks I will make a mistake to give up law, that I have great future with him, etc., law more dignified calling, etc. etc. Write me what you think and address letter to 311 Melwood St. instead of office. Don't mention to anyone that I am considering the change. Must confess I am like a fellow in love with two girls - would like to marry both and the law won't permit.

Excuse haste and shortness of note, you know what I think of you and my asking your advice now is the greatest compliment I have ever paid you.

R.

Best regards to Mildred, hope her condition is satisfactory.

At this date I was a 10% partner with Weil & Thorp.

Pgh. 11/19/18

Dear Mac:-

Your letter came yesterday. I fully appreciate the spirit that prompted you to write as you did - more so - I agree with every word you wrote - you could have gone still further along the lines of my having been asleep at the switch too long for my own good and yet - after telling Mr. W. I was going to leave I changed and I am going to stay because -

My parents were opposed to the change, very much so.

Mr. W and Mr. T advised against it, this in a very fair spirit and with good arguments.

I really like the law and my job. I am above the drudgery and details and enjoy the work. Where can I find equal pleasure to that I get in trying a case and taking it through the Supreme Court if necessary.

I find I like the law enough to hold on even if (and I know it will) my financial return continues small in comparison.

My wife wants more money and badly but was afraid I would not be such a calm and peaceful person to live with when I took on a new business and new worries.

The firm is willing to make concessions and in the right spirit. My name goes into the firm the first of the year which means more to me than money. This will also give me the chance to stay awake and go ahead as a lawyer. I was and still am like a man in love with 2 women, wanted to marry both and the law allows but one. God, how I do love them both. I can assure you that like the love in my figure of speech I lost more than one night's sleep in coming to this decision. Things will never be the same again. I think more of myself and Mr. W and Mr. T also think more of me, all of which I owe to F. W. who spurred me on.

Now about yourself. Mr. W asked me what I thought your plans were and I said to return here. He said he thought you had other plans but did not say where he got his information. You can I believe have your old job back but your advancement will be slow as you are too near the age of the relatives in and to come in to get the same chance I have had. If you like the law as I do, stick to it, with your own and your wife's family well off, you don't need money as I do and in ten years you will have enough following of your own to command

your own terms or practice for yourself. Money will never bring you the joy of work you crave and that is the goal of most businesses. I grant you however that many men rise above all this in the business world and so you probably could. This is question I find from my own recent experience each must decide for himself. If you think you would like to work with Main, write him at once and say I suggested it. Don't delay as he has several men under consideration now for the job you could fill.

You can always count on me to help whatever you go into and while we are of such different temperaments that we must both view life from different angles, yet because of this difference we will gain from an exchange of views.

Best regards to you both in which Gertrude joins. Your letter sounded so convincing to her that last night she went completely over to your side, that is she wants all the increased money and position that nothing but a combination of both jobs could give. In fact she wants me to marry both loves. Now isn't this just like a woman.

Yours as ever,

R.

Don't mention the change to be made in firm name or anything about it as yet.

In spite of all that appears in the above letters, Frank Main prevailed on me to leave Weil & Thorp. Was influenced in part by the slowness with which Mr. Weil elected to change the name of his firm and keep other promises.

CHAPTER IX

Frank Wilbur Main and Main & Company. Our Investments, Good and Bad.

Frank, a Certified Public Accountant, had practiced in New York before coming to Pittsburgh in 1902 to become the private secretary of Mr. L. A. Brenneman, a wealthy man occupied by his oil and other investments. Frank's Mother taught in the public schools of Titusville, Pa., with my Mother. They both married and quit teaching the same year but remained close friends, mostly by correspondence, thereafter. When Frank came to Pittsburgh, my Mother told me to get in touch with him and his Mother told him to get in touch with me. I was Frank's friend and lawyer for all the years up to the time of his death, and our firm is still (1964) general counsel for Main and Company, now claimed to be the eighth largest firm of Public accountants in the United States. It has many branch offices located in the principal cities of the United States and in foreign countries.

Frank was raised by his Mother to live according to the then strict rules of the Methodist Church. No smoking, no drinking, no dancing, no card playing and only theater plays and books approved by the Church. He taught in Sunday School and was an active church member for many years. As the Church relaxed its

tight rules of conduct, Frank stepped out, especially after his marriage, and soon our rules for social life and conduct became very much alike. We were the same age, the first born in each of our families.

Frank was active in his own business, in the maintenance of proper accounting standards, the promotion of the accounting profession generally, and especially in his Church and in many social service agencies, including the Y. M. C. A. and Pittsburgh Chamber of Commerce. For years his firm had the largest accounting staff and business in the Pittsburgh area.

Frank left Mr. Brenneman after about two years to start his own business. He first opened in one small office in the Farmers Bank Building. It contained his desk, his desk chair and one other chair. His staff was one office boy, who, when a client came in, had to stand outside in the hall. Frank's wife did all the typing, mostly at home at night. He had two daughters, both married, but no grandchildren. He died at the age of seventy-five.

While Frank was an outstanding success in his profession, he did not do so well financially. While many other men of his business generation and connections accumulated large fortunes, he accumulated debts, with all his assets, consisting mainly of stocks, pledged as collateral to loans. However, he pulled out by using his professional earnings to gradually pay off his debts and at the time of his death, in part due to life insurance, he left his family comfortably well off.

I had such confidence in Frank's financial ability and judgment that I allowed him to involve me in all his financial ventures. We would have had more

money if we had never made any investments and kept the money we earned in a hole in the ground. He headed an investment group consisting of his principal partners, myself, Samuel E. Diescher, L. B. Foster, Barney Hepler, B. Muxon and a few others. Up to the time of the depression, starting in 1929, our credit seemed unlimited. The Banks were anxious to lend us money and we ended over $400,000 in debt. Forget what my share was in dollars and cents, but it was large and slowly worked out, with some of the stocks up as collateral thereby released. At times during the depression years there was not enough money at hand to meet our payrolls. I had a staff of three lawyers and one stenographer and kept up their pay a little better than for those on the staff of Main & Company. This one factor was the most bitter pill I had to swallow during the depression years. However, our business held up and even increased gradually so we enjoyed what the accountants now term, a comfortable "cash flow."

Starting back in 1902, Frank and I made a few small stock investments under his management, all of which turned out well and I began to believe that in investing Frank could do no wrong. He was of the opinion that the best way to invest was in a company over which, by reason of stock ownership or other connections, or both, we exercised a measure of control. This took a lot of borrowed money and ultimately led to disaster.

Among the companies we thus controlled were the Taylor Wilson Manufacturing Co., Kelly Springfield Tire Co., National Fire Proofing Corporation, Main Aeronautics Co., Caputo Homo Polo Generator Patents, and a few others, small by comparison to those just listed.

We lost very little in Taylor Wilson Manufacturing and after some years sold our stock to outside interests. In the meantime, I was paid an annual retainer. The Kelly Springfield Tire Co. went bad and landed in bankruptcy. On reorganization, we received some stock in the Goodyear Tire Co., which took over the Kelly Co. National Fireproofing Corp. landed in bankruptcy and on reorganization, we received some stock for our original investment. Gradually this company worked its way out of its difficulties, paid off its creditors and debentures. We received dividends for many years but the stock, although listed on the New York Stock Exchange, had such a thin market that we were not able to dispose of this stock at what we considered a fair price. It is still (1964) my largest investment and by reason of stock dividends and other changes still sells for above my average cost per share. We never were able to profit by the Caputo patents. Main Aeronautics Co. was our biggest venture and represented our largest loss. We sold stock to many of our friends and clients on the assumption that the airport in Greensburg, Pa. would be a profitable venture by the operation of plane services to Cincinnati, Ohio, West Virginia and other points not then so serviced. We were promised mail carrying contracts by the U. S. Government at $1 a pound but were required to operate for a year before we could receive these mail contracts. Before the year was up the Government, because of bad private company operations, cancelled all mail contracts and turned over the carrying of mail to U. S. Army planes. We continued to operate, with increasing deficits, and finally, as the stockholders refused to put up more money, the burden of financing depended

on loans from Main & Company and Samuel E. Diescher. We held on for a number of years and then sold the property to a corporation organized to develop it for a housing project. We had a Federal Income Tax savings by charging off our loss on final liquidation of our claims as creditors. We had been paid in Debentures of the new company which we sold at a big discount from face value. This was the basis for our income tax loss deduction.

The lesson we learned was that we went wrong in timing. Airport operations and travel developed much more slowly than we counted on and we learned the hard way that a privately owned airport paying taxes could not compete with a publicly owned and financed operation. This is true even today (1964). We also learned that $1 a pound for carrying mail passed out of the picture before we could qualify for mail contracts. True, we carried passengers by plane, but the more we carried the bigger the operating loss.

The Wall Street Journal of February 8, 1963 reports, after describing a new airfield in Muhlenberg County to serve Greenfield, Kentucky, a depressed coal mining community of 3200 people:

> "Many small communities around the country are building similar new light plane airports to serve business and private aircraft. Until recently the number of U. S. airports had been declining as real estate developers gobbled up privately owned airfields on the outskirts of growing cities. But the current boom in airport construction by small communities is helping reverse the downward trend. There are 7,156 airports in the U. S. now, 443 more than a year ago . . . . ."

As stated above, our timing was bad. If we had had the capital needed to await the turn, we might have turned over the airport operations at a nice profit.

Facts about the Pittsburgh - Greensburg Airport (1930), "The nucleus of a great aeronautical center in Western Pa."

Prospectus put out by Main Aeronautics Company - S. Leo Ruslander, Vice President and Secretary. 712 Acres, one hour from Pittsburgh, 1200 foot elevation - outside fog and smoke area. - On October 27 Pittsburgh and Cincinnati will be linked by air by the Main Aeronautics Company. The company is prepared to spend $1,000,000 on development of the line. Comfortable, fast Ryan Cabin planes will carry the passengers. Stops will be made at Huntington, W. Va. Fare Pittsburgh to Cincinnati $31.

We had some side issue benefits from the above investments. The largest fee I ever earned, detailed in another chapter, came from a tax case won for the Kelly Springfield Tire Co. The National Fireproofing Company paid me an annual retainer of $5,000 a year for a number of years. I earned a substantial fee in its Reorganization in Bankruptcy Proceedings. The Goodyear Tire Co. stock received for Kelly Springfield tire stock in the sale by the Trustee in Bankruptcy, turned out well and gave us a good profit. Mr. Caputo always promised me that when he cashed in on his patents he would make me a very rich man. I continued to act as his attorney for many years without compensation up to the time of his death (about 1958) but his Patents were never successfully exploited.

To carry me through the depression years, I mortgaged my house on Fair Oaks Street and borrowed all I could on my life insurance. All of which was paid off in due course and for many years I have been free of debt and have accumulated a fairly substantial estate, which should see me through in financial comfort even if I live to be 100 years old.

CHAPTER X

"Pennsylvania Corporation Taxes."
by Ruslander and Main.

In 1922 we published a First Edition at our own expense. The value of association by a lawyer and an accountant, as authors was outlined in the Preface, in part, as follows:

> "Tax legislation in its final analysis consists of laws. They are drafted by lawyers; when disputes arise, the questions are taken to court and argued by lawyers and the laws are finally interpreted by courts composed entirely of lawyers.
>
> "On the other hand, the preparation of the tax report itself, the keeping of the proper books and records, so that the information required can be readily obtained, the reconciliation, when necessary, of the book figures to those used in the tax report, and the various other details necessary to properly complete a true report, require the services of the accountant.
>
> "The authors are not unaware of the fact that this book, ----- will contain many imperfections. They have in this connection thought of that part of a certain prayer in the Book of Job (Chapter 35) wherein Job says, 'Oh --- that mine adversary had written a book.'"

This book was the then only text book on the subjects covered. It was well received by both lawyers, accountants, banks and the larger corporations. It was used in law schools and had a place in the Pennsylvania Law Libraries, both public and private. The authors received recognition at Bar Association meetings and Tax Forums and received considerable correspondence from purchasers of the book, asking and receiving free advice on specific issues.

The first time I quoted from the book in a contested tax case before the representative of the Pennsylvania Department of Revenue in charge of the case, in Harrisburg, Pa., I was told by the Conferee in charge of the case, "Hell, we don't read law for these cases, we make it."

The Second Edition was, at our own expense, published in 1927. In the preface to the Second Edition, it was stated, in part:

> "The reasons for publication of the Second Edition are as follows:
>
> "First. During the four years that have elapsed since the publication of the First Edition, many important decisions have been handed down by the courts, and there have been certain changes effected by legislative enactment, all of which are embodied and commented on in this Edition.
>
> "Second. The First Edition was more widely distributed and used than the authors originally contemplated and this resulted in a large number of suggested improvements by users of the book. These are embodied in the Second Edition, for which the authors are truly grateful to their many correspondents.

"Third. There has been a demand for a treatment of the law with respect to the tax on personal property and the mercantile tax. This the Second Edition is intended to meet.

"Fourth. ----- The large number of taxes levied in the State of Pennsylvania is due to the fact that while we speak in general terms of the tax 'system' of our State, there is no system, and the laws by which the State revenues are derived constitute a chaotic mass of unrelated enactments, seeking revenue from all kinds of property, each particular tax based upon the necessity for revenue and the ease of collection in a certain manner ....."

This same criticism is as true today (1964) as it was when the above was written.

The Third Edition was published in 1933 by Prentice-Hall, Inc. on an author's royalty basis. In the preface to the Third Edition it was, in part, stated:

"As pointed out in the introduction to our Second Edition, it was necessary in 1927 to provide the Commonwealth of Pennsylvania with approximately $100,000,000 a year. In 1932, this amount has been increased to approximately $200,000,000 a year. --- The fiscal departments in Pennsylvania are better organized than they have ever been --- and it seems safe, therefore, to prophesy that the tax returns filed for 1932 and thereafter will be very strictly scrutinized --- not only by department audit, but also by use of field examiners ....."

By 1963 the State requirements for Revenue had increased by leaps and bounds and so have the new laws for levying taxes on the old and on new sources for tax revenues. For 1963, the State Department of Revenue was charged with bringing in Revenue of $1,500,000,000.

After the Third Edition was published, the loose leaf system for tax treatises was adopted by most publishers, and this ended the publication of books like our Tax Book, which was out of date almost as soon as published.

Our book venture was a success in every way except financially. A book that was designed principally for use in one State, had such a limited market that even Prentice-Hall, Inc. reported no royalty earned for the authors on the Third Edition.

At the outset of this Chapter, I commented on the advantages of the combined services of lawyers and accountants in the preparation of tax reports. Even this method had its shortcomings. I remember when the accountants brought me a Federal Income Tax return to go over and approve. I was told that the figures used were taken from the client's books and records which were not audited. Client was a warehouser in steel pipe and other allied products. When requested, it cut the product sold to designated sizes. I was aware from my knowledge of the business of other clients that even a very limited fabricating operation, such as cutting to size, resulted in scrap. There was no scrap accounted for in the tax return as prepared, and I sent an accountant back to check on this item. He found that the scrap as accumulated was sold to scrap dealers for cash, which was turned over to the wife of the principal stockholder of the

company and never accounted for. In this case a new tax return was prepared and client advised to file amended returns for prior years where sales of scrap had not been recorded.

At the time this book was written, Pennsylvania State tax returns were not subjected to more than a department office audit. Field examinations came later.

Attorneys like myself, with numerous returns filed under their name, had a separate box assigned to them in the Tax Department at Harrisburg. You arranged for a conference, went to Harrisburg and went over and settled the returns in your box, one after another. In case of a dispute with the Tax Examiner, you could almost always settle by way of a compromise. The total tax per client in those days was usually too small to justify the costs of litigation.

CHAPTER XI

Men who most influenced my life.

Frank Wilbur Main. See Chapter IX titled "Frank Wilbur Main and Main and Company."

A. Leo Weil. Mr. Weil played such a prominent part in my life, especially for the period 1901 to 1919, that he appears in many other chapters in this book and in the articles set out in the appendix.

A. Leo Weil and my Mother attended high school together in Titusville, Pa. They were close friends. He started to practice law in Bradford, Pa. and when my Mother married, she started married life in Bradford where my Father was in business. The friendship continued and Mr. Weil was a friend and attorney for my Father.

When it was decided that I was to study law on my transfer from Pennsylvania State College to Columbia University, my Mother had me visit Mr. Weil who was then practicing in Pittsburgh. During the summer of 1898 I went to Pittsburgh and met Mr. Weil. He was very cordial and entertained me for the two days I was in Pittsburgh. He was interested in my plans and gave me some good advice which approved my plans to become a lawyer. Before I left I asked if I would have a chance to start with him. He said it would be three years before I graduated from law school and

much not then foreseen could happen. I was to write him when I graduated and he would then let me know if there was an opening for me in his office. Early in June, 1901, I wrote him I had graduated and passed the New York State Bar Examination.

During my three years at Columbia I was on very friendly terms with Abraham Loeser, a New York attorney. I was a frequent visitor in his home, took long walks and bicycle rides with him on week ends, and did a little work in his law office in which I was assured of a job on graduation. During 1901 I discussed with Mr. Loeser what I should do if Mr. Weil offered me an opening in Pittsburgh. He was of the opinion that in Pittsburgh, which was growing in importance in the business field, and with the standing of Mr. Weil, I should go to Pittsburgh if Mr. Weil would take me into his office. I heard nothing from Mr. Weil until about July 2, 1901 when I was home (DuBois, Pennsylvania) and received a telegram from him saying there was an opening in his office which I could accept if I reported to him in Pittsburgh by July 5 as he was leaving for a vacation trip to Europe within a few days thereafter. My parents were in favor of Pittsburgh and I reported at the time fixed and was employed by the firm of Weil & Thorp at $40 a month salary, which was to be increased when I passed the Allegheny County Bar Examination. This required six months residence in Pittsburgh and passing of a preliminary and final Allegheny County Bar Examination. In those days Pennsylvania had no State Bar Examination and each county acted independently. I passed and was upped to $50 a month salary.

When I started in Pittsburgh, Mr. Weil treated me almost as a member of his family outside of the

office. Otherwise, as an employee who had to prove his worth. My progress, up to 1919 when, although then a junior partner on a salary plus a 10% basis for partnership participation, I left to associate in tax practice with Frank Wilbur Main as detailed in other chapters.

Whatever success I have had as an attorney, I owe in large part to the excellent training received from Mr. Weil and Mr. Thorp. Montgomery, who was older than I, was also a friend and helper.

Mr. Weil was a great lawyer who was occupied by trial work and important business assignments. Mr. Thorp was the office man, and disliked court work. He was a good lawyer and very competent in everything he handled.

As neither Mr. Thorp or Montgomery cared for trial work, Mr. Weil trained me as his assistant in the trial of cases. Soon I took over the trial of cases which were not important enough for him to try. I became very active as a trial lawyer handling many jury cases. In those early days there was no workmen's compensation statute, little if any protection taken care of for clients by way of insurance, especially for negligence liability and no lawyers specializing in the defense of such cases, although there were lawyers who specialized in trying such cases for plaintiffs, usually on a contingent fee basis.

Mr. Weil did not favor a compromise of any case. His practice was to prove his client was right by the end result of a lawsuit. His war cry on trying a case in court was, "No favors asked and none granted." He was most successful when, as a case developed adversely, his back was up against a wall, often with the trial judge indicating a bias in favor of the other side. As just one bit of evidence to show this rare

ability and judgment, I refer now to the first big cases in the year 1903 that I worked on with him. They were the case of Stone v. Marshall Oil Co., 208 Pa. 85 (1904) and Stone v. Washington Oil Co., 208 Pa. 98. Same cause of action in both cases and so were tried together.

Mr. Weil went back, for the first time in Pennsylvania in this kind of a case, to the "confusion of goods" rule of law. The digest of these cases set out in Vale's Pennsylvania Digest Vol. 8, 5 reads as follows:

> "A natural gas company fraudulently mingled gas from a leasehold with gas derived from other properties owned and controlled by it, and kept no account whatever of the gas so mingled, though it could have done so without trouble. The owner of the lease was entitled to receive 1/4 of the profits arising from the gas obtained from the leasehold. Held, the company was liable to such owner for 1/4 of the profits on the whole of the gas so fraudulently mingled."

The defense was an attack on client's title to the lease and expert testimony designed to approximate, from all the facts, the amount of gas that could have come from plaintiff's leasehold. The excuse for not keeping a separate record of the gas from client's lease was that defendant felt sure its attack on title would be successful.

The defendant companies were later consolidated into a large public service gas company and Mr. Weil was retained as General Counsel.

The fee in the above cases was $100,000 which in those days was a very large fee; this would be so today when measured by our (1964) thirty cent in value dollars.

There were a number of prominent lawyers representing the defendants and one or two of them, after the case ended, always addressed Mr. Weil as "Mr. Confusion."

Mr. Weil and his firm always observed the highest ethical legal standards and permitted no deviation therefrom. He regarded the practice of law as a profession and in no way a business. He would not go to a client's office for conferences, would not serve as a director on the boards of any of his corporate clients and would not allow a client to question his fee once a bill had been rendered. He considered such action with respect to a fee as a lack of faith in his honesty and lost more than one client because of this stand.

Mr. Weil performed without compensation many a public service for Pittsburgh. He successfully fought the attempt to lay street car tracks on what is now known as Bigelow Boulevard, the only access free of public traffic from the East End to the downtown district. It was used by those, who came to town by horse and carriage.

He organized the Voters League and as the active head thereof, raised the funds, exposed the fraudulent acts of public officials and acting through the District Attorney successfully prosecuted the persons indicted. He prosecuted guilty school directors and city councilmen. As a result of this, the practice of electing school directors from each ward who handled the ward schools as separate entities, was superseded

by our present appointed school board. He also helped do away with separate ward elections of city councilmen. For details with respect to work and accomplishments of the Voters League through Mr. Weil, see Ruslander Reminiscences, published in the Pittsburgh Legal Journal of October 20, 1955 and included in the Appendix to this book. In all of these activities of Mr. Weil I had an active part. These were many exciting days. Those who opposed Mr. Weil sought to impair his reputation, inside and outside of his law practice, alienate his clients, and once or twice even threatened his life. One of the men convicted of bribery of City Councilmen was the President of a large bank in Pittsburgh and one of Mr. Weil's most valued clients. He also was a close personal friend. It was too painful for both parties for Mr. Weil to go to the jail for consultations, and as there was much pending business, I visited the jail and acted as the go between. As soon as this client was released, the firm of Weil and Thorp ceased to act as attorney for him and his bank and other interests. When I left the firm in 1919 to associate with Frank Wilbur Main in tax practice, Mr. Weil advised against this move and told me that "I would be prostituting my talents for mere money."

My close friendly relationship with Mr. Weil and his family continued until his death. It continues to this day with Ferdinand T. Weil, his surviving son, and A. Leo Weil III, his grandson, both successful practicing attorneys in Pittsburgh, and his daughter, Aimee, almost my age, who lives in Los Angeles.

To visualize how large the above mentioned $100,000 fee was in money values of today, read the following report of Judge Musmanno, 405 Pa. 355.

The Good Old American Dollar

"Nostalgic and sweet as may be the memory of the American dollar of 1940, 1930, and 1920, the inexorable fact remains that the dollar has gone forever. It would require a search of sea-diving or archaeological intensity to find an article whose price has not doubled, tripled, or quadrupled during the last two or three decades. Hence, a comparison with verdicts of the past can only be meaningful if we assume in unrestrained fantasy that we can still purchase a five-cent ice cream cone, a five-cent hamburger, a five-cent shoe shine, a good five-cent cigar, a 35-cent hair-cut, a 15-cent shave, beef steak at 15 cents a pound, a good theatre seat for 50 cents, a seven-course dinner for a dollar, a pair of shoes for two dollars, and a 12-ounce glass of beer for a buffalo nickel, both buffalo and nickel having now, for practical purposes, almost disappeared." -- Musmanno, J., in Layman v Doernte (1961), 405 Pa. 355, 175 A2d 530, at 534.

Samuel E. Diescher --

For the sake of brevity he is hereinafter referred to as "Sam" for that is how I always addressed him.

I met and worked with Sam first through Frank Wilbur Main. He was a consulting engineer, practicing with a brother, as S. Diescher & Sons. This firm had a large practice and supervised the building of many large steel and other manufacturing plants. His Grandfather was an engineer and bridge builder in Germany and his Father also an engineer, who

founded the Pittsburgh firm. Sam was a valued client and close friend from about 1920 until his death in 1950. He had never gone to college, being educated in his Father's office and a short service in plants in Germany arranged for by his Father.

He was a unique and otherwise extraordinary man as measured by the usual run of mine standards. He was a nonconformist in many ways. He was a rebel in school. Once he was expelled at a very young age because of the following facts. His teacher had been lecturing the class on the evils of tobacco as used by human beings. She said that a goat which would eat anything, including tin cans, would not touch tobacco. After this lecture, the Diescher's hired man asked Sam to bring him, on his return from school, a plug of chewing tobacco. On his way home, he passed a goat in a field and to test the teacher, held out the plug of tobacco, which the goat seized and chewed up. The next morning when school opened, Sam stood up in class and in a loud voice said, "Teacher, you are a liar, because (he then told about the goat) etc."

As a young man, Sam would not use a bed. He slept on the floor as he considered a bed effeminate. As soon as he married, his wife got him off the floor. His folks and his wife's folks belonged to the Lutheran Church. In order to have a church wedding, desired by his wife's family, there was considerable church red tape which had to be observed. Sam rebelled and refused to obey any of these church rules, so there was no church wedding, but the marriage was happy and otherwise successful. His wife, a good friend of my wife and myself, was a wonderful and understanding help mate. They had no children.

Sam was an inventor and made and lost at least two fortunes. He died insolvent. He perfected the first part steel propeller for airplanes, which he sold out at a profit of almost a million dollars. This he soon lost in oil well and other business ventures. He invented the elongator machine which makes seamless steel tubing in small sizes. This venture was taken over by the Babcock & Wilcos Co. and Sam received large royalties for many years until the patent ran out.

Prior to prohibition in the U. S., he was a periodic and very heavy drinker. On trips away from Pittsburgh on business, and I had many such with him, he would disappear in spite of the close watch we kept on him and show up under the influence of liquor. It got so bad that on some important business trips I had his wife come along to keep him in line.

He had enormous strength and when drinking had been known to lift up a horse in his arms and throw the horse around as if it was light weight.

Sam always had his suits made to order and with each suit, he had a cap made of the same material. Inside the cap was a steel plate because in climbing about in plants he was building, he was apt to bump his head.

As soon as Prohibition became effective, Sam rebelled against the bad quality of the liquor furnished by bootleggers. He swore off and never touched liquor again even after the Prohibition laws were repealed.

He was an active participant with Frank Wilbur Main and myself in the Greensburg Airport Venture, the Taylor Wilson Manufacturing Co. and the investment in the Kelly Springfield Tire Co. stocks. He served me as an expert witness in a number of my Federal Tax Amortization cases.

Some of the things which he sought to teach me were these:

Aviation, then in its infancy, was the coming new business. In a short time the airplanes would increase in speed and size, the runways at airports would prove too short, the then airfields would be too few and too small. Airplanes would take over the passenger, mail and light cargo business from the railroads. All this came to pass but Sam's timing was bad. He was ahead of the developments and all of us who invested, including Sam, in the Greensburg Airport venture lost money.

In the course of our connection with the Kelly Springfield Tire Co., through representatives on the Board of Directors, Sam predicted that the best outlet for retail sales of tires would be the gasoline service stations operated by the big oil companies. We tried to interest such an oil company but without success.

In connection with our investment in the National Fireproofing Co., (now Natco on the New York Stock Exchange), he reported on the use of a new process, colored glazed clay tile for inside and outside walls, for gasoline stations, schools, hospitals, etc. This company manufactured conduit, building blocks, and other clay products. Here again he was right, but the glazed tile did not come into general use until some years later. The method of producing such tile was perfected over the method outlined by Sam but his prophecy as to the use of such glazed colored tile was correct.

At the end of World War I, called the war to end wars, Sam told me this was only the beginning of World Wars to follow. He went back to ancient history and the Thirty Years War of Germany, to prove his point.

Sam could draw anything he talked about with pencil and paper. Once when he had me as a guest at the Revels Island Club off the coast of Virginia, a private club founded by George Westinghouse, the mosquitoes were thick and Sam decorated the page in the guest book of the club with drawings of mosquitoes. This brought him a reprimand from the then President of the Club. At this visit, when Sam, his wife and I took a walk along the beach, he came upon a colony of Fiddler crabs. He took off his shoes and socks and stayed there for over two hours studying the crabs.

He knew Natural History and told me that the black snakes in Pennsylvania could climb trees and feasted on bird's nests. They located a tree with a nest by following the excretions dropped by the birds on the ground to the tree with a nest. Sam said some birds became so wary that they permitted no excretions in the vicinity of the tree where the nest was located.

Due to the financial pinch of the 1929 depression and continuing financial troubles, Sam's brother and partner in 1940 committed suicide by hanging. I was called to the house by his wife and told to bring Sam out. I did this and for the first and only time in my life saw the body of a suicide. It hung from the step supports running from the kitchen to the cellar. For the first time, Sam showed he was shocked and emotionally very upset by this happening.

The foregoing are only a few of many influences which Sam had on me but this should be enough to convey a picture of the man I was proud to call a friend.

Leo Byron Foster.

I am making an exception to my rule to lay off of persons still living because of the education on how to succeed in business given me by this friend and client, hereinafter referred to as "L. B."

He was one of my first clients and his company, The L. B. Foster Company, now doing a business in the millions, is at the top of our firm's most valuable and otherwise friendly clients.

L. B.'s parents came from Titusville, Pa., and knew my Mother when she lived there. This accounts for our first becoming acquainted with each other.

We were friends as well as enjoying a lawyer-client relationship which began about 1902.

When L. B. graduated from high school, his Father told him he could go to college or start a business. He chose business and his Father gave him $1000 to start with. The business began as a brokerage business in the sale of second hand and rerolled railroad rails. A rerolled rail was a heavy rail rerolled to a lighter rail by a rail mill. The bulk of his purchases was from railroads, some from junk dealers and some from dismantled manufacturing plants. The rails he sold were used in coal mines, lumbering operations and manufacturing plant yards. L. B. soon kept a stock of rails on hand, and branched out into handling switches and other railway accessories. The business soon took on cutting to length, specified by customers, and boring for nuts and bolts, which were also kept in stock. At this time this rail business was largely in the hands of scrap dealers with more or less unscrupulous business methods and ethics. L. B. was the first to establish guaranteed

specifications for other than new rails and to live up to same. He succeeded in getting lines of credit due in large part to his honesty and reputation in business.

He taught me that success in business did not necessarily depend on routine work habits. He did not, as I did, get to the office at a fixed time and leave at a fixed time each day. His success came from a rare ability to sense the turn of the markets affecting his business. The price at which he bought and sold depended mainly upon the fluctuating prices prevailing in the scrap iron market. When this price was low, you bought and held stock in inventory. When this price was high, you sold but stopped buying as much as possible. For many years now the price of scrap is not a factor. He could not as I asked him to do, put in writing the rules by which he forecast, usually correctly, the trend of these market prices. I can remember once when we came out of Canada after a fishing trip, where for over two weeks we saw no newspaper or had no word of any kind of conditions in the business world, he said he must hurry back to Pittsburgh and buy extensively to build up an inventory. He said he just knew, but could not explain, that this was the time to buy. It turned out that he was correct in reaching this decision. Later L. B. established credit with the steel mills and bought and sold new rails as a warehouse activity. Other lines were and still are added from time to time. L. B. knew when to take a loss, as evidenced by his investment with Frank Main and myself in the Main Aeronautics Company. When we were losing money and required more capital, he turned back his stock, took his then considerable loss, and was spared the headaches and subsequent losses which those of us who

stuck with the venture had to endure. On the other hand, he stuck to his large investment in a new company when his friends pulled out and advised him the company had no future. This investment paid off very well.

He never lost faith in his ability to succeed in his business. There were a number of occasions when business slumps and depressions left him with little capital and large debts, yet he did not, as was a frequent practice in those days, seek to compromise his debts or consider bankruptcy. He at no time, although on occasion advised to the contrary, asked his creditors for a general extension of time to pay his debts.

L. B. could interest himself in activities not connected with business. For example, when he bought his home on Aylesboro Ave. and had ample space for landscaping and flower gardening, he made a study of these subjects and became an expert on shrubs, flowers and other aspects of landscape gardening. As chairman of the Greens Committee at the old and new Westmoreland Country Club, he was responsible for the plans so successfully carried out to enhance the beauty and insure other benefits resulting from his advice and supervision of the Club grounds and other facilities.

L. B. had three brothers, Sidney, Reuben and Byron, who all became active in and contributed in great measure to the success of The L. B. Foster Company. I will not in this chapter attempt to evaluate the services to the present business of each brother and will content myself with the foregoing tributed to L. B. as the founder of the business.

As evidencing the growth of the L. B. Foster Company, as measured by legal fees paid me, I find the following record in my first ledger:

April 14, 1905 - services in dissolution of Foster & Green, a partnership - $10

July 8, 1905 - services in settlement of two Justice of the Peace cases - $5

September 20, 1905 - settlement of Wilson & Sons case - $5

December 15, 1905 - services in preparation of papers for incorporation of the business - $10

July 22, 1907 - services in Baldwin Chandler case - $5

December 13, 1907 - fee for collecting $140 from Ridgeview Coal & Coke Co. - $15

There are many other like charges for services in the early years of the business and these are set as above so that when compared with the legal fees now and for years past paid Ruslander, Ruslander & Lieber, you have another picture of the rapid and successful growth of the business, with corresponding benefits to the Foster brothers, their corporation and their attorneys.

Samuel Weinhaus

He owned the Samuel Weinhaus Company, a corporation engaged in the wholesale jewelry business.

He was, when we first met, a creditor of a bankrupt against whom I brought charges of fraud. At that time I was on the staff of Weil & Thorp and had practically no clients who came to me personally rather than as clients of Weil & Thorp. Samuel Weinhaus employed me, as his attorney and became a friend who acted as my advisor in many ways and as a booster in sending me clients. He had me appointed local counsel for the Manufacturing Jewelers Board of Trade of Providence, R.I., with members throughout the New England States. As this client represented the largest firms manufacturing costume and other jewelry in the Eastern States of the U. S., I had many collection assignments and bankruptcy proceedings to look after as a result of this representation. He also helped me in being retained by the Credit Men's Association of Allegheny County, which was sponsored by the Chamber of Commerce of Pittsburgh. My principal work for this Association was representing creditors belonging to the Association in fraudulent bankruptcy cases. We made it so tough for these bankrupts that it was claimed that a debtor in Allegheny County contemplating a fraudulent bankruptcy made certain that he paid all creditors belonging to this Association before going into bankruptcy.

Samuel Weinhaus was very successful in business. At one time he was the sole local representative of the Elgin Watch Co. and retailers handling this line had to purchase through him. The factory would not sell direct to any other customers. This one line of merchandise was very profitable.

He helped and urged me to join the Concordia Club and Westmoreland Country Club, and, along with him, to take an interest in Jewish communal activities. In the presence of others, he always referred to me as "Counsellor."

He gave credit to and loaned money to all kinds of people, many of whom appeared to me to be very bad credit risks. He set up numbers of poor Jewish peddlers in business and stood back of them until, as happened in a few cases, the debtor was dishonest; then he became relentless in taking every legal or other action available to punish the debtor even though he spent more money on this procedure than, as he knew in advance, could possibly be recovered.

He was a liberal contributor to many community welfare activities. Through all these years he continued a friendly interest in my legal and outside activities and although I tried to give him credit for his help as I progressed upwards, he never would accept thanks or praise from me. Although married he had no children. We spent many hours in Estate Planning even though the Estate Tax was not then the problem that it later developed into.

In his Will he arranged matters so that his business would be sold to his employees on such easy terms that they could and did purchase the business with the very limited credit resources they could command. I was attorney for the Estate and was approached by prospective purchasers for the business who offered very much more than the price paid by the employees. At the time of his death, the principal employees of the business, with one exception, were non-Jews. The business was successful and these new owners kept the name and closed the store on the Jewish High Holidays in honor of his memory. Samuel Weinhaus died in 1922 a comparatively young man.

His wife, Carrie Arnold Weinhaus, never remarried and was outstanding in her devotion to her

family and to Jewish and other communal activities. She has kept me all these years as her friend and attorney. Because of my rule to leave out persons living at or near the date of publication of this book, I do not pay her the tribute she so richly deserves. In 1964 she celebrated her 89th birthday.

R. Green Annan.

Mr. Annan was a client of Main and Company and through my tax work for him, I became his General Counsel many years ago. He still keeps my son Julian busy with his extensive legal and tax business.

Mr. Annan taught me that a man with his ability and energy could keep many irons in the fire and operate many lines of business with success, all going at one and the same time. He would take over a sick business, make a success of it, and then sell out at a profit. He had courage, was daring in business and never hesitated to use bank and other credit to an extent that to me often seemed reckless. Some of the different enterprises that he operated at the same time covered such fields as brick and clay products, engineering services and building contracts, an automobile agency, manufacture of munitions for the Government used in World War II and many others which I no longer remember. Recently, he has successfully promoted housing projects in Florida and outside of the United States. He employed capable men and paid them liberal salaries. However, he always relied mainly upon his own judgment and made all major decisions. In one sense of the word, he was lone operator. He carried certain friends and associates along in some enterprises to their financial profit but not to rely upon them for guidance or major

decisions. He often had to operate while suffering from physical ailments. These associates profited by such association but, in my opinion, never fully appreciated what he did for them and were, at times, positively disloyal. In spite of his extraordinary activities and extraordinary energy, he was able at times to relax. He was a big game hunter and game fisherman in many countries all over the world.

He taught me to recognize that in business, when the future of certain enterprises often seemed doomed to failure, to never lose faith in your own judgment. He has been for many years and still is a man of great wealth.

He was my first client to own and operate a private airplane. During World War II he had me go with him by this plane to Washington, D. C. where he had business with the U. S. Navy. I went along with many misgivings because travel by air was then very new and my life insurance did not cover travel by air. We left Pittsburgh early in the morning and finished the business in Washington by noon. Then by air to New York, where he decided to stay over and had his pilot take me back to Pittsburgh. All this in one day.

In Washington our appointment was with Government officials located either in the Pentagon or some other large and sprawling war building. We got lost in trying to locate the office we wanted and asked directions from a man whom we met in the hall of the building. He conducted us personally through many halls to the office we wanted and then left. The persons we dealt with told us, to our great surprise, that he was Mr. Forrestal, the then Secretary of the Navy.

David I. McCahill.

Another client who came to me many years ago through Main and Company. Mr. McCahill is still a valuable friend and client.

He is a lawyer and as attorney for the West Penn Power Company and other public utilities established an outstanding reputation in the public service field, especially in rate cases. He was an able, tireless and tough fighter for his clients and very successful in litigation. Mr. McCahill acquired control of street railway and electric power companies in the Pittsburgh District. He went through the great stock market collapse beginning in 1929 with profits rather than losses. Anticipating such a loss possibility, he did not over invest in stocks and bonds but loaned his money to New York stock brokers at the then extra high rates of interest prevailing.

After the depression he sold out his electric power companies to New York interests at a very large profit. When the deal was closed in New York, he took me along as his attorney. He also took to New York his wife and three children, as well as his law partner, who was a brother-in-law, and his wife and son.

Mr. McCahill did not drink or smoke. To celebrate his big profit, he had us for an elaborate dinner at the then Pennsylvania Hotel and to the theater for a big hit play. Then early to bed. I have been in on like occasions with other clients celebrating the closing of a profitable deal when the celebration included big eats, drinks, night clubs and other like activities lasting more than one night and day. On one such occasion, the New Jersey lawyer who obtained a big contingent fee (it was a highway condemnation case)

had the closet in his hotel room piled high with champagne. He said he had always wanted to start the day with such a beverage. I left for another business engagement in Philadelphia, but the celebration went on for another day and night.

Mr. McCahill recognized the coming end of easy prosperity for street railway systems and so liquidated his railway interests and invested in bus lines, which he operated successfully for a number of years. He was a man of great energy and tireless when working out a problem. He kept a stable and played polo until past fifty years of age.

I had many intricate and difficult income tax situations to work out for Mr. McCahill and his companies and was generally successful in getting the desired results. I called him my most lucky client, but at the same time recognized his special ability to analyze and decide the action required.

He relied upon his own judgment in all important business matters. He never conceded possible defeat for his plans and was most conservative in all outside investments. He taught me that in business you must plan ahead for the turns that are sure to come; that it is not safe to grow complacent and stand still. For example, from street railways, to electric light companies, to buses for public transportation. While many of my clients lost money in the Florida real estate boom and bust, Mr. McCahill bought Florida real estate that in every case gave him a substantial profit. So far as Florida was concerned, he was one of the very few who knew when to buy and when to sell.

Other persons who influenced my life.

You will note that although my partners, associates and long term members of the staff have had a lasting and beneficial effect on my life as a practicing attorney, they are not herein paid the tribute they deserve. This because, as already stated more than once, I do not include in this book, with certain exceptions and except incidentally, persons now living or only recently deceased. Certain living clients, who will receive this book as a gift, deserve tributes.

I herein and hereby pay a well deserved tribute to and express my great appreciation to the following persons, now in 1964, my daily associates: my son, Julian Ruslander, Jerome B. Lieber, Marvin S. Lieber, Bernard Eisen, Dorothy Regan, Edith Barr, Josephine Buono and Joy A. Bartoli.

The same is true of Sidney A. Teller, who as Executive Director of the Irene Kaufmann Settlement, both before, while and after I was President of the Settlement, as a friend and teacher gave me my insight into social welfare and allied community activities. I learned a great deal from him and was influenced by many but not all of his views. Cannot say more as he is still (1964) retired but in the land of the living.

My son, Julian, and I have influenced each other's lives in many ways. I take both pride and pleasure in closing this chapter with an excerpt from a letter dated April 10, 1964, written to me by Julian and mailed to Israel where I celebrated my 85th birthday. It reads as follows:

"Dear Dad,

An eighty-fifth birthday seems like a very significant occasion. The significance I attach to the event is not because I any longer consider 85 such a 'ripe old age.' All things are relative and as I grow older, my concept of when a person reaches 'old age' gets to be more and more deferred. Your eighty-fifth birthday is of significance to me because it marks a milestone in the life of a man who has had genuine accomplishment and earned the love and esteem not only of his family, but of a truly large circle of friends and business associates. I have always been proud to be your son and especially so in these later years. Bunny and I hope you will have a happy birthday and that in the years ahead you will be blessed with the same good health, vitality, joy of living and understanding."

CHAPTER XII

First Cases

As these cases, which are officially reported, are set out at length in the Appendix in "Ruslander Reminiscences" (Part Two), published in the Pittsburgh Legal Journal of April 23, 1960, not included in the bound volume annually produced for law libraries, they are listed in this chapter solely for reference.

Goldsmith v. Gensenleiter, 51 Pgh. Legal Journal 42 (1904). My first case to be officially reported.

Beardslee Trustee v. Shickler et al., 219 Pa. 165 (1907). My first Pennsylvania Supreme Court Case. See for further reference Vale Pa. Digest, Vol. 9 - Corporations - Sec. 67 - 1907.

Electric Reduction Co. v. C. G. Lewellyn, Collector of Internal Revenue. 275 U. S. 243 (1927).

One of the very first times I represented a defendant accused of a crime, (this was a minor crime), it was tried before a Justice of the Peace. My client, who lived in McKees Rocks, paid me $5.00 to represent her. There were several other women tried at the same time but not represented by attorneys. The charge was prostitution. Due to an urgent plea, my

client was discharged as not guilty. The others were found guilty and fined $3.50 each, which included costs. My client on hearing this wanted me to pay her back $1.50 because the vindication of her reputation was, as she expressed it in harsh language, of less value to her than the difference in cash. Repayment was refused.

During my first year at the bar, as was then quite customary for young attorneys, I reported to a Judge presiding over our Criminal Court for appointment as attorney for defendants unable to otherwise obtain counsel. Was appointed to defend a man accused of felonious assault and battery. Only had about fifteen minutes for conference with client before the trial began. For a report of this case, see Ruslander Reminiscences, No. 1, in the Pittsburgh Legal Journal in the Appendix. I never thereafter volunteered or acted for a criminal defendant by court appointment.

First and last experience with the Japanese

Between the end of World War I and before World War II, as tax attorney for the United Engineering & Foundry Co. of Pittsburgh, Pa., I, with Charles Arensberg, Esq., of General Counsel for the Company, advised the Company through Mr. Ladd, its President, in the sale of a manufacturing plant to the Japanese. We first cleared the proposed sale with the United States Government. The consideration was several million dollars.

We met with the Japanese for several days in continuous session, in the Lotus Club of New York. Mr. Ladd was a member. I still remember the oil paintings of nude women on the walls of our conference room.

We met with four of the Japanese and I asked which one was a lawyer. Was told they had no lawyer. Each night they took with them for study the papers we had drawn and the next day asked us to clear up any questions that had occurred to them. Because of this practice, they said they needed no attorney, only engineers and businessmen.

As a result of World War II, a loss on the sale claimed as an income tax deduction by United, was rejected by the Department of Revenue. After a hard fight and several trips to Washington, I succeeded in having the claim allowed.

CHAPTER XIII

Cases of Special Reader Interest due to their Facts.

First Divorce Case.

Shortly after I started to practice law (1901), I was retained by a client who had been an upper classman and Fraternity Brother at Pennsylvania State College.

He married a school teacher a year after graduation and took her to Europe for a honeymoon. Client had a limited amount of money that he was willing to spend on the trip and so used Pensions and like accommodations instead of first class hotels. This soon irritated his bride and led to quarrels. When they arrived at Venice, she refused to go out with him because she claimed the canals stank. After some words, she added "and you too stink." Client put her across his knees and spanked her long and hearty with a large and very heavy hair brush which he carried with him. After that she went along without protests but as soon as they returned to the United States, left him and went to her home in Harrisburg, Pa. There she retained a Harrisburg lawyer to enter suit for separation and support. Client did not want her back, wanted an absolute divorce, but a controversy arose over the financial settlement demanded. This was,

after I made two trips to Harrisburg, settled on what seemed to both lawyers as fair and the case proceeded to a final decree of divorce. Client married again and had a satisfactory life, blessed by three children. He was an inventor and had at least one patent that paid off very well. He lived in Washington, D. C. and as late as 1960 we had a visit together when I was in Washington. He was in bad shape physically and reported his wife was senile and had to be placed in confinement in a nursing home. Had a letter from him in June 1963 in which he reported he was past ninety years of age.

Horse Shoe Case.

Weil & Thorpe had many scrap iron dealers as clients. There was the then customary sharp dealings between the buyers and sellers of scrap and I handled enough of these disputes to become well versed in the scrap iron business and its special ethics. The Joe Joseph Co., a client of ours contracted to sell as scrap to the Zug Iron Co. of Pittsburgh, five cars of old used horse shoes. The contract described the subject of the contract as "Horse Shoes" with no qualifications otherwise set out in the contract. The Zug Co. refused to accept the shoes because they were, in part, steel shoes and claimed that our client knew from previous dealings with it that it could use only iron scrap in its business. It developed that scrap horse shoes were of two classes, so-called country shoes which were all iron, and so-called city shoes which were in part steel because used for travel over city paved streets. The rejected shoes were sold by client at a reduction over the contract price and suit instituted for the damages thus sustained.

Client insisted the contract called for "Horse Shoes" and it delivered "Horse Shoes." The fact that the Zug Co. could only use iron shoes was no defense.

After the jury was sworn, we lawyers settled the case upon the payment of one-half of client's claim by the Zug Co. No legal precedent was established by this case and horse shoes in sufficient quantities to be sold as scrap have, with horses, long since passed out of existence, at least in Pennsylvania.

Jutte Case.

This case was litigated for months, mostly in taking testimony, in 1907 and 1908. Mr. A. Leo Weil tried the case and I was assistant counsel, custodian of our papers, clerk, telephone messenger and errand boy. The original trial lasted over three months. It was an Equity suit before Judge Shaeffer in the Court of Common Pleas of Allegheny County, Pa. We lost the case in the court below and also on appeal in the Supreme Court. Mr. Weil never got over the, to him, injustice of this decision. Even years later I heard him, at a Bar Association social gathering, argue with some of the Supreme Court Judges who heard the case about the injustice of this decision. Judge Shaeffer of the Court below was regarded as the most able Judge in Equity cases of the Common Pleas Judges.

Capt. Jutte was the owner and operator of a river fleet and barge line, with head offices in Pittsburgh. He also had extensive interests in coal fields adjacent to the rivers in Pennsylvania and West Virginia. He was reputed to be a very wealthy man. He lived in one of the largest and most ornate houses on Morewood Ave., near Fifth Ave., long since torn down.

There came a time when Capt. Jutte became financially involved and he went to two banker friends

for help. They made him the loan requested but had him sign an agreement putting up all of his properties as collateral, and providing further that as added consideration for the loan and the services rendered in conserving his assets, he would turn over to these bankers one-half of all of his property salvaged by reason of this loan and services. In a few years, he needed additional loans and obtained same on the same terms as above. By this time he was so badly involved that he committed suicide. The salvaged assets were then mainly in the hands of the bankers. Captain Jutte's widow retained the firm of Weil & Thorp to represent her and the Jutte Estate. A suit in Equity was filed to set aside the transfers of property by Capt. Jutte to his banker friends and for an accounting. It was alleged that the loans were usurious, the transfers of property exhorbitant consideration, and as to the last transactions, Capt. Jutte was mentally incompetent and unable to protect himself against the action he was forced to take by these two bankers, who abused their confidential relationship based on friendship with debtor. The Court below found that, although the bankers drove a very hard bargain, Capt. Jutte knew what he was doing and his agreements could not be set aside. Had the plaintiff succeeded, the recovery would have been over $1,000,000.

Contested Will Case.

In this case I acted as counsel for the Executors of the Will of a Doctor F. The doctor was an advertising specialist in men's diseases and built up a substantial estate prior to his retirement about two

years before his death. He was survived by a widow. There were no children. The last Will, the one probated left one-half of his estate to his widow. There was a previously executed Will that left his whole estate to his widow. The widow sought to set aside the probated Will so as to take under the prior Will. The case was heard by a Judge without a jury. She claimed that the Doctor was mentally incompetent to make a Will at the date of the execution of the probated Will. There were a number of Witnesses for the widow who testified to the peculiar actions of the Doctor. The principal witness for the widow was a dealer in fish, oysters and sea foods. He testified that the Doctor purchased from him in person and was obsessed with the belief that the female fish, oyster, etc. was better eating than the male. He made the witness select for him only female fish, if possible, with the eggs (roe) intact and sort out only female oysters. The witness testified that he finally refused to sell to the Doctor and told him he was too much trouble and that his next order would probably be for a case of female sardines. The Will was sustained mainly, as I believed, because the widow was an aggressive witness who antagonized the Judge. While I cannot prove it, I believe the Judge concluded she was lucky if she got one-half instead of the whole estate. There was plenty of evidence that would have sustained the widow's claim. The remainder of the estate went to relatives of the Doctor.

Bankruptcy Case.

As attorney for the Pittsburgh Creditmen's Association, a branch activity of the Pittsburgh Chamber

of Commerce, I prosecuted bankrupts where it was hoped fraud could be proved. The usual defense was that the unaccounted for assets went for gambling, stock market losses, robbery and other like transactions where it was hard to disprove the testimony of the bankrupt. In one of these cases, I was opposing a bankrupt's discharge in bankruptcy on the ground of fraudulent concealment of assets. The bankrupt testified the shortage in assets was due to the fact that for two years he suffered from a venereal disease and spent large sums of money in cash going from one doctor to another. I summed up our case by telling the Referee in Bankruptcy, "Five doctors could not stop this man's discharge but I rely on your Honor to do so by refusing a discharge." The bankrupt was refused a discharge.

Seduction under promise of Marriage.

I had no actual personal connection with this case which was tried in Brookville, Pa. However, the attorney who is the hero of this tale and with whom I had business relations, was noted for his unusual court tactics and use of outstanding figures of speech. This attorney was prosecuting a defendant for seduction under breach of promise of marriage, at that time a permissible action under the then laws of the Commonwealth of Pennsylvania. His concluding speech to the jury (no women could serve on juries at that time) was a detailed picture of the youth and innocence of the woman betrayed, who as he shouted to the jury lived all of her virtuous young life in Brookville and up to the time of the courtship by the defendant, "Whose breasts had never been pressed, save by the hands of time." The defendant was convicted.

Husband and Wife Case.

A woman about fifty years of age consulted me on the following problem. She and her husband did not get along in recent years. Their only valuable asset was the home they occupied, title to which was in their joint names as tenants by the entirety. This meant that in Pennsylvania the surviving spouse took the property. She wanted her husband to give her sole title because she feared he would outlive her, marry again and deprive their only child, a daughter, of any interest in the property. He refused to sign a deed. I explained that there was no legal way to compel him to sign such a deed. Just before she left the office, I asked her how long since she had occupied the same bed with her husband and she said about five years. I said go home and sleep with him. This was on a Friday afternoon and the next Monday morning she came early to the office with her husband who, meek as a lamb, signed the deed she wanted. As I did not get a chance to talk to her when not in the presence of her husband, I am not certain whether my advice was followed. If it was, credit me with using psychology.

The Josiah B. Thompson Bankruptcy Case.

Early in September, 1917, while Mr. Weil and Mr. Thorp were both away on their summer vacations and I was the Junior in charge of the office, (Weil and Thorp), a representative from the office of Samuel Untermyer, a very prominent attorney of New York, without any preliminary notice, came in one morning and told me that I was to immediately file a Petition in Bankruptcy against Josiah B. Thompson of Uniontown, Pennsylvania and obtain a restraining order to

prevent certain banks in Pittsburgh from selling collateral attached to his notes, which sale was to take place the next day. The representative from Mr. Untermyer's office was not a lawyer and I had nobody to consult with or rely on, except myself. I explained that it was impossible to prepare a Petition in Bankruptcy and to take the necessary steps to obtain an injunction to restrain the sale of debtor's collateral in the short time allowed me. I went to the office of Judge Orr, then a Federal Judge for the Western District of Pennsylvania, and explained the situation to him. He phoned Mr. Samuel McClay of Reed, Smith, Shaw and McClay, who represented the banks that were proceeding to sell collateral, to come at once to his office. There he told him to call off the sale and give me time to proceed with the bankruptcy case and obtain the necessary restraining orders. Mr. McClay agreed to do what Judge Orr demanded and carried out his promise with cooperation to the extent called for.

The most violent attacks against the order restraining creditors were made by the counties and townships asserting liens for taxes against the coal lands owned by the bankrupt. I recall one able but vehement attorney who represented Green County, Pennsylvania, shouting at Judge Orr, "The school teachers of Green County, Pennsylvania go without shoes and all because J. V. Thompson does not pay his taxes."

Judge Orr restrained the tax collectors as well as other creditors and as a result, time was obtained to negotiate a sale of Pittsburgh seam coal lands by the Trustees in Bankruptcy. The sale price was $12,000,000.00 and the tract was only a part of the

coal lands owned by the bankrupt. This sale was designated as the Frick Sale because made to the so called Frick interests.

Mr. McClay of Reed, Smith, Shaw and McClay represented the purchasers and I was delegated by Weil and Thorp to take care of the details for the Trustees in Bankruptcy. Mr. McClay assigned William A. Seifert of his office to see to it that the orders of the Bankruptcy Court were properly drawn and that the Deed from the Trustees conveyed a good title. Mr. Seifert and I worked together for days at a time with a lot of night work included. One of the legal problems we had to solve was proper notice to creditors. The schedules in bankruptcy showed approximately $30,000,000.00 of debts, said to be the largest amount of debts in an individual bankruptcy up to that date in Pennsylvania. A very large number of these debts were in small amounts unsecured. Mr. Thompson, as President of his Uniontown, Pa., Bank, made it a habit of meeting coal miners and other wage earners who came to make deposits on the first floor of the Bank. He would take their money and enter the amount as a personal debt, giving the depositor a small book which many understood to be a bankbook. Claims were made against the Bank on the money entered in these books. When the first World War broke out, many of these creditors departed for the war and left no address; the United States Alien Property Custodian filed claims for these alien creditors and there were other troublesome issues which Seifert and I had to take care of with the help of Petitions to and Bankruptcy Court orders. A good title was obtained and the sale went through.

I recall distinctly that on a number of occasions, Seifert and I would console each other by agreeing that the large law firms over worked us Junior Associates; that we were underpaid and not properly appreciated by our superiors.

Prior to this time I had only one legal contact with Seifert. We were on opposite sides in a jury case arising out of the following facts:

I represented a small town foreign banker who cashed a pay check for an employee of the Philadelphia Company. It turned out that the Philadelphia Company had two employees with the same first initial and last name. When the check at issue was handed out, it went to the employee who was only entitled to less than one-half thereof and his check for the lesser amount was handed to the other employee. The Philadelphia Company stopped payment on the check cashed by the Plaintiff. The Judge left it to the jury to decide which of the two innocent parties should suffer the loss. Plaintiff won probably because the jury concluded that the big and rich Philadelphia Company could stand the loss.

One phase of the Thompson case had a sad ending for Mr. Weil. These are the facts in the main as set out in a decision of the U. S. Supreme Court in Weil et al. vs. Neary, 278 U. S. 160 (1929).

From the opinion of Mr. Chief Justice Taft.

> "In May, 1921, Neary, a citizen of New York, assignee of Samuel Untermyer * * * * brought suit in the Supreme Court of New York against A. Leo Weil and Charles M. Thorp, citizens of Pennsylvania." (Case removed to and tried in the Federal District Court of New York).

"Untermyer alleged that he had been retained as Attorney and counsel for many creditors of one Josiah V. Thompson, a Pennsylvania banker and coal operator, to collect indebtedness amounting to millions of dollars. To that end Untermyer retained defendants Weil and Thorp of Pittsburgh to conduct bankruptcy proceedings under his supervision upon an agreement that they were to accept $5,000 in full payment for their services. Such proceedings were accordingly instituted against Thompson * * * and he was adjudicated a bankrupt. Trustees were chosen and Weil and Thorp were selected as their counsel * * *."

"Plaintiff's complaint avers that it was thereafter agreed that out of the compensation covered by allowances eventually made by the Bankruptcy Court, the defendants should retain such sum as the Plaintiff considered just and equitable, the remainder to be paid to Untermyer himself * * *."

Note: Allowances of $142,000 were paid to Weil and Thorp. Untermyer then decided that 60% should be retained by Weil and Thorp and 40% paid to him.

On November 30, 1920, the firm of Weil and Thorp was dissolved. Mr. Weil succeeded as counsel in the bankruptcy proceedings and further allowances were made to him of $21,000 on May 10, 1924 and later $23,000. Although 40% of these were claimed by Untermyer, the Referee (Court below) did not allow them. Untermyer made no determination as to a division. The suit in New York, under the New York

Practice Act and written stipulation filed, was referred to Allen Wardwell, Esq., as Referee who concluded that Weil and Thorp were indebted to the Plaintiff in the sum of $57,064.00 with interest from November 15, 1920.

From the opinion of the Supreme Court

> "A bill of exceptions prepared by Defendants, was not allowed because tendered out of time. (Note: Due to the negligence of Defendants local New York Counsel) In this situation the Defendants concede that they are bound by these finding as found by the Referee; Untermyer represented 90 to 95% of the creditors of Josiah B. Thompson. In January, 1915, a State Court in Pennsylvania appointed receivers for Thompson and this held the estate together. But the Supreme Court of Pennsylvania on appeal set aside the receivership on the ground that it had been erroneously created."

A Petition in Bankruptcy was filed in Pittsburgh September 10, 1917. Weil and Thorp, on October 18 were elected and confirmed as Attorneys for the Trustees in Bankruptcy. Supreme Court opinion continued:

> "The controversy is not an ordinary one between two parties. The issue concerns the action of both Untermyer and Weil toward the bankruptcy court. A question of public policy is presented, not a mere adjudication between two parties.

"Another feature of the contract that calls for condemnation is the provision that Untermyer shall have power to supervise and direct Weil in the rendition of service to the trustees. Of this the Court certainly could know nothing. Weil's duty was to exercise his independent judgment in respect to his duties. He could not abdicate to Untermyer. The contract makes the latter dominus litis, and operated as an intolerable imposition on the judgment of the Bankruptcy Court. This was contrary to public policy **********"

"When a party seeks to enforce a contract and it is found to be invalid because contrary to public policy, the usual result is that the Court dismisses the action and leaves the parties as it finds them. Weil, the Defendant, appearing pro se announced to us in open court that he would be entirely content with any disposition of the amount sued for, provided it was not appropriated to the satisfaction of a contract deemed plainly illegal and void and the making of which he denied. * * * We therefore must reverse the judgment below and direct a dismissal of the action, leaving Weil to take such steps as may be appropriate to enable the Bankruptcy Court to pass the funds in controversy to the creditors."

I testified for the Defendants in the trial before the Referee. I had severed my relations with Weil and Thorp in 1919 and so qualified as a disinterested witness. Mr. Untermyer who was considered the best cross examiner then practicing law, conducted a very strict but not unfair cross examination. At its conclusion he said to me, not in the hearing of the Referee, that he considered me a very unfair witness.

It is my opinion that the Referee and Court below found for the Plaintiff largely on account of assumed admissions made in letters written by Mr. Weil, prior to the institution of suit. He had then urged a settlement that would not involve the issue of public policy as was later defined by the U. S. Supreme Court in its opinion. It is my further opinion that, if the negligence of local counsel had not precluded a consideration of the facts, the Supreme Court would have decided that the contract at issue, as contended for by Untermyer, had never been made.

CHAPTER XIV

Odds and Ends

Instead of going back and putting the contents of this Chapter in the proper places, it is much easier to write these special items that I deem of interest in this way.

Juries.

I have not tried a jury case since women became eligible to and began to serve on juries. This was many years ago. I was opposed to this move although, influenced by my Mother, I was always in favor of women having the right to vote. Did not give up trials before a jury because of the women on it. By that time our practice had changed. Negligence cases, workmen's compensation cases, etc. were out of our hands.

Volumes have been and will continue to be written on the subject of trying a case before a jury. Juries always had and will continue to have unpredictable prejudices and motivations. Then as now, a poor plaintiff was favored over a rich defendant; there were race and religious prejudices that had to be considered; and employees had the better chance to win when engaged in litigation with employers.

Just by way of illustration, I had a friend I played tennis with. He was a high school graduate and had a fairly responsible position with a bank. After he served on his first jury, he reported to me that one case was a suit by a poor widow who sued her insurance company for the loss suffered in her home by reason of a fire. He said it did not take us long. Here was a poor widow who had a fire loss and her insurance company would not pay her but we did. He had paid no attention to the other facts of the case.

There was always the temptation to trip up an adverse witness for the effect on the jury. This is one of my personal experiences in the trial of a case involving injuries received by the plaintiff when he stepped down from a taxicab. He claimed he stepped off from the taxicab with his right foot first when the cab suddenly started and threw him. The accident could not have happened as described unless the plaintiff stepped off on his right foot first. As the plaintiff stepped down from the witness stand, I called him back and asked that he be seated. Then asked him with what foot had he first stepped off on leaving the witness stand. He did not know but claimed to remember such a fact a long time ago when the accident occurred. The jury, however, awarded damages to the plaintiff. The jury resented this attempt to discredit the plaintiff. It taught me a lesson not to try to be too clever.

Juries are apt to discredit the testimony of lawyers, policemen and other public officers. I found this out when I sued a woman for a legal fee in addition to the amount already paid. This case is detailed in subsequent pages. This was the first and only time I sued a client. In this case I believed I was badly

treated, and sued, influenced more to assuage my hurt pride rather than by the money involved. Before the verdict I was confident the jury would believe me and my witnesses as against the defendant.

As already stated, juries tend to take care of the so-called "underdog." I tried a case for an employer corporation sued by a branch manager of one of its stores, who was discharged prior to the termination of his employment contract. Our defense was that the plaintiff was drunk so much of the time that he could not and did not properly attend to the employer's business. We had a number of very credible witnesses who testified to the drinking habits of plaintiff based on personal knowledge of same. The plaintiff's only witnesses, outside of himself, were persons who knew him during the period at issue and testified that they never saw him under the influence of liquor. The jury decided the case in favor of the plaintiff, the employee.

Main Topics

Main and Company, Public Accountants, published a house organ called "Main Topics." It published many articles written by me. In the June 1930 issue I wrote the following article, included here because in 1964 it is as timely as it was in 1930:

> "Every month some book, pamphlet, article or report of a tax Commission offers us something in the way of solving present tax problems. A check back usually shows that the so-called new idea is often centuries old. Herodotus, writing in the fourth century B. C. said: 'that no man might

be taxed beyond his ability.' Plato in the same century, discusses the distinction between taxes on income and taxes on property. He said that each year a man's property and his income shall be valued, and in levying the tax, '-----the public officers may use annually whichever, on consideration, they deemed best.' Livy, in 500 B. C. advocated the levying of taxes in such a manner that public expense should fall upon the rich, as best able to support the burden. A general sales tax was suggested by Pelty, a writer in the 17th Century.

"Well, we at least have new conditions to which to apply old theories for modern results."

The Fight Against Commercial Crime

"Communities should be vaccinated against commercial crime just as they are against smallpox, declared S. Leo Ruslander, tax counsel for Main & Company, accountants and auditors, in a recent address before the Credo Round Table of the Pittsburgh Association of Credit Men in 1910.

"The subject of discussion at the luncheon was 'Commercial Crime,' held in connection with efforts of the National Association of Credit Men organization to stamp out crime of this nature. Mr. Ruslander said:

"It is unfortunate that commercial crime cannot be handled like smallpox and other plagues--

that is, by an intensive, campaign, vaccinating everybody, and insuring communities against recurrences. There must be a constant fight against the fraudulent debtor. The moment there is any let-up, a crooked merchant takes advantage of the situation. With all that is known about commercial fraud, with all that has been done to stamp it out, it is still sufficiently profitable to tempt the dishonest, and the annual loss from this source piles up year after year.

"There are a number of reasons why this is the case. Credit is too cheap. Creditors are too indifferent. Judges and juries are too lenient. The creditors who suffer from commercial fraud have not yet been mobilized so as to furnish sufficient co-operation and funds for this war.

"Treating each of the several heads separately, the following statements are believed to be conservative:

"Credit is too cheap. This is something that you credit men have been preaching to each other for such a long time that I believe we can accept the statement as true. The remedy, of course, lies with the credit men not with the lawyers or courts or any outside agencies.

"Creditors are too indifferent. The fact that it is so difficult to raise adequate funds for the work of prosecution, either locally or nationally, must be due to indifference. Credit men frequently enter into a prosecution full of indignation,

and then become disappointed because the results do not come up to expectations. Thereafter they hold back, contenting themselves with the statement that it is a waste of time to send good money after bad, and so on. If you do this, you lose sight of the fact that every time you prosecute a fraudulent debtor and make him defend himself in the courts, you win ---even if the defendant is acquitted. This because his very defense has taken all the profit out of the steal. As has been well said by the National Association: 'The certainty rather than the severity of punishment is crime's greatest deterrent.'

"Judges and juries are too lenient. There is an element of truth in this, although it applies to juries rather than to judges. There is a historical factor which should be kept in mind. In the early days of the English law, the punishment for crime was entirely too severe. At one time a man could be boiled alive in oil for stealing a loaf of bread. Imprisonment for debt as practiced in England for many years created sympathy for the debtors. This caused juries to interpose their own ideas of mercy in spite of the evidence, and to acquit for cheating and other forms of commercial fraud so as to save the defendant from inhuman punishment."

Oil Painting hanging in Allegheny County Bar Association Rooms in Pittsburgh, Pa.

While few people know about it, an oil painting of part of me hangs as above located. The artist, who

was employed to paint a full length portrait of Judge Josiah Cohen of the Court of Common Pleas of Allegheny County, Pa., was a friend of mine. I happened to be in Atlantic City at the time the Judge was posing for the portrait. He rebelled at the long periods of posing demanded of him, and so the artist persuaded me to put on the striped trousers and pose for the picture from the waist down. Thus I am, in fact, preserved for posterity by an oil painting. I always have claimed that mine is the best part of the picture.

From a Toastmaster's Speech.

At a meeting held on January 14, 1932, to discuss "The Depression Years," I began as follows:

> "Without the diamonds, the high hat, the big words, the whip and the voice of a real ringmaster, I feel that I stand before you as naked and ineffectual as a ringmaster in his undershirt and shorts.
>
> "However, you have this consolation - the excellence of the program is such that the artists and speakers who are to follow really need no introduction.
>
> "Now, first of all I am going to dispose of the subject of the present depression by reading a poem:
>
> "My grandpa notes the world's worn cogs
> And says we're going to the dogs.
> His grand-dad in his house of logs
> Swore things were going to the dogs.

His dad amid the Flemish bogs,
The caveman in his queer skin togs,
Said things were going to the dogs.
But this is what I wish to state,
The dogs have had an awful wait."

Tribute to S. Leo Ruslander, American Jewish Outlook, 10/14/49

"Most of us, were we asked to select a contemporary patriarch, would base our selections first on the inherent qualities of the personality and secondly on our emotional reactions toward that and the physical aspects of the individual. For those reasons, many of us would describe the initial Floral Salute winner of this year, Mr. S. Leo Ruslander, as such an individual. It can hardly be said, though, that patriarchal is the one word completely descriptive of Mr. Ruslander, for he embraces a great many of the earthy, lovable qualities which demand devotion.

"But then again, demand is the wrong sort of word to use when speaking of him--perhaps endear is the superior verb. In all of Mr. Ruslander's 48 years in Pittsburgh he has done little and attempted even less which has not endeared him to most of our hearts.

"It is difficult to recall the time when Ruslander was not a distinguished name in Pittsburgh circles, but there must have been such a time. S. Leo Ruslander, was born seventy Aprils ago in

nearby Bradford, Pa. He was educated at Olean, N. Y., Penn State and finally received his law degree from Columbia University. After his graduation from Columbia in 1901 he came to Pittsburgh where he joined the law firm of Weil and Thorp. His associate, A. Leo Weil had also been his legal preceptor. In 1919 Mr. Ruslander opened his own law offices, which are still active under his leadership.

"He and the law firm of Ruslander and Ruslander have attained considerable prominence in the field of taxes. Mr. Ruslander himself taught tax accounting at Duquesne University evening school. Thus, he has defied precedent, for our own limited experience with balance sheets and profit and loss statements has certainly convinced us that no worthwhile accountant can too long endure without evolving into a shattered, stooped and trembling individual. But it might not have been defiance at all, for there probably are a few persons whose nervous systems and mental mechanisms are entirely adaptable to the very skilled process of juggling figures about. Some time ago he co-authored a book entitled "Pennsylvania Corporation Taxes"--a further proof of his excellence in the field.

"The tall, white haired, very gentle person who is far more than a fine lawyer, has left his share of contributions to the local community. Almost since his arrival in Pittsburgh his name has become synonomous with that of the Irene Kaufmann Settlement. He has offered the institution inestimable services since the day when he

first met it as the Columbian Council. The wife of his law associate, Mrs. A. Leo Weil was then president, which position S. Leo Ruslander was shortly to accept. At present he still serves as a board member of the IKS. In addition, he has served as a vice president of the Federation of Jewish Philanthropies, a member of the board of directors of the Federation of Jewish Social Agencies and has been closely associated with the Pittsburgh Housing Association, Pennsylvania Association for the Blind and the Allegheny County Board of Public Assistance.

"Those of us who saw Mr. Ruslander at the Rodef Shalom during the recent holidays, as he assisted in the removal of the Torah from the ark, can hardly associate him with the ambitious lad who purchased his first dress suit so that he might join the Debate Team at Penn State. We are rather inclined to believe that he has always been a leader of the Rodef Shalom Congregation. Actually he stepped on to the Temple Board from the presidency of the Men's Club and prior to his election last spring as president of the Congregation, he had served in numerous capacities on the Board.

"Aside from his religious and professional duties, Mr. Ruslander is a most unpatriarchal golfer. The brightest mark on his not quite double par record is the veteran's cup which he won in the 1948 Westmoreland Tournament. Fishing is another sport which has received his attention and in spite of the vast territory which he has covered in that pursuit, he hasn't a single record catch to boast of.

"But he doesn't much miss that boasting, especially now that he has three grandchildren to receive such laurels. He and Mrs. Ruslander, the former Gertrude Hartwig, of Buffalo, N. Y., are probably tremendously occupied with the grandchildren whom they share with their son Julian. S. Leo Ruslander, Jr. was killed in Scotland during the war.

"So, we'll pardon Mr. Ruslander's lack of prowess in athletics--a patriarch's dignity is excuse enough--and we'll wish him well with our Floral Salute."

Suit to collect a fee

I had but one court case involving a dispute over a fee claimed for professional services.

Was employed by a widow owning a 50% stock interest in a local corporation. I was elected to the Board of Directors of this Company and advised my client on many matters, mainly in cooperation with her New York attorney. After her stock interest was sold at a price very much greater than its book value, for about $500,000, I rendered client a bill for $5,000 which she refused to pay on the ground that the $100 per meeting paid me as a Director of her Company was payment in full and I was owed nothing for services as General Counsel. The case was tried in the Common Pleas Court with a jury. Although I had as witnesses two other lawyers who represented the owner of the other 50% stock interest and who

testified that my client had introduced me as her General Counsel, and I had witnesses as to the value of the services rendered as General Counsel, the jury brought in a verdict for the Defendant.

I was influenced in bringing suit because the conduct of client hurt my pride more than my pocketbook.

Other trial lawyers who knew about the case told me that they were not surprised at the verdict because juries, as a rule, discounted the testimony of lawyers, policemen and public office holders generally, and usually favored a woman as against a man in litigation.

Negroes - Integration

The year 1964 is marked by the passage of a strong Federal Bill of Rights to be enforced by the United States Government. This has been preceded by months of violence in the North and South and in a few instances by murder of blacks by whites and vice versa.

My first intimate contact with a colored boy was in high school in Olean, New York. His name was Barnes. We played chess together. He came to my house. I never was in his house. He dropped out before graduation and told me there was no future for him except in some job like that of his Father, who was a barber.

There were no negroes in Pennsylvania State College or the Law School of Columbia University when I was a student.

When I was President of the Irene Kaufmann Settlement on Center Ave. we had a playground fenced in all around by a high iron fence. The colored children

were kept out and it bothered me a great deal to see these young children with their faces pressed against this fence watching the other children at play. Mr. Teller, the executive head of the Settlement, claimed that this could not be helped at that time and we should use our efforts to obtain separate but segregated facilities for the colored.

There was a colored Baptist Church in the neighborhood and the Pastor claimed he had no available facilities for baptizing the members of his congregation. We allowed him to use the Settlement swimming pool at stated hours at night. Today this Settlement, known as the Heldman Settlement, has an almost 100% colored clientele. The Irene Kaufmann Settlement rents all of its buildings on Center Ave. to the Heldman Settlement for $1 a year. It is supported by public funds.

My wife was always interested in the problems of the colored. She was mildly active in the Urban League and used to drag me to entertainments and other activities promoted by the Urban League. For years she employed colored household help and one of these was a faithful servant for over 30 years.

When I was Chairman of the Group Work Division of the Federation of Social Agencies of Allegheny County, the issue of permitting the colored to become campers in the camps operating under the guidance of the Group Work Division was raised. After much debate, the Y. M. C. A. agreed to take one boy in as an experiment. There are now separate integrated summer camps and I do not know to what extent, as of today, integration has progressed. For details with some repetition of the above on the Settlement and its relations with and to the rapidly growing colored population coming up in this so-called "Hill District" of

Pittsburgh, see No. VII in the Appendix entitled 'I. K. S. Looking Backward.

Miscellaneous

Jewish Criterion, 8/17/51, "As I See It" by Milton K. Susman, "Mr. S. Leo Ruslander of this City, who says he has noted, from time to time this Corner's comments on the 'slowness with which progress is being made to relieve racial prejudice,' sends me a copy of House Bill No. 1254 introduced in our Legislature at Harrisburg on May 15, 1951. The Act reads, 'All laws of this Commonwealth whether general, special or local, providing for the payment of bounties for Indian scalps by the Commonwealth or any of its political subdivisions are hereby repealed absolutely.' "

"In which case the old saying that the 'only good Indian is a dead Indian' will soon have lost much of its edge."

Health Record. (Minor ailments omitted.)

1902 - Typhoid Fever. This was a common sickness in Pittsburgh because in those days the City water was not filtered. My young doctor, but two years older than myself, brought me through ok. He was Dr. Milton Goldsmith and was my doctor and close friend for over sixty years until he retired. He was still living in 1964 but in very bad health.

1945 - In the hospital for a short time, pneumonia.

1950 - Hospitalized. Gall bladder removed. Never missed it after the operation.

1957 - Hospitalized, hernia operation, right side.

1963 - Hospitalized, prostate reamed.

1952 - About this time started to wear a hearing aid in my left ear. Even with the aid I miss much in a noisy room or a crowd. As I suffer from a nerve failure, there is no cure. In the quiet of my office and home I get along very well.

As has been well said, "Health to be truly enjoyed must be interrupted."

CHAPTER XV

Loose Legal Practices

During my active years of practice, starting while with the firm of Weil & Thorp, I observed the strict rules, ethical and otherwise, prescribed by Bar Associations and otherwise as rules to be followed.

Pleadings had to be drawn strictly according to the law and the rules of practice; curing of defects by amendment as enforced by the Courts was of limited scope and there could rarely be amendments after the case proceeded to trial. This resulted in many a nonsuit or a judgment by the court even though the equities would decree otherwise. The distinctions in pleadings between different causes of action, such as assumpsit, trespass etc., were very technical and had to be strictly observed.

Pleadings in recent years are loosely drawn and defects either in form or substance cured by amendment, sometimes even during the course of a trial. This is, in part, due to changes in the statute law governing pleadings and practice. Important matters required that the client or his representatives come to the office of the attorney for a conference before advice was given on the matter submitted. The attorney rarely consented to going to client's office. Telephone practice was discouraged if not refused. These rules are not strictly observed as of today in the ordinary course of hurry up practice.

I could go on with many other examples of the so called loose practices of today, but the foregoing should be sufficient to support my contention that the present day practice is in many respects different and easier than such practice "used to be."

This chapter should not be taken as an indictment of my own practice or that of our firm. We are, by present day standards, even as contrasted with the old time rules, ethical practitioners and this is probably true of a majority of the lawyers of today. The above comment is intended only to prove that in many instances, even in my own practice, where no harm can be done to a client or his interest, a different code is followed by many lawyers than the one originally taught me.

Fixing of fees is most difficult and otherwise burdensome. Since the doctors and dentists, from a position in the rear, have passed the lawyer in average earnings, more attention is now devoted to proper methods for fixing fees. At the annual convention of the American Bar Association held in Chicago in 1963, office practice and fixing fees came in for a lot of discussion, such as daily accounting for time, basing fees on an hourly rate, time taken for telephone calls and correspondence and like factors. There was less consideration than I thought it deserved to the canons of professional ethics No. 12, National Bar Association, which reads, "In fixing fees it should never be forgotten that the profession is a branch of the administration of justice and not a mere money getting trade." For the one time when I sued for a fee, see Chapter XIV.

"The day is long since past when a lawyer can automatically assume that he knows more about

life than the people to whom he is giving advice. Today a lawyer is called upon not only for legal advice, but also often for business advice as well. Louis Brandeis observed that the lawyer who does not know anything of economics and accounting is a public enemy. It is a lawyer's duty not to mystify his client, but to inform him, to enlighten him on the law. The lawyer must try to understand his client's business problems, and, if requested, advise him candidly on them." American Bar Association Journal, August 1962, Vol. 48, No. 8, Editorial page 736.

In recent years the practice of law has tended to become more of a business and less of a profession. For many years, we so called "old time lawyers" refused to act in purely business problems. We demanded a respect from and obedience from our clients. Not so with the successful business man of today. He is in command and his lawyers must respect and obey him. Recently sat in with my son at a conference called by the executives of a large and successful corporation. Client's outside auditors were present. For two hours the discussion involved inventory control, warehouse practices and like problems, not one of which could have been considered as within the boundaries of the practice of law from a purely professional view point.

CHAPTER XVI

Religious Life

Up until I was past seventeen years old, we lived in towns or other places that had no Jewish Sunday Schools or regular places of worship. Occasionally on High Holidays there would be services in rented halls which our family attended. My Jewish education therefore came mainly by home teaching from my Father and Mother. While I never was Bar Mitzvah or Sunday School Confirmed, I fasted on Yom Kippur from the age of 13 up to and including this year (1964). My Father impressed upon me the belief that fasting was not in itself of religious significance but was an annual test of the control of the mind over the body. Failure to fast was therefore evidence of a weakening mind, which resulted from over indulgence in earthly and otherwise unworthy self indulgence for the year just passed.

After I lived where I could attend Jewish Services, I never failed to attend, at least on the High Holidays. The nearest I ever came to break the Yom Kippur rule was once when, in 1921, I was on a business trip in New York accompanied by my client, a Mr. E. R. Crawford, President of the McKeesport Tin Plate Co., of Duquesne, Pa. He was a very wealthy man and very important in the tin plate industry. We were in New York to take depositions for use in a Federal Tax

Case, when, because of the sudden absence of witnesses, we could not conclude the depositions before Yom Kippur. I explained this with fear and trembling to Mr. Crawford, who was a comparatively new client, with a reputation for impatience that brooked of no delays in his time table of important engagements. I told him that I had never worked on a Yom Kippur but if he asked me to I would. Was not even sure before this that he knew I was a Jew. Mr. Crawford was most considerate and asked many questions about Yom Kippur and fasting. He said he would stay over in New York; that I should attend services, break my fast that night as his guest at the Astor Hotel, and accompany him to the theater that night. He selected the play, which was "Welcome Stranger" and had to do with the life of a Jewish newcomer in a small New England village. Mr. Crawford and his company were clients of mine for many years. We became friendly outside of business relations. He never married until later in life, after the death of the sister with whom he lived. He belonged to no church but made substantial contributions each year to churches of all denominations. He contributed $1,000 annually to the Jewish Federation, which in those days was perhaps the largest non-Jewish, non-solicited contribution received by the Federation. However, in one of our many discussions outside of business matters, he told me that while he was without prejudice, he never would vote for a Jew or Catholic for President of the United States and he believed that no Jew or Catholic should ever aspire to that high office.

In 1901 when I located in Pittsburgh, I affiliated with the Rodef Shalom Congregation, which affiliation has continued to this date. I first became active in

the Men's Club and in due course was elected its President. Was next elected to the Board of Trustees of the Temple and then became President of the Congregation, which office I held for seven years. Am still on the Board and have been elected Honorary Life Trustee with full voting powers and other duties, serving for many years on the Finance Committee. In some of my speeches at Congregational gatherings, I like to remind my audience that, never having gone to a Jewish Sunday School, never having been Bar Mitzvah and never having been confirmed, the best I could do was to become President of the Congregation.

For some years prior to the election of Rabbi Solomon B. Freehof as Rabbi of the Temple, I conducted Seder Services sponsored by and held in the Concordia Club of Pittsburgh, of which Club I was a member and on the Governing Board called Council. While limited to members, as they could bring in friends and members of their families, we usually had an attendance, including the children, over 100 per service. While I presided, I saw to it that members of each family read and otherwise took part in the services. I personally provided prizes for the children who searched for the hidden matzos.

The reason for these Club services was that Rabbi Goldenson of the Rodef Shalom Temple advocated home services for Seder and confined his participation to family services in his home. The night we elected Dr. Freehof as Rabbi at a very very fine and elaborate dinner at the home of Marcus Aaron, the President of the Temple, I told him that my vote was conditioned on his taking over the conduct of these Seder Services. He did so and continued same even after his subsequent marriage. The attendance increased and

after the Dining Hall in the addition to the Temple was available, these services were and continue to be held in the Temple.

For a time the older members of the Concordia Club addressed me as "Rabbi."

CHAPTER XVII

Personal Experiences and Views Outside of the Limits of the Practice of Law, including Golf and other Sports.

I will not say that during my whole life I never touched a woman other than my wife. These touches were, however, so light and had so little effect on me that they deserve no further mention, at least for the benefit of those who may read this Chapter.

I was, as a young man, very shy with girls and all through high school had no experiences such as are covered by the teen age dating as of today. I never learned to dance until I was about 19 years old, when I joined a dancing class composed only of boys at Pennsylvania State College. My wife used to say I never really learned to dance and my answer was to hum a then popular song entitled "I can dance with any woman but my wife."

At Pennsylvania State College we had a few lectures on sex. Only the fear doctrine was preached and I was duly impressed and motivated by the fear of venereal disease, which we were told would rot not only the body but the mind. One lecturer started with shouting, "Show me a man who does not lust after women and I will show you a man without blood in his veins or marrow in his bones." He next proceeded to warn of the dangers of venereal diseases.

My Father believed and taught me to believe that Jewish women did not smoke, were all virtuous, and were never guilty of adultery. Also that in the United States there were no Jewish prostitutes.

It was in New York when I was a student at Columbia Law School that on a night tour with other students we visited a dance hall called the "Haymarket." On the dance floor a woman smoking a cigarette was pointed out to me as a Jewish prostitute. One look was enough to establish that she was Jewish. I felt so outraged that I contemplated organizing a few Jewish students to run her out of town. However, on inquiry I found out that there were some Jewish women in all phases of the business of prostitution. I then took comfort in the belief that the percentage of such women was much smaller than the percentage of those not Jewish.

My Father never talked to me about sex but when I left home to enter Columbia he said New York was a big city and life there would be full of temptations. Therefore, I should not forget what a financial strain it was for him to send me to college and there was no money to be spent on women.

At State College I played tennis (golf was only a name for a foreign game), was on my class basket ball and track teams. I never made a varsity berth. At Columbia I played considerable hand ball and was on my law school class basket ball team. Played center both at State and Columbia.

After I moved to Pittsburgh, I played tennis until I was 40 years old. Then took up golf. This late start for golf was largely due to the fact that the game was expensive and I couldnot afford to belong to a country club. One year I won a cup in the Westmoreland Veterans Golf Tournament. Never made a hole in one

but my grandson, John, at 14 years of age, made one at the Westmoreland Country Club. In 1963 became the oldest playing (nine holes at a time) member of the Westmoreland Country Club.

At the old Westmoreland Country Club in Verona, (now the Green Oaks Club) hole No. 10 ran along a hedge in front of the Club house. The hedge was protected by a barbed wire fence. Once when playing with William Frank and L. B. Foster, my drive landed alongside of this fence. In order to avoid a penalty stroke I had to back into this barb wire fence to drive the ball out. I first asked my fellow players to allow me to move the ball out without penalty saying that gentlemen could do no less. The reply was that in this game they were not gentlemen. I played the ball but the barbed wire tore my rear end and my golf trousers.

Another time I was playing with Eugene Strassburger and others at the old country club. No. 2 was a dog leg hole with a direction flag to point the way to the green. My drive was hit so hard it struck and broke the pole holding up the direction flag. I claimed the right to drive another ball without penalty because I only did what you were supposed to do, aim at the direction flag. I was not only overruled but was threatened with a report to the Grounds Committee covering a suggestion that I be billed for the cost of a new direction flag. So in the end I gave up the argument.

I had a close friend, Max Kaul, who refused to take any interest in golf and three of us who then played at the Schenley Park golf course determined to make him try the game at least once. We went out early so that there would be few, if any, players who would be bothered by the time we took to teach Kaul.

We were the first players to arrive and half way down to the first hole we encountered a dead man on the course. He had committed suicide. We went back to the club house and waited for the police to arrive. Then after much persuasion, we started Kaul again and finally he got his ball to the green of the first hole. We guided him so that he finally hit the ball into the hole. We told him to take the ball out and as he did so he got out the ball covered by so called night soil left by some one who had used the hole as a toilet. Kaul looked at the ball and his dirty hand and then threw the ball as far as he could and marched off the course, while indulging in much profanity, which covered all of us and everything that had happened that morning, with special emphasis on what happened when he retrieved the ball from the hole. He never touched a golf club after that.

Golf. I played the game up until I passed the age of 85 years. In recent years only nine holes at a time, and in very hot weather use a cart. It was not until 1963 that I achieved my ambition to be the oldest Westmoreland Country Club member playing golf regularly. I had to wait until the death of member Harry Feigenbaum, who played 18 holes at a time up to the year of his death at 87.

In 1962 had to wear a brace for my back and in 1963 a truss for a hernia, but still kept on playing.

Westmoreland Country Club Veterans Tournament. (Men over 50) On September 18, 1936 played the finals with Max Winkler. At end of 18 holes we were tied. On the play off on September 20, 1936 S. L. R. won the match on the 14th hole. Winkler conceded the hole and match because of the strokes he lost in the

rough, among the trees. S. L. R.'s score for the 14 holes, first nine S. L. R. 51 - Winkler 48. S. L. R. handicap 26 - Winkler handicap 24.

Irene Kaufmann Settlement. Pittsburgh Sun-Telegraph 1/13/35:

"Irene Kaufmann Settlement institution will mark a birthday." (40th anniversary).

"From little more than a bath tub to a million dollar institution. That is the history of the I. K. S.

"Sidney Teller reports during the past years, it dispensed 27,000 bottles of milk, and offered entertainment and instruction to 411,000 persons.

"With a total membership of nearly 4,000, 64,000 persons used the swimming pool the past year; 56,000 entered Club activities and 68,000 attended events in the auditorium.

"Thursday's ceremonies include speeches by S. Leo Ruslander, President of the organization.."

Allegheny County Board of Public Assistance, taken from the Pittsburgh Press in January, 1948:

"Under the law, Allegheny County loses this year two members on its Board of Public Assistance.

"The law says no member can serve more than two consecutive terms of three years each. So, retiring are Attorney S. Leo Ruslander and the Rev. Francis X. Foley of Mt. Mercy College.

"This leaves three vacancies on the 11 member board here. Members serve without pay.

"Mr. Ruslander believes the law is good. He found the service enjoyable.

"Looking back, he thinks the public in all these years really doesn't know much about public assistance. At the depression peak the agency had 1200 employes; was expending about $2,250,000 monthly in all forms of relief.

"Now it is close to a million a month, with about 600 employes. The amount of money is still up because payments to the aged and blind have been increased.

"He doesn't believe monthly relief payments are going to drop very much, because the number of employable persons receiving it are practically nil.

"On the whole, Mr. Ruslander feels that most persons are willing to work for what they get; that even the poorest and most unfortunate are pretty decent about it, the chiselers being few.

"Mr. Ruslander has been in social work about 40 years. His mother, Mrs. Phoebe Jane Ruslander, was one of the founders of the Pennsylvania Association for the Blind."

Rodef Shalom Congregation. -- The younger generation of members have no recollection of the hard times faced by the Depression that started in 1929 and

was still painful in 1933. Under date of April 3, 1933, as President of the Congregation, I wrote the members to pay back dues, otherwise: "it may be necessary to close our doors... At the present moment, we do not have enough funds on hand to meet our payroll and the banks will not loan us any more money..." The members paid up and the doors were never closed.

Use of Tobacco. I never smoked until after I was 21 years old. Came through public school with the belief, taught in school, that tobacco would stunt your growth, and that the small size of Shetland ponies was due to feeding the colts tobacco.

When I came to Pittsburgh in 1901, I started to smoke Pollack stogies, three for a dime. Cigarettes were not popular in Pittsburgh. Mr. Griffin, Vice President of the Columbia National Bank, who came from Bradford, Pa., and knew my parents, in giving me advice as to how to conduct myself as a young lawyer in Pittsburgh, said his bank would not loan money to a young man who smoked cigarettes. As you could not smoke in court, and a stogie made a good chew, most of us, including the Judges, chewed tobacco in and out of court. In the court room there was a large cuspidor at the seat of each member of the Jury and at the seat of the Judge. Chewing made for expectoration and it was some time after marriage that my wife caught me at it. I explained that I kept it up because I was writing a book to be called, "Famous Places I have Spit." At one time, I smoked a pipe. Finally decided to quit and over 40 years ago did so, absolutely and at once. In a short time, due to this, gained about thirty pounds in weight going up to 230 lbs. with clothes on, the most I ever weighed. As of this date, weight with clothes, on the average 198 lbs.

CHAPTER XVIII

Social Life -- Jewish and non-Jewish.

Until about sixteen years of age was not conscious of any distinction between Jewish and non-Jewish social life. Until moving to Olean, New York about 1891, lived on the farm and in communities where there were few, if any, Jews. In Olean, while there was a small group of Jewish families, there was no Sunday School or place of worship except temporary quarters for the High Holidays, with services conducted without a Rabbi. My social life outside of school was well occupied by relatives, two Aunts and two families of cousins in Olean, supplemented by a large family from Aunt Esther Simons in nearby Bradford, Pa. All these families were fairly large and with boy and girl cousins near my age. We always had a Passover Service at one of the relative's homes, which, with the High Holiday Services, gave me some historical knowledge of the Jews. My Father taught me more along these lines and instilled in me some pride of Jewish ancestry and history. There were no Jews in my high school class.

When I entered Pennsylvania State College (now Pennsylvania State University) in the Fall of 1896, we lived in DuBois, Pa. There was only one other Jew in the student body.

I roomed with Burke Brady of Brookville, Pa., and through him joined a local Fraternity, which be-

came a Chapter of the National Fraternity of Phi Sigma Kappa about the year 1899. In this way I became a member of Phi Sigma Kappa, and later while in Law School at Columbia University, I applied for and was given a transfer of membership to the local Chapter at Columbia. I remember I was careful in my application for transfer of membership to state I was a Jew. My first room-mate in New York was Nelson D. Miller of Steubenville, Ohio. My last years at Columbia I lived in the Fraternity house with Harry J. York of Warrior's Mark, Pa. We were Fraternity brothers at Penn State and he had come on after graduation as a chemist to enter the Medical School of Columbia University. Was a close friend with all my three room-mates, visited them in their homes and they visited my home in DuBois.

By the time I entered Columbia, I had become aware of the non-acceptance of Jews in national fraternities (there were no Jewish fraternities in those days), and other discriminations against Jews prevalent in those days.

As the only Jewish member of a national fraternity, I was troubled by fears that this fact might make life less pleasant for me. At that time, there was the beginning of a movement to establish Jewish fraternities, which I opposed when the subject came up. I believed that this would be a voluntary ghetto in college life, self imposed by the Jewish students. As I lived in peace with my fraternity brothers, I believed time would cure this discrimination.

However, my being a Jew caused me to have fears that in fraternity life unpleasant incidents would crop up. For this reason, I was not active in fraternity life outside of my local chapter and hesitated to bring

many Jews as my guests at the house or social affairs. Out of my whole class in law school, became intimate friends with only one Jew. We remained close friends even after graduation and until his death in his sixties. His name was Jerome Wilzin. He came from the South but stayed on in New York and built up a large practice, especially among clients in or associated in the theatrical business.

CHAPTER XIX

My First Trip Abroad

The following account is taken from a detailed record written from day to day during the trip. Use herein only items that seem worth recording on looking backwards. Quotations from record as written indicated by quotation marks.

On May 30, 1925 Frank Wilbur Main and I left New York for Liverpool on the steamship "Cedric", White Star Line; one of the smaller ships of the White Star Line, 21,073 tons, recommended to us by Joseph Taggert, our friend, client, and the Pittsburgh Passenger Agent for the Baltimore & Ohio Railroad. This would be, he claimed, a less expensive and much more sociable trip than if we took one of the larger Atlantic passenger vessels. Our wives had agreed to stay home and look after the children. Ship about two-thirds full and almost all passengers English and Scotch, which suited Frank as his Mother was of Scotch and his Father of English descent. No Jews, so far as I could ascertain.

Cedric Barber Shop Prices:

Shaving	1.0 S. D. or 25 cents
Hair cut	1.6 S. D. or 35 cents
Shampoo	1.0 S. D. or 25 cents

S. D. represents English money.

One man at our table sells hosiery (calls same knit goods). Another man at our table sells woolens for suits. Both come to Pittsburgh. They do not like our protective tariff. Complained that an English advertising club brought over an English flag to present to Houston, Texas, and had to pay $24 duty on it, although it was a gift. Both claimed too much crime in the United States due to lax enforcement of law. An Australian told us that when he was in Chicago he read of so much crime that he was afraid to go out much after dark and left as soon as possible.

Made a note of the fact that the cold bath the English are supposed to take each morning is "bunk." They take the bath but most of them use warm water.

Frank makes me dress for dinner as most of the male passengers do so. I grumbled but obeyed.

We are at the Chief Engineer's stag table in the dining room; he is fat, red faced (typical John Bull) and very jolly. His Father was a Chief Engineer and his son is on the way to become one. He promised to show us a mermaid before the trip is over. The English passengers do not like to talk shop, deal more with politics, economics, etc.

June 3, 1925. My wedding anniversary and the first away from home. I did not forget and sent a wireless to Gertrude at 311 Melwood St., Pittsburgh, Pa. Frank staged a cocktail party to celebrate my wedding anniversary. We had a very jolly party, each drinking to his own wedding anniversary. One, a doctor, had us drink to him twice because he was married a second time. I told Frank to take me away because we might meet a Mormon and be required to take too many drinks on this basis.

June 8, 1925. Landed at Liverpool. "Received my embarkation card and felt odd to be designated as an 'alien'. "

"Took a ride around Liverpool before retiring. The business section is composed of small buildings and non-impressive. The residence section just contra. Like driving for miles through an improved upon Woodland Road, a residence street in Pittsburgh."

Went by train to Reswick. "We went third class on trains as this costs one-half and all Scotch, like us, know there is no real difference between first and third class. There is no second class. Sir Robert Peacock (a Cedric passenger) gave us these samples of Scotch wit -- Why do the rich Scotch ride third class? Because there is no fourth class. Invitation -- If you get within a mile of my home, stay there."

June 10, 1925. Lodore Hotel - Bonowdale - Keswick.

"Made the trip to Buttermere Lake. Went on old fashioned coaches drawn by four horses --- at times the mountain passes are so steep we had to walk. --- See many people with packs on their backs walking these mountains. Many women alone and in small parties."

At night at hotel, "Also heard a number of cuckoo birds calling. Sounds like a good cuckoo clock. Saw none as they are shy. The natives here are very thrifty, every little waterfall is capitalized and you are charged one to two cents to see it. Right back of my room on the hotel grounds is a fair sized one and the charge, even to guests is two cents. --- We leave this English Lake country tomorrow, June 11, for the real Scotland."

Glasgow. "The scars of war are quite evident here. Many crippled ex-soldiers at work. When you talk to almost any one of the male guests at the Hotel, you are pretty apt to find he was wounded once or more or gassed. Talked to an English banker this A. M. He was wounded and his son shot down at his feet. Says many in England fear another war in which Russia will be the one to blame. Over here great suspicion of Russia."

As I write this down in 1962, it comes back to me with a shock that my own son, Lee, was to be a war casualty in Soctland; struck down by the propeller of an air bomber while on the ground.

Glasgow - slums. "Looks and smells like slums in any of our large cities. There certainly seem to be no Jews in Northern England or Scotland, don't think I have seen one since I boarded the Cedric. No Jewish names on shops even on pawn shops. -- Frank says the Scotch are too poor pickings -- The prices in stores here seem high to me especially menswear, but the quality very good."

Edinburgh - June 12, 1925. "Yesterday weighed 14 stone 1 - the penny in the slot machine reads thus in st es only. It means 197 lbs., a gain of four lbs. in a week."

Frank kept all our money. "He is pretty well on to the money, he counts cash and balances books each night to see if he has been cheated any during the day. Every once in a while I have to ask for a few shillings of my own money and have to tell what I want it for before I get it. Everything fairly expensive (Scotland) but you get courteous treatment and good service, with honest change. They don't stand around for tips like in other places but they get them just the same."

Edinburgh, June 13, 1925. "When I returned to the hotel (Caledonian Station Hotel, Princess St.) tonight, my mind was in a confused jumble - all mixed up with castles, cathedrals, places where witches were burned, moats, the bedroom and other intimate possessions of Mary Queen of Scots, places made famous by Burns, the poet and Sir Walter Scott, ruins, tapestries, etc. etc., etc. So much is very old and in some instances, in existence since long before Columbus discovered America, so that we Americans feel we are so very young and raw as a nation. -- The City itself is beautiful--. In a prominent place in the cemetery is a statue of Abraham Lincoln, built by popular subscription....."

"They do things in a big way here -- the bath towels are Turkish, as large as a double sheet and heavy. You are supposed to use three such with a bath -- the soup spoons (tableware) all big and heavy, also the forks and other table utensils."

June 14, 1925. "Went to Church this morning, St. Giles Church, still called Cathedral. It is an immense edifice. The ceremonials interested me more than the sermon. The preacher started out all right but to me ended poorly. He said the practice of religion was simple but the theory back of it, complex--to illustrate, to use a telephone is simple, to understand it, complex. That an intellectual man wanted to understand the complex, that this was difficult because his church taught the Trinity, the Father, Son and Holy Ghost. That the deists and Unitarians had by comparison a simple religion. So he said, men ask themselves who was Christ; how did he come into being; how can there be one God and yet God be divided into three, etc.; All good questions to answer but he never answered one; only preached faith, you must believe it is etc., etc."

Enroute to London June 15, 1925. "When we got on train last night, pulled a boner. We were told we had to rent pillow and blankets at the station and sure enough outside the car was a girl renting same - well we took them and were almost scolded for our ignorance by the train attendant. They have sleeping apartments in some respects superior to ours. Tea, coffee and rolls are served in the morning on the train while you are still in bed. You sleep sideways, not with your head towards the engine as in the United States. Well, we have left Scotland and I did not see a thistle or a bit of heather."

June 15, 1925. At the Cadogan, a small hotel on Sloane St. London S. W. 1 - three minutes walk to Hyde Park. Could not get rooms at any of the large hotels. Today Westminster - night theater "Charlota Revue."

June 17, 1925. "Wonderful time today. Through the solicitor of Mr. Willinsky (Father of May - Mrs. Julian Harris) went to the courts. The Judges in their wigs and gowns with shawls of red looked very impressive. The barristers dress in wigs and gowns. They have curls on their wigs but the Judges do not. Solicitors wear ordinary garb. Saw and heard Sir John Simon, M. P. in action. He is a Barrister and leader at the Bar. Had lunch with Mr. Willinsky at the National Lehral Club, largest in London, over 5,000 members." Frank did not go with me as he wanted to go shopping and to the Tower of London.

June 18, 1925. Spent the day at Oxford. It is, as to buildings, a medieval university. Many of the buildings have been occupied by successive generations of students since 1600. Saw degrees conferred. -- Before a degree is finally given and after the name

of the candidate is announced, the two Proctors walk the length of the hall and back to keep alive an old custom, which is, if the student owes money to any trades person in the town and this creditor could come forward and prevent the giving of the degree until his debt is paid. A young and good looking Nun took a doctor's degree. They don't rush them like they did us at Columbia University, but make a real ceremony of it with lots of Latin.

June 19, 1925, London. "Am a regular Englishman now. Mornings remain in bed until the maid comes in with hot water and shoes shined during the night, to announce she has my bath ready. By the time I return from the bath to the room, the waiter has brought in a tray with coffee, rolls, toast and marmalade - eat, then shave and dress. Today took in the British Museum, in part, and two parks. -- Had an English hair cut and shave at the Hyde Park Hotel, best of service and a good job. The barber chairs cannot move up and down -- and the barber has to bend and stretch. At times he worked on his knees."

London, June 20, 1925. "Learned today that the place we danced in last night, taken there by English acquaintances, is a notorious den for 'Ladies of the Night,' and that the woman who runs it just came out of prison. Well, while the ladies looked the part they were young, well dressed and some of them good looking. The men visitors were ninety percent in evening dress."

June 20, 1925 - London. "With Frank went, via underground, to White Chapel and to 28 Commercial St. to go through Toynbee Hall, founded 1884, the first English settlement and the one on which all settlements in the U. S. are modeled. The original

buildings still stand and are used. It is so much different in buildings, grounds and services from the Irene Kaufmann Settlement in Pittsburgh that it surprised me. Yet in club work, dancing, etc., much the same. They were having their midsummer open air dancing festival. The girls in the Greek dances had less on than we would permit in Pittsburgh. --- Was shown through by a resident volunteer, one who lives there and works nights only, a graduate, I think, of Oxford. He said it was a pity that this institution founded by, staffed by, and intended for Gentiles was now mostly used by Jews who had gradually crowded out the others -- he said they (Jews) were thrifty and stuck together and got along well in spite of the present unemployment. -- Had a chat with Mr. Mellon, the Warden -- He said the principal purpose of this settlement was to let workmen associate or have points of contact with other circles of English society. Says the great danger in England is that the workmen will be able to associate only with like workmen and so a present caste system will be perpetuated. Is not in favor of prohibition for England but is for the United States and says he saw good results in the U. S. last year. Told us what to look for as we walked back to our station -- what we saw sickened Frank. The men and women drink together in the saloons - this being Saturday night, they were packed in like sardines. Children over 14 go right in with parents. Those who have children under 14 drink on the sidewalks and in the hallways outside. -- Drunken mothers with tots three and four years old holding to their skirts, they surround themselves with three or four large glasses of ale and beer so as to prevent frequent trips inside. Saw one mother with child at breast drinking too much. They, the women and men, are a homely

sorry looking lot. While we went through the Jewish District when seeing this drinking, the women I describe did not look as if they or their kids were Jews. Saw plenty of Jewish men drinking. The streets were crowded, the sidewalks lined with push carts covered with papers and dirt - some smell too, so I told Frank it was well for him to see both sides of life in London - Was told that later at night, especially Saturday night, the streets will be filled with drunken men and women."

Sunday, June 21, 1925. Flew from London to Paris. "It was a windy air voyage and a little rough - some of the thirteen passengers were pale and one boy about twelve years old very sick." Speed a little over 100 miles an hour. Stayed at the Lutelia Hotel. Caters to middle class Americans. All head personnel speak English. For 70 francs a day ($3.50 our money) have a large front room with outside balcony and running hot and cold water. No bath.

"When you only know enough of the language to keep out of the Ladies Toilet, you feel strange in France."

"We got to bed first night in Paris at 10 P.M. and no stranger, male or female, has talked or even looked at us."

Monday, June 22, 1925. Started to see Paris by following a book given us by Conick in Pittsburgh called "Paris in Seven Days." We covered a lot of ground but will not try to set out details here. The sights for tourists were much the same as I found on my next trip to Paris, which was in 1955.

"At 8:15 P.M. were at the Moulin Rouge Music Hall - aside from the nudity of the posers in the chorus, which you soon accept as matter of fact, the

show was snappy and enjoyable, mostly singing and dancing - also novel scenic effects. To give good air, the center of the roof of the theater is shoved over and we looked right up at the stars. The show lasted from 8:45 to 12 P. M."

Tuesday, June 23, 1925. Took a Cook's Tour to Versailles and Malmaisn. "... dined at Ciros Restaurant. Very chic, best food we have had in Paris. They tell you what wonderful women you will see here at Ciros. The trouble with us is they all seemed to be American or other Tourists and we don't see the real French." When it came to dessert, Frank wanted pastry and picked out the word "Napoleon." We got it but it was drinks out of a very ancient bottle, the strongest liquor I have ever tasted, said to have been bottled in the time of Napoleon. Frank could not drink his so I took it while he ordered ice cream.

June 24 - ate at 15 Quasi de la Townelle where they are reported to serve the best cooked duck in the world. This place is today a tourist's must if they are Americans.

June 25, 1925. Whole day shopping. "The French are much different from the English, they bathe less and use stronger perfumes. It has been so cold here, have not taken a bath in Paris, they don't force you to the tub at the hotel like they do in England. At least I have achieved freedom from the tyranny of the bath."

Friday, June 26, 1925 lunched at a restaurant where no one spoke English. Had trouble ordering. Spent the afternoon at The Louvre. Saw all the famous pictures.

With Hattie Rosenbaum, of Pittsburgh (of Rosenbaum Department Store family) and a friend of her's, an American girl; went to a Russian night club in the Montmarte District -- "Russian dances and cabaret.

Not so swell but more fun. Ladies waiting around for customers -- I danced with a girl who in Russian costume danced in the solo dances of the Cabaret, she could speak no English and so we just danced, and Oh Boy, she was some dancer. Gave her 15 francs as a tip (75 cents in our money) this is the custom." There are professional men dancers for the lady tourists. Hattie said when she was there with L. A. Behr, her brother-in-law, she danced with a Russian count and L. A. B. gave him 100 francs as a tip. "I said not for my money." Back to the hotel at 2:30 A. M.

Saturday, June 27. With Hattie Rosenbaum and her friend, the four of us went to the Follies. "Much nudity mixed with good stage effects and gorgeous costumes. Between the acts you walk about - saw the Oriental girls dance in a sort of a side show. Here the women come up and ask you to buy them a drink; if you say No, they say just 'a little glass of beer' etc. Nude pictures and figures are sold in the lobby. After the show went to the Grand Prix Ball held annually in the Opera House." High French society charity ball affair.

Saturday, June 27, 1925. "The trouble with our trip to Paris is that we are getting too much night life and nothing by day. This because of the bad weather, you don't go out when it is cold and raining. Have lost interest in women, gowns, jewels, etc. Want to see cows and sheep and country. Frank says he is ready for home where he can get one of Julia's (his cook) breakfasts with plenty of ice water."

Monday, June 29, 1925, Germany. Are at the Continental Hotel. Make good use of the little German that I know.

"Beds have feather ticks for quilts. Had roast goose for dinner tonight. Meals here cost about double what we paid in France."

June 30, 1925. All day tours and sightseeing in Berlin and surrounding countryside.

"This city is full of eating places and the people seem to eat and drink all day long. They are very polite and since tourists are not many, seem to try hard to please. In Paris nobody gave a dam."

At 7 P. M. relations of my wife living in Berlin, Dr. Salo Wollenberg married to an Aunt, Clara, and Aunt Hedwig Kessel called at the hotel and took charge of us for the evening.

July 1, 1925. At 10 A. M. Aunt Hedwig came to the hotel to take us shopping, we went to Henckels to shop. Later Dr. Wollenberg joined us, and took us to the criminal courts.

"Very interesting and more ceremony than in England. A man who stole candles and the man who bought and concealed the stolen goods were on trial, they pleaded guilty and had no attorney. There was a Presiding Judge (Director), two associates, the Prosecutor and about four other men sat at the Judge's bench. To get in we had to present our cards. When we were seated the head Judge, who wore a velvet cap, stopped proceedings, tipped his hat to us and said he was sorry we came so late, that they had disposed of the important cases and this one was petty and about finished. After some questions, the Judges and others on the bench retired, then came back, the Director Judge summed up the evidence at great length and in detail and gave the thief two years and the other fellow four months. We would have had one judge, he would have listened about two minutes and

then said six months, next case. Through Uncle W. we had one of the officials escort us through the court house.

"At 3 P. M. went to Aunt Clara's for dinner, the big meal of the day. Aunt Hedwig was also there. We had a big meal from soup to nuts. The wine was a bottle left over from their daughter's wedding." Later went to the Staats Theater. Saw the opening of a new comic opera called "Der Storm Von Assuar" -- it lasted from 8 to 11 P. M. Could understand little of what was said. Every seat was taken. Dr. W. said all the best seats were occupied by the Advocatem - the lawyers, who make good money now and who in large part are Jews.

Dr. Wollenberg voiced the complaints of what were once the upper class (his class), that is, fear of unrest and threats by the Communists. That U. S. is not a real Republic but a plutocracy run by rich manufacturers; that we got rich off German misfortune and only got in the war to make money, etc. That our soldiers were taught and believed that they were fighting to rid the German peoples of the Kaiser, but our leaders knew this was all bosh; that the Germans hate the English, who entered the war to ruin the foreign trade of Germany. As to France, he was full of charges and repeated all the claims made by the Germans during the war, that the French officers treat the Germans terribly in the occupied regions and this will never be forgotten; that the French colored troops grab the German girls from their companions ect.; that war is inevitable; that history teaches this from the time of Cain and Abel; that during the monarchy they enjoyed life - with a Republic, they have had nothing but misery, that the common folks now have all the good things and control

politics; -- don't know what is wanted for the future as even a change in the form of the Government would not restore their lost savings, etc. These relatives of my wife were all well off before the war and now are very poor. The patients of the Doctor who have survived, have no money to pay him.

July 2, 1925. Berlin. By bus to Potsdam and by boat on the Havel River - saw the shell room in the New Palais.

July 3, 1925. Berlin. Aunt Hedwig took me shopping. She lost her profitable business due to the war and embroiders for a living. Makes about two marks (50¢) for a day's work.

Left Berlin by train at 2:08 P. M. for Brussels.

July 4, 1925, Brussels. Hotel Metropole.

"Most tourists who are coming away from Berlin talk against the country and people. How much of this is due to the high prices they had to pay, I cannot say."

Cook's tour to the field where Battle of Waterloo was fought. Drove through forests of immense beech trees. That night went to a show and saw a Review called "Sans Chemise." Could not understand enough to make it interesting.

Sunday, July 5, 1925. Brussels. Took it easy and slept late. Walked about the City in the morning and drove through the parks in the afternoon. Also went through the slum district.

"Went into the beer and dance halls where the working girls dance. They only revolve to the left -- wear dancing shoes with no heels. An electric organ plays and you pay so much a dance." Saw the famous Fountain "Mannekin Pis."

Monday, July 6, 1925. Trip to the battlefield of the late war via American Express tour with guide.

Really saw the country. People at work in their wooden shoes. "The women all work - saw two women hitched to a cultivator to take the place of horses. -- Cannot get used to the women who attend the hotel toilets - they stand around for tips, so close that they interfere with freedom of action."

July 7, 1925. Train to Antwerp where we left our big suitcases for delivery to the Ship Belginland, on which we have booked passage home. Proceeded by train to Amsterdam. Auto ride around the city. The taxi driver told me there are over 200,000 Jews in Holland, mostly in Amsterdam. "They must look Dutch as I could not pick them out."

July 8, 1925. "Took trip most popular with tourists -- to Edam where we saw the cheese made - to Marken and Volendam, fishing villages."

July 9, 1925. Left Amsterdam for Antwerp, where we shopped. "Ran into a Jewish section of the town and saw old timers with long beards ....."

On train to Antwerp was an Englishman who argued we should forgive English and other foreign debts. Also talked to a young American who had just spent a year teaching English in a French school. "He says the French look upon the Americans as hypocrites and liars, for example, we pass prohibition laws and ignore them - they think we are fools because our men are true to their wives, etc. The ignorance of our ways is worse than anyone could believe possible.

Got on our steamer "Belginland" at 3 P. M. and left Antwerp at 4 P. M. We have larger and nicer rooms than on the Cedric.

July 10, 11, 12, 1925. Enroute to London. Deck games, chess, cards and a little dancing.

July 13, 14, 1925. Much the same as previous days. "The headwaiter must smell a tip as he makes

a big fuss over us to Frank's delight. Last night he served us a special big steak that he selected himself and tonight is going to have a special cooked chicken for us. Today at lunch he brought us snails cooked in rice, but we could only pick at the rice." On future trips abroad and on cruises found this is quite customary attention. Give details here as it was my first experience with such attentions which I attributed to being worthy of special attentions (tips) on my own part.

July 15 - swim and deck tennis and have blistered feet from too much deck games. "Some of the men got drunk last night and went around to each other's rooms and threw the clothes and hats which were about into the ocean.

July 16, 1925. Belginland. Kept away from deck sports as my feet still hurt. "In the afternoon -- my 200 lbs. helped the married men with the tug of war." Have played a lot of bridge on this trip.

Friday, July 17, 1925. Belginland. When the chairman of the sports committee gave out the prizes last night "he made a speech thanking Frank as C. P. A. (good advertisement) and me as legal adviser to the committee.

Saturday, July 18 - Belginland. Last night on ship and to my surprise very little drinking - very respectable crowd on this boat, not a single breath of scandal. Up early and filled out customs declaration - total amount declared $202. 25. Weather beautiful. -- End of written record.

With reference to Aunt Hedwig Kessel of Berlin, after Hitler ruled Germany, prior to World War II, Aunt Hedwig suffered humiliating and abusive treatment because she was Jewish. As she was single, and although seventy years old, she managed, through

funds supplied through her youngest brother, Paul Kessel, of Kansas City, Mo., to leave Berlin by train in sealed cars, going through Russia to China. From there to San Francisco and Kansas City. She lived with her brother Paul until his death, when she lived for a time alone in Boston, Mass. and in New York City. She never learned to speak much English and always tried to be with or near relatives or German speaking friends. As she grew older she became dissatisfied with life in the United States and while in her eighties, returned to Berlin where she died after about one year. She is buried there. Through my wife, her niece, we kept in close touch with her, had her visit us in Pittsburgh, and visited her in Boston and New York. She was financially independent through provision made for her by her brother Paul by insurance and provisions under his Will. After her death, I administered for relatives a trust fund of several thousand dollars, which she turned over to me during her lifetime. It went to relatives in the United States and in Germany.

CHAPTER XX

Anita Ohringer Ruslander

Unless you knew Anita personally, you cannot, even in a small degree, appreciate what, deservedly, she meant to her parents, Abe and Helen Ohringer, her sisters and brother, her husband, Julian, his parents and her own children. To say and record that we all loved and worshipped her is far from doing justice to her life and memory.

She could, figuratively speaking, always open up her arms and hold us close for the comfort and joy which she could and did instill in us.

Anita and Julian, friends from high school, started going together in 1936 when they were both summer students at the University of Wisconsin. It was not long thereafter until both families expected them to marry as soon as Julian finished Law School. She finished first, high in her graduate school class at the University of Pittsburgh, and was offered an important job with a large department store in Buffalo. Well they ran off and were married while Julian was still in Law School. When their parents were informed of this, the Ohringers had a fine family home wedding at which Rabbi Hailperin officiated.

It took my wife and me some time to get over the shock of this runaway marriage, not because we did

not want and expected them to marry, but because this step was taken without prior notice or consultation with us or the Ohringers.

It was a happy marriage in every respect and we, in due time, actually rejoiced in the fact that they did not wait, although I still claim we should have been told in advance.

Anita died at the age of 34 years from cancer, after a long and agonizing illness. She never complained, was cheerful and the most beloved member of both families up to the time of her death.

On a September night as my wife, Gertrude, and I sat in our garden, a representative of the Army called and told us that Lee had died in Scotland. My wife became hysterical, neighbors rushed over, Rabbi Freehof appeared in a very short time, but it was Anita who was the first of the family to arrive and who helped me to soothe and take care of my wife in a manner that only she was capable of.

As our Prayer Book teaches us, she was and always will be a blessing to those of us who cherish her memory.

CHAPTER XXI

CONCLUSION

This chapter is written because of the insistence of my son Julian that I cover my so-called Philosophy of Life.

I find it very difficult to chart clearly this Philosophy, because it is and always has been, in part, indistinct and changes from time to time as the years add up. This because you look back much further in your life and less to the future, where, as has been well said: "As to the future, there is where we are going to spend the rest of our lives."

The Psalmist of old prayed, "So teach us to number our days that we may get us a heart of wisdom."

Justice Holmes (in 1887) wrote to the English lawyer Pollock: "Life is like an artichoke; each day, week, month, year, gives you one little bit which you nibble off - but precious little compared with what you throw away." American Bar Assoc. Jnl. Vol. 43, No. 1, page 34.

I have endeavored to so live that in completing my journey I will be regarded as having departed this world, as said by Koheleth Rabbath 7, "With the imperishable crown of a good name."

These beliefs have more or less influenced me:

1. It is not enough to have been a good son, a good husband, a good father, a good grandfather, a good partner and a good friend.

2. It is not enough to have attained personally satisfactory success in your professional life or in your business ventures.

3. It is not enough to have been a so-called "good provider" for your family and have earned enough for your and their material comforts.

In what follows I should not be understood to minimize the importance of the foregoing. They are and always have been first and foremost in my life.

Over and above all these you should have rendered unselfish and unpaid service to communal work, no matter in what fields, be it religious, charitable, professional, educational, public welfare, or like activities, too numerous to mention. These services must be rendered without the measurement of, what will I get out of this, but by what can I give. Often we turn aside by reason of what we believe to be lack of appreciation, too seemingly small results from our efforts, envy, misunderstandings, and other discouragements, which must be met and overcome. I admit that often such discouragements have from time to time caused me to give up or reduce such efforts and to say, "What is the use?" These paths to service are not always easy to follow but my philosophy is that such difficulties should not unduly retard our efforts and progress.

The ability to contribute money is necessary but alone is not enough, although I do not wish to be understood as minimizing, in any way, whatsoever, its importance. You should, however, do much more than sign checks. Both of which, money and service, will add, in no small degree, to the happiness and contentment of your personal social life.

Many times due to tragic adverse and seemingly undeserved suffering, I asked myself, and in the past, asked my Father, "Is life worth living?" My answer is, in part, set out in Article IX of the Appendix, titled "Court of Human Relations."

CHAPTER I

RUSLANDER REMINISCENCES*

By
S. LEO RUSLANDER
Member of the Allegheny County Bar

Why do I take the time and make the effort required to write these Reminiscences?

A short time ago on going through one of my scrap books I found a newspaper clipping stating that on March 22, 1902, 22 men and one woman (Suzanne Beatty) out of 26 persons who took the Bar Examination passed and were admitted to the Bar of Allegheny County, Pennsylvania. So far as I can ascertain, I am the sole survivor of the said 23 still in active practice. Inquiries made of lawyers now in active practice, who are in their late fifties or early sixties, disclose that with few exceptions they have little or no personal knowledge of conditions and practices that affected the daily life of the average lawyer during the first twenty years of the Nineteen Hundreds. I refer now to those practices which made the life of the average lawyer different than it is today and different than it has been for many years past.

I could say that I feel I owe a debt to posterity; or that the history (for lawyers) of those days is too important to be allowed to be forgotten; or that other like weighty reasons influence me. The truth is my sole

*Ruslander Reminiscences. Pittsburgh Legal Journal, Vol. 103, 413-422, October 29, 1955 - No. 44.

motive is personal satisfaction and pride of authorship. However, I hope this may inspire other lawyers who were admitted prior to 1902, or shortly after, to add by written word, to this narrative by way of correction, criticism or supplementary facts and recollections. I am not the only still fairly active lawyer of our local Bar who has over fifty years of practice behind me. There are men still active who were admitted to the Bar prior to 1901. To name just a few - Ex-Judge James H. Gray, Ex-Judge William A. Challener, Wm. Watson Smith, Wm. A. Jordan, James S. Crawford, Ralph P. Tannehill, John B. Eichenauer, Charles A. Locke, and others whose names escape me for the moment.

Apologies in advance for the constant use of the personal pronoun "I". As the hero or villain in most of the actions hereinafter set forth, the "I" cannot well be left out!

To go back to March 22, 1902. Judge Stowe of the Court of Common Pleas of Allegheny County who swore us in, made no welcoming speech, gave no advice and said, in effect, that when he swore in young lawyers on their admittance to the Bar he felt the same as when he sentenced a man to be hung! This shocked most of us, but was soon forgotten by the kindly reception received immediately thereafter from the then Judges of the Orphans' Court.

I passed the Bar Examination and was admitted to the Bar of the State of New York in June 1901. Had a 1901 Degree of LL. B. from Columbia University. Arrived in Pittsburgh in July 1901 to take a position with the law firm of Weil & Thorp and at once learned that I would have to register with the Law Examining Board of Allegheny County, pass a preliminary examination with a character test, and wait six months to take the

final Bar Examination. Allegheny County, as well as the other counties of Pennsylvania, controlled admission to its Bar independent of the Supreme Court of Pennsylvania or any other authority. The understanding was that too many young men from other counties of the State and other States wanted to crowd into Allegheny County and it was up to the local Bar to see to it that admission was not so easy as to be unduly attractive.

The preliminary examination was nonlegal in character and intended to weed out candidates with little so-called general education or aptitude (whatever that means) for the law. One question I still remember was, "Will ice float in sulphuric acid?"

The six months' waiting period after passing the preliminary exam was hard. I worked long hours in a law office by day and some nights, and had to study, when able to, at night. Due to my New York preparation I had to concentrate on Pennsylvania statutes and practice and on Blackstone which had not been required in Columbia or in the examinations in New York State. We were told that for the Allegheny County Bar examination we must memorize word for word the definitions in Blackstone because no one could improve on his language.

The final examination took three days, - one day oral and two days written. On the oral we were examined separately by about four different lawyers of the local Bar Committee. If you failed on the oral, you were told not to come back for the written tests. I have only most pleasant recollections of the attorneys who conducted the oral exam. In particular, Mr. J. S. Boyer stands out because he asked me this question: If I examined a title for a client and left out

a tax lien of record, what could I offer the client by way of a legal defense? I said that if I could prove I was as careful as the ordinary lawyer would have been, took all ordinary precautions, and that such a mistake might have been made by most any such so-called "ordinary lawyer", I would have a good defense. This answer was, of course, all wrong but Mr. Boyer was so kind and helpful with it and other questions that I passed the oral and then the written examination but not, however, without a great deal of fear and trembling.

Before coming to Pittsburgh I had, as a law student, served a very short apprenticeship in a New York office. The difference between New York and Allegheny County was marked in two ways that I still remember. In New York, in connection with the service of papers and all business with other lawyers, you were taught never to take the word of anyone, including opposing counsel. Every agreement between lawyers had to be reduced to writing and signed. The service of every paper had to be evidenced by a written affidavit of service filed in the case. In Pittsburgh the word of the average lawyer was as good as his bond and it was considered an insult, in so-called minor matters, to ask for signed agreements, and it was unnecessary to file affidavits of service in ordinary proceedings. This practice was later changed by rule of court requiring that all agreements between counsel must be in writing and signed. However, up to the time of this change in practice and for years thereafter no Pittsburgh lawyer ever went back on his word to me or refused to take my oral agreement that I would or would not take certain action.

In New York and the surrounding territory, particularly in Brooklyn, if you wanted to look at filed

pleadings or examine other papers in the public files or have any ordinary service performed for you, the public servant did not move without a cash tip. In Pittsburgh it was just the opposite. The clerks in the Prothonotary's Office, the Sheriff's and other public offices, expected no tips and went out of their way to help a young lawyer. If you wanted a deputy sheriff to serve a paper after regular work hours or perform some unusual service, you arranged to pay him a special fee, and even this was not always necessary.

In New York, all papers which were served in Allegheny County by the sheriff by leaving copies at the home of the person to be served with an adult member of his household had to be served personally by someone from the serving lawyer's office or special private process servers employed for that purpose. Many judgment-dodging debtors and other like dodgers were past masters at avoiding personal service. Here was where the private professional process server came in. I remember one case in New York City where I had been unsuccessful, the professional server took me along to show me how it was done. We watched the house where our party lived and when he went in the process server, because he knew from experience that the man wanted would never come to the door, paid a small boy to throw a stone through the house window and run away. When the man ran out, the professional served him personally. Inasmuch as in New York the law students and young lawyers had to do most of this personal service work, it was a great load off my mind and back to find that a different practice prevailed in Allegheny County.

The first $1.00 I ever earned at the law was for the personal service of a summons in New York City.

The man served was very abusive and profane. He followed me out into the crowded street and wanted to fight. However, I got away without personal violence and vowed to frame that $1.00 and keep it forever. As an old saying goes, "Hell is paved with good intentions."

In 1901 when I came to Pittsburgh and started to work for the firm of Weil & Thorp, their offices were in the St. Nicholas Building, corner of Fourth Avenue and Grant Street. This was then considered one of the best buildings and location for lawyers. A large number of leading law firms and individual attorneys, such as D. T. Watson, were tenants. Ross M. Blair, the Editor of the Pittsburgh Legal Journal, who started work some years later, recalls how as a young man he called at offices in this building to carry proofs for paper books to be filed in the appellate courts. At that time Pittsburgh had several well recognized and patronized red light districts. These districts were known to and regulated in a way, by the police. Fourth Avenue was part of one of these districts. The number of houses of prostitution on Fourth Avenue thinned out as you walked from Market Street to Grant Street. In 1901 on Fourth Avenue opposite the St. Nicholas Building, where the Berger Building now stands, there were so-called "flats" occupied by persons openly engaged in this oldest of all known businesses. The women frequently displayed themselves at the windows and therefore the Fourth Avenue side of the St. Nicholas Building above the first floor furnished a grandstand for lawyers and other tenants of the building who, old and young, never seemed to hesitate to look.

When the Frick Building was erected there was an exodus of lawyers from the St. Nicholas Building to the Frick Building. Weil and Thorp made the move.

While the Frick Building was in the course of construction, a red hot rivet fell, struck a pedestrian on Diamond Street, and killed him. It was said that this accident was greatly regretted because, in particular, with so many lawyers using Diamond Street to get to the Court House, it was a farmer who was killed.

In those days it was the custom in most large law offices, to line the walls of the outer rooms, where clients and others waited, with large heavy tin boxes containing the names of clients in large letters on the outside. There were few filing systems such as we are now familiar with, and little or no indexing. If you knew the name of the client you went to his or its box and hunted until you found the papers wanted. I have always suspected that one reason the boxes were kept on display even after better filing systems came into use, was for their advertising value!

In 1901, Weil & Thorp consisted of A. Leo Weil and Charles M. Thorp, partners, H. D. Montgomery, Harry Wassel and myself as staff, with a lady bookkeeper and a number of stenographers, never more than three. While not the largest firm in Pittsburgh, it was in size and practice among the few ranked as leaders in the practice of law. I was put in charge of pasting annotations in the Law Reports. In those days, before Shepard's Annotations were in general use, we subscribed for annotations that came on gummed sheets. With a scissors I cut out the annotation for each case and pasted it in the Report of the Case so that on reference to a decided case its then status showed up. A frequent, hard and long task, which was never finished. How I hated this job. As Mr. Weil kept a separate law library at his home, I had a double set of annotations to take care of, which meant night work.

Mr. A. Leo Weil was a great lawyer. He excelled in trial work and was at his best when a case seemed to be going against him so that his back was to the wall and he had to blast his way out, often by a, until then, new principle of law or practice. As the President of the Voters League, he was an outstanding civic reformer. The A. Leo Weil Public School in the Hill District is a tribute to this phase of his life. He worked hard, and was a lavish entertainer both at his home on Howe Street, and later at his large farm in Virginia. A son, Ferdinand T. Weil, and a grandson, Andrew T. Weil, are today engaged in the active practice of law in Pittsburgh.

Mr. Charles M. Thorp was very different in every way from Mr. Weil. He disliked trial work and kept out of Court as much as possible. His office work was recognized as outstanding. In passing on titles, drafting of pleadings and other legal papers, and in the general run of other legal work, he was recognized for his exceptional ability. His home life was devoted to his family and he did little or no social entertaining. In appearance he was the opposite of the so-called athletic type but he was an outstanding tennis player and after he took up golf his game was above the average. Even after he was in his seventies he could, according to his partner, Earl F. Reed, tire him out in any of these activities. After the firm of Weil & Thorp dissolved, he formed the firm now known as Thorp, Reed & Armstrong. A son, Monroe Thorp (Charles M. Thorp, Jr.) is today one of the senior members of this firm.

I received a great deal of personal attention and training from both Mr. Weil and Mr. Thorp and am greatly indebted to them for my development, such as it is, as a lawyer.

THE VOTERS' LEAGUE

A. Leo Weil organized and headed the work of this League. Tensard DeWolf, a respected and able newspaper man acted as secretary and field worker for the league and was assisted by the late Charles M. Pichard and Mr. Thorp and all of the staff of Weil & Thorp. He had financial and moral support from such men as Andrew Carnegie, Clinton Childs, Wm. M. Furey, Mayor George W. Guthrie, attorneys George R. Wallace, J. R. Sterrett, Willis F. McCook, Julian Kennedy, prominent engineer H. D. W. English, and other prominent citizens.

Mr. Weil was the aggressive crusader and leading lawyer in the so-called graft cases started by the Voters' League in 1908 and which resulted in the conviction of many city councilmen, members of city public school boards, and bankers, and others who profited as public officials by taking bribes or profited by paying bribes to persons in public office. As a result the City Council and School Boards then made up of many representatives, so many from each Ward, gave way to our present system. The red light district with police partnership was broken up. The practice of paying politicians to obtain deposits of public money at low interest rates by favored banks was exposed and rooted out. For months at a time Mr. Weil gave, without compensation and with a resultant loss of clients, almost his entire time and attention to the work of this Voters' League. As one of his assistants and subject to first call because I was a member of his law office staff, I saw much service in connection with this work. Other lawyers who helped on a volunteer basis were James H. Gray, Warren I. Seymour, and others.

The following is taken from the newspaper, the Pittsburgh Sun, of December 28, 1908:

"Testimony which makes Pittsburgh Council appear as a mere machine by which the so-called 'Big Six' (leaders in Council) levied or attempted to levy upon every man or concern that sought a city contract or attempted to secure any privileges from the City, was given this morning in Central Station in the hearing of bribery charges against seven Councilmen and two former bankers."

The Pittsburgh Dispatch of December 24, 1908 reported:

"The hearing embodied a series of flesh creeping narratives that made the tales of Ali Baba and the Forty Thieves sound like a hymnal."

All were held for court. Mayor George W. Guthrie sat as a magistrate to make sure that these men would be held for court. Shortly thereafter about twenty other defendants were arrested and held for court. Most of the defendants who did not plead guilty were tried and convicted. The principal witness for the prosecution was an out-of-town detective named Wilson hired by the Voters' League to come to Pittsburgh, pose as a street paving contractor, and to contact and arrange to bribe councilmen. He rented a suite of rooms in a downtown hotel. Holes were bored in the door of the connecting bathroom so a stenographer seated in that room could see and hear what took place in the conference with Wilson. For the seat of honor in the bathroom Mr. Weil selected a young attorney who was an expert stenographer and who was well enough known to the local Judges and Lawyers to make his testimony of unquestioned validity.

Mr. John Marron, attorney for some of the Councilmen, cross-examined this witness. He brought out

that the witness was an attorney and counselor at law admitted to the Allegheny County Bar as well as a stenographer and that he made the stenographic notes from which he testified from his seat on the toilet in the bathroom which had the door with the above-described holes in it. After this cross-examination, Mr. Marron turned to the witness and said, for all within the sound of his voice to hear, "You call yourself a counsellor at law, sir. You are nothing but a privy counsellor." It took the witness, who was respected by all of us, quite a while to live down that compliment.

At the time these graft trials began, Mr. Rody Marshall, the uncle of our present Judge Thomas M. Marshall, was the leading lawyer for defendants in the important criminal cases and for plaintiffs in civil damage suits. Mr. Weil, knowing this, before the graft investigation was begun, sent for Mr. Marshall, outlined the plans he had in mind, and asked him to assist the Voters' League as one of its counsel. Mr. Marshall explained that he had personal relations with some of the men who would be involved and therefore would not take sides against them. He promised, however, that he would not directly or indirectly aid or defend any person against whom the Voters' League produced incriminating evidence. He kept his word to the letter and turned down fees that would have brought him thousands of dollars.

A companion Voters' League case was impeachment proceedings against the then head of the Department of Public Safety, the real head of the Pittsburgh police department. After a long trial and much exciting evidence he was found guilty and removed from office. It was proven that the Pittsburgh red light

districts operated openly with police protection bought and paid for. Conditions were so bad that Miss Anna B. Heldman, head of the Irene Kaufmann Settlement Social Service Department, with her office at 1835 Center Avenue, testified that red light houses bordered certain crowded districts in the so-called Hill District where families in the lowest income brackets had to live; that the habits of the prostitutes and their customers were so open and well known that children on certain streets in this district played a game in which girls ten years old and younger rolled down their dresses at the neck and played the female parts. The boys of the same age played the parts of visitors. All very much as other children, even today, play the game called "Cops and Robbers".

Miss Heldman has been dead for many years. She had great ability and courage and testified without fear of threatened adverse retaliation against her. Heldman Street, which borders one side of the Irene Kaufmann Settlement on Center Avenue, was named after her.

In the beginning, before much trial work, I did considerable briefing for Mr. Weil. He used to take a brief home with him and the next day call for more or further action. Once, one brief was limited to court decisions. Mr. Weil, at home, turned to the statute laws and found one that was most important. The next day he called me down for overlooking the statute law. At a loss for a better answer, I said: "Mr. Weil, when I can prepare a better brief than you can, I will hire you instead of working for you."

My initial salary was $40.00 a month and this was a little better than the average of other offices because for the first six months I was not admitted to

the Bar. I had a room on the third floor of a brick house on Shady Avenue near what is now the East Liberty business district, for which I paid $10.00 a month. During these days I dreamed of the time when I would earn $100.00 a month and be comparatively affluent. I need not tell you what happened when this $100.00 a month goal was attained!

In this rooming house the largest and best room was occupied by a lawyer with a large practice in criminal, blackmail and divorce cases. He had been dead for many years but because his relatives, if there are any around, may think some of this is uncomplimentary, I will refer to him as Lawyer X. He was unmarried and a heavy drinker. Often when in a jovial mood he would call me into his room to listen to his stories and to his advice as to what a young lawyer should do to succeed. I liked him very much and learned considerable from him.

One of his favorite stories was about a divorce case which he tried many years before 1901. He claimed he represented a man who married a snake charmer. She made him put up with her practice of sleeping with her pet snake. After the snake bit him he sued for a divorce and lost. The Trial Judge ruled that if the snake had bitten him on the honeymoon he would have been entitled to a divorce, but after five years he must have annoyed the snake.

He told of a bout he had with a very profane lawyer who ended his argument on some motion, which X opposed, by saying to the Judge, "Your Honor, I will say but one thing more, my opponent is nothing but a g___d___s___ of a b___." To which X replied, "Your Honor, when a swill barrel is overturned, some of the swill runs out!"

After coming to Pittsburgh, one of the first persons I called on was a Mr. Griffin, the Vice President of the Columbia National Bank at the corner of Fourth Avenue and Wood Street. He had come from Bradford, Pennsylvania, where I was born, and knew my folks when they lived in Bradford. He had a lot of advice for me on how to succeed, which included a warning never to smoke a cigarette or wear a wrist watch; he said that no young man with such habits could get credit at a bank in Pittsburgh, or be respected by business men. So, I smoked stogies. At first Pollack Stogies, two for a nickel. They soon went up to three for a dime! Later, I smoked Marsh-Wheeling Stogies at three for a dime. The Pollack firm, located in Wheeling, West Virginia, turned out only a limited number of stogies and these were in such demand, mostly by lawyers, at the cigar stand in the Frick Building that you had to stand in with the clerk to be notified when a new supply came in. Mr. Weil smoked cigars that cost 35¢ each, and this to me was the height of extravagance. The tailor in New York who made his suits to order charged him $125.00 for one suit. This was top price in those days.

As you could not smoke in Court, we smokers soon took to chewing, --biting off a piece of a stogie. (Chewing tobacco was so common among judges, lawyers, jurymen and others in the Court House that every jury box had its quota of cuspidors and each judge had a special large one next to his bench (desk).)

My wife did not discover that I chewed tobacco until we were on our honeymoon. I promised to stop as soon as I finished my book on "Famous Places I Have Spit". This included Niagara Falls, on our honeymoon, the New Astor Hotel in New York, and so on.

During this period, while the larger law firms designated themselves as corporation lawyers, they took care of all matters of general practice for their clients and employees of clients. This included Criminal Court, divorce cases, breach of promise suits, and every other kind of case. As there was little or no use of liability or title insurance, there were many cases involving titles, general negligence liability, master and servant liability, before the Workmen's Compensation Statutes); and other work now done, just by way of example, by title companies, trust companies and lawyers specializing in defense of negligence cases for insurance companies. The young lawyer in such offices was, to a great extent, engaged in the general practice of the law of all kinds except Federal tax law which came to the front in later years. I do not want to be understood as claiming my experience was essentially different from that of the average young lawyer in a large law office. It was not.

Settling and compromising cases by lawyers was considered weak and cowardly. If your client was right, it was your duty to vindicate him in Court, and publicly, with vim and vigor, show up his adversary. The general rule was go to Court, the Battle Cry being, "No favors asked and none granted". This made the court room a battle ground for rough and ready fighting often involving the trial judge who on occasion would engage in bitter conflicts with the lawyers on one or both sides. However, as soon as Court adjourned we lawyers were all jovial and friendly with each other. One of the first things taught me during the period that my services as associate trial counsel were, in the main, confined to

carrying brief cases and law books, handing out exhibits as called for, and running errands, was that as soon as court adjourned at any time, to grab every paper in sight on the counsel table and court stenographer's desk before the other fellow got there. In this way you protected your own papers and sometimes got hold of one belonging to the other side that might give you a valuable tip!

The leading lawyers who did the bulk of the trial work were, as already pointed out, all nonsettling, noncompromising, aggressive and at all times able fighters. Among those I remember best for these qualities were A. Leo Weil, D. T. Watson, Scott Ferguson, John S. Robb, Jr., John McCleave, Clarence Burleigh, W. B. Rodgers, E. W. Smith, Billy Brennan, Charles O'Brien, Steve Porter, Rody Marshall, Fred Mercer, John Marron, Charles Patterson, John Dalzell, William Challener, Thomas Patterson, Marcus Acheson, James Francis Burke and David I. McCahill.

In those early days, Mayor David L. Lawrence was a law clerk in the offices of "Billy" Brennan in the Frick Building. These offices were small but were said to be able to hold all the Democrats in the City of Pittsburgh without crowding. Mayor Lawrence whom I hold in high regard, is not even today, too proud to talk about those early days and the personal contacts we had in connection with legal business. We both put in time running errands for our bosses.

Once tried to settle a case behind Mr. Weil's back. It involved the rights of the owner of prior oil and gas leases as opposed to those of the manufacturing company (our client) which owned the surface. Client wanted to use the rather large acreage of land

involved for a manufacturing plant. Our client would, for example, lay out plans for a dam and water pond and the owner of the leases would immediately start to drill a new well at this location, and so on for a number of different locations. Our client would throw off the driller and his crew and the other side would bring a suit for an injunction. The case had gone up to the Supreme Court once and was on its way up again, when I went to Scott Ferguson, the attorney on the other side, and explained why the cases should be settled out of court. He listened to me with patience and great courtesy. His answer was: "Young man, when a client hires me he expects a law suit, and, by God, I see that he gets it. So run along now. I will meet you in Court." The Supreme Court finally decided that the owner of an oil and gas lease cannot be arbitrary in locating wells in utter disregard of the land owner's rights. See Gillespie v. American Zinc & Chemical Co., 247 Pa. 222 (1915).

Once I settled a case which proved that there was value to the "no compromise" rule. Bennet & Co. of Pittsburgh, were high-class merchant tailors. My client rejected two of their made to order suits on the ground that they did not fit to his satisfaction. Bennet & Co. sued in the Court of Common Pleas and when the case was to come up for trial, Mr. James Wakefield, attorney for the plaintiff, served notice on me to produce my client in Court as he intended to have him try on the suits for the benefit of the jury. My client was panic stricken because during the three years that it took for the case to come to trial he had put on weight and was certain that now the suits would fit perfectly. I was instructed to make the best settlement possible. I did, and shortly after the money

was paid, Mr. Wakefield told me with great glee that his notice was all bluff because Bennet & Co. had lost the suits and would have been unable to produce them in Court!

Of course, all trial work was not rough and tumble. Mr. John G. Bunchanan has told me that the first case he worked on after his admission to the Bar was one where I represented the plaintiff and Mr. Alex Black, a partner of his firm, represented the defendant. He said we were both gentlemen throughout and showed each other the greatest consideration. It is possible that his pleasant recollections of this case are influenced somewhat by the fact that his side won!

Another lawyer who never settled was named Charles F. Patterson. He never wore a hat or an overcoat no matter what the weather. As he represented the express companies and the claims that led to litigation were usually quite small, he was not overly popular with opposing attorneys because he never would settle. His office was in the Frick Building Annex and on one occasion a woman came to his office with a revolver and shot either at him or someone else in the office without hitting anyone. We tried to tell him that the next time he would get it unless he changed his practice about settling small claims, which he never did.

While telling about the St. Nicholas Building I should have mentioned that the late William R. Blair, the Referee in Bankruptcy, had his offices in the building. He was against telephones and would allow none in his office, to the great annoyance and inconvenience of the lawyers who had to do business with his office. He was a fine man and very much respected but he had a quick temper and, in particular, took offense if any man kept on his hat in his so-called Court. To such an offender he would deliver a

lecture that amused the others in the room. As most of us knew this, we often maneuvered some debtor, creditor or inexperienced young lawyer into the room with his hat on.

Referee Blair also used to argue from the Bench that the Bankruptcy lawyers usually tried to charge bankrupt estates fees that were much too high. His denunciation from the Bench at creditors' meetings was very hard on anyone not used to it but we who had been there before knew that after Court adjourned we could go to his private office, explain the facts and get the fee he had cut down restored to a satisfactory amount.

Speaking of telephones, Judge Joseph Stadtfeld, in the days when they first came into use, refused to have one in his office. When he was away on a vacation, one of his important clients had a telephone put in at his own expense. It was never taken out. Today it is hard to visualize a judge or lawyer violently opposed to office telephones, much as they interrupt and annoy us from time to time.

LAW LIBRARY

In 1901 the Allegheny County Law Library was a one man institution. Percy Digby was this man. He had no catalogue, no filing or other system of any kind and most of the time no assistants. He could, however, instantly lay his hands on any book called for and had a marvelous memory for the statute laws, the names of cases, their dates and the gist of the decisions. He was the courteous, loyal and efficient friend of every lawyer, young and old, who used the library. We younger men usually started briefing by

asking Percy, as we all called him, where to look for a lead on the subject in which we were interested. He would give us a start and very often hand us the leading case or statute. All this mainly by reason of his wonderful memory. One day in 1907 he walked out of the Library without a word to anyone and never came back. His body was found in the River almost six weeks later. We never learned why he went to his death in this way. For about one day Judge John T. Duff, Jr., then a law student, ran the Library when J. Oscar Emrich, the present Librarian was put in charge. He has been there now for about 48 years. "Oscar", as we call him, is the trusted friend and confidant of all the lawyers and judges and most of the city and county office holders and employees. He is never too busy to give you a lead or answer a question, although he may have to do a bit of research himself in the first instance. He at once (in 1907) set about indexing and enlarging the Law Library. The most extravagant praise that I might indulge in would not, in the opinion of the lawyers, judges and others who use his services, be one bit too much.

JUSTICE OF THE PEACE PRACTICE

In 1901 and for some years thereafter, the Aldermen in the City, and the Justices of the Peace outside the City, were more important to lawyers and their clients than was the case after the County Court was created. It took over much of their work. As these so-called "Squires" depended solely on fees received they, at least in the principal offices in the city, almost always decided in favor of the plaintiff as otherwise the litigant or his lawyer would take his next

piece of business to some other office. Knowing this, we would seldom appear for the defendant and after judgment was entered for the plaintiff would perfect an appeal to the Court of Common Pleas where it would lay for about three years. The Common Pleas Courts were then usually that much behind.

The most accessible office for lawyers was that of Alderman McMasters on the street floor on Grant Street opposite the present City-County Building. Squire McMasters was a short, very stout man, with a weak voice, but he knew the business and kept efficient clerks and constables on the job and, generally speaking, was popular with the young lawyers. Of course, he, too, with almost no exceptions, decided for the plaintiff in civil cases. Knowing this, when we got control of a new young attorney in our offices we would build him up on the fairness of "Squire" McMasters, as we called him. We then sent him over to plead a case for a defendant. The result was always the same. The "Squire" would listen carefully and end the case by stating, in effect, that he was very much impressed with the earnest and good legal argument presented on behalf of the defendant by his attorney and therefore he would defer deciding the case for five days, at which time he would enter a judgment for the plaintiff.

We younger men made some extra money by taking noncivil cases, usually heard by the Squires at night because of the number of witnesses expected, for a minimum fee of $5.00 to a maximum fee of $10.00 a case. In one of these cases heard in McKees Rocks, I received $5.00 to appear for a young women who had been arrested as an inmate of a disorderly house. There were several women tried at the same

time on the same charge. I got the Squire to discharge my client; she was the only one represented by counsel. The others were given nominal fines which, with the costs split among all the other defendants, came to a total of $3.35 each. When my client heard this she demanded that I return $1.65 to her. I pointed out that she was the only one discharged and so the only one whose honor was vindicated. She insisted the $1.65, which she did not get, was more important to her than her so-called honor. "Maybe so".

There was no appeal from the judgment of an Alderman or Justice of the Peace in a civil suit if it did not exceed $5.33. Our firm represented a large public service gas company. In a certain section of the County it ran into a number of cases where the plaintiff, a household domestic user of the gas, paid the bill under protest and then sued for $5.00 claimed to have been an overcharge. To stop this practice we had to appear and put in a counter-claim in excess of $5.33 to entitle the Company to an appeal. Sometimes we claimed the plaintiff had damaged the meter and pipes belonging to the Company. Other times that the plaintiff stole gas by diverting it before it reached the meter, or any other kind of counter-claim on which an appeal could be based. In this way we broke up that practice, but only after much trouble and effort. In some cases the Squire would adjourn the case to a night hearing at a later date, hoping to wear us out. The Company saw to it that I always had transportation and witnesses and never gave up the fight.

CRIMINAL LAW

While the general civil practitioners kept away from Criminal cases, most young attorneys wanted at least a taste of the excitement of this practice. Then, as now, you volunteered for service and received an

appointment to defend in a case where the defendant had no lawyer. I tried this once and was appointed to defend a foreigner accused of assault with intent to kill. My client was new to American ways and went to collect a sum of money due him. The debtor ran away and my client followed and stabbed him in the back, a serious but not fatal wound.

The Assistant District Attorney who was to try the case called me aside and advised that the defendant plead guilty. As he put it in his forceful and profane use of the English language, the Commonwealth had the defendant by that part of his anatomy where but a slight pressure would cause intense pain. We went to trial, the jury said guilty and the Judge sentenced. My client said that when he got out of jail he would pay something for my services. Judging by results, he must still be in jail.

In connection with our private practice I tried another criminal case for the experience. Our client was an installment furniture house. It sometimes retook its goods without a writ of replevin. In this case, the wife of the debtor claimed the driver for our client came to her house with a helper; that he got her pressed back of a door and then took liberties with her body. She had him arrested. He denied the charge, said she agreed to the removal of the furniture and when he was backing down the stairs with a bed in his arms she placed a tub of hot water at the foot of the steps which he backed into and scalded his legs. She said she had been washing clothes and her three year old daughter must have moved the tub of water to the foot of the steps. The jury said not guilty, but pay the costs.

RESTAURANTS

Prior to 1900 the leading public restaurant in Pittsburgh patronized by lawyers was the Duquesne, located on Smithfield where the Mellon Bank now is. Later, after the Frick Building was in operation, it contained the Union Restaurant operated by a man brought from New York for the job by Mr. Frick who wanted the best restaurant in the city to operate in the building. Still later, a very fine restaurant operated in the Farmers National Bank Building. It used a white bull dog for a trademark. One of the most popular and less expensive places patronized by judges and lawyers was a restaurant on Diamond Street near Grant Street. Certain groups had reserved tables and met together every day. One table was called the Supreme Court because it had the most judges. We younger men, with less money to spend, ate at Goettman's on Diamond Street, below Smithfield Street. There you received good food for very little money. For years I ate there with Frank Wilbur Main, who later founded the large and nationally known accounting firm that today bears his name. We would get short ribs of beef, with gravy and browned potatoes, a roll and butter, for 25¢. A large plate of red kidney beans, which was a meal in itself for 20¢. We ate so many of these beans that the sight of them later was revolting to both Frank Main and myself.

Coming back to the restaurant in the Frick Building. Shortly after it opened a boy who had gone to State College with me for one year, called at my office. He told me he now had a good job and wanted to impress a young lady who was coming in from out of town on a visit. I was to teach him how and what to order at this restaurant before he took her there.

My fee was the bills for food and drink, which he was to pay. This was all very agreeable to me, but after one lesson he took care of the bill and said he thought he had learned all he needed from me.

HOTELS

During this period, starting in 1902, the Fort Pitt and William Penn were the leading downtown hotels. C. A. Blanchard was the hotel promoter and operator. He got local capitalists to put up the money to build first the Fort Pitt and later the William Penn Hotels. He managed both of them very successfully. Prior to the depression of 1930 these hotels, owned and operated by the Pittsburgh Hotels Company, a holding company, were sold to outside of Pittsburgh interests at a price which paid the shareholders four to one on their original investment besides which they had received high dividends for all years of local operation and ownership. In 1918, because of Prohibition, all the liquor was distributed to shareholders, a dividend in kind with no adverse Federal tax consequences. The local owners wanted to make certain there would be no violations of the Prohibition laws. They were leading citizens of Pittsburgh. Among those I can still remember were Grant McCargo, E. V. Babcock, Mr. Park of the Park Building family, a Mr. Miller, who was a local capitalist, Mr. Furey and Mr. English, both of the local agency of the Berkshire Life Insurance Company. There were others whose names are not recalled at the moment.

Mr. A. Leo Weil and I got our share of the liquor dividend. Mr. Thorp none because when we originally got our hotel stock as a fee he did not participate as

his church did not permit a member to have anything to do directly or indirectly with the liquor business. There was much prejudice against the liquor business in those days. There was one fair sized life insurance company that insured only non-drinkers. I helped Mr. Weil try a case against this company in which the defense was that the decedent in his application for insurance, concealed his drinking habits. The jury decided for the widow, plaintiff, in spite of evidence that decedent before and after he was insured took a drink or two from time to time.

Because the hotels above mentioned were owned by shareholders who were leading citizens in Pittsburgh who sat on the Board of Directors and dictated the operating policies, the hotels were operated on the highest possible moral plane. If a couple could not convince the reservation clerk they were married, they got no room and even after being assigned to a room any suspicious action resulted in their being immediately ejected. With young couples clerks were known to have demanded the production of a marriage certificate or like satisfactory evidence of marriage. The forcible ejections on moral grounds brought on many claims for damages and law suits, all of which I handled for our firm. In one case, a woman with a well-known bad reputation, married a young man of good family while he was drinking too much. When they returned from a honeymoon at Niagara Falls they registered at a downtown hotel. The clerk who registered them was new and raised no questions, but when the night clerk came on he recognized the woman, refused to believe she was married, and threw the couple out in the middle of the night. His defense was he could not have been mistaken because

he himself had been out with this woman a number of times prior to the date at issue and personally knew what he was talking about. A suit was entered which we had to settle, but the amount paid was not large because of a threat to blacken the woman's reputation if the case went to trial.

One odd damage claim had to do with the Fort Pitt Hotel. A woman's organization engaged one of the private dining rooms for a banquet. The woman who made the arrangements and who presided, was large and stout and wore a new silk dress. As she rose to introduce the principal speaker her dress tore because the head of a nail on the seat of her chair had come off and the sharp point of the nail projected upwards. We offered to pay for the dress but she wanted damages to cover her shame and suffering because as she stood up and the dress tore it sounded off with a loud report. We refused to do more than make good for the dress. After threatening suit, this settlement was accepted.

Some hotels did not attempt to make money on the sale of food. On the contrary, the food business was operated at an anticipated loss. Room rent and the bar gave ample profits. In those days almost every hotel had a so-called "service" bar used only by the management, help, business customers and guests of the management. The liquor was of the best quality, and free. These bars were hidden away and separate from the public bars. The attorneys for the company were on the free list. Consumption of liquor by those in or connected with the hotel business was regarded as almost a virtue, but I can recall many a divorce and other tragedies for young and older employees that could be traced to it.

DIVORCE CASES

Our office never handled a contested divorce case. Not that we would have turned down one for a valued client. This practice was distasteful and hence confined to taking care of clients, employees and relatives of clients. Even today I am a little ashamed of the part I had in one of these cases.

This was a case for a man who was a very important and rich client who wanted a divorce on his own terms. He had amassed a fortune of several millions in the steel business. He was a cold blooded, self-centered, sarcastic, and to me an otherwise unpleasant person. He, his wife and children, were rated as aristocrats. There came a time when his wife sought some attention outside of the home. He was patient, very calculating, and had her watched for a long time by private detectives. She and the man involved were very careful, but once in a while would meet in Pittsburgh and go to a hotel together. A trap was set and on a certain night she was shadowed to Pittsburgh. Her husband remained in the office with A. Leo Weil. Warrants charging adultery were obtained from an alderman, and after a call from the detectives to our office I was to go to the hotel, take charge of the operations of the detectives, and see to it that nothing happened to spring the trap prematurely or thereafter that would involve our client, or the detectives who were his agents, or others, in any civil liability damage suit. We waited in our office in the Frick Building that night. She met her man in Pittsburgh and they registered at a local hotel. I placed detectives on the fire escape outside of the room and inside in the halls and was about to notify the hotel management of our plan to break into the room, if necessary,

when a small fire broke out in the Hotel lobby. There was a fire alarm and many guests, including our couple who had not yet had time to retire, left the hotel. There we were after weeks of watching and much expense left holding the bag. However, we waited and about an hour later everything had quieted down and our couple returned to the room. The trap was sprung. They refused to open the door, so it was broken down and the warrants served. I stayed outside while the couple dressed and were paraded down a long hall to the elevator, every door of which seemed to be occupied by hotel guests, mostly men, in night clothes, who had been aroused by the noise of breaking down the bedroom door. This wife was allowed to save her face and sue for a divorce but the husband dictated the financial terms of the settlement and obtained, without contest, the custody of the children. It was about three A. M. before bail, which we had arranged for, in advance, was given and I was free to go home. The whole procedure upset me as I was somewhat in sympathy with the woman, who seemed a refined lady both in manner and appearance. She hung her head in shame but the man was quite brazen, held his head up and said as we walked down the hall lined with people, "Quite a reception you have arranged for us."

I spent the rest of the night at a Turkish Bath on Duquesne Way trying to get the bad taste out of my mouth.

Uncontested divorce cases where there were no children involved were put through with dispatch by most of the Judges. There were a few, however, who did not approve of easy divorces and insisted on as strict proof in an uncontested case as in a contested

case. It was the custom for the Judge in the Assignment Room to send out a divorce case or hear it himself in the little room back of the Assignment Room.

On one occasion I had a very weak uncontested divorce case based on an alleged desertion by the husband. Judge Josiah Cohen was on the bench in the Assignment Room, and before Court opened I went to his chambers and asked him to do me a favor and hear my case instead of sending it out to one of the other Judges. He asked why and I said my case was so weak I was afraid none of the other Judges then sitting would grant a divorce. Judge Cohen drew himself up to his full height and in loud tones told me I was insulting the Court, guilty of improper practice, should be reported to the Bar Association, etc., etc. I literally ran from his office back to the Assignment Room. When my case was called, Judge Cohen took it himself and promptly granted the divorce. He was one of the most gracious and best liked Judge of all of our then Common Pleas Judges. His public relations with the Bar, the jury, court house employees and all who came in contact with him were so pleasant and yet business-like that we all joined in singling his praises. While he was not a profound student of the law or to be compared on an all around basis with Judges such as Judge John D. Shafer, his voice was like a bell and so melodious that when he spoke out in Court he left all concerned, even those that he decided against, with a warm personal regard for him as a man and a Judge. He was past ninety years of age when he died and his wife, who also lived past ninety, told me, most seriously, that if the Judge had not suffered from constipation most of his life he would have lived to a ripe old age.

TAXICAB CASES.

The Pittsburgh Taxicab Company was the first in the field in Pittsburgh in a large way. It was owned and operated by local capital and management. It later became a part of the present Yellow Cab Company. Our firm represented this company and I tried its negligence cases. There was no insurance liability to take over this burden. Needless to say the Cab Company lost most of its cases before a jury. The best negligence lawyers of the Bar appeared in the more important suits, and besides, the average man on the jury had no use for a taxicab driver. If he owned no car of his own, he thought the driver, judging by his own personal experience, was reckless and if he owned a car, he fought for the right of way with the cabs and had no affection for the cab drivers.

When a cab was in an accident and had a young married woman as a passenger, there were certain lawyers who always came up with the claim of a miscarriage. This required very little testimoney. It got on my nerves to such an extent that I used to say to some of the drivers, "Don't you ever drive a young married woman who is not pregnant?"

However, these cases were sometimes replete with human interest. They had to be tried because the President of the company was adverse to any liberality in out of court settlements, although I tried to point out to him that with increasing verdicts, his policy was losing the company money. When I would point out to him that in a certain case which he refused to settle for, say $500, the jury later gave a verdict of $1,000, he always said it must be my fault for the way I tried the case.

This constant increase in the amount of verdicts got on my nerves to such an extent that I went to A. Leo Weil and asked if he would not, as a favor to me, try one of these cases and show me how to do a better job. He agreed and I waited patiently for a case that I considered very tough. It came along and he tried it with me sitting back of him at the counsel table. In this case a young man and woman had just been married in their minister's study and were on their way to the station to take a night train and start their honeymoon trip. The cab was involved in a collision and the couple landed in a hospital, extensively but not seriously cut up. Charles Pritchard, who was successful with juries, was attorney for plaintiffs and he did not hesitate to picture to the jury how this young couple, just starting out as man and wife, spent their first night in separate beds at a hospital and the bride, in particular, bleeding profusely.

The verdict was too high for the damages proven and was later reduced.

At this time, about 1905, there was a lawyer at the local bar who was extra dangerous in getting big verdicts in damage suits. He had great ability as a trial lawyer, worked hard and prepared his cases carefully. In this particular case against the Taxicab Company his client, a young woman, had sustained a broken collar bone in a collision between two cars. Our whole defense was based on the issue as to the amount of damages. This attorney had her in Court with her two sisters, who were gotten up with the care given an actress about to appear on the stage. They had red cheeks and looked very healthy. The plaintiff had on no paint or powder and looked just the opposite. It was not permitted, without the Court's prior

permission, for a plaintiff to exhibit a scar or other injury to a jury because of the tendency, particularly with a woman plaintiff, to inflame their minds against the defendant. In this case, the plaintiff's lawyer, although I could not prove it, had his client dressed in a trick shirtwaist so that by a sharp pull it would open and expose the lump on her collar bone near the left breast. After the sisters had testified how healthy the plaintiff had been before the accident and how now she was very nervous, could not eat and sleep, etc., her attorney put his client in the witness chair and asked her to describe the lump which resulted from the accident. Without saying one word, she pulled the proper cord and exposed her naked chest. Her attorney acted very surprised and said to me, "There is the lump, Leo, put your hand on it so the jury can see where it is." I replied, "Put your own hand on it, it has probably been there before". Well, I got a big laugh for my side in which even the Judge joined and I received congratulations for a quick comeback. However, the damage, calculated in advance, was done. The jury brought in a verdict for more than the amount sued for, an unusual result, which surprised even the attorney for the plaintiff. After much work and worry, I later got Judge Evans who tried the case to cut the verdict down to a more reasonable amount.

In another (not a taxicab) case in which I fared better, we went to trial before a jury on St. Patrick's Day. The issue was the right of the defendant to reject a carload of sauerkraut claimed to be unfit for food. C. A. (Charles) O'Brien represented the defendant. He opened to the jury by saying, "Never in my long years at the Bar did I expect that a lawyer

named O'Brien would be trying a sauerkraut case on St. Patrick's Day." The verdict of the jury was for the plaintiff in the full amount sued for.

CALL OF THE LISTS

This was a regular Friday afternoon assembly of lawyers in the Assignment Room of the Common Pleas Court where a presiding Judge had Jack Moore, the Clerk of the Court, read the list of cases listed for trial during the next week. The Judge disposed of motions to delay, continue, merge or take other action as called for. All the leading trial lawyers attended the call in person. Among them were Rody Marshall, Fred Mercer, Joseph Stadtfeld, William A. Challener, Scott Ferguson, Robbin Wolf, Harry Weisberger, John Dalzell, Lee Beatty, and many others. Even if we had no cases coming up, about forty of us went every Friday. There was always a good show, jokes, arguments, occasional flare ups, but on the whole, such a spirit of good fellowship and keeping in touch with each other, that those of us who still remember the "Call" are homesick for these old time sessions.

THE JURY WHEEL.

Before the present set up of Jury Commissioners, the Sheriff, at stated intervals, filled a large so called "Wheel" with the names of persons to be called for jury service. The Sheriff was supposed to roll the wheel until enough names flew out in a way that gave every name in the wheel an equal chance to come out. One of the Judges had charge of seeing to it that enough and the right kind of names went into the

wheel. Any attorney could hand in names to this judge and most of us did so. People who stood in with the Sheriff also handed in names. It was claimed but never proven that the certain attorneys and public service corporations got in as many as 1,000 names at a lick. So many of the same men served so often that we got to know them and dubbed them "professional jurors". There was a time when my Father liked to serve on juries. I put his name in time after time until he got on a case which involved a small amount but in which he encountered eleven stubborn jurymen and was locked up all night. Of course, these were the days before women were allowed to serve on juries. Human nature does not change much and I hear the same old complaints about the weaknesses of our jury system, the prejudices of those who serve, and the taking off by challenges of those best qualified to sit on a particular case that I heard and indulged in during the days of the "Jury Wheel" system.

ALLEGHENY COUNTY BAR ASSOCIATION PICNICS

These were annual affairs and attended by a larger percentage of members than the present day golf club parties. For example, in August 1904, 300 of us went, by way of the Ligonier Valley Railroad, to Idlewild Park. The principal event was a ball game between the following teams:

Captain:	Rody Marshall	- Middle Field
	Ben Thompson	- Short Stop
	James S. Dunn	- Third Base
	J. S. Christy	- First Base
	Ben Reily	- Catcher

	John W. Chalfant	- Left Field
	Steve G. Porter	- Right Field
	Leander Trautman	- Second Base
	Ralph Tannehill	- Third Base
	E. C. Martin	- Pitcher

Opposing Team

Captain:	T. D. McCloskey	- Catcher
	A. C. Teplitz	- Pitcher
	Frank Jarvis	- Short Stop
	F. J. McKenna	- First Base
	R. C. Long	- Second Base
	Joe Bialas	- Left Field
	R. L. Davis	- Middle Field
	Karl E. Wilson	- Third Base
	A. M. Kossler	- Right Field

The Post reported, - "In the first inning Rody Marshall, in his slide to first base, was threatened with an indictment for highway robbery."

The married men and single men also played. Percy Digby was captain of the Married Men, and S. Leo Ruslander was captain of the Bachelors. The Married Men won, 15 to 9.

From a newspaper report of June 19, 1909:

> "250 attended the Bar Association picnic on the excursion steamer 'Sunshine', which went up the Monongahela River leaving the wharf at Wood Street at about 9:30 a. m.
>
> "The boat carried an abundance of refreshments which were served all the time."

There was a ball game between two picked nines-The Alibis and The Decedents.

CONCLUSION

With respect to dates, it will be noted that they start with 1901 and grow increasingly indefinite as to later years. More accuracy is unnecessary as the total period of these Reminiscences covers only 1901 when I started practice, to 1920 when, influenced by Frank Wilbur Main, I left the general practice of law and, in association with him as the accountant, specialized in the field of Federal and State taxes. This step was characterized by Mr. A. Leo Weil who did not approve my leaving the firm of Weil & Thorp in which I was then a junior partner, as "Prostituting my talents for mere money."

My experience during this period was, as stated before, no different than that of the average young attorney in any of the other large law offices. I am sure that any such now alive could, if they so desired, match or give a much better narrative of their own experiences during this period.

Over the years the practice of law has changed. Trial work is largely in the hands of a comparatively few men who are specialists. They handle the negligence damage suits, cases involving Workmen's Compensation, labor relations, tax cases, public utility and rate cases, as well as other like specialties.

The average lawyer of today hardly ever tries a case and when he does, the material facts are usually not in dispute. Often they can be stipulated. He is more and more a business man rather than a professional man. He serves on boards of directors for clients; he sits in on business conferences to advise whether or not a proposed move is good business,

from a profit standpoint; he goes to his client's place of business when and as summoned; his clients do not listen to him with awe or reverence; they reserve the right to question his advice and bills rendered for services in a way that would have been bitterly resented by the older generation of lawyers.

Many of the old time lawyers I have named would never discuss a fee with a client before or after the bill was rendered. After it was rendered the client was accusing them of dishonesty if he claimed the fee was too high. They were loyal to their clients inside and outside of their business relations; they were not only advocates but partisans and fought against any attacks in social, community life, or otherwise. They demanded and very often received a like loyalty from their clients.

Gone for the average lawyer are the din and battle of the trial before court and jury. Compromise and expediency rule the day.

Much of the joy and some of the sorrow of the past practice is gone. The younger men in my office, and their fellow practioners, do not know what they have missed, and I do not deny it may all be for the best.

Just by way of only one example, how would a young man, mainly only office trained, handle this situation? I was defending a steel company in a damage suit brought by the widow of an employee killed by the negligent handling of an overhead crane. The only real purpose of trying the case was to hold down the damages based on the facts that prior to the accident decedent had lost his left arm above the elbow, there were no children, and he had, because of her fault been unfriendly with and separated from his wife for at least five years prior to his death. As was the

then usual practice in selecting a jury, the trial attorneys referred to special private detective reports on the members of the jury. At the counsel table these were kept covered so as to escape the eyes of persons on the other side of the counsel table. They received more attention than anything else that took place. In this case my back was to the jury box and while I glanced up as each name was called and a juryman entered the box, in this case after all challenges were exhausted and the jury rose to be sworn in, I noted that the foreman of the jury was minus his left arm at about the same place of separation as that of decedent. I was sick at my stomach through the entire trial and the attorneys on the other side were happy with carefully concealed glee. The jury was out for an unexpectedly long time and returned a verdict for plaintiff for a less amount than we would have settled the case for without a trial. As was the custom, we trial lawyers mingled with and questioned the jury after they were discharged. I learned in this way that the one armed foreman held down the verdict. It seemed he was separated from his wife and therefore very unsympathetic to the widow. He was able to bring the others on the jury to his point of view. How, in the present day practice of the law, would a young man experience the relief and joy that swept over me after the jury decided this case?

As set out in the American Bar Association Journal, Vol. 41 - No. 5. (1955), John W. Davis, long a leader of the American Bar and otherwise a national figure, wrote in 1955 shortly prior to his death:

> "This I am willing to avouch: Whatever professional success I have had is due primarily to the training I got in the rough and tumble of the

Clarksburg (West Virginia) Bar. It was sometimes rough and as I look back I did a good deal of the tumbling, but it was a healthy discipline for all of that."

To which I say, Amen.

S. LEO RUSLANDER

CHAPTER II

RUSLANDER REMINISCENCES (Part Two)*

By S. Leo Ruslander
Member of the Allegheny County Bar

The Pittsburgh Legal Journal (Vol. 103, 413-422 Oct. 29, 1955) published an article entitled, "Ruslander Reminiscences", which covered, in part, a period from 1901 to 1920. A number of my friends, including some who read it, have suggested that I write about a period prior to and perhaps subsequent to 1920.

These Reminiscences are in the main autobiographical, as to which it has often been said: "An autobiography usually reveals nothing bad about its writer except his memory."

We have often been told to forget the yesterdays and live for each precious tomorrow. Sage advice but not to be taken too literally. "Forget the yesterdays?" To do so entirely would be to eliminate from our lives the many important and pleasurable memories that crowd upon us when we sit down in quiet contemplation.

I have lived the period that Geo. Wharton Pepper wrote of as follows: ". . . Here am I, who . . . learned to live happily in a world that knew neither (telephone) electric light, nor radio, nor television, nor automobiles, nor atomic bombs, nor airplanes, nor income taxes (nor rockets to the moon)!" . . .

*Ruslander Reminiscences (Part Two). Pittsburgh Legal Journal, Vol. 108, 123-140, April 23, 1960 - No. 17.

"It is almost unbelievable that one should have seen so many changes in daily life as I have seen." Pittsburgh Legal Journal Vol. 78, No. 143, p. 3.)

Brevity is the good rule which, probably without complete success, this article shall endeavor to follow. To this end I keep before me as a good example, a copy of the Essay on the Prophet Elijah which a very young boy handed in to his Sunday School teacher:

> "Elijah the Prophet lived in a cave with his bears. Some boys annoyed Elijah by throwing stones at the bears. He said, 'Boys, if you throw more stones I will let the bears out and they will eat you.' And they did and he did and the bears did.

I graduated from High School in Olean, New York, in June, 1896. The girls in the class wore very high-necked and otherwise body-concealing dresses, with a hairdo that stood up very high because supported by so-called "rats". Their sleeves were very large and shaped like large hams. To the three boys in the class, they (the girls) looked good. We boys wore very high, starched collars which were very uncomfortable.

My graduation essay was "Government Ownership of Railroads". I had heard Eugene V. Debbs speak on this subject and quoted his words, "The rich ride on passes, the middle classes have mileage and only the poor pay full fare." I also quoted from the Bible to the effect that the land belonged to God and should not be sold forever. It was about this time that Debbs was imprisoned for his part in leading a railroad

strike. I chose this subject after mentally debating whether or not I should speak on a question propounded to Plato, which was "Whether omnipotence abnegated attribute?"

In the Fall of 1896, I entered Pennsylvania State College in the Class of 1900. My course was called Latin Scientific. As a resident of DuBois, Pa., I was influenced by the fact that tuition was free and living expenses low. At that time the student body was about 500. It contained very few girls. There was only one other Jew and as he was an upperclassman I had almost no contacts with him. There were no colored students.

There were no autos or busses which one could use to get to State College from DuBois, Pa. You first took a train to Clearfield, Pa.; changed to a train to Tyrone, Pa.; changed to a train to Bellefonte, Pa.; and changed to a one track railroad (The Bellefonte Central) from Bellefonte to State College, a long, tiresome all day journey.

At college we were given many pep talks to recruit more students. There were no entrance examinations. Any high school diploma was all that was required.

My first year at College, all expenses included, amounted to $300. Some students worked or otherwise got along on much less. $300 was about the average.

From the Penn State Alumni News, Vol. 46, No. 5, Oct. 8th, 1959: "It is estimated that the basic costs, tuition, room, board, clothing, laundry and recreation amounts to approximately $1500 for in-state men or women for the year." Those of us who have children or grandchildren in the big name Eastern Colleges know that $1500 a year is a paper figure and not a reality.

At our boarding house we paid $3 a week for three meals a day except Sunday, when two meals only were served. Paid $10 a month for a room in "Old Main Building." We ate a lot of ice cream in our rooms. Bought it from the Dairy operated by the College. 30¢ a gallon for pure cream ice cream.

Learned to eat mush, which I still relish. It was served frequently in many forms. On Easter there was an egg eating contest with a prize to the one who ate the most. The last winner that I recall won on two dozen eggs. Otherwise he was so small he was called "Shorty" and had the best singing voice of all the students.

The boarding houses had runners out paid for services to steer freshman in. The pay was usually free board. The boy who steered me left college after two years because of lack of funds and went to work for a railroad. In time, he became the President of the largest and most important Western railroad in the United States. He is now retired, comes to class reunions and tries to answer my question: "Who would he have been if he had stayed in college until handicapped by a degree in Engineering?"

In 1896 and 1897 hazing freshmen was a long established custom tolerated although not approved by Faculty. Dr. Atherton was President. He had a long white beard and traveled the campus on a bicycle. All I can remember of his opening speech to us Freshmen was a warning to stay out of the Apple Orchard, then a part of the campus, for two reasons: (1) the apples belonged to the groundkeeper who lived in the orchard; (2) they were not yet ripe and would give the eaters thereof pains in the "you know where".

I kept a daily diary from 1/1/97 to 12/31/97. The closing entry was: "Decided not to keep a Diary next year as it is too much work." Extracts from said

Diary--(Remember the author was only seventeen years old)--

1/7/97 "Regular college work in morning. Brady taught me to play Golf. Game stopped as I lost the ball."

1/9/97 "Pain in chest. Went to Dr. Newton, he took 75¢ for prescription only . . . . Studied some."

1/25/97 "Very cold. 20 below 0. Was quite poor in recitations. Studied with York and Stalford this evening. Feel blue."

1/31/97 Sunday "Was much impressed by the sermon proving men have souls."

2/2/97 Freshmen sleigh ride to Bellefonte. With Abercrombie talked to some girls. All that attracts is not attractive.

2/15/97 Passed off condition in Physics. Fellows got some H2S in my and other rooms. Feel good over Physics.

2/18/97 Had another explosion in Chemistry. Prof. was going to put me out.

2/28/97 Fellows came in to smoke me out, managed to keep window open so it was not entirely a success. Broke hair brush in the struggle.

3/1/97 Three of the fellows who tried to smoke me out yesterday were sick after leaving. Was tied into my room tonight. Don't know who let me out.

3/3/97 Went to Freshman banquet at Sunbury. Had to scrap with Sophs before we got on train. Most of hard fighting was done by our guard who did not go. Was in it a little myself.

3/4/97 Got up at 4:30 A. M. to get train back to college. Had not gone to bed until 2 A. M. Am tired and worn out, can't study.

3/8/97 With the Class cut Tactics as the "Hep" was a little late. It provoked him.

4/23/97 Wood, Pete Haldeman & Seely in, upset my bed.

5/3/97 Bought a P. S. C. cap for $1. 25 which is catering to my foolish vanity.

5/6/97 Denny and I rode our bicycles to Bellefonte. Got back after 11 A. M. and had a little lunch in the bakery.

6/2/97 Put on old clothes and sneaked off to flag raising at 11 P. M. 1900 got it up and fixed undisturbed. Stayed around the pole all night, no sleep.

6/3/97 Sophs made their first attack at 3 A. M. Scrap lasted about 1 hour. Sophs withdrew defeated. Waited til 6 and took flag down. Am scratched and bruised up some. Went to sleep after dinner and woke up too late to go to chemistry. Retire early.

6/7/97 Had a class meet to discuss hazing. Nothing was done.

9/22/97 1900 turned hose on 1901 in class rush. Had some fun out of it.

9/27/97 Was stopped from studying by freshman cider racket. Class rush resulted. Hurt my knee.

10/14/97 Brady and I visit orchard and bring apples in after dark.

10/19/97 Wentzel, Mattern, Ray & myself drive to Milesburg to see some girls, but only found one. Fair time. Got back at 3 a. m. tired out.

10/29/97 Brady studies much better than I. "

With respect to hazing. My role as a freshman was, under duress, to climb a telegraph pole and sing "Nearer my God to Thee" accompanied by a shower of sophomore stones. On the ground with other freshman was forced to play leap frog. The Sophs formed a line on each side armed with paddles. If they missed you in the air they got you on the ground waiting to be leaped over. Some paddles had protruding nails in the business end long enough and sharp enough to penetrate clothing.

In the 1898 LaVie in the history of the Class of 1900 it is set out: "We believe in the Golden Rule: So when we found how singing "Nearer my God to Thee" from the top of a telegraph pole makes ones teeth chatter, and experienced unsatisfied feelings that come from making gold and silver speeches in rapid alternation, actuated by staves and paddles, which at once furnished inspiration and applause, we immediately voted that hazing should no longer sully the fair name of our Alma Mater . . ."

When the Class of 1900 published its LaVie, we were more sophisticated as is shown by the following quotation: "We have made up our minds to get more young ladies to come to this college--We think they are nice and a great convenience as well."

Freshmen were not allowed to carry a class cane unless they beat the Sophomores at the annual class football game. Our first game resulted in a tie. We threatened to carry canes and the Sophs threatened war. A play off game was arranged and we lost.

The Faculty. The following stand out in my memory.

Prof. Benjamin Gill, Dean of the School of Languages and Literature, known to the students as "Poppy Gill". I was one of the five students in his

Latin class. His son, Arthur, was in the class and one of my close friends. I was often in the Gill home on the campus. He always had me bring my parents to call whenever they visited me. Prof. Gill was a widower and Arthur was his only child.

When we translated Cicero's "De Officious" we came to the passage which described a wise man and a fool adrift at sea, hanging on to a plank that would support only one of them. The wise man was a useful citizen and the fool a liability to the state. Was the wise man justified in pushing the fool off and saving his own life? Cicero reasoned out the answer as No. Prof. Gill then commented at length on the fact that although Cicero was a heathen, he arrived at the same answer as would have been given by a good Christian.

Dr. Geo. Gilbert Pond, head of the School of Chemistry. He was known to the students as "Swampy Pond" and was a very able but hard taskmaster. Our class appointed a committee of three freshmen to call on Dr. Pond to tell him he was working us too hard. I was chairman of the committee. Dr. Pond explained that the average freshman at State was not as well prepared as the students who went from the best grade public and private schools to the Eastern Colleges such as Yale and Harvard. That we in most instances, came poorly prepared from country high schools and that he had, in the same four period, to turn us out as equals with the graduates of these Eastern Colleges. He admitted this caused both himself and his students to work extra hard but that, in his opinion, the end justified the means. We became very good class room friends and he always gave me good marks.

Prof. Fred Lewis Pattee, Prof. of English and Rhetoric. My contacts with Prof. Pattee both in and out of the classroom were close and friendly. This was in part due to the revival of intercollegiate debating. Prof. Pattee was coach. I was a team member. The first annual debate was with Dickinson College at State College. Subject: Resolved that the U. S. Government should establish a National University. State had the affirmative and lost. Our team was J. H. M. Andrew, 1898, D. E. Carpenter, 1899, S. Leo Ruslander, 1900.

Training for the debating team excused you from the Army drills so, to that extent our team won one advantage. Burke Brady of Brookville, Pa., my roommate, was by this time promoted to Corporal. He immediately bought the insignia but before he had same sewed on the sleeve of his uniform he was demoted to Private.

Prof. Pattee emphasized the need of a striking opening for a written article or speech. He gave this as an exaggerated example of an opening that would bring the readers or listeners upright to the edge of their seats: "'Hell!' said our hero, as he kicked his wife out of the bed.

The State Alumni News of June 1947 published a letter from Prof. Pattee, then retired and living in Florida, which in part read:

"I shall be glad to dangle with you en masse over the pit where time has hung us. I burn daily libations to Atropos, the fate who snips off the thread. May her shears continue dull. Until she snips, I'm with you. Best wishes to all you ancient men."

After reading this, I wrote Prof. Pattee and he replied in part, "I have graded your letter A, which is a better mark than you ever earned in my class."

The names of these men, among others, are deservedly perpetuated by buildings or otherwise now on the campus.

A powerful influence on student life was exercised by the Secret Society (Fraternity) Theta Nu Epsilon--Pi Chapter. It was established in 1888 and in 1896 had 26 chapters. Its pin was a skull with green jeweled eyes resting upon crossed keys. It was so secret that the active members, confined to Sophomores, were unnamed, except by code marks, in the La Vie. It kept alive ancient customs and encouraged hazing activities. As it included in its membership, members of the various other fraternities, it exerted a powerful campus political influence. It could and did defeat many a worthy candidate for class and other campus honors. It has been gone from college life for many years and almost forgotten.

Other than in Debating, I never made a varsity team. Was center on our class (1900) basketball team and a member of the class track team. At an indoor annual Winter Meet was second in the 1/2 mile walk, time 4. 8 3/5 second. (See 1899 La Vie.)

At Columbia University, as related hereinafter, I was on the Law School class basketball team. Tried for and did not make the Columbia Debating Team. Here I was up against big league debaters as compared to the competition at State.

Left State at the end of my Sophomore year and that Fall entered Columbia University in the Law Class of 1901. At that time, only the Columbia and Harvard Law Schools required any pre-law college credits. Two years were enough. This was soon changed to four years. Generally speaking, students who expected to practice in the so-called Common

Law States like Pennsylvania favored Harvard, and those who expected to practice in the so-called Code States, like New York, favored Columbia. For example, Columbia did not have a course on Blackstone. Both followed the Case system.

In 1899 Seth Low was President of Columbia University. William A. Keener was Dean of the Law School.

The 1901 Columbian Year Book quoted President Low, in part, as follows: "Out of every 100 hours, 96 are devoted to mental development, and 4 only to that of the body; even this to under classmen only. These 4 hours should be used to the best advantage; for this purpose the exercise should be taken out of doors, when the change of air and of temperature alone, is as good as 2 hours indoor exercise."

All I now remember of Dean Keener's opening address to the Law Class of 1901 is no attendance records would be kept; no student would be called on in class; only volunteers would be heard in class (they were really lectures rather than class sessions); and that all we would be called on to do was to pay the tuition and pass the examinations which because of the foregoing were made very difficult.

The Law School was located in the Library Building. There was a large so called smoking room for the sole use of the law students. The caretaker of this room was the most popular member of the Faculty. He attended to many personal chores for the students, offered, when called upon as was often the case, advice on life in all its aspects. He served for many years; could recall the names of students for years after graduation and was usually the first one called upon when a former student visited the Law School.

At Columbia we were not subjected to physical hazing, but went through what might be called mental discipline. It was the practice of upperclassmen to corner a first year law student in the smoking room and ask his opinion on a case which he said the student could expect to get in class or examination sometime prior to graduation. One such case was based on these facts. A, a farmer, and his young wife, lived in a new farm house with freshly whitewashed walls. A was a tobacco chewer and used to spit tobacco juice from where he lay on the bed, often missing the floor and landing on the walls of the bedroom. Mrs. A was called home for 2 weeks by illness in her family and installed a house maid in the upstairs bedroom. On her return home, Mrs. A went to the maid's room and found on the walls the stains of tobacco juice that was evidently aimed by a person lying on the bed. The student was then asked if Mrs. A. retained you to begin a suit for a divorce, what is the first question you should ask her. After listening to a number of answers and being egged on for better reasons, the student was told the question should be, "Does the maid chew tobacco?"

Another case was a recital that under the then laws of the State of North Carolina, there could be no divorce on any grounds; that the legislature was considering the passage of a bill making hereditary barrenness a cause for divorce. The question propounded was what do you think of such a law? There were other favorite cases but as they would be classed as vulgar, they are somewhat regretfully omitted.

The Upperclassmen got considerable satisfaction out of this practice because, if skillfully handled, the victim was flattered at the attention from an Upperclassman and was very serious in trying to arrive at the correct answer.

To me, a country boy, New York was a place of many wonders. Transportation was in the main by street cars for short distances, the elevated railroad for longer trips. The first subway was started in 1901. We all had some New York friends or relatives who undertook our education outside of the classroom.

We soon acted as New York guides for out of town friends and relatives. The most popular places were the Aquarium at the Battery foot of Wall St., Brooklyn Bridge, the Public Museums, the Zoo, Coney Island and "The Bowery".

For law students there was no campus or college life, although Columbia for a few years had a football team that won from the best of the large Eastern colleges. It was the Theater that was tops for our recreation. For 50¢ you could get a seat, on the first come first served basis, in the top balcony of any of the theaters. We saw the best of the great actors and actresses and all of the classical and more modern plays.

During my last two years in law school I had the benefit of a scholarship that paid the tuition. It was granted based on scholarship of the preceding year, supplemented by financial need. I shall never forget the interest and consideration with which my application was received and acted upon through Dean Stone, afterwards a Judge of the Supreme Court of the United States. He wrote the opinion against me in my first U. S. Supreme Court case (275 U. S. 243), Electric Reduction Co. v. Lewellyn, Collector.

In June, 1901 I graduated from Law School; passed the Bar Examination and was admitted to the New York Bar. In July, 1901 I came to Pittsburgh to take advantage of an opening in the offices of Weil & Thorp.

The Article in Pittsburgh Legal Journal Vol. 103, 413-422 relates the most interesting facts and factors in the life of a young lawyer in Pittsburgh beginning in 1901. This article is confined to "fringe events" during said period.

One of the first things I learned about social life in Pittsburgh was that no matter how much a young lady met at a dance, a party or otherwise attracted you, be sure to first find out where she lived before asking to take her home or for a date. Taxicabs were not in common use and the street cars on lines to the suburbs or distant points ceased to operate at all after midnight or in some cases only at long intervals. I had a cousin visit me from New York. He disregarded this advice and took a girl home who lived on Mt. Washington. It was after midnight when he said goodnight and found the incline cars did not operate at that hour. He walked down the steps from Mt. Washington with his pockets filled with stones as a defense, scared to death and worn out when this trip was over. For a formal affair two couples used a carriage with one horse. The driver sat high in the front in a high old silk hat. The charge was $3 to go and come no matter how late the return trip. Champagne, the best imported from France, was $3 a quart. In 1901 there was a 1¢ toll charge to cross the bridge to and from the North Side.

We young lawyers with nearby offices patronized a gym with steam baths, an indoor and outdoor hand ball court located on the roof of the Berger Bldg. Among the best hand ball players were Attorneys L. Z. Birmingham, Ben Paul Brasley, Arthur Gatz, Jos. A. Langfitt, Harry Aronson and others. Harry Greb, the most famous Pittsburgh prize fighter of his time, trained at this Gym. I used to relate at opportune times that I once licked Harry Greb while he was

training at this Gym. Of course, the explanation was that I won at handball. Greb was a very likable young man. He spoke softly without profanity and played a non-aggressive friendly game. However, when he playedwith his manager and trainer, Red Mason, they bet real money and the games very noisy and aggressive. Greb usually lost.

On December 30, 1937 Governor Geo. H. Earle appointedme a member of the Allegheny County Board of Public Assistance. On March 30, 1939 I was reappointed by Gov. James and on February 6, 1946 by Gov. Edward W. Martin. Most of the time I was chairman of the Board and our Board had charge, in Allegheny County, of Mother's assistance; Unemployment Relief; Old Age Pensions; Pensions for the Blind; and Outdoor Assistance. All this relief had prior to this time, in the main, been administered by separate agencies and the County Poor Board, which were eliminated by State legislation.

In the year 1939, in Allegheny County, there were 171,143 persons on relief and our Board, with a staff of 1359 administered the expenditure of millions in relief. This money came from the State of Pennsylvania and the Federal Government. Our Board was the supreme court in local relief cases, many of which involved the law, religion and emotional factors.

One of my early divorce cases had considerable human interest as disclosed by the facts. I represented a Mrs. W, who married the son of a wealthy and prominent Pittsburgh family, who never approved of and worked to end the marriage. Working with a cooperative attorney for the Defendant, a settlement was agreed upon and a sum of money was placed in

escrow to be turned over after the wife secured a divorce. All legal steps were taken so that the charge of collusion, if raised, could not be sustained. The Plaintiff had many complaints but the chief complaint of the husband, who was quite bald, was that during arguments she would take the heavy studded dog collar from the dog and strike him over the head with it. After the divorce the wife moved to New York and several years later, I received a telephone call from the New York Police reporting that she had committed suicide because of a disappointment in love. She still had a considerable sum of money in banks and I probated her will in New York. She always had valuable jewelry about her, which disappeared and was never recovered. The New York policeman who stayed on guard the night of the suicide hastily married and left the next day on a honeymoon.

My first reported case was Goldsmith v Gensenleiter, 51 Pgh. Legal Journal 42 (1904). Client, in the furniture business, purchased a horse and delivery wagon for cash on delivery at his store. He asked the seller the name of the Livery Stable where he kept the horse. After loading the wagon with furniture, client took same to Gensenleiter's Livery Stable, the one named by the Seller. The next morning Gensenleiter refused to release the horse and wagon unless Plaintiff paid $30 owed by the former owner. He claimed a statutory lien. The $30 was paid under protest and suit entered in the Court of Common Pleas. This was a contingent fee case. If Plaintiff won I was to keep the $30, if Plaintiff lost he owed no fee. Plaintiff won. From the Opinion of Judge McClung: "A livery stable keeper loses his lien for keeping a horse while belonging to a former owner

when such owner sells the horse to a bona fide purchaser while the horse is out of the Stable." This was the first Pennsylvania case to decide this issue.

My first Pennsylvania Supreme Court Case was:

Beardslee Trustee v. Scheckler et al., 219 Pa. 165 (1907). I represented the Plaintiff, trustee for creditors. The defendants purchased the capital stock of a family owned woolen manufacturing company with a good history and credit. The new management milked the company of its assets by sales and mortgaging its real estate. After a short unsuccessful operation they let the Company go into bankruptcy. Plaintiff claimed that those who profited by reducing the corporation to a mere shell and continuing, without notice, to use the good reputation and credit of the company to pile up debts contracted with persons who formerly dealt with the Company on credit, were liable to these creditors. The Supreme Court sustained the judgment for the defendants, holding that the impairment of capital complained of was no basis for rights of a creditor whose debt was contracted subsequent to the impairment of capital.

Today, in a case with like facts, it could be expected that the Supreme Court would decide differently.

I probably lost this case by reason of inexperience. The case was called for argument just before Court adjourned. The next morning I rose to argue the case primed with a well prepared argument that took up the case step by step from the very beginning. Before I could start, the Chief Justice announced that after adjournment the Judges had read the briefs and I should confine myself to the only point involved, which was that of notice to creditors. This was the weak spot in my armour and I was so taken back by surprise that I made a very poor oral argument.

My first case in the Supreme Court of the United States was Electric Reduction Co. w. C. G. Lewellyn, Collector of Int. Rev., 275 U. S. 243 (1927).

The facts: One Jouranleff induced Taxpayer to pay a bill of exchange of $30,000 on the false representation by Jouranleff and the broker who had negotiated the sale that a carload of tungsten ore had been shipped to Taxpayer. Payment was made in 1918. In 1919 Taxpayer began three suits to recover its loss. The judgment against Jouranleff entered in 1919 was uncollected. He had skipped out. The suit against the broker resulted in an uncollectible judgment, entered in 1922. The third suit against the Bankers who discounted the bill of exchange was discontinued in 1921 after they had been adjudged bankrupt. Taxpayer did not charge off the loss on its books in 1918 and did not claim the loss in its 1918 tax return. In 1922 in an amended return for 1918 the loss was claimed and this suit was entered to recover the alleged overpayment of income taxes for 1918.

The case was tried in the District Court for the Western District of Pennsylvania, which gave judgment against Taxpayer. On appeal to the Circuit Court of Appeals for the Third Circuit, the judgment of the District Court was reversed and a new trial awarded. The Supreme Court affirmed the judgment of the District Court "for reasons other than those assigned by it." The judgment of the Circuit Court of Appeals was reversed.

From the Opinion of the Supreme Court: (Mr. Justice Stone)

"But we do not think that a loss resulting from a buyers prepayment to a seller who proves to be irresponsible is necessarily sustained, in the statutory meaning, as soon as the money is paid. * * *"

"Here the only fact relied upon to show a loss is the outcome of the litigations two years after the respondent's payment to Jouranleff."

Relief subsequent to 1918 was of no benefit to taxpayer because its business was conducted at a loss.

The case was one that interested the Judges and resulted in many questions to counsel during the oral arguments. Mr. Justice Brandeis, in particular, subjected me to a number of sharp and difficult questions, all showing an inclination to decide against the taxpayer. The weather in Washington on the day of the argument was bitter cold and I left the Court Room drenched to the skin with prespiration but still of the opinion the taxpayer had a good chance to win the case, because the loss really occurred when the money was paid upon false representations.

In writing reminiscences, the tendency of the author is to ramble on and on without recognizing the most appropriate place to stop. Perhaps the Supreme Court of the United States is a good place for a lawyer to stop and so I will enter here, what we call in our legal briefs, the Conclusion. With respect to a Conclusion, there is a tendency to procrastinate and put it off because tomorrow may bring better ideas.

I conclude to conclude here because of the lesson of this fable pasted in one of my scrapbooks.

A wasp was lying in a pasture concealed under some blades of grass. He was swallowed by a bull and came to uninjured in the bull's stomach. The wasp said, "I will pay off for this indignity by stinging this bull long and deep but first I will take a nap." And when he woke up the Bull was gone.

If I may in some way contribute to the pleasure or amusement of those who read these reminiscences, I will feel repaid for the effort made to write them.

CHAPTER III

SPEAKING OF WILLS*

By S. Leo Ruslander
Member of the Allegheny County Bar.

The "Reader's Digest" for September, 1960, page 226, contained an article entitled, "John Kelly's Will." The following extract is taken from this article:

When John B. Kelly, Sr., wealthy bricklaying contractor, former Olympic rowing champion and father of Princess Grace of Monaco, died last June, he left an unusual will--a 12-page document signed in green ink in deference to his Irish background.

"Determined to make his will understandable, be said at the start, 'Kids will be called kids and not "issue," and it will not be cluttered up with "parties of the first part," "per stirpes," "perpetuities," "quasi-judicial," "to wit" and a lot of other terms that I am sure are only used to confuse those for whose benefit it was written.' After the usual observation that he was drafting his will with sound mind, he continued: 'Some lawyers will question this when they read my will; however, I have my opinion of some of them, so that makes us even.'

"With two minor exceptions, Kelly's wife and children were the beneficiaries. He cut off his

*"Speaking of Wills" - An article by S. Leo Ruslander, Pittsburgh Legal Journal Vol. 108, 385 - 388 October 15, 1960 - No. 42.

three sons-in-law: * * * * * A chauffeur was left $1000 with the stipulation that he be kept in the family employ 'as long as he behaves himself, making due allowances for minor errors of the flesh.'

"'As for me,' Kelly wrote in conclusion, 'just shed a respectful tear if you think I merit it, but I am sure that you are all intelligent enough not to weep all over the place. The thoroughbred grieves in the heart. So just remember, when I shove off for greener pastures, or whatever it is on the other side of the curtain, that I do it unafraid and, if you must know, a little curious.'"

The testator (Kelly) criticized the language usually found in wills by stating that the "terms" thereof, "I am sure are only used to confuse * * * *."

The foregoing has provoked this attempt to set up a simple will as drafted by a lawyer (No. I below), and then to reduce it to so called layman's language (No. II below).

No. I.

This will follows, with omissions for the sake of brevity, "A Model Will for a Moderate Estate," by John Ritchie, III, Dean, School of Law, Washington University, St. Louis, published in "Case and Comment" for March-April, 1953.

"I, JAMES MADISON HUNTINGTON, usually known as JAMES M. HUNTINGTON, of Charlottesville, Virginia, hereby revoke my former wills and declare this to be my last will.

"FIRST: All property which I shall own at my death and all property over which I shall then have any power of appointment, I give and appoint to

my wife, MARY ADAMS HUNTINGTON, if she shall survive me. If my said wife shall predecease me, all property which I shall own at my death and all property over which I shall then have any power of appointment, I give and appoint per stirpes to such of my issue as shall survive me, subject to the provision, however, that the share of any minor beneficiary shall be transferred to my trustee in trust and my trustee in its uncontrolled discretion (1) may pay the income therefrom or any part thereof directly to such beneficiary or to a parent or any person standing in the place of a parent or the guardian of the person of such beneficiary, to be applied for the benefit of such beneficiary and without responsibility on my trustee to see to the application of any such payment, or (2) may expend the whole or any part of the income or principal for the education and comfortable support of such beneficiary, or (3) may retain and invest and re-invest the whole or any part of the income or principal or accumulated income and from time to time pay or expend the whole or any part thereof in the manner hereinabove provided, until such beneficiary attains his or her majority, and thereupon pay the balance then remaining to such beneficiary absolutely.

"SECOND: I hereby expressly authorize my executor and my trustee, respectively and successively, to permit any beneficiaries of any and all trusts hereunder to enjoy the specie use or benefit of any household goods, chattels, or other tangible personal property (exclusive of choses in action, cash, stocks, bonds or other securities) which either my executor or my trustee may

receive in kind, and my executor and my trustee shall not be liable for any consumption, damage, injury to or loss of any tangible property so used. The beneficiaries of any trusts hereunder, or their executors or administrators, shall not be liable for any non-negligent consumption, damage, injury to or loss of any tangible personal property so used.

"THIRD: I direct that the interests of the beneficiaries of any and all trusts hereunder shall not be subject or liable in any manner to or for their or any of their anticipations, assignments, sales, pledges, debts, contracts, engagements or liabilities, or subject or liable to attachment, execution or sequestrations under any legal, equitable or other process."

The Fourth, Fifth, Sixth and Seventh paragraphs of the will cover the appointment of a Guardian, a Trustee and an Executor; the powers of the Executor and Trustee are detailed and bonds waived.

No. II.

This attempt, by way of a short example, to change the above to so called layman's language is limited to the first three paragraphs of the model Will. To cover the whole will would be a work of supererogation.

I, JAMES MADISON HUNTINGTON, of Charlottesville, Virginia, declare this to be my will which is to be carried out on my death.

FIRST: I give my property to my wife, MARY ADAMS HUNTINGTON, if she is living when I die. If she is not living when I die, then I give all my property to my children in equal shares or

parts. The share of any of my children not then 21 years old is to be turned over to the X Bank of Charlottesville, Virginia, as a Trustee. The Trustee is to pay or use the income, and if necessary the property itself, for the benefit and support of these children (my kids) until each one is 21 years old, when they are to take over their share from the Trustee. Until this happens, the Trustee can use its own judgment in handling and paying out a child's share so long as it is for the benefit of the child.

SECOND: Until disposed of, my children can use the furniture and other property which I used in my home as they may agree upon with each other.

THIRD: The Trustee shall see to it that no child while less than 21 years old does anything that may in any way deprive him of his or her share of my property. The Trustee must make sure that a creditor or any other person who claims a right against the share of any of my children can take nothing from my property away from my children.

The question is, to what extent would Will No. II substantially carry out the intent of the testator as expressed in Will No. I? How many of the provisions of Will No. I eliminated in Will No. II are really necessary where the testator has a relatively small estate and his sole purpose is to take care of his wife and children?

CONCLUSION

The language of Will No. II can be very much improved upon in many ways by any reader who cares to try his hand at it. This question, however, remains

"Is Laymen's Language" adequate to draft a simple will intended to cover and protect a wife and children?

"Words are clumsy tools and it is easy to cut one's fingers with them and they need the closest attention in handling; . . ." Mr. Justice Frankfurter.

Lawyers will continue to use so called legal phraseology in drafting even simple wills. It is interesting to note the early use of legal phraseology, which originated in England, in the first wills of record for Allegheny County when it was an "American Frontier."

As recorded in the book, "Goodly Heritage," by Ella Chalfant (University of Pittsburgh Press, 1955) we find the following:

> ". . . do make and constitute the following writing to be my last will and testament."
>
> Lot to designated beneficiaries "--to hold the same to them and their heirs and assigns forever."
>
> "--share and share alike, or to the survivor, or survivors." (1789 page 26).
>
> To a wife for life "--provided she makes no waste or destruction thereof while she remains a widow" (1789 page 28).
>
> "I bequeath unto my loving wife--all my estate, lands, goods, cattle and horses. . ." (1790 page 28).
>
> "The plantation whereon I now live, the whole of every kind that I am possessed of at this time (personal property) every part and parcel thereof, during the time of her life if she remains a widow." If "she should marry herself to another man," she forfeits everything "except her feather bed and furniture thereunto belonging. . . ." (1792 page 29).

"Give and devise" -- "Give and bequeath" -- "Nominate, appoint, ordain and constitute" wife and son to be the "only and sole executors of this my last will and testament." (1798 page 35).

"This, I hope will keep this my last will and only will, from ever being sullied by the mercenary, ingenious or quibbling fingers of lawyers; . . ." (1803 page 79).

"--James O'Hara's will is a series of trusts--for each of his children, --a trust was rare in Allegheny County in his day when wealth was mostly things, not money.

"The idea of trust estates was not new, of course, the origin of them is lost in antiquity. An Egyptian potentate made one back in 2548 B. C. designating his wife as trustee for her children and appointing a guardian for his son. --" (1819 page 204).

Does this article prove that even so wealthy and successful a business man as John B. Kelly, Sr., could successfully avert a "cut to his fingers" although he had no conception of the benefits to be derived by having a lawyer draft his will?

The fact that the Kelly will may never be questioned by court action is, as to this issue, evidence that is incompetent, irrelevant and immaterial.

S. LEO RUSLANDER

CHAPTER IV

"HUMOR IN INCOME TAX CASES" *
By S. Leo Ruslander**

INTRODUCTION

Taxpayers do not regard their present burdens with any levity. Congress still considers tax problems as one of its most serious and difficult subjects. Most articles and treatises dealing with the subject are not light reading matter. The Federal Internal Revenue Code has sometimes been referred to, by reference to the Bible, as the "Book of Lamentations."

The history of taxation is the history of man. Prehistoric man first lived by himself, then he had a family, next there were tribes and clans. Soon a leader arose, usually the physically strongest man in the tribe. The tribe had no public needs except one--defense against attacks of man and beast. Accordingly the first tax was the contribution of one's body to fight in defense. The leader took the spoils of war. With the growth of the tribe other public needs arose--

*"Humor in Income Tax Cases" - S. Leo Ruslander, Pittsburgh Legal Journal, Vol. 103, June 25, 1955. Page 3. (Reprinted with permission from the University of Pittsburgh Law Review, Spring Issue 1955).

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roads, bridges and forts had to be built, the prince or king had to be supported. This was done by actual service and later by voluntary gifts. Soon voluntary offerings of service and gifts ceased, and as the public needs grew, taxes had to be levied and collected by law.

Today, just as in those ancient times, this power to tax is a power to kill.

> "The taxing power of the State is great and searching. Within the limits of the constitution it is bounded only by the necessities of the State and the will of the people. * * * So long as it lays its burdens upon all alike, there is hardly a limit to this power. It may take from the people what its necessities demand."[1]

In spite of the serious and oftentime tragic thoughts that are aroused by any discussion of present federal income taxes, there is a rich vein of humor, and some tragedy, not as yet mined to any extent, running through many tax and other cases. It has been pointed out by a federal court judge as follows: "Sometimes a note of comedy is introduced into the case. * * * Sometimes there is a note of pathos in the case. * * * But always, whether it is comedy, whether it is pathos, there is drama. * * *"[2]

This article is primarily for readers designated worthwhile in the American Bar Association Journal as, "* * * people who, especially in the evening after a hard day, grow weary of wading through lengthy, involved, legal treatises (and to whom) this type of article is a very welcome relief."[3]

Webster's Dictionary gives as one of the definitions of humor:

> "The mental faculty of discovering, expressing or appreciating ludicrous or absurdly incongruous elements in ideas, situations, happenings or acts:

droll imagination or its expression distinguished from wit as less purely intellectual and having more kindly sympathy."

Again, as has been well said: "A joke may be the most effective of arguments." [4]

THE CASES

The examples that follow are, in part, those covered by the author's own practice, extending back to 1919, in the federal tax field.

In 1920, a taxpayer was facing a threatened criminal prosecution for having filed a false income tax return. He had not included in his income $30,000 received in the year at issue as damages for alienation of his wife's affections. He loved his wife and their one child, a son, and after his case was settled he went to pieces, lost his job, took to drink and forgot all about income taxes. When the revenue agents caught up with him he had no money to pay the tax claimed. He was told that he could be sent to jail for fraud because he had concealed receipt of this $30,000.

Taxpayer and his counsel (the author) went to Washington to argue the case before a committee of three taxing officials representing the Commissioner of Internal Revenue. This was before Congress had created the Board of Tax Appeals, now The Tax Court of the United States. The presiding member of this committee was a young unmarried woman. The other two members were men. The history of the case was gone into, the taxpayer was present in person and was exhibited to the best advantage possible. Counsel argued that they came from the great Commonwealth of Pennsylvania, a state where a married man had a

property right in his wife known as the right of "consortium," and if a married man was wrongfully deprived of this right and received damages to compensate him for his loss, the money received did not, as limited by the Sixteenth Amendment to the Constitution of the United States, constitute "* * * incomes, from whatever source derived. * * *". Therefore, that $30,000 at issue was not subject to an income tax as recognized by the United States Supreme Court. At the conclusion of this argument the lady of the committee asked if it were claimed that in this day and age a married man, even in Pennsylvania, had a property right in his wife. After being assured that such was the fact she said to the counsel, "Young man, so far as I am concerned, you are talking a dead language."

The Committee decided adversely to the taxpayer, but was reversed on appeal. Now for the cold and formal language of the final decision from the official records. It is still the law.

> "The question presented is whether the following receipts constitute income within the meaning of the sixteenth amendment * * *: (1) Damages for alienation of affections; * * *
>
> "* * *
>
> "In * * * Eisner v Macomber (252 U.S. 189, 207), the Supreme Court defined income as 'the gain derived from capital, from labor, or from both combined. * * *' In other words without gain of some sort no income within the meaning of the sixteenth amendment can be said to be realized.
>
> "In the light of these decisions of the Supreme Court it must be held that there is no gain, and therefore no income derived from the receipt of

damages for alienation of affections * * * the right invaded is a personal right and is in no way transferable." [5]

In 1921, Dr. Alexander Silverman was Head of the Department of Chemistry of the University of Pittsburgh. He was expected to and did attend certain conventions as the representative of the University. He was required to pay his expenses out of his own pocket. In the year at issue he reduced his taxable income by charging these expenses as a business expense.

The Commissioner of Internal Revenue disallowed the deduction and the case was appealed to the Board of Tax Appeals. The amount of tax involved was small, but the contest was to establish a principle. When the case was heard, counsel for the taxpayer (the author) argued that the Board had already allowed a deduction for convention expenses to a Minister of the Gospel, that such expenditures would be approved under the rules for business expenses recognized by the Commissioner of Internal Revenue, in the case of a tailor who attended a tailor's convention to learn how wide or narrow a college student's trousers should be cut the next season, or in the case of a dancing teacher who attended a convention to be up-to-date on the latest dance steps. However, when it came to a college professor our great and mighty Government claimed he was not engaged in business and so could have no business expenses. Counsel for the Government argued strenuously that if the bars were let down in this case there would be no end to claims by professional persons, especially lawyers and doctors, that such personal expenses were deductible from taxable income and so the Government would lose untold hundreds of thousands of dollars in taxes.

Dr. Silverman won his case and this decision is still the law. The opinion of the Board, in part, reads as follows:

> "The Board has held that expenditures of the character and under circumstances involved in this proceeding are deductible as ordinary and necessary business expense. Marion D. Shutter, 2 B. T. A. 23. (The case of a minister attending a general convention of his church order.) We have also held that expenditures made by a professional cartoonist for periodicals and other current literature and in attending political conventions, when properly proved, were proper deductions as ordinary and necessary business expense. Jay N. Darling, 4 B. T. A. 499.
>
> "The Board is of the opinion * * * that the petitioner is entitled to the deductions claimed."[6]

The prophecy of counsel for the Government proved true and after this decision, professional men took advantage of such deductions with a considerable loss of revenue to the Government but with no reimbursement for the expenses of his tax case to the above taxpayer or financial reward to his counsel.

The Board of Tax Appeals in the same year, 1927, refused to allow as expense attorneys' fees paid to settle a divorce case in which the taxpayer was charged with adultery. The taxpayer by his settlement agreement paid $1750 to his own and $5000 to his wife's attorneys as fees. He claimed that these payments represented a business expense because he was in fact not guilty of the charges made but the newspaper publicity which resulted from publication of the details of the charge hurt him with certain business houses on whom he depended for a large part of his personal income and that was why he settled the case. The Board said "No."[7]

Before the crash in 1929 certain stock brokerage houses in New York were very lavish in their expenditures to entertain customers. An income tax return for 1929 was not due, on a calendar year basis, until March 15, 1930. It then took about two years before the return was audited by a revenue agent. This happened in the case of H. & Company. When the revenue agent in 1933 proposed an additional tax against the partners of H. & Company, they were struggling along on such a close financial margin that the additional tax demanded would have put the firm out of business. The additional tax resulted from the disallowance of certain cash items charged on the firm's books to "Expense." These items consisted of a charge to "Cash" of $1500, and many separate items marked in the cash book as paid to "Mr. Pullman." At the hearing, counsel for taxpayer (the author) was able to prove that the "Mr. Pullman" items represented cash given from time to time to a Pullman porter on a Canadian train who brought in liquor used to entertain customers (those were prohibition days). The $1500 cash represented fifteen $100 bills placed by the firm in the stockings of fifteen presumably young and beautiful hostesses who attended a party thrown for out-of-town customers prior to October, 1929. The taxpayer won this case. Such a defense could not be successfully urged today because the rule now is that expenses for purposes against public policy are nondeductible. Counsel for taxpayer has always looked back on this case with sadness because he had always wanted to attend a party such as described by the witnesses and here he was taking part in one but it was years after the event. This case was not officially reported.

Some years ago a taxpayer consulted counsel (the author) because the revenue agent who examined his tax return disallowed a deduction for the cost of a new and expensive radio. Taxpayer claimed the deduction as a church contribution because, as he explained, he could deduct any sum he placed in the contribution box when he went to church to hear a sermon and he bought the radio principally to hear sermons. He was advised not to file a protest.

Before the rules with respect to allowances for depreciation were as well established as they now are, a brother attorney persuaded his counsel (the author) to argue as one of several points raised in an appeal from a proposed additional assessment that the taxpayer was entitled to depreciation on the sum invested prior to 1913 to give him a legal education. His probable earning years were calculated and a deduction for depreciation claimed thereon. It was argued that if a taxpayer invested in a cow he could deduct a part of the purchase price from the income derived from the sale of the milk based on the expected number of years that the cow should produce milk. From this premise it was claimed that the investment in a legal education should be at least equal in the eyes of the law to an investment in a cow. The decision was against the taxpayer. This case is not of record.

Some years ago there was a wife who eloped with a golf instructor and her husband's stock. In this case the husband, owning stock in a close family corporation of which he was a salaried executive, gave part of his stock to his wife (this was before the day of Gift Tax). She reported the dividends paid on this stock as her separate income on tax returns that he

had prepared for her and he excluded these dividends in his tax returns. The wife fell in love with a golf instructor at a summer resort. She eloped with the golfer and took the stock along. The husband had the other stockholders bring a suit in equity against the wife to compel the return of the stock. The suit was based upon an agreement entered into prior to the gift to the wife whereby all of the stockholders had agreed that no stock could be sold or transferred without the consent of all stockholders. When it looked as if the wife might lose title to the stock, she reported to the Commissioner of Internal Revenue that her husband had testified in the equity suit that title to the stock never vested in her and yet in his income tax returns he had not taken the dividends paid on this stock into his income. When threatened with criminal prosecution by the taxing authorities the husband saw to it that the equity suit was dismissed and title to the stock confirmed in the wife. This case is not of public record. The moral of the case however, is never give stock to a wife who may elope with it.

A wealthy taxpayer may not expect tax trouble from transactions with his wife, but he should be very careful in a business deal with a son-in-law under circumstances passed upon by the Board of Tax Appeals in 1932. In this case Mr. G., the taxpayer, was eighty-five years old when his case was heard. He lived in Chicago. His daughter married a broker of Havana, Cuba, and lived there with her husband. In 1921, Mr. G. loaned his Cuban son-in-law $100,000 to help him in his business. No interest was ever paid on the note and the son-in-law's business failed shortly after the loan was made. The daughter signed her husband's note. She had an independent annual income of

$15,000 from a trust fund created for her prior to the date of this loan. The taxpayer proved that after his business failed the son-in-law lived on his wife's income. No money could have been collected by a suit against the son-in-law. The issue was whether or not this was a gift or a loan to the son-in-law. Father shed tears but lost the $100,000 and the tax case.[8]

Speaking of tears brings the following incident to mind. Before the Government built in Washington the present building facing Constitution Avenue for the Bureau of Internal Revenue, tax hearings were conducted in a long one-story building originally constructed for temporary war use. It was located near Washington's monument. In the due course of time this temporary building was torn down to make way for a new Government building. The contractor in charge of the work was delayed for an unexpectedly long time by a pool of water uncovered when excavations were started. There was much speculation as to the source of this water and no reasonable explanation was forthcoming until some of the attorneys who had represented taxpayers at hearings in the old building advanced the theory that this mysterious pool of water was in fact the accumulated and enduring tears of taxpayers and their attorneys which in the course of years found their way from the tax conference rooms to the ground underneath the building.

For a case with a melodramatic rather than humorous background, reference is here made to one lost by counsel (the author) in the Supreme Court of the United States. Technically speaking, it should be said that the taxpayer lost. The decision in the lower courts was in favor of taxpayer, and the Government appealed to the Supreme Court.

In this case the taxpayer corporation (Electric Reduction Company) in 1918 contracted with one Jouravleff for the sale and delivery to it in monthly installments of a quantity of, then hard to get, tungsten ore. The taxpayer accepted and paid in 1918 a bill of exchange drawn on it by the seller for $30,000 to be applied against the purchase price of the first carload of ore, represented to be en route. The ore was never shipped. In March, 1919, the taxpayer began three suits to recover its loss,--one against the seller, one against the broker representing the seller, and one against the private bankers who had discounted the bill of exchange and to whom it was paid. Judgment was secured against the seller in 1919 but he had disappeared and was reputed to have committed suicide. The suit against the broker was lost as he convinced the Court he was not responsible for the loss. This was in 1922. The suit against the bankers was discontinued in 1921 after they had been adjudged bankrupt. Upon the final termination of all this litigation, in 1922 the taxpayer filed an amended tax return for 1918, claiming the $30,000 as a 1918 loss. The taxpayer proved as after discovered facts that the seller was an adventurer and never owned the mine from which the shipment of ore was to have been made. The Supreme Court decided that the loss could not be taken until 1922 when all the litigation was finally concluded. Unfortunately the taxpayer had a large income in 1918 and operated at a loss in 1922. As a result of this decision it lost not only the $30,000, but the benefit of any deduction that would help from a tax standpoint.

Counsel for the taxpayer argued in the Supreme Court that the money was lost when paid in 1918 in reliance upon the false representation that the ore

was shipped, and that nothing was lost in 1922 when the last of the three suits ended because nothing was paid out at that time. This illustration was presented on the oral argument of the case in the Supreme Court in answer to questions from the Bench. Suppose a thief steals a watch shortly before midnight on the last day of the year and the owner chases him all through the night only to find when he caught him the next day that he had thrown the watch into the river. When did the owner lose his watch? The Supreme Court ignored the above illustration and, speaking through Mr. Justice Stone, said:

> "But we do not think that a loss resulting from a buyer's prepayment to a seller who proves to be irresponsible is necessarily sustained, in the statutory meaning, as soon as the money is paid. * * * His case is not like that of a man who fails to learn of the theft of his bonds or the burning of his house until a year after the occurrence, but rather resembles the position of a merchant who buys in one year, for sale in the next, merchandise which shifting fashion renders unsaleable in the latter. * * *"[9]

When the 1918 Revenue Act was in force a taxpayer with a large income and small invested capital had to pay an excess profits tax that carried him to the high rate of 65% on profits in excess of 20% on his invested capital. The invested capital was the base to which certain percentages prescribed by the Act were applied to determine how much income went into each separate tax bracket. A wholesale liquor dealer with limited tax experience made a large amount of money in 1918. He entrusted the making out of his 1918 federal income tax return to a son who had just graduated from high school. This son read the complicated excess profits tax law and concluded that all

income invested in capital assets was invested capital and as such exempt from tax. Inasmuch as his father had invested most of his 1918 income in real estate he returned as taxable income only the small part remaining uninvested. After an investigation by revenue agents and the threat of action against both father and son for making a fraudulent tax return the case was turned over to counsel (the author). The reason given by the son at first seemed so ridiculous and unworthy of belief as to be no better if not worse than no defense whatsoever, but after counsel was satisifed that it was the truth, the boy was taken before the taxing authorities to testify and after a further check-up by the revenue agent assigned to the case, his explanation was accepted. The fraud charges were dropped but the father had to pay the additional tax due on a corrected statement of his 1918 income. The boy was lectured, and for the time being at least was seemingly impressed with the doctrine that a little knowledge can be a dangerous thing.

In the next case, the taxpayer was a movie actor starting in the age of silent pictures. On graduating to speaking films he paid $3,500 for a set of dentures which were so expensive because they eliminated a hiss heard when he spoke with his old set. As he used the dentures part of the time to eat with, the court of appeals held he had not met the burden of proof to show that the $3500 was a business expense which could be charged against income. There was a dissenting opinion based on the hiss elimination factor.[10]

A husband and wife set-up is as follows: The issue--was a head of the household tax exemption for a married man effected by maintaining separate residences for both husband and wife? The taxpayer

husband had a rheumatic heart and the wife, as said by the court, was "a highly nervous woman, talkative, excitable and apprehensive." Held: living together was dangerous to the husband's life. Separate residences were therefore "necessary." It was immaterial that husband sought "refuge" in a club and not in a hospital. The exemption was allowed.[11]

Taxpayer, a lawyer, borrowed a book from a public library and left it in a bus on his way home. It was recovered in a damaged condition and taxpayer paid the library $3.50 to make good the loss. He claimed a tax deduction under Section 23(e) (3) of the Internal Revenue Code which provides for a deduction for loss of property not connected with trade or business if the loss arises from fires, storms, shipwreck or other casualty not covered by insurance. It was held that the loss was due to negligence and not deductible. This taxpayer would deny any element of humor in his case because he paid $10.00 to enter his appeal in the Tax Court and the $10.00 would not have been recovered if he had won the case.

A lawyer claimed depreciation on a cocktail table used in the law library and study in his residence as claimed by him, "entirely for professional purposes." Depreciation was allowed, based on a ten-year life for the table. Judgment for the taxpayer entered in the Tax Court was affirmed on the Government's appeal to the court of appeals. The Government won on the issue of depreciation on an old grandfather's clock in the same room because no fixed life was established for the clock.[12] One editorial comment that appeared in connection with a report of this case was: "After all, he was admitted to the Bar, why shouldn't the bar be admitted to him?"

Ironically, the leading case sustaining the tax deductibility of damage to crops by frost originated in Florida.[13]

The Government obviously lacked a sense of humor when it tried and lost a case wherein the issue raised by the Government was the taxability as income of gifts to a lady from her paramour. One Government theory was that the lady was engaged in what could be called a business and the gifts were, in effect, business income.[14]

A doctor of medicine case: The taxpayer, a practicing doctor in New York City, lost $8,300 by the "Spanish Prison" swindle. He received a letter purporting to come from a prisoner in a bankruptcy case in Mexico City. He asked help in saving $375,000 which he could get to if he paid a fine of $8,300 to get out of jail. The taxpayer went to Mexico and paid his money to a so-called guard of the prison. The Government argued that the doctor should not have been so foolish and really had no loss as recognized by the Internal Revenue Code. Further, that the plan was against the public policy and finally, the doctor was taking a trip to Mexico on a "paying basis." While not found in the reported facts of this case, a moving factor not pleaded by the doctor but generally found in the usual pattern of the "Spanish Prison" swindle was a beautiful daughter of the prisoner waiting in Mexico to meet the victim. The doctor won in this case.[15]

A "casualty" loss case: The wife of the taxpayer, in order to deceive possible thieves, before retiring, and without telling her husband in his separate twin bed, took off her diamond rings, wrapped them in a piece of tissue paper and placed them on a small table between the two beds. During the night her husband

(taxpayer), who had the sniffles, blew his nose in other tissues which he placed on the night table. In the morning the husband, who arose before his wife, gathered up all the tissues on the table, including the one with the rings, and flushed them down the toilet. There was no covering insurance. The case came up in a district court on a rejected claim for refund. It was held that the taxpayer sustained no casualty or loss allowable under the governing Section 23(e) (3) of the Internal Revenue Code which limits such claims to losses arising from fires, storms, shipwreck or other "casualty."[16] The humor of the case is probably to be found (unreported) in what the wife said to the husband in the morning on discovery of her loss.

A mink coat case: The taxpayer, an advertising agent, purchased the coat for his wife who wore her mink on non-business as well as on business occasions when helping her husband entertain customers. The court held that the taxpayer erred in deducting one-fifth of the cost of the coat in the year of purchase because it was not an expense attributable to business entertainment.[17]

CONCLUSION

Taxpayers, whether corporate and acting through individual officers, or the individuals described in this article, are real persons. They fought bravely and in many cases bled (financially) in their contests with the taxing officials. When they went down in defeat they nevertheless believed that their cause had been just. Their one general complaint, shared by most taxpayers, was as to the complexity of the tax system under which they had to conduct business. Their almost universal question was, "When will we

have a simple and understandable federal income tax law that ordinary taxpayers can understand and obey?" Perhaps the answers which follow have some basis of justification.

I. By the United States Supreme Court: It will not be assumed that Congress uses terms in the Revenue Acts "with reference 'to some esoteric concept derived from subtle and theoretic analysis.'"[18] Again, in the Supreme Court: "No other branch of the law (tax litigation) touches human activities at so many points. It can never be made simple but we can try to avoid making it needlessly complex."[19]

II. By the author: Most of us who have lived long enough, especially those who lived for a time on farms or in small towns, can easily realize and visualize how times have changed. We lived in houses that had no complicated plumbing, heating or lighting systems. We, or someone else in the family, could usually fix whatever got out of order. Now we call in the plumber, electrician or other expert and we do not know what went wrong or how it was fixed. However, the same as with taxes, we complain of the cost. When, in the past, we drove to town, we understood the horse, the harness and the buggy. Not so with the automobiles of today. Our fathers had wives and children whom they understood and the family life was quite simple, while today most of us must admit that to a large extent quite the contrary is true. So with the changes that have brought telephones, radios, electric lights, airplanes, television and the like, life is no longer simple and we cannot expect the tax laws to remain as of old. They move with, if they do not at times head, the procession from the simple to the complex, and the end is not yet in sight.

All of which, as Lady Godiva might have said as she climbed down from her horse at the end of her famous ride, this brings me to my close (clothes). The reference to Lady Godiva is not original but is submitted as most appropriate in concluding an article on taxes. This because the Lady rode as a protest against the oppressive taxes levied on the people of her time by her husband, the Lord. She was clothed only by her hair, "apparentibas curibus tamen candidissimis," according to the old text.

1. Appeal of Fox, 112 Pa. 337, 352 (1886).
2. Rifkind, The Romance Discoverable in Patent Cases, 16 F.R.D. 253, 256 (1954)
3. A correspondent in 40 A.B.A.J. 1026 (1954).
4. Warren, Spartan Education 30.
5. Sol. Op. 132, I-1 Cum. Bull. 92, 93 (1922).
6. Silverman v Commissioner, 6 B.T.A. 1328, 1329 (1927).
7. Robins v Commissioner, 8 B.T.A. 523 (1927).
8. Griffiths v Commissioner, 25 B.T.A. 1292 (1932).
9. Lewellyn v Electric Reduction Co., 275 U. S. 243, 246 (1927).
10. Sparkman v Commissioner, 112 F.2d 774 (9th Cir. 1940). The case involved Ned Sparks.
11. Mahoney v Commissioner, 1 TC Mem. Dec. 54 (1942).
12. Beaudry v Commissioner, 150 F.2d 20 (2d Cir. 1945).
13. Montgomery v Commissioner, 6 TC Mem. Dec. 77 (1949).
14. Mullen v Commissioner, 9 TC Mem. Dec. 409 (1950).
15. Muncie v Commissioner, 18 TC Mem. Dec. 849 (1952).
16. Keenan v Bowers, 91 F. Supp. 771 (E.D. S.C. 1950).
17. Jackson v Commissioner, CCH Tax Ct. Rep. ¶ 20,730 (M). (1954).
18. Deputy v DuPont, 308 U.S. 488, 498 (1941). Mr. Justice Douglas.
19. Dobson v Commissioner, 320 U. S. 489, 494 (1943). Mr. Justice Jackson.

CHAPTER V

LETTERS TO THE EDITOR*

October 21, 1963

Ross M. Blair, Managing Editor
Pittsburgh Legal Journal
434 Boulevard of the Allies
Pittsburgh 19, Pennsylvania

Dear Sir:

On October 1, 1963, I served from 9:30 a.m. to 3:00 p.m. as a member of the Arbitration Board of the County Court of Allegheny County, Pennsylvania.

As this letter is based solely on my own recollection and personal views, the names of the other two Arbitrators, the Parties litigant and their attorneys are purposely deleted.

Our Board of three Attorneys consisted of a chairman who had practical law for 32 years and was and had been for many years specializing as attorney for defendants and their insurance companies in so called negligence cases and a younger man who had had 14 years of practice mainly general legal work for a very large corporation. He had never tried a jury case but had considerable court experience as a member of the legal staff of his corporation and lastly myself, now still engaged in practice for over 62 years. Many of

*Letter to the Editor. S. Leo Ruslander. Vol. III Pittsburgh Legal Journal, November 30. 1963 - No. 9.

these years, up to the time women were allowed to serve on juries, was in Court as attorney for defendants in negligence cases. In those days there was no Workmens Compensation law and few of the larger corporations had liability insurance of any kind. For example the first taxicab Co. in Pittsburgh, which was represented by our firm (Weil & Thorp), had no liability insurance.

We disposed of three cases but if the counterclaim asserted in one of the cases is considered a separate action--four cases.

All of the cases involved automobile accidents. In anticipation of this the table used in the hearings was supplied with three small plastic autos on wheels for use of witnesses. They would have been welcome toys for children and it was hard for me not to slip one into my pocket as a souvenir.

All the parties litigant except one were represented by capable attorneys. We all sat informally around a large table in a Court Room.

The staff of David B. Roberts, in charge of the Arbitration Board, was very efficient, patient and otherwise helpful to all concerned. The mechanics ran off very smoothly with as much expedition as could reasonably be expected.

While all four cases involved issues of fact, each driver blaming the driver of the other car as 100 per cent at fault. We Arbitrators had other issues which, rightly or wrongly, we decided immediately as raised. These issues may be summarized as follows: (All cases were on appeals from a Justice of the Peace decision.)

1. The driver of the plaintiff's car was a young girl and on cross examination was asked about her

experience as a driver. This was objected by the attorney for the plaintiff on the ground that it was not cross examination because in her direct testimony she had not been asked about and no issue had been raised as to her qualifications as a driver of an automobile.

The Arbitrators got around this by asking, through our Chairman, the age of the Witness. She said now 17-years-of-age. Accident therefore happened while she was 16-years-old so the defendant's attorney did not press this issue.

In this case this witness was young, very nervous and therefore not a very good witness, while the defendant, a woman driver of the other car at once volunteered that she had been driving an auto for over 14 years and never had been involved in an accident prior to the date at issue.

She was a very decided and positive witness and told such a perfect defense story that the Arbitrators decided for the plaintiff upon the theory that her defense was so good and so perfectly tailored to meet all tests that it was, judged as a whole, too good to be true.

2. In this case the damages were all due to personal injuries. The defense claimed that a Justice of the Peace had no jurisdiction under the Statute law of a purely personal injury case. The Arbitrators decided that as this issue had not been raised in the initial proceedings or on the appeal that, in particular, the signing of the Agreement to Arbitrate gave the necessary jurisdiction.

Judgment for the plaintiff was affirmed. We were aware of the general rule that the question of want of jurisdiction may be raised at any time even after an appeal from the decision of a Justice of the Peace.

We also were in doubt as to the issue of jurisdiction. The amount involved was not large so the attorney for defendant promised to get the parties together in an attempt to settle the case before going further with the issue as to jurisdiction.

In this case, plaintiff had no attorney. I was tempted to inquire as to why, but refrained because I feared that if we decided for the defendant he might think we, as attorneys, were prejudiced against him for acting as his own counsel.

3. In this case we affirmed the judgment of the Justice of the Peace. We were bothered by the fact that the amount of damages awarded was in excess of the value of the damaged car before the accident. As this issue was not raised we decided it was not up to the Arbitrators to consider such as an issue.

At the conclusion of the hearings we arbitrators, as between ourselves, voiced the opinion that the present practice resulted in a tremendous and unnecessary waste of time and money for the litigants. It resulted in a heavy burden of time and expense on the County Court. In one case where the judgment was less than $100 I mentally calculated that the expense and loss to the litigants in time spent in Court, in employing attorneys and use of the staff of the County Court with all of the paper work involved and including the fees of the Arbitrators, might easily run up to several hundred dollars. We Arbitrators discussed, but did not formulate, any remedy.

My personal opinion is that a reading of this letter should convince the average attorney and through him The Allegheny County Bar Association that action should be pressed for reform at least in these ways.

I. Alderman and Justices of the Peace should no longer have the present unlimited jurisdiction in certain civil cases. Do away with the present system of

compensation based solely on the fees collected. We all know that because of the fee basis the judgment is almost always 100 per cent in favor of the plaintiff. This is nothing new and goes back as far as I can remember. One Justice of the Peace, long since deceased, well liked by attorneys would, when a defendant was represented by a young and inexperienced attorney, closed the hearing by the statement that "Because of the able, forceable and well presented argument advanced by the attorney for the defendant, I will hold this case open for five days at which time I will enter a judgment for the plaintiff."

II. The persons taking the place of the present Justices whether called Judges or otherwise should be lawyers. Persons learned in the law. They should be elected or appointed for reasonable terms of office.

III. Compensation should be on a salary basis.

IV. The right to appeal should be very limited and perhaps in cases involving very small amounts eliminated.

This problem should disturb our Bar Association and the Legislature more than our Courts, keeping in mind that it is easy to walk on quicksand when the vested rights of those who profit from our present system are threatened.

Very truly yours,

S. Leo Ruslander

CHAPTER VI

TRIP ABROAD (MOSTLY ISRAEL)*

March 28, 1955. 10:00 p. m.

Kastel Hotel
166 Ibn Gabirol Street
Tel Aviv

Dear All,

We arrived about five hours late and there was a long delay due to much red tape to OK our entry as tourists.

This hotel is not the best but is clean and new and the meals OK. The room is too small and not enough conveniences. I have the room to myself. The trip by air is too long and tiresome.

On our plane there were about ten heavy bearded Jews who looked and dressed just like the Amish. Refused to have their pictures taken. Each a. m. these ten and others said morning prayers (davened) on the plane, with praying shawls and twvlyn. I enjoyed watching such sincere although public devotion. Some of the people (passengers) were not too friendly at first and later told me it was because they did not

*Letters written on trip abroad (mostly in Israel), S. Leo Ruslander - March and April, 1955.

think I was a Jew. I sat in a three abreast row with a couple from Philadelphia. He is 70, she 65. They have seven grandchildren; are very nice and we are quite friendly.

The El Al Air Line made me weigh in my hand satchel. I just got under the 44 pounds.

Tomorrow a. m. start sight seeing and taking Dr. Goldsmith's Malaria pills, two each a. m.

This hotel is in a part of the city which is just now being built up. The streets are torn up and sidewalks blocked off. All personnel on plane, at airport and at this hotel are pleasant to deal with but think we are spoilt and demand too much, such as soap in hotel rooms and soft toilet paper.

Tonight the weather is nice and much warmer.

When I think of the physical restrictions and physical discomfort (did not shave or take off my shoes for two days and nights-- Oh, boy, this better be good from now on.

March 29, 1955:

Bright sun and quite warm - slept well.

9:00 p. m. Sightseeing all day and got very tired. Was very interested and took a number of pictures. At the ZOA Building could not see much as all the staff and help are on strike.

The largest and best building so far is the Headquarters and executive offices of the Labor Unions. Over 50% of all workers in Israel belong. There are today about 11,000 unemployed in the country. Asked the special guide in this building, a young labor leader, about the Gaza shooting by the Jews. He said he approves and only retaliation cuts down the daily murders and robbing by the Arabs. Says he expects less rather than more of these outbreaks.

Saw the jail in Tel Aviv. It has some Jewish roomers, - mostly pickpocket and petty thieves. Our party from this hotel on the tour, 12 in number, are all old and slow of foot. All mentally very alert and ready to argue at the drop of a hat. On the whole, a very social and agreeable crowd. Our guide is young, short and stout. He came in 1929 from Poland. Everyone else in our party understands Yiddish. Of our party a one year widow has attached herself to me at the dining table. She is old, stout, and, putting it mildly, the very opposite from goodlooking. Says she is in her sixties but I bet over seventy. On the other side she has money, is a practicing occulist (like Dr. H. Thorpe). So was her late husband. A graduate of Columbia. Says there are very few women occulists in the U. S. She is allergic to cow's milk and must have goat's milk. While the country has many goats she has not caught up with goat milk as yet. Mentally very alert and interesting. The driver of our bus came over from Germany about 20 years ago. He, as well as our guide, speaks several languages. Our guide's name is Chaim. This is his first name. They don't use second or family names here in everyday life.

Am beginning to understand why Julian could not understand the low cost of this tour. This hotel is way down on the list, a room here, single American Plan, $10 a day our money. At the Don Hotel, the best, the minimum rate is $20 a day and up. You have very little choice and must take regular meals as they come. Kosher. No butter with meat. Hard for me to do without water. The bottled water, according to our guide, is not safe so I stick to beer and tea.

Tonight there is a big wedding at this hotel. I mingled with the guests, lined up to greet the bride and, as she speaks English, said I would like to kiss her to have something to write home to Pittsburgh about. She is young and very goodlooking and gave me a big hug and kiss to remember her by.

Tomorrow is "free". No tours. Will buy postcards and start doing my postcard chore. Passover starts today and all schools are closed for three weeks for a Passover Holiday.

Thursday a.m. is a walking tour. As it is paid for, will take it. If the old men and women in our gang don't give up, why should I?

March 30, 1955:

Today was a free (no tour) day.

Yesterday at the children's village saw boys and girls from Abyssinia (Halle Selassie). They are Jews, black as Ace of Spades, with refined features. After their training here, will go back to their home country.

No television in this country. Radio, -- 2 stations operated by the Government.

Money still a headache. Paper money for as little as 10¢ our money. Most of our group do as I do, - hold out a handful of paper money and let the taxi driver or storekeeper help himself. An Israel pound is 55¢ our money. One pound equals 1000 Prestah, one pound equals 10 Piastus. A picture postcard costs ten cents our money each. This morning joined up with a Mr. Muscovitz, wife died 1-1/2 years ago. Has a jewelry store in Portland, Oregon. One son a doctor there and ? grandchildren. He takes colored movies but has a new camera with all kinds new

lenses, etc. and is sorry his son took away the old camera for this new one. We visited the zoo. Liked it very much. As this is vacation time many children there. I took pictures of a kindergarten class 5 and 6 years olds. The teacher, a nice young girl, asked me for the name of a nice young man in the U. S. that she could write to. I gave her Marty's name and address. I am trying to contact the persons Selwyn listed in his letter of March 18. Weather is wonderful. You can, this time of the year, be sure that each day the sun will shine and there will be no rain. The fly is appearing -- some in street and in our bus but none as yet in my room. The women in our party shopped today and are showing hand decorated blouses, Israel perfume (very expensive) and the orthodox little fancy praying shawls and skull caps for their grandsons. Of our group, I am the only member of a reformed congregation.

Have not seen a newspaper in English since I left New York Saturday.

Tomorrow a. m. we take what is called a walking tour, - one synagogue and museum to another.

There are cultural events to go to at night, such as music, movies, etc. By night so far I am, as Lee used to say, "pooped" and ready for bed.

It is wonderful the way this city is building up. Activity everywhere. The men go to work at 7:00 a. m. continue until about 5:00 p. m. Some quit at 4:00 p. m. On Saturdays everything stops. Stores close and even public transportation ceases. They have buses only and they do not run too frequently. The young men and women are goodlooking, strong and healthy. Saw some young women soldiers in uniform on the street. They must serve time in the army the same as men.

Mrs. Dr. Lady (Jennie Burstein of N.Y.) is still looking for goat's milk.

I do miss my family very much. When I see goodlooking boys I think of mine and extra goodlooking young ladies I think of Pat, and goodlooking women, I think of Bunny and the girls of the office. When I struggle packing and unpacking, I have more than I need or will use, I think of Julian. Also give thought to Jerome L. and M.H. God Bless you all and keep you well, happy and you and the office prosperous.

As they say for goodbye here, Shalom.

R - also known as Papa Leo

* * * * * * * * * *

April 1, 1955

Ramat-Aviv
Garden Hotel
Tel Aviv

Dear All,

This afternoon transferred to this hotel which, as to buildings, grounds, flowers, trees, birds and swimming pool, is beautiful and comfortable. It is in the country about four miles from the business district of Tel Aviv. I have a room to myself. Very large with a separate sitting room with couch, and chairs, also a small private porch. A very large bathroom with a sixfoot tub and a shower. All windows with screens. It, like all hotels in Tel Aviv, observes the dietary laws. Eleanor Roosevelt stayed here. I am in a cottage about fifty yards from the

main building and dining hall but a stone's throw from the pool. When I was at the first hotel the public toilet, which I had to use, was in such a small cubicle that I could hardly sit down and when down touched all four walls. There my bowels were too loose, and here I am inclined to constipation. Thus is my daily life affected by small but important details. Was at the General Tire Plant. It does a big business. The Arabs will not buy so tires are shipped to Turkey where the Hebrew letters are erased and the tires then sold back to Arabs who live next to Israel. A skilled worker in the plant earns $200 a month, the highest pay in this district. The Company nets about 20% profit on sales.

Saw the large canning factory. Turns out canned juices, peas, marmalade, etc., all from native products. Cannot meet demands. Switzerland takes a lot of canned peas and other products. Cigarettes also made here. Saw three men with long beards and rubber boots tramping down sauerkraut in barrels; stood in the barrels and walked and stamped. Guide says the amount turned out from local cabbage is too small to justify machines to do this packing down.

Saw the very big street market. All home grown crops on sale and fine quality oranges, grapefruit, strawberries and all vegetables that we raise in the States. Also home grown bananas. Eggs 60¢ our money a dozen, but they are very small. Flowers beautiful and cheap.

I am the oldest person in our group of ten. Even the dogs here know more than I do because they understand and obey orders in Hebrew.

Last night two of the men and their wives of our party were bragging how well they had their estates planned to cut Federal death taxes. One man said his

Will contained only seven words because he left everything to his wife. So I gave a lecture and both men decided they should see a tax lawyer on their return to the United States.

Building of living quarters goes on at a terrific rate. You cannot rent directly but must pay $3,000 our money on a two room apartment and $6,000 on a four room apartment and then rent at $30 to $50 a month. Nonresidents can rent without payment but for a period not to exceed six months. As is constantly pointed out all this building, home, hotels and factories is less than fifteen years old and then most of this land was barren sand strips. It is wonderful and natives have a right to be proud and even a little arrogant when they talk about all this, which they are.

April 4. Saturday night. For the record--I do not try to understand local problems, social, moral, financial, political, etc. Neither do I pose for a historian. I write only what appeals to me personally and what may be of interest to the readers of this letter. If, because of a so-called distorted sense of humor I write criticism of persons or events Remember I truly respect everything done and being done by the people of Israel and people of our group of ten.

This morning four men of our group went to Schul. As you should not ride on Saturday we walked in the heat one-half mile there and then back. I went only to promote the dignity of Rodef Shalom as represented by me and to show a Reform Jew can take a strictly orthodox service even though I did not understand a word. Our party received a royal welcome. I was loaned a praying shawl and declined to go up on the pulpit when they took out and read from the Torah. The Rabbi was a tall young man from Poland with a

long black beard. He wore a round fur cap that stood up high like you see on pictures of some Russians. Craftin, I believe, is the word. He preached in Yiddish for over one hour and said the Jews here do not pray and put their trust in God enough. They cannot solve their problems without his help, etc. etc. As I did not understand a word I was distracted by the swarms of flies that came to services--windows open and no screens. Small children, boys and girls, ran in and out, climbed up on the pulpit. After services the Rabbi set a table for our group, blessed and gave a strong Conack (brandy) to drink and chocolate wafers. Outside, the older boys played marbles the same as in the U. S. A. We could not give money because it was Saturday. But tonight a representative of the Schul came to the hotel and collected. I gave a five pound Israel note which I was told would be considered ample.

The men of our group are all self made men. We have an interior decorator, a knit goods manufacturer, a tobacco jobber, a drug and tobacco jobber, a jewelry store man, and one Advocat. (S. L. R.) Guess who. They are all self made men and richer than I am. They recite their struggle from poverty, low pay, etc. up, much as Dad O. tells about his own success. Not one belongs to a reform congregation. All but the jeweler, whose one son is a doctor, have one or more sons running their business.

Took a swim in the hotel pool. Was surprised how well some of our group (men and women) could swim. My new trunks are excellent, dried before I returned to the room. Thanks, Julian. Julian is a good packer and my suits and other clothes came out of the luggage in good shape. We have to dress up here so I have worn all my suits and sport jacket. If

I were not on tour would have to pay $20. a day, our money, for my room and board. Tax $2. 50 a day extra. Have just finished 20 postcards and am not through. One woman of our group told me she has already written 100 cards and her husband has not written one card.

Through the eye doctor met her cousin and his wife. He is a doctor (surgeon) educated in Vienna where he had his own hospital until Hitler chased him out. Makes a living here. His wife is French. At the Hotel are tourists that I have talked to from England, Africa (South), Egypt, Holland, etc., too many places for me to remember just now.

It is now 11:30 p. m. I have finished the bottle of beer I brought to my room. Holds twice what a regular U. S. bottle holds. Very good. Made by German Jews who were chased out by Hitler and had a big struggle to get machinery and a start here. Now doing very well.

Goodnight.

R

Papa Leo

* * * * * * * * * *

April 5, 1955

Ramat Aviv
Garden Hotel

Dear Family, This is my third letter.

Yesterday was a busy day. In the morning went to town in a public bus to get the feel of being one of the common people. It was, after I got on, crowded and hot. I had to stand part way and was pushed around and could find no one to tell me where to get off. At last a young woman rescued me. She talked English. Was neatly but poorly dressed. Was driven out of Poland by Hitler, went to France and then came here. She teaches French in a private school. Showed me where to get off and then walked with me to the store I sought. The grand experiment is over. From now on a taxi each trip.

Gertrude would have loved it here if she could have stood the physical strain. I think of Gertrude more often here than when at home. Thought it would be just the opposite.

Yesterday afternoon toured through roads lined each side with orange, grapefruit and lemon trees. It is blossom time and the odor of the flowers so strong that at first it hurts your nose. Then you get used to it and like it. These orchards were once the land of the Philistines whom the Jews fought in Biblical times. Think it was during the era of King David. The Philistines recall to mind that Samson slew 1,000 Philistines with the jaw bone of an ass. Which reminds me of my story of the little boy in Sunday School. Called on by the teacher who asked him, "Who was Samson?" he said, "The strong man who killed

1,000 Philistines." Teacher, "How did he do it?" Boy, "By jabbing them in the ass."

Romance has struck our group. We had a woman social worker from Philadelphia of indefinite age. She investigated some institution here. Her guide was a man from Iran - Black Jew - looks just like an ordinary real colored (negro) type in U. S. A. After two days he asked her to marry him and she said "Yes". She is tall and painfully thin. Also homely as to face. Our guide says he is suspicious of the man who has wandered all over the Near East (he speaks good English). Guide says he thinks he is after her money and, as his wife, he can use her passport and citizenship to get into the U. S. Then, says guide, he predicts man will desert or otherwise play his wife dirt.

Yesterday we were at the cellars of the Carmel Wine Company, a cooperative owned by the growers of the grapes used. Operated at a profit. Founded in 1882 by Russian Jews. Helped by Baron Rothschild of the French branch of the family. He personally invested $7,000,000 before he died and a royalty is still paid to his family by the Company. Good wine. Served free to tourists. I did my duty! Afterwards, in our auto, I fell asleep and my hat flew off. Our guide had to stop and retrieve it. Now, via the hat, will bring back to Pittsburgh some Israel soil. At wine cellars they showed us the elevated platform from which, in the beginning, the Jews shot Arabs to keep them away.

You see many small donkeys and asses pulling carts on the road. Each cart has inflated rubber tires. In Mexico the load was placed on the animals' backs.

So many different people. At a Kibbutz saw a most beautiful young woman with her beautiful young

son. She is from India. Black skin and hair. She speaks only Hebrew, so I and Mr. Muscovitz (the only other widower in our party) who speaks Yiddish could not get much from her. Friendly and all smiles.

We are all bothered with what gifts to buy for men. Easy to buy for women. A man in our party told me that before he left New York he called his four sons together and gave each $500 so they should buy for themselves in New York. I told him I could not do this because I only have one son.

Tonight we must pack so as to be ready at 8:00 a. m. to start our trip to Jerusalem, 140 miles away.

Just now the maid came in to make up the room. I tried to tell her to keep the door closed so the flys could not get in. No go. Even tried to imitate a fly by use of my fingers. Maid thought I wanted the toilet and opened the door to show it.

This morning rested and swam. This afternoon with two couples of our group, went downtown. Visited the Dan Hotel. 140 rooms, air conditioned, radio each room, roof garden, night club, etc. Diningroom and rear porches all overlook the lovely Mediterranean.

Bought a cap today. Saw a Wall Street Journal of Thursday, March 31, and note stocks, including Natco, are down.

All merchandise in Tel Aviv marked in plain figures, - one price only.

Many birds which sing. All drab in color, like our sparrows. Have not seen a bird with any bright color.

There are quite a few Catholic priests and nuns at this hotel for Easter Season. All from the U. S. Am told that one of the nuns is over 80 years old.

I write often about the handsome women. I also look at the fine looking men. The mounted police are such. Ride small pedigreed pure white Arabian horses, have natty uniforms, are young and good-looking.

No matter how hot it has been by day, at night sleep under a blanket. Tonight it turned quite cold and women are appearing in furs.

April 6:

Yesterday was a tiring schedule but interesting. On trip from Tel-Aviv to Jerusalem there is much change in terrain, farms, etc. Grapes, acres thereof, for wine. The grapes grow at first on a small bush and not like our clinging grapevines. Olive trees - more orange orchards and in particular rocky soil. I thought when I was in Scotland that it had the rocks. Nothing to compare to this. Rock fences, houses, curbs, retaining walls along the roads, etc. In Jerusalem they use rocks and a fine building stone while in Tel Aviv they use cement and cement building blocks. If you want to know about all this, buy a book! Bible History, Roman History, Jewish History, past and present. Beautiful flowers and trees in blossom all over. Wild red poppies along the road and elsewhere. Many fields with sunflowers. They eat the seed and extract an oil from the plants, used in cooking and otherwise. Our guide is long and eloquent on everything except the names of flowers, shrubs and trees. On questions as to these he is usually "off base". Saw pansies, gladiolas, nasturtiums and many others. I recognized from our own garden.

This the Edon Hotel (Jerusalem) is small and second rate. Would not recommend it to anyone who

could afford the King David Hotel. Big up-to-date, with everything you could expect in a No. 1 hotel in the U.S. Technically, if a hen lays an egg on a Saturday you cannot eat it on Saturday but can eat the same egg Sunday. Ask Dr. Freehof to explain this to you. This hotel has some things in its favor. I have, by a special plea to the manager, a single room to myself. No private bath or toilet. Wash basin with running water (hot and cold) placed at a convenient height. A small outside balcony where I can sit and watch the street and sidewalk activities. Meals very good. Had fresh strawberries last night. No cream served for any purpose.

Seder service tonight. I have borrowed a yammica from one of my 60 year old girl friends. She bought it to take home for a grandson. Services will be at this hotel with outside talent conducting.

Petty troubles are cropping up for our group. Three women sick but able to make the trip to Jerusalem. One man sick here. One lost passport (lost in the hotel and now recovered). Much camera trouble for many. Film in mine has jumped and I will try to find a place where it can be fixed.

Afternoon, visited what I call the slum district and its street market. Very poor people and housing. Beggars old and young. Dirty people. Smells of all kinds. Third and fourth hand goods of all kinds for sale. As many of the people who live in this district have no hot water, there are street set-ups with large kettles of boiling water. To clean utensils for Seder the people bring same and pay a small fee for the scalding.

Back to this hotel, --it is very clean. Claims to be the cleanest in Jerusalem. Extra fine table linen.

One woman who has traveled all over the world says it to be the best she has ever seen. This was last night. Today at breakfast got a small paper napkin about the size of one of our sheets of toilet paper. Waiter says that at all other meals we will get the fine linen napkins.

April 6 - 12:30 p. m.

Have just returned from a trip to Mt. Zion and other places. Climbed hundreds and hundreds of steps and feel it in my legs.

On my return to the hotel found a friendly letter signed "Charles" from Charles J. Rosenbloom of Pittsburgh, giving me the names of persons he has written personal letters of introduction for me and others to contact. It is, of course, too early as yet to have heard from any of these people. Please phone Charles Rosenbloom at once and tell him how complimented and pleased I am at his action, etc.

Special messages all around. "Shalom" and love to all concerned.

R.

Papa Leo

P. S. --I am very glad I am taking this trip.

* * * * * * * * *

Jerusalem
April 7, 1955

Dear All,

Report on yesterday's activities:

Climbed Mt. Zion. Hundreds of steps. Here in the tomb of King David and other Bible recorded persons; etc. also, tomb of unknown dead who died in concentration camps. Also soap made by the Germans from human bodies. I trod the ground that Jeremiah, the Prophet passed over. It was cold and some men wore overcoats. It rained a little. Spent some time in rooms in the Ckeren-Kayemeth Building used by and dedicated to Hertzel. His books, pictures, furniture, etc. Theodore Hertzel started the demand for a homeland for Jews. Gave his time to Zionist aims. Died young. His wife was not sympathetic to his activities. His son intermarried, changed his religion, and then committed suicide. His daughter (only other child) married a non Jew. Was put in a German concentration camp and died there.

Corrections: Grape vines as they grow large require the same support as in the U.S. There are birds of many colors but so far I have seen only sparrows. The scalding of dishes on public streets is due to the fact that these poor Jews do not have the required two sets of dishes, one for Pesach. The scalding is done by a Rabbi who, for a fee, blesses the one set scalded so it can be used during Pesach.

Seder. Very good and at this hotel (Edon Hotel). Place cards with our names. Conducted by a Chantor with a very good voice. About 100 at tables. Waiters, same as guests, wore skull caps. All hotels

have men waiters. Have not seen a waitress as yet. The Hagadah used was presented by General Foods Company and advertised Instant Postum. Meal good (chicken main dish) and there was good wine and a 42% alcohol brandy. All you could drink. One man (elderly) got too much and had to be carried from the table.

Today, Mr. and Mrs. E. Mach (sent by Charles Rosenbloom, cousins of his) came to the hotel for me. She is young and very goodlooking and he is almost likewise. I had them for lunch at hotel and then, in their auto, they drove me all afternoon sightseeing, then to their very lovely home for refreshments. She is a volunteer worker with the public relations department of Hadassah and he runs a plant that manufactures steel cabinets. Charles R. is interested in this Company. Liked them both very much and want you to call Charles R. and tell him about it.

Experience with a retired Cantor who is a tourist: He had M. listen to a detailed history of his life and activities from childhood to date. Finally M said "I would like to tell you something about myself." The Cantor said he did not want to hear anything and walked away.

It is colder today than yesterday. The heat is on in the radiator in my room. They claim this is very unusual and may never happen again. Tourists always get unusual weather!

April 8, Early Sunday A. M. on April 10 leave Jerusalem for Haifi, nine more days left for the Israel trip. Saw many olive trees some fifty years old. They are everywhere inside and outside of Jerusalem.

Yesterday I asked Mr. Mach who spent some time in the United States and Pittsburgh and was offered

a very good job in the Unites States, why he said "No"? Did he not realize that the better life, comforts, etc., etc., living in the United States. He said that in the U. S. he did not feel completely free; he knew that on the streets he passed many people who did not like Jews; that they were excluded from some clubs, some hotels and some residential districts, etc. He is free and more happy here. Besides, as a young man, in spite of hardships, he is building for a future that those who come after will bless him for.

April 9. Still in Jerusalem. Big day yesterday. So tired could not fall asleep for some time.

My brand of humor does not go over. Our party and all others ask me what I think of Israel and what is its effect on me, so, I would say, "So much good that it will make a Jew of me yet." Then they want to analyze and understand what I meant. Now, I just say "Good", "Very fine", etc.

Yesterday all morning toured. Spent a lot of time in the temporary buildings in Jerusalem of Hadassah Hospitals. The Arabs exclude from place where permanent hospital was started. Books have been written about Hadassah and its very good work. At top of main building it says in English, "London Society for Promotion of Christianity among Jews. Built 1896." Many other signs all in Hebrew. During and after the war England took this over for other uses. Now back in hands of original mission and rented to Hadassah. Originally used as a school, mission and church.

For 30 lbs, about $17.50, a woman can have her baby in the hospital. Stays five days but longer if necessary. Does not cover cost but Hadassah makes up the difference. Saw a pretty 18 year old mother

with her first baby. She expects to have more according to our special Hadassah guide. Mother is Jewish and dark complexioned, - is from Morocco.

In the Dental Clinic all school children in Jerusalem must come. Those who can afford to, pay - others free. Out patient clinic sees 1,000 a day. Babies all are breastfed. Hadassah takes care of Arabs who cross the border forbidden to Jews. Even Arab leaders who get well and go back to talk against the Jews.

Last night Selwyn's friend, Mr. Bar Shermer, who with his wife is here from Tel Aviv for the week end, called for me and took me to the house of relatives. Big corner house, very grand for Israel, both inside and out. Met his wife (charming), her father and mother, her sister and her family and friends who had been invited to meet me; served refreshments and drinks. Saturday at Tel Aviv I am to go to the Shermer's home for a meal.

This morning Farid Wajdi Tabari (LL. B.), Teller's Moslem friend, called on me at the Hotel. Very interesting visit. He said YMCA where he teaches Arabic language has a membership (over 2,000) 70% Jewish. He is a Christian.

Just now Mrs. Eddie Taub's friend called. She wanted to come to take me out but I said I have no free time. Too tired.

This hotel, the office phone connects with your room but for outside calls they tell you to come down to outside phone.

To get back to yesterday. Morning trip -- Hadassah Hospital, other places. After lunch (dinner here) the Mach's called in their car to take me shopping as I requested yesterday. Got back to hotel in time (5:00 p. m.) to go on a special tour of Synagogues. Satur-

day night so all had services. People from different countries have their separate synagogues. Much the same in the seven we visited. The men from Yemen take off shoes and sit on floor. At another, forget which country, the men have high round fur caps. At one part of the service they joined hands and danced around the central pulpit, singing and chanting. Like our own ring-around the rosy. This trip involved walking and then standing. Back to hotel for supper and then to Shermer's party. So tired I am not going out today.

Yesterday walked past hedges of mint. Crush the leaves and you get a strong odor of mint.

Last night on trip to synagogue it was so cold I wore a sweater and my overcoat.

Am happy Gertrude did not let me take her on suggested trip to Israel. It would have been too much for her and might have resulted in illness. Another woman took sick and a man tourist had a heart attack. All seem to recover and carry on.

There is a couple at the hotel on a honeymoon celebrating 50 years of married life. I envy them and have sad thoughts.

I am the only man of our small crowd that did not go to services this morning. I said, "No." Too tired from yesterday.

Shalom

Papa Leo

* * * * * * * * *

April 10, 1955
Sunday, 10:30 P. M.

Hotel Megiddo
Haifa

Dear All,

Am happy and contented tonight, all because I read my first mail--letters from Julian, Bunny and Fred.

I approve of your home Seder and hope it was a big success. It was time that a Pittsburgh Ruslander had a home service.

This hotel is quite large and sits in its own park on a high ridge above the city. The dining room has circular glass windows like Hershey Hotel but not so large. From the windows you can look down on the Mediterranean Sea. A really beautiful vista. Everything here is high class except my room has no bath or toilet. I insist on a room to myself. Only the double rooms have a bath between which is used by four persons.

We left Jerusalem about 9:30 a. m. and rode until 2:00 p. m. with only one stop. Then lunch at this hotel and at 3:00 p. m. started on an auto tour of the city. Tomorrow another all day auto trip returning here for evening meal. Haifa is 100 miles from Jerusalem. Very winding road.

In Jerusalem found prices very high in all the stores but I purchased because I wanted articles from Jerusalem and we are taught the high prices help enable Israel to exist. However, after I was done buying learned that although everything has the price marked

on it, the "one price" is a false front. Those women of our party who haggled and argued got lower prices than marked.

As soon as we left Jerusalem and its rocky hills and fields behind we came to the best of farming and orchard land. Lush fields and crops. Fine cattle, sheep and goats. Everything but pigs. Pork cannot be legally sold in Jerusalem but neighboring Arabs smuggle it in and officials look the other way, --this because the many Non-Jews are entitled to their pork.

Haifa is north of Jerusalem but much warmer.

On today's trip saw fields of wild bright daisies. Very beautiful. Many orange and banana groves. Grapes and other crops. The orange trees have to be sprayed the same as our apple tree. Oranges are small but much better than we get in Pittsburgh.

We came through the fertile Sharon Plain. The best land in Israel. Saw the Roses of Sharon in bloom. Passed through a village where each house is painted in whole or in part blue to keep off the evil eye. These are homes of Arabs who elected to stay with the Jews in spite of the war. They are now citizens of Israel with full voting and other rights.

Older inhabitants and the immigrants here are from most every country in the world. There are no Japanese. There are people from China but they are not real Chinese. Many years ago Russian Jews left Russia to settle in China. Then came the bad days for many of these and they came from China to Israel.

Transportation is almost entirely by bus. The railroad is mostly for freight. On local runs the buses look old and dilapidated--always crowded--people standing and at every bus stop many persons waiting to crowd on.

April 11 - 10:30 P. M.

Had my first decent bath since leaving Tel Aviv. To get it had to rush out as soon as our car stopped at end of tour, grab my bathrobe and fully dressed rush to the one bathroom that serves our floor. Made it! Big six foot tub. Plenty of hot water and a shower.

Tonight after dinner (supper here), Hyam, our guide, whispered in my ear to get my overcoat and meet him at his car. He did not have room for more than five. From the heights saw Haifa at night - Beautiful - Like our Mt. Washington only circular and more extensive. In the harbor the ships are lighted and outside those waiting to come in are lighted and all looked like toy ships. A large reddish full moon was overhead, etc.

April 12 - 10:00 P. M.

Not so tired tonight. The tour was not as long as yesterday. I whispered in our guide's ear that I must have a front seat in a car because of my long legs. So I had it. For these various attentions I will have to give some attention to him when we part company. I told him I had reached the place and time when comfort was more important to me than scenery.

Well, to get back to yesterday. "Listen my children and you shall hear of the day long tour of Leo dear."

Went through a most fertile valley and through the citrus center of this section. Many Arabs farming. They use, as I saw myself, oxen to plow with. The Jews have up-to-date tractors and other machinery.

Twenty-five years ago this valley was a swamp. The Jews, irrigation and fertilizer have really wrought wonders. Same as driving through the best farmland around Lancaster, Pa. Here Saul, a General under King David, killed himself after a defeat in battle.

The road we traveled (now concrete) was in ancient times the one road connecting Babylon with Egypt - opposing kings at both ends fought over this road with the Jews in the middle and getting the worst of it.

Saw many Arabs on this trip. The women with heavy bundles on their heads. Many donkeys carrying their loads on their backs. The Jews have donkeys with carts. At one time this was all a part of the Turkish Empire. A Jew with a long beard, big hat and long coat passed us riding a motorcycle at a fast rate of speed. In this section and in Haifa you do not see the bearded religious type of Jews.

We drove along the shores of the sea of Galilee passing through Biblical sites to Tiberias. Ate lunch there. This is a beautiful place and the so-called Tiberias Lake is of fresh water and fine for swimming. The Mediterranean Sea is salt water.

Once upon a time there was a slave captured from one of the outside tribes by the Romans and kept in Rome. His son became a general in the Roman Army and was chosen by Romans to be king of the Jews for territory including Tiberias. He converted to Judaism and is the King Herod of the Bible. He founded the town of Tiberias under a different name. Came later Tiberias, Emperor of Rome, who conquered the Jews and named the town and lake Tiberias. This town or city is today 100% Jewish as the Arabs ran away during the "War of the Liberation". About 20,000

inhabitants, -mostly newcomers. The important Jourdian (Jordan) as we call it) River runs into and out of this Lake. The town is a health resort and its hot springs good for rheumatism. We ate lunch at the Hotel Galei Kinnereth. Sits on edge of lake surrounded by good landscaping. My Father and Mother stayed here when it was only a small village with one small hotel. The driver of our auto said if my Father had invested $200. 00 here over thirty years ago his land would now be worth many thousands of dollars. Drove to Nazareth and toured the city and churches. No Jews here except a very few who hold government positions. There are many Arabs but the Catholic Church dominates. Also other churches. Saw the word Methodist on one. This place is important because Mary, Joseph, her husband, and Jesus lived here. The Catholics are completing a large and impressive cathedral and other church buildings surrounding it, all of massive and the best of building stones made into blocks. Here our special guides were all Catholics. Underground, where the new cathedral is erected, we were shown the room in which Mary, Joseph and Jesus lived.

On this trip stopped at Capernaun and looked over the well-preserved evacuated remains of an ancient Jewish synagogue from the Roman period. Jesus is reputed to have preached here. The site is therefore sacred and the park with the above remains of a synagogue is owned by the Catholic Church and is in charge of Franciscan Monks. I spoke to one of them. He said there is a branch of this order in Pittsburgh.

Stopped at the Tomb of Maimonides. For once I knew more of his history and better than the guide gave it.

Yesterday a new tourist moved to our table. He wears his hat at all meals because he says prayers. Told me his wife died three years ago; that she always told him not to eat this and not to eat that and made him drink postum instead of coffee. Since her death he does just the opposite and feels good. Proved her to be wrong but after her death. He wears a hearing aid but can't hear well so I told him he was deaf and I was dumb and our table should be called deaf and dumb table. This did not go over with him but did with the two others who make up this table of four.

The tourist business is better than last year. There are over a thousand Jews from Argentina, South America, together on a tour.

April 13.

Last day of Pesach. All business ceases and the people go to Synagogues.

Throughout the tour we visit the graves of noted Rabbis and Scholars, some of whom died fighting in the last and prior wars, and even in Biblical wars. I get little from these stops. It is like looking at the Washington Monument in the United States without ever having heard of him and knowing nothing of his history. To mention just two, --Mordei Hagotatot and Ramba. Cannot remember the names but they were much more noted and are as revered as our Abraham Lincoln. On the hill where Maimonides (Ramba) and other famous men are buried, at a certain festival each year, thousands of pious Jews come to pray. To get a good place some camp out all night.

My friend, Moshe Muscovitz (Jeweler of Portland, Oregon), had a bad night last night. Our bedroom doors lock themselves so you must always have a key

to get in. Last night, about 4:00 a.m., he had to go to the toilet on his (our) floor; he left his door open and the wind blew it shut. He had no key and could not find anyone up in the hotel. So he put two chairs together and spent the rest of the night thereon in the hall!

Very good meals at this hotel. Today for breakfast had my special order of orange, scrambled eggs (well done) and coffee. On the table were sardines, three kinds of cheese, sliced tomatoes, and a very heavy and fine local honey. After breakfast I took a taxi and found the Bergers whom Dave Wilkoff of Pittsburgh asked me to contact. They are coming to the hotel to have a meal with me. More about them in my next letter. Phone this much to Wilkoff.

I get a daily paper in English put out in Jerusalem. It has little news of the United States except that of interest to Israel - about three lines a day to our Wall Street.

Now, to get back to yesterday's tour. The Egyptians, as a race, are not Arabs and therefore different from the Arabs we see here (Israel). We tour (except from one city to another when baggage is carried) in autos seating one in front and five to six in back. The drivers own their cars but act through some cooperative system. Our driver yesterday said he carries $3,000 (our money) liability insurance.

The oranges and grapefruit we get are small. The large ones are exported. Big demand this year because in Spain it was very cold and ruined their competitive crop. Saw for the first time Moslem women with heavy veils over their faces. In the town we went through are about 2,000 Moslems. Visited a large Moslem Mosque. Very beautiful. The women sit

apart in a gallery. They worship Mohammed. Say prayers five times a day, when they face in the direction of Mecca. Napoleon invaded the valley we went through yesterday, but met defeat and turned back. Among the Moslems it is forbidden for men to work. They oversee the work of the women.

Olive trees by the thousands everywhere. They require no irrigation or spraying. Begin to bear fruit at Bar Mitzvah (13 years), and continue for hundreds of years.

At the hotel in Safad - An ancient Kabbalist town. Saw the oldest, used today, Synagogue, -- 400 years old. There are many older sites in Israel but the buildings have been destroyed or the Synagogue rebuilt. At this hotel in Safad there is an olive tree 2,000 years old which still bears fruit. I said I did not believe it, but Chaim and the hotel people insisted this is right. Olive oil is a large export item.

On road to Safad saw two camels working as domestic animals. There used to be hundreds but not so today. Passed near the Hermora Mountain and could see the snow near the peak. This mountain is in Lebanon. In Safad at the entrance to the oldest Synagogue saw little girls playing hopscotch and boys playing marbles same as in the United States. Dressed the same as in the United States. They have no baseball but the boys play soccer with a large round rubber ball.

Traveled the narrow fertile valley between the Mountains of Lebanon and Syria. At one point these two touch borders with Israel. There are many fish pounds where fish are raised for the market.

Tomorrow we leave for Tel Aviv. Have used everything I brought along except medicines, sleeping

pills, raincoat, and umbrella. Julian insisted I take along a bathrobe and I would be lost without it. Had three white shirts laundered at this hotel. Came out very fine.

Love and appropriate messages all around.

R.

Papa Leo

* * * * * * * * * *

April 14, 1955
10:00 p. m.

Ramat Aviv
Garden Hotel

Dear All:

Back at this hotel with the luxury of a private bath.

I wrote you I did not have the names of the famous Rabbis and scholars whose tombs we visited. Our guide says: (if you are interested) JOHANAN BEN ZAKHAI, RABBI AMI, RABBI ASI, MEIR BAAL HANESS, RABBI AKIVA, RABBI SHIMON BAR JOHAI.

Wednesday.

A day of leisure at Haifa. Made it my business to contact Mrs. Berger, at Dave Wilkoff's request. I had phoned twice and written her two letters, with no response. Took a taxi and made the contact. She

and her husband live in a middle class neighborhood in a large cement structure (white) apartment building. They have one room with an inside shower and toilet. Also a small outside balcony. She showed me through. One room is almost luxury for a family of two. Invited them to dinner at the hotel and they came. She looks fairly young and is goodlooking. Also very vivacious and laughs easily. He is a solid appearing and sober temperament man. She was married when Hitler drove her out of Germany to France. Her husband was killed in a concentration camp. She went from France to Italy where she was shot through her upper body in an air raid. Showed me the hole and scar. She got from Italy to Israel. Here she married her present (second) husband. She works part time in her brother's jewelry business. Mr. Berger is a Pole. His family was rich in Poland and he graduated as a lawyer. Also was an officer in the Polish Army. Hitler drove him eventually (a long story) to Israel. His family lost all their money in Poland. As he cannot get a license to practice law in Israel, he works as a bookkeeper for a local water company. Both are fine, educated people but have had a terrific struggle to get where they are, which is a living but no luxuries except cigarettes. They both smoke. Both were neatly dressed. I did not offer them money as suggested by Wilkoff for fear of offending them. This because, when I suggested I call and pay for a taxi to take them home, they refused and walked the considerable distance from the hotel to the bus line. Tell all this to Dave Wilkoff and also that he should send them a Care Package once in a while.

Now have the life history of Chaim, our guide. He may have exaggerated a little but in the main I be-

lieve it is true. He is now 40 years old, married and has children. His parents in Poland had money and wanted him to go to college. He then was through high school, but refused as he already wanted to go to Israel. This led to his running away from home. He went to Warsaw, Poland, where he earned enough to get to Italy. On the train to Italy he met a Jewish couple who took an interest in him and arranged that he ship as a sailor on a vessel going from Italy to Israel. It was arranged with the Captain of the ship that when it was a mile from the coast of Haifa he (Chaim) would have to swim to shore. At that time the English had stopped Jewish immigration to Israel. He swam and landed OK but was arrested and his money and papers confiscated, but he escaped jail through the agency of the National Jewish Fund. It had certificates for entrance from the government to take care of a limited number of these cases. He now had no money or regular work and with three other boys in the same situation slept on the sand at the beach for several weeks. They had no blankets or other protection but the weather was warm. They lived mostly on soup as it was cheapest. Their standard of living was lower than that of a poor Arab. However, he soon earned a better living but enlisted in the Jewish Battalion organized by the British to help them win the war. He saw service all over Africa and in many other lands where the fighting was going on. On release from the army (several years later) it was only a short time until he enlisted in the Israel Army and fought through the "War of Liberation". This war was still going on in 1948 and I don't know what year it ended. He now would not live in any other place than Israel. He has a good job which, with tips, puts him in the upper class. He never wrote to his parents

until he landed in Israel. The parents lost all their money in Poland. His father died but he has brought his mother, who is still alive, to Israel. I am told that there are thousands of cases like that of the Bergers and Chaim, and when they survive they are the most loyal and patriotic of citizens and willing to go to war again, if necessary. Both Berger and Chaim think that Egypt will not start a war, but will continue to rob and murder along the border as is now the case.

After hearing the above stories I thought of how different my life has been. I never knew hunger because of poverty, always had good clothes and shelter, and some money.

Going back to my report on Tiberias, want to add that Lake Tiberias and the Sea of Galilee are the same and here it is that Jesus is reputed to have walked on the water.

Today and yesterday visited the old and new Technical University at Haifa. The new building is not yet completed and only in partial use. It stands on a high hill surrounded by 300 acres of hilly campus. Wonderful undertaking. Books have been written about it. Both the buildings and view are more than a match for like institutions in the United States. The money needed is raised by campaigns in all cities of the United States. The Government of Israel matches the money raised in the U. S. Our special guide here was a young Jew from Egypt who got out with his family about three years ago due to agitation in Egypt then beginning against the Jews. The university admits Arabs in spite of the present tension and now has eight. The Arab schools are so poor that very few Arabs can pass the admission exams.

In Israel the residents reverence a pound (55¢ our money) the same as we do a dollar in the U. S. As I

will have to pay 20% to turn my Israel money back into U.S. money, and you cannot take Israel money out of the country, I am beginning to spend more recklessly. Now part with a pound note with the same ease that my grandsons spend 10¢.

Read in the local newspaper the decision of the Supreme Court of Israel in a case involving the issue of usury. The defendant borrowed from the plaintiff money secured by a mortgage to be used to erect a building. The mortgage provided for legal interest and that at its maturity, if the property had increased in value the plaintiff should be paid the original amount loaned, plus a percentage of this appreciation. The property appreciated in value but at maturity defendant paid the original amount and refused to pay a percentage of appreciation. Plaintiff sued. Defense was, the appreciation clause is against public policy and constitutes usury. The Supreme Court distinguished the only two cases cited. One a United States decision cited in favor of defendant, and one an English decision cited in favor of plaintiff. The court then went back to the Bible definition of usury and biblical precedents. Held, neither the issue of public policy nor usury was a defense. The lower court was reversed and judgment entered for plaintiff.

April 15

Going back to previous tours, visited the ancient town of Caesaria, founded by Caesar Augustus, Emperor of Rome. He lived later than Julius Caesar (Israel spelling of Caesar). Here saw recent excavations of an ancient building erected about 2,000 years ago. Two large headless statues and other

items uncovered. At Caesaria saw the remains of forts erected on the shore of the Mediterranean Sea by the Crusaders when they invaded this land. The Crusaders were finally defeated by the resident Moslems and returned to the various European countries, including Spain, from which they had been recruited.

Irrigation in Israel is by a pipe and sprinkler system as distinguished from the irrigation ditches much in use in California and other parts of the United States.

Today, April 15, started on a long tour at 8:00 a. m. Went through Emek, a town in existence since Biblical times. This was yesterday. Also stopped at a town which is a summer resort. Here saw many young black Jews who came from India. Best bathing beach in Israel. Fine public parks right up to edge of beach. Many good hotels. As it is only 40 miles from Tel Aviv, on holidays and weekends it is a regular Coney Island.

April 15 - 10:00 p. m.

Dear All:

At breakfast this morning was handed mail as follows: Birthday card from office; letter from Dorothy; two letters from Julian; and one from Marie and Nathan Jacobs. You can have no idea of the thrill I get from this mail. Heretofore I had, when away on a trip, Gertrude to talk with, - a part of my family life always with me. Now, I am alone in my room and often, to get away from the chatter, sit alone in the garden or patio of the hotel thinking of my life, past, present, and the future. Your letters bring me back

to the many things to be thankful for, my family, my business associates and my friends. Each item of the mail deserves special comment, but to get on with this letter will postpone same until my return to Pittsburgh.

A long and physically hard day today. Started in the big bus at 8:00 a.m. and returned to hotel at 5:45 p.m. As the time for our first stop was some time away and this is our last tour and the last of Chaim, he called each man to the microphone in the front of the bus to state his opinion of the trip, Israel, etc. They all spoke very well but heavy and with laudatory praise. I am conceited enough to believe that with my lighter touch I had as much applause as any of them. Chaim was in a good mood, has a good voice and sang a lot; even did a couple of little jigs for our amusement.

I was mistaken as to loss of 20% to exchange Israel money back to U. S. money. Up to $20.00 the exchange is without discount. This will be more Israel money than I will finally carry.

On all these tours comfort stations are of great importance. Usually I am able to smell them out as soon as we make a long stop. Today at the little hotel where we had lunch only one, one-seater, was available. The women had to line up with the men. I nearly burst with pride and otherwise when I stepped back one place in the line and said to the woman of our party behind me, "Ladies first". At this hotel we had a young and beautiful Jewish waitress. Asked her where she came from and she said very recently from Tripoli.

The new Kibbutzs are composed of small one room huts, located usually on a hill where the sun is hot-

test. The young trees planted will not give shade for some time. You wonder how the people can stand it. No inside toilets but a community wash room with toilets in one separate building.

Abraham of the Bible lived for a time in the part of the country we went through. Visited a water well which he is reputed to have dug. Not in use now. Very deep hole lined with stones. Water was brought up by lowering a bucket on a rope.

For a short stretch went through territory now farmed by Bedouins. (Think of the Sheik of Araby in the popular song. He was one of these.)

In one town the trees along the street bore very large oranges--big as coconuts and otherwise very beautiful. I longed to eat one but learned they were artificial and used for decorations because in this town they were celebrating orange day. From the windows of our moving bus they certainly looked real.

Passed a school for blind children named after Helen Keller, of the United States.

In the Bedouin stretch saw a herd of camels in a pasture, acting just like a herd of cows. In this section the fields are filled with flocks of storks, congregating like crows in the United States. No wonder there is such a high birth rate here.

Visited the Children's Village. Cares for about 300 orphans. Located in a beautiful park. Playgrounds, swimming pool, outdoor theater and a small schul (synagogue). Very impressive.

Tomorrow is Shabbat, my birthday, and a day of rest which I really need. Sunday, 8:00 a.m., leave the hotel for the airport and on to Rome. So will end my trip or saga in Israel. I have reported in much detail because I burn with a desire to see and learn

all I can and to write it up for future reference, and lastly, to help educate my family and those outside of the family who will be interested therein.

Will close this letter with what happens Saturday, April 16, and from then on intend to relax. All you will get will be mostly postcards with the usual unimportant naming of places and ending with "Having a wonderful time; wish you were here."

A large part of our trip was in the Negev District. The desert which is being turned into farmland and orchards. Negev has no natural water supply and very few artesion wells, so water has to be piped in. This makes reclamation very slow and expensive and that is probably the reason the Arabs left it as desert land. It has the most minerals of any section of Israel, -- iron, copper, potash and many others. May some day change the whole economy of Israel. The sand used to manufacture glass comes from Negev.

Saw Ashkelon, the new part of which town was founded by South African Jewry. Stopped for close view of Gaza in Egyptian held territory near Saad, a town in Israel territory, from which the recent border clashes resulting in deaths on both sides, originated. Some as late as last week. Should point out that we lunched at Beersheba. Have now covered Israel, as written in the Bible, from "Dan to Beersheba". However, there are some points of interest, such as the Dead Sea, not included in our itinerary. Passed through Ashbed, an ancient Philistine town, now Jewish.

Here I may be repeating what I have already written. Tel Aviv and Haifa are in the main part beautiful cities. They look like and the people on the streets dress and look like cities and people in the U. S. Only

the Hebrew signs, advertisements, etc. are distinctly Jewish as is the language of the average resident. Only in Jerusalem did the intensely Jewish atmosphere impress me. It enveloped you like a fog. If I could only go to one city in Israel, I would choose Jerusalem.

April 16

Was very quiet all day until five p. m. when Mr. Bar Shermer and his wife called for me. His residence address is Fahala, near Tel Aviv. Drove me around and then to his home to eat. Met his two young sons. The youngest has something wrong with his legs. Wears steel braces and walks with difficulty. They live in a suburb of 500 families, all officers in the War for Liberation. One-fourth acre of ground, flowers, trees, grapes and strawberries. A fine fairly large house. Best I have been in. Drank to my birthday. Talked about three hours. He corrected a number of false impressions I had. Just for example, he says that Israel needs from the United States first, young men to come and settle in Israel. Money is only a secondary consideration. He is a Pole and was educated to be a lawyer. Came to Israel because he wanted to and before there was any pressure against the Jews in Poland. Worked at first with his hands; lived in a Kabbutz a short time and is now the Israel representative of the Westinghouse Electric Company. Belongs to no congregation but will join if a reform Temple is opened up. His wife is of German descent and was brought to Israel by Her parents when a very young child. He came to Israel in 1934. Enlisted in the Jewish Bat-

talion of the English Army and fought through that war. There he met Selwyn. Next fought as an officer in the Jewish War for Liberation. Would live in no other country, although he has been in the United States twice. Just to show family life here, there was loud talking upstairs after the boys went to bed. He had to excuse himself and go up to settle a row between the boys.

And now to pack again!

Yours, etc. etc.

R.

Papa Leo

Made a second trip to Israel in March and April 1964. This trip was very stimulating and interesting. However, due to age, I tired more easily than in 1955 and did not write up this trip. For example, on my birthday April 16, 1964 got up at 5 a.m. for the Independence Day Parade and did not return to Tel Aviv until 5 p.m. We had reserved grand stand seats. The newspapers reported over 250,000 persons watched the Parade.

CHAPTER VII (A)

THOUSANDS HONOR IRENE KAUFMANN*

By their presence paying a mute and glorious tribute to the memory of the sweet girl whose death in the bloom of her youth has made it possible for hundreds of children of all faiths in the present and future generations to travel the pathway of health, happiness and knowledge, thousands of Jewish folk assembled from all parts of this country for the dedication of the Irene Kaufmann Settlement, 1835 Center Avenue, yesterday.

So vast was the multitude that gathered for the dedicatory exercises, proper, in the afternoon, it was found necessary to turn hundreds away, after every available seat in the auditorium was taken and standing-room was at a premium.

Clinging to the hope that some of those packed in the magnificent new $175,000 building might tire of the continued press of the throng, those who were made a part of the overflow crowd much against their will and wishes waited quietly in the street. Disappointment was their portion, as those within seemed imbued with the same spirit as those without and remained until all the exercises were completed.

*Irene Kaufmann Settlement, Pittsburgh, Pa. "Looking Backward" - Notes by S. Leo Ruslander started October 25, 1954. New Buildings - Dedication exercises - Move from Center Ave. - Change of I.K.S. Center Ave. to Anna B. Heldman Community Center.

*From the Pittsburgh Press. Monday, April 3, 1911

Those who had been unable to gain admittance for the afternoon meeting attempted early to get into the evening's meeting in the beautiful new edifice. The program was contributed principally by the younger generation of the Hill district. The children were among those present early. As a result many of those who were turned away in the afternoon met the same fate in the evening. An extra squad of police had to be detailed to the settlement to handle both of the enthusiastic crowds.

Dr. Levy Principal Speaker

The Rev. Dr. J. Leonard Levy of the Rodeph Shalom Temple was principal speaker at the dedication exercises, making addresses noon and evening. An address by S. Leo Ruslander, an attorney, and several vocal numbers concluded the afternoon program.

CHAPTER VII (B)

REMARKS AT DEDICATION OF NEW BUILDING ON CENTER AVENUE

S. Leo Ruslander

When our President, Mr. Spear, asked me to take part in this program, I understood that I was asked as the representative of the volunteer settlement workers, who heretofore, served in the old building.

I am on this program for "Remarks." I deem it essential for every speaker to have a good title for his talk. I thought at first that I would entitle my talk "Idiosyncrasies of Settlement Work," but realized I was not prepared to explain the exact meaning of this subject.

I think my remarks here could properly be titled "Confessions of a Volunteer Settlement Worker." Being confessions, they would deal with the past.

Once upon a time in 1901, I became interested in this work. It is true that before that, while attending College in New York City, I had heard such strange words as Settlement Worker, Educational Alliance, Peoples' Institute, etc.

Almost ten years ago, Mrs. A. Leo Weil asked me to call with her upon some very interesting young ladies. I consented and was introduced to the then resident workers of the Columbian Council School, located on this spot. Before I was aware of it, I had half promised to take a class.

I was assigned to a class in English and later to a class in History and Civil Government. I approached the work with the feeling of a hero about to endure great hardship for the cause of humanity, seeing in

the work only great personal sacrifice, exposure to danger of disease and vermin from contact with the emigrant, and danger to health from sitting in crowded, poorly lighted and ventilated rooms. I did not know then, as I know now, that these boys and girls and men and women, who came to my classes, were in many instances, my intellectual superiors, and that while I had an imperfect knowledge of but one language, many of them were versed in from two to four languages, and that while I had a small smattering of the elements of American History and principles of our government, they were well read and well versed in history and political economy.

It is only when we keep on with this work that we realize what it means to us so-called volunteers, and come to have some idea of our own place in this great work.

There will come times when the worker grows discouraged with the result of his efforts. I think this is more particularly true in club work. There will come periods when you will feel that you are wasting your time and are not qualified to retain leadership, because of seeming inattention in the club. But, when, as has happened to me on several occasions, these same boys and girls, out of their few pennies, buy for and present to their leader some gift as an expression of their appreciation and good wishes, I tell you that no man or woman with blood in their veins and marrow in their bones, will fail to experience a thrill and a feeling of pleasure that can be compared to no thrills or pleasures that money alone can buy or human brains invent.

All this, however, is a little aside from my purpose. I am not attempting to deliver any sermon. I have neither the will nor the ability to preach to you,

and only seek to interest you and entertain you if possible with some of my personal recollections.

In spite of this magnificent new building, I have a feeling of sadness amidst all the rejoicing of this afternoon. It is perhaps a feeling that is not to be explained, but is to be compared to the tears of the parents at a wedding - to the sinking of heart of a mother and father when their girls pass from short dresses, and their boys from short pants to long pants. The past has been satisfactory, and the future while full of promise is as yet unknown. The dedication of this new building is perhaps the passing from short pants to long pants of the work of the institution. But we who have spent so considerable part of our time in the old building, have come to have a sort of affection and reverence for its very defects. We grew accustomed to its bad gas-light and broken mantles, defective plumbing, rattling windows, inefficient light, leaking gas-heaters, and shabby furniture; because the work went ahead with the right spirit and harmony among the workers.

So, I want to say a word right here for the old building - for the old work - for the old influences, and for the old associations, which kept us together in this work from year to year. It is something for us to look back to with pride and pleasure, and if the work of the future, with the increased facilities possible through the generosity of Mr. and Mrs. Kaufmann and the other members of our community, will but result in increased efficiency, as we have every reason to believe it will, we are indeed today dedicating this magnificent building and its equipment to a most worthy cause to a wonderful future.

CHAPTER VII (C)

IKS HOUSE TO GET NEW NAME*

Famed Center 'Re-Dedicated'

The Irene Kaufmann Settlement House on Center Avenue will get a new name tomorrow.

When Judge Anne X. Alpern grants a charter to a group of incorporators, the famed social, recreation and education Center will be known as the Anna B. Heldman Community Center.

This switch doesn't mean that Irene Kaufmann Settlement officials are pulling out of the Hill district where its endowment funds first went to work over a half century ago.

Will Lease Center

Julian Ruslander, president of the IKS Board of Trustees, stressed that personnel and program facilities of the Settlement at 1835 Center Ave. will remain the same.

The new incorporators will lease the Center from IKS on a five-year basis at $1 a year.

Mr. Ruslander told a luncheon gathering that a study of health and welfare facilities here five years ago resulted in the recommendation for a new independent governing body for the Center.

IKS to Extend Operations

That transfer of authority, designed to keep control of the huge Center more closely related to the community it serves, has evolved slowly since that time.

*I. K. S. Moves from Center Ave. From Pittsburgh Press, December 4, 1956.

Officials close to the Irene Kaufmann interests indicated the new group could not have selected a better name to perpetuate in the Hill District than that of Anna B. Heldman.

Joined Staff in 1902

Her name was a household by-word in the Uptown section after she joined the IKS staff of the Center Avenue Settlement in 1902. It was then known as the Columbian Council School.

Miss Heldman was the forerunner of public health nurses in Pittsburgh when she launched a visiting nurses program of her own.

Perhaps she was best known, however, for her interest in Eastern European immigrants who dominated the section surrounding the Settlement.

Her death in March, 1940, ended a 38-year career with the Settlement House.

CHAPTER VII (D)

In Re:

MEMORANDUM

Irene Kaufmann Settlement
Pittsburgh, Pennsylvania — Dictated by S. L. R.

LOOKING BACKWARD — Begun October 25, 1954

These notes follow no pattern, continuity or chronological order. They are put down bit by bit as recalled to memory over a considerable number of days. Being based mainly on personal recollections and experiences, the use of the personal pronoun "I" is very pronounced and apologized for at the outset.

I started volunteer work at the Irene Kaufmann Settlement in July 1901. It was then known as the Columbian School and Settlement and occupied an old, I believe brick, two story home at 1835 Center Ave. The building stood back a distance from the street (Center Avenue) and always looked badly in need of paint. There was a wide veranda across the whole front of the house with considerable handmade ornamental iron work for decoration. This section of Pittsburgh had once been a neighborhood of homes of the wealthy citizens of Pittsburgh and this building and others in the same block always retained an air of dignity and former grandeur.

This was not the first building in the Settlement's history. The first building was a small house in a different nearby location mostly used as a place where mothers could bring their children for baths. It was owned and operated by the Council of Jewish Women of Pittsburgh.

In 1901, Mrs. A. Leo Weil was President of the Settlement and as I then entered the law offices of her husband on coming to Pittsburgh, she at once introduced me to the Settlement and put me to work. A tree with a suitable plaque dedicated to her memory stands on the present front yard of the institution. Her son, Ferdinand T. Weil, long a worker in this Settlement's activities, is still (1954) an active member of the Board of Directors and Treasurer of the Settlement.

Coming back to the Settlement building of 1901, There were many physical handicaps due to the growth of the institution and lack of funds. The building was wired for electric lights and also for gas lights and gas heat. The lights were very often out-of-order, and dim at best. The gas pipes leaked and the odor of gas was never entirely absent. The windows were not tight, the ventilation bad, the class and club rooms crowded and always seemed to lack fresh air. Many of the repairs were made by volunteers, mostly at night. Walter Sanville, who died a few years ago and who married Isabel Kennedy, the head of the Federation of Social Agencies of Pittsburgh, repaired the electric light and wiring. He had a room at the Settlement for a time and his wife, Isabel Kennedy, was a volunteer worker. Ben Raphael, who had a then small electrical contracting business, worked nights without pay to keep the premises in a safe condition.

Copied from ticket of admission:

AUDITORIUM

Columbian Council School - 12-30-05

Miss Baumgarten, Miss Weil - Hostesses
Miss Elsie Alice Weil - Guest

"All Star Informers
Curtain pulled back at eight-thirty sharp

- - - - -

October 7, 1905 - 50 volunteer workers tendered Miss Yetta Baumgarten a "surprise farewell". She was the "Head Worker". A mock trial was the main event. A. Leo Weil, Esq., Judge. Lawyers, S. Leo Ruslander, Oscar Oppenheimer and Walter Sanville. Miss Baumgarten was presented with a "beautiful Rembrandt".

- - - - -

November 25, 1907 - Mock Trail Program

Breach of Promise Case. Parties and witnesses, Miss Jessica Keyt, J. C. Licht, Richard Fondilier, Charles Schneeberg, S. Leo Ruslander as Judge, Miss Addie Weihl, Dora Bernstein, Monis Cooper, Norman Hapgood, Goldie Schamberg. The trial lasted two hours.

- - - - -

From a printed program:

Sunday Evening, March 21, 1909 at Columbia School and Settlement.

Mock Trial
Bones vs. Sourmilk
Statement of Facts

"In Ye Merrie Year of 1908, amidst range of hilltops, there was situated the Hayside Inn at the 'Top of the World', known as McKees Rocks. The Landlady thereof was Mrs. Bones, also owner of various animals.

"Among her guests (?) were Rev. Sourmilk of Copenhagen, Prof. Googenslacker of the Know Nothing University, Dr. Quack, a veterinary surgeon of Saratoga, and Mr. Hooligan as the Star Boarder. . . . . .

"Once Upon a Time, the Rev. Sourmilk strolled down the street to a cigar store. While there he told the proprietor, Mr. Sweeney, in the hearing of two witnesses, alleged slanderous remarks! The living of Mrs. Bones was thus ruined and her business looked as if a cyclone had struck it. Lo, and Behold!

"She sues Rev. Sourmilk in the sum of $2,300 as a Just Measure of Damages."

The programme of the above had paid advertisements in both English and Yiddish. One ad was "Cash paid for jokes, stories, etc." Another was by Finkelsteins, "The celebrated fish smokers of New York and Brooklyn."

From a printed program:

March 5, 1909

Debate and Declamation Contest by Forbes Literary Society vs. Columbians, both of Columbian School and Settlement.

Subject: "RESOLVED, That today in the United States the young man of rich parents is more apt to succeed in life than the young man of poor parentage who has to fight his own way in the world."

Declamation Contest--

Seminoles Defiance - Joseph Krakover

Patrick Henry's Speech - Sam Livingston

Program of Exercises

Formal Opening and Dedication
of the
IRENE KAUFMANN SETTLEMENT

1835 Center Avenue
March 29-April 2, 1911
(Four Nights (4)

Music - Rodef Shalom Quartette

"Sunset" - A 1 Act Play by Jerome K. Jerome

An Act - "A Little Music Professor"
by Leona Diamond and Dave Stern

Music by Orchestra - Directed by
Mr. W. K. Steiner

Illustrated Address, "Israel in Egypt"
by Rev. J. Leonard Levy

"Grand Ball" - for Members of the House over 16 years of Age. This had to do with the first new building. The other buildings came later, in 1919. The new building program was in two steps--first the main building on the site of the original building known as 1835 Center Avenue, and much later the Gym with swimming pool and baths and Little Theatre on adjoining lots subsequently acquired.

Dedicatory Exercises
Sunday Afternoon, April 2, 1919

On this programme, Mr. Charles Beckel (the architect), Mr. Nathaniel Spear, President of IKS, Rev. Dr. Kohler, President of Hebrew Union College, Mr. Charles C. Cooper, head of Kingsley House, Miss Elizabeth B. Neufeld, Mrs. A. Leo Weil, Dr. David Blaustein, head of the School of Philanthropy of New York, Dr. J. Leonard Levy and S. Leo Ruslander.

From notes of Speech by S. L. R. to Volunteer Workers in connection with Dedication Exercises:

"I speak as the representative of the Volunteer Settlement Worker .....

"When I started work as a volunteer in 1901, I was assigned to a class in English and later to a class in History and Civil Government. I approached the work with the feeling of a hero about to endure great hardship for the cause of humanity, seeing in the work only great personal sacrifice, exposure to the danger of disease and vermin from contact with the immigrant, danger to health from sitting in crowded, poorly lighted and ventilated rooms. I did not know that these boys and girls, men and women who came to my classes were, in many instances, my intellectual superiors, and that while I had an imperfect knowledge of but one language, many of them were versed in from two to four languages and that while I had a small smattering of the elements of American History and the principles of our Government, they were well read and well versed in history and political economy ..... that within ten years I should live to see a number of them successful in business, the professions and other walks of life, and more successful in making rapid progress than those of us who were their teachers.

"What if the rooms were close and crowded--they could work longer hours under worse conditions in factories and sweat shops and still be ambitious to study in their hours of rest. And you who knew me ten years ago will not say I lost any considerable weight (I was fat) by reason of the danger to health, etc., which so impressed my imagination at that time.

.....

"So I want to say a word right here for the old influences, --the old associations which kept us together in this work from year to year. It is something for us to look back to with pride and pleasure and if the work of the future with the increased facilities possible through the generosity of Mr. and Mrs. Henry Kaufmann and the others of our Community will result in increased efficiency, as we have every reason to believe it will, we are indeed today dedicating this magnificent building and its equipment to a most worthy cause and a wonderful future."

"Workers must fight against discouragement and curb their desires to preach.

"In spite of this magnificent building, I speak with a note of sadness. We are leaving our short pants life behind but with harmony among all workers we face a magnificent adult future.

"What if the old building was crowded, we lost no weight but time makes us know how small we are.

My tribute to the old days and old buildings was no doubt influenced by loyalty to the old officers and workers who were stepping out of the picture to give Mr. Henry Kaufmann a free hand and some of whom doubted the wisdom of the change of name and financial set-up.

A reorganization was effected in 1907. The Jewish Criterion of September 7, 1907 said,

"The reorganization of the working force of the Irene Kaufmann Settlement has been effected with military precision. .....

"No time has been lost and when the new building is erected the various committees will have

their labors so well understood ..... that not the slightest difficulty will be experienced in going ahead successfully with the program.

There was the Executive Board of Directors, An Auxiliary Board of Workers, volunteer and paid, and 26 separate committees. In speaking of the building the article stated:

"Even a vacuum cleaner will be installed so it will be noted that cleanliness is going to be one of the first considerations. .....

"It will unquestionably be one of the most perfectly equipped Settlement Buildings (considering size) in the country."

At this time I was not a member of the Board of Directors but was Secretary of the Auxiliary Board and Chairman of the Game Rooms Committee.

From a Pittsburgh daily paper of April 3, 1911, which had a long article on the dedication of the first building set out as Appendix VII (A). The new building was spoken of as having cost $175,000.00.

The Rev. Dr. Levy, in the principal dedication address, said:

"A poet in Scripture, in a burst of religious enthusiasm, cried: 'For everything cometh from Thee and from Thine own we give up to Thee.' In such a spirit of reverent enthusiasm the generous donors lay upon the altar of sacrifice this offering, devoting it to the glory of God, to the service of man and to the loving memory of a precious departed child."

As to my efforts the above long article concluded:

"An address by S. Leo Ruslander, an attorney, and several musical and vocal numbers concluded the afternoon program."

Starting in 1901, and for the next few years, names that stand out in my memory are, Mrs. A. Leo Weil, previously mentioned, who was President. Sadie Levy, who lived at the Settlement and was the head worker. She married Rabbi Solomon Foster and died some years ago. Yetta Baumgarten, the head worker. She married and left the Settlement and the City, and died some years ago. Julia Schoenfeld, the head worker for a time. She married Isaiah Scheeline, attorney at Altoona. She is still living (a widow). She was the youngest and most aggressive of the head workers. Did outside work in many fields from time to time. In these early days it was reported that a respectable girl couldn't hold a job in a large department store unless she accepted advances from heads of departments and other men. Julia went to New York and was young enough to take a job in a department store and work as a clerk in order to investigate these reports. She wrote a very good report which gave yes and no answers to many of the rumors and which received quite a lot of attention at the time. She reported they were true only as to a small part thereof. Addie Weihl, the head resident. She was so bighearted she couldn't keep a penny in her pocket or even her own clothes because she was always giving them away to people who came to her at the Settlement. After she left Pittsburgh she had charge of a home for crippled or handicapped girls in New York City. When visiting her you could hardly walk through her small apartment because of the handicapped girls who were all over the place, --in the bedroom, in the other rooms and in the bathroom. She died some years ago. Ann Reed was never a head resident, but she was the first assistant and at times acted as head.

She went to New York and worked with Paul Kellog in social work, and in particular in connection with the publication of his magazine which was, I believe, called "The Survey". She married the sculptor, Brenner, who is famous for the head which appears on the U. S. Lincoln penny.

Then came one or two men, the only name which I recall is a Mr. Baron. They did not last long and made very little impression on me.

Next came the Tellers Sidney and Julia. They filled a large chapter in my life.

A chapter should be devoted to Anna B. Heldman. She was a Registered Nurse but in addition to her nursing, had an office for social work where she could be found most of the day and every night. Heldman Street, next to the Settlement, was named in her honor. She never married, was with the Settlement many years. When she died left the Settlement $5,000.00. So far as I can recall, she was the only paid worker to that date who left a substantial sum of money to the Settlement. She was not a Jewess, and as far as her religion was concerned, was a good Protestant. However, for many years she was the only person on the staff who could fluently speak Yiddish. Among her many activities was cleaning up the neighborhood around the Settlement. She went to all sorts of places unaccompanied at night, and laid down the law to the law violators. She chased away speakeasies and ordered disorderly houses closed. There was one alley near the Settlement that was so tough that prostitutes were said to walk thereon with mattresses strapped to their backs so as to give their customers curb service.

In those early days it was customary for the Boys Clubs to have a treasury and they paid small amounts per week to the Club Treasurer; usually less than five cents a week. Once, when I found the boys were not bringing in their money to pay their weekly dues I inquired and found that there was a store that had gambling devices which took their pennies on their way to the Settlement. These devices were gambling machines. I reported to Miss Heldman and she went in, laid down the law and stopped this practice.

Miss Heldman advised the people who came to the Settlement not only with respect to nursing and social problems, but with respect to their whole lives. She had a staff of volunteer lawyers whose services were furnished free to her clients. I was one of the first of these volunteer lawyers. I remember so many cases that I had for her that it would prolong these notes too much to detail very many of them. This one I recall particularly because of the human interest. There was a woman (whose name I forget) married to a man who was a so-called strong man who traveled with a circus and was away from home a great deal of the time, sometimes for over a year at a stretch. I never saw this, but it was reported to me that one of his stunts was to take a silver dollar and bend it with his bare hands. This woman had one daughter and was always in trouble financially and otherwise. On one of the trips, her husband decided he wanted a Jewish divorce called a "Get". He wrote to Miss Heldman whom he knew advised his wife, and told her that unless she got the wife to consent and sign the necessary papers, he would return to Pittsburgh and kill his wife. He added that the Settlement would thus be responsible for the first Jewish person to be hung for murder in Allegheny County. The papers were

not signed and some considerable time after that he did return to Pittsburgh, beat up his wife, blacked both her eyes, cracked her ribs, and laid her up for a hospital stay. He got away and we never caught him. The wife had a small house in a very poor district and Miss Heldman was always protesting to her that as long as she was living there with her daughter who was growing up, she should cease her practice of renting rooms to colored men. Miss Heldman even had me go down to tell her that if she didn't do this we would take some sort of legal action against her. She explained to me that being a poor widow with no references, no landlord would rent to her except one who had an undesirable dwelling to dispose of, and that under these conditions she could not get the kind of roomers that we wanted her to. Some time later I did get one client from her. She asked me to go to jail with her to see one of her roomers. This time it was a white person. She was a young girl and, as I recall it, very good looking. She was in jail for traffic in dope.

Another case that I had for Miss Heldman was to represent a woman client of hers in a nonsupport proceeding in Court. It seemed that the woman had about ten children and the case looked all right. However, when Miss Heldman, the woman and I arrived at the Court House, the husband appeared and he was a little bit of a meek man, and she was such a large and aggressive woman that she prejudiced the Judge against her. He let the man off with an order for only a nominal payment. I can remember trying to walk away from this woman as we left the Court Room, with dignity and speed, and her yelling at me that she told Miss Heldman to get her a lawyer and look what she got.

Miss Heldman, who was called "Heldie" by all of us, including her neighborhood friends and clients, was always lending her own money and giving her own clothes to needy persons. In connection with her social service work at her office, she had people send her old clothes which she personally distributed. She helped people to obtain their citizenship papers and to get the papers so that they could bring relatives over from the old Country. She either personally helped with nursing or got other nurses. Later most of this work was turned over to the public health nurses. Miss Heldman lived at the Settlement, was on duty from morning until late at night and seldom took a vacation. She had sisters and other relatives with whom she spent time on weekends but she gave her family so little time that they were always complaining, and with good cause. When aroused, she had a quick temper and a sharp tongue. I could write a whole book about her, but stop now with these fragmentary recollections.

In the early days there were times when at least 75% of the club, educational and other work was done by volunteers. Men and women who were volunteer workers before their marriage would bring their wives or husbands in after they were married as additional volunteers. My wife taught and had a club for a number of years. Mr. A. Blumenthal had his wife work there and there were many others who did the same thing.

There was a group of volunteer workers, including myself, who had a considerable social life with the women who were heads of the Settlement, and their assistants. The demands on our time were great, but the demands on our pocket-books, fortunately, were

very small. We were, on the whole, a very happy family and while there were a few quarrels here and there, they never amounted to much. From these associations many marriages took place. As already stated, there was always a fair proportion of non-Jewish volunteers and paid workers.

It was shortly after 1907, which I remember because that was the year I was married, that a group of young men and women (90% young women) invaded Pittsburgh to conduct what was known as the Pittsburgh Survey. This was a work undertaken by staffs from the universities conducting studies in welfare work in the various cities. A large number of the chief persons came from the University of Wisconsin but other universities were represented. The reports showed up Pittsburgh in a bad light so far as concerned housing for employees of the steel companies, health and welfare for the immigrant workers, educational opportunities for the poor, and in particular, lack of proper measures for the protection of the life and health of the workers in the mills and other large plants. This was years before our Workmen's Compensation Law. The employer could successfully plead assumption of risk or contributory negligence and so the injured employee might have no recovery. The above published Survey created a sensation throughout the United States and was referred to as a classic in its line for many, many years. A number of the young women who came here to do the case work and interview the mill workers and their families made the Settlement their headquarters. They obtained rooms, when available, in the Settlement, and in the immediate neighborhood. These young girls were lively and their social life and ideas were rather

shocking exhilerating to us volunteer workers and others at the Settlement who had close contacts with them. I remember two or three of these girls had a room in an attic in a house near the Settlement. They gave a party to a number of us one night and wanted to roast marshmallows. Having no other place, they started their fire on the attic floor and before we knew it we had a fire to put out. Two New York girls in particular intrigued me with an invitation to visit them some summer vacation. They claimed that they had rented a large, unused water tank that stood up high in the air on the coast on Long Island. It was large enough so that they could divide it into rooms and they lived there in the summer. When you came to visit them, you signaled from the ground and if you were a welcome visitor some sort of a ladder was lowered to permit you to come up. I have always regretted that I never was able to accept the invitation.

Speaking of the difference in surface social behavior and morals, we volunteer men in particular, and the heads of the Settlement frowned on smoking by women, telling of even slightly off-colored stories and open speech on the many then tabu subjects. I can remember that on one occasion there was a young girl from New York who wanted summer experience and took a room at the Settlement on a volunteer work basis. She was a student in social work. We took her along on a motor boat ride on the Allegheny River and after our picnic lunch on the boat she lit a cigarette, took off her stockings, and let her bare feet dangle in the water. We were all so shocked that we backed up the head of the Settlement in arranging for her immediate return to New York. We were afraid the Board of Directors of the Settlement might hear of it and censure all of us.

In the early days we had an association of volunteer workers with officers and meetings confined to workers in the IKS. Afterwards, IKS organized volunteer workers of all the Settlements on a county-wide plan where we held meetings together and visited the different Settlements. Somehow interest in both the IKS and the larger organization dwindled and the whole movement petered out. Probably this had something to do with the falling off in enrollment of volunteer workers throughout the County.

Originally the IKS at its Center Avenue location had no adequate tub, shower baths or swimming pool. Mrs. A. Leo Weil, the then President of the then Columbian School and Settlement, personally went to a Mr. Alexander Peacock, who was one of the recently created millionaires by the formation of the United States Steel Corporation, having been an associate of Andrew Carnegie. Without too much trouble she interested him in the Settlement and he provided the money for a bath house (tubs and showers), which was known as the Peacock Baths and was used until the new facilities were built by Mr. Henry Kaufmann. In connection with the Peacock Baths, I recall that in some way the glass bath partitions between two of the showers were broken by boys at play and one young boy was so badly cut playing around the broken pieces that he was taken home in a serious condition and not long thereafter died. As attorney for the Settlement I had to make contact with the boy's parents and render what assistance we could. This caused me to study the law with respect to public liability of charitable organizations, and though it seemed established that there was no such liability, even in the case of negligence by the institution, our Board from then on

carried public liability insurance. So far as I know, down to date claims made and paid have amounted to practically nothing.

In connection with the building of the new gymnasium and swimming pool, Mr. Teller prepared for presentation to Mr. Henry Kaufmann a survey, accompanied by a large map with colored thumb tacks showing the then population and probable trends in the future, the purpose being to determine whether or not, as a Jewish financed institution, and with a clientele composed largely of Jews, it was a wise investment to build at that location. The survey prophesied that the Settlement could be used by a majority of white persons, with a gradual increase in colored, for about 25 years, after which it would be used only by colored or other newer waves of immigrants that would come in. I recall very distinctly discussing this matter with Mr. Henry Kaufmann and he said he was perfectly happy to go ahead and build the new buildings if only said 25 years' use could be foreseen with reasonable certainty. He concluded that he was sure the buildings would always be used for some good purpose and that whatever it was he would be very well satisfied. At that time quite a debate was going on between prominent people interested in the Settlement, social workers and others as to whether or not further investment in the Center Avenue location should cease and new buildings erected at a different location.

Thinking of the gradual increase in the colored population in the neighborhood, the Settlement's relations with the colored neighbors, while friendly, did not result in opening the doors as freely as I thought they should be opened. In particular, I remember when the playground was put in use and the

big iron fence erected around the playground. It hurt me very much to go out to the playground used by the members and see small colored children with their faces pressed so hard against the outside of the fense as to leave marks, shut out from being able to join the Settlement or take part in the games in the playground. At that time it was the policy to try to help the colored in the neighborhood develop their own facilities. If a group of colored people wanted to take up art, the idea was to encourage and help them organize an art school of their own. If they wanted dramatic work and to put on plays, to help them organize and work on their own as a separate colored group. However, at least one concession is more to the Settlement's credit. The Baptist Minister of the colored church in the neighborhood came to Mr. Teller and complained that there was no place that he and his church could use for baptizing new members. The swimming pool of the Settlement was turned over to the Minister for baptism use.

I spoke of Non-Jews as volunteer workers at the Settlement. Names I can recall at the present moment are: John O'Connor, who became head of the Carnegie Institute Division having charge of the art galleries; Isabel Kennedy, who married Walter Sanville, at one time a volunteer worker at the Settlement, and who up to about a year ago was the active head of what was formerly known as the Federation of Social Agencies of Allegheny County; George Baird, who taught at one of the local colleges and became an author of poems and other articles which received considerable recognition; Frank W. Main, head of the accounting firm of Main and Company; and many others whom I hope to recall by the time we have the meeting to go over these notes.

Going back to my early days as a volunteer worker, and having nothing to do with my activities as a board member and officer of the Settlement, I recall I served as a teacher of English one night, and of citizenship another night for newly arrived immigrants. There was always a considerable sprinkling of older men and women in these classes and I can remember some very fine looking men with magnificent beards. In 1903, I had a beard of my own, as you can see by the picture which I have here. (See appendix no. IX)

It was not long before the Board of Public Education made the schools available for teaching in the evenings, and my classes were transferred to the Franklin School where I continued to teach. At first we had to keep the window shades down on one side of the school because of the adjoining houses of prostitution.

The response of the boys and girls in the class to my amateur teaching efforts sometimes brought a strange result. For example, I remember that I gave the class the word "misfortune" to put into a sentence in English. One of the boys read his, which was, "My mother misfortune today, she slip on step." After this was read, another member of the class raised his hand and said, "Sentence is wrong. He speaks of his mother. That means she is a married woman and the sentence should read, 'My mother, Mrs. Fortune, today she slip on step!"

At a still later date the Board of Education took over the teaching as well as the furnishing of rooms for volunteer teachers, and I turned to club work.

I had a number of clubs over a number of years, usually starting with young boys from 8 to 10 years of age and sticking with them as long as they would stick

with me. I got more from these contacts than the boys did. One club, called the Pitt Club, was very loyal to me, and on one occasion at least out of the small amount in the treasury, which came from their dues of a few pennies a week, they bought me a present which I treasured very highly because of the spirit that moved the boys to do this.

During part of this time I lived on Melwood Street which was over two miles from the Settlement. On many a Sunday the boys of the Pitt Club would walk from the Settlement to our house and back again, (about two miles) just to be with me and my family. Walking was necessary to save money, although car-fare was only five cents at that time. Our house was a comparatively small house on a very small lot, - 25 foot front and 75 feet in depth, but we had a small back yard and a back porch. By use of these facilities and the treats my wife would serve we always had a very good time together. I have a picture of one of these groups which made the trips to Melwood Street.

The problems that took the time and attention of the Board of Directors and were seriously debated, often involved issues which today are not out-of-date or immaterial. For example, when the birth control movement started in Pittsburgh, this organization wanted to open an office in the IKS as we had space adjacent to offices that were used by the Public Health Nursing Association. The issues were whether or not this use of the Settlement Building would offend the Catholics in Pittsburgh and, as a result thereof, affect the contributions of Catholics to the Community Chest which then, as now, made contributions to the Settlement. Mrs. Elias Sunstein, then a member of the Board of Directors, was appointed a committee of

one to make a study and report. She did a very thorough job and gave a report which summarized the two sides of the controversy and ended with the recommendation that we give the Birth Control League the facilities requested. This was done, no animosity was aroused, but the offices were closed after a very short time because of lack of patronage. Evidently birth control was something our neighborhood was not interested in.

Caring for the Aged. For example, we think of the problems of the aged, their recreation, etc., as of very recent date so far as the problem is concerned. We recognized this many years ago at the Settlement, and at one time had at least two clubs of aged. One for the women and one for the men. I remember that the one for the men was under the supervision of Mr. Pitler, and very successful.

The first effort was with a club for women. I think the age was over 60. The issue before the Board was what to do for these women. We had social workers talk to us about the kind of activities we should have to arouse the aged to new heights, to teach them arts and crafts, interest them by good music and lectures, and all the various techniques which are now everyday talk and with which you are all familiar.

The Board finally decided to let me, as President of the Settlement, put it up to the women themselves and ascertain what they wanted. I met with the women and explained all the things that could possibly be done and then asked them what they wanted. They had a talk among themselves and reported to me that they didn't want any of the things that I had outlined. All they wanted was a place to meet, serve a light refreshment, and facilities for playing penny-ante. Their request was granted and the club flourished along these lines for quite a number of years.

Conflicts between the races and nationalities who used the Settlement were comparatively of minor importance. During World War II when Italians were fighting against the United States, we had a club confined to young Italian mothers who met regularly under the leadership of a Jewish staff member and the meetings were always harmonious.

A word about the depression which started in 1929. Normally, the Settlement did not open its doors or have much activity of any kind until after the public schools were out. The boys and girls came from the public schools to the Settlement afternoons, and the older people, with other boys and girls, came in the evenings. With the unemployment resulting from the depression, we found it advisable to open our doors early in the morning; as early as 8:30, because unemployed men and women were waiting to come to the Settlement to use its facilities. They used the workshops, music school, the art school, and all of the club facilities available. I can remember going up to one of the small rooms where there was a piano for practice and watching a middle-aged truck driver trying to master the elementary steps of learning to play simple tunes. He told me he had always wanted to play the piano and never had the time until now. Mrs. Ann Perlow can tell you more about the use of the music school by the unemployed, and I hope she will do so.

As the depression continued from month to month and from one year to another, we noticed that even the comparatively younger men and women did not take part in gymnasium classes, swimming, dancing or in any activity that required moving about. They confined themselves to games which required nothing from the physical standpoint, except to sit in a chair.

As President of the Settlement at that time I talked to quite a number of these younger men and women and asked them why they didn't use all the available facilities. I was told that they were always hungry from lack of food and that exercise only increased their appetite and made them suffer more. They told me that when they came to the Settlement, even though they were hungry, they tightened their belts and played games which helped them get their minds off their immediate problems. Those were the days when the young people that we would ordinarily expect to crowd the dance floor stayed away so as to avoid physical exercise and the resultant increase in the pangs of hunger.

I forget the year in which Uncle Henry Kaufmann started the scholarship fund. We required all applicants for scholarships to give service to the Settlement and, in connection with their first application, to appear for a personal interview with their parents or other sponsor. Mr. Blumenthal and I served for many years on the committee passing on applicants. In connection with some of the applications I got an entirely new viewpoint as to how applicants for scholarships should be handled and how difficult it was to exercise good judgment in all cases. For example, a girl came to us who wanted a scholarship for pre-medical school and medical school thereafter. She had no way of helping herself financially and required full tuition, books, etc. She brought with her her mother, a widow, a frail-looking woman who backed up her daughter's request 100%. The mother eked out a small living for the two of them by repairing clocks for jewelers at night. We on the committee tried to dissuade the girl from a medical scholarship and

switch to becoming a nurse, for which we promised her full assistance. We pointed out the terrible sacrifice her mother would have to make, the long years of poverty and struggle, and the difficulty which a woman doctor would have in earning a living after she had got through with her education. I remember distinctly the girl was firm in her convictions that she didn't want advice from us, she wanted assistance, and that if we did not give it to her we might make a very grave mistake because if allowed to go on perhaps she would be the one who would discover a cure for cancer. We started her on her medical career, but I do not remember whether health or other conditions permitted her to keep it up.

In another case, we had a very bright boy with very good marks, applying for scholarship for pre-med and thereafter medical school. Mr. Teller objected to the application because he had learned the boy worked in his uncle's store after school and that a considerable part of the business of this store was selling numbers. The boy claimed that selling numbers was an everyday practice in the Hill District, and the fact that this was one of his duties in his uncle's store had nothing to do with his own morals or convictions on the subject. He was bold enough to say that he thought as long as everybody was doing it why he might as well continue, but that if we frowned on it and gave him a scholarship he would cease having any connection with the sale of numbers. The committee finally decided to give the boy a chance and he turned out to be the one who made the most remarkable record of any medical student that I can now recall. He had a brilliant record in pre-med, in medical school, and after he came out, and had the highest

grades from his teachers. I regret that I cannot recall what happened to him after he started the practice of medicine. If he kept his health I am sure he made a big success.

In connection with scholarships, one of the other numerous activities of Miss Heldman was that when we had an application for a scholarship, before we interviewed the applicant she made a personal visit to the home, talked to the applicant and the parents, and made a report with her recommendation as to whether or not the scholarship should be granted. She never turned this work over to any of her assistants, but did it herself, mostly at night. After she was no longer at the Settlement the practice of these investigations was practically discontinued because we could get no one who would qualify and do the hard work necessary to make a worthwhile report.

I could write a whole book about my contacts with Uncle Henry Kaufmann. He was a remarkable man and I learned a lot from him. He never refused any request that I made while President of the Settlement for money for additions, improvements or otherwise if he could be convinced that good use would be made of the new facilities. He told me more than once that his criticism of Mr. Teller and myself was that we liked to spend his money like gentlemen and that when he was spending his money he wanted it spent not as gentlemen but as good sound businessmen getting the most for every dollar that he furnished. I early learned another thing about him and that was when he asked a lot of questions, you had to make sure of the accuracy of your answers. In the beginning I was inclined to take a chance and guess. Once when we were watching a play he asked me as to the age of a young

girl who was doing the acting and I gave an offhand guess of nine years. Before the evening was over he came to me and called me down for my answer, telling me he had hunted up the mother of the child and found she was three years older than I had told him. He would do the same thing with Mr. Teller. I remember once, on one of his visits to the Settlement, he walked all over the building, looking into all closed rooms and closed doors, as was his custom. At the conclusion of his tour he came down to where I was with Mr. Teller and asked Sidney how long since a certain closet had been cleaned out and dusted. Sidney gave him an answer which showed a comparatively recent attention to the closet. Uncle Henry took his hand from behind his back and held out a discolored newspaper which he said he had picked from the floor of the closet which bore a date many months prior to the date fixed by Sidney and which he said was proof positive to him the closet had not been cleaned out since at least prior to the date of the newspaper. I could write a book about Uncle Henry but time and space tells me to call a halt to Looking Backward at this point.

1965 NOTE

The Tellers, Sidney and Julia, deserve a special Chapter. The I. K. S., social work in Pittsburgh and other places, the City of Pittsburgh and I, myself, owe a tremendous debt to the Tellers. As Sidney is living, have decided I cannot write a suitable tribute. Their work and his continued interest is so well known that no such tribute is necessary. The part he has and still plays is such that I cannot do it justice. His reputation will continue long after this book is out of print and forgotten.

S. Leo Ruslander

CHAPTER VIII

A TRUE AND FAITHFUL NARRATIVE OF SUNDRY HAPPENINGS WHICH DID BEFALL A PARTY OF ADVENTURERS INTO THE UNKNOWN.

(As set down by L. B. Foster, Yeoman, who did act as Scrivener.) Edited by S. Leo Ruslander

Having in mind the value to posterity of a complete and accurate narration of momentous events, chronicled at the time of their occurrence by an actual participant therein, and believing that future generations will appreciate that due regard for verity and circumstance with which the following account, brief though it may be, has been set down for their delectation, the narrator has attempted to record faithfully and without bias the more thrilling adventures, mishaps, escapes, and experiences which befell a party of four gentlemen who did fare forth into the Canadian wilds during the summer of the year of our Lord nineteen hundred and fifteen, said account lessening rather than magnifying some of the bolder exploits of the party, and presenting as a whole a tale well within the bounds of truth, -- unvarnished and unembellished.

Indeed, a departure from the strict observance of fact were unnecessary, as will be presently discovered when the reader acquaints himself with those

*Fishing Trip - Canada - 1915.

wondrous happenings which did befall us, an exaggeration of which would but expose the humble historian to contumely and unbelief, which is ever to be deplored and avoided by him who endeavors to preserve an impartial record, and if unbelief should arise in the mind of him who shall peruse this history, (which perchance is not to be wholly unexpected), it were sufficient to call attention to the personnel of our party, than whom no bolder blades ere ruffled it in Piccadilly. It is to their intrepidity, at times verging e'en upon recklessness, that such moving adventures are due as shall presently be related, albeit the historian disclaims for himself any greater meed of valor than doth properly abide with any gentleman who sallies forth upon some high emprise.

Having, therefore, attempted at the outset to forestall such incredulity as is only too often Fostered by the reading of accounts of hairbreadth escapes and mighty deeds by field and flood, we will proceed to our narrative rejoicing in that consciousness of moral rectitude which ever accompanies him who but walks hand in hand with truth.

MEMBERS OF THE PARTY.

S. Leo Ruslander, Esq., of Pittsburgh, Pa.
Malcolm Goldsmith, Esq., of Pittsburgh, Pa.
Meyer Greenbaum, Esq., of Pittsburgh, Pa.
L. B. Foster, Esq., of Pittsburgh, Pa.

Started Saturday morning, July 10, 1915 from Hudson Bay Station, Bear Island, Temagami Lake, Ontario, Canada, with two Chippewa Indian guides, named Jim Friday and Mike Cat, with regular equipment.

Food and supplies cost $42.81. In addition, Greenbaum had piles, Ruslander had lumbago, and Foster a broken finger. Goldsmith's condition questionable. Goldsmith was followed to the wharf by two dogs and an Indian girl. Paddled to south arm of Lake Temagami and had lunch at the point where the Temagami River starts. Tried to get pictures of wild duck, but no success. Made camp 4 P.M. Put up tents and made arrangements for night. Foster, Greenbaum and Ruslander fished. Caught two bass, largest two pounds; caught five pike and pickerel, largest five pounds. Camp 11 miles from start on Temagami River. Wind died down and mosquitoes very bad. Greenbaum and Foster fashioned bridal veils of mosquito netting, with small success. Goldsmith is a mass of bites from belt down. Historian refused to inspect further. Ruslander is chief. Goldsmith is treasurer and commissary and stingy with food. Greenbaum is water boy and wood-chopper. Foster is historian and cook. Built camp and to bed at nine o'clock. Supper; pea soup, fried fish, bacon, bread, jam and coffee, butter and tea. First night in camp a nightmare. Mosquitoes and heat so bad not even the Indian guides slept.

Sunday, July 11, 1915

Goldsmith all in - stomach and mosquito bites - unable to eat. On account of Goldsmith's sickness Ruslander had to take Greenbaum into his tent. During the long, sleepless and miserable night the two Lees thought of their wives, babies and comfortable beds at home. Spent morning mending mosquito netting and made late start. Paddled into Cross Lake and made camp on high, rocky and very beautiful island. Had pleasant swim and Goldsmith came to

life for first time during day. Jim Friday made first flapjacks and Greenbaum took advantage of Food Censor Goldsmith's illness and stowed away enough for a week. So far Ruslander has kicked least about mosquitoes. Foster appears content to lie dormant and do nothing. Foster and Goldsmith stay at camp while Ruslander and Greenbaum go with guides for lake trout. Foster used his "Neversink" jacket for first time today and it worked. Greenbaum almost caught a trout, but trout caught Ruslander's otter bait, which Greenbaum had borrowed, and trout and bait both disappeared. At the present writing Greenbaum has not paid Ruslander for bait nor expressed any sorrow at its loss. Foster caught seven pike in half an hour, about three minutes' paddle from camp. Night cool and clear. Goldsmith and Foster slept outside under mosquito netting tent. Visited by fire rangers. All slept well.

Monday, July 12, 1915.

A full day's work. Traveled 17 miles - five portages, through Temagami River. Very hard work. Made camp at Red Cedar Lake about 1 P. M. Went swimming. Saw red deer and eagles and tried to get pictures of very young wild ducks.

Tuesday, July 13, 1915.

While breaking camp were visited by two fire rangers who took letters through to Foster's wife. Delayed during day's trip by log jam at logging camp on Red Cedar Lake. While forcing way through jam Goldsmith fell in lake. While searching for passage to avoid portage, saw very large bass. Foster rigged up a line and hooked and landed a three pound bass.

Within the next half hour every one in the party caught a bass 3 lbs. and over; rod handed from one to the other. Ate two of largest for lunch. Foster was very anxious to stay at this point for more fishing, but was voted down. Made camp at Mann Lake after having covered 22 miles; five portages, largest being one mile. The day's trip very hard and everybody to bed very tired and cross. Mosquitoes quite bad. Ruslander growled as usual about his lumbago.

Wednesday, July 14, 1915.

Slept late. Greenbaum complained of toothache during night. General clean-up and rest for further trip. Later in afternoon Ruslander and Foster went bass fishing with the two guides, the others remaining at camp to sleep. Ruslander and Foster each caught three bass, about 2-1/2 pounds average. Foster went up little river with Friday the Indian guide to photograph moose, but saw only large night owl. Day cool with fine breeze; no mosquitoes, and everybody happy. So far two pairs of pants perished at rear -- Goldsmith and Friday -- and as result Goldsmith's tochus is well covered with big mosquito bites. Supper very good. Had corn-bread, boiled beans and bass. Greenbaum, who is somewhat sluggish in the rear, has switched brands and is now eating Ruslander's pink pills.

Thursday, July 15, 1915

During night cool north winds. No mosquitoes and all slept well. Day's trip of 12 miles to Jumping Caribou Lake, where camp was made on an island. Two portages, one short and one 1-1/2 miles long. Very hard. Full of swamp and mosquitoes. On trip

Mike, the guide, caught half-grown duck by chasing it through water. After taking its picture, we released it. Toward evening Ruslander and Foster went fishing, and Foster caught one three pound bass and both caught pickerel and pike, which were thrown back. While stepping into the water from a long sloping rock covered with slippery moss, Ruslander slid about fifteen feet right into the water, his legs spreading out as he went, and he landed in deep water with an awful splash. This feat was hilariously applauded by the others, who insisted upon an encore, but Ruslander modestly declined to repeat his effort, stating that enough was enough and too much was a-plenty. About two o'clock in the morning the camp was aroused by the shouts of Foster and Goldsmith who were alarmed by the calls of a large night owl. Mosquitoes are now biting Goldsmith on eyelid, only available spot left.

Friday, July 16, 1915.

Weather threatening, but all started out for lake trout. Greenbaum caught a 1 lb. trout - the only catch. Rain drove us back to camp where we put in part of day reading, sleeping and card playing. About five o'clock portaged over to Ingle Lake. Fished for bass and Greenbaum caught two, Foster one, and Ruslander one. Caught a large number of pike and pickerel, which were thrown back. Back to camp at nine o'clock and still daylight. Night cool and windy and we sat around campfire until late.

Saturday, July 17, 1915.

All slept in large tent for second time only. Other nights Goldsmith and Foster slept in mosquito net outside. After breakfast all started for long hike through the woods. Guides Jim and Mike rear guards.

Tramped about five miles over hill and dale. Rough going - no trails through brush. Walk was frequently interrupted by short-winded grunts of Pop Ruslander. Saw two small unmapped lakes during walk. Back to camp at 3:30 and went in swimming and washed clothes while dinner was being prepared. Jim prepared a fish chowder that was pronounced the hit of the trip. Greenbaum and Goldsmith took three big plates each; Ruslander and Foster one each. About five o'clock portaged over to Sam Lake for bass. Foster caught one, Ruslander one and Goldsmith one. Threw a bunch of pike and pickerel back. Goldsmith and Greenbaum performing true to ancestry. They are in a wilderness and constantly longing for the flesh-pots of Egypt. Foster slept in large tent with Ruslander; Greenbaum outside with Goldsmith in mosquito net.

Sunday, July 18, 1915

After pleasant night's sleep, because the snorers slept together, we broke camp, rather late, for Wasach Temagami Lake - five portages, total distance 10 miles, through Mosquito River, which among the Indians has the reputation of having the longest-beaked mosquitoes, and plenty of them, this side of the equator. See Goldsmith. Jim tells us that they persist up to Christmas at this spot. Goldsmith, who seems to be a favorite of the mosquitoes, suffered terribly going through this river. Made camp at a very pleasant spot on Wasach Temagami Lake. Sat around campfire and sang and told stories and jokes. Ruslander taught the boys the Frog Song and Greenbaum taught them "Dan, Dan, the Lavatory Man." This beautiful little ballad was loudly acclaimed by

all and so impressed the historian that he jotted down the following portion thereof:

"Dan, Dan the Lavatory Man,
Sits all day by the crapping can;
He gives out the soap and he gives out the towels,
And listens to the rumble of the other fellows'
bowels."

Greenbaum also rendered "Tom and Jerry, the Night-soil Men" in a most feeling manner, the more so as Ruslander's pink pills had proved most efficacious in his case. Everybody sang a solo but Foster, who couldn't. Ruslander and Foster slept in tent. Goldsmith and Greenbaum slept outside in mosquito netting. Night cold and clear and no mosquitoes.

Monday, July 19, 1915

Went fishing in the morning for lake trout. Ruslander caught one small one. Had fish chowder again. In the afternoon laid around camp, took pictures, and slept, read and played cards. Foster trimmed beard and now looks like Weber and Fields. Everybody went swimming. Supplies running low so decided to send guides on a quick trip tomorrow for a new supply. Spent pleasant and restful night. Weather continues fine. This is a beautiful lake and best camping ground we have had.

Tuesday, July 20, 1915

Guides left for supplies at 5:50 A. M. for Bear Island. Greenbaum made breakfast - beans, tea and pancakes, and bacon. Assistants to chef, Foster and Goldsmith. Greenbaum and Ruslander went fishing in canoe and caught nix. Foster caught four small bass

off shore, which made good eating. Ruslander washed two suits of dirty underwear, paying special attention to certain portions thereof; this to the delight of the camp. Ruslander and Foster explored island during afternoon. Greenbaum and Goldsmith slept and read. Guides returned about four o'clock with grub, mail and newspapers, the first we have had since starting. While supper was being prepared by the Indians Ruslander and Goldsmith went swimming, Foster and Greenbaum kidding them about their shapes. Had great supper. Extra grub cost $5.50. Had fried potatoes and whole fried bass each, spaghetti, toast, bacon, tea, prunes and chocolate candy and cigarettes. In the evening Greenbaum and Goldsmith played forty-five with the Indians, much to the Indians' amusement. Wind died down and mosquitoes became bad. All piled in at 9:30 for bed. Goldsmith and Greenbaum slept outside. Night pleasant and cool. Goldsmith got biggest bite of trip - spider bite - swelled whole back of his hand.

Wednesday, July 21, 1915.

Fine, bright morning. Broke camp at 9:30 for Temagami Lake. At last portage Foster stayed back with guide to fish for bass, which we had for lunch. Met party of Kentuckians on trip. Arrived at camping ground at Temagami Lake at four o'clock. Pitched camp. Ruslander, Foster and Friday went out for lake trout, but no success. Greenbaum and Mike caught one 3 lb. trout, which we had for supper. Night cool and moonlit. All slept well, Goldsmith and Greenbaum outside in mosquito netting.

Thursday, July 22, 1915.

Goldsmith, Greenbaum and Foster left camp for Bear Island, two hours paddling away, Ruslander staying until Friday for trout. Goldsmith and Greenbaum left Bear Island the same day, Foster waiting for Ruslander.

Thus endeth this veracious chronicle. Yet would the historian refer to certain circumstances therein happening which, albeit he therein hath no blame, yet hath he been foully aspersed by certain others of said company, and that he may not in the future bear undully such wrongful assertions, doth now bear testimony that e'en though he did not in any manner partake of the burdens of portaging the accounterments of the party, where in such case it were necessary, yet did he render other services in that he failed not to carry and faithfully guard ye cardboard box wherein were many angle-worms for use in the enticement of various of the fishes abounding in the waters, and also a box yclept a tackle-box, the weight whereof was not less than four pounds, and if the historian had failed of this duty which was thus laid upon him (by himself), much pleasure and joyment would his companions have failed of, wherefore knowing thereof, the historian heeded not their mockery and jeers, but sets such matters down herein that his readers may be rightfully apprised thereof.

FINIS.

CHAPTER IX

IN THE COURT OF HUMAN RELATIONS*

S. LEO RUSLANDER, For Himself And For All Others Who May Desire to Join in This Suit as Petitioners, Petitioner,

v.

PROPHETS OF GLOOM, DOOM AND FRUSTRATION, Respondents.

STATEMENT OF THE CASE (FACTS)

Your Petitioner, on April 16, 1954, attained the age of 75 years and, in his own opinion, is of sound body, mind and understanding.

Stimulated and cheered by the large number of messages, contributions in his honor, gifts and other tokens of friendship and goodwill received by him, but worried by the illness of his wife, Petitioner seeks a decision of the issue in this case which is as follows:

STATEMENT OF THE QUESTION INVOLVED

Is Life Worth Living?

ARGUMENT

The question involved is not new to Petitioner, but has been suddenly emphasized by the facts set out in the "Statement of the Case" above.

*Court of Human Relations - Brief by S. Leo Ruslander .

As a young man, Petitioner frequently discussed with his Father the question as to whether or not, in his opinion, life was really worth living. Petitioner, in order to stimulate the argument, always took the negative position, while his Father insisted that, based on his own knowledge and experience, in spite of his many trials and tribulations, life was well worth living.

Again, many years ago, while Petitioner was in Kansas City, Missouri, his wife's uncle, one Paul Kessel, took him to a debate on this very question between the noted lawyer, Clarence Darrow, and a Baptist Minister whose name is now forgotten. Mr. Darrow took the negative, and with great force and eloquence tore the argument of his opponent to shreds and tatters. The Minister stood his ground, but shone only by the faith and confidence he expressed as his own convictions. After the debate ended, your Petitioner was introduced to both debators and it so happened that on that night all three were in the same car on the same train en route to Chicago. The next morning your Petitioner noted the fact that Mr. Darrow emerged from the only stateroom on the car, attended and looked after by a very good-looking young lady secretary, and the Baptist Minister tumbled out of an upper berth.

The rules of law which Petitioner concedes govern in this case, are:

"* * * Man is born unto trouble, as the sparks fly upward." (Job 5:7)

"What you did is gone with yesterday."

"If we do not plant knowledge when young, it will give us no shade when we are old." Chesterfield.

"The Lord tempers the wind to the shorn lamb." Lawrence Sterne.

Many more, and perhaps better statements of the governing law applicable to this case could be cited, but to do so would unduly lengthen this brief and in effect be only a work of supererogation.

This Court, in reaching its decision, is asked to take judicial notice and give due effect to the following facts:

Petitioner, as a boy and young man, learned to live happily in a world that knew neither telephones in common use, electric light, radio, wireless, television, automobiles, central heating, air conditioning, modern plumbing with bath room fixtures now regarded as necessities, atomic and hydrogen bombs. It is almost unbelievable that Petitioner should have seen so many changes in daily life as herein enumerated. The effect of the mere passing of time is shown by Pictures in the front of book.

There is also in evidence the many messages, contributions and gifts above-referred to which alone and of themselves sustain Petitioner's belief and conclusion that life IS worth living!

Finally, attention is directed to the faith and courage taught Petitioner by both his Father and Mother. Just by way of illustration--When Petitioner's Father landed in the United States about ninety years ago, he was sixteen years of age; he had only twenty-five cents, which he spent for a bath; he could not speak English and was unskilled in ways to earn a living because he had been educated (unfinished) to be a Rabbi. He, however, had faith and courage and the name of a man who had migrated to the United States from the same village in the Old Country years ago. No address, not even of a city or town. As was the custom, he was put ashore in New York City at the so-called "Battery" at the foot of Broadway. He walked through Bowling Green Park and up Broadway

looking for a friendly Jewish face of a man who might speak his language. In a short time he met such a person who, of all people (proof that life is worth living), knew the man sought for. He called a messenger boy, paid him and gave him instructions where to take Petitioner's Father to the friend whose name he had and who gladly took him into his home and helped start him earning a living. Petitioner's Mother likewise had the same faith and courage in overcoming the many difficulties which she and her family faced as long as she could remember. Petitioner, as an officer and director of the Pennsylvania Association for the Blind (Pittsburgh Branch), sits at Board meetings in a room which contains on the wall a bronze placque dedicating the room to the memory of his Mother, Phoebe Jane Ruslander, as the Founder of the Association.

WHEREFORE, Petitioner, being aware that this case will be decided in accordance with the philosophical concept of a majority of the Judges who hear same rather than on a factual basis, nevertheless prays(1) that the Respondents, in the Name, Honor and Majesty of Almighty God, be prevented, restrained and enjoined, now and forever, from directly and indirectly preaching, advancing or advocating the doctrines and beliefs set out and charged as a cause of

(1) "The Lord is my Shepherd I shall not want.

* * *

"He restoreth my soul: He leadeth me in the paths of righteousness for his Name's Sake.

* * *

"Surely goodness and mercy shall follow me all the days of my life; and I will dwell in the House of the Lord forever." (Psalm 23)

complaint in the foregoing Petition, and that Petitioner be ordered and directed to live the balance of his life in accordance with his beliefs as above set forth.

Respectfully submitted,
S. Leo RUSLANDER

To All Persons to Whom These Presents
Shall Come, Greetings:

KNOW ALL MEN BY THESE PRESENTS, That I, S. LEO RUSLANDER, of the Commonwealth of Pennsylvania, County of Allegheny and City of Pittsburgh, expect and hope that those of you who read the foregoing Brief far enough to reach this page, will pardon my presumption in submitting a not very brief personal viewpoint on an important issue to those of us who have had cause to pause and consider the same. In this connection, it must be understood that there are no scales to weigh the appraisal and balancing of human values.

My excuse is that the mailing list has been carefully prepared so as to include only those of you who have made the occasion of my Seventy-Fifth Birthday a cause for personal congratulations, messages, contributions and gifts. There are so many of you that separate personal notes or letters seem too great a task and besides, such is the pride of authorship, even when not really justified, I have had more fun writing the "Brief".

IN WITNESS WHEREOF, I have hereunto set my hand and seal as of the 16th day of April, 1954.

S. LEO RUSLANDER (Seal)

WITNESS:
DOROTHY REGAN
Secretary

CHAPTER X

OBITUARY

GERTRUDE HARTWIG RUSLANDER
(Date of Death - July 7, 1954)

By Her Husband
S. LEO RUSLANDER

Thursday, July 8, 1954. The funeral is over and I am alone in our bedroom with your empty bed beside me.

I tried to listen to the Rabbi who voiced a well-spoken and deserved tribute, but my mind did not permit me to follow his words because it went back over our life together, from childhood to the day of your death.

Let others, as did the Rabbi, pay deserved tribute to your life as a Mother, Grandmother, worker in communal affairs and other activities. I speak only of your life as my wife for forty-seven years.

Whether I deserved it or not is beside the point, but you loved me with all your heart and soul and might. You loved me as a child before you really knew what love was, and through the years that followed until our marriage in 1907. I have a valentine which you sent to me when I was seven years old, addressed in your Mother's handwriting. This was particularly true of the six years that followed my

*Obituary - Gertrude Hartwig Ruslander.

graduation from Columbia University which was the time that elapsed before I felt we could take the financial risk of marriage.

After you were struck with the fatal malady that ended in death, we were, for the months that followed, closer together than ever before. This is a most sacred memory.

When the shadows of death gathered, without putting it in words, but because we knew we would not, in all probability, pass on together, you wanted to go first. You believed I was stronger and better able than you would be to journey on alone.

And now I start the journey to the end of life for me, alone. Life must go on. As I write this at your desk the Cardinals you loved are on the outside window sill chirping and asking for you to come and feed them, just as if nothing has happened. The duty I owe to them, to my family and others I will perform to the best of my ability.

S. Leo Ruslander

Note: This Obituary was sent to relatives and a small circle of close friends. May they read between the lines all of the unexpressed emotion penned up in my heart and soul. S. L. R.

CHAPTER XI
M. S. BERGENSFJORD
AROUND THE WORLD IN 80 DAYS
1959
ITINERARY

PORTS	MILES	ARRIVE	SAIL
NEW YORK			
(Embark 9:00 to 10:30 a.m.)			11:00 a.m. Sat Jan 17
TANGIER, Morocco	3176	p.m. Sat Jan 24	a.m. Sun Jan 25
NAPLES, Italy	999	p.m. Tue Jan 27	p.m. Thu Jan 29
PORT SAID, U.A.R.(Egypt)	1120	a.m. Sun. Feb 1	- - - - - - - - - - - -
SUEZ, U.A.R. (Egypt)	88	- - - - - - - - - -	p.m. Wed Feb 4
ADEN, Arabia	1312	a.m. Sat Feb 7	p.m. Sat Feb 7
BOMBAY, India	1657	a.m. Wed Feb 11	a.m. Tue Feb 17
COLOMBO, Ceylon	895	a.m. Thu Feb 19	p.m. Fri Feb 20
SINGAPORE	1581	a.m. Tue Feb 24	a.m. Wed Feb 25
BANGKOK, Thailand	842	a.m. Fri Feb 27	a.m. Sat Feb 28
HONG KONG	1458	a.m. Tue Mar 3	a.m. Thu Mar 5
KOBE, Japan	1372	a.m. Sun Mar 8	a.m. Tue Mar 10
YOKOHAMA, Japan	357	a.m. Wed Mar 11	p.m. Fri Mar 13
- Crossing the International Date Line, Tue. Mar. 17 -			
HONOLULU, Hawaii	3397	a.m. Fri Mar 20	a.m. Sat Mar 21
LOS ANGELES, California	2228	a.m. Thu Mar 26	p.m. Thu Mar 26
BALBOA, Canal Zone	2913	a.m. Thu Apr 2	a.m. Fri Apr 3
CRISTOBAL, Canal Zone	44	a.m. Fri Apr 3	p.m. Fri Apr 3
NEW YORK	1974	a.m. Wed Apr 8	
TOTAL MILES	25,413		

*Around the World in 80 days at Eighty (1959) Letters.

Monday, January 19-1959
2:30 P. M.

Dear All:

After Julian & Pat left me on the ship I felt quite lonesome and wondered whether or not, with all my home comforts, congenial office work, family and friends left behind, I was not mistaking my anticipated future pleasures for the next 80 days. The weather has been windy, cold & bright sunshine. Lots of roll and yesterday I felt sick enough to stay in my room and not eat lunch. Was up and dressed (formal) for the Captain's cocktail party at 6:30 P.M. Free drinks. There are six at our table. All except No. 4 grandparents. All nice anyway. All very fine and interesting people so far. All now know about my hearing defects.

Table (1) (2) (3) / (4) (5) (6)

(1) Mrs. Bertha Del Steinbach - N. Y. widow one yr. An Artist draws and paints. Husband was in the Printing Biz. Age about 55.

(2) S. L. R.

(3) Mrs. Joseph Moss - Phila. - Widow 4 years - husband was a Lawyer. Age about 55.

(4) Mrs. Grace Hyman Whittier - Calif. Widow for a long time. Older than (1) and (3).

(5) and (6) Mr. & Mrs. F. E. Scuchman of Pgh. Have known him for many yrs. Served on Welfare and other Boards with him. Knows J. R. For a short time he

was a Treesdale Director. Beattie did not like him but I find both he and his wife very agreeable and interesting. Judging by the clothes worn (if I can qualify as a judge) Nos. 1 and 3 must have plenty of money. Sat. night Dr. Maurice Feldman (Mac Goldsmith's friend) came to my room and invited me for cocktails. He had as guests nos. 1 and 3 and so for the first time, I was sure they were "Unser Leute". My room is o. k. with the trunk gone. The room steward (all young women on this ship) unpacked and laid away my clothes. She says Julian talked to her about me. Very competent and agreeable so far. On Sat. passed the Statue of Liberty about 11:30 A. M. which looked very fine in the bright sunshine. However, we were stationary, in sight of Brooklyn, all Sat. afternoon and night. Machine trouble. At our table it was the consensus of opinion that the average age for the passengers is about 65. They are lively and crowd the dance floor. I danced twice last night but did not do well because of the motion of the ship. This ship is about 4 years old. Number of passengers this trip about 360. The Captain said about 1/4 had traveled with him on this ship before the present trip. I can use my electric razor due to the gadget Julian gave me. Am, for me, deluged with gifts of flowers, candy, cakes, books and liquor.

Thank you "Dorothy, Edith & Loretta" for your gift. Have not opened the bottle as yet but look forward to a grand opening. Thank you girls again ever so much. Label says "1 bt L. Roederer brut". Have received 35 letters, telegrams, etc. One of the outstanding gifts was from Hafners. A large Antherum plant. Its bright red lights up my desk. My cold is gone and back o. k. again. The food is good and well cooked but there is not the infinite variety found in other ocean liners.

Hope Bunny's family ills are progressing the way she wants them to go. So far have nothing to complain about except that trip is, so far as the Atlantic is doing its part, quite rough. According to the list given us by the Ship's Beauty Parlor, I can buy Chanel No. 5 1 oz. for $10. Will debate this but at the moment the Cons have it over the Pros. Wore my brown sport coat today. 90% of the men dress for dinner every night. Guess who belongs to the 10%. Had a Turkish bath today. Played gin rummey with Mr. Scuchman No. 5 tonight (1/19). He won. A bowl of fruit is left in my room every night. So far have gained 3 lbs. - 1/20-5 P. M. Thursday just returned to my room after a walk around the deck with Mrs. Feldman, we stopped for tea and cakes with music at a table with a Mr. & Mrs. Brown of Cincinnati, Ohio. Today found my sea legs and have walked quite a bit, even used my deck chair for a short time. No water in the swimming pools as yet. Sea too rough. This a. m. attended an "Informal Talk - Around the World in Eighty Days". The speaker said he will tell us about the camels and elephants later. Today devoted to history of early voyages - 1942, earlier and later. Rough going the first 2 days. Ship listed as 18750 tons. Wed. Jany. 21 - 12:30 a. m. Just returned from first meeting of Camera Club. About 50 there. Only 3 registered as using a Polaroid camera. Mostly too technical for me. Were told most amatuers over expose. If you want to be sure of a special picture take 3 different exposures. Our table, relatively speaking is composed of very moderate drinkers, yet the flow has started. Everyone has wine by way of gifts and some will be shared. The first bottle by No. 3 was opened at dinner last night. Am invited to a formal

predinner cocktail party for Saturday night. Last night was up until 12 midnight. A very good late floor show, dancing, midnight snacks, etc. By day the men all wear sport coats, shirts and trousers. I think mine are right in line both as to looks and quality. Today took out foreign currency for Tangier. $5.00 worth. 1000 Francs equals U.S. $2.30. If not used can be changed back on Ship. Everybody seems to carry a big book for reading. At the rate I am going the books I have will last the 80 days. If I read 1/2 hr. I get sleepy. Thursday 1/22 "Rocked in the cradle of the deep". Never appreciated these lines as I do now. Rocked all the time last night violently. However, am not sea sick. Yesterday took another Turkish bath. This is a bargain - no charges except for a massage which I have not needed as yet. Explained to my room steward why I have not used her services as a bath steward. Today took a few pictures. Tried to get the high waves thru which we are traveling. Each night we turn the clocks and watches 60 minutes ahead and will end up gaining a day. Today attended a lecture on Morocco. Last night the movie Gigi which I had seen in Pgh. Tonight what is listed as a "Suez Program". Nos. 5 and 6 have left our table. The wife explains they are getting a better location in the dining room.

Every day write post cards.

Friday 1/23 - Make our first Port, Tangier, tomorrow a.m. Air Mail letters 25¢, post cards 15¢. I have 20 cards ready. First batch will go air mail as they are acknowledgements of gifts and Bon Voyage telegrams.

Just left my light meter with the Ship's photographer, he will test it for me.

Am ready for land under my legs again. Have had plenty of time to think over what a change in my life

began a week ago. At home I am of some importance to my family, my associates in the office, my closest friends, etc. Here I am of no real importance to anyone although find everyone with whom I have come in contact very pleasant and agreeable. However, in spite of lack of importance as noted above I am happy and grateful to all of you that I am able to take the trip. Enough for sermonizing, I must be a little lonesome.

Love, regards and appropriate messages to each and everyone of you of the small but select group that will have sufficient interest to read this letter with the proper allowances and understanding.

R.

Papa Leo
Grandpa, and
S. Leo Ruslander

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Tangier,
Sunday 1/25, 9:00 P. M.

Dear All:

Well, have had my first day in a Port. Got up early as we were to pass thru the Straights of Gibraltar at 8 a. m. At this end the Africa Gibraltar coast is more extensive and less elevated than I expected. Will pass the high rocks tomorrow. Have received two letters, the first from Martha Clarke (thank her for me) and later one from Annette Z. Weather fine, sunshine but not too warm. The new city with modern apartments are occupied by so called foreigners. About 800 Americans in one section. Two room apartments with facilities rent for $50. 00 our money.

The native city is terrific - like a native quarter scene in a movie only miles to it and you walk about and ride instead of only look. All streets in native section, would call most of them alleys, are well paved and crowded with natives, veiled women, children, donkeys, snake charmers, barefoot women of the working class (unveiled) of the Riff tribes with huge packs on their heads and backs. Outside of the city goats and sheep and cattle by the hundreds - many camels, etc. A good goat is worth about $10.00 U. S. money. No pigs as the natives do not eat pork. We had a good guide, he had spent four years in the American Army. Like all guides, he steers you to his favorite shops hoping you will buy. I bought nothing today. Street vendors as thick and persistant as flies in an unscreened kitchen in summer, only you can't get rid of them with a fly swatter or spray. At a lecture on Board ship, we were told natives resented having their pictures taken. Saw none such, - old and young eager to have you take their pictures but expect a tip and are very persistant about this. Was so tired on return to ship, took a Turkish bath and a swim in the indoor pool which is on same floor as the Turkish bath. Was the only one in the pool and it was grand. Tonight all the people at our table are out for dinner and night clubing. They urged me to go but nothing doing. Dined alone and in comfort. Had my first Norwegian beer for dinner and it was very good.

Am getting a wider acquaintance on ship every day. A Mr. and Mrs. Binenkort of Middletown, N. Y. Younger persons, she is from Buffalo and they know all of the Ruslander's. Also have visited Pittsburgh, Westmoreland Country Club. Last night met a young couple in their late sixties or early seventies who

were married just in time to make this trip their honeymoon trip. Met a woman who claims to be a friend of the Hornings - another who claims friendship with Judge Ann Alpern and so on, etc. Met a retired sea captain. He ran his ship for over 40 years on the California coast and inland California rivers. His wife died, he retired and spends all his time on cruises. Remember the saying about the Busman's Holiday. He took a bus ride.

Monday, January 26, enroute to Naples - All day journey.

Tuesday, January 27, enroute to Naples - get there tonight. A bright sunny day with smooth sailing. Reclined on deck chair for about 1-1/2 hours this morning. For the past few days have only taken two meals in the dining room. For lunch eat fruit in my room with a couple of cakes from the tin box the Perlow's sent me. My two next door cabin neighbors are a Mr. John H. Ward of Princeton, and a Mr. Edw. Breickner of New York. We exchange greetings on passing but have not visited together as yet. The Widows at my table report 39 eligable men out of a total passenger list of nearly 400. The widows outnumber us about 3 to 4 to one. The men wearing formal dress to dinner have gone down to about 50%.

Am not taking the over night trip to Rome tomorrow. Tomorrow, however, will be a day. We have to be ready to leave ship by 9:00 a.m. Dr. Feldman speaks before the Medical Society at Rome tomorrow night. He asked me to go along but I declined - so did his wife. His next speech will be in Bombay.

January 28 - When I woke up we were docked in Naples. Received mail from Julian, Fred R., Annettie

Z., Martha and Teller - makes me feel good to get mail.

Love, etc. to all of you.

Dad
Papa Leo
Leo
R.

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Wednesday, January 28.
10:00 P. M.

Dear All:

A long tour today - 9 a. m. to 5 p. m. Slopes of Mt. Vesuvius to Pompeci. Also over the moutains to Amalfi where luncheon was served at the Terrazza Hotel S Caterina. The dining room overlooking the Bay of Salerno. A little like but much, much better than Acapulco, Mexico. Wonderful view for dining room. We had music and singing with the meal. The meal, very good, was covered by the Tour, but you are expected to order wine and pay for it. I let the head waiter select for me and received a basket encased bottle of wine "Antinori-Castella Della Sala" - $1.00 U. S. money, very good. The trip as a whole was interesting but not very exciting for two reasons. It was cold with rain and some snow. Our guide had an accent and I could not tell if he was talking Italian to the driver of the car or English to his passengers. Wore a wool shirt and my heavy coat, but was cold all the time. A cold mist from the sea obscured our view of a drive that, with better conditions, deserves raves. Nothing to compare with it. Runs along the

edge of high cliffs, (mountain slopes) with horse shoe curves and hairpin bends.

Naples is a large city built up hill sides and cliffs. Many autos but 90% or more the small ones. Many horses and small other draft animals (small donkeys) in use on the paved streets. Passed acres of lemons and oranges now ready for picking. All hill sides are terraced and planted with these trees. They erect side poles with a roof of straw or other materials to cover the top and to protect these fruit trees. No irrigation seems to be required, at least none visible from the car. Even in some parts of the business section you see these trees loaded with fruit popping up through the paved sidewalks. Have to get up at 7:30 a. m. tomorrow so as to be ready for trip to Island of Capri and Blue Dell Grotto.

Yesterday the sun was out but it was still cold. A very interesting trip by small steamer and then autos, 9 a. m. to 6 p. m. Isle of Capri is larger and higher than I expected. Over 3,500 feet to as far a car can go. Did not add to by walking up further. Too rough to go to Blue Dell Grotto. By the song "It was on the Isle of Capri that I met her", and my previous reading was prepared a little bit in advance. Like people who go to Niagara Falls for the first time expect to see a lot of water. We lunched at Capri at Hotel Palace, etc. Tiberous. We drank very good beer "Birra Perona" brewed in Capri. At our table were a Mr. and Mrs. William H. Cowan of Jackson Heights, N. Y. He is a stock broker in New York. Both in their late seventies. He had a heart attack and so for the past few years has traveled a lot. Is not 100% retired. Says Blue Chip common stocks are the best bets at present. Hold and pay no attention to the ups and downs in prices on the stock market. He told us that

in Egypt the insistance on tips is very pronounced. Says that last time he was there he took a ride on a camel. At end of ride he tipped the driver, the man who helped him on and off and another man who did something. As he walked away one ran after him and asked for another tip. He asked what for and was told it was for the camel. Matzos are at hand for every meal but our waiter did not know what I meant when I ordered some by name.

Due to weather there is an epidemic of colds. Running noses are a dime a dozen. Everyone at our table except the waiter has one. No. 1 is in bed and called in the ship's doctor.

Saturday, January 31. This is the second day enroute to Egypt. Time used for rest, letter writing, reading, and extra sleeping. This a.m., a lecture on Egypt - 3:30 Camera Club - 5 p.m. Turkish bath and swim. Finished my first roll of film today. One small fly in the ointment is that in Egypt I must share hotel room and railroad apartment (1 lower and 1 upper berth) with a Mr. Luis Enrique Eckelman of Brooklyn, New York. Have not met him as yet. Played Bingo for first time last night - lost - only allowed to use Egypt currency in Egypt. One Egyptian pound equals U. S. $2.86. In Italy could use U.S. money.

Tell Bunny I often think of her and compare her looks and clothes with those of the other women on the ship. She easily tops them all.

Time to close - Love, regards, and other appropriate messages all around. You can dish them out.

Leo,
Papa Leo,
Grandpa,
R.

******

Winter Palace Hotel, Luxor
February 4, 1959

Dear All:

Our trip has been disrupted at this point. Yesterday at 6:30 p. m. we left this hotel for the train. We were to ride all night to Cairo and change trains for the ship arriving about noon today. When morning came, we were still in the R. R. Station. Big r. r. wreck ahead, so back to this Hotel. Will be here today and tomorrow but next day will fly to Cairo and about midnight change planes there to fly to rejoin ship at Alden. This has interrupted my letter writing schedule which will be resumed anon.

Do not regret the change too much. This is a good hotel, beautiful grounds, everything except a swimming pool.

Am well and having an interesting time. The flies are bad outdoors, will have to buy a fly swatter. Most everyone carries one - made of some fiber and looks like a horse's tail.

R.

******

Sunday, February 8

Dear All,

Tour 12--Cairo and Luxor, started off nicely and ended badly. We did not get back from Luxor until February 7 instead of February 4, as scheduled. Missed Port of Suez as we flew from Luxor to Aden Arabia.

On return to Ship yesterday, was cheered and comforted by letters from Dorothy with copy of J.R.'s

letter already received. (Thank you, my dear Dorothy, for your contribution dated January 26) —Mrs. Annette Z., Hartwigs, Fred R., Martha M. Clarke, and Bunny. Thank you, Bunny, for your interesting letter. I know how busy and distracted you have been and so say again, Love and Thanks. Also received a letter from Rabbi Hugo Gryn of Bombay, offering to pick me up at the ship and enclosing a Sisterhood Bulletin reading, - - "The Sisterhood of the Jewish Religious Union, cordially invites all its members and their husbands to an 'At Home' on Thursday, February 12, at 6:30 p.m. to meet Mr. and Mrs. S. J. Levy and Mr. S. Leo Ruslander, prominent members of American Progressive Jewry. Mrs. S. J. Levy is currently New York State Chairman of the World Union for Progressive Judaism. Refreshments will be served." The Levys are not on our tour. Sorry I can't be there as my Tour No. 26 leaves Bombay on Wednesday. Also found waiting for me an invitation for "Cocktails" February 9, 6:45 p.m. from the Feldmans. Before very long I will have to give a like party to pay back quite a few such obligations. To hell with the expense!

Tour No. 12 started from Port Said early February 1. My room at the Semiramis Hotel, Cairo, was large, comfortable and had a balcony overlooking the Nile River. The hotel is built on the banks of this river. My roommate (L. E. Eckelmann) very nice and considerate. I used his soap as I forgot mine. No soap furnished in Egyptian hotels. Bought a cake at the hotel in Luxor. That night a boat ride on the Nile River, - 2 sets of muscians, - singing, a magician, and a young female Oriental dancer with plenty of wiggle and you know what. The River banks and buildings along the shore are all lit up with electric

lights and neon signs. Very beautiful sight. We did not stay at the Nile Hilton Hotel in Cairo as scheduled. It was not finished. In Cairo visited the Citadel, museum, mosques, bazaars and old city. As usual with all guides, they take their job seriously and insist on pouring out history, explanations, etc. When I get tired I shut off the hearing aid. Am full to the brim with King Tut, Ancient History, etc. If you want any of this go to the Library and borrow the books. King Tut's period was 1350 BC. My letters will deal only with the personal experiences of S. L. R. which cannot be found anywhere else.

The pyramids and Sphinx took a lot of time but were well worth it. I rode for a mile on a camel and when he trotted I was shaken up badly. Have a picture of this taken by the ship's photographer. It is very good of the camel, its driver and the pyramids in the background. Not so good of me, but you will know it is genuine by the blue cap, which Julian made me buy, on the side of my head. Was prepared for the Pyramids, but not for the extensive underground caves and rooms over which the Pyramids are built. Each night I go to bed very tired, but happy.

Luxor - Hotel on the Banks of the Nile, nicely landscaped, lots of flowers, but food not so good. I was lucky and had a single room with private bath and toilet, most of the rooms did not have same and there was quite a squawk by some of the women. The train ride from Cairo to Luxor was the roughest I have ever experienced. Had the compartment of myself only the first night. When we got to Luxor (I had forgotten to warn the porter that because of my hearing he should rap very loud), when I got off the train the whole party had left. I had to get a special guide, who got a horse and buggy with a driver, and took me to the hotel, The Winter Palace, the best in Luxor. When I got to the

Hotel I asked the guide how much for the trip and gave same to him, with a tip. He and the driver got into a loud argument as to the division of the spoils, a policeman was called, and at that point I left, going with dignity and speed into the Hotel.

At Luxor more Pyramids, caves are underneath, a ride by boat on the River Nile, rides into the country, a children's school, pottery makers at work. The school for young children was most interesting. The pupils sat on the ground in a row, the boys at one end and the girls at the other end. The teacher also squatted. A few beat up charts, no books, blackboards, desks, seats or anything we take for granted, yet the children were good looking and seemed happy. The last of the two extra days at Luxor were hard on everyone. We had to give up our rooms by 4 p. m. and sit around. Did not leave for the airport until about 11:30 p. m. and did not leave on the plane (uncomfortable seats) until 2 a. m.

Arrived next a. m. as above set forth, at Aden Arabia. The plane ride was very smooth. I don't believe I slept any. It was a great relief to get back to the ship and its comforts. Took a Turkish bath and a swim. By night had recovered enough to attend the floor show and danced three times. The meals on the ship are fine but so far nowhere else.

I have adopted a good line which makes a hit with all the ladies, old and not so old. We have almost no young ones (by this I mean up to about 35 years). I say, "Your hair looks gorgeous tonight." This makes a big hit as they all go to the beauty parlor on the ship and want to make sure they get value for their money.

Egypt is a country of cheap labor. Men pull oars, carry loads, and perform all the labor we use power machinery for. It is a poverty stricken country. No

adequate farm equipment, much of all work done by use of horses, donkeys, camels, oxen and other cattle. The water for irrigation comes from wells which use water wheels to bring it to the surface. A domestic animal operates the wheel by walking around it in a circle. Where there is irrigation there are very good crops. When we got off the train at Cairo we were handed a welcome card which started out with, "Welcome to the land of sunshine and hospitality." At that time we were in a cold rain!

Since yesterday, the "guests", so-called, have come out in bathing suits, shorts and what have you, to get the most skin exposure. We have a ship bulletin warning against too much sun. The outdoor swimming pool is open. I already have quite a tan.

On Tour 12, became more intimate with a new group. Everyone is really friendly but as a whole split up into groups because of dancing, card playing, drinking (none excessive that I have seen), camera users, and other interests.

In the hotel at Cairo it was like pages from the Arabian nights. All hotel personnel, except the head waiters, in turbans or fez hats, baggy combined outergarment and trousers. Colored sashes. Blue, red, white, and other colors all bright and clean looking. Saw no women at any task or otherwise in any of the hotels in Egypt. First night at hotel in Cairo wanted to switch on the electric lights when I entered the bedroom. Finally felt a small board on the wall with buttons on it. Pressed them all, --no lights, --but three different kinds of help came rushing in.

The principal reason why I rode the camel was it was paid for by Cooks as part of the tour price. Originally, the only way for the tourist to get to the Pyramids was by riding a camel. The custom is reserved

as tourist bait although there is a paved road over which our bus goes and we rode back in comparative comfort. On this tour was with Mr. and Mrs. James C. C. Holding of Linden Avenue, Pittsburgh. He is 6 feet 2 inches and suffers some inconvenience on that account. We shared the washroom and toilet on the train. Each serves two compartments. The guides are called Cooks Dragoman. Their hands are always out for tips. My good cashmere overcoat is taking a beating this trip, --off again, on again, folded up for storage and otherwise abused. In Egypt rode over some dirt roads, - lots of dust. The flies are bad in Egypt. We all carry fly swatters, a wooden handle and long brush like fibers attached thereto. You don't kill because they are on your hands and face, only swish them off. Mine is a bright orange color. Keep it fastened to my trousers at all times. When not in use it hangs down at my back and looks like a horses tail. In Egypt, while the days gave us a warm sun, we needed blankets at night. Egypt is flat, no mountains, streams or lakes other than the Nile River. In most instances everything you use and see (outside of the hotels and often these) seems old, worn, and badly in need of repairs. On the trip to the Pyramids at Gaza (outside of Cairo), talked to two Egyptian young ladies. They were so different and good looking that I took their picture and promised to send it to them. The address (keep this for me) is Seham Mostafa Kamd, Tanta Tree Saed School Presses Lawkya, Egypt.

The Egyptian paper money of small denominations is usually very dirty and so old and of poor quality as to tear easily. On train to Luxor I gave one such to the waiter as a tip. He came back and said it was too torn to use and asked for another. I suspected that

because ladies were at my table he wanted to get away with two bills. I held up the torn one and asked, "No good?" He said, "Yes", and threw it among the soiled dishes on the next table. I did not give him a new one and had the satisfaction of seeing him salvage the torn one. After that he treated me with great respect.

We had one so-called "wild woman" on the ship. She recently lost her husband and drank too much. Was obnoxious to the other people at her table. One night she left her cabin, stark naked, at 5 a. m. and went and knocked at the Captain's cabin. With so many doors she had to choose that one. She was not good looking. Cooks' gave her a rebate and shipped her back to the United States from Cairo. Of course, my knowledge of the foregoing facts is strictly "Ex post facto".

Have been visiting with a Great Grandmother, - quite young looking. She has friends in Japan and wants me to meet them for help in shopping, or otherwise. In Luxor, at Winter Palace Hotel, my bed was high up with a mosquito netting canopy. No flies or mosquitos in the room. It was very comfortable and clean.

Finally met a retired lawyer, Bernard P. Webber, of Chicago. His wife is dead, no children, and as much money as he wants. So he travels. On his card he prints, "Retired". 81 years old. Admitted to the Bar in 1900. He got his money by taking stock from his clients as fees and some turned out very well. Has owned stock of the American Snuff Co. for over 30 years (not a fee investment). Has visited the Company's plants, knows some of its officers, and tells me it is a very good stock. He talks all the time and I am beginning to avoid him.

Was surprised that the Nile River has a strong tide. It is dangerous to bathe in it. No swimming pools at the Egypt Hotels because water is so expensive.

Played some bridge at Luxor while waiting to leave the hotel for the airport. Three women who do not play for money but play well. At Luxor tried to buy playing cards at the hotel but was told none for sale as the State frowns on card playing.

Tragedy has struck. One woman, traveling with her husband, died of a heart attack in Cairo. One of the two Margolies Sisters was struck by a motorcycle in Cairo. Leg so badly shattered it was put in a cast and her sister had to start home with her.

Just received notice that on Tour No. 52, due to severance of diplomatic relations between Thailand and Cambodia, that portion of the tour from Bangkok to Siem Reap will be canceled. We get a refund of $75.00.

Forgot to say it is hard to get used to men as chambermaids. At Luxor mine was over 6 feet tall and dressed as if a Ku Klux Clan member.

This is a long letter and I am glad it is finished. It will be many days before you get another letter. Meanwhile, appropriate messages all around.

R.

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Tuesday, February 17.

Dear All:

Returned from six day Tour 26, 9:00 p.m. Very tired, but glad I made the trip. Rested, slept, Turkish bath, swim and am now starting this letter, all of which accounts for this day.

At Bombay, received letter and valentine from Annette Z., Miss R. L. Wright, Pat, written Feb. 3. J. R. written January 30 and Feb. 2 (My cabin is comfortable and well located so will make no move to change.) Box of Hearing Aid Batteries. Fine letter from Bunny. Letter from Lee, well written and showing more maturity than a year ago. Glad he reports good Sunday School grades. Letter from John. Characteristic and so pleasing to me. Max Hartwig - He would join the map readers. Wish I had more desire to study maps.

Now, to get back to Tour 26. Bombay is about half way round the World, 12,500 miles, so each day after Bombay brings me closer to home. Rabbi Gryn met me on the dock at Bombay with his miniature auto, drove me about the city and then to his home to meet his wife and baby. Both Rabbi and his young wife are likeable. His Congregation consists of 50 families, 90% black Indian Jews, 200 Sunday School children. Says life is hard for the members of his Congregation and he is not too hopeful of the immediate future. Through the Rabbi met on the dock a Mr. and Mrs. S. J. Levy of Buffalo. The wife says she went to school with Max H. (name Bergman or Copeland?) not on our tour.

Bombay is a big city over 3,000,000, but most of the natives live in congested sections and have a very low (compared to ours) standard of living. They dress in white, appear clean, women on streets in Indian styles (go to a movie to see same). Street traffic in business section worse than in Pittsburgh. People on the whole seem better off than the poor of Egypt. No flies in India at this season of the year. They will come later. Our group, Tour 26, about 18 in number. Mostly people I did not see so much of on

ship but all very nice. Was assigned to a car and table with Nos. 6 and 7. Very good companions in their late sixties. (6) is a graduate of Wellesley, never married. (7) is a widow over 20 years. They are cousins (Jewish). Bombay Airport, 20 miles (1 hour drive) away and a rough road. Luxury Hotel at Delhi. Large room, bath and balcony. Small electric refrigerator to keep your drinks cool. The hotel guests are mostly black of face; men with beards and turbans. Hotel staff colorful costumes, head dress a kind of a red something that sticks up in the air like a rooster's comb. Hotel has a large swimming pool. Delphi is Capital of India. 2-1/2 million. Hotel over 300 rooms. Streets packed with bicycles, more than I saw in Amsterdam, Holland. Large and imposing Court House for Supreme Court. 11 Judges.

Bombay already covered. Luxury hotels except in Katmandu. Taj Mahal the most publicized "must" for tourists. Well worthwhile. Had to get up at 6:00 a. m. to see it at sunrise. It is in Agra and termed "the crowning glory" of all sights in India. Built of white marble. Started in 1617 by King Schahgeham as tomb for his wife, Mumtaz Mahan. She married at 17 died at 26. Had 14 children. Took 2 years to build. Cost 42 million dollars. Described as "a dream in marble". The grandfather of King S. founded a new religion to take the place of all existing religions and end strife. It never worked out. King S. was imprisoned by his youngest son who usurped the throne and killed all his brothers. King S. died in prison.

Rode on an elephant! Plane ride over the Himalaya Mountains--snow capped, impressive and dangerous looking from window of our plane. Seemed we always just missed the jagged peaks. Recalled the

fatal ride of Harold Ruslander over these mountains. Mt. Everest, the world's highest peak, is in this chain.

At Barnabas, the holy city of the Hindus, had a boat ride on the River Ganges. Here the men, women and children bathe, --While they pray. Saw them by the hundreds, at certain seasons they come from all over by the thousands. Had to get up at 5:00 a. m. to get this river ride in our schedule. Monkeys, like our squirrels, in many places, but at the Monkey Temple in Banaras they flocked out for handouts like the pigeons in Atlantic City. While I watched, a fruit (apple) vendor stumbled and the apples fell from his tray. The monkeys descended like lightning and made off with all the apples in less than a minute. Was depressed by the dirt, squalor, smell and slum conditions in all native quarters. Much like Mexico. These cities are said to have beautiful residential sections but we saw none such. Crowded streets, dirty. Cows have the right of way. Narrow streets like alleys, lined with street vendors and beggars. In Banaras in one such, where even the cows had to walk single file, a cow came up and ate the Leis from around the neck of one of the ladies in our party.

Weather at all times warm and sunny by day, cool to cold at night, depending on altitude. The highest we encountered was 7, 000 feet.

On February 11, read the "Times of India Daily". 10 pages, all in English. Not over 15 lines about the United States.

Women and young girls have ears pierced and wear jewels, or what looks like jewels in them. Foreheads painted but I did not get the translation.

After we left Bombay I tried to buy a straw hat. None to be found. The men wear turbans but mostly

go bareheaded. Guide trouble--most speak with an accent. One had a hare lip. Usually gave up trying to understand more than the answer to my direct questions.

The elephants are pictured in materials, handcraft, many statues of them, but no religious significance. Tribute to their worth as work animals and tourist bait. Oxen are the most numerous of the beasts of burden. Camel is worth about $60.00 and an ox (Bullock) about $100.00 as he can do more work.

Saw where they raise watermelons and other green vegetables on straw rafts on the rivers. One woman who was warned against polluted water refused to eat her watermelon (very good) because it had water in it. Saw a large drove of green parrots near one of the Temples.

In India they have a sort of social security with Government medical service. Heard the guides talk that their taxes are too high. Saw one medical clinic in operation,--looked terrible to me. We would not consider them good enough for a sick chicken, but am told the doctors do a good job considering conditions as they are.

At Kathmandu it was cold at night and the hotel had a wood fire in one of the rooms. That night saw exhibition of Mask (Durga) dance. All males. Outside with light from circle of bon fires. With the fires and star studded sky it was worth watching. I liked Kathmandu least of all, especially the Hotel there. Although it was the best to be had. However, one miracle there, our lady guide refused all tips. Said she was paid by the Hotel. The guides and drivers of the cars expect tips. Most cities in native quarters at least, no taxicabs. A man has a two wheeled carriage

attached to his bicycle and supplies the power by riding the bicycle. One hour, about 40¢. 2 to 3 can ride.

Buddha all over. Temples, museums, history ancient, too much for me to digest. At all hotels the first thing when you get up is a knock on the door and tea served in your room. Because of fear of water, drank much more tea than I would have thought possible.

On last night of this trip flying (about 7:30 p. m.) over India, stars already out in the sky, horizon bright with color from the sunset, and finally the lights of Bombay spread over a wide area and with different colors. I thought how lucky I was to be able to take this trip. Each day as I got more and more tired, cut out leaving the car and wait until other passengers return. First cut out all shrines and temples where you had to take off your shoes, next all places where there were many steps to climb, etc. The natives are great squatters. No benches or grass in most parks. They squat there. Also squat on the sidewalks. Everywhere.

Can no longer brag, --no medicine. Took a physic (borrowed from one of the ladies) one night. Used a native barber at Banaras. He comes to your room at the hotel. I had a hair cut, shave, scalp and body massage all for 4 Rus., about 80¢. Gave him 5 Rus and he was happy. Very good workman although he cut my hair shorter than I get it done in Pittsburgh.

Picture Taking, Generally. As I get to each new country am excited by the new sights, colors, dress of natives, etc. After a while it would take a tourist carrying a camel on his back to make me rush for my camera.

On ship is a fairly young and good looking lady registered as a Miss. She spends so much time with the top men of the cruise personnel that the other laides say she is not a Miss but is divorced and they call her "Mrs. Cook".

Have worn my white tuxedo a couple of times.

Postage makes quite a nick in my allowance. The last time I sent out mail (all air mail) I parted with $3.60.

Have a new ship activity. Slapping on No Sun Burn Lotions on backs of the ladies. Started with one good looker and now have other customers. They must furnish their own lotion!

Everyone seems to know about Vassar. When I brag that I have a Granddaughter there they say she must be very smart to have been accepted.

One good thing about Tour 26 was the fact that we had the same (2 motor) airplane and crew throughout. We used our own schedule and while the plane is not air pressured, were quite comfortable. Private bus met our plane at each airport for transportation to our hotel. Plane furnished by Indian Airlines Corporation. When a refill of fuel is required it is done by hand pump from barrel to plane and takes a lot of time. Much red tape about entering and leaving each new district and change of currency, but in time you get used to it.

For some time have been in the Arabian Sea. Very smooth, hot and sunny outside, but comfortable because of air conditioning inside.

Love, regards and all other appropriate messages to all of you holding the fort for me.

As ever to "you all"

R.

Colombo, Ceylon
February 20, 1959

Dear All:

Here received letters from J. R. - the one dated January 19 forwarded from Tangier and one dated February 9 - every word more interesting. Letter from Martha - one from Mrs. Sidney Lindenberg - and one from Max H. dated February 11. For Max - received book on board in New York and wrote an acknowledging card. It is good and almost finished. Another letter written after he and J. R. talked in Philadelphia, written to Bombay. Many thanks.

For today I had not scheduled any tour, and as it is very hot on shore, will not leave the Ship. Yesterday spent a full day on Tour 40 - Colombo is the Capital of Ceylon, which is a pearl shaped island 275 miles long and 144 miles wide. Well and fairly described as "World famed for its loveliness". Saw no slums, only beautiful residences; shady trees, etc. People are and look prosperous because of export trade due to its harbor. It is for me, very hot, only about 400 miles from the equator. Saw its very famous zoo. Bought a straw hat, $1.10 our money. The driver of our car drove in his bare feet and at the Luxury hotel where we had lunch, all the waiters were barefooted.

One of the ladies on the Tour asked me to help her evade customs by declaring some of her purchases as mine. I explained that as a Lawyer, so an officer of the Court, etc., etc. - In short, No.

Another monkey story of India told me by an eye witness has to do with a lady who wore a hat decorated with artifcial cherries and other fruits. In the Monkey Temple, a monkey jumped on her back and made off with all of the above.

Have been visiting with a man who noticed my hearing aid. He has been in the business of servicing hearing aids in New York for over twenty years. Says he has a very large business. He has given me some pointers on how to get better service from mine. Will try them out.

For past ten days, eat lots of fruits. It is always being served at meals and handed out between times. Very good - pineapple - bananas - oranges - pears - apples.

In my long letter on India, forget whether I wrote Banaras is one of the oldest cities of the world. It is situated on the left bank of the sacred river, Ganga. Important to Hindus and Buddists. Six miles away Buddha preached his first sermon. I know I wrote you about the bathers who come to pay homage to the holy Ganga. Population 3-1/2 million.

So far have not purchased any presents, but cannot put this off much longer. Each night the women get together and compare purchases. To me, it seems bracelets are the most popular and good ones are high priced.

R.

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February 28, 1959

Dear All,

Tour 52 ended last night at 10:00 p.m. I was very tired but happy to have had the tour and to get back to my cabin. At Singapore, welcomed mail from J.R., Duane, Beattie, Mrs. R. J. Cleary, Annette Z., Fred R. At Bangkok, from Martha, Fred R., J.R., Annette Z. and Mrs. J. R. (Grade it A+).

Singapore and Bangkok are beautiful and prosperous. The business districts are congested and street traffic moves at a snail's pace. Liked Bangkok the best. Both cities have wide streets, parks, fine private homes and tourists' musts, for which study Tour 52 data. Luxury hotels at Bangkok, the Oriental Hotel is not the best. Small, away from business center, and on the banks of the river. Suited me. The big hotel is in the business section, large, with swimming pool and 6 elevators. The Oriental has one elevator. A special lunch party was had at Raffles Hotel in Singapore. Most lavish, private dining room, music, dancing and right at the tables a snake charmer and magician. Elaborate and very good meal. At Bangkok tour ended, so far as sight seeing was concerned, February 26 with boxing matches at Bajadamnern Stadium, advertised as the "Best in Thailand." The contestants start by kneeling and praying. Wear boxing gloves but use feet, elbows, wrestling and rough play more than hands. Below the belt is the favored place for a kick or other blow. However, it was interesting. Feb. 27 at Bangkok was left for shopping and resting. I did some shopping with a Mrs. P. (described later) as she has, presumably, personal introductions. I spent about $20.00 U. S. money. Mrs. P. is Maybelle K. Price, formerly of Philadelphia, but now P. O. Box 588, Annapolis, Maryland. She is the youthful (comparatively) great grandmother mentioned in a previous letter. About 36 years ago she started Volunteer Service for the Blind, knew and worked with my Mother, knows all our Pittsburgh Association workers for the Blind, has traveled all over the world, and spends a lot of money.

Our Tour 52 teamed up with Mr. Eckelman, who was my roommate in Cairo and Mr. Fred Emery, one

of the Ship's photographers. Mr. Eckelman is a Catholic and we have had some mild religious discussions. He was born in Puerto Rico and came to the U. S. when 14 years old. His father and grandfather were born in Puerto Rico, back of that is of German ancestry. Speaks four languages and after a year and a half will retire and live in Madrid. Has no immediate family. Was married for one year at the age of 26 and it busted up. A good companion. He has traveled a lot. He talks all the time but I control this, when tired, by my hearing aid. Mr. Emery lives in Connecticut. He is small, bearded and very spry in spite of his 72 years. Has taken pictures all over the world for airlines, shiplines, newspaper agencies, governments, and others. Does not take pictures of people, only buildings, scenes, etc. After a trip like this he puts his best pictures in book form and sells same for a side income. As his book for this tour will cost over $50.00, have not subscribed as yet. Eckelman has. He, Emery, is willing to help and I take pointers from him on the use of my camera.

On Thursday night we three had planned to eat at a Chinese Restaurant, one of the most famous in the world. When the time came we were so tired we went back to the hotel. Most of the World's supply of Tapioca (used for pudding, etc.) comes from Singapore, which is the most southern point of this trip and nearest the Equator. This accounts for the hot sunshine in Singapore and Bangkok.

All of my letters are based on the assumption that most all who read them will also read the printed matter "Shore Program" which describes the Tours. Otherwise you would think I miss the most valuable

and educational points and other factors of a trip like this. The personal, trival things I write are only like the mustard you spread on a sandwich. It is the other that is important. You would not go to a restaurant just to eat mustard. All readers who do not have the cruise program can, if they care to, get same at the nearest Cooks Agency Office.

Sunday, March 1.

We are on the South China Sea on our way to Hong Kong. Windy and quite rough. Played more chess yesterday. We now have three players. So far I have won 2 and lost 3.

March 2.

Going back to yesterday, I got a little seasick and cut out all activity, including a cocktail party. Started taking Bonamine pills, passed out free by Cooks. Very powerful and you are warned to take only two a day. The rough weather is usual because of a strong North Trade Wind. Feel almost normal today. While the sun is very hot, there is always a shady spot for your deck chair and inside the ship is air conditioned throughout.

One night I tried "Reindeer Bergensfjord". It was good. Much like our beefsteak. In Singapore, in a large public park, visited the home of one of the richest men who has spent a fortune for the benefit of the public parks, etc. Got his start with a patent medicine called "Tiger Balm". It is very heavily advertised to cure everything from headaches to ingrown toe nails. It is a salve and is rubbed on. Just as in the U.S., we are greeted with "Have a Coke". The ads read "Time for a Tiger". In Singapore and Bangkok the people look Chinese. In spite of the large

number of Chinese, I am told they are not liked because of fear of communists. They like the people of the U. S., especially the liberal spending tourists.

One of the women at our table won $100. 00 on the Ship's pool. To my sorrow, the payoff came while I was on a shore trip. The winner spent the money for drinks.

Am told that through the Port of Bangkok over 1 million tons of rice are exported annually. Believe I reported already that the Oriental Hotel where we stayed in Bangkok is built on the banks of the Chag Maya River. This River, with connecting canals, called Klongs, is comparable to Venice and is called the Oriental Venice.

Have been taught to drink, on shore trips, what is known as "Gin and Tonic". The tonic contains quinine, with lime or lemon juice, which gives the drink its flavor.

Away from the hotels the toilet facilities are apt to be very primative. Don't want to turn your stomach by describing same.

Have been treated to so many drinks and invited to so many cocktail parties I will have to give a party. Hate the trouble and expense.

Am beginning to have shopping worries. Bunny said the safest, satisfying and intimate gift for a lady could always be fine perfume. Now I find out there is a strict limit on the amount of the best perfume that I can buy and take to the U. S. This means will have to fall back on intimate and personal gifts. In this connection am thinking of brassiers!

Love, regards, greetings, etc. all around.

Papa Leo
Dad
Leo
****** R.

Friday, March 6
En route Hong Kong to Japan

Dear All,

At Hong Kong received letters from Max H., Mrs. A. Z., Lee and John.

Left Hong Kong March 5 with a feeling of frustration. This because Hong Kong, of all ports and cities, seemed to offer the most interesting sights, shops, restaurants (Marco Polo one of the most noted in the world, which I missed), people, mountain roads and scenery. Yet we had less than two days because the ship lost time getting there. Would have like to have stayed a week. The hurry of shopping, fittings and sight seeing tours was quite exhausting. Anything with which labor is a large factor is very cheap in Hong Kong. Most men bought loud sport coats made to order, average about $25 our money. I could have had a custom made suit of good material for $25. Bought one for $32 (which I did not need) just to show off in Pittsburgh. Also bought 2 sport shirts (not silk) made to order, of a fine quality cotton (which I did not need) because the price was $5.50 for the 2 shirts. Also bought some jewelry and other gifts including a pipe for J. R. Shopped with a Mrs. Price (the one who worked for the blind with my Mother) because she had a personal contact with the owner of a large shop. He was very helpful not only with his own wares but with other purchases. Mrs. Price is a very lavish spender and could not resist the bargain suits, dresses and other wear for women.

Last Wednesday and Thursday had some rain for a short time and I wore my rain coat for the first time. In Hong Kong there are many rickshaw pullers.

These men always go at a trot. Never saw one walking. Women do all kinds of work. Pull oars on the many fishing boats, etc. with babies strapped to their backs. The people all look Chinese. The business (outside of English and other nonnatives) is dominated by noncommunist Chinese. There seems to be no fear of invasion by Communist China because road building and other construction goes forward at a most active rate. The men and women for the most part dress as we do in the U. S. They must eat a lot of ducks judging by the number we saw on the farms. Mrs. Lyman, the oldest widow at our table fell while shopping in Hong Kong and fractured her hip; she will be flown back to Los Angeles where she lives. She was a fine lady and well liked. This is a very sad case.

Last night at dinner, many of the women came in the Chinese type dresses they bought in Hong Kong. Bright colors and on some of them (not all) the effect was quite pleasing. Also, last night, passed Formosa. Could see the lights on the shore line but that was all.

I estimate that of the approximate 380 passengers 25% are Jewish. There is a large Catholic group judging by the number who go to the Holy Mass celebrated each day at 8 a. m.

I have a spot of skin infection on my chin. The Ship's Doctor said the cause is unknown, nothing to worry about, and gave me a salve called Beaficin.

Cocktail parties are piling up. People I hardly know. Three on my deck as I write this letter. There is a rumor that a few of the hard drinkers crash these parties as there are several going on at the same time and the Givers are not always sure just whom they invited!

Friday, March 6 - 4 p. m.

Just returned to my cabin from a hotly fought long Chess game. It got down to a King and a Pawn against my King, and I lost.

At lunch today, had Norwegian Fricardelles. A kind of meat ball with plenty of mustard. Not so bad.

Sunday, March 7

Have just checked my travelers checks. Have used $230. 00 out of the $600. 00 I started with.

Today the clouds hide the sun, yet it is so warm that this a. m. lay on a deck chair with short sleeved shirt (no coat), for two hours. Dozed most of the time.

More notes on Hong Kong. The shopping center is known as Nathan Road City of Kowloon. There is a Peak Tramway (like our inclines) which winds its way up 1, 305 feet. Regret I had no time to take it. However, saw from our auto which took us to the Peak. We made a detour which took us to the gardens of the late Mr. Au Boon Han of "Tiger Balm" fame, mentioned in a previous letter. Near here is the famous Ritz night club which I would have visited if I had time. Hong Kong has fine residential sections, a race course, play fields for foot ball and other sports, a golf club (9 holes), bathing beaches, fishing villages with unique floating restaurants famous for sea food served in the Chinese way. All this I saw only from the front seat of our touring auto. Have always claimed the front seat on account of my long legs which do not fit well in the back seat. Saw the Hong Kong University from the outside. The, what I call Slum Districts, in part are shanty boats along the beaches. From a distance look like they are piled on

top of each other. Our chicken coops look better built. Yet here they live and love and breed. At one place on our drive we were only one mile from the boundary of Red China. On one of these sightseeing trips we covered about 56 miles. Passed through lush farm districts, which depend on irrigation. What we term "Hong Kong" is made up of an island, (1) Hong Kong and (2) adjacent city of Kowloon on the mainland, known as New Territory. North of Kowloon in Red China.

Kobe - Received Letters from J. R., Bunny, Selwyn, Fred R., Dorothy, Mrs. A. Z., Martha and Brina Kessel Richter.

Love, etc.

R.

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March 15, 1959 - 11:00 A. M.

Dear All:

Returned to Ship from Tour 74 on March 13 about 1:30 p. m. in time for a late lunch. On my desk were letters as follows, -- Martha, Edith, Mrs. Z., Brina R., Loretta, Dorothy, Jerome, James A. Frank, J. V. Caputo, Fred R., Eddie R., Bunny R., Jerome Markstein. The letters received at Kobe were listed in my last letter. I am indeed very grateful for all these letters which are read and reread. Bunny's letter, dated February 26, was, as always, of special interest to me. Her praise of my letters is a big factor in keeping me working on these letters to "Dear All". Fred R. should note I had a long and interesting letter from Eddie, mailed in Cleveland March 5. Both

he and Fred R. comment on Gail's engagement to be married. Jerome's letter dated March 4 shows he has letter writing talent both as to his vacation trip and what goes on in Pittsburgh. I eat more than at home but work it off because my weight remains the same. Loretta should not be so modest about her letter writing ability. Her's dated March 4 rates high on every point. Edith's and Dorothy's letters dated March 3, also call for praise. Hope Edith's Church Drive is very successful.

Now, to get back to Tour 74 (Kyoto, Nara, Fuji, Tokyo). My companion was Mrs. Joseph Moss, widow No. 3 at our Ship table. Where busses were not used, which was infrequent, we had an auto for the two of us, which was a real comfort. At Kobe we were met at the Dock by Noboru Inoue and his wife. He is the Kobe branch manager of H. Weinreich Co. in the costume jewelry business of Mrs. Moss's son-in-law, main office, Philadelphia. He took us first to his home for tea. Thus, I saw a real Japanese home and garden. The wife was very gracious and pretty in her bright colored Japanese clothes. Before entering the home we had to remove our shoes. Next, a friend of Mr. Inoue came with his private car and we toured until time to return to the Ship. It was cold and rained all day long. We did a little shopping in Kobe. All this on March 9. On March 10 still rain and cold, but we toured according to schedule.

Kobe has over 1 million inhabitants and is the main gateway to Japan. It is advertised as "***Cosmopolis where nature and art is combined in perfect harmony and which will certainly give you a most pleasant impression." Alas, my impression is the cold and rain.

March 9. Overnight at Miyako, a luxury hotel. Food excellent. At 7 P. M. started on Night Tour from this hotel, first stop tea house (shoes off and sit on floor). Performance by a high class woman performer assisted by two small girls. No talk, only pantomine, in which tea is brewed. Guide said the undergarments of the performer cost $500. 00 our money. Of course, not seen. Next, a place where a very old musical instrument, dating back many, many years, was played by a young woman. Last, Sa-ami Restaurant and night club (shoes off, sit on cushion on floor), hors d'oeuvre and "sake" wine (warm) were served. Here were the higher class Geisha Girls. Each man in our party had a Geisha Girl assigned to him, who sat at his feet, fed him from a tray, and kept his little Sake cup full. I drew the only short fat girl; could have picked a better looking one if I had been allowed to. First, your girl handed you a steaming hot towel with which you wiped your hands and face. As my feet were by then very cold, I wrapped mine over my feet, which was bad manners, and it was snatched away. Next came dances, music and singing by the Geisha Girls. Last we all stood in a circle (all of our party--men and women) and played games with the Geisha Girls. Mostly slow motion. One game was called digging coal, and one playing baseball. Was told that the Geisha Girls who entertained us were high class and paid $6. 00 an hour (our money). They average about three hours a night. There is a union of Geisha Girls who are of different classes. Those who correspond to our prostitutes were viewed by other tourists on other night tours. As above described, I had enough of Japanese night life. From an advertisement given

tourists re Geisha Girls, "The Geisha Girls entertain guests at restaurants within the limits of the quarters, but sometimes go to other places outside the limited area at the call of guests, ***They are so to speak, flowers to add charm to social parties. *** The Geisha Girls go to their place of appointment usually by jinriki-sha, unless it is very far away. *** Their central office is called by an old term, Kemban, or booking office. Their name plates are hung on the walls of the booking office showing at a glance the time and place of appointment for each Geisha Girl. ***".

Do not have the time or energy to write about all that I saw and did on Tour 74. Every day was filled to the brim so that by night was very tired but ready for more the next day. At the Fujiya Hotel had a Japanese meal in the Sukiyaki dining room. Shoes off, sit on floor, chopsticks only. Meal lasted over an hour. All kinds of food, --raw and cooked with saki wine. One course called Sukiyaki, starts with a raw egg given to you which you break into a bowl, beat to a smooth result with the chopsticks. Into this they put beef finely sliced; leeks; onions; to fu (bean curd); Konnyaku, a vegetable food; mushrooms; spinach; bamboo shoots; sea weeds; etc., etc., depending on the season. All this is cooked on the table in pans with the fire underneath, our chafing dish style. One course, the first one, started with lobster, sea food of various kinds, raw fish and other foods which I could not either identify nor eat.

This sitting on the floor finally got me-aching back and legs, which are not back to normal as yet. Cannot understand why shoes must come off in certain places and not in others. Custom not confined to churches or holy places. One guide told me shoes come off whenever you enter a room with a wooden floor.

On Japanese streets, men and women, in the main, dress in Western style. In restaurants, places of entertainment, and lures for tourists, the women dress native and in bright colors. However, hair is bobbed Western style.

It is too early for cherry blossoms, but in shopping districts the streets and stores are decorated with artificial cherry blossoms. Many business streets in shopping center allow no traffic by vehicle. Slot machines are well patronized. Many large store spaces used only for these machines.

In Japan had a woman guide, the best yet. Spoke so clearly and with such enunciation that I could hear her even with my hearing aid turned very low.

In Japan, people with colds wear cloth (gauze) masks over the face to help cure the cold and to avoid passing on the cold to other people.

In Japan the Buddhist Religion has the most converts.

Coming back to Geisha Girls for a moment, my conclusion is that based on what I saw, the Westmoreland Country Club women are, on the whole, more attractive. I almost wrote, seductive.

We were given much printed matter intended to "enrich the passenger's mental baggage." Many, many bicycles. When it rains, the rider holds an umbrella in one hand the handle bar in the other.

70% of all the teas pass out of Japan via its ports. Jasmine Tea, which is a luxury for the rich, as a general rule, is exported at $3.00 a pound our money. Bought a tin to take home. Our woman guide (11 years in the business) told us the oldest person, a woman, she ever guided was 94 years old and well able to get about. She died at the age of 98.

8:15 P. M. March 10. Arrived at Fujiya Hotel, located up high on a mountain in the Natural Hot Springs district of Hakone. Hotel wonderful for scenic location and food. No elevator. Huge sprawling building on many levels with many stairways and halls. Got lost most every time I started to get back to my room, which was three flights up. Wanted to try the famous mineral baths but had no time to spare. To get to this hotel we came through what is known as the Japanese Alps. Wonderful scenery. At Hotel we started on a tour that took us to within ten miles of Mt. Fujiyama, a wonderful sight even at that distance.

In the parts of Japan that we traveled saw no beasts of burden or men doing heavy manual labor. All goes by trucks, autos and trains. Saw no cattle at or near any road. The children are very friendly. They wave and smile as we pass by.

10:00 A. M. March 16. When at the Boston fish market was told the largest in the world was at Tokyo. This is true, but to see the activity you must go too early in the morning to suit me. The Hotel Imperial, where we stayed in Tokyo was the biggest and best, including food, of the trip. Ate large fresh strawberries with cream twice a day. Visited the largest department store, very big, escalators, big stocks and filled with customers. Tokyo, as a whole, is like other big cities, streets crowded, and in spite of many taxis it is hard to get a taxi at rush hours. Much building going on. Street cars very crowded, fare 4¢ our money. Many three wheeled trucks in use. Only one wheel in front. More economical for lighter loads.

Mr. Beck, 85 years old, fell while out shopping with his son. Bruised his head and face.

Starting on March 13 weather cold and sea very rough. Twice found all movable articles which I keep on my desk and top of bureau on the floor in the morning. Today, weatherwise, everything is much better. Find that many purchased Tiger Balm in India and claim wonders from its use. This salve is explained in a previous letter covering India.

Many of the widows, as you get to know them, stress their financial independence. They tell me they do not need to marry for money, etc. but would be interested in remarriage only because they need the comfort of companionship. They want a man only for company.

Thursday there will be a "White Elephant Sale". Those who already regret certain purchases will put them up for sale at auction.

Did quite a little shopping in Tokyo. Use for shopping trips Mrs. Moss, Mrs. Price and Mrs. Howland, - one at a time.

As Teller wrote me, "It is most wonderful to go around the World in 80 before 80". I agree.

In Kobe, I missed my watch. The one Weil and Thorp gave me in 1919. I wore the bargain suit I bought in Hong Kong. It has no watch pocket in the trousers like my Pittsburgh tailor puts in. I felt very bad and cursed the day I bought a bargain suit as, with the loss of my watch, I had no bargain. However, when I dressed found the watch attached to trousers at another place.

Tuesday, March 17, 5:00 P.M. On this day crossed the International Date Line and gained a day so all cruise bulletins give two Tuesdays, March 17, numbered A and B. When you change longitude from East to West or West to East, you must always change the date. For example, if two ships set out from

Greenwich, England, Zero Meridian at the same time and meet at the 180 Meridian "Date Line", the one which sailed East has set its clocks ahead 12 hours, and the other, which sailed West, has set its clocks back 12 hours, according to the rotation of the Globe. On March 17 this Ship's time went from West to East Longitude, which is 24 hours behind, so we take March 17 over again. This letter written on the second Tuesday.

Data about M. S. Bergensfjord. Built in England in 1956, length 578' 2-1/2". Breadth, 72'. Draft 27' 06". Gross tonnage 18,738.79 R. T. Number of passengers 362, crew 407, total 769. Use meat 9,500 pounds; Vegetables 62,000 lbs.; eggs 78,000; water 1,480,000 gallons U. S. (40 gallons per day per person); mineral water 23,000 bottles. The Pacific is deeper than the Atlantic but this has no effect on smooth or rough sailing. Yesterday used the Ship's Chiropodist. She is the young woman manicurist. Very good. Cost $1.50. She holds your foot in her lap, which I soon got used to. Ends with a very thorough foot massage.

Today had a nice chat with a Mr. Samuel Schultz of East Oak Lane, Pennsylvania. Retired from wallpaper business some years ago. Has always been a student of bird life and fishing. Has two boats, - one at Philadelphia and one at Atlantic City, for use in deep sea fishing. Averages about five days a week on the water. He says there are 27 varieties of the Sea Gull. Those on the Atlantic are smaller and lighter in color than those on the Pacific. They differ on different bodies of water. On the Red Sea they are reddish in color. Those on the Atlantic have a flying range of 25 miles from land. On the Pacific, 50 miles. They return to their land base every night. If

caught by a storm will perch on ships. The danger of a storm is that if they get too wet they cannot fly well. In ordinary weather they are protected by their body oil. They follow ships, not only for the garbage thrown overboard, but because the ship's propeller, especially in shallow water, stirs up the smaller fish and brings them dead and alive to the surface. Have also seen the Albatross, which are of the Gull family but much larger and fewer in number. No weather too cold for Gulls. As we are nearing Honolulu, lessons in the Hula dance have started. Invitations to cocktail parties continue to pile up.

Wednesday, March 18. Today very good weather. Bright sun and just enough breeze. Lay on deck chair about two hours and then played shuffle board. First time of activity on the sport deck for me. Afternoon, Turkish bath and swim. Tonight the Schuchman's Cocktail Party.

Am approaching Honolulu with mixed emotions. Harold R. is buried there. Gertrude and I had such a pleasant trip there it will be hard for me to again cover the same ground without her.

Have decided the title for my trip letters. It is "Around the World in 80 Days at 80".

Any number of people are telling me to get a Port of New York Courtesy Card from my Congressman. They say that otherwise I may have hours to wait to get through Customs. You might inquire about this.

Am working on the must list for my cocktail party. It runs 25 at the present. Date not set as yet.

Thursday, March 19. Another perfect warm spring day so far as weather is concerned. Will close this letter early today so as to get it off on the Ship's mail in time.

More and more talk about getting home and back to a normal life. Cannot call cruise life normal. Quite a number will leave the ship at Los Angeles. Tonight there will be an Oriental Ball at which you are requested (men and women) to wear costumes purchased in Egypt, India, Thailand, China and Japan. I know many women will respond. I will wear my white coat tuxedo.

Proper messages all around. Love, regards, etc.

R.

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Sunday, March 22

Dear All:

At Honolulu

Received mail as follows: J. R., 2 letters - Marcia Hartwig Kerr, Mrs. A. T. - Mrs. Julian R. - Loretta - Fred R. - Max. H. - Martha - Pat, 2 letters. Have mailed the list of party guests with my comments under separate cover.

March 25 is the date set for my cocktail party. It is for 30 now and most every day have to add names as new invitations come in. Last night attended two.

Friday, March 20 - Early in the a. m. docked at Honolulu. Too early for the band, Hula girls and flower leis that greeted Gertrude and myself on our arrival. Can't remember just what year it was. All the above omissions were attended to at our departure.

The morning of March 20 I walked from the dock to the business section of the city. Went to a bank and had my Japanese money changed. It amounted to about $15. 00 our money. Next took a bus to the Royal Hawaiian Hotel and Waikiki Beach. Rode the bus for

a $. 20 fare. By taxi it is $1. 80. At the Hotel and beach everything was exactly as I remembered it. No changes that I noticed. It was an emotional experience hard to describe as I walked to all the places Gertrude loved so much. In the afternoon returned to the ship for a rest and in the evening a group of us - seven in number - went to the Hotel (Royal Hawaiian) for an elaborate late dinner and floor show. The Hula Girls danced the same as I remembered them. The dinner was very good. All this was outside the Tour and had to be paid for. Got back to the ship at 11:30 p. m. I took pictures in the morning on the same spots I remembered from the first trip. Yesterday morning did not leave the ship, rested, reread all the letters received at Honolulu, the magazines and newspaper I had purchased in the city. We left Port at noon. The weather was very good. Clear, sunny and warm.

The big dance on March 19 was very colorful. You were asked to wear the native clothes purchased on the trip. The women went all out for this. I was surprised at the number of men who appeared in costume, some with false beards and wigs, so as not to be recognized. I danced three duty dances and one just for the pleasure of it.

Today, March 22, it rained in the morning, so I came indoors, played one game of chess (won) and then up to now, 12:45 noon worked on the list of guests for the party and this letter.

Tuesday, March 24, nothing much to report since the above. Now that the off ship tours are over, take it very easy. As much as two hours at a stretch on a steamer chair in the sun. At Honolulu saw or heard nothing special on account of statehood. Seems to be just taken for granted.

At the White Elephant Sale yesterday, the articles put up brought very good prices. This probably because total proceeds went Norwegian Lifeboat Institution (Charity). Two men passengers, experienced auctioners conducted the sale. I bid on two small articles but got neither one.

From now on do not expect much by way of long letters. I seem to grow more lazy day by day. The novelty of cocktail parties has long since departed and I hate to shave and put on my tux every night for same. Actually went to two one night. Some people go to three or four a night.

Wednesday, March 25 - Another day of very good weather. Took quite a few pictures so as to use up the roll in the camera and permit me to include same in the package to be mailed from Los Angeles. This afternoon the Camera Club staged a display of slides of pictures taken on this trip. As those who exhibited only handed in their best, the pictures showed up very well. Hope mine are nearly as good.

The S. L. R. cocktail party went off very well. Mrs. Moss and Mrs. Steinbach, the two widows who have sat at my table since the first day, looked after all details, such as instructions to the Chief Steward, decorations, cigarettes, engagement of the ship's photographer, etc.

Thursday, March 26 - 10:00 a. m. The ship is at the dock for Los Angeles. However, the city proper is 25 miles away. At the dock there is a terrific smell of fertilizer, due to either nearby plants or loading.

Today received letters from Brina Richter, Fred R., J. R. from San Juan, J. B. L., Rev D. A. Darkins and Martha. All these letters, well written, full of

interesting news and deserve comments, but time forbids. Have just written a card to Helen Harris as suggested by J. R. Also received the package of batteries mailed by Dorothy.

As soon as I finish this letter, will go to the branch Post Office, two blocks from the dock and mail in two separate packages, the film I have used to date. Will then go into the City and find a place to test my new hearing aid. I seem to get better results from my old aid. Will spend a little time in the City and return to the ship in time for a nap and dinner. We leave here at midnight. My cocktail party last night, while comparatively small, was, as far as I can judge, a success. The ship charges only for the drinks and cigarettes. Hors d'oeuvres being small dabs on a toothpick, nuts, flowers, and other decorations furnished by the ship. Liberal tips get you the best treatment. My total bill, including tips, was $32.00.

R.

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Saturday, March 28

Dear All:

Today in the morning lay on the sun deck for over two hours. The sea as smooth as a pond. The sun bright and hot. The Ship Bulletin of today again warns that because we are headed South, we should avoid too much sun.

On Thursday, March 26, we docked about 8:00 a.m. at the Terminal Island Pier which is, as I wrote in my last letter, about 25 miles from Los Angeles.

First I took my exposed film to the branch Post Office near the Pier and mailed same to Pittsburgh, parcel post - Air Mail. Two separate packages. Next walked to the Ferry. Went across and took a bus to Los Angeles. A ride on express bus of a little over one hour. In Los Angeles went to the Audivox Hearing Aid Agency for a check-up of my aid. Was treated very nicely, aid was cleaned and checked but needed no new parts. No charge. Next took a taxi to the new Statler Hotel where I ate lunch. The Hotel impressed me very favorably. After a rest, returned the same way to the ship. When I heard the glowing reports of those who went either by air to Las Vegas or by bus to Disney Land, I was not sure I made no mistake in staying by my limited schedule. When I saw all the many Los Angeles relatives and friends who came to the ship for dinner, I regretted not having sent word to Gail. However, it would have taken her a long time and have been a very tiresome trip. Dr. Feldman left us at Los Angeles. Severe sinus trouble. His wife remained. Quite a few left at Los Angeles. Ten women left by air on the Mexico,Guatemala side trip.

Have become friendly with Reverend T. David Harari, the Protestant Chaplain, who conducts the non-Catholic services on the ship. He is a native of Lebanon, was educated through the Missionaries in his country and lives and works for the Church in the United States. He has an accent like a Scotchman, but did not get it there. We talked some of Israel. He thinks peace with the Arabs will not come in his or my lifetime. We returned to the ship from Los Angeles together. We were hot and tired when we got back to the ship and I wanted to treat him to a drink but he said he would only take tea. I said "not for me". Quite different from some Rabbis I know. He

conducts an Interdenominational Easter Service at 11:00 a. m. tomorrow, Easter Sunday. I may go.

Am eating much too much. Today at lunch, my lightest meal, I had melon, lentil soup with sliced sausage in it, fried smelts and french fried potatoes. I passed up desert as lunch is my light meal. Will try to keep the weight down by a Turkish bath and swim starting about 5:00 p. m.

Last night chatted with Mr. and Mrs. Leitzkan Leitzkanov of Caracas, Venezuela. He is an architect. Says the lawyers of his city get rich because they charge such high fees. They speak English with a slight accent. She says her mother (at home) is 90 years old, very active and in perfect health.

Today was looking around in the Gift Shop. The man and his wife who were already there told me they had 14 grandchildren to take gifts to. I told them that I found it a mental and financial strain to take care of three.

The pictures taken by the ship photographer at my cocktail party turned out fairly well. At least you will be able to see how the table, the decorations and my black tux looked.

Tonight, March 28, is the "Gala Costume Ball". Prizes, etc. I will go disguised as a spectator.

Easter Sunday, March 29. Went to services (45 minutes), part in Norwegian by an officer of the ship, and part in English by Rev. Harari. Stuck to the ritual for an Easter Service, mostly singing and reading prayers.

Had another chat with Rev. Harari. He is 72 years old. A retired Episcopalian Minister, no family, lives alone and does his own cooking, bed making, household chores, etc. His pension is $70 a month, but he

makes a little (very little) by helping out other Ministers from time to time. No pay from ship, but no expenses whatsoever. Says the greatest comfort and pleasure he gets from this trip is freedom from household chores. Is waited on hand and foot by the ship personnel. The large gold cross he wears on the pulpit is the gift of a Jewish friend. Does not smoke or drink. He says he is a man of faith and that Jesus is still working to save us and if we do not live to enjoy it, others who come after us will.

Today we can see the shoreline of Mexico. Only bare mountain ranges.

Monday, March 30. A rush of colds has broken out. Many with colds talk like the croaking frogs in a pond. So far I am o. k. Am debating about liquor. For $13. 00 you can buy what would cost $30. 00 in United States.

Today, March 30, we are off the coast of Guatemala, but you need glasses to see it. The sun is so hot I could not stay exposed to it for even five minutes. However, there is always shade and a breeze to be found somewhere on one of the decks.

Am afraid you may forget what I look like, so under separate cover, am mailing my cocktail party pictures. Keep them for my scrapbook. Also be sure there is one carbon copy of my letters for my scrapbook.

On April 1, for dinner, I will serve the wine the girls sent me. This is to celebrate April Fool's Day. At the table beside myself will be the three regular widows. No temperance advocate among them. Invitations to cocktail parties have begun to come in again but the novelty, for me, is gone and I resent having to put on a tuxedo. However, where I like the

people giving the party, I groan a bit in my cabin and then go and drink. Tonight's party is given by Mrs. C. Murray Steddart of Miami, Florida.

Comments regarding letters received at Los Angeles. Jerry - congratulate you on new car. Black is my choice of colors. Business must be good. J. R. - did not know you intended to buy a new camera. Hope you made enough at the Casino to pay for it. To Fred R. - I may be the first Ruslander to travel around the world, but let's hope I will not be the last. Congratulate Sal for me on her prospects of soon being a great Grandmother. Enjoyed very much the letters from Duane and Martha.

Tuesday, March 31 - Another bright sun and hot day. Just returned from a half hour walk. Big difference age has wrought in my ship habits is that I no longer engage in deck sports. Now that my back is o. k. and my legs in fair shape, am afraid to take chances. I walk every day, swim on the days I take my Turkish bath, dance most every night and lift cocktails from the table to where the contents are supposed to do the most good.

April 1-The ladies at our table working with our waiter, made tonight's dinner a birthday party for me. My wine, flowers on table and birthday cake. The wine was good and we drank to the three girls who donated it.

Tomorrow, April 2, at about 7:00 a. m. docked at Balboa.

Many of us are now restless and anxious to be home. Some have already started packing.

This will be my last letter. It must be mailed tomorrow morning. As well, tanned as to face, relaxed, lazy when it comes to physical exertion, glad

I took the trip and well satisfied to have it over. Should end with a sermonette and prayer of thanks, but you will take the will for the deed and so -

Appropriate messages all around, etc. etc.

R.