

NOTES AND DOCUMENTS

Political Influence in Philadelphia Judicial Appointments: Abraham L. Freedman's Account

ABRAHAM L. FREEDMAN'S VOLUMINOUS unpublished papers include an account of his failure to receive an appointment as judge to the Philadelphia Common Pleas Court in 1957. Though this era is usually thought of as the high water mark of modern Philadelphia's good government movement, Freedman was defeated in his aspirations by the opposition U.S. Congressman William J. Green, chairman of the Democratic City Committee and a traditional machine powerbroker whose politics and power continued to hold sway even as Philadelphia seemed to embrace civic and political reform. The excerpt that follows is drawn from the eight thousand-word account Freedman recorded in a small address book that is part of his extensive personal papers held by the Philadelphia Jewish Archives Center. Freedman's account provides a personal glimpse of the role of politics and patronage in Pennsylvania's judiciary and of how patronage politics thwarted one candidate's attempt to receive a position on the Court of Common Pleas.

Abraham Freedman's story can only be fully appreciated within the context of Philadelphia's long history of party politics and political reform. During the five decades preceding World War II, a powerful Republican Party machine, in an alliance with local business interests, controlled Philadelphia's municipal government. The only Republican

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setback occurred during the Progressive Era, when Rudolph Blankenburg won the 1911 mayoral race on the Independent-Democratic fusion ticket. It was not until the post-World War II years, however, that a dramatic shift in the city's politics led to a gradual decline in Republican control. A Democratic coalition that sought to end political corruption and fraud began earning victories at the polls and was able to consolidate its gains. These changes were not instantaneous. Democrats began preparing for their eventual victory in the early 1930s, when Richardson Dilworth and Joseph Clark formed an alliance that resulted in the two of them leading a reform movement for several decades.¹ They were important components of a Democratic Party that emerged in the 1930s under the leadership of brick supplier John B. Kelly and contractor Matthew McCloskey. Kelly nearly won the 1935 mayoral election, but it seems that the Republican-controlled boards of election counted him out in numerous wards.²

In 1947, the Democratic City Committee selected Dilworth, a lawyer and World War II veteran, to run for mayor. Dilworth, along with attorneys Abraham L. Freedman and Walter M. Philips, Joseph S. Clark, and activist and businessman John Patterson, formed "an independent group of politically discontented younger people."³ The group was active in Americans for Democratic Action, which Democrats formed at war's end in an attempt to perpetuate Franklin Delano Roosevelt's New Deal vision. These reformers promised to attack the Republican machine, corruption, and fraud and to change the landscape of Philadelphia politics. Despite their best efforts, though, Republican mayor Bernard Samuel defeated Dilworth and won his reelection bid in 1947. Defeated, but not entirely dismayed, the Democrats regrouped and prepared for the next election.

Committee chairman Jim Finnegan realized that the Democratic Party had to choose "good-government men" as candidates for the 1949 election. He selected Dilworth for treasurer and Clark for city controller. The "boys" from the party organization were not happy with the choice of these two "reformers." Congressman Bill Green also resented men like Finnegan who had started their careers from the top. Green, on the other

¹ Lloyd M. Abernethy, "Progressivism, 1919-1919," and Joseph S. Clark Jr. and Dennis J. Clark, "Rally and Relapse, 1946-1968," in *Philadelphia: A 300-Year History*, ed. Russell F. Weigley (New York, 1982), 524-65, 649-703.

² James Reichley, *The Art of Government: Reform Organization Politics in Philadelphia* (New York, 1959), 6. It is the author's opinion that Reichley's work has an unjustified, cynical tone.

³ Clark and Clark, "Rally and Relapse, 1946-1968," 651.

hand, worked his way up from his northeast Philadelphia precinct. Before giving his seal of approval, Green and his associates asked Dilworth and Clark about their attitudes toward patronage.⁴ The two responded that they would go along with the party organization, and, initially, they did. But once they consolidated power, these reformers attacked the Democratic organization's patronage politics.

Over the next two years, Dilworth and Clark exposed numerous Republican scandals and removed many Republican officeholders from city hall.⁵ In addition, with a drafting committee led by three lawyers, Abraham L. Freedman, William Schnader, and Robert McCracken, and with Lewis Stevens serving as secretary of the commission, they wrote a new city charter. Once approved, the charter created various boards and commissions—such as the City Planning Commission, the Board of Managers of the Philadelphia General Hospital, and the Commission on Human Relations—to streamline and decentralize city administration. The charter also established various directorships for the city government's branches and focused heavily on protecting minority rights.⁶

In the 1951 elections, Dilworth won the district attorney race, and Joe Clark became mayor. The election marked the first time in generations that Philadelphia had a Democratic mayor and administration. At the DA's office, Dilworth eliminated political control and sought to establish a set of reliable criminal case records.⁷ To the dismay of the Democratic Party organization, Clark, the reformer, abided by the new city charter and sharply reduced patronage appointments. Most city jobs “were to be filled on the basis of competitive civil-service examinations, and no committeeman could be a city employee.”⁸ The top positions went to reformers and not necessarily to party members. Then, in 1954, the Democrats earned another huge victory when George M. Leader won the gubernatorial race.

With Leader as governor, and despite significant reforms, patronage appointments increased once again. In certain instances, the Democrats imitated the “machine” tactics of their Republican predecessors. Green became the firm “boss” of the Pennsylvania Democratic Party. Though

⁴ Reichley, *Art of Government*, 12.

⁵ Clark and Clark, “Rally and Relapse, 1946–1968,” 654.

⁶ *Ibid.*, 655.

⁷ *Ibid.*, 657.

⁸ Reichley, *Art of Government*, 16.

an “astute and energetic leader who represented effectively the interests of the city’s blue-collar population,” he also used “the Democratic City Hall government for patronage and political favors to contributors.”⁹

When Dilworth succeeded Clark and became mayor in 1955, Green, at times, was able to wield more power.¹⁰ He secured, over Dilworth’s objection, the renomination and election of Victor H. Blanc as district attorney in 1957. Blanc was not opposed to awarding city jobs to party regulars, which proved to be a great annoyance to the reform-minded Dilworth.¹¹ Green determined to control the many gubernatorial appointments that came with statewide victory as a way of maintaining the organization’s power in the city in the face of the challenge represented by the reformers. Those patronage appointments included judgeships and court personnel.

Thus, a split occurred between reformers and the Democratic Party, and by 1957 Dilworth was at odds with the party organization. In August 1953, the state legislature passed the City-County Consolidation Act, which mandated that the mayoral and district attorney elections would no longer occur during the same year. The DA election would occur at the midway point of a mayor’s term, meaning that Blanc had to stand for reelection only two years into his term. It was widely known that Dilworth hated Blanc, but the party renominated Blanc anyway. After Blanc’s reelection, Dilworth sought reconciliation with the party organization because he needed Green’s support for his projected gubernatorial run in 1958. When this failed and Green thwarted his bid for governor, Dilworth turned against the machine.

An understudied aspect of the Philadelphia patronage system was the impact that it had on the courts. In fact, the judges were at the core of the patronage system. Pennsylvania’s Constitution of 1874 stipulated that judges would be elected by the electors for a ten-year term. Though designed to insulate judges from politics, such long terms often resulted in vacancies as judges resigned or died in office. Those unexpired terms were filled by appointment by the governor. Many judges, therefore, first

⁹ Clark and Clark, “Rally and Relapse, 1946–1968,” 660–61.

¹⁰ During the last year of the Clark administration, the Leader administration largely determined patronage appointments; thus, Green did not have a free hand, nor did he exert total control over Leader. This attempted balance between the reform administration and providing patronage positions was not a Clark initiative but rather an initiative of the Leader administration.

¹¹ Reichley, *Art of Government*, 19.

made their way to the bench through appointment. In addition, common pleas constituted Philadelphia's Board of Judges, which, in turn—and as the result of earlier reforms meant to shield government from patronage politics—appointed members of the School Board, the Board of Revision of Taxes, and the Board of City Trusts. Theoretically apolitical judges thus controlled the patronage army that staffed the city's schools, worked in such nonprofit institutions as Girard College, and assessed the city's properties for taxes.

Republicans would continue to control the Board of Judges until Governor Leader appointed sufficient Democrats to the bench to constitute a majority. Every judicial appointment was thus vital to the aspirations of the Democratic Party organization. Challenging politics-as-usual were the leaders of the Philadelphia Bar Association, who came mainly from the large law firms. Their ranks, which included Bernard M. Segal, were anxious to reduce the role of political parties in judicial appointments at the state and federal levels. Reform-minded Democrats and the city's business leaders, as well as the daily newspapers, sided with the Bar Association in its attempt to limit the influence of the political parties in the selection of judges.

It was against this backdrop that Abraham Freedman sought a gubernatorial appointment to a vacancy on Philadelphia's Court of Common Pleas. An important figure in the Clark-Dilworth political reform movement, Freedman was an outstanding lawyer, legal scholar, and Jewish community leader. He was associated with Philadelphia's prestigious Jewish law firm, Wolf, Block, Schorr and Solis-Cohen, he was active in legal reform and legal education, he served as president of the Federation of Jewish Agencies, and he was a leader in the Greater Philadelphia Movement. In 1951 he had served on the Home Rule Charter Commission, and he was the first city solicitor under the new charter. His credentials and his background made him an obvious choice for the position.

Freedman's supporters included such important business leaders as Albert M. Greenfield, who controlled Philadelphia's main hotels, several department stores, and extensive real estate interests in the city; Greenfield was also a substantial longtime contributor to the Democratic Party. Most of the University of Pennsylvania Law School faculty also endorsed Freedman. Even Congressman Green had promised Freedman support for a judgeship after Freedman had chaired Citizens for Joseph S.

Clark in Clark's successful 1956 campaign for the U.S. Senate.

But Governor Leader did not have an entirely free hand in making this appointment. The Pennsylvania Constitution of 1874 did not allow the governor to run for reelection to a consecutive second term. Anxious to run for the U.S. Senate in 1958—which promised to be a good year for Democrats—Leader needed the support of the commonwealth's Democratic political bosses. He would also need strong support from such Democratic constituencies as black voters, and there had never been a black judge on Philadelphia's Common Pleas Court. Many interests were thus arrayed in the battle to determine how Leader would fill the four vacancies looming in Philadelphia's Common Pleas Court in 1957.¹²

What is clear is that the ideal model of a judiciary independent of political influence came to naught. After he resigned as city solicitor, the Democratic organization stymied Freedman's attempts to be appointed to the Common Pleas Court. Freedman and the Americans for Democratic Action had worked hard to put the Democrats in power, but the party organization undermined his efforts to attain a judgeship. The concept of an impartial judiciary continued to be violated even during the reform period of the 1950s.

Important People Mentioned in the Freedman Diary

RAYMOND PACE ALEXANDER was a Philadelphia councilman from 1952 to 1959. He was a close friend of Abraham Freedman and led the battle to integrate Girard College. Alexander was the first African American judge appointed and elected to Common Pleas Court No. 4 of Philadelphia, and he served on the bench from 1959 to 1974.

WALTER ANNENBERG was a philanthropist, publishing magnate, and head of Triangle Publications. He was publisher of the *Philadelphia Inquirer*, created the magazine *Seventeen*, and made *TV Guide* a national publication; in the 1940s and 1950s, he purchased several radio and TV stations. He bought the *Philadelphia Daily News* in 1957, but in 1969 he

¹² In a telephone conversation with the author on August 13, 2009, former governor of Pennsylvania George Leader explained that he was under great pressure to make political appointments in Philadelphia. He had to walk a fine line between the reformers and the machine. Though he does not specifically remember the Freedman issue, Leader was generally pleased with his appointments.

sold it along with the *Inquirer*. He was also a philanthropist and U.S. ambassador to Great Britain from 1969 to 1974. Though a Republican, he was not extremely conservative.

DAVID BERGER was appointed city solicitor by Richardson Dilworth after Abraham Freedman resigned. He ran an office that was staffed with mostly merit-based appointees, and he held this position until 1962. He lost the district attorney race to Arlen Specter in 1969 after having returned to private practice. He subsequently became a nationally known litigator and developed his own firm.

VICTOR H. BLANC was a lawyer and councilman-at-large during the first reform administration, 1952–55. Blanc ran for district attorney in 1955 over Dilworth's objection after Dilworth resigned from the position to run for mayor. He served as the district attorney from 1956 to 1961, and he served on Common Pleas Court No. 6 from 1962 to 1968. Freedman pointed to Blanc as an example of someone supported by Green even though, like Freedman, he was Jewish.

BERNARD BORISH was a close friend of Freedman and younger partner at the Wolf, Block, Schorr and Solis-Cohen law firm.

MIKE BYRNE, a former Democratic ward leader, was chief assistant to Senator Joseph S. Clark. He was from Philadelphia's "river wards" (Kensington and Fishtown), and he had a deep knowledge and understanding of the Philadelphia political system.

JOHN CALPIN was the *Philadelphia Evening Bulletin's* city hall reporter.

VINCENT A. CARROLL was a Republican judge on Common Pleas Court No. 2. He was assistant district attorney of the United States from 1920 to 1926 and assistant district attorney of Philadelphia from 1926 to 1946. He was a candidate for lieutenant governor in 1934. He lost against the sitting Democratic Party judges in the 1937 election for Common Pleas Court No. 7. He was very conservative and acerbic and extremely intelligent. He later became president of the Board of Judges.

JAMES P. CLARK was a businessman and treasurer of the Democratic City Committee. He was a trucking magnate, promoter of the Liberty Bell Racetrack, and the chief financier of the Philadelphia Democratic Party under William Green.

JOSEPH S. CLARK was a lawyer and mayor of Philadelphia from 1952 to 1956. He was also a U.S. senator from 1957 to 1969. He was a member of Americans for Democratic Action, which consisted of liberals and independents. The Democratic machine leadership considered him hostile, particularly for his attempts to cut down on patronage.

HERBERT COHEN was a justice on the Pennsylvania Supreme Court. He initially served as attorney general under Governor George M. Leader. He was a Democratic leader from York County and served in the legislature in the 1930s.

RICHARDSON DILWORTH was elected Philadelphia district attorney in 1951. He served as Democratic mayor of Philadelphia from 1956 to 1962, when he resigned to run for governor for the second time (the first being in 1950). He was defeated by William Scranton. He also served as the president of the Philadelphia School Board.

ETHAN A. DOTY, a Chestnut Hill Democrat and member of the Philadelphia Zoning Board under Mayor Clark, was defeated for Congress by Hugh D. Scott. Governor Leader appointed him as a judge to Common Pleas Court No. 2 over Abraham Freedman. He became an administrative judge of the Philadelphia court system.

JIM FINNEGAN was the chairman of the Democratic City Committee in the 1940s and a Democratic leader during the Clark-Dilworth campaign. He was councilman-at-large and president of the city council from 1951 to 1955. Finnegan was secretary of commonwealth under Governor Leader in 1955. He resigned to become campaign chair for Adlai Stevenson, but he was reappointed secretary of commonwealth the following year. He served as a bridge between the Democratic Party organization and reformers. These two groups had quite different views, particularly with regard to race. Reformers like Freedman and Lewis M. Stevens sought to improve race relations, while many of William Green's

supporters opposed Green's attempts to improve race relations.

LOIS FORER was the deputy attorney general under Attorney General Thomas McBride. Her husband, Morris Forer, was a partner in the Wolf, Block, Schorr and Solis-Cohen law firm. In 1971, she received an appointment to the Common Pleas Court, and she served as a judge for many years thereafter.

ABRAHAM L. FREEDMAN was an important figure in the city's political reform movement. Freedman, the son of Russian Jewish immigrants, was born on November 19, 1904, in Trenton, New Jersey. He was very shy and private, though also extremely prideful. He came from a working-class background, but he rose rapidly as a result of his brilliance and was greatly admired by his colleagues. Freedman married Jane Sunstein, whose family were part of the civically minded German Jewish elite. He was an outstanding lawyer, legal scholar, and Jewish community leader. He was a lawyer at Wolf, Block, Schorr and Solis-Cohen and eventually became chairman of the firm. He served on the drafting committee of the 1951 Home Rule Charter Commission and was the first city solicitor under the new charter. He worked on the 1954 Girard College case, and he was also president of the Federation of Jewish Agencies. Freedman angered Dilworth when he resigned as city solicitor over the charter amendment issue. Freedman did not really desire to seek a judgeship at first, but Freddy Mann persuaded him. He later became a district court, and then appellate court, judge with the help of Senator Joe Clark. Freedman died in Philadelphia on March 13, 1971.

BERNARD FREEDMAN was a lawyer and Abraham Freedman's older brother. The Freedman Papers contain extensive correspondence between Bernard and Abraham.

JANE SUNSTEIN FREEDMAN was Abraham Freedman's wife and a very important civic leader. She was involved in the League of Women Voters and the local Americans for Democratic Action.

MAURICE FREEDMAN was Abraham Freedman's beloved older bachelor brother and coauthored with his brother a classic treatise on marriage and divorce in Pennsylvania.

GERALD A. GLEESON, a former U.S. attorney during the Truman administration, was the secretary of revenue under Governor George M. Leader. Leader appointed him to Common Pleas Court No. 6, where he was a kind, genuine, fair, and impartial judge. Freedman sometimes spelled his name "Gleason."

LOUIS GOFFMAN was a partner at the Wolf, Block, Schorr and Solis-Cohen law firm.

JOSEPH GOLD was the Democratic organization attorney. He was very intelligent and loyal to the Democratic Party machine. At times, he acted as legal counsel to the party organization. Governor Leader appointed him to Common Pleas Court No. 6 to the dismay of the reformers.

WILLIAM GOLDMAN was a Jewish businessman and politically active Democrat. He was a philanthropist, a leader in establishing public television in Philadelphia, and a theater owner.

WILLIAM J. GREEN, U.S. Congressman, 1949–63, was chairman of the Democratic City Committee. Green was angry with Clark in 1956 for winning the Senate nomination because he coveted the Senate seat himself. He was a traditional machine powerbroker in Philadelphia and acted as Democratic Party "boss." He was often at odds with reformers like Clark, particularly over Clark's attempts to cut down on patronage. Though Green was largely responsible for the political maneuvering that ensured that Freedman did not receive a judgeship, he did not have any personal anger toward Freedman.

ALBERT M. GREENFIELD was a business leader who controlled Philadelphia's main hotels, several department stores, and extensive real estate interests in the city. He was a major longtime contributor to the Democratic Party and a staunch supporter of FDR. As a real estate entrepreneur, he was involved in all aspects of economic and political issues, which earned him the moniker "Mr. Philadelphia."

JACK HAYES was deputy to William Green on the Democratic City Committee.

J. SYDNEY HOFFMAN was appointed municipal court judge by Governor George M. Leader. He was active in the Jewish community, his legal office was in Green's ward, and was later elected to the Pennsylvania Superior Court.

CHARLES ALVIN JONES served as a judge on the U.S. Third Circuit Court of Appeals from 1939 to 1944. He was defeated as the Democratic candidate for governor in 1938. He was elected to the Pennsylvania Supreme Court in 1944 and served as chief justice from 1956 to 1966.

EDWARD KALLICK was a Jewish appointee to the county court and a former U.S. attorney under Truman.

JOHN B. "JACK" KELLY, an Irish Catholic Democratic chairman and major leader in the revival of the Democratic Party, lost the mayoral race in 1935. Many believe that the Republican machine counted him out in the river wards of Kensington and Fishtown. He was a successful contractor and major building supplier. He opposed working-class members of the party like Jim Clark and William Green.

DAVID L. LAWRENCE was the Democratic mayor of Pittsburgh from 1945 to 1958. He served on the Democratic National Committee from 1935 to 1938 and from 1940 to 1962. He was governor of Pennsylvania from 1959 to 1963.

EDWIN O. LEWIS was president judge of Common Pleas Court No. 2. He was an early reform movement leader in Philadelphia in the first decades of the twentieth century. He served as an independent city councilman, joined the Fusion Party in 1909, and lost the sheriff's election in 1911. He became executive secretary of the Philadelphia Party and the William Penn Party, was assistant city solicitor in 1914, and became a judge in 1924. He was a very independent-minded judge. He was subsequently president of the Independence Hall Association. Upon his retirement in late 1957, Lewis was sincere in his efforts to encourage Freedman to seek a judgeship.

GEORGE M. LEADER served as Democratic governor of Pennsylvania from 1955 to 1959. He oversaw numerous reforms and tried, albeit

unsuccessfully, to bridge the gap between the Democratic Party and the reformers.

HERBERT LEVIN was a brilliant Democratic organization attorney. He was active in city politics and often served as cocounsel with Joseph Gold. He was appointed to the Common Pleas Court in 1965 and was a very independent judge despite his political background.

LOUIS E. LEVINTHAL was the son of a leading rabbi and a judge on Common Pleas Court No. 6. He was a renowned, outstanding judge. He was one of six Democratic judges elected by the party and independents in the 1937 election. His victory was a surprise to the Republican machine. He served on the bench until 1959, when he left to join the firm of Dilworth, Paxson, Kalish and Levy.

RAYMOND MACNEILLE was a longtime Republican judge. He served on the Municipal Court of Philadelphia from 1914 to 1928 and on Common Pleas Court No. 3 from 1928 to 1959.

FREDERIC R. MANN was a businessman and Jewish community leader. He was a dominant figure and fundraiser. He was friendly with Freedman and tried to convince him not to resign as city solicitor. He was commissioner of the Department of Recreation under Mayor Joseph S. Clark and director of commerce and city representative under Mayor Richardson Dilworth.

LEONARD MATT was a politically connected Jewish lawyer.

THOMAS D. MCBRIDE was chancellor of the Philadelphia Bar Association from 1955 to 1957. He was a reformer and was appointed attorney general by Governor Leader in 1955. He led the effort to ensure proper representation for alleged Communist defendants. Leader appointed McBride to the Pennsylvania Supreme Court in 1959, but he was defeated in the primary because Green would not oppose the state Democratic leadership.

MATTHEW MCCLOSKEY was a contractor and important Democratic contributor and party leader. He was chief financial adviser to the

Democratic National Committee. In 1955, he made a thirty-five million dollar deal with the Pennsylvania Railroad for a high-rise complex to replace the old Broad Street Station.

JOE MILLER was a very acerbic political reporter for the *Philadelphia Inquirer*.

JOHN PATTERSON was Abraham Freedman's friend and a Philadelphia reform leader. Dilworth appointed him as a member of the board of the Philadelphia General Hospital.

DAVID RANDALL lost the 1952 Sixteenth District congressional election in central Pennsylvania as the Democratic candidate. He was an attorney and the secretary to the governor from 1955 to 1958.

HUGH D. SCOTT was the assistant district attorney for Philadelphia from 1926 to 1941. He was a Republican representative from Pennsylvania from 1941 to 1944 and from 1947 to 1958. He was chairman of the Republican National Committee from 1948 to 1949. Scott favored Freedman's appointment. He defeated George Leader in the 1958 senatorial election and served as a U.S. senator from 1959 to 1976. He was the minority leader of the Republican Party from 1969 to 1976.

BERNARD G. SEGAL, Freedman's friend, was a prominent Philadelphia lawyer and the first Jewish lawyer elected chancellor of the Philadelphia Bar Association in 1952. He became president of the American Bar Association in 1969. He was a supporter of merit-based selection of federal judges. Segal had been president of the Allied Jewish Appeal, which merged with the Federation of Jewish Charities in 1956 to form the Federation of Jewish Agencies.

JOHN SHERIDAN was a former Democratic U.S. congressman and friend of John B. Kelly. He served in Congress from 1939 to 1946, was deputy attorney general under Governor Earle (1934–37), and was a delegate to the Democratic National Convention in 1932, 1936, 1940, and 1944.

LOUIS SILVERSTEIN was a businessman and supporter of the Hospital of the University of Pennsylvania. He was friends with William Green and

friendly with Freedman.

NATE SILVERSTEIN was Freedman's friend and partner at Wolf, Block, Schorr and Solis-Cohen.

JOSEPH SLOANE was a Democratic judge on Common Pleas Court No. 7 who was elected as sitting judge in the closely contested 1937 election. In the 1930s, he was Freedman's associate at Wolf, Block, Schorr and Solis-Cohen.

FRANCIS R. SMITH was a U.S. congressman from 1941 to 1942. He was collector of internal revenue for Philadelphia from 1945 to 1952 and a Democratic politician and ward leader. Leader appointed Smith insurance commissioner (1955–63), and he succeeded Green as city chairman in 1964.

MAURICE W. SPORKIN was a Republican judge and Vincent A. Carroll's colleague on Common Pleas Court No. 2. His 1953 election was a surprise Republican victory.

FRANK M. STEINBERG was a politically well-connected real estate developer and Jewish community leader. He was also friendly with Freedman.

HORACE STERN, a member of the German Jewish elite, was the former chief justice of the Pennsylvania Supreme Court (1952–56). He was the first Jewish judge on the Pennsylvania Supreme Court. He served on the court from 1935 until 1956 after winning a close nomination in the Republican primary. He earlier served on Common Pleas Court No. 2 from 1920 to 1932 and was only the second Jewish judge elected to the court. He was a founder of Wolf, Block, Schorr and Solis-Cohen and tried very hard to help Freedman obtain a judgeship.

LEWIS M. STEVENS was a Democratic lawyer and a reform leader in the 1930s. He was a cofounder of the Greater Philadelphia Movement and served as secretary of the Home Rule Charter Commission and as at-large councilman from 1952 to 1955. He was a delegate to the Democratic National Convention in 1956. Lewis was Abraham Freedman's close friend. Governor George M. Leader appointed him sec-

retary of highways, 1955–59. He was a member of the Committee on City Policy, which met roughly thirty times a year at lunch meetings. Freedman delivered numerous talks at these gatherings.

HARRY SYLK was a Republican businessman (Sun Ray Drugs) and Jewish community leader.

WILLIAM SYLK, brother of Harry, was president of Sun Ray Drugs and owner of radio station WPEN.

JAMES H. J. TATE was a Democratic state legislator in the 1930s and president of the Philadelphia City Council from 1955 to 1962. He served as mayor of Philadelphia from 1962 to 1972.

Abraham L. Freedman's Account

Story of C. P. Ct., 1957–8¹³

[no date]

A few weeks ago, at lunch . . . at Midday Club . . .

[Judge Edwin O.] Lewis called me aside, & pulled his chair away from the table. He said he was resigning, but has not told anyone about it except Mayor Dilworth, to whom he owed it as a courtesy. He would make it effective, he said, after the Judges had acted on the investigative report on Mead[e] and the Board of Revision of Taxes.¹⁴

Then he said that he knew about Joe [Senator Joseph S. Clark] getting me an appointment to the [U.S.] District Court; but he would like me to be his successor and hoped I would consider it.

When he finished [Judge Vincent A.] Carroll, who obviously knew what he was discussing with me, said he needed me because he needed someone to do the work, and how good I would be at it.

I did nothing on the subject, feeling it undesirable because of Joe's D.

¹³ Freedman's account has been transcribed literally, maintaining format, spelling, and punctuation (including this text from the first page). Editorial insertions for clarity have been added within square brackets. The few strikeouts have not been recorded. Later underlining of dates and names of people in a red pen are also not represented.

¹⁴ William F. Meade was a powerful Republican Party ward leader in Philadelphia's "tenderloin district." He was city chairman and a member of the Board of Revision of Taxes.

Ct. proposal, and also because D. Ct obviously so much more important in its type of work.

Friday, Nov 1, 1957,

had Freddy Mann in at my office.

He told me his view that I had made a bad mistake not following his advice when I resigned; that I should not have returned to the firm unless my name was in the firm name.

As the first City Sol. [Solicitor] under the new charter, Joe Clark's lawyer, & Joe's great prestige, you should have opened your own office, in your own name. . . .

Thirdly, I gave him a quick summary of the pros & cons on Dist. vs. C.P. [Common Pleas Court]. He vigorously urged C.P., because part of the governmental life of the community.¹⁵

Sat, Nov. 2.

Went to office to work. Call from Lew Stevens.

There had been an article in that morning's Inquirer that [Judge] Lewis would resign the following Thurs., after a meeting of the Board of Judges, & [Secretary of Revenue Gerald A.] Gleason would be appointed.

Lew said he usually sees the Gov. at lunch on Mondays, and it would be the right time to talk to him about it [the vacancy] if I was interested.

I told him I would be. . . .

He said impt. to get back into public office, just as I had pointed out to him when he was considering Secy. of Highways.

Earlier Sat. A.M. I called Joe Clark. He said he was flying to Europe on Tues, but would get busy on it—

I covered successfully, I think, any idea of dropping of his interest re Dist. Ct. I sd my real ambition is appellate court, and CP [Common Pleas] as good for this as D. Ct., etc. . . .

Sat night,

Harvest Ball. Saw AMG [Albert M. Greenfield] there. He mentioned the Lewis matter to me, & suggested I see him Sunday at his home.

¹⁵ Freedman resigned in April 1956 as city solicitor as a result of a disagreement with Richardson Dilworth over Dilworth's support of a charter amendment, which would increase patronage jobs in the city. Freedman's resignation angered Dilworth. Freedman's law firm was Wolf, Block, Schorr and Solis-Cohen. Freedman did not want a judgeship at first, but Mann pushed him to seek one. Mann's "advice" to Freedman was that he should not resign over such a minor matter.

[Judge J. Sidney] Hoffman & Frank Steinberg spoke to me about it.

Sunday, Nov. 3

At AMG's [Greenfield's]. . . . He will talk with Gov. [Leader] & [William J.] Green.

I sd would be decided very soon because Lewis resigning Thursday. . . .

Tues, Nov 5th

AMG called. Said would be helpful in his navigating if Lewis would postpone for 1 week his resign. He suggested I ask him.

. . . Call came in from Joe [Clark].

Joe said he had talked to George [Leader]. G. said Abe undoubtedly the best man on the merits. But what does Green say! Thinks Green for Gleason. Afraid, said Joe, he's [Leader is] in Green's toils. Then Joe went on about how doesn't seem to be able to get anything done for me, etc. Finally, he said I should get Green & Jim Clark to withdraw their opposition to new Dist Ct bill [for additional judges]. . . . [U.S. Congressman Hugh] Scott for it; & Scott says for Abe as good man. . . .

Since all this in [Horace] Stern's office I told him briefly the story.

He said he knows Green, altho not politically, and would like to talk to him as a citizen. Perhaps he would see him with AMG; but better alone. . . .

From Stern, went off to Fed. Cabinet meeting.¹⁶ Called Harry Sylk aside & asked if he would talk to Green. His brother Bill knows him much better; & he'll talk to him. . . .

From Cabinet, saw Judge Lewis. Wonderful to me. Eager I succeed him, & will do all he can to help.

I told him about AMG's request about postponing his resignation. He said gladly, but must talk to his first client. Has his check & can't deposit it until he resigns. But thinks client won't mind.

Then he told me Vince [Carroll] had been talking to [Chief Justice Charles] Jones about [Ethan A.] Doty. Go up now to see him & kill that off right now, he said.¹⁷

¹⁶ The Federation of Jewish Agencies was formed in 1956 with the merger of the Federation of Jewish Charities, established in 1901, and the Allied Jewish Appeal. The Federation is a fundraising organization that uses donations from Philadelphia Jews to fund various charitable Jewish organizations in the city.

¹⁷ Lewis was being loyal to Freedman. He supported Freedman for the position and advised him to "kill" off Carroll's attempts to suggest a different candidate.

So I called on Jones. He said he knew what I wanted, because [Horace] Stern had called him. He got Herb Cohen to get him an appt with Gov. [Leader]. Stern wanted to know if I thought OK to rely on Cohen. I said sure. Deeply touched at int. of both Stern & Jones. Stern didn't want Jones to let Cohen do it instead of himself.

In the evening, I called Lou Silverstein. He had already mentioned me to Jim Clark a day before! Green in hospital—as AMG & Joe both told me—and his wife had called Lou within an hour after he was taken to Graduate [Hospital] from Rolling Green. . . . [Silverstein] Will see Green probably on Friday & will talk to him about me. Will also talk to Jim Clark again.¹⁸

Wed. Nov. 6

Jones called. Spoke to Herb Cohen, who said wonderful that Abe would do it. He [Cohen] arranged so Gov. called Jones and invited him to come advise with him [Leader] about it. Jones delighted. . . .

At GPM Ex Com.—[a meeting of the Greater Philadelphia Movement executive committee]¹⁹ Dick [Dilworth] said hadn't been able to make the call. Will do it.

Thurs. Nov. 7

Spoke to Bill Sylk. Harry already spoke to him. Will see Green by the end of the week & let me know. . . .

Called John Calpin. He wants to write to Gov. Had heard from Mike Byrne about Joe's call to Leader.

He will see Lewis in A.M. to get a statement that favors me. . . .

Inserts

(1) Lunch with [Matthew] McCloskey. He told me Vince Carroll wanted him to arrange an appt with Gov. for Carroll & Jones; & that Vince wants me on the court.

I sd in view of D. Ct. situation I couldn't try for it; let them ask me. He sd no chance of that, rather amused at idea.

¹⁸ Green was very ill. Though it is difficult to determine why he was in the hospital at this time, he later died of cancer.

¹⁹ City business leaders created the Greater Philadelphia Movement in 1948. This urban reform movement drew support from professionals, educators, and labor unions. It sought to address and improve various urban inequalities and social ills, such as violence, crime, drug abuse, and juvenile delinquency.

(2) AMG sd. Green had just been sewn up. He had been kept open until now. . . .

(3) Jones said he felt Gov. should consult with him about judicial appts. I agreed

He said it was a shame I wasn't on his [Supreme] Court, & that I would be if Joe [Clark] had fought harder.

We talked about it, & I defended Joe [Clark]. Idea was: Green opposing Joe for Senator, & Green yielded on promise of 1 spot he could name on state ticket, & he named [Francis R.] Smith for Auditor General [for the 1958 election]. Smith from Phila. But if Joe hadn't been afraid about himself, & had insisted for me [for the Supreme Court], I'd have gotten it. He (Jones) worked hard on it, & I could have gotten it!

When I got home I called Dick [Dilworth]. . . . Very friendly. Dick knew from Joe. He will be glad to talk to Leader.

Friday—Nov. 8

Joe Miller story in this A.M.'s Inquirer that [Judge] Lewis sent in his resign. to the Gov. after meeting of Board of Judges yesterday, effective 11/18. That Lewis said that he hoped Gov. would appoint a man of caliber of me or Gleeson!

(Nothing of postp. it [resignation] or of me alone!) Story also said I would prefer C.P. to D. Ct.; & my principal backer, Joe, is in Europe.

Dick [Dilworth] called. Had spoken to Gov., who was very frank with him in saying he wanted to get rid of Gleeson for a long time. [Attorney General Thomas] McBride told him the Bar Assoc. would OK Gleeson & he would make a competent judge, altho Abe much better.²⁰

Gov. said he has not yet made an absolute commitment to Green; and that Joe & others had spoken to him about me. Gov. will make no final decision until Green is better & they can discuss it.²¹

[Judge Vince] Carroll called He asked if it would help me if delayed a while. I said yes. He said could get it done by writing Gov. to do so because of alterations, etc., and no place.

Vince on "perfect" terms, he said, with Green. He will talk to Green & Jim Clark and let me know.

He said Inquirer story of [Judge] Lewis saying me or Gleeson is

²⁰ Gleeson and McBride were very friendly, but McBride was not Freedman's personal friend.

²¹ Green wielded significant influence over Governor Leader and would actually be the one to determine the court appointees.

wrong. At Board of Judges meeting Lewis made a speech about me & sd wanted me as his successor. . . .

Stern walked in. . . .

. . . reiterated that he will see Green as soon as AMG tells him he can do so.

Later in day saw [Walter] Annenberg at his office. We talked about Fed. [Federation of Jewish Agencies] & Medical College.²² Then he, on his own, asked me if I was still interested in public service. I then mentioned the C.P.2 matter. . . .

I noticed that he seemed disappointed when he replied to his question by saying court. He mused aloud: "Oh, judicial service." After I left I greatly regretted I had not let him tell me what he had in mind, as a result, I had no idea what he meant.

He brought up statement he had made to me after I resigned [as city solicitor]. . . .

He said he would think about what he could do to be of help. . . .

Sat.—Nov. 9

[Chief Justice Charles A.] Jones called. Lunch yesterday in Harrisburg with Governor. Herb [Cohen] went with him.

Jones said, Frankly don't believe chance is good.

Gov. said he can't flaunt the organization here [in Philadelphia], & if they give him a name that's satisfactory, like Gleeson, he will have to go ahead with him.

Green hasn't given him any name yet. Gov. said: I'll be Gov. for more than a year yet. Then Jones to me about [Judge Raymond] MacNeille sick.

Some mention about getting Green to postpone Gleeson this time.

Gov. said Gleeson had good, clean record as U.S. Atty, & worked hard; & ∴ [therefore] no reason to turn him down. Gleeson had been endorsed by Bar Assoc. before, & McBride told him Bar Assoc. would approve.

Jones pleased that Gov. agreed that [he] would consult him on judicial vacancies. This, he said, is good for future; he can pick up the phone in future cases & talk to Gov.

²² Leaders in the Jewish community were considering a new medical school because of discrimination against Jewish students.

Later in day

Mike Byrne called. [Senator] Joe [Clark] had talked to him after I spoke to him. Mike told Joe he must beat Leader on the head. Joe called Leader: extolled me to the sky, & sd: never asked you before for a favor, it will give a real lift to you in Phila.²³ Up to Leader how he will work matter out with Green.

Calpin will say in Sunday Bulletin Leader had not made good appts. in Phila.

You have 2 hurdles: (1) Dick [Dilworth] told Joe he thinks Green made commitment to Gov. [for U.S. Senate nomination] & (2) might want a white, protestant, because of Carroll [Catholic] & Sporkin [Jewish].

Joe also spoke to [Jim] Finnegan. Thinks will talk to Finnegan about O.C. [Orphans Court].

Revenue Dept is patronage for Green in a fight next spring on governorship.

Mon.—Nov. 11

Stevens called. Lunched with Gov. Very warm and personal. Thinks I'll get it. But didn't seem to realize that Gov. had really said nothing to him that justified such a conclusion.

In evening in N.Y at World Brotherhood at Waldorf. Awards to AMG & Dr. Compton.²⁴

After the dinner at Al's [Greenfield's] request, at his suite, where Gov. also present.

At reception in Bun's²⁵ hearing, Gov. said, as I shook hands with him, that you certainly have many good friends.

After the dinner back at Al's suite at his request. People about, Gov. sd hello, but nothing else, & I felt not much friendliness.

When we were leaving, Al came out & asked Jane to wait, so we could be with Gov. & him, after rest left. This occurred. Gov. expounded at length, about how must bring the party up to the level of leadership.

²³ Leader wanted to run for U.S. Senate in 1958.

²⁴ The dinner was a meeting of the National Conference of Christians and Jews. Greenfield received the organization's Pioneer in Brotherhood Medal. Dr. Arthur H. Compton, a Nobel Prize-winning atomic scientist, also received an award. George Dugan, "Stevenson Sees Call to 'Decision'; Says Soviet Satellite Poses Choice between Extinction and Human Brotherhood," *New York Times*, Nov. 12, 1957, p. 31.

²⁵ "Bun," or "Bunny," is Jane Sunstein Freedman, Abe's wife.

Openly talked as if he didn't have power of appt but rested with Green. I made my views clear about Phila 49th state in some ways & ∴ [therefore] unusual about county leader's approval as in other counties. Here Home Rule, independent leaders, Clark & Dilworth. No impact on him [Leader]. Al's pitch was that I was a great guy; but main point, in view of Gov.'s reaction, was that he shouldn't act until Al could talk with Green and felt he could persuade Green to party's advantage.

After Gov. left, as we were leaving I said I hoped all went well with him (Al) and now I had a personal reason of my own. Bun said to him: I hope for once you'll be responsible for the appt. of a good judge.

Wed.—Nov. 13

Inquirer editorial that Leader should not let Green dictate appt. to CP2.

In evening went to Lawyer's Club reception. . . . [Judge Maurice] Sporokin got hold of me & said he, Carroll & Lewis were "praying" I was appointed. He told me how Lewis spoke about me at Board of Judges meeting; & sd he didn't mention Carroll, regardless of what Joe Miller said.

Joe Sloane spoke to me also of what Lewis said.

Thurs.—Nov. 14

McCloskey called. Spoke to Gov., & altho Gov. didn't say so, no question he is committed to Gleeson.

Matt sd Joe has got you fixed up for the Dist. Ct., hasn't he; so what difference does it make.²⁶

Friday—Nov. 15

. . . Fred Mann said he had taken care of Gov, & all that was left was to take care of Green, & Albert [Greenfield] was doing that!

Thurs.—Nov. 21

Argued Girard Coll. case in Pa. Supreme Ct.²⁷ While there [David] Berger showed me a note [Thomas] McBride had received of death of

²⁶ Democratic Senator Joe Clark could thwart the nomination of any individual to the federal district court from his state.

²⁷ Philadelphia's Home Rule Charter of 1951 established a Commission on Human Relations that would, in part, focus on the problem of racial discrimination. When Girard College, a historically white institution, denied admittance to six black students in 1954, Raymond Pace Alexander, a

Crumlish. Berger asked if I wanted him to talk to McBride. I sd. I would appreciate it. As we went out for recess for lunch, McBride, before Berger could speak to him, called me aside and said: I think you can go on the bench now, if you want to; I told the Gov. I was for Gleason, and now I can tell him I am for you. I thanked him. I told him I would prefer #7 because my old friendship for Joe [Sloane].²⁸

Sat.—Nov. 23

[Lewis] Stevens called. Asked if there was truth in what a friend (whom he couldn't name) had confidentially told him:—that [Judge Louis] Levinthal would resign. I told him the facts of some years ago; & of recent newspaper story about pension; but had heard nothing else.

Stevens repeated view that in final analysis Gov. will do like we would. Stevens sd he is making speeches, exhausting work at times, but well satisfied with his decision. Also mentioned re Protestant and that friend who spoke to him about Levinthal meant it for him; but he will play out the Governorship string.²⁹

[John] Patterson called. Seeing AMG tonight & wanted to be

prominent black civil rights lawyer, took on the case. That September, Mayor Joseph Clark and the Commission on Human Relations petitioned the Orphans' Court for a ruling; the court ruled that black students could be excluded. From there the case went to the Supreme Court of Pennsylvania (Case 386 PA 548). Abraham Freedman served as special counsel for the City of Philadelphia and David Berger served as city solicitor for City of Philadelphia, appellant. Chief Justice Horace Stern upheld the Orphans' Court's ruling. However, the U.S. Supreme Court, in *Pennsylvania v. Board of Trusts*, 353 US 230 (1957), ruled that the "refusal to admit Negro boys to the college solely because of their race violates the Fourteenth Amendment." The case returned to the Pennsylvania Supreme Court in January 1958 (391 PA 438), with Freedman and Berger reprising their roles from the original case. Thomas McBride was the attorney general. In response to the U.S. Supreme Court's ruling, the state Supreme Court vacated the Orphans' Court's previous decision. The Pennsylvania Supreme Court explained that it initially allowed exclusion of blacks because Stephen Girard's will created an institute for "poor male white orphans." However, the Board of Directors of City Trusts of Philadelphia had administered the college since the late 1860s. Thus, the U.S. Supreme Court ruled that the board was an agency of the state, and state discrimination based on race was a violation of the Fourteenth Amendment. But instead of consenting to integration, the Orphans' Court merely removed the Board of Directors of City Trusts as trustee. Though appeals followed, the U.S. Supreme Court upheld the Orphans' Court's course of action and decided not to rehear the case. After several more court cases between 1966 and 1968, Judge Joseph Lord of the U.S. District Court finally ruled that Girard College was violating the Fourteenth Amendment. The U.S. Supreme Court's refusal to review the case in May 1968 paved the way for integration at Girard College.

²⁸ There were potential openings on Common Pleas Courts Nos. 2 and 7. James C. Crumlish, a Democratic judge, was elected in 1937. He served on Common Pleas Court No. 7 from his election until his death in 1957. His death resulted in the vacancy. Edwin O. Lewis's retirement had left an opening on Common Pleas Court No. 2. McBride and Berger were involved in the political maneuvering behind the scenes.

²⁹ Some believed that a Protestant should be appointed to balance the Jewish appointments.

brought down to date. Will let me know.

Sun.—Nov. 24

Patterson called. AMG told him yesterday that is seeing Green at his home today. Some talk of Joe: AMG saying: If I were U.S. Sen. I wouldn't have any trouble getting a judgeship for my friend.

Also:—We'll see if I have any power in the Dem. party.

I decided I'd call AMG; & Pat. [Patterson] will call Jim Clark.

I called Lou Silverstein. He's talked with [party treasurer Jim] Clark but not yet with Green.

[Bernard] Segal called re Fed. [Federation of Jewish Agencies] Will see Clark Wed.

Mon.—Nov. 25

At Fed. Annual Dinner. Frank Steinberg. Jim [Clark] for me & I should call Bill [Green].

Tues—Nov. 26

Inquirer story: McBride backs Lois Forer. Called Bill Green's home. Spoke to [his wife] Mary. She seemed either distraught or unfriendly. Said he needs a third operation.

I told her I didn't want to have him disturbed; that when she thought it appropriate to tell him I called. I told her of the subject matter. She sd she didn't get into those affairs.

[John] Patterson called. Spoke Clark (Jim). He advised Pat [Patterson] on how to approach Green—to write Green a letter, & say Jim suggested it.

Pat's point was Abe an independent Democrat, & you'd be passing him up. Jim sd, I wonder if you know the amt of pressure on Bill & source—Negro. Also: Abe can get Dist. Ct. Pat said point is now.

We decided I'd call AMG, since I had heard from him. If he saw Bill [Green] & it was OK, we would have heard.

I called AMG. He sd he'd call me back. Seemed he had someone with him.

Didn't hear from him. So, further sign not going well.

Wed—Nov. 27

Inquirer: Judiciary Com. [of the Philadelphia Bar Association]

approved a batch of names, incl. Forer, Gleason & Doty.

Later [Bernard] Borish. . . I mentioned newspaper story to him. He sd he led fight not to be bound by prior approvals. This knocked out [Joseph] Gold, et al.

Also: You will be gratified to know—confidentially—that you received the highest vote [by the Judiciary Committee].

AMG called. I'm to breakfast with him tomorrow (Thanksgiving Day).

Called [Louis] Goffman at home in the evening. He will talk to Jim Clark.

Thurs. Nov. 28 (Thanksgiving Day)

Most of morning at AMG's home.

He told me he has not seen Green—: didn't see him Sunday as Pat [Patterson] sd he planned—but expected to see him in the next few days.

He did see Green in the hospital for a few minutes. Didn't answer my question of what Green sd, but immediately . . . spoke of fact I'm identified with the [Joseph] Clark group, so why should they [the Democratic organization] do anything.

[Governor] Leader had said to him, with a wink, which he considered very imp't., that he [Freedman] should talk to Jim Clark. I sd I would. He wanted me to tell Jim Clark how friendly I feel to the party, etc. I suppose to overcome the Joe Clark tag.

He [Greenfield] saw Dick [Dilworth] & asked him to call Leader on the second vacancy, but he sd he did not want to do so. (This he sd very confidentially.)

I sd, well, he already had called him for the first vacancy. To my surprise, he [Greenfield] sd: Were you there when he called him. I sd no, but he told me he had. (Must be something Dick sd made him doubtful he had called at all. Al talked about Bar Assn's Judiciary Com. He was incensed that I was listed with so many nobodies. In fact, he came back to this when I was leaving, and at the door, said: Maybe I've idealized you, but you in the same place as those others!

He also made good point, which I summarized, of it being bad to be a perennial candidate.

I told him of Green's promise to me of last yr, & sd if he doesn't keep it now he will be doing to me what he did with him—break his word!³⁰

³⁰ We do not know what this "promise" to Freedman, or to Greenfield, was. In this instance, Freedman refers to an earlier personal conversation and does not elaborate.

Al also spoke of the Jewish point, & how there's none of that in Dick [Dilworth];—came about because Dick told him that that's what some of the party people are saying. . . .

Fri.—Nov. 29

Called Jim Clark. He said he was going to call me. He spoke to "Willie"—meaning Green—because he knew I'd be on his neck. There are a number of people on his neck; and the "heat" is terrific. I asked who? [Joseph] Gold. He's not been approved by Bar Assn, I thought. He was surprised. Gold & [Herbert] Levin had withdrawn from the ticket & a promise had been made to them.

Then Jim mentioned the Jewish Q[uestion]. So many Jewish appts. Last time in policy com. [committee] same thing. I sd, but that didn't stop you, did it? (Meaning Vic Blanc)³¹ He sd, no. Then why start with me? Why start with Pres of Fed. [Federation of Jewish Agencies].³² (He was impressed).

Bill [Green] sd let it rest & give him a chance to clear his mind more. Give him a week or 2 before he makes up his mind—He [Jim Clark] saw Bill on Wed.

I sd, did you remind Bill of his commitment to me a year ago. Jim sd, yes, he didn't deny it.

I then sd, now, Jim, I want to know about you. Are you for me yourself—aside from Bill. I want to know. A. [Answer] Yes. I've always been for you.

Something also earlier about I thought you wanted Dist. Ct. I dismissed it.

Called AMG & told him of my talk with Jim Clark. He was friendly & jovial. Sd: Green called him yesterday; & he will see him tomorrow.

Stevens called. In town for the day. Gov. will be back Mon, & then gone for about 10 days.

Lew [Stevens] will see McBride on other business in next few days & talk with him. I told him of McB's talk with me & then of the Inquirer story of Forer, which Lew also had seen.

[Bernard] Segal. Talked with Jim Clark at lunch on Wed. Talked about

³¹ Over serious opposition, Green supported Victor H. Blanc, a councilman, for the district attorney vacancy after Dilworth resigned to run for mayor in 1955 even though Dilworth objected strongly to having Blanc as a running mate. The party subsequently succeeded in having Blanc appointed as a judge.

³² Freedman was president of the Federation of Jewish Agencies from 1956 to 1959.

both Fed. Ct. & C.P. Jim personally is favorably disposed.

Big question is appointment of any Jew, & whether they shouldn't now appt. Gleason & the only Protestant they have. Who? Doty. . . .

[Segal] Told Jim Fed. is no consideration at all,—and then gave same reasoning that he sd was very convincing to Jim, but which I didn't quite understand.

Bill [Green] feels very good about Abe.

Overall impression: Jim himself wouldn't appt. a Jew at this time. But Bill, says Bernie [Segal], probably will feel like they do in N.Y. —that these minorities are our supporters.

Told Jim if Jewish apptd at all, it would be to M.C. [Municipal Court]—but silly re C.P. Could apply it to Super. Ct. [Superior Court]—where no Jew.

[Louis] Goffman said he spoke to Jim Clark. Big this is the Jewish question.

Sun—Dec 1

Call from [Bernard] Segal. He received word today from “Harrisburg” on the subject. Personal visit at 10:30 A.M., as well as phone calls. Didn't say who, & I therefore, didn't ask. He made it clear it was the very top,—someone very close to the Gov., or the Gov himself!

He was asked what he would do. A: I'd appoint Gleason & Abe.

That is positively the Gov's thinking. You know I wouldn't say that unless I had good reason to say it—I'm positive it is the Gov's. thinking.

Jones' and Cohen's visit to the Gov. made a big impression on the Gov. Gov's brother sd. Jones must have done it at [Horace] Stern's request.³³

Only thing that can stop it is if Green is definitely opposed to it.

So, I'll call Jim [Clark] to make it clear that if you are not appted, then it will be known that it is due solely to Green.

Gov. is completely unimpressed with the argument about too many Jews & Catholics. Agrees on being like Harriman in N.Y., who feels they are his supporters & no reason not to recognize them.³⁴

Gov. feels Doty is nice fellow, but not impressed with him as a lawyer, as result of inquiries made by Gov's brother.

Jewish point probably raised by party people to get them out of prom-

³³ The governor's brother was Henry Leader, a lawyer from York County and a member of Leaders' cabinet.

³⁴ This is a reference to W. Averell Harriman, the Democratic governor of New York from 1955 to 1959. Harriman was unconcerned about making too many Jewish appointments.

ises to Gold & Levin.

Gov. has message from Green to wait for a week or 10 days. Will probably wait.

Bernie [Segal] gathers Green wants the time to smooth out source of his commitments.

Tues—Dec. 3

[Former chief justice Horace] Stern looked in on me. Had been asked by “someone” to write a letter to Gov. on behalf of Lois Forer. Said he wouldn’t do it unless I was out of the picture as a candidate. I told him I was still in it.

He will not write the letter.

Talked about Herb Cohen. Thinks he would be helpful with Gov. Is lunching with Jones & will ask him if Cohen went with Jones when he saw Gov. & will let me know.

Stern added he had not heard from AMG about Stern seeing Green.

I told him Al was supposed to see him & suggested I call and say he asked. He agreed, called Al, but he was out.

Saw Len Shaffer. . . .³⁵ He volunteered that 2 Justices are supposed to resign and that [Justice Herbert] Cohen is very much for me. Cohen’s attitude not on basis of personal friendship, because not personal friends, but because thinks your top man in Pa. First vacancy [on Pennsylvania Supreme Court] will go to McBride, & Cohen for you for second.

AMG called back. Is seeing Green tonight at 8 o’clock. . . .

Mike Byrne called in afternoon. Joe Clark back today & on to Portland. Asked him to tell me received my cable and wrote to Leader.

Borish in, on something else, & said letter from Negro lawyer’s group protesting against discrimination because no Negro approved by Judiciary Com.

Wed—Dec. 4

[Horace] Stern told me had spoken to [Chief Justice Charles A.] Jones yesterday, & he told him that Herb Cohen had gone with him to the Gov’s. I therefore called Cohen, in York, to thank him. I said I was delayed in expressing my thanks because I had only just learned of it, and had previously thought Jones had gone alone.

³⁵ Shaffer was one of Freedman’s clients.

He said Leader is on the coast now, and won't be back until Monday.

Leader is a little bit concerned at overdoing Jewish appts. 75% of his judicial appts in the state have been Jewish, & in Phila, all. . . .

He mentioned helpful that two vacancies. I noted that he did not specifically say he was for me, yet it was implicit in the conversation. Couldn't help feeling a politician might well consider that an art.

When I thanked him he did say doing it for good of the Commonwealth. . . .

Cohen said he will speak to Leader when he gets back & will let me know "if anything startling." I was contemplating calling Mike Byrne to push help from Joe, when the phone rang.

Joe Clark called. Just back from Sicily; & going to Portland, Me. . . .

He said he had written Leader, & asked for a bring down.

Told him [about] Jones visit and its impt. He agreed. Also of Jim Clark saying personally for me. Also, briefly of Leader at AMG's N.Y. party asking for Green's OK. Also of Annenberg being for me for public service, but my not knowing what help he could be on this. Also told him of McBride.

I then sd that with 2 openings, I thought it would be a great blow to me if I couldn't get a C.P. I sd I frankly felt it would be desirable if he spoke to Leader. He sd Leader was in San Francisco and would not be back until Monday and he will speak to him on Monday.

I called Matt McClosky. Asked if he had spoken to Leader. Sd he hadn't seen him. I sd I felt it would be helpful if he spoke to him. He sd. he is in Calif & will be back Monday and he will speak to him then.

Thurs—Dec. 5

In evening . . . decided to call AMG who had date with Green for Tues night, and from whom I had not yet heard.

He said he had seen Green Tues. . . . He'll pick me up & drive in to work with me in the morning.

Fri—Dec. 6

. . . [During the drive] he hesitated about talking because of chauffer. I wondered when he expected he could talk. So I plunged in. I said I was anxious to hear.

He said spent half an hour talking about Green's health, because he was interested in him as a friend, then on other matters, (I assume

Governorship) and an hour about me.

Green likes me very much, and admires me. There was a great deal of talk about the independents. Al sd they were good for about 50,000 votes; Green sd no more than 25,000. Green said Joe [Clark] & Dick [Dilworth] don't realize need for an organization. Even he—Green—can't do whatever he would like; has to respect the wishes of leaders in the districts, & by recognizing them, make them respected in their districts.

Joe—& Dick—want to have everything their way. Bill thinks a good primary fight would be a good thing, because it would show how impt. organization is.

Bill fears criticism because of appt. of another Jew. Al [Greenfield] was full of praise about Green's stature & leadership abilities. In context, I felt annoyed, esp. when he turned to him & Green re Dist. Ct. & how Green friendly to me & has not opposed Dist. Ct. bill [to add a number of district court judges], & I'll probably get on.

I sd. that I can get [a district court judgeship] from Joe [Clark], & don't need Green. But friends thought me foolish to allow my name to be used for C.P., & I did it [sought the common pleas judgeship] only because, with Jones as C.J. [chief justice of Pennsylvania Supreme Court], I felt I would be promoted to appellate court. It would in my view be a serious blow if it came to be known that I couldn't get one of 2 C.P. positions from my party. As to Jewish—I sd that's a rationalization you could use whenever you wanted the excuse. I thought it was brought up to help Green regarding Gold & Levin. Al agreed. I sd, but he doesn't need that rationalization because they were not approved by the [Philadelphia Bar Association] Judiciary Com. Al was surprised; sd he didn't know that. Otherwise, he wished he had said it with Green. Clear Green wants Doty, as Protestant, for 2d job, & 1st. already goes to Gleason.

Then the real point came out: Joe [Clark] should see Green & tell him he will feel obligated to him if he's for me. I sd I felt sure Joe would speak to Green if I asked, but would not agree to any favor or obligation to Green. Al [Greenfield] sd OK. I'm to tell him as soon as Joe has talked with Green, and then Al will see Green immediately and "button it up."

Green has agreed that he will keep the matter open until he & Al meet again in about 10 days on some other matters—I assume Governorship.

Al sd no doubt Gov. will not appt. except with Green's OK, he needs Green for Senate fight. This when I suggested, let Green not be for me, but say he's not against me.

I called Bill Goldman and asked if he had spoken to Jim Clark or Green.

He sd Green just out of hospital, & very few could see him. . . .

Then Goldman sd: Tell me what you've done! (I decided then & there to tell him nothing & write him off)

He then sd nothing can be done until somebody sees Bill Green. He wants to see Bill Green. Will keep me advised. I let it go at that.

I called Frank Steinberg. Nothing new that he knows. Expects to see Jim Clark & will call me Monday.

Since Greenfield had suggested I call Green, I called his house & spoke to Mary. We left it that she will let me know when Green can talk to me.

I called Sydney Hoffman.

He knew AMG was going to see Green. Sydney was at Green's home Sunday night (when AGM was supposed to be asked up.) Sydney told Green how qualified I am etc. Knows Bill well. Bad to overdo it with him. Surprising to some, but Bill makes up his own mind, & usually just listens.

Problem is so many Jewish appts.

He expects to be at Bill's over the weekend, & will let me know if there's anything interesting.

Sat.—Dec 7

Called [Senator Joe Clark]. Told him Gov won't appt. anyone without Green's OK. I understand Green hurt Joe hasn't asked him for his approval. I sd we know why; he wants to show his power, and in this case he has it.

I sd I'd appreciate it if he'd call Green. He sd certainly. Asked me for Green's number. A few minutes later Joe called back. Spoke to Mary [Green]; arranged when Joe home, so Green could call him, either this afternoon or tomorrow.

Called AMG in N.Y. Told him of my talk with Joe, & Joe's with Mary. I'm to let him know as soon as I hear from Joe, & he will then get in touch with Green.

Sat—Dec. 7

[Lewis] Stevens called. Is seeing Jim Clark today about himself.³⁶ Is see-

³⁶ Stevens was seeking an appellate court judgeship.

ing McBride Thurs. . . . & in view of Inquirer story this week again that McB. is for Lois Forer, he will talk with him.

I sd Joe Miller has been pushing Lois in his stories, & ∴ [therefore] don't pay any heed to them.

Cocktails at Nate Silverstein, [U.S. Appellate Judge Harry] Kalodner there: You don't want C.P., I've had both, Dist. Ct. so much more interesting.³⁷

[At another cocktail party later that evening, I learned] McBride said he was for Lois Forer. . . . Al [Greenfield] sd: you haven't heard from Joe? I sd no, & I presume he & Bill Green haven't made contact with each other yet.

Mon.—Dec 9

Call from Barney [Freedman]. Cooperstein called him this morning and said he heard on TV last night that I had been appted. a judge.³⁸ I said I hadn't heard about it, & I rather imagined I would know. I asked when he said he heard it. He said 11:30 P.M. I said it must have been some radio columnist.

Later Borish came in on something else. He said Brookhouser said positively last night that I & Gleeson would be appointed. So that explained Cooperstein.³⁹

Vince Carroll called. Heard that Gleeson & I would be appted. Awfully good news; delighted. Brookhouser said it, and it's now being discussed all around the Hall [City Hall]. I sd. nothing to it, & all based on Brookhouser.

Vince said he talked to Jim Clark the other day. I mentioned, he said, the other day to Jim Clark, Gleeson & Doty, & you.

Jim sd: the Gov. might want to balance one independent with one political appointment. (This I considered significant.

Joe Clark called, Green never called him. Reluctant to call again, in view of what Mary said about his 2 operations & needing a third.

I said I didn't think he should call Green again, since he knows he

³⁷ Kolodner was a federal judge. Franklin D. Roosevelt appointed him to the district court, and Truman appointed him to the court of appeals. He was appointed to Common Pleas Court No. 2 by Governor George Howard Earle III (1935–39), but he lost the 1937 election to a Republican. He lost in a close race to Theodore Rosen and was the only sitting Democratic judge to be defeated.

³⁸ It is difficult to determine who "Cooperstein" was, as Freedman made no other mention of him.

³⁹ Frank Brookhouser was a columnist for the *Philadelphia Evening Bulletin* and also did a weekly television program.

called & can reach him.

I sd there was something he could do. I asked if he had spoken to Leader since the 2d vacancy. He said no! I said it would be helpful if he would call the Gov. He sd would call him today.

Leonard Matt called. I picked a winner, he said. I sd it was all based on Brookhouser, & no facts.

He said he had been in Harrisburg & attended Gov's press conference on Thursday. Duke Kaminski of Bulletin asked, & Gov. sd no comment now.⁴⁰

Later, "off record" discussion with Dave Randall, Gov's Secy [secretary], & he sd. unless somebody upsets apple cart, Abe will be appted.

Jim Clark sd it will get Gov. off the hook— 1 indep. & 1 party.

Matt sd: Gleeson to C.P. 7 & me to C.P. 2.

Wed—Dec. 11

Frank Steinberg called. Heard from an impt. source, reliable, that Leader submitted three names to Green & Jim Clark and asked if all were OK with Bill & Jim. Bill sd yes. I am among the three. Doesn't know who the others are.

So now up to Gov. so far as Bill is concerned.

I asked him to tell who told him this. He sd (confidentially) it was Jim Clark. Jim told him, saying he knew how impt. he felt it was to him.

Thurs.—Dec. 12

Anne Selby called.⁴¹ Hear you are in. I sd I haven't heard about it.

She heard Jim Clark had no objection.

We then talked of how much she would like to see it,—how Gov. ought to pick best men, etc.

Friday—Dec. 13

Mike Byrne called. Joe [Clark] asked him to call me. Joe tried to reach Bill Green. On Mike's advice, Joe then called Jack Hayes, as the only man who sees Bill. Told Jack what he wanted to see him about. Jack said Mary wouldn't let the call go through because he was going to the hospital for his third operation very soon.

Bill asked Jack to tell Joe that he "has Abe very much in mind".

⁴⁰ Duke Kaminski reported on state politics for the *Philadelphia Evening Bulletin*.

⁴¹ Selby was an enterprising investigative reporter for the *Philadelphia Evening Bulletin*.

Joe will be home over the week-end.

Jim Clark, whom I had left word to call for 2 days, returned my call today. I asked him what was new on the courts. He said the bottom had dropped out of the freight business, & he has been doing nothing for last 2 weeks but work on his business affairs.

He knows nothing of what is in the news now.

Called AMG. Told him reporter's story of 3 names. He very obviously knew nothing about it. Told of Jack Hayes.

Also, apparently knows nothing new now.

Asked if Joe [Clark] spoke to Leader. Said hadn't heard, but will call Joe & find out. He asked I let him know, so he will perhaps see Green over week-end.

Sat—Dec. 14

Called Joe [Clark]. Thanked him re Hayes. He wasn't quite sure what he said, indicating Mike Byrne would have it exactly.

I asked if he had spoken to Leader. He said read Leader was in Florida! I said he had been in Fla, but had come back & then spoke on West Coast, & back now since Monday. (I thought for a moment, maybe Leader sick & ∴ [therefore] back in Fla.) Joe said he'd try to get hold of him.

(I was oppressed as I thought about it later, with apparent lack of energy on his part. And prior call also had been disappointing because he hadn't thought on his own of calling after a second vacancy).

Sun.—Dec. 15

Called Joe Clark at home. Not in. Left word with Noel.⁴² Didn't call back.

Mon.—Dec. 16

Joe called. . . .

Told him since my name thrown in, harmful with partners [at Wolf-Block] & generally not to get C.P., especially when 2 vacancies. Also sd. urgent, because may be decided any day, that he talk with Governor.

He sd Leader is appearing at Senate Com. hearing on housing he is conducting today at 2 P.M. & ∴ [therefore] didn't call him because thinks better to speak to him in person.

⁴²Noel Hall Clark, Joseph Clark's wife.

Frank Steinberg called. Dave Randall called him re Del. Riv. [Delaware River] Port Authority, to see old man Cox,⁴³ whose term is expiring.

Frank asked him about me. He sd. situation unchanged. Looks good. Won't be decided until after first of year.

Called Bill Sylk. He saw Green last week end. Green won't talk about politics until he's over his 3d operation. Was to go in Friday for operation today, so could get home by Xmas; now postponed till after Xmas. May see him this week end.

Didn't talk of me;—couldn't. Will see this time. Painted picture of Green as country squire, enjoying freedom from work & political cares, who has decided will not be bothered until finished with final operation.

[William] Goldman called. Hasn't forgotten about me. Very few people have seen Green; maybe more serious than it is said. He saw Jack Kelly. Jack said Gleeson will get one. Wants [John] Sheridan for other. Who is your #2 man. None. How about Abe. Abe is OK. . . .

Wed—Dec. 18

Inquirer story from Harrisburg that Gov. will appoint Gleeson and Doty, definitely.

Spoke to [John] Calpin on phone. He said story had been checked with Gov. and it was true. Now that it was over, Calpin said could tell me, that he wrote to Gov. about me & said it looked like here in Phila. as if he has no time for the independents, only appt. was Stevens, and that was after a lot of arm twisting, and Abe was outstanding etc. John sd nothing to Doty. I said he was a nice fellow.

Heard nothing from Joe [Clark], although Leader appeared before his committee on housing on Monday. Jane sd to me this morning, or last night, it wasn't a good sign. So, it was correct.

Thurs—Dec. 19

Called Bill Sylk. He spoke to Green a few days ago (I noted the lag) & Doty & Gleeson;—Jewish question. Thinks they had a problem. I cut him short. Thanked him briefly.

Called Mike Byrne. Said I had asked Joe [Clark] to call Leader a few weeks ago & he didn't; and he was to talk to him Monday at Senate hear-

⁴³ Edwin R. Cox, age eighty-seven, was a former City Council president, former chair of the Republican City Committee, and a commissioner at this time of the Delaware River Port Authority.

ing but hadn't heard anything. Mike sd Joe lunched with Leader on Monday just for this purpose. I sd I assumed bad news or I'd have heard from Joe.

I was very blunt & angry about Leader. I said it was impt. to know when he ran for Senate [in 1958], if we were voting for Green for Senator. I sd people in Jewish community will be incensed & question in my mind whether I shouldn't feed the flames. Indignant, 2! vacancies, measly CP! & couldn't get it after Jones, Dick, Joe, Al, etc. Jewish! Didn't stand in the way with Blanc, [Edward] Kallick, et al. Excuses!

Hold your shirt on, sd Mike.

Also sd Joe terribly busy, sitting from 9³⁰ to 6¹⁵ at hearings. (Bunk! I thought to myself) & that's why hadn't had time to make even a telephone call to me, sd Mike.

In evening, Lou Silverstein called me. He had talked to Jim Clark around 9th of Dec. & knew from Jim. Protested. Maybe, he sd, its really in wrong hands. Sd he asked Jim, Is it because Abe was Joe [Clark]'s "secretary" (sic)⁴⁴

Friday—Dec. 20

Called Frank Steinberg, who told me yesterday at Fed. [Federation of Jewish Agencies] meeting that he upbraided Green on phone & sd, Isn't Jewish money just as good as any other;—(he's a fund raiser)⁴⁵ He said—confidentially—today they were afraid they couldn't rely on me. I sd what do you mean. He said they want to get a majority in C.P. & control jobs in Fairmount Park Com [Commission], Board of Education, etc., & now have been able to get a part only by deals. I sd on that basis, they are short—we counted—of a majority by about 3 more, so I'd never get it.

Called Al [Greenfield]. Spoke to Green, who said "Next time." Al said why not the other fellow for next time. Very disappointing, he sd; things getting harder every day.

What did Joe say. I sd. Joe called this A.M. but missed me & will call again this A.M. I sd I'd like to know the details of what Green sd. Wants to see if what Joe was told coincides with what he was told, so will talk after I hear from Joe.

Joe [Clark] called. Said he was sorry didn't get a chance to call sooner.

⁴⁴ Freedman served as chairman of Citizens for Joseph S. Clark for U.S. Senator in 1956, a job that included writing speeches for Clark.

⁴⁵ Freedman was an important fundraiser for the Democratic Party, as was Steinberg.

He had spoken to Leader. Leader made light of his urging me. Was very noncommittal. Appreciates that you are by far the most outstanding candidate.⁴⁶ There's not a damned thing that you or I can do. Told Leader I've never asked you for anything before, etc.

Fearful that if you make any further, desperate efforts, will do you harm. Case has been plead by leading people.

Hate to say this to you, my good friend.

I've played out the string with him.

Stone wall from Leader. . . .

Finnegan had said they felt they needed a Protestant. Suppose that's why Doty.

Sorry, don't think there is another thing I can do. I sd, how can you, when you just spoke to him Monday.

Called Al [Greenfield]. Told him of my talk with Joe.

Doesn't look good, he said. Coincides with the way Leader spoke to me.

May see Green over week-end, & try again.

Sat.—Jan. 25

Gov's appts. made a week ago to CP 2 & 7.— Gleeson & Doty nothing said by either Leader or Green to me.

Maurice [Freedman] showed me an editorial in Inquirer deploring "politics as usual" in Gov's action, & his subservience to Green.

Haven't heard from Joe or Dick, although have heard from others of Joe's activities re Dick as a candidate for governor & the Tate problem.⁴⁷

⁴⁶ In a telephone conversation with the author on August 13, 2009, Henry Leader, Governor George Leader's brother, suggested that Freedman was the favored candidate at the time.

⁴⁷ Dilworth would have to resign as mayor if he ran for the governorship. James H. J. Tate, as president of the city council, would, in all likelihood, become mayor if Dilworth resigned. But Tate would have supported Pittsburgh mayor David Lawrence for governor. This put Tate in an odd position: he opposed Dilworth becoming governor for political reasons, but Dilworth's run for governor would have made Tate mayor. Dilworth, in turn, did not want Tate to be mayor. It became a moot point, however, when Dilworth decided not to run for governor. Tate became upset that his path to City Hall was thus blocked by Dilworth's decision not to resign.

Postscript

Abraham Freedman was not the only Philadelphian who was dismayed by the Democratic machine's politicization of judgeships. On January 16, 1958, John M. Cummings, in an *Inquirer* editorial, lambasted William Green and Governor Leader. He referred to a large and politically potent group of "Greenies" and how, "in the name of Bill Green and the Democratic organization," Governor Leader had appointed Ethan Allen Doty and Gerald A. Gleeson to the Court of Common Pleas. Cummings explained that, "It had been the hope of the Philadelphia Chapter, Americans for Democratic Action, that one of the judgeships would go to Abraham L. Freedman, city solicitor in the reign of Mayor Clark. . . . But he and others were nudged aside by Bill Green and, after some delay, the robes were passed to Ethan Allen Doty and Mr. Gleeson." Jim Clark and Green controlled the Philadelphia machine, and, along with the appointment of Vincent G. Panati as secretary of revenue, "three Greenies were picked by the Governor."⁴⁸

In the aftermath of the judgeship "controversy," George Leader ran as Democratic candidate for U.S. Senate in 1958; he was defeated by Congressman Hugh D. Scott. Congressman William Green consolidated his power over patronage appointments. Before Leader's term as governor ended, he filled three additional vacancies in the Court of Common Pleas. He appointed Joseph Gold to replace Judge Levinthal; David L. Ullman, a Leader administration attorney and a long-term Democrat and Jewish community leader, to the vacancy caused by the resignation of Protestant Raymond MacNeille; and Raymond Pace Alexander, the first black appointee to the Court of Common Pleas in Philadelphia and an independent Democrat, to replace Judge John Morgan Davis, who resigned to run successfully for lieutenant governor.⁴⁹

Abraham Freedman continued to be active in such organizations as the Fellowship Commission, the Jewish Community Relations Council, and the Federation of Jewish Agencies, which he served as president. In his professional life, he became chairman of the elite Wolf, Block, Schorr and Solis-Cohen law firm. Politically, he supported Richardson Dilworth

⁴⁸ John M. Cummings, "How Green Mt. Boys Have a Parallel Here," *Philadelphia Inquirer*, Jan. 16, 1953, p. 6.

⁴⁹ Leader remained involved in public life after leaving office. He participated in the Pennsylvania Constitutional Convention in the late 1960s, which revised the Constitution, but his one disappointment was that he was unable to institute a merit-based appointment system for judges.

in his successful 1959 campaign for reelection as mayor of Philadelphia. He cochaired Citizens for Kennedy in southeastern Pennsylvania. Senator Clark supported Kennedy's 1961 appointment of Freedman to the U.S. District Court. President Lyndon Johnson elevated Freedman to the U.S. Court of Appeals in 1964, where he served until his death on March 13, 1971.

Philadelphia, PA

ISADOR KRANZEL,
with ERIC KLINEK