

# MICHIGAN JEWISH HISTORY

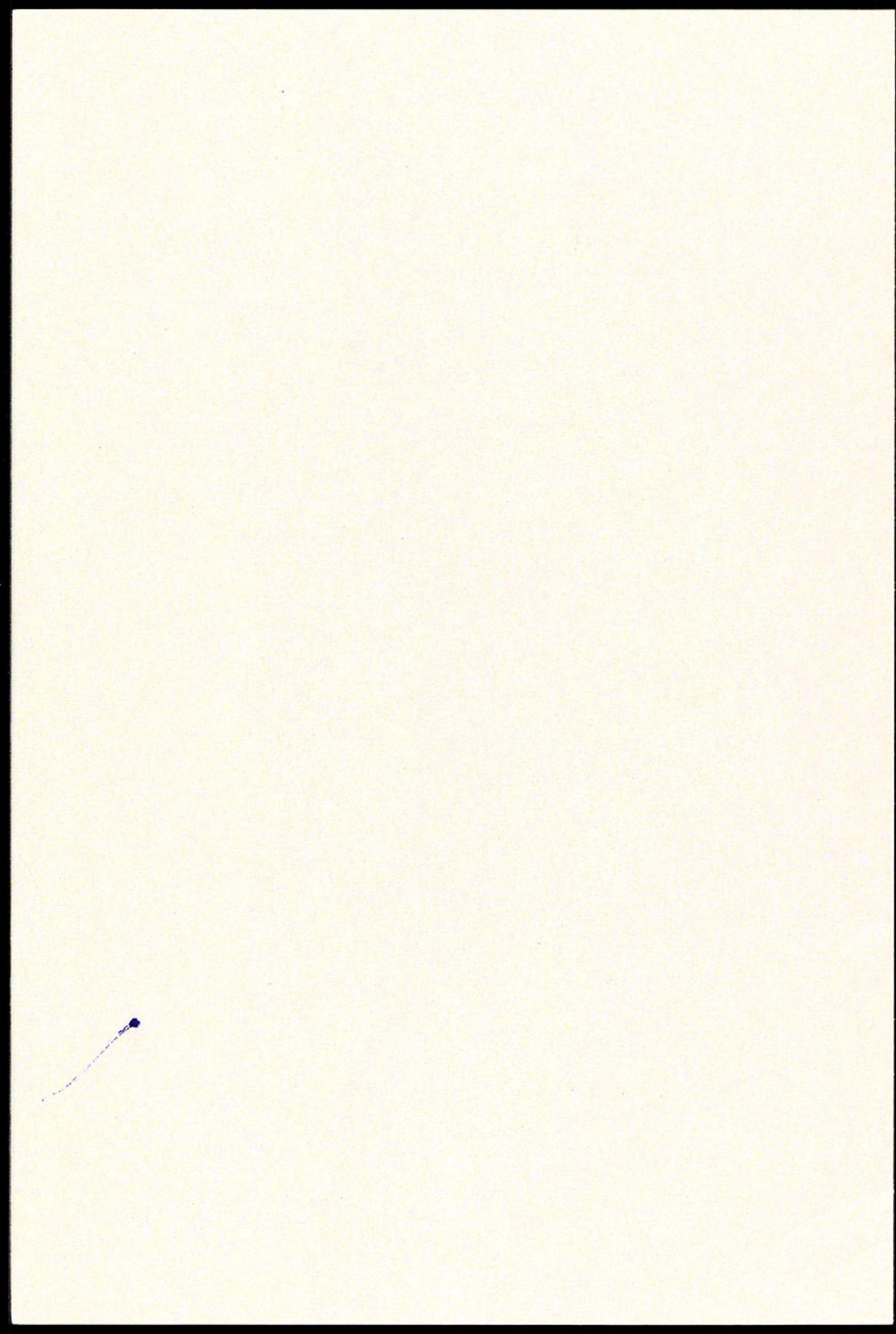


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# MICHIGAN JEWISH HISTORY

... אשר ישאלון בניכם מחר את אבותם ... (יהושע ד:כא)

*When your children shall ask their parents in time to come . . .*

Joshua 4:21

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## THE JEWS OF LUCE COUNTY, MICHIGAN

By Phillip Applebaum

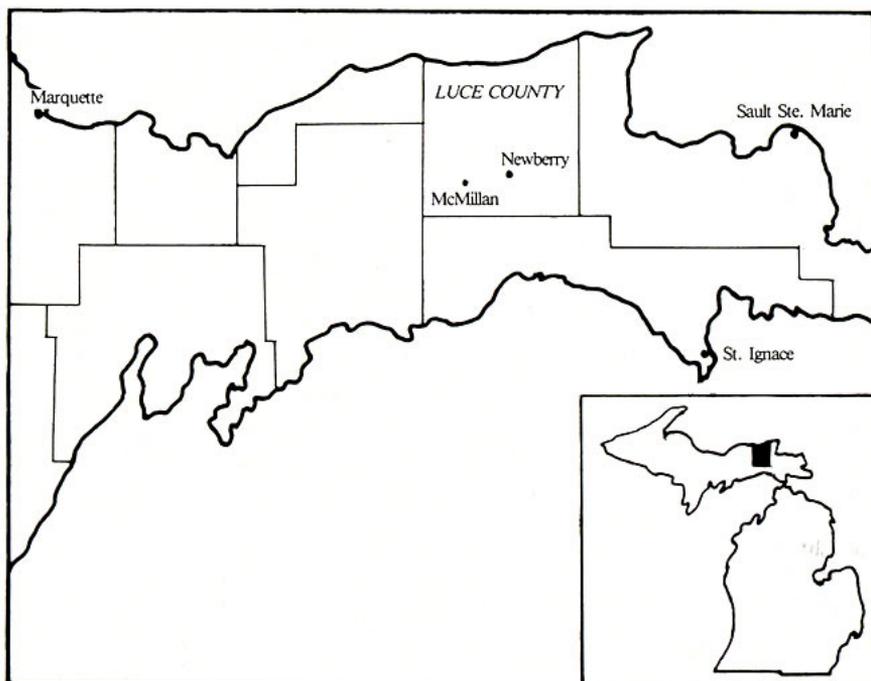
Luce County, located in Michigan's upper peninsula, is a land of woods and streams, but of few centers of concentrated population. The original settlers were drawn to the area in the late 1870's because the county's Tahquamenon Valley was endowed with dense forests of white pine and other commercially valuable trees which were vital to the state's economy, as Michigan was America's lumber capital in the latter half of the 19th century. In 1879 a group of investors began to build a railroad from St. Ignace to Marquette to transport lumber, much of which was eventually shipped to Britain. After various consolidations the railroad became part of the Duluth, South Shore and Atlantic line, known locally simply as the South Shore. The railroad gave rise to a tiny settlement, and in 1882 John S. Newberry and others set up the Vulcan Furnace Company there for the manufacture of pig iron. That gave the settlement an economic boost, and three years later it was incorporated as the village of Newberry, later to become the county seat. Luce County also had good agricultural land; the state's largest celery farms were located there. Lumber, wood alcohol, pig iron and agricultural products formed the base of Luce County's economy, which attracted not only immigrants, but the attention of the state legislature. In 1893 the state passed an act creating the Upper Peninsula Hospital for the Insane, to be located two-and-a-half miles outside Newberry; in 1895 the first patients were admitted, and in 1911 the name was changed to Newberry State Hospital. But the prosperity that lumbering brought to Luce County was not permanent. Around the turn of the century, with most of the forests fully exploited, lumbering began to decline. Although the downturn came slower to the upper peninsula, many of the sawmills established in the 1880's and 1890's were closed by the 1920's. Many who had moved north to seek their fortunes left as quickly as they had come.<sup>1</sup>

However, in the 1880's the Tahquamenon Valley was prosperous and attracted many newcomers, including Fannie and Gustav Rosenthal<sup>2</sup> who, in 1887, opened a clothing store in Newberry, then a town of 1,500 inhabitants.<sup>3</sup> The Rosenthals, the first known Jews in Luce County, came there from Au Sable, Michigan, where Gustav's brother, Philip Rosenthal, was a prosperous merchant. A native of Poland, Philip came to Michigan in the 1870's and helped bring other members of the family to the state.<sup>4</sup>

Fannie, a daughter of Moses Newmark, was born in Syracuse, New York, but her parents were also originally from Poland, immigrating to America around 1860. Fannie and Gustav were married in New York City (where her family lived) in the early 1880's, but all seven of their children were born in Newberry: Harry, Jack, Ralph, Sarah, Pearle, Miriam and Sylvia.

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PHILLIP APPLEBAUM is a vice president of the Jewish Historical Society of Michigan, and the editor of *Michigan Jewish History*.



Another member of the family, Charles Rosenthal (his exact relationship to Gustav is not known), also set up shop in Newberry. In 1889 he, together with Solomon Goldman, opened a clothing store in town, but Goldman seems to have stayed only a year, and Charles probably left in 1893.<sup>5</sup>

Fannie had a large family living in New York's cramped immigrant ghetto, and she urged them to join her in the fresh air of northern Michigan's forests. She and Gustav needed help in the store, and besides, there was money to be made peddling among the farms and lumber camps. In response, Fannie's parents sent her sixteen-year-old brother, Ike (Isaac), who didn't peddle, but worked in the store. He didn't stay long, not caring to take orders from his older sister, especially in a small, backwoods town. Fannie had two other brothers, Samuel and Morris, who did answer her call. Morris struck out on his own for Sault Ste. Marie, but Samuel brought his family to Newberry. Although born in New York, Samuel had returned to Poland, where he married in 1878; by his wife, Rachel, he had four children: Louis, Jacob, Lena and Sarah. They returned to the U.S. in 1886, and after settling in Newberry had three more children: Eva (1888), Dora (1891) and Joshua (1892).<sup>6</sup>

The reports from Michigan were encouraging, for even Ike returned, although not until 1900. By then he was married, and he and his wife, Fannie Perlberg, had four children: Samuel, Miriam, Alice and Harry. Two more children, Pearl and Rachel, were born to them in Newberry.

From New York also came Fannie's younger sister, Mollie, her husband, Charles A. Sheer, and their one-year-old son, Ralph (born in Poland), all arriving around 1905. The Sheers had six more children born in Newberry: Rachel, Jacob, Isidore, Harry, Bella and Miriam.<sup>7</sup>

Samuel, Ike and Charles all did well, and in a few years each had his own small store in town, mainly selling clothing and dry goods. Around 1905 Samuel opened a store in partnership with his son, Louis, called Newmark and Newmark. Ike's entry in the 1907 *Michigan State Gazetteer and Business Directory* gives an idea of the stock they all typically carried: "Dry goods, clothing, shoes, caps and men's furnishings, ladies' skirts and jackets a specialty." Business was brisk during deer hunting season, when they all sold hunters' clothing and supplies. Gustav expanded his trade to include not only clothing and dry goods, but furniture as well.<sup>8</sup> His son, Harry, joined him in the business, helped to manage the store, and eventually became the active head. The Rosenthals advertised in the *Newberry News*, describing their "Way Up Goods at Way Down Prices" and declaring that "Glare of Noon-Day Sun Drives Cattle into the Shade. Glare of High Prices Drives People Here to Trade."<sup>9</sup> The Rosenthal store, located next to a hotel on Newberry's main street, was one of the largest in town. Attached to it above and behind were some ten rooms of living quarters, and they even had their own ice house and chicken coop in back.

From about 1897 to 1901, Max Bloom, a clothing and dry goods merchant, and his family lived in Newberry. Max and his wife, Dora, were born in Russia; he immigrated to the U.S. in 1887, she arrived with their two daughters, Annie and Mollie, in 1891. A third child, Rose, was born in Michigan in 1892. The Blooms later moved to Sault Ste. Marie, but Max would visit Newberry often, staying with Ike Newmark.<sup>10</sup>

The Rosenthal, Newmark and Sheer families were all religious, but Gustav was the most observant. He was the only one, for instance, who closed his business on the Sabbath, but on the High Holidays the others closed down, too. The four families, with their abundance of offspring, were able to form their own *minyán*, and would rent a room in one of the local public schools to hold holiday services. Among those engaged to lead the prayers was a Mr. Brody, who came down from Sault Ste. Marie, 48 miles away, and stayed with the Sheers. Passover was strictly observed by all, and holiday supplies were ordered in from Detroit. The children received some Jewish education from their fathers (mostly instruction in reading Hebrew), but when it came time for the boys to become *bar mitzva*, they were taught by a special tutor (probably Brody), to prepare them for the momentous day (the actual ceremonies took place at their own *minyán*). All the families kept kosher homes, and in the winter, meat was ordered from Minneapolis, arriving by express every Thursday on the South Shore (four trains a day stopped in Newberry). In the summer, when the staple was chicken, Mr. Brody, who was a qualified *shokhet*, came to town and provided kosher slaughtering. Delicatessen foods were ordered from Lefkofsky's in Detroit.

In 1910 the Rosenthals decided to leave Newberry for warmer—and possibly more prosperous—climes. In March they departed for Los Angeles, California. Both of the elementary schools and the high school let their pupils out to see the family off at the railroad station.



The Newberry High School Boy's Glee Club, c. 1913. Standing at the extreme left is Samuel Newmark's son, Joshua; his cousin, Samuel Newmark (Ike's son) is standing on the extreme right.

Ike Newmark, who was eager for extra commercial and residential space, offered to buy Gustav's store, but he wouldn't sell. Instead, he let Ike rent the place.<sup>11</sup>

Ike's wife, Fannie, made regular trips to New York to visit a sister. After one such visit, around 1912, she brought back three of her sister's sons (aged 14, 16 and 18) who had been working in New York's garment district. Like her sister-in-law before her, Fannie saw the woods of northern Michigan as a good place for young men to get a fresh start and make some money. The boys had never been in the country, but Ike took them under his wing, fitted them out with merchandise, introduced them to the territory he knew so well, and taught them how to peddle. The boys did well, stayed from one to three years, and returned to New York.

Although the Newberry area was scenically beautiful, the town itself was somewhat isolated and dull. People contrived their own amusements, such as visits to friends in neighboring towns, which meant a train ride or hiring a horse and buggy. There were Sunday excursions to Mackinac Island for one dollar, and occasionally, trips to the big cities. Once or twice a year, Ike's family visited Detroit, where Fannie had another sister, Ida (Mrs. Henry Fluhr). If Fannie went, she took the children and Ike stayed behind. When Ike went, he took the children while Fannie stayed home and minded the store. Ike's major purpose in travelling to Detroit was to buy goods from the wholesalers, such as A. Krolik and Company on Jefferson Avenue. There was no direct rail service to Detroit, so they took the train 55 miles south to St. Ignace, and there embarked on an overnight boat to Detroit.

There were other diversions. For fun, Newberry children would hike two miles to the Tahquamenon River and watch the great log floats winding their way from the lumber camps to the saw mills. But the children also had school activities to keep them busy. Sports were popular in town, and Ike's



The Newberry High School baseball team, c. 1913. *First row, seated on the extreme right: Samuel Newmark (son of Ike).*

son, Samuel, played on the Newberry High School baseball and football teams; daughter Miriam was on the high school's girls' basketball team. Charles Sheer's boys, Ralph and Jacob, also played high school football, but of the two, Jacob was the real athlete. One year, Newberry High was set to play its arch rival, Sault Ste. Marie, but the game fell on Yom Kippur. Charles refused to let Jacob play, and not even a visit from the entire football team could sway him. (Newberry lost the game, which probably dampened Jacob's spirit, but possibly boosted his ego!)

In terms of employment and career opportunities Newberry offered little, especially to the more ambitious Jewish children. Most of the available work was either in logging, farming, or small business. Thus, after graduation from high school, practically all of the young Jews left, for either Chicago or New York, where they either had family or *landsleit* from Europe. While attending school all of the children worked in their fathers' stores, but the only one who worked outside of a family business was Ike's daughter, Miriam. While still a student in the commercial department of Newberry High, she did stenography for the circuit and civil courts of Luce County. In her last year of high school (1913-14) she worked for Alexander L. Sayles, prosecuting attorney for Luce County, and also for Louis H. Fead, judge of the Eleventh Judicial Circuit of Michigan, both of whom had offices in the Newberry Bank building. Nevertheless, after high school graduation Miriam left Newberry for New York.

One year after their daughter's move to New York in 1915, Ike and Fannie Newmark moved there with the rest of the family. Fannie was glad to be back in New York, for she never really liked Newberry; she was very religious and felt uncomfortable being isolated from other Jews. Also, she was very much afraid that her children would end up marrying Gentiles (as did one of Mr. Brody's daughters). Many of the Newberry townfolk gathered together to give a going-away party for the Newmarks, who had

always gotten along well with the locals, many of whom were of Scandinavian and Slavic origin. Interestingly enough, at about the same time that Ike moved back to New York, his parents returned to Poland, convinced that America, with its assimilatory ways, held no future for the Jews.

After Ike announced his intentions to leave Newberry, Charles Sheer got in touch with the Rosenthals and offered to buy their store. This time they agreed to sell it, and Charles became the third member of the extended family to occupy the property. Up to that time, he and his family lived above their small store on a side street.

About two years after Ike's family left town, his brother, Samuel, decided that it was time for his family to move, too. Like the others, his children had left town after finishing high school; he and his wife packed up and moved to Chicago. His son, Louis, however, stayed on, assuming full control of the store. Louis had little to do with his relatives. Of them all, he had adapted himself the most comfortably to Newberry. He liked the small town and its way of living; he was totally non-religious and felt no compunction in being isolated from other Jews. He, his wife, Pauline, and their two children, Jane and George, stayed in Newberry well into the 1930's, at which time they moved to San Antonio, Texas.

Aside from Louis, the only other Jews in Newberry for a time were the Sheers. By the early 1920's, most of their children had left, Ralph and Rachel moving to Chicago. Charles' wife, Mollie, went to visit them and decided that the rest of the family ought to move there, too, but Charles liked Newberry and was reluctant to leave. Mollie helped him make up his mind by taking the younger children and moving to Chicago on her own. Charles quickly found them all a house, but stayed in Newberry until he could tie up all the loose ends in his business, finally joining the family in 1924.

In all the rest of Luce County the only other Jews were in McMillan, a town of some 300 people, about nine miles west of Newberry. One Jewish family lived there, Abraham M. Caplan (or Coplan) and his wife, Rose.<sup>12</sup> They had three children—two daughters, one of whom was Gertrude, and a son, Philip. Abraham came to McMillan around 1911 and started a general store with a partner named Block, who didn't stay long.<sup>13</sup> It is possible that Abraham came to Luce County on the advice of a relative, for in 1897 a Max Coplan had a clothing store in Newberry.<sup>14</sup>

The Caplans were friendly with the Newberry Jews, especially the Ike Newmarks, and would visit each other often, travelling by train. Although he suffered greatly from asthma, Abraham ran a successful business, and even served on the Columbus Township Board of Education.<sup>15</sup> But the Caplans, like the others, did not stay long in the wilds of northern Michigan. Around 1918 they left, joining relatives in Milwaukee, Wisconsin.

Today the major industry of the upper peninsula is tourism. Although Luce County no doubt has received many Jewish visitors, it no longer has any Jewish residents.

## NOTES

- <sup>1</sup> *A Brief History of the Tahquamenon Valley, Luce County and Newberry* (Newberry: Luce County Historical Society, 1976), passim.
- <sup>2</sup> All information on the Rosenthal family was derived, unless otherwise indicated, from a letter of Jack Rogers (son of Fannie and Gustav Rosenthal) to the author, December 13, 1975.
- <sup>3</sup> The *Michigan State Gazetteer and Business Directory* (Detroit: R.L. Polk & Company, 1875-1931) lists Fannie as the only proprietor in 1887; Gustav is not listed until 1899. The same source lists Gustav as a dry goods merchant in Au Sable, Michigan from 1895 to 1897.
- <sup>4</sup> See "The Jews of Kalkaska County, Michigan" by Phillip Applebaum, *Michigan Jewish History* (January, 1976), pp. 27-28.
- <sup>5</sup> *Michigan State Gazetteer*; a Solomon Goldman was in business in Elk Rapids, Michigan (near Traverse City), from 1876 to 1886. Although the name is not uncommon, it is possible these two are the same. See "The History of the Traverse City Jewish Community: Part One" by Stocker, Dutsch and Floch, *Michigan Jewish History* (June, 1979), p. 21.
- <sup>6</sup> U.S. Census, 1900; all information on the Newmark families was derived, unless otherwise indicated, from interviews with Miriam Newmark Zussman (daughter of Ike Newmark) by the author, August 12, 1974 (telephone), July 30, 1980 (telephone), October 12, 1980 (Oak Park, Michigan).
- <sup>7</sup> All information on the Sheer family was derived, unless otherwise indicated, from letters of Rachel Sheer Gordon (daughter of Charles Sheer) to the author January 25, 1980 and February 17, 1980, and from a telephone interview with the author October 29, 1980 (Chicago, Illinois).
- <sup>8</sup> *Michigan State Gazetteer*, 1909.
- <sup>9</sup> *A Brief History*, p. 12.
- <sup>10</sup> *Michigan State Gazetteer*, 1897, 1901; U.S. Census, 1900.
- <sup>11</sup> Beginning in 1911 the *Michigan State Gazetteer* lists Ike's business as "The Boston Store." Miriam Zussman, however, cannot confirm that the store was so named, and has no idea what the listing means.
- <sup>12</sup> Information on the Caplan family was derived, in part, from Mesdames Gordon and Zussman.
- <sup>13</sup> *Michigan State Gazetteer*; Block is listed in the 1911 edition only.
- <sup>14</sup> *Michigan State Gazetteer*; Coplan is listed in the 1897 edition only.
- <sup>15</sup> Luce County Register of Deeds, Grantee Index 1880-1931, Liber 22, p. 287.

## MICHIGAN JUDICIARY OF JEWISH LINEAGE, PAST AND PRESENT: PART I

By Ira G. Kaufman

### Introduction

*The aspect of justice is fundamental to the Jewish scheme of life as expounded in the Torah, which is careful in so many ways to create a concept of justice which should govern human relationships. The Jewish people has a proud history and tradition in the development of its system of justice, with its free accessibility, its impartial observation, and its deviation from absolute law so that orphans, widows, and non-Jews can benefit thereby. All of this speaks to the sense of righteousness which has always been a hallmark of the Jewish people. It is not surprising, therefore, to find Jews in the forefront of the civil justice system of the United States.*

*In this series we will take a brief look at those judges of Michigan in the Federal, state and local courts who are of Jewish extraction. We will begin with a consideration of the Federal courts. Three judges, Charles C. Simons, Theodore J. Levin and Lawrence Gubow, have sat on the Michigan Federal bench. The former two will be profiled here, and in the future we will discuss Judge Gubow and the more recent Jewish members of the Federal bench, namely, Avern Cohn and Stewart Newblatt. We will not discuss the U.S. Supreme Court, because there are no Michigan members of Jewish extraction, past or present, on that court. Also, we will not discuss the U.S. Court of Claims or the U.S. Court of Customs and Patent Appeals, again, because we can find no Jewish members thereon.*

*We should mention that the Federal judicial hierarchy includes the Federal bankruptcy judges, which in Michigan includes one Jewish member, George Brody. But we will not discuss the Federal bankruptcy magistrates, of whom we do not know any Jewish members.*

*Inasmuch as we will discuss the two major Federal courts here—the Federal Appeals Court and the Federal District Court—it is worthwhile to briefly explain their functions and place in the Federal judicial system.*

*The U.S. Courts of Appeals are the intermediate appellate courts, and were created in 1891 to relieve the U.S. Supreme Court from considering all appeals in cases originally decided by the Federal trial courts. Their decisions, however, are subject to discretionary review or appeal in the Supreme Court. There are eleven such courts of appeals, including one for the District of Columbia. Each state and territory is assigned to a circuit. The Sixth Circuit, which holds court in Cincinnati, Ohio, comprises the states of Michigan, Kentucky, Ohio, and Tennessee.*

*The U.S. District Courts are the trial courts of general Federal jurisdiction. Each state has at least one such court, as do the District of Columbia and the Commonwealth of Puerto Rico. In Michigan, the U.S. District Court is further divided into eastern and western districts.*

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IRA G. KAUFMAN is a judge of the Wayne County Probate Court, having been first elected to that post in 1958. He received a Doctor of Jurisprudence degree from the New York University Law School, is a past presiding judge of the Wayne County Probate Court, a past president of the Michigan Probate and Juvenile Court Judges Association, a past president of the Zionist Organization of Detroit, and Honorary Life President of Adat Shalom Synagogue.

## Charles C. Simons

On November 29, 1965, a portrait of Judge Charles C. Simons was presented to the Federal Court in Detroit by the United Jewish Charities of the Jewish Welfare Federation of Detroit. The portrait of Judge Simons which hangs on a corner wall in the beautiful court room, now graced by the highly respected Chief Judge John Feikens on the seventh floor of the United States Federal Building on Fort Street, looks down with a sense of detachment and austerity. The face exudes a certain ascetic quality of self-assurance as to the place and the breeding of the man it discloses. And although the picture seems to reflect a tall person, one should know that, in reality, its subject was small—only 5'5".

Judge Charles C. Simons was the son of David W. Simons, an immigrant from Russian Poland who, himself, was the product of numerous careers in such varied endeavors as junk dealer, paper manufacturer, real estate dealer, speculative builder, and finally, banker. Out of all of these, he rose in our American world of opportunity of the late 19th century, to become recognized as a leading citizen of Detroit. This was true as well of his religious and fraternal life, where he won the esteem of his fellow-man as president of Congregation Shaary Zedek, treasurer of the United Jewish Charities, and in numerous other facets of Jewish life. He was catholic in his other activities, such as with the Liberty Loan Drives, the Elks, the Knights of the Loyal Guard, and the Masons, among others. In fact, he was honored by Masonry as a 33° Member of the Supreme Council of the Scottish Rite. Among David W. Simons' public roles, we may list Commissioner and President of the Public Lighting Commission for Detroit, and member of Detroit's first nine-person City Council.

On the 21st day of May, 1876, David W. Simons and Laura S. Simons (née Laura S. Brondy) became the parents of Charles Casper Simons, who was to become one of an eight-children family. Charles was born in a house on Madison Street in Detroit, across the way from what is now the Jewish Welfare Federation building and the Detroit Athletic Club.

From his youth he seemed destined to make his mark in the legal world, for he was gifted with an outstanding legal and analytical mind. He took his Bachelor of Letters Degree from the University of Michigan in 1898 and Bachelor of Laws in 1900. He was chairman of the University of Michigan debating team in 1899; in a debate in Chicago, he led the affirmative argument on a United States graduated income tax. It is of interest to note that



Charles C. Simons

Chief Justice William Howard Taft was judge of the debate. When Taft became President in 1908, his first message urged enactment of such a law.

In 1903, Charles was elected to the Michigan State Senate at 26 years of age—its youngest member. As a freshman senator, he sponsored a bill making wife-desertion a felony. He also sponsored home rule charters for cities. It was a time of political and social change; women's suffrage and Prohibition were hotly debated. In 1905 he became a circuit court commissioner. In 1907 he became a delegate to the 96-man body of the Constitutional Convention of Michigan, charged with setting up the new state constitution of 1908.

Meanwhile, on the 29th of November, 1906, he married Lillian Bernstein of Chicago, one of whose sisters was Mrs. Nate Shapero. In 1916, having become immersed in Republican politics, he was made Republican Presidential elector-at-large, and made the nominating speech for General Russel A. Alger for United States Senator, which was pronounced the most brilliant delivered in that body's session. In the national election that year, he cast a ballot as elector for Charles Evans Hughes (whose daughter, incidentally, is the wife of a great Michigan lawyer, William T. Gossett).

U.S. Senators Charles E. Townsend and James Couzens proposed Simons for appointment by President Warren G. Harding as a Federal District Judge in 1923. The Senate confirmed, and Simons took the oath of office, given by Judge Arthur C. Denison, Chief Judge of the United States Court of Appeals in Cincinnati, in that year.

It is interesting to observe that, as reported in *The Detroit News* of February 10, 1925, "Arthur J. Tuttle and Charles C. Simons will begin wearing Robes in Court, as of March 1, 1925." Evidently, robes were not included in the panoply of the Federal Bench prior to 1925. What a far-cry from the 1980's!

In the Federal Trial Court, as Federal Judge Ernest A. O'Brien was to say on Simons' retirement, "Judge Simons was characterized by the Lincoln-esque clarity and simplicity of his rulings."

Another milestone in the life of Judge Simons took place December 4, 1931 when he was recommended by Senators James Couzens and Arthur T. Vandenberg for elevation to the Federal Court of Appeals. At the time, Vandenberg said of him, "He has an exemplary record, and is of sterling character, wholly warranting confidence and promotion."

Simons served as Chief Judge of the Appellate Court for six years, succeeding Chief Judge Xenophon Hicks. Pursuant to the Federal rules, he became a Senior Judge at the age of 70. As a Senior Judge he remained on the bench until September, 1959, when at the age of 83, he retired completely.

Among many landmark decisions was his Appeals Court opinion in the Ford-Labor Board case, which led up to the Ford Collective Bargaining Agreement.

In 1948, Judge Simons was honored by his community on having served one-quarter century on the Federal Bench; he was again honored on his eightieth birthday, in May, 1956. The committee to celebrate the latter occasion was composed of Alfred E. Wilson, chairman; Federal Judge Frank A. Picard, Federal Judge Theodore Levin, attorney Louis F. Dahling, James E. Haggarty, Sidney A. Ochs, Clifford L. Dadler, William L. Scherer, and John Sabesy.

In 1963, at the age of 87, having been in poor health, and having lost his wife two years before, Charles Casper Simons died. Funeral services were held in the Brown Memorial Chapel of Temple Beth El, with internment in the Beth El Memorial Park.

Federal Judge Theodore Levin said of Simons at his death, "He had one of the longest and most distinguished careers in the history of the Federal Judiciary. He loved the law; he loved justice; he devoted his life to its service; his scholarly opinions will be a guide for lawyers and judges for many years to come."

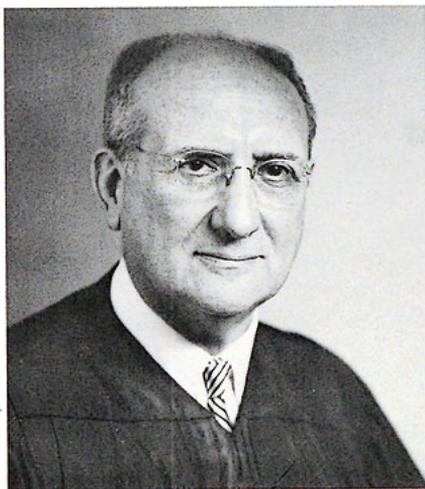
Judge Simons' own remarks at his eightieth birthday celebration perhaps best exemplify his philosophy:

America's proudest boast is that her citizens do not approach public questions from a Catholic viewpoint, a Protestant viewpoint, or a Jewish viewpoint, but from the American viewpoint.

### Theodore J. Levin

Were one to step into the beautiful and altogether warm and harmonious courtroom of the esteemed Chief Federal Judge John J. Feikens in the United States Federal Building in Detroit, one's eye might well be caught by a portrait hanging on the far left wall across from the portrait of Judge Charles Simons.

The picture is that of the late Theodore J. Levin, Chief Judge of the United States District Court, Eastern District of Michigan. And as one looks at it, the picture seems to reach out, to wordlessly express a "hello", to want to communicate a handshake! The portrait is that of a man, who, in his lifetime exemplified friendliness and charm, yet, one hastens to add, not without a definite keenness of intellect and knowledge and experience at the law. And this is the way Theodore Levin, father of Supreme Court Justice Charles L. Levin and of lawyer Joseph Levin, and uncle of both U.S. Senator Carl Levin and one-time Gubernatorial candidate Sander Levin, really was in his lifetime.



Theodore J. Levin

He was born in Chicago on February 18, 1897. The family moved to London, Ontario and then to Detroit when Theodore was sixteen years of age. In 1920 he was graduated from the University of Detroit Law School, and in 1924 received his Master of Laws Degree. During his schooling, he worked

afternoons or evenings in machine shops. He then practiced as an attorney until his Federal appointment. In the 1930's he served as Special Assistant U.S. Attorney.

As a young lawyer, Levin handled many important cases. One such matter occurred in July, 1925, when he represented another young man, Henry M. Gottlieb, in his quest for citizenship. The U.S. Immigration and Naturalization Bureau had ruled that Gottlieb's petition was void, as it was filed on Election Day. The case was complicated by the fact that Gottlieb had passed the Michigan bar exam, but could not be admitted to the bar under state law unless he was a U.S. citizen. The matter came before Federal Judge Charles C. Simons. The case was important, since several hundred similar cases were being denied. Levin received much acclaim for the favorable outcome.

On March 4, 1944, Circuit Court Judge William Freedman resigned as a member of the Selective Service Board of Appeals, No. 1, Group 2. Michigan Governor Harry F. Kelly then appointed Theodore Levin to fill the vacancy. Levin, in turn, having vacated his post as chairman of Selective Service Board No. 27, was replaced there by Max Osnos, president of Sam's Cut Rate, Inc.

In July, 1946, the author, a young lawyer active in the Zionist Organization of Detroit, had occasion to visit the offices of Levin, Levin and Dill on an errand having to do with the office. There was a tremendous hubbub, as oral messages were shunted back and forth. Washington, D.C. was on the phone, and the word was being carried that Theodore Levin was being nominated for a Federal judgeship to succeed Judge Edward J. Moinet, who had retired. His nomination was confirmed by the United States Senate on July 25, 1946; Levin was then 49 years old. On August 6 of that year, Federal Judge Charles C. Simons of the United States Court of Appeals at Cincinnati administered the oath of office to Levin, who became judge of the United States District Court for the Eastern District of Michigan.

After he assumed the bench, he hosted a weekly Monday 8 a.m. brunch in his chambers for the local judges of Jewish lineage. Judge Weiss, Judge Baum, Judge Nathan J. Kaufman, and the author were on hand for the bagels or rolls, the smoked white fish and lox, the coffee cake and the coffee. What a great way to open the week in court! And what a genial host was Federal Judge Theodore Levin.

He succeeded Frank R. Picard to become Chief Judge in October, 1959. As such, he was responsible for administering the court, and during his seven years as Chief Judge, the District Court for the Eastern District of Michigan was hailed as one of the finest Federal courts in the country. His successor in February, 1967 was the well-regarded Judge Ralph M. Freeman (the Federal Court rule is such that at age 70 the Chief Judge relinquishes his leadership role to a younger colleague with seniority).

As a Federal Judge, Levin instituted many reforms, most important of which was the three-man bench to determine sentences, which today is standard all over the country.

As a private citizen, as well as on the bench, Judge Levin's humanitarian and patriotic activities were legion. He was vice president of the Michigan Council on Displaced Persons, vice chairman of the Michigan State Council on Immigrant Education, Executive Committee member of the United Serv-

ice for New Americans, president of Jewish Resettlement Service in Detroit, president of the Jewish Family and Children's Service of Detroit, president of the United Jewish Charities, president of the Jewish Welfare Federation, member of the Board of Governors of the Jewish Publication Society, member of the Board of the Council of Jewish Welfare Federations and Welfare Funds.

On March 3, 1959, Max M. Fisher, upon taking office as president of the Jewish Welfare Federation of Detroit, presented his predecessor, Judge Levin, with a gavel made of Israeli olive wood. Fisher pointed out that under Levin's tenure, the Federation distributed \$500,000 to essential causes.

In February of 1960 he received the Fred M. Butzel Memorial Award of the Jewish Welfare Federation of Detroit. The award was presented to him by Michigan Supreme Court Justice Henry M. Butzel, "for distinguished communal service. He [Levin] wears the cloak of his Jewishness with pride and with exceptional dignity."

At its Commencement exercises on June 23, 1961 Wayne State University honored Judge Levin with an honorary Doctor of Laws Degree.

On September 29, 1965, Judge Levin was honored by receipt of the Masonic 33° in the Honorary Supreme Council of the Scottish Rite. Those honored with him were such luminaries as Walter W. Fuller of *The Detroit News*; George E. Gullen, then vice president of American Motors and later president of Wayne State University; Charles S. McIntyre, president of Monroe Auto Equipment; Josiah Penberthy, radio and television personality; Leslie T. Henderson, M.D., and Sam Cohodas, Jewish businessman of Ishpeming, Michigan and great humanitarian.

On February 21, 1967, Judge Levin, along with Martin L. Butzel (son of Fred Butzel) and Malcolm Lowenstein, was elected to the National Board of Directors of American ORT. They were nominated by Harry R. Platt, a National Director and President of Detroit ORT.

On June 20, 1972, in Judge Levin's honor, a foundation was formed by Roger Herrins for the purpose of conducting research into the treatment of criminals sentenced by Federal judges, and at the same time, the portrait was presented for the court room. The foundation committee consisted of Chief Judge John Feikens, Judge Lawrence Gubow, *Detroit News* Editor Martin Hayden, Judge George Brody, Circuit Judge Benjamin D. Burdick, Carl Levin, William T. Gossett, Benjamin Nucian, Irwin I. Cohn, and Gordon Ginsberg.

Theodore J. Levin died December 31, 1970. Memorial services were held at Shaarey Zedek synagogue, with internment at Clover Hill Park Cemetery.

*The Detroit News* said of him, editorially: "When Theodore Levin was elevated to the Chief Judgeship he knew the law, was endowed with kindness and sympathy, and had a great depth of conscience, sagacity and patience."

One might add that Theodore Levin was a true judge in the tradition of our biblical judicial ancestors.

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## BOOK REVIEW

**Cohodas: The Story of a Family.** By Wilbert H. Treloar. Marquette: Northern Michigan University Press, 1977. 256 pp. illustrations. \$6.95.

The traceable roots of the Cohodas family go back to Kobylnik, Russian Poland. It was there that Aaron Cohodas was born and eked out a living buying produce of nearby farms and transporting it to the market at Vilna for sale. And it was in Kobylnik that he married, was widowed, re-married, and fathered eight of his nine children: Hyman, Morris, Harry, Mollie, Leah, Sam, Anne, and Max. Ethel, the youngest, was born in the United States.

The distance from Kobylnik to Michigan's North Country simply has to be measured in more than miles. It was a journey in time as well as in space. Wilbert Treloar makes sensitive use of the background material he has examined relating to Jewish life in the Eastern European *shtetl*. No matter that his findings don't relate specifically to Kobylnik, they may be taken as generic. He depicts the oppression, the grinding poverty, the wretched living conditions, the terror and the daily indignities endured by the Jewish population. Indeed, to transplant oneself to a part of the world where such conditions were unknown, was to move from one planet to another, particularly to a place as remote to the *shtetl* experience as the North Country.

At the urging of his brother-in-law, Sam Weksler, who had settled in Marinette, Wisconsin, and with the encouragement of his wife, Eva, Aaron Cohodas made his move to the New World in 1900. Following a practice not uncommon in those days, Aaron emigrated with the understanding that the rest of the family would follow as soon as they could afford to do so and as soon as the infant, Max, was old enough to travel. Hyman and Morris, the sons of his first marriage and close to military age, arrived in 1901 and 1902 respectively. The family's break with Kobylnik was completed in 1903 when mother Eva, with six children in tow (the oldest was fourteen!), paid the twelve dollars-per-person passage money and, carrying a supply of provisions together with the family belongings, set out for a new land and a new life. This was the year, not incidentally, of the notorious Kishinev pogrom—an event which speeded Eva's determination to move on. Understandably—and the author makes a passing point of this—no member of the family ever felt any sentimental ties to Kobylnik or expressed any interest in returning for a visit.

The family, together again, settled in a house which Aaron had bought in Marinette. But it was not to be for long. Aaron died in 1904, and the family became dependent upon the earnings of the children and upon Eva's income from baking and catering. Nevertheless, throughout this difficult period, the family, in keeping with Eva's firm principles, maintained its independence. All the children old enough to do so worked and contributed to the family income, whether by selling milk from the family cow, peddling newspapers, or clerking at the local department store. And there was their uncle, Sam, by now established in the produce business in and around Marinette, always ready to assist with the employment opportunities or business suggestions.

A "false start" in the then-new motion picture business in Michigan's upper peninsula and in Wisconsin brought brothers Harry and Sam to the conclusion that from family background and from experience they should enter the produce business. It might be said that the Cohodas "empire" was launched in 1915 when the brothers arrived in Houghton, Michigan. There they set up a wholesale and retail produce business, and also had retail stores in Hancock and Calumet.

Houghton in 1915 was the multi-ethnic capital of Michigan's famed Copper Country. Finns, Italians, Croatians and other nationalities clustered in their own boarding houses and were tagged with their particular ethnic labels. It was not extraordinary therefore, or taken as demeaning, for Harry and Sam Cohodas to be identified as "those two Jewish fellows." Treloar contends that this was merely the town's "lazily comfortable" way of distinguishing them from the others.

The Houghton enterprise was doing well when Sam Cohodas was called to the colors during the "Great War" in 1918. By family decision, the youngest of the brothers, Max, left school to take Sam's place in Houghton; Sam, as a mess sergeant, learned considerable about the consuming end of the produce business.

If there was any precise time that the business could be said to have assumed the gigantic proportions it ultimately achieved, it was in the immediate post-World War I years. The mantle of leadership, by common family consent, fell upon Sam. Harry remained in Houghton. Max went on to Green Bay, Wisconsin. Brothers Hyman and Morris came into the business, the former to Iron Mountain and the latter to Ironwood. Sam established Ishpeming as headquarters, and from there served also the Negaunee - Marquette areas. The retail operations were abandoned. By acquisitions and by its own expansion over the years, Cohodas Brothers Company grew to be an acknowledged national leader, third largest in the nation's wholesale produce industry; Sam Cohodas, its chief officer, became an important and respected figure in the commercial sphere and in civic affairs.

As its title suggests, *Cohodas: The Story of a Family*, is just that. It is not a story of the collective Jewish experience in Upper Michigan; it is the story of the noteworthy accomplishments of one immigrant Jewish family. As such, the book may be disappointing to the reader who would like to know what it was like to be, and to live as, a Jew in the North Country in the earlier days of the century. What about the Jewish communities in the area, congregational activity, social life, problems of prejudice, marriageable children? The reader will find no answers or information bearing on these kinds of questions. He will, however, find in this book an account of a family which has identified itself with Jewish concerns and philanthropies, and continues to do so. Hebrew University, the United Jewish Appeal Bonds for Israel and other important Jewish causes have received unstinting Cohodas support. On the civic scene, they have made important contributions to Northern Michigan University, Lake Superior State College, Suomi College, Bell Memorial Hospital, Bay Cliff Health Camp, and others. The Cohodas record stands as a paradigm of useful and responsible citizenship.

It's more than a niggling comment to observe that the book would have benefited from tighter editing. Names and phrases that are familiar to the

Jewish reader — Ben-Gurion, Mayor Kollek, Leon Kobrin, for examples — are carelessly misspelled; BCE, used to identify a date, is explained as “Before Christian Era”; *Am Yisrael Chai* becomes “Am Israel Chair”. Other errors and typos were allowed to remain in the finished product.

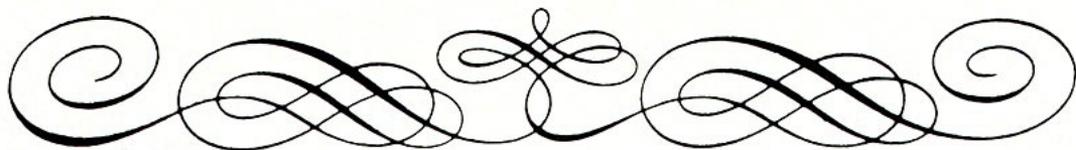
In sum, and with its shortcomings, this book is nevertheless a deserved tribute to a family which overcame the adversities faced by immigrant Jews. That their remarkable success was achieved in the remote reaches of the North Country and not in the conventional centers of American Jewish settlement adds to the interest of the story. As a story of Jewish life in the U.P. the book, regrettably, adds nothing to the knowledge that persons interested in the subject are eager to accumulate, and it makes no such pretensions. What you see (in the title) is what you get.

Walter E. Klein  
*Vice President*  
*Jewish Historical Society of Michigan*

*We respectfully wish to inform our membership that they can benefit the Jewish Historical Society of Michigan by means of bequests from wills, trust funds, insurance policies, endowments, foundation donations, and outright gifts.*

*For further information, please contact our president, Jeffrey N. Borin, Suite 1430, 3000 Town Center, Southfield, Michigan 48075; (313) 353-0023.*

*All inquires will be handled in strict confidence.*



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IN MICHIGAN



*Martha M. Bigelow* *James E. Moss*  
President Chairman, Committee on Awards

SEPTEMBER 19, 1979

Date

## REPORT OF THE TWENTY-FIRST ANNUAL MEETING

The twenty-first annual meeting of the Jewish Historical Society of Michigan was held Sunday, June 29, 1980 at Stouffer's Northland Inn in Southfield. Approximately 111 persons attended the late-morning brunch.

In his annual report, President Jeffrey Borin noted that in the past year the Society successfully pursued its goals. "Our journal, *Michigan Jewish History*, which has the distinction of being the oldest and longest published journal of any local Jewish historical group in North America, has been the forum for several outstanding articles. Recently our archives at the Burton Historical Collection of the Detroit Public Library was the recipient of seventy boxes of records of the Jewish Community Council; these records date from the mid-1930's.

"We have been fortunate to have had several excellent meetings this year. In November [1979], at the Jewish Community Center Book Fair, Dr. Robert Weisbrot spoke about his book on the Jewish youth of Argentina and their current problems; in December, at a meeting of our Board of Directors, Dr. Gerald Teller, superintendent of the United Hebrew Schools, presented an audio-visual program that is being used to teach local Jewish history to area students; and in February at our semi-annual meeting, Pro-



JHSM President Jeffrey N. Borin (left) accepts on behalf of the Society the Certificate of Commendation of the American Association for State and Local History presented by Dr. Martha M. Bigelow, director of the Michigan History Division, Michigan Department of State, and current president of the AASLH.



JHSM officers elected at the annual meeting for 1980-1981. *Left to right:* Reuben Levine, treasurer; Gertrude F. Edgar, corresponding secretary; Walter E. Klein, vice president; Jeffrey N. Borin, president; Phillip Applebaum, vice president; Sarah Rogoff, financial secretary; Esther Klein, recording secretary.

fessor Carl Cohen of the University of Michigan gave us a thought-provoking analysis of civil rights legislation and the Jews. We were encouraged by the large attendance at all of these meetings.

"The Society is also pleased to report that in conjunction with the United Hebrew Schools we have commissioned the well-known artist, Arthur Schneider, to make a sculpture in honor of the late Bernard Isaacs, first superintendent of the United Hebrew Schools in Detroit. Mrs. Rose Kaye, immediate past president of the United Hebrew Schools, is in charge of fund raising for the project, which will take the form of personal contributions from our community. The Jewish Historical Society of Michigan will provide the commemorative plaque accompanying the sculpture. The dedication is expected to take place next spring at the United Hebrew Schools main campus in Southfield."

At the meeting, all Life Members of the Society were honored with Certificates of Life Membership: Jay W. Allen, Phyllis Borin, Ralph Borin, Irwin I. Cohn, Walter L. Field, Max M. Fisher, Naomi B. Floch, Sarah Friedman, Morris Friedman, Sulamis Goldoftas, Neal L. Grossman, Robert C. Gurwin, Rabbi Richard C. Hertz, Sol P. Lachman, Dr. Peter A. Martin, Mrs. Morris Mersky, Mrs. Coleman Mopper, Mrs. Bernard Panush, Patricia Pilling, Emma L. Schaver, Carmi Slomovitz, Flora J. Winton. Certificates were posthumously awarded to Louis LaMed and to Max Weinberg.

In the autumn of 1979 our Society received word that we were to be honored with a Certificate of Commendation from the American Association for State and Local History.\* Dr. Martha Bigelow, director of the Michigan History Division, Michigan Department of State, and currently president of the AASLH, was our guest at the annual meeting, and personally presented the certificate to President Borin, who accepted on behalf of the Society. (See also page 20 in this journal.)

Guest speaker at the meeting was Dr. Sidney Fine, Andrew Dickson White professor of history at the University of Michigan. Dr. Fine, author

\*See *Michigan Jewish History*, January, 1980, p. 3.



Members of the Board of Directors elected at the annual meeting for 1980-1981. *Left to right:* Dr. Oscar Schwartz, Lee Schwartz, Mrs. Morris Adler, Abraham Satovsky, Allen A. Warsen, Mrs. Sidney Fine (wife of guest speaker), Dr. Henry Green, Dr. Sidney Fine (guest speaker), Dr. Abraham Rogoff, Lenore Miller, Doris Easton, Sarah Friedman, George Stutz, Morris Friedman, Dr. Irving Edgar, Ida Levine, Prof. Harold Norris. *Not pictured:* Laurence Deitch, Walter L. Field, Rabbi Leon Fram, Miriam Hamburger, Mrs. Louis LaMed, Richard Maddin, Patricia Pilling, Leonard Simons, Devera Stocker, Dr. Saul Sugar.

of several books on American history, delivered a fascinating talk on Frank Murphy, former governor of Michigan and U.S. Supreme Court justice, and the subject of a three-volume study by him. The presentation gave a general biographical view of Murphy, but Dr. Fine gave special emphasis to Murphy's relations with Jews. The talk was very well received and prompted many questions.

In accordance with our constitution, elections of officers and members of the Board of Directors were held at the meeting. The following were elected: Jeffrey N. Borin, president; Phillip Applebaum, Walter E. Klein, vice presidents; Reuben Levine, treasurer; Esther Klein, recording secretary; Gertrude F. Edgar, corresponding secretary; Mrs. Abraham S. Rogoff, financial secretary. Board of Directors: Mrs. Morris Adler, Laurence Deitch, Walter L. Field, Leon Fram, Morris Friedman, Sarah Friedman, Miriam Hamburger, Mrs. Louis LaMed, Ida Levine, Richard Maddin, Lenore Miller, Harold Norris, Patricia Pilling, Abraham Satovsky, Oscar D. Schwartz, Lee Schwartz, Leonard Simons, Devera Stocker, George M. Stutz, Saul Sugar. (All past presidents of the Society are automatically members of the Board.)



Professor Sidney Fine addresses the annual meeting.

## CORRECTIONS

Note the following corrections for the June, 1980 issue of Michigan Jewish History, Volume 20, Number 2:

In the commemorative message at the beginning of the journal, the last line following Allen A. Warsen should read:

*A Founder, Michigan Jewish History*

In the table of contents the title of the article by Irving I. Edgar should be: Dr. Louis Jacob Hirschman.

On page 5, the title should read: Dr. Louis Jacob Hirschman.

On page 14, paragraph 1 should read:

Of historic importance for the Detroit Jewish community was the formation of the United Jewish Charities on November 21, 1899. Founded by representatives of the Jewish Relief Society, Beth El Relief Society, Hebrew Ladies' Sewing Society, and Self Help Circle, the UJS was "Detroit's first central Jewish philanthropic organization. Its purpose was to expedite the charitable and educational work undertaken by existing organizations, and to reduce the expense incurred by these societies in the individual practice of philanthropy."

PICTURE CREDITS: p. 4, map by Phillip Applebaum; pp. 6, 7, courtesy of Miriam N. Zussman; p. 11, courtesy of Charlotte Dubin, Jewish Welfare Federation of Detroit; p. 13, courtesy of Mrs. Theodore J. Levin; pp. 21-23, photos by Deborah J. Borin.

## NEW MEMBERS

We extend a warm welcome to the following persons who have recently joined the Jewish Historical Society of Michigan:

Daniel Arnold

Sarah Bell

Evelyn Berger

Paulette Borin

Al Burnstine

Monte M. Burnstine

Marvin Danto (*Life Member*)

Phyllis Garlock

Bernard Grant

Philip Handleman

Thomas Marwil

Morris Mersky (*Life Member*)

Morris Novetsky

Gerald Raznick

Robert A. Rockaway

Bud Robinson

Ruth Ann Rosenberg

Sheldon B. Satovsky

Howard Sherizen

Ben Snider



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*David Handelman*

*Irving R. Seligman*

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*David Levine*

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