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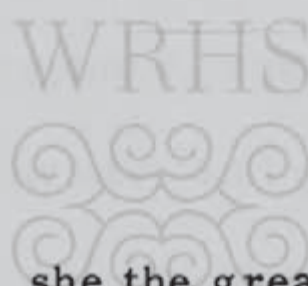
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The Gonif and the Kehilah: some Thoughts on Crime, Criminals,
and Community, 1970.

The Ganif and the Kehilah
Some Thoughts on Crime, Criminals, Community
Daniel Jeremy Silver
November 29, 1970

*The beginning of this tape
did not come out.*



I thought of Mother Rachel, she the great matriarch, when she was being brought back to Canaan, from her ancestral home in northern Syria, she stole from her father the household idols of the clan because these were to be offered later as proof of her claims of inheritance. There must be a reason after all that the eighth commandment reads thou shalt not steal. The Jews didn't steal. There would have been no reason to have such a commandment and the amount of Biblical laws I read to you this morning dealing with thievery and punishment and restitution is ample, indicating that greed is not limited to the twentieth century. Some of these laws are fascinating. It's interesting to see how our fathers tried to develop a society which would cut down on the inducement to break the rule.

In the first instance, they argued, the man who carelessly left goods about, a person who left jewels open and easily available was as guilty of the crime of theft as the thief himself. And their principle, and you'll find this in the Talmud, was a very colorful one. It's not the mouse who is guilty as the thief, it's the hole. If you had not left the goods no one would have been tempted to take them. They tried to create a society in which there would be little advantage to theft. Therefore, the man who bought stolen goods was as liable to the theft, to punishment, as the man who had stolen the goods in the first place. There would be no thief and they went so far as to say that you may not purchase from a man those goods with which he deals daily in the employ of some other human being. Thus, if I work for a rancher I cannot sell you goats milk or hide or flax or wool because if the price is right I might be tempted to add to my stock from the stock of my employer. The principle again is a figurative and graphic one. You don't put fire near the

Now how did the gonif of Biblical days become the gonif? Because it's obvious that the word gonif has overtones, associations, that are not those of simple breaking and entry. There's something honest about a gonif, there's something dishonest about the gonif. The gonif has the overtones of shrewdness, being too clever by far. The gonif is somehow the embezzler, the man who defrauds, the man who fudges on his taxes, the man who puts too much in the little script of the contract that nobody bothers to read. The gonif almost becomes a term of endearment, when a child wheedles sweets from you, he was a gonif. Now the word gonif as it came to be in Yiddish tells us a great deal about the conditions of life in the ghetto. There was very little to steal. Nobody had much and if a man stole he destroyed the unity of the community

which was so necessary to survival. There were very few thieves as such in the ghetto and they didn't leave the ghetto and go out and thieve in the rest of the city because if they did the ghetto itself was liable to massive retaliation. It was not only the thief who was jeopardizing his freedom and his safety, but he was jeopardizing the freedom and the security of his wife and of his children and of his entire community.

Now men have always lived, I suppose, by their wits and so when you can't go out and take if you're greedy you find devious ways, clever ways, to do it. So the gonif became the man who did not try to outface you, but who tried to outwit you. And there were such men in all ages of our various communities and interestingly, too, the word gonif tells us a great deal about the stereotype of the Jew, among the non-Jew, among the anti-semite and among the Jews themselves. The dictionary of slang will tell you, for instance, that the word gonif appears as early as the 18th century in English as a word which means shrewd and which means Jew. The Jew lived not by his muscle, but by his mind. He was not the physical type but shylock, a shyster, a person who would put one over, conditioning, association, entymology all combined to create this long-lived stereotype that I suspect still exists not only among the larger community, but among many of our brothers and sisters because I still find people in this congregation as in all congregations who are absolutely amazed that there are Jews in the prisons of the United States for crimes other than embezzlement and fraud, that there are actually Jewish murderers and Jewish strong arms men and Jewish train robbers and other such dramatic types.

Now my purpose today is not to say that our thieves are as good as your thieves, although I would remind you that Murder Inc. in the 1920's and 1930's

was not an equal opportunities employer, but a very limited Jewish business. And I would remind you that every large concentration of Jews in the United States, the east side of New York or the south side of Boston or the south side of Chicago had men who were the musclemen, the extortionists, the men who went in and beat up those who were trying to unionize the garment industry, the men who went to those who owned the taxi fleets, to those who ran the horses and the carriages, the draymen and the wagoneers, and said: We will see to it that you are not unionized, you see to it that so much money a week is given to us. We had our gangs. We had our muscle men, we had our gun men, we had our share of the criminal type.

My purpose this morning is simply this. Crime is very much on all of our minds. You can't turn ^{on} the radio today and not be told to lock your car or lose it, to light up your business at night because light is presumably the cheapest form of security, to bolt your door, to put in all kinds of complicated electronic detection, alarm equipment in your home, so delicate in fact that if you move out of bed the police will come to find out what's wrong. And we have a tendency as we see our cities becoming violent and as we see our own freedom of movement about our cities becoming more and more circumscribed and limited, to look upon those who are new come to our city in the last twenty or thirty years, those who live in our ghetto, those who show up in the police blotter, to say that the black or the Puerto Rican or the hillbilly is somehow congenitally criminal, that there is something in his culture or lack of it, there's something in his genes or the lack of certain strengths in those genes, which makes him a typical criminal. Crime is the result of Hough or of Glenville or of the near west side and let's deal with that rather than looking at the causes in the community.

My purpose this morning is to suggest to you not so very long ago

New York city and elsewhere it was the Jew, not the black, the Jew and not the hillbilly, the Jew and not the Puerto Rican who was looked upon as the alien immigrant source of crime; the Jew who was being complained about as every storekeeper shuddered and bolted his shop. Jewish crime which was feared by every lady as she walked down from mid-town Manhattan towards the east side, fearful for her life, fearful for her honor, fearful for her person.

1900, 1901, 1905, 1910, during these years magazines like McClure's which were something like Life Magazine today came out with revelation after revelation which accused the Jew, particularly the Russian Jew, of being the criminal element of the city of New York. The Jew was the white slaver, the Jew was the source of gambling, perversion of the youth, the Jew was the extortionist, the Jew was the one who bribed upright Tamany officials, the Jew was the strong-armed robber - it was because of the Jew that one had to protect himself below 32nd Street. And this wasn't only yellow journalism. In September of 1908 the Police Commissioner of New York City, a man by the name of Theodore Bingham, published in the North American Review, a very legitimate, high-level publication, an article in which he accused the Jewish community of New York of being the source of one half of the criminal class of New York city. It sounds familiar, doesn't it? Substitute black for Jew. Now the Jewish community rose up in righteous indignation. Down in the east side there were massive meetings of protest. Bingham was obviously only an anti-semite. And in uptown New York among those who had come in with the German immigration waves of the 1830's and 1840's and 1850's, those who had already waxed prosperous in America, who had become integrated into American society, there were quiet parlor meetings where quiet delegations were appointed, quietly to see the mayor in his office,

and to quietly demand Mr. Bingham's head. And Mr. Bingham was forced to give out a public apology for his article to recant, then he was forced to resign. When later, when all the charges had subsided, and fortunately Bingham's article had been written in the anti-alien anti-Jewish language of his class, I'll read you part of it because it's interesting.

It is not astonishing that with a million Hebrews, mostly Russian, in the city (one-quarter of the population) perhaps half of the criminals should be of that race when we consider that ignorance of the language, more particularly among men not physically fit for hard labor, is conducive to crime. . . . They are burglars, firebugs, pickpockets and highway robbers-when they have the courage; but though all crime is their province, pocket-picking is the one to which they take most naturally. . . . Among the most expert of all the street thieves are Hebrew boys under sixteen who are brought up to lives of crime. . . . The juvenile Hebrew emulates the adult in the matter of crime percentage.

The language is the language of prejudice, language is loaded, unfortunate, but when the social workers and the statisticians went out to check the courts, when they went out to list the arraignments in night court in New York City over a six months period they found, yes, that Mr. Bingham had exaggerated. It was not one half of the criminal class in New York which was Jewish, but slightly more than a third. We were the thieves and the robbers and the prostitutes and the white slavers and the gamblers and the embezzlers and those who bribed public officials and the protection racket boys.

Now the second coincidence on which this sermon is based - I happened to come across my desk just two weeks ago just after the Oberlin weekend a book written by one of these statistics, a man born in 1898 in New York City, who spent 35 of his first 45 years of life in the penitentiary for crimes which ranged from kidnapping to murder to strong-armed robbery. It's a typical kind of book of a man who has spent the better part of his life in jail and now believes himself

rehabilitated and who somewhat overrighteously proclaims his virtue, all the while attempting to sell his book on the basis of his crimes. It's not a very good book. It's called *The Ghetto* and he was, but what interested me in this book was simply one rather long autobiographical paragraph in which he talks of his youth on the east side of New York and I cite it to you because it rips apart that overlay of romanticism and nostalgia which the Jews have built up about their ghettos. Somehow the east side of New York was a place where every cold water tenement was kept immaculate by some sacrificial mother, where all the good little children, boys, after school, trudged five days a week at four thirty through the dark to Heder where they spent three hours learning Hebrew which they promptly forgot, never getting in trouble on the streets; where every father was working his hands to the bone in order to provide a Harvard education for his son. To us this is the ghetto. To this *gonim* this was the ghetto. I recall the early days with my family when I was Max N. Friedman, a dirty snout running urchin in the teeming jungle of Manhattan's lower east side. In 1898, the year of my birth, the east side was more than the melting pot. It was a catchall for the immigrant strange made up of lust, ghettos with their filth, bedbugs, cockroaches and inspirations. It was truly a Golden Medinah, golden community for the poor Jewish families like ours. My mother, Sarah, was from Germany, tall, almost beautiful, with heavy brown hair that fell to her knees. Nathan, my father, was from Poland - short, stocky and with a dark beard. Our home was on Orchard Street, near Delancey, long famed in stories and songs, standing in a caldron of Jewish, Italian, Irish, Austrian, German and Lithuanian immigrants. I ran and stole everything from apples in push carts to laundry off the lines. I was in constant trouble and organized

a group of urchin thieves that would have Fagin's look like altar boys. We called ourselves the Jumpers and we had a cache that included everything from clocks to earrings. In those days there were no family counselors to work out problems at home. My father was gone much of the time in the lumber buying business and my mother was always busy with the four younger children. (No father, too many children, sounds familiar). My family became the tough, loud, ragged little mobsters who were proficient in stealing, fending, and hiding long before adolescence. Only my uncle, Dr. Chaim Lazar, held any hopes for me. "He has a way with the books and the words, Sarah. Dot Moxie will grow up to be a student." Mama would say that she only hoped I would only turn into a good boychikel. Lazar would contradict her and say, "No, dot's not good enough, Sarah. He must excel in books and writing and talking. Otherwise he will wind up in dis hell hole forever."

Jungle - the hole - the dirt - the urchins, thieving, gambling. At ten he was in a child's home. At fourteen he was in a state penitentiary in Elmira. For most of his active adult life he was either in jail or acting out the aggression which would bring him back to jail. Poverty, deprivation, violence, compact humanity, the alienation of the city, all these created among our Jews in New York just sixty years ago a sizeable criminal element. These same causes remained the precipitant cause, violence, criminality in our society today.

Now, the third coincidence, another book, this time a book which came across my desk because the National Foundation for Jewish Culture was the group which had underwritten much of the cost of the research and the writing of it. It's written by a man who was then at Columbia University, who is now at Hebrew University, by the name of Arthur R. Goren and it's called The Jews of New York and the Beginnings of the Kehillah. Kehillah means federation,

community, the organized Jewish presence in a city and this book is a fascinating book of the attempts in New York City to create a New York Federation, a New York Kehillah, in the early days of this century, to wed two very disparate groups, the shifs, the Warburgs, the Marshalls, the wealthy New York Jews of uptown who had the power and the authority and the years of citizenship and the teeming millions who were just off the boat, who had just cleared Ellis Island, who had landed in the east side, some of them had moved to Harlem, others had moved to Brownsville, to Brooklyn and to Queens. What brought them together? What is the origin of the Federation movement in New York City? Crime. This very very issue we are talking about. Out of the concern of the community in 1908, the attacks being leveled by the police commissioner and others, out of that concern the Jewish community for the first time coalesced and came together for joint action. Oh, there were Jewish institutions before 1908, the institutions of uptown and the institutions of downtown. Now, for the first time, there was a united community. There was a kehillah as it was called. This was the word that had been used in Germany and in central Europe for federation. And the first activity of this kehillah was a Department of Social Morals, a euphemism if any there be, for a fascinating experience. The Jews of New York organized their own CID, their own criminal investigating division and they brought together a group of very bright young lawyers whom they hired to go and to live in the ghetto, to live in the east side, and to spy out on the criminal class because whom does the criminal class abuse and debase and extort money from but the poor and to bring to the uptown Jews names, dates and places. This man is running a house of ill repute at such and such an address. This man is running a gambling establishment behind

this storefront. This man is bringing in immigrants illegally and extorting money for them for services which they could get quite naturally from the authorities. And then this Department for Social Morals was taking to the mayor of New York City a list of these criminals, these gamblers, these men who were foisting and living parasites on the Jewish community and putting them on his desk and saying: Now we demand action. These are the years of Tamany Hall. These are the years where policemen up and down the line in New York City as elsewhere were bribed and bought. And the Jewish community knew enough to know that only if they bypass the entire police structure and only if they went to a mayor who owed his election in part to Jewish money, only then could they get the kind of house-cleaning in the ghetto which was ⁱⁿ fact required. I've heard of many job descriptions for rabbis, but one of the most fascinating is that which was the job description of Judah Leon Magnus who was then the rabbi of Temple Emanuel in New York. Dr. Magnus, as many of you know, went on to become the President of the Hebrew University. He was a very dynamic, very much alive man who was as much at home in the ghetto of the east side as he was among his own congregation in central Manhattan. He was married to Louis Marshall's sister so he had all kinds of entre. He was the rabbi of the leading established congregation in New York and he spoke Yiddish. So they gave Magnus the job of being head of this Department of Social Morals and day after day after day the criminals of New York came to Temple Emanuel to plead their case with the rabbi, that he should not give their name to the mayor, that they would repent. He had more people on Yom Kippur in his congregation who were beating their breasts in all honesty than Emanuel

has ever had before or since. And for a period of three or four years the Jewish community of New York finally, admitting at least to itself the extent of the problem of crime, began to attempt to organize intelligently to deal with it. It's out of these beginnings we have the beginnings of the federation movement, thus the title of this sermon.

Now, we must go ahead. What broke the back of organized crime among the Jews of New York? In part the action of the community itself; in part the action of society at large, almost the blind reaction of society at large. The first World War came. America moved into an era of great prosperity. The ghetto was able to empty out. There was housing elsewhere. There was better education elsewhere. Young men could find their opportunity without simply being aggressive and beating at the society. The Jews moved out. They moved up in the social ladder and during the twenties and during the thirties and during the forties the criminal population of Jews in the United States, both relatively and absolutely, began to nosedive so that during the fifties it was possible for a state like Ohio to go for a whole year without a single Jew being incarcerated in any one of our state penal institutions. In the 1920's the Jewish rate of delinquency was one fourth that of the non-Jewish rate; in the 1940's it was one sixth; in the 1950's it was one seventh. There was of course always a small criminal element, but it was small and growing smaller. And so many of us grew up in an era where we assumed that crime and Jews were simply a pair, a pairing off one didn't need to make and we've come now, strangely, into another era where there is an increase in the Jewish prison population. There is an increase in the number of Jews involved with the courts, but now the cause is not the ghetto, poverty, disadvantage,

overcrowding, alienation. Now the cause is suburbia, abundance, the youth revolution. Some of these people, these Jews who were in prison, are really political prisoners. They are there because they refuse to serve in the army. They are there because of particularly violent forms of social protest and demonstration. But most are not. Most are there because they are delinquents, because they have stolen cars, because they have maliciously destroyed property, because they have smuggled contraband drugs into the United States, because they have pushed drugs among their fellow young, because they have stolen in order to support a drug habit and we do not have, as yet, statistics as to the number of Jews, young Jews particularly involved today in the prisons. We will have them soon. But as any Jewish social worker or rabbi can tell you from his own experience the rise is swift, percentage wise significant.

Again, we have a lesson. Crime exists when the social conditions are ripe to encourage it. Crime exists because there are weak people and because the society is weak. When the society is strong and it is prosperous, when there is opportunity, where there is a sense of movement forward of social progress, crime diminishes. When there is a sense of confusion, a lack of values, disorientation, crime increases. Now the rate of the increase of Jewish criminality in 1960's in suburbs is no larger, obviously, than the rate of increase among similar young people of similar social economic backgrounds. It has nothing to do with religion as such and that's really tragic. To have the Jewish home, to have the standards of integrity which we believed we were communicating, and not to have statistical differences in our community from the larger community about the secular community, a community which was not interested in the home as

They threaten me, they threaten my family, they threaten all whom I love and

much as we, in character guidance as much as we. It's tragic, a statement of failure on our parts.

I end as I began. The criminal is guilty. Society is guilty. Before we look upon crime as someone else's problem, before we deal in it as something we must endure but in which we have no part, let's remember the degree to which we once were the criminals. Let's remember how much the social context of life creates criminality and let's do all that we can to create in our society the quality of education, the degree of opportunity, the measure of justice, which will lower the rates, ameliorate the conditions, perhaps reverse the trend which we see all about us which is fast turning our cities into European type cities where one lives within the walls of one's home and these walls are walls of protection, where one locks himself in a car in a carriage to move about the city, where the walls in one's home and in one's business are covered at the top with cut glass lest someone come over them, where one takes the criminal element for granted as part of the inevitable surroundings of life. Men need not be criminal. Give them a chance, that's the obligation of Americans who once gave to all a chance, particularly the obligations of Jews with our long history and our long tradition. Yes, there are differences in cultural background; yes, we have more going for us on the east side of New York than some of the newer immigrants into our cities, but if we stumbled can we not understand their stumbling? And if we found a way out can we not be hopeful that ways can be found. Crime need not always be among us, but it will be as long as the society does not feel itself unified, purposeful, active, progressive, combatting the social ills which are among us. Gonov, gonif, whether
or
we fear them, we accept them somewhat sardonically they are not my favorite people. They threaten me, they threaten my family, they threaten all whom I love and

care for. And if we want to be free of this kind of greed and violence then let's do all that we can to create the society, which will have no reason, which will give no benefit to them, no excuse to them, for their actions.



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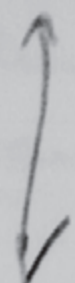
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The word "to be" is the same as the word "to be".

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The above is a list of the names of the persons who have been admitted to the membership of the American Jewish Archives since the year 1900. The names are arranged in alphabetical order.



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§ CHAPTER TWO §

The Emergence of the Kehillah Movement

ON SEPTEMBER 1, 1908, EVERY YIDDISH DAILY NEWSPAPER FEATURED the claim of New York's Police Commissioner Theodore A. Bingham, that 50 percent of the criminal classes in New York City were Jews.¹ The allegations appeared in the September issue of the *North American Review* in an article entitled "Foreign Criminals in New York." The commissioner wrote:

It is not astonishing that with a million Hebrews, mostly Russian, in the city (one-quarter of the population) perhaps half of the criminals should be of that race when we consider that ignorance of the language, more particularly among men not physically fit for hard labor, is conducive to crime. . . . They are burglars, firebugs, pickpockets and highway robbers—when they have the courage; but though all crime is their province, pocket-picking is the one to which they take most naturally. . . . Among the most expert of all the street thieves are Hebrew boys under sixteen who are brought up to lives of crime. . . . The juvenile Hebrew emulates the adult in the matter of crime percentage.²

The high office the author held, the reputability of the publication, and the statistical data invested the article with an aura of objectivity and authority. Its reverberations reached beyond the pale of Jewish interest. The metropolitan press gave prominent coverage to

Solitary and a Pledge

"You can train your mind to move right past reality," Goggles would say.

That's what I did in solitary. Each day I would recall memories, vivid pictures of my past, and I would make mental notes of my indiscretions. I vowed when I got out of solitary I would put down on paper, with graphic clarity, the hell I had been through and the hell I had spawned for others.

"Once you put down your actions of the past you can obliterate the hate and antagonism by simply drawing a line through them," Goggles claimed. I thought I knew what he meant.

And I would recall the early days with my family when I was Max M. Friedman, a dirty, snot-running urchin in the teeming jungle of Manhattan's lower East Side.

In 1898, the year of my birth, the East Side was more than the melting pot. It was a catch-all for the immigrant's dreams, made up of lust, ghettos with their filth and hopes, bedbugs, cockroaches and inspirations. It was truly a *Goldeneh Medina* for the poor Jewish families like ours.

My mother, Sarah, was from Germany — tall, almost beautiful with heavy brown hair that fell to her knees. Nathan, my father, was from Poland — short, stocky and with a dark beard. Our home was on Orchard Street, near Delancey, long famed in stories and songs, standing in a caldron of Jewish, Italian, Irish, Austrian, German and Lithuanian immigrants.

I ran and stole everything from apples in push carts to laundry off the lines. I was in constant trouble and organized a group of urchin thieves that would have Fagin's look like altar boys. We called ourselves the Jumpers and we had a cache that included everything from clocks to earrings. In those days there were no family counselors to work out problems at home. My father was gone much of the time in the lumber buying business and mother was always busy with the four younger children. My family became the tough, loud, ragged little mobsters who were proficient in stealing, fencing, and hiding long before adolescence.

Only my uncle, Dr. Chaim Lazar, held any hopes for me.

"He has a way with the books and the words, Sarah. Dot Moxie will grow up to be a student."

Mama would say that she only hoped I would only turn into a good *boychikel*.

Lazar would contradict her and say, "No, dot's not good enough, Sarah. He must excel in books and writing and talking. Otherwise he will wind up in dis hell hole forever."

By the age of thirteen I was sent to the House of Refuge, a correc-