

2

Student Days at the University of Manitoba

The ideal student ... will be constantly weighing, examining, pondering, reflecting, discarding, and analyzing facts in order that he may know that "the little things are little, the big things big." He will above all and before all be guided by a true sense of realities that will give him prudence, balance, and wisdom. Books will be his tools, ideas his materials, the library his workshop, and achievement his product.

[“The Ideal Student,” *The Manitoban*, October 1931]

It was not until my parents' later years that I fully understood and appreciated the extent of their talents and accomplishments. Their very move from Russia to Canada, practically halfway around the world, was itself an act of great courage. They knew that this was a land whose language was completely strange to them, whose way of life was sharply different from their own. But they faced the future, uncertain though it was, with fortitude and faith. Not even in its darkest days, when the world seemed to have bared its teeth at them, did they lose faith in an ultimate future of tranquillity and contentment.

Nor were my parents alone in this. They and their immigrant Jewish contemporaries were part of a generation whose story has not yet been fully told. What I write about my father and mother is representative, in its essentials, of the experiences of the generation as a whole. It was a remarkable generation indeed.

Primacy of place I give to their love of learning. In cherishing that ideal, the members of the generation were being faithful to a great Jewish tradition, a tradition which proclaimed with pride that "the scholar takes precedence over the king." How could one manifest, in a practical way, that he was marching in tune with this ideal, that he was giving his allegiance to it with unswerving fidelity? One good measuring rod was the university. If a child or children of yours made it to the university, you

could proudly proclaim that you were being faithful to the Jewish tradition of learning.

So it came about that in family after family a pattern would develop under which the older children would leave school, seek jobs, and help with the family finances, in the hope that this would enable the younger children, when their day arrived, to enrol as students in the university.

My family followed this pattern. Charles, Lillian, and Harry, the three eldest, accepted the burden of leaving school at an early age, joining the workforce, and assisting with the financial situation at home. The sacrifices made by the older ones inured to the benefit of the younger ones. Fred got two degrees, a B.A. and an LL.B., from the University of Manitoba. I followed him a year later, obtaining the same degrees. Caroline not only climaxed an outstanding career in the Faculty of Arts and Science with a B.A. degree, but had the special distinction of being elected in her final year to the post (the highest available) of Lady Stick of her faculty.

Of the four youngest children, only Max, the brightest one of us all, was unable to get to the university. It was his misfortune that the Great Depression came just when he was eligible to enter the university. Those years pre-dated the organized availability of bursaries for students in economic need. Max had to seek his education in other, less official, ways. Although Max could not get to university, he could get to the university library, and he did, regularly and fruitfully. He gave little attention to the sciences and mathematics, but concentrated heavily on the humanities. In later years he described himself as a graduate of the University of Manitoba Library.

I was fortunate enough to graduate from St. John's Tech with an Isbister Scholarship, which enabled me, at the age of sixteen, to get into the University of Manitoba, in those days located on Broadway. In 1924 the hundred-dollar scholarship was enough to pay the tuition fee, which was probably \$80, leaving \$20 for books. I couldn't have done it otherwise.

Once immersed in my university studies, I majored in the Classics and did well enough to win scholarships for the next five years, which helped to keep me going. For five summers, starting in 1925, I also helped pay my

way by working for an itinerant photographer, Ernie Farr. Using a little airplane as a prop for his picture-taking, Mr. Farr went around taking photos of children all over Winnipeg and surrounding communities. The airplane had identification marks on its side—"EF 499"—the EF being the initials of the photographer, and the "499" his photography shop's address on Main Street. Ernie Farr later moved to Calgary, where he became a boxing promoter. But before that, four or five university students besides me helped complete their educations working for Ernie Farr.

Our business operated in this way: the first man was the "caller out". My brother, Fred, had that job. He would go to a house and ask if the people had any children or babies. He would tell the people that we were opening a studio in the neighbourhood, which was not strictly accurate; it was a minor departure from the truth. Back on the sidewalk the "caller out" would mark in chalk an appropriate indication to the photographer, Mr. Farr, who would come along afterwards. When Mr. Farr saw the mark he would go to that particular house and see about taking some pictures on the spot. If all went well, a few days later I would come along, the salesman. The main hazard in door-to-door work is what we call the "approach," but in my case that was simplicity itself. I'd say, "I have the proofs of the pictures of your child we took the other day." No mother would refuse to look at her child's picture. My task was to sell the made-up picture, and my success rate was about fifty per cent.

Still a student, Sam spent the summer of 1930 selling ads for *The Jewish Post*, one of three Jewish weeklies in the city. Later he said that trying to get ads for the paper was "almost like battling against a stream."¹ By that time he had gained some experience in the business of selling advertisements. Under a small graduation photo of Sam, *The Manitoban*, March 1, 1929, announced "Sam Freedman, whose success in creating a new advertising record of more than \$2,000 has made it possible for many new features and additional improvements to be included in this year's Brown & Gold." Sam Freedman was editor of the yearbook in 1929-30.

¹ *The Jewish Post & News* (17 March 1993) 5.

I went to university in the somewhat rarefied atmosphere of the 1920s—the “Joe College” era. The symbol was the raccoon coat you used to wear in winter, though I couldn’t afford one. If I had any coat, I was happy. During my five years of Arts I became involved in several extracurricular activities, including the student newspaper and yearbook, dramatics, and, especially, debating. I also played some sports—baseball, soccer, and football. I don’t remember how well we did, whether we won many games or any games. I do remember enjoying the playing and bringing to the game what I usually bring to sports: little skill and lots of enthusiasm.

A more significant involvement, perhaps, was in the Menorah Society, the forerunner of the Hillel movement, which was a meeting ground for Jewish students on university campuses. It prided itself on the fact that it did not advocate any “isms”—especially Zionism or socialism. It was the broad forum in which every Jewish student could meet, and it was interested in the study and advancement of Jewish culture and ideals. Its approach to life had both good and bad features. A good feature was that it was broad enough to enable everyone who was a Jewish student to come in, feel at home, and participate. The bad was that it was so objective that it did not encourage participation and advocacy of causes that were really of importance. For instance, because the Menorah Society was neither pro-Zionist nor anti-Zionist, only a small percentage of its members in my college generation made a commitment to the Zionist cause in the pre-Hitler period. Today the Hillel movement is more ideologically oriented, but this has a bad feature too: it tends to appeal to a very small segment of the Jewish student population.

I tended, though, to break away from religious beliefs and religious practices. I was brought up in an Orthodox home, but I quickly ceased to be Orthodox. I remember when I went to the university, a professor of philosophy said, “The acids of modernity have dissolved the old religious beliefs.” That statement had an apt application to the Jewish group, particularly when we got into the atmosphere of the university. The scientific approach, the need for objective appreciation of facts—these things were inconsistent with blind faith and uncritical acceptance of religious dogma. I moved further and further away from adherence to Orthodox practices, although I was never to become an atheist. What I would say is what Mr. Justice [Felix] Frankfurter said of himself. He described himself as the “reverent agnostic.”

At university I would also meet my future wife, a young girl named Claris Brownie Udow. I would enter law school at the University of Manitoba in 1929, graduating in 1933. My future path in life would be set, thanks in no small measure to a girl who wouldn't, or couldn't, go out on a date with me, and a Rhodes Scholarship Committee that turned me down.

Jewish students of my generation in Winnipeg came to the university with an inferiority complex—not all of them, of course, but enough to be statistically significant. That attribute had its roots in the double burden they carried as both Jews and North-Enders. The whole apparatus of extracurricular activity at the university was run by South-End Gentiles. The position of the Jewish student was that of an outsider.

In my 1924 freshman year I was distressed when I entered the gym locker room one day and was confronted by a large sign reading: "We gave you Palestine—give us the locker room." The locker room was meant for all students and was used by all students for their lunch-hour breaks. The author or authors of the sign were never identified, certainly not publicly. For the Jews the sign was a source of acute embarrassment. Most Gentile students appeared to look upon it as a joke.

This was the period of the *numerus clausus* (quota) system at the medical college, a dark episode in which the college can take no pride. Beginning with a change of administration in 1932 and lasting for twelve years, the medical faculty's admission policy, based on race and religion, became a scandal, something that had no place in a university. The medical school would take in about seventy students in the freshman medical year. They divided the applicants into different lists: the Jewish group, the Slavic group, non-residents and women, and finally those of Anglo-Saxon, French, or Scandinavian origin. This fourth list was the largest and preferred group, the one from which they would take by far the most students. The result of the policy was that only about three or four Jews were admitted in one year, as well as up to three or four candidates from each of the other non-preferred groups. There might, for instance, be a hundred Jewish applicants with very good qualifications, but ninety-six of them, at least, would be rejected while others with lower grades or even incomplete records, but from the preferred group, would get in.

The administrators of the policy didn't think it was wrong. Some of them didn't even know about it. The subject finally became public in February 1944, after five months of research by a committee of the Avukah Society, an association of Jewish graduate students, had established the essential facts. They had the names and marks of students who had been rejected, as well as those of students who had been admitted with failing grades. News of the investigation leaked out and was reported in the Legislative Assembly, and in March, Hyman Sokolov, acting for the Avukah Society, presented a brief on the matter to a Select Committee of the Legislature. Among other things, Sokolov had an affidavit from a member of the admissions committee. This was not a medical member, but Professor R.A. Wardle, a professor of zoology. His affidavit exposed the shameful admissions policy. The Chancellor of the University, Mr. Justice A.K. Dysart, was at the hearing, and when it adjourned for lunch, Mr. Justice Dysart came to Mr. Sokolov and said, "You say you have such an affidavit?" Mr. Sokolov showed it to him, and Mr. Justice Dysart said at once, "We can't defend this. I never knew anything about it. You won't need to go on this afternoon. The policy will be changed."

Afterwards the university's Board of Governors had a meeting to hear representations from various groups, including the Jewish group. The three representatives from the Jewish group who were selected to go before the Board of Governors on that question were S. Hart Green, Q.C., Rabbi Solomon Frank, and myself. I was president of the B'nai B'rith that year, which was probably the reason why I was named to the committee.² We said admissions should be on the basis of academic standing and only that. They said, in that case we would have no admissions committee at all—you would just look at the results and they would speak for themselves. They argued that in fairness to the medical school they also needed to be concerned about personality: whether the personal qualities of the candidate would help make him a good doctor, would help make a contribution to medicine. We were fearful that this approach could be

² Perry Barsky, who gained his medical degree from the University of Manitoba in 1949, writes, "Local B'nai B'rith took an attitude of benevolent neutrality" towards the *numerus clausus* issue. Percy Barsky, "How 'Numerus Clausus' was Ended in the Manitoba Medical School" in Daniel Stone, ed, *Jewish Life and Times: A Collection of Essays* (Winnipeg: Jewish Historical Society of Western Canada, 1983) 123 at 126.

used to the continued prejudice of minority groups, but despite that, I think that by that point their intentions were good.

By September the Board of Governors, convinced of the discrimination, was prepared to adopt a policy eliminating race or religion as a factor in the selection process. In the result they decided to continue with a personality test, but academic performance counted first. So the matter had a happy ending.

Historian Irving Abella writes, "From 1945 on Jewish students as well as others from 'non-preferred races' were admitted in increasing numbers" to the University of Manitoba medical faculty. But he also notes that in 1944 the medical school only "reluctantly agreed to change its policy," and "the grumpy dean warned that the university would become known as a 'Jewish University' and 'promising' non-Jewish students would go elsewhere."³

The law school had no such institutionalized discrimination, perhaps because law students are accustomed to dealing with concepts of equity and fairness. Law and lawyers are rooted in the common-law tradition of England, and the English esteemed virtues such as fairness and justice. The incubus of race hatred or race discrimination, which manifested itself in medicine and other professional fields, was absent, or virtually absent, in law. But I encountered some bias nonetheless. One unfortunate episode comes to mind. The University of Manitoba Debating Union (UMDU) was an excellent forum, giving people an opportunity to express themselves in a forensic way, and the winners in its proceedings were designated to represent the university in the interprovincial McGoun Cup debates. One year, one of the four successful participants was Jewish, and when the time came to select two of the four as our travelling team, the senior adviser offered his veiled but very obvious opinion that Manitoba's representative at another university should be "a Canadian." He did not say, "Jewish-Canadian," but what he meant was clear. I was the only one who even dared to say that *all* the candidates were Canadian. But there was no recourse, and the choice was made: the two who travelled were Gentile; the Jew stayed home.

³ Irving Abella, *A Coat of Many Colours: Two Centuries of Jewish Life in Canada* (Toronto: Lester & Orpen Dennys, 1990) at 216-17.

But a change was to come. To bring about that change, the Jewish student would have to take an active role in some of the many activities that dotted the university campus, and that role would have to be one marked by a high measure of distinction. Once again the Jewish student would find himself challenged to put forth at least one hundred and ten per cent effort. The Jewish students of my college generation met that challenge and successfully overcame it. By the year of my graduation from law school, 1933, they were outsiders no longer. They had become active and, in several instances, leaders in the work of *The Manitoban* (the student newspaper), *The Brown & Gold* (the student yearbook), the University of Manitoba Debating Union, the Dramatic Society (UMDS), the Athletic Directorate, the Glee Club, and even the Students' Union (UMSU), their instrument of self-government. In addition to these university-wide enterprises they were increasingly active in projects under sponsorship of their own faculties.

In my years at the university I took part in the work and activities of *The Manitoban*, *The Brown & Gold*, the Debating Union, and, to a more limited extent, the Dramatic Society. But many other Jewish students joined me in one or more of those areas, and I think together we helped to change the pattern of life on the campus in a modest way, perhaps in a meaningful way. By 1933 the sign that had appeared in the locker room in 1924 would not have been erected. In 1924 the breakthrough had not yet been made; in 1933 it had. The consequence was a change in climate. A crude racial episode could be conceived and executed in 1924 with equanimity on the part of its sponsors. In 1933, if thought of at all, the action would have been quickly suppressed as unworthy of the new age we were then living in. In general, the relationship between Jew and Gentile at the university had become much more cordial. The objective now would be to ensure that there would be no turning back. That objective could not, of course, be attained in its entirety. For the way of human progress is rarely in a straight line, but is more often in the form of a spiral. Occasionally we may slip back, but more often our forward advance has carried us beyond the point of our last slip. That pattern was applicable to the experience of the Jewish students at the university, no less than in the broader world outside.

Among other things, the Menorah Society put on plays and had an international debating program. Its members debated questions like the formation of the Jewish Agency, and the problem of assimilation—whether the pressure of anti-Semitism was necessary to keep the Jewish people together.

Debating, I soon found out in those years, was something I liked to do, and something in which I seemed able to achieve some measure of success. It soon became my one extracurricular activity above all others on campus, and my involvement in that direction overlapped from my Arts years into my Law years.

Debaters from the universities in Britain—Oxford, Cambridge, and others—would make periodic visits to this continent, and we learned much from them. They introduced us to a new style of debating—one that avoided the heavy, the ponderous, and so often the dull, and substituted light and deft touches. The English type of humour could lead one gently to laughter, and it could be an effective tool in the debater's kit.

Our Debating Union held monthly debates aimed at training and development of debating talent. UMDU followed the Oxford system, under which four debaters would be the main speakers, two in support of the resolution and the other two upholding the negative. As the system went, after each of the four debaters had spoken, the question would be thrown open to the floor. Any member of the audience could speak for a maximum of five minutes.

When the subject was thrown open to audience participation, it was the custom to invite a person from the community who had a special interest in, or relationship to, the subject of the debate to be the first speaker. Usually that person would be given extra time if needed. The participation of members of the audience was perhaps the most significant feature of the Oxford system. Certainly it worked well at the University of Manitoba as a training ground for the development of many fine speakers, some of them students and some members of the general public. In this latter group the outstanding name was that of my brother, Max.

I was a direct beneficiary of the Oxford system, because my first participation in a UMDU debate was as a speaker from the floor. This moment came in my third (or “junior”) year. That day I found myself speaking to an audience of more than two hundred people. Moreover, I was speaking in the presence of the leading members of the executive of the UMDU, who were always surveying the field for new material. Within

a day or two after that debate, I was invited to be one of the four speakers in a debate scheduled for a month later. I accepted, took part in that debate, spoke once again from the floor at the next debate, and was then informed that I had been selected as one of the representatives of Manitoba in the coming McGoun Cup debate of 1926-27. The cup signified supremacy in debate among the Western Canadian universities, and to be a McGoun Cup debater was a coveted distinction. I was twice honoured in this way.

The most important debate I participated in was the Imperial Debate, in which two University of Manitoba students would compete against two students from Britain, one of them representing the universities of England and of Wales, and the other the universities of Scotland. Unlike the McGoun Cup, the Imperial Debate was not held at fixed regular intervals. The last debate of the series had been held in January 1926, and nearly five years would elapse until the next one, the one I participated in, held in November 1930. A whole college generation would miss the experience of hearing these skilled debaters from abroad, and they were indeed worth hearing. They brought with them a different style of debating, one characterized by the light touch. It was said that on one of these Imperial visits to America, the debaters, travelling by ship, were met by reporters and interviewed at dockside. A reporter asked one of the debaters if he would do any writing on this continent, and specifically if he would contribute to *The Atlantic Monthly*. "No," he replied, because on the rough voyage across he had contributed to the Atlantic daily.

The topic of the 1930 Imperial Debate was "Resolved that this house favours a dictatorship." Looking back across a span of sixty years, one may well be surprised at the selection of that topic. But a Depression had set in, with a resulting changed climate of opinion. Economic conditions all over the world were in a perilous state. People were becoming increasingly critical of established institutions, and even of our form of society. Our democratic system found itself on the defensive and having to show cause for its continued existence. In that climate, a topic like "Resolved that this house favours a dictatorship" had an understandable appeal.

The importance of the event is indicated by the quality of the persons who identified themselves with it. The Hon. R.A. Hoey, Provincial Minister of Education, agreed to chair. Five distinguished citizens of Manitoba agreed to act as judges: John W. Dafoe, editor of *The Manitoba Free Press*, W.L. McTavish, editor of *The Winnipeg Tribune*, Isaac Pitblado, a

leader of the Bar of Canada, the Hon. A.K. Dysart, a judge of the Court of Queen's Bench, and Rev. John Sutherland Bonnell, the minister of Westminster Church. The event itself was held at Grace Church before a capacity audience.

The debaters were, for the affirmative, H. Trevor Lloyd, from Wales, and John Mitchell, from Scotland, and for the negative, on the pro-democratic side of the question, myself and Andrew Stewart, a student in the Faculty of Agriculture. Later he would be president of the University of Alberta. Manitoba won the debate in a narrow three to two victory.

I'm sure now that my years as a university debater undoubtedly aided me later on, in arguing cases before the court, particularly in Appellate Court work and in addresses to a jury in criminal work. Being able to structure an address to a jury with a clear beginning, middle, and end, and speaking with earnestness and sincerity, and with the appropriate degree of vigour—all of that emerged from long training at the University of Manitoba, and there has never been a greater forum.

A news clipping, dated "January 1927," possibly from *The Western Jewish News*, provides an account of a Menorah Society debate that took place at the University of Minnesota. The motion was: "Resolved that a Jewish University, similar to the sectarian universities now in existence, should be established in the United States." Minnesota supported the resolution; Manitoba opposed it. Sam Freedman, Thelma Tessler, and Ralph Robinson represented Manitoba and, according to the news article, twenty-five supporters from Manitoba came along to cheer their favourites.

After describing the opening argument from Mr. Sidney Kaplan of Minnesota—he "presents his case slowly, logically, emphatically"—the reporter outlines Sam Freedman's part in the proceedings:

Mr. Sam Freedman takes a drink and begins. He is unlike Mr. Kaplan in delivery—his manner of presentation is that of the orator. First of all, greetings from the Manitoba Menorah Society. Then the argument. A Jewish University would in actual practice be composed almost entirely of Jewish students. The inevitable result would be segregation, a two-fold evil; an evil during the life of the student in the University, in that it would eliminate the opportunities for social contacts; an evil in its effects upon the life of the Jew after his departure from the university. The Jew must learn to face obstacles. If there is discrimination against the Jew this discrimination is not merely academic. It is the ancient problem of anti-Semitism. Better prepare for it. A Jewish

University is, moreover, a surrender, an admission of defeat. The audience made clear their genuine appreciation of this speech.

On March 18, 1931, Sam became a co-founder of Toga, “the first honorary debating society” to be established at the University of Manitoba.⁴

Down From the Clouds!



Sam Freedman and Bill Bradburn get together after their return from St. Paul.

Fig. 2

⁴ News clipping, “40 Years Ago—March 18, 1931,” *The Winnipeg Free Press* (18 March 1971), in the Freedman Scrapbooks.

Debating was undoubtedly my forte, but I was always interested in the theatre, though I never committed the self-deception of thinking I could act. Once or twice I yielded to the pressure of friends and tried out for an acting role, but always in the end regretted my foolhardiness. In acting, I had aspiration, but no talent. I was not a good actor. I am still a frustrated actor. I love the theatre. I had an early sense that my meagre acting talents were below the standards of the university Drama Society, so I did not try out there. I felt that the Menorah Society productions would be more congenial to me, so I took a very minor role in *Disraeli* and was selected for the lead role in a play called *Menasseh*. My performance in that play was destitute of distinction. But the end of my acting career came in a one-act play called *Forgotten Souls*, written by David Pinsky.

I played the role of a man named Hindes, a bachelor of about forty-five years of age. He had a disability—a game leg which he dragged as he walked about. Much to my surprise I quickly learned to walk in the Hindes manner, but that was the easiest part. The plot was a rather tangled affair. Hindes was in love with the heroine, whose part was played by Rosalie Vogel. Unfortunately for Hindes, Rosalie was in love with another man in their small circle of friends. I have forgotten the character's name, but I shall call him Sheldon. To complicate matters, Sheldon was in love with Rosalie's sister. It takes some time, and much manoeuvring on the part of my character, for Rosalie to discover this.

The play moves to its climactic stage when Rosalie, her spirit broken by Sheldon's rejection of her, acts on the rebound. Rosalie takes the aggressive and says to me, "You and I are in the same position—forgotten souls. We have a right to happiness and love." (The lines are seared into my soul!) Rosalie then begins a long and grand speech, nearly a whole page in the book. She starts by coming towards Hindes and saying, "Kiss me Hindes, kiss me, put into it your whole soul, make it express your whole love." Variations on that theme make up the rest of her speech. During her delivery of it I do not speak. Apparently I am to sustain the mood by the power of my acting.

The director had advised us to divide that long speech into three parts. During the first third, during which time Rosalie has approached me but is not yet in my arms, I was to look over her shoulder, mystified. During the second third I was to take her closer to my arms and then finally, towards the end, I was to kiss her. Keeping to the director's

instructions, as we began the scene I tried to give my best mystified look. I probably succeeded to a degree, since a look of stupidity, which I no doubt exhibited at the time, could well resemble one of mystification. The college audience reacted as anyone could have predicted: with roars of laughter. At long last, when we reached the end of the first division. I took Rosalie in my arms and the laughter only increased. Still I did not kiss her, because according to my instructions that event was not to come until the end of the second division, and besides, she was busy saying her lines, which among other things involved still telling me to kiss her. By that point I was looking dazed and still mystified, and the audience was going wild with joy. After what seemed an age we reached the beginning of the third and last division. I then kissed Rosalie, and her final lines were blotted out by the tremendous applause that accompanied my effort.

The reviewers said, "Sam Freedman seemed to have a feeling for his part, but he took it slowly, almost ministerially." The truth is I talked then the way I talk today—slow—and this is alright when you are a judge; it sounds like grave, judicial authority. But you get on a stage, they want a little more pep and speed, qualities singularly lacking in my stage presence.

Through these early years at university I was an awkward sort of kid. I was a shy, socially backward, North-End boy. I didn't dress very fancy and was scared of girls. I had never taken a girl out. When we had class parties I was one of the wallflowers, and it was just agony going through those evenings.

I was more or less forced into a change of this pattern when I joined Sigma Alpha Mu Fraternity in the school year 1926–27, in third year. Fraternities today may be regarded as a total irrelevancy, and I also know there are people who are still enthusiastic frat men long after they graduate. I'm not one of those, but I must acknowledge the debt I owe to that fraternity.

The fundamental fact is that the members of the Fraternity were socially far more advanced than I was. To their credit, they recognized a rough diamond, and when I moved into their circles they helped me to acquire some of the things that I lacked: a bit of social polish and sophistication, and with it a feeling of being at home among South-Enders—losing the old inferiority complex, quickly acquiring a degree of

comfort in their presence, telling the odd story, and so on. Some of the fraternity members went on to become lifelong friends, among them Peter Zaphir, Ben Hayman, and Alan Klass in particular.

My close friends Ben, Pete, and Al and I used to meet at the Venus Café opposite the Marlborough Hotel—once a week, perhaps, because we couldn't afford anything more than that—and we talked about the qualities necessary for success. Our analysis led us to three fundamental factors: intelligence, character, personality. *Intelligence* subdivided into the critical faculty—the faculty of judgment—and the creative faculty—the faculty of imagination. *Character* subdivided into force of character—men of strong will, industry, hard work—and the biblical virtues—many a person has gone a long way simply by being a nice guy and being recognized and appreciated as a nice guy. *Personality*—the outward things that the world sees first.

As we sat there talking about these qualities we would see illustrations of them in this or that man's career. And then we realized there was a missing factor: opportunity, luck, chance. The opportunity of having been born the son of a rich family, for example, of a non-Jew as against a Jew. In that climate of thinking I wrote an article, which was published in the fraternity paper, emphasizing that things were easier for the non-Jew than for the Jew.

At the top of the article, the paper's editors noted in bold type: "Here, finally, is a crystallization of those unspoken thoughts you've often worried over: What gives The Other Man the edge over you? You'll thank Freedman for this. It's good."

RETROSPECT

[*The Octagonian of Sigma Alpha Mu*, December 1930 at 16-17]

I can remember even today how profoundly the incident affected me. It was only a little thing, one that a person less given to reflection could have met without the slightest perturbation or discomfort, and yet at the moment of its happening and for some days after, it induced in me a feeling of profound depression, and filled me with a sense of frustration and defeat.

Sometimes as I view the affair in retrospect I am surprised that I should have reacted to so trivial an episode with such feeling and bitterness. For as I reconstruct the scene in my mind today and see it once more in its original setting, I confess that everything happened just as I would have expected it to happen, and I myself responded exactly in accordance with the impulses of my nature. And yet when the very thing which I would have calculated on happening did happen, I found myself moved and saddened and hurt....

It all came about that night in Child's Café whither Ben, Al, and I had sojourned for one of those mental swatfests that have done so much to enrich these latter days of my college life. A certain soberness of temperament and a close community of intellectual interests had first been the cause of our mutual attraction and still served as the basis of a warm comradeship. As companions I found them colourful, stimulating, and provocative. Somewhere I had read that discussion is the salt of life, and unconsciously we seemed, in the construction of our friendship, to have taken that thought as our motto and guide. It was for another such discussion that we had adjourned to Child's on that evening.

It was still early when we arrived and the habitués who customarily frequent the place were not around. We chose a table almost in the centre of the restaurant from which we would be able to observe those who entered and perhaps exchange a nod with any we knew. We were, I think, in a more cheerful mood than usual. Our evening began under exceptionally fair conditions.

It must have been an hour or so later (I can remember we were already smoking our cigarettes), when Al turned the topic of conversation into a channel that was very familiar to us in those days. Enthusiasm is a prerogative of youth, and in our youthful fancy we delighted in conceiving pleasing pictures of ourselves in some distant day. So I felt that Al's remark was rather in consonance than at variance with that attitude when he suddenly turned to us and said, "Are we *really* such hot shots?"

My impulse was to answer that we were (God knows, I didn't doubt it), but I was restrained by Ben's reply, spoken slowly and deliberately, "Are we?"

For a moment I hesitated—but only for a moment. It was a subject upon which I had certain definite views, certain clearly defined ideas crystallized from our many previous conversations on the same topics. Moreover I was younger than my friends, a little more eager, more buoyant, and less disposed to lapse into pessimistic moods.

"We've been through this before," I began, "and I thought that all our doubts about our own capabilities had been satisfactorily resolved. But we're at it again. Seems as if we have to fortify our convictions every now and then."

Ben sighed. "Must be a case of defence mechanism."

"It isn't," I interjected. "At least, I hope not. We're simply hopeful of our prospects for success and enjoy talking about them."

"Well, it is soothing to the ego," Al confessed.

"That's just the point," Ben broke in. "I hate to feel that my ego needs to be soothed. And when we come down to earth and look at our actual position it presents a contrast with our dreams that's too darn painful for my peace of mind. I tell you, fellows, that in all our discussions on this subject we've been underestimating some factor that is essential for success, or what's more, maybe missing it entirely. We've got to appraise the several factors by some new standards. What conclusions have we arrived at so far? We've found, I think, three essential qualities in a man that contribute to his success—intelligence and character and ..."

"And personality," I finished. The classification had been the result of a long and remorseless examination of our subject, and was familiar to all of us.

"Well," continued Ben, "there are the three—intelligence, character, personality—and judged by those standards where do we rank?"

"If you want to judge comparatively," Al responded, "that is, in relation to the others of our crowd, I think that in spite of our limitations we rank high—pretty near the top, I'd say. But that doesn't embrace the Gentile fellows we know. Some of them are ..."

"Heels." I finished the sentence for him. "Heels, some of them, with a lot of pull. And there comes a few."

Down the aisle, carefree and gay as they sauntered to a table, were several couples, resplendent in their formal attire. They walked close by our table, one or two of them waving at us as they passed. We recognized them as the first arrivals from the medical dance which was being held that night at the Fort Garry Hotel. I had forgotten all about it during the conversation, and their entrance recalled to my mind the Kappa Phi sorority dance, also scheduled for the same night. That crowd would probably be coming in soon too.

"I think you've found the missing link." Ben's voice cut in on my thoughts. "I mean in what you said about pull. It struck me like a burst of sunlight that we've been considering internal qualities in man only—that is, his ability. We've got to extend our classification to embrace the external factor—namely, opportunity. And that's just where we are definitely handicapped and where our non-Jewish friends have the advantage. It's not our world—we're members of a minority people, and we have to accept all the restrictions and disabilities and discomforts implicit in that condition."

“It’s a positive iniquity,” Al put in, “but somehow I think you’re exaggerating the handicap. Pressure sometimes brings out the best in a man.”

“Either that or it crushes him,” I said. “But let’s forget the whole subject and rest a while. One more cigarette and we’ll go.”

As I puffed away at my cigarette I looked about me. The place had undergone a tonic change. While we were speaking several more groups had arrived from the dance and had crowded the café almost to its capacity. Near the entrance I noted another group just arriving, more hilarious than any of the others, tooting their toy whistles full into the face of their gay partners. They espied some friends of theirs at the table next to ours, and immediately proceeded to make for that table, running with shoulders stooped and arms folded, in regular Indian fashion. Each table they had to pass they would completely circle, singing and laughing all the while. I detested, and at the same time envied, their confounded self-assurance, and forced a smile in a manifestly embarrassed way as they ran around our own table. I was sure that Al and Ben shared my embarrassment.

It was at that moment that I sensed the full significance of Ben’s observation of a few moments earlier. A minority people, subject to all the restrictions and disabilities implicit in that condition. Damn them, did they have to start singing just then? A strange feeling had possessed me. The atmosphere seemed stifling and oppressive. Was this the same scene of an hour ago where we interchanged our views with confidence, and self-assurance, and in a spirit of inquiry? I felt so out of things now, so cramped, so restrained, so inhibited. My whole soul seemed to be weighed down and anchored. I felt an urge to free myself, I was suddenly possessed of a desire to flee.

I looked at Ben and Al and perceived at once that their reaction was exactly as mine. A cord seemed to be tugging at our hearts, summoning us to warmer and more congenial surroundings.

“I don’t like this place, somehow—I feel rotten. Let’s get out.” Al’s voice was low and restrained.

We rose and walked to the counter in the front. I glanced at Ben; his eyes were veiled and hurt. Silently we walked out into the cool evening air.

When I read that article today I am a little disturbed about the obvious consciousness of anti-Semitism. But that was 1930, and the breakthrough of the Jewish group had not yet come—it was just starting, and would come within my college generation. I played a small role in it,

but there were others, and things became better and better so far as mutual dealings, mutual intercourse, mutual understanding between the groups.

The very day that I accepted the offer to become a pledge I was told that there was going to be a fraternity party the coming Sunday, and I was to invite a girl as a date. This threw me into a tizzy. I didn't know any girls. I even felt awkward in the association with the boys, and with both boys and girls, what was I to do? It was harrowing. Finally I decided to ask a girl named Cecilia Brownstone. I had a passing acquaintance with her—she knew me and I knew her, and that was about it. I telephoned her. But there is a god that looks over the young and the innocent. Cecilia said no, she couldn't go out that night, and as it turned out this was the best thing that could have happened, because it forced me to make a second choice.

I selected another girl I knew only slightly. Brownie Udow, a student nurse at the Winnipeg General Hospital, was the Freshie representative on the executive of the Menorah Society. I was a vice-president. I knew her well enough to screw my courage to the sticking place, in Shakespeare's words, and ask her. She accepted, and then came an event that complicated matters. I was told that the party was off. One of the boys had lost his grandmother, and in those days that seemed reason enough to cancel a social event. I had to call Brownie again and tell her that there was now no party. But with an instinct for doing the right thing, I also asked if she would be able to come with me on Saturday to a show. She said yes, and on Saturday, January the 6th, 1927, I, Samuel Freedman, had my first date with a girl. It was by no means Brownie's first.

That evening I took the streetcar to Brownie's home in the Wellington Apartments on Wellington Crescent—a fashionable address at the time and quite a step up for a North-End boy.⁵ We went from there by streetcar to the Metropolitan Theatre and saw an ordinary kind of show, a "B" picture. Brownie, bless her, treated it as if it were something wonderful. We went afterwards to the Princess Tea Room on Portage

⁵ During and after the time of the First World War, with the influx of immigrants into the North End, many prosperous Jewish families had moved out of that area across town "to the grander new development of River Heights in south Winnipeg." As historian Harry Gutkin describes it, "Thus began the split in the Winnipeg Jewish community between the more affluent, more acculturated Jews of the 'South End' and the self-consciously ethnic Jews of the 'North End.'" Harry Gutkin, *Journey into Our Heritage: The Story of the Jewish People in the Canadian West* (Toronto: Lester & Orpen Dennys, 1980) at 50.

Avenue. This was an important romantic occasion for me, and to mark that mood, the fine mood of romanticism, I ordered a sardine sandwich. Brownie ordered a banana split.

Years later Brownie said of that first date: “He was very shy. He was very serious. I thought he was too serious in those days ... very different than any of the boys I’d gone out with.”⁶

Clariss Brownie Udow, born March 20, 1909 in Winnipeg, came from an illustrious pioneer family. Her maternal grandfather, Hiram Leib (H.L.) Weidman (1862-1933), was recognized as an early communal leader. Born in Poland, he had arrived in Winnipeg on May 26, 1882, with his parents Beryl and Rachel Weidman and two brothers, Mordecai and Simon, members of the first sizable group of Jewish immigrants to reach the prairies. The day he arrived he found work, unloading lumber from river steamers at the foot of Water Street in Winnipeg. For a year after that he worked with construction gangs building the CPR railway in the West. Then for three years the family, along with twenty-six other families from the 1882 group, took up homesteads under difficult conditions and on what turned out to be unproductive land in the Moosomin district, before returning to Winnipeg to establish the Weidman Brothers, a successful produce store. The brothers were founding members of the Shaarey Zedek congregation; instrumental in establishing the Talmud Torah, YMHA, and the Jewish Welfare Fund. They also gave assistance and credit to subsequent Jewish immigrants.⁷

It took me a while to realize the degree to which I was smitten with Brownie. I was enthusiastic about finally taking out a girl, and I think the enthusiasms associated with that bold adventure were uppermost in my mind. I asked her to accompany me to the dance that would follow the McGoun Cup debate, scheduled for about three weeks later. In the meantime, as a complete novice at dancing, I started to take lessons.

⁶ Interview of Sam and Brownie Freedman (15 April 1983) on *24 Hours*, CBC Television, Winnipeg.

⁷ Weidman Family Centenary, 1982, Winnipeg, Provincial Archives of Manitoba (box 113, file no 6); “Jews of West Mourn Passing of H.L. Weidman: Was Leader Among People in Education and Welfare Work”, news clipping, probably *The Winnipeg Free Press* [nd] (March 1933), in the Freedman Scrapbooks. See also Gutkin, *Journey into Our Heritage*, *supra* note 5 at 45, 48, 57.

In the McGoun Cup debate that year I was one of the Manitoba debaters, in a contest with the University of Alberta. We lost, but that didn't matter. Afterwards I danced with Brownie, who had come to the event with her cousin Elise. Despite the dance lessons I was still awkward, and I've consistently remained awkward on the dance floor ever since. Still, Brownie seemed delighted with it all, and we got on very well. Later I was talking to her when my friend Max Cohen came by, took two or three steps past us, turned around, and looked back at both of us. He must have seen the look of ecstasy on my face and realized at once that it wasn't the product of the debating defeat I had just sustained. Later he came and leaned over to me and whispered in my ear: "I think you've got a crush on Brownie." His expression crystallized for me something of which I hadn't been immediately conscious. I said to myself, "A crush on Brownie, of course, that's what it is!" I knew I was experiencing something like a mood of ecstasy, but it took Max Cohen to define and pinpoint the very reason for it.

I didn't have an easy time in my pursuit of this woman. She had poise, which I certainly lacked—I was the rough diamond emerging from the North End, and she was a cultivated and sophisticated young lady from the other, supposedly better, side of the tracks. From the first she was my only date, but I was not her only one. I had competition in great measure from a student a year ahead of me—a handsome fellow named Arnold Abrahamson, and I suffered the pangs of Othello. I was jealous, green-eyed. But I took Brownie out again and again, and soon she was absorbing all my waking moments. In February or March we went to another debate in which I was not a participant. My parents were there as well, and afterwards I brought Brownie up to my mother and father and introduced her. So now they knew Sam was going with a girl. Thereafter they watched developments with benevolence and hope.

We were coming into the Depression years, and they were grim and tough times on the prairies. As a student nurse, Brownie found the time for extra-nursing activities strictly curtailed. We would see each other about twice a week, if only briefly, but on the weekends she might have a late leave, where she could stay out until eleven o'clock or perhaps even twelve midnight—it was ten o'clock on weeknights—and we would see each other under more advantageous circumstances. We would glory in those opportunities to be together a little longer. A few months after our first date, by spring of that year, so far as my feelings were concerned there was

an unequivocal commitment. The problem, though, was that such a relationship is a reciprocal thing—I needed Brownie’s consent and concurrence. That came, in due course, in June 1928 when we made a mutual commitment. I popped the question. There was no ring—who could afford a ring in those days? It was a mutual covenant, unwritten but recognized by both as binding.

I began to be not so interested in Latin and Greek. In the fourth and fifth year of my honours arts course I had experienced a change of values. What I was interested in was Brownie: first things first. She was much more important to me than the studies. In my fourth year I was still able to get the Latin scholarship. In 1928–29, the fifth and final year of my undergraduate career, although I did manage to graduate with the *magna cum laude* distinction, my inattention in part to my school work resulted in a failure, for the first time, to get a scholarship. The reason for that, I know now, was that I was giving a lot of time to Brownie, and many decades later I can only thank heavens that I made that choice.



Fig. 3

I had known for several years that there was such a thing as the Rhodes Scholarship. I knew that it was regarded as the top scholarship among all that were available. I also knew that it was awarded not on academic grounds alone but also on the basis of leadership, character,

participation in athletic activities, and, in general, on being a well-rounded individual. I was aware also that the Rhodes Scholarship was tenable at Oxford University. In 1928 I decided that I would apply.

Examining my qualifications for this award, I concluded that they were adequate, if not impressive. My strongest area was the academic. By the year of my application, I had received an unbroken string of scholarships. In the matter of leadership I could point to my record in the Menorah Society, of which I was then the vice-president. I was aware that this was leadership in only a section of the university rather than in the university as a whole, but I felt it would count for something with the Rhodes Scholarship Committee, and I felt justified in putting it forward. With regard to athletic activities, my record was undistinguished. I did play baseball, soccer, and football, and I was able to invoke these activities to prevent drawing a blank. Finally there was the element of character which, though undefined, might play an important part in the ultimate selection of the successful candidate. I was aided on this point by enthusiastic and supportive letters of references from G.J. Reeve, principal of St. John's High School, Max Steinkopf (lawyer), Marcus Hyman (lawyer, legislator, and scholar), Rabbi Solomon Frank, and F.W. Clark, professor of Latin and Greek.

I also had to supply a birth certificate, which raised certain questions. How could I give them a birth certificate, born as I was in Russia, where they never kept records, at least in the little village where I was born? I spoke to the Registrar of the university, and he said, "Supply an affidavit of one of your parents." I got my father to provide the affidavit, and then I needed to have it sworn before a lawyer. I had a friend, a lawyer named Hymie Corne, who was still on the executive of the Menorah Society with me even though he had graduated from the university. He was the junior member of the firm of Abrahamson, Greenberg, and Corne. Hymie looked after the affidavit for me and supplied the usual endorsement or backing of the paper document, and at the bottom the name of the firm appeared. When my friend Ben Hayman looked at that affidavit and saw "Abrahamson, Greenberg and Corne", he said to me, "Are you crazy? We know you're Jewish. Do you have to throw it at them? Abrahamson, Greenberg and Corne sounds like Potash and Pearlmutter. You won't be treated as an ordinary applicant. You will be treated as a Jewish applicant. Get away from that. Erase any indication of that tie." I felt distressed.

I also needed to supply a medical certificate, and so I went to the Medical Arts Building, because (1) it was close, the university then being on Broadway and Kennedy, and (2), to be on the safe side this time, I knew there would be no Jewish doctors there, because in those days the Medical Arts Building was not open to Jewish medical people. I went into the first door that I saw half ajar and said I wanted to see a doctor to get a medical certificate of good health. The receptionist said, "Well, see Dr. Christopher Rice." I learned later that Dr. Rice was an obstetrician and gynaecologist. He was amazed when I came in. I told him I was a university student and was applying for a Rhodes Scholarship. One of the requisites was to supply a certificate of health. Would he examine me and write the appropriate letter? He agreed to do this, and in the resulting letter he delivered what I have always thought to be the ultimate in non-sequiturs: "I have today examined Samuel Freedman, fourth year Arts student at the University of Manitoba. I find him to be in good health and he has no varicose veins."

On the day of the decision, the candidates met with the selection committee at an early dinner, followed by personal interviews of about a half-hour's duration. It was generally recognized that the personal interview was the crucial aspect of the selection process. Members of that Committee were men of distinction, from the chair, Chief Justice W.E. Perdue, to C.C. Ferguson, father of Dr. Colin Ferguson. I think Joseph T. Thorson, former dean of law, was a member, C. Rhodes Smith, Christopher Adamson, and one or two others. My interview began with the chairman asking if I had any alternative course of studies to pursue other than Latin and Greek. He added that the standard in the classics in England was much higher than in Canada, and that the Committee might not be prepared to select a candidate who would have to study the classics under the burden of competing with English students. In light of that, did I have a second choice? I told him my second choice would be law. So it was agreed that my application could be treated as one aimed at the study of law at Oxford.

As I talked with the members of the Rhodes Scholarship Selection Committee, it became clear that the Committee regarded me as a Jewish applicant, but not in a hostile way. I had indicated that one of my activities was leadership in the Menorah Society, and they picked that bit up and felt quite justified in pursuing it. From that we got into the general question of Jewish relations with non-Jews, and into the problems of

Zionism and Palestine. Later a friend of mine said to me: "Let's be honest with one another. Don't you think they were practising gentlemanly anti-Semitism?" I answered him: "I don't think I would accuse the members of that Committee of anti-Semitism. Their exposure to Jews was rather limited, I would think." I don't think there had been many Jewish applicants for a Rhodes Scholarship before, and they were making the most of the half-hour exposure to a Jewish student, it seemed to me. I look back to that interview with a great deal of pleasure. I thought I was well-treated, and that the interview went well, except perhaps for a somewhat too heavy concentration on my Jewishness.

We got the results later that evening. The secretary came out and announced, "The winner is Mr. Lawrence Bonnycastle." We all shook hands with him, with each other, and that was that. I didn't win, but seven other candidates that year also didn't win. I was disappointed, but not bitterly, because it was a high prize. Even to have been reasonably well-considered was soothing. I was told to apply again the following year, but I never did.

If I had been able to continue in the classics—which meant if I had been able to get the Rhodes Scholarship—I might have continued with the goal of becoming an academic, a professor in Latin and Greek. Instead, I took the second choice, and the story of one's life often is that the second best turns out to be the best. I can't imagine that I would have enjoyed being a professor nearly as much as I've enjoyed being a lawyer, and then a judge. And the years have a way of bringing about their own expiation. I was never able to be a Rhodes Scholar, but in time I became Chairman of the Rhodes Scholarship Selection Committee of Manitoba, helping to choose the scholars over a period of about ten years (1956–66).

In Manitoba and elsewhere, two distinct points of view have, from the beginning, dominated debates regarding legal education. Proponents of one side emphasized practical training. They favoured dividing the day in two, allocating mornings for academic instruction and afternoons for service under articles in a law office. Proponents of the other side urged the need for sound academic training. This could best be attained, they said, by a full-time academic program, conducted both mornings and afternoons over a three-year period, to be followed by service under articles

in a law office for a period of about one year and, after 1965, by a bar admission course of about eight weeks duration.

The Manitoba Law School, founded in 1914 and affiliated with, but not a faculty of, the University of Manitoba, followed the first point of view. That is to say, its officers opted for the so-called practical program of morning lectures and afternoon articling. This continued until 1966, “when the Manitoba Law School’s programme was phased into the Faculty of Law of the University of Manitoba.”⁸

Sam Freedman was admitted to the Law Society of Manitoba in 1929, aided partly by enthusiastic letters of reference from lawyer Max Steinkopf and Professor Fred W. Clark of the Department of Classics. In a letter of September 25, 1929, Steinkopf wrote that he found in Samuel Freedman “a person of good character and unusual ability.” On September 23, Clark wrote that Freedman was “a young man of earnest purpose and good moral character. In all my dealings with him during his under-graduate course I always found him to be a gentleman.”

My years at the Manitoba Law School were four in number, 1929–33. I am therefore a product of the concurrent program—lectures in the morning, articling in the afternoon.⁹ The law lectures of that time were

⁸ Lee Gibson, “A Brief History of the Law Society of Manitoba” in Cameron Harvey, ed, *The Law Society of Manitoba 1877–1977* (Winnipeg: Peguis Publishers, 1977) 28 at 35. See also Harold Buchwald, “The Law School’s Fortieth Anniversary”, *Manitoba Bar News* 26:5 (October 1954) 77.

⁹ It seems more likely that what Freedman experienced in his years at the Law School (1929–33) was more of a combination of systems. The Law School, founded in 1914 and jointly sponsored by the Law Society of Manitoba and the University of Manitoba (itself founded in 1877), from the beginning adopted the concurrent or dual system of education, based on the model of the Osgoode Hall Law School in Toronto. In 1921 it temporarily dropped the concurrent system in favour of having students study full-time and then, after the completion of their course, work for a year in a law office. In 1927 the school lengthened its course of study from three to four years but reinstated concurrent articling in the third and fourth years of the program. In 1931, with the Trustees apparently deciding that the program “had become too theoretical in nature,” it returned to the concurrent system in full. Jack R London, “The Admissions and Education Committee: A Perspective on Legal Education and Admission to Practice in the Province of Manitoba, Past, Present and Future” in Cameron Harvey, ed, *The Law Society of Manitoba 1877–1977* (Winnipeg: Peguis Publishers, 1977) 74 at 79. See also Buchwald, *supra* note 8 at 80.

fairly dull and unimaginative in presentation. It was not a school with great prestige. It was under the aegis of the University of Manitoba and the Law Society of Manitoba, but effectively under the control of the Law Society. The emphasis was on practical training. At the time the trend across the country in law schools was in the other direction. They were concentrating on education in depth, academic work morning and afternoon and evening. The full-time law teachers wouldn't come to join the University of Manitoba staff. It wasn't until we gave up the combined academic and practical program and became a law school with a full academic program that we began to get the full-time law teachers. I have no doubt that the University of Manitoba Law Faculty came to command more respect among legal scholars than did the Manitoba Law School in which I was a student and later a lecturer.

Still, some of the academic teaching did rub off on me, I'm sure. I took International Law, and my lecturer was C. Rhodes Smith, later Chief Justice of Manitoba. Rhodes had joined the Law School in 1925. One staff member who was a departure from the dominant pattern was a lawyer named C.K. Gild, who lectured in torts. The subject was interesting—he knew the area and was enthusiastic and engaging in his approach. As a whole we had about thirty students in our class, about seven or eight of them Jewish, and my class—the class of 1933—proved to be a good one: it produced judges, leading lawyers, and good citizens.

While I didn't find the law lectures particularly stimulating or rewarding, from the beginning I loved the practical side of law. I was fortunate in being able to get into the office of Steinkopf and Lawrence.

Sam Freedman joined Steinkopf and Lawrence in spring 1931, which meant that he was with the firm for his last two years of law school. Earlier on, although he makes no mention of this in his autobiography, he had entered into an agreement to article with A. Mark Shinbane, another prominent Jewish lawyer in Winnipeg, and a partner in Shinbane and Morosnick. The signed Articles of Clerkship, dated September 11, 1929, begin: "WITNESS that the said Samuel Freedman, of his own free will, hath placed and bound himself, and by these presents doth place and bind himself clerk to the said A. Mark Shinbane to serve him from the day of the date hereof up to the date

on which he shall be admitted as a Student-in-Law, or entered as an articled clerk, whatever shall happen first, in accordance with the rules of the Law Society ...”

A year and seven months later, on May 20, 1931, Shinbane assigned Sam’s articles of clerkship to W.D. Lawrence of Steinkopf and Lawrence. In a letter written in November that year, Sam advised the secretary of the Manitoba Law Association that there had been a delay in filing the papers for that reassignment, “due to financial reasons.” He added, “I have been employed as a law student in the office of Messrs Steinkopf & Lawrence, ever since the date of the assignment ...” The secretary, E.B. Chaffey, wrote back granting the application but informed him that “the Benchers reprimanded you for neglect in the matter,” that is, for the delay in filing.¹⁰

The office of Steinkopf and Lawrence was small but busy. In addition to the two principals of the firm, they had employed a junior lawyer who unfortunately contracted tuberculosis and had gone into Ninette Sanatorium. He was not expected to return for at least a year. His work was piling up, undone. The firm badly needed someone to replace him, but they had not found the right man. Good articling positions were not easy to secure. A piece of good luck paved the way for my selection to that post. I happened to be at a social gathering at the home of Mrs. Delia Shrage, a sister of Max Steinkopf. When her daughter, Dorothy, introduced me to her mother, she added, “This is the young man who is going to be in Uncle Max’s office.” I smiled politely, said nothing, and tried only to conceal my inner excitement. I knew nothing of this matter, and obviously Dorothy had her facts wrong. But, equally obvious, there must have been some basis for what she said. I reasoned that it was more likely that Dorothy was conveying a garbled version of an actual conversation to which Max Steinkopf was a party than that she was inventing such a conversation.

¹⁰ “Articles [sic] of Clerkship,” 11 September 1929, signed by Abraham Mark Shinbane and Samuel Freedman, and witnessed; letter from Samuel Freedman to Mr BE Chaffey, Secretary, Manitoba Law Association (21 November 1932); letter from WD Lawrence to Mr BE Chaffey, Secretary, Manitoba Law Association (21 November 1932) Winnipeg, Faculty of Law Archives (Samuel Freedman file).

In any event, the next morning I phoned Max Steinkopf and made an appointment to see him later in the day. Once there I applied for a position as an articulated student. He said without hesitation that he was most agreeable to my proposal and asked me to step in with him to Bill Lawrence's office to secure his concurrence. I started work a few days later. My salary would be \$25 per month, which, small as it was, was higher than the going rate.

Max Steinkopf and W.D. Lawrence had two periods of association in the practice of law. They had been partners in their early years of practice, then dissolved that partnership and went their separate ways. Many years later, about 1927, they formed a new partnership. I joined them in 1930.

Max Steinkopf was one of the leaders of the Jewish community, and the first Jewish lawyer on the prairies. He had good relations with members of the non-Jewish community as well, and used his law office as a base from which to carry on his business interests. Indeed, the tasks of business claimed the greater part of his attention and allegiance. This proved to be a factor that enabled my progress in the law; the less work Max Steinkopf did, the more there was for me. Mr. Lawrence, a real gentleman and a good practical lawyer, had more to do than one man could fairly handle. In the result, I quickly found myself with an abundance of files. The opportunity was there; the rest was up to me. I was determined not to fail.

