

641 Washington Street,  
New York, New York.  
September 18, 1939.

Irving J. Levy,  
Assistant General Counsel.

Edward J. Fruchtmann,  
Attorney.

Irving O. Rosen  
Harry Edelman.

1. Irving O. Rosen

As you know, today was the date set for Rosen to file motion papers. Of course, as the result of Hurwitz's withdrawal from the case no papers were filed. When the case was called this morning, Rosen appeared on his own behalf and told the court that his lawyer had withdrawn from the case and that he wanted additional time to look for another attorney. The judge set the case for trial on September 26, 1939. I think that if Mr. Tharand intends to try the case he ought to return to New York at once.

After Rosen and I came out of the courtroom, I tried to pump him as to the reasons for Hurwitz's withdrawal. Rosen professed to be very incensed at Hurwitz, claiming that Hurwitz had made him his dupe, wanted to use him as a guinea pig, and expected to get a large fee and enhance his own reputation at Rosen's expense. Rosen said that Hurwitz had been to see a well known lawyer in New York about the matter and that the lawyer had asked a ten thousand dollar fee of which Hurwitz was to get ten percent. In addition, Hurwitz wanted to build up a war chest to fight the matter through by getting together all employers who hired homeworkers and tax them one dollar per homeworker employed. This, of course, never went through. I asked Rosen who the well known lawyer approached by Hurwitz was and he told me it was George Medalie.

Rosen says he still does not want to fight the case and is willing to settle on any terms which he can possibly meet but that he thinks you are too inflexible and hard on him. Of course I told him that the final word was up to you and that I had nothing to suggest to him. He volunteered the information that he was going to take another trip to Washington to see you.

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Rosen remarked that a possible way out would be for us to take action similar to that taken in the Edelman case; i.e., get hold of Rosen's jobber, Columbia Mills, and make them

pay up. I am not sure whether he is honestly unaware of the fact that Columbia Mills has agreed to make partial restitution or whether he was just playing dumb to see what reaction he could get out of me. I just let his remark go by without saying anything.

2. Harry Edelman

Edelman has been a very elusive creature these last few days. I called his home last Friday in order to advise him that an Information would be filed against him this morning. In his absence, I told his wife to have him call me back the following morning without fail. When he omitted to 'phone the next day, I tried to get in touch with him again and his wife said she had delivered my message and she did not know why he had not called. I called him again this morning but didn't get him in. I told his wife it was essential he get in touch with me because we were going to file a criminal Information against him. She told me she would be sure to let him know and have him communicate with us. As of four o'clock this afternoon he has failed to do so. I filed the Information this morning and Wednesday, September 30, 1939, is set as the date on which he is to plead. The marshal will get in touch with him today or tomorrow and I anticipate that he will come in at once and that there will be no difficulty in having him enter a guilty plea. Mr. Allen of the Children's Bureau came up this morning with the papers charging violation of the child labor provisions of the Act. I shall have Edelman sign these papers too and file them at once.

I am still holding the consent papers signed by Alvin Cord and Tassel Company and Columbia Mills until advised by you to file them.

WJF:Hal

Edward J. Fruchtmann.

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