

THE HONORABLE J. CULLEN GANEY,
A MEMBER OF THE UNITED STATES
COURT OF APPEALS FOR THE THIRD CIRCUIT

by Lewis R. Long

Judge J. Cullen Ganey, in respect for whose memory the court is holding this memorial service today, was essentially a product of the City of Bethlehem in Northampton County.

While born in Phillipsburg, New Jersey, on April 22, 1899, he moved as a child to Bethlehem where he lived in the family homestead on Polk Street in what was then the Borough of South Bethlehem. His father, Thomas Ganey, was Clerk of the Borough and later of the consolidated city; his mother and aunt were both school teachers.

The judge was the third of four sons. All four graduated from Lehigh University, one from the school of Dentistry of the University of Pennsylvania, and the Judge from Harvard Law School.

Obviously this could not have been done on the small salary Judge Ganey's father received as City Clerk. All the members of the family, aunts, mother, father and boys pitched in and helped each other and, typically, remained close and devoted as long as they lived.

The Judge was active in the alumni affairs of Lehigh University from which he received an honorary degree of Doctor of Laws in 1960. In that year he was also awarded the Lehigh University Alumni Association's annual award "Presented each year to men who, by personal achievement and service to the University brought lasting credit to themselves and their Alma Mater."

From his admission to the Northampton County Bar on September 10, 1923, until his appointment as Assistant United States Attorney for the Eastern District of Pennsylvania in 1934, he was an active and one of the ablest trial lawyers in Northampton County. He was appointed Assistant District Attorney in 1923, and in 1927 was appointed Solicitor to the Northampton County Controller. In 1932 he was appointed by Governor Pinchot as counsel to investigate the Public Utilities' Commission of the Commonwealth, a position in

which he received statewide attention. His practice was wide and varied; his clients included the Bethlehem Steel Company, Pennsylvania Power & Light Company, and other large industries in the area.

Typical of young lawyers—particularly those as outgoing, friendly, and able as the Judge—he actively participated in the political arena. He was Democratic City Chairman of the City of Bethlehem and in the early 30's, Democratic County Chairman of Northampton County. As County Chairman he conducted the campaign in 1931 which led to the election of Francis E. Walter to the U. S. Congress. The intimate and close friendship between Mr. Walter and the Judge survived until the untimely death of the Congressman several years before that of Judge Ganey. While County Chairman, he helped a promising Northampton County lawyer, William G. Barthold, to obtain a seat on the Bench of that county, a seat which he graced for thirty years.

The Judge retained his political interests and beliefs. In that connection, an editorial in the Bethlehem Globe Times of February 12, 1972, stated that "The life of Judge Ganey is a South Side success story. It is also a story of distinguished judicial service. But most of all, it is affirmation that politics is not something to be shunned. Judge Ganey found a fulfilling life and helped define directions for his country because he did not fear getting involved."

Before moving to Philadelphia in 1945, to be closer to his official duties on the Bench, the Judge was a Trustee of St. Luke's Hospital in the City of Bethlehem, a member of the Board of Directors of the Y.M.C.A., and a member of the Board of Governors of the Saucon Valley Country Club. He added impetus to the formation and the building of a Y.M.C.A. in the City of Bethlehem. Without his personal appeal to Eugene Grace, then President of the Bethlehem Steel Corporation, for the erection of such a structure and obtaining his approval, the building would not be present as it is today.

It was apparent that even after he moved to Philadelphia his heart remained in Northampton County. He attended occasional meetings of our Bar Association which held a testimonial dinner in his honor in 1966. He spoke in Memorial

Services, such as this, for departed members of the Northampton County Bench and Bar and frequently attended political banquets and other county affairs.

He was particularly warm and helpful to attorneys from his home county who appeared before him in court. They would frequently return from Philadelphia and would tell how considerate he had been of them and how he always inquired of his friends of the Bench and Bar in his home county. When one of the attorneys from the Lehigh Valley Area walked into his court room, even during a trial over which he was presiding, he would catch the visitor's eye and nod his welcome.

It would perhaps be inappropriate in a proceeding such as this to express my personal feelings of loss at his passing except to say that I have always considered him a model of what a judge should be and that I adored him as a man.

The Bench and Bar of Northampton County join in expressing our loss in the passing of the Honorable J. Cullen Ganey and join in the motion that when this Court adjourns this day, it do so in honor of and out of respect for our departed brother.

October 23, 1972

THE HONORABLE J. CULLEN GANEY

by Michael C. Schrader

It is indeed a rare privilege to appraise the life and career of a friend whom one has known for some 65 years—and to be able to say “there was a good man and an esteemed member of our profession; a man who achieved distinguished eminence that was never acclaimed during his lifetime because he was exceedingly modest and had no flair for personal aggrandizement.”

In a few words that is my—and I am sure our—tribute to the Honorable J. Cullen Ganey.

Cullen preceeded me by one year at the old South Bethlehem High School, at Lehigh University and at the Harvard Law School.

He was reared in a modest home with three brothers. I recall his saying that his father never earned more than \$60.00 per month—and yet Thomas Ganey's four sons all attained college degrees and were unusually successful in their chosen careers. Knowing Cullen's mother and father and the home that they provided for their boys makes it clear to understand that Cullen's first break came in the choice God made for him in the selection of his parents.

Cullen would go out of his way to serve a friend. On his own initiative he took time to guide me onto the Lehigh campus and he was most thoughtful in assisting me as I prepared to enter Law School. He would do that for any of his friends.

In recent years whenever we met he would warm my heart by putting his arm around my shoulder and declare me to be one of his oldest friends. He was truly a man's friend for life—and I am moved to observe a friend of all mankind.

Cullen was a loyal adherent and zealous worker in his chosen political party. I remember vividly how, after we were dismissed from high school one day in October, he, his brother David and one or two other kids ran after a motorcade carrying Senator Boise Penrose, the then Pennsylvania boss of the Republican party, shouting “Dirty crooks, dirty crooks”. But that was the end of his exuberant militancy. As a political

opponent, in his maturity, he aroused no hateful enmities and he always had the respect of those whose political views differed from his.

His friends and associates were legion. They were rich and poor, famous and plain folks, they included royalty across the sea, businessmen, professionals, blue collar workers, of varying political persuasions and diverse religious affiliations. Cullen was a modest man of the people. Literally he "walked with kings but never lost the common touch."

He was a deeply religious man and influenced others with his devotion. I am reminded of his having so impressed a friend of an entirely different religious persuasion from his that the friend joined him for a period of time in a religious retreat.

Throughout his life Cullen was always neat in attire, attesting, no doubt to the orderliness of his mind.

We have the testimony of eminent New York and Philadelphia trial counsel as to his judicious conduct of trials. All were in accord that Judge Ganey was a good judge. He reputedly permitted trial lawyers to develop their own cases—the mark of a truly fine lawyer's judge.

Judge Ganey was faithful to his trust. He acted as his conscience dictated even though it would at times pain him grievously. After he had imposed prison sentences on several business men in an anti-trust case he confided to friends how much that had hurt him but that he felt that he had no alternative. He was meticulous in doing what he conceived to be his duty.

Recently, after his retirement from the Circuit Court bench, he related that Mr. Justice Brennan called him by phone and in effect said: "Cullen, we are not going to let you retire completely. We have a tough litigation out west involving a conflict between some states over water rights. We want you to handle that for us." Cullen knew what was involved and but for his dedication to duty would have begged off.

In speaking of Judge J. Cullen Ganey in this Court room where he was initiated as a lawyer 50 years ago next year I have a profound personal regret that he could not have been with us longer and enriched our Bar as so many other dis-

tinguished attorneys have done for much over a century. However, we can rejoice that he was always one of us and that his career reflected marked credit to our Northampton County Bar.

As we contemplate J. Cullen Ganey—the man, the citizen, the lawyer, the judge and the inspiration that he has bequeathed to us the words of William Wadsworth Longfellow are invested with real meaning:

“Lives of great men oft remind us
We can make our lives sublime
And departing leave behind us
Footprints on the sands of time.”

Judge J. Cullen Ganey's “footprints” are indelible.

I thank the Court.

October 23, 1972