

YOUNGSTOWN STATE UNIVERSITY

ORAL HISTORY PROGRAM

YSU School of Law

Personal Experience

O.H. 1066

JOHN RUFFALO JR.

Interviewed

by

Paul Carlson

on

May 10, 1977

## JOHN RUFFALO JR.

John Ruffalo was born on September 23, 1913 in Youngstown and graduated from Rayen High School when he had been both a good student and a good athlete. Ruffalo graduated from Westminster College with a major in history and since his parents were against his entering the Air Force he went to work for the Glen Martin Company in Baltimore, Maryland, as a production engineer. Ruffalo went to a night law school in Baltimore and finished his courses in 1945 at Youngstown. In 1954 he was co-chairman for the Mahoning County campaign, William Saxbe for U.S. Senator. In January of 1957 he and Allan B. Roberts were given private reprimands by the Mahoning County Common Pleas Court and Ruffalo was suspended by the bar in January of 1958. Ruffalo was disbarred in 1964 and the Ohio Supreme Court upheld that decision in January of 1965 by finding him guilty on two of seven charges brought against him, yet in April of 1968 the United States Supreme Court reversed the Federal Appellate Court's decisions by a vote of 8-0 and the Ohio Supreme Court finally reinstated Ruffalo on June 24, 1975.

C: This is an interview with John Ruffalo Jr. for the Youngstown State University Oral History Program on Youngstown State University Law School Graduates, by Paul Carlson, on May 10, 1977, at 510 Mahoning Bank Building, Youngstown, Ohio, at 10:10 am.

Mr Ruffalo, could you tell us something about your background?

R: In what respects? Do you mean my boyhood and so forth like that?

C: Yes.

R: Well, my parents lived in Youngstown, although they came from Pennsylvania. They came here about 1910. My father came here as a lawyer, having passed the Bar in 1908 in Pennsylvania and then admitted to the Bar in Ohio in 1910. He started a law practice. I was born here in the City of Youngstown and lived mainly on the north side of Youngstown. I spent most of my life on Fifth Avenue, Alameda and Fifth Avenue. I went to Rayen High School. I played on the football team as a left halfback. From there I went to College at Westminster College over in New Wilmington, Pennsylvania. I had aspirations to be an aeronautical engineer. I wanted to join the Army Air Force and my family was against it. I went to college and peeked around, not knowing what I wanted to do. I decided I would like to start into law. I got into law and decided that I did not like it.

I went down and worked for the Glen Martin Company in Baltimore, Maryland. I was in the Production Engineering Department. I was responsible for setting up systems throughout the plant with tooling and card index systems to control inventory along the assembly line. Of course, the war broke and I stayed there. They would not let me go. I decided after the war was over that these people in the engineering end of it and so forth were going to be a dime a dozen. So I started to go to night law school. I went to night law school and came back here and had about, I do not know, five or six more subjects to complete. And I went to Youngstown State University, to the law school there and completed my courses. Then I took the Bar Examination for the State of Ohio.

C: Could you tell us something a little bit more about those early years and what it was like to grow up in Youngstown?

R: Well, I lived on the north side and there was a very, nice group of people there. Youngsters and many of the prominent people of Youngstown lived on the north side. And many of their children I was friends with. I grew up with the McKelvey's and grew up with the Linter boys. I grew up with some of the Tods, and I just cannot remember all of them now. We had a nice time. They were nice people, lovely boys and girls, and we just had a real nice time. It was not like today, to me. I think children had a better time then than they do today. I do not

know why. I was a Boy Scout and at St John's Episcopal Church. I became one of the youngest, Junior Assistant Scout Masters in the City of Youngstown. I was selected to go to the jamboree in England at that time, but my parents thought it was too far away so I did not get to go. It is kind of hard to remember a lot of these things. They grow dim in your mind. Well, what else would you like to have?

C: What about your early schooling? Were there certain instructors that stood out in your mind? You mentioned playing football. Were sports as important to you as your studies?

R: Well, I think sports were more important to me than studies, to be honest with you. I was not very big for my age. But then after I got into sports and established myself, I belonged to a city league team first in order to get recognition. They were called the Chipawas. We won the city championship in our weight division. I think it was around one thirty-five to one hundred forty pounds. In that league, I was the city high scorer. I played the position of fullback. And from there I went up and I was able to get on the varsity team at Rayen. I finally got on the first string my junior and senior years, and held a regular position. I carried an injury to my left shoulder, which my last year kept me out of a couple of games. I played the last game of the season, the last half, with a broken collar bone and a dislocated shoulder. I liked sports.

I had a lot of nice friends, a lot of good friends. Dick Goldcamp, who became a throat and nose doctor here in town, he was a good friend of mine. He played football with me too. Some of the fellows, like Ralph Wolfe, he went to Ohio State and became All-American at Ohio State. A good many of the players went on to different colleges and became outstanding players.

After that, I began to get more interested in school and more interested in grades and getting things going ahead. In Westminster College, I went out for football there, but I gave it up because of my injury to my shoulder. On occasion I would put on a suit and scrimmage with the players from Ohio State University, one summer, just for the fun of it, with some of their top players.

The fall at Westminster, I entered into all the intermural sports and was vice-president of my senior class. I was on student council and other things. [I was }In the Master's Fraternity, that is a thespian group. I was on the debating team. I was president of my fraternity.

C: What did you get your bachelors in from Westminster?

R: Bachelor of Arts, I majored in history. I had another major, but I cannot remember what it was. When I went into college, I had just practically all of my college math worked out. My intentions were to go into aeronautical engineering and then I changed and sort of drifted for a while. I did not know which way I

wanted to go. And then when I graduated, I thought, well, maybe I will try law and see what happens. My father was a lawyer. And as I said, I got into it, but I did not like it to well, not that I did not like it. Law was too imprecise. With math you can put down a mathematical formula and you can have something come out, but in law, you might start out someplace and end up over in right field some other place. I have tried, and I still do it, and more people are beginning to do it, not that I have a trend, but to start out with your apprentice and bring it on down and make your arguments that way, so that you come up with some logical conclusion rather than just end up with a lot of verbiage that anybody can take and interpret and go any direction with. I do not think that makes good law or helps to set precedence. And I think more and more laws are becoming to be more exact and to start at one point and end at another point. This is the way that I look upon it.

Getting back, I went to the Guss-Wylier cram course. And he selected me as one of the ten of the class to be in the first top scores. I was up in the top group, but I do not think I was in the top ten, I was disappointed about that. I really was only happy to get the grade to get through because it was quite an ordeal. So, I came and started to practice with my father. Have I jumped too far ahead now?

C: Yes, a little bit. We will get into that a little bit later. What do you think were the major influences on your early life?

R: Well, I know that I had some, but just to recall them off-hand is sort of difficult. I mean, I know that there were teachers that I liked and respected. And I think in high school, some of the people that stood out and influenced me were Doc Andrews, my Spanish teacher. From him I got all A's except one B when he saw me smoking a cigarette. Miss Hamilton, the sister of Esther Hamilton, was a teacher of math and advanced geometry. There was a professor up there by the name of Mr. Thomas that I liked. And Coach Lansing, he was the coach. Of course, my father, who was one of the top lawyers in Youngstown, and he always had my respect and admiration.

Well, there were people like, not in the influencing end of it, but that I associated with when we were good friends. John Sanders, who later became president of General Fireproofing, William Boyer, who we played bridge with on many occasions as a young fellow, who later became president of Republic Steel. Bill Benner, who I thought a lot of and was an All-American quarterback for Michigan. He went on to Yale to teach and coach there. And he was a good friend of Gerald Ford. There are just so many of them, so rich were so many people at that time that I just cannot name them all. There were fellows that were outstanding players from Ohio State, Notre Dame and Pitt that I knew. It would take me quite a while to remember them all. Am I getting anywhere near the point that you want me to get near?

C: Yes. I did not realize that you wanted to go into it quite in this depth or I would

have thought about it a little bit more.

R: We have gone back almost forty years and sometimes it is pretty hard to recall all these things; certain people that had influence on your life and that you knew and recognized at the time. But as time goes on, these things sort of grow dim in your mind. And there, evidently, were people that had a vast influence on me, because I was just a regular boy, that was all. I liked sports, liked to play football and things like that. And sometimes grades meant something to me and sometimes they did not. Not that I had any difficulty learning anything, because I did not have any trouble doing it. When I wanted to get something, I got it. But I just cannot off-hand, without some consideration, thinking back, just give you everything that you might want here. I would like to.

R: I understand. Do you think high school prepared you for Westminster?

R: Oh, yes. Rayen High School was one of the top high schools in this section. When you went to Rayen High School and got through Rayen High School, it was equivalent to going to one of the top preparatory schools around. Students from Rayen High School would be accepted in all of the best colleges in the country. I cannot say that for it today, but it was considered an outstanding high school. Outstanding teachers, I mean they were excellent.

C: When you talked about Westminster, it seemed you were very active in so many different areas.

R: Yes. I was real active over there. I was into everything. I could have been much more so, but my senior year I sort of withdrew from some of the things and certain honors that I could have had. I had gone ahead and entered my name in certain things which I just sort of drew back from my senior year. They did not mean too much to me and I had most of what, the things that I could handle anyway.

We had some good teachers there. Dr. Marshall, my history teacher, was an outstanding teacher, who I think had considerable influence on me. Dr. Taylor, who was a linguist, he was a tremendous person, I think. He could speak French, German, Italian, read Greek and speak Greek and read Latin and speak Latin just like you would speak English. I took courses from him. I took some Greek from him. I was trying to think of the names of some of the other teachers that I had.

C: Why do you think you ended up in history, then, after you kind of floated after you decided against aeronautical engineering?

R: I had always been interested in history as a young man and I read tremendously about things like that. I remember in history class one time the professor asked of different books that had been read in history, like the "Black Hero" and I forget

the other, some of the books relating to "The War of the Roses" and so forth like that. And I was about the only one that held up my hand that had read them in class. But as a young man, I had all of them, Tom Swift books and the then Rover Boy books, and all of the Frank Merrihall books and all of the different historical books that I could read and possibly get my hands on. So, I do not know, I sort of started to incline towards law. I was not sure that I wanted to be. I went in and talked to some of my counselors and they told me to get background in history and English. That is mainly what my majors were. I think my other major was in English, I cannot remember. Now there are others over there that probably had some influence on me and there were people that I liked, and I got along with most people anyway. But I cannot bring them back to mind right now.

C: You mentioned that you just finished up at Youngstown and you had about five or six courses left to take.

R: Yes.

C: Where did you take your other courses at?

R: I took my other courses at night law school, The Baltimore Law School in Baltimore. McKelvin was the governor of Maryland then. He taught there, he finished a little bit ahead of me. He finished a grade or so ahead of me. And then Agnew, he came there just about the time that I left there, and came back to Youngstown. I knew him to see him. And I knew McKelvin, who was the governor there. But that was a rough grind. You have to get up and go to work. I used to have to get up at 5:00 in the morning to go to work and be at work around 6:30 or 7:00 in the morning. And then you would get out about 3:00 or 3:30. But when the war broke, you had to work maybe until 4:30 or 5:00. And then I would dash home and sometimes I would not have a chance to drive down into Baltimore and go to school. I would go to school until about 10:00. And then come back home and study until 12:00. I would then take some outlines with me sometimes, when I knew that I was not going to be too busy and use my lunch hour, maybe a few minutes, to go over some things there. I was usually on the dean's list.

One morning I woke up to go to work and I keeled right over. I dropped down from one hundred and seventy pounds to about one hundred forty-two or one hundred forty-five pounds, something like that. I was going on nervous energy and I did not realize it. And then, "Boom!" It hit me all at one time. I got over that all right, without any problem, but I would not want to do it again. It was kind of rugged.

I was trying to think of one of the lawyers down there that taught me that I liked real well. I cannot think of his name off hand. And there was another lawyer, he lived in a little town down there called Towson, Maryland, by the name of Jim Anderson. He used to give me the key to his law office and then I would go in there at night and read

law. And I had an opportunity to go into his law firm and he wanted me to come there, but I decided to come back home. He represented people like the Warfields out there in Green Springs Valley. The Warfield Family that married the Duke of Windsor and stuff like that. And some very well to do people in that area. Maybe I should have stayed. But, I wanted to come back here, which I did.

C: Okay, in comparison with the night law school in Baltimore to here, what contrasts or comparisons stand out? Did you work during the day here too then when you finished up your classes?

R: Yes, I worked here. I came back and I had a job here with the Army, the Army Ordinance. I worked here during the day and I went to school at night. The system here was the case law system, while down in Baltimore it was a combination of textbook and case law study. I kind of liked what they did down in Baltimore, not that I find any fault in Youngstown at all. It sort of gave you definitions and you kind of knew that you were pointing for or looking for in your case laws rather than just go down through cases and try to extract a particular rule of law, a definition of law from the factual background of the case. This sort of helped you to know what to look for and what the thing was really all about. Of course, when I got here, I guess I was pretty well seasoned in it, and switching directly over into pure case law did not bother me too much.

Raymond Falls, who was the dean of the law school there, he was a tremendous person. One person who was very nice to me, and who I think is a fine man all the way around, was Knolls Wyatt. He was an outstanding teacher there and he was a lawyer, as well as Ray Falls was a practicing lawyer. And he was quite a disciplinarian. And when he closed the door to his room, you did not dare walk in. You just might as well turn around and go home. And they were two of the outstanding. Youngstown Law School was a darn fine law school and there was no question about it, because anybody that went down to take the Bar, who came out of Youngstown Law School passed the Bar. And I do not know why they ever did away with it, but I think it was a shame to do so, because I think a lot of boys in this area lost an opportunity to be able to study law that they now do not have because of that. It is the same old thing, you get these do-gooders and they were figuring that there were too many lawyers so then you eliminate law schools and therefore you eliminate lawyers and you make the practice better for those around. I was against it and could never see it, but there was nothing that I could do about it. I could not stop it. I have often hoped that I would see Youngstown State University pick up and develop a law school. I think they should, and I think that there was a great opportunity there.

C: I think you have answered quite a few questions that I was going to ask you. I was going to ask you if you would favor, say, a re-establishment of a law school?

R: Oh, yes, without question.



C: So they could serve the community?

R: They certainly could in more ways, not just in producing lawyers, but producing thinking and thoughts in law. Also producing a center for law from a library stand point and things that might help legislatively in government and everything else. Laws, economics, and banking are the biggest things in the country today. They all, the public, the population, the government, all turn upon those particular things. We do not need lawyers for practicing law in offices. We need lawyers for other endeavors too, to think and act like lawyers and are trained that way. I feel that those people, and I know who they were, did a disservice to the community of Youngstown by eliminating the law school.

Of course, this is the sort of the thing that I fought against and I got popular for it. These groups in Bar Associations and in the law field get together to do these things for their own self advantage. That is mainly what they were for. Most of them did not have a practice of law. They were in law, but they were not doing as well as they thought that they should, so they have to get into other things and parade and become advocated on a white horse. Usually those people do more harm then they do good. You had some tremendously dedicated lawyers and good lawyers and good teachers who combined, which does not happen very often, in the Youngstown Law School. It was too bad to get rid of them, sort of run them out of town.

C: As far as the students, as comparison to your classmates in Baltimore, those that took night courses and those that were in your classes at Youngstown, were the classes about the same size? Were they approximately the same type of students? What were the differences, if any, that you might have noticed?

R: I would say the classes in Youngstown were smaller than what they were in Baltimore. I would say, generally speaking, that because they were students that were going to night law school, they were all pretty serious minded and there were very little of the students that went there as a lark or anything like that. I mean, they were more mature. They were spending their own money. They were using their valuable time. And they approached it in a more serious fashion. I would say, in that respect, that I do not think there was much difference. There may have been a few that did not really get down to the brass tacks on the thing, but most of them were pretty serious minded. You had top people come out of Youngstown and they had very top people come out of Baltimore too, politically and as just as good practicing lawyers.

C: You mentioned earlier about Wylier Course?

R: Judge Guss Wylier in Cincinnati, yes.

C: Were you well prepared for the Bar?

R: Oh yes. I was abundantly prepared for the Bar. I got good preparation at Youngstown, there is no question about that. When I went down there under Judge Guss Wylier, I think he was about seventy-two years of age at that time. He was a remarkable person. He could outwork me and everybody else there. On hot days and the summer air down there he could keep going. The minute he would see you drift, why, "Boom," he would hit you with a question. Then really lay it into you. First he would lay it out to you, give you an outline. Then you would have so many cases to read a night, maybe anywhere from five to ten cases an evening. And then he would start you off and would go through them slowly. We spent about three or four weeks going over all twenty subjects slowly. Then he would start again and the next time it would be rapid fire stuff. Then we would go back over it again and then boom, it would be another one. And he would just keep drilling and drilling into you. He just snapped his fingers about just like that. At the same time he would keep you up on the latest cases and some decision that affected something we had been taught otherwise, why, he would tell you about it and have you read it. And as a result of that, you were well prepared when you came out of his class.

With college and your law school, you probably knew more law at that time than you ever knew in your life. When you get into practice and you settle down to one field and the other stuff sort of drifts away from you. The only problem would be with most of the students; they would be the nervous tension of the exam, knowing that was sort of a do or die proposition. And that would be the only thing that might cause you to jam up a little bit if you got too nervous and let yourself get too worked up over it, but he went right along with us. We went down in the hotel there and had dinner that night. A group of girls there at another table they were having a bride's maid party or something like that. And I got to talking to one and before long we all ended up on the dance floor dancing with the girls. Judge Guss Wylier got a big kick out of that. For us, it was a relaxing thing. It sort of helped to take the nervous edge off. And most of them, I know a majority of them, I would guess that ninety-nine to one hundred percent of his students got through all right.

Robert Taft, who is the senator, was in a class of Guss Wylier's. He was the first one to start this course. Weiner and Weiner came along later and then there was a group down in Columbus that had one too. And they came along afterwards. Guss Wylier was the original founder of this type of cram course.

C: In order to attempt to get an overall picture of the graduates of Youngstown Law School, would you be willing to answer a few questions on current controversial issues?

R: If I am able to. I mean, I do not know whether I will be competent to speak on them, but if I feel that I am, I will speak on them.

C: Okay. The first question that I usually ask and is probably an abstract

philosophical question and I realize that it is difficult to answer, especially without preparing an answer. Do we live in a just society?

R: A just society?

C: A just society. Is there justice in America today? Is law helping our society towards justice or is it another aspect that is contributing to the corruption or the complexities of society?

R: No, I think we may be getting there. I think we maybe getting there. Like one of the professors in the law school would say, the student would say, "Well that is not justice." And he would say, "Well, if you want justice, you go across the street and go into the church, do not come here." And my personal feeling is, and from my personal background, experiences and things that I have gone through, I would say, "No, we do not live in a just society." There are a lot of inequities. There is a lot of balancing to be done between special groups and individuals. We may be dispensing more justice today than at any time in the history of this country, but we are making it more difficult everyday for the little man off the street to be represented in court. Court costs and cost alone almost prohibit him from carrying out the basic principle of the Constitution.

We are beginning to nibble away at our jury system. We are on the path of eliminating the juries all together. We are going from a jury of twelve to a panel of eight in the Common Pleas Courts. And in the federal courts you are going from a jury of twelve to a jury of six. It is a problem to get people to come and serve as jurors. I do not know why. Maybe we have become a more impersonal society. Maybe the things that we used to hold a little more sacred, are not considered that today. But I say that if you do away with the jury system, the little man might as well forget about justice in this country, because he is not going to get it. Just like they want to eliminate the election of judges. It is not a perfect system, but the idea of appointment of judges, if they want to do it by the governor, would make it more political than it is today. And at least if you can go to the polls and if you can get the public interested, you can vote a bad judge out of office. Otherwise he would just be there at the appointment of the governor, because he was a political buddy or in the same political party. I do not think it is going to give you better judges. You can have a bad one and be stuck with him and there is no way of getting him out of office. The Federal Court System, they have an appointment for the judges and they serve for life. And they are political appointments. Some of them are good and some of them are lousy. I do not know whether there is any balancing out there. But if you get before a lousy one, you get a lousy result, and if you get a good one, why, you have got a fair chance to come out all right.

From my experience, there is no question in my mind that big business dominated the field. I do not know whether to go on further and say some of the things that I think. Well, I have always said and it has always been mine and I coined the phrase and I am not afraid to take credit for the blame, whatever it may be, but most of your judges are

judges because they could not make a living with the practice of law. And this is what you have. There is also another thing that I say and sometimes it is hard when you have got people lined up on one side representing the businesses, corporations, insurance companies, and the labor unions. It had been my argument that the Constitution of the United States was made to protect the rights of individuals, not to protect the right of big business or a corporation. So what they permit a big corporation or organization to do, the individual should be permitted to do likewise. And this is something that they have forgotten in the concepts and the precepts of the Constitution of this country. And of course, from the beginning of the 1000, all the judges from the Supreme Court on down were judges who thought with the idea that you had to protect property rights. And the protection of property rights was the most dominate thing in their mind. Individual rights meant nothing. Now they are beginning the start of a swing to recognize the rights of individuals over the big companies and big corporate interests and so forth. I think probably Earl Warren had more to do with making the country aware of the Constitution being for all of the people and not just for a select few. A lot of people do not agree with Earl Warren and what he did and I do not agree with everything that he did, but the United States Constitution was dead until he got there.

You would walk in here in a case and you would try to sight the United States Constitution and a case that is controlling, they would look at you like you were out of your head or something like that because all the matters pertaining to law had been decided and there just was not anything more to decide. The Constitution had been very well documented by these cases and you just did not transgress on those things. Some of the lawyers here in this town that suffered suspension or disbarment, whatever you want to call it. One of the judges of the Supreme Court of Ohio said, not exactly this, but he complained of due process. He had a trial. Well, this is a Neanderthal look at the law. This is the caveman's approach to law. Due process is made up of a number of things. And just giving a guy a trail does not meet due process. But, this is the thinking that some of the judges do. Am I rambling on too much?

C: No. You did click something in my mind, a question that I was going to ask you, but I did not and we can cover it now before I go on to another controversial issue. And that is: What cases stand out in your mind?

R: You mean of mine?

C: Yes.

R: You said that to me on the telephone the other day and I jotted down a few little things here that I happened to think of so that I would not forget. Well, eliminating my case, maybe we will get to that later, but there are several cases, well, any number of them and I picked out a few here. I do not know how many you want, whether you want two or three, or four or five.

I would say of the case I had of Michael Shenker verses the B & O Railroad,

which I won in the Federal District Court, lost in the Court of Appeals in Philadelphia and won in the United States Supreme Court. And that was a case that they refused to pay me any money on it and wanted me to take just a few dollars and I refused it. During the course of the trial, they offered me \$22,500 in settlement of it. I went to my client and we were on a pretty narrow edge as to whether we could stay in court or not. He walked away from me and he said, "You go to hell, John. I am not going to take it." So, we went back in and went on with it and came out with a \$45,000 verdict. The judge was clobbering me all the way along. After it was over with, the judge said to me, "Yes, I thought you would get at least \$45,000 or \$50,000." The guy was on my back banging away at me all the way, but he was all the time hoping that I would win. He was trying to make sure that I had my case well grounded and that I was in solid and so forth.

I remember the case of John Bartic verses the G.M. Crain River Towing Co, Inc., which is a maritime case. It was the first maritime case, and I had John Bartic as my only witness to the fact and he come out with a \$50,000 verdict in that. Well, a little humorous incident. The defense was trying to prove that John Bartic had a bad back previously and they had on one his fellow employees testify that they were at one time diving for copper in the Allegheny River there and he hurt his back. So I asked him a number of questions about it. If he continued to dive and he said, "Yes," and whether he went to the doctor or not and did he go to work the next day, "Yes." And I said to him, "Well, now can you think of any other occasions when this might have occurred that he might have hurt his back?" He said, "Give me a minute and I will think one up." And I said, "Oh, take quite a while. Think as many up as you want to." And the jury got it right away that it was a made up story. The judge afterwards he said to me, "Well, John, you really made pay today."

Then there was the case of Perry McCleery verses the Pittsburgh and Lake Erie Railroad Company. And he had fallen in a yard in the industry there. The yard was full of scraps around the tracks and he tripped on it and fell hard on his buttocks and lost the use and mobility. Well, he could walk and he had sort of a little staggering gait and he had gotten a slurring speech situation. He had been turned down by two or three attorneys and he came to me. I went to work on it and during the course of the trial we had a bad break in one of the witnesses. They got to one of our witnesses and I could definitely prove that they did. So we settle it during the course of the trial for \$60,000.

I would say the case of John Kocketti verses the City Service Oil Company. Helen Golla was a passenger in his car and they were hit by the City Service Oil truck. It came over on their side of the road. That was one of my first substantial case that was a settlement. We had picked a jury and had gone to trial, they settled it for \$65,000. The attorney came to me and pleaded with me not to put the thing in the newspaper and I told him that I would not and I did not do it, because he would have lost the business. That attorney later turned out to be one of my adversaries who wanted to put me out of business.

Another case was that of Blaine Mather verses the B & O Railroad. At that time, because of a deposition the attorney for the B & O Railroad made a horrible mistake. I kept my mouth shut until the deposition was over with. Blaine Mather had gone back at

the end of some cars that they were going to cut off and put in on the spur track. He went to the rear to the spur to pass the signal. He was the rear brakeman to pass the signal to the head brakeman, who in turn would pass it to the engineer, and they shoved two cars down. He had to give the signals first that the track was clear. This was at night and had to be done by lantern. The attorney for the B & O Railroad went on the premise that he knew that these cars were coming down and that he would have been out of the way. And he had him work that around to testify that he stepped out into the center of the main track to look in, which he said that he did. His back was turned to the cut of cars and the engine and so forth and more or less trying to establish the fact that he was negligent and his own negligence and his own carelessness brought on his accident. I just sat there and let him go ahead and develop that all he wanted to develop it. Well, after it was over with, he said to me, he says, "Well John, it does not look like you have a lawsuit." I said, "Oh, yes, I have one." He said, "How? He stepped out in the tracks. It is his own admission that he stepped out there and he stepped right out in front of these two cars." I said, "He did do that. Those are the facts." He said, "that is right. Well then how do you have a lawsuit?" I said, "Because under railroad regulations you cannot make a movement or make a cut of cars or shove a car or any kind of a movement on the railroad without first having a signal from the rear brakeman. And he never gave that signal." For two hours developing the deposition. So he began talking to me and they even brought the chief claim agent of the B & O Railroad Company down here to talk to me. And we settled the case and that was back in 1954 for \$112,500, which was the largest settlement in this area at that time.

One other case, I will just give you this, I will not give you any more. It was Margaret Pidock verses Stones Grill company in Youngstown here. The reason that I point this case out is because recently there was that Stacey out in California there that was riding on a motorcycle. It was in the paper about some fellow pulled out of this tavern and was drinking there and ran into him and caused him to lose a leg and an arm. It was a very serious injury. For this case of Margaret Pidock, although it was not that large, I have employed the use of that particular statute, twenty-five years ago. Very few people know about it. They brought this out in California, like it was some great big thing. Although this case was where she had gone in with a friend to the Grill there on Federal Street. A fellow drinking there got kind of smart with her and tried to make some passes at her. He was drunk and the bartender was continuing to give him drinks. He became rather obnoxious to her and so she went out and walked out in front of the Grill to wait for the party that she was going to meet. He followed her out and started saying smart things to her. She ignored him and he turned around and started to beat her up. So we sued Stones Grill, under the law that the bartender, when he sees a fellow acting that way, he is to cut his drinks off immediately and not give him any more drinks. That is the same principle that they used out in California in which this fellow got a million dollars or something like that. Although in this case, we only got about nine thousand. I just get a kick out of it because of the fact that these fellows, they think this is something new and most of the lawyers do not know this feature of the law and I have used it two or three different times.

- C: What do you think about the decriminalization of marijuana? Do you have an opinion about that?
- R: Well, I never really thought about it. I am against the young people using it. I cannot see that just off-hand thinking, that throwing them in jail for long periods of time is going to cure the problem. I think the way the jail system is today and the way the prisons are today, you would probably do them more harm than you do them good. I think there should be some way to restrain it. I would hate to see the American youth grow up to be pot heads or dope heads or something like that. I look at it maybe like a father would than maybe some of the younger people would today. You just do now want to see your children get into that. And you think that maybe anything that they do to eliminate is justifiable, but it is not always so. And I cannot say that severe criminal penalties solve it. I do not think it does. We have got to have some method or someway that they can do it without putting a permanent on these people. How, I cannot give you the answer because I have never really thought about it.
- C: You do not accept the correlation between drinking and smoking marijuana then? You think drugs are something entirely different, a different ball game?
- R: Well, only from what scarce knowledge I have, but with marijuana it is sort of an unknown quantity. I am not saying that alcohol is not an unknown quantity, except that it has been with us longer and we feel a little more comfortable about it than we do about marijuana. Although alcohol has its danger and has affected many lives and hurt many lives. They have treated that and love looking upon it now as more of a malady or a disease, but they have not come to that with marijuana. I do not know whether you could treat marijuana in that fashion. I am not knowledgeable enough in that line. I do not agree with alcoholism. I take a drink. I could condemn a drug just as much as I would condemn a person that would maybe excessively use marijuana or permit themselves to become degraded because of the use of marijuana. Alcohol is a drug, yes. Which is the lesser of two evils? I do not know.
- C: How about your views on capital punishment? Is that a deterrent to crime?
- R: I used to think that capital punishment was not the answer. When I took my history in college, in the one history class my senior year, we had a period of time in which we had to go back over about a hundred year period in English History there and know all about the different bills that had been passed in Parliament and what happened to them and all that sort of stuff. And some of the things that you picked up was the fact that some of the laws that were enacted in England in order to hold down crime that was rather rampant in this particular period of time in England, back in 1500 or 1600. I forgot just what it was now. They had the death

penalty even for the stealing of a chicken. The hard punishment or strong punishment of death for stealing the chicken did not stop the stealing of chickens, in fact, it increased some. I do not know, they are starting to bring back the capital punishment and I cannot say that I am happy with it. I think with some people you have got to have fear. So, like the old adage of "spare the rod and spoil the child". I mean, you put fear into a child in order to make them do things. But I do think that we need a deterrent today, at least in this society. We have not reached that plateau yet of intelligence in order to eliminate it, maybe some day.

C: How about abortion?

R: Abortion? I think that is a matter of conscience. If a person's life is at stake, yes, I think that they could easily live with it. It is going to depend upon the individual and I think that is the individuals right. If they want an abortion and if their conscience bothers them, they are going to have to determine whether they can live with it or not, that is all. I do not see anything wrong with it, providing it is done with a certain period of time. If it has not gone too far into the stages of where you have life developed to the point where you are trespassing upon the individual's life.

C: The last question that I usually ask the graduates of law school, I think you have already covered somewhat indirectly. Did the ABA and the AMA play a detrimental role in society?

R: Well, I cannot really speak for the AMA, the American Medical Association.

C: Right.

R: I told one doctor at an argument at our table the other day, I said, "You know as well as I do that the American Medical Association is controlled by big business just like the ABA is controlled by big business.

C: How did he react to that?

R: He just sort of nodded, yes, in a way. He did not say, no, or anything like that. So I think there is a lot of room for improvement in the Bar Association. I do not think the Bar Association represents attorneys. It represents special interest groups. And I think they are beginning to see that. Some of the things that I have advocated, I thought a little narrow minded attitudes in the bar regards to lawyers. Now I see all these articles written about the right of lawyers to advertise and to let the community and the people know what they specialize in and what they do and what their particular field is because of an encroachment upon the legal field and upon their enterprises. They like to say it is a profession, but it is a business,



just like medicine is a business. No fault insurance, no fault divorces, do your own probate, and a lot of these new concepts coming out are cutting down on legal profession and their field of endeavor. So it is just like anything else. When the problems become stifling, then a lot of these things that were a part to these so-called do-gooders, now become proper and correct things to do.

Prior to the advent of the automobile insurance, there was nothing wrong with an attorney advertising his own business. I have got copies of old newspapers that show that they advertised, specialized in wills, specialized in real estate and so forth like that, but when some of the first code of ethics written by an attorney from Baltimore about a hundred years ago was not adverse with these things that I did, which I was criticized and suspended for. When the automobile accidents started to come along and the insurance controlled legislature and then all of the sudden it became improper or unethical to advertise or to hold yourself out to speak in these various ways in order to let people know that you were a personal injury lawyer or you handled these types of cases. The lawyers that represented insurance companies were under their control. They knew that if they did not do as the insurance company told them to do, the business would walk across the street or the hall to another firm that would do what they wanted to do. They were urged to advocate these things and to get control of the bar and to build up this kind of false pretense all the way through.

I do not know whether you want to print all this stuff or not. I happen to be in a unique position here because I have been through the mill. I can give you an illustration of it, a very, clear illustration. I will not name names which I could do. But one of these cases that I have given here happens to set the background for some of this.

One of the claim agents for one of these big railroads became one of the top men in this district. He knew me when I was younger and certain things that had happened he sort of had taken an admiration towards me and I liked him too. We were always on business, we were strictly business. He said, "John, I want to settle this case with you. I am going to bring in the chief claim agent to talk to you. Will you be here at a certain time?" I said, "Yes. I will be here at noon." He said, "We are going to be upstairs at one of the firms. My boss is here to talk to one of the members of that firm. He wants to get something started here in the State of Ohio on the solicitation of railroad cases. And they are going to devise a plan of how to get this thing going in the State of Ohio here in order to control the situation. When we are finished up there, we will come down and talk to you about this case and about settling this." So I waited and about five or ten minutes to twelve I got a call and Jim said, "Are you going to be there for a little while, John?" I said, "Yes." He said, "Well, I am bringing my boss down." So he came down and he sat in that chair there and we talked about the case and they made me up a proper settlement of the case. I said, "Well, that is a very substantial offer and I appreciate your taking the time to come to me. I will have to take it up with my client before I can give you a yes or no answer." So I offered to take him to lunch. He said, "No, I have got to go back up with Mr. so and so up in the firm up there and we have got some more work to do." This fellow then became the father of the new disciplinary code that came in here in order to discipline lawyers. It was germinated and planned and programmed and everything else

by this chief claim agent from one of the big railroads, coming in here and telling those fellows that he wanted this thing done in order to get these people and get rid of their adversaries that were then causing trouble. So this is why I say that these fellows, although they stand well and are pictured well in the community as being very, nice and righteous and upstanding people, are under the control of the people that they work for. And they do as they tell them. They are the servants of big business, not lawyers. They are merely lackeys. This is the thing that hurts the profession. They will drop these guys, just like they did with no fault insurance. They want to devise a plan and they do not care about their livelihood. I mean, they go ahead and do it. I said this many times. I think they think I am some sort of a radical but, after all, I fought these guys. I fought them all the way. I spent over \$100,000 of my own money to beat them and I am telling you, it is a rough game. Well, when we gave the cases, I did not give mine there.

I did not know whether you wanted to get into that aspect of it or not. But I wanted to say that one of the most outstanding cases that I feel, was my case before the United States Supreme Court when I finally beat these fellows and gave them the worst beating they ever had in their life. That was probably one of the greatest moments in my life and I will never forget it. I see how those eight, well there was nine of them there, but only eight of them participated. One of them, Potter Stewart, did not participate because he came from Ohio and he evidently did not want to criticize the Ohio Supreme Court and the Ohio Bar Association and so forth. I do not know whether that was premature. Do you want to hear that now or not?

C: This fits in perfect with what I know, because I have followed your case myself and I know exactly where you are at. The time it went to Supreme Court and you got the eight to zero decision?

R: Yes.

C: So go ahead.

R: The bailiff or the sipstaff of the Supreme Court, after the argument was over with, came out and I was standing there talking to my attorney, Craig Steinberg. He walked up to us and he said, "I have been in this court for twenty-five years and I have never seen this court as angry as it was today." And you could tell they were angry. I got a big kick out of it, because here I am, just one person, and I have a successful adversary against them. I have gotten a few of these in amounts here and I have gotten substantial recovery for my money recovery. In about a seven year period I probably had gross settlements of about \$170,000,000. And then probably, within a ten year period before they tried to get after me in 1962, probably gross settlements amounting to about \$2,500,000. I was a guy they wanted to get rid of, and they were out to get. One of the claim agents, not the one that I knew with the B & O Railroad, stood right in the courtroom and he said, "John, we are going to get you." I said, "You have got the money and the power

to do it, but you are going to get a fight." And he said, "I am sending this stuff on you, anything that I can get, into Chicago."

Chicago was the head of the Claims Research Bureau of the Association of American Railroads. And they had a special group of people which went all over the country on railroad cases trying to find out whether or not lawyers hosed railroad cases. The American Association of Railroads was an organization of all of the same two hundred railroads that are in Central America, the United States, and Canada. They all contributed to this organization that was mainly founded to standardize track, equipment, rules and so forth. But, then they devised this organization here and they went all over this country. They went after Dave Dugnack in Cleveland. They went after Irrick in Chicago and they went after Hensley in Chicago, and Jim McArdle down in Pittsburgh. I can name a number of them, I know them all. I know what they were doing because one of their agents, when I was just a young practicing lawyer starting out, came in here and was after Irrick. He wanted to know if we could give him something so that they could put Irrick out of business. This is the way they operated. Of course, I have affidavits from employees and people I represented who were offered money and offered jobs back when they would not give them their jobs.

But anyway, getting back to that case in the United States Supreme Court, to hear these judges, just about practically every one of them, except Potter Stewart would write out a note and then hand it to one of the judges and then the judge would ask the question. They were sometimes pretty strong question and went right to the heart of the thing. Justice Black, they cited a law that extended back to the year 1200 or something like that, as to an ethic situation at that time under Edward II. And Black came forward and he said, "Do you mean to tell me that you are going to cite me law of Edward II in the year 1268!" He said, "It does not apply." Somebody said something about some of my tactics or something like that and Black shouts forward again and he said, "Do you mean to tell me that you have got to destroy a man and you have got to burn down his home just because the insurance companies say so?" And this fellow from the bar was arguing and he said, "Well, Mr. Ruffalo gave this one fellow fifty dollars at the time he took his statement from him." And Abe Fortas said, "Now, Mr. Quaka, supposing that there was this president of this firm and the company was involved in a lawsuit effecting the company and a man came into see him and he said, "I know something that will help you in your lawsuit, and he gives the man an affidavit. The president of the company is satisfied with the affidavit and he gives the man a check for a \$1,000." He said, "Well, Mr. Ruffalo did it." He said, "Oh, you want the standards for Mr. Ruffalo to be a little bit higher than everybody else?" These guys every time they opened their mouths, these judges would just slam this stuff right down their throats. I mean in an angry manner.

Of course, I was sitting out where the audience was and, of course, the counselors were on the inner rail there. When the thing was over with, two or three of them from Columbus, from the state bar and so forth like that, when that argument was finished these guys picked up their bags and I heard one fellow say, "Let's get the hell out of here."

They had the power of the courts of Ohio behind them and they had the power of

this bar association and the state bar association. They were great, big, strong heroes, but the minute they ran into something that they could not fool with or tamper with, their blood turned yellow. They got out of their scared. This Quaka ran to Judge Battisti up in Cleveland to explain to him this thing and he did not want to get into any trouble and he did not mean this and he did not mean that. As long as they had the upper hand, they felt everything was going their way. It was great, but when they found that they got into a bind, and here I am, a little guy, one guy, fighting them all. I am getting knocked down, beat up and everything else. Finally, I get one court that has got enough nerve and enough guts and enough goodness in them to stand up and knock these guys down, well, they got yellow right away. This is the big kick that I got out of it. This is the thing that I enjoyed more than anything else out of the whole God darn thing. I had very little use for them and I have very little use for this kind of monkey business that goes on. And it goes on, and do not think it does not.

I will tell anybody that and I have got the United States Supreme Court's opinion to back me up. To see these little picking bums of judges and lawyers. Some of them that they have got around here really rub you the wrong way. I have told them and I do not care about this here or that. I know what they are like. I know what I was subjected to. I know how they deal. I have even had some come to me and say top me, that for so much money I can do this. You can get so and so's vote. I am not going to go out and broadcast that, because I cannot prove it. I mean, I know it happened, but as a matter of proof or to name a particular party or to try to put myself in that position, I would never be able to do it. I know it happened because it happened right here in this office, and they say this is a code of ethics and they say this is justice?

C: And then after the Supreme Court decision, your battle was not over.

R: No, they would not accept it. I tried to get them to accept it, but see, they were not going to admit that they were wrong. And they could not. I mean it was just like a father maybe spanking his child for stealing the apple pie and finding out that he did not steal the apple pie and he is in the embarrassing position of maybe having to apologize to his son and he figures that it might break down his authoritarian control. So, this is the way the Supreme Court of Ohio was.

I loaned some money to some people, a couple of widows whose husbands had been killed on the railroad. They were hard pressed for some food and it took time for these cases to come up. They had nothing to do with the delay in the cases coming up. I mean, it was just the system of the court being so jammed with work that some of these cases would take three and four years to come up. And so, to sort of help them along, I had loaned them money. Well, they tried to prove that I did this as an educement to get that case, which I did not do, and they were not able to prove it.

Then I hired a railroad employee to do investigation work for me. Every lawyer that is in this business has a fellow, like mine, to assist him, because I am not a railroader. I do not know railroad language. I do not follow it in the news, although I probably know a lot more than a lot of people, but they can tell you things and help you and so forth.

That is only representing your client to the fullest extent. I paid him for investigating these claims for me. They had ten charges against me and during the course of the trial, they added four more. They could not even begin to substantiate and had to throw it out. I objected to it during the course of the trial as being improper to introduce it at that time. They overruled my objection. They set down the rules in this thing as to what you were supposed to do. Every time that I would beat them on the rule, or I would walk around them on the rule, and then they would change the rule. This is what you are up against.

Now, in our society, we have an accusatory type of criminal justice. After I had testified, fully and completely at my trial, then they put in four more charges, that is an inguisatory type of thing. That is like you have in Spain, during the Spanish Inquisition. Somebody would tell on their neighbor for not having genuflect when they left the church or something like that. And they tried the fellow and the fellow would say, "No, I did genuflect, although I may have forget to cross myself." "Oh, now we got you." This is the same system that they used over there on me. I was tied and shackled. The ordinary concepts of law did not prevail. Finally, the only thing that they ended up that they could hold me on out of all of them was the fact that I admitted that I paid these people some money to help them through difficult times and I had hired a railroad employee to investigate claims, some of which were against his own company. There were cases in Federal Court that said it was perfectly all right. I even showed them a case where one lawyer was in either Virginia or North Carolina and had one of the fellow employees go out and set up the cars on the track the very same way that the accident had occurred and took pictures of it. That was perfectly all right. I cited the Federal Statute saying that it was all right. I cited an Ohio case saying that the loaning of money was not improper as long as it was done without the inducement to get the case. It was an Ohio case.

We researched the law. I had trialed Alan Right who was a friend of mine from Texas University who defended Richard Nixon, a criminal professor of law down there and researched the law for me. Every state in the Union that had spoke about the matter in regards to the lending of money to an indigent client upheld that it was perfectly all right as long as it was not done as an inducement to get the case, including Ohio.

When I got down there, they took this law and they made new law. That said that it was wrong and I could not do this. They took Section 60, Title 45 of the United States code annotated and twisted it around into a distorted thing. They just put it out of shape just to suit their own fancy. Then they were talking Federal Law, it was not so bad when they took their own case and twisted it around and said it was improper for me to loan money, but they took a Federal Statute into a nothingness, so that it would point against me and so that it would hurt me.

Well, so the result was that they found against me on those things and they suspended me from practice in May of 1964, after I failed to get into the United States Supreme Court. And then, of course, they cited me from the bar from the State of Ohio to Federal Court. And I was given so many days to give, to put forth or show cause order as to why I should not be suspended from practice in the Federal Courts. I got my brief together and Craig Steinberg represented me. I was before Judge Frank Batissti.

All of the sudden, these big powerful guys that were thundering and calling

everything there, said it was wrong in trying to do this and that thing and they were afraid to go up to Federal Court, because the ball game was not theirs up there. And at one of the hearings I was up there and I have forgotten one of the lawyers from Youngstown or whether it was something to me, and he got a little smart. I forget who he was. I cannot remember who he was. I got mad and I told him off, right in the court there.

Then a newspaper fellow there came over to me and he said, "You are John Ruffalo, are you not?" And I said, "Yes." He said, "I am aware of what is going on here. I have to cover this for my paper. From what I know and what I have seen here, you are getting railroaded." And I said, "There is more truth than poverty in that." He said, "We got the word from Youngstown that we were to go in there and check and go through everything to find out what we could find on Judge Battisti." Meaning that maybe there was some connection between Judge Battisti and something like that. I do not know what it was, something. Every time, trying to dig around in there and then he said, "I did not like the smell of things so I went and I told Judge Battisti what was going on." And I said, "Well I appreciate your telling me." He said, "Yes, I think you are getting a rotten deal and I do not want to be a party to it." I said that I appreciated it. I had been blasted in the Youngstown papers. I had got no rebuttal and it would not do me any good to rebut, because they would not print it the way it should be anyway. So I said, "There is no sense of him just giving them the opportunity to ask me again."

So when they got up there, the members of this bar here, they got up there. We had a hard time getting them even to come up there to appear. They were instructed by the state not to appear. And the judge had a lot of us get pretty dissertive and demand that they be there, because they had started the thing. But when they got into Federal Court, they were afraid to appear in Federal Court. Some of the members of the bar went up there and they all said they had not read the transcript and they did not know and they were not prepared to argue or anything else like that. So, the judge heard our arguments and he made a decision and found in my favor. In the meantime, while we were waiting for Judge Battisti's decision to come out on this thing, they went ahead and certified me for suspension to the Sixth Circuit Court of Appeals in Cincinnati. They did not even give them time up there. They figured that they would get him down here because they had friends down here. They had an avenue there, because it was a highly unusual procedure because they cite you to the Federal District Court and then the Federal District ruled on it. The Federal Court District rules and then usually that is the end of it, unless they would rule against me and I would take it down to the Circuit Court of Appeal. So they were going tottry and circumvent what Judge Battisti was doing and took it down there. We had to be prepared for a hearing down there and we went down there. In the meantime, Judge Battisti's opinion came out.

I went down there and argued the case. And Judge Sullivan was one of the three panel down there. He wrote the opinion on the case. Well, I had looked him up beforehand and found out that he represented railroads. That firm represented railroads. They represented General Motors. They represented some banks. They represented some motor companies. They are all on the other side of the fence. And he wrote an opinion against me and he cut me up as good as he could possibly cut me up. And some

things that he said in there showed that very definitely that he was not a lawyer of any kind, because as a practicing lawyer to make those statements it showed that he did not know what he was talking about. But the decision was kind of long in coming out there. And through sources, I learned that Judge Sullivan and the other judge, the two of them, were in favor of suspending me and disbaring me. There is no right to opinion, but they were only going to give the opinion to print it without giving the third judge an opportunity to write his descending opinion. As I understand, there was a great, big squabble about that. So he wrote his descending opinion and it was a good descending opinion and it was one who was helpful to me in the United States Supreme Court.

After this opinion occurred here, Judge Taft of the Supreme Court, Chief Judge of the Supreme Court, stopped Frank Battisti in some bar meeting up in Cleveland and asked him why he ruled in my favor and that he did not want him to rule in my favor or something to that effect. And Judge Battisti was telling me that he said, "Judge Taft, I did not try to tell you how you should make your decisions and I do not want you telling me how I would make mine. I thought that he did no wrong, so I decided that way. And I think I am right."

So when that other decision came out in the Circuit Court of Appeals, we knew that we were on our way to the United States Supreme Court. I called Craig Steinberg and talked to him about it. And he said, "You call Judge Battisti and see what he thinks." So I called him and I told him. And he said, "Well, John, if you think you have a chance, you might as well try it." So I thought it over and called Craig, and I said, "Well, Craig I want to go up to the United States Supreme Court." Later Craig told me, he said, "You know, Judge Battisti did not think that you had a chance in going to the United States Supreme Court."

So, of course, I worked on the brief. Craig did a lot of it. I do not want to take anything from him. I did a lot of work on it myself. And he listened and he is a good lawyer, there is no question, you cannot get away from it. And he did a good job. We got in on it and then we got the decision. But you see, the law in this thing was a hundred percent in my favor all the way along. They had made up their mind that they were going to eliminate John Ruffalo because he was an effective adversary to the railroad. This is what it is all about. I do not mind telling anybody that.

I cannot think of anything else to say. I have said about all the little things I can recall to mind at the present time. I know it changed the attitude of this bar. It is not predominately controlled by the lawyers that represent the big interests and corporate interests. And I think that we stood our credence there. Well, at the time that my decision went down to the Ohio Court, there was a decision of the Brotherhood of Railroad Trainmen verses The Virginia State Bar Association that held that mainly what I was doing was permissible, but the courts would not give in any kind of consideration. So since that time, there has been two or three decisions from the United States Supreme Court holding that the recommendation of lawyers, referral of them by railroading employees or other people was perfectly all right. And one of the last ones, Judge Harlan, I think it was Black, wrote the opinion, said that yes, it is perfectly all right for a grievor or steward of the railroad to take a person, an injured person out of the union

lawyer and be paid his expenses. Harlan said, "Yes, and this is to apply to the individual attorney as well." They are beginning to break down this barrier here, where only the railroads had a right to maintain their staff of claim agents that could transport people and put them on subsistence pay and pay their bills and settle with them directly. And the right of insurance companies to go out and approach the people and settle with them and advise them as lawyers and as doctors and settle their cases with them. They are beginning now to break this down and I am taking credit for the fact that I started it, because I opened it up and I said it.

There is one thing that I used to always say, and still say, is that if the solicitation of the representation of a person who is injured is unlawful, then the solicitation of the right to settle the case is also unlawful. You cannot have a one sided law and this is what you have. You have to permit the insurance companies to go out and settle cases with injured people who do not know their legal rights, who mainly do not know the medical consequences of their injury. Permit these fellows to go out and talk to them and convince them of what their legal rights are and what their medical situation is and pay them money. That is the settlement. That is the solicitation of the settlement of a lawsuit.

Some of the old-time lawyers would say, "Oh yes, but that is a contract right we have." And I would say, "Do you mean we have a contract right? You do not have a contract with that third party. You have got a contract with your insurance that you will pay if he is wrong in injuring somebody. But you have no third party contract for that person. That does not give you the right to go out and use that person." I said, "If it is, then why do we go into court on the basis on negligence? Why do we not go in a contract right that you owe it to him and you have got to pay it to him?" And this is the stuff that they did not want to hear from me, because I was breaking down their cozy, little, comfortable position in life. And they did not want it. They did not want to hear it.

C: You got your reward somewhat in the Supreme Court. You have got that decision to pretty much show that you were right.

R: Right.

C: But still, all those years that you had to fight, it seemed like that really was some consolation?

R: Yes. And of course, I probably lost, I was figuring out here the other day for a friend of mine who was in here talking to me. I was at my prime and I was just hitting my stride. I was beginning to get the feel of these lawsuits and pretty much what the end result was going to me when they clipped me. A very good friend of mine that is interested in me and so forth and happens to be an insurance fellow, I said to him one time, "I do not think the insurance companies are after me too much." And he said, "I would not be to sure, John." He is one of their kind and he was more for me then he was for his own people. He asked me what I



had lost, and I told him that it cost me over a \$100,000 of my own money just for lawyers and investigations and briefs and appeals and things like that. And I thought I had lost about \$750,000 to \$1,000,000 income. That is net to me, but some of it would have been used to pay office expenses, personnel and things like that.

One fellow, I employed a man, he had a security detective agency here, Mr. Powell. One day at the lunch table shortly after I was reinstated in Ohio, he said, "Boy, if I were you, John, I would not even say hello to some of these people that did what they did to you." I said, "Well, a good many of them I will not." He said, "You are one hell of a lawyer. And your name was on everybody's at the time. Maybe it was a good thing, because maybe it slowed you down. Maybe you would not have been here if you would have kept going like you were going," something like that. And he meant it, in a nice way.

But when this thing first broke on me, most of the lawyers in town would not even look at me. They did not even want to walk down the street with me. I was just taboo and the word went out that anybody that helps John Ruffalo in anyway may be subject to disbarment. I even had friends of mine who I had done tremendous favors for that were on the Board of Trustees, they were so afraid to help me or tell me anything, they were just scared to death. It was not really until I got my United State Supreme Court decision that they began to loosen up and they began to see. They got courage and they were all so scared around here, in fact, they were just amazing. When you see how people are and, of course, they are worried about living and making a living and staying alive. You cannot blame them, I guess.

C: All right, I think you have covered that. I have got a lot of notes on the different proceedings, but I think you have clarified almost every small detail that I would have asked you.

R: Well, actually, this is the first time that I opened up on this to somebody. Oh, down at the lunch table I have said a few things, and I have said a few things now and then right out. It does not bother me too much. But other than intimate friends to sit down and talk to them about this matter, this is the first time that I have made this kind of a disclosure. I wish that maybe it had been sooner when things were a little more fresh in my mind.

I finally got reinstated in Ohio. And I do not think that it was ever really intended that I was suppose to be reinstated. It just so happened that circumstances developed and I was to get the ear of some people that were able to talk in my benefit, and was able to get a little better, different picture of the type of person I was. This is the old system, where they paint you black if they do not know you, you can look like the most horrendous type of person that there is. I think this was sort of a notorious type of an individual. They tried to prove several times during the hearing that I had done something wrong with my client's money. Every time that they tried to do it, it showed that I had given more to them than what they gave in return. Like where a case would

settle and the settlement might be small. It turns out like, instead of taking the full fee, I might just take half or I might just give up my fee completely and give them the money. And this happened. This was on two occasions there where I showed that the fee was small. And they were trying to prove that I had done something with the money. And it turned out, of course, that I had taken no fee out of it at all. It is a rough thing to go through. I do not relish going through it again, but if I had to, I would.

C: Did the proceedings really start in 1957?

R: Well, they started back in 1957 under Paul Stevens, who had founded some sort of committee. Judge Maddon had established the proceedings some years before and out of that he got elected Judge. Paul Stevens took the same format and came out and announced to the lawyers that this was not to be anything to strike against lawyers. The purpose of the thing was to stop monopolize practice of law, to see that more business came to lawyers themselves. It turned out to be just the opposite and it was a thing that he was going to go after lawyers and attack lawyers.

I had a railroad case that they called me on and I went out to see the widow and talk to her and check out the case. Some other lawyer came in town and went out and tried to take me down and get the case. Some way I got wind of it, I forget who told me. So I hurried up and filed a lawsuit. Shortly after my lawsuit was filed, he filed one. In the meantime, I had gotten in contact with this woman and she knew that she had been misled and so forth. She told me she wanted nothing to do with him and told me to go ahead. But that thing came to the notice of Paul Stevens. Of course, they had been after other lawyers and I had been untouched at that time; they had nothing against me. This was something that gave him something to go on. They started an investigation and they could not find anything on me. They said that they turned in some railroad cases.

They came up with a few cases, railroad cases, that maybe at one point I had gotten \$16,500 for a broken collar bone and the company had offered him five hundred, and he knew of my father and he contacted me because he knew my father. So, I drove up with another man from the office there to see him and talk to him and actually got the case. He had married a woman and he was about seventy years of age and he married a woman of about thirty years of age. He was running up store bills and everything else, groceries mainly. He had a bunch of kids running around there. They settled the case and he got a fair amount of money and he paid off some of his store bills. I had told the storekeeper, owner, they had asked me to do it to see the bill was paid.

So about the time they got to him, he was out of his money, his share of it. They told him that if they had not gotten John Ruffalo, that he would have gotten a lot more money. And this is the thing of getting lawyers, you do not get lawyers that it would cost you less to ride on the railroad. It would be cheaper to ride on the railroad. And we can settle with you for more money. And they take a third of it or twenty-five percent of it and you would have more money in the long run. They forgot that they only offered him five hundred dollars to begin with, but this is the way they are. They spend the money

and they run out and say, "Oh yes, my gosh, I might have had another \$4000 or \$5000 laying around" But then, when you get to them and tell them and talk to them and recall all these things to them, then they begin to say, "Oh yes, John I am wrong." This is the tactics that they use. I know, because I have seen them operate.

So, we had a hearing there, I had affidavits from every one of them from my side. Some of the judges were not giving me anything. This was done at a time when background, in which John Ford was the dominate person around town here and being the judge over there and in the court. So finally, after some wrangling, they decided to give me a public reprimand. Then, unbeknownst to me, this new law came in. Well, the journal entry should have gone on at that time. I represented myself. I was not told it until afterwards. Under the auspices of John Ford, the thing was sent down to the State of Ohio under the new law that came in two or three months later. That had a mark against me and they were out to get me and they were going to get me. We had a situation here that was almost impossible to break up. It was just like I came out of there and they gave me the public reprimand.

I walked out of the damned courtroom and I walked around the block. I was so damn mad that I walked down to the Vindicator there and walked in and saw a friend of mine. She asked me, "What is going on?" And I told her. I told her that I produced affidavits in my favor. I showed where the railroads were lying to these people, stirring them up and trying to manufacture something against me. She said, "Well, I will put a little piece in the paper and say that you were able to get these statements which lied and that you are vindicated." I said, "Okay, all right." The thing appeared in the paper. John Ford called me over and wanted to know why I put that in the paper. And this is the reason that this thing went down to the State. They are very sneaky, very crafty people. They profess to be lawyers and to be justice and all that sort of stuff. I would have been advised of this beforehand, which I was not.

Shortly after that I had gone out of town for a couple of days trying a lawsuit. So the trustees of the bar association got together and by the urging, I guess, of Paul Stevens and a couple other that were Ford's followers, they voted me out of the Mahoning County Bar Association. They never called me in and they never gave me a hearing. When I came back, why, the notice was out and I got a letter in the mail that I had been suspended from the Mahoning County Bar Association, no hearing, no nothing, the same way they did it the last time with me too, in 1962. They had introduced these things from the Association of American Railroads before the grievance committee. The grievance committee in 1961 read them over and kicked them out. This was told to me by a member of the grievance committee, the chairman of the grievance committee at that time. He said, "John, they introduced them back in February of 1962 and I asked that you would be permitted to come in there and they would not do it." So they gave the stuff to two of the lawyers that represented the railroad and they were to go home and read this thing over and then report back. They found that I was guilty of misconduct as a lawyer, but every other lawyer that had ever been cited before the grievance committee had the opportunity to appear before the grievance committee and explain their side of it before they brought such action against them.

It was not until some time in May of 1962 that a lawyer on the grievance committee stopped me and said, "Hey, John, did you know that your name was up before the grievance committee and that you are going to be cited under a new law?" And I said, "No, I never heard about it." He said, "Well, you had better get busy and do something about it because they are going to bring action against you here." So, I went to the president of the bar. He said, "Well, you had better send a letter to the head of the grievance committee." So I sent a letter to the head of the grievance committee and talked to him and he said, "Well John, I cannot do anything about it. The trustees voted on it and it is out of my hands. What you will have to do is try to get the president to call the trustees together and go before them and see what you can do."

I went back to the president and he represented the B & O Railroad. He gave me the run around that it was coming to the end of his term and he could not get the trustees together and so forth. I tried to get them together myself, which was impossible for me to do so because I just could not do it. And then the thing eventually went on down and they started the action against me. Well, just like one of the lawyers up in Cleveland, one of my adversaries of the railroad case, the law firm of Squire, Sanders, and Dempsey. He said "John, I think this is a hell of a thing that happened to you." He said, "I did not know about it. They would not even tell us. I later found out that it was a matter of absolute secrecy. They did not dare let this information out because they were afraid that it would get back to you, because you are well liked and you have a lot of friends, not only in Cleveland, but around the state. And it was all done in a very secret manner. I did not know anything about it. I swear to you, I knew nothing about it until it was practically accomplished and over with. I have never seen them act like that before and I do not know why they took that action." This is not from my mouth. This is from an adversary's mouth. And it is an amazing thing, I do not know. You just kind of sometimes wonder what people are made of.

My father was successful before me in this life and I was successful in it. The name Ruffalo among railroad employees was a by-word. This is what they were trying to destroy, the name Ruffalo, because we had so effectively represented injured railroad employees that they wanted to eliminate us. My father was hush, competent, and a good lawyer. The men of his age could not compete with him. He beat most of them and a lot of them did not like it because he so handily beat them. So when I came along, these fellows were, of course, older than I. They figured, well, I do not have the standing or the stature or anything else so this is our opportunity to step in and level this guy down and let us get rid of the name, Ruffalo, for good.

I can remember after my father died, I had to go down to see one of his clients outside of Pittsburgh. It was late coming back and I was with a fellow from the office here, older man that had been in the office here. In some little, out of the way restaurant, someplace down there near a railroad yard, we went in there to get a cup of coffee and a bite to eat or something like a piece of pie before we started back to Youngstown. It was around twelve or one o'clock in the morning. It must have been one o'clock and a railroader came in and this fellow who had been a railroader with tie beams and so forth. He turned to me and said, "I would like to have you meet, John Ruffalo." He said, "John

Ruffalo? John Ruffalo is dead.” He said, “This is his son.” Now my father had not been dead, I do not think thirty days, but yet they knew along the railroad that my father was dead. This is by word of mouth.

One client that I had, they were claiming that I had solicited the case. The testimony developed that she was walking down in the yard to go to the place to see where her husband had been burned to death. And she testified that as she went down through the yard, somebody yelled to her, “Get Ruffalo, get Ruffalo!” This is the name that has been built up and this is the name that they wanted to destroy. They were out to do it and they were going to do it. I got papers that I got from the other side in a lawsuit that I had started to commence against them, in which under our discovery procedure I made them produce. It definitely states in there that they were out to get me. Stan Sharippo who is the chief clerk over there in the probate court, I subpoenaed him to take his deposition on some statement that he made. He denied it and he said, “John, I will deny it and I will not do it because Judge Henderson over there is one of the group that were after me, originally. He is scared to death. I will lose my job over there. I cannot get involved with that.”

After that case of mine against the Association of American Railroads and the B & O up in Federal Court, I got sick and was eventually dismissed. I was over there not too long ago and he said, “How are things going?” I said, “Pretty good.” He said, “Are you not going to bring any more lawsuits against anybody?” I said, “No, I am back in the practice. I do not like what they did. I have spent a good deal of my money and a good deal of my time. I chose to practice and make some of it up.” He said, “Well, John, I could not come up there and testify. You put me on the spot. You do not know what you would have done to me. This fellow in there.” I said, “Yes, I know what he is like.” He said, “Yes, I know, and I have talked to one of those guys when I was on the grievance committee. They wanted to get you. They told me that they were going to get you.” But this is stuff that people would not come forward and say because they are scared to death that something would come back at them. I have seen lawyers absolutely and completely destroyed because of this. They just do not have the stamina and they do not have the money and they do not have the courage and will to go on. They are just absolutely ruined because of this kind of stuff.

Not to blow my own horn or anything, I often think about Nixon. Here I was, I was fighting five or six railroads, the Association of American Railroads, two Bar Associations, the Vindicator to get a public opinion and all I had was myself. Nixon, although he was just mainly fighting a political party on the other side and he had the power of the Presidency and everything else behind him, he could not come out on top. He could not win it. And boy, I will tell you, there were times when, boom, I would get a decision here and, boom, I would just shake all over. I would just come over and sit down like this and just shake. I would walk out of here and walk around and go some place and maybe get a couple of drinks and so forth and sit around and then come back. Then I would say to myself, “Am I going to let these sons of bitches do this to me?” and keep fighting. Just before I got back in, I just got one disappointment after another where it seemed like everything was going the wrong way. Then all of the sudden the tide

began to turn.

C: It seemed like, in December of 1966, with the Ohio Supreme Court, one of the things they had against you was that they charged that you destroyed the records, the transactions that you had between yourself and Orlando, I think his name was?

R: Well, I had, but it was not because of that particular case. That would be back in 1962 when they started on me and that is when I testified. Previous to that, some of the things there was no need to keep the records any further and I had just gotten rid of them. This is one of the big things they had against me, as a publicity thing. Not as a fact that what I did was wrong, but as a thing that stood out like a red light before the so-called good people, or whatever you want to call them. There is no requirements in this state for lawyers that they had to keep records. The only one that I have to keep records for is the Internal Revenue Department. The United States Supreme Court about two years before we went down there, had a decision in regards to a lawyer in New York in which they tried to make him produce his records. He would not, and they held that he did not have to. I do not know whether I can find it, but we developed an argument there in our brief, which more or less tells that we stated that I had no legal obligation to keep records. Under the Constitution, I could not be made to produce them. So if there was no obligation upon me to keep records, there was no obligation against me destroying them. I had a right to destroy them if I desired. Just like Nixon, I often thought of Nixon in that there was no burden upon him to keep those tapes that he made since they are under the law of the government. He had the right to go out and destroy them and destroy them right away, because under the fifth amendment, you do not have to be a witness against yourself.

So, we got that up into a nice little argument here. Here it is , I think. "These statements show an absolute disregard of Ruffalo's Constitutional Rights. Let us assume, for the purpose of argument, that Ruffalo was really guilty of solicitation through Orlando. If he were, then he had his fifth amendment right, absorbed into the fourteenth, to refuse to produce them. If he did refuse, then no inference could be drawn therefrom and the penalty of disbarment could not be inflicted as the price of asserting this privilege. If Ruffalo had a right not to produce any records, then certainly had the corollary right to destroy any records that he did have. If he had a right to destroy them, he must certainly have the right not to create self-incriminating records in the first instance. The privilege against self-incrimination must include the right not to make records and not to keep records, as well as the right not to produce them. If Ruffalo were really guilty of solicitation then no suspension of guilt or inference of guilt drawn from destruction of receipts or failure to keep detailed financial records could justify his disbarment."

They could not answer it. They tried to answer it down there and they just flubbed around and the court more or less just laughed at them. I had my constitutional right. I did not have to keep records. There was no harness or burden upon me under any state ethical codes to keep records. I did nothing wrong in that, but this was a glaring

thing before the court. You have done something gullible. You have done something heedless by destroying records, because they wanted to believe it. Until we produced this argument of my fifth amendment right, they had a good argument there. I am glad this is one thing that I assisted upon on getting in there when I was with Craig. I said, "Well, this is the only red lantern or the only red errand they have to throw before the court and they have been making hay with it so far. We have got to effectively destroy that argument." So we got down and this is what we came up with and we did, on the basis of the fact that a previous United States Supreme Court decision gave us the idea and so forth to do it.

C: Well, I think we have covered it pretty well, Mr. Ruffalo. Is there any question that I have not asked you or any topic that you want to say something about that I have not asked you?

R: Gosh, I do not know.

C: We would like to know more about your parents, if you would like to discuss that?

R: My mother's maiden name was Edith McGuire. She was born in Smethport, Pennsylvania, where she lived most of her life until she married my father and came to Youngstown. Her grandmother was Ann Ferra and traces her family back to coming to this country in 1630. My father's parents had lived in this country and had gone back to Italy for a while and he was later born on a boat going back or shortly after they got there. When they returned they lived around New York City and he was raised there. He was about a little over three years old. Then he came to Pittsburgh to live with his brother. He went to Pitt Academy and he was an interpreter in the Circuit around Pittsburgh, which went into McKean County, Smethport. During that, Judge Morrison had him go into his law office and study law. He passed the bar in Pennsylvania in 1908. He came to Youngstown in 1910 and passed the bar in the State of Ohio in December of 1910 and started his practice here. He became a very, successful damage lawyer. He had records in Cleveland, Akron, Pittsburgh and all throughout the state here in damage verdicts.

C: Did you have a chance to practice with him any?

R: I practiced with my father about, well, he lived after I came into practice, after I was admitted to the bar. I was in here before my trial destroyed my admission, probably about seven years, and the last year he was out of the office almost completely. He had gotten ill and had kept going down hill steadily until he died in February of 1953. My mother is presently living. She is ninety-one years old, in Phoenix, Arizona. Just recently she found it difficult to get around. She cannot get around like she used to. And I have two brothers and a sister living in

Phoenix. I have a brother living in Denver. I have a sister living with my brother in Texas.

My children, the oldest boy, John, is an architect in Fort Lauderdale, Florida. Edward is in Hollywood trying to become an actor. Dudley, the youngest boy, is in law school in Chicago. My daughter, Pamela, who is living with me at the present time, she finished her schooling and plans to go on into art and ballet. Is there anything further that you wanted on that?

C: No nothing, in particular. Your practice in law, then, if you would summarize or looking back over your career, has it been rewarding on the whole?

R: Yes, I guess I would say that. I am sorry of some of the great inequities that exist here with lawyers and which I honestly feel do exist, not only for me but for others. The individual practitioner has a much harder time with it today then he used too. And I feel that there has been a narrow avenue of pursuit that we can make a livelihood. I do not know whether it will continue this way or not. I think the law and the lawyers have a long way to go in order to get some sort of equality and some sort of just compensation among them. I do not mean monetarily. I mean it seems that the law field breaks up into little groups and this group and this group tries to dominate the other group.

Of course, some of the bigger individuals, they can go where ever they want, like you can go to Pittsburgh, you go to Cleveland, you go to Chicago. A good many of these lawyers have never had that kind of an experience because I have tried many cases in Pittsburgh, and I have tried here in this area. I have tried some out in Chicago, Columbus, and Cincinnati. Most of the fellows with the bigger firms, when I tell them what happened, they laugh. They say, "Well, for God sakes, John, you do not mean to tell me that, really. What the hell, if it were not for guys like you, we would be out of business. If you were to file a lawsuit against us, that is how we pay the overhead." They looked at it as a business. And you get into these little small communities, like this and all they can think of is their own, little, neat corner or something. I do not know what it is. But in the bigger communities of such insignificant things that they went after me on, they would never even bother to hound a lawyer right down into the ground like they hounded me.

The funny thing, when I had to take a deposition over here and I took a deposition of Paul Stevens. Of course, he was in the railroad pocket and trying to ingratiate himself with that any way he could. So I had this case filed against the B & O Railroad and the Association of Railroads and they wanted Paul Stevens to take the deposition to get some of my background like things I have given him. So they did and I caught the guy. He stated that the reason that they continued after me was that they were so lenient with me on the first time. I said, "Well, how many judges sat on there?" "Four judges." I said, "Who made the decision?" "Those judges." I said, "No, do you think for one minute that I had control over those four judges, do you?" He said, "Yes." I said, "Well, then why did you drop your investigation procedures against Leo Baldwin and Marvin Tracliffe?"



He said, "Well we dropped then against them because they were so lenient with you." I said, "You were just the committee that plans to bring them to the court. You have no right to put yourself in the position of being a judge and determine it. Why did you not continue and prosecute them to go the end like you did me? Why find favoritism there?" He just stumbled around, just stumbling around.

Well, they had a fellow there from the Association of American Railroads that was sitting in on this. I cannot think of his last name. His first name was Julian. Of course, he was there to assist Paul and I showed them up in some other thing, some letter that they had written that was not even signed. They could not say who it come from or where it came from. It was the damnest thing you ever heard of. They said that they had not seem it or heard of it. But I walked out and this fellow that I have known over the years and all this stuff against me, I walked out and he looked at me and after I showed him what a phoney deal this was, he said, "John, I hope you win your lawsuit." I said, "Thank you, Joe." He knew that I knew that the whole damn thing was turned in on me mainly. It is amazing that I went through it. I have won and I have lost a lot. It might be a apparent victory. It is some kind of victory anyway.

C: Has your son decided what kind of law he wants to get into yet?

R: Not definitely. None of my children want to come back to Youngstown. I do not think that he wants to come back here and practice law, at least at this point so far he does not. He went to school at the University of Miami. He likes the big cities like Chicago. He is out there. There is a lot of things there. There are symphonies, museums and things like that that he likes to browse around when he has spare time. Things like that he enjoys. They do not offer any of the scale around here that they would out in the larger cities and these are things that attract him. I do not know whether maybe he will change or not. If he does not, why, that is all right. I do not particularly want him to come back to be honest with you. I would not urge him. I am not going to tell him one way or the other. There is no opportunity here and it is a little closed place with little closed minds and you are just never going to overcome it, that is all.

C: Thank you for your time.

End of Interview