

CITY SOLICITOR DIES AT OVERVIEW HOME

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er was enjoying a hard-earned vacation trip.

Under Specialist's Care The solicitor remained in New York for brief treatment, but then hastened on to Harrisburg where his own physician, Dr. J. Ross Swartz, took charge of the case and ordered his patient to Philadelphia. Treatment by Dr. John Jay Tuller helped the lawyer some, but he grew perceptibly worse and finally he was removed to his country home in order that he might have complete rest and quiet.

Gradually he grew weaker as his sudden sinking spells grew more frequent and his stout efforts to rally grew less frequent. A few weeks ago the solicitor sunk so rapidly that a hurry telegram to his son brought the Yale student in haste to his father's bedside, but after the father rallied again the son returned to his studies.

Son Hastens Home For the last few days Mr. Seitz has been sinking rapidly and another wire was sent to New Haven notifying Robert of his father's fast slipping grip. A final telegram informed him yesterday evening of the death, and the son started at once for Harrisburg. He arrived this morning. Besides his son, Mr. Seitz is survived by his widow, his aged mother, and a daughter, a petty officer in the United States navy.

Postmaster Frank C. Sites, a brother-in-law of the deceased solicitor, has charge of the arrangements for the funeral and he put in a busy day completing the details.

Funeral Saturday Saturday afternoon will probably be selected as the date for the services, although the hour was not fixed definitely until this afternoon. The services, too, will be held at the dead lawyer's city residence, 1211 North Second street, and the Rev. John D. Fox, pastor of Grace Methodist Church, of which Mr. Seitz was a member, will officiate. The body was brought to Harrisburg this morning.

Council and Bar to Pay Tribute City Council and the Dauphin County Bar will meet in special session to act on the death of City Solicitor Seitz and plans were mapped out today for both meetings. The definite time for each session, it was pointed out by those in charge, depended largely upon the time set for the funeral services.

Attorneys this morning expected the bar meeting to be held at 2 o'clock Saturday afternoon prior to the services. Resolutions will be adopted and eulogies will be spoken. Following the memorial services the united bar headed by President Judge Kunkel and Additional Law Judge McCarrell will attend the funeral in a body.

Council will arrange a meeting following the budget conference this evening. The special session will likely be held to-morrow afternoon.

Who Mourns While Harrisburg grieves for the loss of its ablest legal adviser and city official who in many ways helped to give the municipality its place in the sun, Lancasterians are justly proud to take pride in the fact that Daniel Seitzer was a native son of old Lancaster county.

Born April 19, 1861, the son of Noah and Elizabeth Seitz, he lived in Lancaster county until just a few years before he entered his teens when his parents moved to near Fairview, the old Lochiel school building first claimed "Dan" Seitz in his "a b c" days and he finished his public school education in the Harrisburg high school, graduating with the first class that received its collective diploma in the then, new high school. Incidentally he was the first valedictorian, for his class was the class of 1879. In that class, too, was another citizen who has done much for the civic development of Harrisburg and Dauphin county—Henry W. Gough.

From Bank Clerk to Law Firm Then "Dan" Seitz went to Lafayette. He got his A. B. degree from the Easton institution in 1882 after four years of activity during which he frequently showed flashes of his later ability as the legal adviser of a real city. Incidentally Mr. Seitz was a "frat" man at college; he belonged to the Rho chapter of the Chi Phi fraternity.

The law as a profession was far from the young collegian's thoughts when he returned from Lafayette. He entered the clerical service of the Dauphin Deposit Bank, now the Dauphin Deposit Trust Company, and worked over ledgers and things until about 1892. Then he more or less dubiously heeded the advice of his friend, Attorney R. Sherman Care. He applied for and obtained admission to practice at the Dauphin county bar.

Returning to Bank During his years as a bank clerk he read and studied law, with Mr. Care's frequently voiced incentive, "Dan, if you can't make as much or more money as a lawyer during your first year as you're making now as a bank clerk, I'll make up the difference and you can return to the bank," ringing in his ears.

And it is not of record that Mr. Care ever advanced his chum any money—and Mr. Seitz never went back to the bank, except, perhaps, to make deposits.

Councilman Dan Seitz Mr. Seitz naturally went into the offices of his friend, Mr. Care, and it was his chum, by the way, who moved for his admission to the bar. A year or two later the preceptor's health failed and when he felt obliged to relinquish active work for awhile Mr. Care asked Mr. Seitz to help form a partnership. And so for a number of years the bulk of the work of the successful young firm of Care and Seitz fell upon the junior member's shoulders.

It was "round about that time, too, that the young lawyer's thoughts turned to things politically. Always a sturdy Republican he was a real hustler in the political activities of the First ward and in 1891 a grateful constituency sent him to Common Council.

How well Commoner "Dan" Seitz served his ward and his city has long been a matter of municipal history. He took a keen legal intellect and forcible initiative for advancing the city's interests to that law-making body.

President of Common Council And Common Council saw his worth, too. He was elected president of that body from 1893 to 1894.

Quite naturally at the expiration of his term in 1895 Harrisburg decided that Mr. Seitz was just the man the city wanted for its legal adviser and he was elected to that position in 1896.

Commoner Seitz won a place in municipal history as a councilman he carved himself a special niche in the hall of fame as city solicitor.

Notably Ruses, Then Thorns Now and then he met defeat, of course. But the thorns of unwon battles were hidden too deep among the roses of many a famous victory to be pointed out noticeably. Some of his victories sustained by the lower and higher courts have become precedents upon which third class cities of the State have entrenched themselves.

For instance, there was the well-known battle between the city and the Sixth street property owners relative to the per foot front rule for paving assessments. True enough Charles H. Bergner, assisted in that fight, but that didn't detract a bit from the legal adviser's glory. That victory not only saved thousands of dollars for Harrisburg, but the Supreme Court of Pennsylvania sustained the position of Mr. Seitz in a way that has stood for all time as a precedent for cities of the Keystone Commonwealth.

The Per Foot Rule There were other victories, too. His successful fight against the viewers' award in Market street subway controversy saved thousands of dollars. Mr. Seitz' contention had been that abutting property owners were benefited rather than damaged by the improvement, at least to the extent recommended by the viewers. And his accretions resulted in slicing at least 60 per cent. from the amounts allowed by the viewers.

Among his later victories, perhaps, the Wildwood Park condemnation cases, can be cited. Had Harrisburg paid the price demanded by the owners for the big stretch of land it obtained in Wildwood, the city's coffers would have been depleted to the extent of from \$1,000 to \$1,500 on the ground. Mr. Seitz advised condemnation proceedings and conducted so vigorous a campaign before the courts that juries allowed but \$100 an acre for the parkland.

The Filter Fight When the city was before the courts on the question of patent infringements of filtration methods Mr. Seitz worked assiduously with ex-Judge M. W. Jacobs, the special counsel, and the city won.

At the time of his death litigation was pending in two other big condemnation cases—the Front and Second street subway problems and "Hardscrabble." At that Mr. Seitz easily won the first and second line trenches in the "Hardscrabble" battle and he was preparing to continue the offensive when he was hailed before the Last Tribunal.

For the State Too While he was ever active in the city's interests his fame as a lawyer had become general throughout the State. His specialty, perhaps was municipal law, and his worth was always recognized by fellow solicitors of other cities of the Commonwealth. Always a leading figure in the law committee of the Third Class City League of Pennsylvania, (the committee which framed the legislation which these municipalities asked the State Assembly to enact into laws) he prepared and helped prepare practically all of the important bills that still live on the statute books.

When Harrisburg was compelled to change from the managerial to the commission form of government a few years ago the trying work of rearranging the cogs of the city's machinery to conform with the curious requirements of the Clark act fell upon Mr. Seitz' shoulders. How well he fulfilled that duty is a matter of record in the information files in the offices of many a city clerk and city solicitor.

How Does Harrisburg Do It? For while Harrisburg, oddly enough, was well content with the conduct of its government under the old system and was accordingly reluctant to switch from the old plan, it had solved the new problems so successfully that the most eager advocates of the commission plan in other cities have been forced to ask, "How Harrisburg does it" when a particularly intricate or trying question confronts them.

In other ways fellow-barristers appreciated Mr. Seitz' ability. As a member of the State Bar Association he was invariably selected to serve on the committees to which were given the toughest knots of municipal law to untangle.

On the Bench? That City Solicitor Seitz was destined to go far was generally predicted in legal circles. Should Dauphin ever select a third member to its judicial bench, it was freely conceded Mr. Seitz was to have been the choice. And there are those who believed that his elevation to the bench only waited the creation of a vacancy in the additional law judgeship.

Fellow members of the bar always recognized the solicitor's worth. He served as president of the Dauphin County Bar Association and was frequently selected to fill important committee positions. He enjoyed a prominent place in the fraternal and social life of the city and even had a voice in its business activities, having been a member of Harrisburg Lodge 429, F. and A. M., the Social and Harrisburg Clubs, and the Chamber of Commerce.

The Last Flowers The city solicitor's quick wit and quiet humor endeared him to a host of friends and he was invariably selected to preside at councilmanic banquets and similar gatherings. To-day many a city official, past and present, recalled City Solicitor Seitz' genial, if rather significant comment, upon the remarks of a fellow-diner who had said some mighty nice things about the municipal legal adviser in calling upon him to respond to a toast at a famous councilmanic banquet: " \* \* \* and I'm not too modest to say that I think I should prefer the flowers placed in my arms rather than upon my grave!"

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