The Class of 1935 commenced its history very inauspiciously on a warm September morning in 1932. Professor Tyree was the gentleman chosen to initiate us in our study of the law with that most delectable of subjects, Contracts. On top of this came Torts and its famous definition of negligence, which definition seemed to fit very nicely the average law student’s amount of preparation for class. Next was Personal Property and then Crimes. And indeed it was a “crime” the way in which we all resolved never to be criminal lawyers, if and when we ever became lawyers, the day Dean Harris stopped in the middle of a sentence when the bell rang and said, “Take the next fifty cases.”

In October class elections were held. Most of the students were strangers, not knowing one another, but despite this fact a close election was waged in which election Edward J. Dinkel, Jr., became President; William I. Kletsky, Vice President; Dorothy A. Brown, Secretary; Cameron C. Hughes, Treasurer; and C. Parker Morgan, Student Council Representative.
A festive party was staged in Elizabeth in November, 1932, and from reports that issued thereafter, was “quite” an affair. Then came Christmas, and holiday time with preparations for examinations. The examinations appeared next on the schedule with joy for some and disappointment for others. The disappointment was caused not by the fact that they flunked, but because many of the “A’s” in potentiality before the exams had changed to “C’s” in actuality thru the exams.

With February came Real Property and Domestic Relations, and along with the latter the sage counsel of Dean Harris, “If you want to tell a woman, don’t write—telephone.” Real Property with its fee-tails and fee-determinables almost made us wish we could do away with property and have Socialism.

March held a surprise in store for us with a Contract exam about which we are still wondering. Professor Tyree has never emerged from “conference” about the results of that examination. Perhaps it is all for the best anyhow.

Election of class officers for our Junior year were held early in May. Edward J. Dinkel, Jr., was re-elected President; William L. Klotsky elected Vice President; Edward Jedel, Secretary; J. Vincent Fiore, Treasurer; and George A. Gray, Student Council Representative.

The final examinations followed shortly. How we prepared for them! It was study—study—study! After these “tests” the first year of Law School was over. During that same month we held our last get together at Steubens Tavern in Newark. It was one of those affairs——But, nevertheless, a good time was had by all.

Returning to school in September we found Dinkel, Fiore and Gray had transferred to other classes, and thus the question arose: who was to fill their offices? After much argument and discussion on the legal technicalities involved in replacing these men, Dean Harris, the authority on Parliamentary procedure, laid down the rule that since the class had never met, or the officers sat, as a body, the Vice President could not succeed, but the offices were to be declared vacant and new elections held. As a result thereof Joseph P. Maher was named President; Louis J. Ferrara, Treasurer; and Samuel Epstein as Student Council Representative.

This year, while it did not prove to be a stumbling block, certainly did present its difficulties. More and more there appears in our speech the use of the “legal” vernacular, and our reasoning bears the stamp of the “judicial viewpoint.” It would be almost an impossibility for one to read and discuss cases on Private Corporations, Real

Property, Equity, Wills and Municipal Corporations, and not have some such change take place. Even the Governor of the State of New Jersey, the Honorable A. Harry Moore by his course in Legal Ethics, contributed to assist this change.

The Class has also been quite active in extra curricular activities, having sponsored a Dinner-Dance in December, and a party after mid-year examinations. Several study groups exist among the members, chief of which are the Wig and Mace Society and the Jury Box.

The school year draws to a close. May we continue on, persevering, never losing faith and hope that our ability shall yet win for each and all—our aspirations and desires.

JOSEPH P. MAHER.
JUNIOR MORNING CLASS—ROLL CALL

BARKALOW, CLIFTON ........................................ Freehold, New Jersey
BARON, JOSEPH E., JR. ..................................... Passaic, New Jersey
BARTELL, GEORGE F. ........................................ Riverway, New Jersey
BARTELUCE, FRANK .......................................... Hackensack, New Jersey
BIUNNO, JOSEPH J. ........................................... Newark, New Jersey
BROWN, DOROTHY A. (A. B., Dana, 1933) .................. Paterson, New Jersey
BUBALIS, WALTER C. ........................................ Elizabeth, New Jersey
BUKA, WALTER ................................................... Elizabeth, New Jersey
CARUSO, BANDO J. ........................................... Montclair, New Jersey
CASAGRANDE, DELZIA M. ................................. Spring Lake, New Jersey
CRAVES, ALBERT [B. A., Ohio State, 1931] ................ Paterson, New Jersey
DAILY, ROBERT R. (S. B., Harvard, 1932) ................... South Orange, New Jersey
DEL MAURO, JAMES ............................................ Newark, New Jersey
DONALDSON, SYDNEY ....................................... Clifton, New Jersey
DURANDY, JAMES A. .......................................... Paterson, New Jersey
EPSTEIN, MILTON A. (A. B., U. of Penn., 1932) .......... Elizabeth, New Jersey
EPSTEIN, SAMUEL ............................................. Asbury Park, New Jersey
FERRARA, LOUIS J. ............................................ Jersey City, New Jersey
GARDE, JOHN C. .................................................. Lynhurst, New Jersey
GELBER, LOUIS J. (M. D., Geo. Wash., 1928) ............. Newark, New Jersey
GOLDSMAN, FRANK (A. B., Dana, 1933) ..................... Paterson, New Jersey
GOLUSH, ABRAHAM M. (A. B., Rutgers, 1922) .............. Bayonne, New Jersey

LEGACY

[96]

JUNIOR MORNING CLASS—ROLL CALL

 Continued

HALL, JOHN C. ............................................... Millington, New Jersey
HASS, SIDNEY A. .............................................. Jersey City, New Jersey
HELPhAND, MORIS L. (A. B., Union, 1932) ................... Lodi, New Jersey
HILLIS, EDWARD C. (Ph. B., Brown, 1931) ................. East Orange, New Jersey
HOLLIS, JOHN T. .............................................. Passaic, New Jersey
HUGHES, CHARLES C. (A. B., Dana, 1933) .................. Glenn Rock, New Jersey
HUGUS, FRANK L. ............................................ Freehold, New Jersey
JEDiEL, EDWARD ............................................. Newark, New Jersey
KEMPER, WILBUR ............................................. Newark, New Jersey
KIEVIT, ROBERT J. ........................................... Hawthorne, New Jersey
KISH, JOHN ..................................................... Fords, New Jersey
KLATSKY, WILLIAM I. ....................................... Red Bank, New Jersey
LA FORGE, ELWOOD L. ................................... Glen Rock, New Jersey
LEVINE, WILLIAM H. (A. B., Dana, 1933) ................. Paterson, New Jersey
LEY, LEON L. .................................................... Trenton, New Jersey
MAHER, JOSEPH P. (B. S., Seton Hall, 1931) ............. Montclair, New Jersey
McGerald, CHARLES ........................................... Union City, New Jersey
MENDELSON, NATHAN [B. S., C. C. N. Y., 1930] .......... Newark, New Jersey
MIESZKOWSKI, MITCHELL ................................... Clifton, New Jersey
MORGAN, CHARLES P. (B. S., Lafayette, 1932) .......... Elizabeth, New Jersey
NAPOLEON, FRANK ............................................. Newark, New Jersey
NEMZIK, THEO. C. (B. S., Minn. State Teachers, 1929) ... North Arlington, New Jersey
ODJAKJIAN, KARNICK ........................................ Plainfield, New Jersey
PASHIAN, MORRIS .............................................. Passaic, New Jersey
PIVORNICK, JOHN ............................................. Clifton, New Jersey

1934

[97]
RAPOPORT, DANIEL ......................................... Trenton, New Jersey
REILLY, ROBERT R. [B. S., Ohio State, 1932] .................. Newark, New Jersey
RICCOBENE, G. HENRY ...................................... Paterson, New Jersey
RICHMOND, IRVING ........................................ Passaic, New Jersey
ROBOTTON, JAMES A. [A. B., U. of Penn., 1932] ................. Westfield, New Jersey
ROSETHAL, MAURICE A. [B. S., Ohio State, 1932] ................. Trenton, New Jersey
RUTONDA, JOSEPH A ........................................ Newark, New Jersey
RUBY, ELMER ................................................ Cliffside Park, New Jersey
SAFON, ARTHUR ........................................... Paterson, New Jersey
SAN GIACOMO, JOHN D ........................................ Orange, New Jersey
SPEARPA, LOUIS R. [A. B., Dana, 1933] ....................... Jersey City, New Jersey
SIMON, ABRAHAM ........................................ Paterson, New Jersey
SCHONBERG, MORRIS [A. B., Dana, 1933] ......................... Jersey City, New Jersey
SKOKOS, SIDNEY P. [A. B., Cornell, 1933] ...................... Trenton, New Jersey,
STEPHEN, ROBERT R. [A. B., Dana, 1933] .................. Allentown Park, New Jersey
STEWART, JOHNSTON F. [A. B., Drew, 1932] .................... Convent, New Jersey
SULLIVAN, EDWIN .......................................... Passaic, New Jersey
SULLIVAN, JOHN J. [B. S., Lafayette, 1932] ...................... Passaic, New Jersey
TATE, HERBERT [A. B., Dana, 1933] .............................. Mombach, New Jersey
WALDMAN, LOUIS ...................................... Walnut, New Jersey
WASSERSTRUM, LOUIS .................................. Cliffside Park, New Jersey
WEHEHER, MARCUS ........................................ Hoboken, New Jersey
WINTERN, NATHAN [A. B., Dana, 1933] ..................... Newark, New Jersey,
ZIMEL, HEYMAN [B. A., C. C. N. Y., 1928] ....................... Paterson, New Jersey

Among the events of the month of September, 1932, the beginning of the school year at 40 Rector Street was far from being the least. Indeed, for some young legal neophytes it was a highly important event. It was the commencement of their legal careers, if any.

September wore on, the happy, expectant countenances of the above mentioned became a trifle more dour. By October all signs of flippancy had vanished, and it was evident that realization was beginning to dawn. November came to dispel every slightest doubt that the pursuit of the law is indeed an arduous task.

About this time class officers were elected. Harold C. Kelshaw became President; Michael Gerstner, Vice President; Leonard M. Rand, Treasurer; Richard H. Stock, Secretary; and Milton Goodman, Student Council Representative. It was also deemed high time that the class enjoy some social relaxation. Accordingly, a theatre party was arranged, and, in a body, the class descended upon the Broad Theatre, there to witness a superb performance by Paul Muni in "Counselor-at-Law."
Mid-year examinations passed, and the new semester began. Spring came, brought its flowers, etc., etc., but found the boys grimly plugging, with an eye toward June.

Eventually June came, and so did the exams. The mortality, inevitable for some, was not severe to the class in general. Closing their brief cases and selling their books, the class elected Henry J. Bendheim, President; Joseph F. Craco, Vice President; Richard C. Grossweiler, Secretary; Leonard M. Rand, Treasurer; and Milton Goodman, Student Council Representative; briefly surveyed the past year, and departed for the summer.

Thus one year ended. Similarly the second year began in September, 1933. Gone were the contracts of "Miteh" Tyree, gone was common law pleading, torts, and "Dobbin." And in their stead came "Charh" Chanalis with his corporations, and Harris with his Home Rule Act, etc., etc. The Class in general took the staid and more stately aspect of Juniors.

They began to talk more like lawyers. It seemed that the generally bright outlook of the nation was imparted to the class. With new zeal, and with foresight aplenty, the new courses were seized upon.

At this writing, a stag dinner, with all its attending conviviality, is being prepared; and beyond that are the exams, and beyond that a new semester, and beyond that—beyond—beyond—who knows?

HAROLD C. KELSHAW.
Like the students of that first Junior Evening Class at New Jersey Law School twenty-five years ago, the members of the present Class look forward enthusiastically to the Senior Year and the time when they may actually begin to practice their chosen profession. But they view the future with greater seriousness than did their predecessors. Their eagerness is tempered with a certain gravity, faced as they are with the prospect of a more rigid surveillance by the Bar Association of the State, before and after graduation, the not altogether just criticism which the public today directs at persons training for or already in the field of law, and the discouraging economic influences which must surely affect their success.

The students have come from various colleges, principally Dana, Rutgers, New York University and Ohio State, most of them having more than the minimum prelegal requirements. The class from its Freshman days has given adequate attention to its studies, showing satisfactory scholastic average, and yet it has always been well represented in the fraternal societies of the school, in the law club, debating, Council, "The Barrister," "Lex Loci," and "Legacy." Its present officers are Lawrence M. Grasso, President; Joseph E. Longo, Vice President; Alfred C. Ufffer, Treasurer; Ann Copeles, Secretary; and J. Leonard Weiss, Student Council Representative.

ANN COPELES,

JUNIOR EVENING CLASS—ROLL CALL

ARNOWITZ, EMANUEL .................................. Newark, New Jersey
BAUER, EMMET ...................................... Passaic, New Jersey
BERG, SIDNEY ........................................... Elizabeth, New Jersey
BRAUN, HERMAN L ..................................... Newark, New Jersey
BRAUN, JULIUS ........................................... Linden, New Jersey
BROWN, MAURICE R. [A. B., Rutgers, 1932] ............... Paterson, New Jersey
CARMODY, RICHARD J .................................... Newark, New Jersey
CHAPMAN, JOHN WILL. [B. S., Columbia, 1922] ............. Newark, New Jersey
COPELOS, ANN ........................................... Nutley, New Jersey
DOREMUS, BURTON T ..................................... Red Bank, New Jersey
FIELDMAN, JACOB L ..................................... Perth Amboy, New Jersey
FIELDMAN, GEORGE M ................................... Elizabeth, New Jersey
FRIEDMAN, IRVING ........................................ Linden, New Jersey
GLICK, BERNARD ........................................... Hoboken, New Jersey
GOLDEN, MAX ............................................. Newark, New Jersey
GORDON, JAMES L .............................................. Newark, New Jersey
GRASSO, LAWRENCE M ................................ Passaic, New Jersey
GRAY, GEORGE A. [A. B., Dana, 1933] ......................... Red Bank, New Jersey
HAYLAND, HAROLD K. [Ch. E., Polytechnic, 1920] ......... East Orange, New Jersey
HEILMAN, WILLIAM O. [B. S., Lehig, 1930] ............... Elizabeth, New Jersey
HOUeLSON, DAVID T. [B. S., M. I. T., 1930] .................. Maplewood, New Jersey
ISRAEL, JEROME R ......................................... East Orange, New Jersey
JAPHE, NATHANIEL M. [M. D., Long Island, 1926] ............ Newark, New Jersey
KAIT, H. CARL. [B. S., Temple U., 1928] ................... Freehold, New Jersey
KOHL, BERTRAND J .............................................. Newark, New Jersey
LEONARD, ROBERT F. [B. S., Manhattan, 1922] ............ Newark, New Jersey
LESNIK, HARRY [B. C. S., N. Y. U., 1928] ............. Newark, New Jersey
LONGO, JOSEPH E ............................................. Newark, New Jersey
LUSTBAUER, PHILIP M. [A. B., Dana, 1933] ................ Newark, New Jersey
MALECH, MORRIS .......................................... Carlstadt, New Jersey
McCLEES, HERBERT C ........................................ Red Bank, New Jersey
McDONALD, RAYMOND F. [A. B., St. Mary's, 1927] ......... Milltown, New Jersey
McKEAN, JOHN B. [B. A., U. of Penn., 1926] ................. Newark, New Jersey
MOSKOWITZ, ESTHER ........................................ Newark, New Jersey

LEGACY

1934
THE American judiciary has seldom been graced with the presence of a man who combines the talents of philosopher, poet, and lawyer. Lawyers, by their very training, tend to emphasize precedent and glorify the past, and judges who are merely lawyers often fail to relate the law to the life around them, and become a hindrance rather than an aid to social development. They tend, moreover, to write their archaic views in a stuffy and heavy style, not clear even to a profession well initiated in abracadabra, and making an inexact science seem still more intangible. Thus darkness reigns, and the heavy hand of the past falls upon the layman who are grasping for light and progress. This can only be dispelled by judges who are able to see history and custom as a means rather than an end, who can relate past decisions to the needs of to-day and to-morrow, who see the law as the servant instead of the master of man, and who can make their views both clear and convincing.

In this latter and far rarer group, the name of Benjamin Nathan Cardozo shines forth. By his comprehensive and understanding approach to man’s troubles, and by his philosophic awareness of the functions of a judge, he is able to bring order out of the confusion which attends the solution of litigants' claims. His philosophy is a practical one, as a judge’s philosophy ought to be. Metaphysical subtleties and abstractions for their own sake have no place in it. It consists in looking at life in the large to find the guiding principle for the decision of the narrow problem before him; in appraising the merits of logic with a full awareness of its pitfalls; in seeing history as a liberating rather than a paralyzing force; in promoting symmetry and uniformity in the law only where such uniformity does not lead to unjust consequences; in a willingness to permit experimentation and change when the beaten path falls into decay. His eye is ever on the social utility of a rule of law; if an ancient precedent blocks progress, it should be cast aside, if a narrow interpretation of a constitutional restriction blocks a legislative attempt to further the social welfare, it should not be tolerated.

Property has its place under the protecting wing of the law, but property can be justified only by the social functions it fulfills, and it must yield to regulation in the public good. Governmental oppression, however, whether of the person or of the mind, must not be allowed. It is a question in every case of balancing the interests involved in such a way that the spirit of justice and democracy will not be violated. Such, in brief, are the broad tenets of the philosophy of the man who put them into practice for eighteen years on the Court of Appeals, the

*From article in February, 1934, American Mercury.
highest court of New York State, during which time he succeeded in elevating that bench, in 1914 is the throw of a reactionary era, to its present high and leading position among the tribunals of the world.

Though his whole life has been that of the law in its scholarly aspects, away from the rough and tumble of direct contact with querulous litigants and witnesses, there is little that is academic or pedantic about him. Possessed of an intellect capable of piercing through a maze of facts to the heart of a problem, guiding a philosophic outlook in the channels of judicial usefulness, and expressing himself in moving phrases, he has been able to achieve results of statesmanship which could come to most judges, even social-minded judges, only after long years in the practical world of affairs. The college scholar, looking at life from his ivory tower, becomes, through an inward grace all his own, a master-hand at controlling the practical affairs of life, it seldom happens.

As a judge, Cardozo has had ample opportunity to mold the law to fit his conception of human needs. Whether the problem is one of private law, in which the rights and duties of individuals must be adjusted regardless of government, or one of public law, in which the hand of government guides the respective claims, it must be solved, if it is a problem at all, by the creative work of judges. The notion that judges do not make the law, but merely find the right precedent or statute to apply, is a mistaken one, and one that is readily exploded by a study of Judge Cardozo’s decisions. Frequently no precedents exist, or if they do, they are faulty in the light of modern needs.

As precedent must yield to human needs, so too must extreme logic. Writing in “The Growth of the Law,” the second of his three small but influential books analyzing the work of judges, he said:

“Judges march in times to pitiless conclusions under the prodd of a remorseless logic which is supposed to leave them no alternative. They delineate the sacrificial rites. They perform it, none the less, with ardent glee, convinced as they plunge the knife that they obey the bidding of their office. The victim is offered up to the gods of jurisprudence on the altar of regularity.”

This was a direct reference to the springboard case of 1921, in which Judge Cardozo cast the deciding vote against the application of such “remorseless logic,” and in which he wrote the opinion of the court.

Judge Cardozo has played an important part in the determination of criminal problems. He is not sentimental about evil-doers. His duty as an appellate judge is to see that the accused gets a fair trial, that his constitutional rights are not violated, that proper evidence is admitted, and that the trial judge charges the jury correctly on the law. When these demands are complied with, the complaints of criminals who point to immaterial flaws in indictments and raise technical objections to the admission of testimony leave him unmoved. He voted in 1927 to send Ruth Snyder to the electric chair, as he voted in 1915 to electrocute police lieutenant Charles Becker. They had received a fair trial, and they deserved their fate. It is not for the judges to object to capital punishment, for that is a matter in the control of the legislature.

But that his innate humanity prevents him from relishing the law’s exaction of an eye for an eye is seen in his moving speech in 1928 before the New York Academy of Medicine, wherein he pleaded for a greater co-operation between the two professions of law and medicine to the end that a scientific study of the criminal mind would serve to relate punishment more accurately to the needs of the individual offender.

Cardozo’s notable contributions in the important field of constitutional law have been marked by a democratic and enlightened viewpoint. At the time of his advent on the bench, the Court of Appeals was still suffering from public disapproval of the laws decision, invalidating the Workmen’s Compensation Law of 1910, the pioneer American law of its kind. Property was under the protection of judges who headed the due process clause of the Federal Constitution, and the state’s police power, the power to regulate private property for the public welfare, was in the discard. To Cardozo goes much of the credit for changing this judicial attitude and for setting up a new and progressive order.

When a new compensation law was enacted in 1914, it was promptly sustained. A law prohibiting night work for women in factories was sustained in the face of a prior decision of the Court of Appeals which annulled an identical statute. Overturning a holding of one’s own court is an unusual event, but one accomplished frankly by judges who can be made to see that social needs demand a social-minded and flexible interpretation of constitutional limitations. Cardozo himself wrote a notable opinion in 1915 overturning another outworn decision and upholding the law which made transfers of merchandise in bulk fraudulent against creditors.

From that early day to this, there is not a single instance of the Court of Appeals enjoining social welfare legislation. The spirit of laissez faire is gone. Labor laws, zoning laws, laws for the arbitration of business disputes, emergency rent laws, laws requiring licenses of people in a position to work public opposition, such as real estate brokers, theatre-ticket brokers, and milk dealers, have all been sustained as worthy legislative efforts to further the general welfare. Cardozo’s court even approved of the price-fixing feature of the theatre-ticket broker statute. In flat contradiction of the United States Supreme Court’s view that price-fixing is taboo. And long after Cardozo had left the New York bench, his colleagues reflected the influence of his social thought by deciding, in a 1933 opinion, significant in connection with the constitutionality of the national recovery program, that the legislature was well within its power in setting up a Milk Control Board to fix the prices at which milk could be sold to consumers. [Recently sustained by the United States Supreme Court.]

When the legislature passed a law which compelled 10% of the cattle owners in any district to submit their cattle to a tuberculosis test whenever 90% agreed to it, Judge Cardozo wrote the opinion sustaining the law as a valid health measure, over the objection of a rabidulous individualist.
And when the legislature turned its attention
to the even greater affliction of city dwellers,
by enacting the housing laws of 1920, to take
care of the shortage of city roofs, Cardozo joined
his fellows in upholding the law—even though the
law, forbidding the ejection of tenants and fixing
the rents to be charged, was a clear invasion of
the landlords' property and contract rights. But
the emergency justified the interference of gov-
ernment, just as the emergency of the present
depression may justify the Incres of the N. R. A.

The American people may well be proud of
Justice Holmes' successor. Like his predecessor,
he is a great judge because he brings to bear
upon a judge's work the mental equipment to
probe depths beyond the reach of lesser men.
Both are essentially realists. Both know that the
mighty power of a Supreme Court judge is
wielded best when wielded to promote rather
than destroy the social experiments performed in
the legislative laboratories of State and nation.
Both know the worth of the Bill of Rights in the
hands of judges alert against governmental op-
pression. But Holmes' Olympian aloofness from
the affairs of man is foreign to Cardozo. The
strain of high idealism which Justice Holmes dis-
played only in defense of free thought runs
through Cardozo's every opinion.

And it is this human warmth and color which
may bring the United States Supreme Court, in
the years that are to come, to a position of
leadership in democratic thought, even as it
brought the New York Court of Appeals to the
same high and welcome standing.

WHY JURORS GO MAD

By Heyman Zimel, '36.

[On Monday evening, April 14, 1934, the witness, John Jones, saw
the defendant, Alex Smart, on the corner of Smith and Market Streets at
8 o'clock. The Prosecutor is trying to make the jury aware of this simple
fact.]

PROSECUTOR: On the evening of April 14, 1934, Mr. Jones, you
were at the corner of Smith and Market Streets, were you not?

COUNSEL: I object, your Honor. The question is leading.

THE COURT: Objection sustained.

PROSECUTOR: Were you at the corner of Smith and Market Streets
on the evening of April 14, 1934, Mr. Jones?

COUNSEL: Objection, your Honor. That's the same question.

THE COURT: I'll sustain the objection.

PROSECUTOR: Mr. Jones, where were you on the evening of April
14, 1934?

COUNSEL: Object, irrelevant and immaterial.

THE COURT: I think so; sustained.

PROSECUTOR: Your Honor, I submit that it is of the utmost rele-
ance to fix the witness' whereabouts on this particular evening.

THE COURT: The stenographer will note your exception.

PROSECUTOR: Mr. Jones, will you please tell the jury what you did
on the evening of April 14, 1934?

WITNESS: Well, about half past seven, I said to my wife, "Let's go
to the movies ——"

COUNSEL: Objection. The question was what he did.

THE COURT: Sustained. The witness will please answer questions.

WITNESS: Well, we walked down Market Street and on the corner
of Smith Street we saw Alex ——

COUNSEL: Objection, your Honor. He's not supposed to say what
he saw.
PROSECUTOR: Your Honor, I submit ——
COUNSEL: I demand that be stricken out.
THE COURT: The stenographer will read the last answer.
STENOGRAPHER: "Then we walked down Market Street ——" That's as far as I got. I can't take down testimony when three of them are shouting at the same time.
PROSECUTOR: Your Honor, I distinctly heard the witness testify that ——
STENOGRAPHER: Well, if you all yell at the same time ——
FOREMAN OF THE JURY: Did I hear him say he saw Alex Smart?
COUNSEL: No, that's not in the record.
THE COURT: You are to hear only what goes in the record. Proceed, please.
PROSECUTOR: Now, Mr. Jones, what did the defendant look like when you saw him?
COUNSEL: Object. That's calling for a conclusion.
THE COURT: Sustained.
PROSECUTOR: If your Honor please, how can I ——
THE COURT: Proceed with your witness, Mr. Prosecutor.
PROSECUTOR: What time was it?
WITNESS: What time was what?
PROSECUTOR: When you saw the defendant.
COUNSEL: I object to that, your Honor. It has not been shown that the witness saw the defendant.
WITNESS: Well, why don't you give me a chance to say I saw him, instead of butting in every minute?
COUNSEL: Your Honor, I move that be stricken from the record.
PROSECUTOR: Mr. Jones, tell us ——
COUNSEL: I object.

[At this point the foreman of the jury is stricken with apoplexy as a result of severe mental strain from the trial, three jurymen faint and one dies from a heart attack. The Court declares a recess for the purpose of examining the witness in chambers in order that he might pass upon the question of whether or not the witness is competent to proceed further. The witness appears to have become raving mad after the last objection.]
On Monday morning, September 25, 1933, the members of the Freshman Morning Class met in the Freshman lecture room of New Jersey Law School to be initiated into the mysteries of their chosen profession. It seems strangely appropriate to those who reflect on the subject that the Freshman lecture room was used as a stable back in the days when the building was used for the production of beer instead of lawyers.

This, the Twenty-fifth Anniversary Freshman Class, after receiving an abundance of advice from "The Barrister," "Lex Loci," and its professors on how to avoid the dangers and pitfalls awaiting every freshman, proceeded to roll up its sleeves and get down to work. The legal aptitude test only served to further assure the majority of the members of the class that law was really the profession for which they were best suited, and really not so difficult after all.

After a rigorous electioneering campaign, during which the janitors were kept busy removing campaign posters from the lobby, the class emerged with a great deal of spirit and with, as its officers, Philip Konvitz, South Side High School and Dana College, President; Bernard Dreier, Massanter Military Academy and Dana College, Vice President; Edith M. Tennyson, New Brunswick High School and New Jersey Col-
lege for Women, Secretary: Charles W. Miller, East Orange High School and Dana College, Treasurer; and August A. Azzolino, Garfield High School and Dana College, Student Council Representative. Under such efficient leadership, the Class is sure to be distinguished in the annals of the School.

The more argumentative minded individuals in the class went out for debating confident of their ability to show the members of the upper classes the correct debating technique.

It would be reprehensible to give the impression that the Freshman Morning Class devoted itself wholly to study as it can scarcely be accused of having neglected the social life.

The Freshman Winter Dance held at the Elizabeth Masonic Temple gave those who were so minded an opportunity to glide through the shadows to the rhythmic popular music of the day, with the one and only (for the moment, anyway) nestled in their arms. As a further proof that the Class believes in the old slogan, “All work and no play makes Jack a dull boy”; the Spring Get-Together gave further opportunity for its members to dispport themselves.

With such an auspicious beginning, time is certain to find the members of this Class filling prominent places in the legal profession.

HAROLD C. WENTWORTH,
WILLIAM M. WHITESELL, JR.

FRESHMAN MORNING CLASS—ROLL CALL

AINBENDER, JACOB .............................................................................. Passaic, New Jersey
APPEL, GEORGE H. JR. (Ph. B., Brown, 1931) ............................................ Montclair, New Jersey
APPELGET, JOHN W. (A. B., Rutgers, 1931) ............................................... Metuchen, New Jersey
AZZOLINO, AUGUST A. ............................................................................. Lodi, New Jersey
BELLAT, DAVID (A. B., Rutgers, 1933) ....................................................... Newark, New Jersey
BENNEIL, RAYMOND J. ............................................................................. Morristown, New Jersey
BENNITT, JOHN P. .................................................................................... Newark, New Jersey
BERRILLO, JOSEPH .................................................................................. Hackensack, New Jersey
BOTNICK, HERBERT .................................................................................. Newark, New Jersey
BOYLE, WILLIAM G. .................................................................................. Clifton, New Jersey
BRODSKY, BENJAMIN B. .......................................................................... Passaic, New Jersey
BUSH, HERBERT H. .................................................................................... Newark, New Jersey
BYRNE, THOMAS ...................................................................................... Elizabeth, New Jersey
CERRATO, TOBIAS .................................................................................... Newark, New Jersey
COHEN, ISADORE ....................................................................................... Morristown, New Jersey
COHN, ALAXANDER ................................................................................... Newark, New Jersey
DANTON, ALBERT M. ................................................................................ Union, New Jersey
DIAMONDSTEIN, MAX .............................................................................. Elizabeth, New Jersey
DODDS, ALBERT A. JR. (A. B., Washington and Lee, 1933) ....................... Hawthorne, New Jersey
DREIER, BERNARD .................................................................................... North Plainfield, New Jersey
EBNER, JULES A. ....................................................................................... Passaic, New Jersey
EDGER, JOHN E. ....................................................................................... Woodbridge, New Jersey
EGOLF, JAMES C. (L.H. B., Rutgers, 1930) ................................................... Metuchen, New Jersey
ENDER, AARON D. (A. B., Cornell, 1933) ..................................................... Passaic, New Jersey
FAUL, LILLIAN ............................................................................................ Perth Amboy, New Jersey
FREEMAN, WILLIAM ............................................................................... New Brunswick, New Jersey
GELMAN, CARL .......................................................................................... Paterson, New Jersey
GLICKENHAUS, PAUL ................................................................................ Newark, New Jersey
GLICKOWSKY, NORRIS ............................................................................ Elizabeth, New Jersey
GOLDBERG, DAVID I. ................................................................................ Paterson, New Jersey
GRAY, HENRY ........................................................................................... Newark, New Jersey
GREENFIELD, SAMUEL .......................................................................... Newark, New Jersey
GREENSTEIN, JACOB H. ............................................................................ Bloomfield, New Jersey
HALSTEAD, CHARLES F. ........................................................................... Somerville, New Jersey
HOFFMAN, IRVING J. ................................................................................ Newark, New Jersey
JACOBS, HAROLD ..................................................................................... Hackensack, New Jersey
JOHNSON, DONALD P. .............................................................................. Paterson, New Jersey
JONES, WALTER H. ................................................................................... Teaneck, New Jersey
JORDAN, HAROLD B. ................................................................................ North Plainfield, New Jersey
KADELL, SAMUEL ..................................................................................... Paterson, New Jersey
KEIL, SYDNEY S. (A. B., Univ. of Penn., 1933) .......................................... Newark, New Jersey
KELSEY, JULES J. (B. S., Rutgers, 1933) .................................................... Trenton, New Jersey
KESSLER, LOUIS ........................................................................................ Passaic, New Jersey
KONVITZ, PHILIP ...................................................................................... Newark, New Jersey
KOSTECK, GREGORY ................................................................................ Plainfield, New Jersey
KOTLER, CHARLES ................................................................................... Elizabeth, New Jersey
LANCASTER, ROGER F. ............................................................................ Newark, New Jersey

LEGACY 1934
One of the highlights of the month of September, 1933, was the gathering of a group of students composing the Afternoon Class of 1936 of New Jersey Law School. These individuals, representative of some of the country's leading collegiate institutions, were embarked upon a venture, entirely new and totally unlike anything which they had previously experienced.

To all, it was the fulfillment of a long cherished desire for which they had spent many years in preparation. Imbued with fond hopes for a brilliant and successful future, these students commenced the study of law. A few, easily discouraged by the vastness of the field into which they had entered, and repulsed by the tremendous obstacles which they soon realized confronted them, joined the ranks of the defeated and dropped from the rolls. The others, however, always mindful of the goal which they had set out to attain, threw themselves heartily into the study of their life's work.

Shortly after the necessary adjustments were made to adapt themselves to their new environment, the students organized and held a class meeting for the purpose of electing the class officers. As a result of the election William J. Wilkie became President; William Spilteny, Vice President; Willibor Snaper, Secretary; Abner Kalisch, Jr., Treasurer; and Richard W. C. Sim, Student Council Representative.

Regardless of the vast amount of time taken up by actual school work, a great deal of interest was aroused in the pursuance of extra-curricular activities. A class debating team was organized, consisting of Frederick Adam, Irving E. Massarsky, Irving K. Marcus, William J. Wilkie and Martin Saks. William L. Spilteny was appointed to the business board of the "Legacy" and Richard W. C. Sim was chosen Assistant Associate Editor of the same publication.

The class has not, strictly speaking, resisted fully the temptation to deviate from the narrow path of the prescribed course, in order to maintain interest some light diversion was found to be necessary. Therefore an affair was held which affair was well attended by the members and was, as a result thereof, a complete social success.

Returning to more serious thought, it might well be noted, that this Class is apparently progressing quite rapidly in disposing of its problems. When the time comes we will take our place among the honored graduates of this School.

RICHARD W. C. SIM.
FRESHMAN AFTERNOON CLASS—ROLL CALL

ADAM, FREDERICK.................. Pompton Lakes, New Jersey
BERKOWITZ, SIDNEY J. [A. B., New Jersey, 1933]........ Newark, New Jersey
BERMAN, ISAAC...................... New Jersey, New Jersey
CLARK, JULIA E. [A. B., Elms, M.A., Columbia]............ New York, New Jersey
COHEN, EDWARD G. [A. B., U. of Penna., 1933]............. New York, New Jersey
CURRIE, NORMA J.................... Keyport, New Jersey
DELUPO, LAMBERT................... Pleasantville, New York
DRAZIN, HARRY...................... Newark, New Jersey
FLOSTER, GEORGE................. Union, New Jersey
GAW, W. CLARK...................... East Orange, New Jersey
GELBER, IRVING.................... Newark, New Jersey
GRAY, HENRY....................... Newark, New Jersey
HEATON, WILLIAM S. [B. S., Vermont, 1931]................. New Jersey, New Jersey
HOWLETT, FREDERICK J................ West Orange, New Jersey
INDELCATO, FRANK W................... Rahway, New Jersey
KAUSCH, ARNOLD, JR................ Newark, New Jersey
KAUSCH, JULES B. (A. B., Harvard, 1933).................. East Orange, New Jersey
KUSKIN, HARRY..................... Newark, New Jersey
LEVINE, EDITH...................... Hackensack, New Jersey
LEYF, HENRIETTA I................... New Jersey, New Jersey
MARANTZ, LEON A.................... Newark, New Jersey
MARCUS, IRVING K................... Newark, New Jersey
Mason, IRVING E................... Hoboken, New Jersey
McBEADY, JOHN F. [B. S., Fordham, 1931].................. New Jersey, New Jersey
MEETS, CLARENCE G., JR. [B. S., Princeton, 1931]......... Tenafly, New Jersey
MOSKOWITZ, HAROLD.............. Irvington, New Jersey
NEIDEL, DAVID A. [B. S., Ohio State, 1931]............... Paterson, New Jersey
NOVOGROD, WILLIAM............. Asbury Park, New Jersey
RUBIN, ABRAHAM A. [M. D., Hahneman, 1925].............. Belleville, New Jersey
RUBIN, IRVING W.................... New Brunswick, New Jersey
SADAHJIAN, JOSEPH............... New Jersey, New Jersey
SACHS, MARTIN..................... Jersey City, New Jersey
SCHROT, MORTIMER............... Maplewood, New Jersey
SIM, RICHARD W. C.................. East Orange, New Jersey
SNAPER, WILBUR................. Perth Amboy, New Jersey
SPIRALNY, WILLIAM L............. Newark, New Jersey
STERN, SAMUEL S. [B. S., Bucknell, 1933]................. Bernardsville, New Jersey
STOCK, RICHARD H. [A. B., Rutgers, 1932]................. Elizabeth, New Jersey
WENNER, MURIEL................. Newark, New Jersey
WILKIE, WILLIAM J.................. Newark, New Jersey
WINNE, GEORGE A. [B. S., Rutgers, 1933].................. Haisilock Heights, New Jersey
YOGMAN, HARVEY J. [B. S., Alabama, 1931]............... Bayonne, New Jersey
VITALE, ANTHONY T.................. Newark, New Jersey
VARNEY, V. GRACE D. [A. B., Missouri; A. M., Columbia]...... New York, New York

HISTORY OF FRESHMAN EVENING CLASS

Writing a Class History is a perplexing problem, yet we of the Freshman Evening Class, have had a part in the New Deal of these epoch making times. While we are not lawyers, the first step has been taken and our record as neophytes of the law is good. It is not the proper thing to boast of one’s accomplishments, but a few words spoken on well-founded grounds constitutes no boast; it is a fact.

Led by a regular fellow, Jacob Cohen, who was elected to the Class Presidency after a stormy campaign, we have co-operated as a group to maintain the standards of former Freshman Classes and possibly to improve some of the records. For instance, of the five students in the entire Law School to receive the distinction of securing “double A’s” at the semester examinations, two are members of the Freshman Evening Division. They are Sidney Meisterich and Howard Stokes. We are proud of them and we feel certain that some day they will achieve fame and fortune in their chosen profession.

It cannot be said that we were dull from all work and no play for our famous “Smoker” belies the fact that we did not play. Our pleasures and business have been mixed and the correct blend has been attained.
We are looked down upon, perhaps, as mere freshmen for we do not dispute the fact that we have roughened edges which must be smoothed. However, we are diamonds in the rough and our true colors will flash forth when the enlightening sun of knowledge causes the darker shadows of doubt to disappear. Here are the facts upon which we base our confidence in our expected success. We have started on our legal careers at a time when encouragement is barely felt; we hear claims of financial disasters; and we hear cries that the profession is over-crowded. Most members of our Class work all day under conditions not conducive to the advancement of their knowledge of the law. Yet we strive against these odds in the evening session feeling certain there is a goal ahead which we will attain.

We will always have memories of this year with its hard work, but we have the satisfaction of a job well done. What can supplant the glow which permeates the whole body upon the completion of a task well done?

We owe thanks to the leaders of our Class chosen to band us into a co-operative group. Those leaders are Jacob Cohen, President; Michael Cassale, Vice President; Emma McGell, Secretary; Howard Stokes, Treasurer; and William Furst, Student Council Representative.

GEORGE A. WOOD.
FRESHMAN EVENING CLASS—ROLL CALL

Continued

LEY, NATHAN N. ........................................ Irvington, New Jersey
LIPSTEIN, JACOB A. (A. B., Lehigh U., 1932) .... Newark, New Jersey
LYNCH, EDWARD BENJ (Litt. B., Rutgers, 1930) ...... Palisfield, New Jersey
MAURO, GERMANO L. (B. A., Colgate, 1930) .......... Orange, New Jersey
McGALL, EMMA C. .................................. Westfield, New Jersey
McHALE, THOMAS R. (A. B., Lafayette, 1928) ......... Newark, New Jersey
McKONNON, EDWARD F. (A. B., Seton Hall, 1933) ...... Harrison, New Jersey
McVAY, ROBERT W. (B. S., U. of Kentucky, 1931) ...... Morristown, New Jersey
MEISTRICH, SIDNEY J. (A. B., Rutgers, 1932) ......... Red Bank, New Jersey
MOSKOWITZ, SIDNEY ................................ Jersey City, New Jersey
MOVSHEIN, FRED RAYMOND (A. B., Rutgers, 1930) .... Irvington, New Jersey
NORWICH, EDWARD C. ............................... Asbury Park, New Jersey
ORKISNI, VICTOR R. .................................. Elizabeth, New Jersey
OURS, CARL C. (B. S., Iowa State, 1929) ............... North Arlington, New Jersey
PRICE, PHYLLIS C. (B. A., Trinity College, 1930) ...... East Orange, New Jersey
RABINOWITZ, JULIUS (Litt. B., Rutgers, 1928) ......... Lakewood, New Jersey
ROLL, RICHARD G. .................................... East Orange, New Jersey
ROSENBERG, ABRAHAM ............................... Red Bank, New Jersey
ROSENBERG, MAX ..................................... Newark, New Jersey
ROUNDS, STUART B. (B. S., Col. State Teachers, 1933) .... East Orange, New Jersey
SAMSON, PHILIP A. (B. A., Alabama, 1933) .......... Newark, New Jersey
SANTIFELLO, ENRICO S. ............................. Newark, New Jersey
SCHLOSSBERG, JAMES R. ............................. Newark, New Jersey
SCHMALZ, F. WILLARD (B. S., Lehigh U., 1931) ......... Washington, New Jersey
SCHULTZ, HERMANN W., JR. (B. S., Dartmouth, 1933) .... Pascack, New Jersey
SCHWARZ, LEON D. ................................... Newark, New Jersey
SEAMAN, ALEXANDER (A. B., Rutgers, 1933) .......... Newark, New Jersey
SIEGEL, MILTON (A. B., Rutgers, 1933) ................ Elizabeth, New Jersey
STOKES, HOWARD K. (A. B., Princeton, 1933) .......... Allentown, New Jersey
TROLOGUE, GEORGE (B. S., N. Y. U., 1931) .......... Newark, New Jersey
TUCHNER, PHILLIP ................................... Irvington, New Jersey
VOGEL, RUDOLPH H. (B. S., Rutgers, 1923) .......... Marktown, New Jersey
WEISS, NATHAN D. .................................... Newark, New Jersey
WIEZELICH, PETER J. (B. S., Penn State, 1926) ......... Elizabeth, New Jersey
WILD, ROBERT H. ..................................... Maplewood, New Jersey
WILLIAMS, ARTHUR C. (A. B., Talladega, 1927) ......... Montclair, New Jersey
WILSON, JAMES ERNEST, JR. ........................ Newark, New Jersey
WOLFF, SIGFRIED F. ................................. Elizabeth, New Jersey
WOOD, GEORGE A. (B. S., Lebanon Va. 1933) ......... Trenton, New Jersey

LEGACY 1934

[122]