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The Justinian

Member of American Law Student Association



VOL. XXII, NO. 1

BROOKLYN LAW SCHOOL, BROOKLYN, NEW YORK

NOVEMBER 1961

Honors Program

Assistant Dean Gerard A. Gilbride has announced the commencement of the 1961 Honor's Program. Dean Gilbride is the general director of the program.

The program is divided into an original research section and a legislative workshop section. The Legislative Workshop is under the direction of the Honorable Thomas F. McCoy, State Administrator of the Courts of the State of New York.

Students engaged on the project concerning the proposed new Youth Court Act and other specific bills are: G. Beyer, A. Feuerstein, E. Lustig, E. Meyers, R. Slone, I. Bass, B. Berry, R. Bianchi, A. Giorgini, L. Janoff, S. Mandell, R. Shenkman, G. Wendel.

Those students engaged in original research under the direction of individual professors are: E. Koppell, I. Kurtzberg, W. Alt, C. Saks, A. Calleri, J. Goldenberg, J. Schwarzbarg, R. Rubenstein.



Frederic R. Sanborn

JUDGE FREDERIC R. SANBORN, a member of the graduate faculty of Brooklyn Law School from 1926-37, will return next semester to teach International Law. Judge Sanborn recently completed a term on the Supreme Restitution Court in West Berlin. This Court, established by international treaty, consists of seven justices, three of whom are Germans. Three justices represent the western occupying countries—Britain, France, and the United States. The Chief Justice is from a neutral country, Sweden. Judge Sanborn served as the American Justice from 1954-59.

Graduation Exercises

Confer Honorary Degree On Justice Gerald Nolan

The honorary degree of Doctor of Laws was conferred upon Hon. Gerald Nolan, Presiding Justice of the Appellate Division, Second Department, at the Commencement Exercises of Brooklyn Law School held on Tuesday, June 20, at the Brooklyn Academy of Music. The graduating class was addressed by Presiding Justice Nolan and by Professor Roy F. Wrigley, senior member of the Faculty. Mr. Stephen Miles Ross addressed the audience as the representative of the graduating class.

ABA Convention Meets; Problem: Will Lawyer Supply Meet Demand

By Steve Rubenstein

The American Bar Association held its annual general meeting to consider various problems confronting the legal profession, from August 6-9, in St. Louis. Brooklyn Law School was represented by Dean Gerard Gilbride and Professor Donald Sealy. Their primary concern was the section on Legal Education, which met to study current needs in that field. One of the urgent questions posed, was whether legal education was getting its share of the talented students.

Dean Gilbride noted that while our population has increased, the legal profession has remained relatively static in number over the past twenty or thirty years. He further noted that there is an increasing demand for learned lawyers in the smaller cities of our country.

The problem emanates from the lack of funds and scholarship assistance available to the smaller law schools located in these areas. In contrast, the large national law schools provide abundant financial assistance and therefore attract law students from these smaller areas. The result is a wealth of students at the national schools and a lack of students at the smaller, less financially secure schools.

By 1970, 73,000 more lawyers will be needed to meet the ever-growing demand for legal services. To add to this dilemma top law students who are graduated from these

(Continued on page 3)

(Continued on page 3)

Hon. Henry L. Ughetta, President of the Board of Trustees of the Law School, presided and conferred the honorary degree upon Presiding Justice Nolan.

Rev. Benjamin Bentley gave the invocation and the Benediction.

Two hundred eighty-six Bachelor of Laws degrees and nine Master of Laws degrees were conferred. Dean Jerome Prince presented the candidates for degrees.

The following candidates received the Bachelor of Laws degree Cum Laude: Stanley Alter, Carl F. Goodman, Marilyn Klosty, Richard Leder, Jordan Mandel, Allan Melvin Palmer, Stephen Miles Ross, and Joseph Anthony Stallone. Charles Buchanan Smith received the Master of Laws degree Cum Laude; and Edward Shari received the Master of Laws degree Magna Cum Laude.

Prizes awarded at the Exercises were: First Scholarship Prize, Stephen Miles Ross. Mr. Ross also received the Matheson Prize and the Herman B. Friedman Prize. Second Scholarship Prize, Allan Melvin Palmer. Mr. Palmer also received the Hirschman Prize. Dean Carswell Prize in Pleading and Practice, Carl F. Goodman. Mr. Goodman also received the Lloyd Paul Stryker Award.

Evidence Prize, Ronald Sklar. Surrogate Rubenstein Prize, Stanley Alter. Celia Koransky Prize, Marilyn Klosty. Miss Klosty also received the Lawyers Co-operative Publishing Company Prize. The West Publishing Company and Edward Thompson Company Prizes, Jordan Mandel; Joseph Anthony Stallone; and Bertram Bronzait. Williams Press Prize, Richard Martin Leder. Student Council Award, Irving B. Spielman.

Law Review

The Law Review Staff for this year is composed of: Editor-in-Chief—Stanley W. Nathanson; Associate Editor—A. Matthew Aronson; Evening Decisions Editor—Alan Broomer; Day Decisions Editor—Ethel B. Pearlman; Notes Editor—Robert Cantor; and Book Review Editor—Melvin Guterman.

The newly selected candidates from the February, 1961, entering class for the Law Review are: Sidney Chase, Richard Slone, Harvey Klaristenfeld, and John Graham, Jr.

The content of the Law Review will be announced in the next issue of THE JUSTINIAN.

Professor Murphy Dies; Insurance, Corporations Teacher For 35 Years

By Judy Lebensfeld

Professor James Lawrence Murphy died on August 11, 1961, at the age of sixty-nine. He will be remembered by the two generations of students to whom he taught corporate and insurance law at Brooklyn Law School.

Professor Murphy was graduated summa cum laude from the Fordham University Law School in 1925. While he was attending law school, he also was active in the advertising business. Before studying law, he had been president and owner of the Buchan-Murphy



Professor James L. Murphy

Manufacturing Company, a leather goods producer.

He joined the faculty of Brooklyn Law School in 1926 as an instructor and became a professor in 1929. He received a doctorate in laws from Brooklyn Law School, then a division of St. Lawrence University.

During World War II, Professor Murphy held the important post of chairman of the Price Adjustment Board of the War Shipping Administration. Its purpose was to review shipping contracts between shipping companies and the Maritime Commission, in order to eliminate excessive profits. He also was vice-chairman of the Maritime Price Adjustment Board, its peacetime successor.

Professor Murphy was in private practice for many years.

Surviving the Professor are three sons, a daughter, two sisters, and nine grandchildren.

At the last meeting of the Faculty of the Law School, a resolution was adopted that a memorial be prepared and be embodied in the Faculty minutes.

ALSA Convention Meets; Plan Individual Membership

By H. I. Weissman

The Thirteenth Annual Meeting of the American Law Student Association was held this past summer in the city of St. Louis where twelve years ago the organization was born.

The ALSA convention was held simultaneously with those of other national legal organizations, thus affording the law students the opportunity to meet and observe outstanding members of the legal profession. More than ten thousand members of the bar and judiciary converged upon St. Louis, making it a "city of barristers."

Principal speakers participating in the ALSA program were such law notables as Whitney North Seymour, past American Bar Association President, W. Page Keeton, President of the Association of American Law Schools, prominent attorney Morris A. Shenker, Karl N. Llewellyn of the University of Chicago Law School, and Rear Admiral William C. Mott, Judge Advocate General of the United States Navy.

The agenda for the ALSA delegates included eight professional programs for student bar leaders and individual students. Among these programs were a "lawyer Placement Seminar and Career Conference," "Trial Techniques Seminar," a "Medico-Legal Conference," a symposium on the "Legal Implications of the Eichmann Trial," a program on "Defense of Unpopular Clients" and an all day "Student Bar Leadership Conference."

In addition to attending seminars and lectures, delegates were given a chance to implement the instruction they received by partaking in the House of Delegates Sessions. It was there that the delegates of the 129 member schools convened for the purpose of enacting legis-

lation to enable the ALSA to carry on with its work of providing increased services for its member associations, law students, and the legal profession. In so doing the delegates gained valuable experience in parliamentary and legislative procedures.

Probably the most important item of business was the proposal to establish individual law student memberships within the ALSA. This proposal, establishing a new and additional class of membership, was passed and will be effectuated by the 1962 annual meeting. The

(Continued on page 3)



Eight Brooklyn Law School seniors were awarded keys for outstanding service to the Student Bar Association last year. The awards were presented by Assistant Dean Gerard A. Gilbride. The recipients are, standing left to right, Irving B. Spielman, Frank G. Guidice, Gene Kazlow, George Coleman, and Samuel D. Wright. In the front row from left to right are Harvey Baxter, Richard Benack, and Norman Cohen.

The Justinian

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BERNARD DWORIN *Editor-in-Chief*
ROBERT ETTINGER *Associate Editor*
HERB SWARZMAN *Advisory Editor*
JUDITH LEBENSFELD *Secretary*
NORMAN BLANK *Alumni Editor*
JERRY KORMAN *Student Bar Liaison*
HERB I. WEISSMAN *ALSA Correspondent*

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PROFESSOR M. G. GERSHENSON *Faculty Advisor*

The Wrong Direction

A recent American Bar Association news release reported a unique national "war survival study" now being undertaken by 29 law schools and 14 bar associations. It stated:

"In the past year the number of law schools and bar associations participating in the study has more than doubled, the committee (ABA Special Committee on Atomic Attack) said. At least 43 states have taken some action on special legislation, previously recommended by the committee, that would assure the continuity of state and local government under emergency circumstances should a nuclear attack occur.

"The idea back of the study is that, while martial law probably would be temporarily necessary in attack areas under emergency conditions, federal and state laws should be adequate to permit continuance of civil government where possible or its reestablishment as soon as possible."

The extraordinary attention given to atomic survival and the emphasis on planning for the aftermath of a nuclear attack indicates a dangerous state of mind on the part of the public and its leaders. With the weapons available to mankind today, the idea of survival becomes more and more doubtful. The destructive capacity of a 50 megaton bomb has been made very clear recently to readers of newspapers. If war should come, it would be certain that we could expect many of such bombs to fall in this country.

To be over-occupied with preparation when prevention is possible is folly. The legal profession has a great share of responsibility for man's survival. With the international community in a condition akin to Hobbes' "state of nature", lawyers can not be inert and allow men to destroy each other.

If law can be successfully applied within a nation, it can be implemented internationally. A possible approach has been suggested by A.B.A. President-elect John C. Satterfield who noted that recent developments in international law have been towards agreements in specific limited areas of common concern, such as in commercial and cultural relations.

"If greater attention were placed on these less sensational everyday functions of law in the ordinary business of the international community, such as shipping, economic affairs, diplomatic relations, international trade and international communications, the world would be much closer to the international rule of law," the A.B.A. President said.

A recent meeting of the Americas Conference of Lawyers, held in San Jose, Costa Rica, has resulted in concrete proposals which deserve the backing of every lawyer. The high points included suggestions for a permanent "World Peace Through Law Institute" to coordinate all efforts to extend the rule of law, and to conduct research in disarmament, space exploration, and nuclear energy use problems. Also suggested was a Supreme Court for the Americas, from which appeals would lie in the International Court of Justice at The Hague. The Conference also urged all nations to accept the compulsory jurisdiction of the International Court of Justice.

Necessity is the driving force for a united effort toward realizing these proposals. No one ever wins a war, but at least in the past, mankind has survived. The future may not offer us that solace.

Alumni Profile

Two BLS Alumni Play Important Role In Changing Old Negligence Doctrine

By Robert Ettinger

In this age of modernization of missiles, planes, vessels and the like, two recent graduates of Brooklyn Law School have played a valuable, as well as historic role in changing the old order in the field of law.

Until very recently, the Mitchell v. Rochester Ry. Co. case [151 N. Y. 107 (1896)] had established the rule in New York, stating that without physical impact there could be no recoveries for injuries, physical or mental, incurred by fright negligently induced. This rule, while condemned by legal scholars for many years, remained the established rule until Mr. Leon Segan, and his partner, Mr. Thomas J. Culhane, 1954 graduates of Brooklyn Law School, took their case to the Court of Appeals.

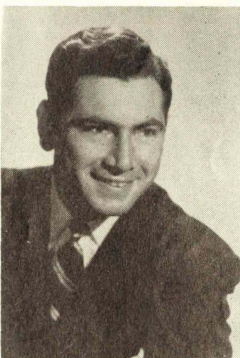
In essence, the Mitchell case was based on public policy. It was feared that if the right of recovery in this class of cases should be established, it would result in a flood of litigation in cases where the injury complained of might be easily feigned without detection, and where the damages could rest in speculation. This would, the case stated, establish a doctrine contrary to the principles of public policy.

In Battalla v. State of New York, 10 N. Y. 2d 237 (1961), the Court of Appeals, in a 4-3 decision, overruled Mitchell v. Rochester Ry. Co., in sustaining a complaint which alleged that the claimant was negligently caused to suffer emotional and neurological disturbances with residual physical manifestations. The complaint alleged that the infant plaintiff

was placed in a chair lift at a State-operated ski center by a State employee who failed to secure and properly lock the belt intended to protect the plaintiff. As a result of this negligent act, the infant plaintiff became frightened and hysterical upon descending in the lift, with injuries following as a result.

The court in its opinion stated that a strict interpretation of the Rochester case would be unjust and opposed to logic and experience. Mr. Segan, who took the case all the way to the Court of

Appeals, was described by his partner as an extremely aggressive individual, a fighter who had faith in what he was doing, the desire to see it through to the ultimate end, and an individual who had great faith in the courts seeing that right be done.



Leon Segan

When asked to give their rea-

son why they had succeeded where everyone else had failed, Mr. Segan and Mr. Culhane modestly replied that their fact pattern was actually no different than the Mitchell v. Rochester case, that this decision was coming for many years, and this feeling, along with the desire that equity be served, spurred them on. This is easily seen when one notes that the expense incurred by these two young lawyers greatly exceeds the nominal judgment won as a result of the court's decision.

Mr. Segan, a native Bronxite, attended CCNY before going to Brooklyn Law School. He now resides in Riverdale with his wife and one child.

When asked about the future of this decision, Messrs. Segan and Culhane were overly emphatic in stating their displeasure with the various dissents which were rendered upon non-legal grounds. These judges were of the opinion that an excess of litigation due to false complaints would swamp the courts. Mr. Segan and Mr. Culhane felt that these judges ought to have more faith in the jury system, in courts, and in human beings. It would be a pitiful confession of incompetence on the part of any court of justice to deny relief on such grounds. The legal profession should have more faith in the courts who guide them and as long as there is careful scrutiny of the evidence, the courts would be able to eliminate the trivialities. This is done in other fields of law, and Messrs. Segan and Culhane, through their hard work, are now able to see it being enacted in this field of law.

Student Profile

Brooklyn Law Review's Editor-In-Chief Sees Law As A "Jealous Mistress"

By Edward Safran

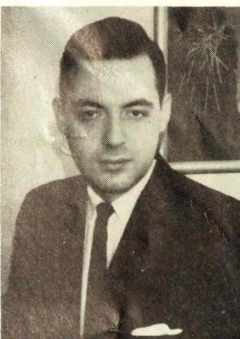
From a brassiere salesman ("you can even get tired of that") to editor-in-chief of Brooklyn Law Review, the one phrase that characterizes Stanley Nathanson the best is "always on the go." In reality Mr. Nathanson doesn't get tired of things, he forms a deep and lasting interest in almost anything he does. He sets his goal, and strives for it. The goal is always a deeper academic understanding of a subject and personal advancement in his immediate surroundings.

As soon as he entered BLS, Mr. Nathanson fell in love with law ("As my BW—beautiful wife—well knows, the law is a jealous mistress..."). His immediate goal was to master the law, his proximate goal was to become editor-in-chief of the Law Review.

Law, however, was not his foremost interest. In college he knew that he had many interests, and he delved into them to "scout around" for the real one. At New York University he was an active member of the debating team, photography society, rifle club, radio club, magazine, astronomy club, and Alpha Phi Omega fraternity.

After college he enlisted in the

army. While stationed at Fort Dix, he supervised the educational training program for about 1,000 men, preparing weekly lectures and other programs. While stationed in Japan at the U. S. Armed Forces Institute, he taught



Stanley Nathanson

college courses in Criminology and Abnormal Psychology.

At BLS night school, he is also an officer of Student Bar; writes for THE JUSTINIAN; was co-chairman of the Student Aid Committee, and was Decisions Editor of the Law Review.

One of his proudest achievements, besides the office he now holds on Law Review, is his published treatise, "Support of the Child," 27 BLR 284, which was submitted to and used by the State Legislature.

Mr. Nathanson greatly admires Clarence Darrow's legal ethic of the "money be damned" principle and looks back to when Darrow stopped representing the lucrative National Association of Manufacturers in the early 1900's.

Aside from his work at BLS, Mr. Nathanson works for Dun & Bradstreet as an analytical reporter. He is responsible for investigation, interpretation, and analysis of business credit from substantial businesses, and has assumed the job of diapering his seven month old son, Jeffrey Stuart, while Carole, his wife, is nursing a broken finger. Meanwhile, he is looking forward to graduation this June, and entering the profession of law.

Mr. Nathanson advises that "only those with deep feeling and respect for the law will make good lawyers. Respect for the law makes one realize its deficiencies and the opportunities to work and remedy these deficiencies."

ALUMNI IN CURRENT NEWS

1923

JOSEPH C. JOSEPHSON is a candidate on the Liberal Party ticket for Judge of the County Court of the Bronx. He was engaged in private practice from 1925 to 1943. Since 1943, he has been employed in the Supreme Court, New York County as a Clerk and has been assigned to all Special and Trial Term Parts.

1926

JAMES AMADEI, a Brooklyn Law School Alumnus, was named by Governor Rockefeller to fill a \$19,500 a year vacancy on the State Labor Relations Board. Since 1954 Mr. Amadei has served as a trial examiner for the board. For ten years before that he was a member of the State Industrial Board, later known as the Workmen's Compensation Board. For twenty-four years before entering state service he was an employee and then an official of the Brooklyn Bar Association.

1932

MILTON E. CANTER is pleased to announce the formation of the firm of Canter & Lyon which will engage in the practice of law before the federal and local courts and administrative agencies in Washington, D. C.

1933

JOSEPH H. CROWN is associated with Eisner & Lubin, Certified Public Accountants, located at 529 Fifth Avenue, N.Y.C.

1935

HERBERT R. SILVERMAN was elected to New York Uni-

versity's Board of Trustees and to the board of its Medical Center. Mr. Silverman is the President of James Talcott, Inc.

1937

DAVID BRUCKSTEIN is a revenue officer of the U. S. Treasury Department, Internal Revenue Service.

1953

ROBERT D. KOPS of Westbury has been elected a trustee of Adelphi College. He will represent the Alumni Association.

1956

MORTON L. CERTILMAN announces the formation of the law firm of Rittenberg and Certilman, Woolworth Building, 233 Broadway, New York, New York.

IRWIN L. SCHARF was recently elected to the City Council of North Miami Beach, Florida.

1957

MISS BLOSSOM HELLER was sworn in as an assistant district attorney in Edward S. Silver's office. She was one of the founders of the Roosevelt Democratic Club.

CHARLES H. BURGER and CHARLES F. X. PERROTTA have announced the formation of a partnership for the general practice of law under the firm name of Burger & Perrotta, Esqs., 32 Court Street, Brooklyn, N.Y.

1958

HERBERT B. MARS holds the position of Adjudicator with the Veterans Administration at its New York Regional Office.

IRA J. RAAB announces the formation of a partnership for the

general practice of law under the firm name of Rosenberg and Raab, New York Office, 320 Broadway, Long Island Office, 1000 Peninsula Blvd., Woodmere.

ARNOLD LANDE has been appointed Claims Examiner, grade GS-7, with the Social Security Administration in New York.

1961

IRVING B. SPIELMAN is associated with the Veterans Administration Regional Office, 252 Seventh Avenue, New York, N.Y.

FRANK G. GIUDICE and STUART NANN have received two appointments as Law Clerks with the Bureau of Field Operations, New York City field office of the Federal Trade Commission.

BERNARD D. FREUNDLICH received an appointment as assistant to the Solicitor for the Port of New York.

MURRAY ROTH, formerly Group Supervisor—Pension Trusts and Exempt Organizations of the Internal Revenue Service, Brooklyn, announces that he will be associated in the general practice of law with Manes, Sturim & Lanfer, 70 Pine Street, N.Y.C.

Raphael, Seales & Vischi have announced the removal of their law offices to 770 Lexington Avenue, New York 21, N. Y. Among those associated with this firm are the following Brooklyn Law School graduates: SIDNEY O. RAPHAEL '27, THOMAS J. BURNS '51, and MARILYN S. LASHIN '60.

Necrology

Delaney, Joseph Leary, '35, Assistant United States Attorney for the Southern District of New York until 1940, associate in the office of Wagner, Quillinan, Wagner & Tennant, until 1953, when he entered the individual practice of law.

Fawcett, James M., '13, Former New York State Supreme Court Justice, City Magistrate from 1944 to 1948, Defense counsel for Bruno Richard Hauptmann in the early stages of his trial for the murder of Charles A. Lindbergh, Jr.

Goldstein, Mrs. Harriet B. Lowenstein, '05, wife of former General Sessions Court Judge Jonah J. Goldstein, member of the New York Bar and certified public accountant, Assistant Corporation Counsel of the City of New York from 1907 to 1912.

Greenblatt, Max, '32, general practice of law, member of the Bronx County Bar Association, New York State Bar Association and the New York Jewish Conference.

O'Connell, John J., Jr., '12, general counsel and trial attorney for The Third Avenue Transit Corporation.

Oshrin, Harry H., '11, Co-producer of the play "Tobacco Road", Counsel and director of the Oshrin Hospital in Tucson, Arizona.

Raab, Harold S., '39, member of the firm of Patt & Heimowitz, specializing in trading stamp law, counsel to the World Green Stamp Company and executive secretary of the Trading Stamp Institute of America, which institute he organized in 1957.

Scanlon, Michael E., '52, Assistant District Attorney of Queens County, former officer of the Brooklyn Law School Alumni Association. He served in the criminal investigation division U. S. Army.

Sutherland, Conrad James, '28, Member of New York Bar and vice-president of Lowell, Smith & Evers, mortgage brokers, general counsel to the Reconstruction Finance Corporation from 1933 to 1950, counsel to the Federal National Mortgage Association, until 1953, vice-president and secretary of Pringle Hurd & Company until 1957, vice-president of the Lawyers Mortgage & Title Company.

Weinstein, Mrs. Hilda Lifschitz, '09, partner with her husband under the firm name of Weinstein and Weinstein, member of Brooklyn Women's Bar Association, and of the Portia Society. She was a founder and director of Brooklyn Jewish Center.

UNUSUAL PERSONAL ATTENTION

And Prompt Service Make An Account Here

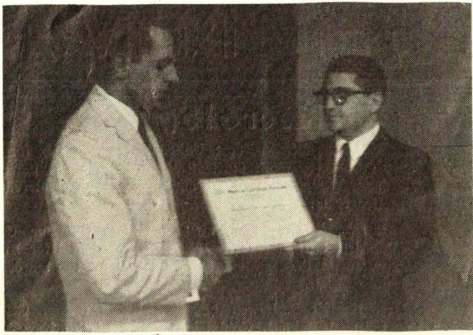
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Bernard Dworkin, (left) Editor-in-Chief of *The Justinian*, congratulates Herb Swarzman, last year's Editor, for gaining second place in the ALSA national newspaper competition.

Prof. Klein Heads "Trial" Moot Court

Eight undergraduates from various classes will participate in a "Trial" moot court program, under the direction of Professor Solomon A. Klein.

The purpose of this program is to supplement the student's theoretical learning with realistic doing. Its intention is to create true courtroom atmosphere, providing the participants with the opportunity for professional experience, as if they were already practicing law. They will learn proper technique and gain practical ability in arguing a case within actual courtroom practice and procedure.

There will be two trials. The first is a criminal case, concerning a charge of murder in the first degree. Two student lawyers will appear on each side of the case. The other contest is a civil action.

Professor Klein has supervised each contestant in preparation for trial with his outline, method of selecting and questioning the jury, trial statement for the Judge, direct and cross-examination, and requests to the court for submissions to the jury, each student being responsible for his own preparation.

Professor Klein will act as Motion Judge for the novice lawyers in their preliminary trial procedure. In the civil action, he will hear motions addressed to the complaints and answers. In the criminal case, he will hear motions to the indictment.

After these motions are decided, each lawyer must prepare for trial. The juries will be selected from the student body. However, Professor Klein will secure the services of real Judges to sit in each case.

ALSA...

(Continued from page 1)

main objective of this enactment is to enable ALSA to improve and expand its services to its members.

Further business, conducted at the House of Delegates meeting and at closed caucuses run by the twelve circuits of the ALSA, pertained to the election of national officers of the year 1961-62. The newly elected officials are: Thomas D. Phelps of George Washington University—President; Howard H. Kestin of Rutgers University—Executive Vice President; Joseph T. Hood of the University of Texas—Second Vice President; Fred J. Wilkins of the University of Kansas—Secretary; and John O. Jones of the University of Oklahoma—Treasurer.

Library Gift

Mrs. Harry H. Oshrin, widow of Harry H. Oshrin, class of 1911, has donated a complete set of McKinney's Laws of the State of New York to the Library of the Brooklyn Law School in memory of her late husband.

Prof. Gershenson Active In State

Professor Milton Gershenson is engaged in several activities outside the classroom. He is a member of the newly created Advisory Council to the Joint Legislative Committee on matrimonial and family laws of the state of New York. The Committee, organized this past summer, is composed of officials of social welfare agencies, philanthropic organizations, religious groups and legal experts.

He is also chairman of the Subcommittee on Procedural and Jurisdictional aspects of family law.

Under his supervision the Legislative Workshop of Brooklyn Law School is presently making a study of the new "Family Court Act". This work is in addition to the studies made by members of the Law Review in the field of family law and printed as a part of the annual report to the state legislature. Currently, the alimony laws of New York State are being examined.

Along with these new endeavors, Professor Gershenson continues as the assistant Commander of the Fourth Judge Advocate General's Corps Detachment in the United States Army Reserve.

Professor Gershenson is faculty advisor to *THE JUSTINIAN*.

S. SCHER.

Moot Court Team Briefs Argument

The twelfth annual National Moot Court Competition will be sponsored by the Young Lawyers' Committee of the Association of the Bar of the City of New York. Every law school in the United States is invited to participate.

A hypothetical case will be argued before a hypothetical United States Supreme Court. The issue to be debated this year is the legality of the confiscation and nationalization of property in a country where a new government has come to power, as was the case in Cuba.

Four students from Brooklyn Law School are semi-finalists for this event. They are W. Erlbaum and J. Lipsky from the Day Division, and S. Israel and S. Nathanson from the Evening Division. Three of these men will be selected to participate in the competition.

The Chairman of the Moot Court Committee is Prof. Milton Gershenson.

The regional rounds of the moot court competition will be held in November. In December the regional winners will congregate in New York City for the national rounds.

Last year's national competition was won by Ohio State University College of Law. In addition to being the overall winner, Ohio State presented the best team oral argument and the best individual oral argument.

The best brief was submitted by Tulane University School of Law. The topic under consideration last year was the interpretation of certain provisions in the National Labor Relations Act.

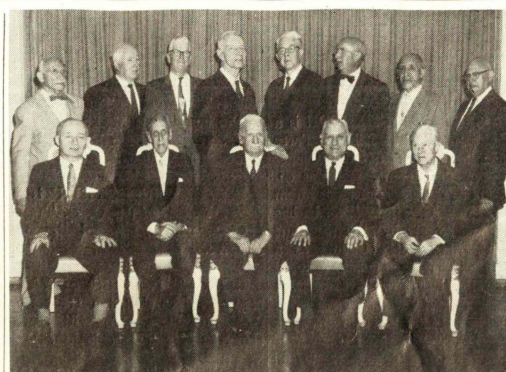
W. COHEN.

Dean Prince Prepares Study Covering Illegal Evidence

A prominent role was recently played by Dean Jerome Prince in the June 19, 1961 Report of the Joint Legislative Committee on Privacy of Communications and Licensure of Private Investigations.

Dean Prince worked closely with Howard F. Cerny, counsel to the Committee, in preparing a study of federal and state law regarding the admissibility in court of illegally obtained evidence. This study, originally suggested by Governor Rockefeller, was authorized by the State Legislature in 1960.

In addition, Dean Prince has



The class of 1911 (above) held its fiftieth reunion banquet on May 24, 1961, at the Norwegian Hall, Columbia Heights, Brooklyn. The class is headed by its President, Chief Judge Webster J. Oliver, of the United States Customs Court.

Among the late members of the class were Professor Martin Weyrauch, who taught at BLS for many years, Henry G. Wenzel, Jr., Justice of the Supreme Court, Appellate Division, and Thomas J. Cuff, Justice of the New York Supreme Court.

The class of 1911 has established a \$10,000 scholarship fund at Brooklyn Law School which is still in existence.

Justice Rosling, BLS Alumnus, Appointed To U.S. District Court

On September 21, 1961, President Kennedy announced the appointment of Justice George Rosling as Judge of the United States District Court for the Eastern District of New York.

Mr. Rosling, born in New York, was graduated from Columbia University and, in 1923, received his law degree from Brooklyn Law School, standing second in a class of 300.

While attending Brooklyn Law School he was employed as a law clerk in the office of A. I. Nova. He continued in that office after admission to the Bar, and shortly thereafter became a member of the firm of Nova, Rubenstein & Rosling. Upon Mr. Nova's election as county judge in 1925, the firm became Rubenstein & Rosling, continuing as such until 1942. Mr. Rosling was engaged in individual practice until 1952, when he formed

the firm of Rosling & Eisenberg.

An active Democrat, he also headed the party's county law committee from 1947 until 1959. In 1959, he was elected Justice of the Kings County Branch of the New York City Court. After a year on the City Court bench, however, the state's Appellate Division assigned him to the State Supreme Court in Brooklyn.

Mr. Rosling regards a federal judgeship as a "position of stature" and emphasizes that the salary, which is less than a city court judge's, "is obviously no consideration."

The position to which Mr. Rosling was appointed is a new one, having been created by Congress this year.

J. KORNREICH.

ABA...

(Continued from page 1)

smaller institutions, inevitable migrate to the larger cities where they are welcomed into firms. If the present trend continues, the smaller cities will be deprived of scholarly, enlightened lawyers and consequently the national body will lose its source of legal creativity.

With these factors in mind, the House of Delegates adopted resolutions from the committee calling on the Association to assume leadership in providing high school and college students with accurate up-to-date information about opportunities for careers in law and to create a special committee of 9 members to study and report to the Board on Ways and Means to implement the program.

W. COHEN.

All For One...



Thomas D. Phelps, (second from left) newly elected President of the American Law Student Association, receives the congratulations of Michael I. Solomon, SBA President, Gerald Q. Korman, Second Vice-President, and Herbert I. Weissman, First Vice-President.

Alumni Association Annual Luncheon

Date: December 2, 1961

Place: Hotel Biltmore

Time: Noon

Recipient of the Distinguished Alumnus Award:

Honorable Nicholas M. Pette, class of 1916, Justice of the Appellate Division of the Supreme Court, Second Judicial Department.