

Spring 1963

1963 Spring - 1964 Spring Bulletin

New York Law School

NEW YORK LAW SCHOOL

ESTABLISHED 1891



57 Worth Street

New York 13, New York

NEW YORK LAW SCHOOL

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BULLETIN

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Effective Spring Semester 1963



Approved by the American Bar Association

57 Worth Street
New York 13, New York



NEW YORK LAW SCHOOL

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THE LAW SCHOOL CALENDAR

Spring Semester

1963

BY APPOINTMENT		<i>Registration of New Students</i>
JANUARY	By Notice	<i>Re-enrollment of Students</i>
FEBRUARY	4	<i>Classes begin for All Students</i>
FEBRUARY	22	<i>Friday, Washington's Birthday, Holiday</i>
APRIL	11	<i>Thursday, Easter Recess begins, 9:00 P. M.</i>
APRIL	15	<i>Monday, Easter Recess ends, 9:00 A. M.</i>
MAY	30	<i>Thursday, Memorial Day, Holiday</i>
JUNE	4	<i>Semester ends for All Students</i>

Fall Semester

1963

BY APPOINTMENT		<i>Registration of New Students</i>
SEPTEMBER	By Notice	<i>Re-enrollment of Students</i>
SEPTEMBER	16	<i>Classes begin for All Students</i>
NOVEMBER	5	<i>Election Day: Holiday</i>
NOVEMBER	27	<i>Wednesday, Thanksgiving Holidays begin 9:00 P. M.</i>
DECEMBER	2	<i>Monday, Thanksgiving Holidays end, 9:00 A. M.</i>
DECEMBER	20	<i>Friday, Christmas Recess begins, 12:00 Noon</i>

1964

JANUARY	2	<i>Thursday, Christmas Recess ends, 9:00 A. M.</i>
JANUARY	10	<i>Semester ends for All Students</i>

THE LAW SCHOOL CALENDAR

Spring Semester

1964

BY APPOINTMENT		<i>Registration of New Students</i>
JANUARY	By Notice	<i>Re-enrollment of Students</i>
FEBRUARY	3	<i>Classes begin for All Students</i>
FEBRUARY	12	<i>Wednesday, Lincoln's Birthday, Holiday</i>
MARCH	26	<i>Thursday, Easter Recess begins, 9:00 P. M.</i>
MARCH	30	<i>Monday, Easter Recess ends, 9:00 A. M.</i>
MAY	22	<i>Semester ends for All Students</i>

Fall Semester

1964

BY APPOINTMENT		<i>Registration of New Students</i>
SEPTEMBER	By Notice	<i>Re-enrollment of Students</i>
SEPTEMBER	23	<i>Classes begin for All Students</i>
NOVEMBER	3	<i>Election Day: Holiday</i>
NOVEMBER	25	<i>Wednesday, Thanksgiving Holidays begin, 9:00 P. M.</i>
NOVEMBER	30	<i>Monday, Thanksgiving Holidays end, 9:00 A. M.</i>
DECEMBER	23	<i>Wednesday, Christmas Recess begins, 9:00 P. M.</i>

1965

JANUARY	4	<i>Monday, Christmas Recess ends, 9:00 A. M.</i>
JANUARY	25	<i>Semester ends for All Students</i>

**THE
BOARD OF TRUSTEES**

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Assistant Professor of Law

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EZRA WEISS, LL.B., *Adjunct Assistant Professor of Law*

* The Graduate Division is being discontinued at the end of the Spring 1964 Semester. No new candidates for graduate degrees are accepted.

THE LAW SCHOOL

NEW YORK LAW SCHOOL was organized in 1891 as a non-profit educational institution under a temporary Charter granted by the New York State Board of Regents. In 1897 the Law School was incorporated by the New York State Legislature (Chapter 307, New York Laws, 1897). The Act of Incorporation recited that New York Law School was "to be located in the City of New York, for the purpose of giving instruction in law and cognate subjects." By this Act authority was given "to grant and confer the degrees of Bachelor of Laws and Master of Laws and in testimony thereof to award suitable diplomas." By subsequent amendment of the Charter, the school was given authority to grant the Doctor of Juridical Science Degree (S.J.D.) and honorary Doctor's Degree (LL.D.). The School is approved by the American Bar Association, through the Council of its Section on Legal Education and Admissions to the Bar, as well as by the New York State Board of Regents.

The founding of New York Law School was the result of the influence and initiative of Professor Theodore W. Dwight, then Dean of Columbia University School of Law. George Chase, one of the original trustees and a Professor of Law at Columbia University, was the first Dean of New York Law School. With him on the first faculty were his Columbia colleagues, Professors Robert D. Petty and Alfred G. Reeves.

In addition to the teaching and scholarship of Chase, Petty, Reeves, and that of Professor Israel A. Washburne, who became associated with the Law School in 1900 and served for more than thirty years, the Law School also enjoyed the benefit and inspiration of lectures by Woodrow Wilson and Charles Evans Hughes.

In 1962, with the cooperation of its distinguished Board of Trustees, the school acquired a new home at 57 Worth Street, New York City. The location is in close proximity to the Federal, State and City courts, the new Federal Building, the Municipal Building and the State Office Building. The building is a nine-story, air-conditioned, well-lighted structure, which offers modern facilities to meet the needs of the student body.

THE LIBRARY

Developed primarily as a collection for the needs of law school students, faculty and alumni, the library, which consists of 35,000 volumes, is equipped to serve as a center for general legal research.

The basic collection comprises all of the State Appellate Reports prior to the West Reporter System, plus the Reporter System itself. Added to this are all the major reported decisions in the Federal Courts and a special collection of leading English cases. The Library also possesses up to date statutory material of the Federal Government and of all the states, and collections of English statutes.

This basic material is supplemented by a careful selection of textbooks, treatises, encyclopedias, and services. Complete holdings of the American Digest System, American Law Reports Annotated, Federal Digest, and Abbott's New York Digest are maintained.

A special feature of the Library is the Olin Collection, established by a grant in 1953. This grant has enabled the Library to include, among other publications, a substantial number of Anglo-American legal periodicals.

The library is located on the ninth and eighth floors of the school. The ninth floor serves as a Main Reading Room where the New York, Federal and State Reports as well as all encyclopedias are maintained, while the eighth floor collection houses all the bound periodicals and all English materials. The Card Catalog (for books) and the Kardex (for periodicals), both of which are found in the Main Reading Room, inform quickly of the holdings of the library and their location.

The library is open weekdays from 9:00 a.m. to 10:00 p.m., on Saturdays from 10:00 a.m. to 6:00 p.m. and on Sundays from 1:00 p.m. to 6:00 p.m. Changes in this schedule or special holiday schedules are posted on the bulletin board from time to time.

**THE PROGRAM OF INSTRUCTION
LEADING TO THE BACHELOR OF LAWS
(LL.B.) DEGREE**

The General Objectives

The primary objective of the Law School is to prepare students for the practice of the legal profession. With this in mind it seeks to ground the future lawyer in the fundamentals of the common law, which is the common legal heritage of the English-speaking peoples. It is also the purpose of the program to equip the student with the techniques necessary effectively to handle problems involving the adjustment of human relations on a legal basis.

The Specific Objectives of Full-Time and Part-Time Divisions

This program of instruction leads to the Bachelor of Laws (LL.B.) degree in both the Full-Time (Day) Division and the Part-Time (Evening) Division.

The Full-Time (Day) Division course of study is designed to absorb substantially the full time of students for three years of two terms each, or six terms. The normal classroom schedule consists of a minimum of twelve hours per week. As each hour in the classroom should be preceded by a minimum of three hours' preparation at home or in the library, it is evident that the students admitted to this division must devote substantially all their time to law-school work. In addition there must be a time allowance for participation in student activities such as the moot court and the research incidental to preparation of required law notes. With these objectives in view, the courses in the Full-Time (Day) Division are normally scheduled during the day only, and students registered in this division may not pursue courses in other schools except under special circumstances with the written approval of the Dean.

Candidates for the LL.B. degree who find it necessary to be employed while pursuing their studies may register in the Part-Time (Evening) Division, which offers a complete program of instruction over a period of four academic years, or eight semesters.

The class schedule of part-time classes consists of a minimum of eight hours a week, distributed over four or five evenings a week. The spread of the evening course over a four year period is designed to allow the evening student of law the same amount of time for preparation for classroom work, research in the Library, and participation in moot court work or other student activities as are available to the day student completing the same work in a three year period. Those desiring to study law in the evening must appreciate the gravity of the undertaking and must be prepared to make heavy sacrifices in both time and energy.

Candidates for the LL.B. degree may begin their work at the beginning of the Fall or Spring Term.

The right to shorten or cancel the Summer Semester or otherwise to change the instructional schedule is reserved to the Law School.

Daily Seminars

Daily Seminars in Problem Analysis and Practice are conducted from 12:30 P. M. to 1:30 P. M. These are devoted to discussion of current problems of legal interest and are led by members of the faculty and visiting lecturers. As part of this program, there is a weekly session of a Trial Practice Court. The trials are of the type that will confront the average young attorney. Pleadings and statements of fact are prepared for each case. The trials are held in a typical courtroom environment, presided over by judges of various courts or distinguished members of the bar. This is in addition to the participation, by students selected after competitive presentations, in the traditional scholastic Moot Court Competitions which deal with the writing of appellate briefs and arguing a case.

Each class is assigned to a specific seminar, in addition to which all Full-Time and Part-Time students are invited to participate in all of the seminar sessions. Attendance at one seminar session weekly is required of each student in the Full-Time Division.

Some of the subjects covered in this program are: Contracts, Torts, Corporate Organization, Criminal Law, Landlord and Tenant, Real Estate Transactions, Estate Planning, Accounting for Lawyers, Pleading and Practice, Ethics and the Legal Profession, and Constitutional Law. This is, of course, in addition to the regular coverage of these subjects in class.

There is also a non-credit course in Written and Oral Expression given in the first semester for students who indicate a need for it after taking a screening test. This has proved to be of great value in revealing basic deficiencies that require correction in order to enable the student to prepare himself more adequately for professional activity by developing a proper command of the written and spoken word.

Admission Requirements

Men or women who have reached the age of eighteen years at or before the beginning of the first scholastic year, who have completed an approved degree curriculum in an accredited institution whose programs are registered by the New York State Education Department or which is accredited by an accrediting agency recognized by the State Education Department, or who present evidence of having obtained the Law Student Qualifying Certificate showing compliance with the pre-legal requirements of the State of New York, are eligible to apply for admission to the Law School as candidates for the Bachelor of Laws degree (LL.B.).

PRE-LEGAL EDUCATION

No prescribed course of pre-legal education is required of applicants as a condition precedent to admission. Nevertheless, the School reserves the right, in its discretion, to determine whether the courses pursued by an applicant have given him a background adequate for the study of law, in accordance with the standards of the School and of accrediting agencies.

LAW SCHOOL ADMISSION TEST

All applicants for admission are required to take the Law School Admission Test to assist in the determination of the qualifications of the applicant and the likelihood of his success at the bar.

For a bulletin of information and an application, with complete details about the time and place of the test, the applicant should write to:

Law School Admission Test
Educational Testing Service
20 Nassau Street
Princeton, New Jersey

Admission Procedure

THE APPLICATION

Applicants for Spring or Fall admission to the Law School are required to fill out two regular application forms, which may be obtained in person or by written request from the Secretary at 57 Worth Street, New York 13, New York.

Such applications must be supplemented by an official transcript of the applicant's college record (s), his prior law-school record, if any, and the score on the Law School Admission Test. Official transcripts should be directed to the Secretary of the New York Law School. All necessary credentials, including written evidence satisfactory to the Dean of graduation from an accredited institution, with a degree based on an approved curriculum, or a Law Student Qualifying Certificate, and a receipt showing that the application fee has been paid, must be in the hands of the School before any formal action can be taken on the application for admission.

As considerable time is required for the consideration of a student's application and credentials, it is recommended that applicants for admission should submit their applications for registration as far in advance as possible before the commencement of the school year.

REGISTRATION

When the application and the other necessary papers are in the hands of the Secretary, they are turned over to the Committee on Admissions, which will promptly investigate the qualifications of the applicant, and may require a personal interview in an effort to secure an over-all estimate of the applicant's aptitude for the study of law. Upon completing the analysis of the applicant's record, the Committee returns the application to the Secretary, who arranges for a notification to the applicant, if approved for registration, to appear in person at the office of the School on the date specified to fill out the required records, thus completing the registration.

Attendance and Rules of Discipline

A record of attendance will be kept on every student for every hour of instruction during the school term. This record will be made in such a manner as to require rigorous punctuality and regularity of attendance. If for any reason a student fails to meet his class, such failure must be satisfactorily explained in writing to the Dean. Failure to attend scheduled classes without cause constitutes grounds for dismissal from the school.

Attendance credit begins only on the date when the student's registration is complete. Students registering after the beginning of the term will be marked absent for the classes they have missed. Students who attend classes without having registered are in violation of school regulations. At the beginning of each course the student will be assigned to a seat according to the seat number, and this will be his official seat for the entire semester. It is the responsibility of the student to be in the right seat when attendance is taken. Attendance credit will be given only for the occupancy of the correct seat for the full fifty minutes of each class session. Lateness will be recorded as absence.

It is the responsibility of the student to maintain his own record of his absences in accordance with the above procedure. When a student is absent for more than fifteen percent of the

class hours in any course, his attendance is deemed unsatisfactory and he may thereby forfeit the right to enter the examination in that subject or, having taken it, may be denied credit therefor and required to repeat the course. Students who are absent for more than ten percent of the required total attendance for the semester may receive no credit for the semester, and may be dropped from the school, or otherwise disciplined.

All students are admitted to the Law School subject to its rules and regulations relating to discipline and attendance and any amendments thereof. The Law School will exercise the right to dismiss a student or take other disciplinary action whenever, in the judgment of the Dean, circumstances require it.

The Course of Study

The schedule of courses in this Bulletin is subject to change.

In general, a minimum of 80 semester hours of credit is required for graduation.

In order to receive time credit in accordance with the rules of the Court of Appeals at least ten classroom periods of fifty minutes each must be pursued each week during the Day Session, and during the Evening Session at least eight classroom periods of fifty minutes each must be pursued each week. The school may, however, require longer attendance.

Upon the written approval of the Committee on Admissions students may transfer from the three-year day course to the four-year evening course, or vice versa, upon completion of any semester or other complete academic session. In general, a successfully completed year of the day course is deemed equivalent to one and one-third years of the evening course, and a successfully completed year of the evening course is deemed equivalent to three-quarters of a year of the day course.

Scholarships

A special full tuition scholarship is offered annually in memory of the late Justice Albert Cohn, class of 1908. This scholarship is awarded on the basis of merit and scholastic standing.

A number of other scholarships are also made available annually on the basis of merit and scholastic standing. Requests for scholarship information should be addressed to the Dean.

THE FULL TIME—DAY DIVISION—FEBRUARY ENTRANTS

COURSE OF STUDY

The number after each course is the semester hour credits allowed.

<i>*First Year</i>		<i>Second Year</i>	
Contracts I	3	Agency & Partnership	2
Introduction to Evidence & Practice	3	Corporations	3
Legal Research & Writing	2	Creditors' Rights	2
Legislation & Legal Method	2	Equity	3
Torts I	3	Evidence I	2
		Insurance	2
		International Law	2
		Negotiable Instruments	2
		Personal Property	2
		Real Property II	3
		Sales	2
		Wills & Estates	3
	13		28

<i>Summer Session</i>		<i>Summer Session</i>	
Contracts II	3	Criminal Law	3
Real Property I	2	Domestic Relations	2
Torts II	2	Jurisprudence	1
	7		6

Third Year

Administrative Law	2
Conflict of Laws	3
Constitutional Law	2
Evidence II	2
Future Interests	2
Income Taxation	2
New York Practice I	3
New York Practice II	3
Suretyship	2
Trials & Appeals	3
Trusts	2
	26

* Students who enter in February will be required to attend a semester of 8 weeks' duration, during each of the two summers immediately following. This will accelerate their complete course by one full semester.

THE FULL TIME—DAY DIVISION—SEPTEMBER ENTRANTS
COURSE OF STUDY

<i>First Year</i>		<i>Second Year</i>	
Contracts I	3	Agency & Partnership	2
Contracts II	3	Corporations	3
Criminal Law	3	Creditors' Rights	2
Domestic Relations	2	Equity	3
Introduction to Evidence & Practice	3	Evidence I	2
Jurisprudence	1	Insurance	2
Legal Research & Writing	2	International Law	2
Legislation & Legal Method	2	Negotiable Instruments	2
Real Property I	2	Personal Property	2
Torts I	3	Real Property II	3
Torts II	2	Sales	2
	26	Wills & Estates	3
			28

Third Year

Administrative Law	2
Conflict of Laws	3
Constitutional Law	2
Evidence II	2
Future Interests	2
Income Taxation	2
New York Practice I	3
New York Practice II	3
Suretyship	2
Trials & Appeals	3
Trusts	2
	26

THE PART TIME—EVENING DIVISION—FEBRUARY ENTRANTS
COURSE OF STUDY

<i>First Year</i>		<i>Second Year</i>	
Contracts I	3	Agency & Partnership	2
Introduction to Evidence & Practice	3	Corporations	3
Legal Research & Writing	2	Criminal Law	3
Torts I	3	Domestic Relations	2
		Equity	3
		Personal Property	2
		Real Property I	2
		Real Property II	3
	<hr/> 11		<hr/> 20
<i>Summer Session</i>		<i>Summer Session</i>	
Contracts II	3	Insurance	2
Torts II	2	Jurisprudence	1
		Legislation & Legal Method	2
	<hr/> 5		<hr/> 5
<i>Third Year</i>		<i>Fourth Year</i>	
Administrative Law	2	Conflict of Laws	3
Constitutional Law	2	Evidence II	2
Creditors' Rights	2	Income Taxation	2
Evidence I	2	International Law	2
Future Interests	2	New York Practice I	3
Negotiable Instruments	2	New York Practice II	3
Sales	2	Suretyship	2
Trusts	2	Trials & Appeals	3
Wills & Estates	3		
	<hr/> 19		<hr/> 20

THE PART TIME—EVENING DIVISION—SEPTEMBER ENTRANTS
COURSE OF STUDY

<i>First Year</i>		<i>Second Year</i>	
Contracts I	3	Agency & Partnership	2
Contracts II	3	Corporations	3
Insurance	2	Criminal Law	3
Introduction to Evidence & Practice	3	Domestic Relations	2
Jurisprudence	1	Equity	3
Legal Research & Writing	2	Personal Property	2
Legislation & Legal Method	2	Real Property I	2
Torts I	3	Real Property II	3
Torts II	2		
	21		20
 <i>Third Year</i>		 <i>Fourth Year</i>	
Administrative Law	2	Conflict of Laws	3
Constitutional Law	2	Evidence II	2
Creditors' Rights	2	Income Taxation	2
Evidence I	2	International Law	2
Future Interests	2	New York Practice I	3
Negotiable Instruments	2	New York Practice II	3
Sales	2	Suretyship	2
Trusts	2	Trials & Appeals	3
Wills & Estates	3		
	19		20

DESCRIPTION OF UNDERGRADUATE COURSES

Administrative Law: (2 Semester Hours)

THE historical emergence of modern administrative law; the creation and functions of administrative agencies, including rules and rule-making; adjudication; constitutional limitations; investigation; statutes and administration; administrative proceedings; agency hearings and decisions and judicial control.

Agency and Partnersip: (2 Semester Hours)

THE nature and creation of an agency are made the subject of inquiry, including an examination of the relationship of principal and agent, principal and third parties, agent and third parties, and special as well as general rules. The role of a partnership as a business device and its nature and formation are considered. Partnerships are distinguished from other forms of business organizations. The rights and duties of partners are scrutinized in regard to the carrying on of partnership affairs and in the dissolution and winding up of the partnership business.

Conflict of Laws: (2 Semester Hours)

THE history and development of the subject of conflict of laws is viewed in relation to jurisdiction of courts, both federal and state; foreign judgments; commercial arbitration; the Constitution; choice of law; torts; contracts; property; workmen's compensation acts; business organizations; family; decedent's estates; trust estates; debtor's estates.

Constitutional Law: (2 Semester Hours)

THE judicial interpretation and enforcement of written constitutions; the departments of government; powers of the national government; interstate commerce; personal liberty; citizenship; relationship between the fourteenth and first eight amendments; political and social rights; due process and equal protection of the law, including procedure and jurisdiction, equality, certainty, and application to substantive law, taxation and eminent domain; retroactive laws in civil cases; constitutional revision and amendment.

Contracts: (5 Semester Hours)

AN intensive inquiry is had into the general nature, scope and classification of contracts. Elements required to create a contract are developed, including competency of parties, legality of object, and mutuality of assent. The establishment, termination and acceptance of an offer in unilateral and bilateral contracts are subject to treatment; the rights of third parties; assignment; effect of circumstances unforeseen by the

parties; operation of the contract; conditions precedent, concurrent and subsequent; severable and entire contracts; fraud; misrepresentation; mistake; duress; remedies afforded the aggrieved party; rescission; anticipatory breach; damages for breach; Statute of Frauds, with its historical background and American adoption and application of the English Statute.

Corporations: (3 Semester Hours)

THE legal concept of a corporation is evolved from its origin to its present form. Requirements essential to the creation of a corporation and also to distinguish it from other forms of business organization. Also examined are the powers of a corporation; the rights and liabilities arising out of ultra vires transactions; the rights and duties of directors, stockholders and creditors; dividends; merger; dissolution; consolidation; reorganization.

Creditors' Rights: (2 Semester Hours)

A PRACTICAL approach to creditors' rights analyzing individual rights and remedies such as judgments, statutory liens, attachments, supplementary proceedings, security devices and fraudulent conveyances; and such collective rights as common law agreements, bulk sales, statutory assignments and bankruptcy proceedings.

Criminal Law and Procedure: (3 Semester Hours)

THE substantive law of crimes with particular emphasis on the elements of crime and criminal responsibility. Attention is paid to the various degrees of felonies under the Common Law and the New York Penal Law. Consideration is also given to the procedural aspects from arrest and indictment to conviction and appeal. The defenses available to those accused of crime are studied.

Domestic Relations: (2 Semester Hours)

THE requirements to create a marriage both at common law and under New York statutory law are developed. There is an analysis of the causes for annulment, dissolution, divorce and separation; the relationship between husband and wife with respect to prenuptial transactions; separation agreements; support of the wife; the relationship between parent and child; legitimacy; custody; adoption; contracts and torts. Emphasis is placed on the New York Domestic Relations Law with correlative sections of the New York Civil Practice Act.

Equity: (3 Semester Hours)

AN historical introduction by way of a study of the development of equity pleading and procedure from the early Court of Chancery in England to contemporary merger of law and equity; operative aspects of equity in federal and state courts, and its attendant problems. Specific reference to the operation and enforcement of equitable decrees, restitution, damages, decrees as to foreign property, injunctions against foreign suits, and decrees and injunctions relative to foreign acts are studied. The various aspects of specific performance of contracts, specific relief against torts, and special equitable remedies are thoroughly examined.

Estate Planning: (2 Semester Hours)

THIS course is designed to provide the fundamental substantive law, tax law and drafting background required for effective estate planning. The first three sessions of the course consider the substantive law of trusts, estates and future interests. The following three sessions are devoted to the gift tax, estate tax and income tax aspects of estate planning. The balance of the semester consists of the formulation of estate plans in various situations and the drafting of trust agreements and wills designed to effectuate the selected estate plans.

Evidence: (4 Semester Hours)

A KNOWLEDGE of the rules governing the presentation of proof in judicial proceedings, covering leading rules and principles of exclusion and selection, examination, cross-examination, competency, and privileges of witnesses. It also embraces judicial notice, burden of proof, presumptions, province of the court and jury, relevancy and materiality, admissions, confessions, the hearsay rule and its exceptions, and the "best evidence" rule.

Federal Income Taxes (Basic): (2 Semester Hours)

A FUNDAMENTAL understanding of the Federal Income Tax Law as it applies to the individual, the partnership, the fiduciary, and the corporation. It deals with the income, excess profits, estate, and gift taxes. The preparation of tax returns and procedure in the Bureau of Internal Revenue are incidentally treated. The practical aspects of the tax law are included.

Future Interests: (2 Semester Hours)

THE creation, transfer, and characteristics of future interests in real and personal property. Construction problems. Illegal conditions and restraints on alienation; suspension of the power of alienation; the Rule Against Perpetuities.

Insurance: (2 Semester Hours)

THE principles of the insurance contract pertaining to nature and form, parties, insurable interest, consideration, representations and warranties, construction, rights and obligations of the parties, waiver and estoppel, subrogation, agents, brokers and remedies lay the foundation for the subject matter of this course. All forms of insurance are explored with special emphasis on life, fire, casualty and marine.

International Law: (2 Semester Hours)

THE organization of the international community in theory and fact is dealt with; also national sovereignty, including birth, recognition, independence and extinctions; national domain, including acquisitions, boundaries, general or special privileges and succession; national population; national jurisdiction; intercourse and agreements; adjustment of differences, and growth of the law through international cooperation.

Introduction to Evidence and Practice: (3 Semester Hours)

THIS course introduces the student to the historical background of the law and the general theory of liability civil and criminal. It traces the relationship between adjective and substantive law, between the common law forms of action and pleadings and practice under the present Civil Practice Law and Rules, as well as the rules of evidence governing the presentation of proof in judicial proceedings.

Jurisprudence: (1 Semester Hour)

A CRITICAL approach to the law and the living philosophy that underlies it. Distinctions are noted between law and morality. The sociological aspects are developed, as are the ancient and modern scientific concepts, in order to understand more fully the general philosophic nature of the law. Justice is seen in its proper philosophic setting. The various problems confronting the old and the new legal philosophers are examined in the light of varied contemporary cultural and moral backgrounds.

Legal Research and Writing: (2 Semester Hours)

DESIGNED to instruct the student in "how to find the law," this course offers a comprehensive study in legal bibliography and in the preparation of short papers on case and statutory law covering certain limited legal questions. It encompasses research in constitutions, legislative enactments, judicial and administrative decisions, digests, encyclopedias, citations and periodical literature. Each student is required to write a comprehensive law note or legal memorandum on some broad aspect of the law.

Legislation and Legal Method: (2 Semester Hours)

A COURSE designed to give the beginning student an understanding of the skills necessary in the professional use of case law and legislation. The legislative process is compared with the judicial process. Considered are the sources and forms of Anglo-American Law, the analysis and synthesis of judicial precedents, the nature and extent of legislative power, the formation of legislative policy, legislative organization and procedure, modes of enactment, interpretation and validity of statutes, coordination of judge-made and statutory law, and legislative intent.

Negotiable Instruments: (2 Semester Hours)

THE rules of the law merchant and the provisions of the Negotiable Instruments Law and of the Uniform Commercial Code relating to the requirements of negotiability, the liabilities of the parties, methods of transfer, and the special position of holders in due course of bills of exchange, bank checks, promissory notes, and similar commercial instruments.

New York Practice: (6 Semester Hours)

THE subject of practice includes a study of the procedure in the civil courts of the State of New York which encompasses the jurisdiction of the courts, parties to an action, place of trial, methods of serving process, appearance, officers of the courts, including attorneys, judges and referees, pleadings and bills of particular. It outlines motion practice, limitation of actions, provisional remedies, pre-trial practice, trials, verdicts, decisions, motions for new trials, appeals, costs, enforcement of judgments, particular actions and special proceedings.

Personal Property: (2 Semester Hours)

THE concept of property, involving the distinction between real and personal property, the distinction between possession, ownership and title, the elements of findings and the rights and duties of the finder in relation to the owner. It distinguishes bailments from other transactions and treats with the scope and validity of the common law lien, the acquisition of ownership, the pledge, fixtures and emblements. It also considers liens and chattel mortgages; areas affected by the Uniform Commercial Code, and damages.

**Real Property I: Rights in Land and Mortgages
(2 Semester Hours)**

THE feudal system; estate, non-possessory interests in land, concurrent ownership, uses and trusts, rights in land incidental to possession and rights in the lands of another, including easements, profits, licenses, agreements running with land owned in fee, agreements running be-

tween landlord and tenant, rents, waste and public rights. The subject matter of the mortgage part of the course includes an examination of legal and equitable mortgages, interests which may be mortgaged, the mortgage debt, rights and duties of mortgagor and mortgagee, priorities, discharge, right of redemption, conveyances of land subject to mortgage, assignment, extension, satisfaction, and foreclosure. Reference is made to chattel mortgages and other forms of security transactions.

Real Property II: Titles (2 Semester Hours)

THE development of the legal doctrines applicable to acquisition of land and various interests therein as between living persons. It includes title by adverse possession and prescription, conveyances at common law under the Statute of Uses and under modern statutes; execution of deeds, the subject matter, creation of easements by implication, estates created, covenants for title, estoppel by deed, priorities, including fraudulent conveyances, recording, and title registration.

Sales: (2 Semester Hours)

THE passage of property rights in personal property from a vendor to a vendee under contracts to sell and contracts of sale. The course covers the English Sale of Goods Act, the Uniform Commercial Code and the pertinent New York statutes that establish the source and the requirements of the sales contract. Passage of property in goods, estoppel and fraud, documents of title, security transactions, risk of loss, warranties, remedies of buyer and seller, damages, Statute of Frauds, conditional sales, and chattel mortgages are some of the topics explored in this course.

Suretyship: (2 Semester Hours)

THE purpose and creation of the suretyship relation and the distinctions between suretyship, guaranty and indorsement. It requires a knowledge of the formation and construction of the contract, Statute of Frauds, rights of the surety, rights of the creditor, and defenses available to the surety. Also, third party undertakings pursuant to law, such as official and judicial bonds.

Torts: (5 Semester Hours)

TORTS concerns civil wrongs to person and property which arise from a breach of duty imposed by the common and statutory law and the damages resulting from same. The civil wrongs include negligence, assault, battery, false imprisonment, malicious prosecution, libel, slander, trespass, conversion, fraud, nuisance, unlawful interference with another's business relations, and related actions:

Trial Practice: (2 Semester Hours)

THIS course is designed to prepare students for trial work. It covers trial technique, tactics and strategy. Students are taught the principles of proof and given an opportunity to frame proper questions to elicit desired testimony. By use of the "Electroni-Court" tapes, the courtroom is brought into the classroom and students are trained to recognize and react to objectionable questions or answers and to argue the admissibility of proffered testimony. This course (together with the Trial Practice Court) is intended to furnish the equivalent of actual trial experience.

Trusts: (2 Semester Hours)

THE history and creation of trusts are investigated critically to present a complete view of the trust relation. Expressed or implied trust interest, the subject matter of the trust, the methods of creation, the beneficiary, the kinds of trusts, the application of statutes, the problems of trust administration including the care, skill and loyalty required of the trustee, the delegation of trustee's powers, the contracts and torts of trustee, the termination of trust, and the remedies available for trust enforcement.

Wills and Decedent Estates: (3 Semester Hours)

A study of the rules of descent and distribution provides the basic approach to this course. Some specific topics for discussion are freedom of testation, execution, capacity, fraud, undue influence, mistake, integration, including the parol-evidence rule, testamentary character, revocation and revival, construction, ademption, abatement, lapse, probate of wills, and administration of estates.

EXAMINATIONS AND GRADES

General Provisions

Written examinations in undergraduate subjects are held at the end of each semester. These examinations consist of essay questions or a mixture of the objective and the essay type of question. Other specific rules governing examination procedure are posted on the bulletin board or otherwise brought to the attention of the students before the beginning of each examination period.

The hours when examinations are conducted may be fixed at times other than when regular classes are held.

A student must comply with the rules on examination procedure and attendance, and also give satisfactory recitation in the classroom, or he may not be permitted to take the examination or examinations involved.

Failure to appear for an examination may prohibit the student from going on with advanced work until the deficiency has been made up, or may result in dismissal, unless written evidence satisfactory to the Dean is presented within five days following the examination and is approved in writing. If excused, the student must take the examination when it is next given in regular course. The same conditions apply to re-examinations.

Violation of any rule relating to examinations will result in disciplinary action.

Scale of Grading

The following grading scale will prevail: A 87 or over, (Excellent), B 78-86 (Good), C 69-77 (Fair), D 65-68 (Lowest passing grade); all below 65 are F (Failure). The right to change or cancel the scale is reserved.

Every student is required to maintain a weighted average of C in each scholastic semester to continue in good standing, and to maintain a cumulative average of C.

Any student failing to maintain the minimum average of C may not be permitted to continue in the Law School as a candidate for the LL.B. degree.

A student failing or omitting examinations in two or more subjects in a given semester may be dropped from the Law School.

The condition attached to the letter F (below 65) is that, where a student is otherwise permitted to proceed with his work, he may apply for permission to take a re-examination in the subject failed.

Any student who has failed or has not appeared for an examination in a course, the content of which has changed or which is not then a part of the curriculum, will be required to prepare himself in the altered course or substitute by repeating a new course for the one that has been replaced.

Any student may be dropped by the Dean for poor scholarship or conduct unbecoming a law student when in his judgment it is deemed necessary.

Graduation with Honors

Summa Cum Laude and Magna Cum Laude LL.B. degrees are awarded to the top ranking students in both the Day and Evening Divisions who are recommended by the Dean and the Faculty.

Cum Laude LL.B. degrees are awarded to those students who maintain an average grade of not less than 84 and have no grades less than 69 during the entire course, upon the recommendation of the Dean and Faculty.

EXPENSES

Tuition Fees

Three-year Full-Time (day) course . . . \$350 Per Term

Four-year Part-Time (evening) course . . \$300 Per Term

When less than a full semester's schedule of subjects is taken, the tuition fee is at the rate of \$30 per term hour provided that the total fee shall not exceed the fee for the full semester. Subjects taken in addition to those prescribed for the regular term are also charged at the rate of \$30 per term hour.

The right is reserved by the School to alter schedules of fees at any time without notice.

All tuition and fees are due and payable on or before the specified date and time of registration, except veterans approved under Public Law 894 or other like statute by the Veterans Administration in advance of registration at New York Law School and students already holding Regents War Service Scholarships for Veterans or other similar scholarships. In the latter instance, certified written evidence of the scholarship must be submitted prior to registration and the portion not covered by the scholarship must be paid on the specified date and time of registration. In the case of Public Law 894, the Authorization and Notice of Entrance into Training must be submitted prior to registration.

No deferred payments will be granted. Application blanks for bank loans are available in the Registration Office for any student who wishes to avail himself of this service well in advance of registration.

It is an infringement of the rules and regulations of the Law School for any student to attend classes if tuition and fees have not been paid in full for the semester.

Other Fees

An application fee of \$10 is payable when the application is sent to the Law School. No application will be considered until this fee has been paid and the application is in all other respects complete. This fee is not returnable.

A fee of \$5 may be required as a penalty for late registration. This fee is not chargeable to Veterans' Benefits.

A fee in the amount of \$5 is charged for requests for change of program received after five days from the commencement of the semester. This fee is not chargeable to Veterans' Benefits.

A registration fee of \$10 is payable in connection with each term's registration. A fee of \$10 is charged for any single examination taken out of regular order; this covers

special examinations, make-up examinations, and re-examinations.

A graduation fee of \$25 is charged to cover cost of diploma and some of the other incidental graduation expenses.

An incidental fee of \$8 is charged to cover the cost of special activities for students carrying 6 or more semester hours.

In order to obtain a certificate or transcript of any sort, or to be granted a degree, students must have paid all fees due the School.

Transcripts	\$2.00	.....	1940 to Present
	\$3.00	.....	1935 to 1939
	\$5.00	.....	1898 to 1934
Certifications	\$2.00	.....	1891 to Present

The right is reserved by the School to alter the above schedule of fees at any time without notice.

Withdrawals

If it becomes necessary for a student to withdraw from the Law School by reason of illness, or other unforeseen reason, satisfactory to the Dean, the following deduction policy prevails:

One week or less	.....	20%
Between one and two weeks	.....	30%
Between two and three weeks	.....	40%
Between three and four weeks	.....	60%
Between four and five weeks	.....	80%
Over five weeks	.....	100%

The above graduated scale of charges does not apply to a fee which is for a noncontinuing service and not subject to refund under any conditions.

A student is not regarded as having withdrawn from the school unless written notice of his withdrawal and the reason for it is received and approved by the Dean, and until written approval is received by the student.

PRIZES

No prize will be awarded to a student who has not attended with diligence and regularity the prescribed exercises of the Law School, who has not taken all the examinations required of him, or whose scholarship and conduct do not justify the award. The School reserves the right to change the number and character of prizes or to withhold the award of any particular prize.

Trustees' Prizes.—The Trustees have provided a prize of \$100 to be awarded to the student graduating with the highest scholastic average in the subjects of his final year. A separate award is made in Day and Evening Divisions of the school.

Dean Gutman Award.—Dean Daniel Gutman offers a \$100.00 Cash Award annually to the graduate who has evidenced the highest degree of responsibility during the entire course of study.

Dean Gutman also awards additional cash prizes to students who have rendered outstanding service to the New York Law Forum.

Strelzin Memorial Awards.—These are cash prizes for scholastic proficiency.

Wessel Memorial Awards.—These are cash prizes for scholastic proficiency.

Nathaniel L. Goldstein Award.—Nathaniel L. Goldstein (class of '18), former Attorney General of the State of New York, has announced the award of a medal, yearly, to the graduate of the year, to be nominated by the President and the Dean of the School, who has been most proficient in Constitutional Law.

Elsberg Prize.—In 1913 Mrs. Albert Elsberg gave to the Law School a fund of \$2,000 to establish a prize in memory of her deceased son, Albert Marion Elsberg, who was a student

in the Evening School and graduated in the class of 1910. This prize consists of a medal and an additional sum of \$50 and is awarded "to the student graduating that year from (after completing the full course in) the Evening Department of the School, who shall be deemed most proficient in the Law of Contracts, and otherwise deserving."

Evidence Award.—Murray Stockman (class of 1921), Trustee of New York Law School, awards a prize of \$100.00 each to the students who obtained the highest scores in the subject of Evidence and who are otherwise deserving.

Moot Court Awards.—The Trustees of New York Law School have provided a cash award of \$100 annually for the student deemed to have done the best work in the final argument of the Moot Court appellate competition, and an award in like amount to be divided equally among the members of the winning team.

PLACEMENT

New York Law School makes every effort to place its graduates in remunerative positions. Contact is maintained with practicing alumni and the members of the bar at large. Notices of employment opportunities are posted, and the Dean is available for personal consultation and advice with respect to same.

Arrangements have also been made for a number of students to serve in public offices for limited periods and for a limited number of hours per day. Included among these are the office of the Attorney General of the State of New York, and the District Attorneys of New York County, Kings County and Queens County. In addition, a number of students interne for six week periods at the Legal Aid Society. Such service furnishes students with valuable experience, training and background.

**INTERNATIONAL LEGAL FRATERNITY
OF
PHI DELTA PHI**

PHI DELTA PHI, the international fraternity, is represented by DWIGHT Inn Chapter at the New York Law School.

PHI DELTA PHI was formally organized on December 13, 1869, at the University of Michigan Law School and has since grown to about 100 Chapters in the United States and Canada.

The purpose of PHI DELTA PHI is best set forth by an extract from the Preamble to its Constitution.

“We . . . the Law Students . . . in order to promote a higher standard of professional ethics and culture in Law Schools and the profession at large . . . unite ourselves . . . in the bonds of brotherly love for the purpose of encompassing these ends.”

DWIGHT Inn was organized at the New York Law School in 1899 in order to further these purposes and to bring to this School the cultural and professional advantages of membership in an international legal fraternity. Since 1899 DWIGHT Inn has grown into a strong force for supplying those aspects of a law school education which are not included in the pedagogic curriculum, such as social affairs, lectures, initiations, smokers and trips to points of legal interest where the brothers, alumni, and faculty can get together and discuss legal, school, and other current problems in an informal atmosphere.

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