

PROCEEDINGS

PRESENTATION OF A PORTRAIT

OF

Chief Justice Arthur T. Vanderbilt
1948 — 1957

TO THE

New Jersey Supreme Court

BY THE

New Jersey State Bar Association

JANUARY 19, 1959

XIX

PROCEEDINGS

BEFORE

New Jersey Supreme Court

January 19, 1959

CHIEF JUSTICE WEINTRAUB: Mr. Diverty.

PRESIDENT DIVERTY: Chief Justice Weintraub and Associate Justices:

It is a happy privilege to be President of The New Jersey State Bar Association and to be recognized as such in this Court.

We are gathered here this morning to honor a distinguished Jurist. No one more than the Bench and the Bar is better able to appraise and to understand his service, the distinguished service, that has been rendered to the Bench, to the Bar, and to the people of this State than those who are assembled here this morning.

The New Jersey State Bar Association believes it is fitting that those who enter this hall of justice where the late Chief Justice Vanderbilt presided should be reminded of this very great and distinguished service which he rendered to the Bench, to the Bar, and to the people of our State.

We have had prepared a portrait of the late Chief Justice, Arthur T. Vanderbilt; I have the honor to tender this portrait to you this morning, and I am pleased to call upon Edward R. McGlynn, a lifelong friend and Chairman of the Portrait Committee of our Association, who will make the formal presentation to you.

CHIEF JUSTICE WEINTRAUB: Very well.

MR. EDWARD R. MCGLYNN: May it please your Honors, members of the Bar, and family of the late Chief Justice Vanderbilt:

The New Jersey State Bar Association appointed a Committee to consider the presentation of an oil painting of the late Chief Justice Arthur T. Vanderbilt to be presented to this Court.

The spontaneous and widespread response to the Committee's request for contributions for this worthy cause was not only most gratifying, but most successful. We know of no better introduction to a memorial to the late Chief Justice than the words of Lord Chancellor Bacon:

"Judges ought to be more learned than witty, more reverend than plausible, and more advised than confident. Above all things integrity is their portion and proper virtue."

The late Chief Justice's life on the Bench afforded daily exemplification of these qualities. At a time like this it is very difficult to be restrained. One's impulse is, naturally, in view of the extraordinary character, ability, learning and career of the late Chief Justice, to go into extravagances.

From the beginning of his career his marked ability and resourcefulness, together with his untiring energy and ardent devotion to the interests of his clients, earned for him well deserved recognition as an outstanding member of the Bar, of which he later became a distinguished leader, including his elevation to the Presidency of the American Bar Association.

His career was not sudden, but he went steadily onward with the years, like the irrepressible flow of a mighty river. In mind and energy he was a superman and could have filled any position in the nation with credit to himself and honor to his people. Looking back over the years it is almost impossible to believe that one man could have accomplished all the things that he did during his lifetime.

First and foremost, of course, he was a beloved husband and father. Then the sacrifices he made and the hours he spent as a teacher of the law culminating in his Deanship of the New York University Law School. Then as a civic leader, especially in Essex County, but also Statewide, and

the service he rendered nationwide at the request of the United States Supreme Court. Then came his battle for constitutional reform, which after a tremendous effort and against terrific odds he finally accomplished.

While all these recounted accomplishments were wonderful, his full greatness is reflected in the realm of judicial reform, the full impact of which was thrust upon the members of the New Jersey Bar, but which, as an indication of its importance is, apparently, now being more or less followed in its entirety by many of our States in this country.

He came to the Court very well equipped. His character as a man, his high ideals, his well known mastery of his profession, his keen and balanced judgment, his powers of application and love for judicial work, his logical mental process, brought to his work the qualities which have won for him in the estimation of the Bar, Bench and citizens, a place in the very front rank of the most eminent Judges of our country.

These monumental changes in our daily practice were difficult for some lawyers, especially us older ones, to become accustomed to and to be contented with gracefully. His efforts in this direction required him to be rather uncompromising and sometimes forbidding, but his methods were resourceful and ingenious, and it was inevitable that he should accumulate some opponents, but his friends knowing the grace and charm and gentleness he concealed from the world with a rather frowning mask, loved him as they revered his learning and respected his superb intellect. Those who knew him did not find his personality uncompromising or forbidding, only those who do nothing lack opponents.

He literally worked himself to death, a sacrifice to his devotion to his Court, to his Bar, and to his State, and work was his pleasure, and he was unhappy without it.

It is the fervent hope of the New Jersey Bar Association that as the present members of the Bar and those who are to come look upon this picture that it will not only refresh their recollection and memory of the late Chief Justice's accomplishments and virtues, but that it will stimulate them to ever strive to uphold and maintain the high standards

of our Bar which the late Chief Justice insisted should not be high, but the highest.

In conclusion I shall use the words taken from the ritual of one of our largest fraternal orders:

“The faults of our brothers we write upon the sands. Their virtues on tablets of love and memory.” May this picture be such a tablet.

(President Diverty of the New Jersey State Bar Association then unveils the portrait of the late Chief Justice Arthur T. Vanderbilt)

CHIEF JUSTICE WEINTRAUB: Mr. Justice Wachenfeld will speak for the Court.

JUSTICE WILLIAM A. WACHENFELD: Mr. President, Mr. McGlynn:

This splendid portrait is received by the Court with sincere appreciation to the State Bar Association.

Since his passing, many memorial services have brought forth glowing tributes to him and to his career.

His personal qualities were exemplary and were the basis of his magnificent accomplishments. Stern, uncompromising and determined, yet friendly and warm, he was indeed a composite difficult of description. His friends were legion, his contacts almost unlimited. His objectives were always adhered to and he wisely varied his method of approach according to the particular program he was pursuing. He instilled confidence and assurance and his advice was much sought after and valued by persons in every walk of life.

These attributes made him an outstanding leader, whether as legal practitioner, educator, governmental reformer, judicial administrator or judge. The keynote of his life was a wholehearted and zealous dedication to the many public causes which he favored.

Certain it is that the results of his work will survive us for generations to come. His achievements in the fields of law reform, organization of courts, judicial administration and legal education make a consistent whole and mark him

as entitled to a prominent place among those who have raised our institutions of justice to their highest possibilities.

As a legal educator, with foresight he strove to improve justice at its source, centering his attention upon the young men who each year issue forth from the schools and eventually become the leaders of the profession. Through his influence on legal and pre-legal education he contributed to breaking down the barriers of narrow specialization, thus promoting among students an understanding of law and life as a coherent whole. His example and his precepts aroused an appreciation that the ultimate purpose of legal education is not merely to train lawyers to be competent practitioners, but also to make them conscious of their responsibilities to the public and its many and varied problems.

He was one of the most gifted lawyers in the history of the New Jersey Bar, and his decisions as a Judge reflect his consummate knowledge and devotion to the law. His successful efforts in the field of court administration provided proof that the cause of justice need not suffer from delays, technicalities or the evils of maneuver or surprise. In so doing he brought the Court system of New Jersey into the foremost ranks. As a result of his influence, all our citizens now know that their Courts can render better and swifter justice simply by keeping themselves attuned to the times and by adopting efficient administrative practices. To him, the improvement of the administration of justice was an unending task, and so it must be for us who would honor him by following the path he so clearly defined.

All this and much more was not done without great sacrifice. The demands on the time and the talents of the late Chief Justice were exorbitant, and only a Herculean figure could have withstood the burden. He gave much of his life to the State of New Jersey, and the Bench, the Bar and the people of this State will be forever indebted to him for the imperishable monument of his many years of public service. No matter how long he lives, a man like the Chief Justice dies too soon.

He remains poised as you see him, in back of this bench, a silenced monitor but still observing the operation of the

judicial system he loved so well. Of it he spoke plainly and without guile, directing himself to the basic principles of our jurisprudence which must remain steadfast if we are to continue to lead in the administration of justice. For this symbol of moral prompting and judicial inspiration, we again express our indebtedness to the State Bar Association.

Thank you.

CHIEF JUSTICE WEINTRAUB: Thank you, Justice Wachenfeld.

May I thank all of you who have come here today to attend this ceremony.

The Court will now recess for a brief period. Will each of you please feel free to come forward to view this portrait. The transcript of these proceedings will be recorded in the minutes and published in the official reports.