IV. THE PRE-GAREY HALL YEARS

We have treated of the adventurous first year in the operation of the School of Law, supra under the title The Birth of a Law School. Turning now to the second year in the life of the young Villanova Law School, we encounter a new class, new courses and new additions to faculty and staff.

Jane L. Hammond, M.S. in Library Science, from Columbia and cataloguer at the Harvard Law Library, followed Arthur Pulling to Villanova and took the title Assistant Librarian. Donald M. Collins, a graduate of Villanova College and of the University of Pennsylvania Law School and an associate with Donovan, Leisure Newton and Irvine, became the seventh member of the law faculty. Professor Donald Collins had been a dedicated undergraduate at Villanova, being editor of the College newspaper, the Villanovan. The Dean entertained the expectation that his latest addition to the faculty would be a successful recruiter of Villanova undergraduates, the brightest of whom had been looking elsewhere for their legal education. He was not disappointed. Also, during that second year a registrar for the School of Law was engaged, replacing the University registrar who had been assigned these extra duties for the first year. The new arrival, Carmelita Geraci, had been the registrar at the Law School of Northeastern University in Boston. She was brought to Villanova at the suggestion of Professor O'Toole — a wise move, since accurate and well-organized student files were an essential for a school seeking American Bar Association approval.

At the beginning of the second year, the student population numbered 97, 33 survivors in the second year class from the 68 who initially enrolled and 64 newly enrolled in the first year class. The library collection was growing to the extent that the mere cataloguing of the additions, apart from their stacking, offered a continuing challenge to keep reasonably current. Cartons of books were lying about awaiting stack space. Problems of logistics abounded. It became necessary to carve out an additional classroom, to find office space for the added personnel, and to arrange for hearing rooms for moot court arguments in various campus buildings. Then, too, it was necessary to earmark space for the use of students selected to prepare the publication of an intramural mimeographed Law Review (volumes 0 and 00) as a training device for the anticipated Villanova Law Review which was to begin publication in earnest the following year. All of the above called for the adeptness of a juggler, the nimbleness of a quick-change
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- IDEA OF A LAW SCHOOL
  By Hon. Charles S. Denson
- AMERICAN PARTICIPATION IN FOREIGN ATOMIC ENERGY ACTIVITIES: THE STATUTORY FRAMEWORK
  By Harold F. Green
- ELEMENTS OF ESTATE PLANNING
  By Gilbert T. Hopkins
- THE RIGHT OF THE COMMONWEALTH TO APPEAL IN CRIMINAL CASES
  By Michael von Mootzbar and James F. Garland

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The Villanova University School of Law

Mr. Chief Justice Charles Alvin Jones, Supreme Court of Pennsylvania and former Chief Justice Horace Stern study the program at a Villanova Alumni dinner.

The Executive Board of the first Student Bar Association: Left to right, John G. Kneafsey, Representative; Arthur S. O'Neill, Treasurer; Albert E. Janke, President; Neale F. Hooley, Vice President and Secretary; John F. Gaffney, Representative.


The Editorial Board of the Law Review: Left to right, Thomas J. Brady, Case and Comments editor; Robert P. Garbarino, President and Editor-in-Chief; and Joseph R. Glancey, Articles editor.
artist and the planning skills required for a challenging military operation. An additional classroom was made available on the ground floor of the University Library building and the Dean asserted in his first Annual Report to the President of the University that “it is absolutely necessary for the School of Law to occupy its own exclusive quarter by not later than the opening of the academic year 1956-57. As nearly as I can ascertain, we cannot demand the use of an additional inch of space in the general library building. What we will do for additional classroom and office space during the academic year 1955-56, I do not know.” As the School of Law encroached upon more of the library building, the relation between the University Library administration and the Law School became somewhat strained and tensions developed between law students and undergraduates in the use of library facilities. The situation was becoming increasingly serious.

Happily, the first year of operation was concluded on a festive note. The first annual Law School banquet was held at the old Haverford Hotel, with University administrators, the Board of Consultants, the faculty and students attending. Our distinguished guest was Vice-Chancellor Charles B. Nutting of the University of Pittsburgh who was then serving as President of the Association of American Law Schools. It was good indeed to celebrate a successful inaugural year.

In the interim, despite many obstacles, the School of Law was moving ahead. Admission standards were gradually being raised. As already indicated, the first class had been admitted without the Law School Admission Test (LSAT) having been taken although the test was administered to all the students during the academic year. Not surprisingly, no one was excluded for low test scores that year. In all subsequent years the taking of the Law School Admission Test was an absolute requirement for admission. At first, a combination of a test score of a minimum of 350 (on an 800 scale) and an undergraduate college average of not less that a C-plus was a prerequisite for admission. In quick succession following the admission of the second class, the minimum Law School Admission Test score was raised, first to 385 and then to 450. The School curriculum for the second year, as had the earlier first year curriculum, was approved by the Board of Regents of the University of the State of New York. An appellate moot court team composed of students who had just completed their first year of law was fielded in the Regional Moot Court competition against the law schools of the region. To the astonishment and admiration of the members of the local judiciary, the Villanova team was successful against the teams of the University of Pennsylvania and Temple. While thereafter falling to the team from the University of Pittsburgh, Villanova was selected as a co-representative of the district in the National Competition in New York City. It was at this point that Chief Justice Horace Stern of the Supreme Court of Pennsylvania commended the Villanova performance against seasoned opponents as amazing for a school in existence only fifteen months. While losing to the University of Kentucky in New York, the experience proved to be particularly profitable. Dean Reuschlein and Professor O'Toole capitalized on the experience by acquainting the team members with a number of prominent practitioners as they visited the Harvard and Yale Clubs of New York. The experience served as a tremendous morale booster for the provisionally accredited Law School as it dramatized to the student body that the education the students were receiving stacked up well with that of older and more prestigious schools.

In the second semester of the School's second year, two issues of Volume O
of the *Villanova Law Review* appeared in mimeographed form. The intramural publication consisted of student casenotes and comments and was intended as a training exercise for the staff in anticipation of the publication of Volume One of the *Villanova Law Review* which was to appear the following year. Robert P. Garbarino '56, one of the members of the National Moot Court team, was the first Editor-in-Chief, Thomas J. Brady '56, the Case and Comment Editor and Joseph R. Glancy '56, the Articles and Book Review Editor. The effectiveness of the first editorial board deserves high praise. Their effectiveness in the solicitation of articles for the first public issue was noteworthy. These men were not only law students, but also served as instructors in Business Law in the undergraduate College. The Editor-in-Chief, now Associate Dean Garbarino, recalls that work was completely student written or edited with only the advice and consent of Professor Holahan. The disarray of the ever-increasing unstacked acquisitions to the law library collection, the limited accessibility to the Law School's quarters in a building not under the jurisdiction of the Law School, the minimal availability of stenographic help and the lack of space for quiet editorial work made publication challenging. It is doubted that any other law school broke into law review print so early in its life and under such trying conditions. In conformity with the custom established during the first year of recognizing the importance of professional social contacts, the year concluded with the second annual Law School banquet. Chief Judge Charles Desmond of the Court of Appeals of New York was the speaker, while deans of the local law schools and Chief Justice Stern of the Supreme Court of Pennsylvania graced the head table. A second remarkably successful year for the School of Law was happily concluded.

As the School of Law began its third year (1955-56) the student population had grown to 115, composed of 31 potential graduates, 24 in the second year class (of the 64 who started, many having been lost to military service) and 60 entering students. With the three classes aboard, a full curriculum including a modest program of electives and a *Law Review* to be inaugurated, space was an even more critical need. Exacerbating the problem was the ever-increasing size of the library collection and the addition of another full-time member of the faculty, William Bentley Ball. Professor Ball earned his law degree at Notre Dame and was the Editor-in-Chief of Notre Dame's *Law Review* during a year while Dean Reuschlein was a member of the law faculty at Notre Dame. In seven years of professional life, Professor Ball had held positions with the pharmaceutical manufacturing firm of Pfizer, Inc., and with W.R. Grace Company. A number of part-time lecturers complemented the full-time faculty to fill out a curriculum of 31 courses made available to second and third year classes. The morale of the students and faculty was remarkably high, all believing that upon their shoulders rested the future, the full approval and the reputation of the School.

The commitment having been made by the University administration to build a new home for the School of Law, it was with keen anticipation that ground was broken for the structure to be later known as Garey Hall. On September 2, 1955, a week before registration of the classes for the impending academic year, and on the fourth centennial of the death of Saint Thomas of Villanova, the first shovelful of soil was turned over on "Mount Misery" by Francis Cardinal Spellman, Archbishop of New York. He immediately surrendered the shovel to Chief Justice Stern of the Supreme Court of Pennsylvania. Successive digs were made by Archbishop (later Cardinal) O'Hara, Archbishop of Philadelphia, Father Greenlee, Augustinian Prior
Provincial and Chairman of the Board of Trustees, Father Donnellon, President of the University, Father McGuire, the immediate past President and Director of the University Development Foundation, Professor Philip Mechem of the University of Pennsylvania law faculty and Secretary-Treasurer of the Association of American Law Schools, Judge Vincent A. Carroll, first chairman of the Board of Consultants, Dean Reuschlein and Joseph R. Glancey, '50, '56, President of the Student Bar Association. All this breaking of ground prompted Archbishop O’Hara to quip that with this many shovelers, little heavy equipment would be needed to dig the hole for the foundation of the structure.

At the ceremony, the Dean spoke by way of commitment: “Here in the house that will rise on this site, we pledge ourselves to teach law in a manner not mean but grand — to the glory of God and the honor of our Country and our Commonwealth. . . . It is our hope that the building to be erected here will house a school of law which will not only train its students toward proficiency but will also serve the community and the nation in moulding law to fit the eternal purposes of justice amid the changing conditions of our age.”

As the School progressed well into its third year, the Villanova Law Review, Volume 1, Number 1, was published bearing the date of January 1956. It contained greetings from Justice Felix Frankfurter of the Supreme Court of the United States, Chief Justice Horace Stern of Pennsylvania, and Chief Justice Arthur T. Vanderbilt of the Supreme Court of New Jersey. The lead article was by Honorable Charles Desmond, Judge (later Chief Judge) of the Court of Appeals of New York. Somewhat uniquely, there appeared by way of preface, a “Dean’s Letter” reporting upon the progress of the School, the plans for the Law School’s new home, and the growth of the library collection to 40,000 volumes. The “Letter” concluded with the Dean’s seemingly justified observation: “I believe that never has an American law school accomplished so much in such a brief time.” The second number of Volume One published in May also contained a “Dean’s Letter” commenting on the inauguration of the Institute of Church and State under the directorship of Assistant Dean Thomas J. O’Toole.

The third year again saw the Law School’s Moot Court team performing creditably in the Philadelphia competition, successively meeting and subduing Rutgers and the University of Pittsburgh, but succumbing to the University of Pennsylvania by a split 2-1 decision. For the second year, Villanova was invited to participate in the national competition in New York City. The team consisted of third year students, James P. Garland of Maryland, Arthur R. Flores of New York and Thomas J. Brady of New Jersey. In New York, the Team members were, in accord with the public relations policies of the dean, introduced to several major Wall Street law firms. Unfortunately, Villanova met defeat, this time at the hands of Emory University School of Law. However, the experience and exposure proved most worthwhile; the new Law School was performing well in the big leagues.

In March 1956, the first meeting of the highly successful Villanova Law
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The School Forum, soon to command the participation of many of the great and near great, was addressed by Chief Justice Stern. The Chief Justice's subject was "The Law and Its Practice, Present and Future." Chief Justice Stern had an intense interest in the education of young lawyers. Understandably he had a great love for his alma mater, the University of Pennsylvania Law School. We were privileged to share in his enthusiasm; the strong affection that he had for Villanova was witnessed by his gracious attendance at so many of the early School functions.

In April of 1956, the first Villanova Law Review banquet was held at the Barclay Hotel in Philadelphia at which time the founding board of editors of the Law Review and Robert P. Garbarino, Editor-in-Chief, turned over the reins to the incoming board, headed by Francis R. O'Hara '57 as Editor-in-Chief. The universally respected Honorable George Wharton Pepper, former United States Senator and distinguished dean of the Philadelphia bar, had enthusiastically agreed to speak at the dinner. Unfortunately Senator Pepper met with a serious accident which hospitalized him just a day or two before the dinner. With little notice, our good neighbor, Dean Benjamin F. Boyer of the Temple University School of Law, spoke to the dinner in Senator Pepper's stead. Two weeks later the annual School of Law banquet was held, again at the Barclay. Chief Justice John Biggs of the United States Court of Appeals for the Third Circuit spoke to the diners in his inimitably delightful way.

The school year ended with the history-making graduation exercises at which Bachelor of Laws degrees were conferred for the first time at Villanova. On June 4, 1956, 28 survivors of the original entering class of 68 received their degrees. Robert P. Garbarino graduated first in the class and he, with Donald W. Griessheber and Thomas J. Brady, were awarded their degrees cum laude. The graduating class had the distinction of including the first female graduate of the Law School, Jeanne Ward.

Midway during the third year of operation, the new law building was nearing completion and during the Christmas recess, the move was made into the original portion of the structure now called Garey Hall.

The early experience was beautifully spoken to by Chief Judge Desmond of the Court of Appeals of New York. He wrote in early 1955:

"Now back to the lovely 'Main Line' suburb of Villanova, Pa., and the newest of America's one hundred and sixty law schools. A visit there renews one's optimism. The attitudes I deplore are absent or inconspicuous. The dean has mature experience, garnered in several great universities, and a practical, hard-headed administrative competence. The faculty are young, wholesome enthusiasts. One of America's most skilled and learned law librarians heads that important department. Student selection is cautious but sane. A new building is underway. The whole spirit of the enterprise is young and vital and enthusiastic. It would take me very far out on a dangerous limb to predict for Villanova Law School a quick and striking success, but I will be surprised and disappointed if it does not turn out that way Vivat, floreat, crescat."