

# Albert Conway--Chief Judge of the Court of Appeals: A Tribute

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## ALBERT CONWAY — CHIEF JUDGE OF THE COURT OF APPEALS

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### A TRIBUTE

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Plato thought that: "Judges should not be young." The New York State Constitution, however, says that they must not be old. So New York judges like Chief Judge Conway must, whatever be their individual states of mental and physical health, doff the robe and step down from the bench at the chronological age of seventy years.

Our retiring Chief Judge, as everyone knows, has had an unusually long and varied public career, full of accomplishment. What everyone does not realize is that his comparatively short (five years) tour as Chief Judge has included at least three large and conspicuous milestones on the long road of judicial history in this State. During his incumbency New York has set up a Judicial Conference, has secured first-step legislative approval of a modernized Judiciary Article of its State Constitution and has provided for us, by way of complete renovation, a magnificent Court of Appeals Building in Albany. I venture the guess that Albert Conway will be remembered for these achievements of his administration when the more routine history of his

everyday judicial work has suffered the usual fate of judicial decisions.

The work of a Court of Appeals Judge in the most populous state is heavy at best, but its Chief Judge, besides doing his full share of the reporting and conferring and deciding and opinion-writing, runs the administrative side of the Court, acts as Chairman of the Judicial Conference and has many contacts with the bar and with the public and with other branches of government. It is a tribute to Chief Judge Conway that this heaping of burdens has left him serene, healthy and happy.

In our Court, accustomed as we are to the demands of the retirement provision, there is no keening and no sorrowful partings or sad farewells when one of our brother judges leaves us. We share his pride of service and accomplishment; we rejoice that he is young enough and well enough to enjoy "the rest of life for which the first was made." We give him a tangible parting gift but the most real and valued thing that he takes with him and yet leaves behind, is the friendship which is the permanent tradition of our Court. In that spirit we bid adieu to our Chief, Albert Conway. He knows that he has our real affection.

CHARLES S. DESMOND.\*

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I have known Albert Conway for at least forty years, and have watched him ascending the ladder of achievement, rung after rung, with keen interest. He was admitted to the bar of this State almost fifty years ago, at the age of twenty-one, and immediately commenced the practice of the law, later teaching equity jurisprudence at Brooklyn Law School.

He first came to my notice as a young Assistant District Attorney of Kings County, where he served for about seven years under former District Attorneys James C. Cropsey and Harry Lewis, both of whom later became Justices of the

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\* Chief Judge Elect of the Court of Appeals of the State of New York.