

Louis Prashker (1891-1959): A Memorial Tribute

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were preparing comments on recent court decisions and legislative matters.

It is no exaggeration to say that Prof. Prashker was my teacher not only in my student days but also during the dozen years that I served with him on the St. John's faculty. I found him to be always generous and considerate, and possessed of a strong religious feeling. He had a keen awareness of moral values, and was, in the truest sense, a cultured gentleman. His passing removes from St. John's a man who was a leader in scholarship and an example to his students of the best traditions of the law.

HAROLD F. MCNIECE.*

* * *

The untimely passing of Louis Prashker has taken from our midst a scholar of the law whose vocation and avocation were a fighting devotion to law reform and whose gentle spirit left a personal impress of a life of goodness.

In the field to which he devoted the major portion of his professional energy, Prashker left a lasting testimonial both in his printed works—which serviced countless members of (and applicants for admission to) the Bar of the State of New York—and in the minds of the thousands of students who took his courses. I was not privileged to be one of Prashker's professional colleagues at St. John's but—frustrated teacher as I count myself—I was happy indeed that he accorded me the honor from time to time to ask my advice about some problem in the law to which he was then devoting his probing and analytic mind. Nor did I have the opportunity to sit in Professor Prashker's classroom, but the many times I had occasion to refer to his volume on New York Practice led me to consider myself as one of his lucky students. This treatise was (as I have elsewhere indicated) no mere compilation of rules of procedure but an effective exposition and helpful elucidation of an important and difficult subject.¹

* Associate Dean of St. John's University School of Law.

¹ Levy, Book Reviews, PRASHKER, NEW YORK PRACTICE, 29 ST. JOHN'S L. REV. 172 (1954), 132 N.Y.L.J., Nov. 30, 1954, p. 4, col. 2.

Castigated as I too have been, on occasion, as "a law reformer," I found common cause with Louis in his constant struggle for the betterment of those rules of law, substantive and procedural, which govern the democratic relationships of man to his fellow and of man to his community. Many of the products of the skilled and diligent research studies which Prashker was called upon to undertake for the Law Revision Commission and the Judicial Council are now part of the statute books of our State, monuments to his untiring efforts to mould the law in the image of justice.

There is much to be said of his labors in that regard, as in respect of his interest in Jewish history. But I shall leave it to others to speak at length of his teaching, his studies, his treatises, his brochures, his statutes. I, for myself, shall note here what is a less well-known, but, to me, equally significant, part of Louis Prashker's life—his loves.

The law was a jealous mistress to Louis Prashker as, indeed, it is to all of us who are seduced by its symmetry and mystery. But so all-consuming a passion was it to Prashker, that he did not hesitate to carry what to him was his non-meretricious love over the threshold of his uxorial home. And the result, therefore, may well be that his most important legacy in the field of the law will perhaps not be his own spoken or written word, notwithstanding its intrinsic worth, but the unusual pageant of a family born and reared in surroundings where mistress and wife, brain-children and children of the body, lived together in loving virtue and harmony.

First, let me mention Professor Prashker's able, charming and devoted life-time helpmate, Sarah, who was herself graduated from Columbia Law School three years after their daughter and five years after their son had completed Columbia's law courses with honor. Mrs. Prashker collaborated with her husband in the authorship of several of his works, a recognition gladly noted by him in the publications. Then comes their daughter, Kim, an editor of the Columbia Law Review, who, while she clerked for Judge Jerome N. Frank of the Second Federal Circuit, was courted by Lawrence F. Ebb, a former president of the Harvard Law Review, who was himself clerking for another distinguished jurist of

that same great court, Augustus N. Hand. Later, Kim went to Washington with her husband, where she served as an attorney for the Atomic Energy Commission and National Science Foundation, while Lawrence was law clerk to Chief Justice Fred M. Vinson and thereafter Deputy General Counsel of the Mutual Security Agency. The couple now live in California, where Louis' son-in-law is Professor of Law at Stanford University. Then, next, is Sarah and Louis' son, Herbert, who was notes editor of the Columbia Law Review. After serving as an attorney with the United States Department of Justice, Herbert returned to New York as law secretary to Chief Judge Irving Lehman of the Court of Appeals, and later was back in Washington as law clerk to Chief Justice Harlan F. Stone. Today he is practicing law in New York City, a member of a distinguished firm.

Unfortunately, Louis Prashker died before his biblically allotted span had been reached. But I often heard from Louis' own lips how fortunate he counted himself. For his record of agreeable familial relationship and of his loved ones' interest in the law brought him great satisfaction. Particularly was he proud of the collective devotion to, and brilliance in, the law of his small family group. His years were graced not only by his own considerable accomplishments in his beloved field of the progress of the law, but by the promise of his loving children, a promise begun to be fulfilled in his lifetime.

God dispenses his gifts and blessings in ways that are beyond our comprehension. Nor is it for us to pass judgment on His bounty. But I cannot resist the thought that in rewarding Louis Prashker as He did, acknowledgment was being paid to a mind that transcended the bounds which confine most of us, and to a spirit which consecrated this ability to the service of the law, and thus in the service of a democratic society through the never-ending search for equal justice under law.

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