

WILLIAM REYNOLDS VANCE

WILLIAM REYNOLDS VANCE served on the faculties of four schools of law, in addition to several others in which he taught during summer sessions. In three of these four schools, he served as dean. My own acquaintance and friendship with him, however, was restricted to the years in which he served as professor of law at Yale. In 1910, it was my privilege to have a part in calling him to Yale from the law school of George Washington University; and it was after his arrival here that I first met him. He had already become well known personally to the legal profession, especially by reason of his service as secretary of the Association of American Law Schools. We invited him to become a member of the Yale faculty, however, because of his known success as a teacher and legal writer.

Before Mr. Vance accepted the call to Yale, this school had been generally known as a text-book school; and he expressly made it a condition of his acceptance that he should be permitted to use the case method of instruction in his classes. The faculty here had no difficulty in assenting to that condition, inasmuch as the case method was already in use in the great majority of the courses. Indeed, one of our reasons for calling him was to strengthen our instruction force by the addition of one who was known as a successful teacher by that method. The call to him was one of the many steps being taken at the time to establish the case method of instruction and to build up an improved faculty of producing scholars.

The addition of Mr. Vance was certainly a major step in that direction; but at first it seemed to be of only slight importance. During his first year here, he was offered the deanship of the University of Minnesota Law School and was inclined to accept it. However, his sense of obligation to us prevented such acceptance at first. The offer was kept standing; and during his second year with us he accepted it. During these two years, he had more than justified our hopes; and we fully realized that we were losing one of our strongest men. He had immediately established a reputation with our students as one of their very best class-room instructors. During those two years, there had been established between him and myself the most friendly and intimate relations. No other man who is now on our faculty served with him

at that period; but Judge Clark, who recently retired from our own deanship to the Second Circuit Court of Appeals, was a student in his classes.

If Yale had a grievance at Minnesota for taking Vance from us when we sorely needed him, Yale much more than evened the score later on. At Minnesota, Dean Vance at once made great progress in building up the law faculty. Among others, he called there Professors Morgan and Thurston, who are now at Harvard, and our own Ernest Lorenzen. In the process of friendly, but necessary, competition, Yale induced all three of these men to leave Minnesota for Yale, within the years of Vance's deanship there. The loss of them was undoubtedly a bitter disappointment to him. All three took an active and successful part in urging the recall of Dean Vance to the Yale Law School.

Without question, the fact that these three men had come to us, leaving vacancies that must have seemed almost impossible to fill, was one of the major influences that enabled us to induce him to return here in 1920. Although he had established himself as one of the most influential men at Minnesota, and was recognized as having the qualities of a successful administrator, he was ready to give up "deaning" and to devote himself exclusively to the classroom and to productive scholarship. This work he loved much more than the work of administration; and he often said as much to me in intimate conversation.

For the next eighteen years he was one of the most active members of the Yale faculty, his courses being in the fields of Insurance and Property. Other specialists in these lines well know the high quality of his work; and throughout the entire period he sustained his high reputation as a teacher and writer. His work and mine were not so closely related as to result in very frequent discussions of problems of law; but I well remember the faculty luncheons soon after Mr. Vance's return in which we all set about the task of convincing him of the value of the work of Wesley Hohfeld, then recently deceased. The generous appreciation that he expressed of my own efforts to explain and evaluate Hohfeld's work in analysis and terminology remains one of my pleasantest memories.

The organization of the schools within Yale University is such that Mr. Vance did not wholly escape from the problems of administration. The dean of this law school is a moderator, not a dictator. The government of the school and the direction of its policies are in the hands of the faculty, including young as well as old. Appointments to the faculty and promotions to higher rank are on the nomination of the group of professors of law. With all this, Mr. Vance was in thorough sympathy. It was at the weekly faculty luncheons and the frequent governing board meetings that I came best to know and to appreciate his service to Yale. Participation in this democratic process was very congenial to him. And

his experience in other schools, his sound judgment, and his friendly and unruffled personality, made him very effective. He was always calm and reasonable when the waters of discussion were troubled; at the same time he held and clearly expressed a firm and definite opinion; and his influence was always great in the formulation of policies and the making of decisions.

Even after his retirement as an active teacher in 1938, he continued to attend faculty meetings regularly and to participate in the transaction of school business. In the twenty years after his return here, my own association with him became continually closer and my respect and affection for him continually increased. To one who is himself not many years from retirement, the loss of such an old and valued friend and such a wise and honest counselor is hard to bear; but his friendship, his wisdom, and his strong personality will continue to endure as a sustaining memory.

ARTHUR L. CORBIN †

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WILLIAM REYNOLDS VANCE, Professor Emeritus of the Yale Law School, died on October 23, 1940 at the age of seventy. The fact is not easy to realize or to accept. He was our friend, and his work and influence were vital in the life of the School. He took his retirement from the classroom two years ago as an opportunity for an unbroken period of other work. He devoted himself assiduously to a new edition of his casebook on Insurance, which was completed shortly before his death. This achievement must have given him deep satisfaction, although his more casual comments on it were characteristically witty and light-hearted. During the last two years, he remained as active and helpful as ever in his vigilant concern for the welfare of the School and in his constant attention to problems of policy and personnel. A distinguished career thus came happily and usefully to completion.

This was gratifying and proper, for he was a cheerful man whose life was full of usefulness to others. He was happy in his environment. He had none of the unreasoning complacency of the undisturbed, which may pass for happiness; no one was more alive to a wide range of problems or more earnest in seeking their solution. But he met those problems with a temperate perspective and a wise and understanding philosophy. In times of controversy, he was both calm and strong. His sense of humor was unflinching, but kindly and controlled—a solvent of artificial difficulties, giving balance, but not sharpness or flippancy, to his temperament. He was a friendly man, with rare personal charm and a constant and generous interest in the welfare of others. He liked

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people and people liked him, spontaneously. He was happy in his home, with his gracious and devoted wife, their children, and their many friends. And his keen and sustained interest in all of the activities of legal education left no doubt of his enthusiasm for the profession that he had chosen and for which he was so eminently qualified.

The range of Mr. Vance's influence in the legal world may be indicated by a review of the bare facts of his career. He received the degrees of B.A. in 1892, M.A. in 1893, Ph.D. in 1895, and LL.B. in 1897 from Washington and Lee University, and taught English there from 1893 to 1895. He was a member of the law faculty of the same University from 1897 until 1903, serving as Dean the last three years. He was Professor of Law at George Washington University from 1903 until 1910, serving as Dean the last five years. He was Professor of Law at the Yale Law School from 1910 to 1912, leaving to serve as Dean and Professor of the University of Minnesota Law School from 1912 to 1920. He then returned to the Yale Law School, remaining as Professor of Law from 1920 until 1938, when he became Professor Emeritus. He also gave instruction at several summer sessions of the law schools of the University of Chicago, the University of California, Cornell University, and the University of North Carolina. In 1918-19 he was General Counsel of the Bureau of War Risk Insurance. From 1912 until 1935 he served as General Editor of the American Case Book Series. He was Secretary of the Association of American Law Schools from 1905 to 1910 and President of the Association in 1910-11. He received the honorary degrees of M.A. from Yale in 1910, on the occasion of his first appointment as Professor, and of LL.D. from Washington and Lee University in 1915.

Mr. Vance's lasting reputation for legal scholarship will lie in the field of Insurance, in which his preeminent publications include a text, in two editions, a casebook, in three editions, and numerous articles and book reviews. He also made significant, though less comprehensive, contributions to legal periodicals on Property law and a variety of other subjects connected with the evolution, philosophy, and status of the law and of legal education. But a teacher's scholarship is not to be measured solely by what finds its way into print. Generations of his students profited from research and thinking that had no published counterpart, especially in the broad area of the law of property, which took the major share of his teaching time.

Mr. Vance had a genius for teaching. He was courteous and patient in the classroom, respecting the dignity of his students. They felt that they were co-workers with him in the search for a better understanding. He did not seek to drive or dominate, but rather to awaken an intellectual curiosity which would serve as an enduring stimulus to industry. In this, he succeeded far beyond the hopes of most teachers. Some of

his students have said, and perhaps many more feel, that he was the first to arouse in them an abiding interest in the study of law. This skill, the product of the total man, can not be precisely analyzed. The clarity of his realistic emphasis on fundamentals, the precision of his analysis, the wealth of his cultural background, his facility with the deft and witty phrase or germane anecdote, his genuine interest in the ideas of the students, the charm of his personality, all played their parts. He could surround any subject, even those that, in other hands, are often considered dull, with rich and provocative interest. He was one of the really great teachers of law.

When Mr. Vance retired, there arose spontaneously, among his former students, his colleagues, and his friends, a desire to symbolize their respect and affection for him. This resulted, a year ago, in the presentation of his portrait to the University, followed by a dinner, in which distinguished members of the bench and bar participated. These ceremonies, reflecting the man they honored, were happy and light-hearted, yet full of fine and genuine feeling.

In the learning of the law, in this School that owes so much to him, and in the lives of countless friends of all ages and from all walks of life, the influence of Reynolds Vance will long endure.

ASHBEL G. GULLIVER †

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NEAR the beginning of the second decade of this century a tall, thin, soft-spoken Southern gentleman joined the faculty of the Yale Law School. He had had more than ten years experience as a teacher of law and more than five years service as a dean of a university law school. He had devoted much time and thought to problems of legal education. As President of the Association of American Law Schools following a term of five years as its Secretary, he had acquired a more intimate and thorough knowledge of the experiments and experiences of the leading law schools in their attempts to solve those problems than any other lawyer or educator in the country. A Law School which sent its roots back to Litchfield, and which was then struggling to catch up with its more progressive competitors, was aware that it could profit by the results of experience elsewhere. It called William Reynolds Vance to be a member of its faculty in order to procure the advantages of his established scholarship, his skill as a teacher, and his wide knowledge of the changing ideas and ideals in legal education.

Mr. Vance's first stay at New Haven was not a long one. The new President of Minnesota, a distinguished Yale College alumnus, was at

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that time uncertain of the status of the Law School at that University. He looked about for a competent scholar to survey the institution and to make recommendations. He discovered him in this same Southern gentleman. On receiving his report the President found it good. Could the gentleman transmute his ideas into action? He could. And Vance left the Yale Law School to become Dean of the Law School of the University of Minnesota. He found it a school regarded on the campus as the safe refuge for athletes fearing disqualification for scholastic deficiencies; he made it the hard spot in the University. He found a heterogeneous, indifferent, inefficient student body; he made it unified, loyal, industrious and efficient. He found much of the instruction given by busy lawyers whose engagements in practice made their teaching ineffective; he built up a faculty of full-time teachers recognized as among the most competent in the country, one of whom succeeded him as Dean. He found a school divorced from activities connected with the improvement of the law and its administration; he made it a source to which legislators and law reformers naturally turned for help, with a first-class Law Review to which the members of the bar gave enthusiastic support. He established a legal aid clinic in connection with the Associated Charities of Minneapolis. He was the father of Small Claims Courts in Minnesota. In a word, he became not only a leader in legal education in Minnesota but also a chief citizen of his city and a power in the Bar of the state. All this in less than eight years, interrupted by a period of distinguished service during the first World War as Chief Counsel for the Bureau of War Risk Insurance.

Meanwhile progress had continued at New Haven. Devoted members of the Law School faculty had succeeded in perfecting changes in instruction methods. The reborn Law School so thoroughly agreed with Vance's ideals of legal education that it soon called to its faculty two members from his faculty at Minnesota; and later a third. Finally in 1920 it invited Vance himself to return as a professor. He accepted, and for nearly twenty years gave himself without stint to the service of the School. His loyalty and devotion decreased not one whit when in its evolution the School made experiments which seemed to him of somewhat doubtful value, and he was one of the steadying forces which helped bring it through its period of trial to acknowledged success.

His kindliness and gentle humor, his apt illustrations, his often only half-understood allusions to the classics, his quickness in getting a student's point of view, his readiness to admit error, his lack of pretense of any knowledge he happened not to possess, his broad cultural background, his thorough legal scholarship, and, above all, his constant, ineradicable gentlemanliness made him a favorite with students, both within and without the class-room. Many members of the bar throughout the country know him as an authority on the law of Insurance;

many are acquainted with his essays on Real Property; many think of him as one of the very few legal writers whose limpid style makes reading a pleasure; but many, many more think of him as a friend and inspiration of their student days, at Washington and Lee, or at George Washington University, or at Minnesota, or at Yale. Go where you will to meetings of lawyers in this country, and rarely will you fail to hear expression of affectionate regard for Vance.

Vance as Dean at Minnesota and Vance as colleague at Yale were the same man: fair and courteous in stating a proposition; cogent and considerate in arguing it; loyal and cooperative in carrying out the will of the majority of the Faculty. He had a keen appreciation of the problems of his younger or less experienced colleagues. He gave them a sense of dignity by never talking down to them; he gave them confidence by treating their work as of equal importance with his own. He was generous of his time; quick to commend; slow to blame. But he had no lack of fibre, no flabby conscience; he could flame with righteous anger.

To those of us who had the privilege of intimate friendship with him, he was a great soul, one of the few choice spirits whose lives revive a dying faith in man's capacity to be decent.

"He was a man, take him for all in all,
I shall not look upon his like again."

E. M. MORGAN †

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