

LEWIS M. SIMES AS MENTOR

*Paul E. Basye**

I KNEW Lewis Simes for over thirty years. Outside of my immediate family no one has had a greater or more profound influence on my life. The first time I ever heard the name "Simes" was in 1936. One day while browsing through the Law Library I noticed a new three-volume set of books on the shelves—"Simes on Future Interests." Having always had a deep interest in property law, I lost no time in examining this new set of books. Here all the problems property lawyers, will drafters and judges were accustomed to grapple with on their own were displayed and analyzed in methodical and understandable language. I thought to myself that here was a man that I would like to know personally, although I held no hope of ever meeting him.

But I did meet Lewis Simes in Chicago in 1938 at the annual meeting of the Association of American Law Schools, and three years later Professor Simes encouraged me to apply to Michigan for graduate study in law. Needless to say, I was greatly pleased when my application was accepted in the spring of 1942.

For two full years in Ann Arbor my life and activities were closely associated with those of Lewis Simes. He had been asked to draft a Model Probate Code to simplify the process of administration of estates, and he asked me to stay at Michigan an extra year and work with him on that project. It was a rewarding experience to work and be with one who had in his own mind singled out the problems that needed solving and had ideas for their solution. His capacity for problem analysis and problem solving was widely recognized and he was asked to undertake other tasks. Participation with him always brought renewed admiration for his incisive mind,

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and for his willingness to devote himself to professional improvement.

Of course his career at The University of Michigan Law School, as Floyd R. Mechem Professor of Law, as Director of Legal Research, and as author of his well-known treatise on future interests established him as the national authority in his field. He was one of the Reporters for the *Restatement of Property*, and his scholarship led to an invitation to give a series of the Cooley Lectures held annually at The University of Michigan—an honor reserved for only a few of its most distinguished faculty.

But it was teaching that he loved. He was author of three casebooks, and he was known as one of the best teachers of the Law School. Students have said that he had the capacity of taking a difficult and complex subject and making it understandable. What greater tribute could be paid to any teacher by those on the receiving end! And when, in 1959, Lewis Simes retired from teaching at Michigan, as prescribed by its rules, it was to be expected that he was not ready for retirement. Much of his creative work was yet to be done. He served at Hastings College of Law in San Francisco until 1972, and during this time he completed a project begun at Michigan, commonly called the Michigan Research Project on the Improvement of Conveyancing by Legislation, which contains a study of our present system and a whole series of model legislative acts to simplify the process of land transfer in this country. It is noteworthy that more than a dozen states have since adopted his recommendations for this legislation.

His works and writings have been widely quoted and cited throughout America and even in England. They are referred to because they represent careful and objective thinking, with conclusions predicated on a sense of fairness to all concerned and on how a given rule would work in actual practice. America has seen very few scholars whose craftsmanship can rank with that of Lewis

Simes. He had friends in every part of the country. All those who have known him have felt the warmth of his spirit and sensed the reach of his aspirations.

Lewis Simes was not merely a legal scholar. Both he and his wife Blanche enjoyed a talent for music. Lewis played the violin and Blanche the cello. They enjoyed playing in quartets. They took pride in their music and they relished the company of other artists of kindred spirit.

The spirit of Lewis Simes will always linger with his former students and colleagues.