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## **Survey of Recent Developments in Indiana Law**

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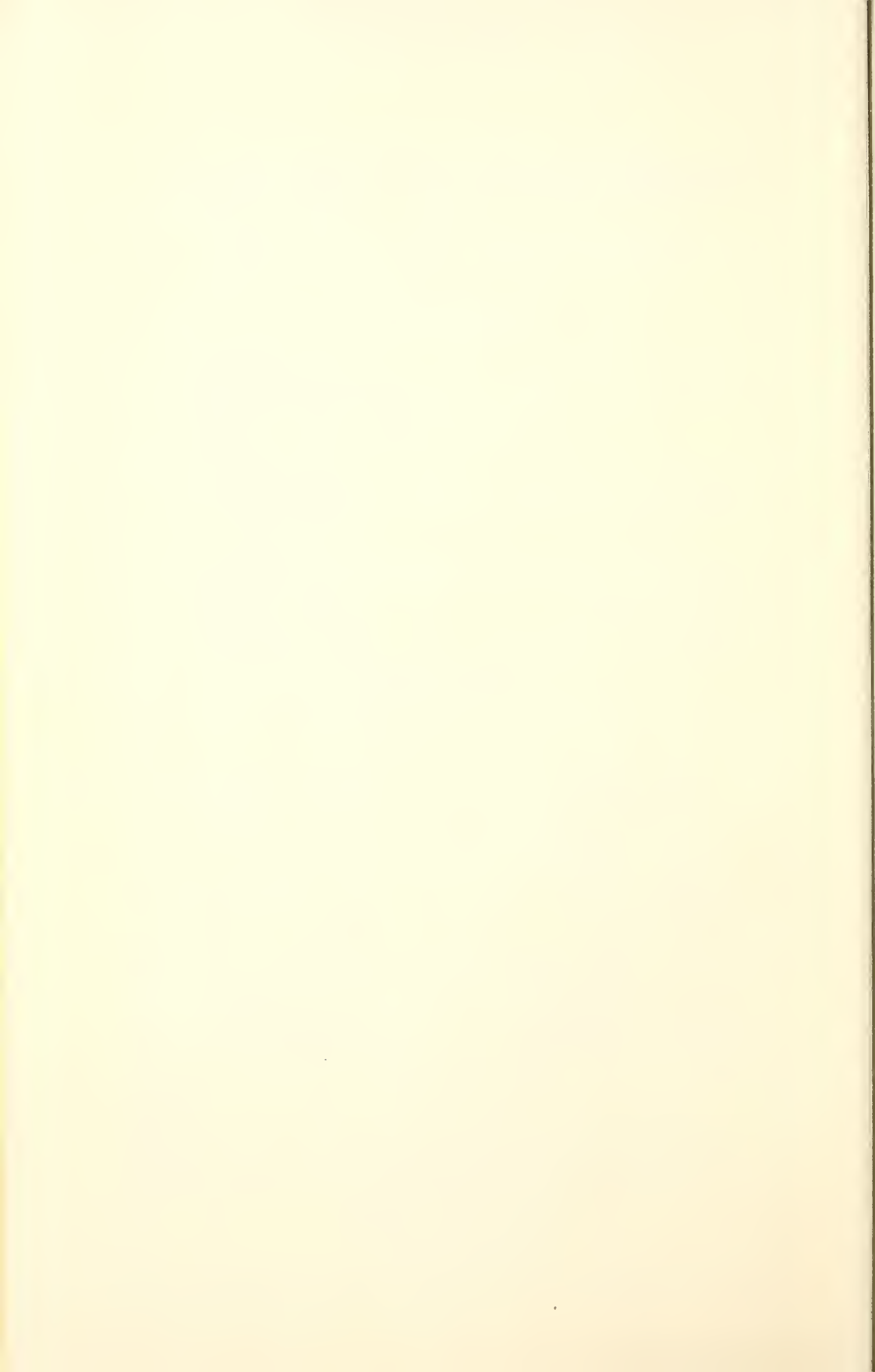
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## In Tribute: John S. Grimes

Charles D. Kelso\*

*There is no such thing as a partially executed will.\*\**

Thus did John S. Grimes bring life to property and property to life. To those of us who have been with this law school for many years, it seems incredible that because of retirement John is no longer going to be a daily part of it. He will go on teaching through his writings, but the curtain has fallen on his masterful performances in the classroom.

A good teacher should be something of an actor. John was Shakespearian. The King of England could not have pronounced his decrees with greater vigor than the common law was announced or denounced by Professor Grimes. His staccato delivery provided a perfect backdrop for his vivid allusions, his pungent examples, and the great sweep of background into which he fit the doctrines of the common law.

His impact on students and his colleagues resulted from the fusion of five great strengths. The first is his razor-sharp intellect, evidenced early by graduating in 1929 from Indiana University with distinction (and Phi Beta Kappa). In 1931, he was graduated with distinction from the Indiana University School of Law, having been Coif, Editor-in-Chief of the *Indiana Law Journal*, and number one in his class.

To an intellect so honed, John added years of experience in the practice of law as Attorney and Assistant General Council of the Farm Credit Administration of Louisville; General Council of the Indiana Farm Bureau, Inc. and Affiliated Organizations; and General Counsel of General Grain, Inc. and Affiliates. Though his first love is English property law prior to the 1800's, he could always show how current issues in the courts and in law offices were closely analogous to or actually controlled by distinctions and rules that had their origin in early English common law or statutes. If they were not so related, he would show what changes in society had led to changes in the law.

To the combination of powerful intellect and wide-ranging practice experience, John Grimes added the fruits of copious scholarship. His students were hearing from a man who had surveyed the entire field and who had distilled for them the most important highlights and their relation to one another and to society. His works, usually multi-volumed, include: G. Thompson, *Commentaries on the Modern Law of Real Property* (repl. ed. J. Grimes 1964); G. Henry, *The Pro-*

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\*\*John S. Grimes.

bate *Law and Practice of the State of Indiana* (6th ed. J. Grimes 1954); and F. Clark, *Law of Surveying and Boundaries* (3d & 4th ed. J. Grimes 1959, 1976). In addition, he has published numerous law review articles on property, future interests, and probate.

A fourth ingredient in the Grimes magic has been his interest in law reform. John has been Chairman of the Indiana Judicial Council; a member of the Indiana Trust Code Study Commission; a member of the Indiana Probate Code Study Commission; a fellow in the American College Probate Council; a member of the National Association on Surveying and Mapping; and a member of the American, Indiana, and Indianapolis Bar Associations. Thus, he has been in a position to talk knowledgeably on how reform has come about, what reform is in the offing, and how past efforts have either succeeded or fallen short.

The fifth ingredient is the intangible factor of enthusiasm. John taught law with a relish. He really loves the law—and it showed. In class, in the hallway, or at lunch, he was ready at a moment's notice to explain how England had been saved from revolution by its property laws, how property law related to the industrial revolution, and the social and economic effects of enclosure.

Never was he unsure. If the law was clear, John would state it clearly. If the law was in a state of doubt, John would build with relish upon the extent of that doubt and the reasons for alternative resolutions. If John gravely said, "I don't know the answer," it seemed clear that no one knew and that perhaps the whole matter was unknowable until legal evolution had proceeded another step or two.

He loved legal problems; he revelled in the processes of legal growth. Yet, I believe that the greatest impact of his mind on law students was to enhance their understanding of the social significance of organized legal doctrine. He hammered away on the idea that the common law of property was a bulwark of civilization and a high point in our profession's achievements. He made students proud to think of themselves as future lawyers and made them eager to join the long succession of people who have been members of our profession.

John's written works will be teaching practicing lawyers for years to come. However, perhaps his most important legacy is in several generations of lawyers—almost thirty years of students who carried into the practice some of the intellectual and humanistic characteristics of Professor Grimes. John is a person who has lived the life of the law in grand style. He has captured that style in his teaching and instilled the same style in his students and colleagues.

It is a pleasure to join in dedicating this issue of the *Indiana Law Review* to the continued contributions of Professor John S. Grimes.