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Dedication

Robert R. Wright

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DEDICATION

FREDERIC KESSLER SPIES (1926-1980)

This issue of the *Law Journal* is dedicated to Professor Fred Spies, who served for twenty-four years as a member of the law faculty of the University of Arkansas in Fayetteville and in Little Rock. At the time of his death in August, 1980, Fred was Professor of Law at the University of Arkansas at Little Rock and Professor of Legal Medicine at the University of Arkansas Medical Sciences campus.

It is difficult to think of Fred as not being among us anymore. He was in every way a most lively fellow who enjoyed life to the utmost and endured its problems with more good humor than most of us could imagine. It does not seem to me that Fred has left us permanently, but more as if he were "on leave of absence" as the forms say. A leave of absence would not be unusual for Fred. He taught at places as far removed as L.S.U., on the edge of the bayous, and the State University of New York at Buffalo, which as Professor Al Witte said at the time is "somewhere north of Canada."

Because of Fred's inherent vitality, I would rather write more directly about him than about his professional accomplishments. Here is how I remember Fred Spies:

• *A Ham.* Before you think I am slurring my departed colleague, let me assure you that Fred was a genuine "ham" whose first and continuing act, wherever he lived, was to install, arrange, rearrange, and enjoy his amateur radio equipment. He preferred to talk to some disembodied voice in Mozambique than to discuss world politics with Henry Kissinger. When we both lived in Fayetteville during the international geophysical year in the 1960s, we literally spent hours speaking to people from all around the globe. Fred would even take a very limited version of his equipment on trips and locate someone relatively nearby in South America. Long before he died, Fred had acquired call letters that demonstrated how long he had been at the game — W5HF. Only longevity can provide such limited call letters, and Fred had been involved in this sort of thing since the time he was a young radio operator on a merchant ship in the Atlantic Ocean and North Sea during World War II and before that as a high school student working with the Reading, Pennsylvania, police department.

• *A Gardener.* As soon as the radio equipment was installed, Fred's next move, weather permitting, was to plant and putter around in a garden. He was particularly fond of growing tomatoes, asparagus, and zucchini, and when the garden was in particularly good shape, he took pride in showing it to his guests.

• *A Fisherman.* Fred talked about fishing more than he did it, but he enjoyed his occasional trips a great deal. For him, as probably for most fishermen, a fishing trip was not meant entirely to catch trout, bass or whatever, but as a social occasion. He enjoyed all aspects of it.

• *A Chef.* Fred's specialty was "an old-fashioned Pennsylvania clambake," as he called it. His clambakes were normally excellent, although I recall one time, when I was deaning at Oklahoma and he was a visiting professor, when the clambake was combined with a water excursion and ended in culinary disaster. Florsheim could have made shoe soles out of the clams and the potatoes could have qualified as major league baseballs. That was a forgettable exception, however, because most of his clambakes were looked forward to with great anticipation.

• *A Raconteur.* Fred was a very knowledgeable person and a delight to visit with and talk to. Of course this was usually over a few beers in some haunt such as Maxine's or George's or Herman's Rib House in Fayetteville or the faculty club in Norman or what have you. On the two occasions when he visited at the University of Oklahoma, he played the piano in the faculty club and developed a fairly substantial following. In Fayetteville, the students were used to sharing libation and knowledge with "kindly old Professor Spies." (I can remember him now as the perpetual "jolly old St. Nick" at the student Christmas parties.) It was his personality and his wit that attracted his following. He was much too young when he died and seldom "kindly" when grading exams. But the rest is applicable.

• *A Colleague.* "All I am is a professional law teacher." He told me that many times, and he certainly was that. Many students of multiple generations will attest to it. He took a genuine interest in his students both during law school and afterwards. The students in turn had a genuine affection for Fred and possessed a certainty, among those who were close to him, that he would always be their friend. Although many law professors occasionally aspire to or become deans, Fred apparently never had that desire. He viewed most deans as a sort of necessary evil and took even a

darker view of one-time scholars who descended to the depths of the central administration. He generally liked and appreciated his faculty colleagues and was in turn liked and appreciated by them. He was also very close to many members of the Bench and Bar, particularly those with whom he served on the Supreme Court Committee on Model Jury Instructions — a group which made a lasting contribution to the practice of law in Arkansas. Fred performed his teaching and the writing that is expected of law teachers, and he believed that his calling was of the highest order. It gave much pleasure to him, and he in turn gave much of himself to it. Throughout this state and the United States are many former students who are better lawyers, and better people, for having shared that part of Fred's life with him. That is the way we will remember him, for that is the way he was.

* * * * *

Now, for the record:

Professor Frederic K. Spies was born in 1926 in Reading, Pennsylvania, and grew up there. His family was of Pennsylvania Dutch extraction, and he was a descendant of the famous Pennsylvanian, Frederick Augustus Muhlenberg, who served in the Continental Congress and was twice elected Speaker of the United States House of Representatives.

Professor Spies attended Dickinson College and Dickinson Law School, receiving his A.B. and J.D. degrees from that institution. He was one of the editors of the *Dickinson Law Review*. He received his LL.M. degree from New York University in 1956. From 1952 to 1956, he was associated with a law firm in private practice in Reading, and from 1953 until 1956, he was Assistant Professor of Law at Dickinson Law School and also served as Librarian. He came to Arkansas in the fall of 1956 as a faculty member of the University of Arkansas in Fayetteville, and he served there for twenty years until in 1976 he accepted the joint appointment in law and medicine which he held in Little Rock until his death.

He taught, among other universities and in addition to Arkansas and Dickinson, at Louisiana State University, the University of Oklahoma, the University of Arizona, and the State University of New York at Buffalo. His principal subjects were torts, law and medicine, evidence, law and psychiatry, and in earlier years, commercial law. He was an extensive writer and pioneer in the development of the interdisciplinary subject of law and medicine and

was nationally prominent in that field. He was author of many law review articles and co-author of the book on *Arkansas Model Jury Instructions* (1965 & 2d ed. 1974).

At the time of his death, Professor Spies had concluded a term on the governing board of the American Academy of Forensic Sciences. He was a member of the American College of Legal Medicine, and had served as President of the University of Arkansas Chapter of the Association of American University Professors and as President of the Arkansas Conference of the American Association of University Professors. He was admitted to practice law in Pennsylvania and in Arkansas.

Professor Spies is survived by his wife, Patricia, and by three children, Dr. Frederic K. Spies, Jr., of Little Rock, Lisa Spies Swinford of Jackson, Missouri, and Stephen Spies of Little Rock. A memorial service in his honor was held on August 8, 1980, at the University of Arkansas at Little Rock Law School in the Old Federal Building, conducted by the undersigned, with eulogies delivered by Attorney Dale Price of Little Rock, Dean Thomas Bruce of the University of Arkansas Medical School, Dean Robert K. Walsh of the University of Arkansas at Little Rock Law School, and Governor Bill Clinton of the State of Arkansas.

Robert R. Wright
Donaghey Distinguished
Professor of Law