More in Sorrow Than in Anger

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Within William Lloyd Prosser there dwelled two persons. First there was a character endowed with a fantastic capacity to absorb the richness of the world around him, a prodigious memory to retain in photographic detail all that he took in, an organizational genius to put it together in meaningful ways and a power of expression that enabled him to pass his world along to others with new fullness and fascination. All these talents were driven in perpetual high gear by some kind of galvanic magic that nobody fully understood. This was Prosser the legendary character who could absorb the content of a written page almost as fast as he could turn it over; who when scarcely a teenager, would graze in the meadows of history and literature munching contentedly upon such pasturage as Gibbon's *Decline and Fall of the Roman Empire* and other fare intended only for adult consumption.

The other dweller within the person of Prosser was none other than a quite little boy, with all the caprices that little boys are made of. There was in Bill always a sense of high excitement and readiness for adventure. When you encountered him, even after a lengthy separation, there were no greetings, no preliminary inquiries. Instead would come "Hi! Peter Lorre is here at the hotel. How can we use him to pull off some scary business for the benefit of Jim Harno?" Poor Dean Albert Harno (affectionately known to Bill as "Jim") was the chief target of most of Bill's practical jokes in the old days. When Harno arrived at his office on the morning of his birthday, he knew immediately who was responsible for the enormous iced octopus that had arrived by express and was waiting to greet him. How this perpetual goading of Harno came about I shall now probably never know. There was a deep friendship between the two and an exchange of pranks was always in order, with Prosser usually getting the best of it.

If any one feature of Bill's makeup was more prominent than any other, I suppose it was his yearning to put on a performance. He was born an actor and once confided to me that he always had wanted to go on the stage. I am sure that this is why he was a lively and interesting teacher and garnered such a fabulous assortment of yarns and after-dinner stories. It was this same urge to act that brought about the evening sessions at which Bill fascinated students and their ladies

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1252
with his reading aloud choice bits of poetry and prose. It also accounts for his insistence upon the center of the stage at all times. He needed attention; he seized it and, what’s more, he successfully held it. There are those who objected to this, or who found it painful, and not always without reason. But for me, Bill was a star beneficiary of that old adage, Nobody minds a prima donna—if she can sing! and Bill could sing. He sang beautifully and he sang on an amazing variety of subjects—not just on law and law men, but on history, strange people and places, rare morsels of mystery or adventure, railroad schedules, gold coins, even art and music (where he was not always so dependable).

Bill’s own brand of humor was for me a masterpiece. He had a subtle sentience for the incongruous, some subterranean something that would unexpectedly bubble to the surface with a burst of laughter—a postcard from Amsterdam with a full color reproduction of Rembrandt’s famous Syndics of the Drapers’ Guild bore Bill’s casually penciled inquiry, “Do you agree that the makers of Dutch Master Cigars have a good suit here for infringement?” Another of Rembrandt’s products, a self-portrait with a peculiarly patient but utterly helpless and exhausted expression was labeled, “Prosser, after a session with the Restatement Advisors.” Once, upon the completion of the law school building in Berkeley, Bill’s friends found in their mail an inquiry, “I am looking for an appropriate inscription for this structure. How about ‘One Boalt but Many Nuts’?” There was a continuous flow of such delightful stuff. Sometimes it came in explosive bursts like these; other times it was cast as brilliant witty narrative.

The same little boy instinct that was the wellspring for the stream of Bill’s fun was also the source of his frequent yearning to escape the irksomeness of mature professional life. I have already observed that the world we live in was for Prosser a prolific source of riches to be discovered, and the range of his interests was unbounded. Flight into reading and, later, listening to music, was a continuous process with him even when the flow of professional life was smooth and when routine work absorbed most of his energies. But there were times when the confines of torts and the law school world were entirely too narrow for his taste, and at such times they both wearied and irritated him. It was easy for me, his correspondent, to tell when this had happened. The subject of law and law men would disappear completely from his letters and be replaced by leisurely meanderings through the Carolingian period and the middle ages, or he was off to the Ottoman Empire, or was busily engaged in a review of the alleged sins of Caroline of Denmark. Or, again, he might divert himself by formulating exciting plans for trips by canoe or barge down some obscure network
of rivers and canals through Austria or France, with a full listing of all fine restaurants along the way.

It was during these runaway periods that I felt closest to Bill. True, we shared torts as a profession, and during the early years of our friendship we had talked *Palsgraf* and such far into the night. Bill had at least a similing tolerance of my affinity for Leon Green and Green's way of thinking, and we seldom quarreled over torts. Mostly we left it alone. As time went on we found our greatest pleasure in each other's companionship wholly outside the law school world. Bill sharply excited my interest in history and travel. Things came alive for me when he talked, and small incidents and past events were suddenly vital. He made me laugh and eager to explore. Never was there a hint of acidity nor a single moment when his sensitivity to my own sometimes eccentric tastes failed him. Beside him I always felt deplorably ignorant, yet full happy in my ignorance. Very early in our association I sensibly abandoned all effort to compete with him. I fear that there was little that I could manage to contribute for his own soul's satisfaction except resonance. But I did supply resonance, and he seemed to need it and to enjoy it. At any rate we spent many happy hours together. We toured Europe twice in his car; we were together in Mexico and Hawaii and we crossed this continent several times. Bill Prosser was a lonely and sensitive man. He badly needed people to love him—not just to admire him. A close association of nearly thirty-five years has ended. His death has left a void in my life that can never be filled.