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In Memoriam

The death, after a lingering illness, of William Warren Ferrier, Jr. on July 6, 1967 removed from the Boalt Hall scene a man who had long been a dedicated teacher and scholar in the broad field of property law.

Forced permanently to limit his extracurricular activities by a serious bout with a dangerous disease which occurred in his late twenties, he compensated by making himself an outstanding authority in the area assigned him, which comprised Real and Personal Property, Wills and Estates, and Future Interests. With keen analytical powers and a forward-looking constructive approach to the basic problems in these fields, which were a constant challenge to the thoughtful scholar, Professor Ferrier was constantly interested in adapting the traditional rules rooted in our inherited common law system to the changed and changing conditions of modern society. This lighted his classroom discussion and, perhaps even more so, his personal interviews with students who sought his office with their queries and uncertainties. These students were numerous, and their warm welcome and their conversations with him were productive in every sense. He left an indelible mark on each succeeding generation of students which remained to enrich not only their store of legal knowledge but also their understanding of the social implications of the problems they encountered in their later practice. It made them better professional men.

Professor Ferrier kept a watchful eye on the judicial decisions which effected a change in existing law in his area or which established rules not previously observed. In most instances he was in sympathy with the courts’ approach, and he believed firmly in a living and growing common law. When he felt disagreement with specific judicial determinations he made his dissent known, usually through law review comment which carefully examined and analyzed the issues involved and at times suggested corrective legislative changes. His articles in Volumes 25 and 31 of the California Law Review are good illustrations of this activity.

In matters which involved community property doctrine Professor Ferrier’s suggestions were without exception persuasive to the author of these biographical notes, who believes that, to the extent that his proposals were not adopted, our basic marital property law was the sufferer.
Professor Ferrier “came honestly by” his academic interests to which, after seven years of active law practice with the San Francisco firm of McCutcheon, Olney and Willard, he returned in 1921 when he became a full time member of the Boalt Hall faculty. This position he continued to occupy until his retirement in 1958. His father was a longtime Berkeley resident with a deep concern with the history of the area. Although his distinguished son had been born in Seattle, Washington, his father had him educated in Berkeley High School, the University of California and the School of Law at Boalt Hall. William Warren Ferrier, Sr., moreover, made a direct substantial contribution to the University with his book, *The Origin and Development of the University of California*, which was published in 1930. Probably no faculty member felt a closer tie to the University than did this Berkeley historian.

As a colleague, Professor Ferrier was interested, cooperative and helpful in fields not his own. In the border area which marks off marital property law from the general field of real and personal property he at all times was an invaluable aid. To the extent that his physical condition permitted, and perhaps beyond this, he cheerfully carried his share of department duties.

As to the man himself, aside from his professional character, his fine intellect and his lively interest in what was going on in the world outside of the Law School made him a stimulating person with whom to talk and argue. In lighter vein, it may be said that his sartorial perfection was a pleasure to behold, and his sense of fun, even when he himself was the butt of the humorous episode, made him a delightful companion.

His lovely devoted wife, the former Madel Sadler, not only added exceptional grace to his home but also to the law department. She has been specially loved and appreciated by the successive faculty wives, which must have been a source of great gratification to William Warren Ferrier, Jr. Two sons and seven grandsons (there have been no daughters for several generations) assure that the name will be carried on.

At the end of the only one of Carl Sandburg’s books which is formal autobiography (it is limited to the period which ended with his experience as a soldier in the Spanish American War), Sandburg wrote, “If it can be done, it is not a bad practice for a man of many years to die with a boy heart.” Throughout his life in all its phases William Warren Ferrier had such a heart.

We who knew him are grateful for his many active years which we shared. And as he enters the land of memory we say hail and farewell, using for our last message the words of the citation conferred upon him last year by the Boalt Hall Alumni Association:

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1 C. Sandburg, *Always the Young Strangers* 436 (1953).