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Brainerd Currie: Student

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BRainerd CURRIE

STUDENT

'His high intellectual capacity and his soft and perfect articulation caused him to stand out.'

By W.A. Bootle*

"And there was a famine in the land, beside the first famine that was in the days of Abraham," Genesis tells us. The famine now in mind prevailed in the United States in 1933 and for a few years thereafter. Banks that had not closed voluntarily were closed by order of the new President. Because of these conditions, budgets of small law schools were precarious, and their faculty members were seeking connections with schools more financially secure. Student enrollment dropped precipitately.

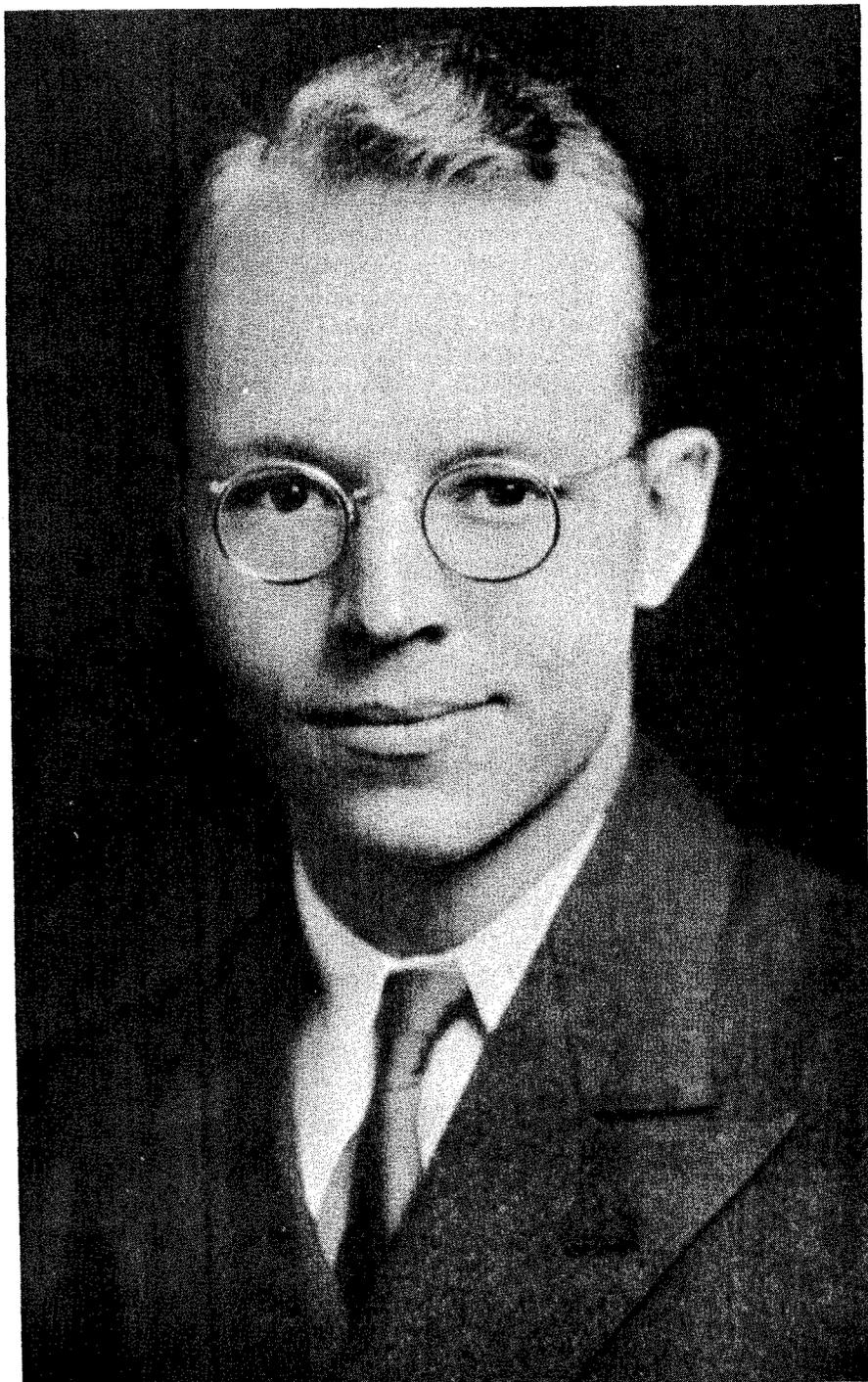
In June 1933, Dean J. A. McClain, Jr., resigned to join the law school at the University of Georgia. With budgetary considerations in mind, Mercer's president, Dr. Spright Dowell, sought only an acting dean as Dean McClain's replacement. A concatenation of circumstances led him to select for that position the writer of this brief article—an alumnus of Mercer who had served as a lecturer in the law school and who was leaving office as U.S. Attorney for the Middle District of Georgia because the President who closed the banks was of a different political faith from that of his predecessor.

That acting deanship lasted four years. It brought me into close and pleasant association with a small but choice group of students, many of whom now stand at the top of the legal profession, some of whom adorn the bench and one of whom, Meldrim Thompson, Jr., is governor of New Hampshire. Among this choice group was a lad whose power of recall was phenomenal and whose analysis and reasoning were uncommonly incisive, and whose mind was as sharp as a razor's edge. This student was Gillette Brainerd Currie.

The total enrollment year by year was 38, 43, 47 and 38, so the teacher-student ratio was particularly favorable. Some classes were very small; if we are to think of a college as "Mark Hopkins on one end of a log and a student on the other," we had just about arrived. In these small groups, lasting friendships were born.

Assuming the acting deanship in the fall of 1933, I found that Brainerd had already distinguished himself by attaining the highest yearly average

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Brainerd Currie: The Mercer Years

in the first-year law class of 1932-1933. What a genuine pleasure it was to have him in my course in Equity. Convinced am I that no member of that class or student body will resent my saying that as a student he was of unsurpassed excellence. His high intellectual capacity and his soft and perfect articulation caused him to stand out—but only in a modest manner; he was completely unassuming. Whatever scholarship was displayed in that course must be attributed largely to him and his peers, because the teacher was hard put to stay a step ahead of the brightest students.

He was graduated June 3, 1935, summa cum laude. During the four intervening decades only four graduates have attained that distinction.

He was so uniformly admired and respected that his immediate elevation to the faculty in the fall of 1935 was applauded by students and faculty members alike.

Among my highly prized mementoes is this inscription in the handwriting of Professor Currie on the flyleaf of his scholarly and influential book, *Selected Essays on the Conflict of Laws*:

For Gus Bootle (Your Honor)

With high regard and deep affection, and with grateful remembrance of the fact that you gave me my first teaching job.

Brainerd Currie

Durham, N. C.

February 20, 1965.

BRAINERD CURRIE

TEACHER

'The Instructor . . . invites the students to share his amazement that self-respecting judges could ever . . . reach such results.'

By Herma Hill Kay*

When I studied conflict of laws under Brainerd Currie's supervision in 1958 at the University of Chicago Law School, I do not recall having been asked to provide an evaluation of his teaching. Having been made aware, through my own teaching experience, of the usefulness of student

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