Frank E. Horack Jr.

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FRANK E. HORACK JR.

Frank E. Horack Jr., was a man of many interests which found expression in productive scholarship. It ever was a profitable experience to talk to him. He was a congenial individual, and a true and loyal friend. Many persons—students, former students, colleagues, and a wide array of people—are saddened over his untimely death.

His productive scholarship ranged over a surprisingly wide field of subjects—legal, quasi-legal, and non-legal. Among the areas in which he wrote were torts, criminal law, constitutional rights, administrative law and procedure, land use and controls, zoning, congressional investigations, the Uniform Commercial Code, pupils and their parents, and, of course, legislation, in which field he was both a pioneer and a leading authority.

Among his books, five in number and mainly in the casebook area, the first to appear was West Virginia Cases on Criminal Procedure, published in 1933. His first work on legislation, Cases and Materials in Legislation, was published in 1940. A second edition of this book appeared in 1954. He published thirty-one articles. These ranged over an extensive area of subjects.

Although he wrote with penetrating discernment and expressed himself well on a variety of topics, by common acceptance he did his best work in the field of legislation. Here was an area too long neglected in the curricula of the law schools, and in the discriminative thinking of the members of the profession. Frank Horack is entitled to high praise for the fine scholarship he contributed to this field of the law, and for the stimulation he gave toward focusing the attention of the law schools and of the profession on this subject. He went farther. He advocated that there be published a statutory digest similar to that which is published on case law. Lawyers and research scholars are greatly assisted by these digests in their search for case law, but in the study of legislation they have no guides short of working in an extensive law library and engaging in a laborious examination of the statutes of the separate jurisdictions. To demonstrate the potentialities of a digest on statutory law he ran a pilot study on two subjects. In his advocacy of a statutory digest, he had the enthusiastic support of the late Chief Justice Arthur T. Vanderbilt, of Barton H. Kuhns, formerly secretary and later president of the National Conference of Commissioners on Uniform State Laws, and,
may I add, of the writer. This was a project in progress, but not finished when Frank died.

I have written, in the main, about Frank’s scholarly work and writings—fruitful accomplishments, indeed, in the all too short span of his life. But what we, who knew him well, cherish most in memory of him, was his warm and congenial personality. He was a friend, trusted and true. He died in the line of duty, while in the performance of an assignment for the Association of American Law Schools.

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