IN MEMORIAM

GEORGE WILFRED STUMBERG

George Wilfred Stumberg was born August 31, 1889, at St. Charles, Missouri. He died at his home in Austin on November 15, 1964 after an illness of several months. By special authorization of the Governor of Texas, he was given honor burial in the State Cemetery.

His grandfather, Johann Heinrich Stumberg, was one of three brothers who came from Germany to New Orleans. He and one brother went up the Mississippi River to settle in Missouri in 1840. The third brother moved to Texas and it was his son, who on a visit to St. Charles, Missouri, offered George, then a small boy, a pony if he would come to Texas. George went to Texas years afterward but too late to get the pony.

John Henry Stumberg, George's father, was a surgeon in the Union Army during the Civil War. After the War he returned to St. Charles and married Helene Linneman, whose people had come from the Kingdom of Hanover in Germany. To them were born eight children, of whom George was next to the youngest. George's father supplemented his medical training in this country by a year of post-graduate study in Vienna.

He was always interested in politics and retired early from active medical practice in order to serve several terms in the Missouri Legislature. In St. Charles at the time of the Civil War sympathies were divided, as they were also in Texas. Professor Stumberg in his later years often pointed out that in Texas the legislature voted to secede, but this was vetoed by Sam Houston. In Missouri, on the other hand, the legislature voted
to stay in the Union, but this decision was vetoed by the Governor of Missouri. Although Dr. Stumberg had been in the Union Army, he had friends among both northern and southern sympathizers and was influential in healing their animosities. He had many long talks with his son, George, and undoubtedly inculcated in him an attitude of tolerance and an abhorrence of prejudice in any form.

One of George's brothers was a physician who was trained at Johns Hopkins University and another, Charles H. Stumberg, was a distinguished and honored member of the faculty of Louisiana State University from 1895 until 1940. He was George's senior by 20 years and he also exerted a great influence over the life of his younger brother.

When George was eighteen he went to Louisiana State University, but at the insistence of his brother his period of training there was interrupted by a year in France which was spent in acquiring proficiency in the language of that country. He graduated from Louisiana State University in 1909 and then attended Law School at Washington University in St. Louis, and later at Columbia University, from which he received his LL.B. degree in 1912. The next year he was chosen as a Rhodes scholar from Louisiana and was at Oxford until shortly after the beginning of the War. He then went to France to join the Foreign Legion, but instead became a special attache in the American Embassy. When the United States entered the War, many American tourists were stranded in France and it was part of his work to help them to obtain financial assistance and passage home. Soon after the United States declared war,
George joined the United States Army and was assigned to the Intelligence Corps, where his work included the interrogation of German prisoners.

When the War ended, George accepted a position on the law faculty at Louisiana State University. He soon returned to France to marry Marie Theresa Leroy, whom he had met during the War. They made their home at Baton Rouge and his bride studied English and American History at the University. During his four years in Baton Rouge, George engaged in the part-time practice of admiralty law in New Orleans.

In 1923 he received a Sterling Fellowship in Law at Yale, and earned the S.J.D. degree from the school in 1924. His first child, Marie Helene (Marilyn) was born during the year in New Haven.

In 1925 Professor Stumberg began his long career as a member of the law faculty of the University of Texas. A second daughter, Lucette, was born in 1928. In 1930 a son, John, was born, but the mother lived for only a few months thereafter, and John died at the age of five. Very soon after this, George's mother died and the succession of tragedies was almost enough to break his spirit. He was comforted by his many Austin friends, and by his sisters, Alma and Helene, who came to Austin to be with him during this difficult time.

Six years after the death of his first wife, Professor Stumberg married Ione Steele Connor of Franklin, Texas, who was then an honor student in the School of Law. She received her LL.B. degree in 1937 and for the 26 years of their marriage she was not only a devoted wife and mother, but was his close associate in his legal research and his prolific writings. In 1939 Martha Mel, his youngest child, was born to them.
When the United States entered World War II, Professor Stumberg attempted to go back into the Army, but was rejected because of age and health. He thereupon accepted a position with the Board of Economic Warfare in Washington. Because of his fluency in French he was sent to North Africa where he traveled extensively on his mission of procuring strategic war materials for the United States. The need for his services ended in 1944 and he returned to his position at the University of Texas. He became Professor Emeritus in 1964, but was teaching a Seminar in Admiralty at the time of his death. His keenness of mind and ready wit remained with him to the end.

Professor Stumberg is survived by his widow, Ione, and his three daughters. Marie Helene is married to Roger J. Williams, Jr., an economist. They have three boys and live in Westfield, New Jersey. Lucette is married to a lawyer, Eugene J. T. Flanagan, and with their five children they live in New Rochelle, New York. Martha Mel is married to Dr. Louis Edmunds, Jr., a physician, and has two little girls. They are temporarily residing in Leeds, England, but are soon to be located in Seattle, Washington. Professor Stumberg has two living sisters, Helene Stumberg, who still lives in St. Charles, Missouri and Mrs. Martin White, (herself a Ph.D.), wife of the Dean of the College of Arts and Sciences at the University of Kentucky.

George Wilfred Stumberg's contribution to legal scholarship has been equaled by only a few in the history of American legal education. His legal writings concerned three fields of the law: criminal
law, admiralty, and the conflict of laws. He was the author of a case-
book in each of these three fields. In addition, he was author of a
treatise on conflict of laws that was published in three editions between
1937 and 1963. This treatise is unquestionably the most widely used in
law schools throughout the country. His casebooks in conflict of laws
(1951 and 1956) and admiralty (1954) are also extensively used in law
schools throughout the United States. While his casebook on criminal
law (1954) was focussed upon the legal system of the state of Texas,
it also was a model of excellence and was used by all law schools within
the state. Besides these books, he prepared another concerning the law
and legal literature of France (1931). Twenty-one of his articles pub-
lished in legal periodicals related to the field of conflict of laws,
while eight were concerned with the fields of admiralty and criminal
law. He also contributed articles relating to constitutional law,
administrative law and comparative law. (See attached bibliography).

Perhaps the best view of the role Professor Stumberg essayed
for himself in all of his legal writings can be seen through comments
made rather universally about his last publication on conflict in laws
in 1963. One commentator remarked that between this publication and
the earlier edition in 1951, the field of conflict of laws had grown
and changed faster than in previous comparable periods. Professor
Stumberg, he continued, had long stood "in the first rank of pioneering
conflicts scholars. Many of the 'revolutionary' new developments are
merely echoes of what he has been saying for many years." Throughout
his scholarly life, Professor Stumberg's role was one of making constructive criticism of existing law and of legal processes as well as carefully thought out proposals for their improvement. In addition to being a scholar of immense originality, he possessed the happy quality of being able to express his powerful thinking in an extraordinarily lucid way. His last work was described by one reviewer as "a model for expository writing ... tightly reasoned and written ... a treasure ... and a tool of inestimable value for other tillers in the vineyard."

The Chief Justice of the Supreme Court of Texas, Robert W. Calvert, delivered an address on September 25, 1964, at a ceremony honoring Professor Stumberg. In this speech he expressed the view of judges and lawyers on the value of Stumberg's writings. Referring to a recent decision of the Texas high court in which the judges divided five to four, Judge Calvert pointed out that Professor Stumberg's treatise on conflict of laws was cited in both the majority and dissenting opinions. The Chief Justice observed that "the ultimate in authorial stature is attained when one writing is cited as sound and trustworthy by both sides in a law suit!" Moreover, he continued, when the Texas high court encounters a case involving a conflict of laws problem, the first question asked always is: "What does Stumberg say?" What is true of the Texas Supreme Court is also true of courts throughout the nation when confronted with problems in the conflict of laws.

Beyond the realm of publication, Professor Stumberg made a unique and scholarly contribution. Far more than most scholars,
particularly those as gifted as he, George Stumberg knew the values of conversation. For younger professors in the Law School, he held himself out as the willing sounding-board for new ideas. He would take time from his own extensive intellectual pursuits to read a draft of an article, or a book of a younger colleague, and to counsel with him about it. He was truly interested in the scholarly work and career of others. This was but a part of his larger commitment to the maintenance of a community of scholars which he deemed so essential to a law school or a university that seeks intellectual greatness.

Great as were his achievements in research and writing, his most valuable contribution to the School of Law came through his classroom teaching. Few teachers have ever developed the art of Socratic dialogue as well as he, or put it to such effective use in the classroom. Every class was a stimulating and exciting experience for those fortunate enough to be his students. He demanded from his students the same high standards of performance which he set for himself. It is not possible to measure the effect of such teaching, but it is reflected in the heart and mind of every former student.

Along with such distinguished colleagues as Bryant Smith, Robert W. Stayton, Ira F. Hildebrand and Charles T. McCormick, he labored to set the School of Law on a path that will one day make it great. He took seriously his duties as a citizen of the University, the city, the state, the nation and the world. Just as has been recognized of J. Frank Dobie and Walter Prescott Webb, George Stumberg, while working at his chosen
calling at the University of Texas, exercised an influence which spread from Austin over the state and reached throughout the nation. His interest in international and comparative law made it possible for him to be known on the Continent and in other parts of the world. No law school faculty member ever formed more lasting friendships with his students. Most of them are his devoted friends who share the sense of loss which his passing has brought to his colleagues on the faculty.

Norman Hackerman
Vice Chancellor for Academic Affairs

Eugene W. Nelson
Secretary of the General Faculty

The Resolutions were prepared by a Special Committee consisting of Professors Gus M. Hodges, Roger J. Williams, Joseph P. Witherspoon, and M. K. Woodward, Chairman.