

As Printed in the Connecticut Reports, volume 115, pages 731 - 734

George Wakeman Wheeler was born in Woodville, Mississippi, December 1st, 1860, and died at his home in Bridgeport July 27th, 1932. Though born in the south he had his roots deep in the soil of this State. His great-grandfather lived in Easton and was a judge of the Fairfield County Court. He prepared for college at Williston Seminary and was graduated from Yale University in 1881 and from the Yale Law School in 1883. Yale conferred upon him the honorary degree of Doctor of Laws in 1919, and Wesleyan that of Doctor of the Civil Law in 1931.

For ten years he practiced law in Bridgeport in association with Howard J. Curtis, his classmate and roommate in college. That partnership was dissolved in 1893 when Wheeler, at the age of thirty-two, was appointed to the Superior Court, upon the nomination of Governor Morris, and Curtis to the Fairfield County Court of Common Pleas. He went to the Supreme Court of Errors September 7th, 1910, and became Chief Justice of the State August 8th, 1920, serving until his retirement under the constitutional limitation, on December 1st, 1930, having completed nearly thirty-eight years of judicial service to the State.

The outstanding attribute of the late Chief Justice--the dominant note in his whole public career at the bar and upon the bench--was his love of justice. He said upon one occasion: "I began the life of a trial judge loving justice and longing to hold true and high her sacred shield," and on another: "In each day and each act I have tried with all my might to make the law truly serve justice." No one can say that he ever failed to be true to the high ideal which he had set before him. His life was truly one of service. His career upon the bench was marked by utter disinterestedness, undeviating courage, a rigid and unswerving devotion to duty and an unrivalled sense of justice. With a splendidly equipped mind, indomitable zeal and a passionate desire to do justice, he pursued his ideal of making the law the servant of justice. If upon occasion his decisions failed to be sustained upon appeal, who shall say that the cause of justice was more truly served by the decision of the appellate court

than by that of the trial court? One cannot imagine him failing to meet any responsibility, or faltering in the performance of any judicial duty, or suffering any compromise with anything below his own high standards of conduct. As was said by Chief Justice Maltbie at the dinner tendered Judge Wheeler upon his retirement: "One thought and one thought alone at all times has moved him--to serve justice truly, to follow whatever path it might point out, blind, not to the conditions of life as it exists, or to the ever changing needs of the times, but blind to all interests and motives save those which can stand the bright light of disinterested service to society and his fellow men."

For twenty years Judge Wheeler sat upon the bench of the highest court of our State, for ten years as Associate Justice and ten more years as Chief Justice. These were the fruitful, culminating years of his career, fraught with so much of benefit for the State. His opinions are to be found in thirty volumes of our reports. They have left an indelible impress upon the jurisprudence of the State. The same striving to make the law truly serve the cause of justice is to be found in them, whether he wrote for a majority of the court or in dissent when it appeared to him that the opinion of the majority had failed in that attempt. His opinions construing the Workmen's Compensation Act established the broad and liberal construction adopted in this State, and have strongly influenced the trend of compensation decisions in other jurisdictions, where they have been widely cited and followed. Many of his opinions have established the substantive law of the State in matters of great public interest or have pointed the way to remedial legislation by the General Assembly. His long experience, his profound knowledge of substantive law and procedure and his sound judgment gave extraordinary weight to his opinions in the conference room, and caused his associates to question carefully a conclusion which was contrary to his considered judgment.

Upon his retirement the judges of the Supreme and Superior Courts adopted the following minute:

"The notable achievements of George W. Wheeler as a trial judge are preserved, for all time, in the records of the Superior Court, covering a period of seventeen years preceding 1910. Grateful memories of his helpful kindness to young and inexperienced practitioners are treasured by many.

"His contributions to substantive law and to the cause of justice generally during ten years of service as an Associate Justice of the Supreme Court of Errors and a decade as Chief Justice are permanently evidenced in the decisions of that court and widely recognized by the profession and the public.

"Fruits of his expenditure of time and talent are also abundant in statutes passed at his suggestion, the reports of the Judicial Council, forward-looking rules and statutes adopted in consequence, the work of the Law Institute, and in countless other contributions to the cause of justice and the public welfare.

"We heartily join in the generally entertained and frequently expressed pride in and commendation of these manifestations of his ability, wisdom, industry, energy and other outstanding attributes of mind and character, sentiments which are intensified in us by that familiarity with and appreciation of these achievements which we have gained by association and lesser participation in endeavor in the common cause--the administration and promotion of justice.

"Rarely has a man so lived in, with and for the law as, for many years, has our retiring Chief Justice. With indomitable energy and fervent zeal he has devoted himself to constant, intense, and unremitting toil; not otherwise could labors and results of such magnitude and scope have been accomplished.

"Maintenance of high ideals of judicial administration, the probity and dignity of the courts, efficiency and progressive improvement of procedure, the patient hearing and careful consideration of each cause,

have been among the objects of his keen solicitude and zealous care as Chief Justice.

"Although thus engrossed in and pressed by his heavy responsibilities and the tasks in which he has been so steadily engaged, his loyalty to associates and friends has remained true and constant, his interest in them and theirs alert, and his sympathetic response to bereavement or affliction unfailing, instant, and of rare helpfulness in expression. These manifestations of friendly solicitude and consideration have engendered in us a deep and abiding personal affection.

"We cannot permit the occasion of his retirement as Chief Justice to pass without this permanent expression, however inadequate, of our appreciation of the rare privilege of his friendship and of our association with him, which has been and will continue to be to each and all of us an incentive and inspiration to high endeavor."

This expression of the admiration and affection of his associates upon the bench bears witness to the high regard and strong personal attachment felt by each and every one of them for the Chief Justice with and under whom they had served.

Judge Wheeler's devotion to the law and to public service led him to give unstintingly of his time and energy to many causes outside of his judicial duties. He was largely influential in procuring the adoption by the Superior Court in 1890 of rules of admission to the bar providing uniform standards of admission and requirements of study to qualify candidates to take the examination, and establishing a state bar examining committee. He was one of the original members of that committee and its chairman from 1912 until 1919 when he resigned as such and from the committee in 1920, having rendered for thirty years invaluable service to the profession and the State in raising and maintaining the standards of admission to the bar.

In the formation of the Judicial Council, over which he presided from the time of its establishment until his retirement, the Chief Justice found a

field of activity in which to do constructive work in an endeavor to make our judicial system a more effective instrument for justice. With characteristic zeal and enthusiasm he organized the Council and directed the work of initiating changes in the judicial system of the State and reform in practice and procedure. In this, as in every undertaking in which he engaged, he labored unceasingly and effectively.

From 1924 until his death he was a member of the Council of The American Law Institute engaged in the work of simplification and restatement of the common law of the United States. This work of tremendous magnitude and importance, engaging the services of the ablest jurists and legal scholars in the country, was one which made a strong appeal to the Chief Justice, and to it he gave unsparingly of his time and energy. He never missed a meeting of the Council and devoted untold hours of labor to the critical examination and revision of the restatements of the law which were submitted to the Council for approval. Sound learning, discriminating criticism, great industry and marked patience characterized his work, which was recognized as an outstanding contribution to the jurisprudence of this country.

Upon two occasions Judge Wheeler was tendered an appointment upon the Circuit Court of Appeals of the United States for the Second Circuit, which he declined. As a member of the State Council of Defense during the late war he was indefatigable in patriotic services of the highest order. No opportunity for public service and no call of civil duty ever found him unresponsive. He was especially interested in the work of Americanization among our citizens of foreign birth and antecedents and his labors in that field bore abundant fruit.

His public career is a priceless heritage of the State and an incentive and inspiration to all who were associated with him in the many activities in which he rendered such notable service to his city, his state and to the nation.

Judge Wheeler's private life was marked by devotion to his family and loyalty to his friends. His associates cherish memories of innumerable acts of kindness and expressions of sympathy in times of affliction. Many deeds of charity, never disclosed by him, are held in grateful remembrance by the recipients of his bounty.

Judge Wheeler was married July 5th, 1894, to Agnes Leonard Macy, who died August 24th, 1919. Two children, Mrs. W. Parker Seeley and George Macy Wheeler, survive him.

*Prepared by Hon. John W. Banks, of Bridgeport, at the request of the Reporter.

As Printed in the Connecticut Reports, volume 83, page iii

Appointed to Supreme Court April 14th, 1909, to take effect September 7th, 1910.

As Printed in the Connecticut Reports, volume 94, page iv (also printed in volume 95, page iii)

Appointed Chief Justice February 13th, 1919, to take effect August 8d, 1920.

As Printed in the Connecticut Reports, volume 111, page iii (also printed in volume 112, page iii)

Retired December 1st, 1930, under constitutional limitation as to age.