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A Leader in the Law

*Maurice E. Harrison*

It is not surprising that the retirement of Professor McMurray evokes a spontaneous tribute of gratitude and affection not only from his former students, but also from the general membership of the California bar. For over thirty years he has been the recognized leader in legal scholarship on the Pacific Coast. He has represented to our generation what Pomeroy represented to his—the influence of a rich and scholarly mind on our jurisprudence. But Pomeroy came to California only in his later years, whereas McMurray is one of our own in every sense, a graduate of our University and of Hastings College, a lifelong Californian.

When we say that Mr. McMurray has devoted his life to the enrichment of our jurisprudence, we have in mind of course the inspiration of his teaching to many succeeding groups of students and his preponderant share in the work of making the School of Jurisprudence at Berkeley one of the great American law schools. But we have in mind also the many other ways in which his influence has been felt—through his writings in the *California Law Review*, through his participation in learned and professional bodies where his views have always commanded universal respect, and through his personal friendships with many hundreds of California lawyers.

Why has the counsel of this man been welcomed by judge and lawyer and student? What is the explanation of his great influence? To many these questions are answered by the scope of his learning, by the fact that he was trained in the older tradition of the humanities, and that he walked in the steps of Blackstone by teaching the law to speak again the language of the scholar and the gentleman. But this does not tell the whole story. Other teachers of law have studied their philosophy and brought to their aid the fruits of broad scholarship. But Mr. McMurray has supplemented his general scholarship by an awareness of the law as it exists and is administered. He had practiced and had worked with practitioners. He was always conscious of the limitations upon speculation, of the wisdom and soundness of the principle of *stare decisis* as long as it was not made the excuse for unreasonable rigidity, and of the sense of justice which is the determining factor in most decisions, although it is so often
undisclosed by the books to the cloistered reader. In other words, Mr. McMurray's counsel was that of a learned lawyer as well as that of a learned man.

Those who know Orrin K. McMurray rejoice in any honor paid him because of their high regard for an unassuming gentleman who has given generously of these eminent gifts for the benefit of his fellow-men. They hope that many years of happiness will be granted him.