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JAMES WIGGINS SIMONTON

James Wiggins Simonton, Professor of Law at West Virginia University, died at his residence in Morgantown, West Virginia, on May 24, 1932. He was born at Avon, Illinois, July 12, 1878, and spent his early days on a farm. He attended Indiana University, where he received the degree of A. B. in 1903. His teaching career began in the high schools of Indiana. Beginning with the academic year 1902-3, he taught successive years at the Pulaski high school, the Hartford City high school, and the Rensselaer high school, all in the state of Indiana. He abandoned his high school teaching career to enter the University of Chicago law school, where he received the J. D. degree in 1908.

After having received his law degree, he engaged in the practice of law in Chicago from 1908 to 1914, leaving the practice in the latter year to accept his first position as a law teacher, at West Virginia University Law School, where he was assistant professor of law during the academic year 1914-15, associate professor during the years 1915-17, and professor of law from 1917 to the end of the academic year 1920-21, when he accepted the position of professor of law at the University of Missouri, where he remained until 1926, when, in pursuance of an insistent demand, both within and without local academic circles, he was brought back to West Virginia University Law School, where he remained until his death.

During his residence in Missouri, he took leave of absence for a year during which he attended Harvard Law School, receiving therefrom the degree of S. J. D. in 1924. Also during the interim of his Missouri residence, he was acting professor of law at the summer session of the Cornell Law School in the sum-
mer of 1925, and served in a like capacity at Stanford University Law School at the summer session of 1926. During the World War, with leave of absence from West Virginia University Law School, he served with the War Trade Board at Washington.

On June 18, 1919, Professor Simonton was married to Elizabeth Frances Hughes of Chicago, who survives him. Theirs was a union of exceptional felicity.

Professor Simonton specialized in the study and teaching of property law. Just before his last illness, he undertook the task of assisting Professor Bigelow, of the University of Chicago, in the revision of a case book on real property law. Shortly after he had undertaken this work, he was solicited by a publishing firm to prepare a case book of his own on the same subject. Within the field of property law, he specialized particularly in the law of oil, gas, coal and other minerals, subjects peculiarly important within the local jurisdiction. But his activities were circumscribed by no limited field of the law. He possessed a broad scholarship and a sound discrimination and judgment which made him at home in any field which claimed his attention. There are few subjects in the curriculum which he had not at some time taught. His activities in the field of research were equally diversified. His latest, and perhaps most ambitious, effort in the way of research was his critical review of the local water power act. His versatility is further exemplified in his participation in the research which resulted in the report on West Virginia Procedure and Legal Reform submitted to the legislature in 1929, of which report he was a joint author. The latest public duty which he assumed, in 1932, was membership on a committee of the state bar association for the purpose of recommending corrections in the Revised Code.

Professor Simonton was a prolific writer for legal periodicals. Most of his articles and notes have been published in the West Virginia Law Quarterly, although he not infrequently contributed to other publications. He possessed a breadth of scholarship and a ready appreciation of the subleties and niceties of legal theory which offer to a writer the temptation to indulge in the delights of pure scholarship for their sake alone. But his sound practical judgment and his prevailing instinct to make use of his efforts so as to be a help to others — whether students, the bench, the bar, fellow teachers or the public — always directed his activ-
ities along practical lines. Some practical object to be accomplished was always the source of his inspiration.

By those who were in personal contact with Professor Simonton and his varied activities in the law school world, he will likely be remembered pre-eminently as a teacher of the law. Whatever other matters he might have in hand, he never lost sight of the fact that the primary function of a teacher is to teach. His thoughts were always primarily with his students. His unflinching insistence upon adherence to sound scholastic standards never submerged his sympathy for the student who struggled against difficulties. In his teaching, as in all his other activities, he brought to bear on his tasks rare qualities of sound judgment and practical common sense combined with a scholarship of unusual depth and variety.

By those who knew Professor Simonton intimately, he will be remembered above all as a friend and a good fellow. Sentimentality and demonstrativeness were foreign to his personality, but those who had occasion to know realized that as a friend he was one who always was ready and shirked no burden or responsibility, whatever the consequences to himself. As a teacher, as an able and fearless participant in law school administration, as one who always stood for and exemplified proper standards and high ideals in all things, as a friend and as a good companion whose personal contacts were always flavored with a cordial understanding and sympathy and a fine sense of humor, Professor Simonton filled a place in the law school which always must be left void by his departure.