

1979

J. Westwood Smithers

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Recommended Citation

M. R. Doubles, *J. Westwood Smithers*, 14 U. Rich. L. Rev. 3 (1979).
Available at: <http://scholarship.richmond.edu/lawreview/vol14/iss1/3>

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J. WESTWOOD SMITHERS

*M. Ray Doubles**

John Westwood Smithers—versatile and brilliant scholar; dedicated and inspiring teacher; cooperative and genial colleague—these are my impressions after a fifty year association with him.

It was a fortunate day for the University of Richmond Law School when “West,” as he is affectionately known by his colleagues, walked into the registrar’s office in the Columbia Building located at Lombardy and Grace Streets in September, 1929, and matriculated in the law school.

He quickly revealed his academic ability as he accumulated the highest scholastic average in the first-year class. But that was just a portent of what was to follow during the next two years. He swept on to win the Charles T. Norman Medal as the Best All-Around Graduate in Law in 1932. His overall average is the highest ever recorded in the history of the school under the grading system in force at the time and for decades to follow. As I look over his spectacular grades, including those in the subjects I taught, I am amazed—and yet, as I reflect on it, I should not be, because, as my later association with him revealed, “West” possesses remarkable mental equipment.

He found ample time from his books to participate liberally in extra-curricular activities, social and otherwise. His popularity with fellow students was proven by his election as President of the Senior Class.

He graduated at a time when the law school had just become a fully accredited school about to add another fulltime professor. There was no hesitancy on the part of the faculty in recommending Smithers for the post and, happily, he accepted.

His first assignment included the subjects of Criminal Law and Agency. Soon afterwards, Conflict of Laws was added to his agenda.

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A systematic scholar, buttressed by a capacity for critical analysis, and with a bent toward sociological jurisprudence, he was ideally suited for the areas in which he taught.

From all reports, his classes were never dull. While he insisted on thorough preparation by his students, he was quick with appropriate repartee when the occasion demanded. A burst of laughter from his classroom was not an uncommon occurrence.

One of "West's" cardinal traits in teaching has been his concern for the individual student. While he is a forceful and persuasive lecturer, he has always had the interest of the individual student at heart, both in the classroom and outside. The door to his office has always been open to the student for conference.

He came onto the faculty during my early years as Dean. For fifteen years and until I went on the Bench, except when interrupted by his year's leave of absence to pursue graduate work at Harvard Law School and his later service in the Navy during World War II, he was a staunch and loyal colleague. Always cooperative and willing to accept assignments, he made the duties of the Dean's office lighter and more pleasant.

I recall particularly his role in one area of the work of the Executive Committee, viz. that of considering the applications for readmission of those first year students who fell under the so-called Automatic (Exclusion) Rule due to scholastic deficiency. "West" was endowed with a gift of unusual perception in recognizing the potential for success which lay dormant in a student despite a poor objective showing in his initial grades. On many occasions, he correctly persuaded us to re-admit a student whom we were ready to dismiss. Many of them are successful and prominent members of the Bar today.

As I have intimated earlier, there is also a lighter side to his career. With his excellent balance between serious work and relaxing humor, it is always a pleasure to be in his company.

Although our paths did not cross daily after 1947 when I was appointed a judge, we saw each other on occasion and I have followed his career with interest. He has been a good ambassador of the law school in legal circles. His service as Editor of the Law Letter of the Virginia Trial Lawyers Association; his conducting of the Bar

Review course; and his participation in both City and State Bar Association activities, to mention only a few of his exercises, have brought credit to and strengthened the resources of the law school.

So, on behalf of the Old Guard of the law school and his contemporaries at the Bar, we wish for this distinguished scholar, happy days following his retirement as a professor at the University of Richmond Law School, which he has so faithfully served for almost five decades. The school is stronger as a result of his association with it, and he will be missed from its halls.

