

Jesse L. Simpson
1947-1951

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Jesse L. Simpson was born in the southwestern Illinois town of Troy in Madison County on January 13, 1884. Jesse and his father, George, were descendants of William Simpson, one of



the state's earliest settlers, who moved into Johnson County in 1805, more than a decade before statehood. His family was poor, and after attending public schools he worked his way through his higher education as a farm hand, a railroad telegrapher, and a section hand. He attended Illinois Wesleyan University Law School in Bloomington and was admitted to the bar in 1909. He set up a practice at the Madison County seat of Edwardsville and practiced law there for over fifty years beginning with the firm

Simpson, Reed & Burroughs.¹

He soon began his career in public service as City Attorney for Edwardsville from 1914 to 1918, an Assistant State's Attorney for Madison County from 1919 to 1921, and Master in Chancery for all but one year between 1917 and 1923. In 1946, he was elected county judge for Madison County. He also served as the president of the Edwardsville Board of Education for eight terms, president of the Edwardsville National Bank and Trust Company, and president of the First Federal Savings and Loan Association of Edwardsville. He was also vice president of

the Alton Memorial Hospital, led the Cahokia Mounds Council for the Boy Scouts of America, served as president of the Madison County chapter of the American Red Cross and was chairman of the board of Emanuel Methodist Church for twenty years. He was elected president of the Madison County Bar Association in 1925.² He married Ella Kriege on July 25, 1914. They would have a daughter Virginia and a son David, who like his father would establish a law practice in Edwardsville.³

Early in 1947, the death of Justice June C. Smith left a vacancy on the state Supreme Court from the second district that included Madison County. Because there was more than one year remaining in Smith's term, there would be a special election to fill the seat. Republicans from the twenty-one counties in the second district met in May and nominated Simpson to run in the special election against Democrat Carl Preihs, a state representative from Pana in central Illinois. In the August 4 election Simpson won with fifty-nine percent of the vote. The results were surprising because no one expected a Republican do so well in a traditionally Democratic district. Even though Simpson was not the first Republican to be elected from there, his performance was especially surprising because of the unpopularity of the Republican-backed Taft-Hartley Act that many voters in the district's industrial and mining precincts construed as anti-labor and anti-union. Voters' reticence to elect a Republican was likely to have been offset somewhat by Representative Preihs' lack of judicial experience and his campaigning style, which many voters may have found objectionable for a judicial office.⁴

The term to which Simpson was elected was due to expire in June 1951. When the time came for the March primary that year (party conventions were no longer utilized) Simpson ran unopposed for the nomination. This time he ran against Democrat Harry B. Hershey, a Springfield lawyer and losing gubernatorial candidate in the election of 1940. Simpson lost his

bid for a full term by 184 votes.⁵ At age sixty-seven, Jesse Simpson retired from the Supreme Court after serving one month less than four years and having been Chief Justice for nine months.

While sitting on the bench he earned a reputation among the other justices as a indefatigable worker and rightly suited to what some regarded a “lawyer’s court” in which landmark cases were few. Instead, dockets were filled with felonies, local ordinances, taxing bodies, workmen’s compensation, and wills and trusts. The substantive changes in the 1960s that brought, for example, new environmental laws, poverty- and race-related laws, and post-conviction remedies in criminal cases, were yet to come.⁶ Simpson’s cases were very much products of their time. As such, he wrote, in 1949, the court’s final opinion in *People v. Shafer*, which was a case involving a real estate broker accused and convicted of practicing law without a license. The case had been lingered in the legal system for a number of years, and since it was important to the legal profession and the courts, Simpson’s opinion upholding the conviction was greeted with satisfaction for conclusively delineating the boundaries of law practice.⁷

Simpson returned to his law practice and myriad interests in Edwardsville with no intent to retire. He was soon to do even more: in December 1953, after appointment by Governor William G. Stratton, he assumed another public office as a member of the Illinois Commerce Commission. He served there until August 1963. He left the Commerce Commission and public office for good, and at age seventy-nine returned to his law practice with his long-time partner George Burroughs.⁸

On May 6, 1973, after a brief illness Jesse Simpson died at St. Joseph’s Hospital in Highland, not far from his birthplace and the town where he practiced law for half a century. He left behind his wife, two children, and four grandchildren. His funeral was held at

Edwardsville's United Methodist Church, and he was interred in Valley View Cemetery.⁹ More than twenty years had passed since he left the Supreme Court. He authored more than 130 opinions, but it could be argued that much of his legacy was the clear image he left behind that according to one colleague allowed that "you could see Justice Simpson, nodding from his big desk if you went by to borrow a book from their excellent library, or quietly strolling home and back at noontime. For lawyers, that could be a kind of serene and stabilizing image: Jess Simpson walking home . . . through the snow or under the green elms."¹⁰

¹ H.L. Motsinger, "Simpson Family First to Settle in Johnson County in 1805," *Daily Register* (Harrisburg, Illinois) 24 January 1952, p. 24; James Clark Fifield, *The American Bar 1928* (Minneapolis: James C. Fifield Co., 1928), p. 255; 53 Ill. 2d. xvii.

² *Ibid.*, *Illinois Blue Book* (Springfield, IL: Secretary of State, 1919), p. 217.

³ *Edwardsville Intelligencer*, 7 May 1973, p. 1.

⁴ *Chicago Tribune*, 23 July 1947, p. 16; *Chicago Tribune*, 5 August 1947, p. 1; *Chicago Tribune*, 6 August 1947, p. 18.

⁵ *Chicago Tribune*, 7 June 1951, p. B10; *Chicago Tribune*, 19 June 1951, p. 22

⁶ Remarks by James O. Monroe at Simpson's memorial service held in the Supreme Court room in Springfield, May 29, 1973, 53 Ill. 2d. xvii.

⁷ *People ex rel. Illinois State Bar Association, et al. v. Frank Shafer*, 404 Ill. 45 (1949).

⁸ 53 Ill. 2d. xvii.

⁹ *Edwardsville Intelligencer*, 7 May 1973, p. 1.

¹⁰ 53 Ill. 2d. xvii.