John Calvin Peppin

Vernon M. Smith*

Professor John Calvin Peppin's death at Berkeley on February 2, 1947, struck from the Faculty rolls a scholar of uncommon vigor and a teacher who inspired students by his example of disciplined thinking and a complete mastery of his subjects. He attacked the job of teaching and of writing with the same arms: tireless search for facts and for the existing learning in his subjects; an extraordinarily acute capacity for discrimination, organization, and classification; and a clear perception that the effective teacher must be willing to risk his opinions, yet not impose them. A profound legal scholar was lost to the state by his untimely death.

Professor Peppin was born in Oakland, California, March 19, 1907, and attended the public schools there and at San Leandro. He entered the University of California in 1923, receiving his A.B. in 1927 and his J.D. in 1930. As an undergraduate he was a member of Kappa Alpha social fraternity and of Phi Beta Kappa. His record in the School of Jurisprudence was eminently distinguished: student editor-in-chief of the Review, William Carey Jones Scholar, Order of the Coif.

He spent the year following his graduation on a fellowship at Columbia University Law School. Upon his return to California he entered the office of Orrick, Dahlquist, Neff, Brown and Herrington (then Orrick, Palmer and Dahlquist) in San Francisco. In November, 1937, he joined A. M. Mull, Jr., a member of his class in law school, in the practice of law in Sacramento; shortly thereafter, however, he was called to the School of Jurisprudence, becoming a member of the Faculty on January 1, 1938. He was appointed to the rank of Professor of Law on July 1, 1944. During the three-year period August 1, 1942 to June 30, 1945, Professor Peppin was on leave from the University and served as an attorney with the firms of Brobeck,

*Law Librarian and Lecturer in Law, University of California.
Phleger and Harrison in San Francisco, and Cravath, Swaine and Moore in New York. He left surviving him his wife, Dorothy Young Peppin, and four children.

When Professor Peppin joined the Faculty in 1938 the course offerings in procedure were in process of revision. He was assigned the task of organizing a new course in code pleading and appellate practice. With characteristic enthusiasm and industry he undertook the preparation of his two volume *Materials on California Jurisdiction and Procedure* which contained, it is believed, the first comprehensive descriptive and critical treatment of the organization and jurisdiction of all the California courts, including the police and other inferior courts. His investigation in this field and his extensive knowledge of the political organization of the state later made him an invaluable member of the State Bar's Committee on County Courts for which he acted as draftsman from April, 1944, until his death.

The fields of federal and California taxation and of municipal corporations came to be his primary law-school interests although he always carefully maintained his voluminous teaching notes in procedure. His stamina and capacity for concentration enabled him, despite the exacting demands of a subject such as taxation, to keep refreshed at the same time his vast knowledge of all fields of California law and of constitutional law.

Some months before his death he began the preparation of a text on municipal corporations; it is unfortunate indeed that this work could not be completed. He did leave important contributions in that field, however. His series of articles on the subject of municipal home-rule in California constitute a definitive treatment of a subject which sorely needed the attention of a scholar who could, as Professor Peppin did, organize and discuss the numerous California cases, constitutional provisions, and statutes dealing with the dual problems of what matters are of primary concern to cities and to what extent the legislature should be permitted to interfere with such matters. The text is written with his characteristic lucidity and manifests on every page his clear grasp of the problem in its larger aspects. His correspondence files contain letters from many city attorneys testifying to the value of these monographs to the profession. The footnotes and

---

appendices to the first two installments are typical of the completeness of all his work. There the legal antecedents of 283 active California cities are catalogued, every scrap of evidence bearing upon their classification is assembled, and every pertinent case and statute is considered. Much of this information was derived from hours of tedious search through the statutes and cases, but much also was obtained from an examination of historical data and from a detailed study of original documents in the office of the Secretary of State at Sacramento. Scholars who can see both the forest and the trees are rare indeed. Jack Peppin was one of them.

It had been Professor Peppin's intention to discuss all of the home-rule sections of article XI of the California constitution. Thus some special aspects of section 8 of article XI (providing for freeholders charter cities) were to have been treated in a fifth installment. The fourth and last number was written under enormously trying conditions due to his rapidly failing health, and is a memorial to his lofty courage and ability to direct his waning strength to the completion of the task.

In addition to his own numerous articles in the Review, Professor Peppin contributed painstaking hours counseling students in the preparation of law notes. The Review will miss the frequent memoranda he sent across the hall, suggesting cases to be noted, subjects for articles, and names of possible contributors.

His modest ways, his intense loyalty to the School, his sympathetic response to requests for guidance and assistance in his subject-fields, and his self-effacing reserve in all his personal relations, these and his other fine qualities make deep his loss to the School.