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SHORT HISTORY OF THE MARSHALL WYTHE SCHOOL OF LAW

Prepared by Dean Dudley W. Woodbridge
The Marshall Wythe School of Law
College of William and Mary in Virginia

Soon after Thomas Jefferson left the College of William and Mary in his 20th year he entered George Wythe's law office, and in 1767, after five years of close study, was admitted to the bar. In 1779 the Board of Visitors of which Mr. Jefferson and Mr. Madison were members, established the first School of Law in America and elected as its professor this same George Wythe for whom Jefferson had such great admiration.

Wythe's success as a teacher was phenomenal. Among his students (before, at, and after he occupied the first chair of law in America) were Thomas Jefferson, James Monroe, John Marshall, Edmund Randolph, and Henry Clay. These men, surely, were architects of our American way of life!

Wythe was also a signer of the Declaration of Independence, a member of the Constitutional Convention, and one of the first judges in America to promulgate the doctrine of judicial review.

William and Mary was the first College in the United States to require a Bachelor of Arts degree as a condition to the granting of a law degree. The College statutes of 1792 provided:

"For the degree of Bachelor of Law, the Student must have the requisites for Bachelor of Arts; he must moreover be well acquainted with Civil History, both Ancient and Modern, and particularly with municipal law and police."

In 1789 Wythe was made sole Chancellor. This made it necessary for him to resign his chair, and move to Richmond.

He was followed by a distinguished line of law professors as follows: St. George Tucker, William Nelson, Robert Nelson, James Semple, Beverly Tucker, Judge Scarborough, Lucian Minor (brother of the great John B. Minor), and Charles Morris who acted until the College was closed on account of the hostilities of the War between the States.

Law flourished at William and Mary from the beginning and those alumni who studied law are numbered among the greatest names connected with the College--so much so that the College has been

called "the seminary of statesmen." From 1779 to 1861 some one hundred eighty-five law degrees are known to have been granted.

Due to the ravages of war and the general poverty of the Commonwealth during reconstruction days the chair of law became dormant.

The late Robert M. Hughes, Sr., of the Norfolk Bar writing in the Journal of the American Bar Association of June 1921 voiced the wishes of the friends of the College as follows:

"Let us hope that some philanthropist may yet reendow this, the first law school in America, and restore it to the rank it held so long."

On January 14, 1922 the College formally opened the Marshall-Wythe School of Government and Citizenship. Appropriate ceremonies were held with the address of the occasion delivered by the Honorable Alton B. Parker, formerly Chief Judge of the New York Court of Appeals, in the presence of a distinguished gathering.

Those most prominent in re-establishing the Law School were Dr. J. A. C. Chandler, then President of the College; Judge Oscar Lane Shewmake; Robert M. Hughes, Sr. whose last words at a College convocation were substantially these:

"And on my death bed my Alma Mater will be at my side along with my Church and my family.";

James Gould Cutler whose generous donations helped to maintain the Marshall-Wythe School of Government and Citizenship; Judge Alton B. Parker who gave his fine law library to the College; John Garland Pollard, later Governor of Virginia; and many others.

Judge Shewmake, especially, took a personal interest in the revival of the law school. The 1922-23 Catalogue (p. 13) reads

Oscar Lane Shewmake, A. B., LL.B.
Professor of Government and Law
Dean of the School of Economics and Business Administration

L. I., College of William and Mary, 1902; A. B., College of William and Mary, 1903; Instructor in Matthew Whaley Model and Practice School, 1902-05; Superintendent of Schools, Georgetown, South Carolina, 1905-07; LL.B., University of Virginia, 1909; Member State Board of School Examiners of Virginia, 1910-11; Member of Virginia Normal School Board, 1914-19; Commonwealth's Attorney for Surry County, Virginia, 1915-16; Counsel, State Tax Board of Virginia, 1916-18; General Counsel,

State Corporation Commission of Virginia, 1918-19; Professor, College of William and Mary, 1921--

Judge Shewmake along with Dr. William A. Hamilton and in collaboration with Frank Armistead, Vernon M. Geddy, and Ashton Dovell and others mapped out a proposed course of legal studies which emphasized especially the history, philosophy, and governmental aspects of the law.

Judge Shewmake, perhaps more than any other person at that time, inspired his students by his rare combination of scholarship, versatility, and wit. He spoke at the charter meeting of the Wythe Law Club on December 18, 1921 to a young and earnest group who constituted the nucleus of the revived law school and who in later life have served the College, State, and Country with distinction. Judge Shewmake's subject was, "The Honorable George Wythe -- Teacher - Lawyer - Jurist - Statesman" and that address was made so impressively that it literally became a part of every one who heard it. No man can read it today without a feeling of admiration and respect both for subject and author.

The press of other duties caused Judge Shewmake to resign in 1923 although his interest in law at William and Mary has never abated.

Law Schools are not made or re-made in a day. Interest on endowments could not keep pace with new requirements unless new friends and devoted teachers could be found. The Law School was especially fortunate in securing the services of Dean Theodore Sullivan Cox, a man who was thoroughly trained in history, government, and law. With the co-operation and support of such men as Dr. J. A. C. Chandler, Otto Lowe, George Walter Mapp, H. Lester Hooker, Elisha Hanson, A. H. Foreman, Frank Armistead, Channing Hall, F. G. D. Ribble, and many others Dean Cox succeeded in consolidating the School and getting it fully accredited. Mrs. Alfred I. duPont and the late Mrs. Lettie Pate Evans have also shown keen interest.

In September of 1953 the name of the Law School was changed from the Department of Jurisprudence to the Marshall-Wythe School of Law in honor of those two great men.

The School now has a faculty of six and a law librarian and has expanded its curriculum so as to offer the degree of Master of Law and Taxation -- the first degree of its kind in this most important field.