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The College of William and Mary
Marshall-Wythe Law Library

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FROM THE EDITOR'S DESK

With the beginning of the new semester, patrons will discover several changes in the Library. The photocopy room in the reference/ administrative area no longer exists. Both photocopiers were removed from this area to create office space for the new Reference/Cataloguing Librarian. The Sharp copier with the collator is located on the top floor in the photocopy room near the bound journals. The location of the Ricoh copier has not yet been determined.

Didn't know we had hired a new Reference/Cataloguing Librarian? Haibin Hu, from the University of Illinois, was hired in December and begins work at Marshall-Wythe on February 16. Haibin will divide his time between the Reference and Cataloguing Departments to enhance both public and technical services. The majority of his time in February will be spent in cataloguing. His Reference Department schedule will be posted later in February to inform faculty and students of his reference service hours. More information about Haibin will appear in the next newsletter. We are excited about the addition of Haibin to the Library staff, and know you will join us in welcoming him to Marshall-Wythe.

...MR

WILLIAM AND MARY: THE FIRST LAW SCHOOL

Many articles have been written and numerous debates have been waged addressing the claim for the first law school in America. Historians and school alumni have clamored for the privilege of proclaiming that one school or another is the birthplace of formal legal education in this country. After sorting through the tangle of arguments, semantics, and historical chronology, it is clear that William and Mary established the first Chair of Law in North America in 1779. Some make a finer distinction and allege that William and Mary had the first professor of law.

Claims By Other Schools. Other schools claim other firsts in the history of legal education: the first structure exclusively devoted to the study of law or the first institution in America expressly established for the study of law (Litchfield - 1784); the oldest law school in continuous existence (Harvard - 1817); and the first lectures on law (University of Pennsylvania - 1790).

In two separate letter-writing exchanges in the 1920s, the Honorable Robert M. Hughes of Norfolk took issue with the bold assertions of Litchfield and the University of Pennsylvania that their respective institutions deserved the tribute of the first American law school. The Litchfield argument centered on the fact that William and Mary's law course was taught as a branch of a liberal education in contrast to Litchfield's single purpose of preparation for the practice of law. The University of Pennsylvania's advocate emphasized the institution's publicity concerning the establishment of their law school, the election of James Wilson as professor of law, and the

publication of Wilson's lectures. In response to both assertions, Hughes presented compelling arguments to rebut the schools' claims.

William and Mary. In 1779, Thomas Jefferson established the first Chair of Law in this country, a Professorship of Law and Police, and appointed George Wythe to fill the position, which he assumed immediately. Jefferson's purpose in establishing this chair was to provide moral training for potential political leaders of the new republic. He firmly believed that the study of law was the best qualification for a public life and envisioned William and Mary's course of study as combining both academic and professional pursuits.

Soon after the law school's founding, and probably from its very beginning, William and Mary required an academic baccalaureate degree as a condition to granting a law degree. The College statutes of 1792 provided that:

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.

This academic requirement strengthens William and Mary's claim to being the first law school, especially when compared with Tapping Reeve's instruction in a one-room schoolhouse in Litchfield, Connecticut.

The school was successful from its inception. On July 26, 1780, Jefferson wrote to James Madison:

Our new Institution at the College has had a success which has gained it universal applause. Wythe's school is numerous, they hold weekly courts and assemblies in the capitol. The professors join in it; and the young men dispute with elegance, method and learning. This single school by throwing from time to time new hands

well principled and well informed into the legislature will be of infinite value.

Letter from Thomas Jefferson to James Madison (July 26, 1780), reprinted in 3 The Papers of Thomas Jefferson 507 (J. Boyd ed. 1951).

George Wythe. The selection of George Wythe to fill the Chair of Law was excellent. He had signed the Declaration of Independence, participated in the organization of the Constitutional Convention, represented Williamsburg in the House of Burgesses, served as mayor of Williamsburg, and was a Chancellor of the High Court of Chancery in Virginia. With his broad education and culture, Wythe was considered the foremost classical scholar in Virginia and was often compared to Aristides "the Just."

Students praised Wythe's teaching methods; one student lauded his "wonderful ability, both as to theory and practice." His course was based on Blackstone's Commentaries on the Laws of England as a textbook, complemented with lectures comparing English and Virginia law. Wythe's lectures covered municipal and Commonwealth law in addition to constitutional law, making Wythe the first instructor to incorporate American constitutional law as a subject of regular instruction.

Classroom instruction was supplemented by moot courts and mock legislative sessions in which committees drafted bills and debated them with Wythe presiding. These sessions were open to the public. Students were encouraged to read other works beyond their assignments, attend lectures at the College and observe proceedings at the Capitol buildings. Combining formal instruction with practical exercises, Wythe successfully taught about all three branches of the newly formed government.

Law School Alumni. Among Wythe's distinguished pupils was John Marshall,

although he attended William and Mary for only a very short time. Other prominent Virginians studied law at William and Mary in its early years. In 1793, William H. Cabell received the first law degree conferred in America. He went on to become Governor of Virginia and president of the Virginia Supreme Court of Appeals. Spencer Roane, another fine pupil, served on the Virginia Supreme Court of Appeals for twenty-seven years.

Philip Pendleton Barbour was a member of Congress for fourteen years before becoming a Justice of the Supreme Court of the United States. John J. Crittenden authored the "Crittenden Propositions," which he introduced in the U.S. Senate as a compromise to avert civil war. James Murray Mason was the grandson of the author of the Virginia Bill of Rights. Henry St. George Tucker, the son of William and Mary's second professor of law, held a professorship at the University of Virginia and introduced the honor system to that school. These distinguished alumni began a long progression of excellent and eminent students attracted to the study of law at William and Mary.

Subsequent History of Law School. The law school enjoyed a continuous existence from 1779 to 1861, the advent of the Civil War. Although the College itself reopened in 1865, the law school did not resume operation until September 1920. A complete course was not offered until 1922, at which time the school became part of the Marshall-Wythe School of Government and Citizenship. In 1952, the Department of Jurisprudence was redesignated the Marshall-Wythe School of Law. The School of Law finally occupied its own building in September 1968 when it moved into the old College Library which was then renamed Marshall-Wythe Hall. In September 1980, the College dedicated the current Marshall-Wythe School of Law building.

Today, Marshall-Wythe School of Law continues the legacy of Wythe's model of education and perpetuates Jefferson's goals of providing a solid foundation for citizenship and public service as well as the practice of law. The institution carries on its proud heritage as a leader in legal education.

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THE STUDY OF LAW

Thomas Jefferson

The study of law is useful in a variety of points of view. It qualifies a man to be useful to himself, to his neighbors and to the public. It is the most certain stepping-stone to preferment in the political line.

To Thomas M. Randolph,
5/30/1790, Writings, VIII, 31

From: Bill Adler, comp. Great Lawyer Stories: From Courthouse to Jailhouse, Tall Tales, Jokes, and Anecdotes. Secaucus, NJ: Carol Pub. Group, 1992, at 117.
REF/K/184/G735/1992

BITS & BYTES

WESTLAW Initiates Restrictions on Student Printing. WESTLAW recently announced it will begin restricting student printing. Beginning in January 1993, should a student try to print 12,000 lines or more (approximately 200 pages) in one day, the print request will be held in West's computers. A message will appear on the screen advising the student to call a WESTLAW reference attorney. The reference attorney will ask the student questions about the nature of the research, the types of documents sent to the printer, and whether they are a member of a law review, moot court, or a faculty research assistant. The first time a

student tries to print 12,000 lines in one day, the reference attorney will release the print request and it will print on our WestLaser. Should a student try to print more than 12,000 lines a second time at some later date, the reference attorney will not release the print request. In that case, the student will have to perform the search again, being more judicious with the print requests. In the case of a third abuse of printing, WESTLAW will revoke the student's printing privileges for the remaining of the semester.

Please note that should you see a message requesting that you call the WESTLAW reference attorneys about your printing, you may use the WESTLAW Hotline phone in the CALR Learning Center. You may also call 1-800-WESTLAW from other phones.

CALR Training. CALR training for 1L's will occur January 25 - February 26 in the CALR Learning Center. Students will have the opportunity to learn WESTLAW the weeks of January 25 - February 6. They may learn LEXIS between February 8-19. A make-up week of for both systems will be offered February 22-26. One week before CALR classes begin, we will post sign up sheets in the "CALR sign up" notebook at the circulation desk. If you cannot attend any of the available classes, please see one of the LEXIS or WESTLAW student representatives or Mary Grace Hune in the Reference Department as soon as possible.

Online Job Search Training Scheduled. LEXIS and WESTLAW representatives will present training sessions on using online sources to aid in job searching. The LEXIS representative will be here January 22 from 1:30 - 4:30 in the CALR Learning Center. She will discuss the use of Martindale-Hubbell online and other useful tips to locate information about employers. The WESTLAW representative will hold sessions on January 19

and January 26. He will demonstrate the WESTLAW Legal Directory and NALP databases. Please sign up for the sessions you wish to attend in the "CALR sign up" notebook at the circulation desk.

Email Training. MWLL Computer Services will offer several training sessions on the use of the new campus Email system throughout the month of January. The new system, called PMail, is available on all Lab computers. The sessions will cover configuring a disk to use with PMail, Email address protocols, sending and receiving mail, replying to and forwarding mail, and saving and deleting mail. Please watch the bulletin board in the MWLL Computer Lab or the "Computer Services sign up" notebook at the circulation desk for exact days and times of training.

Legislative Materials on CD-ROM. The Law Library has made available on a trial basis the CIS Congressional Masterfile® 2 (CM2). The CM2 is a searchable database containing bibliographic records for all materials issued by Congress from 1970 through the present. The database corresponds to the CIS Index and Abstracts and the CIS Legislative Histories.

The types of materials covered in CM2 include all published hearings, committee prints, House and Senate reports, Senate executive reports, House and Senate documents, executive and treaty documents, Public Laws, and legislative histories. Researchers unfamiliar with legislative research can read a brief description of the types of included material in the CM2 reference manual.

The searching software has been installed on the CD-ROM terminal (number 2) in the Reference Room. To access the system, insert one of the CM2 CD-ROM disks in the CD-ROM drive and select CM2 from the menu. To learn how to use the CM2 on CD-ROM, please consult the reference manual. There you will find a programmed online tutorial to get you started

searching the database. If you need additional assistance or if you have questions about CM2, please see one of the Reference Librarians.

...MGH

MEET THE AUDIOVISUAL/MICROCOMPUTER SUPPORT TECHNICIAN

STEPHANIE-JEAN GRAHAM
AUDIOVISUAL/MICROCOMPUTER
SUPPORT TECHNICIAN
PHONE: 221-3476

Stephanie-Jean joined the staff in November 1991. She assists Reference Librarians Sue Trask and Mary Grace Hune in managing the audiovisual and microcomputer services provided by the Law Library. Her responsibilities include maintenance of the AV equipment and PC Lab, coordinating activities in the PC Lab and the video editing studio in the Moot Court Room, and facilitating AV set-ups for classes and guest speakers. Stephanie-Jean is available from 8 a.m. to 5 p.m. on weekdays in room 250.

Stephanie-Jean comes to us from a law firm in Long Beach, CA. Prior to that, she graduated from Saint Mary's College in South Bend, IN. She enjoys many activities such as tennis, biking and sailing. If you drive down Jamestown Road and pass the same biker everyday, wave...it's probably Stephanie-Jean on her way to work.

...SJG

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