

William & Mary Law School

## William & Mary Law School Scholarship Repository

---

History of William & Mary Law School

Archives and Law School History

---

9-26-1954

### Jurists of Britain, America Pay Homage To Predecessors At William-Mary Ceremonies

Robert C. Smith

Follow this and additional works at: <https://scholarship.law.wm.edu/history>

---

#### Repository Citation

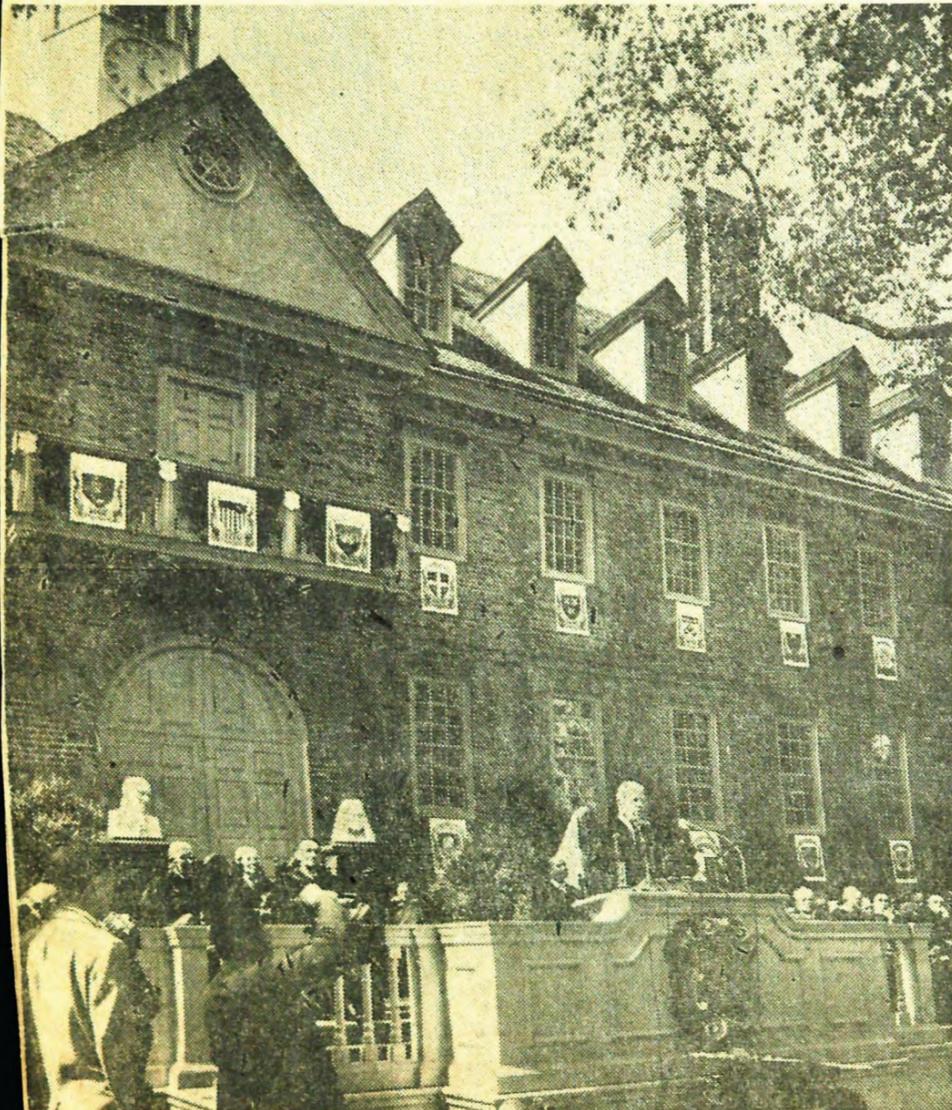
Smith, Robert C., "Jurists of Britain, America Pay Homage To Predecessors At William-Mary Ceremonies" (1954). *History of William & Mary Law School*. 24.

<https://scholarship.law.wm.edu/history/24>

Copyright c 1954 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository.

<https://scholarship.law.wm.edu/history>

# Jurists of Britain, America Pay Homage To Predecessors At William-Mary Ceremonies



## Busts of Marshall, Wythe, Blackstone Are Unveiled

## Warren Cites Duty

## Chief Justice Deplores Waves of Passion And Prejudice

By Robert C. Smith  
Virginian-Pilot Staff Writer

Williamsburg, Sept. 25—Contemporary legal standard-bearers of the English-speaking world met today at the College of William and Mary—where the first chair of law in the United States was established—to commemorate the lives of three great jurists of the past.

Busts of John Marshall, George Wythe and Sir William Blackstone were unveiled in stately ceremonies at the college in the morning. Among the speakers on the program were Chief Justice of the United States Earl Warren and Lord Goddard, Lord Chief Justice of England.

The Marshall-Wythe-Blackstone commemoration ceremonies had the additional purpose of beginning the celebration of the 200th year since Marshall's birth, marking the inauguration of the first chair of taxation in any college, and dedicating the Anglo-American Bar to its traditions of representative Constitutional government.

### Tax Law Discussed

A round-table discussion of the new tax law, led by Commissioner of Internal Revenue T. Coleman Andrews, highlighted the afternoon session at the college. The ceremonies ended with a night meeting featuring talks by Judge David A. Pine and Prof. Arthur Lehman Goodhart, master of University College, at Oxford.

Speaking prior to the unveiling of the bust of Marshall, Warren asserted that "the most sacred of the duties of a government is to do equal and impartial justice to all its citizens."

Continuing in a vein that could be interpreted as applying to the recent Supreme Court decision ending segregation in the schools, he said. "Waves of passion, prejudice and even hatreds have on occasions swept over us and almost engulfed us, as they have the people of other lands. In our efforts to guard against these things, we have called upon the wisdom of the ages. We have accepted unblushingly the contribution of those intellects of other nations and ages who, in accordance with the circumstances under which they lived, have placed foundation stones in the temple of justice."

The morning ceremonies were conducted in the sun-splashed College Yard at the East front of the Wren Building. A platform was provided for the principals and behind the platform, covered in green and gray cloths, were the newly-sculptured busts of Marshall, Wythe and Blackstone.

### Solemn Procession

In solemn procession the delegates—legal leaders from universities and colleges all over the country—filed to their seats in chairs distributed on the lawn. Plaques giving the founding dates of many of the early American universities covered the outside of the building itself, and over the arched entranceway, as though symbolic of the fitness of the place for the occasion, were plaques reading: "Virginia—1607," "U.S.A.—1776," and "William and Mary—1693."

After an introductory speech by College President Alvin Duke Chandler, Dr. Thomas C. Atkeson received his investiture as professor of taxation of the Marshall-Wythe School of Law. Dr. Dudley W. Woodbridge, dean of the law school, gave him the oath.

Dr. Goodhart read a letter in Latin to be turned over to the college from Oxford, bearing the English University's seal. Then

See Jurists, Page 3, Col. 1

Virginian-Pilot Photo by Mays  
Earl Warren, Chief Justice of the United States, delivering the principal address at the Marshall-Wythe-Blackstone commemoration ceremonies at the College of William and Mary, in Williamsburg, yesterday. The ceremonies inaugurated a year-long celebration of the 200th anniversary of John Marshall's birth, and the 175th year of the establishment of the first chair of law in the United States, at William and Mary, in 1779.



Virginian-Pilot Photo by Mays

At the Marshall-Wythe-Blackstone commemoration ceremonies in Williamsburg yesterday, honorary degrees were conferred upon (left to right) Lord Goddard, the Lord Chief Justice of England; Chief Justice Warren and Mrs. Alfred I. du Pont. At right is William and Mary President Alvin Duke Chandler. The bust of John Marshall was unveiled by Chief Justice Warren at the ceremonies. Busts of Sir William Blackstone, who filled the first chair of law in England, and of George Wythe, who occupied the first chair of law in America, were also unveiled.

## Jurists

(Continued from Page 4)

Felix W. de Weldon, sculptor of the three busts, spoke briefly.

Lord Goddard spoke for the unveiling of the bust of Blackstone, whom he eulogized as "the first professor of English law to be appointed to any university." Lord Goddard said the famed English legal writer, many of whose concepts were utilized by the founding fathers of this country, "appeared at the eve of reform and saw the great need of reform." At the conclusion of Lord Goddard's speech the bust of Blackstone — central of the three figures mounted on pedestals at the entrance to the building—was unveiled.

### "Preceptor of Jefferson"

Judge C. Vernon Spratley, associate justice of the Virginia Supreme Court of Appeals, presented the bust of Wythe, who occupied in 1779 the first chair of law to be established in the United States at the college where the ceremonies took place. Referring to Wythe as the "preceptor of Jefferson," and numbering among his students John Marshall, James Monroe, Edmund Randolph and Henry Clay, Spratley said: "If anyone has a title to a bust at this college, it is Wythe, for it was here that he conceived and taught the principles of liberty and self-government upon which our Republic is founded." The Wythe bust, on the left and done in semi-profile, was duly unveiled.

Warren had this to say about Marshall: "It fell to (his) lot to translate our Constitution from paper into real life . . . to say that it took wisdom, foresight, patience and courage to do this task is trite. But he did it for 34 years during the most formative and politically turbulent period of our national history." After his speech the Marshall bust was unveiled, completing the ceremony.

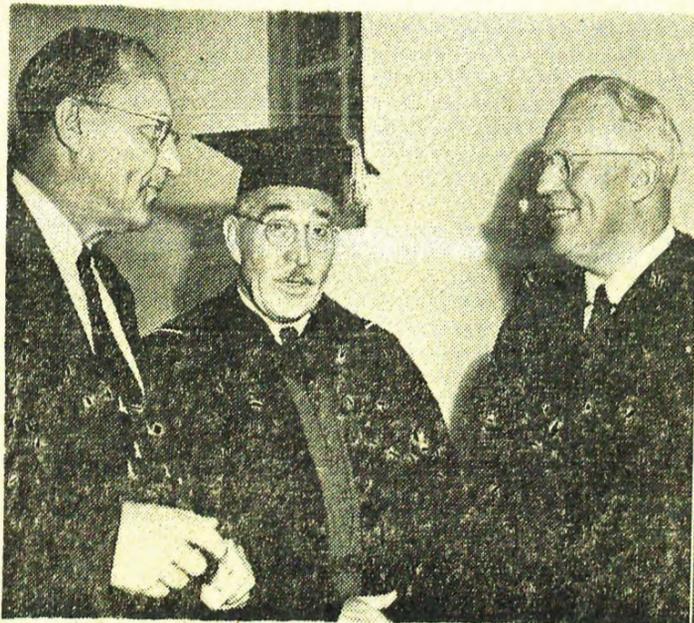
Andrews had spoken earlier on the significance of the new chair of taxation at the college. "The action being taken today by the College of William and Mary," he said, "insures a needed philosophical approach to canons, theories and concepts of taxation in relation to our historic, social, economic and political needs."

The Commissioner of Internal Revenue went on to blast what he called evidences of "social acceptance" of tax evasion in some cases.

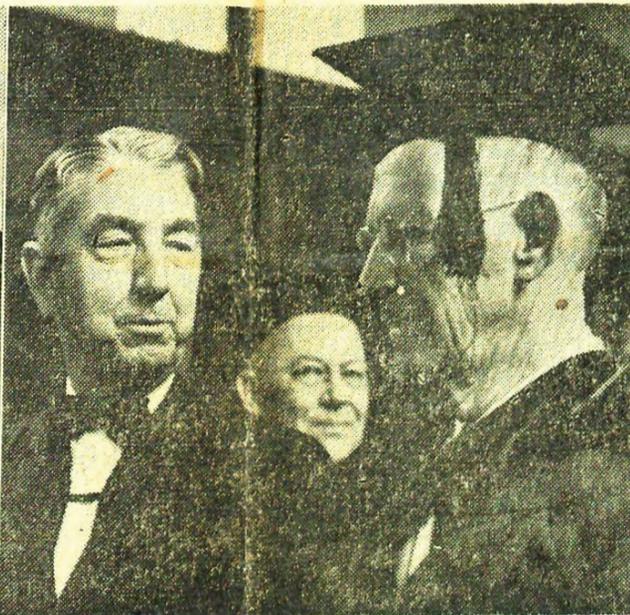
### "Road to National Ruin"

"Acceptance by society of tax dodgers, schemers, connivers, cheats and other malefactors against the law is a sure road to national ruin," he said. "No government by law can long survive ascendancy and social acceptance of the scofflaw."

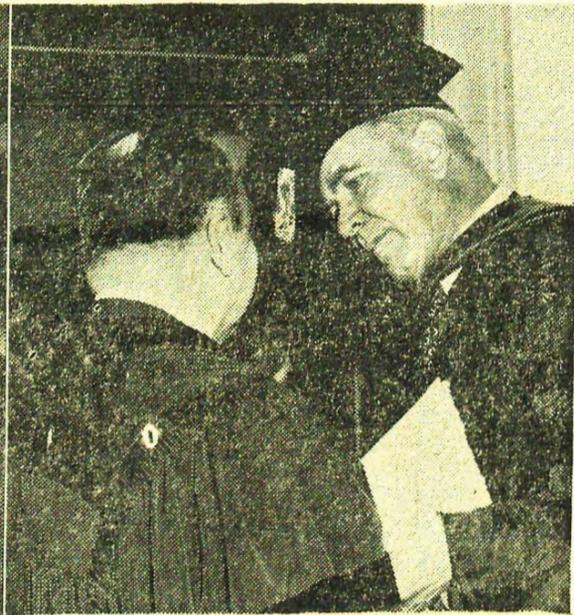
Following the ceremony, honorary degrees in law were awarded by the college's Board of Visitors to Warren, Lord Goddard, and Mrs. A. I. du Pont. The degrees were conferred by James



Virginia's Lt. Gov. A. E. S. Stephens (left) chats with Federal Judge Harold R. Medina and United States Chief Justice Earl Warren (right) before the Marshall-Wythe-Blackstone ceremonies at the College of William and Mary, in Williamsburg, yesterday.



United States Supreme Court Justice Tom C. Clark (left), formerly United States Attorney General, preparing to march in yesterday's academic procession, with Justice John W. Eggleston, a member of the Virginia State Supreme Court of Appeals.



College of William and Mary President Alvin Duke Chandler (back to camera) listens to some earnest pre-ceremonies conversation from United States Senator A. Willis Robertson, of Virginia.

M. Robertson, rector of the Board of Visitors.

The audience at the ceremonies were swelled by close to 100 direct descendants of John Marshall, who later held a reunion in the Wreh Building.

Judge Pine, District of Columbia Federal jurist, who handed down the famous steel strike decision several years ago, spoke on the state of mind of the men who drafted the Constitution. "It is my view that collectively they were controlled by fear, or more accurately, two competing, incompatible fears; a fear of government and a fear of a lack of government. Nevertheless . . . a miracle was performed . . . and they did the impossible, they reconciled the irreconcilable."

Stressing the value of the balance of power which the founding fathers incorporated into the Constitution, Judge Pine warned against attacks on the Constitution from the "flanks." He deplored what he said were recent dispositions toward enhancement of the powers of the Federal government and toward encroachment by the executive branch upon the powers of the legislative and judicial branches.

Dr. Goodhart's evening session speech tied in with that made by Judge Pine. He spoke on Blackstone's contribution to constitutional law, stressing the separation of the branches.

### Tax Experts Heard

The afternoon roundtable discussion featured short talks by a panel described by Andrews as "as distinguished a group of tax experts as could be gathered together in America." Speakers were Kenneth W. Commill, former assistant to the Secretary of the

Treasury; Norman Sugarman, assistant Commissioner of Internal Revenue; Daniel A. Taylor, chief counsel of the Internal Revenue Service; J. S. Seidman, New York certified public accountant; Edgar J. Goodrich, Washington attorney; Joel Barlow, Washington attorney, and C. H. Morrissett, Virginia State Tax Commissioner. Theme of the meeting was "The New Tax Law and the Role of Lawyer, Accountant and Tax Administrator."

The list of distinguished guests attending the one-day session was lengthy. Among those who accepted invitations were Supreme Court Associate Justices Tom C. Clark, Felix Frankfurter and Harold H. Burton; Virginia Supreme Court of Appeals Associate Justices John W. Eggleston, A. C. Buchanan, Willis D. Miller, Lemuel F. Smith and Kennon C. Whittle; Lt. Gov. A. E. S. Stephens; United States Senator A. Willis Robertson; J. Vaughan Gary, Virginia's Third District Representative to the United States Congress, and Federal Judge Harold R. Medina, widely known for his handling of the trial of 11 Communist leaders in 1949.

Presiding over the night session, held in Blow Gymnasium where the afternoon, roundtable discussion was conducted, was Lloyd Wright, president of the American Bar Association.

Virginian-Pilot Photos by Mays