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William & Mary Law School
Oscar L. Shewmake, Jr. unveiled the portrait of his father, the late Judge Shewmake, first dean of the School of Law in 1921-1922. The portrait, hanging in the Moot Court Room of the present Law School building, was presented to the College at ceremonies on April 18.
OSCAR LANE SHEWMAKE: 1882 - 1963

(Note: An oil portrait of the late Judge Oscar L. Shewmake, who revived the historic law program at the College in 1921-22, was unveiled at ceremonies in the Moot Court Room of the present Law School Building on April 18, 1970. The following text is taken from comments by some of the Judge's original students, as well as the dedication speech by President Davis Y. Paschall on April 18.)

To revive the pioneer law curriculum in America, after a lapse of sixty years, required more than merely authorizing the offering of law courses and employing a faculty. If the historical heritage was to mean anything to the twentieth century, a teacher in the mold of George Wythe and St. George Tucker had to be found. The revived curriculum, in other words, had to truly revive the unique and renowned training program in law which had been carried on from 1779 to 1861, in which some two thousand young men were prepared for the profession and became leaders of the bar, the bench and government in Virginia and many states of the South and West in the generations leading up to the Civil War.

This was the signal achievement of Oscar Lane Shewmake, who was brought to the new Law School by President J. A. C. Chandler. Like Wythe, Shewmake had an encyclopedic knowledge and interests beyond the rudiments of law. Like Wythe, the Judge's personality touched a response in young people, and like Wythe, his successor had the capacity to inspire men to love the law as they studied it. The fact that his first class—eight students— all took the state bar examination at the completion of their studies and all passed, was an indication of his teaching ability.

Judge Shewmake taught four interrelated courses: English constitutional history and English constitutional law, in one semester, and American constitutional history and American constitutional law in the second semester. The courses ran consecutively, and students attest that in the two hours’ time the teacher spoke without notes, in perfect organization of his material and without repeating himself.

The record of his students after passing the bar is also a tribute to his accomplishments. Of the original students, four were present at the April 18 ceremonies.

Paul W. Ackiss, A. B. '23, B. L. '26; practice in Virginia Beach; judge of Circuit Court.

Theodore R. Dalton, A. B. '24, B. L. '26; practice in Radford; commonwealth's attorney, 1928-36; member of Virginia Senate, 1944-59; Republican candidate for governor, 1953, 1957; judge, United States District Court for Western District of Virginia since 1960.

William Andrew Dickinson, A. B. '22, B. L. '26; practice in Cape Charles; city attorney since 1955.


Peter Paul Peebles, A. B. '24, B. L. '26, M. A. '25; assistant professor of jurisprudence, William and Mary, 1925-27; deceased, 1938.


Following the foregoing excerpt, it is appropriate to reprint the remarks of President Davis Y. Paschall of the College of William and Mary, who spoke to the assembled members of the William and Mary Law School Association, representatives of the College administration and Board of Visitors, alumni and members of Judge Shewmake's family. Following these remarks, the portrait was formally unveiled by the Judge's son, Oscar L. Shewmake, Jr.

We are here today to commemorate the memory of and do honor to a man whose devotion and dedicated service meant so much to his Alma Mater, and the Law School in particular.

Oscar Lane Shewmake was born at Brandon, Virginia, February 5, 1882. He obtained the A.B. degree from the College of William and Mary in 1903; a Bachelor of Law degree from the University of Virginia in 1909, and the Honorary Degree of Doctor of Laws from William and Mary in 1957.

He was admitted to the Virginia Bar in 1909, and served as Commonwealth's Attorney in Surry County, 1915-16; as counsel of Virginia Tax Board, 1916-18, counsel to the Virginia Corporation Commission, 1918-23, and was a member of the Commission in 1923-24. He engaged in the practice of law in Surry County, Virginia, from 1909-1925, and became senior member of the law firm of Shewmake, Gary, Goddin and Blackwell.

He served as Chairman of the Board of trustees for the Virginia Automobile Mutual Insurance Company; and vice president Union Life Insurance Company. He was a presidential elector from the 4th Congressional District in 1916, Trustee of the Virginia Normal School Board, 1914-19; member of the Board of Visitors of the College of William and Mary, 1919-21, and 1940-52, serving as Rector for the years 1949-52.

His membership included the Richmond, the Virginia, and the American Bar Associations; Virginia Historical Society; Phi Beta Kappa, Pi Kappa Alpha, Phi Delta Phi.

He authored: Opinions on Question of Taxation, 1918; The Honorable George Wythe, 1950; Song of the Old Grad and Other Verses, 1951, and contributed numerous articles to professional journals and periodicals.

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TAX EXECUTIVES SEMINAR JUNE 14-26

An intensive training program from junior tax executives, under joint sponsorship of the Tax Executives Institute of Washington, D. C. and the Marshall-Wythe School of Law, brought thirty corporation officers to the campus in the last half of June. The number of registrants represented a substantial overenrollment, according to course coordinators, who had originally estimated that an optimum number of fifty would be realized.

The Tax Executives Institute was formed in 1944 by the late Paul W. Smith of New York, who served for six years as its first national president. Its more than two thousand members are made up of executive or management personnel in industry whose primary administrative responsibility concerns the tax functions within the corporate structure. Among its elected members — a highly limited number of specialists in the tax field generally — is Dr. Thomas C. Atkeson, Chancellor Professor of Taxation Emeritus at the Law School.

The June program was designed for a particular type of student — a junior corporate tax man who has had between one and five years of federal tax experience. The course focused upon seventeen specific areas of substantive and procedural tax law and administration. Intensive study and lecture time were built into the program — six hours of daytime sessions and two hours of evening preparation.


Following the June 25 awards banquet, the final sessions on June 26 included Johnnie M. Walters, Assistant Attorney General in the Tax Division of the Department of Justice, on "The Role of the Department of Justice in Federal Tax Administration;" and Richard A. Millens, of Silverstein and Millens, Washington, on "The Effect of the Tax Reform Act of 1969 on Corporations."

FACULTY ACTIVITIES

An article by Dr. William F. Swindler entitled "Rejected Supreme Court Nominees: The Politics of 'Adviser and Consent'" will appear in the June issue of the American Bar Association Journal.

Associate Professor John Donaldson spoke on "Tax Developments Affecting Non-Profit Organizations" at a Washington conference sponsored by Tax Barometer, a professional publication service of Federal Publications.

Associate Professor E. Blythe Stason, Jr. has been nominated to membership in the Council of Foreign Relations.

Professor Thomas H. Jolls was one of five panelists at a New York seminar in May, sponsored by the accounting firm of Lybrand, Ross Bros. and Montgomery, speaking on "The Uniform Commercial Code and the Certificateless Society."

Professor Jolls is also chairman of an American Bar Association subcommittee on the Uniform Commercial Code, which submitted a report on Article 8 in the April issue of The Business Lawyer.

Professor Emeric Fischer recently attended a three-day seminar in New York, on pensions and profit-sharing plans, sponsored by the ABA-ALI Program of Continuing Legal Education.

Professor Swindler attended the Delaware Citizens' Conference on Administration of Justice as a guest specialist, at the invitation of the American Judicature Society.
MAYER HEADS STAFF OF 1970-71 REVIEW

A West Point graduate and former Army captain, Haldane Robert Mayer of Lockport, N. Y., is the new editor-in-chief of the William and Mary Law Review for the coming academic year. As a memorable though non-recurring special responsibility of this incoming staff, there will be the National Conference of Law Reviews for which it will serve as host in the spring of 1971.

The announcement of the new editor-in-chief was made at the annual awards banquet of the Law Review at the Holiday Inn East on April 17. Attorney General Andrew P. Miller of Richmond was the featured speaker, and was presented with a copy of the first two issues of the current volume, hand bound by the colonial bookbinder.

Subsequently the new members of the board of editors was announced, as follows:

Managing editor, Michael E. Kris of Kenmore, N. Y., a graduate of the university of Buffalo; executive literary editors, Bruce E. Titus (William and Mary A. B.), New York, and Ray C. Stoner (Franklin & Marshall College, A. B.), Bethesda, Md.; current decisions editor is Fred K. Morrison, a graduate of Purdue and currently a resident of Williamsburg; articles editor, G. Richard Gold (Mansfield State College, B. S.; Bucknell University, M. A.), Ebensburg, Pa.; notes editor, Mrs. Susan Bundy Cocke (Lynchburg College, A. B.), Lebanon; and research editor, James W. Corbitt, Jr., a graduate of the University of Virginia and native of Catlett.

GARNETT ELECTED SBA PRESIDENT

Duncan Garnett, Jr. of Newport News, whose father, Judge Garnett, was the Law School Association luncheon speaker this spring, was elected president of the Student Bar Association for 1970-71. Vice-President is Wilson C. Jefferson, Jr. of Piqua, Ohio; secretary is Q. Russell Hatch of Arlington; treasurer, Douglas Scott Wood, Virginia Beach.

Tom Reaveley of Williamsburg, who was re-elected as student placement director, was also announced as the new circuit governor for the A. B. A. Law Student Division.

An important affiliated agency of the S. B. A., the Moot Court Program, will be headed this fall by Frederick L. Shreves of Williamsburg as Chief Clerk. Working with him will be W. R. Bland as administrative clerk and Thomas R. Johnson as judicial clerk, both of Williamsburg. Case clerk will be Robert A. Holmes of Richmond.

IMPORTANT DATES

September 8 and 9 — Orientation for entering students
September 9 — President’s Reception for entering students
September 10 — Registration
September 11 — Classes Begin
October 15 — Sherwell Lecture

Part of the friends and relatives of the late Judge Oscar L. Shewmake, who attended the ceremonies in dedication of his portrait, gather for a portrait of their own in the ballroom of the Campus Center following the dedication.
THE HONORABLE GEORGE WYTHE

By OSCAR LANE SHEWMAKE

(On December 18, 1921, Judge Shewmake gave the following paper to the first class of students in the revived law school, at a meeting of the Wythe Club in Williamsburg. It was published in booklet form by the College of William and Mary in 1950, but has long been out of print. It is hoped that this booklet, together with certain other materials on both Wythe and St. George Tucker, may be edited into a new booklet on America's first two law teachers, for publication during the 1970-71 academic year.)

Fame, in the common acceptance of the word, is a fleeting thing. Oftentimes it comes unheralded to those who expect it least and, more often still, it eludes, like the Will-o'-the-Wisp, those who pursue it most arduously. Sometimes it lingers long, for reasons which examination fails to discover; and again it vanishes with the swift flight of time, like frost upon a winter morning.

Especially fleeting is that fame which comes to members of the bar. There comes a day in the life of the great lawyer when, in the hour of his triumph, his name is upon every lip, men hang upon his words, court his favor, and stand aside to let him pass. In a few years nature has entered for him her final decree in equity and, save for obscure references in completed order books and bundles of musty papers "filed among the ended causes" of courts long since adjourned, it is apparently as though he had never been. The names of Luther Martin and Chapman Johnson furnish two illustrations, of hundreds that might as readily and appropriately be cited, of the mutability of the lawyer's fame. Less than one hundred years ago their names were household words throughout the States of Maryland and Virginia and up and down the length of the Atlantic seaboard they were pointed to as the brightest stars in that splendid constellation that then blazed in the American legal firmament. Today those names are little more than subjects of curious inquiry for the student of the life and manners of their times.

The teacher, in this respect, finds himself in little better case. Year after year there passes before him the procession of his students. Day after day he studies, teaches and advises, gives of the best that is in him, and then—another takes his place and the endless procession continues to pass on. A little while and his name and reputation have vanished with those of his brothers of the bar.

But if it be true that the greatest things of life are not material, that those rewards most truly worth while are intangible in their nature, and that those fields of endeavor which offer greatest opportunities for public service are the best to labor in, then he who enters the legal profession or that of education, with a proper conception of the duties required and the opportunities afforded thereby, may look forward to a measure of satisfaction greater than the possession of riches or the intoxication of popular applause can ever yield.

George Wythe was both a lawyer and a teacher. As a lawyer his great talents were freely spent in the service of his country. As a teacher it was his habit to go far beyond the mere imparting of information to his pupils, and to fix their attention on the higher things of life. In every field in which he labored, as lawyer, jurist, statesman, teacher and moulder of the characters of men, he was eminently successful. The happy and far-reaching influence he exerted upon the affairs of his country is as incalculable in its extent as it is invaluable in its worth and in life he enjoyed a measure of distinction achieved by comparatively few men, even in that day of giants. But today, his name almost forgotten and his biography yet unpenned, his body lies in an unmarked grave while throughout the land he loved and served rise scores of monuments to the memories of men whose merits in comparison with his shrink into nothingness.

But if it be possible to draw inspiration for our own struggles from the contemplation of the lives of worthy men who have preceded us here, and if by study of their conduct we can improve our own, surely the life of this remarkable man presents to the student of jurisprudence, of education or of history a field for exploration at once a source of profit and delight.

George Wythe was born in the year 1726, in the County of Elizabeth City, Virginia, near Hampton and in the locality which has been known for many years as the "Wythe Magisterial District." The impression has somehow been generally made upon the public mind that he was sprung from quite humble origin, but the incorrectness of this
is shown by the facts. His great-grandfather was Thomas Wythe, the immigrant, who came to Virginia in 1680, settled in Elizabeth City County, and died in 1694. He was referred to and described as Thomas Wythe, Gent., an appellation which in those days had a definite meaning. His grandfather was Thomas Wythe, one of the first Trustees of the infant Town of Hampton and a man of considerable property; and his father was Thomas Wythe, for many years one of the justices of the County of Elizabeth City and its Delegate in the House of Burgesses in 1718, 1723 and 1726. It is well said that every truly great man had a great mother, and an examination of the maternal ancestry of George Wythe illustrates the truth of the adage. His mother was Margaret Walker, a granddaughter of the Rev. George Keith, a truly notable character of the day. George Keith was brought up as a Quaker in England, but in his young manhood became a communicant of the Episcopal Church and in 1702 he was sent to America by the “Society for Propagating the Gospel in Foreign Parts” as a missionary to the Quakers here. He was distinguished as a ripe scholar, a devoted pastor and an eloquent pulpit orator, and he led a long life of great usefulness in Pennsylvania, Maryland and Virginia. He was a firm believer in the education of women and himself taught his daughters and granddaughters, of whom he had several, so that they had far more of the knowledge found in books and greater love of learning than most of the men of their day. Margaret Wythe, besides being a model housewife and a woman of great sweetness of character, was a teacher worthy of her distinguished grandsire, for not only did she teach George Wythe the celebrated “Three R’s,” but she went beyond the elementary subjects and taught him the rudiments of Greek and Latin, so that, when he entered the College of William and Mary, at the age of fourteen, he had already acquired some proficiency in those stately languages and a love of classic literature that remained with him through life.

Thus we see that George Wythe had behind him on both the paternal and maternal sides of the house, in Virginia alone, no fewer than three generations of men and women remarkable for their industry, piety and culture, and conspicuous in the social, political and religious life of the colony, all of whom seem to have been willing to devote a generous measure of their abilities to the service of their fellow men. No College of Heralds ever granted arms to a more worthy ancestry than this.

It would prove both entertaining and instructive to draw a picture just here of the College when young George Wythe entered its halls in 1740, but that must wait to another time. Suffice it to say that James Blair, then in his eighty-fifth year but active and vigorous still, was President of the College; Williamsburg was the seat of colonial government; George II was King in England, and William Gooch was Governor of Virginia. As Bishop Meade, in his Old Churches and Families of Virginia, has said: "As London and the Universities were, in one sense, England; Paris and its University, France; so Williamsburg, while it was the seat of government, and the College of William and Mary, were, to a great extent, Virginia." The rare opportunities offered by such an environment to a young man of industry and ambition were quickly recognized by Wythe and full advantage was taken of them.

Upon leaving the College Wythe entered the office of Stephen Dewey and there began his studies of the law. Stephen Dewey, in this way the benefactor of Wythe as Wythe later became that of Jefferson, had some time previously married Elizabeth Walker, a sister of Wythe's mother. He was a lawyer of recognized ability and a highly respected citizen. In 1740, the year in which George Wythe had entered college, Dewey had been appointed and qualified as King's Attorney for the County of Charles City and later was a Delegate to the House of Burgesses. Amid the congenial surroundings of the King's Attorney's office and library Wythe diligently applied himself to the study of the law and, at the age of twenty, he was admitted to practice. The earliest record of his qualification at the bar of a Virginia court is the following, taken from the Caroline County Order Book (1746-1754) page 15: "13 Feb. 1746: George Wythe, Gent., produced a License to plead as an Attorney, took the Oath Appointed to be Taken and Subscribed the Test, was Accordingly Sworn."

The equipment that this young lawyer brought to the bar is worthy of consideration. The influences of both heredity and environment had been favorable to him, and these, with excellent opportunities for advancement, industrious application to his chosen tasks and the early formation of correct and regular habits of conduct, had combined to endow him with those essentials of a truly successful career—an informed mind, a sound body and an unselfish outlook on life. He had too, we are told, a genius for detail, the ability to concentrate all the forces of his mind upon his work and to patiently and cheerfully continue to labor at it until it was thoroughly done. It was doubtless this rare and valuable quality which, recognized in his first official position, continued to bring him private clients and public honors so long as he lived.

His first call to public service came in 1748, when, at the age of twenty-two, he was made Clerk of the Committee on Privileges and Elections in the House of Burgesses, the duties of which office he discharged with a degree of care and efficiency that surprised his elders.

In 1754 he was appointed by Governor Dinwiddie to the highly important post of Attorney General of the Colony during the absence of the incumbent, the Hon. Peyton Randolph, in England, and was the youngest Attorney General Virginia has ever had.

In that same year, October 17, 1754, he took his seat in the House of Burgesses as the Delegate from Williamsburg, thus beginning a period of service in the lower branch of Virginia's legislative body which continued, with a few brief interruptions, through the year 1778. During this period he sat sometimes as the Delegate from Williamsburg, sometimes as the Delegate from the College of William and Mary, and sometimes as the Delegate from his native County of Elizabeth City. As a member of the House of Burgesses he was the author of the celebrated Remonstrance to the House of Commons which, after some modification suggested
by members who thought the original draft was in too sharp a temper, was adopted by that body on December 18, 1764. His last year of service in this capacity was in the session of 1777-1778, the second that had been held following the separation from England, when, sitting as the Delegate from Williamsburg, he was made Speaker of the House of Delegates and discharged the exceedingly delicate and difficult duties of the office through that most trying period with signal ability.

The evidences of industry, patriotism and ability which his activities in the House of Burgesses had brought to the attention of the public, and the training and experience he had gained there caused him to be one of the men upon whose shoulders were laid the heavy burdens of public responsibility during that critical period just preceding the War of Revolution. In 1775 he was a member of the Continental Congress and again, in 1776, he was a member of that body and, as such, one of the signers of the Declaration of Independence, the work of his friend and former pupil, Thomas Jefferson. In that same year, as a member of the Convention called by the people of Virginia to frame a Constitution for the State, he, as a member of the committee appointed for the purpose, devised the State Seal of the Commonwealth of Virginia, which is still in use and it was adopted on July 5, 1776, the day the Convention adjourned. He was, after the war was over and the vital questions relating to the form of government became more and more pressing and difficult of solution, a member of the Convention which met in Philadelphia in 1787 to frame a Federal Constitution. In the following year he was a member of the Convention which met in Richmond to consider the ratification of the Constitution of the United States by Virginia, was made Chairman of the Committee of the Whole and presided over some of the most stormy and critical sessions of that body.

* * *

It is not too much to say that, but for his services in the Convention of 1788, Virginia would not have ratified the Constitution of the United States as it stood, and the entire course of American history would have been materially changed. When it is remembered that in 1788 the boundaries of Virginia embraced the area now occupied by the three States of Virginia, West Virginia and Kentucky; that this total area, 105,391 square miles in extent, was twice as large as that of France and considerably larger than that of Great Britain; that she was the most populous and the wealthiest of the States; that her geographical position, midway the Atlantic Seaboard and between the Atlantic Ocean and the Mississippi River, was unique; and that her benign climate and diverse and abundant natural resources, considered in connection with the homogeneous nature of her population, caused many of her citizens to believe that Virginia should “go it alone” rather than merge her interests with those of the other States; it became clear that ratification of the Constitution by Virginia was not only important but necessary to the establishment and permanence of the proposed Union. Had she refused to ratify there would have been at least three republics fronting the Atlantic Seaboard instead of one, and here the mind finds ample room for speculation as to what the resulting situation on the American Continent and, indeed, in the world would be today.

Having been a member of the committee which prepared the last compilation of the statute laws
of the Colony, that of 1769, he was given, in 1776, with Edmund Pendleton, Thomas Jefferson, George Mason and Thomas Ludwell Lee (the last two of whom did not serve), the far greater honor and more difficult task of practically making a new code of laws for the Commonwealth of Virginia, the authority of the revisors being "to revise, alter, amend, repeal or introduce all or any of the said laws, to form the same into bills and report them" to the General Assembly for consideration. The revisors reported the results of their labors to the General Assembly on June 18, 1779, and much of their work is still in effect while the report, as a whole, forms the basis of our system of statute law to this day.

By the Act of October, 1777, the High Court of Chancery of Virginia was established and the Journal of the House of Delegates tells us that George Wythe, Edmund Pendleton and Robert Carter Nicholas were elected the Judges thereof nemine contradicente. These judges were also ex officio judges of the Supreme Court of Appeals until the Act of 1788, when the High Court of Chancery was reorganized so as to consist of a single chancellor and George Wythe was retained as sole High Chancellor of Virginia, while the Supreme Court of Appeals was organized as a separate court. George Wythe continued to sit as Judge of the High Court of Chancery until his death and it was during this period that he earned the well merited appellation of "the American Aristides." In a State in which the integrity of the judiciary has never been a subject of adverse criticism, his own integrity and fine sense of justice were conspicuous, while he was generally conceded to be the most learned Judge in Virginia. Hon. Hugh Blair Grigsby, the eminent historian and one-time Chancellor of the College of William and Mary, in his "Discourse on the Life of Governor Tazewell," one of Wythe's former students, speaking with reference to Wythe's love of learning, has this to say:

"Wythe, above all our early statesmen, was deeply learned in the law, had traced all its doctrines from their fountain heads, delighted in the year-books from doomsday down; had Glanville, Bracton, Britton and Fleta bound in collect; had all the British statutes at full length, and was writing elaborate decisions every day in which, to the amazement of county court lawyers, Horace and Aulus Gellius were sometimes quoted as authorities."

Of the multitude of important cases that came before him for adjudication the limitations imposed upon a paper of this kind permit the mention of but two. Each of these is as much a monument to the character of the man as to his learning. The first of these cases, that of Commonwealth vs. Caton, 4 Call, 5, decided in 1782, represents the first or second known instance of the judicial branch of a State government asserting its right to declare void an act of the legislative branch because it was in conflict with the State Constitution. The question was new, the subject matter was important and popular feeling was much aroused, but the great Chancellor never hesitated when his duty was plain, as is apparent from the following extracts from his opinion in the case. Said he:

"I approach the question which has been submitted to us; and although it was said the other day, by one of the judges, that, imitating that great and good man, Lord Hale, he would sooner quit the bench than determine it, I feel no alarm; but will meet the crisis as I ought; and, in the language of my oath of office, will decide it according to the best of my skill and judgment."

And in conclusion he said:

"Nay more; if the whole legislature, an event to be deprecated should attempt to overleap the bounds, prescribed to them by the people, I, in administering the public justice of the country, will meet their united powers at my seat in this tribunal; and, pointing to the constitution, will say to them, 'here is the limit of your authority; and hither shall you go but no further.'"

It thus appears that when John Marshall, twenty-one years later, as Chief Justice of the Supreme Court of the United States, delivered the opinion of the Court in the celebrated case of Marbury vs. Madison and declared void an act of Congress because it was in conflict with the Constitution of the United States, he was doing no more than following in the footsteps of his distinguished teacher, adhering to a principle that Chancellor Wythe had already established and which had then become recognized in Virginia as one of the landmarks in our law.

The second suit was that of Turpin vs. Lockett, 6 Call, 113, decided in 1804, and which involved the constitutionality of that act of the General Assembly of Virginia which confiscated to the Commonwealth the glebe lands which so long had been the property of the Episcopal Church. Though himself a Churchman, he decided the issue in favor of the Commonwealth, his judgment was affirmed on appeal to the Supreme Court of Appeals, and the case controlled, by the rule of stare decisis, the highly important case of Selden vs. The Overseers, 11 Leigh, 132, which came on to be heard on another phase of the original question in 1840.

That one whose days from early manhood were crowded with so great a multitude of public cares, laboring amid the stress and turmoil of our war for independence and the formative periods of both our State and National governments, should have found time to devote to a life of intense private activity, filled with varied interests, seems scarcely believable. Yet such, indeed, was the case.

Soon after coming to the bar his practice became extensive and absorbing and he gave to all matters left in his hands, both great and small, the same degree of care and attention that characterized his handling of whatever he undertook. He was engaged in active practice for thirty-one years and, though never a brilliant advocate, he early established an enviable reputation as a clear and convincing speaker and as an attorney who was intensely loyal to his client's interests. He numbered among his clients some of the foremost men in Virginia, and was employed by the Honorable James Blair as counsel in more than one matter of importance, as shown by the latter's diary. He was named as one of the executors of the will of Governor Francis Fauquier, which was admitted to probate in 1768. His greatest rival at the bar, and perhaps the only man with
whom he was not on terms entirely friendly, was the Hon. Edmund Pendleton, with whom he afterward sat as an associate on the bench of the High Court of Chancery.

In 1769 he became a member of the Vestry of Bruton Parish Church, then the Court Church of the Colony, and the vestry book shows that he was regular in his attendance upon meetings and active in the discharge of the duties of his position.

In 1774 he was chosen Vice-President of the Society for the Advancement of Useful Knowledge, an organization numbering some of the foremost men of the colony among its members and of which John Clayton, the famous botanist, had lately been the President.

In 1761 he was elected to membership on the Board of Visitors of the College of William and Mary and this relation with his Alma Mater continued until he became a member of the faculty in 1779. In that year, Thomas Jefferson having become a member of the Board of Visitors, the College was reorganized on the plan of a University under Bishop Madison as President. The Grammar School and the two professorships of Divinity and Oriental Languages were abolished and chairs of Law and Police, Medicine, and Modern Languages were introduced. George Wythe was immediately elected to the Chair of Law and Police, and thus became the first occupant of a chair of law in America and the second in the English speaking world. It was in this capacity that he rendered some of the most effective service of his long and useful career. He brought to this new employment the same zeal and efficiency that marked his conduct in every relation of public life. He attended the meetings of the faculty regularly and went about the work of a college professor with that high seriousness that impressed all with whom he came in contact. Though the faculty of which he was a member was small in number, each member of it was a specialist in his chosen field and a man whose personality left its impress upon his students. One can scarcely resist the temptation to speak at length of that little group of men who constituted the faculty of the University of William and Mary and of their work, a most attractive subject, but lack of time forbids. Wythe was always interested in young men and was never so happy as when teaching them and directing their studies. The high purpose that he had always in mind, as a teacher of law, appears from the following extract from a letter written by him to his old friend, John Adams, afterwards President of the United States, under date of December 5, 1785:

"A letter will meet me in Williamsburg, where I have again settled, assisting, as professor of law and police in the University there, to form such characters as may be fit to succeed those which have been ornamental and useful in the national councils of America."

That he gloried in his work as a teacher of the law is evidenced by the results he achieved and the encomiums pronounced upon it by those who knew it best. His methods of teaching law, of which we have more than one account written by his students, have scarcely been improved upon, and no law school in America has since sent from its class rooms into public life, in the same length of time, (Continued on Page 11)
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During his undergraduate years at William and Mary he was distinguished in debate and oratory; President of the Senior Class; Captain of the Football Team; and Editor of the Literary Magazine.

He served as President of the Society of the Alumni of William and Mary in 1911-12 and 1918-19, and was a recipient of the Alumni Medallion in 1939. In 1921-22 he served in a faculty role as Professor of Government and Citizenship, and as Professor of Government and Law 1922-23, then became Dean of the School of Government and Citizenship—in which the School of Law served as a Division.

He died February 18, 1963, at the age of 81, and is buried in Forest Lawn Cemetery in Richmond, Virginia.

[At this point President Paschall read the final paragraph from Judge Shewmake’s paper, The Honorable George Wythe (see page 5). Dr. Paschall’s closing remarks follow this quotation.]

“Let me say in conclusion that I am profoundly grateful to those men who were my students in the Marshall-Wythe School during the years of my membership on its faculty. Every one of them has done well. Not one has disappointed me. It is a joy to watch them, now well into middle age, going about the affairs of life and filling positions of trust and importance with distinction, while deserving and enjoying the confidence and respect of their fellow citizens. It is comforting to their former teacher to believe that he had a hand in making them what they are. After all, the task and the duty of the teacher is to inspire and to teach. His rich reward is the satisfaction that comes from seeing the seed that he has planted come to full fruition with the passing years. My former students have given me that reward in abundant measure.”

How wonderful it is for a great teacher to make a statement so challenging to his former students and so rewarding to himself. This statement reveals that Judge Shewmake already enjoyed a glorious immortality in the lives of those whom he had inspired for the good life. Noted Teacher, Jurist, Scholar and Friend—thus we remember him.

The portrait that will be unveiled here today is the work of the artist H. Andrew Freeth, member of the Royal Academy, Royal Society of Painters, London, England.

Its commissioning was assisted by Mr. Frederick M. Nicholson of the Royal Society, through the representation of Mr. Wendell Powell of Richmond, a friend of Judge Shewmake.

Its presentation as a gift to the Law School and the College has been made possible by Friends of the College.
THE HONORABLE GEORGE WYTIE

(Continued from Page 9)

if at all, an equal number of men of such amazing ability. Within a surprisingly short time his students had become Governors of States, United States Senators, Members of Congress, Judges of Courts of last resort, both State and Federal, members of the Diplomatic Corps and occupants and other positions of high responsibility in such numbers that it is perhaps not going too far to say that the mind of George Wythe, acting through those whom he had taught, dominated the policies of this republic for fully fifty years, and is still a potent force. Dr. Grigsby, in a footnote to page 123 of his famous address delivered before The Virginia Alpha Chapter of the Phi Beta Kappa Society in the Chapel of the College of William and Mary on July 3, 1855, on "The Virginia Convention of 1776" exclaims:

"What a patriotic cartoon—a School of Virginia greater than the School of Athens—might the brush of the Virginia artist depict in Wythe laying down the law in the midst of such pupils as Thomas Jefferson, James Monroe, John Marshall, James Innis, George Nicholas, Littleton Waller Tazewell, Henry Clay and John Wickham!"

To the list of distinguished names recited by Dr. Grigsby might well be added that of Edmund Randolph, first Attorney General of the United States and Secretary of State in Washington's Cabinet, and a host of others of scarcely less importance. This was largely because, as has been truly said of him, he regarded and taught the fundamental principles of the law as a part of the science of government rather than as something to be used only in the prosecution and defense of particular cases at the bar.

His connection with the College terminated when, in 1789, he was made sole Chancellor of the High Court of Chancery and his removal to Richmond, the new capital of Virginia, became necessary. In 1790 the College conferred upon him the honorary degree of LL.D., and thus honoring him honored itself.* * *

Of the domestic life of George Wythe we know but little. He was twice married, first on December 26, 1747, to Ann Lewis, daughter of Zachary Lewis of Spottsylvania County, who was born on November 30, 1726, and passed away on August 8, 1748; and, second, in 1755, to Elizabeth Taliaferro, daughter of Richard Taliaferro of Williamsburg and James City County, who died on August 18, 1787. It was the illness of Mrs. Wythe which caused George to leave the Philadelphia Convention of 1787, to which he was a Delegate from Virginia, on June 5th of that year in order to be with her during her last days. He left no living issue by either of his wives and, like Washington, regarded the new republic as his posterity.

By the will of his father-in-law, Richard Taliaferro, admitted to probate August 9, 1779, there was devised to Chancellor Wythe a life estate in that fine old house described in the will as "in the City of Williamsburg, situate on the West side of Palace Street and on the North Side of the Church yard." This is the ancient mansion still generally known and referred to as "The Wythe House" and here the Chancellor lived during the entire time he was a member of the faculty of the College of William and Mary. Here he was living during the siege of York Town and immediately thereafter, the siege happily ended, he generously tendered the use of his home to General Washington for use as Headquarters, which offer was accepted. This house has an educational interest also, for, when the radical measures of Jefferson had banished the subjects of Greek and Latin from the college curriculum, and substituted modern languages in their stead, this wise and busy man, George Wythe, knowing by personal experience the value of the classics to one who desired to make a truly great lawyer of himself, advertised in the Virginia Gazette that he would teach classes in Latin and Greek in his home. This he did, and the students who took advantage of the rare opportunity thus offered lived to see vindicated the wisdom of their choice. Of Peter Carr, in 1786, Wythe wrote to Jefferson, then in France, "he is learning the French and Spanish languages, and with me reads Aeschylus and Horace one day, and Herodotus and Cicero's orations the next."

On Sunday, the eighth of June 1806, this venerable public servant passed to his reward. The circumstances attending his death were pathetic in the extreme, the common belief being that he was poisoned by a grand-nephew, George Wythe Sweeney. It is but fair to add that Sweeney, having been indicted and tried, was not proven guilty within the narrow limits prescribed by the criminal law, was acquitted, and left the State. His death was an event which gave to the entire Commonwealth a sense of the loss of something which could never be replaced. His remains lay in state in the Capitol and were interred in the yard of old St. John's Church in Richmond, where many years before Wythe had sat as a member of the Virginia Convention and heard Patrick Henry thunder his defiance to the British Crown and sound the alarm bell of the Revolution. Such a concourse as attended his funeral had never gathered on a similar occasion in Virginia. A wonderfully effective eulogy on the dead Chancellor was pronounced by William Munford, a former pupil and intimate friend; the entire nation mourned; and from all quarters, statesmen, jurists, farmers, men in every walk of life, gathered to lay upon the altar of his memory the grateful tributes of their praise. Said Thomas Jefferson, then President of the United States, "He was my ancient master, my earliest and best friend, and to him I am indebted for first impressions which have had the most salutary influence on the course of my life. **** No man ever left behind him a character more venerated than George Wythe. His virtue was of the purest kind; his integrity inflexible and his justice exact; of warm patriotism and devoted as he was to liberty and the natural and equal rights of men, he might truly be called the Cato of his country, without the avarice of the Roman; for a more disinterested person never lived." Henry Clay, for four years Secretary to the Chancellor and a law student in his office, said, speaking as late as 1851, "to no
man was I more indebted, by his instructions, his advice and his example, for the little intellectual improvement which I made ***".

* * *

Such, in brief are some of the events in the career of this remarkable man. From them, hastily sketched as they have been, it is possible for one to gather an impression of what manner of man he was, and that is the purpose of this paper. It is not difficult for us to judge that he was possessed of extraordinary versatility of mind, profound scholarship, and strict personal integrity; that he was broad and catholic in his views, firm in his adherence to his convictions and faithful in discharging in its minutest detail every duty laid upon him by public office or private trust. Fidelity was his watchword and patriotism was his guiding star.

Well versed in the politics of his day, he was never attracted from the path of duty by the spoils of office, nor sought the public favor by the methods of the demagogue. A statesman of consummate ability, he never sacrificed principle to expediency nor placed his personal advantage before the public good. Dignified, but not austere; scholarly, but not pedantic; genial, but never discourteous; there were most happily combined in him the rare qualities of good fellowship with those of the man of letters and the gentleman. Those who knew him best loved him most, and all within the wide circle of his acquaintance respected and admired him. His namesake, Col. George Wythe Munford, who, as a child, knew Chancellor Wythe personally, and whose father had been one of his students in Williamsburg, says of him:

"He was one of those that a child could approach without hesitation or shrinking,—would talk to, in its innocent prattle, without constraint or fear,—would lean upon, and, looking in his face, return a sympathetic smile. He was one of those before whom a surly dog would unbind, and wag his tail with manifest pleasure, though never seen before."

If the spirits of those who have left this world are permitted to revisit the familiar scenes of their earthly careers, it requires no great effort of the imagination to fancy him, not as tradition hath it wandering aimlessly from room to room of the noble old house which was his home in Williamsburg, but brooding in tender solicitude over the ancient college in which he was educated and to whose service he gave so freely of his talents and his time. And if this be so, what a source of joy it must be to him, as it is a source of inspiration to us, to know that he is again, by example at least, the teacher of a group of earnest young men who love their country and respect its constitution and its laws. Let us honour his memory and follow his example and the bright star of his fame, so long obscured by the dull clouds of forgetfulness, will shine with an increasing splendor upon his and our Alma Mater.

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