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THE COLLEGE OF WILLIAM AND MARY
IN VIRGINIA

CATALOGUE ISSUE

The College of William and Mary
in Virginia



TWO HUNDRED AND FIFTY-FOURTH YEAR

1946-1947

Announcements, Session 1947-1948

WILLIAMSBURG, VIRGINIA

1947

THE DEPARTMENT OF JURISPRUDENCE¹

Professors: THEODORE SULLIVAN COX, *Dean of the Department*; JOSEPH MARSHALL CORMACK, ARTHUR WARREN PHELPS, DUDLEY WARNER WOODBRIDGE

Instructor: CHARLES HARPER ANDERSON, *Law Librarian*

Lecturers: ERNEST WHITMORE GOODRICH, CHARLES P. SHERMAN

History

The Department of Jurisprudence, formerly called the School of Law, was established December 4, 1779, when, by resolution, the Board of Visitors created a professorship of Law and Police. Antedated only by the Vinerian professorship at Oxford, established twenty-one years earlier and held by Sir William Blackstone, the chair of law at the College of William and Mary thus became the second in the English-speaking world and the oldest in the United States.

The part played by Thomas Jefferson in placing law among the subjects taught at his *Alma Mater* is told briefly in his *Autobiography*:²

On the 1st of June, 1779, I was appointed [elected] Governor of the Commonwealth and retired from the legislature. Being elected also one of the Visitors of Wm. & Mary College, a self-electing body, I effected during my residence in Williamsburg that year, a change in the organization of that institution by abolishing the Grammar School, and the two professorships of Divinity & Oriental languages, and substituting a professorship of Law & Police, one of Anatomy, Medicine and Chemistry, and one of Modern languages; and the charter confining us to six professorships, we added the law of Nature & Nations, & the Fine Arts to the Duties of the Moral professor, and Natural history to those of the professor of Mathematics and Natural philosophy.

The Board of Visitors elected as the first law professor³ George Wythe in whose office Jefferson had studied. A signer of the Declaration of Independence and styled by Jefferson the American Aristides, Wythe was a judge of the Virginia High Court of Chancery and one of the earliest judges to enunciate the doctrine of judicial review.

The elevation of Wythe to the sole chancellorship of Virginia, ten years after the chair of law was established, necessitated his removal to Richmond and his resignation from the faculty. He was succeeded by St. George Tucker, whose edition of Blackstone is a legal classic and one of the first law books published in America. Among the last to hold the professorship at Williamsburg prior to 1861 was Lucian Minor, a member of another Virginia family intimately associated with the law.

¹ See also Bulletin of The College of William and Mary in Virginia, Department of Jurisprudence, Announcements, 1947-1948.

² Ford's edition, I, 69-70.

³ The original title, "Professor of Law and Police", in which the word *police* was used in the sense of government, has been retained.

Soon after its foundation, and probably from the very beginning, the law school of the College of William and Mary demanded an academic baccalaureate degree as a requirement for a law degree, the College statutes compiled in 1792 providing:

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 May, 1861, with the closing of the College, because of the exigencies of war, the law school ceased to function. When the College resumed operation, financial stringency resulted in the granting of leaves of absence to some of the Faculty. Among these was the Professor of Law. This leave of absence continued indefinitely. During the precarious years in the life of the College following the Civil War, the Law School remained largely dormant. Its revival, begun in 1920, was completed with the session of 1922-23. Subsequently it was renamed the Department of Jurisprudence to indicate the additional function which it performs by supplementing the study of Economics, Business Administration, Government, History, and Sociology.

As a result of the integration and correlation of courses and the close cooperation with other departments of the College, the Department of Jurisprudence functions as a Department of the College in relation to students who are using Jurisprudence as their field of concentration for the degree of Bachelor of Arts, and in relation to students who wish to offer courses in Jurisprudence as electives toward an academic degree; in relation to students who are proceeding to the law degree, the Department of Jurisprudence functions as a professional school.

The Department of Jurisprudence is registered by the State Department of Education of the University of the State of New York, is approved by the American Bar Association, and is a member of the Association of American Law Schools.

Library

The Library of the Department of Jurisprudence, occupying the third floor of the College library, contains approximately 17,200 volumes. The Law Library is administered by a Law Librarian with student assistants and observes the same hours as the College Library.

Miscellaneous Information

Method of Instruction. While each instructor has full liberty to adopt his own method of teaching, the plan most generally used consists of the discussion of cases and legal problems. Students are encouraged from the beginning to make the fullest use of the law library.

Prizes. Dr. Charles P. Sherman, a lecturer in the department, awards an annual prize of \$50, known as the William A. Hamilton prize, to the student graduating in Jurisprudence with the best essay on a subject connected with Roman Law. Other prizes offered by Callaghan and Company, West Publishing Company, and Baker-Voorhis Company are awarded annually for the first second, and third years, respectively.

Admission Requirements

The following persons may be admitted to courses in Jurisprudence:

1. Students holding an academic baccalaureate degree from an institution of approved standing may enter the Department of Jurisprudence and take any subject approved by the Dean of the Department; provided, however, that students who expect to become candidates¹ for the degree of Bachelor of Civil Law shall follow the regular course of study.

2. Students of academic senior standing, who select Jurisprudence as a field of concentration, may apply a maximum of thirty-one semester credits in Jurisprudence (one year's work) toward the degree of Bachelor of Arts, provided the course is approved by the Dean of the Department. A student who desires to apply one year's work in Jurisprudence toward the degree of Bachelor of Arts must have a quality point average of at least one in his liberal arts work. (In regard to commencing the study of Jurisprudence during the junior year, see 3 below.)

3. Students of academic junior standing, who have completed satisfactorily at least one-half of their work toward a degree in liberal arts subjects in an institution of approved standing, and who wish to apply one year of law toward the degree of Bachelor of Arts as provided in 2 above, may take a maximum of sixteen credits in Jurisprudence during the junior year (the remainder to be taken during the senior year), provided the course is approved by the Dean of the Department.

4. Subject to the provisions stated in 2 and 3 above respectively, students of academic junior and senior standing may take, as electives, subjects in Jurisprudence approved by the Dean of the Department.

5. In the case of veterans, only one year of pre-legal work need be taken in residence. Extension work, the subject matter of which is acceptable to the Committee on Degrees (but not correspondence work), may be counted as part of such year.

6. In exceptional cases within the discretion of the Faculty of the Department, persons who fail to meet the above requirements, may be admitted as special students² and may take subjects in Jurisprudence approved by the Dean of the Department, *but under no other circumstances may a student who has not completed satisfactorily at least one-half of his work toward an academic baccalaureate degree, with a quality point average of at least one, take any subject in Jurisprudence.*

Concentration in Jurisprudence and the Combined Six Years' Course

Jurisprudence constitutes an approved field of concentration for the degree of Bachelor of Arts. Students concentrating in Jurisprudence are required to consult with the Dean of the Department before selecting specific courses.

While no specific academic subjects, apart from the general requirements for the degree of Bachelor of Arts, are required by the Department of Jurisprudence as preparation for law, students who expect to concentrate in Jurisprudence or proceed

¹ To be admitted to candidacy for the law degree, a student must hold an academic baccalaureate degree or be taking the combined six year course in this college for the two degrees.

² The number is limited in accordance with the recommendation of the Legal Education Section of the American Bar Association.

to the law degree are urged to complete the general degree requirements before commencing their work in Jurisprudence. It is recommended that such students consult with the Dean of the Department as early in their college careers as possible regarding the scope and distribution of their academic work.

By selecting Jurisprudence as a field of concentration and applying one year's work in Jurisprudence toward the degree of Bachelor of Arts, students may secure the degree of Bachelor of Civil Law in two more years.

Advanced Credit

Within the discretion of the Faculty of the Department, credit may be allowed for subjects satisfactorily completed at approved law schools, not to exceed the equivalent of fifty-five semester hours.

Exclusion Because of Poor Scholarship

Any student who has been admitted to candidacy for the degree of Bachelor of Civil Law and who does not maintain a quality point average of at least 1.0, or who fails more than five hours in any semester will be permitted to continue his course only with the consent of the Faculty of the Department.

Degree Requirements

Students holding an academic baccalaureate degree from an institution of approved standing, who have been in residence in the Department of Jurisprudence for three academic years (or, in case advanced credit has been allowed, have been in residence in this school at least during their third and last year), who have completed satisfactorily the prescribed course of study, or its equivalent, with a quality point average in Jurisprudence of at least 1.0, and who have demonstrated their ethical fitness, will receive the degree of Bachelor of Civil Law (B.C.L.), the historic law degree of the College of William and Mary in Virginia.

Course of Study for the Degree of Bachelor of Civil Law

The course of study is based on the concept of Law as a social institution in a modern world. It is divided into the following parts: I. History and Nature of Law; II. Private Law; III. Public Law; IV. Procedure; V. Legal Method; VI. Social Function and Ethics of Law.

So far as practicable, there is a consolidation, correlation, and integration of subject matter. While the field of private law receives adequate consideration, there also is a definite emphasis on public law. This is in accord with the general trend in judicial and administrative processes. In addition, the history and philosophy of the Law is treated, as well as the position of law in society. With the approval of the Faculty and to a limited degree, topics in legal research may be substituted for formal courses.

First Year

<i>First Semester</i>	<i>Credits</i>	<i>Second Semester</i>	<i>Credits</i>
Constitutional Law I.....	3	Constitutional Law II.....	3
Contracts.....	3	Contracts & Sales.....	3
Criminal Law & Criminology....	3	Family Law.....	2
Legal Bibliography.....	1	Procedure I.....	3
Property I.....	4	Torts.....	4
	—		—
	14		15

Second Year

<i>First Semester</i>	<i>Credits</i>	<i>Second Semester</i>	<i>Credits</i>
Business Associations I.....	3	Business Associations II.....	3
Equity.....	3	Creditors' Rights & Security...	4
Labor Law.....	3	Evidence.....	3
Negotiable Instruments.....	3	Government Regulation of	
Procedure II.....	3	Business.....	3
	—	Legal History, Roman &	
	15	Comparative Law.....	3
			—
			16

Third Year

<i>First Semester</i>	<i>Credits</i>	<i>Second Semester</i>	<i>Credits</i>
Conflict of Laws.....	3	Administrative Law.....	3
Federal Jurisdiction & Procedure	2	Federal Taxation.....	3
International Law I.....	3	International Law II.....	3
Legal Philosophy.....	3	Property II.....	3
Legislation.....	2	The Legal Profession.....	2
Trusts & Estates.....	3		
	—		—
	16		14

Description of Courses

I. History and Nature of Law

Legal History, Roman and Comparative Law. Mr.

Second semester; lectures three hours; three credits.

Legal Philosophy. Mr.

First semester; lectures three hours; three credits.

II. Private Law**Part I**

Contracts. Mr. Woodbridge.

First semester; repeated second semester; lectures three hours; three credits.

Contracts and Sales. Mr. Woodbridge.

Second semester; lectures three hours; three credits.

Equity. Mr. Cormack.

First semester; lectures three hours; three credits.

Family Law. Mr. Phelps.

Second semester; lectures two hours; two credits.

Property I. Mr. Woodbridge.

First semester; lectures four hours; four credits.

Property II. Mr. Cormack.

Second semester; lectures three hours; three credits.

Torts. Mr. Woodbridge.

Second semester; lectures four hours; four credits.

Part II

Business Associations I-II. Mr. Anderson.

Continuous course; lectures three hours; three credits each semester.

Creditors' Rights and Security. Mr. Cormack.

Second semester; lectures four hours; four credits.

Negotiable Instruments. Mr. Woodbridge.

First semester; lectures three hours; three credits.

Trusts and Estates. Mr. Cormack.

First semester; lectures three hours; three credits.

III. Public Law**Part I**

Constitutional Law I-II. Mr. Cox.

Continuous course; lectures three hours; three credits.

Criminal Law and Criminology. Mr. Goodrich.

First semester; lectures three hours; three credits.

International Law. Mr. Cox.

Continuous course; lectures three hours; three credits.

Part II

Administrative Law. Mr. Pate.¹
Second semester; lectures three hours; three credits.

Federal Taxation. Mr.
Second semester; lectures three hours; three credits.

Government Regulation of Business. Mr. Marsh.²
Second semester; lectures and conferences three hours; three credits.

Labor Law. Mr. Taylor.³
First semester; lectures three hours; three credits.

IV. Procedure

Conflict of Laws. Mr. Cormack.
First semester; lectures three hours; three credits.

Evidence. Mr. Phelps.
Second semester; lectures three hours; three credits.

Federal Jurisdiction and Procedure. Mr. Phelps.
First semester; lectures two hours; two credits.

Procedure I. Mr. Phelps.
Second semester; lectures three hours; three credits.

Procedure II. Mr. Phelps.
First semester; lectures three hours; three credits.

V. Legal Method

Legal Bibliography. Mr. Cormack.
First semester; lecture one hour; one credit.

Legislation. Mr. Phelps.
First semester; lectures two hours; two credits.

VI. Social Function and Ethics of Law

The Legal Profession. Mr. Phelps.
Second semester; lectures two hours; two credits.

Introduction to Law. Mr. Cox.
First semester; repeated second semester; lectures two hours; two credits.

This course which is given each semester is designed for the general student and does not carry credit as concentration in Jurisprudence. It is intended primarily for second and third year students; others are admitted by special permission. The course includes a survey of the nature of law, its subject matter, methods of administration, and nomenclature.

¹ Professor of Political Science.

² Professor of Economics and Business Administration, Head of Department of Business Administration.

³ Professor of Political Economy, Head of Department of Economics.

THE DEPARTMENT OF LIBRARY SCIENCE

Professor: NANCY HOYLE, *Head of the Department*

Assistant Professor: ALLENE WHITENER WORSFOLD

Teacher-Training Supervisor of Library Science and Librarian of Matthew Whaley School: ELIZABETH HODGES

The Department of Library Science of the College of William and Mary is accredited by the Board of Education for Librarianship of the American Library Association and by the Southern Association of Colleges and Secondary Schools. It is classified as a Type III library school, i.e., a school which does not require students to have completed four years of college work before beginning library training.

Courses are planned to meet the needs of the following groups of students: (1) those who wish to prepare themselves to serve as full-time school-librarians; (2) those who are planning to teach in either elementary or secondary schools and who would also like to qualify as teacher-librarians; (3) those who are planning to work in public or institutional libraries; and (4) those who wish to elect one or more courses in Library Science as a part of their general education.

Requirements for Admission

Sixty semester credits in liberal arts subjects (including three semester credits in General Psychology), in which the student has shown the quality of scholarship needed for successful library service are required for admission to the Department of Library Science. Students desiring to concentrate in Library Science should file their applications for admission at the beginning of their sophomore year. As early as possible during the freshman year, they should consult with the members of the Department in order that they may plan their work to advantage.

Program for Undergraduates Concentrating in Library Science

Since the Department of Library Science of the College of William and Mary emphasizes work in school libraries, students concentrating in Library Science must qualify for a Collegiate Professional Teacher's Certificate. Upon the completion of the entire program they are certified by the Virginia State Board of Education to do school library work, to teach, or to do a combination of school library work and of teaching in Virginia.

By action of the Virginia State Board for the Certification of Librarians, students who have concentrated in Library Science at the College of William and Mary are also automatically certified for professional positions in public and institutional libraries of the State.

The Virginia State Board of Education's requirements for a Collegiate Professional certificate include 18 semester hours of education, including 6 semester hours of supervised teaching and a course in school and community hygiene. Biology 103 satisfies the latter requirement, or such a course may be taken by correspondence for certification credit only. L. S. 405 satisfies the requirement for one semester of supervised teaching for those concentrating in Library Science.