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# Legal Education in Virginia 1779-1979: A Biographical Approach

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Legal Education  
in Virginia  
1779-1979

*A Biographical Approach*

W. HAMILTON BRYSON

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This book was inspired by

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lawyer, patriot, statesman  
establishment in 1779 of  
first in the United States

*As one lamp  
So nobleness*

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## Preface

To know where we are, we must know whence we came; to know who we are, we must know who we were. No man is an island complete unto himself or a being independent of his ancestors and his neighbors. The ancestors of the legal profession are its law teachers, and it is these scholars who, over the past two hundred years, have molded the Virginia bench and bar into what it was then and what it is today. The study of legal education in Virginia is therefore significant and necessary to the understanding of the modern legal profession, its customs and doctrines, its qualities and its aspirations.

The biographical approach to history is appropriate in that it is people who make history and classes of people are but aggregates of individual human beings. Thus it is hoped that these biographical sketches will help to illuminate the history of legal education by introducing to the reader those personalities who did the teaching.

It has been charged to many historians that their work is incomplete because they have written about great men and ignored the common man. The scope of this book is designed to minimize this accusation should it be directed to us. This work includes sketches of all deceased law teachers in Virginia from George Wythe, who first started teaching law in 1779, to those who died before the beginning of 1979, the bicentennial of Wythe's professorship. Those still living are thus excluded. Included, however, are all those who were in charge of a law course. The range of those included in this book thus covers not only those teachers who, like Wythe, taught alone the entire law curriculum of their schools but also those part-time teachers of the modern period who taught a single course for a single academic term. Omitted are instructors, lecturers, and other part-time personnel who did not hold formal classes or give examinations. It is believed that the scope of inclusion is broad enough so that a true picture of legal education in Virginia over the past two hundred years can be properly appreciated. Moreover, the great teachers can be identified and seen in the perspective of the total picture. The sketches of the law professors are arranged alphabetically; there is an appendix listing them by law school chronologically in order of appoint-

PREFACE

ment. The introduction to this book is a brief outline of the rise of the law schools in Virginia.

The biographical sketches concentrate on their subjects' methods and philosophies of teaching as far as can be known. In addition to vital statistics and general information, the writings of the teachers are listed at the end of their entries. These bibliographies tell much about the inclinations and interests of their authors. Furthermore, they show what their authors understood most deeply. The discipline of literary composition forces one's attention to the details of the subject as well as to its broader perspective. A lecturer can much more easily avoid a difficult point than can a writer. Moreover, that which has been published is available for the benefit of future generations. The law professor's writings are a permanent contribution to the legal profession. Here is a person's true monument, one which is not merely ornamental but is useful.

At the end of each sketch is a list of printed sources which can be consulted for more information. However, many of the sketches are based as much on conversations and letters of family and friends as on published materials.

A book of this size and detail is assuredly not the work of a single person, in any case not solely that of the undersigned person. I have been aided by many able hands. In addition to the various contributors, special acknowledgment is due to the generous assistance of Professor Charles V. Laughlin of Washington and Lee University and Mr. E. Lee Shepard of the Virginia Historical Society; these two gentlemen have assured the quality of this book.

Most of the sketches of the more modern law teachers were written with the assistance of their families and former students; they are too numerous to be thanked individually even though their contributions were invaluable. However, the following persons went much out of their way for us and were particularly helpful. At the College of William and Mary, Dean William B. Spong and Mrs. Julia Oxrieder in the law school, Miss Margaret Cook in the Swem Library, and Mrs. Louise Lambert Kale of the Fine Arts Department deserve abundant thanks. At the University of Virginia School of Law, we were greatly assisted by Dean Hardy C. Dillard, Dean John Ritchie, Professor Neill H. Alford, Professor Charles M. Davison, and

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Mrs. Marsha T. Rogers, University of Richmond, our spouse; Morris Tarpley, Professor of Law; Harry L. Snead, Judge of the Court of Appeals; Judge M. Huntley. Professor Laughlin of the Washington and Lee University requested information and took the time to aid us. The following were especially helpful: Mr. Martin P. Burks II, Mr. Louis B. Fine, Mr. James M. Robert M. Goldman, the late Spottswood W. Robinson, and the writing of the history of the profession. Mrs. Toni H. Waller, Virginia State Library and Archives; Rebecca Perrine of the University of Richmond greatly in finding the pictures. The following former students and the bibliographies of the late Mr. Richard D. Holcomb, Edward L. Robinson type, and the generous help of each of the contributors. Considerably less accurate and readers concur in the universal gratitude. The generous assistance made possible the production.

Gilbert E. Butler, Jr., "Ralph T. Catterall" first published in *Richmond Literature and History* 44-46 and 3, no. 1 (1980): 44-46, here by permission of the author. Hamilton Bryson's "The History of Virginia" appeared in the *Virginia Review* 14 (1979): 155-210, and is reprinted in *Review*.

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Mrs. Marsha T. Rogers, the law school archivist. At the University of Richmond, our special appreciation is due to Mrs. Jean Morris Tarpley, Professor J. Westwood Smithers, Professor Harry L. Snead, Judge M. Ray Doubles, and Judge W. Moscoe Huntley. Professor Laughlin received many letters from alumni of the Washington and Lee School of Law in response to his request for information. We are grateful to all of them for taking the time to aid us in the compilation of this book; the following were especially helpful: Professor T. Munford Boyd, Mr. Martin P. Burks III, Mr. Bernard P. Chamberlain, Mr. Louis B. Fine, Mr. James Sumrall, and Mr. John T. Wingo. Dr. Robert M. Goldman, the late Dr. John M. Ellison, and Judge Spottswood W. Robinson III were of invaluable assistance in writing the history of the Virginia Union University law department. Mrs. Toni H. Waller and Ms. Vanessa Harris of the Virginia State Library and Mrs. Elizabeth Ayers Berry and Mrs. Rebecca Perrine of the Virginia Historical Society helped greatly in finding the pictures that are used in this book. The following former students did most of the work in compiling the bibliographies of the law professors: Mr. Robert A. Bruce, Mr. Richard D. Holcomb, and Mr. John A. Phillips. Mrs. Edward L. Robinson typed the manuscript. Without the generous help of each of these, this book would have been considerably less accurate and complete, and I am sure that the readers concur in the undersigned compiler's expression of gratitude. The generous assistance of the Michie Company has made possible the production of this book.

Gilbert E. Butler, Jr., "William Green" and Kevin V. Logan, "Ralph T. Catterall" first appeared in shortened form in *The Richmond Literature and History Quarterly* 2, no. 4 (1980): 44-46 and 3, no. 1 (1980): 46-47, respectively, and are reprinted here by permission of that *Quarterly*. A shorter version of W. Hamilton Bryson's "The History of Legal Education in Virginia" appeared in the *University of Richmond Law Review* 14 (1979): 155-210, and is reprinted by permission of the *Law Review*.

W. H. B.

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