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For nearly a century after its inception in 1693, the study of law in Virginia remained within the parameters of England's legal education system. Lawyers-to-be were educated either through apprenticeships with practicing lawyers or through England's Inns of Court. British legal education changed in 1758 when Sir William Blackstone was elected to the Vinerian Chair of English Law at Oxford University, the first law professorship in the English-speaking world. American legal education would change not long thereafter.

The American Revolution severed most ties with England and created a dearth of available legal training for would-be lawyers. [Thomas Jefferson](#), then governor of Virginia, saw the need for legal reorganization in the colonies (and soon to be new nation) and chose to enact his reforms at his alma mater, the College of William & Mary.^[1] At Jefferson's urging, the College's Board of Visitors (of which he was a member) created a [professorship of Law and Police](#) in 1779 and named [George Wythe](#), Jefferson's mentor, to that position.

Jefferson knew Wythe well, and had served as Wythe's his legal apprentice from 1762-1765.^[2] Other notable apprentices of Wythe prior to his appointment as a law professor were the Reverend [James Madison](#) (who later became President of the College as well as the first Episcopal Bishop of the Diocese of Virginia) and [St. George Tucker](#) (who succeeded Wythe as the second Professor of Law and Police at William & Mary, and is best known as the author of the first American edition of [Blackstone's Commentaries](#), commonly known as [Tucker's Blackstone](#)).

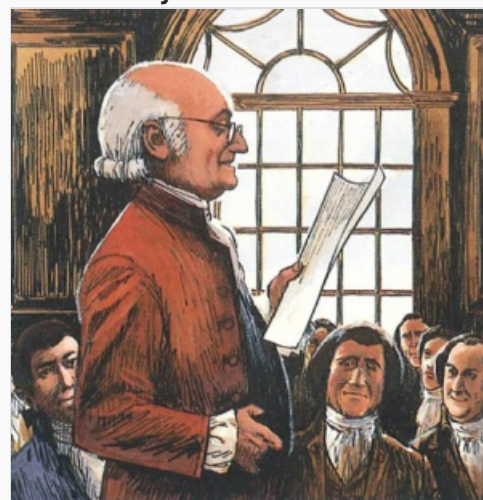
During its first full year of operation in 1780, at least eight students were associated with the law curriculum at the College, one of whom was [John Marshall](#), who would later serve as Chief Justice of the Supreme Court of the United States.^[3] Because there was no cohesive legal collection in the College's library at that time, Wythe used his personal collection, relying heavily on Matthew Bacon's [New Abridgment of the Law](#)^[4] and Sir William Blackstone's [Commentaries on the Laws of England](#).^[5] But a young man who studied with George Wythe would learn much more.

Although as a professor at William and Mary Wythe emphasized the study of political economy and public law, his students received a formal grounding in the English common law, with Blackstone's *Commentaries on the Laws of England* being the basic text for his lectures. Students also were encouraged to read much more, to attend other lectures at the college, and to observe proceedings at the capital. Those able to do so received tutorial instruction from Wythe that extended from the classics to contemporary economics and politics; but to study with Wythe in this way, one needed to be a competent reader of Greek, Latin and French.^[6]

Wythe can be credited for introducing a moot legislature and moot court to American law students, the latter of which has remained a staple of legal education for more than two centuries:

In addition to the lectures and readings, for his students Wythe designed two institutions which were new to North America. The first was a moot court, the concept for which likely came from the London Inns of Court, which, a couple of centuries previous, had held "mootings." These earlier exercises had seen the member-barristers deliver arguments on both sides of set cases [footnote omitted]; however, Wythe reversed the process by having the students themselves do the arguing.

Wythe's Students



Wythe's Legal Apprentices, 1762-1779

- [Rawleigh Colston](#)
- [James Innes](#) (?)
- [Thomas Jefferson](#)
- [James Madison, Bishop](#)
- [George Nicholas](#) (?)
- [Edmund Randolph](#) (?)
- [St. George Tucker](#)

Wythe's Students at William & Mary, 1779-1790

- [James Breckinridge](#)
- [John Breckinridge](#)
- [John Brown](#)
- [William Cabell, Jr.](#) (?)
- [Daniel Call](#)
- [Peter Carr](#)
- [Joseph Clay, Jr.](#)
- [John Coalter](#)
- [William DuVal](#)
- [William Branch Giles](#)
- [Samuel Hardy](#)
- [Henry Iazard](#)
- [Ludwell Lee](#)
- [John Marshall](#)
- [John Minor III](#)
- [James Monroe](#) (?)
- [Andrew Moore](#)
- [Wilson Cary Nicholas](#) (?)
- [Elisha Parmele](#) (?)
- [Kemp Plummer](#)
- [Francis Preston](#)
- [Richard Randolton](#)
- [John Stark Ravenscroft](#)
- [Spencer Roane](#)
- [Thomas Lee Shippen](#)
- [William Short](#)
- [Archibald Stuart](#) (?)
- [John Louis Taylor](#) (?)
- [Buckner Thruston](#)
- [Jacob Walker](#) (?)
- [Bushrod Washington](#)
- [John Wickham](#)

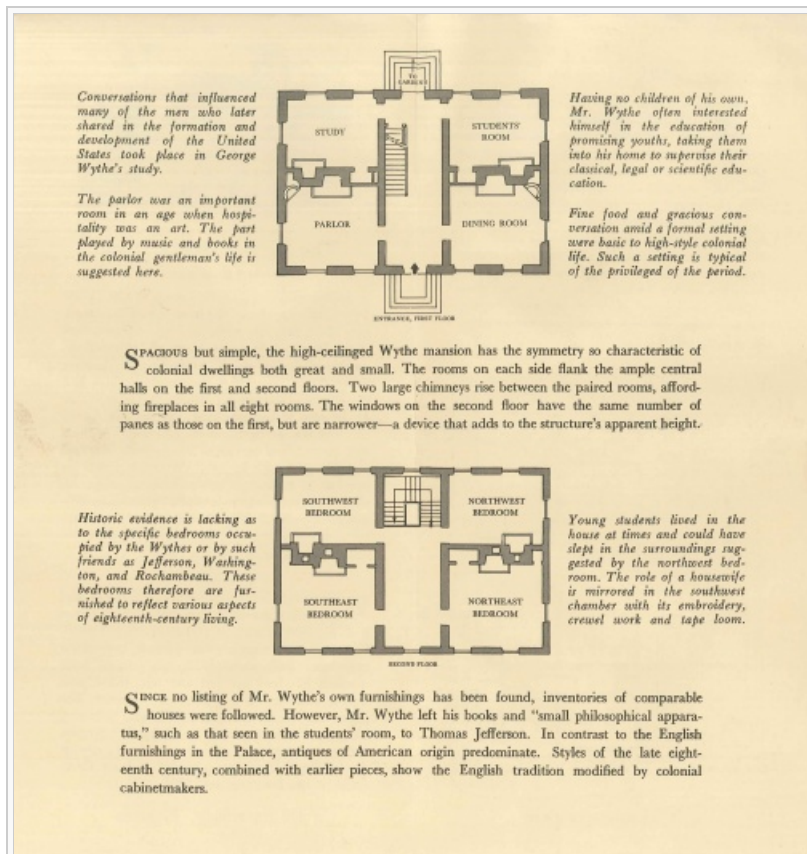
Wythe's Students/Apprentices, 1790-1806

- [Henry Clay](#)
- [John Wayles Eppes](#)
- [Benjamin Watkins Leigh](#) (?)
- [William Munford](#)
- [Littleton Waller Tazewell](#)

Wythe's second institutional innovation was the moot legislature. This too was held in the old Capitol, in the legislative chamber last used by the General Assembly on Christmas Eve 1779 [after which the capitol was moved from Williamsburg to Richmond], and Wythe served as Speaker while his students debated the merits of proposed legislation.

Wythe designed his moot legislature to prepare his students for the leading roles that he anticipated them soon taking in the state and national legislatures, and his ultimate goal was to create a class of ardent, well-prepared republicans.^[7]

There would be many 'ardent, well-prepared republicans'. All told, Wythe taught law to perhaps 200 men, including delegates to the Continental Congress ([John Brown](#)); one or two Presidents (Jefferson and [James Monroe](#))^[8] and a Vice President of the United States (Jefferson); one or two Secretaries of State ([Henry Clay](#) and [Edmund Randolph](#));^[9] two Attorneys General of the United States (Randolph was the first Attorney General of the U.S., and Breckenridge served as Attorney General under Jefferson); U.S. Senators (Breckenridge; John Brown, and [Littleton Waller Tazewell](#)), a Speaker of the House of Representatives (Clay), two U.S. Supreme Court Justices (Marshall and [Bushrod Washington](#)); state supreme court ([Spencer Roane](#) in Virginia) and federal district court judges; a foreign minister (Jefferson); governors (Jefferson, Tazewell and [William Branch Giles](#); members of several state legislatures (Kentucky, North Carolina and Virginia); and a president of William & Mary (The Rev. James Madison).^[10]



Colonial Williamsburg brochure for the George Wythe House, indicating the first floor room on the northwest (upper right) corner may have been used for boarding or teaching students.

Jefferson remained Wythe's strongest supporter throughout his mentor's tenure at the College. On July 17, 1788, then serving as Minister to France, Jefferson wrote this letter to Ralph Izard (a member of the Continental Congress and United States Senator) about William & Mary's law program:

I cannot but approve your idea of sending your eldest son, destined for the Law, to Williamsburg. . . . The pride of the institution is Mr. Wythe, one of the Chancellors of the State, and Professor of Law in the College. He is one of the greatest men of the age, having held without competition the first place at the Bar of our General Court for 25 years, and always distinguished by the most spotless virtue. He gives lectures regularly, and holds Moot Courts and Parliaments, wherein he presides, and the young men debate regularly in Law and Legislation, learn the rules of Parliamentary Proceeding and acquire the habit of public speaking. Williamsburg is a remarkably healthy situation, reasonably cheap, and affords very genteel society.^[11]

Wythe tutored younger students even while teaching law at the College. Already in his 60's and nearing the end of his tenure at William & Mary, Wythe taught 13-year old [William Munford](#) (a future member of both the Virginia House of Delegates and Senate, and Law Reporter for the decisions of the Virginia Supreme Court of Appeals) and Littleton Waller Tazewell (who would later serve in the United States House and Senate, and as governor of Virginia). The excerpt below describes a typical day of 12-year old Tazewell's studies with Wythe:

As soon as young Tazewell arrived for his lesson, Wythe immediately selected a Greek book from his superb

library, opened it at random, and told the boy to translate a given passage. This exercise lasted until breakfast was served, at which time the lad returned home, for Wythe had morning lectures to give at the college. Around noon, the boy returned, and as before, Wythe was always waiting for him in the study. In the afternoon the lessons took the same form as the morning session, except that the subject was Latin. From two until four o'clock in the afternoon the child had a respite from his labors, and when they met again at four o'clock, the work usually involved the solution of mathematical problems and algebraic equations. The textbooks for this subject were in French, so the pupil was forced to perfect this language, as well. In the evening they read the best English authors or sometimes periodical publications of the day.^[12]

In 1789 Wythe resigned his position at William & Mary and moved to Richmond because of his duties as Chancellor of the High Court. He didn't stop teaching, however. One of his 'pupils', a young Henry Clay, served as Wythe's secretary and amanuensis at the court. Clay later served as Speaker of the Kentucky House of Representatives, United States Senator, Speaker of the U.S. House of Representatives, and Secretary of State.

So highly regarded was Wythe at William & Mary that Jefferson remarked upon his resignation that "it is all over with the College."^[13] But the school found a worthy replacement in St. George Tucker, who began teaching in September 1790.^[14] As deserving as this appointment was, it is no surprise that the modest Tucker asked that others not compare him to his predecessor.^[15] No one would wish to be compared with Chancellor Wythe, whose "teaching career may be assessed . . . as consequential beyond comparison to that of any successor in American university law teaching."^[16]

See also

- [George Wythe, America's First Law Professor and the Teacher of Jefferson, Marshall, and Clay](#)
- [The Teaching of George Wythe](#)

References

- ↑ "Jefferson had attempted to make these changes by an act of Assembly, but the dissenters from the Church of England killed the bill because they did not want William and Mary, which was then an Episcopal college, to be strengthened in any way. Therefore, Jefferson had to make his reforms by acting through the college's board of visitors. In 1779 Jefferson and Madison called their former law teacher, Chancellor Wythe, to the new professorship of law. It is difficult to conceive that anyone more acceptable, more appropriate, more competent, or more scholarly could be found; no one else was considered." W. Hamilton Bryson, *Legal Education in Virginia, 1779-1979: A Biographical Approach* (Charlottesville: University Press of Virginia, 1979), 22.
- ↑ "Mr. Wythe continued to be my faithful and beloved Mentor in youth, and my most affectionate friend through life." [Thomas Jefferson Randolph](#), ed., *Memoir, Correspondence, And Miscellanies, from The Papers of Thomas Jefferson*, 2nd ed.(Boston: Gray and Bowen, 1830), 1:2. See also Thomas Hunter, "[The Teaching of George Wythe](#)," in *The History of Legal Education in the United States: Commentaries and Primary Sources*, ed. Lee Sheppard (Pasadena, Calif.: Salem Press, 2007), 142.
- ↑ There were at least eight students "since there were enough to form two moot court teams of four each. One of them was [John Marshall](#), who remained only a few months. In a letter to James Madison ... Jefferson praised the beginning that Wythe had made, remarking, 'Our new institution at the college has had a success which has gained it universal applause...'" Susan H. Godson et. al., *The College of William and Mary: A History* (Williamsburg, Va.: King and Queen Press, 1993), 136.
- ↑ R. Kent Newmyer, *John Marshall and the Heroic Age of the Supreme Court* (Baton Rouge: Louisiana State University Press, 2001), 78. See also William F. Swindler, "John Marshall's Preparation for the Bar—Some Observations on His Law Notes," *American Journal of Legal History* 11 (1967), 207.
- ↑ Paul D. Carrington, "The Revolutionary Idea of University Legal Education," *William and Mary Law Review* 31 (1990), 535.
- ↑ Carrington, "The Revolutionary Idea of University Legal Education," 535.
- ↑ Hunter, "The Teaching of George Wythe," 145-146.
- ↑ Historians disagree as to whether James Monroe studied law under Wythe.
- ↑ As with James Monroe, it is possible, but not certain, that Edmund Randolph studied under Wythe.
- ↑ Imogene E. Brown, *American Aristides: A Biography of George Wythe* (Rutherford: Fairleigh Dickenson University Press, 1981), 213-214. See also Hunter, "The Teaching of George Wythe," 153-154.
- ↑ Robert M. Hughes, "[William and Mary, the First American Law School](#)," *William and Mary Quarterly*, 2nd Ser., 2 (January, 1922), 42.
- ↑ Brown, *American Aristides*, 220-221 (citing Littleton Walter Tazewell, "[An Account and History of the Tazewell Family](#)," Virginia State Library Manuscripts Collection). See also W. Hamilton Bryson, "The History of Legal Education in Virginia," *University of Richmond Law Review* 14 (1979-80), 171-172.
- ↑ "In 1788 the courts of Virginia were reorganized, and Chancellor Wythe was required to move his residence to Richmond. This forced his resignation in 1789 of the professorship in Williamsburg after a decade of lecturing." Bryson, *Legal Education in Virginia*, 24. Another account has Wythe resigning "in anger at the college." Carrington, 537.
- ↑ Tucker was the college rector at the time he succeeded Wythe. "Tucker, learned in the law and closely associated with

the college, was the logical choice to replace Wythe. His recognition as a legal scholar was widespread and his connection with the college strong." Charles T. Cullen, *St. George Tucker and Law in Virginia, 1772-1804* (Garland, 1987), 118. "Tucker was arguably the most important American legal scholar of the first half of the nineteenth century." Carrington, "The Revolutionary Idea of University Legal Education," 540.

15. ↑ Cullen, *St. George Tucker and Law in Virginia*, 119.

16. ↑ Carrington, "The Revolutionary Idea of University Legal Education," 538.

External links

- Jack Lynch, "His Integrity Inflexible, and His Justice Exact," [Colonial Williamsburg Journal](#) (Spring 2010).

Category: [Aspects of Wythe's Life](#)

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George Wythe (Q1397321). From Wikidata. Jump to navigation Jump to search. first American law professor, a noted classics scholar and Virginia judge, as well as a prominent opponent of slavery. edit. George Wythe. retrieved. 9 October 2017. Encyclopedia Virginia ID. Wythe_George_1726_or_1727-1806. 0 references. "Wythe, George ." Encyclopedia of the American Revolution: Library of Military History. . Retrieved October 16, 2020 from Encyclopedia.com: <https://www.encyclopedia.com/history/encyclopedias-almanacs-transcripts-and-maps/wythe-george>. Learn more about citation styles. Citation styles. Encyclopedia.com gives you the ability to cite reference entries and articles according to common styles from the Modern Language Association (MLA), The Chicago Manual of Style, and the American Psychological Association (APA). Within the "Cite this article" tool, pick a style to see how all available i George Wythe. From Wikipedia, the free encyclopedia. Jump to navigation Jump to search. George Wythe. Personal details. Wythe was a delegate to the 1787 Philadelphia Convention and served on a committee that established the convention's rules and procedures. He left the convention before signing the United States Constitution to tend to his dying wife. He was elected to the Virginia Ratifying Convention and helped ensure that his home state ratified the Constitution. George Wythe. From New World Encyclopedia. Jump to: navigation, search. Previous (George Westinghouse). Next (Georges-Pierre Seurat). George Wythe. However, Wythe married Elizabeth Taliaferro the same year and decided to live in Williamsburg in a house that his new father-in-law, an architect, designed and built for him and his wife. Their only child died in infancy. Teacher of law. Wythe served as mayor of Williamsburg, Virginia from 1768 to 1769. New World Encyclopedia writers and editors rewrote and completed the Wikipedia article in accordance with New World Encyclopedia standards. This article abides by terms of the Creative Commons CC-by-sa 3.0 License (CC-by-sa), which may be used and disseminated with proper attribution.