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. 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. 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. 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 and William Blackstone's Commentaries on the Laws of England. 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.

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 members 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 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)[6] 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]

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...
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." But the school found a worthy replacement in St. George Tucker, who began teaching in September 1790. As deserving as this appointment was, it is no surprise that the modest Tucker asked that others not compare him to his predecessor. 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."

See also

- George Wythe, America's First Law Professor and the Teacher of Jefferson, Marshall, and Clay
- The Teaching of George Wythe

References

1. "Jefferson had attempted to make these changes by an act of Assembly, but the dissenter 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.


3. 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.


8. Historians disagree as to whether James Monroe studied law under Wythe.

9. As with James Monroe, it is possible, but not certain, that Edmund Randolph studied under Wythe.


13. "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.

14. Tucker was the college rector at the time he succeeded Wythe. "Tucker, learned in the law and closely associated with
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.