

UK[®] LAW

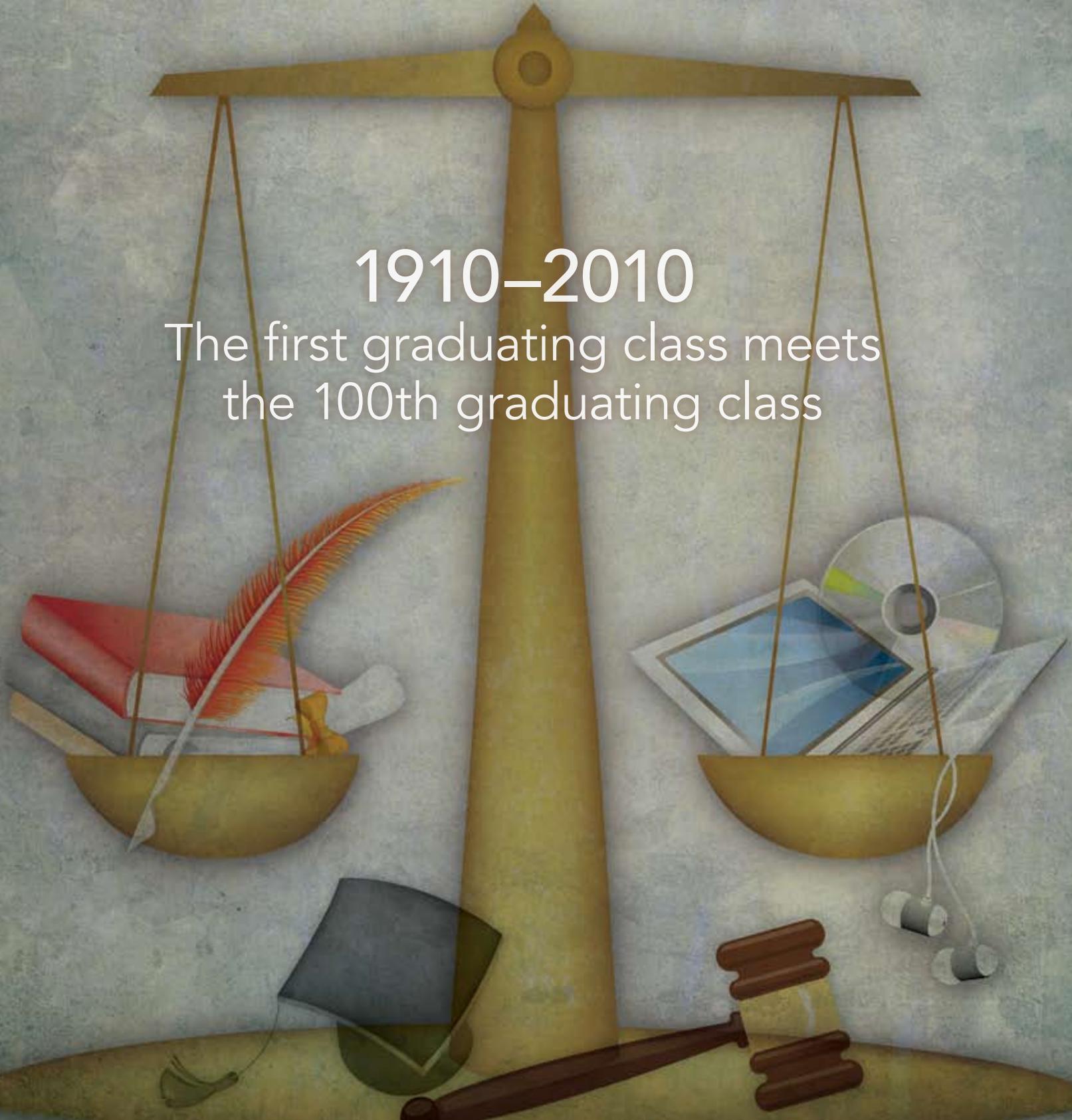
FALL 2010

UNIVERSITY OF KENTUCKY COLLEGE OF LAW ALUMNI MAGAZINE

NOTES

1910–2010

The first graduating class meets
the 100th graduating class



COCA-COLA AND RED BULL

The first graduating class meets the 100th graduating class

The Kentucky Bar Exam. It is literally the first rite of passage. For the 100th class of the UK College of Law, D-Day is July 27, 2010. Filing into a generic-looking ballroom in the Crowne Plaza Hotel in Louisville, Kentucky, familiar and unfamiliar faces filter by. The weeks of intense study following graduation are over, all culminating in this moment. After the examiner gives instructions, a set of six essay questions are delivered and one of the most intense three hour sessions of their lives begins.

As the girl in the first row turns her eyes toward the ceiling searching for answers, pause the moment in your mind and take a journey back in time. Past the Reagan years, the feminist revolution and Watergate; Vietnam; Civil Rights and the grainy image of Martin Luther King, Jr. on the Washington Mall; World War II; the bread lines of the Depression; the crackle of the radio and a few more steps back past World War I; to the year 1910.

Queen Victoria had died only nine years before. Tipping the scales at 332 pounds, President William Howard Taft had a new, larger bathtub installed in the White House. The hot button issue of the day was women's suffrage, and Washington had just become the first state to give women the right to vote. In the Ottoman Empire, an infant girl was born who later became the iconic Mother Teresa.

In Lexington, the handful of students who made up the first graduating class of the UK College of Law may have helped carry books and desks from their original two classrooms in Frazee Hall across the grass to the Gillis Building shortly before taking their final exams. Unlike the

Class of 2010, whose bar exam is regulated down to the types of shoes you can wear while taking the exam—no flip-flops, please!—the Class of 1910 will endure only whatever questions the local county bar examiners may choose to ask before swearing in their new colleagues.¹

Nationally, the legal profession in 1910 was squarely in the middle of an overhaul. Beginning in the 1800s there was a movement to apply the increasingly trendy scientific method to the study of law. This approach treated the legal profession as less an art and more a science, effectively pushing legal education off the cracker barrel and into the classroom. University-based law schools were popping up all over the country, and

teaching methods shifted from disjointed lectures to individual classes broken down into specific areas and the introduction of the case method.²

While legal education in 1910 was still largely viewed as a vocational program,³ Judge William T. Lafferty, founder and first dean of the College of Law, clearly envisioned building a legal education program that emphasized higher educational standards than were demanded at the



time, beginning with a high school diploma. Lafferty accomplished this vision quickly and, one year after its founding, the UK College of Law became one of only three law schools in the south accredited by the Association of American Law Schools.⁴

Who were these 28 men who made up the Class of 1910? Wandering down the hallways of the law school today, you can find their class composite picture. Young men in stiff collars and suit jackets gaze at you, revealing little of themselves. Curiosity about the lives behind these photographs led law reference librarian Ryan Valentin to initiate the Kentucky Law Alumni Preservation Project (KLAPP), a website devoted to compiling and preserving information on alumni of the College of Law, to be launched in the coming months.

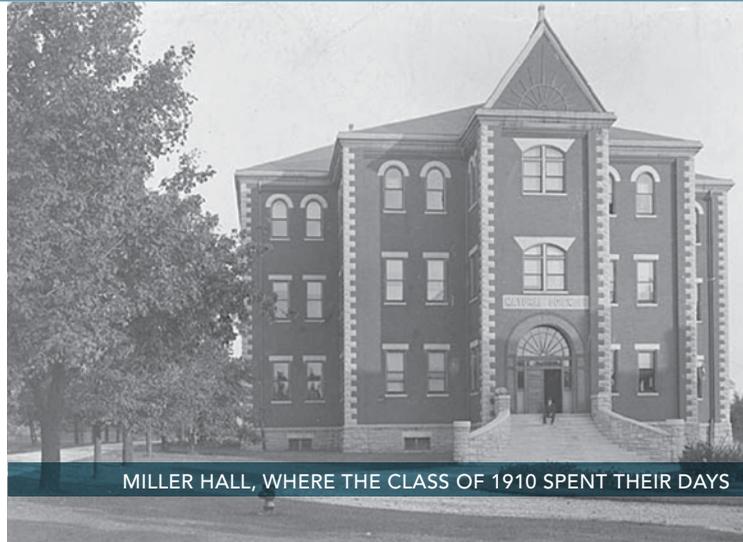
Working with UK Special Collections and Digital Programs, Valentin is in the process of digitally archiving the composite photos of past law school classes and attaching the small tidbits of information on each graduate from that year's university yearbook, which often reads like something you would find on the Facebook wall of someone from the Class of 2010.

Take Charles Baldwin. His class photo stands out from the Class of 1910 due to an expression of someone who, even 100 years later, you can tell thought a little more of himself than was truly deserved. Reading the tribute on Baldwin's yearbook page, apparently others in his class agreed:

"...by asking ten thousand foolish questions every day, he induced Judge Lafferty that it would be better to give him his sheep skin this year than to be bothered with him longer."

"Every class has a Charles Baldwin in it," said Valentin. "He's the student who always has an opinion and wants to share it with anyone who will listen. The beauty of this information is it brings these students to life. It tells you about their character and personality. They had lives, concerns, and experiences in the world—often the same as any law student over the past 100 years."

KLAPP is in part an attempt to account for graduates who slipped through the cracks and were not in



MILLER HALL, WHERE THE CLASS OF 1910 SPENT THEIR DAYS

the old university yearbooks. Graduates like the Thompson brothers. Not unlike many law students who are feeling the financial pinch at the end of their law school careers, Grover Cleveland Thompson and his brother Linzy Otto Thompson may not have had enough money to be included in the yearbook and had to go to some unusual lengths to dress appropriately for their composite pictures.

"The story from my childhood was that Uncle Linzy and Uncle Grover didn't have enough money to buy but one tie. That was the story and, sure enough, if you look at the composite picture, they have on the same tie. That's how poor they were," said their niece, Ruth Downs of Ashland, Kentucky.

Through contact with Downs we learn that the two brothers were the oldest of twelve children and were born in a log cabin in Lawrence County, Kentucky. They taught school in Louisiana for a number of years before becoming part of the first graduating class at the College of Law. It is details like these that Valentin hopes KLAPP will collect.

"When I see old photographs like those of the Class of 1910, I always think they are older than me at the time of the photo—perhaps because they are dressed so smart—but they really aren't very old," Valentin mused. "They are generally the same age as law students tend to be now. Although the demographics and class sizes have changed, a lot of the law school experience remains the same. Anxieties about being called on in class, finding time

to study, and maintaining a social life were as much a part of law school then as they are now.”

Looking a bit more closely at the Class of 1910, it is interesting to note that the first international student at the College of Law graduated with the first class: L.I. Ogata from Japan. The “Smiling Kid” is unsmiling in his composite photo, but reportedly was a social butterfly with a special love for “American girls.”

Equally telling is who is absent from the Class of 1910. African-Americans and women both suffered from biased educational, social and economic systems that were only beginning to take baby steps toward reform 100 years ago. It would be another seven years before the College graduated its first female and 1955 before an African-American man would share space on a College of Law class composite.⁵

Imagine what the Class of 1910 would think of the Class of 2010 if they walked into the law building during their final spring semester. A 1910 graduate could not even use Memorial Hall as a reference point to locate the current law building because, as a memorial to World War I dead, it had not yet been built.



They might encounter Class of 2010 student Elisabeth Brown en route to class. With shoes clipping the floor, Brown quickly checks her email on her iPhone before ducking into class and pulling out items from her book bag. They may recognize the legal pad that Brown uses for note-taking,⁶ unlike many of her other classmates who prefer

their laptops, but she traded in a 1910 glass bottle of Coca-Cola for a slim can of Red Bull.

As the class starts, the ghosts of 1910 walk into the law library. While they were in law school, Dean Lafferty was hard at work gathering public and private donations to build a law library for the college. In those two years, he went from a simple set of the Kentucky Code and Statutes to 500 volumes. Yet that is nothing when compared with the 500,000 volumes and volume equivalents housed in the law school today. While law libraries play a key part of legal education and the practice of law, in 1910 their role was essential.

“In 1910, access to a law library would be fundamental,” said Valentin. “It’s just print resources in 1910. It’s just books. There is nothing else! That’s it. There’s no Internet, no computer. I’m not sure how somebody in 1910 would, for a case of first impression in Kentucky, have access to decisions coming out of other jurisdictions on the issue.”

2010 graduate Jeremy Weber participated in a number of programs, including trial team and the tax clinic, designed to give him practical legal experience while in law school. There is no evidence that the freshly minted UK College of Law had any such programs in 1910. The great debate between a theoretical and a practical legal education was still raging, and a clinical experience within a law school was practically non-existent. Some law schools during the early part of the 20th century set up volunteer legal aid programs that students could participate in without credit, though this largely would not be found until the 1920s.⁷

While the Thompson brothers shared the same tie for their composite photograph, it is likely that most of the

IN 1910...

105 total degrees, graduate and undergraduate, were awarded by UK, then State University, Lexington, Kentucky. Twelve of these were awarded to women.

The UK men’s basketball team played at Buell Armory Gymnasium. Their record for 1909–1910 was four wins, eight losses.

The electric washing machine debuted in the Sears Catalog.

The earth passed through the tail of Halley’s Comet. Newspapers advertised for anti-comet pills and umbrellas.

A new car cost around \$1,280, and a gallon of milk around 32 cents.

The average American salary was \$750 a year.

Sources:
bigbluehistory.net
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aaca.org
kclibrary.lonestar.edu

Class of 1910, like other law students at that time, were social and economic elites of their regions.⁸ With the exception of Ogata, they were the same homogenous, white, males-only group. Today the classes include a significant level of racial and gender diversity, and run the gamut from second- and third-generation law students to those who are the first in their family to attend college, let alone law school.



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In 1958, four members of the Class of 1910 gathered near the Gillis Building on the University of Kentucky campus to visit the oak tree that they and their class had planted during their final year of law school. The Lexington Herald newspaper noted that the Thompson brothers and their classmate Clem F. Kelly were still practicing law in Lexington, and E. Reed Wilson was reported to have been Lexington's mayor from 1935–1940.

While the fates of the rest of the Class of 1910 is limited to the small clues one can gather from the ancient Martindale Hubbells in the law library basement, the Thompson brothers still live in the memory of their niece Ruth. Starting in the late 1930s, each summer Ruth was put on a train from Ashland to Lexington to spend two weeks with her uncles and their families, shopping, going to restaurants and seeing first hand her uncles at work. Grover Thompson was especially active in the community; he was a founding member of Central Baptist Church and on the Board of Directors for Central Baptist Hospital. The brothers may not have “lit the world on fire” as Ruth put it, but they were good legal practitioners and good citizens who provided for their families, contributed to their community and lived the Aristotelian good life.

“Lawyers do a lot of good in the community and the graduates from 1910 are no exception from the graduates of 2010,” said Valentin. “Lawyers are granted

an exclusive right to practice law by virtue of their license. This exclusive right comes with a special responsibility. To a certain extent lawyers are public servants—they are out there to serve their communities.”

Walking out of the bar exam room with the biggest headaches of their lives, graduates of the Class of 2010 have until October to discover

if they too will be given a license to practice law and share this opportunity to impact their clients and their communities for the better. Many like Elisabeth Brown have already begun their first clerkships—she for Judge Gregory Van Tatenhove (UK Law '89) of the United States District Court for the Eastern District of Kentucky. The week before the July bar exams, Jeremy Weber, who took summer classes and graduated a semester ahead of his classmates, landed in Bangkok Thailand to start his first job practicing immigration law. Their class history is being written just as the history of the class 100 years before theirs is being recovered. Yet at a similar time and place 100 years ago, the world must have seemed as wide open to them as it is now for the Class of 2010. •

¹ Proceedings: Kentucky State Bar Association (1910) p. 171–172.

² Moline, Brian J., Early American Legal Education, 42 Washburn Law Journal 775, 793 (2003).

³ Stein, R., The Path of Legal Education from Edward to Langdell: A History of Insular Reaction, 57 Chi.-Kent L. Rev. 429 (1981).

⁴ Lafferty, W. T., The Founding of the College of Law of the University of Kentucky, 11 Kentucky Law Journal 2, (1923).

⁵ Sadly, it was many years after the fact that the first African-American graduate, Ollen Bernard Hinnant, Jr., was able to see his face and name added to the Class of 1955 composite after being pointedly left off the original.

⁶ Snider, Suzanne, Old Yeller. Legal Affairs, (May/June 2005).

⁷ Sonsteng, J., A Legal Education Renaissance: A Practical Approach for the Twenty-First Century, 34 William Mitchell Law Review 1, (2007) (Revised April 2, 2008).

⁸ Id. at 23–24.