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THE FOUNDING OF THE COLLEGE OF LAW OF THE UNIVERSITY OF KENTUCKY

In 1904, I was made a member of the Board of Trustees of the State College of Kentucky, and at the same time was made a member of the Executive Committee appointed by the Board of Trustees. My duties as a member of the Executive Committee called me from my home in Cynthiana to the seat of the College at Lexington, about once each month. As I had received my education at that college while it was a part of Kentucky University, the work soon became fascinating and I could see that an opportunity was offered for building up a great educational institution out of what had been begun as a State College after its separation from Kentucky University. Many difficulties appeared in the way of progress, such as lack of sufficient revenues from the state government, lack of modern ideas of college building, lack of cooperation from the public, and the unfortunate antagonism which was bitterly waged between the State College and other educational institutions of the state. My law practice was such that I could devote but little time to the great educational problems which at that time were being seriously neglected by the great mass of the people. By gathering information through catalogues from institutions in other states, by visitation at intervals to many state institutions, and by extensive correspondence, I convinced myself that Kentucky needed and should have a State University, modeled after the plans of like institutions of our more progressive states. To do this more money was needed and new legislation was necessary, creating the University and outlining a new policy for construction and methods of procedure. This idea was not altogether popular but enough support was secured in the Board of Trustees to begin the work contemplated. At the regular meeting of the board, held in June 1907, a committee was appointed, composed of Tibbis Carpenter, C. B.

Terrell, and myself as chairman, called the Legislative Committee. It was vested with full power and authority to go before the approaching session of the State Legislature, which was to convene in January 1908, and secure, if possible, a change of the charter of State College to a State University, and to secure such additional financial aid as might be necessary to promote the new educational enterprise. At the outset it was apparent to the Legislative Committee that the name Kentucky should be attached to the name of the State University, and that it would be necessary to have some kind of understanding with the other university located in Lexington, operating under the name of Kentucky University, a name it had held about forty years, it being the university to which the State College had formerly been attached. It had now become a sectarian institution and we felt that some understanding could be reached whereby it might be induced to drop the name Kentucky in favor of the State University to be created. The Executive Committee of State College was called together to consider this question, and Col. Cassius M. Clay of Paris, who was a member of the denomination supporting that institution, and myself, also a member of that denomination as well as a member of the Board of Trustees of the Bible College connected with that university, were appointed a committee to take up negotiations with a like committee appointed by its Board of Trustees, leading up to an understanding as to the question of name. After repeated meetings an agreement was reached. Kentucky University, for a reasonable consideration, gave up the name Kentucky, and re-assumed the name provided in her original charter, viz.: Transylvania University. Mr. Clay and I reported the result of our action; the report was approved, and the Legislative Committee authorized to adopt the name for the State University as agreed upon.

At the previous session of the Legislature two normal schools were provided for and at this time were in full operation, one located at Richmond, the other at Bowling Green. Unfortunately, bitter feeling and antagonism existed between those in charge of the two normal schools and those in charge of the State College. Each of the two normal schools had also appointed legislative committees to go before the approaching session to secure such legislation as each should need. The com-

mittee of the former was composed of President R. N. Roark, J. A. Sullivan, and Phil Grimstead; the latter, President Cherry, Whit Potter and a Mr. Cole. At that time Kentucky was meagerly giving money for the promotion of her educational interests, and I realized at the outset that the Normal Schools and the State College, working with the legislative body for a share of the little amount it was disposed to appropriate, would inevitably engender friction between the schools that would result in the failure of all. In the month of August, after our committees had been appointed, President Roark was employed to conduct the County School Teachers' Institute of Harrison County, to be held in Cynthiana. As chairman of our committee, I approached President Roark during the meeting and had a satisfactory talk with him in the hope of reconciling all the differences between the schools. I at once provided for a dining at our home in Cynthiana, at which President Roark was guest of honor, and to which I invited several prominent educators I could easily reach, including Professor Milford White, who was then head of the normal school connected with the State College. President Roark had been head of this normal school before the creation of the two separate normal schools. During the evening we talked of the possibilities of an educational uplift in Kentucky and I discovered the additional evidence that should we go to the Legislature without a common understanding, the existing feeling between the schools would mean absolute failure and a compromise was hardly to be expected. Next day, in another conference with President Roark, I suggested that our three committees meet together at an early date and ascertain whether or not an understanding on mutual lines could be reached. He agreed that the effort was advisable and I arranged for a meeting in Louisville, at which most of the members of the three committees were present. A preliminary understanding was reached and I was made chairman of the joint committee. We agreed that we would jointly visit the State College and each of the two normal schools, and as nearly as possible sum up the needs of each, then determine how much money we might be able to induce the Legislature to appropriate for the three schools and agree to the distribution among them. We visited the State College, the Normal School at Richmond, and then we went to Bowling

Green, where we, after a prolonged meeting, accompanied with contentions and arguments, but each supported by absolutely honest and fair convictions of right, reached the conclusion as to what should be done in the way of the bill asking for an appropriation, and stating how it should be divided, which agreement is shown in the bill as it passed both houses of the Legislature and became a law, after a laborious task that fell upon us to induce the Governor to sign it. This bill was prepared by J. A. Sullivan and myself, submitted to our joint committee for its approval, and only slightly modified by the Legislature.

I carefully prepared a bill creating the State University in which new ideas of university policy were provided for so as to accord with the plans of other states in building their universities. This bill provided for closing the normal school as it then existed for the preparation of teachers for the rural schools, and to provide teachers only for the more advanced work. It also provided for the gradual elimination of the Academy, which was a part of the State College, as a preparatory school. These last provisions brought bitter attacks from the State College management, but that opposition was overcome by the action of the Board of Trustees and the bill became a law.

During this period it became necessary for me to impose seriously upon my business at home, by reason of my personal attention being needed at practically every step as the work proceeded. While each of us worked without pay, we were rewarded in the splendid success that crowned our efforts, as we saw Kentucky make her beginning in her upward strides for higher education.

The bill creating the University provided for many new features and policies, among them being the creation of a Medical Department and Law Department. At a meeting of the Executive Committee in April, 1908, just after the new law had been made, I was asked to organize the department of law, to be one of the colleges of the University. I was at that time enjoying an extensive law practice in my home town in Cynthia and the salary that was offered to one who might become the first dean of the College of Law was to be equal to that paid to the heads of the leading departments of the State College

and controlled by the rules then in existence. The salary was not sufficient to justify me in taking up the work, but it was believed that the position of Comptroller would also be created and a salary attached to that office. I was asked to take the two positions and work them in conjunction, devoting my whole time to the work. I agreed to undertake the work as an experiment for the period of one year, and if success should seem assured and my work proved congenial to me and satisfactory to the University authorities, I agreed to abandon my law practice and take up the work permanently. For the period of the first year, beginning July 1, 1908, I traveled each day on the L. & N. Railroad back and forth between my home at Cynthiana and Lexington, a distance of 33 miles, working at the new problem. The experience of the first year convinced me of the great possibilities for building up a great university with a College of Law as one of its integral parts. I thereupon entered into a regular contract with the University authorities and took hold of both positions with the determination to make a great success if possible of this new field. This arrangement made it necessary for me to sell my home in Cynthiana and take up my residence in Lexington, which was done in October, 1909.

In the organization of the College of Law I was given a free hand by the Board of Trustees, except as to the amount of money that I was allowed to spend, which was by force of circumstances very limited. I looked around among the buildings, then in use upon the campus, and the only space available was in the two rooms in the Educational Building, together with a small room for an office. I was able to secure from the small amount of money provided for the purpose sufficient to engage the services of Judge Charles Kerr of Lexington, and T. E. Moore of Paris, each of whom agreed to devote one hour each day to the teaching of law in the new college. We three constituted the first Law Faculty, and began our work in September, 1908, with a matriculation of 28 law students. At the time there were five other law schools in the state, each of which provided only a two years' course in law, with no particular school training for the students who might attend their schools. It was in my mind at the outset to make a Law School with the requirements of the American Standard, which was a

three year course in law, based upon at least a four year high school course, and I was determined that the University should have nothing less. However, during the experimental year I thought it not advisable to place the standard too high until our people could be educated up to it. The first year was a two year course, based upon the equivalent of a high school course.

Before the beginning of the work in September of that year, I spent quite a while in the Law College of Michigan University studying their methods and plans, and during that year I kept in close touch with many of our best law schools by correspondence and by all other possible means. The first year was satisfactory and after consulting many of my friends of the legal profession throughout the state, I became convinced that the state was ready for a good, up-to-date law school.

Our equipment during that year consisted of the blackboards and benches we found in the two rooms assigned us, and no books except the text books used in the classes, and copies of the Kentucky Code and Statutes.

During the summer, after the close of the first year, I visited the Law College of Chicago University and spent some time in watching the manner of conducting the instructional work and all methods in use in that rapidly growing modern school. I must acknowledge the many favors shown me while there by Dean Hall of the Law College, who entered sympathetically into the plans I was making, and who was unsparing in the use of his time, giving me all possible aid.

We opened the second year with the American Standard course adopted, and about forty students. We had the same Law Faculty, with a few law lecturers provided additionally, and had added to our law library a set of Kentucky Reports, about 300 volumes from my own law library, and a few small gifts which made our library contain about 500 volumes. We continued our work in the quarters originally assigned to us until the latter part of the second year, April 1910. I was then allowed to take the third story of the Science Building, which had been vacated by the Mining College, and was given permission to have it prepared as I thought best for the accommodation of the College of Law. We were able to move into the new quarters before the close of the school year and the year ended enthusiastically and with great satisfaction to our

faculty. We had at that time attracted considerable attention throughout the state, and I pushed every opportunity possible to further our growth.

During the summer vacation, I visited other law schools, made many new acquaintances among law school men, attended the Association of American Law Schools, and made application for admission to membership in that body, which at that time was composed of a limited number of the best law schools of the country, with only three schools of the entire south able to offer the necessary qualification for admission. The next year, after my application had lain over the required length of time for investigation, our school was admitted to membership. During the same summer, following the close of our second year I was able to add to our law faculty Judge Lyman Chalkley, who for many years had been a successful law teacher, and who agreed to devote his entire time to teaching in our school.

We opened our doors in September of our third year with a good increase in our attendance and during the year added much to our library by purchase and by gifts, the most valuable of which was that of Mrs. Ezekiel Clay of Paris, Ky., who gave a large collection of law books from the valuable library of her former husband, Honorable George C. Lockhart, deceased. By the close of the year our library contained about 3,500 volumes of well selected law books, and the third year ended with great success.

At the opening of the fourth year we had lost from our faculty T. E. Moore, but had added G. W. Vaughn, J. R. Bush and J. Embry Allen, each of whom was a practicing lawyer at the Lexington Bar and each devoted a part of his time to teaching in the College of Law. We also added several lecturers on special subjects. Our student body increased in numbers and was made up of young men much better fitted for the law work. Our law library was increased about 1,000 volumes during the year and our year closed with marked success.

We opened the fifth year with the same law faculty of the previous year and a still further increase in the number of students. During the year we strengthened our curriculum, added to our law library a full set of the English Reported Cases, and some other small sets, which made the library at the

close of the year contain about 5,500 volumes. That year was noticeable for the enthusiastic way in which both faculty and students entered into the work and which closed with success beyond our expectations. The enthusiastic spirit of the students told for good, for our further advance in this—that each became a walking advertiser for the College of Law.

We have since that year continued to strengthen our curriculum, faculty and library, until we have now added to our faculty the Hon. Ruben B. Hutcherraft, of Paris, who will devote all his time to teaching, Judge George DuRelle, as special lecturer on Federal Law and Procedure, John J. Tigert, Instructor in Civil Law, and five members of the Lexington Bar, each of whom will deliver a course of lectures along special lines. We feel we now have a faculty equal to any in the South or West. Our library will contain, by the time school opens in September, about 9,000 volumes, including the valuable collection of law books assigned to our use by President Henry S. Barker.

This resume is written at Chicago, during my vacation, August, 1915.

W. T. LAFFERTY.



JUDGE WILLIAM T. LAFFERTY

