

Young lawyer tackles a critique of his education

One of the best places to find out what our ancestors were like is early newspapers. We are fortunate that a man by the name of Gabe chose to plant his printing press in Bloomington and publish a newspaper— *The Bloomington Post* in the 1830s.

How else would we know what an 1830s lawyer thought of the preparation for his profession? Was the article which appeared in the *Post* on Jan. 8, 1836, a tongue-in-cheek effort? I think not.

The virtually anonymous author — “V” — was obviously young. He begins, “I have just passed my novitiate in the study of law, and am desirous to express my views on the course of studies generally chosen for students of that profession, and also on the manner in which their studies are continued after their admission to the bar.”

There is humility in his approach to the subject in that he uses the term “It appears to me.” That leaves him some room and perhaps avoided being called a “young whippersnapper” by older members of the bar. .



LOOKING BACK

By Rose McIlveen

Anyway, V launches into the subject with a criticism of the training of lawyers. Elementary works on the law — Blackstone, Chitty's Pleading and Starke — were placed in the neophyte's hands, but with the advice that only a sketchy knowledge of those volumes was necessary.

The usual apprenticeship was 18 months, but four to seven years would give the young lawyer a thorough grounding in the law. Continued V: “The bad effects consequent on this course would in a great measure be avoided, did the student still consider himself as one, and by future application make himself acquainted with natural jurisprudence, metaphysics, history, oratory, composition and familiar with the principles of common

law as contained in the elementary works and reports. But the fiery ordeal, the (bar) examination has been passed.”

Instead of continuing to study law on his own, laments V, the young lawyer gets sidetracked in politics. “Then follow politics and popularity.” His desk is covered with political papers, and he seeks out a crowd of people willing to listen to his opinion of the information he has amassed on the subject.

Having succeeded in gathering a following, the young lawyer persuades himself that he is worthy of serving in the Indiana General Assembly. Alas, wrote V, “Accordingly he becomes a candidate, and for a limited and temporary popularity he loses that time most useful for the prosecution of his studies.”

Concludes V, the man who once had the opportunity to gain a thorough grasp of the tools of his profession ends an entirely different person. “At middle age he finds his party political information to be useless, and that at the bar he is a mere scholar. A single act contrary to the will of his constituents is liable to

destroy his popularity, and then nothing is left to him.”

The consequence is that he doesn't have “sufficient knowledge of the law to enjoy a lucrative practice, and without the 20 years diligent study he is unqualified to partake of its honors.”

V tells his readers that there are exceptions and cites Mr. Whitcomb as an example. That man served in the State Senate, but kept increasing his knowledge of the law until he was much respected and a worthy candidate for governor.

V was heartened by a resolution passed by the Trustees of the Indiana College (Indiana University). They created a legal professorship. Concluded the author, “This measure will no doubt have a beneficial tendency in raising the standard of legal training in our state and build a greater strictness be observed by the circuit Judges as regards the qualifications of those applying for admission to the bar, the evils I have noticed may be remedied.”

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