

**AN HISTORICAL SKETCH  
OF THE LAW DEPARTMENT  
OF THE UNIVERSITY OF  
PENNSYLVANIA**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649258857

An Historical Sketch of the Law Department of the University of Pennsylvania by Hampton L. Carson

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Cover @ 2017

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**HAMPTON L. CARSON**

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An Historical Sketch  
of the  
Law Department of the University  
of Pennsylvania.

*June 1882*  
By HAMPTON L. CARSON, Esq.,

(Class of 1874.)

Read by request before the Society of the Alumni, the Law Faculty and  
Undergraduates of the Department, in the Chapel of  
the University, October 10, 1882.

Philadelphia:  
Press of the Times Printing House,  
725 and 727 Chestnut St.,  
1882.

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## Historical Sketch.

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The Law Department of the University of Pennsylvania can justly claim an honorable though not an ancient ancestry. One of the youngest among her sister departments, she was for years a weak and sickly child, but having lived to outgrow the perils of infancy, has attained to a degree of robust and vigorous health that gives fair promise of a green old age. Her history forms an interesting and important chapter in that of the University.

Pursuing the natural order of biography, it will be proper to first briefly consider her parentage, and the quality of the stock from which she sprung.

The first colonists of Pennsylvania, sensible of the advantages to be derived from the proper education of youth, were at some pains to provide the means of elementary instruction. A public school, under the protection of the Proprietary, had been established in 1689 by the Society of Friends, and finally chartered in 1711, while one Enoch Flower had opened a private school in Philadelphia as early as 1683.<sup>1</sup> The higher branches of knowledge, however, could be acquired only by a residence abroad or in one of the older colonies, but the expense attending such a course closed the doors to all those of moderate means. Benjamin Franklin, quick to perceive a public need and ever ready to suggest appropriate relief, in 1743, as he himself tells us, drew up a plan for an academy, and sought to interest the Rev. Richard Peters in

<sup>1</sup> Proud's History of Pennsylvania. Vol. I., p. 345, note. Philadelphia, 1797.

the work. Failing in this, and distracted by the state of public affairs, he dropped the scheme for a time; but in 1749, resuming his plan with ardor, he called about him from the celebrated Junto a number of his most active and enlightened friends, and submitted to them his "Proposals Relating to the Education of Youth in Pennsylvania."<sup>1</sup>

The project was successful; trustees were chosen, constitutions were drawn up, masters were engaged, schools were opened, property was purchased, and on the 13th of July, 1753, a charter was obtained from Thomas and Richard Penn, Proprietaries, by which the trustees were incorporated under the style of "The Trustees of the Academy and Charitable Schools in the Province of Pennsylvania."<sup>2</sup> The Academy comprehended an English school, a school for arithmetic and the practical branches of mathematics, and a Latin and Greek school. The Charitable School was divided into two departments: one for the reception of thirty girls, to be taught reading, writing, and sewing; and one for the reception of sixty boys, who were to be instructed in reading, writing, and arithmetic. These being well conducted, and continuing to flourish, the trustees were encouraged to extend their designs by the establishment of two additional schools: one for teaching natural philosophy in conjunction with the higher branches of mathematics; the other for natural theology, psychology, moral philosophy, logic and the higher classics. These additions rendered the charter inadequate. An amended and more liberal charter was therefore granted on the 16th of June, 1755, which put all the schools under one direction and changed the title to that of "The Trustees of the College, Academy and Charitable Schools in the Province of Pennsylvania." The powers usually attached to such a title were bestowed.<sup>3</sup>

<sup>1</sup> The Life of Benjamin Franklin. Written by Himself. Pages 99-101. Continuation by Dr. Stuber. New York, 1820.

<sup>2</sup> Acts of Assembly relating to the University of Pennsylvania, together with the Revised Code of its Statutes and By-Laws. Adopted November, 1877. Pages 3-9.—History of The University of Pennsylvania. By George E. Wood, M.D.—Memoirs of The Historical Society of Pennsylvania. Vol. III., p. 180.

<sup>3</sup> Acts of Assembly, Statutes and By-Laws, *ut supra*.