And Then There Was One

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Publication Information

Repository Citation
http://open.mitchellhamline.edu/facsch/117
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Abstract
In the twentieth century’s second decade, Minneapolis lawyers created four night law schools, all of which William Mitchell College of Law numbers among its predecessor institutions. By 1940, a single law school remained, an amalgam of the original four. It would unite in 1956 with its St. Paul counterpart to form William Mitchell College of Law.

Keywords
legal education, Minnesota, Minneapolis-Minnesota College of Law, William Mitchell College of Law, Northwestern College of Law, Floyd B. Olson, Minnesota College of Law, Minneapolis College of Law, YMCA College of Law

Disciplines
Legal Education | Legal History
Four night law schools, all ancestors of William Mitchell College of Law, were established in Minneapolis in the second decade of this century. By 1940, the four had become one — and 16 years later it would unite with its St. Paul counterpart to form William Mitchell.

by Douglas R. Heldenreich

In the first decade of the 20th century, the St. Paul College of Law was slowly but surely developing a solid reputation and turning out lawyers of superior ability, no independent evening law school existed in Minneapolis. The city's bar probably felt little pressure to establish such a school while the University of Minnesota offered an evening program. But as the University prepared to phase out its evening law school, Minneapolis lawyers and judges became more interested in establishing an independent evening law school in Minneapolis.

In the second decade, Minneapolis lawyers created four night law schools, some more successful than others, all of which William Mitchell College of Law numbers among its predecessor institutions. Three of the schools functioned independently for about 15 years. Like blobs in a lava lamp, each eventually was absorbed by one of its predecessors.

NORTHERNWESTERN COLLEGE OF LAW

According to the late Andrew N. Johnson, who was associated with William Mitchell and its predecessors for over half a century, the Northern Western College of Law, incorporated in 1912 by Minneapolis lawyer George E. Young, was created in anticipation of the closing of the University of Minnesota's night law program. The Northern Western College of Law's articles of incorporation say that its purpose was to "teach and instruct students in the law and all allied branches of knowledge, to prepare all students of said college for admission to practice law."

Young, a native of Illinois, came to Madelia, Minn., in 1871 as a boy. He attended public schools, Archibald's Business College in Minneapolis, and, for three years, Hamline University, before turning to the law. Following two years of study in the Minneapolis law office of Palmer and Van Fossen, he graduated in 1891 from the University of Minnesota's "law department." as the law school was then known. Always something of an entrepreneur, Young not only practiced law but was, in the early years of the century, the proprietor of the North Star Machine Company, self-described "manufacturers of laundry collar and cuff starch." He was later, according to a 1923 history of Minneapolis, "head of the law firm, the firm that first used the style of J.B. Wicks & Company," all the while maintaining a law office.

Young, a member of the board of directors, president, and dean of the college, operated the school out of his law office in the Plymouth Building, where classes were held three nights per week, from 7:45 to 10 p.m., in rooms next to his office. The school seems to have been Young's personal creation. The school's library consisted of the law review, 10 books, and case methods, a system that, the school claimed, "assures a broad and practical legal education that will qualify graduates to pass the bar examination in any state, and to practice law with satisfaction and honor."

Though the school apparently had no library, students were allowed to use the library of the Minneapolis Bar Association, foreman of the Hennepin County Bar Association. The library was located on the fourth floor of the city-county courthouse, served Northwestern College of Law students throughout the 15-year life of the college.

Students could not take volumes from the library, but they could read and study in the quiet comfort of the facility. Tuition was set at $70 for the first-year program and dropped to $40 for the second year and $35 for the third and fourth years. A student could expect to pay about $20 per year for books, though that estimate rose to $22 in later years. By today's standards, $70 for a year of law school seems laughably small, but the cost represented nearly 12 percent of the average annual income. A law student who was a laborer would work for 350 hours to pay a year's tuition and another 100 hours for books. By 1920, when average annual income had more than doubled, first-year tuition remained the same, but it had jumped to $35 per year for subsequent years. A three-year program was also then offered, at $85 for the first year and $75 for each of the last two years. Whichever method the student chose, there was no reason to pay $85 in tuition from each student — if the student paid.

A student who had studied at another law school or in a law office for at least one year could enter with advanced standing. Thus, the college graduated its first students in 1914. In 1915, 23 students, all men, graduated. The first women graduates seem to have been Florence Monahan and Rosa Tackson, who received LL.B. degrees in 1917. At least three of the early graduates were black. One, Rufus Augustine Skinner, had been born in French Guiana. He went on to become president of the Minneapolis branch of the NAACP.

The best-known member of the 1915 class, Floyd B. Olson, became Hennepin County attorney and later governor of Minnesota, much loved by many, reviled by others. He was the first of three graduates of the Minneapolis night law schools to hold the office. Olson, son of immigrant Scandi­navian parents and a vigorous outdoorsman in his youth, plunged with characteristic vigor into both law and politics. Following his admission to the bar, he practiced briefly before joining the county attorney's staff. Though he was a Democrat, he was named county attorney in 1920 by a Republican county board, after his predecessor left the post under a cloud. Olson quickly made a name as a vigorous prosecutor of criminals. A 1923 biographical sketch says he was the "prosecutor in the United States who has succeeded in convicting members of the Ku Klux Klan as such."

During his service as county attorney, Olson found time to teach at the Minneapolis College of Law, another of the Minneapolis night schools. Although the William Mitchell archives contain no Minneapolis College of Law catalog covering the period, photos of the 1923 and 1930 graduating class show there were at least four sitting in the second row from the top.
classes show Olson among the faculty members. In 1930, he was elected governor. He was serving as governor and preparing to run for the U.S. Senate when he died of cancer in 1935. Olson continues to be recognized as one of the state’s greatest governors. His statue graces the Capitol approach, and Olson Memorial Highway (Hwy. 55) is named for him.

Throughout the history of legal education, law faculties have moved courses, renamed courses, combined or split courses, dropped courses, always in pursuit of a better system — nearly always futile. Young's Northwestern College of Law was no exception. According to its first catalog, 12 subjects were covered in the first-year curriculum. They included contracts but not torts, which was offered in the second year. Among other subjects on the list were legal history, agency, personal property and, of all things, election laws. According to the 1920-21 catalog, the first-year program had been revamped: election laws were dropped, torts was shifted to the first year, and damages, previously a first-year subject, was moved to year two.

The 1920-21 catalog reveals that Andrew N. Johnson had joined the faculty, though it is not clear when. Johnson graduated in 1915 from Northwestern University’s School of Law (the Northwestern University, in Chicago, not the Minneapolis College of Law) and moved to Minneapolis with $50 in his pocket and a desire to practice law. Among his colleagues on the faculty were F.J. Bonner and John E. Palmer. Young was still the dean, but Fred B. Wright, later to take over the deanship, had become assistant dean.

As the mid-1920s approached, things began to look less promising for the Northwestern College of Law. In 1924 the college began to offer a pre-law course “for those who have not had sufficient pre-liminary education to be candidates for the law degree,” and the 1925 catalog describes high-school and junior-college courses. Those initiatives seem not to have been successful. The last Northwestern bulletin in the William Mitchell archives is dated 1925-26. It appears that the Northwestern College of Law folded its tent about that time.

Nevertheless, working students were not denied a chance to go to law school. The quasistudent Minneapolis College of Law, which, like the Northwestern College of Law, had been incorporated in 1912, sprang to life 13 years later, in 1925. Northwestern students seem to have gravitated to the Minneapolis College of Law, though yet another law school, the Minneapolis College of Law, had also been functioning during most of the period.

MINNEAPOLIS COLLEGE OF LAW

The 1912 incorporators were James I. Craig, president; A.C. Wilkinson, secretary; George P. Hulce, treasurer, and none other than George E. Young, vice president. They, plus Justice Loren W. Collins, a prominent Minnesota Supreme Court justice, were the first board of directors. Collins died only weeks after the college was incorporated.

What, we wonder, was going on with George Young? It is fair to guess that when the Minneapolis College of Law was incorporated on Aug. 1, 1912, he expected it to move forward but failed to have his appointment that, for some reason, it was not to be. The Minneapolis College of Law apparently existed only on paper until it was “reorganized” in 1925 and began to offer classes. Young, perhaps frustrated by the law school’s early lack of activity, made what amounted to a carbon copy of its articles of incorporation, incorporated the Northwestern College of Law on Oct. 28, 1912, and began to hold classes.

Elmer C. Patterson, founding dean of the Minneapolis College of Law, became the dean of the reincarnated Minneapolis College of Law and seems to have been the driving force behind it. The other officers were Judge W.W. Bardwell, president; Judge Mathias Baldwin, vice president; and Frank E. Clark, associate dean. Patterson, like George Young, operated his law school in close proximity to his law office in downtown Minneapolis.

Patterson was born in 1858 in Pennsylvania, but moved as a youth with his family to Iowa, where he attended school and college. He became a school teacher, principal, and superintendent, eventually moving to South Dakota, where he also owned and edited a daily newspaper. Those initiatives apparently failed to hold his interest, for he studied law and was admitted to the South Dakota bar in 1892. Following a brief period of practice there, he came to Minnesota, where he practiced successively in Redwood Falls, Marshall, and Minneapolis.

Patterson taught and served as dean of the college until his death in 1935. He had published a Brief Treatise on the Law of Mortgages in 1915 and had developed, in 1913, an approach to practical training in advocacy skills. The 1934-35 bulletin of the Minneapolis College of Law boasted that it was “the only law school in the United States giving a four year course in court practice. The system in use was originated, published and copyrighted by Dean Elmer C. Patterson and is known as the "Patterson Practice Court System."

The first students to matriculate in the reorganized institution were M.E. Drake, H.C. Larson, Nellie Palmer, Leland Wilson, and Paul Wilson. All except Larson graduated in 1926, 1926, along with eight former Northwestern College of Law students.

THE MINNESOTA COLLEGE OF LAW

Manwhile, another night law school, the Minnesota College of Law, had been turning out graduates for well over a decade. Incorporated in 1913, it, like the other Minneapolis law schools, was peripatetic. For its first six years, it held classes at the Evanston Building, at the corner of Sixth Street and Second Avenue South. Later, it occupied at least four other locations in or near downtown Minneapolis.

A familiar name appears among the incorporators: Elmer C. Patterson. He was the first dean of the Minnesota College of Law, of which he appears to have been replaced by George T. Simpson, at least by 1919. Lars O. Rue, later to be dean, was associate dean, and Allen T. Roer, then apparently a student, but later to be a law partner of Patterson’s, was treasurer. Thomas J. Stevenson was
sank into depression, the college often had to defer payment of the $1 per lecture fee to which its faculty members were entitled. Students more and more frequently became delinquent in their tuition. Board minutes reflect the school's financial woes. As 1934 closed, there was outstanding a balance of $11,000 in unpaid tuition and the faculty was to be paid for the past and current years "an amount justified by the state of the treasury on December 21, 1934." During 1936 a committee was appointed to confer with students whose tuition accounts were delinquent and to try to collect from them. Although the committee achieved some success, at least two students seem to have been dismissed for failure to pay tuition.

Academic problems also plagued the school. Richard Converse, the evidence instructor, sought permission in March 1934 to examine his class because of a cheating scandal. The students grumbled about a lack of practice-oriented work. One student, who had been at the school for nine years, finally was asked to return. The board discussed ways of "improving the school so as to make a better showing in the state bar examinations." Four suggestions were put forth: "1. Reestablish the final examinations for graduation. 2. Check attendance more closely. 3. Weed out the weaklings from the regular course. 4. Keep the teaching on a high level.

The Board of Law Examiners was displeased with some of the college's academic policies and practices. In an exchange of correspondence in mid-1939, the board was sharply critical of the college's questionable grading practices and its failure to adhere to pre-law admission requirements. It is unclear what, if any, this criticism played in the demise of the school. The YMCA Law School remained small, typically graduating six or seven students each spring. The 1930s were a difficult period for the college. Classes were small. About 20 students graduated at the end of a normal academic year. As the nation began to offer law classes in the new YMCA building. YMCA representatives apparently had held discussions with Dean William R. Vance of the University of Minnesota Law School, who, in his search for academic respectability (he once gave a speech in which he said, "Being a student is a business") was anxious to shed the night law school image from his law school's curriculum. In his

District Court for the District of Columbia. It is commonly believed that Truman was persuaded by then-first-term Senator Hubert H. Humphrey to use his influence to try to make the popular Youngdahl out of contention for the next senatorial election. Judge Youngdahl served with distinction on the D.C. court for many years, achieving national notoriety for his handling of the Owen Lattimore case, in which he stood steadfast against the sour flood of McCarthyism that threatened to sweep away the first-term Senator. The first Amendment. Youngdahl took senior status in 1966. He died at the age of 82, in 1978.

The 1930s were a difficult period for the college. Classes were small. About 20 students graduated at the end of a normal academic year. As the nation

Timeline

1912
Northwestern College of Law and Minneapolis College of Law founded, but letter is "quiescent" until 1925.

1913
Minneapolis College of Law founded.

1919
YMCA College of Law founded.

1925
Northwestern college ceases activities.

1930
Minneapolis and Minnesota colleges merge to form Minneapolis—Minnesota College of Law.

1934
YMCA college stops offering classes. Minnesota college absorbs its students.

1940
Minneapolis and Minnesota colleges merge to form Minneapolis—Minnesota College of Law.

1956
Minneapolis—Minnesota college unites with St. Paul College of Law to form William Mitchell College of Law.

The YMCA Law School remained small, typically graduating six or seven students each spring. The 1930s were a difficult period for the college. Classes were small. About 20 students graduated at the end of a normal academic year. As the nation
And then there was one from page 7 today known as Fredrikson and Byron, but for many years carrying Wheeler’s name in first position. The members of these classes made up in dedication what they lacked in size. Allen Chambers, ’31, drove from Anoka three nights per week to attend classes, logging over 18,000 miles in pursuit of his law degree. He graduated at the head of his class, despite being hospitalized for a broken leg during his final year in school.

Though six students graduated in 1934, and there is evidence that the YMCA planned to continue offering law-school classes in 1935, such students as remained appear to have been absorbed by the Minnesota College of Law. The YMCA College of Law seems to have faded away without a formal dissolution.

END OF AN ERA

Although the records are sparse, the Minnesota College of Law minutes disclose that Judge Arthur W. Selover, dean of the college, had been authorized in August 1934 “to effect a merger of [the YMCA College of Law] with the Minnesota College of Law.” The 1940 merger of the Minneapolis College of Law and the Minnesota College of Law thus melded the old Northwestern College of Law, previously absorbed by the Minneapolis College of Law, and the YMCA College of Law, which in effect had been absorbed by the Minnesota College of Law, into the new entity: the Minneapolis–Minnesota College of Law.

In the 16 years before the Minneapolis–Minnesota College of Law would merge with the St. Paul College of Law to form William Mitchell College of Law, it would produce an astonishing array of skilled practitioners and judges, including Douglas K. Amdahl, ’51, one of the great chief justices of the Minnesota Supreme Court.