

Honoring an Albany Law School Alumnus (1912)

*John Q. Barrett**

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On Monday, January 29, 1912, Albany Law School hosted a ceremony to honor its most illustrious and accomplished alumnus. The date marked the 79th anniversary of his 1843 birth in Niles, a small village in Trumbull County, Ohio.

William McKinley, Jr., grew up in Ohio, enrolled and studied briefly at Allegheny College, served for four years in the Union Army during the Civil War, and then served a year or so as an apprentice in the office of a Poland, Ohio, judge. In fall 1866, McKinley, age 25, came to Albany, one of the leading cities in the United States, to study the science of the law. At Albany Law School, he attended lectures by its three faculty members and studied closely the judicial decisions they cited. In spring 1867, he completed his studies and graduated.

McKinley then returned to Ohio, settling in Canton. After admission to the bar, he was in private law practice except for two years as Stark County's prosecuting attorney; he was defeated seeking reelection to that office after one term. In 1876, McKinley, a Republican, was elected to the U.S. House of Representatives. He was reelected numerous times and served, with one brief interruption, until he was defeated in 1890. In 1891, he was elected Governor of Ohio, and he was reelected in 1893. In 1896, after another brief period as a private citizen, McKinley received the Republican Party's nomination and was elected President of the United States. He was, with running mate Theodore Roosevelt, elected again in 1900. In September 1901, President McKinley was assassinated in Buffalo, New York.

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Eleven years later, at Albany Law School's 1912 observance of McKinley Day, the principal speaker was his former law school roommate, Judge George F. Arrel of Youngstown, Ohio.¹ Judge Arrel spoke of the late President's life, including their year together as law students. In one passage, Arrel commented that McKinley "was strictly an American product, and in him and in the history of his life, we have the realization of the possibilities of American youth, under our free institutions."²

Although surviving records are fragmentary, it seems that the entire Albany Law School community attended Judge Arrel's 1912 McKinley Day lecture. Probably present was Robert H. Jackson, age 19. He had enrolled at Albany Law School in fall 1911, effectively transferring into its senior class after spending the previous year as an apprentice in the office of two Jamestown, New York, attorneys.³

In spring 1912, Jackson completed his two semesters at Albany Law School, earning very high grades. To his surprise, the School decided that May to deny law degrees to students who were not yet twenty-one years old. In June, the School thus awarded Jackson, who was only 20, a "diploma of graduation." In June 1941, Albany Law School changed its decision, awarding Jackson, then Attorney General of the United States and days from nomination to what became his seat on the U.S. Supreme Court, his law degree. Justice Jackson thereafter identified his degree—his only higher education—as "Albany Law School, LL.B. June 5, 1941, as of Class of 1912."

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Albany Law School is not the only connection between William McKinley and Robert Jackson. The link also includes, much more happily for Jackson than for McKinley, the great city of Buffalo, New York.

After President McKinley was murdered in Buffalo in 1901, his killer was prosecuted successfully by the Erie County (Buffalo) District

¹ See HON. GEORGE F. ARREL, ADDRESS DELIVERED BEFORE THE TRUSTEES, FACULTY AND STUDENTS OF THE ALBANY LAW SCHOOL AT ALBANY NEW YORK ON MCKINLEY DAY[,] MONDAY, JANUARY 29TH, 1912 (printed pamphlet), available at <http://onlinebooks.library.upenn.edu/webbin/book/lookupid?key=ha009565619>.

² *Id.* at 19.

³ See John Q. Barrett, *Albany in the Life Trajectory of Robert H. Jackson*, 68 ALBANY L. REV. 513 (2005), available at www.stjohns.edu/media/3/ab5545c4178b406a919f987bdd94ff6b.pdf?d=Barrett.

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Attorney, Thomas Penney. Thereafter, Mr. Penney declined to seek reelection. Staying in Buffalo, one of the largest cities and economic centers in the U.S., he went into private law practice.

Thomas Penney's partners, in a law firm that became one of Buffalo's most prominent, included Charles B. Sears. In 1917, Sears became a Justice of the New York State Supreme Court. He soon met and was impressed greatly by a young lawyer, Robert Jackson, who then was living and practicing law in Chautauqua County, New York, south of Buffalo. Justice Sears knew that his former partners, who defended a substantial amount of tort litigation for a principal client, the International Railway Company (Buffalo's street car company), were looking for a "trial man."

Justice Sears (who later served in Albany on the New York Court of Appeals) brokered the connection. Robert H. Jackson, age 25, soon took the job, moved to Buffalo and began a period of law practice there with Mr. Penney and colleagues in Penney, Killeen and Nye.