

YOUNGSTOWN STATE UNIVERSITY

ORAL HISTORY PROGRAM

History of Youngstown Law School

Teaching Experience

O.H. 371

DONALD LYNN

Interviewed

by

Paul Zimmerman

on

June 11, 1975

YOUNGSTOWN STATE UNIVERSITY

ORAL HISTORY PROGRAM

History of Youngstown Law School

INTERVIEWEE: DONALD LYNN

INTERVIEWER: Paul Zimmerman

SUBJECT: Youngstown Law School During the 1930's and early 1940's, Development of Youngstown College, Teaching Experience.

DATE: June 11, 1975

Z: This is an interview with Attorney Donald Lynn for the Youngstown State University Oral History Program on the History of Youngstown Law School, by Paul Zimmerman at the Mahoning National Bank, on June 11, 1975, at 3:00 p.m.

Mr. Lynn, can you tell us something about your personal background, such as you are from Youngstown, aren't you?

L: I was born in Youngstown on Mahoning Avenue in 1891, January 9, 1891, to be exact. I attended West Side Public School and went on to the Rayen School and graduated in the class of 1909. I then proceeded to Harvard College, and graduated in the class of 1913, and finished Harvard Law School in 1916. I was admitted to the bar on January 2, 1917, and have been practicing ever since.

Z: Did you come right back to Youngstown then afterwards?

L: Yes, I did, as soon as I graduated from law school.

Z: What was it like being a lawyer in Youngstown at that time?

L: Well, when I started out I came to the firm that I am now with, and of course, I was assigned various duties that only beginning lawyers are assigned.

Now we have here a man that just got out of his first year of law school and is here for the summer and everybody's assigning him duties like checking up on laws. Of course, they are all errands. He misses the practice

during court and things of that type; he does research and things for court reports, and most of the duties that can be done by nonlawyers.

- Z: What was the law about certification like then? What did you have to have in order to practice law in 1917, say?
- L: We had to pass the Ohio State Bar Examination. It was conducted down in Columbus at that time. You passed and were sworn in by the judge of the Supreme Court of Ohio as a practicing lawyer.
- Z: What were the college requirements like in order to take the Bar Examination?
- L: I can't really tell you what was required. You had to go to some accredited law school. Before you got into an accredited law school you had to have some academic training, some education. That all depended upon the law school, of course, but you had to be a graduate. That's not correct. It is possible for a person who never studied law to be admitted to the Bar. Most everybody who practices law has been to a law school somewhere. In the olden days, you practiced law with some old attorney and when you became confident to pass the Bar Exam, you took it. That was before my day, though.
- Z: How did the law school in Youngstown come about?
- L: Well, it was founded there in 1908 with a class of nine students. Originally, it was held on the third floor of the YMCA downtown. Then the law school moved to the Bonnell residence on Wick Avenue, and finally it went to the main part of the building. It moved from the Bonnell residence to the John C. Wick residence and then to the present administration building.
- Z: Which lot did the Bonnell residence occupy?
- L: Well, as I recall, it was immediately north of the present St. John's Church, out where the parking lot is now. I know I taught down on the third floor of the YMCA, and then the following year we moved to the Bonnell residence.
- Z: When did you start teaching there?
- L: Well, I was on the Board of Governors of Youngstown College in 1934 through 1945, and possibly in the early days there in 1934 or 1935, as my recollection, I was teaching in the law school. I'm not exactly sure.

- Z: How did you start teaching at Youngstown?
- L: Judge George Gessner, who was on the Court of Common Pleas, was, at that time, dean of the law school. He called me into the courthouse one day and asked me if I would join the faculty of the law school and I accepted. That's the way I got started.
- Z: Who had been teaching down there? Had Judge Gessner been teaching then?
- L: I don't remember. He may have had a course or courses. I don't remember who was teaching at the time. I know after I left Knowles Wyatt was one of the faculty. He is now deceased. Henry Church, Raymond Falls, and Judge John W. Ford, who are all deceased, also were teaching there. Erskine Maiden also was on the faculty of the school either when I was teaching there or shortly thereafter. I think it was in about 1937.
- Z: When you were teaching there, what was the student-teacher relationship? Were you thought of as a regular professor?
- L: I can't tell you. We were just instructors and taught different courses and looked upon as professors, but as far as how we were looked upon, I can't tell you that.
- Z: Was there a very close relationship with the professors? Did you get to know your students?
- L: Oh, yes, because the classes were fairly small. I would say there were never over twenty individuals, twenty-five at the most, and naturally you get to know them very well. The school had four quarters: Winter, spring, summer, and fall. Four quarters amounted to one year of work.
- Z: You explained about some of the building of the law school. What other building there was used for the school?
- L: That was it. The YMCA started the school in its own building before it got through the accommodations, in other words, we were on the third floor of the building and the other classes were held there and then we got through and acquired or rented or leased the Bonnell residence on Wick Avenue.
- Z: What were the conditions like in the YMCA building on the third floor?

- L: Well, it was a room just like we have now. As far as individual rooming accommodations, it was not very big; it was an ordinary size room. We couldn't have very many people in the class because of the lack of space. We went to the Bonnell residence and the rooms were a bit bigger. You had more of an atmosphere of a school and you didn't have many working like in the YMCA which was used largely for accommodations
- Z: Would you say they were adequate?
- L: They were adequate, but not in the sense that we have now in law schools. There were not so many students back then.
- Z: Getting back to the faculty, how many full-time faculty people did they have teaching there?
- L: I would say about six, seven, or eight, possibly up to ten. I had two courses there and there were about twenty courses being given.
- Z: Were these all men who worked in the community besides teaching?
- L: Yes. Of course, most of them were lawyers here with the Mahoning County Bar.
- Z: Were there any ones that were just strictly teachers?
- L: Full-time?
- Z: Yes.
- L: No, I don't think so, not when I was there. It was a night proposition at that time. There might have been some classes given during the day. I didn't know about it. The greater number of the courses were given at night, because the students were those who were largely working in the community, had jobs, and wanted to study law.
- Z: Where would you say most of these instructors had gone to college or to law schools?
- L: I haven't any idea about the law schools.
- Z: So there wasn't any particular brand of law that was taught, if there was such a thing?
- L: Well, the law is divided up into different areas, like corporations, real property, personal property, evidence,

and partnership law.

Z: How would you rate the faculty compared to the law school you went to?

L: The law school I went to, Harvard Law School, was a full-time institution. The classes were in the daytime with full-time professors, who naturally spent all of their time on the subjects. We who practice law in the daytime, naturally weren't as well rounded as a professor, an instructor, or teacher who did that as a full-time job, profession, as in the law schools today.

Z: Did you see any advantage to having practicing lawyers in the law school classes?

L: No, I don't think there was any definite advantage. Perhaps the professor in those days, who was actually practicing law, had a better idea of how that principle of law might be applied because he was practicing in the court and had a knowledge of that particular subject, whereas the full-time law school professors hadn't been practicing law.

Z: An interesting note that came up in some of the discussions in the history of the college was that no one has ever failed the Bar Exam from Youngstown Law School, or rather fewer people failed from Youngstown than from Harvard Law School in the Ohio Bar Exam.

L: Is that right?

Z: You have never heard of that?

L: No, I never did, but I can understand it because we instructors were lawyers who were working with Ohio law every day. We were more familiar with the law here in Ohio and maybe a student in a law school where you have students from every state in the union, where there's no specialty of any state's law, wouldn't have any knowledge of a specific state's law. The students from Youngstown Law School probably had the specific answer to the question on the Ohio Bar Examination while a student from another law school had just maybe general theory. Maybe that Ohio law would start the difference in the general theory and the Youngstown superiors would deal with the higher statutes. The bar examiners who prepare the Bar Examination questions are Ohio lawyers; they face Ohio statutes, Ohio laws. So, I would say a man who went to the Youngstown College Law School had, possibly, a better chance of answering some of the particular questions that might be asked by the bar examiners. That's what they had to look for in their answers.

- Z: They thought it might have been a sort of effort on the part of the instructor to teach for the exam, since they all had taken it before.
- L: No, I wouldn't say that. I had a teacher, a tutor, for the examination in Ohio law. At least I learned the general principles of the law as it applied to Ohio. So we worked it out that way.
- Z: That was my opinion, but I was in a minority. I would like to ask you a few questions about the administration of the school. Was Homer Nearpass there when you first started or was Howard Jones?
- L: It was Howard Jones. Howard Jones was the president of Youngstown College when I first started. Was Nearpass ever a president?
- Z: He was not president, but he was the education secretary. Jones was the first president, but it appears that James Wick, Jr. and some other people on the Board of Trustees got Jones hired after Homer Nearpass. We're not quite sure about this.
- L: I have never experienced hearing Nearpass. It might have been from the time the school was first founded in 1908 until I became associated with it in the late 1930's. Because the school, Youngstown College, Youngstown Association School, taught various college courses, I could see where they would have a director of education who was in charge of the school. There was no president because the Board of Governors of the college were appointed by the trustees of the YMCA at that time. I don't know when Howard Jones became the president; I think it was sometime in the 1930's.
- Z: Was the law school run by the president too, or was it pretty much a separate school?
- L: It was pretty much a separate school, I would say. Well, all of the parts of the college were under jurisdiction of the dean.
- Z: How long did it take a person to get his law degree from Youngstown College and just what was required before you got started?
- L: As far as time was concerned, it was a four-year course, made up of four quarters in one year.
- Z: What requirements did you have to meet in order to get into the school?
- L: I don't know exactly. I can't answer that exactly because we were presented with the class, the individuals. I don't

have any recollection of the initial requirements because they were not as fixed as they are now.

Z: Were they just high school graduates or had they gone to another liberal arts school previously?

L: In the law school, you probably had to be a graduate of a college. I think most of the students of the law school at that time had graduated from a university or a college. Whether the law school admitted anybody who was not a graduate, I can't answer that.

Z: How many of those who attended the law school graduated from Youngstown College?

L: That, I can't answer.

Z: Let's talk about the students a little bit. Most of the students were what we would consider part-time students. They didn't go to college all day long. They were part-time students working and going to school at night. How would you rate the caliber of these students in your classes?

L: I think they were a hard-working group because they realized they were out to make their profession in law and it wasn't just for fun. They were there for a purpose. I think there was more empathy and studying than there might be at any other law school where you were just filling in time. On the whole, you had a hard-working, intelligent, aggressive group of men and women that enrolled at the law school.

Z: I see. Was there any problem with time to do research and things like this? Did you have to pace yourself to their pace or did they keep up to your pace?

L: Well, they had to keep up with the pace of the instructor in the assignments in whatever he would give them to do. I had many times to prepare for a course in law or get ready for the next night's course, on the train. I would be coming from New York and at that time we would go down the Ohio River, Toronto, and many times we were in Pittsburgh, and I'd read the material that had to be covered the following day or two.

Z: What nationality were most of the students in the classes? Was there a majority from any particular nationality that went to these classes?

L: No, there wasn't, no. If there was a fellow who wanted to practice law, you would enroll and get entered.

Z: Were there any exceptional students?

L: No, I don't think there were.

Z: Were many of the students from out of town?

L: They were from either Youngstown, Hubbard, Campbell, Warren, or somewhere in the Shenango Valley. I think most of them ended up here to study law because this was their home. They could have another job here while they were studying law. As soon as they passed the examinations into law school, and the Ohio State Bar, they could stay here in Youngstown and practice law.

Z: I have heard that colleges always have had a problem with money. What was the pay like for an instructor at that time?

L: The tuition was \$40 a quarter with a ten percent discount, but frankly I forget what kind of pay I got. Oh, I'm sure it was on an hourly basis, but I would hesitate to make any guess. It might have been around \$10 an hour, maybe \$15.

Z: It wasn't the money that motivated you to teach then?

L: No, it was to learn something myself. I think a person who tries to teach a subject to somebody else is going to learn a bit himself from the fact that you had certain cases and you use those cases for the students to work on; it sort of puts itself on your mind more so than if I had taken a course in a law school and had forgotten about it.

Z: Sounds like you had interesting classes.

L: Yes.

Z: Do you remember significant contributions or anything the community gave to the college that might have helped it out at the time?

L: Do you mean people in Youngstown giving donations?

Z: Yes.

L: No, I don't remember anything like that.

Z: The school mostly supported itself from this \$40 tuition?

L: That was just the law school, I think. I don't know what the tuition was in other courses, but as far as I know,

it did because it was discontinued in the year I left the school of law. Why, I don't know.

I was on the board of governors in 1944 to 1945. The law school was discontinued after that date. I had no knowledge up to 1955. I had no reason to know when it was discontinued. I was no longer teaching there. I worked up until 1945 when I took ill with typhoid, walking typhoid. I had to give up teaching.

Z: What year was that, the time that you fell ill?

L: I remember I felt ill in Columbus on the morning Roosevelt's death was announced. What year was that? I don't remember. It was June 6th or June 31st.

Z: You were still on the board of governors then in 1945?

L: Yes. The committee was appointed on December 10, 1934. The board of governors of the college established football at Youngstown College. About thirty-six of them probably made up the committee.

Z: How about athletics? Did they have an athletic program prior to this establishment of the football team?

L: Yes, I think they had a track team. Baseball, I'm not sure about; I think that was in 1934.

Z: How about basketball? It's always been a great thing in Youngstown. I wonder how far it went back?

L: I don't know about basketball.

Z: What was the outcome? You said that the outcome was that they were going to have a football team in the mid 1930's.

L: In 1934, we wanted to study it, possibly, I'm not sure, in the fall of 1935. I know we were appointed there in 1934 and a long study was made of building costs and public desire and so forth. It couldn't have been until at least the fall of 1935. It might have been another year. I don't remember.

Z: What did you learn of the football team?

L: High schools had football teams and other colleges had them, and here in Youngstown College the boys wanted to have a football team, and that was the Youngstown College football team. There was a question from the board as to whether the college could afford the costs that a football team entailed, liability insurance, medical costs, traveling costs, and what we could get for a home field in the general

area. There were a lot of questions that came up before we could get the board of governors to establish a football team. I just wish I had the minutes; I wish they were available.

Z: What were people's attitude when you told them that you started a night law school? What did other people from out of town and people in your profession think?

L: Other lawyers?

Z: Yes. Could you give us some impression about the YMCA school? We know that during the 1930's there was a problem when the college wanted to pull away from the YMCA. Do you know anything about this? From being on the board of governors, you might have heard some of this friction.

L: I would say there was a desire and a feeling to be a separate entity; probably the YMCA night school was a self-perpetuating entity, a college. The community was interested in having the college. There were colleges elsewhere in Ohio and there was a feeling as I remember of "Yes, let's have a college." The result was that there was a desire to break away from the Y and go on your own. That eventually happened, of course. The college board had a particular objective, which isn't so much an education, a college education as individuals. We voted to work with the YMCA as an organized board and work with young men in physical education and swimming and various activities that the Y has conducted. I think there was that feeling of, "That's fine, but YMCAs as a general rule, don't usually run colleges." So the result was that they formed that Youngstown Association School after it broke away. I don't have any recollection of that.

Z: Well, they broke away after they built the building up on the top of the hill, what we call Jones Hall.

L: Jones Hall, yes. That was James Wick's building.

Z: After that happened, in the later 1930's, they wanted to completely separate the school, and I believe it was separated from the YMCA in 1944. Well, they fought over it for years. The people in the college believed that the Y was sucking money out of the college to run the Y. That's in Mr. Wick's memoirs. He has something like this written. They were looking for substantial evidence on that.

L: There was a desire to run a college and I imagine the YMCA was kind of glad to let it go because it was getting pretty big. I'm not sure about the date because it has happened so many years ago.

- Z: What was the school's relationship to industry? Did industry support the school?
- L: Financially?
- Z: Well, not financially. Were they understanding of the students that were taking the classes? I know that when I went to night school I was allowed to take off from work early to go to school. Was this a common thing back in the 1930's?
- L: That I couldn't answer.
- Z: Did the industrialists in town generally support the school?
- L: Yes, because the board of governors at that time were industrial people, people who were heading corporations here, and institutions. So I would say that they supported the college.
- Z: What other help might have come from the outside? Were there any visiting professors that you knew about? We know there were some.
- L: No, not to my knowledge.
- Z: Nothing?
- L: I don't remember outside persons because the faculty were older people. They were members of the court.
- Z: Was there any kind of rattling between the law school and any other schools within the college itself for facilities or money or some other reason?
- L: While I was teaching at the law school I don't think there was.
- Z: What were some of the attitudes of some of the departments in the college towards the law school?
- L: My job was to teach law.
- Z: Could you tell us what a typical day was like when you were teaching?
- L: A typical day or night?
- Z: Well, the whole day. Let's see how hard you worked for your ten dollars an hour.

- L: I would say that I spent as much time as I possibly could during the day and night. It seemed it was three nights a week, as I recall, and on weekends on the train, as I said, and in my spare time I was studying. It was my job to keep ahead of the students.
- Z: How many classes a quarter did the students take?
- L: Well, they had to have so many hours to graduate, and I know the classes I taught were equivalent to two hours; the students took that course and they had credit for two hours. Most of the other courses were worth two hours on their degree. The state gave the law school the right to grant degrees, the degree of Bachelor of Law, in 1920. At that time, the law school became a member of the Ohio League of Law Colleges.
- Z: Do you have any recollections that we haven't covered?
- L: No, I don't.
- Z: One last thing I wanted to ask was how long did the night school last. How many hours were you in session in the school?
- L: It was usually an hour of study and a half hour to answer questions. But the two hours that I was teaching was an hour and some credits every day. As I recall, you had a good hour and a half that you were in class because they had nothing else to do probably that night unless they had another class. If they did, of course, they went to another course, unless it was the only course they had for that particular night. It depended on how they arranged their schedule. You have people staying, and of course, I always stayed to cover the subject and to ask questions, because that would help them greatly and give them more knowledge. So I would say, as I recall, it would be about an hour and a half, unless somebody had to leave for another course. That same individual might have his evidence course that night.
- Z: After these people graduated from the law school in town here, how well were they accepted in the legal community in Youngstown?
- L: I think they were accepted very well, by my knowledge of the individuals who practice law and who study law. That was their sole purpose, to practice as a practicing lawyer and they either went out on their own or in an association with somebody else. I think you could mostly say they joined with somebody else to start out because it's hard to set your own shingle out and start in. There is a difficulty in trying to go it by yourself to start out, whereas with somebody else who has been practicing law,

you get to know the ropes, what to do and how to do it, and make yourself better as a lawyer. I don't know of anybody in those days who started out by themselves. It couldn't be done that way, at least not for awhile. If you get somebody else with an established practice, you see, you were sure of an income and these people who had been working through these courses taking law work, they would have to give that job up, so they had to have some means of support. So I think you'll find that most of the students became associates with another person or persons.

Z: There was some talk at the time of the disbanding of the law school, the reason that it was disbanded was that there was beginning to be too many lawyers here in Youngstown. Do you have any feelings about that?

L: No, I don't think that's true. I don't think that the board of governors would take any action to disband the law school on the fact that there were too many lawyers. It might be that they felt that they weren't getting enough candidates for the degree to make this financially feasible. I don't know.

Z: Do you have any special memories about your experiences at the college?

L: No, I'll always be grateful to Howard Jones for allowing me to teach at the School of Law of the college.

Z: Do you have any suggestions for us in writing the history of the University, what to look at and what direction to go?

L: Many of the people who were associated with the law school in those days are now deceased. Jim Bayton was an excellent historian. I was associated with him through the Mahoning Valley Historical Society. These people may check up at the museum for things that might be of help to you. I don't know just what there is up there. Someone should help you out. I would get Mr. Wick's experiences on tape, because he knew everything in Youngstown. He lived on Wick Avenue and knew what the buildings looked like. He had a wonderful memory. I don't know if his conversation may have been taped. I don't know whether we do have anything about it or not.

Z: I have never seen this.

L: Of course, his daughter is at the museum, Mrs. Emily Schaff. She's an historian. I would suggest that she might be a source of information because Mr. Wick had his own personal files which he willed to the Association. As a matter of fact, I'm the attorney for the estate.

His personal files must be up at the Arms Museum and that ought to have a lot of material about the law school. There is a lot of stuff up there. Senator Wirtz willed his belongings and things of that to an institution. The Mahoning Historical Society took over his possessions. They are up there now in the Wirtz Room. He was an attorney and a senator and undoubtedly would have something for you. You could check with Mrs. Schaff.

Z: Thank you, Mr. Lynn. You've been quite helpful.

END OF INTERVIEW