

Lyman Perl Wilson

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LYMAN PERL WILSON

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John W. MacDonald

An item on the agenda of the Cornell University Board of Trustees at its meeting on April 28, 1951, was to have been the appointment of Lyman Perl Wilson as Professor of Law, Emeritus, of the University. After the agenda had been prepared and distributed, Lyman Wilson died, not in retirement, but in the active service of this Law School. It happened as he would have desired; he was doing what he loved most in teaching, editing the statement of a new case for presentation to his Practice Court that afternoon. Incidentally, as Professor Emeritus, he was to have continued to teach Torts in this Law School during the next academic year, having elected to remain here despite a flattering offer elsewhere.

Wilson came to Cornell thirty years ago, a mature lawyer and teacher. He came with rich experience to sit as the peer of several extraordinarily good teachers—Woodruff, Burdick, Bogert, Stevens, and McCas-kill. The school was young. It was strong, and it was looking forward to assuming a graduate status five years later. When he was appointed there were six members of the faculty, and one hundred nineteen students. When he died, the faculty had grown to seventeen, and there were four hundred and sixty students. Of that faculty he himself had taught eight, Whiteside, Farnham, Keeffe, Freeman, Morse, Warren, Curtiss and myself—all of the graduates of the school now teaching here. He knew us all, in each of us there is something of him, and while we hold our chairs and train our successors, Lyman Wilson will still be in this school.

There is also much of him in the men at the American Bar today. And his influence is national—from this school with its graduates scattered all over the country, also from the law schools of Idaho, Oklahoma and George Washington, where he had served before he came here. He also taught in summer sessions at the University of Chicago and at Columbia.

A mid-westerner, he was born in Leslie, Iowa. His family then moved to Galesburg, in downstate Illinois. A graduate of its high school he went to Knox College in his home town, graduating in 1904. He then studied under the great men of the time at the Law School of the University of Chicago, taking his degree in jurisprudence in 1907. Twenty-four years old, he returned to Galesburg and opened his own law office. He stayed there four years and was city attorney two of them. In 1911, at the University of Idaho, he began a teaching career which was to span forty years, to end at this school (which has been termed the most western of eastern universities). In that forty years he brought out two editions of one of the best torts case books. He wrote exhaustively in torts, procedure and evidence. He gave to thousands of law students what was perhaps his greatest contribution, an unforgettable insistence on fact preparation and accuracy. His teaching was crowned in 1944, when he was elected to the high office of President of the Association of American Law Schools.

He was of the generation, too sadly passing, who started faculty life by teaching around the curriculum. No narrow specialist, he. He was a master of promissory and non-promissory liability, property, equity and procedure. Finally he specialized—Torts and Evidence were his fields—Evidence, where his procedural background broadened his course,—Torts, where his keen mind and active imagination made him at home. When the school developed its problem method of instruction for second and third year students, he was an enthusiastic pioneer. He developed a magnificent course which he called Choice of Remedies, in which those fortunate enough to be selected sat with him around a table, to weigh the relative advantages and disadvantages, substantive and procedural, of competing theories of liability. Finally his pupils met him in a course, never to be forgotten, in which he sat as a judge at special or at trial term. For this he developed a veritable library of problems, tested by the criteria of his broad experience. Those who think that Practice Court is unteachable should have seen Wilson, as a teacher-judge, in action. He loved to do it—his preparation for a new day was the last mental exercise of his life.

Wilson had a rich life in all of his relationships. He married his charming wife, Edith Marks Wilson in 1910. They had two children, Miss Mary Esther Wilson of New York City, and Mrs. Aubrey Humphreys of Port Elizabeth, Province of Cape of Good Hope, Union of South Africa. On his last sabbatical in 1947, together they made a long trip to visit their daughter and her husband, and in South Africa he lectured on American legal education at Witwatersrand and Natal

Universities, and he was met by the great of that far away commonwealth. The Wilsons maintained a delightful home in Ithaca and formed strong friendships with faculty, Ithacans, alumni and students. Returning annually to Chicago to the Association of American Law Schools meeting, and faithfully to his mother's home in Galesburg until her death, he formed deep attachments with hundreds of colleagues in other schools with whom he maintained an informal correspondence. Teachers all over the country, young teachers, particularly Cornell teachers, will miss him. So will the city of Ithaca and its citizens, for he was very active in community life.

Wilson was a fine and friendly colleague. He was a man of great wisdom and good humor. He had a keen wit and a treasury of good stories which he loved to tell, and which he told well. He was a conservative in his approach to teaching and to life, yet he was patient and tolerant of those of us who may have seemed to him to be adventurous and even perhaps reckless. He applied the check reins to our enthusiasms, he made us test out positions by what he used to call "mental perspiration". Once a new position had been assumed, however, he could, and he did, cooperate. He pulled his oar.

He was a loyal Cornellian, even though he was a bachelor and an honorary doctor of Knox College and a doctor of Chicago. He was a lawyer before he was a teacher, he was a good teacher, but lawyer he remained to the end.