

AMERICAN SOCIETY
FOR
LEGAL HISTORY



Sixth Annual Meeting
at
The Barclay Hotel
Philadelphia, Pennsylvania
on
October 22 - 23, 1976

Program

Registration

9:00 A.M. — 1:00 P.M., October 22, 23

Baroque Room

Friday, October 22

Roman Law and its Impact

10:00 A.M., Mirage Room

Presiding: A. Arthur Schiller, Columbia University
School of Law

*The Rise of Modern Jurisprudence: Roman Law and
the Italian Glossators*

Joseph Plescia,
Florida State University

*Classical Influences on Legal Descriptions in the
United States, 1790-1800*

Richard J. Hoffman,
San Francisco State University

Comment
The Audience

Assessing the American Constitutional Experience

10:00 A.M., Regency Room

Presiding: Philip Paludan, University of Kansas

Constitutionalism and Constitutional History

Herman Belz,
University of Maryland

Commentators

R. Kent Newmyer, University of Connecticut
Donald Roper, State University of New York
(New Paltz)

Friday, October 22

English Constitutional and Legal History

2:30 P.M., Mirage Room

Presiding: Paul L. Ward, American Historical
Association, Washington, D.C.

*Expediency and the Rule of Law in Britain,
1910-1970*

William H. Dunham, Jr.,
Yale University

*Sexual Deviance and the Law in Eighteenth Century
England*

Arthur N. Gilbert,
University of Denver

Commentators

Stanley N. Katz, University of Chicago Law School
Richard Kagan, Johns Hopkins University

Legal Problems in Revolutionary America

2:30 P.M., Regency Room

Presiding: Milton M. Klein, The University of
Tennessee (Knoxville)

The Criminal Law in Post-Revolutionary Virginia

Kathryn Preyer,
Wellesley College

*Incorporation of the Law of Nations During the Amer-
ican Revolution — The Case of the San Antonio*

Henry J. Bourguignon
College of Law
University of Toledo

Commentators

David H. Flaherty, University of Western Ontario
David J. Sharpe, National Law Center, George
Washington University

Friday, October 22

Reception

5:30 P.M., Regency Room

Brief Communications

9:00 P.M., Parisien Room

Jonathan Lurie, Rutgers University (Newark)
General Chairman

The communications will be delivered in panels of from two to five speakers, and will be grouped according to topic with an individual chairperson. A syllabus of communications will be available at the registration desk.

Saturday, October 23

Aspects of Medieval Law

9:30 A.M., Mirage Room

Presiding: Charles Wood, Dartmouth College

The Family in Visigothic Law

Katherine Fischer Drew,
Rice University

*Noblewomen and Medieval French Customary Law:
Limitations of Traditional Historiography*

Robert Hajdu,
New York, N.Y.

Commentator

Edward Peters, University of Pennsylvania

The Impact of Revolution on Law

9:30 A.M., Parisien Room

Presiding: Clarence Morris, University of Pennsylvania
Law School

England

Gerard Warden,
Yale University

China

Jerome A. Cohen,
Harvard Law School

Commentator

Lawrence Kaplan, The City College of the City
University of New York

Saturday, October 23

Developing Legal Careers in the Nineteenth Century United States

9:30 A.M., Regency Room

Presiding: Willie Lee Rose, The Johns Hopkins
University

*Patterns in Nineteenth Century Law Practice: The
Career of David Dudley Field*

Daun Van Ee,
Johns Hopkins University

*The Uncertain Road to the Supreme Court: Howell
Jackson's Legal Career*

Terry Calvani,
Vanderbilt University School of Law

Commentator
Maxwell H. Bloomfield, Catholic University
of America

Luncheon

12:00 P.M., Ballroom

Presiding
Joseph H. Smith, Columbia University School of Law

President
American Society for Legal History

Saturday, October 23

Continental Legal History

2:30 P.M., Mirage Room

Presiding: John H. Langbein, University of Chicago
Law School

*Why Community Property? Some Thoughts on Eng-
land and France in the Thirteenth Century*

Charles Donahue, Jr.,
University of Michigan Law School

*Castilian Imperial Expansion and Metropolitan Judicial
Administration in the Age of Charles V*

Jack Owens,
Idaho State University

*Equality in the Year Two: The Succession Law of the
French Revolution*

James F. Traer,
Hamilton College

Comment
Professor Langbein and the Audience

Saturday, October 23

**Race Relations
and the Law
in the Post-Bellum
United States**

2:30 P.M., Regency Room

Presiding: James W. Ely, Jr., Vanderbilt University
School of Law

*Jim Crow and the Common Law of Common
Carriers: Distorting Ancient Traditions,
1860-1900*

Lester G. Lindley,
University of Notre Dame

*The Chinese and Nineteenth Century American
Judiciaries: Justice Denied*

John R. Wunder,
Case Western Reserve University

Commentator
Robert M. Cover, Yale Law School

**Round Table Discussion:
New Directions
in Legal Research**

5:00 P.M., Regency Room

Presiding: John W. Johnson, Clemson University

An Agenda for the Social History of Law

Michael S. Hindus,
University of Minnesota
Douglas Jones,
Tufts University

Comment
The Audience

**American Society for
Legal History**

Officers, 1975 - 1976

Joseph H. Smith, Columbia University School of Law,
President

Stanley N. Katz, University of Chicago School of Law,
Vice President

Milton M. Klein, University of Tennessee (Knox-
ville), *Secretary*

Robert M. Ireland, University of Kentucky, *Treasurer*

Directors, 1976

Hugh F. Bell, University of Massachusetts (Amherst)
Elizabeth A. R. Brown, Brooklyn College, City
University of New York

Edward Dumbauld, U. S. District Court, Pittsburgh,
Pennsylvania

Gerald T. Dunne, Washington University School of
Law

David H. Flaherty, University of Western Ontario

Charles M. Gray, Yale University

Arthur R. Hogue, Indiana University (Bloomington)

Morton J. Horwitz, Harvard Law School

Stanley N. Katz, University of Chicago Law School

Milton M. Klein, University of Tennessee (Knoxville)

William E. Nelson, Yale Law School

Kathryn Preyer, Wellesley College

John P. Reid, New York University Law School

A. Arthur Schiller, Columbia University School of Law

Sue Sheridan Walker, Northeastern Illinois University

Fellows

John P. Dawson, Harvard Law School

Charles Fairman, Harvard Law School

George L. Haskins, University of Pennsylvania Law
School

Gaines Post, Princeton University

A. Arthur Schiller, Columbia University School of Law

Samuel E. Thorne, Harvard Law School

Corresponding Fellows

Francois Dumont, University of Paris
Robert Feenstra, University of Leiden
Alfonso Garcia Gallo, University of Madrid
Emile Lousse, University of Louvain
Stroud F. C. Milsom, University of London
George O. Sayles, University of Aberdeen
Thomas B. Smith, University of Edinburgh
Andre Tunc, University of Paris
Raoul C. van Caenegem, University of Ghent

1976 Program Committee

Paul L. Murphy, University of Minnesota, *Chairman*
Jerold S. Auerbach, Wellesley College
Mary F. Berry, University of Maryland
George Dargo, Harvard Law School
Gerard W. Gawalt, Library of Congress
Kermit L. Hall, Wayne State University
Albert F. Hess, State University College (Brockport)
M. Paul Holsinger, Illinois State University
Stanley N. Katz, University of Chicago Law School
Stefan A. Riesenfeld, University of California Law School (Berkeley)
Vernon F. Snow, Syracuse University
William S. Thurman, University of North Carolina, (Asheville)

1976 Local Arrangements Committee

Stephen B. Presser, Rutgers University School of Law (Camden), *Chairman*
Richard Gaskins, Graduate School of Social Work Research, Bryn Mawr, Pennsylvania
George L. Haskins, University of Pennsylvania Law School
Frederick G. Kempin, Jr., Wharton School, University of Pennsylvania

1977 Program Committee

Charles Donahue, Jr., University of Michigan Law School, *Chairman*

Standing Committee on Conferences and the Annual Meeting

Charles M. Gray, Yale University, *Chairman*
Lawrence M. Friedman, Stanford Law School
Stanley I. Kutler, University of Wisconsin
John S. Scarborough, University of Kentucky
Sue Sheridan Walker, Northeastern Illinois University
L. Kinvin Wroth, University of Maine Law School

1976 Nominating Committee

Sue Sheridan Walker, Northeastern Illinois University, *Chairperson*
W. Hamilton Bryson, University of Richmond Law School
Francis K. Decker, Jr., New York City
Richard Helmholtz, Washington University School of Law, St. Louis, Missouri
Jonathan Lurie, Rutgers University (Newark)

Publications Committee

Arthur R. Hogue, Indiana University (Bloomington), *Chairman*
John S. Beckerman, Yale University
Stanley N. Katz, University of Chicago Law School
A. Arthur Schiller, Columbia University School of Law

Committee on Membership

Janet S. Loengard, Moravian College, *Chairperson*
Raoul Berger, Concord, Massachusetts
Randall Bridwell, University of South Carolina Law Center
James W. Ely, Vanderbilt University School of Law
Jack Etheridge, Superior Court, Atlanta, Georgia
Wythe Holt, University of Alabama School of Law
Richard C. Maxwell, University of California School of Law, Los Angeles
Jerome Z. Mersin, Securities and Exchange Commission
Jon Sutherland, California State University, San Diego, California

Committee on Honors

John D. Cushing, Massachusetts Historical Society,
Chairman
Paul A. Freund, Harvard Law School
Joseph W. McKnight, Southern Methodist University
School of Law

Committee on Documentary Preservation

Leo Hershkowitz, Queens College of the City of New
York, *Chairman*
H. Bartholomew Cox, National Archives
Richard B. Morris, Columbia University
Herbert T. Silsby, II, Ellsworth, Maine

Society Delegate to the American Council of Learned Societies

George L. Haskins, University of Pennsylvania Law
School

Society Appointees on the Committee on the Littleton-Griswold Fund of the American Historical Association

John D. Cushing, Massachusetts Historical Society
Robert M. Ireland, University of Kentucky
Joseph H. Smith, Columbia University School of Law

Studies in Legal History

- Morris S. Arnold, Indiana University Law School
(Bloomington), *Editor*
C.H.S. Fifoot, *Frederic William Maitland: A Life*.
1971
Raoul Berger, *Impeachment: The Constitutional Problems*. 1973
The Autobiographical Notes of Charles Evans Hughes,
edited by David J. Danielski and Joseph S.
Tulchin, 1973
John H. Langbein, *Prosecuting Crime in the Renaissance: England, Germany, and France*. 1974
Raoul Berger, *Executive Privilege: A Constitutional Myth*. 1974
George Dargo, *Jefferson's Louisiana: Politics and the Clash of Legal Traditions*. 1975
William E. Nelson, *Americanization of the Common Law: The Impact of Legal Change on Massachusetts Society, 1760-1830*. 1975
Maxwell H. Bloomfield, *American Lawyers in a Changing Society, 1776-1876*. 1976

American Journal of Legal History

- Published by Temple University School of Law for
the American Society for Legal History
Erwin C. Surrency, *Editor*
Frederick G. Kempin, *Associate Editor*
William E. Nelson and Michael E. Libonati, *Assistant Editors*
Alfred F. Konefsky, *Book Review Editor*

ASLH Newsletter

- Charles T. Cullen, Institute of Early American History and Culture, *Editor*