

AMERICAN SOCIETY
FOR
LEGAL HISTORY



*Seventh Annual Meeting
at
The Sheraton-Boston Hotel
Boston, Massachusetts
on
November 4-5, 1977*

Program

Registration

Beginning at 8:45 a.m., November 4

Third Floor Foyer

Friday, November 4

American Lawyers and Judges

10:00 a.m., Gardner Room

Chairman: Maxwell H. Bloomfield,
Catholic University of America

*"Fortify me against temptations": The Legal
Education and Early Legal Practice of
Daniel Webster*

Alfred S. Konefsky
State University of New York
(Buffalo) School of Law

*Federalist Jurisprudence in the Pennsylvania
Federal Courts, 1789-1801*

Stephen B. Presser
Northwestern University School of Law

Commentator
Maxwell H. Bloomfield

Medieval English Law

10:00 a.m., Hampton Room

Chairman: Samuel E. Thorne,
Harvard University Law School

*Adding Insult to iniuria: Affronts to Honor and the
Origins of Trespass*

John S. Beckerman
Haverford College

*Patterns of Lawyers' Reasoning in the Fourteenth
Century*

Donald W. Sutherland
University of Iowa

Commentator
Samuel E. Thorne

Friday, November 4

Colonial American Law

2:30 p.m., Gardner Room

Chairman: L. Kinvin Wroth,
University of Maine Law School

*Local Law, Institutions and Custom in Old and New
England During the Seventeenth Century*

David Grayson Allen
The Adams Papers
Massachusetts Historical Society

*Judicial Independence in Colonial
Massachusetts*

Barbara A. Black
Yale University

Commentator
L. Kinvin Wroth

Medieval Canon Law

2:30 p.m., Hampton Room

Chairman: James A. Brundage,
University of Wisconsin (Milwaukee)

Papal Decretal Letters as a Source of Law
Stanley Chodorow
University of California (San Diego)

Reflections on Gratian and His Commentators
John T. Noonan, Jr.
University of California School
of Law (Berkeley)

Commentator
James A. Brundage

Friday, November 4

Reception

5:00 p.m., Fairfax B Room

Brief Communications

8:30 p.m.

General Chairman: G. Edward White, University of Virginia School of Law

Panel on Status and Kinship in European Family Law:
Exeter A Room

Chairman: Paul Lucas, Clark University

Lenard R. Berlanstein, University of Virginia, "Juvenile Delinquency in Nineteenth-Century France"

Howard Nenner, Smith College, "Private Property Law and the Seventeenth-Century Monarchical Succession"

Panel on The Military Profession and Nineteenth-Century American Law:
Exeter B Room

Chairman: Joseph W. Bishop, Jr., Yale Law School

Edward Sherman, Indiana University School of Law (Bloomington), "American Military Justice and Nineteenth-Century Egalitarianism"

Philip S. Paludan, University of Kansas, "The Civil War and the Rule of Law: A Confederate Officer's Indictment for Murder"

Panel on The American Legal Profession and the Sociology of Knowledge:
Dalton A Room

Chairman: Gerard W. Gawalt, Library of Congress

Stephen Botein, Michigan State University, "Cicero as Role Model for Early American Lawyers"

Burton J. Bledstein, University of Illinois (Chicago Circle), "Power, Ceremony and the Uses of Knowledge in the Nineteenth-Century Legal Profession"

Panel on Joint Law and History Programs:
Dalton B Room

Chairman: Charles McCurdy, University of Virginia

Harold M. Hyman, Rice University, "Some Pedagogical Problems in Joint Law and History Programs"

Jonathan Lurie, Rutgers University (Newark), "A Response to Professor Hyman"

Saturday, November 5

Family Property and the Continental Legal Tradition

9:00 a.m., Jefferson Room

Chairman: Elizabeth A.R. Brown, Brooklyn College, City University of New York

*The English Testament in the Late Middle Ages:
A Preliminary Report*

Michael M. Sheehan
Pontifical Institute of
Medieval Studies (Toronto)

*Notaries, Seisin and "Family Secrets" in
Modern France*

Ralph E. Giesey
University of Iowa

Commentators

Philip Dawson, Brooklyn College,
City University of New York,
and Elizabeth A.R. Brown

Legal History, Urban History, and the City of New York

9:00 a.m., Hampton Room

Chairman: Jon C. Teafor, Purdue University

*The Corporation of the City of New York Before the
Civil War*

Hendrick Hartog
Brandeis University

*Law, Lawyers and the Merchants of New York City
in the First Decades After the Revolution*

Robert W. Gordon
University of Wisconsin Law School

Commentator
Jon C. Teafor

Saturday, November 5

General Address

11:00 a.m., Hampton Room

Chairman: Joseph H. Smith,
Columbia University School of Law

*Accommodating the Grasp of the Dead Hand:
Land, Liberty and Perpetuities*

George L. Haskins
University of Pennsylvania Law School

Luncheon

12:00 p.m., Fairfax A Room*

Presiding

Joseph H. Smith, Columbia University School of Law
President
American Society for Legal History

*A cash bar will open in the Fairfax A Room before the lunch.

Saturday, November 5

Problems in American Law and Policy around the Turn of the Century

1:45 p.m., Jefferson Room

Chairman: Morton Keller, Brandeis University

*Distributive Justice and Immigration Policy
(1865-1924)*

Robert M. Cover
Yale Law School

Comment: Morton Keller

*The Legal Origins of the Philanthropic Foundation
in the United States*

Stanley N. Katz
University of Chicago School of Law

(Presentation of a research project undertaken
jointly by Professor Katz and Barry Sullivan of the
Illinois Bar, Chicago)

Comment: Marion R. Fremont-Smith of the
Massachusetts Bar, Boston

Tudor-Stuart Legal History

1:45 p.m., Hampton Room

Chairman: J. Swanston Cockburn, *Elizabethan &
University of Maryland* *Jacobean America
Records*

*Some Aspects of Star Chamber Jurisdiction in the
Seventeenth Century*

Thomas G. Barnes
University of California (Berkeley)

Legal Aspects of Anglo-Scottish Union (1603-1707)

Brian P. Levack
University of Texas

Commentator
J. Swanston Cockburn

Saturday, November 5

Round Table Discussion: Unpublished Case Records as a Source of Legal and Social History

3:45 p.m., Hampton Room

Chairman: William E. Nelson
Yale Law School

DeLloyd J. Guth, University of Lancaster, *English
Pleas in the Later Middle Ages*

David Konig, Washington University, St. Louis,
The Judicial Records of Colonial Massachusetts

Richard Cole, Western New England College School
of Law, *The Records of Jurisdiction of the
Mid-Western Frontier*

American Society for Legal History

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*Deceased. July 10, 1977.

Corresponding Fellows

Francois Dumont, University of Paris
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American Historical Association*

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

*Deceased, July 10, 1977

Studies in Legal History

- Morris S. Arnold, University of Pennsylvania Law School, *Editor*
C.H.S. Fifoot, *Frederick 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
Morton J. Horwitz, *The Transformation of American Law, 1780-1860*. 1977
Robert Stevens, *Law and Politics: The House of Lords as a Judicial Body, 1800-1976* (forthcoming, 1978)
Stephen D. White, *Sir Edward Coke and the Grievances of the Commonwealth* (forthcoming, 1978)

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, Jr., *Associate Editor*
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ASLH Newsletter

- Charles T. Cullen, Institute of Early American
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