AMERICAN SOCIETY FOR LEGAL HISTORY

1987

Seventeenth Annual Meeting

at

Sheraton Society Hill

Philadelphia, Pennsylvania

October 23-24, 1987
Program

Registration
From 3:00 - 5:00 p.m., October 22
Beginning at 8:30 a.m., October 23

Ballroom Foyer
Sheraton Society Hill
Friday, October 23, 1987

Lawyers From The New Deal

8:30 a.m.-10:20 a.m., Cook Room

Melvin Urofsky, Chair
Department of History
Virginia Commonwealth University

The New Deal Legal Generation
G. Edward White
University of Virginia Law School

The Subsequent Careers of New Deal Lawyers
Peter Irons
Department of Political Science
University of California, San Diego

Commentators: Richard M. Abrams
Department of History
University of California, Berkeley

Milton Freeman
Arnold & Porter, Washington, D.C.

Crime in Early Modern Europe

8:30 a.m.-10:20 a.m., Claypoole Room

Charles Donahue, Jr., Chair
Harvard University Law School

The Secularization of Sin:
Church Courts and the Common Law in Elizabethan Kent
Victoria List
Department of History
Washington & Jefferson College

The Criminal Law System of Early 15th Century Florence
Laura Stern
Department of History
University of Michigan

Commentators: Sarah R. Blanshei
Provost, Lafayette College

Richard Fraher
Indiana University School of Law
Friday, October 23, 1987

The Constitution, Republicanism, and Women in the New Nation:
A Roundtable Discussion

10:30 a.m. -12:20 p.m., Cook Room

Barbara Black, Chair
Columbia University Law School

Participants: Hendrick Hartog
University of Wisconsin Law School

Elizabeth Clark
Cardozo School of Law, Yeshiva University

James Henretta
Department of History
University of Maryland

Constance Backhouse
University of Western Ontario Law School

The Forgotten Reconstruction Amendments

10:30 a.m. -12:20 p.m., Claypoole Room

William Nelson, Chair
New York University School of Law

Revisiting the Thirteenth Amendment
Robert Cottrol
Boston College School of Law

The Coming of the Fifteenth Amendment
Earl Maltz
Rutgers University School of Law, Camden

Commentators: Herman Belz
Department of History
University of Maryland

William Nelson

Friday, October 23, 1987

Use It or Lose It:
A Workshop On Archives

12:35 p.m.-1:35 p.m., Claypoole Room

Paul Finkelman, Chair
Department of History
State University of New York at Binghamton

Federal and State Archivists will examine issues such as criteria for deciding which judicial records will be saved and the types of court records available for scholarly use.

Participants: R. Michael McReynolds
National Archives and Records Administration

Robert J. Plowman
National Archives – Philadelphia Branch

Christopher Fritsch
Lancaster Historical Society

Al Palazzo
New York Office of Court Administration

James D. Folts
New York State Archives
& Records Administration

Differing Approaches to Legal Realism:
A Roundtable with Lawyers and Historians

1:45 p.m. -3:30 p.m., Cook Room

Carol Weisbrod, Chair
University of Connecticut Law School

Participants: Laura Kalman
Department of History
University of California, Santa Barbara

Edward Purcell
Paul, Weiss, Rifkind, New York

Zipporah Batschaw Wiseman
University of Texas Law School
Friday, October 23, 1987

English Popular Constitutional Thought

1:45 p.m.-3:30 p.m., Claypoole Room

Douglas Hay, Chair
Osgoode Hall Law School

Legal Thought and Political Consciousness in Early 17th Century England

Christopher Brooks
Department of History
University of Durham

The Constitutional Idiom: Radical Rhetoric, Reason, & Action, 1790 – 1850

James Epstein
Department of History
Vanderbilt University

Commentators: Charles Gray
Department of History
University of Chicago

Stewart Weaver
Department of History
University of Rochester

Approaches to the Emergence of Modern Corporation Law

3:45 p.m.-5:30 p.m., Cook Room

Victor Brudney, Chair
Harvard University Law School

The New Economic Theory of the Firm in Historical Perspective

William Bratton
Cordozo Law School
Yeshiva University

Conceptions of the Corporation and Doctrinal Change: The Development of the Shareholder's Derivative Suit

Charles Yablon
Cordozo Law School
Yeshiva University

Commentators: David Sugarman
The Davis Center for Historical Studies
Princeton University

Peter Temin
Department of Economics
Massachusetts Institute of Technology

Origins and Implementation of Desegregation

3:45 p.m.-5:30 p.m., Claypoole Room

David Garrow, Chair
Department of Political Science
City University of New York

Desegregation as a Cold War Imperative

Mary Dudziak
University of Iowa School of Law

Florida's Governors Confront the Brown Decision

David Colburn
Department of History
University of Florida

Commentators: J. Mills Thornton
Department of History
University of Michigan

Adolph Reed
Department of Political Science
Yale University
Friday, October 23, 1987

Reception
6:00 p.m.-7:30 p.m.

Temple University School of Law will host a Reception in the Faculty Reception Room of the Law School
1719 North Broad Street.

Saturday, October 24, 1987

Developments in Nineteenth Century American Constitutional History

8:40 a.m.-10:50 a.m., Cook Room

R. Kent Newmeyer, Chair
Department of History
University of Connecticut

Social Federalism: Nonprofit Corporations from Dartmouth College to Pierce V. Society of Sisters
Bruce Campbell
University of Toledo College of Law

The Roots and Significance of the Vested Rights Doctrine – A Fresh Look
William Fisher
Harvard University Law School

The Lochner Era Jurisprudence and the American Constitutional Tradition
Stephen Siegel
Depaul University College of Law

Comments: Avi Soifer
Boston University School of Law

Charles McCardy
Department of History
University of Virginia
Saturday, October 24

Recurring Issues in English Private Law

8:40 a.m.-10:50 a.m., Claypoole Room

Richard Helmholz, Chair
University of Chicago Law School

The Legal Reforms of Henry II
Joseph Biancalana
University of Cincinnati College of Law

Bracton, the Year Books, and the 'Transformation of Elementary Legal Ideas' in the Early Common Law
David Seipp
Boston University School of Law

Reinterpretations of 18th Century English Contract Theory
James Oldham
Georgetown University School of Law

Participants: Richard Helmholz
A. W. Brian Simpson
University of Michigan Law School

General Address

11:00 a.m.-12:00 p.m., Ballroom A

Slavery, the Framers, and the Antebellum Constitution
Don E. Fehrenbacher
Department of History
Stanford University

Participants: Michael Les Benedict
Department of History
Ohio State University

Lawrence Friedman
Stanford University Law School

Gerald Gawalt
Library of Congress

Frank Mungen
State University of New York at Buffalo School of Law

Maxwell Bloomfield
Department of History
Catholic University

Doctors’ Commons and the Influence of the Civilians on Anglo-American Law

1:30 p.m.-3:30 p.m., Claypoole Room

Alan Watson, Chair
University of Pennsylvania Law School

The Post-Restoration English Civilians (1653-1750)
Daniel Coquillette
Boston College School of Law

Dr. Lushington’s Ecclesiastical Decisions
Stephen Waddams
University of Toronto Faculty of Law

The Question of Reception in Late Nineteenth-Century England
Michael Hoeflich
University of Illinois College of Law

Participants: Brian Leacock
Department of History
University of Texas

Commentators: Alan Watson

Luncheon

12:00 p.m., Ballroom C

Presiding: Barbara A. Black
Columbia University School of Law
President, American Society for Legal History

Address: The State of the Society
American Society for Legal History

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Studies in Legal History
Thomas A. Green, University of Michigan Law School
Schedule of Forthcoming Meetings of the Society

October 21-22, 1988
Francis Marion Hotel
Charleston, South Carolina

October 20-21, 1989
San Francisco, California

October 19-20, 1990
Chicago, Illinois

Studies in Legal History

C.H.S. Fitto, Frederick William Maitland: A Life. (1971)
The Autobiographical Notes of Charles Evans Hughes, edited by David J. Danielski and Joseph S. Tulchin. (1973)
George Dargo, Jefferson's Louisiana: Politics and the Clash of Legal Traditions. (1975)
David Thomas Konig, Law and Society in Puritan Massachusetts, Essex County, 1629-1692. (1979)
Robert Stevens, *The Law School: Legal Education in America from the 1850s to the 1980s.* (1983)
Stephen D. White, *Custom, Kinship, and Gifts to Saints.* (forthcoming)
James Oldham, *Unpublished Legal Papers of Lord Mansfield.* (forthcoming)
John Henry Schlegel, *American Legal Realism and Empirical Social Science.* (forthcoming)

Membership in the American Society for Legal History is available to all persons interested in the general history of law, its origins, and its institutional growth. The annual dues are $10.00 for student members, $18.00 for regular members, $35.00 for sustaining members, $45.00 for institutional members, $100.00 for sponsoring members, and $400.00 for life members. Dues include the cost of a subscription to the *Law and History Review* which is published twice a year, and to the *Newsletter*, which also appears twice a year, and the right to receive all publications of the Society upon terms set for each type of volume published. Communications concerning the Society may be addressed to Professor Michael de L. Landon, University of Mississippi, Department of History, University, Mississippi 38677.