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NEWSLETTER of the American Society for Legal History

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NEWS OF THE SOCIETY

Board of Directors' Meeting, May 16, 1973

The annual meeting of the Board coincided, as usual, with the Washington meeting of the American Law Institute. Several actions were taken and can now be announced.

President Haskins has appointed John D. Cushing, Joseph H. Smith and Robert M. Ireland as Society members of the Joint Littleton-Griswold Committee. The American Historical Association invited the Society to cooperate in forming a joint committee in December, 1972. AHA members (also, coincidentally, members of the Society) are Stanley N. Katz (Chairman), Hiller B. Zobel and Lawrence A. Harper.

The Board voted to recognize Professor Leo Hershkowitz for his work with the New York Historical Documents Collection at Queens College of the City University of New York. This unique collection, which has been in existence since 1962, houses many of the pre-Civil War legal records of the State of New York. Professor Hershkowitz and others at the Collection have also been instrumental in calling attention to the wider problem of archival preservation in the New York area.

The Board also voted to recognize its member, Professor Michael Kammen, for receiving the 1973 Pulitzer Prize for History (for People of Paradox, Knopf, 1972) and Mrs. Donna M. Smith (University of Pennsylvania Law School) for her services as secretary to the President.

At its May 16 meeting the Board of Directors elected the following Honorary Fellows of the Society:

John P. Dawson, Professor, Harvard Law School. A distinguished legal historian, Professor Dawson has authored books on A History of Lay Judges and The Oracles of the Law.



Charles Fairman, Professor, Harvard Law School. A distinguished legal and constitutional historian, Professor Fairman has written books on Mr. Justice Miller and the Supreme Court and Reconstruction and Reunion, vol. VI, Part I (1864-1874) of the Holmes Devise History of the Supreme Court of the United States.

The Board also elected the following Corresponding Fellows of the Society:

Professor Francois Dumont, Professor, Faculty of Law, University of Paris. He is an expert on the history of French Private Law.

Alfonso Garcia Gallo, Professor of the History of Spanish Law, University of Madrid. He has written numerous books and articles on Spanish legal history including the definitive general history of Spanish law.

Professor R. C. van Caenegem, Professor, University of Ghent. He is an expert in English-continental legal history.

The Board voted to establish a Student Essay Prize for the best essay submitted by a graduate or law student to the American Journal of Legal History. A complete statement of rules will be announced in the Journal, but in general the essays must be identified by their authors as contenders for the Prize and must be accompanied by a supporting letter from the faculty member under whose supervision the essay was prepared. The prize-winning essay will be chosen from among those selected for publication by the editorial staff of the Journal and published therein.

#### Other Society Announcements

Five new members have been elected to the Board of Directors:

Brendan F. Brown, Professor, Loyola University Law School. Professor Brown is a student of Roman, Canon and 18th century American law; a former Penfield Scholar at Oxford University; a former Society vice-president and a long-time director.

H. Bartholomew Cox, Chief, Center for the Documentary Study of the American Revolution, National Archives. Dr. Cox is also chairman of the Society's committee on documentary preservation and has been instrumental in efforts to secure federal legislation to promote documentary preservation.

Morris D. Forkosch, Professor, University of San Diego Law School. Professor Forkosch has been active in the Society since its inception and served as president from 1958 to 1961. He has been a director since 1961.



Peter J. Liacouras, Dean, Temple University Law School. Dean Liacouras is a former Sterling Fellow, Yale University, and a specialist in international law. In 1967 he served as a specialist on India in the State Department.

Daniel J. Meador, James Monroe Professor of Law, University of Virginia Law School. Professor Meador served as law clerk to Mr. Justice Black, was Fulbright Lecturer in the United Kingdom, and served as Dean of the University of Alabama Law School.

Professor Joseph W. McKnight, Southern Methodist University Law School, Dallas, Texas 75222 is chairman of the 1974 Program Committee.

The 1973 Annual Meeting will take place at the Center for Continuing Education, 1307 East 60th Street, Chicago, Illinois 60637 under the direction of Stanley N. Katz, University of Chicago Law School. Arthur R. Hogue, Department of History, Ballantine Hall, Indiana University, Bloomington, Indiana 47401 has replaced Neal Allen as Program Chairman.

#### Revision of Society By-Laws

Professor Joseph W. McKnight of the Southern Methodist University Law School has been appointed by President George L. Haskins to draft a revised set of by-laws for the American Society for Legal History, and reported to the ASLH Board of Directors meeting held in Washington on May 16, 1973. Professor McKnight is a former vice-president of the Society and for many years has served as a member of the Board of Directors. The Society by-laws, although altered by amendments, have never been subjected to a comprehensive reevaluation since the establishment of the Society in 1956.

It is anticipated that the tentative draft of revised by-laws will be submitted to a committee for final review before submission to the membership in a referendum to be held in November 1973. Pending the appointment of such a committee, it is requested that members wanting to suggest alterations in the Society's by-laws, printed in The Legal Historian for 1967, should send their proposals to Professor Robert M. Ireland, Executive Assistant to the President of the Society, Department of History, University of Kentucky, Lexington, Kentucky 40506.

#### Membership in ACLS

The American Society for Legal History was elected to constituent membership in the American Council of Learned Societies on January 19, 1973. This action by the Council of the ACLS concluded



a careful examination of the Society's activities and programs by a special committee appointed to evaluate the American Society for Legal History. The American Council of Learned Societies is a private non-profit federation of national scholarly organizations concerned with the humanities and humanistic aspects of the social sciences. It was organized in 1919 and incorporated in the District of Columbia in 1924. Among the constituent members of the ACLS are the American Philosophical Society, the American Academy of Arts and Sciences, the American Historical Association, the Association of American Law Schools, the American Political Science Association, the American Society of International Law, the Mediaeval Academy of America, the Organization of American Historians and the American Studies Association.

By virtue of its constituent membership the American Society for Legal History is entitled to nominate a delegate to represent it on the Council. The Executive Committee of the Society has appointed Professor George L. Haskins, President the Society, to serve as the Society's first delegate to the American Council of Learned Societies. Professor William F. Schulz, Jr., Secretary of the Society, will represent the Society in the Committee of Executive Secretaries organized for liaison purposes by the ACLS.

### Necrology

The Society regrets the deaths of the following members: Homer Crotty, Los Angeles, California; Herbert Packer, Professor of Law, Stanford; Oswald P. Backus, Professor of History and of Slavic and Soviet Area Studies, University of Kansas; and Professor William B. Hamilton, Department of History, Duke University.

### STUDIES IN LEGAL HISTORY

As a result of recent events in Washington, D.C. Raoul Berger's book Impeachment: The Constitutional Problems has received much publicity on television and elsewhere. The Harvard University Press has agreed to make the book available again at a special 30% discount to members of the Society in good standing, provided orders are received by the Treasurer by July 31, 1973. The retail price of the book is \$14.95; the price to members will be only \$10.45, including mailing and handling charges. Orders, accompanied by a check in the amount of \$10.45, should be mailed to:

Professor Joseph H. Smith  
Columbia University School of Law  
435 West 116th Street  
New York, New York 10027

Copies will be mailed to purchasing members directly by the Harvard University Press. The Berger book is the second volume



in STUDIES IN LEGAL HISTORY, a series published by Harvard University Press in association with the Society.

The third volume in the series, The Autobiographical Notes of Charles Evans Hughes, edited by David J. Danelski and Joseph S. Tulchin has just been published by the Harvard Press.

The fourth volume, John H. Langbein's Prosecuting Crime in the Renaissance: England, Germany, France is currently in press, and is scheduled for publication in January, 1974. The Editorial Advisory Board has several attractive manuscripts in hand, and it is hoped that we will continue to publish at least two volumes a year in the future.

While it is too early to report on reviews of the Berger volume, the series editor is pleased to report that favorable reviews of our first volume, the Fifoot biography of Maitland, continue to appear. The TLS commented: "Many books by dons about dons are painfully donnish, pawky, or plain dull. This one is different: it is irradiated with the almost magical charm of Maitland's personality." Professor Norman Gash of St. Andrews University, writing in Victorian Studies, noted that "Mr. Fifoot's biography is the first comprehensive life of Maitland, and his dry, delicate style is worthy of the subject. . . . For the specialist in medieval or legal history there are obvious rewards here. But even for the non-specialist it is an interesting story . . ."

#### AMERICAN JOURNAL OF LEGAL HISTORY

An error was made in the January NEWLETTER. Manuscripts for submission to the Journal should be addressed to the Editor, Erwin C. Surrency, Temple University School of Law, Philadelphia, Pennsylvania. 19122.

#### CONFERENCES

##### Plea Roll Conference

Professor Sue Sheridan Walker's "Conference on the English Plea Rolls" sponsored by the Society and the Department of History, Northeastern Illinois University was held in Chicago on April 13 and 14. Distinguished scholars from Scotland, England, Canada as well as from the United States attended this remarkably successful conference. Papers were delivered by Barbara Westman, W. R. Jones, Charles Young, T. A. Sandquist, Morris Arnold, Michael Clanchy,



Louis Knafla and Edith Henderson. After-dinner speakers were Dr. Roy Hunnisett of the PRO and Professor S.F.C. Milsom of London School of Economics. It is hoped that some or all of the conference proceedings will find their way into print shortly.

## FELLOWSHIPS

### ABF

The Legal History Project of the American Bar Foundation has announced its 1973 fellowship awards. The Merit Fellowship was awarded to Professor Leonard Levy of the Claremont Graduate School. Grants-in-aid for varying periods were awarded to Professor Richard Danzig (Stanford Law School), Professor Robert M. Ireland (History, University of Kentucky), and Professor William A. Wilbur, (History, Purdue University). The Project is under the chairmanship of Professor Thomas Barnes, Department of History, University of California at Berkeley.

### ACLS

The ACLS has announced the award of fellowships to James S. Cockburn (History, University of Maryland) and Philip S. Paludan (History, University of Kansas) for study in legal history.

## AALS LEGAL HISTORY SECTION

At the 1972 Annual Meeting in New York City the Association of American Law Schools organized a new Section on Legal History. All those persons listed in the Directory of Law School Teachers will automatically become members of the Section unless they prefer to remain out. Joseph H. Smith (Columbia Law School) is Section Chairman for 1973. Most members of the Section Council are also members of the Society. The Section is compiling material for a report tentatively entitled "Publication Programs of Interest to Legal Historians," and Professor Smith would be pleased to hear from any member of the Society as to recent books, articles or papers, or current publications or research plans which might be of interest to legal historians. Copies of the report to the AALS Legal History Section will be made available to interested members of the Society upon request. The report will not be available until December, 1973, but any contributions should be submitted well in advance of that date.

### LAW BOOKS IN REVIEW

Glanville Publishers, Inc. (Dobbs Ferry, New York 10522) has recently announced the anticipated publication Law Books in Review, a periodical to be issued quarterly, devoted to capsule reviews of new law publications. The editor of the quarterly is Sam P. Williams. LBIR is priced at \$20.00 per year and \$22.50 for foreign subscriptions. The journal will review books in legal history as well as other law books.

P.S. The Editor would like to remind members that he hopes to receive letters, announcements and the like for inclusion in the NEWSLETTER. If some types of information are not being transmitted, please let me know so that future NEWSLETTERS can do better.