

AMERICAN SOCIETY
FOR
LEGAL HISTORY



*Fifth Annual Meeting
at the
Fairmount Colony Square Hotel
Atlanta, Georgia
on
November 7 - 8, 1975*

Program

Registration

9:00 A.M. — 2:00 P.M., November 7, 1975

Grand Ballroom Foyer

Friday, November 7

Military Justice ~~and in~~
Civilian Control
Historical Perspective
10:00 A.M., State Room

Edward Sherman, Indiana University Law School
Chairman

Courts Martial in Eighteenth Century England

Arthur N. Gilbert,
University of Denver

*Postwar Military Justice in America: Reforms Based
on Inherent Needs of the Service*

William T. Generous, Jr.,
Choate School

Comments

John Costello, U. S. Army Court of Military Review

Friday, November 7

Law and the American Indian

10:00 A.M., Georgia Room

W. Daniel Baird
(Amherst)
~~Hugh F. Bell, University of Massachusetts~~
~~(Amherst)~~
Chairman

Puritan Due Process of Law and the Indians

Yasu Kawashima,
University of Texas (El Paso)

*The Smoked Meat Rebellion and the Grey Horse
Murders: Hanging Judge Parker and Justice in
the Indian Country*

Rennard J. Strickland
University of Washington
Law School

~~Barbara Graymont, Nyack College~~
Comments

Friday, November 7

Aspects of Medieval Law

2:30 P.M., State Room

George P. Cuttino, Emory University
Chairman

*Legal Procedure and Litigation Charters in North
Italy, 960-970*

Jon Sutherland,
California State University
(San Diego)

The Legal Concept of a Just War

Frederick Russell
Rutgers University (Newark)

Comments

Simeon L. Guterman, New York Law School

Friday, November 7

Law and Slavery

2:30 P.M., Georgia Room

William M. Wiecek, University of Missouri
(Columbia)
Chairman

*Some Aspects of the Non-Constitutional Law of
Slavery in the South, 1810-1860*

Mark Tushnet,
University of Wisconsin
Law School

*Prelude to Abolition: Enforcement of the Anti-Slave
Trade Statute of 1794*

Jay Coughtry
Northeastern Illinois University

Comments

Donald M. Roper, State University of New York
College (New Paltz)

Friday, November 7

Reception

5:30 P.M., Squire Room

Friday, November 7

Brief Communications

8:30 P.M., Georgia 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 chairman. A syllabus of communications will be available at the registration desk.

Saturday, November 8

Reception of Law in Louisiana

9:30 A.M., State Room

George Dargo, City College of the City University of
New York
Chairman

*Spanish and French Private Law in Louisiana,
1769-1803*

Hans Baade,
University of Texas
School of Law

*The Influence of French Spanish
Law on Mission Land Titles
Rush H. Linbaugh
Cape Girardeau, Mo.*

*The Spanish Background of the Louisiana Digest of
1808*

Robert A. Pascal,
Louisiana State University
School of Law

Comments

Joseph W. McKnight, Southern Methodist University
School of Law

Saturday, November 8

Erring Judges

9:30 A.M., Assembly Room

Kathryn T. Preyer, Wellesley College
Chairman

*"That No Office Whatever Be Held During Life or
Good Behavior:" Judicial Impeachments and the
Struggle for Democracy in South Carolina*

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

*The Massachusetts Code of Judicial Conduct: An
Historical Perspective*

John F. Burke
Supreme Judicial Court of
Massachusetts

Comments

Jonathan Lurie, Rutgers University (Newark)

Saturday, November 8

Luncheon

12:30 P.M., Georgia Room

Presiding

Herbert A. Johnson, Institute of Early American
History and Culture

President
American Society for Legal History

Saturday, November 8

Changes and Borrowing in Late Medieval Russian Law

2:30 P.M., Assembly Room

Richard Hellie, University of Chicago
Chairman

*Modernization of Old Russian Law in the 13th to
15th Centuries*

Daniel H. Kaiser
University of Chicago

*The Bible, Byzantium and the First Slavic Law Code:
The Russian Reception of the "Court Law for
the People" (Zakon Sudnyi Liudem)*

Ann M. Kleimola
University of Nebraska

Comments

Horace W. Dewey, University of Michigan

Saturday, November 8

Latter Day Anti-Trust Enforcement

2:30 P.M., State Room

Paul I. Murphy, University of Missouri
Chairman

*Divorce American Style: The DuPont Divestiture of
General Motors*

Theodore P. Kovaleff
Barnard College

Comments

*Michael A. Doyle
Atlanta*

Saturday, November 8

Round Table Discussion: Lawrence Friedman's History of American Law

4:30 P.M., Georgia Room

William E. Nelson, Yale Law School
Chairman

Participants: Lawrence M. Friedman, ~~Center for
Advanced Studies in the Behavioral
Sciences~~ *Stanford University Law School*

G. Edward White, University of Virginia Law School
Daun van Ee, Johns Hopkins University

American Society for Legal History

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Herbert A. Johnson, Institute of Early American History and Culture, *President*
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Peter J. Liacouras, Temple University School of Law
Milton M. Klein, University of Tennessee (Knoxville)
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Sue Sheridan Walker, Northeastern Illinois University
Charles M. Gray, Yale University
Hugh F. Bell, University of Massachusetts (Amherst)
Gerald T. Dunne, Washington University School of Law
Stanley N. Katz, University of Chicago School of Law
William E. Nelson, Yale Law School
Kathryn Preyer, Wellesley College
Frederick Bernays Wiener, Phoenix, Arizona

Fellows

John P. Dawson, Harvard Law School
Charles Fairman, Harvard Law School
Gaines Post, Princeton University
A. Arthur Schiller, Columbia University School of Law
Samuel E. Thorne, Harvard Law School

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Francois Dumont, University of Paris
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

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R. Randall Bridwell, University of South Carolina
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New York, *Chairman*
H. Bartholomew Cox, National Archives
Herbert T. Silsby, II, Ellsworth, Maine
Richard B. Morris, Columbia University

Studies in Legal History

Published by Harvard University Press in Association
with the American Society for Legal History

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

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*

BRIEF COMMUNICATIONS

Continuing the Society's experiment of last year, a "Brief Communications" session will be held in the Georgia Room at 8:30 P.M. Friday evening.

The session will consist of round tables at which brief reports of research-in-progress, teaching problems, unresolved questions, etc., will be given. Informality is the key; and anyone is welcome to sound off, question, and expostulate.

As of this writing, the following sessions are scheduled:

Table 1 Problems in Teaching Legal History: The Western Legal Tradition

Jonathan Lurie	Rutgers - Newark
Simeon Guterman	New York Law School

Table 2 Problems in English Legal History

Morris Arnold	Indiana University Law School
Edward O. Smith	SUNY College at Buffalo
Nancy Arnson	University of Maryland
Janet Loengard	Moravian College

More sessions will be welcomed. If you desire to participate, see Jonathan Lurie or Hugh F. Bell.

AMERICAN SOCIETY FOR LEGAL HISTORY

1975 Annual Meeting

Errata and Additions
to the
Printed Program

Page 3 Law and the American Indian

Delete Hugh F. Bell as Chairman and insert W. David Baird,
University of Arkansas as Chairman
Delete Barbara Graymont and insert Donald Grinde, SUNY
College at Buffalo as Commentator

Page 5 Law and Slavery

Professor Coughtry is at Northern Illinois University

Page 8 Reception of Law in Louisiana

Add a third paper
Rush H. Limbaugh, Limbaugh, Limbaugh & Russell, Cape
Girardeau, Mo.
"The Influence of French and Spanish Law on Land Titles in
Early Missouri"

Page 12 Latter Day Anti-Trust Enforcement

Add Michael A. Doyle, Alston, Miller & Gaines, Atlanta as
Commentator

Page 13 Lawrence Friedman is now with Stanford University Law School

SPECIAL NOTE:

If any of the members or guests would like to share some of their recent research, discuss the teaching of legal history, or pose problems encountered in their work at the "Brief Communications" session Friday evening do not hesitate to get in touch with either Jonathan Lurie, session chairman, or Hugh F. Bell, program chairman.