

AMERICAN SOCIETY  
FOR  
LEGAL HISTORY



*Historia Omnium Legum*

*Tenth Annual Meeting  
at  
The Barclay  
Philadelphia, Pennsylvania  
on  
October 24-25, 1980*

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## Program

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### *Registration*

Beginning at 8:30 a.m., October 24, 1980

Regency Room Foyer, 2nd Floor

Friday, October 24

✓ **Antebellum Commercial Law:  
Civil Law and Common Law  
Approaches to Secured Transactions**

9:30 a.m., Regency Room

Chair: David J. Bodenhamer  
University of Southern Mississippi

*Civil Law Approaches*

Richard Kilbourne, Jr.  
Paul W. Herbert Law Center  
Louisiana State University

*Common Law Approaches*

Tony A. Freyer  
University of Arkansas, Little Rock

Comment: Harold R. Weinberg  
College of Law  
University of Kentucky

**Legal Aspects of Warfare in the  
Ancient Near East**

9:30 a.m., Parisien Room

Chair: Honorable Edward Dumbauld  
U.S. District Judge  
Western District of Pennsylvania

*Legal Aspects of Warfare in Ancient Israel*

Leonard Greenspoon  
Clemson University

*Legal Aspects of Warfare in Ancient Mesopotamia*

Victor Matthews  
Anderson College

Comment: Baruch Halpern  
York University, Toronto, Ontario

Friday, October 24

**Is The Study of Constitutional  
History and Public Law Dead?**

2:00 p.m., Regency Room

Chair: Stanley I. Kutler  
University of Wisconsin, Madison

*Complementary Themes in Two Modes:  
Constitutional History and the New Legal History*

Harry N. Scheiber  
University of California, San Diego

*American Constitutional Law: Dismal Backwater or  
Exciting New Directions?*

John R. Schmidhauser  
University of Southern California

Comment: Paul L. Murphy  
University of Minnesota  
J. Woodford Howard, Jr.  
Johns Hopkins University

**Afro-American Slavery and  
Judicial Adaptation** ✓

2:00 p.m., Parisien Room

Chair: Jo Ann Manfra  
Worcester Polytechnic Institute

*Adaptation of Eighteenth Century African Judicial  
Systems to the Atlantic Slave Trade*

Susan H. Broadhead  
University of Louisville

*Adaptation of Afro-American Slaves to the  
Anglo-American Judiciary*

Philip J. Schwarz  
Virginia Commonwealth University

Comment: Daniel C. Littlefield  
Louisiana State University

Friday, October 24

✓ **Panel Discussion: Issues and  
Prospects for Nineteenth Century  
Legal and Economic History**

4:00 p.m., Parisien Room

Chair: ~~Harold M. Hyman~~ *Harry Schribes*  
~~Rice University~~ *U. Calif., San Diego*

Discussants: Mark V. Tushnet  
University of Wisconsin Law School  
Charles M. McCurdy  
University of Virginia  
Stuart Bruchey  
Columbia University

Friday, October 24

**Reception**

5:00 p.m., Mirage Room

*Welcome*

Dean James O. Freedman  
University of Pennsylvania Law School

Hors d'oeuvres provided by  
The University of Pennsylvania Law School

Friday, October 24

**Brief Communications**

9:00 p.m.

1. Regency Room

*Criminal Law Round Table*

Chair: David H. Flaherty  
University of Western Ontario

Kathryn T. Preyer  
Wellesley College

Donna J. Spindel  
Marshall University

Thomas A. Green  
University of Michigan

And all other persons interested in the field.

2. East English

*Slavery, Law and the Legal Profession*

Chair: James W. Ely, Jr.  
Vanderbilt University Law School

*Salmon Chase and the Anti-Slavery Bar*

Paul Finkelman  
University of Texas, Austin

*Free Blacks and the Use of Law in  
Antebellum America*

Juliet E.K. Walker  
University of Illinois at Urbana

3. West English

*Medieval and Early Modern Legal History*

Chair: John V. Orth  
University of North Carolina Law School

*Jews in the Medieval Canonical Courts*

Francis R. Czerwinski  
State University of New York College at Cortland

*Maffeo Vegio and the Beginnings of  
Juridical Humanism*

W. Keith Percival  
University of Kansas

4. Parisien A

✓ *Modern English Legal History*

Chair: Sue Sheridan Walker  
Northeastern Illinois University

*Lord Mansfield's Trial Notebooks  
and Autograph Opinions*

James C. Oldham  
Georgetown University Law School

*Adoption in Early Modern England*

Lloyd Bonfield  
Cornell Law School

5. Parisien B

*Workshop on Access to Lawyers' Papers*

Chair: Robert D. Williams  
Warner & Stackpole

Panelists: Robert W. Gordon  
University of Wisconsin Law School

Ruth Simmons  
Rutgers University Libraries

(Draft guidelines and commentary on the issue of access to  
lawyers' papers will be available at the registration desk.)

Saturday, October 25

**English Local Courts** ✓

9:00 a.m., Regency Room

Chair: J.A. Raftis  
Pontifical Institute of Medieval Studies  
Toronto, Canada

*Medieval Labor Relations in Town and Country*

Elaine Clark  
University of Michigan

*Tudor Manor Courts and Community Interests*

Marjorie McIntosh  
University of Colorado

Comment: John S. Beckerman  
New Haven, Connecticut

**A Radical Perspective on the  
History of American Labor Law  
Since World War II**

9:00 a.m., Parisien Room

Chair: Wythe W. Holt, Jr.  
University of Alabama Law School

*Labor Law as Ideology: The Supreme Court and the  
NLRB After World War II*

Karl Klare  
Northeastern University Law School

*Government Without Rights: The Labor Law Vision of  
Archibald Cox and David Feller*

Staughton Lynd  
Attorney, Youngstown, Ohio

Comment: Melvyn Dubofsky  
State University of New York  
at Binghamton

Duncan Kennedy  
Harvard Law School

Saturday, October 25

## General Address

11:00 a.m., Mirage Room

✓ *The Trial Balloon: Aspects of Litigation  
in American History*

Lawrence M. Friedman  
Stanford Law School

## Luncheon

12:00 noon, Ballroom

Presiding: Milton M. Klein  
University of Tennessee, Knoxville  
*President*  
American Society for Legal History

Saturday, October 25

## The English Judiciary in the Sixteenth and Eighteenth Centuries ✓

1:45 p.m., Regency Room

Chair: Joseph W. McKnight  
Southern Methodist University School of Law

*The Jurisprudence of Lord Mansfield*

Kenneth M. Holland  
University of Wisconsin, Madison

*Sir Anthony Fitzherbert in Historical Perspective*

Frederick L. Boersma  
Wayne State University

Comment: Michael de L. Landon  
University of Mississippi

## Law and Jurisprudence During the Progressive Era

1:45 p.m., Parisien Room

Chair: Robert Jerome Glennon  
Wayne State University Law School

*Progressive Jurisprudence in the West:  
The Washington Supreme Court, Labor Law, and  
the Problem of Industrial Accidents*

Joseph F. Tripp  
The Citadel

*The United States Supreme Court and Industrial  
Accident Law, 1888-1919*

John Semonche  
University of North Carolina, Chapel Hill

Comment: John R. Wunder  
Texas Tech University

# American Society for Legal History

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

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Donald M. Roper, State University of New York, College at New Paltz  
Emily Z. Tabuteau, Michigan State University  
Peter R. Teachout, Vermont Law School

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Susan R. Falb, National Archives and Records  
Sarah Gottsman, Esq., Office of Special Counsel,  
U.S. Department of Energy  
Maurice J. Holland, Indiana University School  
of Law  
John H. Langbein, University of Chicago Law School  
Paul L. Murphy, University of Minnesota  
A.E. Keir Nash, University of California at  
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Kenneth J. Pennington, Syracuse University

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Buffalo School of Law

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of America  
Herbert A. Johnson, University of South Carolina

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School of Law  
Gerwald W. Gawalt, Library of Congress  
George A. Billias, Clark University  
Stephen F. Black, Wilmer & Pickering,  
Washington, D.C.

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Joseph W. McKnight, Southern Methodist University  
Law School, *Chair*  
Charles Donahue, Jr., Harvard Law School  
Richard H. Helmholtz, Washington University  
School of Law

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Susan Grigg, Archivist, Yale University Library, *Chair*  
David Grayson Allen, Adams Papers,  
Massachusetts Historical Society  
Phyllis Barr, Archivist, Trinity Church, New York  
Michael Churgin, University of Texas School of Law  
Michael S. Hindus, McCutchen, Doyle, Brown &  
Emerson, San Francisco  
Rayman L. Solomon, American Bar Foundation,  
Chicago  
Robert D. Williams, Warner & Stackpole, Boston



*Society Delegate to the American Council  
of Learned Societies*

Stanley N. Katz, Princeton University (1984)

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

Robert M. Ireland, University of Kentucky (1983)

David Konig, Washington University (1985)

Joseph H. Smith, Columbia University School of  
Law (1981)

*Editors of the ASLH Newsletter*

Robert J. Haws, University of Mississippi

Michael de L. Landon, University of Mississippi

*Studies in Legal History*

G. Edward White, University of Virginia School  
of Law, Editor

*Studies in Legal History*

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*. 1978

Stephen D. White, *Sir Edward Coke and the  
Grievances of the Commonwealth*. 1979

David Konig, *Law and Society in Puritan  
Massachusetts, Essex County, 1629-1692*. 1979

Richard A. Cosgrove, *The Rule of Law: Albert Venn  
Dicey, Victorian Jurist*. (forthcoming 1980)

Michael S. Hindus, *Prison and Plantation: Criminal  
Justice in 19th Century Massachusetts and  
South Carolina*. (forthcoming in 1980)

Paul Finkelman, *An Imperfect Union: Slavery,  
Federalism, and Comity*. (forthcoming 1980)

Robert C. Means, *Underdevelopment and the  
Development of Law: Corporations and  
Corporate Law in 19th Century Colombia*.  
(forthcoming 1980)

*On the Laws and Customs of England: Essays in  
Honor of S.E. Thorne*, edited by Morris S.  
Arnold, Thomas A. Green, Sally A. Scully, and  
Stephen D. White. (forthcoming 1980 or 1981)

## Notes

PROGRAM CHANGE

1980 MEETING OF AMERICAN SOCIETY FOR LEGAL HISTORY

| SESSION   | TIME  | CHANGE  |
|---|---|---|
| Panel Discussion:<br>Issues and Prospects<br>for Nineteenth Century<br>Legal and Economic History | Friday, October 24, 1980<br>4:00 P.M.<br>Parisiien Room | Professor Harry N. Scheiber<br>University of California,<br>San Diego<br>vice<br>Harold M. Hyman<br>Rice University |