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ASLH NEWSLETTER

AMERICAN SOCIETY FOR LEGAL HISTORY

Robert J. Haws
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Department of History
University, MS 38677

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NEWS OF THE SOCIETY

Annual Meeting

The 1980 Annual Meeting will be held October 24-25 at the Barclay Hotel in Philadelphia. It is hoped that as many members as possible can will attend. Further information concerning reservations, etc. will be mailed out shortly.

Notice from the Secretary

From mid-August till mid-June 1981 the Secretary, Henry J. Bourguignon, will be doing research in England. His colleague at The University of Toledo College of Law, Professor Bruce A. Campbell, will serve as Acting Secretary and will carry on all the routine business of the office.

Program for 1981 Annual Meeting

Last call for papers for the 1981 meeting September 15, 1980. Please send proposals to: Mary K. Tachau, Chair, 1981 Program Committee, Dept. of History, University of Louisville, Louisville, Kentucky 40392. (Note new zip code) It will assist the Committee if proposals include companion papers and suggestions for appropriate people who are willing to chair sessions and serve as commentators.

Proposals for the session on Brief Communications on new research may be submitted until October 15, 1980.

Annual Meeting Sites Questionnaire

L. Lynn Hogue (U. A., Little Rock), Chairman of the Standing

Committee on Conference and the Annual Meeting, announces that his Committee would like some information from the members of the Society to assist in the task of selecting sites for the ASLH Annual Meeting. Members are, therefore, urged to complete the survey form to be found in the middle of this newsletter and to return it to him at the address printed on the back.

Journal Committee Appointed

President Klein has at the request of the Board of Directors appointed an ad hoc committee to consider the present state of the American Journal of Legal History and to make suggestions for its improvement. The following members have been appointed to the committee: Stanley Chodorow (U. Cal., San Diego), Harold M. Hyman (Rice), Morton Keller (Brandeis), Donald Sutherland (Iowa).

Sustaining Members

The Society expresses its very real appreciation for the generosity of those who have renewed as Sustaining Members. Because of the additional contribution of these members, the Society is able to continue its work and not be obliged to increase the dues for the other members. The life of this Society depends entirely on such active interest.

The list of the Sustaining Members as of July 8, 1980 includes:

Mr. Donald R. Anderson	Mr. David L. Deibel, Jr.
Prof. Gordon M. Bakken	Prof. Charles Donahue, Jr.
Mr. Charles A. Bane	The Honorable Edward Dumbauld
Mr. John C. Baumgartner	Prof. James W. Ely, Jr.
Prof. Barbara A. Black	Mr. Henry N. Ess, III
Mr. Stephen F. Black	Prof. Harold D. Evjen
Dr. Maxwell H. Bloomfield	Mr. John R. Fisher
Prof. Henry J. Bourguignon	Prof. David H. Flaherty
Prof. Elizabeth A. R. Brown	Mr. Eric M. Freedman
Dr. James V. Capua	Dean James O. Freedman
Mr. Eric A. Chiappinelli	Mr. John P. Furman
Prof. Stanley Chodorow	Mr. Paul Gay
Prof. George C. Christie	Prof. R. E. Giesey
Prof. Michael J. Churgin	Miss Lenore Glanz
Prof. R. H. Clark	Mr. George E. Goldberg
Mr. William F. Coale	Mr. Leonard S. Goodman
Prof. J. S. Cockburn	Prof. Robert W. Gordon
Prof. Morris L. Cohen	Sarah Gottsman, Esq.
Prof. Richard Cosway	Prof. Kenneth W. Graham, Jr.
Dr. H. Bartholomew Cox	Prof. Thomas A. Green
Mr. David C. Crago	Mr. Max E. Grefig
Prof. Von Russell Creel	Prof. William H. Harbaugh
Prof. Harold D. Cunningham, Jr.	Mr. William D. Harrington

Prof. Hendrik A. Hartog
 Prof. Francis H. Heller
 Prof. R. H. Helmholtz
 Mr. Gilbert J. Helwig
 Prof. Wythe W. Holt, Jr.
 Mr. James T. Holton
 Mr. Charles A. Horsky
 Mr. Samuel F. Howard, Jr.
 The Honorable Lynn N. Hughes
 Mrs. Jean M. Humphrey
 Prof. Dennis J. Hutchinson
 Prof. Harold M. Hyman
 Prof. William Jannen, Jr.
 Mr. Raymond A. Jensen
 Dr. Herbert Johnson
 Prof. John W. Johnson
 Prof. Stanley N. Katz
 Prof. Yasuhide Kawashima
 Prof. Milton M. Klein
 Prof. Alfred S. Konefsky
 Mr. George W. Kuehn
 Prof. Stanley I. Kutler
 Prof. Michael de L. Landon
 Prof. John H. Langbein
 Mr. David J. Langum
 Mr. William P. LaPiana
 Mr. Charles E. Lester
 Dr. Janet S. Loengard
 Prof. Bruce H. Mann
 Ms. Maeva Marcus
 Mr. John S. Marsh
 Mr. Russell W. McDonald
 Prof. Joseph W. McKnight
 Ms. Mary McReynolds
 Prof. Pamela B. Minzner
 Mr. A. C. Murphy
 Mr. Edward J. Murphy
 Mr. Earl F. Murphy
 Prof. Paul L. Murphy
 Mr. Robert B. L. Murphy
 Ms. Beatrice Naftalin
 Prof. A. E. Keir Nash
 Prof. William E. Nelson
 Prof. Howard Nenner
 Mr. Austin B. Noble
 Prof. Doyce B. Nunis, Jr.
 Dean Carl A. Pierce
 Mr. Lester M. Ponder
 Prof. John W. Pratt
 Prof. Stephen B. Presser
 Prof. Kathryn T. Preyer
 Mr. B. G. Ramsey
 Mr. Richard A. Redmond
 Mr. George E. Reeves
 Mr. James Renfrew
 The Honorable Raymond R. Roberts
 Mr. William H. Roberts
 Prof. Donald M. Roper
 Mr. John J. Ross, Jr.
 Prof. Frederick H. Russell
 Mr. Lionel M. Schooler
 Prof. John S. Schuchman
 Prof. William F. Schulz, Jr.
 Prof. John Scurlock
 Mr. Whitney North Seymour
 Mr. John H. Short
 Mr. Herbert T. Silsby, II
 Prof. Joseph H. Smith
 Dr. Vernon F. Snow
 Mr. Rayman L. Solomon
 Dr. Anne L. Spitzer
 Ms. Enid Sterling-Conner
 Mr. W. K. Stewart
 Prof. Thomas Stone
 Mrs. Caroline P. Stoel
 Prof. Mary K. Bonsteel Tachau
 Prof. Jon C. Teaford
 Mr. John H. Tucker, Jr.
 Prof. Mark V. Tushnet
 Mr. Andrew N. Vollmer
 Mr. Nicholas D. Ward
 The Honorable Sterry R. Waterman
 Prof. Michael Weinberg
 Prof. Carol Weisbrod
 Prof. Larry B. Wenger
 Dr. Frank L. Wiswall, Jr.
 Mr. David P. Wood
 Mr. Stephen C. Yeazell
 Dr. Martha Andes Ziskind

Election of New Board Members

On the ballot form attached at the center of this newsletter members are asked to vote for FIVE new members, to serve from 1981 through 1983 on the Board of Directors, from the following list of eight candidates re-elected by the Nomination Committee:

- Barbara A. Black. B.A. Brooklyn College, 1953; LL.B. Columbia Law School, 1955; M. Phil, Ph.D. Yale University, 1970, 1975. She is a member of the bars of New York, Connecticut and the U. S. Court of Appeals (2nd circuit). She has been a Danforth Fellow (1968-1970) and a Morse Fellow (1978-1979) and has held a research grant from the American Historical Association (Littleton-Girswold Committee), 1977. She has published "The Constitution of Empire: The Case for the Colonists," 124 Pennsylvania Law Review 1157 (1976) and is working on an edition, with introduction, of The Adjudicative Record of the General Court of Massachusetts Bay, 1630-1686. She has taught history at Yale and has been Visiting Professor at the Harvard Law School (1978). She is Associate Professor of Law at Yale Law School.
- Hamilton Bryson. B.A. Hampden-Sydney College, 1963; LL.B. Harvard Law School, 1967; LL. M. University of Virginia School of Law, 1968; Ph.D. University of Cambridge, 1972. He held a post-doctoral fellowship at the Max Planck Institute for European Legal History (1973). He is the Virginia correspondent for the Selden Society and a fellow of the Royal Historical Society. He has published, among other books, The Equity Side of the Exchequer (1975); Virginia Law Reporters before 1800 (1977); and A Bibliography of Virginia Legal History (1979) as well as a number of articles on English and Virginia legal history. He is Professor of Law at the T. C. Williams School of Law of the University of Richmond and is presently on leave in Cambridge under a fellowship from the American Council of Learned Societies.
- James S. Cockburn. LL.B., LL.M. University of Leeds, 1959, 1961; Ph.D. He is the editor in charge of legal records, Public Record Office, London. He is on the editorial board of Crime and Justice: An Historical Review. He has received research awards from the American Council of Learned Societies, the American Bar Foundation, The Guggenheim Foundation and the National Endowment for the Humanities. He is a fellow of the Royal Historical Society. His publications include, among others, A History of the English Assizes, 1558-1714 (1972); Crime in England, 1550-1800 (ed. 1977), and the ten-volume Calendar of Assize Records, 1558-1625 (1975-). He is Professor of English History at the University of Maryland.
- Gerard W. Gawalt. B.A. Northeastern University; M.A., Ph.D. Clark University, 1968, 1969. He is associate editor of the Letters of Delegates Manuscript Division, Library of Congress and the author of The Promise of Power: The Emergence of the Legal Profession in Massachusetts, 1760-1840 (1979) and several articles. He has edited The Journal of Gideon Olmsted and John Paul Jones' Memoir of the American Revolution. He is a former president of the Professional Guild of the Library of Congress and has been an adjunct professor at George Mason University and Assumption College.

- Edith G. Henderson. B.A. Swarthmore College, 1942; LL.B., S.J.D. Harvard Law School, 1953, 1959. She is the Secretary-Treasurer for the U.S.A., Selden Society. She has published Foundations of English Administrative Law (1963), "Background of the Seventh Amendment," 80 Harvard Law Review 289 (1966) and "Relief from Bonds in the English Chancery: Mid-Sixteenth Century," 18 American Journal of Legal History 298(1974). She is now working on a study of the English Chancery from its earliest systematic records (1543-1544) to 1568. She is Curator, Treasure Room, Harvard Law School.
- Michael de L. Landon. B.A., M.A. University of Oxford, 1957, 1961; Ph.D. University of Wisconsin, 1966. He is a fellow of the Royal Historical Society. He has published The Triumph of the Lawyers: Their Role in English Politics, 1678-1689 (1970); The Honor and Dignity of the Profession: A History of the Mississippi State Bar, 1906-1976 (1979); and Erin and Britannia: The Historical Background to a Modern Tragedy (1980) as well as numerous articles. He has been a Visiting Associate Professor at the University of Wisconsin and is Professor of History at the University of Mississippi.
- Paul L. Murphy. B.A. College of Idaho, 1947; M.A., Ph.D. University of California, Berkeley, 1948, 1953. He has been a John Simon Guggenheim Fellow (1965-1966), a research fellow at the Center for the Study of the History of Liberty in America, Harvard University (1961-1962), and a Senior Fulbright Lecturer at the University of Lagos, Nigeria (1971-1972). He is the editor of The Borzoi Series in American Constitutional History and Contributions in Legal Studies. He has published, among other books, The Meaning of Freedom of Speech: First Amendment Freedoms from Wilson to F. D. R. (1972), which won an American Bar Association Certificate of Merit in the 1973 Gravel Awards Competition; The Passaic Textile Strike of 1926 (1974); and World War I and the Origin of Civil Liberties in the United States (1979), as well as numerous articles. He has held a number of visiting professorships and is Professor of History at the University of Minnesota.
- Edward D. Re. B.S., LL.B. St. John's University, 1941, 1943; J.S.D. New York University, 1950. He is a member of the New York bar and has held numerous governmental positions including one as Assistant Secretary of State for Educational and Cultural Affairs (1968). He has published Foreign Confiscations in Anglo-American Law (1951); Selected Essays on Equity (1955), numerous casebooks and textbooks, and articles on Roman law, legal history, international law, and equity. He has been president of the American Foreign Law Association, the American Association for the Comparative Study of Law, the Federal Bar Council, and the American Justinian Society of Jurists. He has received numerous awards and honorary degrees, including the Ped. D. from the University of Aquila, Italy (1960). He was Professor of Law at St. John's University (1951-1961) and Visiting Professor of Law at Georgetown University Law Center (1962-1967).

Since 1969 he has been Adjunct Professor of Law at St. John's University School of Law and since 1972 Adjunct Professor of Law at New York Law School. He is Chief Judge, United States Customs Court.

Members are requested to detach and fill out the ballot form inserted in the middle of this newsletter, and to mail it in to the address given as soon as possible, but not later than Sept. 24.

Amendments to the By-Laws

On the same ballot, members of the Society are asked to approve the following amendments of the By-laws. The officers and members of the board have already approved these amendments. They must now be approved by a two-thirds majority of the members who cast their vote. Anticipating a favorable result, we are conducting the election early in accordance with the new provisions of the By-laws.

These changes are intended to accomplish two purposes:

- (1) to make possible the completion of our election before our annual meeting so that the results of the election can be announced at our annual meeting;
- (2) to provide for a procedure in case of a tie among the candidates running for the Board. At present there is no procedure and our elections are often quite close and we should have some appropriate procedure to handle the situation.

Proposed Changes in the By-Laws (added language is underlined, deleted language is in parentheses).

Article II, Section 2

Present

There are fifteen directors elected for terms of three years each by a majority vote of the members voting with one-third of the directors elected each year. If any director dies or resigns or ceases to be a member leaving an unexpired part of a term, the directors and officers by a majority vote at the next annual meeting shall elect a successor for the unexpired part of that term. A majority vote of the members voting determines the number of directors.

Proposed

There are fifteen directors elected for terms of three years each by a majority vote of the members voting, with one-third of the directors elected each year. The five nominees receiving the highest number of votes shall be elected. In case of a tie which would cause more than five nominees to be selected, the officers and directors at the first annual meeting following the election shall, by a majority vote, determine the choices so that only five directors are elected. The terms of office of

the directors shall be the three-year period commencing with the first day of the calendar year following their election. If any director dies, resigns, or ceases to be a member, leaving an unexpired term, the officers and directors by a majority vote at the next annual meeting shall elect a successor for the unexpired part of the term. The number of directors shall remain at fifteen unless a change is proposed by the officers and directors and approved by a majority vote of the members voting in a referendum on that subject.

Article II, Section 3

Present

All existing directors shall continue to serve the terms for which they were elected. If an increase or decrease in the number of directors is voted by the members, one third of the new directorships shall be for one, two, and three years each as the firectors and officers shall determine.

Proposed

(All existing directors shall continue to serve the terms for which they were elected.) If an increase (or decrease) in the number of directors is voted by the members, one third of the new directorships shall be for one, two, and three years each as the officers and directors shall determine.

Article II, Section 5

Present

The officers are president, vice-president, secretary and treasurer. The powers and duties of the officers are those usually held by officers of like organizations and those assigned by the directors or members. If the office of president becomes vacant, the vice-president shall become president for the unexpired term. If any other office becomes vacant, the president fills the office by appoint-

Proposed

The officers are president, vice-president, secretary, and treasurer, elected biennially by a majority vote of the members voting. In case of a tie, the officers and directors at the first annual meeting following the election shall be majority vote determine the choice. The terms of office for these officers are for two years commencing with the first day of the calendar year following their election. The powers

ment with approval of the executive committee. The terms of office for officers are for two years commencing at the first of a calendar year.

and duties of these officers are those usually held by officers of like organizations and those assigned by the directors or members. If the office of president becomes vacant, the vice-president shall immediately become president for the unexpired term. If any other office becomes vacant, the president shall fill the office by appointment with the approval of the executive committee. The terms of such office shall be for the unexpired period, commencing with their approval by the executive committee.

Article II, Section 7

Present

The directors and officers may appoint persons to assist any of the officers in performing their duties. All committees are appointed by the president with the approval of the executive committee.

Proposed

The directors and officers may appoint persons to assist any of the officers in performing his or her duties. All committees are appointed by the president with the approval of the executive committee.

Article III, Section 1

Present

As the directors and officers determine, elections for directors and officers will be held in the autumn of the year in which terms of office expire. The president appoints a nominating committee of at least three members to make nominations for directors and officers for positions requiring election as required. The members will be informed of the appointment of the nominating committee so that they can suggest persons to be nominated. The nominating committee makes its report to the secretary who will mail

Proposed

(As the directors and officers determine) Elections for directors and officers shall be held in the autumn of the year in which terms of office expire. The president appoints a nominating committee of at least three members to make nominations for directors and officers as required. The members will be informed of the appointment of the nominating committee so that they can suggest persons to be nominated. The nominating committee will make its report to the secretary who will mail ballots to the members prior to

ballots to the members, if required, prior to the annual meeting. The ballot will allow members to vote for others than those nominated.

September 15 of the year an election is required. The ballot will allow members to vote for others than those nominated.

Article III, Section 2

Present

All ballots must be returned to the secretary in order to be counted thirty days after the annual meeting or some later time designated by the directors and officers as indicated on the ballot. The results of an election shall be announced by the president as soon thereafter as possible.

Proposed

All ballots will be returned to the secretary in order to be counted thirty days before the annual meeting, unless some later date is designated by the officers and directors. The results of the election shall be announced by the president at the annual meeting following the election and to the membership by mail at the earliest practical date thereafter.

NEWS NOTES

International Association of the History of Law and Institutions

Marc Szeftel, Professor Emeritus of History at the University of Washington, represented the Society at the annual meeting of the International Association in Bucharest, Romania, in conjunction with the meetings of the 15th International Congress of the Historical Sciences, August 10-17.

American Legal Studies Association Conference

The Fourth National Conference of the American Legal Studies Association will be held at Harvard University, November 7-9, 1980. The Association is involved in interdisciplinary study, teaching, and research about the role of law in society, primarily at the undergraduate and graduate levels. Copies of the program and further details about the conference and the Association may be obtained from Professor Ethan Katsh, American Legal Studies Association, University of Massachusetts, Amherst, MA 01003.

Early American Legal History

The National Archives are preparing a revised and expanded

mailing list of those interested in early American legal history (before 1760). Those already on the 17th century mailing list will be included automatically. Because scholars of pre-revolutionary America share similar problems and interests we would like to add those engaged in 18th century legal history.

In the past, these lists have been useful for soliciting essays for books on early American or legal history, for putting together conference panels, for publicizing books and journals, and for sending invitations to legal history conferences. Most important, the list informs scholars about others working in similar fields. The list grew out of a 1978 conference in early American legal history sponsored by Cornell University and the Institute for Early American History and Culture.

For inclusion on the mailing list or to revise a current entry, please send a 3 x 5 card with your name, preferred address, and research interests. Those wanting copies of the list should include a stamped self-addressed envelope. (We will pay postage outside the United States.) If anyone wants to plan a future conference or establish a more formal organization include this information also. Write to: Dr. Susan Rosenfeld Falb, Machine-Readable Archives Division (NNR), National Archives, Washington, D. C. 20408.

Procedures for Acquiring Tapes of Supreme Court Arguments

The reception of Professor Paul R. Baier's (Louisiana State University) demonstration of the use in teaching of tapes of the arguments before the United States Supreme Court at the Association's annual meeting in Phoenix suggests that there may be a substantial increase in interest on the part of law teachers in using these tapes. Teachers and scholars may purchase copies of these tapes for use for instructional and scholarly purposes. The arguments have been recorded since 1955, but tapes of arguments in cases that were decided by the Court during the past three years are not made available. The request for permission to buy and use the tapes should be addressed to: The Office of the Marshal, Supreme Court of the United States, Washington, D. C. 20543. The letter should be written on law school stationery and should identify the oral argument requested by case name, Supreme Court Docket number and date of the oral argument or decision and should describe the instructional and scholarly uses to which the tape is to be put and the faculty persons likely to use or supervise the use of the tape. The letter should also state that it is understood that no commercial use is to be made of the tape and that the tape will not be duplicated. If the Marshal finds the uses which the tape are to be put to be appropriate, the Marshall stamps a copy of the request "Approved" and sends it to the National Archives. The order for the tape should be sent to the National Archives, Motion Picture and Sound Recording Branch, NMVM, Washington, D. C. 20408. By telephoning the Motion Picture and Sound Recording Branch at 202/523-3267, you can learn the cost of the tapes desired.

Future AALS Annual Meeting Dates

<u>Dates</u>	<u>Sites</u>
January 3, 4, and 5, 1981 (Saturday, Sunday, and Monday)	San Antonio, Texas
January 7, 8, and 9, 1982 (Thursday, Friday, and Saturday)	Fairmont - Headquarters Hotel Benjamin Franklin Philadelphia, Pennsylvania
January 6, 7, and 8, 1983 (Thursday, Friday, and Saturday)	Cincinnati, Ohio
January 5, 6, and 7, 1984 (Thursday, Friday, and Saturday)	San Diego, California
January 3, 4, and 5, 1985 (Thursday, Friday, and Saturday)	East

You will note that the dates are selected so as to make maximum use of Saturday and Sunday for meeting or travel days where feasible.

L. Kinvin Wroth (Maine) has been appointed chairperson of the Legal History section of the 1981 meeting.

Job Announcement

DOCUMENTARY HISTORY OF THE SUPREME COURT OF THE UNITED STATES, 1789-1800. Full time editorial position; M. A. or Ph. D.; major or minor field in early national United States history required; training in 18th century American legal history and ability to type desirable. Salary: from \$12,000 based upon qualifications. Starting date anytime before January 15, 1981. Prompt reply requested. Send dossier and vita with names and addresses of two (2) references to Maeva Marcus, Editor, Documentary History of United States Supreme Court, Rm. 10, Supreme Court of United States, Washington, D. C. 20543. For additional information call (202) 252-3256.

RESEARCH NEWSNational Humanities Center Fellowships

The deadline for 1981-82 fellowship applications is January 10, 1981 except for scholars from European nations, who should apply by December 10, 1980 to Dr. Raymond Georis, European Cultural Foundation, 51 Rue de la Concorde, 1050 Brussels, Belgium.

All other interested scholars may obtain information and application material from the National Humanities Center, P. O. Box 12256, Research Triangle Park, North Carolina 27709.

Newberry Fellowships

The Newberry Library, 60 West Walton Street, Chicago, Illinois 60610, announces:

(1) Short-Term Fellowships for individual research in any field appropriate to the Newberry's collections, appointments with stipends of \$600 per month, for periods not exceeding three months. Applicants must have the Ph.D. or have completed all requirements except the dissertation. Preference will be given to applicants who particularly need to use Newberry resources and to applicants from outside the Chicago area; Also,

(2) Resident Fellowships for unaffiliated scholars who are not employed professionally as such, who have the Ph.D., and who propose to use the Newberry as a scholarly base, stipends of \$250 or \$500 per calendar quarter depending on need. Applicants must be working on a specific research project in a field appropriate to the Newberry's collections, and must anticipate spending at least six to eight hours a week in residence and participating fully in the intellectual life of the Newberry. Stipends may be renewed quarterly up to one year; after the first year fellowship status may be renewed annually, but without stipend. Completed applications due November 1, 1980.

ACLS Conference of Secretaries

The discussion at the annual conference of secretaries at the Spring meeting, March 19-20, was unusually lively this year because of the presence of Professor Win Stone who recommended Congressional adoption of a national periodicals center. He urged the constituent societies to support this national periodical center which would reduce inter-library loan expense and make access to some 50,000 periodicals more efficient. After his presentation, there was a very heated discussion by a number of the secretaries present. The basic fear was that the national periodical center might solve the problems of book publishers and librarians at the expense of publishers of scholarly journals and presumably of journal readers and journal authors. There was a great fear expressed, especially by the smaller societies, that this national periodical center would induce libraries to cease subscribing to many periodicals. The Conference of Secretaries has taken steps to express its fears to the American Council of Learned Societies which had previously endorsed the concept of a national periodical center.

Judicial Conference Approves Disposition Schedule for Court Records

The Judicial Conference of the United States, headed by Chief

Justice Warren Burger, has given the National Archives and Records Service approval to establish effective control over disposition of the vast body of older federal court records being held across the country in judicial and National Archives storage facilities. The conference administers all federal courts.

More than 800,000 cubic feet of records, some dating as far back as the 18th century and many untouched since they were filed, are currently being held. The total number of pages exceeds two billion.

Under an agreement announced recently by the Acting Archivist of the United States, Dr. James E. O'Neill, and the Judicial Conference, the National Archives will revise disposition schedules for District Court records, which constitute some three-fourths of all the documents. Uniform disposition procedures will be established for all federal court records. Finally, disposition timetables will be established for those federal courts--the United States Court of Claims, the United States Court of Customs and Patent Appeals, and the United States Customs Court--that currently have no schedules.

Under the plan, archivists will identify records that should be kept permanently. Where these older records have no value either to the courts, historians, or future users, they will be destroyed to save on expensive storage costs.

To help the Archives make such determinations, the Judicial Conference is establishing historical committees for each circuit. The committees will determine what cases possess historical value, which set precedents or new points of law, and those of particular interest. These records will be kept.

Louisville Offers L. D. Brandeis Papers

The University of Louisville Archives and Records Center, assisted by the National Historical Publications and Records Commission, has just published the Papers of Louis Dembitz Brandeis at the University of Louisville in a 184-reel microfilm edition, with 100 page guide.

The microfilm publication contains over 250,000 items, including correspondence with Felix Frankfurter, Woodrow Wilson, and Robert W. La Follette, Sr. The letters, legislative drafts, working papers, and reports touch on a multitude of topics from the Progressive to the New Deal Eras.

The 100-page guide includes an introduction to the extensive papers, a Brandeis chronology as reflected in the Papers, and a description of the contents of each of the 184 microfilm reels. The researcher is also aided by a selected name index to the Papers. Order from University Archives and Records Center, University of Louisville, Belknap Campus, Louisville, Kentucky 4092.

Regional Oral Histories Available at Berkeley

The Bancroft Library Regional Oral History Office at the University of California (Berkeley) has in the past year completed oral history memoirs of California lawyers Herman Selvin and Herman Phleger and of district court judge Oliver J. Carter. A descriptive catalogue of the office's holdings may be obtained for \$6.50 from the Regional Oral History Office, 486 Library, University of California, Berkeley, California 94720.

From the Microfilming Corporation of America

The Corporation has recently made available the American Civil Liberties Union Records and the Papers of Aaron Burr. They announce that they are constantly looking for new publication ideas, and invite members of the Society to submit these to them at any time.

NEWS OF MEMBERSACLS Fellowships

Henry J. Bourguignon, Professor of Legal History, University of Toledo: The admiralty decisions of Lord Stowell, Judge of the High Court of Admiralty, 1798-1827.

Michael Gagarin, Assistant Professor of Classics, University of Texas: studies in Greek justice, law and legal procedure.

Robert W. Gordon, Visiting Professor of Law, Harvard Law School (on leave from University of Wisconsin Law School): Ideologies of professionalism among American metropolitan lawyers, 1870-1910.

David E. Kyvig, Associate Professor of History, University of Akron: Constitutional amendment in 20th century America.

Kenneth J. Pennington, Associate Professor of History, Syracuse University: Authority and jurisdiction in the writings of the 12th and 13th century canonists.

Philip Soper, Professor of Legal Philosophy, University of Michigan Law School: A theory of law.

Susan Staves, Associate Professor of English, Brandeis University: Study in law.

Miscellaneous

Hiller B. Zobel has been appointed an associate justice of the Superior Court Department of the Trial Court of Massachusetts.

Francis L. Ruddy (Houston), is now editor of The International Lawyer and encourages members to submit suitable articles for consideration.

RECENT PUBLICATIONS OF INTEREST

- Morris Arnold, "Accident, Mistake and Rules of Liability in the Fourteenth-Century Law of Torts," 128 University of Pennsylvania Law Review (December, 1979), 361-378.
- _____, "A Historical Inquiry into the Right to Trial by Jury in Complex Civil Litigation," 128 University of Pennsylvania Law Review (April, 1980), 829-848.
- P. S. Atiyah, "Liability for Railway Nuisance in the English Common Law: A Historical Footnote," 23 Journal of Law and Economics (1980), 191-196.
- Malcolm Barber. The Trial of the Templars. New York: Cambridge University Press, 1979.
- Russel L. Barsh and James Youngblood Henderson. The Road: Indian Tribes and Political Liberty. Berkeley: University of California Press, 1979.
- Norma Basch, "Invisible Women: The Legal Fiction of Marital Unity in Nineteenth-Century America," 5 Feminist Studies (Summer, 1979).
- Arthur Bestor, "Respective Roles of Senate and President in the Making and Abrogation of Treaties--The Original Intent of the Framers of the Constitution Historically Examined," 55 Washington Law Review (December, 1979), 1-136.
- Warren M. Billings, "English Legal Literature as a Source of Law and Legal Practice for Seventeenth-Century Virginia," 87 Virginia Magazine of History and Biography (October, 1979).
- William D. Cuddihy and B. Carmon Hardy, "A Man's House was not his Castle: Origins of the Fourth Amendment to the U. S. Constitution," 37 William and Mary Quarterly (June, 1980), 371-400.

- John P. Dawson. Gifts and Promises: Continental and American Law Compared. New Haven: Yale University Press, 1980.
- Patrick Devlin, "Jury Trial of Complex Cases: English Practice at the Time of the Seventh Amendment," 80 Columbia Law Review (June, 1980), 43-108.
- Charles Donahue, Jr., "What Causes Fundamental Legal Ideas? Marital Property in England and France in the Thirteenth Century," 78 Michigan Law Review (November, 1979), 59-88.
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