
ASLH NEWSLETTER

AMERICAN SOCIETY FOR LEGAL HISTORY

Robert J. Haws
Michael de L. Landon, Editors
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NEWS OF THE SOCIETY

ANNUAL MEETING: 21-22 October in the Baltimore Hilton, Baltimore, Maryland. Programs and reservation information will be mailed out to all members soon.

Election of New Officers (Please return ballot by September 20, 1983).

Barbara Black reports that the nominating committee recommend the following candidates:

President: MORRIS SHEPPARD ARNOLD, Ben J. Altheimer Distinguished Professor, University of Arkansas at Little Rock School of Law. B.S.E.E., 1965; LL.B., 1968, Ark., Fayetteville; LL.M., 1969; S.J.D., 1971, Harvard; M.A., (Hon.), 1977, Pennsylvania. Note Ed., Arkansas Law Review; Editor-in-Chief, Arkansas Law Review. Admitted AR, 1968. Assoc., Arnold & Arnold, Attorneys, Texarkana, AR, 1968; Teaching Fellow, Harvard, 1969-70; Frank Knox Memorial Fellow, 1970-71; Mem., Inst. of Historical Research, Univ. of London, 1970-71; Ass't Prof., Ind., Bloomington, 1974-76; Prof., 1976-77; Visiting Prof., Pennsylvania, Spring 1977; Prof., 1977-81; Visiting Fellow Commoner, & Mem., Law Fac., Trinity College, Cambridge University, 1978; V.P. - Dir., Off. of the Pres., Pennsylvania, 1979-81; Prof. of History., 1979-81; Ben J. Altheimer Dist. Prof., Ark., Little Rock, since 1981. Subjects: American Legal History; English Legal History; Real Property; Transmission of

Wealth. Year Book 2 Richard II, 1975; On the Laws and Customs of England (with Green, Scully, and White), 1981. Member: Medieval Acad. of Am.; ALI; Am. Soc. for Legal Hist. (Pres.). Ed., Studies in Legal Hist., 1975-80.

Vice President: CHARLES DONAHUE, Jr. A.B. Harvard, 1962; LLB. Yale, 1965. Attorney with the Federal Government, 1965-68. Assistant and Associate Professor and Professor, University of Michigan Law School, 1968-79. Professor, Harvard Law School, 1980-present; member Committee on Honors since 1977; Publications Committee since 1979; member Editorial Board AJLH, 1977-82; Program Chairman, 1977 annual meeting. Publications: Select Cases from the Ecclesiastical Courts of the Province of Canterbury, c. 1200-1301 (with M. Adams); Selden Society No. 95; London, 1981. "The Canon Law on the Formation of Marriage and Social Practice in the Later Middle Ages," 8. J. Family Hist. 144-58 (1983).

Secretary: L. LYNN HOGUE. A.B. William Jewell College, 1966; M.A. University of Tennessee, 1968; Ph.D. University of Tennessee, 1972; J.D. Duke University, 1974. Author of "Nicholas Trott: Man of Law and Letters," South Carolina Historical Magazine (1975); "The Presentation of Post-Revolutionary Law in Woodcraft: Another Perspective of the 'Truth' of Simms' Fiction," Mississippi Quarterly (1978); "The Source of Trott's Grand Jury Charges" in South Carolina Legal History (Herbert A. Johnson, ed., 1980). ASLH service: Paper, 1973; Chairman of the Standing Committee on Conference and the Annual Meeting since 1979.

Treasurer: JAMES W. ELY, Jr. Prof. Vanderbilt University School of Law. B.A. 1959, Princeton; LL.B. 1962, Harvard; M.A., 1968; Ph.D., 1971, Univ. of Va. Admitted NY, 1962, Assoc., Harris, Beach, Wilcox, Dale & Linowitz, Rochester, NY, 1962-67; Instr., Dept. of Hist., Va. Commonwealth Univ., 1970-72; Ass't. Prof., 1972-73; Ass't. Prof., Vanderbilt, 1973-75; Assoc. Prof., 1975-78; Prof., since 1978. Subjects: American Legal History; American Legal History, (S): Implementation of Judicial Decisions: Property. The Crisis of Conservative Virginia: The Byrd Organization and the Politics of Massive Resistance, 1976. Member: ASLH (Treas. since 1980). Sr. Res. Assoc., Vanderbilt Inst. for Pub. Pol. Studies; Ed., The Legal Papers of Andrew Jackson.

Board of Directors: PAUL FINKELMAN. B.A., Syracuse, 1971; M.A., 1972; Ph.D., 1976, University of Chicago. Fellow in Law and History, Harvard Law School, 1982-83. Visiting Lecturer, University of California, Irvine, 1976-77; Mellon Faculty Fellow, Washington University, 1977-78; Assistant Professor (History) University of Texas at Austin, 1978-present; Visiting Assistant Professor of Law, University of Texas Law School, Spring 1981. Publications: An Imperfect Union: Slavery, Federalism, and Comity (Chapel Hill, Studies in Legal History, 1981); "The First American Constitutions," Texas Law Review (1981); "The Law of Slavery and Freedom in California," Cal. Western Law Review (1981); "Prigg v. Pennsylvania and Northern State Courts: Antislavery Use of a Proslavery Decision," Civil War History (1979). ASLH: Chair, Membership Committee, 1980-82.

. . . LAWRENCE M. FRIEDMAN. A.B., J.D., LL.M University of Chicago.

Marion Rice Kirkwood Professor of Law, Stanford University. Publications: A History of American Law (1973), etc. ASLH service: Program committee, speaker, panelist.

. . . TONY FREYER. Ph.D., M.A. Indiana University. A.B. San Diego State University. Assoc. Prof. of History and Law, U. of Alabama. Publications: Harmony & Dissonance: The Swift & Erie Cases in American Federalism (1981). Forums of Order: The Federal Courts and Business in American History (1979). ASLH service: Panelist, nominating committee, program committee.

. . . ROBERT J. HAWS. A.B., 1964, M.A., 1967, Ph.D., 1973, University of Nebraska, Yale Law School, 1978-79. Associate Professor of History, University of Mississippi, 1976-present. Author of The Age of Segregation: Race Relations in the South, 1890-1945 (1979); "Race, Property Rights, and the Economic Consequences of Reconstruction: A Case Study," 32 Vanderbilt Law Review (1979). ASLH service: Co-editor of Newsletter, 1979-present.

. . . MILTON M. KLEIN. B.S.S., City College of New York, 1937, M.S., City College of New York, 1939; Ph.D., Columbia University, 1954. Alumni Distinguished Service Professor and Lindsay Young Professor of History, University of Tennessee. Author of The Politics of Diversity: Essays in the History of Colonial New York (1974); New York in the American Revolution (1974). Editor of New York: The Centennial Years, 1676-1976 (1976), Courts and Law in Early New York (1978), The Independent Reflector (1963). Also author of "From Community to Status: The Development of the Legal Profession in Colonial New York," New York History (1979), "New York Lawyers and the Coming of the American Revolution," New York History (1974), "Clio and the Law: The Uncertain Promise of American Legal History," in Herbert A. Johnson, ed., South Carolina Legal History (1980). Walter E. Meyer Visiting Professor, New York University School of Law, 1976-1977; Adjunct Professor, University of Tennessee College of Law, 1981-1983; Fulbright Professor of History, University of Canterbury, Christchurch, N.Z., 1962. ASLH service: chairman, Membership Committee, 1970-1974; Board of Directors, 1971-1976; secretary, 1975-1977; vice president, 1978-1980, president, 1980-1982.

. . . BRUCE H. MANN. A.B., A.M., Brown University, 1972; J.D., M. Phil., Yale University, 1975; Ph.D., Yale University, 1977. Associate Professor of Law, Washington University School of Law. Author of "The Formalization of Informal Law: Arbitration before the American Revolution," New York University Law Review (1983); "Rationality, Legal Change, and Community in Connecticut, 1690-1760," Law & Society Review (1980); book reviews in William & Mary Quarterly, Reviews in American History, and Connecticut Law Review. ASLH service: Panel Chair, 1979; Nominating Committee, 1982, Program Committee, 1984.

. . . JENNIFER NEDELSKY. Ph.D., 1977; Committee on Social Thought, University of Chicago; Killam Post Doctoral Fellow, Faculty of Law, Dalhousie University, 1976-78; Assistant Professor of Politics, Princeton University, 1979-present. Author of "Judicial Conservatism in an Age of Innovation: Canadian Nuisance Law 1880-1930," in Essays in Canadian Legal History, David Flaherty, ed. (Toronto, 1981);

"Confining Democratic Politics: Anti-Federalists, Federalists, and the Constitution," Review Essay, 96 Harvard Law Review 340 (1982). ASLH service: Nominating committee, 1982.

. . . WILLIAM E. NELSON. Prof. New York University School of Law. A.B., 1962, Hamilton Coll.; LL.B., 1965, New York Univ., Ph.D., 1971, Harvard. Article and Book Rev. Ed., N.Y.U.L. Rev. Admitted NY, 1966. Fellow, Soc. of Fellows, Harvard, 1974-75. Law Clerk, Judge Edward Weinfeld, 1965-66; Teaching Fellow, Harvard, 1968-70; Law Clerk, Assoc. Justice Byron R. White, 1970-71; Ass't. Prof., Pennsylvania, 1971-74; Assoc. Prof., 1974-75; Assoc. Prof., Yale, 1975-80; Prof., New York Univ. since 1980. Subjects: Constitutional Law; Contracts; Evidence Legal History; Real Property; Torts. Americanization of the Common Law: The Impact of Legal Change on Massachusetts Society, 1760-1830, 1975; Dispute: Conflict Resolution in Plymouth County Massachusetts, 1725-1825, 1981.

. . . JOHN V. ORTH. A.B., Oberlin College, 1969; J.D., Harvard Law School, 1974; M.A., Harvard University, 1975; Ph.D., Harvard University, 1977. Associate Professor of Law, University of North Carolina at Chapel Hill, 1981-present; Assistant Professor of Law, University of North Carolina at Chapel Hill, 1978-81; Law Clerk to Judge John J. Gibbons, U.S. Court of Appeals (3d Cir.), 1977-78. Author of numerous articles, including "The Interpretation of the Eleventh Amendment, 1793-1908: A Case Study of Judicial Power," University of Illinois Law Review (1983); "The Law of Strikes, 1847-1871," in Law and Social Change in British History, ed. John Guy & Hugh Beale (London: Royal Historical Society, 1983); "'Forever Separate and Distinct': Separation of Powers in North Carolina," North Carolina Law Review (1983); "A Reverie on Medieval Judges, Milton Friedman, and the Supreme Court's Workload," American Bar Association Journal (1983). ASLH service: Chair, 1983 Program Committee; Member, 1982 Program Committee; Participation at annual meetings: Brief Communication, 1979; Chair, 1980; Panelist, 1982.

. . . MARYLYNN SALMON. B.A., Cornell; Ph.D., Bryn Mawr. Assist. Prof. of History, U. of Maryland Baltimore County. Author of "The Court Records of Philadelphia, Bucks, and Berks Counties in the Seventeenth and Eighteenth Centuries," The Pennsylvania Magazine of History and Biography, April 1983; "The Legal Status of Women in Early America: A Reappraisal," Law and History Review, 1st issue; "Women and Property in South Carolina, 1730-1830: The Evidence from Marriage Settlements," The William and Mary Quarterly, October 1982; "'Life, Liberty, and Dower': The Legal Status of Women after the American Revolution," in Women, War, and Revolution, edited by Carol R. Berkin and Clara M. Lovett, New York, 1980; "Equality or Submersion? Feme Covert Status in Early Pennsylvania," in Women of America: A History, edited by Carol R. Berkin and Mary Beth Norton, Boston, 1979. Research Grant: National Science Foundation, Law and Social Sciences Program Project Grant, 1983-84: "Inheritance and the Evolution of Capitalism and the Family in America."

1982 General Address

HAROLD J. BERMAN (Harvard Law) writes that "The account given in the last issue of the ASLH Newsletter of my General Address to the 1982 Meeting of the Society, on 'Why the History of Western Law is Not Written,' was wrong in almost every particular. The title of the address was not Maitland's title but an adaptation of it. I did not speak of the 'doubtful' possibility of writing a history of Western law but of the real possibility and of the necessity for doing so. I did not speak of 'the origins behind Medieval law' but of the common origins of all modern Western legal systems in the separation of ecclesiastical and secular jurisdictions in the late eleventh and twelfth centuries. It is true that I questioned whether the West today 'really believes in either its future or its past,' but I spoke chiefly of the period from 1075 to 1914 when the West did have such faith, and emphasized that historians have an important obligation to report that fact."

NEWS OF MEMBERS

JAMES A. BRUNDAGE (Wisconsin-Milwaukee) has been awarded a 1983-84 N.E.H. Fellowship by the Newberry Library to do research on "Law, Sex, and Christian Society in Medieval Europe."

STEPHEN B. PRESSER (Northwestern, Law) has been awarded a Fulbright-Hays Senior Scholarship which he will use next year from December 1983 to September 1984 to do research on a book on the early federal courts and their English analogues. He will be an academic visitor at the London School of Economics and Political Science and University College, London, and will also be affiliated with the Institute for Advanced Legal Studies of the University of London.

CARYL A. YZENBAARD (Northern Kentucky, Law) was the first recipient of the newly-instituted Justice Lukowsky Award for Teaching Excellence at the Salmon P. Chase College of Law at N.K.U.

Members of the Society deeply regret the recent death of WHITNEY NORTH SEYMOUR (Simpson, Thatcher, and Bartlett, N.Y.C.). The distinguished jurist, born in Chicago in 1901, President of the American Bar Association 1960-61, and recipient of numerous honors in this country and abroad, was a long-time member of the ASLH.

NEWS NOTES

The MASSACHUSETTS HISTORICAL SOCIETY announces the recent publication of A Bibliography of the Laws and Resolves of the Massachusetts Bay, 1642-1780. Compiled by John D. Cushing, the Society's Librarian,

the volume's 1,100-plus entries list in over 400 pages the entire legislative output of the several Massachusetts Bay governments as well as the relevant acts of the British Parliament and the Continental Congresses. The volume also includes a large number of legislative bills, orders, proclamations, abstracts, and putative printings.

In addition, it cites all known issues of the three Massachusetts Provincial Congresses and those of the State of Massachusetts Bay, none of which has ever before been listed. And it identifies many unrecorded variant and separate printings as well as numerous bibliographical oddities unnoticed for centuries.

Information not available in any other single place includes a chronological table listing temporary and perpetual session laws, retrospective compilations, and session resolves. There are also lists of separately issued tax acts and impost tax acts. An index records the substance and location within the bibliography of more than 500 separate acts, orders, bills, and proclamations.

Each entry contains a faithful record of the orthography and composition of each original act, a reference line that keys it to one or more major bibliographies, a list of some of the major holding libraries, and a note line that cross-references one entry to another or calls attention to important information concerning the title involved.

Copies cost \$49.50; and may be ordered directly from the M.H.S. at 1154 Boylston Street, Boston, MA 02215, or from Michael Glazier, Inc., 1723 Delaware Avenue, Wilmington, DE 19806.

A Bibliography of Eighteenth-Century Legal Literature, compiled by J.N. Adams and G. Averley, was published last year in England. It lists all the relevant holdings of the following libraries: the Codrington Library, All Souls College, Oxford; The University Library, Cambridge; The Cathedral Library, Canterbury; Gray's Inn Library; The House of Lords Library; Inner Temple Library; Lincoln's Inn Library; King's Inns Library, Dublin; The British Library; Middle Temple Library; The Bodleian Library, Oxford; The Squire Law Library, Cambridge; Royal Courts of Justice Libraries.

To this corpus has been added records from the private card catalogue of Wildy and Sons, Limited, Law Booksellers, London, and from selected bibliographies. Several of the collections surveyed suffered loss during the last war; the effects of enemy action have been noted; the catalogue includes details of destroyed, missing, or imperfect items where known. This catalogue contains all the British eighteenth century legal and related items from the surveyed libraries. "British" is taken in this context to include any book wholly or partly in English; any book printed in Britain, America, or the British colonies; and any translation to or from English. The entire text has been re-arranged into author order and is added as a separate catalogue in fiche form. An additional benefit of this presentation is the listing of certain sections of the text, notably such headings as bills under ENGLAND, in chronological order under the author heading.

The price is £220. Copies can be obtained only from the publisher: Averro (Eighteenth Century) Publications, 20 Great North Road, Newcastle upon Tyne, NE2 4PS, England.

Academy of Criminal Justice Societies

The Academy will hold its 1984 annual meeting, 27-31 March, at the Palmer House Hotel in Chicago. The theme will be "The Politics of Crime and Criminal Justice." Further information and preregistration materials can be obtained from Patricia DeLancey, Executive Secretary, Academy of Criminal Justice Sciences, University of Nebraska at Omaha, Omaha, NE 68182-0115. 1 November 1983 is the deadline for applicants who wish to present a paper, chair/organize a panel, serve as a discussant, or organize a workshop or roundtable.

Social Science History Association

The ninth annual meeting of the Association will be held 25-28 October 1984 at the Ontario Institute for the Study of Education in Toronto, Canada. Those wishing to organize a panel, present a paper, chair a panel, serve as a discussant, or offer suggestions for the program for the 1984 meeting are invited to contact William Claggett, Dep't. of Political Science, University, MS 38677, or Marilyn Maurinac, Dep't. of Education and History, Colby College, Waterville, ME 04901. All proposals must be received NO LATER THAN 15 February 1984.

Mounted Police Information Available

W.E. Carfield of the College of Law Enforcement faculty at Eastern Kentucky University conducted a survey of mounted police units in the United States and Canada. Professor Carfield has assembled the data from his survey into a report entitled "Comparative Analysis of Twenty-five Horse Mounted Police Units in the United States." The study is available at a cost of \$5 (which includes postage) from Carfield at Stratton 466/EKU, Richmond, KY 40475.

RECENT PUBLICATIONS OF INTEREST

David A. Anderson, "The Origins of the Press Clause," 30 UCLA Law Review (February 1983), 455-451.

Robert Asher, "Failure and Fulfillment: Agitation for Employers' Liability Legislation and the Origins of Workmen's Compensation in New York State, 1876-1910," 24 Labor History (Spring 1983), 198-222.

Jerold S. Auerbach, Justice Without Law. (New York: Oxford University Press, 1983).

- Hans Baade, "Law at Texas: The Roberts-Gould Era (1883-1893)," 86 Southwestern Historical Quarterly (October 1982).
- J.H. Baker, "Lawyers Practicing in Chancery, 1474-1486," 4 Journal of Legal History (May 1983), 54-76.
- Yoav Ben-Dror, "The Perennial Ambiguity of Culpa in Contrahendo," 28 American Journal of Legal History (April 1983), 142-198.
- Harold J. Berman. Law and Revolution: The Formation of the Western Legal Tradition. Cambridge, MA: Harvard University Press, 1983.
- David J. Bodenhamer, "The Democratic Impulse and Legal Change in the Age of Jackson: The Example of Criminal Juries in Antebellum Indiana," 45 The Historian (February 1983), 206-219.
- Lloyd Bonfield. Marriage Settlements: The Adoption of the Strict Settlement. Cambridge: Cambridge University Press, 1983.
- Donald R. Brand, "Corporatism, the NRA, and the Oil Industry," 98 Political Science Quarterly (Spring 1983), 99-118.
- Paul A. Brand, Paul R. Hyams, Rosamond Faith, and Eleanor Searle, "Debate: Seigneurial Control of Women's Marriage," 99 Past and Present (May 1983), 123-160.
- M.L. Bush, "The Act of Proclamations: A Reinterpretation," 28 American Journal of Legal History (January 1983), 33-53.
- J.V. Capua, "Feudal and Royal Justice in Thirteenth-Century England: The Forms and Impact of Royal Review" 28 American Journal of Legal History (January 1983), 54-84.
- David S. Clark, "Adjudication to Administration: A Statistical Analysis of Federal District Courts in the Twentieth Century," 55 Southern California Law Review (November 1981), 65-152.
- Michael Combs, "The Supreme Court as a National Policy Maker: A Historical-Legal Analysis of School Desegregation," 8 Southern University Law Review (1982), 197-230.
- Michael Conant, "Antimonopoly Tradition under the Ninth and Fourteenth Amendments: Slaughter-House Cases Re-examined," 31 Emory Law Review (Fall 1982), 785-831.
- Stephen Diamond, "The Death and Transfiguration of Benefit Taxation: Special Assessments in Nineteenth-Century America," 12 Journal of Legal Studies (June 1983), 201-240.
- Charles Donahue, "The Canon Law on the Formation of Marriage and Social Practice in the Later Middle Ages," 8 Journal of Family History (Summer 1983), 144-158.
- I.G. Doolittle, "Sir William Blackstone and his Commentaries on the Laws of England (1765-69): A Biographical Approach," 3 Oxford Journal of

Legal Studies (Spring 1983), 99-112.

Robert G. Dunbar. Forging New Rights in Western Waters. Lincoln: University of Nebraska Press, 1983.

David Englander. Landlord and Tenant in Urban Britain, 1838-1918. Oxford: Oxford University Press, 1983.

R.B. Ferguson, "The Horwitz Thesis and Common Law Discourse in England," 3 Oxford Journal of Legal Studies (Spring 1983), 4-58.

P. Fennell and P.A. Thomas, "Corruption in England and Wales: An Historical Analysis," 11 International Journal of the Sociology of Law (May 1983), 167-190.

Clinton W. Francis, "The Structure of Judicial Administration and the Development of Contract Law in Seventeenth-Century England," 83 Columbia Law Review (January 1983), 35-137.

Christian G. Fritz, "Judicial Style in California's Federal Admiralty Court: Ogden Hoffman and the First Ten Years, 1851-1861," 64 Southern California Quarterly (Autumn 1982).

David M. Gold, "Redfield, Railroads, and the Roots of 'Laissez-Faire Constitutionalism'," 27 American Journal of Legal History (July 1983), 254-268.

Maria White Greenwald and Gary I. Greenwald, "Coroners' Inquests: A Source of Vital Statistics: Westminster, 1761-1866," 4 Journal of Legal Medicine (March 1983), 51-86.

Roger D. Groot, "The Jury in Private Criminal Prosecutions before 1215," 28 American Journal of Legal History (April 1983), 113-141.

Kermit L. Hall, "The Judiciary on Trial: State Constitutional Reform and the Rise of an Elected Judiciary, 1846-1860," 45 The Historian (May 1983), 337-354.

Roger Hardaway, "The Confederate Constitution: A Legal and Historical Examination," 44 The Alabama Historical Quarterly (Spring & Summer 1983), 18-31.

George L. Haskins, "'Inconvenience' and the Rule for Perpetuities," 48 Missouri Law Review (Spring 1983), 451-474.

Akira Hayami, "The Myth of Primogeniture and Impartible Inheritance in Tokugawa Japan," 8 Journal of Family History (Spring 1983), 3-29.

Richard H. Helmholz, "Bankruptcy and Probate Jurisdiction before 1571," 48 Missouri Law Review (Spring 1983), 415-430.

Edmund Heward, "The Early History of the Court Funds Office," 4 Journal of Legal History (May 1983), 46-53.

Michael W. Homer, "The Territorial Judiciary: An Overview of the

- Nebraska Experience, 1854-1867," 63 Nebraska History (Fall 1982).
- Morton J. Horwitz, "The History of the Public/Private Distinction," 130 University of Pennsylvania Law Review (June 1982), 1423-1428.
- James Willard Hurst, "The State of Legal History," 10 Reviews in American History (December 1982), 292-305.
- E.W. Ives. The Common Lawyers of Pre-Reformation England, Thomas Kebell: A Case Study. Cambridge: Cambridge University Press. 1983.
- Calvin P. Jones, "Kentucky's Irascible Conservative: Supreme Court Justice James Clark McReynolds," 57 Filson Club History Quarterly (January 1983), 20-30.
- J.L. Kainen, "19th Century Interpretations of the Federal Contract Clause -- The Transformation from Vested to Substantive Rights Against the State," 31 Buffalo Law Review (Spring 1982), 381-482.
- Anthony T. Kronman. Max Weber. Stanford: Stanford University Press, 1983.
- John H. Langbein, "Shaping the 18th-Century Criminal Trial -- A View from the Ryder Sources," 50 University of Chicago Law Review (Winter 1983), 1-136.
- A.W. McIntosh, "The Numbers of English Regicides," 67 History (June 1982), 195-216.
- Joseph W. McKnight, "Protection of the Family Home from Seizure by Creditors: The Sources and Evolution of a Legal Principle," 86 Southwestern Historical Quarterly (January 1983), 369-399.
- John P.S. McLaren, "Nuisance Law and the Industrial Revolution -- Some Lessons from Social History," 3 Oxford Journal of Legal Studies (Summer 1983), 155-221.
- Diane Maleson, "The Historical Roots of the Legal System's Response to Nuclear Power," 55 Southern California Law Review (March 1982), 597-640.
- John Massaro, "LBJ and the Fortas Nomination for Chief Justice," 97 Political Science Quarterly (Winter 1982-1983), 603-621.
- James C. Oldham, "The Origins of the Special Jury," 50 University of Chicago Law Review (Winter 1983), 137-221.
- Vernon Palmer, "Why Privity Entered Tort -- A Historical Reexamination of Winterbottom v. Wright," 28 American Journal of Legal History (January 1983), 85-98.
- Donald J. Pisani, "State vs. Nation: Federal Reclamation and Water Rights in the Progressive Era," 51 Pacific Historical Review (August 1982), 265-282.

- Garrett Power, "Apartheid Baltimore Style: The Residential Segregation Ordinances of 1910-1913," 42 Maryland Law Review (1983), 289-328.
- Stephen B. Presser. Studies in the History of the United States Courts of the Third Circuit. Washington: Government Printing Office, 1982.
- Marc Raeff. The Well-Ordered Police State: Social and Institutional Change Through Law in the Germanies and Russia, 1600-1800. New Haven: Yale University Press, 1983.
- Joyce M. Ray and F.G. Gosling, "Historical Perspectives on the Treatment of Mental Illness in the United States," 10 Journal of Psychiatry and Law (Summer 1982), 135-161.
- Uriel Reichman, "Toward a Unified Concept of Servitudes," 55 Southern California Law Review (September 1982), 1177-1260.
- Elizabeth Roth, "The Two Voices of Roger Traynor," 27 American Journal of Legal History (July 1983), 269-301.
- G.S. Rowe, "Jesse Higgins and the Failure of Legal Reform in Delaware, 1800-1810," 3 Journal of the Early Republic (Spring 1983), 17-43.
- Marylynn Salmon, "The Court Records of Philadelphia, Bucks, and Berks Counties in the Seventeenth and Eighteenth Centuries," Pennsylvania Magazine of History and Biography (April 1983).
- Marcia Jean Speziale, "Oliver Wendell Holmes, Jr., William James, Theodore Roosevelt, and the Strenuous Life," 13 Connecticut Law Review (Summer 1981), 663-706.
- Arthur J. Stanley, Jr., and Irma S. Russell, "The Political and Administrative History fo the United States Court of Appeals for the Tenth Circuit," 60 Denver Law Journal (1983), 1-119.
- Richard J. Terrill, "Alberico Gentili and the Development of International Law," 18 Comparative Juridical Review (1981), 83-97.
- Janet A. Tighe, "Francis Wharton and the Nineteenth-Century Insanity Defense: The Origins of a Reform Tradition," 27 American Journal of Legal History, (July 1983), 223-253.
- Saul Touster, "Holmes's Common Law: A Centennial View," 51 American Scholar (Autumn 1982), 521-531.
- Jonathan K. Van Patten, "Magic, Prophecy, and the Law of Treason in Reformation England," 28 American Journal of Legal History (January 1983), 1-32.
- William G. Wagner, "The Civil Cassation Department of the Senate as an Instrument of Progressive Reform in Post-Emancipation Russia: The Case of Property and Inheritance Law," 42 Slavic Review (Spring 1983), 38-59.
- G. Edward White, "The Art of Revising History: Revisiting the Marshal

Court," 16 Suffolk Law Review (Fall 1982), 659.

_____. "The Integrity of Holmes' Jurisprudence," 10 Hofstra Law Review (Spring 1982), 633.

_____. "The Text, Interpretation, and Critical Standards," 60 Texas Law Review (March 1982), 447.

S.J. Whittaker, "An Historical Perspective to the 'Special Equitable Action' in Re Diplock," 4 Journal of Legal History (May 1983), 3-45.

Carol Weisbrod, "On the Breakup of Oneida," 14 Connecticut Law Review (Summer 1982), 717-732.

Stephen Williams, "'Liberty' in the Due Process Clauses of the Fifth and Fourteenth Amendments: The Framers' Intentions," 53 University of Colorado Law Review (Fall 1981), 117-136.

Robert Willman, "Blackstone and the 'Theoretical Perfection' of English Law in the Reign of Charles II," 26 Historical Journal (March 1983), 39-70.

Gordon Wright. Between Guillotine and Liberty: Two Centuries of the Crime Problem in France. New York: Oxford University Press, 1983.

John R. Wunder, "The Chinese and the Courts in the Pacific Northwest: Justice Denied?" 52 Pacific Historical Review (May 1983), 191-211.

Prof. Henry J. Bourguignon
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