

# ASLH NEWSLETTER

AMERICAN SOCIETY FOR LEGAL HISTORY

Robert J. Haws  
Michael de L. Landon, Editors  
Department of History  
University, MS 38677

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SERIALS

NEWS OF THE SOCIETY

MAY 22 1986

## Annual Meeting

UNIVERSITY OF WASHINGTON  
GALLAGHER LAW LIBRARY

October 24-25 in Toronto, Ontario, Canada. Make your plans now to attend.

## New Officers

BARBARA BLACK (Columbia) has been elected President of the Society, THOMAS A. GREEN (Michigan) Vice President, and CRAIG JOYCE (Houston) Treasurer. L. LYNN HOGUE (Georgia State) has been re-elected Secretary.

The new Directors elected last fall for three-year terms are: DANIEL R. COQUILLETTE (Boston, MA), ROBERT W. GORDON (Stanford), KERMIT HALL (Florida), MICHAEL H. HOEFLICH (Illinois) and JANET LOENGARD (Moravian College).

## Buzz Arnold's "Swan Song"

Among the points made by the Immediate Past President, MORRIS S. ARNOLD, in his fourth and final "State of the Society" address, delivered at the Annual Meeting in New Orleans on October 19 last, were the following:

"Four years ago, we were a good deal smaller operation than we are today: We had, counting all our membership

categories, about 690 members then as compared with close to 1400 members today. As our membership doubled, so also did the burden of administration increase significantly on your officers, and particularly on your secretary. A dues increase of an extremely modest character was therefore instituted this year to take care of increased administrative expenses both present and projected, but I can report to you today that your financial affairs are in very good order indeed. Four years ago, the society's General Fund balance stood at a little more than \$23,000; today it is about \$44,000. An originally very modest publication fund, since 1982 named for our departed friend and colleague Joseph H. Smith, stood at \$5,000 four years ago; today it contains almost \$20,000. In 1979, by the way, this fund had only \$2,940 in it, so we have here an example of the magic of Capitalism: the main income over the years to this fund has been interest, royalties, and a fixed annual payment from the University of North Carolina Press in the nature of a rent. The board in a 1982 resolution, directed that the interest from these monies be used "to subsidize the publication of scholarly books on legal history"; and it further provided that the Publications Committee was to pass on requests for subvention.

The society has been most fortunate to have had Professor Jim Ely as Treasurer for the last six years. He has been a model of efficiency and I have constantly drawn on his knowledge and wisdom in trying to guide the society's affairs. We shall all miss his counsel.

Fortunately, we shall in the future be able to call on the considerable talents of Professor Craig Joice. . . . The lion's share of the credit for the society's dramatic growth in membership must go to Craig, who served for years as our membership chairman. I am confident that he will be equally successful at his new position.

Professor Kathy Hancock of the Tulane Law School served the membership ably during the [New Orleans] Annual Meeting by shouldering the responsibilities of seeing to local arrangements. We are all very much in her debt and greatly appreciate her willingness to tend to the endless barrage of detail that such a job involves.

Let me turn briefly to the future. Perhaps it lies ill in the mouth of one rapidly becoming the Ancien Regime to give advice about things that he could perhaps well have accomplished himself, but I shall nonetheless presume to do so since I have the floor. The suggestion that we have a general business meeting of the membership at every Annual Meeting has been made to me, and perhaps the Standing Committee on the Annual Meeting would like to consider the desirability of such an event. Many, perhaps most societies similar to ours have such gatherings. And speaking of what other, similar groups do, I think that it is time that we seriously think about publishing an annual report that contains, among other things, a financial statement. The Osgoode Society, for instance, does so and I think that we probably ought to as well. Then too, there is the matter of the Joseph H. Smith Memorial Publication Fund, to which I earlier alluded. Perhaps we ought to make its existence more generally known;

certainly we should devise some more regularized scheme for operating it.

If I have, despite these last very puny thoughts about our future, nevertheless dwelt too much on the past today, perhaps I will be forgiven for that on account of being a historian, or at least an aspiring one. We have reason to be very glad of our current condition; and while I am far from taking credit for all, or even any, of the good things I have just now so tediously described, I am not at all reluctant to note that they happened on my watch. I am sincerely grateful to you for letting me be present at their creation. Perhaps some will even be generous enough to attribute to me some midwifery skills."

With regard to the Law and History Review, published jointly on a semi-annual basis by the Cornell Law School and the Society, Morris remarked:

"We have achieved the kind of balance between American and non-American pieces that we aspired to in our original agreement with Cornell, an achievement that had at first and for a time eluded us. This year, on the twelve articles published, six concerned American legal history, four English legal history, one Canadian, and one Roman. And of the sixteen books reviewed, thirteen dealt with matters of American legal history, two with English, and one with Roman. In terms of quantity even, though I much dislike the practice called "weighing pubs" said to be current in some disciplines, we surpassed the competition, most of it quite handily. And it goes without saying that the quality of what appeared in the Review was extremely high and that it featured the work of both mature scholars and those still busying themselves with making a reputation. Our very real thanks are owed to Lloyd Bonfield and Russell Osgood, the Editors; to Clive Holmes, the Associate Editor; and to Adam Hirsch, the Book Review Editor, for accomplishing so much in so little time.

#### Surrency Prize

The 1985 prize was awarded at New Orleans to M.H. HOEFLICH (Illinois) for his article on "Regulation of Judicial Misconduct from Late Antiquity to the Early Middle Ages," published in the Spring 1984 issue of Law and History Review.

#### Studies in Legal History Series

Series editor TED WHITE has announced that soon-to-be-forthcoming titles include: Norman Rosenberg, Protecting the Best Man: A Social History of the Law of Libel; Marylynn Salmon, Women and the Law of Property in Early America; and Laura Kalman, Legal Realism and Legal Education at Yale, 1927-1960.



### NEWS OF MEMBERS

Congratulations to: STANLEY KATZ, who takes office as President of the ACLS in July 1986; to CHARLES CULLEN, who will begin his duties as President of Chicago's Newberry Library in September; to BARBARA BLACK, who has been elected Dean of the Law School at Columbia; and to MORRIS ARNOLD, on his appointment last December as a federal judge for the Western District of Arkansas.

ARTHUR HOGUE, Professor Emeritus of History at Indiana University and a founder member of our Society, died in Bloomington, Indiana on February 18 last. He was the author of Origins of the Common Law, published in 1966.

### NEWS NOTES

#### National Humanities Center Fellowships

October 15 is the deadline for applications for the 35-40 fellowships to be held for the 1987-88 academic year at the Center in North Carolina. The Center supports advanced study in history, philosophy, literature, and other fields of the humanities. Both senior scholars and young scholars several years beyond the doctorate may apply for fellowships to pursue research and writing in residence at the Center. Scholars from any nation may apply. In addition to scholars from fields normally associated with the humanities, representatives of the natural and social sciences, the arts, the professions, and public life are welcome to apply. An application consists of a form (available from the Center), supported by a curriculum vitae, a 1000-word project proposal and three letters of recommendation. For application material write: Kent Mullikin, Assistant Director, National Humanities Center, 7 Alexander Drive, Research Triangle Park, North Carolina 27709.

#### Columbia University Fellowships

The Columbia Society of Fellows in the Humanities, with grants from the Andrew W. Mellon Foundation and the William R. Kenan Trust, will appoint a number of post-doctoral fellows in the humanities for the academic year 1987-1988. The appointment carries with it the expectation of renewal for a second year. Fellows newly appointed for 1987-1988 must have received the Ph.D. between January 1, 1985 and July 1, 1987. The stipend will be \$26,000, one half for independent research and one half for teaching in the undergraduate program in general education. Additional funds are available to support research.

Application forms can be obtained by writing to the Director, Society of Fellows in the Humanities, Heyman Center for the Humanities, Box 100 Central Mail Room, Columbia University, New York, New York 10027. The deadline is October 15, 1986.

### Garland Publishing Project

Garland Publishing Inc., proposes to prepare a multi-volume annotated bibliography in English legal history. "We would hope to publish the first volume in 1990 and to issue an additional volume in each succeeding year until the completion of the project. The work would include both printed sources and secondary materials, articles as well as books, and would be as comprehensive as time and resources permit. We will seek sponsorship from appropriate professional organizations; underwriting will be sought from both public and private foundations."

Garland asks for your advice. Is the project worthwhile? Is it feasible? What is the most efficient way to organize it from both an editorial and annotating point of view? What would scholars find most useful--scope, arrangement, format, indices, and so forth? How many volumes?

Should you be interested in participating in this project, in whatever capacity--planning, editing, annotating--please write to Peter J. Coleman, Department of History, University of Illinois at Chicago, Box 4348, Chicago IL 60680. Dr. Coleman would also welcome your comments and suggestions on both the organization and substance of the venture.

### New Catalog

Meyer Boswell Books has recently issued its Catalogue Nine, devoted exclusively to rare and scholarly law. This catalogue, normally \$3.00, may be obtained free of charge by writing or calling Meyer Boswell Books at 982 Hayes St., San Francisco, CA 94117, (415) 346-1839. Please mention your ASLH membership.

### New Journal

Continuity and Change to be published thrice annually by the Cambridge University Press beginning in Spring 1986. Subscription rates are £30.00 for institutions and £15.00 for individual subscribers--apply to the C.U.P., the Edinburgh Building, Shaftesbury Road, Cambridge, CB2 2RV, England.

This new journal is concerned with past societies in a diverse range of cultures (primarily in Europe and the Americas) and time-spans. It especially seeks to publish studies that combine methodologies from various social sciences: economics, demography, sociology, anthropology and law. Such a multi-disciplinary approach not only enables the reader to keep in touch with work in related fields but is bound to provide new insights into one's own particular area of interest.

Because Continuity and Change is strongly committed to the wide circulation of current research and theory, both qualitative and quantitative work are presented in a manner intelligible to non-specialists. In addition, the journal draws upon an international pool of contributors and hopes to promote exchanges among research institutions in different countries.

Authors should obtain a copy of 'Notes for Contributors' from



6.  
Lloyd Bonfield, Tulane Law School, New Orleans, LA, USA, or Richard Wall, ESRC Cambridge Group for the History of Population and Social Structure, 27 Trumpington Street, Cambridge CB2 1QA, England.

#### IHR Seminars in London

As from September 1985, the Institute of Historical Research, London, has been the home for a monthly series of seminars on all aspects and periods of legal history. North American visitors would be most welcome. For further details please contact: Dr. David Sugarman, Head of the School of Law and Reader in Law, Middlesex Polytechnic, the Burroughs, Hendon, London, NW4 4BT, England.

#### Oxford Workshop

The History Workshop Centre for Social History, Oxford, England is organizing its first conference on "Law and Society" in Oxford, on 27-29 June 1986. For further information please contact: Dr. David Sugarman, Head of the School of Law and Reader in Law, Middlesex Polytechnic, The Burroughs, Hendon, London, NW4 4 BT, England.

#### Legal History Seminar at Wisconsin (Madison)

In the summer of 1986, the Legal History Program, directed by Martha Fineman (Law School), Hendrik Hartog (Law School), and Stanley Kutler (History Department) and funded with the support of the National Endowment for the Humanities, will hold its third and final two week seminar on the family in American law. In 1984 our seminar took as its organizing theme the pictures of the family in the law. In 1985 it focused on the changing meanings of dependency within the family. The 1986 seminar will be chaired by Hendrik Hartog, and its program will focus on the legal construction and regulation of long-term domestic relations.

#### History Committee Of California Bar

The Committee on History of Law in California, a standing committee of The State Bar of California, seeks applicants for membership beginning in September 1986. Applications are due by March 1, 1986 and may be obtained from the Appointments Secretary of the State Bar, 555 Franklin St., San Francisco, CA 94102. Committee members must belong to the California Bar.

The Committee promotes the study of all aspects of California legal history, from preservation of records to conducting public programs. Current major activities include preparations of a guide to manuscript collections at the Huntington Library and undertaking a series of video oral histories of prominent jurists.

For further information, please contact the Committee chair, Kenneth D. Crews, at (213) 556-4660 or (213) 397-1518.

#### British Heritage Research Trust Announcement

7.  
"The formation of British Heritage Research Trust is the result of nearly six years investigation, technical development and careful planning. Its objects are the establishment of a permanent and secure headquarters for the creation and management of comprehensive indexes to archives, art collections and historical records. The technology has already been developed for these to be stored on laser discs and managed by a very sophisticated relational database in such a way that they can be electronically searched to identify works of art or historical documents relating to specified references.

British Heritage Research Trust has already received worldwide encouragement from curators, archivists and researchers. This is because when the Trust's indexes are established they will make available previously inaccessible information. Valuable research time can then be spent analysing relevant documents rather than be wasted on "thumbing through" in the hope of finding pertinent information. Presently this is causing unnecessary wear and tear to inadequately indexed but nevertheless unique and irreplaceable original archives.

Those supporting British Heritage Research Trust will see the vast amount of information contained in public and private collections being made more available to both the academic world and to the general public. Only by creating a comprehensive indexing and cross referencing system will the full potential of this part of our heritage be realised. It will be a means to finding out more about our history--whether this be related to architects of our buildings, the painters of our works of art, or our own ancestors.

The Trust, which has so far been funded entirely from private means, is presently applying for charitable status as an international organisation to be based in a new purpose built structure underneath Newington House near Oxford, England. Certain major industrial companies have already agreed to assist with this construction and offers of additional outside assistance to further the work of the Trust, including the sponsorship of specific indexes, are now being invited."

The Trustees presently include Sir John Rothenstein, Director of the Tate Gallery for over 25 years, and Lord Teviot, a member of the Lord Chancellor's Advisory Council on Public Records. Dr. G.H. Martin, Keeper of the Public Records, serves as an Honorary Consultant.

Anyone interested in finding out more about the Trust, or in contributing to it should write to: British Heritage Research Trust, Newington House, Newington, Oxfordshire, OX9 8AG, England.

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