

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
510	1 May, 1787	<i>Pelham v. Pickersgill</i>	King's Bench	1 T.R. 660	Toll	Real property	Paper Book. Relating to ownership of land and toll taking. 28 Page Document: 20 page history of the case, a plea, and a six page special verdict by the jury (judgment for Plaintiff, 1 May 1787). 2 pages of Buller's notes detailing the arguments of Plaintiff and Defendant. The case was argued twice. The second argument was recorded in the Term Reports, with Wood arguing for the Plaintiff and Law for the Defense. Buller's notes record the arguments of both sittings, but spend more pages on the earlier sitting, with Cockill for the Plaintiff and Chambre against. List of Jurors, including mention that Sheriff had to obtain some from the courthouse. Special verdict. Approx. 2 paragraphs of case citations. Included within is a second case: <i>Pelham v. Hague</i> (Court of Common Pleas, 26 Nov 1785, Unreported) in which Hague is charged with tearing down posts and chains affixed by lord Pelham on the borough bridge in Waggoner. Tie in with toll taking. 7 page demurrer book. Includes notes on the case. Sir Thomas Davenport is mentioned on the front cover. Interior notes on Serjeant Walker; Serjeant Bottom in reply; interjections and summaries of opinions by Justices Gould, Heath, Nares and the chief justice. Note on front cover of main case giving legal precept relating to case.
511	16 May, 1787 Appealed June 14, 1787	<i>Rex v. Rich. Thompson</i>	King's Bench	Unreported. Appeal Reported: 2 T.R. 17	Poaching		Paper Book. Conviction Gaming (poaching). 1 page case. Buller: enclosed are 2 page citations; brief notes on arguments of lawyers (Wood and Chambre); brief notes on opinions of Grose and Ashhurst; outline of his opinion in the case (since unreported, nothing with which it can be compared). Case was argued twice, as there are interior notes (v. brief) on Sjt. Cockell for the plaintiff and Lambe, contra. Buller concludes with affirmation of conviction.
512	12 June, 1787	<i>Boothman v. The Earl of Surry</i>	King's Bench	2 T.R. 5	Bailiff of liberty		2 page Copy of Demurrer Book. Received 9 June, to be argued 12 June. Buller: notes on Chambre (in support of demurrer) and Lambe (contra); brief (one sentence) notes on Ashhurst and Grose. Note on front cover giving judgment to plaintiff. Also, note on front relating to outcome "bailiff of liberty liable for escape if he carry his prisoner out of the liberties, (even) though for the purpose of carrying him to the county jail" (Ms. 512, cover).
513	22 June, 1787	<i>Davies v. Lewis</i>	King's Bench	Unreported	Tenement		Paper Book, in Error on Bill of Exceptions. 3 pages. Set down for argument 22 June. Original verdict for the Plaintiff. Buller has noted on the front cover of the Ms. that the judgment was reversed. Buller: incredibly brief case citations; enclosed note referring to a different case (<i>Holloway v (B/R)akes</i> (in a "Book of Mr. Caldecott's" (Ms. 513, enclosure). Note on front relating to outcome "Where what was said by a decedent is evidence on a question whether land is parcel of a tenement or not." (Ms. 513, cover).
514	19 June, 1787	<i>Way v. Modigliani</i>	King's Bench	2 T.R. 30	Insurance		2 pages. Special Case. Buller notes a judgment for defendant. Action on an insurance policy. Buller: internal notes on only the plaintiff's attorney, Baldwin. In the term report, it says that the defendant's lawyer, Mingay, was stopped. Buller has a brief note on the insurance policy of the boat. It was insured for leaving any port from Newfoundland on the 20th of October and returning to Falmouth. Instead it left on the 1st and fished until the 7th, then departed. As such, the policy never attached. (Ms. 514, cover).

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515	19 June, 1787	<i>Fletcher v. Dyche</i>	King's Bench	2 T.R. 32	Work and labor		Copy, Paper Book. 5 pages. Plea and Joinder. Action for work and labor. Buller: interior notes on Law, attorney for plaintiff, arguing in support of demurrer. No notes on other attorney. The reporter records that he was stopped without giving a name. Note on front cover of outcome: Judgment for defendant, but leave to amend on payment of costs. Also, a note atop the front cover stating "A specific sum to be paid weekly till work is finished in default of finishing it within a certain time may be sett off." (Ms. 515, cover).
516	23 June, 1787	<i>Rex v. Inhabitants of Middlezoy</i>	King's Bench	2 T.R. 41	Pauper's Settlement		Paper Book of Orders. 2 pages. Appeal on movement of paupers from one parish to another. Buller: brief interior notes on the argument of serjeant Rooke; one sentence summary of Ashhurst opinion; notes that the order of Sessions was quashed on the front cover of the Ms. Note on front cover relating to outcome "Deed coming out of the hands of the opposite party shall be read as evidence without any proof of the execution. Thompson v. Jones, Mic. 18 G. 3" (Ms. 516, cover).
517	23 November, 1787	<i>Atkinson v. Matteson</i>	King's Bench	2 T.R. 172	Assault	False Imprisonment	Special case reserved for the opinion of the King's Bench. 1 page (far shorter than reported case). Brought up from Kingston upon Hull assizes, where verdict was given for defendant. Action for Assault and False Imprisonment. Buller: reverse page 1 of Ms. notes on Lowndes (for Plaintiff); Heywood, for the defendant; Lowndes in reply; Ashhurst opinion. Approx. 2 pages in all. Note on front: judgment for defendant, along with brief statement of outcome.
518	23 November, 1787	<i>Andree v. Fletcher</i>	King's Bench	2 T.R. 161	Insurance		Copy of special case. 3 pages. Insurance case. Noted in front, judgment for defendant. Buller: interior notes include 3 statute citations (1 para). Reverse page notes on Baldwin, for the plaintiff; Law, for the defendant; Baldwin, in response; Ashhurst (one sentence). Note on the front cover giving judgment to defendant, along with an explanatory note atop the page.
519	16 November, 1787	<i>Toussaint v. Martinnant</i>	King's Bench	2 T.R. 100	Bankruptcy		Special Case, 3 pages (history and question for the court). Bankruptcy case. Buller: interior notes on Heywood for Plaintiff; none on Wood for the defendant (term report says that he was stopped); note on Ashhurst. Note declaring judgment for defendant (non suit is recorded in T.R.) Note on the front page with legal precept from case, and note referring to Martin v. Court (2 T.R. 640), which fell within the principle of Toussaint.
520	20 November, 1787	<i>Roe d. Hunter v. Galliers</i>	King's Bench	2 T.R. 133	Landlord/Tenant	Lease	Special Verdict. 2 page pleading. Buller: interior notes on Rous for Plaintiff; Morgan for defendant; fairly extensive notes on Ashhurst opinion; brief note amidst Ashhurst review stating a relevant case. Notes judgment for Plaintiff, with a note that a provision in a lease allowing a landlord to enter if a lessee becomes bankrupt is a good condition.

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521	14 November, 1787	<i>Rex v. W. Jolliffe</i>	King's Bench	2 T.R. 90	Poor Rate	Wayleave	Paper Book of Orders, 2 pages. Regarding rating or assessment in respect of liberties of passage. Buller: reverse page 1 of Ms, notes arguments of Law, against the rule (saying Jolliffe liable as occupier of land); Erskine is stopped by the court. However, several other documents included: notes written on the back of a seemingly unrelated letter, the notes ask questions about tolls and passage; extract of wayleave lease dated 1778, granting land to Jolliffe; extract of wayleave lease dated 1779, granting land to Jolliffe for a different area. Summary of arguments by Ashhurst and Grose. These are summaries of opinions from the previous time the case was argued. In that instance, Chambre argued against the rule and Lawrence, sergeant, in support of it. The court (Grose and Ashhurst) ruled against the defendant, but the next day, entertaining doubts, ordered a new argument. Note on front saying that the first hearing confirmed the rate (of which we have Buller's summaries of Grose and Ashhurst's opinions), that a second argument was ordered, and that the rate was quashed. Another note on the front asks "who shall be said to be occupier of a wayleave and be rated as such. <u>Poor rate.</u> " (Ms. 521, cover).
522	22 November, 1787	<i>Rex v. Filewood</i>	King's Bench	2 T.R. 145	License, ale		Action for costs. One folded larger sheet, three small. Defendants were JOP's, improperly granted ale license. Buller: reverse page notes. References to several cases, with several others crossed out. Those not erased included 6 Anne Regina v. Danvers, and 2 G. 3, Rex v. Hoydon Hoad. Enclosed is a rough copy of the lower court case, 3 pages (no title, merely the contents of the case). Includes plea by Whalley for costs (the main point of this case as it stands before the King's Bench). Notation that different attorneys and counsel have been used throughout. Note on the front giving rule for attachment for the nonpayment of the costs for not going on to trial. Includes a discharge of the rule for a payment
523	9 November, 1787	<i>Lickbarrow v. Mason</i>	King's Bench	2 T.R. 63	Trover	Bill of lading	Paper book, 5 pages. The case reported in the term reports is the <i>second argument</i> , dated 9 November, 1787. However, the case was argued earlier and by different lawyers, on 22 June 1787. Action for trover. Buller: interior notes on 1st argument. Erskine for the demurrer (almost two pages of notes); Manly contra. Then second argument. Shepherd for the demurrer; Bearcroft contra. In addition there are two enclosed pages of notes, some detailing the facts of the case, and some going heavily into Wright v. Campbell, which is mentioned in the arguments. Note on front is judgement for plaintiff. Second note states that "assignment of Bill of lading transfers the property of goods" (Ms. 523, cover).
524	13 November, 1787	<i>Milward v. Thatcher</i>	King's Bench	2 T.R. 81	Office	Election	Copy of Special Case, 1 page. Milward was voted into the office of town clerk following Thatcher, despite the fact that he was also on city council at the time. Tried before Sussex Assizes. Buller: interior notes on Shepherd, for the plaintiff; Adam, for the defendant; shepherd, in reply; opinions of Ashhurst and Grose. Judgment for the plaintiff, with Buller noting on front that the case questions where acceptance of one office is a virtual surrender of another.

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525	13 November, 1787	<i>Matson v. Wharam</i>	King's Bench	2 T.R. 80	Statute of frauds		Special Case, 1 page. Buller: interior includes a few notes on Garrow, for plaintiff, but case was decided before Lambe was to speak for the defendant. Also a few notes on statute of frauds at the front cover, along with a note indicating verdict for defendant. Note on back cover citing Jones v. Cooper, 13 Ms. 1, Peckham v. Faria Mich. 22 G. 3 17 Ms. 170. Defendant assured plaintiff that he would "see him paid" for groceries of a third party. Third party did not pay, but statute of frauds prevented unwritten promise from being enforced.
526	29 January, 1788	<i>Morgan v. Hughes</i>	King's Bench	2 T.R. 225			Demurrer Book, 3 pages. Few notes. Bower, arguing for the demurrer was to have spoken first, but the court asked Williams, contra, to speak first and then decided the case on his argument (2 T.R. 225) Buller: a few Ms. Reverse page 1 notes on Williams argument; one sentence of Ashhurst. Judgment for defendant, contra demurrer. Note explaining ruling atop front cover.
527	1 February, 1788	<i>Scott Qui Tam v. Brest</i>	King's Bench	2 T.R. 238	Usury		Special Case, 1 page. Action for usury. Buller: reverse of Ms. page 1, notes on Palmer, for plaintiff; Baldwin, contra; Ashhurst. Attached to Ms. page 1, note reading (Tuesday next after fifteen days of St. Hilary is appointed to hear Counsel for both parties. Upon the motion of Mr. Baldwin.) Not sure if this meant that the arguments were postponed. The term reports list them for Friday, 1st of February, 1788. Note on front cover raises question of venue for usury action. Judgment for plaintiff
528	25 April, 1788	<i>Denn d. Trickett v. Gillot</i>	King's Bench	2 T.R. 431			Copy Case, resolved, 2 pages. Buller: brief interior notes (couple of sentences) on Wood, for plaintiff; Lambe, for the defendant; Wood in reply; 2 case citations on back cover (Throgmorton v. Wharrey, 8 ms. notes 169; Gossage v. Taylor Sty. 325 .8 Ms. notes 191). Ejectment act involving heritability. Note on front cover explaining case. Judgment for defendant.
529	18 April, 1788	<i>Dore v. Gray</i>	King's Bench	2 T.R. 358	Trespass	Commission of sewers	Special case, one page. Term report lists date as April 18th. Cover of manuscript says case is to be argued on the 8 th of February, but written above it is a change of date. Case regarding extent of authority of commission of sewers. Action for trespass. Buller: extensive interior notes on Burrough, arguing for plaintiff; one sentence on Douglas, contra; summary of Ashhurst. Also, extensive citation of Blackstone on back cover of Ms. Judgment for defendant (on front cover). Question to what places the authority of the commission of sewers extends.
530	25 April, 1788	<i>Rex v. Inhabitants of Farringdon</i>	King's Bench	2 T.R. 466	Pauper's Settlement		Copy of Orders, 2 pages. Pauper removal case. What entails sufficient settlement. Copy of pleas, no notes on case aside from the front cover, where it was written that the order was quashed, and Buller wrote a short condensation of Ashhurst and Grose(s) opinions.
531 (a)	21 April, 1788	<i>Rex v. Stubbs</i>	King's Bench	2 T.R. 395	Overseer of the poor		Paper book of orders, 1 page. Issue: whether a woman can be elected overseer to the poor. Buller: enclosed slip detailing objections to election along with answers; interior and enclosed notes on Syers, arguing that the rule should not be quashed; Lycester, arguing that it should; summary of Ashhurst opinion. Buller's note on front cover "a woman may be an overseer." (Ms. 531(a), cover). Order affirmed (Mrs. Stubbs permitted to be overseer).

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531	26 April, 1788	<i>Silvester d. Law v. Wilson</i>	King's Bench	2 T.R. 444	Ejectment	Trust	Special case reserved for the opinion of the court, 2 pages. Held from Lent Assizes, in York. Action for ejectment for five cottages and one acre of land. Buller: interior notes on Holroyd, for the plaintiff; Heywood, for the defendant. No summaries of judicial opinions. Judgment for defendant. Buller's question on front cover "what words create a trust or create a legal estate"
532	26 April, 1788	<i>Rex v. Inhabitants of Newton Toney</i>	King's Bench	2 T.R. 453	Pauper's Settlement		Copy of Order of Sessions, 2 pages. Pauper removal case. No notes other than Buller's pointing out on front that "a hiring for four shillings a week is not hiring for a year." (Ms. 532, cover). Order quashed.
533	25 April, 1788	<i>Akkinson v. Maling</i>	King's Bench	2 T.R. 462	Bankruptcy	Mortgage, ships	Special Case, 3 pages, history of the case and question for the court. Bankruptcy case, to be argued 18 April, 1788 on Ms, but listed as 25 April in Term reports. Buller: interior notes on Chambre for the defense, who spoke first (the term reports say to raise objections) citing several cases and making arguments; one sentence on Clayton, contra (who was stopped by the Court in the term reports); paragraph paraphrasing Ashhurst's opinion. Note on front cover giving judgment to plaintiff and giving a precept on mortgages on ships at sea in relation to bankruptcy.
534	25 April, 1788	<i>Roe d. Gregson, Widow v. Harrison</i>	King's Bench	2 T. R. 425	Ejectment		Special Case, 2 pages, history of the case with original verdict for plaintiff. Action for ejectment tried at Lancaster assizes. Buller: interior notes on Law for the defense, whom the court desired to speak first. No summary of Wood, counsel for defendant, nor any summary of opinions. Note on back cover saying "confirmed. Depends on knowl. of title. 15 ms. 3 P.B. 19" (Ms. 534, back cover). Note on front cover giving judgement for plaintiff, and saying that a lease with proviso to be voidable if lessee, his executors or assignors sell or assign land without consent in writing
535	April 25, 1788	<i>Hedges v. Sandon</i>	King's Bench	2 T.R. 439	Debt	Gambling	Paper book, 2 pages. Action for debt by Sarah Hedges (widow), against Sandon. Sandon didn't pay her claiming that he had won back the money he lost by playing cards with her (all fours was the game). Buller: interior notes: about page notes on Mr. Gibbs (doesn't say who arguing for); page of statutory cites. Note on front cover giving judgment to plaintiff, and note at top of front about gaming. There is also a crossed out note on the front cover that states "rec'd this paper book after receiving one from the Pltff attorney 19 April, 1788." (Ms. 535, cover).
536	26 April, 1788	<i>Rex v. Inhabitants of Stoke</i>	King's Bench	2 T.R. 451	Pauper's Settlement		Paperbook of orders, 1 pages. To be argued 26 April, 1788. Pauper moved from Stoke to Barlaston. Order quashed in a lower court, and quashed again at the Kings bench. Buller: couple of interior notes on Leycester arguing to uphold the order. No other notes. Note on front cover quashing order and a second note relating something of the nature of a tenement (in terms of this pauper)

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537	18 April, 1788	<i>Lord Amherst v. Lord Sommers</i>	King's Bench	2 T.R. 372	Poor Rate	Trespass	Special Case, 4 pages, plus one small page record of verdict from nisi prius hearing, plus other documents. Originally to be argued on 5 February, but judgement not given till 18 April. Buller: reverse of Ms. page 1, notes on Fielding (for the defense, asked by court to speak first); none on Shepherd for the plaintiff; couple of sentences summarizing Ashhurst's opinion. Note on front cover giving judgement for plaintiff (as was done in the lower court) and note atop front page discussing the use of guards and stables (guard shall not be charged to the poor rate). Case regarding trespass for taking plaintiffs goods, relating to soldiers use of stables. It is noted that there are no relevant cases. However, included in the Ms. is a copy of an Act of parliament from 19 May, 1761, which is an act designed for the regulation of night watch and beadles, cleaning streets, lighting streets, repairing highways and regulating the poor.
538	19 April, 1788	<i>Rex v. Inhabitants of Sulgrave</i>	King's Bench	2 T.R. 376	Pauper's Settlement		Paper book of orders, 2 pages. Pauper case. Court of quarter sessions approved the removal of the pauper from Westbury to Sulgrave. Buller: interior notes on Lowndes (who in the term reports is a co-representative along with Dayrell, who is not mentioned in the notes). Note on front saying that the order was quashed on the 19th of April, 1788 (front of Ms says case to be argued on the 12th), and a note on hiring the pauper ("because of your settlement, hiring for a year" (Ms. 538, cover)).
539	12 April, 1788	<i>Rex v. John Morgan (on the prosecution of William Morgan)</i>	King's Bench	Unreported	Poaching		Copy of Conviction, 1 pages. To be argued 12 April, 1788. Conviction for poaching. Buller: v. brief interior notes, seems to be implying that however Morgan killed a hare, the act doesn't rule against it (he might have done it by accident?). Note on front saying (conviction for killing hare and destroying game bad((Ms. 539, cover) and another note quashing the conviction
540	18 April, 1788	<i>Straton v. Rastall</i>	King's Bench	2 T.R. 366	Assumpsit		Copy of special case after verdict, 3 pages plus one small page of record from nisi prius hearing dated 19 November, 1787 from the Guildhall in London. First put down for argument on 1 February, no judgment until 18 April. Action of assumpsit for money had and received by defendant. In nisi prius, order of 425 pounds for plaintiff in front of Buller, J. (in term reports). The result in this is judgement for the defendant. Buller: interior notes on Baldwin for plaintiff; Brough for defendant; Baldwin in reply, Ashhurst opinion; Buller making a note that he was for the defense; and a note saying that Grose doubted that the action was sustainable but it was possible. There is then a separate paragraph on a Grose opinion. This holding explained by the term reports, which say that Grose made up his mind on the 21st and declared that the action was untenable, giving a majority to the defendant. Note on front giving judgement to defendant and a note explaining by Buller.

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541	18 April, 1788	<i>Lempriere v. Lempriere</i>	King's Bench	Unreported	Will		Case directed to the King's Bench by the court of Chancery, 11 pages. Case between an infant and other family members regarding a will. Includes contents of will in the transcript. The question before the court is whether a codicil in the will comprised a devise of (any and what part of the said testator's real estates((Ms. 541 pg. 11). Buller: surprisingly few notes for such a long text (though most of the text was taken up by a transcription of the will). Notes on Chambre (doesn't say for whom (one assumes the plaintiff); mention of Nicholls being contra, but no note so probably stopped by the court. Note on front giving judgment for defendants, with note atop saying "where the word legacy in a will shall extend to the lands before given to another person" (Ms. 541, cover)
542	29 January, 1788	<i>Paviour v. Hewitt</i>	King's Bench	Unreported	Trespass	Cattle	Copy paper book, 4 pages. On front "to be argued 29 January 1788." Plea, replication, demurrer, joinder. Action was for trespass: the defendants are charged with trampling the Widow Paviour's grass with their livestock and destroying it. Buller: reverse page 1 of Ms., notes on Holroyd (one assumes for the plaintiff); Walton, contra; Holroyd in reply; also a couple of cites in the margins of his own notes, including Delamotte v. Cuttings (a Mansfield opinion). Note on front cover saying "East. 28th Geo. 3rd def. Amended on payment of costs." Also, note at top saying "when modus to give a cart load of hay be good. Tythes" (Ms. 542, cover)
543	18 April, 1788; 16 November, 1787; 1 February, 1788	<i>Robinson v. Hardcastle</i>	King's Bench	2 T.R. 241, 380, 781 (2 T.R. 380 and 2 T.R. 781 refer to the certificates)	Will		Sent from the court of chancery to the court of King's bench for an opinion, 4 pages. Set down for argument for 27 th January, 1788, but no verdict until 18 April. Three references to it in Term reports, one of the original case, and two versions of the certification sent to the Lord Chancellor. Term reports show that the case was argued twice, first on 16 November, 1787 with Mitford for the plaintiff and Graham for the defendant, and again on 1 February, 1788, with Bearcroft for the plaintiff and Piggott for the defendant. Buller (copious notes both interior and enclosed (at least 7 small pages). Notes on Mitford and Piggott for the second hearing; 6 long case summaries including Pitt v. Jackson, Mallison v. Andrews, Alexander v. Alexander, Doe v. Brownsmith, Adams v. Adams, and Chapman v. Brown; page notes/summary of his opinion. Final certification on front was that the plaintiff was not entitled. Note atop front page relating to the insertion of unborn children/grandchildren into wills
544	Easter Term, 1788	<i>Beales v. Mayor, Bailiffs And Burgesses of Cambridge</i>	King's Bench	Unreported	Election	Mandamus	Paper book of Mandamus and Return, 3 pages. Action against city because Beales was elected to the common council, but the mayor and council refused to swear him in to the office. Mandamus demanded that Beales be sworn in, return said that he was not qualified. Buller – notes on Wilson (One assumes for Beales); notes on Wood, contra. Note on the front saying that the return was "quashed as to all but the last clause, viz, that he was not duly elected." Note atop noting that a return to a mandamus may be allowed as to one cause and quashed as to all the others.

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545	18 April, 1788 Report shows 25 April, 1788	<i>Revell v. Jodrell</i>	King's Bench	2 T.R. 415	Inclosure	Parol Evidence	Special case, 13 ½ pages. Made under inclosure act to determine whether two commons were freehold or copyhold. Includes 4 ½ pages of parol and written evidence as to acts of ownership. Brief note attached to front giving an order of the court that the case is to be argued next Friday – and in the term reports it is listed as being on the 25 th of April. It was moved on the motion of Mr. Clarke, the attorney for Revell. Buller – notes on Clarke, for the plaintiffs; notes on Serjeant Hill, for the defendant; Clarke in reply; ½ page summary of Ashhurst opinion. Notes on front declares a judgment for the plaintiff, and atop the page a note saying that allotments made to copyhold estates in [right] of common upon an inclosure shall be whole and not copyhold estate. Note on back citing a case – Swaine's case
546	18 April, 1788	<i>Hoare v. Parker</i>	King's Bench	2 T.R. 376	Trover	Will	Special case for the opinion of the court, 2 pages. Trover for plate by plaintiff. Buller – no notes on back. Note on front saying the case was given up by the defendant, and a note at the top saying that the “plate was given by will to one for life. Remainder over was pawned by tenant for life. Remainder man shall recover it.”
547	4 June, 1788	<i>Deey v. Shee</i>	King's Bench	2 T.R. 617	Lottery tickets		Declaration/brief for plaintiffs, 2 pages. Dispute about the sale of lottery tickets. Term reports shows a victory for the plaintiff at the lower court, at which point a motion was made to arrest judgment. Buller – no notes on the lawyers, but there are some notes from Buller on the case that might have been used to write his opinion, and also a lot of numbers on the backs of some of the pages that seem to be his working out of the money in the lottery system. Note on front arresting the judgment, and a note by Buller saying that “agreement on the sale of lottery tickets reserving one chance is bad. <u>Statute</u> ”
547 (a)	Trinity term, 1786	<i>Dennis v. Pretlove</i>	King's Bench	Unreported	Rule nisi, new trial		Copy, paper book, 20 pages. Note on front “plaintiff obtained verdict at the last Suffolk assizes, since which the defendant has obtained a rule nisi for a new trial.” Buller – notes on back (rather illegible and faded) giving case cites (1 ½ pages); separate papers giving cases (some crossed out, some not); another 1 ½ pages of notes, some on cases, some possible preparation of opinion. Also includes a copy of Pretlove v. Dennis (Trinity, 26 Geo 3), and a copy of the charter of Richard II (1302) along with a marginal notation by Buller. Note on front saying that on May 8 1787 a new trial was granted
548	1 June, 1788	<i>Rex v. Thomas Mason</i>	King's Bench	2 T.R. 581	Pleadings		Paper book on Record in Error, 3 ½ pages. To be argued 31 May, 1788. Proceedings against Mason for obtaining goods by false pretenses. He was sentenced to transportation in lower court, and appeals on the ground that it was never state what the pretenses were. Buller – notes on Marryatt, for the defense; Caldecott, contra. Some case cites within the summaries. Note on front reversing judgement, with a note atop the page stating that “indictments for attaining goods by false pretenses must state what the pretenses were.” (Ms. 548 cover).
549	7 June, 1788	<i>Rex v. Inhabitants Of Cheshunt</i>	King's Bench	2 T.R. 623	Poor Rate		Paper book of orders, 1 page. To be argued 7 June, 1788. No notes but for the front, where it is noted that the order is affirmed, and at the top of the page Buller says that a person “overcharged in a poorate may be relieved at the sessions without charging others or quashing the rate” (Ms. 549, cover).

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550	Easter Term, 1788	<i>Brown v. Duke of Portland</i>	King's Bench	Unreported	Trespass		Copy paper book, 7 pages. For argument on 4 June, 1788. Case for trespass. No notes on the case apart from an attached slip setting the date for hearing the arguments and a note on the front giving a judgment for the defendant, along with two notes atop. The first says that irregularities in practice cannot be pleaded in bar. The second is less legible.
551	7 June 1788	<i>Radcliffe v. D'Oyly</i>	King's Bench	2 T.R. 630	Dilapidations	Prebendaries	Special case, 1 ½ pages (almost half of which is a statute in Latin). Action for dilapidations, tried before Ashhurst at the last assizes. Buller – notes on Wilson, for plaintiff; Graham, contra; Wilson in reply. Note on front giving judgment to the plaintiff for 51.3.5. Also, a note atop the page saying that “prebendaries are liable to actions for dilapidations.” Prebendaries seem to be related to former monasteries – as some of the statutes cited indicate.
552	26 May, 1788	<i>Samuel (assignee) v. Evans</i>	King's Bench	2 T.R. 569	Debt, bail bond		Copy of Issue, 2 pages. Dated in term reports to 26 May, 1788. Debt on a bail bond. Buller – notes on Lane (shewed cause – for plaintiff, it is implied); Morgan, contra, couple of sentences; long list of case cites, though without descriptions for most of them except Saxby v. Kirkus. Note on front arresting judgment on 26 May, 1788. Note atop page saying that a “bail bond taken after the return of the writ is void, and the statute of 23 H. 6 need not be pleaded.” (Ms. 552, cover)
553	12 May, 1781	<i>Rex v. Howell</i>	King's Bench	Unreported	Usury		Copy of Conviction, 2 pages. Dated from 21 st year of Geo III, (1781?). Case on conviction for usury found at quarter sessions. Buller – note on Rex v. Reed (Hil. 11. G. 1). Note on front reversing judgment on 12 May, 1781, and note atop saying that a judgment for usury was to be reversed as the justices at the session don't have jurisdiction.
554	31 May, 1788	<i>Edwards v. Harbe, Executor of Tempest Mercer</i>	King's Bench	2 T.R. 587	Assumpsit		Special Case, 2 pages. Assumpsit for goods sold to defendant's testator. Argued 31 May, 1788. Cover of Ms. gives set date as 27 May, 1788. Ms also includes a copy of Edwards v. Harben set down to argue on 18 April of the same year. On the back of that Ms. are notes from Buller (approx 1 para) citing a case. Also Buller notes on the back of what might be a list of court dates, citing some statutes and cases. Buller – notes in main manuscript on arguments of Partington, plaintiff; Steele, contra. Note on the front giving judgment to plaintiff, and a note on top relating to taking possession after a bill of sale.
555	2 June, 1788	<i>Atherfold v. Beard</i>	King's Bench	2 T.R. 610	Assumpsit	Gambling	Declaration, 6 pages. Action of assumpsit on a wager of five guineas. Argument over whether previous rule should be arrested. Buller – notes on Serjeant Bond for plaintiff; notes on Adam, also for plaintiff (against the rule); notes on Erskine, contra; summary of Ashhurst opinion. There are also marginal notations throughout, but the handwriting does not appear to be Buller's. Note on front showing judgment arrested as of the 2d of June, 1788, and a note atop saying “wager on duty of hops void assumpsit.” (Ms. 555, cover).
556	9 June, 1788	<i>Martin v. Court</i>	King's Bench	2 T.R. 640	Debt on bond	Bankruptcy	Special Case, 1 ½ pages. Action on debt on bond. Buller – notes at end of case on Baldwin for the Plaintiff; Smith, contra; cites Toussaint v. Martinant (Ms. 519). Note on front gives judgment for defendant, and a top page says that where debt shall be said to accrue before or after bankruptcy.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
557	7 June, 1788	<i>Rex v. Inhabitants of Odiham</i>	King's Bench	2 T.R. 622	Pauper's Settlement		Paper book of orders, 1 ½ pages. Pauper removal case, decided 7 June, 1788. No notes except on front, one affirming the order, the other saying that a "hiring at 9 shillings a week though the pauper serve for more than a year will not gain a settlement." (Ms. 557, cover)
558	7 June, 1788	<i>Rex v. Inhbts. St. Andrew's, Holborn</i>	King's Bench	2 T.R. 627	Pauper's Settlement		Paper book of orders, 1 page. Pauper removal case, decided 7 June, 1788. No notes except on front, quashing the order, and atop the front a note saying that a servant gains a settlement even if their master goes bankrupt before the end of the year.
559	7 June, 1788	<i>Rex v. Inhbts. St. Philip, Birmingham</i>	King's Bench	2 T.R. 623	Pauper's Settlement		Paper book of orders, 1 ¼ pages. Pauper removal, to be argued 7 June, 1788. Buller – v. brief notes, citing <i>Rex v. Gresham</i> ; notes on <i>Bearcroft</i> , arguing against order of sessions (which had removed the girl to St. Philips); one sentence on the opinion of <i>Grose</i> . Note on front quashing the order to remove her, with an explanatory note atop, saying that a servant who gives notice 8 days before the end of the year, and her mistress discharges her before the end of the year but pays her her full wages for the year, then the servant gains a settlement.
560	7 June, 1788	<i>Rex v. Inhbts. Of Llangammarch</i>	King's Bench	2 T.R. 628	Pauper's Settlement		Paper book of orders, 1 ¼ pages. Pauper removal, 7 June, 1788. Buller – case cite to <i>Rex v. Painswick</i> . Note on front quashing order, and explanatory note atop the page saying that "the mere rating a house, where the tenant is not known and never pays, will not give a settlement to the tenant."
561	31 May, 1788	<i>Rex v. Inhbts. of Kenilworth</i>	King's Bench	2 T.R. 598 (If looking at the English Reports database of HeinOnline it is cited as 2 T.R. 597)	Pauper's Settlement		Paper book of orders, 2 pages. Pauper removal, to be argued 31 May 1788. Buller – notes on <i>Willis</i> , contra to order of rule removing pauper; some case cites at bottom of document. Note on front affirming order, along with a note explaining that "if a servant be removed by an order though he comes back and serves out the year, he shall not gain a settlement." (MS 561, cover)
562	31 May, 1788	<i>Rex v. Inhbts. of Lopen</i>	King's Bench	2 T.R. 577	Pauper's Settlement		Paper book of orders, 3 pages. Pauper removal, to be argued 31 May, 1788. Buller – some notes on the arguments of <i>Lens</i> , showing cause. Notes on front, one saying that the order was quashed, the other an explanatory note relating to residence on estates and the link to gaining a settlement.
563	11 November, 1788	<i>Ladbroke v. Crickett</i>	King's Bench	2 T.R. 649	Trover, ship		Copy Special case, 4 ½ pages. Action of trover for a ship. Argument is listed as for 6 June, 1788, but the case reporter lists it as being from 11 November, 1788. Doesn't seem to have been argued twice. Buller – notes on <i>Richardson</i> , for plaintiff; <i>Wood</i> , for defense. No opinions of judges. Some case cites contained in the summaries, and also on the back cover of the Ms. In addition, three lines of <i>shorthand/code writing</i> on the back of the manuscript. Note on front showing judgment for defendant, and an explanatory note at top of the page.
564	6 June, 1788	<i>Whitmore v. Papillon</i>	King's Bench	Unreported	Excise, wine		Special Case, 4 ¼ pages, Excise case on wine. Buller – notes on <i>Chambre</i> (for plaintiff); notes on <i>Wood</i> , contra. Also two slips of paper, receipts for tax paid on wine when imported. Note on back, citing 27 Geo 3, c. 31. S. 3. Notes on front, one saying judgment for plaintiff, the other citing the above-mentioned statute and discussing briefly excise.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
565	12 November, 1788	<i>Rex v. Undertakers of the Aire and Calder Navigation</i>	King's Bench	2 T.R. 660	Rating of tolls, river		Paper book of orders, 2 pages. Action on allocation of tolls/rates on river. Buller – notes on arguers against rule of sessions – Bearcroft, Erskine & Fearnley; notes on the opinion of Lord Kenyon. Note on front saying order affirmed, and explanatory note atop page discussing the rating of tolls.
566	25 November, 1788	<i>Horwood v. Smith</i>	King's Bench	2 T.R. 750	Trover, sheep		Special case, 1 page. Trover for a sheep. Ms. lists argument date as 18 November, Term Reports list it as 25 November. Buller – notes on Mills, for plaintiff, along with case cites; notes on Russell, for defendant; case cites on back cover. Note on front giving judgement to defendant, and stating that trover does not apply to a person who buys a stolen animal in the market and sells it before the conviction of the thief. (in notes, Russell doesn't say that plaintiff is not entitled to restitution, just not from him)
567	18 November, 1788	<i>Doe d. Nutter v. Folds</i>	King's Bench	Unreported	Trespass	Ejectment	Copy of special case, 4 pages. Action for trespass and ejectment, found for plaintiff in the lower court. Buller – notes on one of the lawyers (name unfamiliar – looks like Topping); notes, on what looks like L.K. (Lord Kenyon); one sentence paraphrasing Ashhurst. On front, judgment for defendant, and a note saying that “assigns of bankrupt are seized of copyhold against all persons but the landlord before admittance.
568	6 May, 1788	<i>Johnson v. Clerk</i>	King's Bench	Unreported	Pleadings, joinder		Demurrer book, 5 pages. Plea, demurrer, joinder. Buller – very few notes. A couple of case cites on the back, including Bartram Case. Note on front giving judgment for defendant, plaintiff having given up. An explanatory note atop the page saying that the exclusion from selling meat on market day except between 8 and 10 o'clock was bad.
568 (a)	1788	<i>Goodtitle d. Peake v. Pegden</i>	King's Bench	2 T.R. 720	Ejectment	Will	Copy Case, 1 page. Ejectment for leasehold premises, question on limitation in will. Buller – v. brief notes. A couple of statute/case cites on the back page. Note on front giving judgment for plaintiff and explaining that “devise of a term to A & his lawful heirs, and if he should happen to die & leave no lawful heir, then to B – limitation to B is good.” (Ms. 569, cover).
568 (b)	14 November, 1788	<i>Salomons v. Nisson</i>	King's Bench	2 T.R. 674	Trover, lead	Bill of lading	Copy special case, 3 ½ pages. Action for trover on 705 pigs of lead. Buller – notes on Dauncey for plaintiff; Wood for defendants; Dauncey in reply; and summary of the opinion of Lord Kenyon (who cites Lickbarrow v. Mason, among other cases). Note on front giving judgment for defendant, and explanatory note saying that “if holder of Bill of Lading took it knowing goods were not paid for, vendor may seize them in transitu.” (Ms 570, cover)
569	18 November, 1788	<i>Townley v. Gibson</i>	King's Bench	2 T.R. 701	Trespass	Inclosure act	Case for the opinion of the court, 4 ½ pages. Action related to trespass, inclosure act, and mines. Buller – notes on Ainsley for the plaintiff; Topping for the defense; summary of Lord Kenyon's opinion; one sentence summary of Grose. On the front, judgment noted to be for the plaintiff, and the explanatory not said that mines are part of the soil, and not included in seignories, royalties, manorial jurisdiction, etc – <i>exposition of words</i> .

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
570	6 June 1788 Report is 11 November, 1788	<i>Fletcher v. Smiton</i>	King's Bench	2 T.R. 656	Reversionary interest	Will	Copy of special case, 2 pages. Ms. lists date as 6 June, but Term reports list it as being heard 11 November. Most likely adjourned till next session. Case for money had and received. Question of whether reversionary interest passed down under a devise – if it did not, the old verdict stands, if it did, verdict for defendant. Buller – v. brief notes on shepherd, for plaintiff – 3 cites only; summary of Lord Kenyon's opinion, along with a cite of <i>Chester v. Chester</i> . Note on front judgment for defendant, with note atop page "where the word estates in a <u>will</u> shall convey a freehold. <u>Exposition of words.</u> " (Related to Ms. 569?)
571	Michaelmas Term, 1788	<i>Williams v. Clarke</i>	King's Bench	Unreported	Will		Will and testament case, 2 pages. November, 1788. No notes except on front, giving judgment for plaintiff and at the top saying that the words estates and effects real and personal, whatsoever and wheresoever in a will, give a fee. This is once again followed by and underlined <u>Exposition of words.</u>
572	14 November, 1788	<i>Thrustout d. Rooke v. Smythe</i>	King's Bench	Unreported	Ejectment		Copy of Special Case, 3 pages, plus attached page giving verdict at assize (judge was lord Kenyon, verdict was for plaintiff. Ordered to appear before King's bench, and if the ruling is for plaintiff, then the lower court ruling stands and can be executed). Ejectment action for a <u>lot</u> of land – ten mossues, ten barns, ten stables, ten outhouses, ten gardens, ten orchards, 500 acres of land, 500 acres of meadow, 500 acres of pasture, 100 acres of wood & 100 acres of furze and heath. Buller – notes on Plumer, for the plaintiff, citing several cases; Nower (?) for the defense; Plumer in reply; summary of Lord Kenyon's opinion; brief summary of Ashhurst; some notes on the state of the testament. Note on front gives judgment for defendant "as to moiety." (Ms 572, cover), and the note atop the page claiming that the "word Lands in a will carries a remote reversion in fee, unless an apparent intent to contrary. <u>Exposition of Words.</u> " (Ms 572, cover)
573	November 14, 1788	<i>Russell v. Men Dwelling in the County of Devon</i>	King's Bench	2 T.R. 667	Negligence		Copy of demurrer book, 2 pages. Listed on claim for argument on June 4 th , but not in term reports until November. Action for money over a cart damaged when crossing a bridge in Devon, which the inhabitants should have kept in good repair. Buller – lot of notes on Chambre, for plaintiff; Gibbs, contra; summary of the opinion of Lord Kenyon ("This is an experiment which, if it succeeded, would introduce Legions of Actions."); brief summary of Ashhurst. Judgment on cover is for defendant, with Buller noting that an "action will not lie against inhabitants of a county." (Ms 573, cover)
574	Easter Term, 1789	<i>Pasley v. Freeman</i>	King's Bench	3 T.R. 51	Fraud, recommendation		Copy of declaration, 5 ½ pages. Set for argument 9 February, 1789. Copious notes – takes up almost 15 pages in term reports, and lots of Buller notes. Buller – case and statute cites on back cover, and case cites and reviews on a separate leaf; review of Piggot (for arrest of judgment), Law, and Heywood (interesting, because the term reporter chooses to omit their arguments, saying that the Court went into them fully enough, and noting only that Wood argued for the Plaintiff and Russell for the defendant last term); one sentence on Grose; brief summary of Ashhurst and Buller combined; summary of Lord Kenyon's opinion; <i>draft of Buller opinion</i> . Note on front giving judgment to plaintiff, and a note atop saying that an action lies against a person who convinces another that a third party can be trusted when the third party is in fact insolvent.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
575	11 February, 1789	<i>Rex v. Inhabitants of Gwenop</i>	King's Bench	3 T.R. 155	Pauper's Settlement		Paper book of orders, 3 pages. Pauper removal case, to be argued 11 February, 1789. Sessions concluded that his service in the militia did not count towards settlement. Buller – notes in two colors, one amending the other. The first is a statute relating to poor law; second set of notes include another statute; arguments of Erskine and Plumer (arguing for defendants – saying pauper irremovable from other town) (plaintiff's attorney was Caldecott, was stopped by the court); one sentence summary of Ashhurst. On cover, note affirming the order of removal to Gwenop, and a note atop the page saying "militia man may be removed before he is chargeable if he does not carry on a trade. <u>Poor.</u> " (Ms. 575, cover).
576	6 February, 1789	<i>Allen, Administrator of Thomas Priestman v. Dundas</i>	King's Bench	3 T.R. 125		Probate of a will	Copy of special verdict, 6 pages, plus slip with record of motion of Shepherd to move trial date to Monday after the octavo of St. Hilary, 29 Geo. 3. Case for money had and received to use of the intestate. Buller – notes on Shepherd, for plaintiff; Baldwin, contra; Shepherd in reply; note on Ashhurst; notes on part of Buller's opinion (I think); couple of statute cites on back cover. Note on front giving judgement to defendant on the 10 th of February, 1789. Note atop "payment to a person who has a probate of a forged will is good, though the probate be afterwards revoked. Exor." (Ms. 576, cover)
577	Hilary Term, 1789	<i>Rex v. Inhbts. of Hartington</i>	King's Bench	Unreported	Pauper's Settlement		Paper book of orders, 1 ½ pages. Pauper removal, final judgement on 7 February, 1789. Buller – no notes except for those on the front. (1) "Orders quashed. The counsel agreeing that they could not support it if the Chief Justice said it was clearly bad." (2) "If a parish be divided into different quarters a pauper must be sent to the quarter to which he belongs and not to the parish generally." (Ms 577, cover).
578	10 November, 1789	<i>Rex v. Mark Terret</i>	King's Bench	2 T.R. 735	Vagabond		Paper book of orders of conviction, 1 ½ pages. The reporter is dated to the tenth of November, 1789, and the Ms is dated 7 February, 1789. Buller – notes on Bearcroft (not mentioned in term report); one sentence on Lord Kenyon. Note at front quashing order of sessions, and noting that "quarter sessions have no jurisdiction over conviction against end gatherer unless the offender be committed to the next sessions. <u>Vagabond.</u> " (Ms 578, cover)
579	7 February, 1789	<i>Rex v. Inhbts. of Liverpool</i>	King's Bench	3 T.R. 118	Pauper's Settlement		Paper book of orders of sessions, 2 pages. Pauper removal, appeal on sessions reversal of a removal. Buller – brief notes on Bearcroft, arguing against the orders of the sessions (Law was supposed to have argued for the orders, but the court desired to hear Bearcroft first). Note on front affirming order of sessions, and noting that the sexton of a parish in which part of the church extends into a different parish (where the sexton resided) can gain a settlement in the different parish.
580	7 February, 1789	<i>Rex v. Clapp</i>	King's Bench	3 T.R. 107	Pauper's Settlement		Paper book, 1 ¼ pages. Man in parish ordered to take pauper as an apprentice, appeals. Buller – notes on East, in support of Sessions; Fanshaw, contra; Clapp, also contra (one sentence); brief summary of Lord Kenyon's opinion. Note on front affirming orders, and atop saying that "person who rents an Estate in A, though he resides in B, is liable to take an apprentice from A." (Ms. 580, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
581	7 February, 1789 Printed Report for 27 April, 1788	<i>Rex v. Young</i>	King's Bench	2 T.R. 472	Certiorari	Writ of error	Paper book on record in Error, 6 pages. The term report is a denial of certiorari to the court dated April 27, 1788. However, the Ms. is a writ of error, and appears in King's Bench, so it did eventually make it, though this round was not reported. Buller – notes consist of 4 objections and their answers, given by Fielding; summary of opinion by Lord Kenyon. Brief note on back cover about pretense. Note on front affirming the judgement, along with the note atop reading “what is a false pretense and what indictment good for obtaining money by false pretenses.” (Ms. 581, cover).
582	7 February, 1789	<i>Rex v. Inhbts. of Offchurch</i>	King's Bench	3 T.R. 114	Pauper's Settlement		Paper book of orders, 2 ½ pages. Pauper removal case, removed to Offchurch, affirmed by sessions on appeal. Buller – summary of Erskine in support of the order of sessions (Bearcroft, contra, was stopped); case cite, Eastwoodhay v. Westwoodhay; summary of Lord Kenyon's opinion. Note at front quashing the order of sessions, and noting that a “husband gains a settlement by residing in a House vested in trustees to pay the rents and profits to the wife.” (Ms. 582, cover)
583	5 February, 1789	<i>Roe d. Perry v. Jones</i>	King's Bench	1 H.Bl. 30/Briefs 10 (Eng reports v126 p10)	Ejectment	Writ of error	Copy of proceedings in error, 7 pages. Writ of error on an ejectment. Buller – notes on argument of Mr. Jekyl; notes on the opinion of Lord Kenyon; separate small sheet with notes on cases. Note at front affirming judgement and saying, that “the interest which one takes by executing devise is devisable.” (Ms. 583, cover)
584	30 January, 1789	<i>Doe d. Wheedon v. Lea</i>	King's Bench	3 T.R. 41	Ejectment	Will	Copy of special verdict, 2 pages. Ejectment for copyhold premises. No notes but for front and back. (1) dated 3 February, 1789, giving judgment for defendant with an explanation of the scenario, and (2) atop page, saying that a devise to heirs or assigns as soon as they reach a certain age is a vested interest. On back page, statute cite – 33 H. 8 c. 21 s. 3.
585	3 February, 1789	<i>Hay v. Earl of Coventry</i>	King's Bench	3 T.R. 83	Life estate		From the court of Chancery dated 23 April, 1788, 1 ½ pages, plus a copy of the order of the court of chancery. On the back, cite P.B. 352, 310. Buller – on front, note saying that the plaintiff's mother (Catherine Hay) took an estate for life in the land, and this was sent to chancery. There is also an explanatory note on the general principle atop the page
586	27 January, 1789	<i>Nerot v. Wallace</i>	King's Bench	3 T.R. 17	Bankruptcy		Copy paper book, in error, 8 pages. Original Ms. dated for argument on 18th day of November, 1788. The judgment was reversed upon a second argument. Wallace (and others) were the assignees of two bankrupts. Buller – brief note on Erskine (though nothing of his in reports, as he was stopped by the court), arguing for the plaintiff in error; notes on Law for the defendants; notes on opinion of Lord Kenyon; notes on back cover, citing statutes. Note on front reversing judgment. Atop page Buller declares void assumpsits to pay all a bankrupt had under certain conditions.
587	25 January, 1789	<i>Bent v. Baker</i>	King's Bench	3 T.R. 27	Insurance		Copy paper book, in error, 10 pages. Action of assumpsit on policy of insurance, brought in court of common pleas. Buller – copious notes on Chambre, for plaintiff; Wood, contra; a few notes on Chambre in reply; over a page of notes on Lord Kenyon's opinion, and one case cite under Grose. Note at front of page reversing judgment and granting venire de novo. Also, not atop page stating that “a person who has subscribed a policy of insurance after the defendant subscribed it is a good witness for defendant” (Ms. 587, cover) (even if a party to a suit in Equity)

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
588	19 May, 1789 Printed Report 27 November, 1789	<i>Hankey v. Smith</i>	King's Bench	3 T.R. 507	Fraud	Bankruptcy	Special Case, 2 pages. This trial had several parts. The first time it was up (8 May, 1789), there was a judgment for defendants. The second time, the court found for the plaintiff, and granted costs. The term report is dated 27 November, 1789, and is a case in which the plaintiffs claim costs for the first case, having won the second. Buller – notes seem to be on the second case, having to do with suspected fraud of the defendant in obtaining the first verdict. Notes on Russell, for plaintiff; Holroyd, for defense, and brief summary of Lord Kenyon's comments. Notes on front granting a second trial for 19 May, as well as a crossed out judgment for 8 May. Note atop about circulation of bills one knows to be bad, and whether they can be set off. It is followed by the underscored words Fraud and Bankrupt .
589	19 May, 1789	<i>Blankley v. Winstanley</i>	King's Bench	3 T.R. 279	Trespass	False Imprisonment	Copy of Issue and of Posted Special Verdict, 11 pages. Action for trespass and false arrest against two justices of the peace for apprehending the plaintiff and sending him to a house of correction without having proper jurisdiction. Term record quotes charter of Elizabeth (all in Latin) for the borough of Leicester. Buller – notes on Sutton, for plaintiff; Coke, contra; notes on Kenyon's opinion in the case (usage may expand powers – curious). Notes on the front give a verdict for defendants (jurisdiction over the borough is concurrent with jurisdiction over the bishop's fee), and atop the page Buller notes "where a boro shall have exclusive jurisdiction in a district added to it or not. <u>Justices</u> ." (Ms. 589, cover).
590	19 May, 1789	<i>Havelock v. Hancill</i>	King's Bench	3 T.R. 277	Insurance		Demurrer book, 8 pages. Action for insurance. Ship was insured while engaged in "lawful trade." However, against the plaintiff's knowledge the captain smuggled foreign brandy into the country and the ship was seized, causing the plaintiff to have to pay 408 pounds to get it back. The insurance company said that they didn't have to pay, as the trade was not lawful. The plaintiff says that he sent it on a lawful mission, and the illegality of the actions of the captain were something that he was insured against. Buller – brief notes on Mr. Chambre, for the demurrer (Wood, contra, was stopped by the court); notes on Lord Kenyon "seems to me if owners of ship conduct themselves properly if they carry on lawful trade policy extends to all risks of losses. Leave to amend or payment of costs." (Ms 590, inside back page). Note of front awarding judgment to plaintiff. Atop the page, "insurance for time in any lawful trade. Owners send ships on lawful trade but captain smuggles, this is barratry adjusters are liable." (Ms 590, cover).
591	19 May, 1789	<i>Kinlock and Another, Assignees v. Craig</i>	King's Bench	3 T.R. 119	Sequestration	Lien	Copy of special verdict, 10 pages. Action for money, tried before Lord Kenyon last term at Guildhall (so he declines to give an opinion here). Sequestration case, Scots equivalent of bankruptcy. Buller – notes on arguments of Erskine, Law, and Wood showing cause against the lower ruling; notes on Bearcroft, Russell, and Bower arguing in support of the rule; notes on Ashhurst opinion, with which Buller and Grose concurred; further notes on the case prior to Erskine argument. Note on front giving judgment for defendant, and atop page stating that "there can be no lien without possession and accepting bills on the faith of a cargo does not give it." (Ms. 591, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
592	9 May, 1789	<i>Rex v. John Pasmore</i>	King's Bench	3 T.R. 199	Incorporation, town		Copy of special verdict, 20 pages. Plus many pages of inserted notes. Action involving the incorporation and charter of a town – whether the charter of George III was accepted. Runs over 50 pages in term reports. Cover states to be argued on April 26. Term reports list it on May 5 (2nd argument). Judgment given on May 9th. Case was tried twice, transcript has notes of both sets of arguments written on the back, along with other notes. Buller – many pages on arguments of (1st trial) Jekyll for the relator, East for the defendant; (2nd trial) Serjeant Lawrence for the relator (no notes on Gibbs, who was to speak for the defendant but was stopped by the court; summary of the opinion of Lord Kenyon; also, inserted in with the transcript are around 12 pages of notes that Buller took on the case, including many cases involving boroughs, as well as statute cites and arguments. Judgment for defendant. Also a note atop page under the subheading Prerogative, stating that a corporation incapable of acting or restoring themselves are dissolved, whether the king shall be said to be deceived in his grant or not. (Ms. 592, cover)
593	19 May, 1789	<i>Taylor v. Cole</i>	King's Bench	3 T.R. 292	Trespass		Copy demurrer book, 9 pages. Action for trespass. Pleas for general issue of whole declaration, defendant justified breaking and entering b/c he was sheriff and under a fieri facias, justified expulsion likewise. Plaintiff took issue upon first plea and demurred generally to the two last. Buller – Wood, arguing in support of the demurrer; Gibbs, arguing against; Wood in reply; paragraph summary of the opinion of Lord Kenyon. No note on the front stating judgment, but the verdict in the term report is a guilty on the first count (breaking and entering), not guilty on the second (expulsion), judgment for the defendant on the demurrer in the first special plea, and the plaintiff on the second. Buller notes at top of cover – “ In trespass for breaking a house and expelling plaintiff, if defendant justify the breaking and say nothing as to expelling and there be no new assignment, defendant shall have judgment. Pleading.” “It seems that Sheriff under fi:fa: may eject debtor and deliver possession of a term.” (Ms. 593, cover).
594	15 May, 1789	<i>Daniel v. Saunders</i>	King's Bench	Unreported	Indenture	Debt, liquidated	Copy demurrer book, 5 pages. Card index doesn't list this case as unreported, but I was unable to find it in the book index. Case on indenture and liquidated debts. Buller – notes one Chambre, for plaintiff; Baldwin for defendant (pro demurrer); note on Ashhurst opinion. Front – judgment for plaintiff, not open to defendant to adjust debt. Note atop page explaining relation of trustee and debt.
595	15 May, 1789	<i>Menetone v. Gibbons</i>	King's Bench	3 T.R. 267	Hypothecation bond		Copy of demurrer book, 9 pages. Relating to sale of a ship and a hypothecation bond taken out on it. Buller – notes on Russell, for the plaintiff; Marryat, contra (one sentence each); Lord Kenyon, case cites only. Note on front giving judgment for plaintiff, “admiralty have jurisdiction where ships hypothecated in Ireland though hypothecation be under seal” (Ms. 595, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
596	15 May, 1789	<i>Noble v. Durell</i>	King's Bench	3 T.R. 271	Trespass		Copy of Demurrer book, 4 pages. Action for trespass for taking plaintiff's butter. Members of the town court leet (similar to wardmote inquest/annoyance jury of London/Westminster) took the butter alleging that it didn't meet the weight required by the town charter. Demurrer and joinder to plea. Buller – notes on Gibbs, for the demurrer; Burrough, against the joinder; notes on Lord Kenyon's opinion. Note on the front gives judgment to plaintiff, and a note atop the page says that "custom that butter shall be sold at 18 ounces to the pound, bad." (Ms. 596, cover).
597	8 May, 1789	<i>Tatlock v. Harris</i>	King's Bench	3 T.R. 174	Bill of exchange	Evidence	Demurrer book, 7 ½ pages. Plus, enclosed in the Ms. is another demurrer bill, that of Vere v. Lewis (3 T.R. 182). No notes on this 9 ½ page copy of Vere. Defendants in original case demurred to evidence regarding bills of exchange. Case was set to be argued in Hilary term (thus Ms. cover states to be argued 3 February, 1789), but was adjourned to May because of heavy caseload. Buller notes – Shepherd in support of the demurrer; Wood, contra, arguing for plaintiffs; Shepherd in reply; notes on the unanimous opinion of the court (as delivered by Kenyon). On back cover, some statutory notes and their relation to the case. Note on front giving judgment for plaintiff, and atop page stating "If A accept or draw a bill of exchange knowing it is payable to a fictitious person, he shall be liable to indorsee for value." (Ms. 597, cover).
598	6 May, 1789	<i>Read v. Brookman</i>	King's Bench	3 T.R. 151	Deed		Copy demurrer book, 4 ½ pages. Demurrer was set to be argued on 9 February, but didn't get a judgment until 6 May. Read claims articles from Brookman that belonged to her late husband. Buller – notes on Gibbs, in support of the demurrer; Chambre, contra; the opinion of Lord Kenyon, with which Buller and Ashhurst concurred; note on Grose's dissenting opinion; notes on the inside of the back page developing Buller's opinion. Note on front giving judgment for plaintiff by Lord Kenyon, Ashhurst and Buller, Grose contra. Note above saying that "a deed may be pleaded without a profert, if averred to be lost by time or accident" (Ms. 598, cover)
599	Printed Report: 8 May, 1789	<i>Evans v. Prosser</i>	King's Bench	3 T.R. 186	Work and labor	Debt	Paper book, 5 ½ pages. Action for work and labor. Pleas on debt first non assumpsit, second that the plaintiff owed the defendant more than the defendant owed the plaintiff, and Replication. General Demurrer and joinder to replication. Buller – only note in case is a cite of Reynolds v. Dearing (spelled in the term report Reynolds v. Beerling, but same case cite, M. 25 Geo 3. Note on front saying "leave given to amend" (Ms. 599, cover). In term report, judgment was given to plaintiff, but leave to amend without payment of costs was given because defendant had been misled by the doctrine in Reynolds v. Beerling. Note atop page says that "a debt which does not become due till after the action cannot be set off." (Ms. 599, cover).
600	6 February, 1789	<i>Ball v. Herbert</i>	King's Bench	3 T.R. 253	Trespass, river	Navigation	Demurrer Book, 3 pages. Plus, an additional copy of the demurrer book without any notes taken in it and some sections written in a different ink. Action for trespass on land on river banks. Demurrer stating that from times immemorial the land and river had been a common and public highway. Buller – notes on Graham, for the plaintiff; Wilson, contra; couple of paragraphs on Lord Kenyon's reply; two sentences summarizing Ashhurst. Note on front giving judgment for plaintiff. Note atop page "A towing path on the bank of a navigable river is not of com: right. <u>Navigation.</u> " (Ms. 600, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
601	13 May, 1789	<i>Aspindall v. Brown</i>	King's Bench	3 T.R. 265	Trespass, highway	Pleadings	Demurrer Book, 5 ¼ pages. Action of trespass for breaking and entering. Demurrer on claim that "before and at the same time when, &c. there was and of right ought to have been a certain common public highway leading, &c. for all the liege subjects, &c. to go without alleging that it had been an highway from time immemorial." Buller – no notes except for those on front, giving judgment for defendant, with a note atop the front page stating "Highway need not be pleaded to be time immemorial." (Ms. 601, cover).
602	13 May, 1789	<i>Andree v. Fletcher</i>	King's Bench	3 T.R. 266	Insurance		Copy Special case, 1 page. Plus smaller attached page with record of nisi prius at London, in the Guildhall on the 2 nd of March. Action to recover premium of a reassurance on a ship. Buller – notes on Bowles for plaintiffs. Stated in term report that the case could not be distinguished from Lowry v. Bordieu, and ordered a verdict for the defendant. Notes on front, one giving judgment for defendant, the other being an explanatory note on Insurance and assumpsit.
603	8 May, 1789	<i>Newling v. Francis</i>	King's Bench	3 T.R. 189	Election		Copy of special verdict, 15 pages. Contest in which defendant and plaintiff advocate different forms of election for the borough of Cambridge. Special verdict was found by Lord Kenyon in the court below. Buller – two pages of notes on the three main points of Wilson, arguing for plaintiff. No notes on Douglas, for the defense (term reports show he was stopped by the court). Note on front giving judgment for the plaintiff. Note atop the front, stating the issues to be "whether inrolment of the surrender of a charter be necessary; and what corporations were restored by the proclamation of Ja. 2?" and "Where the King shall be said to be deceived in his grant or not. <u>Prerogative.</u> " (Ms. 603, cover).
604	8 May, 1789	<i>Belk v. Broadbent</i>	King's Bench	3 T.R. 183	Trespass	False Imprisonment	Copy of demurrer book, 3 ½ pages. Action for trespass and false arrest, with defendants pleading justification. Plaintiff was arrested for bail of 200 pounds on virtue of an affidavit of defendants. Demurrer was on the fact that no cause of action was shown for which the plaintiff could be arrested, and that the writ was sued out on the 8th of April, which was when the court was not sitting. Buller – notes on Lambe, for demurrer; Wood, for the defendants; one case summary and a statutory cite. Note on front giving verdict for defendant, overruling demurrer. Note atop page saying that trespass or false imprisonment will not be maintained by one who is arrested by virtue of a writ, and "it is sufficient in a plea to shew the writ without stating the cause of action." (Ms. 604, cover).
605	6 May, 1789	<i>Doe d. Tarrant v. Hellier</i>	King's Bench	3 T.R. 162	Landlord/Tenant		Special case, 4 pages. First came before Lord Kenyon and a special jury at the assizes in Stafford. Case of freehold and copyhold estates and heritability. Note on front indicates that it was argued twice. Buller – extensive notes. Long summaries of Lane for plaintiff; Plumer, contra; Lane in reply; Lord Kenyon's opinion – stating that a second argument would be held 2 May. Second argument has Bower for plaintiff; Milles, contra; lengthy summary of Lord Kenyon's opinion. There is also a ½ page of case and statutory citations on the back cover, and a paragraph of marginal notation on the 4th page of the manuscript. Note on front indicates a judgment for the plaintiff after the second argument. Note atop page detailing when a landlord can seize land from a tenant.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
606	6 May, 1789 Printed Report: 9 May, 1789	<i>Rex v. Inhbits. of Ufton</i>	King's Bench	3 T.R. 251	Pauper's Settlement		Paper book of orders, 2 pages. Pauper removal case. Appeal of a sessions decision reversing a removal. Buller – brief notes on Lane in support of Sessions (Bower and Milles, contra, stopped by court; two case citations on back page, <i>Rex v. Burclear & Rex v. Deddington</i> . Note on front quashing the order of sessions, and Buller's explanatory note saying that a conveyance for natural affection and love was not within 9 Geo. 1.
607	3 February, 1789	<i>Brown v. Goodman</i>	King's Bench	Unreported	Debt		Copy demurrer book, 6 ¼ pages. Not listed in the English reports, though the Dampier Mss index of cases does not show it to be unreported. Judgment not reached until 6 May, 1789. Action for 5,000 pound debt between Richard Brown and Elizabeth, widow of Samuel Goodman. Buller – only internal notes are one sentence on the argument of the plaintiff, represented by Palmer. Note on front indicating judgment for defense, and atop page claiming that “debt will not lie on arbitrary bond (?) when award made after time specified in bond, though within the time afterwards agreed on by the parties.” (Ms. 607, cover).
608	22 May/10 June 1789	<i>Smart v. Wolff</i>	King's Bench	3 T.R. 323	Prize	Prohibition	Copy of suggestion for prohibition (to the prize court of admiralty). Suggestion was that all vessels taken as prize are put into care of courts of admiralty. Was argued on the 22 May, and adjourned until the 2nd day of the next term, and on the 18th of June the rule for a prohibition was discharged. Buller – notes on Sir William Scott (almost three sides), Bearcroft, and Bower, arguing against the rule for a prohibition; notes on Richardson, Erskine, and Wood, arguing for the rule (including a long litany of case cites for Richardson); also a list of 34 points related to the argument, and what seems to be a partial draft of his opinion, along with a statutory interpretation of 19 Geo 3rd c 67 s 2. Also included within the notes is a copy of a case involving the Brigantine Margaret, which was nonsuited by Lord Mansfield years earlier. Note on front indicates that the rule for prohibition was discharged, with a note atop the page saying that in relation to the earlier mentioned statute, a prohibition wouldn't be granted to the admiralty.
609	27 June, 1789	<i>Rex v. Inhbits. of Hamstall Ridware</i>	King's Bench	3 T.R. 380	Pauper's Settlement		Paper book of orders, 1 ¼ pages. Pauper removal case. Pauper removed, but two justices who signed removal did not do so at the same time, so order was quashed in sessions. Buller – no interior notes, only those on front quashing the orders, and stating that “justices must meet to approve of an indenture of apprenticeship,” and “justices must meet and exercise their judgment.” (Ms. 609, cover).
610	27 June, 1789	<i>Rex v. T. Carlyon, Clerk</i>	King's Bench	3 T.R. 385	Poor Rate		Paper book of orders, 1 ¼ pages. Appeal against a rate for the relief of the poor, specifically the rateability of fish. Buller – note on front explaining that “tythe of fish rateable to the poor.” (Ms. 610, cover).
611	26 June 1789	<i>Hyde v. Hill</i>	King's Bench	3 T.R. 377	Land tax		Copy special case, 2 pages. Money in question is the increase in land tax on improved rent, and whether the defendant is entitled to it. Buller – brief note on Gibbs, for the defendant (having been asked to speak first by the court); statutory cite to 21 Geo 3 c 3 s 17 on back cover. Note on front saying that a “verdict entered for the plaintiff for 14 £, he being liable only to pay proportion of land tax.” (Ms. 611, cover). Note atop describes the case as “Landtax, where and how divided between different landlords.” (Ms. 611, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
612	22 May, 1789	<i>Stephens v. Slatter</i>	King's Bench	Unreported	Trespass	Turnpike Act	Copy special case, 2 pages. Plus, note indicating trial had been postponed. Plus, full page, colour plan of the roads in the village of Black Bourton. Also included is a 28 page act for "repairing, widening, turning and altering the road from the Market House in the town of Great Farringdon, in the county of Berks, to Urford, in the county of Oxford." (Act, p. 1) Mentions the general Turnpike Act of 13 Geo 3 C 84 in the case – that could be the act. Action was for trespass, defendant was gatekeeper on a road who detained plaintiff when he tried to cross through side gate without paying a toll. Verdict in assizes (under Heath) was for plaintiff. Buller – note on front giving judgment for defendant, and atop the page giving the contents of the case, turnpikes, what roads, and "what is travelled 100 yards on it?" (Ms. 612, cover)
613	26 June 1789	<i>Rex v. Outram</i>	King's Bench	Unreported	Inclosure	Ward Boundaries	Paper book of Mandamus and return, 6 ½ pages. Case relating to ward boundaries and the inclosure acts. Buller – note that Bower was arguing to quash the return; some notes on Erskine; case cites on back cover, Taft v. Barton and Doiley v. Sherratt with statutory cites. Note on front saying mandamus quashed and a peremptory mandamus granted. Also, atop page "mandamus to execute a private statute directed to one where act was to be done by two is good." (Ms. 613, cover).
614	26 June 1789	<i>Goodtitle d. Faulkner v. Morse</i>	King's Bench	3 T.R. 365	Ejectment, Copyhold		Special case, 1 page, plus slip with order for case to be argued at a later date. Ejectment for copyhold premises, held before Kenyon at the Berkshire assizes with a verdict for plaintiff. Buller – marginal notation of cases cited on the argument; case cite on back cover, Taylor v. Phillips; research notes on case; summary of Kenyon's opinion. Note on front gives judgment to plaintiff, and discusses heritability in the case of sale/surrender.
615	23 June, 1789	<i>Mellor v. Barber</i>	King's Bench	3 T.R. 387	Debt		Copy demurrer book, 1 page. Debt on a bond made by defendant to the intestate. Venue written in the margin of the grant was in London, though bond was at Derby. Buller – only note is on front, granting judgment for plaintiff. Also notes that Grose knew a case on point in Barnes, 345 (listed in term report as Howse v. Hazelwood). Note atop page saying that the note in the margin was not bad if in the body the venue was correct.
616	26 June 1789	<i>Roe d. Mander v. Burton</i>	King's Bench	Unreported	Ejectment	Will	Case for the opinion of the court, 2 pages, plus a slip setting the trial date. Ejectment brought by lessor of plaintiff versus the defendants. Buller – ½ page notes on Lens, arguing for plaintiff, interrupted by comment from Kenyon, who responds to the argument "That need not be so now" (Ms. 616, inside cover). Lens follows with a few case cites. Note on front gives judgment to defendant, and atop pages states "if devises in a will are inconsistent, the last shall take place" (Ms. 616, cover)
617	20 November, 1789	<i>Goodright d. Hall v. Richardson</i>	King's Bench	3 T.R. 462	Ejectment, Copyhold		Copy special case, 2 ½ pages. Action of ejectment for a messuage and copyhold premises – can lessor of plaintiff recover? Buller – v. brief notes on Garrow, for plaintiff. Note on front giving verdict to plaintiff, with a note atop "Lease for 3, 6 or 9 years determinable at either of those times is good for 9 years unless determined by 6 months notice before the end of 3 or 6 years." (Ms. 617, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
618	3 February, 1790	<i>Rex v. Downes</i>	King's Bench	3 T.R. 560	License, liquor		Paper book of orders, 3 pages. Also, Westminster regulations dating from 27 th year of Elizabeth relating to the government of the city. Defendant was convicted of selling liquor without a license, and the conviction was quashed at the Westminster Sessions. Question before court was to do with time and custom of granting licenses, and what dispensations one needed to get one, and what constitutes an official license. Buller – notes on Pigott for plaintiff; Erskine contra; Garrow for plaintiff; and Erskine contra (different to order in the term reports). Also, many sides of notes on Statutes relating to Turner v. Downes, including 5 Geo 3 46, s 22, and 9 Geo 3 ch 6 s, and several more. The front notes that the conviction was affirmed (order of sessions quashed). Also notes above “what licences a man must have to sell spirits and by whom granted. Distinction between Justice’s Licence and Excise License.” (Ms 618, cover).
619	11 May, 1790	<i>Rex v. Inhbts. of Samborne</i>	King's Bench	3 T.R. 609	Pauper's Settlement		Paper book of orders, 2 pages. Pauper removal. Pauper removed from Samborn, order quashed in sessions. Buller – only notes on front, affirming order of sessions. Atop the page “certificate signed by the overseers of Hamlet, though they call themselves overseers of the parish, is good. <u>Settlement.</u> ” (Ms. 619, cover).
620	14 May, 1790	<i>Cooke v. Oxley</i>	King's Bench	3 T.R. 653	Contract, consideration		Copy of the third found in the declaration, 1 page. Case in which defendant and plaintiff were dealing in tobacco. Bargain was cancelled, but rule obtained to cancel judgment on the grounds of lack of consideration. Buller – notes on Erskine, arguing against the rule. Note on front arresting judgment, with a note atop the page saying that “Assumpsit to give plaintiff time to buy or not is nudum pactum.” (Ms. 620, cover).
621	7 May, 1790	<i>Rex v. Haigh</i>	King's Bench	3 T.R. 637	Poor Laws	Bastardy	Copy indictment and Copy rule nisi 2 pages. Heard before Buller at West riding of Yorkshire assizes. Defendants were indicted for disobeying an order of a justice to pay a weekly sum to a woman for the maintenance of her bastard child. Original verdict for prosecutor. Buller – notes only on the case of Rex v. Carlisle. Term report shows this was brought up by defense to try and persuade Justices that the woman should be denied benefits unless she goes to the work house. In the reports, Kenyon differentiates between the cases because the maintenance is sought only for the child and not the mother. Note on front states that “if mother asks relief for young child neither she nor child obliged to go into workhouse. <u>Poor.</u> ” (Ms. 621, cover).
622	8 May, 1798	<i>Milner v. Milner</i>	King's Bench	Unreported	Theft, boat		Copy demurrer book, 6 pages. Defendants were charged with stealing a boat of plaintiffs containing 200£ worth of sackling (?), and selling it. Buller – notes on Wood for plaintiff; Chambre, contra; Wood in reply; summary of Lord Kenyon’s opinion. Also notes on the case of Power v. Marshall (½ page). Also notes on back of cover – somewhat illegible but seem to be case and statute notes. Note on front gives verdict to plaintiff, and note saying “Plea one of plaintiffs is married can only by in abatement. <u>Bar Coverture.</u> (Ms. 622, cover)

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
623	15 June, 1790	<i>Doe d. Mussell v. Morgan</i>	King's Bench	3 T.R. 763	Will		Special case, 5 pages. Inserted inside is "Manuscript report of argument before the court of K:B: in 1774" for an earlier version of Doe d. Mussell v. Morgan. To do with devising of land. Mussell left daughter's husband as tenant for life, then had more children with a different woman. Morgan is son of daughter and husband. Complicated by will of Mussell's father. Buller – notes on Chambre, for the plaintiff; one sentence on Gregg, for the defense; summary of Lord Kenyon's opinion. Note on front giving judgment for defendant, and a long note atop the page giving a general description and reason for the outcome.
624	18 June, 1790	<i>Rider v. Smith</i>	King's Bench	3 T.R. 766	Negligence	Repair, road	Copy demurrer book, 3 pages. Action for not repairing a private road leading through defendant's ground. Buller – notes on Chambre, in support of demurrer; Wood, contra; Chambre in reply; summary of Lord Kenyon's opinion on back cover. Judgment was given for plaintiff, and note atop cover states "Decl: that defendant the occupier of the land ought to repair a way is sufficient." (Ms. 624, cover).
625	18 June, 1790	<i>Trinity House v. Sorsbie</i>	King's Bench	3 T.R. 768	Duties, light house		Special verdict, 10 ½ pages. Matter of whether British owned ships should pay light house duties at Edystone when they were neither entering nor leaving English ports (foreign owned ships were not liable for this duty). Buller – summary of Holroyd arguing for the plaintiffs (and for the duty). Note on front gives verdict to defendant, and the case is described atop as "What lighthouse duties the Trinity House is intitled to." (Ms. 625, cover).
626	19 June, 1790	<i>Rex v. Inhbts. of Catherington</i>	King's Bench	3 T.R. 771	Pauper's Settlement		Paper book of orders, 1 ½ pages. Pauper removal. Sessions approved removal. Buller – notes on Chambre; brief notes on Bower, contra; one sentence summation of Kenyon's opinion. Note on front giving quashing the order. Note atop page "Mortgagor in possession by licence of mortgagee after recovery in ejectment does not gain a <u>settlement</u> ." (Ms. 626, cover).
627	19 June, 1790	<i>Good v. Elliot</i>	King's Bench	3 T.R. 693			No official recording of the case, only Buller's notes on it, which are extensive. Buller – a lengthy draft of his opinion (running 8 strips of paper); summary of opinion of Grose; summary of Ashhurst; summary of Lord Kenyon; arguments of Erskine (not in term reports) and other material preceding it which is probably the arguments of Garrow (also not published); some notes on cases and statutes. The note after Lord Kenyon's opinion indicates a judgment for the plaintiff.
628	19 June, 1790	<i>Rex v. Inhbts. of Piddletronthide</i>	King's Bench	3 T.R. 772	Pauper's Settlement		Paper book of orders, 1 page. Pauper removal case. Sessions approved removal of pauper, wife and their nine children. Buller – no notes except for those on the front of the case. States that "renting a dairy or a warren gains a settlement" (Ms. 628, cover). It notes in the term reports that even if the pauper has no interest in the soil, and is only renting the warren so to kill rabbits, a settlement is gained.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
629	19 June, 1790	<i>Rex v. Inhbts. of Eriswell</i>	King's Bench	3 T.R. 707	Pauper's Settlement		Paper book of orders, 2 pages (plus many inserts). Case was originally argued in February, but the term report notes that because they were divided in their opinions, they didn't come up with a decision until this date. Pauper removal case. Removal affirmed by sessions. The question raised is whether a signed document by the pauper should have been put in evidence, given the circumstances in which it was obtained. Buller – summary of Bower in support of the orders, and Partridge against. These arguments are not recorded in the term reports because of the lapse between argument and decision. List of 10 supporting cases, and a draft with numbered references to the cases. There are also a couple of sides of further research, and summaries of the opinions of Ashhurst, Grose and Kenyon. The note at the top of the page says that the case is about “where evidence of hearsay is admissible.” (Ms. 629, cover). It is noted on the front that a tie affirmed the order of the sessions. Ashhurst and Buller voted to affirm, while Kenyon and Grose voted against, leaving the verdict to the non movants.
630	16 June, 1790 Printed Report: 12 June, 1790	<i>Rex v. Stobbs</i>	King's Bench	3 T.R. 735	Assault	Service of process	Paper book of special verdict, 9 pages. Defendant was arrested for assault of a man in Westminster palace while the king was in residence. The assault in question was the service of process to him. Buller – notes on East, for the indictment; Wood, contra; East in reply; summary of Lord Kenyon's opinion. Note on front grants judgment for defendant, and a note atop explains that “a person within the verge of the court may be arrested by process out of the <u>Marshalsea</u> court. <u>Privilege</u> .” (Ms. 630, cover).
631	8 June, 1790	<i>Smith v. Bower</i>	King's Bench	3 T.R. 662	Procedure		Copy of demurrer book, 7 ½ pages. Case upon promises. Pleas upon the general issue, and the statute of limitations. Buller - interior notes on Wood, in support of demurrer, and Manley, contra. No notes on opinions. Note on front cover giving judgement for defendant, and at the top stating that an "attachment of privilege is not continuance of a bill of Middlesex to take a case out of the statute of limitations." (Ms. 631, cover)
632	8 June, 1790	<i>Pomery v. Partington</i>	King's Bench	3 T.R. 665	Will	Testator intent	Case, 6 pages. Action of a covenant. Argued twice. Buller - interior notes on Lens for the plaintiff; Burrough for defense, Lens in reply. 2nd argument, notes on Serjeant Lawrence for the defense; opinion of Lord Kenyon. Enclosed are extensive notes on two cases, Baggot v. Dughton and Goodtitle v. Funican [Dougl. 544]. Note on front cover entering verdict for plaintiff to be entered for 123.17.2. Note atop same page saying that the power to lease does not extend to lands never let before.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
633	18 November, 1788	<i>Doe d. Hodsden v. Staple</i>	King's Bench	2 T.R. 684	Marriage Settlement	Will, Ejectment	Copy, special verdict, 6 pages. In addition to the six page verdict, there are many enclosed manuscripts, including: 7 case transcripts, whole or partial, with internal notes on the counsel, opinions, etc; 9 smaller pieces of paper with various case cites and notes on cases; one larger piece of paper, again with mostly case descriptions; and finally a large collection of pieces folded together consisting of around 22 sides of writing, some of it looking to be the outlines of an opinion (which in the term report is 2 ½ pages). Ejectment action on multiple demises. Buller - in addition to the notes described above, there interior notes on Maryatt, for the plaintiff; Shepherd, contra (with a brief interruption by Lord Kenyon); Maryatt in reply; the opinion of Lord Kenyon; notes on case on back cover. Note on front says "judgement for plaintiff on last count only by L.K, Ashhurst and Grose. Buller J thought he out to recover on 2 counts." (Ms. 633, cover.) In the term reports, Buller concludes that judgement should have been entered on the second count in the declaration (doesn't mention the third). Note atop page "If a landowner has a clear legal title and the def. only a doubtful equity, the landowner shall recover in ejectment - but if a term be standing out for payment of a small annuity though neither the trustee nor the annuitant ever claim the possession the landowner shall not recover against another person. <u>Trusts.</u> " (Ms. 633, cover).
634	23 November, 1790	<i>Chaning v. Whittle</i>	King's Bench	Unreported	Procedure		Special case, 1 ½ pages. Action assumpsit held before the Dorset assizes, in which a verdict was found for the plaintiff. Buller - enclosed notes on three cases, cited Salk. 11, Sty.3.201, and Cro.Car. 35. Notes on front. One saying proceedings stayed by consent. The other, atop the page, saying "when a judgement on a special agreement is a bar to an action for future/punitive (?) damages and may be given in evidence on the general issue. (Ms. 634, cover).
635	23 November, 1790	<i>Bagshw v. Bossley</i>	King's Bench	4 T.R. 78	Debt on bond	Parsonage	Demurrer, 5 pages. Debt on a bond by the surviving obligee, regarding a bond paid to stay in a curate house. Buller - interior notes on Sutton, in defense of the demurrer (Chambre, contra, was stopped by the court); summary of opinion by Lord Kenyon. Note on the front cover giving judgement for plaintiff. Precept atop cover "Bond to reside constantly on a living or to resign on request is good. <u>Resignation.</u> " (Ms. 635, cover).
636	16 November, 1790	<i>Doe d. Heneage v. Heneage</i>	King's Bench	4 T.R. 13	Will		Copy of special case, 4 pages. Ejectment for lands in Lincoln, tried on assize by Lord Kenyon. Based on complicated will provisos. Buller - reverse of Ms. page 1, notes on Sutton, for defendant; opinion of Lord Kenyon. Coke for plaintiff did not get to speak. Note on front indicates a judgment for the plaintiff. Note atop page is a paraphrase of the marginalia in the term reports, only not nearly as clear.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
637	19 November, 1790	<i>Doe d. Willis v. Martin</i>	King's Bench	4 T.R. 39	Marriage Settlement	Ejectment	Copy special verdict, 13 pages. Was argued three times. First in Hilary term, 1790, with Jekyl for plaintiffs and Gibbs for the defendants; second in the Easter term with Sjt. Lawrence for the defendants and Sjt. Watson for the plaintiffs; and finally by Morris for the plaintiff and Wilson for the defendant. The arguments of counsel are condensed into one block in the term reports. Action for ejectment on lands in the Isle of Wight. Buller - interior notes on both counsel in the first two trials; notes on Morris from the third trial; summary of Lord Kenyon's opinion from the third trial; two case cites on back cover. Many notes on front. (1) Vide. <i>Penn v. Peacock</i> , with description (hard to read) (2) noting judgement for plaintiff (3) note on power of appointing amongst children in terms of heritability (4) "order in chancery obtained by fraud is void at law" (Ms. 637, cover).
638	20 November, 1790	<i>Rex v. Inhbts. of Yarpole</i>	King's Bench	4 T.R. 71	Procedure	Poor rate	Paper book of orders, 1 ½ pages. Pauper removal case. In sessions, eight judges for the removal, and seven to quash. However, three of the affirmers were from the parish from which the pauper was being removed, but they voted anyway over objections. Buller - only note is that "determination by justices of the peace interested in the question is void." (Ms. 638, cover). The term report indicates that Erskine wanted a rule absolute against removal, but Kenyon refused to quash. Said that his bench was one of error, and could not do what the court below should have done. So directed the justices below to enter a continuance for the next sessions and decide it correctly then.
639	19 November, 1790	<i>Goodtitle d. Moore v. Peck</i>	King's Bench	Unreported	Ejectment		Special case, 6 pages. Action for ejectment brought by lessors of plaintiff against the defendant. Buller - interior notes on Sayer for plaintiff; Adair for defense. A note underneath the summaries of the arguments says that "the court were all clearly of the opinion for the plaintiff, but ordered it to stand over for the purpose of the counsel of the defendant recommends it to his client to pay the 2 fines of 70 £." Then in different ink "which was afterwards agreed to." (Ms. 639, 1st page of interior notes). Note on front - " <u>Custom</u> to pay a <u>Fine</u> on admission of each particular tenant to a copyhold is good." (Ms. 639, cover).
640	17 November, 1790	<i>Rex v. Prosser</i>	King's Bench	4 T.R. 17	Poor rate		Paper book of orders, 3 pages. Defendants appealed to sessions regarding a poor rate. Sessions upheld the rate. Defendant's main problem was that their main witness was himself a person with rateable property who was not rated, and so he was not allowed as a witness at the sessions. The main argument revolved around credibility. Buller - brief notes on arguments of Bearcroft and Plumer on page 3 of Ms, following official transcript. Notes on front cover. (1) Quashing the order of the sessions. (2) "Person liable to be rated to the poor is a good witness to prove that another ought to be rated where that other appeals because he is not rated." (Ms. 640, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
641	23 November, 1790	<i>Auriol v. Mills</i>	King's Bench	4 T.R. 94	Covenant	Bankruptcy of lessee	Paper book in error upon judgement in the common plea, 7 pages. Covenant for rent, with judgement in the lower court given to plaintiff. Buller - interior notes on Park, for the plaintiff in error (over a page, including case cites: Mayor v. Stewart, Wadham v. Marlow, Cantrell v. Graham, etc); Serjeant Bond, contra. Note on front cover affirming the lower court's judgement. At the top of the same page is a note stating that "Bankrupt liable in covenant for rent due after the bankruptcy." (Ms. 641, cover).
642	13 November, 1790	<i>Rex v. Atkins</i>	King's Bench	4 T.R. 12	Poor rate		Paper book of orders, 1 page. Appeal against a poor rate that was granted certiorari to the King's bench by the sessions. Buller - no internal notes, but on the front cover he notes that the order was affirmed because "appeal should have been at next sessions" (Ms. 642, cover).
643	23 November, 1790	<i>Doe d. Blandford and Dymock v. Applin</i>	King's Bench	4 T.R. 82	Ejectment	Will	Copy special case, 1 ½ pages. Trial for ejectment, lower verdict for the plaintiff, pending a question on a will. Buller - interior notes on Lens for plaintiff; Gibbs, contra; Lens in reply; summary of Lord Kenyon's opinion; brief summary of Grose. Notes on back page are case cites, <i>Goodwyn v. Goodwyn</i> being the most prominent. Note on front held an Estate tail in William Dymock, and Judgement for defendant. Note atop page states "devise to widow for life and after his decease to and amongst his issue and in default of issue...over, gives estate tail to widow. Will." (Ms. 643, cover).
644	23 November, 1790	<i>Doe d. Beezley v. Woodhouse</i>	King's Bench	4 T.R. 89	Ejectment	Will	Copy issue and special verdict, 6 pages. Trial for ejectment on wording in a will (did leaving "whole estate" refer to personal or real." Buller - interior notes on Heywood for plaintiff (nothing on Chambre for the defense, stopped by the Court); notes on Lord Kenyon's opinion. Note on front cover granting judgement for defendant. One atop the same page asking "What words sufficient to pass a fee in a will." (Ms. 644, cover).
645	28 January, 1791	<i>Lynn Regis v. London</i>	King's Bench	4 T.R. 130	Toll		Paper book, in error, 3 pages. Action on tolls at Lynn Regis. Verdict for plaintiffs, defendants moved on writ of error. Case was argued twice, first by Sjt. Runnington for the plaintiffs in error, and Gibbs for the defendants, then by Sjt. Le Blanc for the plaintiffs and Sjt. Adair for the defendants. Arguments or counsel fused together in the term reports. Buller - over seven sides of notes, including interior notes on Runnington and Gibbs from the first trial (with interjection by Lord Kenyon); notes on Le Blanc and Adair from the second trial; summary of opinion of Lord Kenyon; extract from a volume in Lincoln's Inn library given by Lord C.J. Hale (East 1. Ed. 2, extract in Latin); Buller's notes on relevant cases (both on enclosed notes and on back cover). Note on front reversing judgement (it is noted in term reports that this judgement is later reversed). Also "Party cannot count on a writ de essendo de quietum de theolonio unless there have been an actual distress. Freemen residents only are exempt from Toll." (Ms. 645, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
646	28 January, 1791	<i>Morewood v. Wood</i>	King's Bench	4 T.R. 157	Pleading	Trespass	Copy of Demurrer Book, 13 pages. Action for trespass on plaintiff's close, and stealing stones. Plea was that the area was a waste or common. Demurrer. Buller - reverse Ms. page 1, notes on Chambre, for the demurrer; Wood, contra; Chambre, in reply. No note on judicial opinions, or case cites. Note on front granting judgement for defendant - "court held the traverse bad." (MS. 646, cover). "A custom or prescription must not be traversed in a more limited way than it is laid. <u>Pleading</u> ." (MS. 646, cover).
647	February, 1791	<i>Rolleston v. Smith</i>	King's Bench	4 T.R. 161	Trover	Clerical error	Copy of special case, 2 pages. Plus, case of <i>Margetson v. Smith</i> , 24 June 1788 (Margetson is a bankrupt, and Rolleston is his assignee), and a register of the ship Scipio (the case is a trover for the ship). In trover for Scipio, jury found for plaintiffs - ship as collateral for debt of a bankrupt. Buller - v. brief interior notes on Shepherd for plaintiff and Wood in reply; enclosed notes summary of Lord Kenyon's opinion; case cites on the back cover. There is also enclosed a three page draft of an opinion by Buller, which is interesting as he did not have a published opinion in the case (Kenyon delivered that of the court), and <i>Margetson v. Smith</i> is unreported. Notes on front indicate a judgement for the defendant in February and state that "if the register of a certificate be inserted in a Bill of Sale of a ship tis sufficient within 26 G. 3. Though the officer has made a mistake in registering the certificate." (Ms. 647, cover).
648	10 February, 1791	<i>Rex v. Harris</i>	King's Bench	4 T.R. 202	Quarantine	Statutory interpretation	Copy of Information for breach of Ouarantine against 26 Geo 2d. Ch. 6. S 1&5, 4 pages. A pilot boarded a ship and docked it without following quarantine. Convicted in the sessions by Lord Kenyon. Buller - no internal notes on argument, but a long extract of the text of statute concerning quarantine is enclosed. On the cover, Buller notes that "The court were all of opinion that this indictment was good on the 1st clause of the statute and the proclamation and Ashhurst and Buller and Grose, Justices, held that a pilot was not within the 5th clause of the act. The defendant was imprisoned 12 months." (Ms. 648, cover). Atop the page is the precept that "a pilot is within the 1st clause but not within the 5th clause of the statute 26 G.2.C.6. respecting quarantine." (Ms. 648, cover).
649	29 January, 1791	<i>Rex v. Topham</i>	King's Bench	4 T.R. 126	Libel		Copy of indictment, 5 pages. Defendant was indicted for libel of a dead person. Was found guilty in the lower court before Buller. The term report indicates the counsel for both sides, but says that they argued at great length and on general principle, and the court took time to consider the question, and then Kenyon delivered the opinion. It is probable that quite some time went by, as the notes have a date over Kenyon's opinion, and it starts on a new page, indicating a gap in time between argument and judgement. Buller - copious interior notes on Erskine arguing against the ruling; notes on Mingay, Graham, and Conste in support of it; and Erskine in reply (5 sides in all); 1 ½ side summary of Lord Kenyon's opinion in the case. However, there are also enclosed notes and a draft of a Buller opinion which was not published - possibly because he didn't agree with Kenyon having ruled against the defendant in lower court. Note on front arresting judgement, and another saying that "indictment will not lie for a libel on a dead person ..." (Ms. 649, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
650	7 February, 1791	<i>Hunter v. Potts</i>	King's Bench	4 T.R. 182	Bankruptcy		Copy of special verdict, 6 ½ pages. Action for money had and received on bankruptcy. Verdict argued twice, first in Trinity term by Wood (plaintiffs) and Maryatt (defendants), then in Michaelmas by Law (plaintiffs) and Bower (defendants). The term reports omits the first arguments as being not necessary. Buller - interior notes on both cases, specifically notes on Wood; notes on Maryatt; Wood's reply; notes on Law; notes on Bower; Law in reply. Buller then gives opinion of Lord Kenyon, and says that they were all of the same opinion - to find for the plaintiffs. Also a note on the back cover giving descriptions of relevant cases (some hard to read). Note on front giving judgement for plaintiff, and atop page stating that "if a creditor knowing of the bankruptcy of his debtor (both residing in England) attaches the debtor's goods abroad, the assignees shall recover in an action for money had and received." (Ms. 650, cover).
651	1 February, 1790	<i>Browne v. Harraden</i>	King's Bench	4 T.R. 148	Negotiable Instruments		Demurrer book, 6 ¼ pages. Action on a promissory note by indorsee against indorser. Question of at what date one had to repay the other. Buller - reverse Ms. pages 1 and 2, notes on Holroyd in support of the demurrer; notes on Lawes, contra; brief note on Lord Kenyon's opinion. A note on front gives judgement for the defendant, with an explanation atop, that "there are 3 days grace on promissory notes as well as Bills of Exchange." (Ms. 651, cover).
652	12 February, 1791	<i>Smith v. Hodson</i>	King's Bench	4 T.R. 211	Bankruptcy		Paper book, 2 pages. Assumpsit for goods sold and delivered the defendant by bankrupt (Smith and others are assignees of Lewis and Potter). Trial before Lord Kenyon found verdict for plaintiffs. Buller - interior notes on Russell for plaintiffs; Gibbs, contra; Russell in reply; opinion of Lord Kenyon. The term reports list the judgement as non-suit, and only include the opinion of Kenyon. However, there is also enclosed a draft of an opinion of Buller (14 pages) in which he argues strongly for the defendant. Note on front giving judgement to defendant (using those terms, not that of the term reports). Also notes atop the page state that "All credits are within the statute of Sell off concerning Bankruptcy" and "In assumpsit by assignees of Bankrupt for goods sold, if jury find that they were sold fraudulently it is immaterial." (Ms. 652, cover).
653	20 May, 1791	<i>Atkinson v. Barber</i>	King's Bench	4 T.R. 229	Devise		Copy demurrer book, 3 pages. Action of detinue to recover indentures of bargain and sale of release, and a memorandum. Buller - enclosed notes on plaintiff's attorney (doesn't give name, but in term reports listed as Johnson); brief notes on contra (Gardiner); summary of Lord Kenyon's opinion. Note on front indicating judgement for the defendant, and stating that the "Heir who is special occupant of a trust estate only pour autre vie shall retain the deeds against the administrators (?). <u>Occupancy</u> ." (Ms. 653, Cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
654	31 May, 1791	<i>Doe d. Phillips v. Aldridge</i>	King's Bench	4 T.R. 264	Will	Conditional devise void	Special case, 3 pages. Attached to first page of Ms. is a slip ordering case to be argued 27 May, 1791. Action for ejectment, with a verdict at assize for plaintiff (claimed to be heir at law) over the defendant (devisee). Buller - no internal notes. On front cover, note saying that a "devise to one for life on condition that he settle the lot on trustees to the use of a preacher as a meeting house, gives an estate for life absolutely and the condition is void. Will. Charitable." (Ms. 654, cover). Lower on the front cover, a verdict is given to the defendant, noting "Estate for life ... in defendant and condition or trust void." (Ms. 654, cover). Term report refers to the condition as being void by Stat. 9 Geo 2. C. 36.
655	18 November, 1791	<i>Beachcroft v. Broome</i>	King's Bench	4 T.R. 441	Estate		Copy of case referred from Chancery, 2 pages. Also, enclosed is a copy of Matthew Wymondesold's will. Case in which father dies leaving to sons, who sell and then die without issue. Defendant refused to purchase land at auction because of uncertainty about the nature of the fee. Buller - interior notes on Russell, for the plaintiff; note on Chambre for the defense, admitting that he can't contend with what was said; brief note by Lord Kenyon saying that there is not doubt in the case. Enclosed notes on Cunliffe v. Cunliffe (East. 1770), Le Maitre v. Bannister (Mich. 1770), and Grey v. Montague (?) (w1 Nov, 1770). Note on front cover giving judgment for plaintiff, and saying " <u>Wills</u> . Devise to son and his heirs and if he die without having settled or otherwise disposed of the estate or without issue, or such issue shall die before 21 and without issue then over. The son takes a fee and the 'remainder' (?) over is void" (Ms. 655, cover).
656	4 May, 1792	<i>Doe d. Turner v. Kett</i>	King's Bench	4 T.R. 601	Will		Special case, 3 pages. Reserved at the trial of an ejectment. Issue of heritability - woman willed to another woman and her heirs, but the second woman died first, and the question was whether the child of that woman would inherit. Buller - interior notes on Wilson, for the plaintiff; and v. brief sentence on Jodrell, for the defense. No notes on judicial opinions. Note on front cover giving judgement to plaintiff, and atop page noting that "devise to A. & heirs of her body, A dies, testator confirms will knowing A was dead, yet her child takes nothing." (Ms. 656, cover).
657	Easter, 1792	<i>Doo v. Brabant</i>	King's Bench	4 T.R. 706	Will	Trust	Case from the court of Chancery, 2 ½ pages. Woman leaves money to her daughter, or assuming she dies, to her daughter's heirs. Daughter dies before she does, leaving behind several children. Defendant is next of kin of testatrix. Buller - sparse marginal notes on Shepherd, for the plaintiff, in the 2nd page of the pleading. No other notes (Chambre for the defense was stopped - indicated in term report). Note on front cover gives judgment for defendant, and atop page describes the scenario. "Devise to A at 21 or if she died before 21 leaving issue to the issue, and if she died before 21 without issue then over. A attained 21 and died in life of testator. Issue of A take nothing." (Ms. 657, cover). Similar to previous case - Ms. 656 .

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
658	7 February, 1792	<i>Gorton v. Falkner</i>	King's Bench	4 T.R. 565	Trover	Distrain for rent	Special case, 1 page. Also enclosed is transcript of <i>Simpson v. Hartopp</i> Mich. 18 Geo 2nd (dated 1744), and also a different copy of <i>Gorton v. Falkner</i> , this dated 8 July, 1791, with notes on the back referring to <i>Simpson</i> . Trover for three looms lent to a tailor, then distrained for rent and sold. Buller - interior notes on Heywood for plaintiffs, including several case descriptions; notes on Lord Kenyon's opinion. Note on front granting judgement for defendant. Another atop the same page saying "A stocking frame lent to a tenant to work with may be distrained for rent. Distress." (Ms. 658, cover).
659	4 February, 1792	<i>Rex v. Yandell</i>	King's Bench	4 T.R. 521	Outlawry		Paper book of outlawry, writ of error to reverse a judgement of outlawry, 11 pages. Also enclosed is a paper book of outlawry against one of the brothers Yandell (three are being tried) dating to May 1791 (It is 11 pages in length, and contains only two notes - one on the reverse of page 1 in which Litchfield argues that the outlawry can't be a judgement of death, the second is on the back cover and is a note on a case). The case was argued twice (according to the term reports) - in Easter by Lichfield for the prisoners and Wood the prosecutor, and in Trinity Term with Lens for the prisoners and Perceval contra. The brothers were indicted for sheep stealing. Buller - notes on reverse of pp 1-4 of Ms, Lichfield for prisoner; Wood contra; Lichfield in reply. Then Lens for prisoner; Perceval contra; Lens in reply. Buller - enclosed notes include a question asking if a man indicted for sheep stealing is entitled to the benefit of the clergy, to which Buller has noted that all the members of the court agree that he is not. A question submitted by Buller to another justice (possibly Gould) for an opinion, with the other justices response below (about conviction of accessories) 5 sides of notes on cases, most prominently Rex v. Morley, and notes for an opinion of a draft. Draft of the opinion of the court for the case (though it was delivered by Lord Kenyon, Buller wrote it). 11 ½ sides. Note on front cover giving judgement for crown. Term reports show that one of the outlaws was sentenced to death, the other had died awaiting the second trial. Also a note atop the same page saying that "one outlawed for sheep stealing is ousted of clergy." (Ms. 659, cover).
660	3 February, 1792	<i>Perry v. Jackson</i>	King's Bench	4 T.R. 516	Procedure		Copy of demurrer book, 12 pages. Action by the payees against the drawers on a bill of exchange for 100 £. Defendant was abroad, as was one of the plaintiffs. Buller - interior notes on Baldwin for plaintiff; notes on Wood, for defendant. No notes on justices' opinions. Note on front cover indicating judgement for defendant, and atop the page one saying that "If one plaintiff be abroad and the other at home, the action must be brought within 6 years. Stat. Of Limitations." (Ms. 660, cover).
661	15 June, 1792	<i>Grimstead v. Marlow</i>	King's Bench	4 T.R. 717	Trespass		Copy demurrer book, 10 ½ pages. Trespass action in which defendant pleaded that the area was an ancient common field. Buller - minimal interior notes. Gregg, for plaintiff, was stopped by the court; Palmer, for the defense, relied on <i>Bean v. Bloom</i> ; one sentence summary of Lord Kenyon. Note on front cover gives verdict to plaintiff, and a note saying that one cannot claim to have a right to common of pasture in a plea.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
662	19 June, 1792	<i>Gilchrist v. Brown (Timmiss)</i>	King's Bench	4 T.R. 766	Feme covert		Copy demurrer book, 4 pages. Assumpsit for goods and labor. Brown is married to Timmiss, and is a feme covert. But, both before and after making the promises that led to her debt, she was living away from Timmiss in a state of adultery and thus made her decisions as a feme sole. Buller - very brief interior notes on Baldwin, who was to have supported the replication; Reader, contra. In term reports, it says that he was unable to support his case, and therefore judgement was to go to the defendant. Note on front cover saying that "Feme covert who elopes in adultery not liable to action." (Ms. 662, cover) Another note on the front cover gives judgement for the defendant.
663	12 June, 1792	<i>Goodisson v. Nunn</i>	King's Bench	4 T.R. 761	Contract	Constructive conditions	Copy of demurrer book, 4 ½ pages. Action of debt on agreement for conveyance of land. Defendant sued over a penalty for not offering payment. Demurred that the Plaintiff didn't sell land, and that he didn't own the land to sell. Buller - brief interior notes on Wood, in support of the demurrer. No notes on judicial opinions. Note on front giving several case cites, granting judgement for the defendant, and asking, "what are mutual or dependant covenants." (Ms. 663, cover).
664	16 May, 1792	<i>Rex v. Salter's Load Sluice (Commissioners of)</i>	King's Bench	4 T.R. 730	Tolls	Poor rate	Paper book of orders, 2 pages. Sessions affirmed a poor rate on the toll from a local sluice, pending hearing by the King's bench. Buller - marginal notes on Erskine, against the order of sessions (2nd page of Ms.). No notes on the supporting position, or on the opinions. Note on the back cover citing PB 294, 307, 328, 515, 643. Note on front cover quashing the order of the sessions, and an explanatory note saying "tolls vested in trustees till work done or debt paid not rateable." (Ms. 664, cover).
665	22 June, 1792	<i>Crespigny v. Wittenoom</i>	King's Bench	4 T.R. 790	Statutory interpretation		Copy of Demurrer book, 3 ½ pages. Action for debt, in which plaintiff is suing defendant for an annual annuity he was supposed to receive as consideration for giving up his place in the business. Defendant claims that the agreement was void because not inrolled in chancery in time (under 17 Geo. 3 c. 26). Buller - interior notes on Chambre for the demurrer; notes on Shepherd, contra. No notes on opinions. Note on front granting judgement for plaintiff, and atop page stating that "Annuity granted in lieu of a share in Trade not within Stat 17 G. 3." (Ms. 665, cover).
666	23 June, 1792	<i>Rex v. Rhodes</i>	King's Bench	Unreported	Conviction as rogue & vagabond		Paper book of conviction and order of sessions thereof, 4 pages. In 4 T.R. 220, the same person is indicted for the same offense (fortune telling) on May 12, 1791. Buller - a few marginal notes on Fielding, for the defendant (page 1 of Ms). Note on the cover affirming the conviction, and atop page saying that "Conviction as rogue and vagabond whether good." (Ms. 666, cover).
667	23 June, 1792	<i>Rex v. Inhbts. of Whittlesea</i>	King's Bench	4 T.R. 807	Settlement		Paper book of restated orders, 1 ½ pages. Pauper removal case, removal quashed by sessions. Point of contention was whether the job of Hog-ringer was an official public office. Buller - one brief note, citing <i>Rex v. Ovre</i> (1 Ro. Abr. 541) "curate approved by sequestrator, not an annual office." (Ms. 667, 1st page interior notes). The term reports confirm the order of the sessions, and the cover of the manuscript reads "Hog ringer held to be an office which gained a settlement." (Ms. 667, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
668	20 June, 1792	<i>Rex v. Inhbts. of Darlington</i>	King's Bench	4 T.R. 797	Settlement		Paper book of orders, 2 pages. Pauper removal case. Sessions affirmed the removal. Question of whether grandchildren are included in a settlement. Argued on 20 June, but an order not given till the 23rd. Buller - interior notes on Erskine, in favor of the order of sessions; notes on Wilson, also in favor. Then, notes on Lord Kenyon; further notes on Erskine from the 23 of June. Buller notes on front cover a rule absolute and that "all court of opinion that statute did not extend to grandchildren. Lord Kenyon of opinion that certificate not put an end to, Buller of opinion it was put an end to, & Grose governs opinion on that point." (Ms. 668, cover).
669	22 June, 1792	<i>Norfolk v. Elliot</i>	King's Bench	Unreported	Trespass	Riot	Demurrer, 4 pages. Action for debt (Martin Eliot is plaintiff, Duke of Norfolk is the defendant). Buller - irrtior notes on Wood (for the demurrer?); notes on Lambe, contra. Note on the cover granting judgement to plaintiff, and a note above stating that "Gaoler liable to trespass when gaol broken open by rioters." (Ms. 669, cover).
670	25 June, 1792	<i>Rex v. Bellringer</i>	King's Bench	4 T.R. 810	Municipal governance		Paper book of demurrer, 6 ½ pages. Also, 1 page copy of first demurrer, argued on 1 February, 1792. The question was how Bellringcr came to claim that he was a Burgess of Bodmin. The demurrer claimed that his election was by an insufficient group of people. The case was argued twice: first in the Hilary term, with East for the demurrer and Gibbs, contra; and then again with Bower for the demurrer and Morris against. Buller - extensive enclosed notes from the first trial, written on the original copy of the demurrer. Notes on East for demurrer; Gibbs contra. Also some notes on cases on the back cover of the book of the first trial. In the larger and later demurrer book, there is a continuation of notes from Gibbs, and then East's reply. Then there are notes on the interior dated from 13 June on Bower, for the demurrer; and Morris, contra. There is also an opinion of Lord Kenyon. Note on the front cover gives a judgement for the Crown. Also, atop the same page are notes stating that "If there be less than a majority of the whole body in being, the corporation is dissolved," (Ms. 670, cover) and "whether usage under a charter may be pleaded." (Ms. 670, cover).
671	20 June, 1797	<i>Rex v. Sharples</i>	King's Bench	4 T.R. 777	Exercising trade		Paper book of demurrer, 1 ¼ pages. Indictment for practicing trade in Lancaster while being a foreigner. Buller - no interior notes. Note on front cover giving judgement for defendant, and saying at the top of the page that "Indictment will not lie for exercising a trade in a Borough without being free." (Ms. 671, cover).
672	1792 (probably June)	<i>Griffith v. Harrison</i>	King's Bench	4 T.R. 737	Estate	Will	For the King's bench from the court of chancery, 2 ½ pages. Case was argued twice; first in the Hilary term by Shepherd for the plaintiff and Harrison for the defendants; second in the Easter term with Bower for the plaintiffs and Morris for the defendants. The certificate was not sent until the term in which the report is being written (??). Case reports merge the two arguments together. Buller keeps them separate. Buller - interior notes on Shepherd for plaintiff; Harrison contra; Lord Kenyon ordering second argument. Notes on Bower and Morris. Also, enclosed is a draft of the opinion in the case submitted by Buller and Ashhurst, which did not accord with that of Kenyon and Grose. Note at the front states that Kenyon and Grose thought the plaintiff was tenant in tail, whereas Ashhurst and Buller were contra. The term report has both a copy of Ashhurst and Buller's opinion, and a copy of the verdict sent to Chancery. Note atop page says "where lands may be limited in strict settlement under a power to appoint amongst children." (Ms. 672, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
673			King's Bench				There is no Manuscript numbered 673 at this point in the collection.
674	20 June, 1792	<i>Rex v. White</i>	King's Bench	4 T.R. 771	Poor rate		Paper book of orders, 2 pages. Relating to an appeal on poor rate, which was upheld by and order of the sessions. Can personal property, stock and ships be rated? Buller - no interior notes on advocates, but a summary of the opinion of Lord Kenyon. Note on front giving four propositions. (1) "Mortgage or money not rateable to poor" (2) "Ships &c. are rateable in port to which the belong. <u>Poor</u> ." (3) "Collector of customs, captain in the navy or master of a ship not rateable to the <u>Poor</u> ." (4) "Household goods and furniture not rateable to the poor." (Ms. 674, cover). Term report shows that the rate was confirmed as to ships and stock in trade, and amended as to other points.
675	20 June, 1792	<i>Rex v. Burder</i>	King's Bench	4 T.R. 778	Overseer appointment		Paper book in demurrer, 2 pages. Defendant indicted for being elected overseer to the poor for his parish and then not attending his duty. General demurrer. Buller - no interior notes on case. Note on front giving judgement to the crown, and saying, "indictment lies for not accepting the office of overseer."
676	16 June, 1792	<i>Rex v. Inhbts. of Leighton</i>	King's Bench	4 T.R. 732	Apprentice		Paper book of orders, 2 pages. Pauper removal case, sessions quashed order of removal. Pauper/Apprentice was supported by his father during the term of the apprenticeship (four years of shoemaking). Main question had to do with the fact that no duty was paid on the money expended by the father on the son/apprentice. Buller - interior notes on Erskine in support of the order of sessions; Bearcroft, contra. Also, note on back cover comparing the situation to that of <i>Rex v. Waltondale</i> . Note on the front of the page quashing the orders (of the sessions - in term reports). A note on the page discusses the situation in which a father pays for his son to apprentice.
677	20 June, 1792	<i>Rex v. Jeffries</i>	King's Bench	4 T.R. 767	Statutory interpretation		Paper book of conviction, 1 ¼ pages. Appeal of conviction for poaching out of Gloucester sessions. Buller - some marginal case cites, and a one sentence note on Palmer saying that the defendant was not duly convicted. Note on cover affirming order of sessions, and a note atop stating the case to be about "what conviction good for killing game without a certificate." (Ms. 677, cover).
678	24 November, 1792	<i>Rex v. York</i>	King's Bench	5 T.R. 66	Mandamus		Paper book of mandamus and return, 3 ½ pages. Mandamus to defendants to certify Withers as a recorder of York. The return states that the meeting at which he was elected was not for electing a recorder, and that another person had been nominated by the council. Buller - interior notes on Walton objecting to the return; notes on Holroyd, contra. No notes on opinions. Note on front cover quashing the return. A note atop the same page reads, "Return to mandamus, what bad." (Ms. 678, cover).
679	24 November, 1792	<i>Rex v. Lambe</i>	King's Bench	5 T.R. 76	Statutory interpretation	Merchant ships	Paper book of record of conviction, 2 ½ pages. Conviction for piloting a boat on the Thames without being licensed to act as a pilot. Person contended that one didn't need a pilot to merely move a boat on the Thames in order to unload cargo better. Buller - interior notes on Marrayat for the defendant; notes on Shepherd, contra. Note on front quashing conviction. Atop page "Inward and outward bound ships beyond the Thames alone require pilots under the statute 5 G.2.c.20 and 3 G.I.c.13" (Ms. 679, cover).

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
680	13 November, 1792 Printed Report: 25 January, 1793	<i>Roe d. Crow v. Baldwere</i>	King's Bench	5 T.R. 104	Ejectment, copyhold	Will	Special case, 2 pages. Action on ejectment of freehold and copyhold premises. Question of whether recovery was available under certain wills. Buller- reverse of Ms. page 1, notes on Perceval, for the plaintiff; brief note on Sutton, for defense; summary of Lord Kenyon's opinion. Note on back cover citing <i>Abbot v. Merton</i> (Salk. 590). No note of judgment on cover, but a note atop stating that "If tenant in tail by descent suffer recovery, the fee shall be to the same use as he was seized in tail. (???) if Tenant in tail by purchase, the same of copyhold estates." (Ms. 680, cover).
681	22 November, 1792 Printed Report: 23 November, 1792	<i>Doe d. Lancashire v. Lancashire</i>	King's Bench	5 T.R. 49	Ejectment	Will	Copy of special verdict, 3 pages. Also, copy of <i>Christopher v. Christopher</i> (Exchequer, 6 July, 1771, 1 page), copy of the verdict of <i>Shepherd v. Shepherd</i> from the prerogative court at Doctor's commons, 1770, seems to be draft of opinion, 12 pages in length. Buller has made marginal notes on the opinion, and another copy of <i>Lancashire v. Lancashire</i> , this one including Sir William Scott's opinion. Trial for ejectment, in which man had made a will, then married and had children but died before he had a chance to revise the will (which was his stated intention). The case was argued twice, first in the Easter term by Topping and Heywood, then in the current (Mich) term by Law and Chambre. Buller- interior notes on first trial with Topping for plaintiff; Heywood contra. Second trial had Law for plaintiff; Chambre contra. Also, on the copy of the <i>Shepherd v. Shepherd</i> verdict, Buller has taken several pages of notes, including a page long discourse on a "maxim of civil law" and a long discussion of <i>Altham v. Grey</i> . Also, on the back cover of the main case are more citations to cases and statutes. Note on the front gives judgment to plaintiff, and atop page "Marriage or pregnancy if child is born after death of testator is a revocation of a will." (Ms. 681, cover).
682	23 November, 1792	<i>Shove v. Pincke</i>	King's Bench	5 T.R. 124 (case), 310 (certificate)	Will		Case from the court of chancery, 8 pages. Contest between plaintiffs claiming to be legatees of a will and defendant being heir at law of the testatrix. What did the wording of the will mean to the potential heirs- did they get fee or use? Buller- extensive interior notes on <i>Shepherd</i> , for plaintiffs. Note on front cover saying that the will was revoked and the deed was good (postea for plaintiff is shown in term reports). Another note on front cover saying "Any words are sufficient to make a grant in a deed: in a covenant to stand seized to a use, consideration of blood may be averred." (Ms. 682, cover). The second entry in the term reports is the letter sent to the chancery.
683	16 November, 1792 Printed Report: 25 January, 1793	<i>Wilkins v. Despard</i>	King's Bench	5 T.R. 112	Theft, ship and cargo		Copy paper book, 7 pages. Defendant accused of stealing a cargo of Wood from plaintiff, along with the ship. Defendant claimed that Wood belonged to the King having been exported from his lands in America. The plaintiff denied this in replication and the defendant demurred. Buller- interior notes on Wood, for the demurrer; notes on Gibbs, contra; notes on Wood in reply. Cite of 12 Car. 2 c. 18 with discussion on back cover. Note on front giving leave for plaintiff to amend (so judgment for defendant). Also, note saying "seizure for forfeiture without condemnation is a good defense in trespass. Evidence." (Ms. 683, cover).

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
684	23 November, 1792 Printed Report: 25 January, 1793	<i>Martin v. Ford</i>	King's Bench	5 T.R. 101		Statute, post office	Copy special case, 2 pages. Defendant delivers the mail of the town, though not an official postman has his servant deliver it, because mail coach no longer comes through (volunteer agreement). Refused to give mail to plaintiff unless he paid 6d for an outstanding payment. Try to sue under act of post office formation and clause for detaining letters unlawfully. Buller - interior notes on Gibbs, for the plaintiff; summary of Lord Kenyon's opinion. (Term reports show that Chambre was stopped by the court). Judgment of nonsuit noted. On the front cover, "post office statutes inflicting penalties apply only to persons immediately employed under the post office." (Ms. 684, cover).
685	23 November, 1792	<i>Doe d. Kilvington v. Kilvington</i>	King's Bench	Unreported		Ejectment	Copy special case, 2 pages. Ejectment action, in which assize verdict was for plaintiff. Buller - brief interior note on May, for plaintiff. Also, notes on back cover referring to P.B. 705. Note on front granting judgment for plaintiff as of 17 January, 1793. Note atop page, but largely illegible, referring to estate.
686	3 May, 1793	<i>Tooke v. Hollingworth</i>	King's Bench	5 T.R. 215		Trover, bill of exchange	Copy special verdict, 6 pages. Action of trover for bills of exchange. Case argued three times, Trinity 32 G. 3 by Walton (Plaintiff) and Cox (Defendant), then in Hilary term by Baldwin (P) and Wigley (D), and finally in May by Erskine (P) and Piggot (D). Buller- interior notes on arguments for all three trials, with notes for plaintiff and defendant, plus a brief interruption by Grose in the second trial (answered by Erskine, so it is possible he was involved in the earlier stages). Also notes on cases on the back cover, and some statutes. Most well mapped out include <i>Ellis v. Hunt</i> and <i>Hunt v. Ward</i> . Note on front giving Judgment for plaintiff, and one atop page stating that "where goods sent after bankruptcy under agreement before and received by bankrupt may be recovered from his assignees." (Ms. 686, cover).
687	12 June, 1793	<i>Rex v. Inhbts. of the Hundred of Halfshire</i>	King's Bench	5 T.R. 341		Statute, riot act	Paper book of orders. Order of sessions for raising money recovered under the riot act. Buller- interior notes on Bower, taking objections to the order; notes on Erskine, showing cause against rule for quashing order (so, for order). Note on front quashing order because "ordered to be paid to bankers. Subject to order of court of 2nd sessions." (Ms. 687, cover).
688	6 June, 1793 Printed Report: 8 June, 1793	<i>Rex v. Dowlin</i>	King's Bench	5 T.R. 311		Perjury	Copy of indictment, 12 pages (normal size) Defendant was convicted for perjury in the murder trial of Captain Kimber, June 1792, at the admiralty court. Objections to the prosecution were that defendant was not administered oath before a competent jurisdiction, and there was no legal trial on which perjury could be committed. Buller - interior notes on Erskine, Garrow and the common serjeant (listed in term reports as Silvester), for the plaintiff; Mingay, Chambre and Wood for the defense; summary of Lord Kenyon's opinion. Note on the front cover asking "indictment for perjury, what good." (Ms. 688, cover). Also on the front cover, a note stating "rule in arrest of judgment, discharged." (Ms. 688, cover).

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
689	7 June, 1793	<i>Denn d. Webb v. Puckey</i>	King's Bench	5 T.R. 299	Will		Copy special case, 1 page. Case of ejectment based on a will to grandchildren. Buller-interior notes on <i>King v. Burchell</i> (4 T.R. 294?); long summary of Lord Kenyon's opinion, and one sentence on Ashhurst. Term reports indicate Postea to defendant. Note on front says "Devise to H for life sans waste and after his decease to the issue male of his body and heir and assigns of such issue male for ever and for default of such issue male then over. This seems an estate tail in H: but if not limited over is a contingent fee dependant on a fee and barred by a recovery. Will" (Ms. 689, cover).
690	11 June, 1793	<i>Burt v. Moore</i>	King's Bench	5 T.R. 329	Trespass, Cattle		Copy special case, 2 pages. Action for trespass and impound cattle. Defendant claimed that he was forced to impound cattle because they were doing damage to his land. Buller-interior notes on Bond for the plaintiff. Gibbs, contra, was stopped by the court after indicating that he intended to use the same cases used by the plaintiffs (5 T.R. 289). Note on front giving judgment for defendant. Another note atop page saying "person who has separate pasture though for particular cattle only may maintain trespass, and what shall amount to a demise of the separate pasture. <u>Lease. Grant.</u> " (Ms. 690, cover).
691	11 June, 1793	<i>Fiott v. D'Oyly</i>	King's Bench	Unreported	Indenture		Copy paper book, 7 pages. Action on an indenture for Fiott to help build a ship for Baronet D'Oyly, for service in the East India Company. Buller - very brief interior notes on Walton, does not identify for whom he is arguing (seems to be plaintiff). Only note on front cover is an indication of judgment for the plaintiff.
692	4 June, 1793	<i>Philpott v. Corden</i>	King's Bench	Unreported	Bankruptcy		Case for argument, 1 page. Argued 7 May, no judgment until 4 June. Question for court is whether the plaintiff is entitled to recover on a debt owed by a twice bankrupt man. Buller- very brief interior notes on Russell, for plaintiff; Parke, contra. Note on front giving judgment to plaintiff. "Where bankrupt under 2nd commission don't pay 15 s in pound, he is liable to actions though he has got his certificate." (Ms. 692, cover)
693	4 June, 1793	<i>Andrew v. Southouse</i>	King's Bench	5 T.R. 292	Estate, tenements	Will	Case sent from chancery, 1 page. Attached to the first page of the Ms. is a small slip setting the date for trial on motion from Holroyd (for plaintiff). The question for the court is what type of estate the defendant takes in certain tenements as laid out in the will being contested. Buller - notes in the margin of page 1 of the Ms. on Lord Kenyon's opinion. Note on front giving judgment for defendant. There is also a note atop the page describing how the situation in question in the case grants a fee simple.
694	7 June, 1793	<i>Doe d. Phipps v. Mulgrave</i>	King's Bench	5 T.R. 320	Will	Fee tail	Copy of special verdict, 5 pages. Argued 5 May, 1793. Ejectment for lands in York, tried before Buller at the York assizes. Buller - reverse page 1 of Ms., notes on Heywood, for the plaintiff; Lowndes, contra. Note on front cover giving judgment to plaintiff. Also, note atop the same page explaining the will in terms of tail male and heritability of first sons.
695	11 June, 1793	<i>Denn d. Slater v. Slater</i>	King's Bench	5 T.R. 335	Ejectment, Copyhold		Copy special case, 2 pages. Ejectment for a copyhold estate, verdict for plaintiff at assizes. Question of what estate a nephew took by the will of his uncle. Buller - brief interior notes on Sutton, for plaintiff; notes on Clarke, contra. Note on front giving judgment to plaintiff. Held that the result of the will was an estate tail in one person subject to a rent charge to another person. (Ms. 695, cover).

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
696	12 June, 1793	<i>Rex v. Leston</i>	King's Bench	Unreported	Fraud, gambling		Paper book of conviction, 4 pages. Conviction for "maintaining and keeping a certain fraudulent game to be determined by the chance of dice under the denomination of the game of hazard" (Ms. 696, p 1). Buller- brief interior note on Knowles, for the convicted. Note on front affirming conviction, and atop page stating "conviction for keeping the game of hazard, what good" (Ms. 696, cover).
697	12 June, 1793	<i>Rex v. Gloucester</i>	King's Bench	5 T.R. 346	Poor rate	Appeal	Paper book, of orders, 1 page. On appeal over a poor rate made by the churchwardens, protested by the town as unfair and illegal but upheld by sessions. Buller- marginal notes on an objection; also in the margin is a brief note on Bower, arguing against the order of sessions. Note on front affirming order of sessions, and a note saying "If title of poor rate good, court will not quash it on the idea that the officers mean to apply the money improperly." (Ms. 697, cover).
698	12 June, 1793	<i>Rex v. Arnold</i>	King's Bench	5 T.R. 353	Trade, corn	Measure	Paper book of conviction, 1 page. Conviction of a buyer of corn for not using the local measure (Winchester). Conviction was affirmed in sessions. Buller- interior notes on Sellon, objecting to conviction (4 objections). Lens, contra, was stopped by court. Note on front cover affirming the conviction. Note atop the front cover stating that a "Buyer of corn by different measure than Winchester Bushel is liable to penalty of value 40s & costs, & what conviction for it good. <u>Weights and Measures.</u> " (Ms. 698, cover).
698 (a)	Easter Term, 1793	<i>Ward v. Hope</i>	King's Bench	Unreported	Theft, horses		Demurrer book, 2 pages. Conviction for stealing horses and carts. Defendant replies that he didn't steal them, but detained a few for a quarter of an hour rather than the 10 days claimed by the plaintiff, and that the plaintiff had stolen numerous stacks of potatoes from him. This paper book is for Mr. Justice Lawrence . Notes- Interior notes. Arguments dated for 4 July, 1794 include notes on arguments for plaintiff by Sun (?) and Lyly, and one sentence on the opinion of Lord Kenyon. Also includes a page of general notes. A brief note on front gives leave to amend, and a note atop the page "trespass will lie for an unlawful detainment of animals, if it is the subject of a new assignment (?)" (Ms. 698(a), cover).
700	23 November, 1785	<i>Rex v. Fox</i>	King's Bench	Unreported	Overseer of the poor	Certiorari	Paper book, 4 pages. Action for debt against former overseers of the poor. Also, copy book of <i>Rex v. Swayne</i> , 23 November, 1785. Buller- interior notes on Erskine, showing cause against the rule for quashing certiorari; Mingay, contra. Then notes on Mingay showing cause against the attachment against the justices; notes on Erskine, contra. Enclosed is a brief draft 1 side of a Buller opinion. Note on front stating that the rule for quashing certiorari was discharged, the rule for quashing orders was made absolute, and that rule for attachment against justices was discharged.
701	18 November, 1785	<i>Bartlett v. Hodgson</i>	King's Bench	1 T.R. 42	Debt		Demurrer book, 13 pages. Action of debt on bond for 600 pounds. Money given to plaintiff by brother of defendant. Defendant claimed that the money was hers because of a debt due to her. Buller- interior notes on Wood, for the plaintiff; brief note on Heywood, for the defendant; brief note on Mansfield's opinion. Note on front giving judgment for the plaintiff, and under Mansfield's opinion it is noted that there is a leave to amend (not noted in term reports).

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
702	23 November, 1785	<i>Rex v. Inhbts. of East Kennet</i>	King's Bench	Unreported	Pauper's Settlement		Paper book of orders, 1 page. Pauper removal case. Pauper ran away part of the way through his service because he had fathered a bastard child. However, he was apprehended a few days later and returned to marry the woman. He went to reclaim his clothes from his master, who offered to reemploy him, and the pauper then finished the rest of his contract with the master. Buller- interior notes on Morris and Wilson, but no arguments, only list of case names; paragraph on the opinion of Lord Mansfield, uses his opinion to comment on the "melancholy thing so much litigation on poor laws." (Ms. 702, inside cover). Mansfield's notes indicate that because the pauper didn't intend to return, the contract was dissolved, and therefore the rule of the sessions should be discharged.
703	31 January, 1786	<i>Doe d. Phillips v. Phillips</i>	King's Bench	1 T.R. 105	Ejectment		Special case, 2 pages. Action for ejectment, with Buller finding for the plaintiff at the last Bodmin assizes. Lessors of the plaintiff trying to recover a moiety of the premises in question. Buller- reverse of page 1 of Ms., notes on Gibbs, for the lessors of the plaintiff; Lawrence, contra; brief note on Mansfield's opinion; note on Willes' opinion. Note on the front granting a judgment to the plaintiff.
704	10 May, 1786	<i>Rex v. Inhbts. of Bucklebury</i>	King's Bench	1 T.R. 164	Pauper's Settlement		Paper book of orders, 2 pages. Three paupers were removed from Bucklebury to Bradford. They were aged between 5 and 1 years old. Sessions quashed the order on appeal. Buller- note at end of transcript of pleading, on page 2 of Ms., Wilson arguing in support of the order of the session. The other side was stopped by the court (term reports). The term reports say that there was no problem with witness competency, and quashed the order of sessions while confirming the original order.
705	23 June, 1786	<i>Bize v. Dickason</i>	King's Bench	1 T.R. 285	Bankruptcy		Special case, 1 page. Case for money had and received by defendants, assignees of a bankrupt. Bankrupt was an insurance underwriter. Buller- only note is on cover, stating that Mingay (for the defense) gave up the case before argument. Therefore, judgment was granted to the plaintiff.
706	1 July, 1786	<i>Rex v. Inhbts. of Southwram</i>	King's Bench	1. T.R. 353	Pauper's Settlement		Paper book of orders, 2 pages. Pauper removal case. Widow and her three children removed. Order was discharged by the sessions subject to the opinion of the King's bench. Buller- no notes at all inside Ms. Note on front, affirming the order (of sessions). In Term Reports, original order quashed and sessions affirmed.
707	23 June, 1786	<i>Barker v. Parker</i>	King's Bench	1 T.R. 287	Debt, penalty bond		Copy Demurrer book, 5 pages. Debt on penalty bond of 400 pounds. Person employed as clerk took a bond of good performance. Claimed that he performed the bond. Plaintiffs claim that he should have continued after the death of the master, serving the executors. Buller- reverse of Ms. page 1, notes on Chambre, in support of the demurrer; notes on Mansfield's opinion- service contemplated was of testator, no others. Note on back cover discussing Arlington v. Merrick, Tr. 24 Car. 2 9 Ms. 4. Note on front gives judgment for defendant.
708	2 May, 1791 Printed Report: 28 May, 1791	<i>Rex v. Inhbts of Marton</i>	King's Bench	4 T.R. 257	Pauper's Settlement		Paper book of orders, 2 pages. Pauper removal case, in which a retrospective hiring was to be argued as counting towards settlement. No notes on case at all. Term report show that the order of sessions was quashed and the removal made absolute.

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709	24 November, 1786	<i>Irish Society v. Needham</i>	King's Bench	1 T.R. 482	Debt, bond		Demurrer book, 5 pages. Action on debt on bond for 3000 pounds. Bond paid to Irish society to assume position of chief agent. Argument that the bond was not kept. Buller- reverse of Ms. page 1, notes on Russell, for the demurrer; notes on Baldwin, contra. Note on front cover giving judgment to plaintiff. No explanatory notes on text.
710	31 January, 1787	<i>Rex v. Melkridge</i>	King's Bench	1 T.R. 598	Pauper's Settlement		Paper book of orders, 2 pages. Pauper removal cases. Was pauper entitled to a settlement in a township where he did not pay rent in a tenement. Buller- no notes on case, except for a note on the cover stating that the order was quashed. In the term reports, it is noted that service of the pauper is equivalent to paying rent, and that pauper was given a place to stay for service.
711	26 January, 1787 Printed Report: 24 January, 1787	<i>Senhouse v. Christian</i>	King's Bench	1 T.R. 560	Trespass, road		Case for the opinion of the court, 10 pages. Action for trespass. Regarding Defendant's crossing of Plaintiff's land, and an interpretation of a covenant signed by the two parties on the matter. Buller- reverse of page 1 of Ms., notes on Law, for plaintiff; notes on Chambre, for defense. Note on front gives a judgment "for plaintiff as to the transverse road, for defendant as to the Waggon way" (Ms. 711, cover).
712	12 February, 1787	<i>Hotham v. East India Company</i>	King's Bench	1 T.R. 638	Covenant		Copy paper book, 26 pages. Covenant dispute. Covenant was for how much the ship could lade on for its return voyage. One covenant said that notwithstanding that it was let to freight 903 tons, it should take on as many as it can. The ship took 903 tons, and was sued because it was claimed that it could carry up to 100 tons more. Jury had found for plaintiffs. Buller- interior notes, including note that Law moved to arrest judgment; notes on Erskine and Mingay shewing cause; notes on Bearcroft, Rous & Law in support of the rule; notes on Baldwin and Watson arguing for plaintiff in reply; finally, a summary of Ashhurst's opinion delivered as the opinion of the court. Note on front stating that the rule in arrest of judgment was discharged.
713	1 May, 1787 Printed Report: 2 May, 1787	<i>Sawer v. Mercer</i>	King's Bench	1 T.R. 690	Debt, bond		Copy demurrer book, 6 pages. Action for debt on a bond against the defendant as administrator. Reported in Durnford & East as Sawyer v. Mercer . The pleas have been written in different hands for each side of the case. Also contains a list at the top left hand corner of the fees for the case. Buller- almost no notes at all on case beyond that on the front giving judgment for the plaintiff; three cites to cases/reporters on the inside cover, with no attached explanation (5 Co. 83 Custom of London, Vaughn. 89, 3 Mod 115).
714	16 May, 1787	<i>Rex v. Inhbts. of Margam</i>	King's Bench	1 T.R. 775	Pauper's Settlement		Paper book of restated orders, 1 page. Also, within the case was an earlier trial of <i>Rex v. Margam</i> , dated to 23 November, 1785. It is noted on the front of the earlier case that it is to be restated, and contains interior notes on the plaintiff's argument, and notes on Bearcroft. An earlier order of the sessions was annulled because not enough of the parish overseers had signed the settlement certificate of the pauper. However, sessions used this to amend the order. The order of sessions is noted at the front cover as quashed, and in the term reports, Ashhurst gives the reason that sessions had overstepped their authority in inquiring beyond whether the signatures of the smaller number of overseers was sufficient to make a settlement.

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715	9 February, 1787 Printed Report: 2 May, 1787	<i>Barry v. Rush</i>	King's Bench	1 T.R. 691	Estate, administrator		Paper book, 4 pages. Judgment not given until 2 May, 1787. Debt on a bond. In return for being administrator of an estate, defendant paid bond to ensure duties fulfilled. Action is for the bond. Buller- no interior notes on the case. Judgment noted on the front to be for plaintiff.
716	23 June, 1787	<i>Rex v. Inhbts of Knighton</i>	King's Bench	2 T.R. 48	Pauper's Settlement		Paper book of orders, 1 page. Pauper removal case. Sessions discharged an order of local justices to remove a pauper and his three children. The question raised was whether a settlement was gained from the pauper renting a mill in the town of Knighton, but not a residence there. Buller- interior notes on Bearcroft, for the order of sessions; Galley, contra. Note on front cover quashing the orders of sessions, and stating that " <i>Rex v. Topcroft</i> on point." (Ms. 716, cover).
717	13 June, 1787	<i>Rex v. Wood</i>	King's Bench	2 T.R. 96	Billeting Soldiers		Paper book of conviction, 2 pages. Wood, an alehouse keeper, refused to allow soldiers to stay with him despite being liable to have soldiers billeted and quartered with him. Was convicted in the lower courts. Buller- no notes on Ms. Case is reported along with three other cases for the same offense/incident, and regarding the same issues. Conviction was quashed.
718	13 June, 1787	<i>Rex v. Potts</i>	King's Bench	2 T.R. 96	Billeting Soldiers		Paper book of conviction, 2 pages. Convicted for refusing to receive soldiers to be billeted on them (same group of soldiers resisted by Wood, see Ms. 717) Buller- enclosed notes on the arguments, including Chambre, contra. This is against the term reports, that have Law arguing for the defendant and Erskine, contra. Brief draft of what might be his opinion- longer than the one paragraph per curiam delivered by the court. Term report notes that the conviction was quashed.
719	13 June, 1787	<i>Rex v. Dimpsey</i>	King's Bench	2 T.R. 96	Billeting Soldiers		Paper book of conviction, 2 pages. Once again, a conviction for refusing to billet soldiers (see Mss. 717, 718). Question arose, as with the other cases, of whether ale house keepers were required to take in horses as well as soldiers. However, as there was an objection to the form of the convictions, this issue wasn't reached. Issue was regarding nature of the fine levied on the offenders. (2 T.R. 96) Buller- interior notes on Law, for the defendant (see above note on Ms. 518 regarding counsel). Conviction was quashed.
720	13 June, 1787	<i>Rex v. Softley</i>	King's Bench	2 T.R. 96	Billeting Soldiers		Paper book of conviction, 2 pages. Similar to Mss 717, 718 & 719, this stood before the court at the same time and for the same issue. No notes on Ms.- for the notes that are relevant, see <i>Rex v. Potts</i> ., Ms. 718.
721	24 November, 1787 Printed Report: 21 April, 1788	<i>Rex v. Stubbs</i>	King's Bench	2 T.R. 395	Overseer of the poor		Paper book of orders, 1 page. Issue was whether the people elected to be overseers to the poor were competent, Stubbs because she was a woman and the other two because they were incompetent. No notes on this transcript of case. However, Buller has taken notes on the case when it arose earlier, in Trinity term, 27th Geo. 3d, 1788. See <i>Rex v. Stubbs</i> , Ms 531(a). Ashhurst writes opinion confirming the order of the sessions allowing her to take the office (2 T.R. 405/6)

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
722	16 June, 1787 Printed Report: 16 November, 1787	<i>Rex v. Sheffield</i>	King's Bench	2 T.R. 106	Negligence, highway		Paper book of demurrer, 6 pages. Ms. puts argument date for 16 June, but Term Report lists it as 10 November. Term reporter states that the case was argued in the last term by Chambre and Wood, and in the current term by Law and Bower. Case was for demurrer to an indictment of Sheffield for failing to repair a local highway as required by a parliamentary act. Buller- reverse of Ms. page 1, notes on Law, for the demurrer; notes on Bower, contra. Interior notes contain a summary of the opinion of Ashhurst. One note on the front cover orders it to stand for a second argument (which is the argument contained in the notes). A second note gives judgment for the prosecutor/crown.
723	17 November, 1790	<i>Rex v. Mayor of London</i>	King's Bench	4 T.R. 21	Rate, barge-way		Paper book of orders, 1 page. Also, enclosed is a 31 page act of parliament (17 Geo 3) that relates to the case. Defendants were rated for barge-way in the hamlet of Hampton-Wick. Appealed to sessions, which confirmed the order. Buller- marginal notations on Erskine, arguing in support of the order of sessions (Cites several cases, including 2 T.R. 661, <i>Aire and Calder Navigation</i>); notes on Fielding, also in support of the order; notes on Mingay, contra, and Sylvester, also contra. Note on the front of the case affirming the order of the lower court.
724	24 November, 1787	<i>Rex v. Ranton Abbey</i>	King's Bench	Unreported	Pauper's Settlement		Paper book of orders, 4 pages. Not judged until Hilary Term, 1788. Pauper removal case, appeal against a removal affirmed by the sessions. No interior notes on the case. Front cover has a jotted affirmation of the order of sessions.
725	25 April, 1788	<i>Doe d. Bromnfield v. Smith</i>	King's Bench	2 T.R. 436	Ejectment		Special case, 1 1/2 pages. Also, slip attached giving time of trial as of Motion by Clarke, for the defense. Ejectment for a house tried at the derby assizes. Verdict was for the plaintiff. Plaintiff had estate for life in a house and let it out to a tenant. Her son was entitled to take over the house once he was 21, and the lease was to be considered void. The original tenant died, and left the tenancy to his daughter, who died and left it in the hands of her executor. The son of the plaintiff now seeks possession of the house. Buller- interior notes on Gally, for the plaintiff; notes on Clarke, for the defense; notes on Gally, contra (brief); brief summary of Ashhurst's opinion. In term reports, the opinion is written per curiam (without an individual attribution). The opinion on the cover gives the verdict to the defendant. Ashhurst's opinion indicates that the son waited too long to try and claim the land after his 21st birthday.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
726	28 January, 1788	<i>Denn d. Vessey v. Wilkinson</i>	King's Bench	Unreported	Nisi prius		Copy of special case, 5 pages. Enclosed is a 1 page copy of the order of nisi prius, dated to 5 August, 1777. Set down for original argument on 24 November, 1786, with a judgment for defendant "ulter concilium." Then a second verdict on 28 January, 1788. Action of ejectment for Northlees Manor. Buller - notes on the backs of page and inside cover, probably from different hearings. Also enclosed notes on separate sheets. Notes on the reverse of page 1 of Ms. include a brief summary of Clarke, for the plaintiff, and a note that Mr. Balguy was contra, but not material on him. There are then notes on the interior detailing the arguments of Serjeant Hill for the plaintiff and Erskine, contra, then more notes on Hill, Erskine and Grose. There are some notes on the back cover relating to the case. Enclosed are notes on opinions. There is a brief summary in Buller's hand describing Grose's opinion (for the plaintiff). There is a four page opinion in another hand, with a note over it in Buller's script saying "opin: delivered by Ashhurst, J." (Ms. 726, enclosure) another opinion for the plaintiff. Finally, there is a nine page draft of an opinion by Buller for the defendant which probably was not seen as Ashhurst delivered the opinion of the court. A note on the cover gives a verdict for the plaintiff on the 28 January, 1788, noting "judgment for plaintiff by Ashhurst & Grose. Buller contra." (Ms. 726, cover).
727	21 November, 1788	<i>Doe d. Milborne v. Milborne</i>	King's Bench	2 T.R. 721	Ejectment		Case from the Huntingdon summer assizes, 1788, 4 pages. Ejectment on the demises by the lessor of the plaintiff. A verdict was reached at assizes for the plaintiff. No notes on the case at all, but for a judgment for the defendant entered on the front cover of the Ms.
728	19 November, 1788	<i>Rex v. Inhbts. of Fillongley</i>	King's Bench	2 T.R. 709	Pauper's Settlement		Paper book (of orders), 2 pages. Pauper removal. Pauper renting a tenement was removed to a different parish, but returned to his tenement on the same day and was not removed again for another three quarters of a year. Does the second removal count? No notes on the Ms. of arguments or judicial opinions. Term reports indicate that pauper gained a settlement in Fillongley and that the rule for quashing the order of the sessions was discharged.
729	22 November, 1788	<i>Rex v. Inhbts. of St. Nicholas (Nottingham)</i>	King's Bench	2 T.R. 726	Pauper's Settlement		Paper book of orders, 2 pages. Removal of a young pauper because he didn't sign the indenture which apprenticed him to someone from the parish. No notes on the case, but for on the front saying that the order of the sessions was to be quashed. Term reports says that the justices found it binding because they assented to the agreement, even if it wasn't signed (Grose, 2 T.R. 731)
730	22 November, 1788	<i>Rex v. Tooley</i>	King's Bench	Appeal reported at 3 T.R. 69	License, horse renting		Paper book of conviction, 2 pages. Tooley was convicted for renting horses without a license. No notes on inside of manuscript, and unreported. Only notes by Buller are on cover, in which the order of the sessions is confirmed.
731	25 May, 1791	<i>Rex v. Inhbts. of Lubbenham</i>	King's Bench	4 T.R. 251	Pauper's Settlement		Paper book of orders, 2 pages. Justices removed pauper and her daughter from the parish. Sessions quashed the removal. No notes on the manuscript interior, and the only one on the front is one affirming the order of sessions for the child and quashing it for the mother. A note on the cover says "Ct. held that wife was settled at Oxendne and the child at Lubbenham as being a bastard." (Ms. 731, cover).

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
732	15 November, 1793	<i>Booth v. Atherton</i>	King's Bench	New trial reported at 6 T.R. 144	Bankruptcy		Special case, 4 pages. Action for not delivering bushels of wheat before going bankrupt. Buller- interior notes on Heywood for plaintiff; Heywood for defendant; Heywood in reply. (Related?) Note indicating that it would stand for a second argument. 2nd Argument, notes on Law, for plaintiff; Chambre, contra. Note on the front cover of the case, indicating a second argument. Second note on cover, "Hil. 34, Geo 3rd. This case was sent to a second trial in order to see if any new facts could be added and whether there was any usage in trade at live (?) which would affect the question and whether the jury would find that there was or was not a delivery." (Ms. 732, cover).
733	23 November, 1793	<i>Rex v. Younger</i>	King's Bench	5 T.R. 449	Sabbath laws		Paper book of conviction, 1 page. Conviction for baking meat and pastry on a Sunday, against the laws forbidding work on the Sabbath under 29 Car. 2 c. 7. The laws allow exceptions for the poor. Buller- interior notes on Mingay, for the defendant; notes on Bearcroft, for the crown. Buller writes on the front of the case "affirmed" (Ms. 733, cover). However, term reports show that the conviction was quashed per curiam, with Lord Kenyon and Ashhurst feeling that the entire proceeding had been a collusive effort between the defendant and the prosecution.
734	4 February, 1789	<i>Rex v. Inhbts. of Macclesfield</i>	King's Bench	3 T.R. 76	Pauper's Settlement		Copy of orders, 1 page. A pauper, his wife, and four children were removed from Macclesfield. Sessions overturned the order as to the pauper, his wife and three of the children. Worked for 11 Months for a master, and then was offered the chance to stay indefinitely, with no mention of wages. Buller- no interior notes. Note on front saying that the offer was "held to be general hiring." (Ms. 734, cover). Term reports shows that the order of sessions was confirmed.
735	9 May, 1789	<i>Rex v. Inhbts of Ackley</i>	King's Bench	3 T.R. 250	Pauper's Settlement		Paper book of orders, 1 page. Pauper worked from 13 October, 1787 to 11 October, 1788. 1788 was a leap year, giving him 365 days service, for which he was given a settlement (removed by justices and confirmed by sessions). Buller- no interior notes on the case. Note on front cover stating "order quashed" (Ms. 725, cover). Term reports states that the court found him to be two days short of a year.
736	28 May, 1791	<i>Rex v. Inhbts. of Netherseal</i>	King's Bench	4 T.R. 258	Pauper's Settlement		Paper book of orders, 1 page. Justices removed pauper, wife and five children to Netherseal. Sessions confirmed the order. Pauper married the daughter of his master at Finderne, and after master's death, lived in a tenement of a value of over ten pounds for more than 40 days, but without ever proving the will that left money to him (through his wife). Buller- no notes whatsoever, interior or on cover. Term reports show that both orders were quashed, allowing the family to remain at Finderne.
737	10 November, 1788	<i>Webb v. Russell</i>	King's Bench	3 T.R. 393	Covenant		Copy of demurrer book, 7 pages. Action of covenant involving a demise of land to the defendant by a relative of the plaintiff. Buller- interior notes on Marrayatt, for the plaintiff (in term reports, against the demurrer). Notes on back cover of relevant cases, including 2 Dulstr. 12. Note on front cover, stating "1st July 1789. Judgment for defendant by Lord Kenyon, Ashhurst & Grose. Buller absent." (Ms. 737, cover).

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
738	27 June, 1789	<i>Rex v. Inhbts. of Stannington</i>	King's Bench	3 T.R. 385	Pauper's Settlement		Paper book of orders, 1 page. Pauper worked for a master at Stannington for a year. In between hiring and the commencement of his work he married another pauper. Pauper was granted a settlement at Stannington, confirmed by an order of Sessions. Buller- no notes on the case whatsoever. Term reports notes that in light of the decision in <i>Rex v. Allendale</i> , 3 T.R. 382, 27 June 1789 (see Ms. 739), made immediately prior to the instant case, the case was not argued, but rather both orders of sessions were confirmed.
739	27 June, 1789	<i>Rex v. Inhbts. of Allendale</i>	King's Bench	3 T.R. 382	Pauper's Settlement		Paper book of orders, 1 page. A pauper entered into service of a man with the understanding that he would be married when his service commenced (he was hired as a hind, and thus his wife was required to do services for the master at the harvest). He was removed to Allendale, where he served for a year, along with his wife. Sessions confirmed the order. Buller- brief marginal note on Erskine, against the order of sessions. Note on front saying "Rule discharged." (Ms. 739, cover). Term reports indicate that both orders were affirmed.
740	26 June, 1789	<i>Duffield v. Scott</i>	King's Bench	3 T.R. 374	Debt, bond		Copy paper book, 8 pages. Debt on bond between plaintiff and Balcher. Scott was Balcher's executor. Contract was for testator to indemnify all debts incurred by plaintiff's wife during his separation from her. Buller - interior notes on Shepherd, in support of the demurrer. Case reports show that Lane, contra was stopped by the court. Note on front cover giving judgment for plaintiff.
741	10 November, 1789	<i>Rolleston v. Hibbert</i>	King's Bench	3 T.R. 406	Bankruptcy		Special case, 2 1/2 pages. Trover for the ship Commerce. Rolleston is assignee of a bankrupt, who gave the ship to Hibbert as security for debts, but did not execute a correct bill of sale to him. Therefore, his assignees seek to reclaim it to cover their losses. Case was argued twice, once with Law for the plaintiff and East for the defendants; once with Shepherd for the plaintiffs and Bower for the defendants. Buller - extensive interior notes on Law for plaintiff and East for defendant, about 3 pages; notes on shepherd for the plaintiff and Bower for defendant; summary of Lord Kenyon's opinion. Note on back cover citing 26 Geo. 3. C. 60 s. 17. One note on front cover calling for second argument, and a second note on front cover giving judgment for plaintiff on 10 November, 1789.
741 (a)	4 August, 1779	<i>Doe d. Snowdon v. Potts & Ingham</i>	King's Bench	Unreported	Ejectment, tithes		Special case, 4 pages. Action for ejectment on the demise of Robert Snowdon, relating in part to the entitlement to tythes of corn and grain from the town of Qaringdon. Buller - brief interior notes on Chambre, for plaintiff; Parke, contra; summary of Lord Kenyon's opinion. Note on front giving "judgment for plaintiff for Freehold only." (Ms. 741(a), cover). Paragraph atop front cover which looks like a quote from a will.
742	17 November, 1789	<i>Hayne v. Maltby</i>	King's Bench	3 T.R. 438	Patent	Covenant	Paper book, 6 1/2 pages. Action of covenant in which defendant agreed to use plaintiff's patented machine exclusively. Defendant pleaded that plaintiff had not invented or patented the machine, and plaintiff demurred, because defendant tried to introduce material that wasn't relevant to the merits of the case. Buller - reverse page notes on Chambre, arguing against the demurrer; summary of Lord Kenyon's opinion. Note on front cover giving judgment for defendant. Term reports say that there is no estoppel to prevent the defendant from showing that the patent is void.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
743	24 November, 1789	<i>Doe d. Comberbach v. Perryn</i>	King's Bench	3 T.R. 484	Ejectment		Case, 7 1/2 pages. Also, attached to the case is a family tree of the Comberbach's, covering 5 generations and showing Sir Richard Perryn, the defendant, to be the grand nephew of the testator, James Comberbach (whose wife Helen has just died). Trial for ejectment of premises in Chester. Original verdict was for plaintiff. Buller - extensive interior notes on the arguments of Leycester, for plaintiff, and Serjeant Hill, for the defense; summary of the opinion of Lord Kenyon. Notes on the back cover seem to be discussing relevant cases; somewhat difficult to read. Note on front giving judgment for plaintiff.
744	24 November, 1789	<i>Tyson v. Gurney</i>	King's Bench	3 T.R. 477	Insurance		Special case, 5 1/2 pages. Action on a policy of goods from London to Amsterdam, and from there to St. Eustatia on any neutral ship. Earlier trial gave verdict to the plaintiffs. The plaintiffs were American, but had sided with the English during the revolution. Goods insured went from London to Holland, and from there were loaded on the ship Carolina Aletta to go to St. Eustatia. At the time of sailing, the ship was neutral, but during the voyage, hostilities erupted between Holland and England, and the ship was seized by English ships. Buller - interior notes on Park, for the plaintiff; notes on Baldwin, contra. Note on the front states (Judgment for plaintiff, this case not being within 16 G. 3. the ships being Dutch (Ms. 744, cover).
744 (a)	24 November, 1789	<i>Mills v. Lowe</i>	King's Bench	Unreported	Certificate, Rum	Confiscation	Special case, 6 pages. Damages case in which defendants were excise officers and confiscated several casks of rum from the plaintiffs that amounted to more than the plaintiffs had a certificate for. The lower court found damages and costs for the plaintiffs. Buller - interior notes on Dampier, then a second set of notes, under a different heading also titled Dampier; brief summary of Lord Kenyon's opinion. Note on the cover giving judgment for defendant (Kenyon's opinion stating "Defendants were only to obey certificate - That was for 20 gallons." (Ms. 744 (a) interior notes 1: Note atop the front cover gives a general rule about recovery of rum if it is not gauged properly
745	24 November, 1789	<i>Minet v. Gibson</i>	King's Bench	3 T.R. 481	Bill of exchange		Special verdict, 10 pages. Action on a bill of exchange, brought about because bill was to pay to the order of a person that did not exist, but was nonetheless used, even though the defendants were aware that the endorsee did not exist. The special verdict found facts, but declared itself to be ignorant as to whether defendants were liable and sent it to the court of King's bench. Buller - no notes except on front cover granting verdict to plaintiffs. Term reports notes that the court did not hear argument, but decided the case based on Vere v. Lewis (3 T.R. 182)
746	20 November, 1789 Printed Report: 12 February, 1789	<i>Brymer v. Atkins</i>	King's Bench	1 H. Bl. 164 E.R. 126, 97	Seizure, American ship		Copy of transcript, in error from court of common pleas, 10 pages. Admiralty case involving seizure of American ships. 40 pages in H. Blackwell's reports. Buller - interior notes on Richardson, including three grounds for suing for invoice price; marginal notations in the record noting parts of the case. Note on front cover affirming the judgment of the court.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
747	20 November, 1789	<i>Ellis v. Hunt</i>	King's Bench	3 T.R. 464	Trover, files		Special case, 2 pages. Trover for a cask of files. Tried before Lork Kenyon, verdict taken for plaintiffs. Bankrupt ordered files, which were transported by defendant. When bankruptcy was declared, defendant held on to the files, and was then sued for them. Buller - interior notes on Wood, for the plaintiff. Term report shows that Baldwin, for the defense, was stopped by the court. Note on the front cover giving judgment for the defendant.
748	20 November, 1789	<i>Southall v. Leadbetter</i>	King's Bench	3 T.R. 458	Landlord/Tenant	Repair, wall	Special case, 2 pages. Action in replevin. Contention in case is whether a landlord or tenant in case of a long term lease is obligated to pay for the repair of an adjoining wall. Buller - marginal notes on Wood, for the plaintiff (saying landlord liable); Baldwin, for the defendant. Note on front stating "judgment for plaintiff." (Ms. 748, cover).
749	20 November, 1789	<i>Wright d. Burrill v. Kemp</i>	King's Bench	3 T.R. 470	Ejectment		Special case reserved by Wilson J. at the last York assizees, 1 page. Also attached to the case a slip setting trial for Friday (20 November) on the motion of Mr. Lowndes (plaintiff's attorney). Action for ejectment, in which land was surrendered to testator's wife, then to the use of his son. In case son died in lifetime of surrenderor, or died without issue, land was to go to the heirs of the surrenderor. Son died in lifetime of surrenderor, but left issue. Contention over whether or in will really meant and . Buller - reverse page notes on Lowndes, for plaintiff; Chambre, contra; summary of Lord Kenyon's opinion. Note on front grants judgment for plaintiff.
750	25 November, 1789 Printed Report: 26 November, 1789	<i>Rex v. Inhbts. of Folkestone</i>	King's Bench	3 T.R. 505	Pauper's Settlement		Paper book of orders, 2 pages. Justices removed pauper, wife and five children from Folkestone in Kent to the part of Folkestone without. Order was quashed on appeal to sessions. Pauper was paying land tax on house, even though tenant rather than landlord. Was tenant able to gain settlement on this? Court agrees that it should be the landlord's tax. However, Buller notes in term reports that "whether the landlord or tenant to be rated is a question of fact." (3 T.R. 506). No interior notes, but a note on the front cover stating that the order of sessions was affirmed.
751	25 November, 1789 Printed Report: 26 November, 1789	<i>Rex v. Chichester Guardians of the Poor</i>	King's Bench	3 T.R. 496	Bastardy		Paper book of orders, 2 pages. James Lover was adjudged the father of a bastard. The judgment was quashed at the order of sessions. Orders brought by certiorari to the King's bench. Buller - brief marginal note (that appears in Lord Kenyon's opinion in the term reports) mentioning Salkeld's reports (Salkeld 482) and saying "don't appear appeal made at next general 2nd [quarter] session" (Ms. page 1). Note on front affirming the order of the Sessions.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
751 (a)	25 November, 1789	<i>Reynolds v. Tunstead and Happing Guardians</i>	King's Bench	Unreported	Apprenticeship	Overseers of the poor	Special case, 1 page. Reynolds appealed against having an apprentice appointed to him by the Guardians of the poor, claiming that he was not a resident of the parish, but rather that his farm occupied some part of the parish, and he was in fact a resident of a different parish. The sessions decided that he was not obliged to take on an apprentice. Buller - marginal notes on 20 Geo. 3. c. 36 s. 2; notes on Lord Kenyon's opinion. Note on the front gives rule absolute. Another rule atop the front cover indicates that the rule of sessions is quashed and the original rule restored "The occupier of lands within a parish, though resident in another parish is an inhabitant and occupier within the meaning of an act of parliament for the relief of the poor." (Ms. 751(a), cover).
752	25 November, 1789	<i>Rex v. Inhbts. of St. Agnes</i>	King's Bench	3 T.R. 480	Poor rate		Paper book of orders, 1 page. Appeal against poor rate because a trustee of a minor was not rated for fee farms of tin, and another was not rated for toll tin raised in his manor. Sessions quashed the rate. Buller - no interior notes. Note on cover stating "affirmed." (Ms. 752, cover). Term reports state that the order of the sessions quashing the rate was affirmed.
753	25 November, 1789 Printed Report: 26 November, 1789	<i>Rex v. Hurdis</i>	King's Bench	3 T.R. 497	Poor rate		Paper book of orders, 1 page. Appeal against a poor rate. A soldier positioned in a house by the army was taxed by the poor rate. Claimed that this shouldn't be done. Buller - interior notes on Bearcroft, for plaintiff; notes on Erskine, contra; summary of Lord Kenyon's opinion. The order of the sessions was affirmed, and Wood (found by the sessions to be the occupier of the house) was taxed for the poor rate).
754	Michaelmas, 1789	<i>Rex v. Barrington</i>	King's Bench	Unreported	Joinder in error	Certiorari	Copy of writ of outlawry, writ of cert., and return, 6 1/2 pages. Also, enclosed is a copy of Rex v. Barrington, copy of assignment of errors on record of outlawry and joinder in error, from the Michaelmas Term, 30 Geo 3, 1789. This includes a list of 8 errors in the record and a joinder in error, but no notes by Buller on the manuscript. It would seem more probable that the earlier case was included with the later case, for obvious chronological reasons. The later case has been stored within the earlier one, and is not numbered. The earlier case is numbered Ms. 754. Barrington was outlawed for stealing a silk purse containing 23 1/2 guineas. Buller - notes on entire back cover, mostly statutory cites, e.g. 4 & 3 W&M c. 22 s.4, 8 H. 6 c. 10, etc; interior notes on Wood, raising errors in return of exigent; notes on Le Mesuirer, answering objections. A note on the front cover of the earlier case states "Judgment reversed on the 2d. objection" (Ms. 754, cover).
755	25 November, 1789	<i>Rex v. Tunstead and Happing</i>	King's Bench	Unreported	Apprenticeship	Overseers of the poor	Paper book of orders, 1 page. Same case as Ms. 751(a) . Paper book of orders, in which a farmer is given an apprentice. What is contested is whether he is an occupier or a resident of the parish which gave him the apprentice. No notations on the Ms.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
756	29 January, 1790 Printed Report: 5 February, 1790	<i>Utterson v. Vernon</i>	King's Bench	3 T.R. 539	Bankruptcy		Special case, 4 1/2 pages. Issue directed by the lord Chancellor. Vernon was assignee of Tyler a bankrupt. Action was for stock given by plaintiff to bankrupt. Buller - extensive interior notes on Grant, for plaintiff; Manley, contra; summary of lord Kenyon's opinion; sentence long summaries of opinions of Ashhurst, Grose and Kenyon. Note on front gives "judgment for plaintiff, 5 February, 1790." (Ms. 756, cover).
757	5 February, 1790 Printed Report: 6 February, 1790	<i>Rex v. Inhbts. of Bridgewater</i>	King's Bench	3 T.R. 550	Pauper's Settlement		Paper book of orders, 1 1/2 pages. Justices removed pauper and his two daughters to Bridgewater. Claimed that because pauper had not paid his own rate, but rather a friend had paid for him without his knowledge, that he could not be considered a ratepayer and could not have a settlement. Buller - no interior notes on the case. Note on the front stating "Rule absolute." (Ms. 757, cover). Term report states that judges were of the opinion that even if he did not pay the rate, it was raised for his use and counts to his credit.
758	3 February, 1790	<i>Rex v. Inhbts. of Walton in Le Dale</i>	King's Bench	3 T.R. 515	Pauper's Settlement		Paper book of orders, 2 1/2 pages. Pauper was removed from Walton, but Sessions reversed the removal. Clauses in his apprenticeship contract were found to be admissible as evidence showing that he had been indentured for two years, even though the correct duty had not been paid on the indenture. Buller - reverse page note on Caldecott, arguing against admissibility of the indenture; brief summary of opinion of Lord Kenyon. Note on the front cover confirming the order of sessions.
759	3 February, 1790	<i>Rex v. Cook</i>	King's Bench	3 T.R. 519	License, horse renting		Paper book of orders, 4 pages. Appeal against a conviction for letting out a horse without a license, and not paying duty on a horse. Defendant is postmaster, and was expediting the journey of an express delivery signed by the postmaster general. Buller - interior notes on Shepherd, in support of the order of sessions; summary of the opinion of Lord Kenyon. LK's opinion concludes with the words "horse which carries mail never pays this duty." Note on front stating that the conviction is quashed.
760	6 February, 1790	<i>Rawlinson v. Shaw</i>	King's Bench	3 T.R. 557	Will		Copy demurrer book, 7 1/2 pages. Action of assumpsit, in which there were nine counts in the declaration; eight regarding promises by the deceased (of whom Shaw is executor), and one regarding a promise by defendant. All related to last will and testament of testator. Buller - brief marginal notation on Lawes, in support of the demurrer; note on Grose quoting 1 Lev. 161 (<i>Swallow v. Emberson</i>) Note on front granting judgment to plaintiff.
761	7 May, 1790	<i>Radford qui tam v. M'Intosh</i>	King's Bench	3 T.R. 632	False Accounts	Horse Renting	Copy of issue, 7 pages. Action on 27 Geo. 3 c. 26. In which defendant is charged with keeping false accounts on the letting out of his horses. The copy of the issue actually has "Mr. Justice Ashhurst" (Ms. 761, cover) written on the cover, but the notes are all in Buller's handwriting. Buller - enclosed notes on various relevant statutes. No summaries of counsel or justices. Note on front cover states that judgment was arrested.
762	24 April, 1790	<i>Dudley v. Folliott</i>	King's Bench	3 T.R. 584	Covenant, indenture		Copy of demurrer book, 10 1/2 pages. Plea of covenant on an indenture broken. Folliott is a resident of Jamaica, in Queens, NY, as is a third member of the covenant group. Covenant regarding the sale of land in New York. Buller - no notes at all on proceedings. Note on front cover giving judgment for defendant.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
763	1 May, 1790	<i>Rex v. Scot</i>	King's Bench	3 T.R. 602	Rates, schoolhouses		Paper book of order of Sessions, 1 page. Defendants were rated for two schoolhouses. Appealed to Sessions, where the rate was confirmed. Buller - no notes at all on proceedings. Note on front quashing the order of sessions, and allowing the schools to be exempt.
764	1 May, 1790	<i>Dyer v. Hainsworth</i>	King's Bench	3 T.R. 611	Statute	Trade, wool	Copy of the count on which the defendant was convicted, 1 page. Convicted of guilty of packing and exporting wool contrary to 28 Geo. 3 c. 38. Had three objections to the trial (1) It was a mistrial because it was held at the wrong place, (2) one of the counts does not state any offense made illegal by parliament, (3) no judgment of imprisonment can be given by this court, should have been given by judge at original trial. Buller - enclosed notes on relevant cases; notes on Serjeant Cockell in support of the objections; notes on Heywood and Chambre, contra. Note on front cover "1st. May 1790, Court said they had not doubt about propriety of Trial at Appleby or on construction of action and were of opinion that the conviction was proper." (Ms. 764, cover).
765	26 January, 1790	<i>Rex v. Inhbts. of Gamlingay</i>	King's Bench	3 T.R. 513	Repair, road		Copy of indictment, 1 1/2 pages. Attached is a slip granting the second day of the next term (the note is dated to Saturday after 15 days from the feast of St. Martin) to the prosecution to show cause as to why the judgment should not be arrested. It is signed by Serjeant Le Blanc for the defense and Partridge for the prosecution. Indictment for not repairing a local roadway. Buller - no external or internal notes. Term reports indicate a rule absolute that the indictment was quashed.
766	25 November, 1788 Printed Report: 27 January, 1789	<i>Doe d. Shore v. Porter</i>	King's Bench	3 T.R. 13	Ejectment		Demurrer book, 3 pages. Action of ejectment for a messuage, cottage and land. In a year to year tenancy if the tenant die intestate, his administrator has same interest in land that he did. (3 T.R. 13). Buller - no notes on the proceedings. Note on front cover giving judgment to plaintiff on the 27th of January, 1789
767	10 May, 1790 Printed Report: 8 June, 1790	<i>Stokes v. Russell</i>	King's Bench	3 T.R. 678	Covenant, indenture		Demurrer book, 8 pages. Action of covenant on an indenture. Defendant demised lands to plaintiff in return for repairs and rent. Declaration for breaches on both requirements. Buller - brief interior note on Marryatt for demurrer, and Shepherd against (however, the term report shows that they were both cut off as the court was already of the opinion that the plaintiff was entitled to recover); brief note on Lord Kenyon (nothing of that nature in term reports). Note on front cover granting judgments for the plaintiff on 8 June.
768	11 June, 1790	<i>Erving v. Peters</i>	King's Bench	3 T.R. 685	Debt, judgment		Special case, 2 pages. Debt on a judgment recovered by the plaintiffs in the court of King's bench last trinity term. Peters was the executor of Moffatt. Buller - interior notes on Wood, for the defendant; brief summary of Lord Kenyon's opinion. Note on front giving judgment for defendant. Term report gives postea to plaintiffs, with Kenyon and Ashhurst arguing that they feel the defendant should win, but that precedent supports the plaintiff.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
769	8 June, 1790 Printed Report: 12 November, 1790	<i>Stevenson v. York</i>	King's Bench	4 T.R. 10	Covenant, ship letting		Copy demurrer book, 4 1/2 pages. Enclosed within is an older copy of the case from 5 February, 1790. The enclosed case contains interior notes on trial with summaries of Wood, for the demurrer (it appears); Marryatt, contra, and Wood in reply. A note on the front gives judgment to defendant. Notes on the back cover detail some facts of the case and give some case cites. Action on a breach of a covenant concerning the letting of a ship sailing from New York to England. Demurrer states that the ship's captain did not fulfill the various aspects of the covenant. Buller - brief reverse page notes on Wood, for plaintiff (I assume that this means for the demurrer); Marryatt contra. The term report on this case is a brief note discussing a suit for costs for the plaintiff. It is argued by Marryatt, and the appeal for costs is turned down. The case itself is not reported. A note on the front gives judgment for the defendant.
770	11 June, 1790 Printed Report: 12 June, 1790	<i>Ogden v. Falliott</i>	King's Bench	3 T.R. 726	Bond	Forfeiture	Copy paper book, in error, 14 pages. Action on a bond from the court of common pleas. Contention arises because the plaintiff was legally considered to be an enemy of the state and his goods forfeit while he was in America during the revolutionary war. The rejoinder said that the peace between England and America renders the enemy of the state acts void. Buller - reverse page notes on Erskine for the plaintiff in error; notes on Lord Kenyon's opinion; back cover notes on Cro. Car. 427, <i>Stone v. Newman</i> . Note on the front cover affirms the judgment, which was given to the plaintiff in the court of common pleas.
771	9 June, 1790	<i>Rex v. Inhbts. of Leigh</i>	King's Bench	3 T.R. 746	Poor rate		Copy order of Sessions, 1 page. Appeal against the poor rate on the ground that the township of Field was entitled to keep its own poor separately from the parish of Leigh. Sessions quashed the rate. Buller - interior note on Bower in support of order of Sessions; notes on Leycester, contra. Note on front affirming the order of Sessions on 12 June, 1790
772	12 May, 1790 Printed Report: 12 June, 1790	<i>Rex v. Grantham</i>	King's Bench	3 T.R. 754	Pauper's Settlement		Paper book of orders, 2 pages. Pauper removed to Grantham. Sessions confirmed the order on appeal. Servant had gotten his wages and stopped working three days before his years service was up, because the night before he had been beaten by his master and threatened to report him to the justices unless he was freed from his contract with the full year's wages. Buller - reverse pages notes on Erskine, for the order of sessions; notes on Balguy, contra. Note on the front cover affirming the order of sessions. Term report shows Lord Kenyon finding a slippery slopy in the argument of "only three days were left in the contract."
773	8 June, 1790	<i>Craib v. D'aeth</i>	King's Bench	Unreported	Debt		Paper book in error, 11 1/2 pages. Listed in the Dampier Mss. Index of cases as not unreported, but unable to locate the case. Action for debt in which Sir Narborough D'Aeth prevailed in the court below and which Craib and his wife bring in error. Buller - no notes of any kind on the interior of the manuscript. On the cover, there is a note affirming the judgment of the court.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
774	12 November, 1790	<i>Eckersall v. Briggs</i>	King's Bench	4 T.R. 6	Trespass	Poor rates	Special case, 1 page. Also enclosed, a 67-page act of parliament from 8 Geo. 3, and continued in 1770, which is an act for keeping clean the streets of Middlesex, regulating weights and measures, and other such things (10 Geo 3 c. 23). Case is an action of trespass for taking plaintiff's goods. At trial, verdict was found for plaintiff. Plaintiff rented stable out to soldiers. Plaintiff was rated for buildings under 10 Geo. 3 c. 23, and refused to pay, whereupon defendant seized his goods. Buller - interior notes on Baldwin, for plaintiff; summary of opinion of Lord Kenyon. Note on front cover giving judgment for defendant.
775	22 November, 1793	<i>Doe d. Watts v. Wainwright</i>	King's Bench	5 T.R. 427	Ejectment		Special case, 1 1/2 pages. Trial for ejectment of part of a manor. Land was left to children of widow. Did it just go to their children, or their heirs, also? Buller - notes on Williams, for the lessor of the plaintiff; notes on Wainwright, contra; notes on Lord Kenyon's opinion. Noted on cover that judgment was for plaintiff.
776	12 November, 1790	<i>Williams v. Pritchard</i>	King's Bench	4 T.R. 2	Trespass	Poor rates	Special case, 1 page. Trespass for taking plaintiff's goods. Plaintiff was rated for a house and didn't pay. Claims to have been a tenant, but not the owner, at the time of assessment. Buller - interior notes on Williams for the plaintiff; Lawes for the defendant (neither argument was published in Term Reports because the case was argued the previous term). Note on front giving judgment for plaintiff.
777	12 November, 1790	<i>Eddington v. Borman</i>	King's Bench	4 T.R. 4	Trover, goods	Poor rates	Special case, 2 pages. Trover for goods. In lower court verdict was for plaintiff. Plaintiff was rated for cleaning vaults and drains, and refused to pay. Claimed immunity under the same precept that granted immunity in the previous case (Ms. 766) didn't own house, merely occupied it. Buller - no interior notes, but a note on the front saying "Judgment for plaintiff because not liable to poor rates when 11 G. 3 passed." (Ms. 777, cover)
778	7 February, 1795 Printed Report: 9 February, 1795	<i>Doe d. Clarke v. Clarke</i>	King's Bench	2 H. Bl. 399	Ejectment		Special case, 3 1/2 pages. From the court of Common Pleas . Action for ejectment to recover part of some lands and parsonages. Buller - interior notes on Bond, for the defendant. Note on cover granting judgment for plaintiff.
779	1 February, 1791	<i>Charlton v. King</i>	King's Bench	4 T.R. 156	Covenant	Partnership	Demurrer book, 10 1/3 pages. Action of covenant. Plaintiff formed a partnership with defendant, and paid a certain amount of money, to be refunded once the partnership was finalized. It was, and the plaintiff was not paid. The defendant pleaded bankruptcy, to which there was a special demurrer. Buller - no interior notes at all on the case. Only note from Buller is on front cover, stating "Judgment for plaintiff on both demurrers." (M. 779, cover).
779 (a)	5 February, 1791	<i>Rex v. Quailn</i>	King's Bench	Unreported	Murder		Paper book of special verdict, 5 pages. Bartholomew Quailn was convicted in earlier trial of punching and kicking his wife to death. Buller - interior notes on Plumtree for the prosecution; notes on Wilson, contra (trying to argue that 'bursting of the spleen is not the same as external injury' (MS. 779, interior cover)); notes on Lord Kenyon's opinion. Long note on front cover describing the case. Also, brief note giving judgment for prosecution.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
780	Hilary, 1792	<i>Rex v. Inhbts. of Ealington</i>	King's Bench	Unreported	Pauper's Settlement		Paper book of orders, 2 pages. Pauper removal for a pauper, wife and son. Removed from Ealington, but reversed by Sessions. Buller - notes on Caldecott; for the order of sessions; notes on Bearcroft, contra. Note on front, quashing order of sessions.
781	21 November, 1792	<i>Rex v. Inhbts. of North Nibley</i>	King's Bench	5 T.R. 21	Pauper's Settlement		Paper book of orders, 1 1/2 pages. Pauper removed to N. Nibley, and removal affirmed by Sessions. Pauper was hired for 5 years to work 12 hours a day. Is this enough for settlement? Buller - no interior notes at all. Note on front cover stating "held to be no settlement" (Ms. 781, cover). This would mean that the order of sessions was affirmed. Noted in term reports that a man must be a servant 24 hours a day to receive a settlement - 12 hours not enough.
782	9 February, 1791 Printed Report: 19 February, 1791	<i>Rex v. Inhbts. of Collingbourn Ducis</i>	King's Bench	4 T.R. 199	Pauper's Settlement		Paper book of orders, 1 1/2 pages. Pauper was removed from Collingbourn Ducis, but order was quashed by Sessions. Pauper was 19, worked for a year in Ducis, then in Collingbourn Kingston. Buller - no notes on case at all. Term reports indicate that the order of the sessions was confirmed.
783	9 February, 1791	<i>Rex v. Inhbts. of St. Petrox, Dartmouth</i>	King's Bench	4 T.R. 196	Pauper's Settlement		Paper book of orders, 2 1/2 pages. Pauper and her two children were removed from St. Petrox, but the order was quashed by the Sessions. Child of the pauper was bound as an apprentice at the age of 8 to a master of about 15. The son lived with the master's family until he was 20. Buller - no notes on case at all. Term reports indicate that the order of sessions was quashed.
784	9 February, 1791 Printed Report: 6 June, 1791	<i>Rex v. Boughey</i>	King's Bench	4 T.R. 281	Dissent	Writ of certiorari	Paper book of conviction and order, 4 pages. Enclosed within is an addition to <i>Rex v. Boughey</i> , noted to be an addition to the paper book of conviction. It is a 3 page document, and at the bottom of the front cover it is noted that "This conviction was sent into the office after the paper books were delivered to the judges." (Ms. 784, cover). Conviction for meeting and professing to be dissenters from the church of England. The case heard is whether denial of a writ of certiorari to the King's bench should be affirmed. Buller - no notes on either piece of the case, nor on the cover. Term reports states that certiorari was denied, rule absolute.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
785	8 July, 1791 Printed Report: 14 May, 1792	<i>Farr v. Newman</i>	King's Bench	4 T.R. 621	Writ of fieri facias	Fraud	Special verdict, 13 2 pages. Enclosed is earlier version, <i>Farr v. Newman</i> , dated from 23 Nov. 1790. Neither of the two case books and reports contain the same material as that in the term reports. (1) <i>Farr v. Newman</i> from Nov., 1790 is a special case, regarding making a false return on a writ of fieri facias. Buller - reverse page notes on Morgan, for the plaintiffs. Following the notes on Morgan is a note stating that "The court ordered a new trial in order to ascertain whether there was any fraud between Reid and his own creditors." (Ms. 785, reverse page 1); brief case cite on back cover. There is a note on the front restating the interior note saying that there was to be a new trial granted. (2) <i>Farr v. Newman</i> from July, 1791, later and larger casebook that contains notes on both new trial and the second argument of the new trial. Buller - interior notes on Morgan, for the plaintiff; Wood, contra; brief summary of Lord Kenyon's opinion for the first trial, 8 July, 1791. Then there are interior notes on Bearcroft for the plaintiff; Erskine, contra; and Bearcroft in reply for the second trial, 15 November, 1791. Also, notes on the back cover of a hypothetical situation. Enclosed within the opinion are slips giving summaries of the opinions of Justices Ashhurst, Grose and Lord Kenyon. These opinions are dated to 14 May, 1792. This is backed up by the term report, which states that the court took time to deliver the opinion of the bench. There is also a set of slips with a draft of Buller's opinion on the second trial, 14 May, 1792. The front cover of Ms. 785 contains a note declaring a second argument. The verdict is not noted on the cover. However, the term report shows a judgment for the plaintiffs.
786	7 February, 1795 Printed Report: 28 April, 1795	<i>Smith v. Coffin</i>	King's Bench	2 H.Bl. 444	Bankruptcy		Copy of special case, 2 pages. From the Court of Common Pleas . Writ of entry, for abatement. The issue was whether the right to bring a real action passes to the assignees of a bankrupt (2 H.Bl. 444). Buller - Interior notes on Serjeant Le Blanc for the plaintiff; notes on Serjeant Williams for the defense. No notes on outcome on the Ms. itself, but the term report states that the rule for arresting the judgment was discharged.
787	26 November, 1794 Printed Report: 4 February, 1793	<i>Culley v. Spearman</i>	King's Bench	2 H.Bl. 386	Replevin, cattle		Copy of demurrer book, 8 2 pages. From the Court of Common Pleas . Replevin for taking cattle. Defendant was demised 1 7/8 of a fee. Took cattle damage seasant, without consulting the person who had a 1/8 interest in the land. Buller - interior notes on Serjeant Le Blanc for plaintiff, Serjeant Clayton for defendant. No note on the outcome on the Ms., but Blackstone indicates that there was a judgment for plaintiff, with leave given to amend.
788	4 February, 1794 Printed Report: 7 January, 1794	<i>Doe d. Tanner v. Dorvell</i>	King's Bench	5 T.R. 518	Estate		Special case, 2 pages. Defendant was defending for lands. In the lower courts a verdict for defendant on some of the lands and plaintiff on the remainder. Issue of who gets grandfather's estate when grandfather and father have died, and son has had children but died without appointing. (5 T.R. 518). Buller - reverse page notes on Tripp, for the lessor of the plaintiff. Note on the front saying "judgment for defendant, i.e.: that there were no cross remainders." (Ms. 788, cover).

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
789	21 May, 1791	<i>Rex v. Inhbts. of Birdbrooke</i>	King's Bench	4 T.R. 245	Pauper's Settlement		Paper book of orders, 1 1/3 page. Mr. Justice Ashhurst's name is written on the cover, but the note in the text appears to be in Buller's writing. Pauper and his wife and children were removed to Birdbrooke, an order which was confirmed by sessions. Pauper hired on a weekly basis, stayed for over a year. Buller - only internal note is following text on second page, in which he states <i>ARex v. Newton Toney</i> , T.R. held weekly hiring" (Ms.789, page 2) (<i>Rex v. Newton Toney</i> , see Ms. 532). Term report shows that the orders were quashed, as a weekly hiring is not a yearly hiring.
790	17 May, 1791	<i>Evans qui tam v. Stevens</i>	King's Bench	4 T.R. 224	Election	Pleadings	Demurrer book, 8 pages. Action brought by plaintiff, suing for a penalty incurred when he voted in an election for which he was ineligible because he was an excise officer. Buller - interior notes on Partington for plaintiff; Palmer, contra; notes on Lord Kenyon's opinion. Note on front giving judgment for defendant. The term report states that the court gave the defendant the verdict, even though his plea was bad, because the plaintiff could not maintain his action. See 4 T.R. 459 for a later case on the same issue.
791	1 June, 1791	<i>Rex v. Redfearne</i>	King's Bench	4 T.R. 273	Trade, outside market		Copy of conviction and order of Sessions, 2 pages. Conviction for hawking goods outside of the general market area. Buller - no internal notes at all on the Ms. On the cover, he merely notes that the conviction is affirmed.
792	1 June, 1791	<i>Rex v. Newell</i>	King's Bench	4 T.R. 266	Poor rate		Paper book of orders, 3 pages. Two justices established a rate for the relief of the poor. At the Sessions, the rate was confirmed on the appeal of Thomas Newell. Newell argued that his section of the parish had operated independently for a long time, and maintained its own constable. Therefore, it shouldn't be giving relief to the poor of a different part of the parish.
793	24 May, 1791 Printed Report: 28 June, 1791	<i>Doe d. Duroure v. Jones</i>	King's Bench	4 T.R. 300	Will		Special verdict, 4 1/2 pages. <i>Attached</i> to the top of the front page is a slip saying that the motion of Marryatt will be heard by the court on the Tuesday after one month from Easter. The note is dated to Monday after three weeks from Easter. <i>Enclosed</i> within the case is a copy of acts of parliament relating to aliens, including: 2 Edw. 3 Stat. 2, 11 & 12 W 3 c. 6, 4 Geo. 2 c. 21, 13 Geo 3 c. 21. Special verdict found in ejectment at assizes. Duroure was a french count with an English mother who had been devised English estates. Buller - no internal notes on the case. However, note on the cover gives judgement to defendant, saying "time held to run from the time lessor come into England" (Ms. 793, cover). This is making reference to statutes giving an infant a certain amount of time to make an entrance to country to avoid a fine (4 T.R. 300).
794	4 July, 1791 Printed Report: 8 July, 1791	<i>Partridge v. Whiston</i>	King's Bench	4 T.R. 359	Debt, bond	Repair, rectory	Demurrer book, 14 1/2 pages. Debt on a bond. Defendant was supposed to keep in good repair a rectory house and chancel of a town, and resign his position there and the livings he got from them if the plaintiff gave three months notice. He argued that the bond was corrupt, and also that he did not have to resign. Buller - no internal notes, and only note on exterior is giving judgement to plaintiff. It is noted in the term report that no arguments were heard, but that it was saved for the House of Lords.

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795	8 February, 1791 Printed Report: 1 July, 1791	<i>Master v. Miller</i>	King's Bench	4 T.R. 320	Bill of exchange		Special verdict, 7 1/2 pages. Notes show that there were two trials, the first on 8 February, the second on 1 July. The case was by the endorsees of a bill of exchange against the acceptor. A blot on a bill of exchange caused it to be turned in twice, each time the issuers turned it down. Buller - for the first argument, interior notes on Wood for the plaintiff; Mingay for the defense; Wood in reply. For the second argument, notes on Chambre for the plaintiff, with notes on interjections by Lord Kenyon. Also, there is a lengthy (16 page) draft of Buller's opinion enclosed within the case. On the back of the paper book in which he has written his opinion is an anecdote about Lord Mansfield, which runs as follows. When Lord Mansfield heard of this case he said it put him in mind of a case before Lord King on an ejectment on a will directed by the Court of Chancery which had been much puzzled by a limitation: if he shall die <u>with</u> issue instead of <u>without</u> issue (?) over. The word was written short that the <u>t</u> but the prothonary on reading the will read it without, on which the counsel obliged and altercation, but the C.J. said the Prothonary was a known officer & the court must take the will as it was read. In other words the court should read a paper according to the truth of the case and make sense of it and do justice upon it. (Ms. 795, enclosure, last page). A note on the front says "Judgement for defendant by Lord Kenyon, Ashhurst & Grose, Buller contra." (Ms. 795, cover).
796	21 May, 1791 Printed Report: 13 July, 1791	<i>Rex v. Inhbts. of Hinckley</i>	King's Bench	4 T.R. 371	Pauper's Settlement	Apprenticeship	Paper book of orders, 1 1/2 pages. Also enclosed are two small, separate sheets. One is not in Buller's handwriting, and describes the case of Rex v. Inhbts. of Romsey (Hil. 9 G. 3 B.R., Fri: 10 Feb:1769). The other also seems to differ from Buller's script, and is a description of Ivinghoe v. Stonebridge (Strange, 245). A nine year old pauper served as an apprentice in Hinckley for 1 shilling a week for more than 40 days. Sessions was of the opinion that he had gained a settlement. Buller - notes on bottom of page 2 of the manuscript, underneath the official transcript. Notes on Bearcroft and Perceval, supporting a rule to quash the order of Sessions; notes on Bower contra; brief note on Lord Kenyon. No notes on front giving verdict, but term report says that both orders were quashed.
797	8 July, 1791	<i>Morse v. Wilson</i>	King's Bench	4 T.R. 353	Debt, bond		Copy of paper book, 6 pages. Debt on bond for 4000 pounds. Action was for the bond, which was to be paid with 5% interest, and also the borrower was to pay the profits of another venture (for which sake he was borrowing the money) to the lender. Buller - brief interior note on Chambre for the plaintiff (term report shows that Dallas, contra, was stopped by the court); brief note on Lord Kenyon's opinion. Note on front cover of Ms. granting judgement for defendant.
798	18 November, 1791	<i>Oxford v. Richardson</i>	King's Bench	Unreported	Trespass, river		Demurrer book, 15 1/2 pages. Defendants were convicted of trespass for fishing 10,000 bushels of oysters from the local river. They contend that as a navigable waterway that was tidal, they had the right to free fishing. Buller - brief interior notes on Baldwin (it seems in support of the demurrer). Note on the front cover of the Ms. granting judgement for plaintiff.

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799	15 November, 1791 Printed Report: 18 November, 1791	<i>Bradshaw v. Lawson</i>	King's Bench	4 T.R. 443	Debt		Special case, 7 pages. Action of debt to recover 2s 6d amerced from the defendant for not attending the plaintiff's court baron for the local manor. Buller - interior notes on Fitzgerald, for the plaintiff; long summary of Lord Kenyon's opinion. Note on the front cover of the Ms. gives judgement for defendant as of 18 November, 1791.
800	24 May, 1791 Printed Report: 11 November, 1791	<i>Camden v. Home</i>	King's Bench	4 T.R. 382	Prize		Paper book in error, 10 pages. Error from the common pleas in prohibition (4 T.R. 382). Dispute arose over who was to be considered the captors of a ship in order to be able to receive prize money from it. It was captured by one crew, then declared to be a general prize. On appeal, it was restored to being the prize of the captors. Defendant in error then sued the crews agent for the money that he felt wronged of. Court of common pleas gave judgement for the plaintiff in prohibition. Defendants in prohibition filed writ of error to King's bench. Case was argued twice, 24 May, 1791 and 10 November, 1791. Buller - notes on first case include extensive interior notes on Sjt. Le Blanc, against the prohibition; Sjt Adair, contra; and then Sjt. Le Blanc in reply. The second case notes are not as long, but include notes on Sjt. Rooke, against the prohibition; Sjt. Lawrence, contra; and notes on Lord Kenyon's opinion. There are also two enclosed sets of brief notes by Buller. One is a one paragraph hypothetical situation analogous to the situation. The other contains notes on chattles (sic) and notes on <i>Wheeler's case</i> (Godb. 218). Note on front reversing judgement.
801	15 November, 1791	<i>Rex v. Smith</i>	King's Bench	Unreported	Lottery		Copy case reserved for the opinion of the court, 6 pages. Not listed as unreported in Dampier Mss. Index of cases, but unable to locate a reported version. Action against the printer of the newspaper "the World" in connection with a lottery. Buller - interior notes on Lowndes, for the plaintiff; notes on Court (?), contra; notes on Kenyon's opinion. Note on front granting judgement to plaintiff.
802	5 February, 1791 Printed Report: 15 November, 1791	<i>Rorke v. Dayrell</i>	King's Bench	4 T.R. 402	Writ of fieri facias		Special case for the opinion of the court, 3 pages. Action brought by plaintiff against a county sheriff for a false return on a writ of fieri facias. Case was argued twice, first on 5 February, second on 15 November. Buller - notes on first trial include notes on Chambre for the plaintiff (with one interjection of Chambre by Lord Kenyon); Russell for the defense; and Chambre in reply. Notes on the second case include notes on Bower for the plaintiff; Erskine for the defense. There are also an enclosed slip mentioning a couple of cases briefly and then discussing the current case at length (with inserted case cites for examples). Also a note on the back cover mentioning briefly Gilb. Exch 88 90. Note on front granting judgement for plaintiff.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
803	17 November, 1791	<i>Yea v. Lethbridge</i>	King's Bench	4 T.R. 433	Replevin	Damages	Copy of declaration, 6 pages. Attached to the first page of the Ms. is a slip ordering that the plaintiff show cause why the damages in the case should not be reduced from 142 pounds to 61 pounds 18 shillings. Action on the case, against the defendant "for taking insufficient pledges at replevin" (4 T.R. 433). Buller - no internal notes on the case. Only a note on the cover stating that the judgement was for the plaintiff for the value of the goods. Notes in term report indicate that Yea (a local baronet) was seeking damages for more than the value of the goods that were to be replevined, which the court did not assent to.
804	16 November, 1791	<i>Rex v. Knight</i>	King's Bench	4 T.R. 419	Office, Burgess	Election	Copy of record, 12 pages. Case asking the defendant to show how he was entitled to the office of Burgess the borough of Newcastle-under-lyme, Staffordshire. Buller - no internal notes, and no notes on the case of the 16th, except to note judgement for defendant. However, there is also a note on the front cover stating "rule in arrest of judgement discharged" (Ms. 804, cover), dated to 23 November. Enclosed in the case are notes of the arguments for arrest of judgement of 23 November, with notes on Adair, Bower, Lane, Manley and Topping.
805	23 November, 1791	<i>Rex v. Mein</i>	King's Bench	4 T.R. 480	Office, Portreeve	Election	Paper book of record and special verdict, 9 pages. Case in which the defendant was asked to prove his claim to the office of portreeve of the borough/manor Fowey in Cornwall. There were five claims made on the replication against him. A jury found the first three for the defendant and a special verdict on the other two. Buller - interior notes on Cowper, for the crown; Dampier, for the defendant; summary of the opinion of Lord Kenyon. Buller - note on the front giving judgment for the prosecution. Term reports show problem with the people whom he said had elected him - they were not free tenants, so the election could not have been by a court of free tenants.
806	12 November, 1791 Printed Report: 19 November, 1791	<i>Rex v. Sainsbury</i>	King's Bench	4 T.R. 451	License, ale	Justice of the peace	Paper book of special verdict, 21 pages. Case against two justices of the peace for wrongfully granting a license to an ale house contrary to the laws of the king and the considerations of the general meeting of justices. Buller - interior notes on Shepherd, for the prosecution; Garrow, contra. No notes on judges' opinions. Note on the cover stating "Judgment for prosecution verdict with liberty to move again on objections to indictment if defendants thought fit" (Ms. 806, cover). Immediately following that note is a second, stating "Recorder gave up the other objections" (Ms. 806, cover).
807	8 May, 1792 Printed Report: 11 May, 1792	<i>Latless v. Holmes</i>	King's Bench	4 T.R. 660	Annuity		Special case, 2 pages. Also, enclosed in the case is a second case, Forbes v. Fanshaw. It is a case from common pleas, dated to 1764. Buller has noted on the cover of the case that "This case was cited in the King's Bench last term in a cause of Latless v. Holmes which stands for argument this term." (Ms. 807, cover of enclosure). Arguments on a motion to set aside annuity deeds because they were not registered. Annuity was to be set up in early 1777. A royal act relating to registration of annuities passed later in 1777. Nothing was entered in Chancery until 1791. Buller - one sentence marginal notation on Bower, showing cause against the rule. Note on the front giving judgment to defendant.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
808	7 February, 1792	<i>Munt v. Stokes</i>	King's Bench	4 T.R. 561	Debt, bond		Special case, 3 pages. Action to recover over 2000 pounds for money had and received from plaintiffs' testator. Plaintiffs' testator had been given money on a bond to defendants to guarantee safe transport of their goods via ship from India to Coromandel. After his death, it was given back to the defendants, and now the plaintiffs heirs are trying to reclaim the money. Buller - Interior notes on Romilly, for the plaintiffs. Term report shows that Law, contra, was stopped by the Court. Note on front giving judgment for the defendant.
809	5 May, 1792 Printed Report: 12 May, 1792	<i>Rex v. Inhbts. of Tolpuddle</i>	King's Bench	4 T.R. 671	Pauper's Settlement		Paper book of orders, 1 1/2 pages. Sessions confirmed the removal of a pauper and his wife to Tolpuddle. Pauper lived for five years in Tolpuddle, renting cows and living in a house on a farm. Buller - brief interior note on Bearcroft, for the order of sessions; brief note on Mills, contra. Note on the front affirming both orders.
810	5 May, 1792	<i>Rex v. Birch</i>	King's Bench	4 T.R. 608	Office, council-man	Election	Paper book of demurrer, 7 1/2 pages. Defendant must prove his right to the seat of common council-man for Liverpool. Defendant claimed to have been elected, but the Mayor, et. al. said that there was no by law directing the election of a common council-man in existence. Defendant demurred. Buller - interior notes on Wood, in support of the demurrer; notes on Gibbs, contra. Note on the front giving judgment for prosecution but "leave to amend if the defendant will state a direct and general usage." (Ms. 810)
811	2 May, 1792 Printed Report: 4 May, 1792	<i>Roe d. James v. Avis</i>	King's Bench	4 T.R. 605	Will	Fee tail	Special case, 3 1/2 pages. Also, attached is a full page family tree entitled a "Pedigree of the Beeches" (Ms. 811, attachment). John Beech is the great grand father of the lessor of the plaintiff. The defendants are his sisters and their husbands, and his mother's cousin and her husband. Question under a will of whether the children took a fee or a tail under the will of John Beech. Buller - one note interior on Conste, for the defendants. Note on the front giving "judgment for plaintiff for -th." (Ms. 811, cover). The term report shows that the court found that the estate had passed only in tail to the four children of John Beech.
812	8 May, 1792	<i>Atherton v. Pye</i>	King's Bench	4 T.R. 710	Will		Case from chancery, 3 pages. Also, enclosed is an official 2 page time frame of events from Atherton v. Pye dated to 4 May, 1792. It contains in chronological order the deaths and devises in contest. It also contains on the reverse of page one a sketch of the Benet/Atherton family tree as drawn by Buller. Case of inheritance in which sisters are claiming an estate after the death of their brother. Buller - no notes on the Mss. Except for the family tree mentioned previously, and a jotted note on the back cover of the Ms. saying only "Ms 10.13&15." (Ms. 812, back cover). Note on the cover states that the court (held cross remainders (Ms. 812, cover). The note sent to Chancery (detailed in term reports) shows that the court were of the opinion that the plaintiffs took no interest in the estate following the death of their brother.
813	8 May, 1792 Printed Report: 11 May, 1792	<i>Foster v. Pierson</i>	King's Bench	4 T.R. 617	Covenant of quiet use		Demurrer book, 6 1/2 pages. Action of covenant. The plaintiff accused the defendant of being unable to fulfill a quiet use covenant between defendant and the lessor of the plaintiff on the grounds that the defendant never had title to make demise of the premises. Buller - marginal notes on page 5 of Ms. Notes on right of entry; notes on Chambre, for the demurrer; notes on Lord Kenyon's opinion. Note on front cover granting judgment for plaintiff as of 11 May, 1792.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
814	27 April, 1792	<i>Praed v. Duchess of Cumberland</i>	King's Bench	4 T.R. 585	Debt, bond		Copy demurrer book, 6 pages. Debt on a bond. Defendant pleaded that the bond had not been enrolled in Chancery. Replication stated that a memorial of the bond had been enrolled, and that was sufficient to make it legal. Rejoinder stated that there was not enough in the memorial of the bond to legalize it. Buller - interior notes on Shepherd, for the demurrer; notes on Baldwin, contra. Note on the front cover granting judgment for the plaintiff.
815	27 January, 1792	<i>Bengough v. Rossiter</i>	King's Bench	4 T.R. 505	Debt, bond		Demurrer book, 5 1/2 pages. Debt on a bond. Plaintiffs, who were sheriffs, arrested defendant. He paid them a bond for his release, and they let him go. Upon his release, he escaped while his cause was still pending. He claims that the bond did not have anything to do with his appearance at court, it was merely paid to allow him out of custody. General demurrer. Buller - interior notes on Marryatt, arguing in support of the demurrer. Also, notes on the back cover citing statutes/cases relevant to the matter: 2 Hawk c. 15 s. 25, Westminster 1 c. 15. Note on front cover giving judgment to defendant.
816	31 January, 1792	<i>Sapsford v. Fletcher</i>	King's Bench	4 T.R. 511	Replevin	Rent	Copy of demurrer book, 8 pages. Replevin for taking goods from plaintiff's house. Issue of payment of rent, and whether payment of rent to original landlord can be pleaded in an avowry. Buller - interior notes on Chambre, for the demurrer; notes on the opinion of Lord Kenyon. Note on the front cover giving judgment to the plaintiff.
817	31 January, 1792	<i>Gamon v. Jones</i>	King's Bench	4 T.R. 509	Replevin	Rent	Copy of error book, 4 pages. Rent in arrears and replevin case. In the lower court, rent was found to be in arrears and defendant was granted costs and a return of his cattle. Plaintiff removed the case to the court of King's bench on a writ of Error. Buller - interior notes on Bevan, for the plaintiff; notes on Wood, contra; brief note on the opinion of Lord Kenyon; notes on the back cover citing 21 H. 8 c. 14 s. 3. Note on the front cover affirming the judgment of the lower court.
818	1 February, 1792 Printed Report: 3 February, 1792	<i>Rex v. Page</i>	King's Bench	4 T.R. 543	Poor rate		Paper book of orders, 2 pages. Defendant appealed to the Sessions about a poor rate, which rate was confirmed. Rate was a toll on goods "conveyed in any boat, barge or vessel, up the said river Kennet from Reading to Newbury" (Ms. 818, page 2). Buller - interior notes on Bearcroft, in support of the order of Sessions; notes on Erskine and Milles, arguing against the order. Note on the front cover affirming the orders of the lower court and the Sessions.
819	25 January, 1793	<i>Wilkins v. Despard</i>	King's Bench	5 T.R. 112	Trespass, ship and cargo		Demurrer book, 4 1/2 pages. An action for trespass. The plaintiffs' ship and cargo were taken by the defendant, who claimed that all of the materials aboard came from the King's lands in America, and as such rightfully belonged to the people of England. It was claimed in replication that the cargo wasn't from any lands owned by the king. Buller - notes on Wood in support of the demurrer. Note on front cover stating that plea could be amended on payment of costs. Another note on the front cover is illegible, but is probably giving verdict to defendants, as indicated in the term report.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
820	27 January, 1792 Printed Report: 26 January, 1792	<i>Niblet v. Smith</i>	King's Bench	4 T.R. 504	Replevin, lime kiln	Rent	Copy of paper book, 7 pages. Also attached is a notice setting the hearing of counsel for Friday in 15 days on the motion of Sir Frederick Eden. Action for replevin over a lime kiln that was taken for rent in arrears. Plaintiff claims that the kiln was fixed to the freehold, and thus should be exempt from seizure. Defendant demurred. Buller - enclosed notes on demurrer (no name of counsel on the Ms. notes, but entered in the term report as Holroyd); notes on Smith, contra. No notes stating verdict on the Ms., but the term report shows a judgment for the defendant.
821	8 February, 1792	<i>Utterson v. Vernon</i>	King's Bench	4 T.R. 570	Bankruptcy		Special verdict, 7 pages. Sent by the lord chancellor in the shape of a feigned issue. Case was first determined by King's bench in 3 T.R. 539. After being sent back by the chancellor for reconsideration, it was argued twice more; on 28 January, 1791, and 7 July, 1791. A decision was given on 8 February, 1792. Case revolved around a question of bankruptcy, and what one owes to another upon bankruptcy having given them stock. Buller - interior notes on both arguments. First argument notes on Baldwin for plaintiff; Bower, contra; and Baldwin in reply. Second argument notes on Bearcroft for plaintiff; Buller for the defendants; and Bearcroft in reply. Also, enclosed notes on the case stating what seems to be a brief note on his opinion, which is shared by the court (though term report shows that Lord Kenyon delivered the actual opinion of the court). Also, notes on back cover (brief and not too legible) discussing bankruptcy under 5 G. 2. Judgment is not noted on the Ms., but the term report shows a unanimous verdict for the defendants.
822	8 February, 1792	<i>Rex v. Inhbts. of Stotfold</i>	King's Bench	4 T.R. 596	Pauper's Settlement		(Listed in E.R. Index as <i>Stotfield</i>). Paper book of orders, 2 pages. Lord Kenyon's paper book, with his notes on the case. Pauper removal case, in which pauper was removed from Stotfold, only for the order to be quashed by sessions. The removal papers were not signed in the presence of both judges at the same time. Kenyon - reverse page notes on Bearcroft and Chambre in support of a rule to quash the order of sessions; notes on Wilson, Garrow, and Willis, contra. His notes are very sparse, with little explication of the cases he cites. There is a note at the bottom of the page of his notes that seems to be in a different hand, possibly bullers. No note on Ms. giving outcome, but term reports show a per curiam affirmation of the order of the Sessions. One interesting point is that Kenyon actually mentions his notes directly in the term report, saying that (he was not then prepared to state from his papers the reasons at length upon which their judgment was founded) (4 T.R. 596, 600)
823	2 May, 1792	<i>Rex v. Inhbts. of Essex</i>	King's Bench	4 T.R. 591	Repair, jail		Paper book of orders, 1 page. A fine that was imposed by Lord Loughborough for failing to keep a jail in repair. The county magistrates fought the fine and then requisitioned 150 pounds from the county treasury to pay for the legal costs. This case debates the legality of the requisition. Buller - no notes on Ms. whatsoever. Term reports show that it was argued by Bearcroft and Erskine, and that the order of the Sessions was affirmed.

Catalogue of Dampier Manuscripts: Buller Paper Books

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
824	8 February, 1792	<i>Rex v. Powell</i>	King's Bench	5 T.R. 572	License, hackney coach		Paper book of conviction, 2 pages. Conviction for driving a cart within five miles of the temple bar without defendant having entered name as a hackney coach driver (Under 24 Geo. 3 sess. 2 c. 27 s. 8). Forfeited 40s, a moiety to the parish where the offense was committed and a moiety to the informer. Defendant argued that his place of residence was further than five miles from Temple bar. Buller - no notes on Ms. whatsoever. Term reports show that the case was argued by Erskine and Baldwin, and that the court eventually quashed the conviction
825	7 February, 1794 Printed Report: 10 February, 1794	<i>Ingliss v. Grant</i>	King's Bench	5 T.R. 530	Bankruptcy	Debt	Copy of special case, 7 1/2 pages. Action for money had and received. Plaintiffs are assignees of a bankrupt who had transferred money over to creditors when he was in India. His assignees seek to recover some or all of the money and property distributed in India. Buller - a few interior notes on Wigley, for the plaintiffs; a few notes on the case on the back cover. Note on the front cover giving judgement to defendants.
826	13 June, 1792 Printed Report: 8 June, 1792	<i>Heyrick v. Foster</i>	King's Bench	4 T.R. 701	Pleadings, double		Copy of rule, 1 page. What is in contention is whether double pleading as allowed under 4 Ann. C. 16 is to be allowed in penal statutes. Buller - interior notes on the statute, six sections. No note on verdict on front, but term report indicates that court felt that the act allowing double pleading did not extend to actions on a penal statute.
826 (a)	15 June, 1792	<i>Saville v. Robertson</i>	King's Bench	4 T.R. 720	Bankruptcy	Partnership	Special case, 6 1/2 pages. Action for goods sold and delivered. Three men were partners in a ship which was getting goods from India, and became bankrupt before the ship returned. When the ship came back, one of the partners received it and sold its goods to pay off his and one of his partners creditors. The action is made by assignees of the third partner for part of the goods sold. Case was argued twice, 4 May and 15 June. Buller - interior notes on both arguments. First case, notes on Adam for the plaintiff; Burrough for the defendants; note on Lord Kenyon. Second case, note on Bower for the plaintiff; Bearcroft, contra; summary of Lord Kenyon's opinion Note on the front cover granting a second trial, and a note saying only "judgement" (Ms. 826 (a), cover). The term report indicates that the court felt that the plaintiff was entitled to recover. Note atop front cover stating that "Goods sold and delivered to a man who afterwards carried into a partnership concern, no action for this amount can be maintained against the partners, though the goods were purchased in order to make a partnership stock." (Ms. 826 (a), cover).
827	20 June, 1792	<i>Rex v. Inhbts. of Ditchingham</i>	King's Bench	4 T.R. 769	Pauper's Settlement		Paper book of orders, 1 1/2 pages. Pauper removed to Ditchingham, Sessions affirmed the removal. Pauper lived a year and a half in Ditchingham, then went home to her father. No action taken for settlement since she left. Buller - no notes on the case but for the front cover, in which he notes that there was "no deed, quashed." (Ms. 827, cover). Because her deed of apprenticeship had not been stamped, she was denied settlement at Ditchingham.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
828	26 April, 1793	<i>Bradley v. Clark</i>	King's Bench	5 T.R. 197	Assumpsit	Bankruptcy	Case, 1 page. Action of assumpsit for money had and received by plaintiff to defendant. Cause was heard before Buller at the last Assizes. Bradley owed defendant money, and paid him after becoming bankrupt. Plaintiffs are assignees of Bradley, trying to sue for the money that they feel is theirs. Buller - notes at the bottom of the first page of the Ms. Notes on Law, for plaintiffs; notes on Holroyd, contra; notes on Vernon v. Hall, 2 T.R. 648 on back cover. Note on front giving judgement for plaintiff.
829	7 May, 1793	<i>Baldee v. Elers</i>	King's Bench	5 T.R. 250	Debt, bond		Copy of pleading, 5 1/2 pages. Action for debt on a bond. Baldee and wife are suing her brother, who gave her a bond in exchange for money. Buller - a brief interior note on Baldwin, for the demurrer. A note on the cover gives the verdict to the plaintiff.
830	23 November, 1792 Printed Report: 23 April, 1793	<i>Bonnell v. Beighton</i>	King's Bench	5 T.R. 182	Trespass	Assessment	Demurrer book, 9 1/2 pages. Action for trespass for taking plaintiff's goods. Defendants claimed distress justified granting a warrant said plaintiff did not pay share of assessment for the Duffield inclosure act (26 Geo. 3). The plaintiffs contended the assessment was to pay for the widening of paths that didn't need to be widened, and that defendants had seized their goods. Buller - brief notes on reverse of page 1 of Ms. Notes on Chambre for the demurrer; notes on Wood, contra. Note on the front cover granting judgement for defendants.
831	3 May, 1793 Printed Report: 7 May, 1793	<i>Harrison v. Barnby</i>	King's Bench	5 T.R. 246	Avowment	Rent	Brief proceedings of case, 4 1/2 pages. Defendant avowed a moiety of half a years rent on a case of replevin for taking the plaintiff's goods. Buller - interior notes on Onslow, for the plaintiff; Bailey, contra; Onslow, in reply; notes on the opinion of Lord Kenyon. Also, notes on the case on the back cover of the Ms., citing 1 Saund. 285, Moor 281, Salk 580. Note on front granting judgement for the avowant.
832	24 April, 1793	<i>Rex v. Inhbts of Brighthelmston</i>	King's Bench	5 T.R. 188	Pauper's Settlement		Paper book of orders, 1 1/2 pages. Pauper, wife and two children removed to Brighthelmston. Sessions affirmed the order of removal. Pauper served as an apprentice for seven years in the town, before travelling to two other destinations at the end of his apprenticeship. Buller - interior notes on Mingay, in support of the order of Sessions; notes on Bearcroft contra. Also, some case names listed at the bottom of page two, underneath the transcript. Finally, there is a note by Buller on the interior face listing "30 days in A. 39 days in B. 9 in A. 1 in B. 1 in A. Settlement where he lies last night provided proved he has resided there 40 days during service." (Ms. 832, interior). Note on the front cover provides that the orders of the Sessions be quashed.
833	27 April, 1793	<i>Rex v. Almon</i>	King's Bench	5 T.R. 202	Libel		Paper book, record of outlawry, 7 pages. Also, enclosed is a copy of Rex v. Almon, copy of record in error, 6 1/2 pages, dated to 6 February, 1793. Almon was convicted of libel for printing a paper saying that the old king had not been in favor of the Royal alliance of the Prince of Wales with the Saxe-Gothas because it would bring insanity into the family. He was called to the hustings to defend himself, but never appeared, and was declared an outlaw. He argues that the correct procedures were not followed for a declaration of outlawry. Buller - notes on the reverse of page 1. Notes on Chambre, for the defendant; notes on Wood, contra. Note on the front stating that the conviction was "reversed on 4th objection." (Ms. 833, cover).

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
834	26 April, 1793 Printed Report: 3 May, 1793	<i>Salte v. Field</i>	King's Bench	5 T.R. 211	Trover, calico	Bankruptcy	Special case, 2 1/2 pages. Trover for pieces of calico. Question was whether they belong to plaintiff, or were part of the effects of a bankrupt, and thus to be distributed amongst his creditors. Buller - interior notes on Baldwin, for the plaintiff; notes on Park, contra. On back cover the name of a case that had been mentioned in the arguments is jotted - <i>Atkins v. Berwick</i> (11 Mod. 295). Note on front giving judgement for the defendant as of 3 May, 1793
835	6 February, 1793	<i>Rex v. Keer</i>	King's Bench	5 T.R. 159	Overseer of the poor		Paper book of special verdict, 4 pages. Also, enclosed is printed copy of an act of parliament for the relief and employment of the poor, 4 Geo. 3 c. 90. (25 pages). Defendants were overseers of the poor in Norfolk. The turned down a man who asked for financial assistance and instead offered to maintain him at a poor house. Buller - no notes at all on the case. However, term reports show that the defendants were acquitted.
836	29 January, 1793	<i>Peck v. Wood</i>	King's Bench	5 T.R. 130	Joint wall		Special case, 3 pages. Also, enclosed is a copy of a special case of <i>Peck v. Wood</i> dated to 15 May, 1792. The earlier case has an interior note by Buller on giving notice, a note on the back cover briefly discussing ownership of joint walls, and a note on the front cover giving leave to amend. Case in which plaintiff is seeking to recover half of the cost of a party wall built between the houses of the plaintiff and the defendant. Buller - interior notes on Onslow, for plaintiff; notes on Mingay for the defendant; one sentence on Lord Kenyon's opinion. Note on the front cover giving judgement for plaintiff.
837	13 June, 1792	<i>Habergham v. Vincent</i>	King's Bench	5 T.R. 92	Annuity		Copy of case, 1 1/2 pages. Also, enclosed are numerous documents. In addition to Buller's notes, enclosed are: A copy of the order directing a case for the opinion of the court of King's Bench (out of chancery). Dated to 31 January, 1792, 3 pages. Copy of the case directed out of chancery for the opinion of the King's Bench and a certificate of the judges. 2 pages. Copy of Samuel Hill's will, dated to 5 October, 1759. 3 pages. Copy of Samuel Hill's deed poll, dated 6 October, 1759. 1 1/2 pages. Buller notes on back cover. Case was sent by the court of Chancery, and concerns an annuity of 50 pounds left for life to Samuel Hills son and various freeholds and copyholds devised. The question arises of what type of interest in what estate was passed on the his various decendants. Buller - interior notes on two arguments. First argument notes on Wood, for plaintiff; Gibbs, contra; Wood in reply and some notes on Lord Kenyon. The second argument is briefer and contains notes on Chambre for the plaintiff; Serjeant Le Blanc for the defendant; summary of Lord Kenyon. Also, marginal notation on page one giving a paragraph long description of <i>Goodright v. White</i> , Blackstone 1010. Note on back cover referring to <i>Wagstaffe v. Wagstaffe</i> , 2 Williams Saunders 258. Also, enclosed material, including: Scrap of paper with paragraph on [<i>Harrison v. Naylor</i>] (mostly illegible). Another scrap, again citing a case, <i>Williams v. d. of Bolton</i> , before East, 1781. Scrap citing <i>Bd. of Cloyne v. Young</i> , with a paragraph on Lord Kenyon. Slip describing several cases at length, including <i>Wagstaffe</i> , <i>Hixon v. Wythan</i> 1 Ch. Car. 248, and <i>Green v. Proud</i> 1 Mod. 117. 7 page slip from chancery, including arguments by Mansfield, Selwyn, Atty General, Graham, Stanley and others. Note on front giving judgement for heir at law. Two other notes on the front cover, each over a paragraph in length. One describes the legal precept germane to the outcome of the case, the other describes the subsequent actions of the Lord Chancellor.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
838	4 February, 1795	<i>Terry v. Duntze</i>	King's Bench	2 H. Bl. 389	Debt, covenant		Demurrer book, 5 1/2 pages. From the court of Common pleas . Action for debt on a covenant. Plaintiff covenanted with defendant to build a house for defendant by a certain date, with payments to be made as certain points in building the structure were met. The final date of completion was set for September 29. The plaintiff did not finish building the manufactory by this date. He claims that it was because defendant ordered many changes in the agreed upon blueprint, which slowed the building. Defendant demurred. Buller (interior notes on Sjt. Le Blanc, arguing for the demurrer. Notes on the back cover listing two cases: Thorpe v. Thorpe, 2 Ms Holt 155 (Holt 28, 96?), and P.B. 126. Note on the front cover stating that (Covenant to build and finish a house b y a certain day in consideration of a certain sum of money to be paid by installments as the building shall proceed "The finishing the house by the day is not a condition precedent, and if the house be finished after the party building it may maintain covenant for the sum agreed to be paid.(Ms. 838, cover). Blackwell indicates a verdict for the plaintiff.
839	1 July, 1794 Printed Report: 28 November, 1795	<i>Dillon v. Rede [Printed Report: Dillon v. Leman]</i>	King's Bench	2 H.Bl. 584	Adverse Possession		Case sent from Chancery, 1 page. From the court of Common Pleas . Listed in Blackwell as <i>Dillon v. Leman</i> . Was argued twice; first in Michaelmas 1793, then on 1 July 1794. No decision listed until 1795 - uncertain as to why the delay. Case sought to determine whether a man whose mother had inherited land and passed it to him, but neither of them had claimed it for over twenty years while someone possessed it openly and tortiously, could recover the lands. Buller - interior notes on Sjt. Bond arguing against the recovery; Sjt. Adair arguing against him; and Bond in reply. No notes on the argument from the first term. Also, enclosed notes on the case as informed by 4 H. 7 c. 23 and Howel v. Lord Zouche. One note on cover states that the case was argued in Michaelmas 1793, and was put down for second argument on 1 July, 1794. This does not correspond with the case dates for Dillon v. Howell, which Blackwell reports was first argued in the Hilary Term of 34 Geo 3, and then in the Trinity Term following. However, the names of all involved are the same, from the serjeants arguing, to the plaintiffs, to the defendants. Perhaps the reported version is a later trial on the same issue - though the claim seems to be worded identically to that in Blackstone. Second note on cover details recovery of land held in feme covert but not claimed.
840	30 June, 1794 Printed Report: 26 November, 1794	<i>Proctor v. Bishop of Bath and Wells</i>	King's Bench	2 H. Bl. 358	Church rectory		Demurrer book, 5 pages. From the court of Common Pleas . A case brought to recover the presentation to the church of a rectory (2 H. Bl. 358). Buller - interior notes on Sjt. Bond for the plaintiff; Sjt. Heywood, contra; notes on the opinion of the chief justice. However, in term reports it is noted that there was a second argument, of which there is no record in the Ms. notes. Also, note on back cover mentioning briefly Shepherd v. Lessingham (5 ms. notes 64). Note on the front cover discussing advowsons. Blackstone notes a verdict for plaintiff in the second trial.

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MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
841	4 February, 1795	<i>Fitch v. Rawling</i>	King's Bench	2 H. Bl. 393	Trespass, cricket		Copy of pleadings, 6 1/2 pages. From the court to Common Pleas . Action of trespass for breaking into the defendants- (Rawling, Fitch and Chatteris) closed area to play cricket. The plaintiffs claimed that the land had been used for games for years. The defendants won in the lower courts. Buller - interior notes on Serjeant Le Blanc, showing cause against a rule to arrest the judgement; notes on Serjeants Heywood and Bond, contra. Note on front stating that "A custom for all <u>inhabitants</u> of a parish to play at lawful games in the close of A is a good custom aliter for all persons <u>being</u> in the parish." (Ms. 841, cover). A second note on the front cover gives a judgment to the defendant Chatteris, but a judgement for the plaintiffs against the other two defendants.
842	25 November, 1795 Printed Report: 28 November, 1795	<i>Wood v. Worsley</i>	King's Bench	2 H. Bl. 574	Insurance, fire	Bankruptcy	Copy of pleading and Postea, 12 pages. Also enclosed is a copy of <i>Oldman v. Bewicke</i> , (2 H. Bl. 578, n; E.R. 126, 713). It is noted on the front cover of the copy of Oldman that it was a copy of issue and notes taken on the argument in arrest of judgement and was required by the justices at the hearing of Wood v. Worsley. Oldman contains brief interior notes on the case, and an enclosed slip with notes on Wood v. Worsley. From the court of Common Pleas . Action of covenant on an insurance policy. The house of a bankrupt burned down, but his insurance company would not pay him for his losses, because the local churchwardens wouldn't sign his insurance certificate. The company accused him of not owning the house and of insurance fraud. A judgement was found for the plaintiff in the lower court. Buller - very extensive interior notes on the arguments of Sjt. Le Blanc and Sjt. Marshall for the plaintiff- citing extensively Oldman v. Bewick (enclosed) and Routledge v. Burrell (1 H. Bl. 254); notes on Sjts. Adair, Bond, and Cockell in response; notes on Le Blanc in reply; notes on the opinions of the Chief Justice, Heath and Rooke. Note on cover "If by the form of a policy against fire the assured are to produce to the insurance office a certificate of the minister and churchwardens, qu. if a certificate of a number of reputable inhabitants will do?" (Ms. 842, cover). The note then cites the answer to Henry Blackstone, p. 574 (this case). Blackstone's report shows that the judges were in dispute, and because they were told that no matter the judgement, a writ of error would be brought, they entered a pro forma judgement for the plaintiff and allowed it to proceed to the King's Bench. A further note - case was reversed in 6 T.R. 710).