

Catalogue of Dampier Manuscripts: Dampier Briefs

MS #	Date	Case	Court	Reported	Type 1	Type 2	Notes
1	Michaelmas, 1777	<i>Lewsley v. Cain</i>	KB	Unreported	Sale of goods		Brief for the plaintiffs to Buller. To be tried at Guildhall the sittings after Michaelmas term 1777 by a special jury. Sale of goods case; notes of argument of counsel plus Mansfield opinion. Copied.
2	7 February, 1781	<i>Le Caux v. Eden,</i>	KB	2 Doug. 593	Prize		Brief for Lawrence, "Mr. Attorney General to take notes." The entire packet copied.
3	February 5, 1782	<i>Yonge v. Jones</i>	KB	Unreported	Annuity	Consideration	Lawrence 2 guinea brief, Dunning & Lee to take notes. Caption: Whether a bond conditioned for the payment of an annuity the consideration of which was that the obligee should resign a living that the obligor's son might be presented be simony. Messy notes, no apparent judicial opinions. Not worth the cost of figuring out. Nothing copied.
4	May 7, 1782	<i>Wright, d. Read v. Forman</i>	KB	Unreported	Trustee	Feme sole/covert	Special Case, in the paper for argument Tues 7 May 1782. 2 guinea brief for Lawrence, Wallace and Sjt. Rooke with him. Caption: "A woman on her marriage had vested in the hands of trustees money to her separate use to be disposed of by them in such way as she, whether sole or married, should direct. Her husband died & she married again. This second marriage did not prevent her right to dispose of the money." Also "v: Mss, v. 3, p. 283." Some sketchy notes – Mansfield apparently said there was nothing in the case unless fraud could be shown. Nothing copied.
5	June 13, 1782 Printed Report: 23 November, 1782	<i>Blamey v. Whitaker</i>	KB	3 Doug. 183	Arbitration	Rule nisi	2 guinea brief to Lawrence, Morris and Kirby with him. To shew cause against the annexed rule nisi for a new trial. To move for the opinion of the court on 13 June [1782]. See a note within. Mansfield in his opinion in Douglas calls this a vexatious suit. The ms notes on backsides correspond pretty closely to the printed report. The note of instructions to Lawrence between the Easter and the Michaelmas trials is interesting, claiming that the reference to arbitration was a delay tactic and a means of discovering the facts. That document was copied, plus the folded caption.
6	November 25, 1785	<i>Forward v. Pittard</i>	KB	1 T.R. 27	Carriers		1 guinea brief for Mr. Lawrence, Serjeants Rooke and Grose with him, Mr. Burrough to argue. Set for Tues., 25 Nov. 1785. Copy of the special case, with many ms notes on backsides. All copied.
7	May 16, 1786	<i>Beable v. Dodd</i>	KB	1 T.R. 193	Will		3 guinea brief for Lawrence, Special case to be argued 16 May 1786. Folded caption only copied – inside ms notes adequately covered in printed report.
8	Devon summer assizes, 1788	<i>Harris v. Pyne</i>	KB	Unreported	Feme covert		3 guinea brief for Lawrence to move for a new trial, and later 2 guineas to make the rule absolute. Terrific married women's property rights case, a King's Bench case tried by Chief Justice Eyre of C.B., with an opinion (Summer assizes 1788, Devon) showing his resistance to the state of the law as established by the Mansfield decisions. Everything copied.
9		<i>Halliwell v. Viny</i>	CB	Unreported			3 guinea brief for Lawrence. C.B. case. Special verdict. Folded caption and ms notes copied.
10	Somerset assizes 1787	<i>Roe, d Perry v. Jones</i>	CB	1 H. Bl. 30	Devise		Folded caption plus the ms notes copied. Below Loughborough's opinion is a note saying the case was affirmed in K.B. Hilary Term 1789.
11	Hilary, 1788	<i>Smart v. Grave</i>	CB	Unreported	Partnership	Common carrier	1 guinea to Lawrence. Hilary 1788. Demurrer book. Pleading issue. Folded caption: "Partnership no plea in abatement to an action against carriers on the custom of the realm." Plea and Demurrer and notes of judges' opinions copied.

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12	Michaelmas, 1788 Printed Report: 18 May, 1789	<i>Dowson v. Scriven</i>	CB	1 H. Bl. 218	Wager - horse race		2 guinea brief to Lawrence. 1 H. Bl. 218. Cover page and the newspaper (Racing Calendar August 1786) copied.
13	February 7, 1788 Printed Report: 4 February, 1789	<i>Barnard v. Moss</i>	CB	1 H. Bl. 107	Debt		2 guinea brief to Lawrence, Demurrer Book. Pleading issue, 7 Feb 1788. "Declaration in debt stating that the defendant was attached instead of summoned good on a special demurrer." Nothing copied.
14	June 6, 1788 Printed Report: 29 June, 1789	<i>Johnstone v. Margetson</i>	CB	1 H. Bl. 261	Prize money		This Special Case was argued on 6 June 1788. The printed report is of the second argument Trinity 1789. The folded caption and ms notes for this argument were copied.
15	November 24, 1788 Printed Report: 29 June, 1789	<i>Duke St. Albans v. Shores</i>	CB	1 H. Bl. 270	Contracts		Demurrer book for arg Nov 24, 1788. Folded caption copied, nothing more. Interior notes include Loughborough's opinion in Trinity Ter 1789, which is given fully in H. Bl.
16	22 May, 1789	<i>Doe, d. Burkitt v. Chapman</i>	CB	1 H. Bl. 223	Will		Case. Caption copied only. The PB includes a copy of the will of Mary Chapman, spinster, decedent, dated June 29, 1778.
17		<i>Rowning v. Goodchild</i>	CB	2 Black W. 906	Postmaster liability		Copy of the Opinion of the Court of Common Pleas. Almost exactly the same as in W.Bl., except that the last sentence in the carryover paragraph at top of p. 910 is underlined. Nothing copied.
18	8 May, 1789	<i>Tatlock v. Harris</i>		3 T.R. 174	Fictitious payee		Judgment of the Court. Also Vere v. Lewis, 3 T.R. 182. The cases deal with the problem of the fictitious payee, and in T.R. report, n. (a) p. 183, there is a reference to Minet v. Gibson, @ 481, where the court held the same as in Vere v. Lewis. There are small differences between these copies of the opinions and the versions in Durnford & East, but nothing of substance. Nothing copied.
19	15 May, 1790	<i>Arthington v. Bishop of Chester</i>	CB	1 H. Bl. 418	Rectory		Very full printed report, with long opinion by Loughborough. PB = case reserved for opinion of court. Headnote about the same as that in H.Bl. Folded caption copied. Backside notes of arguments of counsel & judges' comments not copied – fully presented in H. Bl. Inserted papers – a draft of (presumably) Lawrence's argument, various notes of precedents, and a "State of the Case, with observations" were copied.
20	10 June, 1777	<i>Jones v. Walker</i>	KB	2 Cowp. 624	Postal rate		Caption copied, plus the copy of the KB opinions that was folded inside – there are small differences, some of interest, from the versions in Cowper.
21	Easter, 1790	<i>Cotton v. Acton</i>		Unreported			Demurrer Book, Easter Term 1790, for argument 12 May 1790. C.B. Caption and ms notes copied.

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22	Hilary, 1791 Printed Report: 12 February, 1791	<i>Rudder v. Price</i>	CB	1 H.Bl. 547	Promissory note		The report is from Hilary '91, but the Paper Book (Lawrence's) is for argument on Wed 24 Nov. '89 (described at 1 H.Bl. 548). Caption & Lawrence's ms notes copied.
23		<i>Doe, d. Elson v. Bainham</i>		Unreported			Copied entire.
24	July 12, 1791 Printed Report: 12 May, 1792	<i>Green v. Croft</i>	CB	2 H. Bl. 30	Devise		Caption & Lawrence ms notes copied.
25	10 May, 1793	<i>Nixon v. Jenkins</i>	CB	2 H. Bl. 135	Bankruptcy		Brief printed report. Caption and Lawrence ms notes copied.
26	19 June, 1793	<i>Ilderton v. Ilderton</i>	CB	2 H. Bl. 145	Marriage, Scotland	Dower	Very long printed report. Q of whether a marriage celebrated in Scotland (bona fide) will entitle the woman to dower in England. Sophisticated arguments; very long opinion by C.J. Eyre. Lawrence notes copied, including Mansfield's opinion in <i>Fabrigas v. Mosteyn</i> , from State Trials. Caption also copied of course.
27	February 25, 1792	<i>Ogden v. Follitt</i>	CB, KB, House of Lords	1 H. Bl. 123, 3 T.R. 756, 4 Brown's P.C. 111	Refugee, America	Attainder	To be heard at the bar of the H of L 18 May 1791. All printed reports quite full; the background is given in great detail in Brown. The printed cases for the parties were not copied, since they are fully laid out in Brown. There are lots of ms notes by Lawrence folded into the printed cases, but I can't see that they add anything to the full presentation of arguments and opinions in the printed reports. Thus nothing copied. Caption: "American refugee does not lose his right of suing here by Act of Attainder of the States of America before the declaration of their independence, tho the action be on a bond given in America." "Judgment affirmed Feb. 25, 1792." Ten guinea brief in the House of Lords case to Lawrence.
28	20 June, 1789	<i>Doe, d. Palmer v. Richards</i>	KB	3 T.R. 356	Will	Property, descent	Interesting case involving the descent of property, with Kenyon taking a practical line – "no person who reads his will except a lawyer can have any doubt on the meaning of it." Folded caption copied, also the will being contested and the order for a new trial. There are many Lawrence ms notes, very messy – not copied. (He lost the case.)
29	November 18, 1774	<i>Smith v. Powdich</i>	KB	1 Cowp. 182	Postmaster		Copy of the opinion of KB. Another case about the post. In the ms version of Mansfield's opinion, he starts with: "The case of Rowning and Goodchild [see # 17, above] is an authority precisely in point," There appear to be some differences between the report in Cowper and the ms version, so I have copied it.
30	13 June, 1777	<i>Rust v. Cooper</i>	KB	2 Cowp. 626	Bankruptcy	Fraud, preference	Case of a fraudulent preference in bankruptcy. Copied entirely.
31	April 15, 1787	<i>Janaway v. Janaway</i>	CB	Unreported	Slander	Partnership	"Action will lie at the suit of partners for slander on their trade. April 15 1787. Copied entirely.
32	May 12, 1787	<i>Steel v. Houghton</i>	CB	1 H. Bl. 51	Gleaning		Question of whether there was a common law right to glean in the fields. Printed report is from Trinity term 1788, and is very full & lengthy. Cowper did not report arguments of counsel because, he says, the arguments were fully gone into in the judges' opinions. Cannot see anything to be <i>gleaned</i> from Lawrence's notes of the Easter argument. Caption only copied.

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33	May 13, 1783	<i>Mulliner v. Wilkes</i>	KB	2 Doug. 218	Promissory note		Promissory note case. Interesting postscript after the demurrer. Copied in entirety.
34	April 26, 1785	<i>Goodright v. Herring</i>	KB	2 Doug. 298	Property		Property case. Copied entirely.