

**LEADING CASES
DONE
INTO ENGLISH**

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Leading Cases Done Into English by Frederick Pollock

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FREDERICK POLLOCK

**LEADING CASES
DONE
INTO ENGLISH**

828
P7758L
1876

Walter S. Pray
Feb. 8, 1876
Washington
D.C.

LEADING CASES DONE INTO ENGLISH.

Foliot, Sir Frederick, bart.

LEADING CASES

DONE INTO ENGLISH.

Walter S. Pery

BY
AN APPRENTICE OF LINCOLN'S INN.

REPRINTED FROM THE "PALL MALL GAZETTE."

Tibullus. How now, Ovid! Law cases in verse?

Ovid. Troth, if I live, I will new dress the law
In sprightly Poesy's habiliments.

BEN JONSON, *The Poetaster*, Act I.

SECOND EDITION.

London:

MACMILLAN AND CO.

1876.

*Encl.
Library
University of Minnesota
10-17-1940*

TABLE OF CASES REPORTED IN THIS BOOK.

ARMORY v. DELAMIRIE	11
COGGS v. BERNARD	4
COUNTESS OF STRATHMORE v. BOWES	56
DOVASTON v. PAYNE	35
LADY ELIBANK v. MONTOLIEU	56
ELWES v. MAWE	39
JOHNSON v. GALLAGHER	57
MANBY v. SCOTT	54
MARRIOT v. HAMPTON	48
MONTAGUE v. BENEDICT	55
MOSTYN v. FABRIGAS	26
PASLEY v. FREEMAN	31
SEATON v. BENEDICT	55
SCOTT v. SHEPHERD	15
THE SIX CARPENTERS' CASE	1
WIGGLESWORTH v. DALLISON	20
<hr/>	
DEDICATION TO J. S.	59

10-31-40

LEADING CASES DONE INTO ENGLISH.

LEADING CASES DONE INTO ENGLISH.

I. —THE SIX CARPENTERS' CASE.

(1 *Smith, L.C. 133, 7th ed.*)

THIS case befell at four of the clock

(now listeneth what I shall say),

and the year was the seventh of James the First,

on a fine September day.

The birds on the bough sing loud and sing low,

what trespass shall be *ab initio*.

7 Sept. 7 Jac. in
London, in the
parish of St. Giles
extra Cripplegate,
hora quarta post
meridiem.

Leading Cases

"Upon the new assignment, the plaintiff assigned the trespass in a house called the Queen's Head, ... with a common sign at the door of the said house fixed, &c."

It was Thomas Newman and five his feres
(three more would have made them nine),
and they entered into John Vaux's house,
that had the Queen's Head to sign.

The birds on the bough sing loud and sing low,
what trespass shall be *ab initio*.

They called anon for a quart of wine
(they were carpenters all by trade),
and they drank about till they drank it out,
and when they had drunk they paid.

The birds on the bough sing loud and sing low,
what trespass shall be *ab initio*.

"One John Ridding, servant of the said John Vaux, at the request of the said defendants, did there then deliver them another quart of wine and a pennyworth of bread, amounting to 8d., and then they there did drink the said wine and eat the bread"—(Et semble que ceo est merveilous petit manger et beves pur vj. homes)—"and upon request did refuse to pay for the same."

One spake this word in John Ridding's ear
(white manchets are sweet and fine):
"Fair sir, we are fain of a penn'orth of bread
and another quart of wine."

The birds on the bough sing loud and sing low,
what trespass shall be *ab initio*.

Done into English.

Full lightly thereof they did eat and drink

(to drink is iwis no blame).

"Now tell me eight pennies," quoth Master Vaux;

but they would not pay the same.

The birds on the bough sing loud and sing low,

what trespass shall be *ab initio*.

"Ye have trespassed with force and arms, ye knaves Action of trespass.

(the six be too strong for me),

but your tortious entry shall cost you dear,

and that the King's Court shall see.

The birds on the bough sing loud and nought low,

your trespass was wrought *ab initio*."

Sed per totam curiam 'twas well resolved

(note, reader, this difference)

that in mere not doing no trespass is,

and John Vaux went empty thence.

The birds on the bough sing loud and sing low,

no trespass was here *ab initio*.

Second resolution in the case.

Ideo prædict' Johannes in misericordia et defendit sine die.