



Truman Bodden Law School Library

LIBRARY TIP OF THE WEEK

Using the English Reports¹

What are the English Reports?

Before **The Incorporated Council of Law Reporting (ICLR)** began publishing the modern Law Reports series in 1865, cases were reported privately by **individuals**. Collectively, these reports are known as the **Nominate Reports**. These have been reprinted into **The English Reports**, covering the period **1220-1865**.

How to Use the English Reports?

To locate a case in the English Reports, use the **index volumes** to locate the case by name; the original citation will be listed along with the volume and page number of the English Reports in which the case has been reprinted. For example:

¹ Hawksworth, Lisa, 'Using the English Reports' <http://libguides.liverpool.ac.uk/ld.php?content_id=2558074> accessed 27 November 2017.

Howard v Conway (1844) 1 Coll 87

- this case is listed in **Index of Cases (A-K), Volume 117** of the English Reports, **page 828**.
- notice that the citation uses an abbreviation **Coll** which refers to an individual named **Collyer**, instead of the usual law report publications we are used to (All ER, WLR, etc.)
- the index shows that this case can be found in **Volume 63, page 333**.

828 HOW	INDEX OF CASES	
How v. Whitfield, 1 Ventris, 338, 339	.	86 218, 219
— v. Woolley, 2 Keble, 338	.	84 211
— v. Woolley, 1 Ventris, 1	.	86 2
— and Norton's Case, 1 Sid. 279	.	82 1105
How's Case, 1 Ventris, 209	.	86 141
Howard, <i>In re</i> , 8 Beav. 424	.	50 166
—, <i>In re</i> , Fost. 77	.	168 39
(Lord) v. Abergavenny (Lord), Dick. 31	.	21 178
— v. Approbert, Littleton, 85	.	124 149
— v. Baillie, 2 H. Bl. 618	.	126 737
— v. Barnard, 11 C. B. 653	.	138 631
— v. Bartlet, Hobart, 181	.	80 328
— v. Bartolozzi, 4 B. & Ad. 555.	.	110 564
— v. Bartolozzi, 6 Car. & P. 13	.	172 1125
(Lord) v. Bell, Salkeld and Dacre, Hobart, 91.	.	80 241
— v. Braithwaite, 1 V. & B. 202	.	35 79
— v. Braithwaite, 1 V. & B. 374	.	35 146
— v. Brown, 4 Bing. 393	.	130 819
— v. Bruton, 1 My. & Cr. 448	.	40 447
— v. Candish (Seignour), Palmer, 264	.	81 1074
— v. Castle, 6 T. R. 642.	.	101 748
— v. Cavendish, Cro. Jac. 621	.	79 535
— v. Chaffers, 2 Dr. & Sm. 236	.	62 612
— v. Chapman, 4 Car. & P. 508	.	172 803
— v. Cheshire, Sayer, 250, 267	.	96 870, 873
— v. Cheshire, 1 Keny. 245	.	96 981
— v. Conway, 1 Coll. 87.	.	63 333
(Lord) v. Crawly, 1 Keble, 278	.	83 944
— v. Crofts, 6 C. B. 620	.	136 1391
— v. Crowther, 8 M. & W. 601	.	151 1179
— v. Damiani, 2 Jac. & W. 458	.	

- locate **page 333** in **Volume 63** of the **English Reports** to find the case.

1 COLL. 87. 333

HOWARD v. CONWAY

At the time of the death of the testatrix Ann Sumpter was unmarried: she afterwards married, and had children, who were made parties to the suit.

The question was, what interest Ann Sumpter took in the second-mentioned £1000?

Mr. Russell and Mr. Shebbeare, for the Plaintiffs.
 Mr. Wigram and Mr. Ward, for the Defendants, the children, relied on *Morse v. Morse* (2 Sim. 485) and *Crawford v. Trotter* (4 Madd. 361).
 Mr. Swanston, for the trustees.

[87] *Wild's case* (1) and *Vaughan v. Marquis of Headford* (10 Sim. 639) were mentioned.

THE VICE-CHANCELLOR [Sir J. L. Knight Bruce]. I think that, as Ann Sumpter never married till after the death of Mary Fisher, she took an absolute interest in the second £1000.

[87] · HOWARD v. CONWAY. Feb. 27, 1844.

[S. C. 13 L. J. Ch. 193; 8 Jur. 237.]

Devise of estates to A. upon condition that A. should release in favour of her brother B. all A.'s interest in £1000 "charged upon certain estates, limited by the marriage settlement" of the father and mother of A. and B.; the sum of £1000 was comprehended in the settlement, and A. took an interest in it, but it was not charged on any estates. Held, nevertheless, that it was the sum referred to in the will.

By articles dated in November 1784, and made in contemplation of the marriage of John Conway Conway with Mary Elizabeth Lloyd, reciting that under the will of her father Mary Elizabeth Lloyd was entitled to a certain fortune, but that by reason of her father's debts it would be much diminished, and probably not exceed £2000, it was witnessed that, in consideration of the marriage, &c., John Conway Conway covenanted, in case the marriage took effect, to settle certain lands to the use of himself for life, and then to the use that the intended wife should receive a jointure of £150 out of the premises, with remainder to the use of the first son of the marriage in tail, with remainders over. Then followed clauses for the diminution of the jointure in case there were younger children, [88] for the benefit of those children. The indenture then contained a joint and several covenant on the part of the intended

- alternatively, the English Reports are also available online via **CommonLII**, **Westlaw UK** and **HeinOnline**

Feel free to ask assistance from your Library Staff on how to access these resources.