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against what I conceive to be the law, before the
law could be heard in its own defence. In this
state of things, I drew up some observations on the
report, out of the collections I had made for use
on the first public opportunity that should offer,
& committed them to the press for private circulation.

During the controversy some original papers of
my great predecessor Holt on the same subject
fell into my hands, & I have thought it due to
the profession to publish them. - Let me
request your acceptance of these two pamphlets,
which are accompanied by the Report of the
House of Commons. - The question itself is now in
a train for our judicial decision, though I fear at
no early period. -

To B. Raab Esq

I am, dear Sir,
faithfully yours

J. Denman

Middleton
Oct 15. 1837

Dear Sir

You could not have sent me a
more welcome or valuable present than
the Commentaries of Chancellor Kent. I have
frequently turned to them for information, &
have never failed to obtain it in the most
clear & satisfactory form.

You favored me with your views on the
question of warranty pending in the Court of
King's Bench, & your able argument, with
the authorities cited, led me to reconsider
my own opinions with the utmost utmost care.

I cannot say that I was convinced,
but I should have been well pleased to be
overruled by my brethren, for the greater
simplicity & practicality of the opposite
principle. But we continued equally
divided, & the case went off upon a
compromise at last. - I do not anticipate
any difficulty as to the law from this
uncertainty in practice, because, supposing
me to be right in measuring the damage by
the value of the thing sold, the jury will
in almost every case hold the piece agreed
upon to be the best possible evidence of

that value.

The usual even tenor of our proceedings
was disturbed in February by a question of
privilege, & I had the misfortune to find
myself in collision with the House of Commons.
Perhaps you saw the matter mentioned in
our newspaper: the House appointed a
Committee, which reported, & came to resolutions
which the House afterwards adopted. These
appeared to me highly objectionable in principle,
but they made converts in various important
questions, especially among the professional
members of the House of Commons, & there was
danger of public opinion becoming unanimous

DENMAN, Thomas. English Judge. A.L.S. 4pp., 4to. Middleton,
Oct. 15, 1837.

LONG AND INTERESTING LETTER.

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LONG AND INTERESTING LETTER referring among various matters to a gift of the
Commentaries of Chancellor Kent.