



*A portion of the manorial rolls involved in the Great Tey case, now on exhibition in the Law Library.*

### *Manorial Rolls and Captain Clark*

A manorial roll which was among those involved in the *Great Tey* case (Beaumont v. Jeffrey, L.R. (1925) Ch. 1; 93 L.J. (Ch.) 532; 40 T.L.R. 796; 132 L.T. 246) is currently on display in the Reading Room of the Law Library. The roll dates from the 37th year of the reign of Henry VIII; it is in excellent condition and presents a fine example of the calligrapher's art. On display with the manorial roll are papers summarizing current litigation between the Minnesota Historical Society and the United States, concerning ownership of field notes from the "Lewis and Clark Expedition." The holding in the

*Great Tey* case, which was a suit in detinue by the lord of the manor of Great Tey to recover possession of certain manorial rolls, seems pertinent to the current controversy.

That case seems to stand for the principle that original records of legal and historical interest may be sold by their initial owner, but that all purchasers assume an obligation to make the records available to anyone whose rights may be affected by their contents.

Litigation over the field notes of Captain Clark of the "Lewis and Clark Expedition" is now in process in the federal courts. The notes were discovered in 1952 among the papers of the late General John Hammond; the papers were at that time stored in the home of his daughter. The executors of the daughter's estate brought suit to quiet title, naming as defendants the daughter's heirs, and also the other children of General Hammond, who claimed the papers as part of the estate of their mother. Other defendants are John Doe and Jane Roe to cover any possible heirs of Captain Clark, and the Minnesota Historical Society, which has possession of the papers as bailee of the executors. The United States Government intervened, claiming title on the ground that the notes are "contemporary original records of the so-called 'Lewis and Clark Expedition.'"

The concern of archivists, librarians, and other collectors of historical papers is over the possible precedent which might result from the Government's success, throwing into doubt title to many highly prized items. The National Archives has stated that Government intervention was prompted only by the fear that if the documents remained in private hands they would not be available to all persons interested in them.