

The following orders from the Court of Chancery are cited in the Brief of H. Tomas Gomez-Arostegui and Tyler T. Ochoa as *Amici Curiae* in Support of Petitioners, *Golan v. Holder*, No. 10-545 (U.S. 2011). I have silently expanded any contractions but otherwise left the spelling, capitalization, and punctuation (or lack thereof) unchanged.

Herringman v. Clerke
C33/257, f. 216^v (Ch. 1682)

[Left margin]:

H

Ld Chanc

Henricus Herringman quer Lune 13^o Febrij [1681/2]
Edw Clarke Abel Swall
et Robertus Bolter Defendants

Upon mocion this day made unto this Court by Mr Trinder being of the plaintiffs Counsell Itt was alleadged that the plaintiffs bill is that the plaintiff having the sole right of printing & vending of a booke intituled the Worke of Abraham Cowley And that Defendants have caused the said Booke to be printed in England & elsewhere & have cause divers to be imported into England from beyond seas To which bill the Defendants have appeared & there tyme being out for answering have gott a fortnight longer [illegible] to put in their answer Whereupon this Court doth order than an Injunction be Awarded against the said Defendants their servants Agents Workmen & assignes thereby enjoyning them not to proceed in the printing binding stitching publishing vending or exposeing to sale or importing of the said booke or any parte parcell sheet or sheets thereof till the Defendants shall fully answer the plaintiffs bill and this Court take other order to the Contrary /

Herringman v. Clerke
C33/259, f. 427^r (Ch. 1682)

[Left margin]:

H

Ld Chanc

Henricus Herringman Quer Sabbati 11 November [1682]
Edmund Clerke Abell Swall
et Robertus Boulter Defendants

Whereas by an Order dated 27th day of June last past It was upon the overruling of the demurrer ordered that the Defendants should put in a full and perfect Answer to the plaintiffs Bill as to the discovering of the Defendants printing or importing or caused to be printed or imported of the bookes in question Now upon opening of the matter this

present day unto this Court by Sr John Churchill Mr Keck & Mr Finch being of the plaintiffs Counsell It was alleadged by the plaintiffs Counsell that the Bill is for the discovery of what bookes were Imported or printed or caused to be imported or printed by the Defendants or any others with the Defendants privity & were brought & sold by the Defendants & that upon the overruling the Demurrer It was ordered that the Defendants should put in a full & perfect Answer to the plaintiffs Bill (excepting to the discovery of the persons to whome the Defendants sold the said bookes []) soe that the plaintiff might be enabled to bring an Accon on the Case for damages but as the Order is passed the Defendants are onely to discover the Defendants owne printing & importing or their causing to be printed & imported without any discovery of the vending Whereupon & upon hearing what was alleadged on either side this Court doth thinke fitt & soe order that the Defendants doe Answer the plaintiffs Bill Excepting the discovery of the persons to whome the Defendants have sold the said bookes within a weeke to admitt they have printed or Imported & sold 300 l worth of the said bookes other then were printed unlesse the Defendants doe on Tuesday next shew unto this Court good Cause to the Contrary the Defendants Counsell praying time till then to speake to the same /

Herringman v. Clerke

C33/259, ff. 278^v-279^r (Ch. 1683)

[Left margin]:

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Ld Keeper

Henricus Herringman

Mer 7 Febr [1682/3]

Quer Edmundus Clarke

Abell Swall & et Robertus

Boulter Defendants

The mattre of the Demurrer putt in by the Defendants to the plaintiffs bill coming this present day to bee Argued before the Right Honorable the Lord Keeper in the presence of Councell Learned on both sides the [279^r] scope of the plaintiffs Bill being for a discovery of the Defendants printing or importing or causing to be printed or imported the Bookes called the Worke of Abraham Cowley and alsoe of their printing or vending or causing to be printed or vended the said Booke or any parte thereof the sole printing and first utterance thereof belonging to the plaintiff by vertue of a purchase of the Originall Coppie from Mr Anne Mosely and Mr Abraham Cowley who was the Author of the said booke notwithstanding which the Defendants have of late by themselves and Agents imported and imprinted and vended great quanteties of the said bookes but hat transacted the affaire with such secrecy and in such a Clandestine manner that the plaintiff cannot make any discovery of the numbers of quanteties soe imported or sold or the severall actors therein whereby to inable him for a Remedy att Law where unto the said defendant having demurred for that it appears by the plaintiffs bill the discovery sought from the defendants is to inable the plaintiff to bring an Accon att Law against the defendants & for that the bill seekes a discovery of the secretts of their trade and tends to

the Hindrance and distruccon of the defendants buying and selling lawfull bookes by discourage their Customers of hwom and to whome they sold the same and for that the bill prayes a discovery of what bookes they have sold for five yeares last past and to whome and att what price and for what the defendants being free of the Company of Stationers may lawfully buy and sell all manner of bookes and for that the plaintiff can have no decree in this Court touching the matter complained of in their bill And Itt was further alleadged that the defendants had by their Answeres denied they had printed or Imported the said booke Whereupon and upon long debate of the matter and hearing of what could bee alleadged on either side His Lordshipp to the end there bee a full Answer to the plaintiffs bill doth think fitt and soe orders that the defendants doe Answer the said bill which concernes the discovery of how many of the bookes called the Workes of Abraham Cowley now in question they or either of them have or hath imprinted or Imported or caused to bee imprinted & imported from beyond the seas for their or either of their uses without the Lycence or consent of the plaintiff or how many of said bookes soe imprinted or imported have or hath come to their or either of their hands or custody or to the hands or custody of any other person or persons for their or either of their use and uses or how many of the said bookes soe imprinted or imported they or either of them or any other person or persons for their or either of their use or uses have or hath vended or sould or caused to bee vended or sould and how many of the said Bookes soe imprinted or imported they or either of them or any other person or persons for their or either of their use or uses have by them in their Hands or Custody unsould /