

CRITICISMS ON THE REPORTERS—APPOINTMENT OF QUEEN'S COUNSEL.

help saying, this is not the only instance, how extremely difficult it is to rely upon the circumstances stated as reasons for the judgment." *Clarke v. Parker*, 19 Ves. 20.

In Greenleaf's *Overruled Cases*, p. 73. it is said, "Burrows' reports were not published till 9 years after the decisions with which they commence were given; and they contain but a small part of the cases decided by jury and in *bank*; the whole number being about 800 annually; or about 25,000 for the 32 years during which Lord Mansfield was Chief Justice."

CAMPBELL'S REPORTS.—"One of the most valuable collections of *Nisi Prius Cases* we possess." Per Ball, J. in *O'Malley v. O'Malley*, 12 Ir. L. R. 112.

"Whoever looks through Campbell's reports, will be greatly surprised to see among such an immense number of questions, many of the most important kind, which came before that noble and learned Judge, Lord Ellenborough, not that there are no mistakes, but that he is in by far the most of the causes, so wonderfully right, beyond the proportion of any other Judge." Per Mansfield, C. J., in 5 Taunt. 195.

CARRINGTON & PAYNE'S REPORTS contain many unimportant cases, and compare unfavourably with Moody & Malkin's Reports: 3 Law Mag. 210; and see *Readhead v. Midland Railway Company*, 17 W. R. 739.

CARTER'S REPORTS.—In a copy once the property of C. J. Treby, there was written during the lifetime of the reporter by the Judge on the fly-leaf of the volume, this memorandum: "These Reports are published by Samuel Carter, a Barrister of Inner Temple, who lives at Birmingham, in Warwickshire, but they are said to have been taken by some other person." Albany Law Journal, Dec. 2nd, 1871.

CARTHEW'S REPORTS.—"Carthew is a book of great authority and accuracy, and I find that Chief Justice Willes says, 'I own Carthew was a good and faithful reporter;' and Lord Kenyon says that he is 'in general a good reporter.'" Per Fitzgerald J. in *Scovell v. Gardiner*, 16 Ir. C. L. R. 347.

CHANCERY CASES, (VOL. II).—"Not entitled to any great attention." Per Sir W. Grant in *Richards v. Chambers*, 10 Ves. 580.

CHITTY'S REPORTS.—"A reporter of no great authority." Per Blackburn, J., in *Attorney-General v. Dakin*, 18 W. R. 1117.

COKE'S REPORTS.—"It may not be out of place here to observe that the resolutions of the Judges, as reported by Sir Edward Coke, often go beyond the facts of the cases in which we find them reported; but this has not been held to detract from their authority. Such is the weight attached to those positions of law which are handed down by the 'Great Reporter,' and have received the sanction of his approbation, that they have been generally received and venerated as maxims in our law." Per Crampton, J., in *Coppinger v. Bradley*. 5 Ir. L. R. 274.

"The authority of Lord Coke on Admiralty Jurisdiction is inaccurate and untrustworthy," Per Sir W. Phillimore in *The Sylph*, L. R. 2 Ad. & Ec. 27.

"I am afraid we should get rid of a good deal of what is considered law in Westminster Hall, if what Lord Coke says without authority is not law." Per Best C.J., in 2 Bing. 296.

"The 12th part is not so accurate as the rest, not having been published by him, but from his notes after his death." Per Holroyd, J., in *Lewis v. Walter*, 4 B. & Ald. 614. Mr. Hargrave in 11 St. Tri. 40, says they were posthumous and loose collections of papers, neither digested nor intended for the press by the writer. And see also in *McPherson v. Daniels*, 10 B. & C. 275, where Parke, J., after referring to these Comments says the 12th Rep. is "not a book of any great authority."

COOPER, C. P. SELECT CASES, TEMP. BROUGHAM.—A curious disclosure respecting this work will be found in 15 Law Mag. 146, from which it appears that the publication was undertaken at the instance of Lord Brougham with a view to correct certain erroneous propositions advanced by him, and reported as actually delivered in Mylne and Keen. These latter reports are there said to be of greater accuracy and ability than this collection.

APPOINTMENT OF QUEEN'S COUNSEL.

The following is the correspondence brought down to the House of Commons, between the Government of Canada and that of Ontario, relating to the appointment of Queen's Counsel. It commences with a communication from the Governor-General to the Earl of Kimberley:—