

Canada we could not in 1850 name more than four volumes, moderate in size recording decisions of the Courts. (1)

Our first, and indeed only legislation on the subject, is to be found in the Act 13 and 14 Vict. cap. 37, which enacts, sec. 13, that out of a special fund "a reasonable sum may from time to time be taken and applied (according to such regulations as shall be from time to time made by the Governor) to defray the expense of compiling and publishing the decisions of the tribunals of Lower Canada, and to the payment of a fit salary to such person or persons as the Governor may from time to time entrust with the said compilation and publication, which persons shall conform to such instructions as may from time to time be given to them by order of the Governor." It is important to add, that a subsequent section created a tax of five dollars per annum to be levied on all the judges, clerks of courts, sheriffs, and practising advocates in Lower Canada, for defraying the expenses of the publication of these decisions.

This Act was put into force by the appointment of reporters resident in Quebec, where the reports were published, with co-editors resident in Montreal. The latter had no control whatever over the publication, but only supplied matter.

The operation of the law did not give satisfaction. The law was defective in not providing for the revision by the Judges of the reported cases before publication, and the reports had accordingly no authority with the Courts. It was also complained, that the publication was only at great and irregular intervals; and the Montreal bar complained, that very few of the decisions of their Courts appeared at all in the publication.

A Committee of that Bar was accordingly named on the 14th February 1855, consisting of Messrs. C. S. Cherrier, Q.C., R. Mackay, J. A. Berthelot, S. Bethune, and F. W. Torrance, to report on the subject and suggest amendments in the law.

This committee unanimously reported, and made the following suggestions:—

(1) We refer here to Stuart's Reports, 1 vol., and the *Revue de Legislation*, 3 vols. The former is much esteemed by the profession, and the latter has also considerable value, from some important decisions reported in it, though the publication embraced likewise essays, &c., on legal topics, and was not therefore altogether a publication of Law Reports. We have not alluded though perhaps we should to Pyke's Reports, a thin volume of 77 pages; for it is entirely out of print, and a copy is seldom to be seen.

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