

have originated or to have been revived in the last quarter of the eighteenth century. In 1785 William Brown, the reporter of Chancery Cases, 1778-1785, was furnished by Mr. Justice Ashurst with notes taken by him while sitting as one of the Lords Commissioners of the Great Seal (see Brown's Chancery Cases, p. 82, *infra*). The position of the authorized reporter at the commencement of the *Law Reports* is shown by Sir John Romilly's letter of 2nd November, 1865, quoted in the preface to 34 Beavan (n).

Before the year 1820 some of the authorized reports had become prolix in form and dilatory in publication, thus reverting to former errors. In 1823 a new class of reports giving concise notes of recent decisions in all the Courts, was inaugurated by the issue of the *Law Journal*. This was followed by the *Jurist* (1837), the *Law Times* (1849), the *Weekly Reporter* (1852), and the *Times Law Reports* (1884) (o). The "unauthorized" reports, in spite of opposition, established the right to be cited in all the Courts, and the rule laid down by Lord Westbury now prevails, that

"as soon as a report is published of any case with the name of a barrister annexed to it, the report is accredited, and may be cited as an authority before any tribunal" (p).

When separate reports of a case differ that contained in the authorized report is preferred (q).

The rule as to citing newspaper and other ephemeral reports may be referred to. On a case being cited, reported only in the *Times* newspaper, the Court asked Baron Martin, who had been counsel in the case, to refer to the newspaper, and, after thus refreshing his memory, to say whether the decision there reported was pronounced (r). In *Reg. v. Labouchere* (1884) (s), Lord Coleridge, C.J., cited passages from cases furnished to him by a barrister who had reported them for a newspaper and vouched for their

(n) See under Beavan, p. 60, *infra*. See also *Law Quarterly Review*, volume vi., p. 342, note, and 118 Revised Reports, Preface.

(o) Besides these, from the early part of the nineteenth century onwards, rivals of the authorized reports appeared; these are known as "collateral reports."

(p) Speech in the House of Lords, 12 June, 1863, *Hansard*, 3rd series, volume 171, p. 778; and see *Francome v. Francome* (1865), 11 Jurist N. S. 123. But in *Re Moulden* (1874) 43 L. J. Ch., p. 354, Jessel, M.R., refused to acknowledge any but the authorized report.

(q) See *Re Porter* (1856), 2 Jur. N. S. 349; *Leather Cloth Company v. Lonsont* (1870), L. R. 9 Eq. p. 351.

(r) *Attorney-General v. Sillem*, Times, 19 Nov., 1863, p. 7, col. 4.

(s) 12 Q. B. D. at p. 328.