

PREFACE

TO THE FIRST EDITION

It has long been a subject of complaint, in this state, that we had no reports of the decisions of our courts of judicature. The importance of having authentic reports of cases argued and determined in the Supreme Judicial Court, the only court in the state whose decisions are considered as authorities, must be obvious to all who have any pretensions to information on the subject. From considerations of this kind, it is presumed, the legislature, by an act passed some time since, (*a*) authorized the Supreme Executive to appoint some person to be a reporter of those decisions, whose duty it should be to publish the same annually. In consequence of this authority, vested in the Executive, the author of the following pages had the honor of the appointment.

It was with no small degree of diffidence in his ability satisfactorily to perform the duties of the office, that he adventured to accept the trust. Having at no time practised taking minutes of their decisions; not being acquainted with short-hand, by the use of which the practice of taking notes is greatly facilitated; and, from his local situation, having never been conversant with a class of cases (of great importance to the commercial part of the community) which would necessarily come before the court, he felt himself inadequate to the task: and had it not been for the

(*a*) March 8, 1804