

THE IRISH LAND LAWS

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The Irish Land Laws by Alexander G. Richey

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ALEXANDER G. RICHEY

**THE IRISH
LAND LAWS**

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IRISH LAND LAWS

BY

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'Et requit à Gargantua, qu'il instituast sa religion au
contraire de toutes autres.'

fin 13

PREFACE.

THE object of this work is not to discuss the Irish Land Question from either an economic or political point of view, nor to propose any specific alteration in the existing law, nor indeed to suggest that any such alteration should be made.

It aims at no more than to afford to those who desire to study the subject practically, in an untechnical and popular form, some, perhaps useful, information upon the following points: the legal theory of the hiring of land; the rules relative thereto elaborated by the civil lawyers and adopted by the French Code; the rules of the English Law upon the subject; and the alterations in the latter introduced into the Irish Law by the Acts of the 23 and 24 Vict. ch. 154, and 33 and 34 Vict. ch. 46;

PREFACE.

and also to suggest certain questions which must be seriously considered by those who would frame a new Landlord and Tenant Code for Ireland, or further amend the existing system.

The extracts from Pothier are all taken from the short treatise 'Du Contrat de Bail à Rente,' and those from the Code Napoléon from the 8th title of the Third Book 'Du Contrat de Louage,' and specific references have not therefore been appended to the text.

The Acts of the 23 & 24 Vict. c. 145 and 33 & 34 Vict. c. 46, and the judicial decisions thereupon, are published in an available form in 'The Statutes relating to the Law of Landlord and Tenant in Ireland since 1860,' by F. Nolan and R. R. Kane, Third Edition.

A. G. R.

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THE
IRISH LAND LAWS.

INTRODUCTION.

DURING the past year many articles have been written, and speeches made, advocating alterations, more or less extensive, in the Irish Law of Landlord and Tenant, and suggesting new legislation whereby the relations of the owners and occupiers of land in Ireland may be established upon a permanent and satisfactory basis.

When the abolition or reform of any system of law is taken in hand, it is of the first importance that the enactments of the existing code should be clearly understood; nothing is more dangerous than a partial repeal of legal principles, which leaves other rules, which are either their logical antecedents or consequences, still subsisting; or an ill-considered reform which leaves mingled together in hopeless confusion enactments of different origin and contradictory nature.