LAW REFORM

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BY

THE RIGHT HONBLE.

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Master of the Rolls in Ireland.

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1863.

PREFACE.

The first Edition of this Pamphlet was published in the autumn of the year 1852, without the name of the Author, and is now out of print.

A Commission under the Great Seal was issued on the 13th December, 1861, directed to the Right Honorable Sir John Romilly, the Right Honorable Lord Justice Blackburne, the Right Honorable Chief Justice Monahan, the Right Honorable A. Brewster, the Right Honorable J. Napier, Vice-Chancellor Wood, Mr. Justice Willes, Baron Hughes, Sir W. Atherton, the Right Honorable T. O'Hagan, Sir Roundell Palmer, James A. Lawson, Esq., Sir Hugh M'Calmont Cairns, George Markham Gifford, Esq., Robert Bayly Follett, Esq., and R. J. T. Orpen, Esq., authorising and appointing them "or any six or more of them to make a diligent and full "inquiry into and to report upon the following matters, "with a view to reduce costs to suitors and the expen-"diture of the public money, and to assimilate, so far

"as may be practicable, the administration of justice "in England and Ireland:—

"1. The constitution, establishment, practice, pro- "cedure, and fees of the superior Courts of Common "Law in Ireland.

"2. The differences between the constitution and "the forms of practice, procedure and fees of the Courts "of Chancery of England and of Ireland."

As some of the matters upon which the Commissioners have to enquire and report, were considered in the first Edition of this Pamphlet, it has been reprinted, and observations upon the Court of Chancery (Ireland) Regulation Act, 1850, together with references to statutes passed since 1852, bearing on the questions considered, have been added.

MERRION-SQUARE,
April 11*th*, 1863.

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LAW REFORM.

"There will be a world more wiglomeration about it."—*Bleak House.*

LAW REFORM has at length made progress. The Copyhold Enfranchisement Act; the Common Law Procedure Act; the Masters in Chancery Abolition Act; the Chancery Practice Amendment Act; together with other legal measures of less importance, have received the sanction of the legislature.

It is necessary, however, that the public should not be under the delusion, that those measures,—which were hurried through Parliament at the close of the last Session,* without due deliberation,—have solved the problem of Law Reform, or afforded to suitors the relief to which they are justly entitled.

The object of the present observations is to call attention to the Common Law Procedure Act, and the Report upon which it has been founded; to the Chancery Acts, and the Report upon which they have been founded; and to an equally important subject, the law which relates to the transfer of land.

* Session of 1852.