



W. F. Ayward



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXIV, No. 1.]

MAY, 1930.

[FOR CIRCULATION
AMONGST MEMBERS.

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Vol. XXIV, No. 1.]

MAY, 1930.

[FOR CIRCULATION
AMONGST MEMBERS

ANNUAL SUBSCRIPTIONS.

Members are reminded that their annual subscriptions to the Society became due on the first day of May, as follows :—

Town Members and Country Members of more than three years' standing who desire to be entitled to vote at election of Ordinary Members of the Council	£1	0	0
Other Country Members	0	10	0
Members who have been admitted to the profession less than three years	0	10	0

MEETING OF THE COUNCIL.

10th April.

Twenty-seven Members present.

Bye-laws of the Society.

It was resolved that amendments of Bye-laws 30, 31 and 36 relating to the procedure in connection with the annual election of the Council be submitted for adoption to the General Meeting of the Society to be held on 16th May, and the President consented to give notice of motion for the making of the amendments.

OBITUARY.

MR. JOSEPH H. MCCARROLL, Solicitor, died upon the 8th April, 1930, at his residence, Sea View House, Wicklow.

Mr. McCarroll was admitted in Michaelmas Sittings, 1892, and practised at Wicklow.

MR. EDWARD J. FRENCH, Solicitor, died upon the 13th April, 1930, at his residence, St. Ann's, Donnybrook, Co. Dublin.

Mr. French served his apprenticeship with his father, the late Mr. John A. French, Dublin, and practised at 7 St. Stephen's Green, Dublin, in partnership with Mr. R. Douglas English, under the style of French and French.

MR. ALFRED STUBBS, Solicitor, died upon the 20th April, 1930, at his residence, Danby, Ballyshannon.

Mr. Stubbs was admitted in Hilary Term, 1875, and practised at Ballyshannon, County Donegal.

MR. MICHAEL J. KIERANS, Solicitor, died upon the 25th April, 1930, at his residence, 42 St. Laurence Street, Drogheda.

Mr. Kierans served his apprenticeship with Mr. J. H. McCann, Drogheda, and Mr. H. J. Verdon, Drogheda; was admitted in Hilary Sittings, 1897, and practised at Drogheda.

NOTARIES PUBLIC.

The following Solicitors have been appointed Notaries Public for the districts mentioned after their names :—

Alexander M. Lyons, Sligo.

Felix H. Derham, Sligo.

John A. Osborne, Milford, Co. Donegal.

John Halpenny, Castlepollard, Co. Westmeath.

James Malseed, Letterkenny, Co. Donegal.

NEW MEMBERS.

The following have joined the Society :—

- Eugene Boland, Maryborough.
 Patrick C. L. Halpenny, 27 Sth. Frederick Street, Dublin.
 William R. McFerran, 59 Dawson Street, Dublin.
 John B. McNulty, Ramelton.
 John J. Nash, Templemore.
 Hugh W. Rainey, 59 Dawson St., Dublin.
 Michael J. Walshe, Ballyhaunis.

EXAMINATION RESULTS.

At the Preliminary Examination held on the 8th and 9th days of April, the following passed the examination, and their names are arranged in order of merit :—

1. Isaac J. Nolan.
2. Joseph O'Mahony.
3. Maureen A. Hawthorne.
4. Pauline Laverty.
5. Patrick J. Shaw.
6. Michael J. Larkin.
7. Patrick J. J. Byrne.
8. Desmond A. O'Connor.
9. { Alan MacDonald.
Richard H. P. Ryan. } Equal
11. Timothy J. Kirwan.
12. Alphonsus J. R. Tarrant.
13. Donal J. Delany.
14. John E. G. Byrne.

James H. West passed the modified Preliminary Examination, for which he had liberty to present himself.

Sixteen candidates attended : 15 passed ; one failed.

At the Final Examination held on 2nd and 3rd days of April, the following passed the Examination, and their names are arranged in order of merit :—

1. Frederick W. Gilligan.
2. Patrick C. Moore.
3. John H. O'Keefe.
4. Daniel J. O'Connor.
5. Michael J. Hogan, B.A., T.C.D.
6. Patrick Gallagher, B.A., N.U.I.
7. Desmond O'Hagan.
8. John N. R. Macnamara.
9. William A. M. Lee.
10. { James G. A. Byrne, B.A.,
T.C.D.
Thomas F. Twomey. } Equal
12. Basil A. Doyle.

13. John R. McC. Blakeney, B.A., T.C.D.
14. Edward F. English.
15. { Donough O'Donovan.
Hugh G. Sweetman, B.A., } Equal
T.C.D.
17. Christopher Hogan, B.A., T.C.D.
18. Patrick J. McCarthy.
19. Patrick G. Collins.
20. John J. O'Connor.
21. Cecil G. Vanston, B.A., T.C.D.
22. David Fleming, B.A., N.U.I.
23. William F. D'Arcy, B.A., T.C.D.
24. John J. B. Quigley.
25. Bernard Bernstein.
26. Trevor G. B. McVeagh, B.A., T.C.D.
27. Finola A. O'Connor.
28. Vincent P. Corish.
29. Robert G. M. Saunders.
30. { Samuel J. Kyle.
William R. L. Patterson } Equal
Louis Walsh, Jun.
Henry C. Woodcock.
31. Michael E. Fitzgerald.
35. Patrick O'Donnell.
36. James W. O'Donovan.
37. Lancelot U. Smith, B.A., T.C.D.
38. Edward W. Warren.
39. Leo B. Skinner.
40. Patrick J. Durcan.

Sixty candidates attended : forty passed ; twenty failed.

The Council awarded a Silver Medal to Frederick W. Gilligan and a Special Certificate to Patrick C. Moore.

INTERMEDIATE EXAMINATION.

The June Intermediate Examination will be held on Friday, the 6th June, 1930, in 45 Kildare Street, Dublin, at ten o'clock, a.m.

INTERMEDIATE EXAMINATIONS, 1931.

The books for the Theory portion of the Intermediate Examinations to be held in June and October, 1931, will be Anson's Law of Contract, and Ringwood's Outlines of the Law of Torts, and these will be the books to be used at the 1930-31 Junior Lectures Class.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, 45 Kildare Street, Dublin, C.17.



THE GAZETTE

OF THE

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Vol. XXIV, No. 2.]

JUNE, 1930.

[FOR CIRCULATION
AMONGST MEMBERS.

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THE GAZETTE

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Vol. XXIV, No. 2.]

JUNE, 1930.

[FOR CIRCULATION
AMONGST MEMBERS

HALF-YEARLY GENERAL MEETING.

The Half-yearly General Meeting of the Society was held on Friday, the 16th May, at 45 Kildare Street, Dublin, the President (Mr. Peter Seales) in the Chair.

The following members were also present : Messrs. E. H. Burne, T. G. Quirke, A. H. S. Orpen, A. D. Orr, W. V. Seddall, W. T. Sheridan, P. N. Smith, Basil Thompson, R. G. Warren, J. E. MacDermott, C. St. G. Orpen, D. B. Gilmore, K. Walsh, A. Woodcock, V. Kennedy, H. Good, E. R. McC. Dix, D. D. MacDonald, E. J. Mallins, F. E. Bermingham, E. E. Merrick, S. H. Lynch, J. W. Dyas, C. G. Stapleton, F. C. E. Bland, H. Malley, W. H. Fry, T. W. Franks, J. J. Hickey, and M. A. Smyth.

The Secretary read the notice convening the meeting and the Minutes of the Half-yearly General Meeting held on 26th November, 1929, which were signed by the President.

On the motion of Mr. W. T. Sheridan, seconded by Dr. Quirke, the following resolution was unanimously adopted :—

“ That Mr. T. A. Ireland, Mr. E. J. Mallins and Mr. P. Glynn be appointed Auditors of the Accounts of the Society for the year ending 30th April, 1930.”

The President nominated the following members to be Scrutineers of Ballot for Council, to be held on 21st November next :—

Mr. M. Dawson, Mr. R. French, Mr. F. Sharpe, Mr. N. Taylor, and Mr. T. J. Fullerton.

The President (pursuant to notice given at the request of the Council) moved the following resolution :—

“ That the following amendments be made in the Bye-laws of the Society :—

Bye-law 30.—Delete ‘ sixth ’ and insert ‘ first.’

Bye-law 31.—Delete ‘ seventh ’ in two places, and insert ‘ second ’ in both places.

Bye-law 36.—Delete ‘ inside ’ and insert ‘ outside.’ ”

In moving the resolution the President said that the object in amending Bye-laws 30 and 31 was to increase the number of days allowed for printing and circulation of the ballot papers for election of Council. The present Bye-laws allow seven days. This has sometimes been found to be insufficient, and the effect of the amendments to Bye-laws 30 and 31 was to increase the number from seven days to twelve days by fixing the first of November instead of the sixth November as the latest day for lodging a nomination paper.

That the amendment to Bye-law 36 was proposed at the instance of the Scrutineers of the Ballot. The writing by the voter of his name on the inside of the envelope containing the ballot paper causes inconvenience in the reading of the signature of the voter.

Mr. Basil Thompson seconded the resolution, which was passed by the meeting.

THE PRESIDENT, addressing the meeting, said :—

Since the last Half-yearly General Meeting of the Society I regret to say that the Council have lost one of its oldest members. I refer to the late Mr. Henry J. Concanon, who was Provincial Delegate for Connaught for many years and a very useful member of the Council.

There were a considerable number of matters dealt with by the Council since the last Half-yearly Meeting, particulars of which were published from time to time in the GAZETTE of the Society and are within the knowledge of the members of the Society, and, therefore, I do not propose occupying this meeting in going through same.

As regards the Courts of Justice Act, you are aware there was a resolution passed by both houses of the Oireachtas appointing a Joint Committee of the Dáil and the Senate to consider and report what amendments (if any) were required in the Court of Justice Act, 1924, and the Acts amending same, and any other statute affecting the civil jurisdiction of the Courts of Saorstát Eireann. The Council appointed a Special Committee to consider what matters should be dealt with in evidence to be given on behalf of the Council before the Committee referred to. After giving the matter very careful consideration, it was decided that Dr. Quirke and Mr. L. J. Ryan should give evidence on behalf of the Council. In addition, I attended before the Committee and gave evidence, and other members of the Council and some members of the profession also attended and gave evidence, and it is hoped that the Report of the Joint Committee will shortly issue, and that legislation will be then introduced to carry into effect such recommendations of the Committee as will improve the existing Acts.

As regards the Circuit Court Rules, these were signed by the Committee in February last, and laid on the table of the House in accordance with the Standing Orders, and on the 12th March, after a resolution approving of the rules, moved by the Minister, was discussed in the Dáil, it was decided that they should not be approved of, pending the issue of the joint report already referred to.

I am very pleased to announce that there has been a move on quite recently to amend the Rules of the High Court, including the rules relating to Revenue proceedings; and I hope that later on we will have one set of complete rules which we can understand, and be in a position to decide with some degree of certainty as to the proper procedure to adopt in instituting proceedings. At present I am certain there are a number of Solicitors, when about to institute proceedings, who are not quite certain of what procedure they should adopt. This I expect will be dealt with clearly in the new rules to which I have referred, and will be very welcome and acceptable, I hope, to the Solicitors' profession generally. There is also a move on at present to facilitate the taxation of costs in Land Commission matters by referring same to the Taxing Masters of the High Court. At present there is some delay in the Solicitor's Department of the Land Commission as regards taxation of costs, through no fault of the Solicitor, who is not able to reach the several matters requiring his attention.

In conclusion, I should like to thank the members of the Council, and also Mr. Wakely, for the great assistance that I have received from them in the conduct of the business of the Council since my appointment as President.

MR. VINCENT KENNEDY drew attention to the small salaries being now fixed for the office of Solicitor to District Councils throughout the country when that office becomes vacant. He also referred to the recent correspondence between the Council and the Minister for Justice in reference to the employment of United States Solicitors.

MR. W. T. SHERIDAN drew attention to the fact that motor insurance policies taken out by Solicitors do not cover accidents arising when the Solicitor is travelling on business, unless so specially provided in the policy.

THE PRESIDENT stated that so long as Solicitors are found ready to accept the Solicitorships to District Councils at the salaries offered, the Council cannot interfere, and the other matter referred to by Mr. Kennedy would receive attention from the Council.

MEETING OF THE COUNCIL.

May 22nd.

Twenty-five Members present.

Courts of Justice Acts.

A letter was read in reply from the Secretary of the Joint Committee on the Courts of Justice Acts, stating that the Committee are fully conversant with the arguments bearing on a matter on which the Council were prepared to tender further evidence, and that it would not be necessary; that the Committee desire to proceed at once with the drafting of their report, and conveying to the Society the appreciation of the Committee of the assistance given by the Society to the Committee in the conduct of the inquiry.

Land Registry.

A letter was read from the Chief Clerk, Central Office, Land Registry, enclosing copy correspondence with the Revenue Commissioners, from which it appeared that (in accordance with the opinion of the Attorney-General, referred to in previous correspondence on the subject of the liability to stamp duty of certified copies of folios) the re-issue of a certified copy of a folio, with additional entries in the register entered and certified thereon, renders it liable to further duty, and that in future no copy folio with an additional entry in the register thereon will be re-certified until the copy is stamped with the additional stamp duty of one shilling in respect of such re-certifying.

OBITUARY.

MR. THOMAS O'FARRELL, Solicitor, died upon the 7th May, 1930, at his residence, 4 Raglan Road, Dublin.

Mr. O'Farrell served his apprenticeship with Mr. M. Cartan O'Meara, Dublin; was admitted in Michaelmas Sittings, 1896, and practised at 27 South Frederick Street, Dublin.

MR. WILLIAM M. POWELL, Solicitor, died upon the 20th May, 1930, at Davos-Dorf, Switzerland.

Mr. Powell served his apprenticeship with his father, the late Mr. J. H. Powell, Dunmanway, and Mr. James R. Barry, Fermoy;

was admitted in Trinity Sittings, 1928, and practised at Dunmanway, County Cork.

MR. WILLIAM FOSTER, Solicitor, died upon the 23rd May, 1930.

Mr. Foster served his apprenticeship with the late Mr. R. H. Todd, Londonderry; was admitted in Hilary Sittings, 1889, and practised at Londonderry.

SOLICITORS' BENEVOLENT ASSOCIATION

Mr. Dinnen B. Gilmore, Solicitor, who for the past four years has been Secretary to the Solicitors' Benevolent Association, has been recently appointed Senior Assistant Solicitor to the Bank of Ireland, in room of Mr. R. Cecil Joy, resigned. Consequent upon such appointment Mr. Gilmore has found it necessary to tender his resignation of the office of Secretary, which the Directors of the Association have accepted with much regret, and they have expressed, by resolution, their appreciation of the valuable services rendered by Mr. Gilmore to the Association, and their good wishes for his future.

DISTRICT PROBATE REGISTRY, TUAM.

The Minister for Justice has made an Order under Section 56 of the Court Officers Act, 1926, which provides as follows:—

1. The District Probate Registry at Tuam is hereby closed.

2. Applications for probates of wills and letters of administration in cases in which the testator or intestate (as the case may be) at the time of his death had a fixed place of abode in County Galway may be lodged with the County Registrar for County Galway and the like applications, in cases in which the testator or intestate (as the case may be) had a fixed place of abode in County Roscommon may be lodged with the County Registrar for County Roscommon. The County Registrar with whom such applications are lodged shall transmit such applications to the Principal Probate Registry, and the relative probates or letters of administration if and when issued by the Principal Probate Registry shall be transmitted from the Principal Probate Registry to the County Registrar for delivery to the person entitled thereto.

SOLICITORS' APPRENTICES' DEBATING SOCIETY.**Awards for Session 1929-1930.**

Oratory :—Incorporated Law Society's Gold Medal, D. J. O'Connor; Society's Silver Medal, D. F. O'Shea.

Incorporated Law Society's Special Certificate :—E. A. J. Plunkett, T. A. Buckley.

Legal Debate :—President's Gold Medal, D. J. O'Connor; Society's Silver Medal, E. A. J. Plunkett.

Impromptu Speeches :—Vice-President's Gold Medal, E. A. J. Plunkett; Vice-President's Silver Medal, C. H. Browne.

Composition :—Incorporated Law Society's Gold Medal, D. F. O'Shea.

" PARTICULARS DELIVERED "
STAMPS.

A letter in reply has been received from the Revenue Commissioners intimating that, in accordance with a request from the Council, they have given instructions that, in future, acknowledgments of the receipt, for deeds lodged to have the "Particulars Delivered" stamp impressed are to be issued in all cases.

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THE GAZETTE

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Vol. XXIV, No. 3.]

JULY, 1930.

[FOR CIRCULATION
AMONGST MEMBERS.

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THE GAZETTE

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Vol. XXIV, No. 3.]

JULY, 1930.

[FOR CIRCULATION
AMONGST MEMBERS

MEETING OF COUNCIL.

19th June.

Twenty-eight Members present.

Commissioners for Oaths.

The Council received a letter from a member of the Society asking the opinion of the Council on the question: "Should a Solicitor, who is conducting a conveyancing matter in the course of which his client executes a deed and memorial which are witnessed by the Solicitor's partner or assistant, take the affidavit of the attesting witness for the purpose of registration in the Registry of Deeds Office"?

The question having been referred to the Privileges Committee for consideration, a report thereon from that Committee was submitted. The Council adopted the report, and resolved to send the following reply to the question:—

"The Council are of opinion that having regard to Rules 17 and 18 of Order XXXVIII. of the High Court Rules of 1905, Commissioners should not take affidavits in non-contentious matters arising in their own offices."

Land Registry.

The question of the inconvenience arising from the sale of Land Registry forms and stamps for use in the Central Office being carried on in the Ormond, Quay Post Office, to which a member of the Society had by letter drawn the attention of the Council,

was considered. The President reported the purport of an interview he had on the matter, as a result of which the Council decided that no useful action can be taken in the matter pending the opening of a Stamp Office in the new Courts of Justice, when they are occupied.

OBITUARY.

MR. WILLIAM HODNETT, Solicitor, died upon the 1st June, 1930, at his residence, Nelson House, Youghal, County Cork.

Mr. Hodnett served his apprenticeship to his father, the late Mr. Jeremiah Hodnett; was admitted in Hilary Sittings, 1878, and practised at Youghal.

MR. HENRY CRAWFORD McCAY, Solicitor, died upon the 13th June, 1930.

Mr. McCAY served his apprenticeship to his uncle, the late Mr. John S. McCay; was admitted in Michaelmas Sittings, 1903, and practised at Londonderry.

SOLICITORS' BENEVOLENT ASSOCIATION

A meeting of the Directors of the Solicitors' Benevolent Association was held upon 25th June, at which Sir George Roche was in the chair, and twenty-three other Directors were present.

The Board elected Mr. Patrick Glynn, Solicitor, of 22 Nassau Street, Dublin, to be Secretary of the Association, in room of Mr. D. B. Gilmore, resigned.

APPOINTMENT.

Mr. W. H. Fogerty, Solicitor, of 1 Bank Place, Ennis, Co. Clare, has been appointed a Commissioner of Deeds for New York State, U.S.A.

INCOME TAX.

The following paragraph appeared in the "Times" of 22nd October, 1928. It deals with a matter in reference to which members of the profession make enquiry from the Society from time to time. The paragraph was inserted in the Society's GAZETTE of November, 1928, and is reproduced in this GAZETTE owing to frequent enquiries on the subject dealt with.

"Solicitors and Inland Revenue Demands.

"A recent issue of the 'Solicitors' Journal' contains a strong protest on behalf of members of the legal profession with regard to the demands now made by inspectors of taxes for information which is obviously of a confidential character. Solicitors rightly believe that the confidence which their clients repose in them should be regarded as inviolable. The predicament, therefore, in which the practitioner finds himself on receipt of a demand from an inspector of taxes for a return of income received on behalf of clients is a very real one. The 'Solicitors' Journal' says:—

"We have previously drawn attention to this requirement by the revenue authorities, and, for some months following our remarks, an appreciable slackening on the part of inspectors in this connection was reported to us. We understand, however, that, heartened by the decision in Attorney-General v. National Provincial Bank, Ltd., the officials are now pressing for returns as energetically as before. There can be little doubt that Section 103 of the Income Tax Act, 1918, does give the revenue authorities power to call for such returns, and it is unlikely that the Board will be persuaded to forego these powers. Nothing short of a change in the law, therefore, can alter the unenviable position in which practitioners are placed by the provisions of this Section. On the one hand, they are required by all legal and moral standards of conduct and

etiquette to maintain the strictest secrecy with regard to the affairs of their clients. On the other hand, the law requires that they should divulge to officials the information they regard with such confidential respect. The facts of the situation must be made known in order that Parliament may make the necessary amendments in the law, for such a state of affairs must not be allowed to continue."

"The case for a reconsideration of Section 103 seems clear."

SOLICITORS' GOLFING SOCIETY.

The Competition for the Society's Cup was held at Carlow on the 17th June. Over 54 members of the Society were present. The following were the best scores returned:—

W. S. Huggard	...	...	76
D. J. Collins	...	...	76
F. G. McKeever	...	...	76
J. D. Hollinger	...	...	76
A. Houlihan	...	...	76
P. A. Brown	...	...	77
W. T. Sheridan	...	...	77
S. A. Roche	...	...	77
J. D. McLoughlin	...	...	77

In the Foursome Sweepstakes Messrs. P. C. Furlong and B. R. Doran, all square, tied with A. G. Joyce and M. J. Crotty.

The President of the Incorporated Law Society presided over a dinner in the evening.

The following were elected Officers for the coming year:—

President.—The President of the Incorporated Law Society.

Captain.—C. St. G. Orpen.

Committee.—Messrs. R. G. Warren, B. Thompson, P. Seales, C. O'Brien, J. T. Hamerton, and J. J. Sheil.

Hon. Sec.—H. Horan.

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THE GAZETTE

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Vol. XXIV, No. 4.]

AUGUST, 1930.

[FOR CIRCULATION
AMONGST MEMBERS.

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Vol. XXIV, No. 4.]

AUGUST, 1930.

[FOR CIRCULATION
AMONGST MEMBERS

MEETINGS OF THE COUNCIL.

10th July, 1930.

Twenty-four Members present.

Land Registry Folios.

A letter in reply was read from the Revenue Commissioners stating that owing to the provisions of Section 2 of the Stamp Act of 1891, they could not comply with the suggestion of the Council that the Revenue stamp duty of one shilling payable on a Land Registry folio on each occasion of its being written up might be payable by an adhesive Revenue stamp.

31st July, 1930.

Twenty-eight Members present.

Mr. Arthur A. Greene.

It was resolved that a letter be written to Mr. Arthur A. Greene on the occasion of his retiring from the office of Assistant Probate Registrar, expressing appreciation of his courtesy to members of the profession, and the good wishes of the Council.

Four Courts Buildings.

A report was read from the Society's Architect, Mr. Richard C. Orpen, R.H.A., stating that satisfactory progress is being made in the building of new premises for the Society at the Four Courts.

Land Commission Costs.

It was resolved that a letter be written to the Minister for Justice pointing out the

necessity for an increase in the clerical staff of the High Court Taxing Office, owing to the taxation of Land Commission costs being transferred to a Taxing Master of the High Court.

Adjournment.

The Council adjourned until 2nd October, unless specially summoned.

NEW MEMBERS.

The following have joined the Society :—

James G. A. Byrne, Wexford.

Frederick W. Gilligan, 1 Lr. Ormond Quay, Dublin.

Samuel J. Kyle, Sligo.

Charles J. Laverty (Junior), Castleblayney.

Daniel J. O'Connor, 42 St. Stephen's Green, Dublin.

Patrick J. O'Neill, Athy.

Adelaide M. Quin, Ardee.

APPOINTMENT.

Mr. Laurence A. Conroy, Solicitor, Ballinasloe, has been appointed an Assistant Justice of the District Court in Saorstát Eireann.

IRISH LAND COMMISSION.**Taxation of Costs.**

The Irish Land Commission, on the 15th day of July, 1930, made the following new rule, and on account of urgency directed that same should come into operation forthwith as a Provisional Rule:—

Provisional Rule under the Land Purchase Acts amending the Provisional Rules dated 5th February, 1924.

15th day of July, 1930.

It is this day ordered by the Irish Land Commission in pursuance of the powers conferred by sub-section (6) of Section 29 of the Purchase of Land (Ireland) Act, 1891, and Section 76 of the Land Act, 1923, and of every other power the said Commission thereunto enabling, and after consultation with the President of the Incorporated Law Society of Ireland as follows:—

Rule 3 of Order XLVII. of the Provisional Rules under the Land Purchase Acts dated the 5th day of February, 1924, is hereby rescinded and the following Rule is substituted therefor and is to be read as if it were incorporated in Order XLVII.:—

3. In the absence of any agreement to the contrary between a Solicitor and his client, the costs incurred in the course of proceedings in the Land Commission under the Land Purchase Acts shall be taxed according to the schedule of fees in the appendix to the said Provisional Rules of the 5th day of February, 1924. Such costs shall be taxable by a Taxing Master of the High Court on notice to the person or persons against whom the costs are awarded, or by whom, or out of whose funds such costs are liable to be paid; provided always that the Taxing Officer may require the person whose costs are being taxed to obtain a certificate from the Examiner as to who should have notice of the taxation. The certificate of the Taxing Officer shall be final if not varied by the Court.

IRISH MANUSCRIPTS COMMISSION.

The Commission has issued *Analecta Hibernica* No. I., being the first volume containing details of work done by the Commission. A copy can be seen in the Library of this Society.

EXAMINATION RESULTS.

At the Intermediate Examination held on 6th June the following passed the examination:—

PASSED WITH MERIT.

1. Michael C. Black.
2. Judah L. Lapedus.
3. John J. O'Donnell.
4. Cathal L. Flynn.
5. Michael O'Meara.
6. Nicholas A. Byrne } equal.
Richard C. Faris }

PASSED.

1. Thomas McHugh.
2. Timothy A. Buckley } equal.
Kevin Corcoran }
4. Malachy S. Mathews } equal.
Fergus J. Power }
Joseph F. Shields }
7. John B. Sullivan.
8. Sydney E. Cooper.
9. Brendan A. McGrath.
10. Bernard J. A. Connolly.
11. Michael J. Garvey.
12. John G. Regan.
13. Dermot J. O'Rourke.
14. Edward Daly } equal.
Francis H. Purcell }
16. James J. Sexton.
17. William J. S. Carlos.

Thirty-five candidates attended: twenty-four passed; eleven failed.

INTERMEDIATE EXAMINATIONS, 1931.

The books of the Theory Course at the June and October Intermediate Examinations, 1931, will be Anson on Contracts and Ringwood on Torts.

W. E. WYLIE.

KEVIN R. O'SHIEL.



EXAMINATIONS.**October, 1930...**

The Intermediate Examination will be held on Friday, the third day of October, at ten o'clock a.m.

Notice of intention to attend should be lodged in the Secretary's Office, 45 Kildare Street, Dublin, before 12th September.

The Final Examination will be held on Monday and Tuesday, the sixth and seventh days of October, at ten o'clock a.m. each day.

Notice of intention to attend should be lodged in the Secretary's Office, 45 Kildare Street, Dublin, before 16th September.

The Preliminary Examination will be held on Wednesday and Thursday, the eighth and ninth days of October, at ten o'clock a.m. each day.

Notice of intention to attend should be lodged in the Secretary's Office, 45 Kildare Street, Dublin, before 16th September.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society 45 Kildare Street, Dublin, C.17

LECTURES, 1930-31.**Michaelmas Sittings, 1930.**

The Professor of Common Law will deliver lectures to the Junior Class on the following days:—

October 22, 23, 29, 30.

November 5, 6, 12, 13, 19, 20, 26, 27.

Notice of intention to attend the lectures, together with fee of three guineas, should be sent to the Secretary, 45 Kildare Street, Dublin, before 8th October.

Anson on Contracts and Ringwood on Torts will be the books dealt with by the Professor.

The Professor of Real Property, Equity, and Conveyancing will deliver lectures to the Senior Class on the following days:—

October 21, 24, 28, 31.

November 4, 7, 11, 14, 18, 21, 25, 28.

Notice of intention to attend the lectures, together with fee of three guineas, should be sent to the Secretary, 45 Kildare Street, Dublin, before 9th October.

Williams' Real Property, and Snell's Equity will be the books dealt with by the Professor.



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXIV, No. 5.]

NOVEMBER, 1930.

[FOR CIRCULATION
AMONGST MEMBERS.

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THE GAZETTE

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Vol. XXIV, No. 5.]

NOVEMBER, 1930.

[FOR CIRCULATION
AMONGST MEMBERS

BALLOT FOR COUNCIL.

The ballot for election of Council will be held on Friday, 21st November, from eleven o'clock to one o'clock, in the Secretary's Office, 45 Kildare Street, Dublin. Voting papers should reach the Secretary not later than one o'clock on the 21st November.

HALF-YEARLY GENERAL MEETING.

The Half-yearly General Meeting of the Society will be held at half-past two o'clock, p.m., on Wednesday, the 26th November, in the Offices of the Society, 45 Kildare Street, Dublin.

MEETINGS OF THE COUNCIL.

2nd October.

Twenty-three Members present.

Land Commission—Taxation of Costs.

It was resolved that steps be taken to urge the necessity for arrangements being made for the taxation of Land Commission costs by the Taxing Masters, in accordance with the Land Acts rule recently made.

23rd October.

Twenty-seven Members present.

Applications under Section 18.

Letters were read from the Secretary of the Chief Justice, intimating the refusal of the Chief Justice of two applications under Section 18 of the Solicitors (Ireland) Act, 1898; the one for exemption from, and the other for modification of, the Preliminary Examination.

Income Tax Inspectors.

A letter was read from a member drawing attention to delay experienced in conveyancing matters in obtaining the certificate in regard to Income Tax under Section 6 of the Finance Act, 1928, owing to difficulty in ascertaining the Income Tax Districts in which premises are situate, and the name and address of the Inspector, and suggesting the issue of a list containing information on the matter. It was resolved to communicate on the subject with the Revenue Commissioners.

Civil Service Compensation Committee.

A communication was received from a member suggesting that the Council should make representations to secure that where Solicitors appear for claimants before the Civil Service Compensation Committee the decisions arrived at should be communicated to the Solicitors. It was resolved to make the suggestion as requested.

Annual Report.

The draft Annual Report of the Council was considered, and adopted.

OBITUARY.

MR. CLAUDE J. LAW, Solicitor, died upon the 3rd August, 1930, at his residence, 7 Castle Park Road, Kingstown, Co. Dublin.

Mr. Law served his apprenticeship with the late Mr. Alfred Norman, Dublin; was admitted in Michaelmas Sittings, 1902, and practised at 60 Dawson Street, Dublin.

MR. WILLIAM HEALY, Solicitor, died upon the 4th August, 1930, at his residence, "Springfield," Ennis, Co. Clare.

Mr. Healy was admitted in Trinity Sittings, 1883, and practised at Ennis.

He was appointed Clerk of the Crown for County Clare in 1903, Clerk of the Crown and Peace in 1911, and subsequently County Registrar, which position he occupied up to 1929 when he retired.

MR. WILLIAM O'K. WHITE, Solicitor, died upon the 5th August, 1930, at Dublin.

Mr. White served his apprenticeship with his father, the late Mr. Thomas O'K. White, Edenderry, Offaly; was admitted in Trinity Sittings, 1914, and practised in partnership with Mr. William J. Craig under the style of Thomas O'K. White & Son, at Edenderry.

MR. PATRICK J. SHERIDAN, Solicitor, died upon the 27th August, 1930, at the Neale, Co. Mayo.

Mr. Sheridan served his apprenticeship with the late Mr. Thomas J. Healy, Wexford,

and Mr. Patrick A. Chance, Dublin; was admitted in Trinity Sittings, 1899, and practised formerly at 12 Suffolk Street, and recently at 110 Grafton Street, Dublin.

MR. SIDNEY M. BELL, Solicitor, died upon the 31st August, 1930, at North Devon Infirmary, Barnstable, County Devon.

Mr. Bell served his apprenticeship with his father, the late Mr. Alexander Bell, Dublin; was admitted in Hilary Sittings, 1906, and practised at 3 Molesworth Street, Dublin, under the style of Alexander Bell & Sons.

MR. VICTOR M. BLACKBURNE, Solicitor, died upon the 1st September, 1930, at his residence, High Street, Carrickfergus, County Antrim.

Mr. Blackburne served his apprenticeship with his father, the late Mr. Henry Blackburne, Belfast; was admitted in Trinity Sittings, 1908, and practised at 58 Donegall Street, Belfast, and at Carrickfergus up to 1927.

MR. FREDERICK L. MAXWELL, Solicitor, died upon the 10th September, 1930, at his residence, "The Pavilion," Armagh.

Mr. Maxwell served his apprenticeship with the late Mr. Edwin Best, Armagh; was admitted in Hilary Sittings, 1904, and practised at Armagh.

MR. JAMES DUFF, Solicitor, died upon the 25th October, 1930, at his residence, Richmond Terrace, Armagh.

Mr. Duff was admitted in Hilary Sittings, 1887, and practised at Armagh.

NEW MEMBERS:

The following have joined the Society:—

Francis Armstrong, Sligo.

Laurence F. Branigan, Drogheda.

James P. Kennedy, 63 Upper O'Connell Street, Dublin.

Francis J. McEntee, 17 D'Olier Street, Dublin.

Louis C. Murphy, Dundalk.

Martin J. Neilan, Roscommon.

Alfred V. G. Thornton, Castlereagh.

Land Commission Examiners.

A Civil Service advertisement recently appeared inviting applications from barristers for the position of temporary Examiner of

Titles in the Land Commission, at a salary of £70 monthly. Owing to representations made by the Council, the advertisement has been issued in an amended form, so as to invite applications from barristers and solicitors, and extending the time for the receiving of applications to the 22nd November, 1930. Particulars may be obtained from the Secretary, Civil Service Commission, 45 Upper O'Connell Street, Dublin, C.8.

SOLICITORS' GOLFING SOCIETY.

The Autumn Competition was held at Dollymount, on the 1st instant, at which forty members competed. The following were the prize-winners:—

COUNCIL CUP—T. F. McKeever, 84, 14—70; S. A. Roche, 85, 10—75; P. Glynn, 91, 12—79.

Best Gross—D. Collins, 82.

VETERANS' CUP—T. Early and C. O'Brien tied with 80 nett.

FOURBALL—T. Early and T. Noonan (7 up) D. R. Pigot and D. Collins (5 up); J. Dixon and P. Boyd (3 up).

EXAMINATION RESULTS.

At the Preliminary Examination held on 8th and 9th October, the following passed the examination, and their names are arranged in order of merit:—

1. Patrick K. McC. Rogers.
2. Edward A. O'Connell.
3. Augustine E. J. Baldwin.
4. John S. G. Sealy.
5. Edward R. Panim.
6. Michael R. Boland.
7. Joseph Sadleir.
8. Bridget Hogan.
9. James D. Clenaghan.
10. John P. Mangan.
11. Maurice McGrath.

Fifteen candidates attended: eleven passed; four were postponed.

Preliminary Examination Prizes, 1930.

A Silver Medal was awarded to Patrick K. McC. Rogers, and Special Certificates to Isaac J. Nolan and Edward A. O'Connell.

Intermediate Examination.

At the Intermediate Examination held on 3rd October, the following passed the examination:—

PASSED WITH MERIT.

1. John P. Dunne.
2. Edward M. O'Beirne.
3. Robert Humphries.
4. Thomas F. Dempsey.
5. Roger P. Greene } equal
- Patrick D. Jordan }
7. James A. English.
8. Alfred G. Cooke.

PASSED.

1. Timothy J. Hegarty.
2. Dominick H. Kearns.
3. Timothy J. O'Keeffe.
4. Richard P. Callaghan } equal
- Francis P. Howley }
6. James E. G. MacDonagh.
7. Fionnguala O'Beirn.
8. David Fitzgerald.
9. William Quinn.
10. Thomas J. Bernardi } equal
- Joseph A. M. Deane }
12. Samuel McD. A. Kennedy.
13. William M. Mullan } equal
- Patrick J. F. O'Brien }
15. James L. McLoughlin.
16. Michael J. K. Dore.
17. John Deegan.
18. Patrick Groarke.

Thirty-four candidates attended : twenty-six passed ; eight were postponed.

Final Examination.

At the Final Examination held on the 6th and 7th October, the following passed the examination, and their names are arranged in order of merit :—

1. Francis J. Gannon.
2. Catherine T. Tynan.
3. Edith G. Keller, B.A., T.C.D.
4. Patrick O'Brien, B.A., N.U.I.
5. Bernard Finegan.
6. James J. O'Hanrahan.
7. George E. Henderson.
8. Niall D. McLaughlin, B.A., N.U.I.
9. John N. Duff, B.A., N.U.I.
10. Lyndon G. C. Lett, B.A., T.C.D.
11. Isadore V. Elyan, B.A., T.C.D.
12. Walter A. Smithwick.
13. Charles Browne } equal
- Robert McD. Taylor }
15. Adam J. N. Reid, B.A., T.C.D.
16. Michael J. Maguire.
17. Paul Tighe.
18. Peter A. Fitzpatrick.

19. Peter J. O'Connor.
20. Francis Farrell.
21. Dermot P. Morris. } equal
- Dermot G. O'Donovan }
23. Peter V. Doyle.
24. Joseph Allen } equal
- Alexander Marshall }
26. Michael V. Fay.
27. Alan G. Murray.
28. Desmond J. O'Malley.
29. John J. Walsh.
30. James A. Geary, B.A., N.U.I.
31. Doreen S. Gillespie, } equal
- B.A., T.C.D. }
- Nora M. O'Shiel }
33. Keith M. Meares.
34. George J. Geraghty.
35. Patrick J. McCrann.
36. Michael P. MacCarthy.
37. Timothy Lynch.
38. Michael Duigan.
39. Michael J. Kiernan.
40. Robert M. Bell, B.A., T.C.D.
41. John Healy, B.A., T.C.D.
42. Dudley Walsh.

Sixty-five candidates attended : forty-two passed ; twenty-three were postponed.

A Gold Medal was awarded to Francis J. Gannon ; Silver Medals to Catherine T. Tynan and Edith G. Keller, B.A., T.C.D. ; and Special Certificates to Patrick O'Brien, B.A., N.U.I., Bernard Finegan, James J. O'Hanrahan and George E. Henderson.

SCHOLARSHIPS, 1930.

The Overend Preliminary Examination Scholarship was awarded to Patrick K. McC. Rogers, who intends entering into Indentures of Apprenticeship with Mr. Patrick E. Rogers, Ballyshannon.

The Overend Final Examination Scholarship was awarded to Patrick Christopher Moore, who served his apprenticeship with Mr. Patrick F. O'Reilly, Dublin.

The Findlater Scholarship was awarded to Frederick W. Gilligan, who served his apprenticeship with Mr. W. J. Norman, Dublin.

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DECEMBER, 1930.

[FOR CIRCULATION
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DECEMBER, 1930.

[FOR CIRCULATION
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HALF-YEARLY GENERAL MEETING.

The Half-yearly General Meeting of the Society was held at 45 Kildare Street, Dublin, on Wednesday, 26th November. The chair was occupied by the President (Mr. Peter Seales), and the following members were present:—W. G. Bradley, E. F. Collins, T. H. R. Craig, T. W. Delany, E. J. Mallins, H. P. Mayne, A. D. Orr, P. J. Sullivan, T. G. Quirke, W. T. Sheridan, Patk. Tallan, Basil Thompson, H. K. Toomey, J. T. Wolfe, Edward Condell, C. Gore-Grimes, C. M. Russell, E. R. McC. Dix, L. J. O'Neill, V. Kennedy, R. H. Morris, D. D. MacDonald, G. M. Porter, C. J. Joyce, F. C. E. Bland, Ivan Howe, H. R. Maunsell, E. J. Kenny, R. G. Warren, C. St. G. Orpen, Leonard Webb, D. B. Gilmore, C. J. Rutherford, H. Malley, P. Glynn, F. E. Fetherstonhaugh, Kevin Walsh, J. G. Oulton, R. W. Oulton, D. R. Pigot, J. W. Lane, F. S. Collins, R. W. MacNeice, J. P. Collins, W. H. Fry, F. E. Bermingham, V. F. Kirwan, A. Woodcock.

The Secretary read the notice convening the meeting, also the minutes of the previous General Meeting, which latter were signed by the Chairman.

The Chairman, with the consent of the meeting, signed the audited accounts of the Society for the year ending 30th April, 1930.

The Secretary read the Report of the Scrutineers of the ballot for Council, which stated that the following had been returned unopposed as Provincial Delegates:—Ulster,

William Martin; Munster, J. S. Gaffney; and Leinster, M. Buggy. That for Connaught two candidates had been nominated, and had received the number of votes placed after their respective names:—Christopher E. Callan, 13; Frederick B. MacDonogh, 11; and the Scrutineers returned Christopher E. Callan elected Provincial Delegate for Connaught, and Frederick B. MacDonogh as Supplemental in case of a vacancy. That for the thirty-one ordinary members of the Council the following had been elected, and received the number of votes placed after their respective names:—Peter Seales, 365; T. W. Delany, 342; P. Tallan, 331; J. J. Duggan, 331; L. J. Ryan, 328; T. G. Quirke, 326; J. T. Wolfe, 314; E. F. Collins, 301; J. J. Lynch, 299; D. J. Reilly, 290; Peter O'Connor, 289; P. J. O'Sullivan, 286; E. H. Burne, 277; W. T. Sheridan, 276; T. H. R. Craig, 276; W. S. Hayes, 274; P. N. Smith, 265; Charles Lavery, 264; H. K. Toomey, 262; E. M. Fitzgerald, 261; W. G. Bradley, 257; J. R. Brennan, 254; Basil Thompson, 252; M. E. Knight, 247; P. E. O'Donnell, 246; A. H. S. Orpen, 240; W. V. Seddall, 224; H. P. Mayne, 220; E. J. Mallins, 220; A. D. Orr, 215; G. A. Overend, 213. And the following to form a supplemental list in case of vacancies:—T. Byrne, 210; J. B. Hamill, 200; J. J. Sheil, 195.

THE PRESIDENT, addressing the meeting, stated the Society had lost through deaths during the year several members, and he desired to move a resolution expressing

the regret of the meeting at the passing of these members and of sympathy with their relations. The resolution was passed by the meeting.

THE PRESIDENT, in moving the adoption of the Report of the Council for the past year, said:—I should like to refer to the fact of Mr. Warren's retirement from the Council. Mr. Warren would not allow his name to go forward for the present election, and consequently, I regret to say, the new Council during their year of office will not have the benefit of his sound judgment and advice. He has been for twenty-three years a member of the Council, and he is a past President of the Society, and he and I have been colleagues on the Council for twelve years, and I never met a more loyal and helpful one.

The Council has had a heavy year of work since my election as President last December, and I feel satisfied that the Council has done a good deal of useful work during my time in the interest of the profession. The fact that the Council have held fifteen meetings since its election, and that forty-six meetings of the Committees of the Council have been held indicates in a small way the amount of work disposed of during the year. Any Solicitor who has not served up to the present upon the Council can scarcely appreciate the amount of work the Council have to perform from time to time, and I personally should like to thank Mr. Wakely and the members of the profession who acted on the Council for the past year for the valuable assistance I received from each and every one of them during my year of office.

Membership of Society.

As regards the membership of the Society, you will see from the Report that there are 1,032 practising Solicitors in the Irish Free State, and that only 656 are members of the Society. The membership should be much larger; I consider that every Solicitor on the Roll should be a member of the Society. I earnestly appeal to any Solicitor on the Roll who is not a member of the Society to join forthwith.

Circuit Court Rules.

It is very disappointing, through no fault of the Council, that up to the present the

Circuit Court Rules have not passed the Dáil. The Rules were signed by the Committee in February last, and laid on the table of the House in accordance with the Standing Orders, and on the 12th of March, after same were discussed in the Dáil, it was decided that they should not be approved of, pending the issue of the Report of the Joint Committee appointed to consider what amendments (if any) were required in the Courts of Justice Acts. I am pleased to say that this Report has been completed, and that within a very short time it is to be discussed in the Dáil, and it is hoped that early in the coming year the Rules will be issued, and legislation introduced to carry into effect such of the recommendations of the Committee as will improve the existing Acts relating to the Courts of Justice. I expect that immediately after legislation is passed dealing with the amendments of the Courts of Justice Acts, to which I have referred, that there will be a complete set of new Rules prepared dealing generally with High Court proceedings.

Police Reports.

In the early part of this year it came to the knowledge of the Council that copies or extracts from police reports in reference to street accidents would not be furnished by the authorities. The Council having given the matter careful consideration decided that a deputation, consisting of myself and Mr. E. H. Burne, should wait on the Minister for Justice and place before him the importance of being furnished with the reports; and after discussing the matter at some considerable length with the Minister, he stated he would give same due consideration with the result that a direction has been given that extracts from the reports will be now furnished to any party interested making application for same on payment of a fee of five shillings. This is very satisfactory, and I desire to thank the Minister on behalf of the Council for the courteous manner in which he met the deputation and for complying with the request of the Council.

Land Commission Costs.

The question of the taxation of costs in Land Commission matters by the Taxing Masters was also under the consideration of the Council. There was some little delay in

completing the taxations owing to the fact that it was necessary to have an additional clerk appointed to the Taxing Office. This has now been done, and there is now no difficulty in the taxation and certifying the costs referred to.

Civil Service Compensation Committee.

As regards claims that came before the Civil Service Compensation Committee: Hitherto the claimants were informed of the decision of the Committee, and the Solicitor acting for the claimant was not informed thereof. The Council communicated with the office of the Minister for Finance on the subject, with the result that in all future cases the decision of the Committee will be communicated to the Solicitor and also to the claimant.

Land Commission Examiners.

Recently there appeared an advertisement in the daily papers inviting applications from Barristers for the position of Temporary Examiner of Titles in the Land Commission at a monthly salary of £70. Owing to representations made by the Council the advertisement was issued in an amended form so as to invite applications from Barristers and Solicitors, and extending the time for the sending in of the applications. I expect, having regard to the number of pending cases in the Land Commission, that a number of Examiners will have to be appointed, and there is no reason why Solicitors should not be appointed to the position. One of the Senior Examiners at present in the Land Commission was a practising Solicitor when he was appointed to the position.

Legal Diary.

The question of the publication of the Legal Diary during times when there are sittings of the Circuit Court, but not of the High Court, came before the Council, and the proprietors of the Legal Diary have been communicated with on the subject.

Four Courts.

It is to be observed that the rebuilding of the Four Courts is nearing completion, and it is expected that same will be ready for occupation in about July or August of the coming year.

Northern Law Society.

On to-night the annual dinner of the Council of the Northern Law Society is to take place. I regret that I was unable to accept the kind invitation which I received from the President to attend same, but one of our Vice-Presidents, Mr. Reilly, and also Mr. Lynch, an ex-Vice-President, are to take part in the function and represent the Council of this Society thereat. I desire to say that our relations with our Northern brethren are, and have been, of a most cordial and friendly nature, and I sincerely hope that such relationship will long continue to exist.

Royal College of Surgeons.

Before concluding I should like to thank the President and Council of the Royal College of Surgeons for their continued kindness in allowing our lectures and examinations to be held on their premises.

MR. W. T. SHERIDAN seconded the adoption of the Annual Report.

MR. VINCENT KENNEDY referred to matters which he had brought before the previous General Meeting and which were not mentioned in the Report. The salaries, in some instances, offered for the office of Solicitor to local Councils was wholly inadequate and ought not to be accepted, and the Council of this Society ought to take action to prevent the acceptance by Solicitors of these inadequate salaries.

THE PRESIDENT said that so long as Solicitors were found ready to accept the positions the Council could not interfere. It was a matter for the local Sessional Bars to deal with.

MR. CRAIG agreed with the President, and stated that the matter should be considered by the Sessional Bars when vacancies arise.

THE PRESIDENT put the resolution for the adoption of the Report and it was passed.

The second chair having been taken by Mr. W. T. Sheridan.

On the motion of Dr. T. G. Quirke, seconded by Mr. T. W. Delany, a hearty vote of thanks was passed to the President for the manner in which he had discharged the duties of his office, and the President having replied the proceedings terminated.

The President.

The Council have elected Mr. Alexander D. Orr, of 5 Foster Place, Dublin, to be President of the Society for the ensuing twelve months.

The newly-elected President was admitted in Trinity Sittings, 1900; he became a member of the Council in 1918, and was a Vice-President of the Society in 1921-22.

The Vice-Presidents.

The Council have elected Mr. Thomas W. Delany, of Longford, and Mr. Henry P. Mayne, of 6 Dawson Street, Dublin, to be Vice-Presidents of the Society for the ensuing twelve months.

OBITUARY.

MR. THOMAS J. HARBISON, Solicitor, died upon the 22nd November, 1930, at his residence, Loy, Cookstown, Co. Tyrone.

Mr. Harbison served his apprenticeship with his cousin, Mr. John Harbison, Magherafelt, Co. Londonderry; was admitted in Trinity Sittings, 1891, and practised at Cookstown.

From 1918-22 he was Member of Parliament for East Tyrone, and from 1922-24 he was Member for Fermanagh and Tyrone, and again in 1929 until his death. In the Parliament of Northern Ireland he was Member from 1921-29 for Fermanagh and Tyrone.

NEW MEMBERS.

The following have joined the Society:—

Brazil, Joseph, Wicklow.

Malooney, George V., Cavan.

Murphy, J. P. Lonan, 25 Suffolk Street, Dublin.

Saunders, Robert G. M., 35B Kildare Street, Dublin.

POLICE REPORTS.

As a result of representations made by the Council arrangements have been made for the resumption of the practice of furnishing abstracts from police reports in connection with street accidents. The information contained in the abstract will, as heretofore, be confined to the facts observed at the scene of the occurrence by the member of the Garda who either witnesses it or conducts the subsequent investigations, together with the names and addresses of the principals concerned in the occurrence, and the names of witnesses. A fee of five shillings will be payable for each abstract. In no circumstances will copies of statements made by either principals or witnesses be supplied. If a police prosecution be either pending or contemplated, an abstract will not be supplied until the police proceedings have terminated.

THE SOCIETY'S CALENDAR, 1931.

Members are requested to send to the Secretary, 45 Kildare Street, Dublin, a note of any corrections which they desire to suggest to be made in the compiling of the Calendar for 1931.

HILARY LECTURES, 1931.

The Junior (Common Law) Lectures will begin on Wednesday, 14th January.

The Senior (Real Property and Equity) Lectures will begin on Tuesday, 13th January.

The lectures for both classes will be held in the Royal College of Surgeons at 2.15 p.m.

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THE GAZETTE

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SOLICITORS' ANNUAL CERTIFICATES.

Members are reminded that Annual Certificates for the year ending 5th January, 1932, should be taken out and the duties paid thereon before 6th February, 1931.

Certificates enabling Solicitors to practise in the Irish Free State are issued in the office of the Incorporated Law Society of Ireland, 45 Kildare Street, Dublin, and the duties thereon are payable at the Stamp Office, Dublin Castle.

A Northern Ireland Solicitor entitled to practise in the Free State, who desires to take out a Free State Certificate, must obtain through his Dublin Agent such certificate at 45 Kildare Street, Dublin. This certificate must then be produced by the agent at the Stamp Office, Dublin Castle, together with the Solicitor's Northern Ireland stamped certificate for the year current, so that credit may be marked on the Free State certificate for duty to the amount paid on the Northern certificate.

Certificates enabling Solicitors to practise in Northern Ireland are issued in the office of the Incorporated Law Society of Northern Ireland, 35 Royal Avenue, Belfast, and the duties thereon are payable at the Inland Revenue Office, Belfast.

A Free State Solicitor entitled to practise in Northern Ireland, who desires to take out a Northern Ireland certificate, must obtain through his Belfast Agent such certificate at 35 Royal Avenue, Belfast. This certificate must then be produced by the agent at the Inland Revenue Office, Belfast, together with

the Solicitor's Free State stamped certificate for the year current, so that credit may be marked on the Northern certificate for duty to the amount paid on the Free State certificate.

MEETINGS OF THE COUNCIL.

4th December.

Twenty-eight Members present.

Elections of President and Vice-Presidents.

The Council elected Mr. Alexander D. Orr to be President of the Society, and Mr. Thomas W. Delany and Mr. Henry P. Mayne to be Vice-Presidents of the Society for the ensuing twelve months.

Extra-ordinary Members.

The following, whose names were submitted by the Southern Law Association, were elected to serve as Extra-ordinary Members of the Council:—Mr. Edward Emerson (President), Mr. John J. Horgan, Mr. Arthur H. Julian, Mr. P. J. Kavanagh and Mr. Gerald J. Moloney.

December 11th.

Twenty-two Members present.

Extra-ordinary Members.

The following, whose names were submitted by the Incorporated Law Society of Northern Ireland, were elected to serve as Extra-ordinary Members of Council:—Mr. Robert J. Dickson (President), Mr. Joseph Allen,

Mr. Robert Baillie, Mr. J. B. McCutcheon and Mr. J. G. H. Wilson.

Committees of the Council.

Committees of the Council for year ending 26th November, 1931, were appointed.

OBITUARY.

MR. JOHN GILLESPIE, Solicitor, died upon the 7th December, 1930, at his residence, Greystone House, Glaslough, Co. Monaghan.

Mr. Gillespie served his apprenticeship with the late Mr. Joseph Wright and Mr. William Martin, Monaghan; was admitted in Michaelmas Sittings, 1903, and practised at Castleblayney.

MR. QUINTIN W. KENNEDY, Solicitor, died upon the 17th December, 1930, in Dublin.

Mr. Kennedy served his apprenticeship with his father, the late Mr. Alexander D. Kennedy, Dublin; was admitted in Hilary Sittings, 1885, and practised at 29 South Frederick Street, Dublin.

MR. FRANCIS J. LEVIS, Solicitor, died upon the 27th December, 1930, at his residence, The Cottage, Ringsdale, Ballinhassig, Co. Cork.

Mr. Levis was admitted in Trinity Sittings, 1884, and practised at 52 Grand Parade, Cork.

NEW MEMBERS.

The following have joined the Society :—

- William R. Hodnett, Youghal.
- Patrick C. Moore, 3 Palace Street, Dublin
- Reginald J. Nolan, Kilkenny.
- Donough O'Donovan, 3 St. Andrew Street, Dublin.
- Brendan T. Walsh, 16 Lr. O'Connell Street, Dublin.

APPOINTMENTS.

Mr. Patrick Rooney, Solicitor, 34 Kildare Street, Dublin, has been appointed to be a Commissioner for the State of New York for acknowledging Deeds and administering Oaths.

UNEMPLOYMENT INSURANCE ACT, 1930.

The Unemployment Insurance Act, 1930, which, by Order made by the Minister for Industry and Commerce, came into operation on the 5th day of January, 1931, fixes new rates of contributions under the Unemployment Insurance Acts as follows :—

Contributions at ordinary rates—

	Total Contribution	From Employer	From Employee
Man	1s. 1d.	7d.	6d.
Woman	11d.	6d.	5d.
Boy	6½d.	3½d.	3d.
Girl	5½d.	3d.	2½d.

PRODUCTION OF MAPS IN CIRCUIT COURT CASES.

The Council having directed a letter to be written to the County Registrar of Dublin, requesting the attention of the Circuit Court Judges of Dublin to the desirability of their settling an uniform practice in the matter of production of maps in collision cases heard before them, has received a reply from the County Registrar stating that Judge Shannon and Judge Roche have considered the matter, and that their views are as follows :—

- (1) It is impossible to lay down a hard and fast rule to guide the practitioners. Whether the Solicitor for plaintiff or defendant will in any case produce a map, must be left to a large extent to the judgment and experience of the Solicitor. A lot must depend upon the geographical situation and peculiarities of the *locus in quo*, and the points to be made for or against either party.
- (2) Their Lordships are aware that the question of expense must often be a deterrent factor. In *no* case where a party's means do not reasonably permit the expense of a map will one be required.
- (3) In the following cases a map will, as a rule, not be necessary :—(a) City cases ; (b) where the accident took place at right angle cross roads, unless some *special* attention is directed to the boundaries, *i.e.*, walls, hedges, buildings, etc., of these roads as affording or

not affording visibility to traffic; (c) where the *locus in quo* is a straight road or one not involving peculiar bends or gradients.

- (4) A map would assist the Court in cases where the *locus* presents some special feature of importance not easily visualised, *e.g.*, a meeting of roads at various angles, or some peculiar double curve.
- (5) On occasions maps are produced by each party. As a rule this is unnecessary, and double expense might be avoided if the respective Solicitors agree before a map is made.
- (6) Ordnance Sheets are not evidence unless the parties agree, but their Lordships think more use might be made of these by agreement.

The letter intimated that when Judge Davitt resumes his judicial duties, the letter received from the Secretary and the reply of the County Registrar will be submitted to him.

LIST OF STATUTES

passed by the Oireachtas during the year 1930

1. Seanad Bye-Elections.
2. National Monuments.
3. University Education (Agriculture and Dairy Science).
4. Finance (New Customs Duties).
5. Constitution (Amendment No. 12).
6. Defence Forces (Temporary Provisions).
7. Central Fund.
8. Military Service Pensions.

9. State Lands (Workhouses).
10. Agricultural Produce (Fresh Meat).
11. Game Preservation.
12. Public Charitable Hospitals (Temporary Provisions).
13. Censorship of Films (Amendment).
14. Civil Service (Transferred Officers) Compensation (Amendment).
15. Civic Guard (Acquisition of Premises) (Amendment).
16. Wild Birds Protection.
17. Illegitimate Children (Affiliation Orders).
18. Increase of Rent and Mortgage Interest (Restrictions).
19. Electricity (Supply) (Amendment).
20. Finance.
21. Appropriation.
22. Housing.
23. School Meals (Gaeltacht).
24. Trade Loans (Guarantee) (Amendment).
25. Labourers.
26. Local Government (Amendment).
27. Local Government (Dublin).
28. Electoral (Dublin Commercial).
29. Vocational Education.
30. Currency (Amendment).
31. Tariff Commission (Amendment).
32. Expiring Laws.
33. Unemployment Insurance.
34. Education (Provision of Meals) (Amendment).
35. Portuguese Treaty.
36. Agricultural Produce (Eggs).

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, 45 Kildare Street, Dublin, C.17.



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXIV, No. 8.]

FEBRUARY, 1931.

[FOR CIRCULATION
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Vol. XXIV, No. 8.]

FEBRUARY, 1931.

[FOR CIRCULATION
AMONGST MEMBERS

MEETING OF THE COUNCIL.

15th January.

Twenty-seven members present.

Statutory Committee.

A letter was read from the Chief Justice appointing the following members of the Council to be the Statutory Committee for the year ending 26th November, 1931:— The President (Mr. Orr), Mr. Seales, Mr. Burne, Mr. Quirke, Mr. Sheridan, Mr. Tallan and Mr. Thompson.

“ Legal Diary.”

A letter in reply was read from the publishers of the “ Legal Diary,” stating that they were authorised to issue an edition for occasions on which the Circuit Court (of Dublin) alone is sitting.

Approval Fees.

A letter was read from a County Registrar, written by direction of the Circuit Court Judge, inquiring what is the established custom with regard to giving of credit for approval fees received by a vendor's Solicitor in the case of registered land. A reply was

directed to be written drawing attention to the opinion expressed in decision of the Council, Number 4 on page 475 of Calendar for 1930, which decision is applicable to both registered and unregistered land.

OBITUARY.

MR. MICHAEL J. SPEARS, Solicitor, died on 13th January, 1931, at Dungarvan, Co. Waterford.

Mr. Spears served his apprenticeship to Mr. John E. Wallace, Mullingar, and to the late Mr. B. J. O'Flaherty, Enniscorthy; was admitted in Hilary Sittings, 1922, and practised at Dungarvan.

MR. HERBERT C. SCOTT, Solicitor, died on 15th January, 1931, at Ballyclare, Co. Antrim.

Mr. Scott served his apprenticeship to his father, the late Mr. John G. Scott, of Larne, was admitted in Trinity Sittings, 1919, and practised at Ballyclare.

INCOME TAX AREAS.

At the request of the Council the Revenue Commissioners have furnished the Council with the following list of Income Tax Districts and Addresses in the County and Borough of Dublin, from which members will be enabled to obtain the address of the Inspector to whom application for a certificate as to payment of Income Tax on any premises in the areas mentioned should be made:—

COUNTY AND COUNTY BOROUGH OF DUBLIN.

Number of Tax District and Address.	Areas included in each Tax District.
1ST DISTRICT 32 Nassau Street, Dublin.	New Kilmainham, South City and Usher's Quay Wards.
2ND DISTRICT 23 Parnell Square, Dublin.	Arran Quay, Inns Quay, North City, North Dock and Rotunda Wards.
3RD DISTRICT 32 Nassau Street, Dublin.	Mansion House, South Dock and Trinity Wards.
4TH DISTRICT 32 Nassau Street, Dublin.	Fitzwilliam, Royal Exchange and Wood Quay Wards.
5TH DISTRICT 23 Parnell Square, Dublin.	Merchant's Quay Ward; Urban Districts of Rathmines and Rathgar East, and Rathmines and Rathgar West; and the District Electoral Divisions of Clondalkin, Clonsilla, Lucan, Newcastle, Palmerstown, Rathcool, Rathfarnham, Saggart, Tallaght, Terenure, and Whitechurch.
6TH DISTRICT 26 Parnell Square, Dublin.	Urban Districts of Ballybrack and Killiney, Blackrock No. 1, Blackrock No. 2, Blackrock No. 3, Dalkey, Dun Laoghaire No. 1, Dun Laoghaire No. 2, Dun Laoghaire No. 3, Dun Laoghaire No. 4, Pembroke East and Pembroke West; the District Electoral Division of Donnybrook.
8TH DISTRICT 23 Parnell Square, Dublin.	Clontarf East and Clontarf West and Mountjoy Wards, Drumcondra Urban and Glasnevin Urban, Urban District of Howth; the District Electoral Divisions of Balbriggan Rural, Balbriggan Urban, Ballyboghil, Balscadden, Blanchardstown, Castleknock, Clonmethan, Coolock, Donabate, Drumcondra Rural, Finglas, Garristown, Glasnevin Rural, Hollywood, Holmpatrick, Howth Rural, Kilsallaghan, Kinsaley, Lusk, Malahide, Rush, Skerries, Swords East and Swords West.
9TH DISTRICT 26 Parnell Square, Dublin	The District Electoral Divisions of Ballybrack, Drumdrum, Glencullen, Milltown, Rathmichael and Stillorgan.

RECENT LEGAL DECISION.

—
 HIGH COURT OF JUSTICE.

(Before Meredith and Johnston, J.J.)
 15th January, 1931.

—
 MCEVOY v. FITZPATRICK.

This was an appeal from the Circuit Court of County Cavan.

The action had been instituted in the High Court, and Mr. Justice Hanna had transferred the hearing to the Circuit Court, and directed that the defendant's costs of the proceedings in the High Court should be included in the costs of the hearing of the action, and gave no directions about plaintiff's costs.

Counsel for the appellant stated that at Bailieborough Circuit Court Judge Sheehy gave judgment in favour of the plaintiff, with costs, for £25 6s. 9d. for work done and materials supplied. The amount of the decree was paid, and the judge referred the matter to the Registrar to fix the amount of costs. The Registrar measured the costs at £17 8s. 6d., allowing High Court costs up to the date of Transfer, and Circuit Court costs from that date.

The defendant submitted that the costs should not exceed £2 16s. 9d., based on the Circuit Court scale.

The defendant appealed to the Circuit Court Judge, who upheld the Registrar.

An appeal was then taken to the High Court.

The Court held that, as there was no High Court order that the costs should be taxed on the High Court scale, they should be taxed on the Circuit Court scale. Accordingly, they

allowed the appeal, with costs, and fixed the costs of the hearing in the Circuit Court at £2 18s. 6d.

COURTS OF JUSTICE ACTS.

The Report of the Joint Committee on the Courts of Justice Act, 1924, together with the proceedings of the Joint Committee, minutes of evidence and appendices, can be obtained through any bookseller, or from the Government Publications Sale Office, 5 Nassau Street, Dublin. Price five shillings.

THE SOCIETY'S CALENDAR, 1931.

The Calendar and Law Directory of the Society for 1931 can be obtained at the Secretary's Office, 45 Kildare Street, Dublin. Price five shillings; by post, five shillings and sixpence.

APRIL EXAMINATIONS, 1931.

The Final Examination will be held on the 14th and 15th days of April.

Notice of intention to attend the examination should be lodged in the Secretary's Office, 45 Kildare Street, Dublin, before 25th March.

The Preliminary Examination will be held on the 20th and 21st days of April.

Notice of intention to attend the examination should be lodged in the Secretary's Office, 45 Kildare Street, Dublin, before 30th March.

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MARCH, 1931.

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Vol. XXIV, No. 9.]

MARCH, 1931.

[FOR CIRCULATION
AMONGST MEMBERS

MEETINGS OF THE COUNCIL.

5th February.

Twenty-five Members present.

Illegal Conveyancing.

A letter was read from a member giving particulars of a letting agreement having been prepared by an unqualified person for remuneration. It was ordered that proceedings for recovery of a penalty under 27 Vic., Cap. 8, be instituted.

26th February.

Twenty-seven Members present.

Circuit Court Costs.

A letter was read from a firm of Solicitors drawing attention to the difficulties created through orders being made by High Court Judges directing the costs of the proceedings to be taxed on "Circuit Court scale." The matter was discussed, and adjourned for further consideration.

Courts of Justice Act.

A report was read from the Circuit and District Courts Committee, and it was resolved that a letter be written to the Minister for Justice expressing the disagreement of the Council with the recommendation contained in paragraph 67 of the Report of the Joint Committee of the Oireachtas on

the Courts of Justice Act, that jurisdiction in lunacy and minor matters should not be exercised by the Circuit Court, and expressing the hope of the Council that the jurisdiction in lunacy and minor matters as at present exercised by the Circuit Court will not be interfered with by legislation.

Land Bill.

A report from the Land Acts Committee on the Land Bill, 1930, was adopted.

OBITUARY.

MR. CLAUDE F. GIFFORD, Solicitor, died upon the 22nd February, 1931, at St. George's Hospital, London.

Mr. Gifford served his apprenticeship, with his father, the late Mr. Frederick Gifford, Dublin; was admitted in Michaelmas Sittings, 1895, and practised in partnership with his father, under the style of Frederick Gifford & Son, at 16 Dawson Street, Dublin, up to 1913. He subsequently went to Canada, and returned to England with the Canadian troops, and fought throughout the Great War. He remained in England, and was until recently a member of the staffs of the Departments of the Treasury Solicitor and of the Solicitor of Inland Revenue in London.

MR. STEPHEN J. BROWN, Solicitor, died upon the 24th February, 1931, at his residence, Ard Caen, Naas, Co. Kildare.

Mr. Brown served his apprenticeship with the late Mr. J. Meredith, Naas; was admitted in Easter Term, 1875, and practised as a member of the firm of Brown & McCann, 23 at Anglesea Street, Dublin and Naas.

He was a member of the Council of the Society from 1898 to 1911, and filled the office of Vice-President in 1903-4.

MR. FRANCIS R. RONAYNE, Solicitor, died upon the 27th February, 1931, at his residence, Ardsallagh House, Youghal.

Mr. Ronayne served his apprenticeship with the late Mr. William Hodnett, Youghal; was admitted in Hilary Sittings, 1894, and practised at Youghal up to 1901, when he retired to take up the office of Clerk to Youghal Board of Guardians, and later, Clerk of No. 1 and 2 Rural District Councils.

LORD GLENNAVY.

The death of the Right Hon. Lord Glenavy took place on the 22nd March at his residence, Glenavy, Milltown, Co. Dublin.

Mr. James Henry Mussen Campbell was called to the Irish Bar in 1878, and in 1892 was called to the Inner Bar. In 1901 he became Solicitor-General, and from 4th to 22nd December, 1905, he was Attorney-General. In April, 1916, he again became Attorney-General, and in the following December he was appointed Lord Chief Justice of Ireland and a Baronetcy was conferred upon him. In June, 1918, he was appointed Lord Chancellor of Ireland, and on his relinquishing that office in 1921 he was created a Peer by the name of Baron Glenavy of Milltown, County Dublin.

During his practice at the Bar the Council of this Society from time to time obtained the opinion and advice of Mr. Campbell on matters affecting the interests of the solicitors' profession.

APPOINTMENTS.

Mr. Michael Dawson, Solicitor, of the firm of Messrs. Peart and Dawson, 55 Dawson

St., Dublin, has been appointed an Examiner of Titles in the Irish Land Commission.

Mr. Joseph McHenry, Solicitor, has been appointed Chief Clerk in the Central Office of the Land Registry of Northern Ireland.

NEW MEMBERS.

The following have joined the Society:—

Bernard Bernstein, 69-70 Dame Street, Dublin.

Isadore V. Elyan, 77 Dame Street, Dublin.

James F. Raymond, Listowel.

Circuit Court of Dublin.

The County Registrar requests that when a case is settled an intimation to that effect will be sent to him by the Solicitors of the respective parties, so that the case may be taken out of the list of cases awaiting hearing.

THE SOCIETY'S CALENDAR, 1931.

The Calendar and Law Directory of the Society for 1931 can be obtained at the Secretary's Office, 45 Kildare Street, Dublin. Price five shillings; by post, five shillings and sixpence.

APRIL EXAMINATIONS, 1931.

The Final Examination will be held on the 14th and 15th days of April.

The Preliminary Examination will be held on the 20th and 21st days of April.

EASTER SITTINGS LECTURES.

Easter Sittings Senior Lectures begin on Tuesday, 14th April.

Easter Sittings Junior Lectures begin on Wednesday, 15th April.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, 45 Kildare Street, Dublin, C.17



THE GAZETTE

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APRIL, 1931.

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MEETING OF THE COUNCIL.

19th March.

Twenty-nine members present.

Courts of Justice Act, 1924.

A Special Committee of the Council was appointed to consider and report upon the recommendations contained in the Report of the Joint Committee of the Oireachtas on the Courts of Justice Act, 1924. These recommendations contain a number of important suggestions for amending the Courts of Justice Act.

Auctioneers Bill.

A report from the Parliamentary Committee upon a draft Bill entitled "The Irish Auctioneers, Valuers, House and Estate Agents Bill," was adopted. The draft Bill was sent for consideration to the Council by the Irish Auctioneers' and Estate Agents' Association.

OBITUARY.

MR. WILLIAM G. ARMSTRONG, Solicitor, died upon the 13th March, 1931, at his residence, 19 Morehampton Road, Dublin.

Mr. Armstrong was admitted in Hilary Sittings, 1879, and practised at 67 Dame Street, Dublin.

MR. JOHN O'CONNOR, Solicitor, died upon the 18th March, 1931, at his residence, Glenlough House, Crossmaglen, Co. Armagh.

Mr. O'Connor was admitted in Michaelmas Sittings, 1889, and practised at Crossmaglen.

MR. GEORGE H. LYSTER, Solicitor, died upon the 24th March, 1931, in Dublin.

Mr. Lyster was admitted in Hilary Term, 1874, and practised at 34 Dawson Street, Dublin, up to 1920, when he retired.

He was a member of the Council of the Society from 1894 to 1912, and filled the office of President of the Society during the year 1907-08.

MR. ERNEST P. G. BRIDGE, Solicitor, died upon the 27th March, 1931, at Petersfield, Hampshire.

Mr. Bridge served his apprenticeship with the late Mr. William Bridge, Roscrea; was admitted in Hilary Sittings, 1906, and practised at Roscrea up to 1923, when he went to England, and was admitted, under provisions applicable to those who served in the Great War, a Solicitor in England in 1924, and practised at Farnham, Surrey.

MR. PETER HUTTON, Solicitor, died upon the 28th March, 1931, at his residence, 46 Foyle Street, Londonderry.

Mr. Hutton served his apprenticeship with the late Mr. Philip O'Doherty, Londonderry; was admitted in Easter Sittings, 1925, and practised at Londonderry.

NEW MEMBERS.

The following have joined the Society:

John R. McC. Blakeney, 6 Dawson Street, Dublin.

Michael J. Kiernan, 110 Grafton Street, Dublin.

William T. McCarthy, 4 Chancery Place, Dublin.

Allured F. Rolleston, Maryborough.

COMMISSIONERS TO ADMINISTER OATHS.

The following have been appointed Commissioners to administer Oaths:—

Burns, James, Solicitor, Castleblayney.
 Fitzgerald, John D., Solicitor, Thomastown, Kilkenny.
 Gaughan, Martin, Elphin.
 Moloney, Gerald J., Solicitor, Cork.
 Regan, Manus R., Solicitor, Letterkenny.
 Treacy, John, District Court Clerk, Tuam.
 Williams, Thomas C., Solicitor, Dungarvan.

IRISH LAND COMMISSION.

The Land Bill, 1930, having passed the Dáil, is now before the Senate. In its passage through the Dáil a large number of amendments were inserted in the Bill, including amendments in those clauses which provided for an appeal to the Judicial Commissioner from decisions of the other Land Commissioners. The amendments inserted give a further right of appeal, on questions of law only, from the decision of the Judicial Commissioner to the Supreme Court.

In proceedings on the Bill in the Senate the Parliamentary Secretary to the Minister for Lands and Fisheries announced that on the Bill becoming law it is intended to appoint additional Examiners of Title. The office of Examiner of Title is open to members of the Solicitors' profession.

ASSISTANT SOLICITOR IN TREASURY SOLICITOR'S OFFICE.

The Secretary has received the following intimation as to application for the above:—

The Civil Service Commissioners invite applications for the whole-time pensionable position of Assistant Solicitor in the Treasury Solicitor's Office. Applications are restricted to candidates who are qualified as Solicitors in Saorstát Eireann. Maximum age limit, 35 years on 1st May, 1931. Scales of salary: £175 by £10 per annum to £300 for women and unmarried men; £175 by £15 per annum to £400 for married men, together with cost of living bonus in each case. (At present the bonus on £175 is £90 19s.)

Application Forms and particulars may be obtained from the Secretary, Civil Service Commission, 45 Upper O'Connell Street, Dublin, C.8. Latest date for receiving completed Application Forms, 4th May, 1931.

UNQUALIFIED CONVEYANCER.

At the Dublin District Court on 23rd March, 1931, a summons was heard, at the suit of the Secretary of the Incorporated Law Society of Ireland on behalf of the Society, against Aylmer C. Kelly, Auctioneer and House Agent, for recovery of a penalty by reason of the defendant, without being duly qualified, did practise as a Conveyancer for or in expectation of a fee, gain or reward, contrary to the provisions of 27 Victoria, Cap. 8. The defendant acted in the letting of a house, and prepared the letting agreement between the landlord and tenant; and in addition to charging the tenant the stamp duty on the agreement, he charged the tenant one guinea for its preparation.

The Justice gave a decree for penalty of five pounds and fifteen guineas costs, allowing the Defendant three months to pay.

SOLICITORS' GOLFING SOCIETY.

The Annual Competition for the Society's Cup will be held on Tuesday, 2nd June, at Woodbrook, Co. Dublin.

THE SOCIETY'S CALENDAR, 1931.

The Calendar and Law Directory of the Society for 1931, can be obtained at the Secretary's Office, 45 Kildare St, Dublin. Price five shillings; by post, five shillings and sixpence.

INTERMEDIATE EXAMINATION.

The June, 1931, Intermediate Examination will be held on Friday, 5th June.

Notice of intention to attend the examination should be lodged in the Secretary's Office, 45 Kildare Street, Dublin, before 15th May.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society 45 Kildare Street, Dublin, C.17.

Application forms and notices were
obtained from the Secretary Civil Service
Commission, 45 Upper O'Connell Street
Dublin 1, & a list of names for receiving com-
pleted Application Forms till May 1901.

UNQUALIFIED CONVEYANCERS

As the Law Society of Ireland is now
entitled to exercise jurisdiction in relation to
the business of unqualified conveyancers,
it is necessary to issue the following
regulations for their guidance. The
regulations are as follows:—
1. Any person who is not a member of the
Law Society of Ireland and who is not
a member of any other law society in
Ireland, and who is not a member of any
other law society in any other part of
the United Kingdom, shall be deemed to
be an unqualified conveyancer for the
purpose of these regulations.

REGULATIONS OF THE SOCIETY

The Law Society of Ireland, in pursuance
of the powers conferred upon it by the
Law Society Act, 1879, and the Law
Society Act, 1894, do hereby regulate the
business of unqualified conveyancers.

THE SOCIETY'S CALLS AND FEES

The Law Society of Ireland, in pursuance
of the powers conferred upon it by the
Law Society Act, 1879, and the Law
Society Act, 1894, do hereby regulate the
business of unqualified conveyancers.

INTERMEDIATE EXAMINATIONS

The Law Society of Ireland, in pursuance
of the powers conferred upon it by the
Law Society Act, 1879, and the Law
Society Act, 1894, do hereby regulate the
business of unqualified conveyancers.

COMMISSIONERS TO ADMINISTER ESTATES

The following have been appointed Com-
missioners to administer Estates:—
Messrs. J. & J. O'Connell, 11, Upper
O'Connell Street, Dublin 1.
Messrs. J. & J. O'Connell, 11, Upper
O'Connell Street, Dublin 1.
Messrs. J. & J. O'Connell, 11, Upper
O'Connell Street, Dublin 1.

IRISH LAND COMMISSION

The Irish Land Commission, in pursuance
of the powers conferred upon it by the
Land Commission Act, 1881, and the
Land Commission Act, 1891, do hereby
regulate the business of unqualified
conveyancers.

ASSISTANT SOLICITORS IN FERRYBAY

The Law Society of Ireland, in pursuance
of the powers conferred upon it by the
Law Society Act, 1879, and the Law
Society Act, 1894, do hereby regulate the
business of unqualified conveyancers.



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MAY, 1931.

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Vol. XXV, No. 1.]

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[FOR CIRCULATION
AMONGST MEMBERS

ANNUAL SUBSCRIPTIONS.

Members are reminded that their annual subscriptions to the Society became due on the first day of May, as follows :—

Town Members and Country Members of more than three years' standing who desire to be entitled to vote at election of Ordinary Members of the Council	£1 0 0
Other Country Members	0 10 0
Members who have been admitted to the profession less than three years :.. .. .	0 10 0

HALF-YEARLY GENERAL MEETING.

The May Half-yearly General Meeting of the members of the Society will be held in 45 Kildare Street, Dublin, on Monday, 18th May, at half-past two o'clock, p.m.

MEETING OF THE COUNCIL.

16th April.

Twenty-one Members present.

Central Land Registry.

Letters were read from members, drawing attention to the delay in the work of the Central Land Registry. It was decided to request Mr. J. Travers Wolfe, T.D., to put a question in the Dáil to the Minister for Justice on this matter. The question and the reply of the Minister thereto appear in this GAZETTE.

Courts of Justice Act, 1924.

A report from the Special Committee of the Council appointed to consider the recommendations contained in the Joint Com-

mittee of the Oireachtas on the Courts of Justice Act, 1924, was considered, and it was resolved that the Minister for Justice be requested to receive a deputation from the Council who would submit to him the suggestions contained in the report of the Special Committee.

CENTRAL LAND REGISTRY.

Mr. J. Travers Wolfe, T.D., on 22nd April, gave notice in the Dáil of the following question to the Minister for Justice :—

To ask the Minister for Justice if he is aware of the very great delay now occurring in the Central Office of the Land Registry and the grave inconvenience and expense arising therefrom; if he can state (a) how many copies of folios now lie in the office awaiting "writing up"; (b) up to what date all transfers lodged for registration have been completed, and what steps (if any) are proposed to be taken to remedy the delay which at present exists.

The Minister for Justice, on 29th April, replied as follows :—

I am aware that there are certain arrears at present in the Central Office of the Land Registry. The figures asked for are as follows :—(a) The arrears of copy folios and other documents bespoken up to the 27th instant total 511; (b) all transfers lodged for registration have been completed up to the 15th March last. The necessary steps by way of addition to the staff and overtime have been taken to have all arrears of work cleared off within about two months.

PROFESSORSHIP OF REAL PROPERTY, EQUITY AND CONVEYANCING.

The Council will, on Thursday, 25th June, 1931, elect a Professor of Real Property, Equity and Conveyancing to the Society, in room of Mr. John J. Early, Solicitor, whose term of office will expire at the end of Trinity Sittings. The newly-elected Professor will enter upon his duties next October. The appointment will be made for one year, and the person appointed will be eligible for re-appointment for each of the four succeeding years. A candidate for the Professorship must be either a Barrister or a Solicitor, and intending applicants are requested to send their applications before the 16th June to the Secretary of the Society, 45 Kildare Street, Dublin.

The Professor will be required to deliver forty-two lectures in the year, between the months of September and July, and to conduct *viva voce* examinations on the subjects of the lectures. The lectures are delivered on Tuesdays and Fridays between two and three o'clock, p.m.

Enquiry for further particulars should be addressed to the Secretary.

OBITUARY.

MR. JOHN BARRY DEANE, Solicitor, died upon the 2nd April, 1931; at his residence, St. Mary's, Bandon, Co. Cork.

Mr. Deane served his apprenticeship with the late Mr. Francis Fitzmaurice, Dunmanway; was admitted in Michaelmas Sittings, 1888, and practised at Bandon.

MR. THOMAS P. STUART, Solicitor, died upon the 6th April, 1931, at 4 Eden Park, Sandycove, Co. Dublin.

Mr. Stuart was admitted in Hilary Sittings, 1893, and practised at 122 St. Stephen's Green, Dublin, up to 1904, when he retired.

MR. HENRY B. BURTON, Solicitor, died upon the 2nd April, 1931, at his residence, 59 Upper Leeson Street, Dublin.

Mr. Burton was admitted in Trinity Term, 1864, and practised, in partnership with his son, Mr. Erroll Burton, under the style of Henry B. Burton & Son, at 43 Dame Street, Dublin.

Mr. Burton was for some years Secretary of the Solicitors' Benevolent Association, from which office he retired in 1886.

MR. FREDERICK HALL, Solicitor, died upon the 26th April, 1931.

Mr. Hall was admitted in Michaelmas Term, 1875, and practised, in partnership with his son, Mr. Frederick Hall, under the style of Frederick Hall and Son; at 39 South Mall, Cork, up to 1918, when he retired.

He was an Extra-ordinary Member of the Council of the Society from 1904 to 1914.

MR. THOMAS B. MIDDLETON, Solicitor, died upon the 30th April, 1931, at his residence, Athgoe Park, Shankill, Co. Dublin.

Mr. Middleton was admitted in Trinity Term, 1876, and practised at 26 Eustace Street, Dublin.

COMMISSIONER TO ADMINISTER OATHS.

The following has been appointed a Commissioner to administer Oaths:—

Smyth, John P. J., 62 Dawson Street, Dublin.

NEW MEMBER.

The following has joined the Society:—

Patrick J. Kiely, 14 Ely Place, Dublin.

EXAMINATION RESULTS.

At the Preliminary Examination held on 20th and 21st April, the following passed the examination, and their names are arranged in order of merit:—

1. Andrew F. O'C. Comyn.
2. Nathaniel Lacy.
3. James F. Little.
4. Arthur S. Murphy.
5. Thomas T. Keogh.
6. John Wells.
7. Aloysius D. O'Riordan.
8. Joseph N. Hughes.
9. Louis E. Lemass.

Fifteen candidates attended: nine passed; six failed.

At the Final Examination held on 14th and 15th April, the following passed the examination, and their names are arranged in order of merit :—

1. Timothy O'Hanrahan, B.A., N.U.I.
2. Thomas A. Riordan.
3. Brian O'Brolchain, B.A., N.U.I.
4. Denis F. O'Shea, B.A., N.U.I.
5. Timothy Linehan.
6. Thomas Lanigan.
7. John Corrigan.
8. Michael V. Harrington.
9. Edward J. O'Brien, B.A., N.U.I.
10. Peter Woods.
11. Joseph H. McCarroll.
12. John O'B. Kelly, B.A., T.C.D.
13. Patrick J. Flynn, B.A., N.U.I.
14. Thomas Jackson, jun., B.A., Cantab.
15. Margaret M. Gibbons.
16. William J. Ryan.
17. Frederick W. Conway.
18. Stephen Dempsey.
19. Thomas A. O'Reilly.
20. John C. O'Donnell.
21. Gerald F. O'Flynn.

22. James J. O'Meara.
23. John L. McDowell.
24. Daniel F. Williams.
25. Brendan C. Russell.
26. Francis B. Meagher.
27. John I. Horgan.
28. Gladys L. Tallan.
29. John F. Murtagh.
30. John D. Ryan, B.A., N.U.I. } equal.
Henry J. Shanahan. }
32. Hugh C. McGahon.
33. Cahal R. McAlester.

Fifty-six candidates attended: thirty-three passed; twenty-three failed.

The Council awarded a Gold Medal to Timothy O'Hanrahan, B.A., N.U.I.; Silver Medals to Thomas A. Riordan and Brian O'Brolchain, B.A., N.U.I.; and Special Certificates to Denis F. O'Shea, B.A., N.U.I., Timothy Linehan and Thomas Lanigan.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society 45 Kildare Street, Dublin, C.17.



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXV, No. 2.]

JUNE, 1931.

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AMONGST MEMBERS

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THE GAZETTE

OF THE

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Vol. XXV, No. 2.]

JUNE, 1931.

[FOR CIRCULATION
AMONGST MEMBERS

HALF-YEARLY GENERAL MEETING.

The Half-yearly General Meeting of the Society was held on Monday the 18th May, at 45 Kildare Street, Dublin, the President (Mr. Alexander D. Orr) in the Chair.

The following members were also present : Messrs. T. W. Delany (Vice-President), W. G. G. Bradley, T. H. R. Craig, E. J. Mallins, A. H. S. Orpen, T. G. Quirke, L. J. Ryan, Peter Seales, W. T. Sheridan, Basil Thompson, R. G. Warren, C. St. G. Orpen, C. G. Gamble, F. C. E. Bland, E. N. Edwards, J. W. Dyas, W. H. Fry, Edward Condell, C. G. Stapleton, T. D. McLoughlin, V. Kennedy, K. Walsh, E. J. Kenny, E. E. Merrick, T. J. Fullerton, J. R. Cresswell, H. R. Whelan, F. E. Bermingham, D. D. McDonald, J. P. Collins, I. Howe, E. R. McC. Dix., H. Malley, L. Goodbody, W. H. Roper, S. H. Watson, and P. Grimes.

The Secretary read the notice convening the meeting and the minutes of the Half-yearly General Meeting held on the 26th November, 1930, which were signed by the President.

On the motion of Mr. Delany, Vice-President, seconded by Mr. Gamble, the following resolution was unanimously adopted :—

“That Mr. T. A. Ireland, Mr. Patrick Glynn and Mr. A. E. Prentice be appointed Auditors of the Accounts of the Society for the year ending 30th April, 1931.”

The President nominated the following members of the Society to be Scrutineers of Ballot for Council, to be held in November, 1931 :—Mr. F. G. Sharpe, Mr. N. Taylor, Mr. R. Frerch, Mr. T. J. Fullerton and Mr. Vincent Kennedy.

THE PRESIDENT, addressing the meeting, said :—

Gentlemen, following our usual practice, I propose to give you a short summary of your Council's work during the past six months.

Four Courts.

The Board of Works some time ago notified your Council that our new premises in the Four Courts should be ready for occupation about June or July of this year. Owing however, to the strike in the building Trade the work has been considerably delayed so that the premises will not be ready for occupation so soon as was expected.

I have had an opportunity of inspecting our new premises and am satisfied that when they are completed they will be admirably adapted for all purposes and that they will meet with the approval of all our members.

The Courts of Justice Acts.

You will recollect that at our last meeting my predecessor referred to the Report of the Joint Committee appointed to consider what amendments, if any, were required under these Acts. This Report deals very fully with the administration of justice in this country and suggests a number of important amendments, such as a change in the existing practice for hearing Appeals from the Circuit Courts, and the procedure that should be adopted to ensure the rapid granting of Degrees in the Circuit Court in undefended cases arising out of Contract.

Your Council has very carefully considered this Report and has drawn up a Memorandum to be submitted to the Minister of Justice, in which the views of the Council have been

stated and will, I am sure, have the Minister's most careful consideration.

The Minister has stated in the Dail that he proposes in the Autumn of this year to introduce legislation on this Report. I hope that as a result of such legislation we shall at last have a code of Rules for the Circuit Courts and that the Rules of the High Court will be codified and brought up to date.

The Land Commission.

The Land Bill of 1930 has passed the Dail and the Senate and is now Law. The Act provides for the immediate vesting of all Tenancies with the result that the Tenant Farmers will at once get the benefit of the Purchase Annuities payable under the Land Act of 1923. The Act also provides machinery whereby Landlords and Incumbrancers will be able as soon as the purchase money comes to credit to apply to the Judicial Commissioner for payment of the interest on the Land Bonds representing the purchase money of the estate instead of having to wait as in the past for the allocation of the purchase money.

The Bill as originally drawn did not, in the opinion of your Council, make sufficient provision for Appeals from the decision of the Judicial Commissioner to the Supreme Court on questions of law. During its passage through the Dail a large number of amendments were inserted in the Bill including amendments on the question of Appeals. The amendments inserted now give the right of Appeal on questions of law only from the decision of the Judicial Commissioner to the Supreme Court.

In proceedings on the Bill in the Senate the Parliamentary Secretary for the Minister of Lands and Fisheries announced that on the Bill becoming law it is intended to appoint additional Examiners of Title. The office of Examiner of Titles is open to members of the Solicitors' profession, and it is gratifying to place on record that when in the month of February last one additional Examiner of Title was appointed, the successful applicant was a Solicitor, who has since his appointment discharged the duties of his office to the satisfaction of everyone concerned.

Rules have been prepared by the Land Commission for carrying into effect the

provisions of the Act and in accordance with the provisions of the Act, I have been consulted with reference to these Rules. I have suggested certain alterations and amendments which in my opinion were necessary and I am glad to say that the Land Commission have accepted these amendments and incorporated them in the Rules which are now in the course of being printed.

Maps in Circuit Court Cases.

It was reported to the Council that in the Dublin Circuit Court an uncertainty had arisen as to whether Maps should be prepared and given in evidence in Collision cases. The Circuit Court Judges, through the County Registrar, have expressed their views on the subject. These views are printed in our Gazette and have, I am sure, been of the greatest assistance to all practitioners in the Circuit Courts.

Income Tax Arrears.

Complaints were received from several members of the profession to the effect that it was not always easy to ascertain the district to which an application should be made for a Certificate under Section 6 of the Finance Act of 1928 of the payment of Income Tax. The Revenue Commissioners have kindly furnished the Council with a list of Income Tax Districts and addresses in the County and Borough of Dublin from which members will be able to obtain the address of the Inspector to whom the application for such a certificate should be made; the list appeared in our GAZETTE of February last.

The Irish Auctioneers, Valuers, House and Estate Agents Bill.

A Bill has been introduced to provide for the registration of persons carrying on the profession of Auctioneer, Valuer, House and Estate Agents. Through the courtesy of the Auctioneers Association a draft of this Bill was submitted to your Council for its consideration. Your Council have considered the Bill and suggested certain amendments which, in the opinion of the Council, should be inserted in the Bill. I am glad to say that the Auctioneers' Association have accepted these amendments and have incorporated them in their draft Bill.

Land Registry.

The attention of the Council was recently drawn to delays in the Central Land Registry owing to the insufficiency of the staff of that office. The Council were quite satisfied that the staff had been endeavouring to cope with the work to their utmost ability, but they were numerically insufficient to enable them to bring it up to date. At the request of the Council Mr. Travers Wolfe drew the attention of the Minister for Justice to the matter by means of a question, and the Minister's reply of the 29th April admitted considerable arrears in the work, and stated that steps by way of addition to the staff and overtime have been taken to have all arrears of work cleared off within about two months.

I desire to express my cordial thanks to my colleagues on the Council and to Mr. Wakely, for their generous assistance in helping me to carry on my duties as President.

This, gentlemen, brings to a close my remarks on the present occasion.

MR. GAMBLE suggested that the members should be given further information as to the accommodation contained in the Society's new premises.

MR. McLOUGHLIN enquired whether there was any hope of Circuit Court Rules being passed in the near future.

MR. VINCENT KENNEDY drew attention to the procedure on the taxation of Solicitors' costs under the Land Acts and to the representation of the Land Commission on such taxations.

THE PRESIDENT in reply to these questions stated that should any member desire to inspect the new premises of the Society there would be no difficulty in doing so.

He stated that the Council saw no immediate prospect of the passing of Circuit Court Rules, and that the Council would consider the question of the taxation of Land Commission Costs.

The Meeting then terminated.

COURTS OF JUSTICE ACT.

A deputation from the Council, consisting of the President (Mr. A. D. Orr), Mr. Delany, Vice-President, Mr. Bradley, Mr. Ryan and Mr. Craig, accompanied by the Secretary,

had an interview with the Minister for Justice, who was accompanied by Mr. Roche, Assistant Secretary of the Ministry, on the 18th May. The deputation submitted to the Minister a Report of the Council on the recommendations for legislation contained in the Report of the Joint Committee of the Oireachtas on the Courts of Justice Act, and discussed with the Minister amendments suggested by the Council to some of the Recommendations. The Minister promised his careful consideration of all the suggestions submitted by the Deputation.

OBITUARY.

MR. MICHAEL L. HEARN, Solicitor, died upon the 1st May, 1931, at his residence, "Glencar," Foxrock, County Dublin.

MR. HEARN was admitted in Hilary Sittings 1889, and practised at 24 Dame Street, Dublin.

He was a member of the Council from 1915 to 1924, and filled the office of Vice-President in the year 1920-1921.

MR. MICHAEL O'REILLY, Solicitor, died upon the 9th May, 1931, at his residence, "Wilmount," Killiney, Co. Dublin.

MR. O'REILLY was admitted in Hilary Sittings, 1883, and practised as a member of the firm of Terence O'Reilly & Son, at 5 North Great George's Street, Dublin, and subsequently at Dunmore East, Co. Waterford.

He was Registrar of Waterford County Court for many years.

MR. MICHAEL MURPHY, Solicitor, died upon the 12th May, 1931, at Birkenhead, Cheshire.

MR. MURPHY was admitted in Trinity Sittings, 1883, and practised at Kilkenny up 1913, when he retired.

MR. THOMAS CONWAY, Solicitor, died upon the 14th May, 1931, at his residence, High Street, Tullamore.

MR. CONWAY served his apprenticeship with the late Mr. James Power, Parsonstown, and the late Mr. Christopher Moran, Maryborough, was admitted in Hilary Sittings, 1903, and practised as a member of the firm of Conway and Kearney, at Tullamore.

MR. HENRY T. B. ROBINSON, Solicitor, died upon the 15th May, 1931, at his residence 3 Cambridge Terrace, Leeson Park, Dublin.

Mr. Robinson served his apprenticeship with Mr. Edward White, Dublin, was admitted in Michaelmas Sittings, 1909, and practised as a member of the firm of Taylor and Robinson at 19 St. Andrew Street, Dublin.

MR. HENRY BLACKALL, Solicitor, died upon the 22nd May, 1931, at Pembroke Road, Dublin.

Mr. Blackall was admitted in Michaelmas Term, 1873, and practised at Limerick up to 1921, when he retired.

He was Provincial Delegate for Munster on the Council from 1895 to 1917.

MR. MAURICE MCCARTIE, Solicitor, died upon the 22nd May, 1931, at his residence, Killarney.

Mr. McCartie was admitted in Hilary Sittings, 1887, and practised at Killarney.

MR. JOHN GRAHAM, Solicitor, died upon the 26th May, 1931, at his residence, "Lisanore," Antrim Road, Belfast.

Mr. Graham served his apprenticeship with the late Mr. Williams J. C. Mills, Belfast, and practised at Donegall Street, Belfast.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, 45 Kildare Street, Dublin, C.17.

NEW MEMBERS.

The following have joined the Society:—

George J. Geraghty, Galway.

James McCoy, 5 Colbeck Street, Waterford.

Desmond O'Hagan, Drogheda.

Walter A. Smithwick, Kilkenny.

PROFESSORSHIP OF REAL PROPERTY, EQUITY AND CONVEYANCING.

The Council will, on Thursday, 25th June, 1931, elect a Professor of Real Property, Equity and Conveyancing to the Society, in room of Mr. John J. Early, Solicitor, whose term of office will expire at the end of Trinity Sittings. The newly-elected Professor will enter upon his duties next October. The appointment will be made for one year, and the person appointed will be eligible for re-appointment for each of the four succeeding years. A candidate for the Professorship must be either a Barrister or a Solicitor, and intending applicants are requested to send their applications before the 16th June to the Secretary of the Society, 45 Kildare Street, Dublin.

The Professor will be required to deliver forty-two lectures in the year, between the months of September and July, and to conduct *viva voce* examinations on the subjects of the lectures. The lectures are delivered on Tuesdays and Fridays between two and three o'clock, p.m.

Enquiries for further particulars should be addressed to the Secretary.



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OF THE

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[FOR CIRCULATION
AMONGST MEMBERS

MEETING OF THE COUNCIL.

25th June.

Twenty-eight Members present.

Professorship.

Eleven applications were received from barristers and solicitors for the Professorship of Real Property, Equity and Conveyancing, and were referred to the Court of Examiners to interview the applicants, and to submit the names of three of the applicants to the Council to elect a Professor therefrom.

Insurance.

A Report from the Parliamentary Committee on the Insurance under Health and Unemployment Acts of Assistant Solicitors was adopted.

Finance Bill.

Clauses of the Finance Bill, 1931, dealing with income-tax were referred to the Parliamentary Committee.

OBITUARY.

MR. ROBERT J. AIKEN, Solicitor, died upon 6th June, 1931, at Londonderry.

Mr. Aiken served his apprenticeship with Sir F. H. Miller, was admitted in Trinity Sittings, 1895, and practised at Londonderry.

MR. GUY B. PILKINGTON, Solicitor, died upon 17th June, 1931, at his residence, "Carrick," Burlington Road, Dublin.

Mr. Pilkington served his apprenticeship with the late Mr. W. Grove White, Dublin, was admitted in Hilary Sittings, 1888, and practised as a member of the firm of Wm. C. Hogan and Sons, at 3 Lower Merrion Street, Dublin.

MR. EDWARD CHUTE, Solicitor, died upon 17th, June, 1931, at Liverpool.

Mr. Chute was admitted in Michaelmas Sittings, 1895, and practised at Tralee up to 1922, when he retired.

MR. JOHN GUINEY, Solicitor, died upon 19th June, 1931, at his residence, Egmont Place, Kanturk, Co. Cork.

Mr. Guiney was admitted in Hilary Sittings, 1892, and practised at Kanturk.

MR. JOHN T. O'CONNOR, Solicitor, died upon 22nd June, 1931, at his residence, "St. Johns," Dalkey, Co. Dublin.

Mr. O'Connor was admitted in Trinity Term, 1872, and practised up to 1924, when he retired.

He was Solicitor to the Congested Districts Board from 1904 to 1924.

MR. MICHAEL CARTAN O'MEARA, Solicitor, died upon 28th June, 1931, at his residence, 8 Hatch Street, Dublin.

Mr. O'Meara was admitted in Trinity Sittings, 1875, and practised as a member of the firm of Cartan O'Meara and Kieran, at 27 South Frederick Street, Dublin.

SOLICITORS' GOLFING SOCIETY.

The Annual Competition was held at Woodbrook (by kind permission) on the 2nd June. Over fifty members took part.

The following was the result :—

S. A. Roche	82	8	74
D. McLoughlin	92	16	76
M. J. Bowers	96	19	77
R. M. Saunders	81	3	78
D. McDowell	100	22	78
B. Collins	100	22	78

The following tied with 1 up for the Four Ball Sweepstake:—

- | | |
|---------------|-----------------|
| B. Thompson | & R. G. Warren |
| D. Collins | & D. R. Pigot |
| J. Hollinger | & P. C. Furlong |
| D. McLoughlin | & D. McDowell |

In the afternoon the Annual General Meeting of the Society was held, the President of the Incorporated Law Society in the Chair. The following were elected officers for the coming year:—

- President A. D. Orr
 Captain W. J. Norman

Committee:

- R. G. Warren Basil Thompson P. M. Seales
 C. O'Brien and J. T. Hamerton
 Hon. Secretary—H. Horan

A dinner was held in the Club House in the evening, at which about fifty members were present.

EXAMINATION RESULT.

At the Intermediate Examination held on 5th June the following passed the Examination:—

PASSED WITH MERIT

- | | |
|------------------------|---------|
| 1. Timothy O'N. Keily | |
| 2. Joseph C. Rutledge | } Equal |
| Dermod M. F. Walsh | |
| 4. Francis P. Galvin | |
| 5. Brendan Glynn | |
| 6. John T. Hannon | |
| 7. Kathleen Ryan | |
| 8. Patrick F. O'Connor | |
| 9. Mary R. Gleeson | |
| 10. Thomas F. O'Keeffe | } Equal |
| Arthur J. G. Quirke | |

PASSED

- | | |
|-------------------------------|---------|
| 1. Samuel Bolton | |
| 2. Edmund P. Condon | |
| 3. Joseph O'Mahony | |
| 4. Patrick J. A. Sweetman | |
| 5. Seamus Murphy | |
| 6. John J. Colbert | |
| 7. Alphonsus Farrell | } Equal |
| William J. Hegarty | |
| 9. Arthur J. Barrett | |
| 10. Donnchadh L. UaDonnchadha | |
| 11. Edward Monahan | |

- | | |
|------------------------|---------|
| 12. Thomas Kiersey | |
| 13. Michael J. Dunne | } Equal |
| Joseph L. Reilly | |
| 15. James P. MacGeough | } Equal |
| John S. Morris | |
| Alfred A. Rochford | |
| 18. Mathew C. Mullen | |
| 19. Kevin Burke | |
| 20. Andrew A. Donnelly | } Equal |
| George P. M. Hogan | |
| 22. John P. Kennedy | } Equal |
| Edward P. M. Power | |
| 24. Edward J. Scott | |

Forty-six candidates attended. Thirty-five passed; eleven failed.

SOLICITORS' APPRENTICES' DEBATING SOCIETY.

OFFICERS AND COMMITTEE FOR SESSION 1931-32.

- Auditor—P. J. O'Brien
 Hon. Record Secretary—D. M. Walsh, B.A.
 Hon. Correspondence Secretary—T. A. Lynch
 Treasurer—B. McGrath

Committee

- | | |
|------------------|---|
| Miss M. Hawthorn | C. J. Holohan |
| P. McDowell | E. A. Plunkett, B.A.
<i>(ex-Auditor)</i> |

LIST OF AWARDS—SESSION 1930-31.

Oratory: Incorp. Law Society's Gold Medal:
 D. M. Walsh, B.A.

Society's Silver Medal:

T. A. Buckley

Special Certificate: C. Flynn

” ” J. B. Sullivan

Legal Debate: President's Gold Medal:
 D. M. Walsh, B.A.

Societys' Silver Medal: T. A. Buckley

Impromptu Speeches:

Vice-President's Gold Medal: C. Flynn
 ” ” Silver ” T. A. Buckley

First Year Speaker's Medal: (Society):
 E. P. Condon

Composition: Incorporated Law Society's
 Gold Medal: D. M. Walsh, B.A.

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AUGUST, 1931.

[FOR CIRCULATION
AMONGST MEMBERS

MEETING OF THE COUNCIL.

16th July.

Twenty-four Members present.

Professorship.

The Council elected MR. JOSEPH S. GERAGHTY, B.A., LL.B., Barrister-at-law, to be Professor of Real Property, Equity and Conveyancing.

Adjournment.

The Council adjourned until Thursday, 1st October, at 2.30 p.m., unless otherwise specially summoned.

OBITUARY.

MR. HENRY C. CRONHELM, Solicitor, died upon the 8th July, 1931, in Dublin.

Mr. Cronhelm was admitted in Hilary Term 1870, and practised at 4 Eustace Street, Dublin, up to 1926, when he retired.

MR. THOMAS J. TOBIN, Solicitor, died recently at Kalgoorlie, Western Australia.

Mr. Tobin was admitted a Solicitor in Ireland in Trinity Sittings 1889, and practised in Maryborough up to 1895. He then went into partnership with the late Mr. E. A. Harney and they practised in Coolgardie, Western Australia, and latterly Mr. Tobin practised by himself at Kalgoorlie.

MR. DAVID F. MOORE, Solicitor, died upon the 23rd July, 1931, in Dublin.

Mr. Moore was admitted in Michaelmas Sittings, 1881, and practised as a member of the firm of Whitney, Moore and Keller, at 46 Kildare Street, Dublin.

MR. FRANCIS H. DOWNING, Solicitor, died upon the 24th July, 1931, at 374 Woodstock Road, Oxford.

Mr. Downing was admitted in Michaelmas Sittings, 1886, and practised at Tralee up to 1930, when he retired.

COMMISSIONERS TO ADMINISTER OATHS.

The following have been appointed Commissioners to administer Oaths:—

- Bray, John M., P.C., Professor of Music, Nenagh.
- Corish, Denis, District Court Clerk, New Ross.
- Curtis, Anthony B., District Court Clerk, Muine Beagh.
- Joyce, Charles J. C., Solicitor, 128 St. Stephen's Green, Dublin.
- Noonan, Thomas, Solicitor, Navan.
- Twomey, Cornelius, Chief Assistant, County Registrar's Office, Dundalk.

NEW MEMBERS.

The following have joined the Society:—

Bernard Finegan, 13 Lower Ormond Quay, Dublin.

Joseph Kearney, Tullamore.

Miss Edith G. Keller, 46 Kildare Street, Dublin.

Lyndon G. C. Lett, 23 Ely Place, Dublin.

Miss Gladys L. Tallan, Drogheda.

Frank Thornton, Enniskillen.

THE SOCIETY'S NEW PREMISES.

The new premises of the Society at The Four Courts are almost ready for occupation and early in the month of September the Society will move from 45 Kildare Street, Dublin, to Solicitors Buildings, Four Courts, Dublin.

INCOME TAX ACT, 1918.**SECTION 103.**

Under the above heading, the following paragraph (re-produced by permission) appears in the Annual Report of the Council of the English Law Society, which was adopted at the General Meeting of the members of that Society on 10th July, 1931. The paragraph deals with a matter which has been under the consideration of the Council of this Society, and has been, from time to time, a subject of inquiry from members of the Society:—

“The Council have had under consideration the question of the liability of solicitors to make returns under Section 103 of the Income Tax Act, 1918, in respect of income which has passed through their hands on behalf of clients, and has not been taxed at source. Several members have written inquiring whether the Council propose to intervene with regard to a pressing letter from the Inland Revenue Authorities sent to many solicitors as a result of failure to comply with the requirements of the Section.”

“The Council communicated with the Inland Revenue Authorities and were informed that the Board of Inland Revenue were satisfied that solicitors are under statutory obligation to make the return, and that the Board proposed in the im-

mediate future to enforce this obligation if necessary by proceedings.

“The Council realise that the question is a serious one from a professional point of view. Accordingly they are considering it with special care, and are taking the advice of counsel upon it.”

EXAMINATIONS, OCTOBER, 1931.

The Intermediate Examination will be held on Friday, 2nd October, at ten o'clock, a.m.

Notice of intention to attend should be lodged before 12th September.

The Final Examination will be held on Monday and Tuesday, the 5th and 6th October, at ten o'clock, a.m., each day.

Notice of intention to attend should be lodged before 15th September.

The Preliminary Examination will be held on Wednesday and Thursday, the 7th and 8th October, at ten o'clock, a.m., each day.

Notice of intention to attend should be lodged before 17th September.

All of the above examinations will be held in Solicitors' Buildings, Four Courts, Dublin.

LECTURES**Michaelmas Sittings, 1931.**

The Professor of Real Property, Equity and Conveyancing will begin his lectures to the Senior Class on Tuesday, 20th October, at 2.15 p.m., in Solicitors' Buildings, Four Courts, Dublin.

Notice of intention to attend to be lodged before 6th October.

Senior lectures will be delivered at 2.15 p.m., on Tuesdays and Fridays.

The Professor of Common Law will begin his lectures to the Junior Class on Wednesday 21st October, at 2.15 p.m., in Solicitors' Buildings, Four Courts, Dublin.

Notice of intention to attend to be lodged before 6th October.

Junior lectures will be delivered at 2.15 p.m., on Wednesdays and Thursdays.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, 45 Kildare Street, Dublin, C.17.



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXV, No. 5.]

NOVEMBER, 1931.

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BALLOT FOR COUNCIL.

The ballot for election of Council will be held on Monday, 23rd November, from eleven o'clock to one o'clock, in the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin. Voting papers should reach the Secretary not later than one o'clock on the 23rd November.

HALF-YEARLY GENERAL MEETING.

The Half-yearly General Meeting of the Society will be held at half-past two o'clock, p.m., on Thursday, the 26th November, in the Hall of the Society, Solicitors' Buildings, Four Courts, Dublin.

MEETINGS OF THE COUNCIL.

The first meeting of the Council held in the new premises of the Society, Solicitors' Buildings, Four Courts, was held on 1st October; twenty-five members present.

The late Sir William Orpen.

The Council passed a resolution conveying their sympathy to Lady Orpen and the relations of the late Sir William Orpen in their bereavement. Sir William Orpen's grandfather, Sir Richard J. T. Orpen, was President of this Society from 1860 to 1876,

and his brothers, Mr. Charles St. G. Orpen and Mr. Arthur H. S. Orpen, are past Presidents of the Society.

Royal College of Physicians and Surgeons.

Resolutions were passed conveying to the Presidents and Councils of the Royal College of Physicians and Royal College of Surgeons the thanks of the Council for having generously granted to this Society the use of their halls and rooms from time to time throughout the past nine years.

Death Duties on Registered Land.

A letter was read from a member drawing attention to the fact that upon cancellation of equities the registering authority now makes no requisition in regard to duties, and accordingly no note as to payment of duties is placed on the folio when an application for cancellation of equities is being dealt with.

22nd October.

Twenty-six members present.

The late Mr. John W. Richards.

The Council passed a resolution of sympathy with the relatives of the late Mr. John W. Richards, a past President of this Society.

Road Traffic Bill.

A report from the Parliamentary Committee on this Bill was considered, and amendments agreed upon, to be submitted to be moved in Committee on the Bill.

29th October.

Twenty-four members present.

Examination Results.

The report of the Court of Examiners on the Society's October Examinations was submitted and adopted.

Annual Report.

The draft of the Annual Report of the Council was considered and adopted.

OBITUARY.

MR. PETER FOX, Solicitor, died upon the 4th August, 1931, at London.

Mr. Fox served his apprenticeship with Mr. Thomas W. Delany, Longford; was admitted in Hilary Sittings, 1921, and practised at Longford.

MR. JAMES RIORDAN, Solicitor, died upon the 24th August, 1931, at his residence, Glenville, Dundrum, County Dublin.

Mr. Riordan was admitted in Hilary Term, 1867, and practised at 54 Dawson Street, Dublin, up to 1922, when he retired. He was Crown Solicitor for the Counties Tyrone and Fermanagh from 1881 to 1922.

MR. DERMOT MACDERMOT, Solicitor, died upon the 27th August, 1931, at Dublin.

Mr. MacDermot served his apprenticeship with Mr. John Garvey, Ballina; was admitted in Hilary Sittings, 1903, and practised at Boyle, Co. Roscommon.

MR. LOUIS S. MELDON, Solicitor, died upon the 30th August, 1931.

Mr. Meldon was admitted in Hilary Sittings, 1879, and practised formerly at 14 Upper Ormond Quay, and latterly at 8 Merrion Square, North, Dublin, as a member of the firm of Meldon & Co.

MR. EDWIN E. MASON, Solicitor, died upon the 12th September, 1931, at his residence, Prospect, Mullingar, Co. Westmeath.

Mr. Mason served his apprenticeship with his father, the late Mr. John Mason, Dublin; was admitted in Hilary Sittings, 1883, and practised at Mullingar.

MR. JAMES MCCOY, Solicitor, died upon the 12th September, 1931, at his residence, Roanmore, Waterford.

Mr. McCoy was admitted in Trinity Sittings, 1888, and practised as a member of the firm, Dobbyn, Tandy and McCoy, at Waterford.

MR. GEORGE M. COLLINS, Solicitor, died upon the 24th September, 1931, at his residence, 49 Upper Mount Street, Dublin.

Mr. Collins served his apprenticeship with his father, the late Mr. George Collins, Dublin; was admitted in Trinity Sittings, 1904, and practised as a member of the firm of Casey, Glay and Collins, at 21 Saint Andrew Street, Dublin.

MR. JOHN W. RICHARDS, Solicitor, died upon the 1st October, 1931, at his residence, "Rath," Greystones, Co. Wicklow.

Mr. Richards was admitted in Hilary Sittings, 1898, and practised as a member of the firm of S. S. & E. Reeves, 51 Merrion Square, Dublin, up to 1929, when he retired.

He was a member of the Council of the Society from 1905 to 1925, and was President of the Society for the year 1916-17.

MR. DAVID J. O'MEARA, Solicitor, died upon the 27th October, 1931, at his residence, Mallow, Co. Cork.

Mr. O'Meara was admitted in Hilary Sittings, 1890, and practised at Mallow.

CIRCUIT COURT RULES.

Resolutions have been passed by both the Dáil and the Senate approving Circuit Court Rules to come into operation on the first day of January, 1932.

NEW MEMBERS.

The following have joined the Society :—

- Joseph Brogan, 60 Dawson Street, Dublin.
 John Gillespie, Castleblayney.
 Christopher Hogan, Callan, Co. Kilkenny.
 Wm. J. Kavanagh, 24 Upper Ormond Quay, Dublin.
 M. J. Maguire, Longford.
 Edward J. Montgomery, 17 D'Olier Street, Dublin.
 William J. O'Meara, Mallow.
 Vincent P. Shields, Loughrea.
 Hugh G. Sweetman, 46 Fleet St., Dublin.

TELEPHONES.

There are two telephones for the use of members of the Society and their assistants in the entrance hall of the Society's premises at the Four Courts. Calls can be made from members' offices, on either of these telephones to the Society's caretaker, who will, if so requested, write the name of the calling member on the telephone call board, which is in the entrance porch.

The telephone numbers of the two telephones for use of members and their assistants are 23341 and 23342. The number of the telephone in the Secretary's Office is 22997.

EXAMINATION RESULTS.

At the Preliminary Examination held on the 7th and 8th days of October, the following passed the examination, and their names are arranged in order of merit :—

1. Daniel Joseph Carbery.
2. Michael C. Beatty.
3. Margaret Carey.
4. James Claffey.
5. Luke Doyle.
6. James P. Sweeney.
7. James W. A. M. McCabe.
8. William B. Fawsitt.
9. John J. G. Gilmartin.

James McGuirk passed the modified Preliminary Examination, for which he had liberty to present himself.

Eighteen candidates attended : 10 passed ; 8 were postponed.

Preliminary Examination Prizes, 1931.

None awarded.

Intermediate Examination.

At the Intermediate Examination held on 2nd October, the following passed the examination :—

PASSED WITH MERIT.

1. Michael Moran.
2. { Bridget W. Hannon. } equal.
- { Hector J. G. Ryan } equal.
4. James A. Connolly.
5. Michael J. Dunne.
6. Thomas M. A. Lynch.
7. Bernard P. Manning.
8. Robert J. Baylor.

PASSED:

- Frances M. Brady.
 Albert Commins.
 Patrick A. Curran.
 Michael J. Garahy.
 George C. Graham.
 Thomas J. Guihan.
 James D. Kearns.
 John J. Kennedy.
 Richard J. Muldowney.
 Declan P. A. Murphy.
 Laurence B. McMahon.
 Ernest M. Newman.
 Patrick J. O'Flynn.
 Thomas A. O'Gorman.
 John J. A. O'Hare.
 Conor J. O'Liaithain.

Final Examination.

At the Final Examination for Apprentices to Solicitors held on 5th and 6th October, the following passed the examination, and their names are arranged in order of merit :—

1. Gerald Baily.
2. Eric A. J. Plunkett, B.A., N.U.I.
3. Martin C. Tynan.
4. Patrick J. Dunphy.
5. Arthur F. B. Thompson, B.A., T.C.D.
6. Mary E. Harte, B.A., N.U.I.
7. John Joseph O'Donnell.
8. James H. G. Gorman.
9. Patrick O'Leary.
10. Lewis D. Field.
11. Fergus J. Power.
12. { John W. Montgomery, } equal.
- { B.A., N.U.I. } equal.
- { Patrick C. Sweeney. } equal.

14. Gerrard L. McGowan.
 15. { Donald T. McCarthy
 Dominick R. O'Doherty } equal.
 17. Clifford D. O'Farrell.
 18. { John D. Moran
 Charles J. Sharkey, B.A.,
 N.U.I. } equal.
 20. Mary Neilan, B.A., N.U.I.
 21. Thomas M. Mitchell.
 22. Martin M. Halley.
 23. Joseph O'Malley, B.A., N.U.I.
 24. { Sydney E. Cooper
 Aine Reid } equal.
 26. Jerome L. O'Sullivan.
 27. Michael J. O'Brien.
 28. Kevin Corcoran.
 29. Ernest F. Keegan.
 30. Bernard J. A. Connolly.
 31. { Thomas G. Clarke
 Matthew F. Coghlan, B.A.,
 N.U.I. } equal.
 33. John F. Connolly.
 34. Henry McCarthy.
 35. John F. B. Barry.
 36. Roger G. O'Sullivan.

37. Bernard J. Seales.
 38. Robert Geary.
 39. Henry L. Cosgrove.

The remaining candidates are postponed.

The Council awarded a Gold Medal to Gerald Baily, a Silver Medal to Eric A. J. Plunkett, B.A., N.U.I., and a Special Certificate to Martin C. Tynan.

Scholarship Awards, 1931.

The Overend Preliminary Examination Scholarship.—Not awarded.

The Overend Final Examination Scholarship was awarded to Gerald Baily, who served his apprenticeship with Mr. Daniel J. Browne, Tralee.

The Findlater Scholarship was awarded to Timothy O'Hanrahan, B.A., N.U.I., who served his apprenticeship with Mr. John R. Peart, Dublin.

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HALF-YEARLY GENERAL MEETING

The Half-yearly General Meeting of the Society was held in the Hall of the Society, Buildings' Solicitors' Four Courts, Dublin, on Thursday, the 26th November. The chair was occupied by the President (Mr. Alexander D. Orr), and the following members were present:—W. G. Bradley, T. H. R. Craig, T. W. Delany, J. J. Duggan, E. M. FitzGerald, J. B. Hamill, W. S. Hayes, Charles Laverty, E. J. Mallins, H. P. Mayne, G. A. Overend, T. G. Quirke, L. J. Ryan, Peter Seales, W. V. Seddall, W. T. Sheridan, Patrick Tallan, Basil Thompson, H. K. Toomey, J. T. Wolfe, F. C. E. Bland, Charles Gamble, R. G. Warren, C. St. G. Orpen, W. H. Fry, V. Kennedy, M. A. Smyth, E. Edwards, A. E. Bradley, J. T. Hamerton, W. L. Barlee, E. R. McC. Dix, J. P. Collins, S. H. Lynch, V. F. Kirwan, W. H. Sutton, E. J. Kenny, E. E. Merrick, J. M. Dudley, B. R. W. Doran, S. M. McAuliffe, K. Walsh, M. J. Bowers, L. Webb, D. D. McDonald, H. R. Whelan, H. Malley, L. J. Jameson, C. J. Rutherford, D. B. Gilmore, A. J. Reddy, A. G. Joyce, T. Teevan, R. W. MacNeice, W. J. Molloy, G. M. Meares, Robert Hayes, J. R. Stritch, E. W. Proud, G. E. Grove-White, Daniel O'Connell, P. R. Boyd, W. J. Coulter, P. Glynn, G. A. G. Byrne, C. G. Stapleton, J. J. Hickey, E. A. Margetson, A. T. Ellis, J. M. White, D. M. Martin, H. D. Draper, J. J. Gaynor, J. J. Lawlor, R. H. Morris.

The Secretary read the notice convening the meeting, also the minutes of the General Meeting of 18th May, 1931, and of the Special General Meeting of 19th August, 1931, which were signed by the Chairman.

The Chairman, with the consent of the meeting, signed the audited accounts of the Society for the year ending 30th April, 1931.

The Secretary read the report of the Scrutineers of the ballot for Council, which stated that the following had been returned unopposed as Provincial Delegates:—Ulster, William Martin; Munster, J. S. Gaffney; that for Leinster two candidates had been nominated, and had received the number of votes placed after their respective names—Daniel O'Connell, 36; Terence Byrne, 24, and the Scrutineers returned Daniel O'Connell elected Provincial Delegate for Leinster; and that for Connaught two candidates had been nominated, and had received the following votes—Christopher E. Callan, 10; Louis E. O'Dea, 10; and upon lots being drawn by the Scrutineers that Louis E. O'Dea had been declared elected. That for the thirty-one Ordinary Members of the Council the following had been elected, and received the number of votes placed after their respective names:—Peter Seales, 374; T. G. Quirke, 372; T. W. Delany, 347; J. J. Duggan, 346; P. Tallan, 338; L. J. Ryan, 331; E. F. Collins, 319; E. FitzGerald, 316; W. T. Sheridan, 316; J. T. Wolfe, 310;

W. S. Hayes, 301; T. H. R. Craig, 300; D. J. Reilly, 295; E. H. Burne, 288; J. J. Lynch, 288; A. H. S. Orpen, 286; A. D. Orr, 285; C. J. Laverty, 284; E. J. Mallins, 281; Peter O'Connor, 280; H. K. Toomey, 279; M. E. Knight, 276; Basil Thompson, 274; W. G. Bradley, 272; P. J. O'Sullivan, 265; P. N. Smith, 261; G. A. Overend, 251; W. V. Seddall, 246; H. P. Mayne, 244; P. E. O'Donnell, 225; J. B. Hamill, 216. And the following, to form a supplemental list in case of vacancies:—William Early, 211; W. J. Norman, 185; John J. Shiel, 184.

THE PRESIDENT, addressing the meeting, said:—

Gentlemen, on rising to move the adoption of the Report which is in your hands, I am glad to have the opportunity of welcoming you to our new home. Our new premises are, as you see, on a site adjoining the site upon which our old premises stood, but they have this great advantage over the old premises that they are self-contained. I have no hesitation in saying that these new premises will adequately fulfil their purpose and are fitting headquarters for our profession. In addition to this fine Hall we have a most dignified Council Chamber, and excellent Library, accommodation for our Secretary and his staff, and a Lecture and Examination Hall for our apprentices. These premises are a credit to the architectural skill of Mr. Byrne, principal Architect of the Board of Works, who designed them, to his assistants, and to Messrs. Alex. Hull & Co., the builders; and we also owe a debt of gratitude to Mr. R. Caulfeild Orpen, R.H.A., who, as our Architect, looked after our interests, and to our Secretary, Mr. Wakely, who from the time that the rebuilding of the Four Courts commenced has spared no effort in assuring that our premises would be all that they should be, and whose efforts have been crowned with success.

Membership of the Society.

The membership this year (701) shows a slight increase over that of last year (690), while the number of Solicitors practising in the Irish Free State has increased from 1,032 to 1,038; the increased membership is to a certain extent gratifying, but, as so many of my predecessors have said, it is not enough. Every Solicitor in the Irish Free State should

be a member of our Society, and I am satisfied that if those members of our profession who are not members of our Society realised all that the Society does for the good of the profession generally, they would at once join our Society.

Courts of Justice Act, 1924.

You will recollect that when I addressed you at the half-yearly meeting in May last I told you that the Minister for Justice had stated in the Dáil that he proposed in the autumn of this year to introduce legislation on the Report of the Joint Committee of the Oireachtas dated the 6th November, 1930, and I also told you that your Council had made certain suggestions to the Minister with regard to such legislation. Unfortunately, the Minister has not yet found it possible to introduce the promised legislation; I am sure he will do so at the earliest possible moment, and when he does I hope the opportunity will be taken of codifying the rules of procedure in the Supreme Court and High Court. We are at present working on a set of Rules adopting and modifying in certain respects the Rules of the old Supreme Court of Judicature, which makes it necessary on many occasions to refer to these latter Rules. It would, I think, be more satisfactory to have one complete code of Rules under the Courts of Justice Act, 1924, on which we could work without reference to the old Rules.

Circuit Court Rules.

This is a subject which has called for our attention for many years, and as the position is now clear I need not enlarge on it to any great extent. You will all remember that as the result of the decision in the case of "Quinn and White v. Stokes and Quirke" a Special General Meeting of this Society was held on the 19th August last, at which meeting the resolution, which will be found in the Report, was passed. At that Special General Meeting I told you that on the 12th August the Minister for Justice and the Attorney-General met a deputation consisting of three members of the Bar, myself and your Secretary, and that the Minister, while he found it impossible to immediately summon the Dáil and Senate to a special session to pass the necessary legislation legalising all decrees and orders made, and

giving Judges power to temporarily continue to award costs in the same manner as they had been doing for the past seven years, authorised me to say that at the beginning of the present session he would introduce the necessary legislation to ratify all judgments and decrees for costs affected by the decision in question, and indemnifying parties, their Solicitors, agents, sheriffs and others who had acted pursuant to such judgments and decrees, and that at the same time he would introduce Circuit Court Rules and have them passed. The Minister, acting on this promise, has introduced and passed into law the Courts of Justice (No. 2) Act, 1931, which to the fullest possible extent ratifies the judgments and decrees in question and provides for the necessary indemnities. He has also introduced Circuit Court Rules, which have been passed by the Oireachtas and will come into operation on the 1st of January next. I need not refer to these Rules in detail, but I would like to say that, among other important changes, they provide for the marking of judgments in default of appearance without the necessity of a hearing by the Circuit Court Judge—a procedure which will I know be welcomed not only by us but also by the commercial community.

Land Act, 1931.

I told you at the half-yearly meeting that I had been consulted with reference to the Rules necessary for carrying into effect the provisions of this Act; I think these Rules are working satisfactorily. I also told you that it was intended that more Examiners of Title should be appointed. Since then five additional Examiners have been appointed, and I understand that further appointments will soon be made. These appointments are open to members of our profession, one of whom was appointed in February last. I hope that if these new appointments are made some of them will be filled by Solicitors, as the training of a Solicitor makes him eminently suited to carry out the duties of an Examiner of Title.

Royal Colleges of Physicians and Surgeons.

I am glad to have this opportunity of thanking the Presidents and Councils of the Royal College of Physicians and of the Royal College of Surgeons for having so generously

granted to our Society the use of their halls and rooms from time to time during the past nine years; without this help it would have been very difficult to carry on the work of our Society.

Northern Law Society.

Last night I attended the Annual Dinner of the Council of the Northern Law Society. Our relations with our Northern brethren are, as they have always been, of a most cordial and friendly nature; a condition of affairs that will, I am certain, continue in the future.

There does not appear to me to be anything else in the Report to which I need draw your attention. You have a full statement of our financial position, which is very satisfactory, and you also have the results of our examinations. I think the Report shows that during the last year the Council has done a considerable amount of useful work in the interest of the profession, and I should personally like to thank my Vice-Presidents, the other members of the Council and Mr. Wakely for the valuable assistance I have received from each and every one of them during my year of office.

MR. T. W. DELANY (Vice-President) seconded the adoption of the Report, and the resolution was put to the meeting and passed.

The chair having been taken by Mr. T. W. Delany, Mr. C. St. G. Orpen moved and Mr. Vincent Kennedy seconded a vote of thanks to the President, which was supported by Mr. Delany and passed with acclamation.

THE PRESIDENT.

The Council elected on 3rd December, Mr. Laurence J. Ryan, of Thurles, County Tipperary, to be President of the Society for the ensuing twelve months.

The newly-elected President was admitted in Michaelmas Sittings, 1894; he became a member of the Council in 1924; and was a Vice-President of the Society in 1925-26.

THE VICE-PRESIDENTS.

The Council have elected Mr. Thomas H. R. Craig, of 30 South Frederick Street, Dublin, and Mr. Edward M. Fitzgerald, of 20 Saint Andrew Street, Dublin, to be Vice-Presidents of the Society for the ensuing twelve months.

OBITUARY.

MR. JAMES P. FAGAN, Solicitor died upon the 3rd November, 1931.

Mr. Fagan was admitted in Michaelmas Sittings, 1877, and practised at Tullamore up to 1892, when he was appointed Clerk of the Crown for King's County.

He held the office of Clerk of the Peace for King's County from 1883 to 1926, and that of Clerk of the Crown from 1892 to 1922.

MR. DENIS F. SLATTERY, Solicitor, died upon the 6th November, 1931, at his residence, Dungarvan.

Mr. Slattery was admitted in Hilary Term, 1874, and practised at Dungarvan up to 1924, when he retired.

MR. HERBERT D. VAUGHAN, Solicitor, died upon the 6th November, 1931, at Dublin.

Mr. Vaughan served his apprenticeship with the late Mr. W. P. Kelly, Athlone, was admitted in Trinity Sittings, 1896, and practised at 11 Hume Street, Dublin.

MR. WILLIAM CAMPBELL MEEKE, Solicitor, died upon the 16th November, 1931, at his residence, 12 Kenilworth Road, Dublin.

Mr. Meeke was admitted in Hilary Sittings, 1889, and practised at 119 St. Stephen's Green, Dublin.

MR. JOSEPH A. SHAW, Solicitor, died upon the 22nd November, 1931, at his residence, "Bloomfield," Mullingar.

Mr. Shaw served his apprenticeship with Mr. Thomas G. Quirke, Dublin, was admitted in Trinity Sittings, 1906, and practised at Mullingar.

MR. ALEXANDER J. TAYLOR, Solicitor, died upon the 23rd November, 1931, at his residence, 4 Longford Terrace, Monkstown, Co. Dublin.

Mr. Taylor was admitted in Easter Sittings, 1880, and practised at 21 Wellington Quay, Dublin, up to 1911, when he retired.

NEW MEMBERS.

The following have joined the Society:—

Patrick Cusack, Ballyjamesduff.

Basil A. Doyle, 51 St. Stephen's Green, E., Dublin.

Michael V. Fay, 5 Upper O'Connell Street, Dublin.

Alan G. Murray, 6 Dawson Street, Dublin.

Hugh B. Naughton, 7 Forster Street, Galway.

Patrick O'Flynn, Manorhamilton.

William L. Ryan, Tipperary.

LAND ACT, 1931.

The Judicial Commissioner has settled provisional suggestions for the making of applications under Section 36 of the Land Act, 1931.

Copies of these provisional suggestions can be obtained on application at the Registrar's Office, 24 Upper Merrion Street, Dublin.

CIRCUIT COURT RULES.

Copies of the Rules of the Circuit Court of Justice, which come into operation on the 1st day of January, 1932, can be obtained at the Government Publications Office, 5 Nassau St., Dublin, price one shilling and threepence.

LOCKERS.

Members can rent lockers in the Solicitors' Buildings, Four Courts, for the sum of five shillings per annum. Application should be made to the caretaker.

HILARY SITTINGS LECTURES.

The Junior Class Lectures will begin on Wednesday, 13th January.

The Senior Class Lectures will begin on Tuesday, 12th January.

The Lectures will be delivered in the Solicitors' Buildings, Four Courts, at 2.15 p.m.

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SECTION IV

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OF THE

Incorporated Law Society of Ireland.

Vol. XXV, No. 7.]

JANUARY, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

SOLICITORS' ANNUAL CERTIFICATES.

Members are reminded that Annual Certificates for the year ending 5th January, 1933, should be taken out and the duties paid thereon before 6th February, 1932.

Certificates enabling Solicitors to practise in the Irish Free State are issued in the office of the Incorporated Law Society of Ireland, Solicitors' Buildings, Four Courts, Dublin, and the duties thereon are payable at the Stamp Office, Dublin Castle.

A Northern Ireland Solicitor entitled to practise in the Free State who desires to take out a Free State Certificate must obtain through his Dublin Agent such certificate at Solicitors' Buildings, Four Courts, Dublin. This certificate must then be produced by the agent at the Stamp Office, Dublin Castle, together with the Solicitor's Northern Ireland stamped certificate for the year current, so that credit may be marked on the Free State certificate for duty to the amount paid on the Northern certificate.

Certificates enabling Solicitors to practise in Northern Ireland are issued in the office of the Incorporated Law Society of Northern Ireland, 35 Royal Avenue, Belfast, and the duties thereon are payable at the Inland Revenue Office, Belfast.

A Free State Solicitor entitled to practise in Northern Ireland who desires to take out a Northern Ireland certificate must obtain through his Belfast Agent such certificate at 35 Royal Avenue, Belfast. This certificate must then be produced by the agent at the Inland Revenue Office, Belfast, together with the Solicitor's Free State stamped certificate

for the year current, so that credit may be marked on the Northern certificate for duty to the amount paid on the Free State certificate.

MEETINGS OF THE COUNCIL.

3rd December.

Thirty Members present

Election of President and Vice-Presidents.

The Council elected Mr. Laurence J. Ryan to be President of the Society, and Mr. Thomas H. R. Craig and Mr. Edward M. FitzGerald to be Vice-Presidents of the Society for the ensuing twelve months.

Extra-Ordinary Members.

The following, whose names were submitted by the Southern Law Association, were elected to serve as Extra-Ordinary Members of Council—Mr. Barry St. J. Galvin (President), Mr. E. Emerson, Mr. John J. Horgan, Mr. A. H. Julian and Mr. P. J. Kavanagh.

Mr. M. Buggy.

A letter was read from Mr. M. Buggy thanking the Council for its letter expressing appreciation of his services during the past twenty-four years as Leinster Delegate, to which office he did not seek re-election.

Land Act, 1931, Section 36.

Draft provisional suggestions settled by the Judicial Commission, received from the Registrar of the Land Commission, with a request that the Council would consider same, were considered and approved of by the Council.

OBITUARY.

MR. EDWARD R. BATE, Solicitor, died upon the 6th December, 1931, at his residence, 2 Eden Park, Sandycove, Co. Dublin.

Mr. Bate was admitted in Michaelmas Term, 1876. He was Assistant-Solicitor to the Post Office from 1878 to 1907, and Solicitor to the Post Office from 1907 to 1919, when he retired.

MR. PATRICK LAVERY, Solicitor, died upon the 12th December, 1931, at his residence, "Melvale," Armagh.

Mr. Lavery was admitted in Michaelmas Sittings, 1883, and practised at Armagh.

The Right Hon. Sir JAMES O'CONNOR, Solicitor, died upon the 29th December, 1931, at 4 Dulwich Village, London, S.E. 21.

Sir James served his apprenticeship with his brother, Mr. Michael J. O'Connor, Wexford, and was admitted in Michaelmas Sittings, 1894. He was called to the Bar of Ireland in Michaelmas Sittings, 1900, and, having been successively Solicitor-General, Attorney-General and Chancery Judge, he was in 1918 appointed Lord Justice of Appeal, which office he held until 1924.

He was re-admitted a solicitor in Michaelmas Sittings, 1929, and practised at 62 Dawson Street, Dublin, up to 1931, when he retired.

HIGH COURT JUDGMENTS.

The Master of the High Court will in future hear applications for final judgment by default at eleven o'clock, a.m., on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays; the papers to be lodged before three o'clock, p.m., on the day previous.

LOCKERS.

Members can rent lockers in the Solicitors' Buildings, Four Courts, for the sum of five shillings per annum. Application should be made to the caretaker.

LUNACY PRACTICE.

The following form of Affidavit of Service is to be used by direction of the Chief Justice:—

CHIEF JUSTICE OF SAORSTÁT EIREANN.

In the Matter of

a person alleged to be of unsound mind.

I,

1. That I did on the day of

19 , personally serve

in the title hereof named with an attested copy of the petition herein with the appropriate notice endorsed thereon, by delivering unto and leaving with the said

in person at

between

the hours of

a true copy

thereof with a copy of the said notice endorsed thereon, and at the same time I showed him the said attested copy petition with the appropriate notice endorsed thereon, upon which said attested copy marked "A" I have endorsed my name before swearing hereof, and that at the time of such service I was acquainted with the appearance of the said

Sworn, etc.

LIST OF STATUTES PASSED BY THE OIREACHTAS DURING 1931.

1. Courts of Justice.
2. Defence Forces (Temporary Provisions).
3. Public Health (Special Expenses).
4. Sea Fisheries.
5. Central Fund.
6. Aliens Restriction (Amendment).
7. Poor Relief (Dublin).
8. Agriculture.
9. Commissioners for Oaths (Diplomatic and Consular).
10. Plate Assay (Amendment).
11. Land.
12. Telephone Capital.
13. Legitimacy.
14. Finance (Customs Duties).
15. Tourist Traffic (Development).

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| <ul style="list-style-type: none"> 16. Civic Guard (Acquisition of Premises) (Amendment). 17. Local Elections and Meetings (Postponement). 18. Juries (Protection). 19. Local Government. 20. Trustee. 21. Trade Loans (Guarantee) (Amendment). 22. Pharmacopœia. 23. Railway Fires (Amendment). 24. Public Charitable Hospitals (Amendment). 25. Local Government (Dublin) (Amendment) 26. Agricultural Produce (Potatoes). 27. Betting. 28. Local Government (Rates on Agricultural Land). 29. Dairy Produce. 30. Appropriation. 31. Finance. 32. Electricity (Supply) (Amendment). 33. Fisheries (Revision of Loans). 34. Adaptation of Enactments. 35. Midwives. 36. Veterinary Surgeons. 37. Constitution (Amendment No. 17). 38. Customs Duties (Provisional Imposition). 39. Finance (Customs Duties) (No. 2). 40. Courts of Justice (No. 2). 41. Finance (Increase of Income Tax). | <ul style="list-style-type: none"> 42. Finance (Customs Duties) (No. 3). 43. Finance (Customs Duties) (No. 4). 44. Expiring Laws. 45. Agricultural Produce (Fresh Meat). 46. Unemployment Relief. 47. Railways (Valuation for Rating). 48. Merchandise Marks. 49. Public Charitable Hospitals (Amendment) (No. 2). 50. Housing (Miscellaneous Provisions). 51. Public Charitable Hospitals (Amendment) (No. 3). 52. Defence Forces (Temporary Provisions) (No. 2). 53. Housing (Gaeltacht) (Amendment). 54. Mines and Minerals. 55. Landlord and Tenant. 56. Apprenticeship. |
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STATUTES OF 1930.

The volume of Statutes of the Oireachtas passed in 1930 has been issued, and can now be obtained, price ten shillings and sixpence.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin.



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXV, No. 8.]

FEBRUARY, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

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THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXV, No. 8] FEBRUARY, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

MEETINGS OF THE COUNCIL.

14th January.

Twenty-one Members present.

Extra-Ordinary Members.

The following, whose names were submitted by the Incorporated Law Society of Northern Ireland, were elected to serve as Extra-Ordinary Members of the Council:— Mr. James C. Taylor (President), Mr. R. Baillie, Mr. R. J. Dickson, Mr. J. B. McCutcheon, and Mr. John G. H. Wilson.

Courts of Justice Act.

The Council appointed the President, Mr. Bradley and Mr. Mayne, to represent the Council in conferring with three members of the Bar Council in reference to legislation arising out of the Report of the Joint Committee of the Oireachtas of 6th November, 1930.

OBITUARY.

SIR GEORGE ROCHE.

By the death of Sir George Roche, which took place on the 25th of January, 1932, at his residence, 76 Merrion Square, Dublin, the Solicitors' profession in Ireland has been deprived of a member who, during a long life, took a deep interest in the welfare of the profession and of this Society. Having served his apprenticeship with his father, Mr. William Roche (President of this Society, 1876-77); Mr. George Roche was admitted in Hilary Term, 1874. Following the death of his brother, Mr. Thomas Knight Roche

(a member of the Council, 1886 to 1897, and a Vice-President of the Society, 1893-4), Mr. George Roche was, in 1898, elected a member of the Council, and in December, 1900, he was elected a Vice-President, and in the following March, upon the appointment of the late Mr. Goff (who was then President) to be a Taxing Master, Mr. Roche was elected President of the Society. In the month of June in the following year the honour of Knighthood was conferred upon him by King Edward VII. Sir George retired from the Council in 1912, but his work for the welfare of the profession did not end then. In 1920 he was elected Chairman of the Board of Directors of the Solicitors' Benevolent Association, of which Board he had been for many years a member, and, to the great advantage of the Association. He continued to actively occupy the position of Chairman until his death. X.I.V

MR. JAMES E. O'DOHERTY, Solicitor, died on the 2nd January, 1932, at his residence, "Milburn," Buncrana, Co. Donegal.

Mr. O'Doherty was admitted in Trinity Term, 1871, and practised at Londonderry up to 1915, when he retired.

MR. JOHN A. MCAREVEY, Solicitor, died on the 18th January, 1932, at his residence, "Glenshee," Foxrock, Co. Dublin.

Mr. McArevey served his apprenticeship with Mr. Alexander Gartlan, Newry; was admitted in Hilary Sittings, 1912, and practised at 25-27 St. Andrew Street, Dublin.

Mr. PATRICK J. MORAN, Solicitor, died on the 22nd January, 1932, at his residence, 173 Strand Road, Merrion, Co. Dublin.

Mr. Moran served his apprenticeship with the late Mr. William Scallan, Dublin; was admitted in Trinity Sittings, 1901, and practised at 39 Lower Ormond Quay, Dublin.

Mr. PATRICK R. BUGGY, Solicitor, died on the 30th January, 1932, at Dublin.

Mr. Buggy served his apprenticeship with Mr. Henry D. Keane, Waterford; was admitted in Michaelmas Sittings, 1907, and practised at Waterford up to 1930, when he retired.

NEW MEMBERS.

The following have joined the Society:—

Joseph P. Black, Clones.

Francis J. Farrell, Ballymahon.

J. Ivor Horgan, 50 South Mall, Cork.

Niall D. McLaughlin, 42 St. Stephen's Green, Dublin.

John F. Murtagh, 25 Eden Quay, Dublin.

Patrick D. O'Grady, 26 Mary Street, Dublin.

Patrick O'Leary, 42 St. Stephen's Green, Dublin.

Charles J. Starkey, Castleblayney.

James Tanham, 13 Westmoreland St., Dublin.

LOCAL REGISTRATION OF TITLE (IRELAND) ACT, 1891.

Section 52 of this Act provides as follows:—

"A right to be registered as the owner of any registered land in derogation of the title of the registered owner shall not be acquired by any mere possession, however long, commencing after the first registration of the land, but where any person but for the provisions of this Act would have obtained a title by mere possession to any registered land, he may apply to the Court in the prescribed manner for an order declaring his title to such land, and the Court, if satisfied that such title would have been acquired but for the provisions of this Act, may make an order declaring such title, and ordering the register to be rectified in such manner as it thinks just."

The question as to the chargeability to stamp duty of a Circuit Court Judge's order

made under the above-recited Section was recently before Mr. Justice Wylie on motion, and he held that the order did not effect a transfer or vesting of the property named therein, and the Revenue Commissioners have acquiesced in this decision, and Revenue Duty will not in future be payable on such orders.

SOLICITORS' BENEVOLENT ASSOCIATION

The Directors have elected the following to be the Honorary Officers for 1932:—

Chairman—Mr. Joseph E. MacDermott.

Vice-Chairman—Mr. Edward D. MacLaughlin.

Hon. Secretary—Mr. F. C. E. Bland.

The annual subscription to the Association is one guinea, and it should be sent to the Secretary, Mr. Patrick Glynn, Solicitor, 22 Nassau Street, Dublin.

THE SOCIETY'S CALENDAR, 1932.

The Calendar and Law Directory of the Society for 1932 can be obtained at the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin. Price five shillings; by post, five shillings and sixpence.

APRIL EXAMINATIONS, 1932.

The Final Examination will be held on the 4th and 5th days of April, in the Solicitors' Buildings, Four Courts, Dublin.

Notice of intention to attend the examination should be lodged in the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin, N.W.8, before 14th March.

The Preliminary Examination will be held on the 6th and 7th days of April, in the Solicitors' Buildings, Four Courts, Dublin.

Notice of intention to attend the examination should be lodged in the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin, N.W.8, before 16th March.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.8.

THE GAZETTE

NOTICE TO THE PUBLIC

Whereas the Government of India have decided to...

1. The Government of India have decided to...

2. The Government of India have decided to...

3. The Government of India have decided to...

4. The Government of India have decided to...

5. The Government of India have decided to...

6. The Government of India have decided to...

7. The Government of India have decided to...



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXV, No. 9.] MARCH, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

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THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXV, No. 9]

MARCH, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

MEETING OF THE COUNCIL.

4th February.

Twenty-four Members present.

The late Sir George Roche.

The Council passed a resolution expressing deep regret at the death of Sir George Roche, a past President of the Society, and the sympathy of the Council with the family in their bereavement.

Revenue Certificate.

The President reported that as a result of representations made by him at the request of the Council the form of certificate to be given on assessing of duty in cases of voluntary transfers and conveyances has been amended so as to include the Solicitor as a person eligible to sign such certificate.

Landlord and Tenant Act, 1931.

The President reported that he had been consulted by the Minister for Justice as to regulations to be made under Section 7, and that he had made suggestions for amendments in draft regulations, which had been accepted.

OBITUARY.

MR. CHARLES W. BLACK, Solicitor, died on the 1st February, 1932, at his residence, Glen Ebor, Strandtown, Belfast.

Mr. Black was admitted in Hilary Sittings, 1881, and practised as a member of the firm of Messrs. C. & J. Black, at 13 Donegall Square, Nth., Belfast. He was an extraordinary member of the Council from 1905 to 1918.

MR. THOMAS W. WRIGHT, Solicitor, died on the 4th February, 1932, at Southsea.

Mr. Wright was admitted in Trinity Sittings, 1881, and practised as a member of the firm of Messrs. Thomas R. Wright & Son, at Clonakilty, up to 1921, when he retired.

MR. JAMES BINCHY, Solicitor, died on the 19th February, 1932, at his residence, "Gortskagh," Charleville, County Cork.

Mr. Binchy was admitted in Trinity Sittings, 1887, and practised at Charleville up to 1923, when he retired.

MR. MICHAEL PURCELL, Solicitor, died on the 20th February, 1932, at Macroom.

Mr. Purcell was admitted in Trinity Sittings, 1887, and practised at Macroom.

MR. EDWARD CONDELL, Solicitor, died on the 23rd February, 1932, at his residence, 6 Frankfort Avenue, Rathgar, Dublin.

Mr. Condell was admitted in Trinity Sittings, 1896, and practised as a member of the firm of Messrs. D'Alton & Co., at 11 St. Stephen's Green, Dublin, up to 1929, when he retired.

NEW MEMBERS.

The following have joined the Society :—

Sydney E. Cooper, 22 Upper Mount Street, Dublin.

Gerald M. Counahan, Galway.

Lewis D. Field, 10 Ely Place, Dublin.

John J. Goulding, 8 Merrion Square, Nth., Dublin.

Ernest F. Keegan, 6 Merrion Row, Dublin.

LANDLORD AND TENANT ACT, 1931.

Regulations under Section 7 will be issued in the near future.

Section 5 (1) provides that "In this Act the expression 'the Court' means the Circuit Court."

Section 5 (5) provides that "Unless and until otherwise provided by rules of court, all applications under this Act to the Court shall be made by originating or interlocutory (as the case may require) notice of motion."

THE SOCIETY'S CALENDAR, 1932.

The Calendar and Law Directory of the Society for 1932 can be obtained at the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin, N.W.8. Price five shillings; by post, five shillings and sixpence.

LOCKERS.

Members can rent lockers in the Solicitors' Buildings, Four Courts, for the sum of five shillings per annum. Application should be made to the Hall Porter.

LIST OF STATUTES PASSED BY THE OIREACHTAS DURING 1931.

1. Courts of Justice.
2. Defence Forces (Temporary Provisions).
3. Public Health (Special Expenses).
4. Sea Fisheries.
5. Central Fund.
6. Aliens Restriction (Amendment).
7. Poor Relief (Dublin).
8. Agriculture.
9. Commissioners for Oaths (Diplomatic and Consular).
10. Plate Assay (Amendment).
11. Land.
12. Telephone Capital.
13. Legitimacy.
14. Finance (Customs Duties).
15. Tourist Traffic (Development).

16. Civic Guard (Acquisition of Premises) (Amendment).
17. Local Elections and Meetings (Postponement).
18. Juries (Protection).
19. Local Government.
20. Trustee.
21. Trade Loans (Guarantee) (Amendment).
22. Pharmacopœia.
23. Railway Fires (Amendment).
24. Public Charitable Hospitals (Amendment).
25. Local Government (Dublin) (Amendment).
26. Agricultural Produce (Potatoes).
27. Betting.
28. Local Government (Rates on Agricultural Land).
29. Dairy Produce.
30. Appropriation.
31. Finance.
32. Electricity (Supply) (Amendment).
33. Fisheries (Revision of Loans).
34. Adaptation of Enactments.
35. Midwives.
36. Veterinary Surgeons.
37. Constitution (Amendment No. 17).
38. Customs Duties (Provisional Imposition).
39. Finance (Customs Duties) (No. 2).
40. Courts of Justice (No. 2).
41. Finance (Increase of Income Tax).
42. Finance (Customs Duties) (No. 3).
43. Finance (Customs Duties) (No. 4).
44. Expiring Laws.
45. Agricultural Produce (Fresh Meat).
46. Unemployment Relief.
47. Railways (Valuation for Rating).
48. Merchandise Marks.
49. Public Charitable Hospitals (Amendment) (No. 2).
50. Housing (Miscellaneous Provisions).
51. Public Charitable Hospitals (Amendment) (No. 3).
52. Defence Forces (Temporary Provisions) (No. 2).
53. Housing (Gaeltacht) (Amendment).
54. Mines and Minerals.
55. Landlord and Tenant.
56. Apprenticeship.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin N.W.8.



THE

THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXV, No. 10.]

APRIL, 1932.

[FOR CIRCULATION
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THE GAZETTE



Incorporated Law Society of Ireland.

Vol. XXV, No. 10]

APRIL, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

MEETING OF THE COUNCIL.

16th March.

Twenty-eight Members present.

The Council discharged a considerable amount of routine business.

CIRCUIT COURT RULES.

Order XV., Rule 3:

The Council of the Society has been advised by Senior Counsel that there is grave doubt as to the validity of the Circuit Court rule permitting judgment by default of appearance in cases of a liquidated claim to be entered in the office of the County Registrar. The Council suggests to members that until a decision as to the validity of the rule is given, it would be advisable, in default cases, to apply to the Circuit Court Judge for judgment on notice to the defendant.

GENERAL MEETING.

A Half-yearly General Meeting of the Society will be held in the Solicitors' Buildings, Four Courts, Dublin, on Thursday, the 12th day of May, 1932, at half-past two o'clock p.m.

OBITUARY.

MR. GEORGE W. STRAHAN, Solicitor, died on the 6th March, 1932, at his residence, 41 Adelaide Park, Malone Road, Belfast.

Mr. Strahan was admitted in Hilary Sittings, 1888, and practised as a member of the firm of Bigger and Strahan, at 109 Royal Avenue, Belfast.

MR. CHARLES J. QUIRKE, Solicitor, died on the 18th March, 1932.

Mr. Quirke served his apprenticeship with Mr. William Frewen, Tipperary; was admitted in Hilary Sittings, 1902, and practised at 15 South Frederick Street, Dublin, up to 1920.

He was Registrar to the County Court Judge of Tyrone from 1913 up to the date of his death.

MR. JOHN A. PETTIT, Solicitor, died on the 18th March, 1932, at his residence, Carrick-on-Shannon.

Mr. Pettit served his apprenticeship with the late Mr. Bernard J. O'Flaherty, Wexford; was admitted in Hilary Sittings, 1906, and practised at Carrick-on-Shannon.

MR. ALEXANDER GARTLAN, Solicitor, died on the 23rd March, 1932, at his residence, Downshire Road, Newry, County Down.

Mr. Gartlan was admitted in Easter Term, 1875, and practised at Newry.

He was Crown Solicitor for the County of Louth from 1912 to 1922.

RECENT LEGAL DECISION.**High Court (Land Commission).**

(Before WYLIE J.)

In re LOCAL REGISTRATION OF TITLE (IRELAND) ACT, 1891, and PATRICK MURPHY.

Jan. 12, 1932.—*Revenue—Stamp Duty—Local Registration of Title (Ireland) Act, 1891, Sec. 52—Title acquired by adverse possession—Order, Circuit Court Judge—Stamp Act, 1891, Sec. 62.*

This was an appeal from a ruling of the Registrar of Titles refusing to register the title of James Daly to certain registered lands in County Wexford, under an order of the Circuit Court Judge, made under Sec. 52 of the Local Registration of Title (Ireland) Act, 1891, declaring the title of James Daly to the said lands, on the grounds that the said order had not been stamped pursuant to Sec. 80 of the said Act. Counsel for the appellant and Counsel for the Revenue Commissioners were heard.

WYLIE, J.: Under Sec. 52 of the Local Registration of Title (Ireland) Act, 1891, it is for the judge to "declare," "order," and "direct rectification of the Register." I think the word "declare" must mean to declare a title which is in a man, and that the order is merely declaratory for the purpose of rectification of the Register.

Sec. 62 of the Stamp Act, 1891, deals with orders which "transfer to or vest property in" someone, *i.e.*, it connotes orders, which perform something in the nature of a transfer. An order under Sec. 52 of the Local Registration of Title (Ireland) Act, 1891, makes a title no better, but brings it into line with the Act and declares the title.

I hold that an order under Sec. 52 of the Local Registration of Title (Ireland) Act, 1891, is not liable to stamp duty.

(Reported *The Law Journal*, April 16, 1932, page 84. I.F.S.)

STATUTES OF THE OIREACHTAS PASSED DURING 1932.

1. Pensions Books (Prohibition of Alienation).
2. Road Transport.
3. Railways (Miscellaneous).
4. Central Fund.

LANDLORD AND TENANT ACT, 1931.

Regulations under Section 7 of this Act have been made by the Minister for Justice. Copies can be obtained at the Government Publications Sale Office, 5 Nassau Street, Dublin; price ninepence.

Rules of Court pursuant to Section 5 (3) of the Act for regulating the practice and procedure under the Act have not yet been made.

INTERMEDIATE EXAMINATION, 1932.

The June Intermediate Examination will be held on Wednesday, the first day of June. Notice of intention to attend should be lodged in the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin, N.W.8., before 12th May.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.8.

RECENT LEGAL DECISION.

High Court (Barth C. J. & C. J.)

I hold that an order under Sec. 22 of the Local Registration of Title (Ireland) Act, 1891, is not a "conveyance" within the meaning of the Statute in question.

STATUTE OF THE LOCAL REGISTRATION OF TITLE (IRELAND) ACT, 1891.

1. Section 22 of the Act.

2. Section 23 of the Act.

CONVEYANCE AND REGISTRATION ACT, 1891.

Section 1 of the Act.

OFFICIAL STATUTES

Section 1 of the Act.

THE

Statute in question.

[Faint, mostly illegible text in the right-hand column, likely containing the full text of the legal decision and commentary.]



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXVI, No. 1.]

MAY, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

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THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXVI, No. 1.]

MAY, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

MEETING OF THE COUNCIL.

7th April.

Twenty-six Members present.

Court of Examiners.

The report of the Court of Examiners upon the April Examinations was submitted and adopted.

Circuit Courts.

A letter from Roscommon Circuit Court Bar Association, also a letter from a Country Member relative to costs of equity appeals, were referred to the Costs Committee.

The Council adjourned until 26th May.

OBITUARY.

MR. JOHN J. FOLEY, Solicitor, died on the 2nd April, 1932.

Mr. Foley was admitted in Easter Sittings, 1883, and practised at Skibbereen.

MR. HENRY C. NEILSON, Solicitor, died upon the 16th April, 1932, at his residence, 3 Aston Gardens, Strandtown, Belfast.

Mr. Neilson served his apprenticeship with his father, the late Mr. Henry C. Neilson, Dublin; was admitted in Easter Sittings, 1894, and practised as a member of the firm of Henry C. Neilson and Son and Dawson, at 10, and subsequently at 14, Fleet Street, Dublin, up to 1922, when he was appointed First Class Clerk in the Taxing Master's Office of the High Court of Northern Ireland, Belfast.

MR. CHARLES H. DENROCHE, Solicitor, died on the 23rd April, 1932, at his residence, Keylong House, Cahir, Co. Tipperary.

Mr. Denroche served his apprenticeship with the late Mr. William G. Lane, Cork; was admitted in Michaelmas Sittings, 1895, and practised at 32 Nassau Street, Dublin, up to 1930, when he retired.

Mr. Denroche was Special Examiner to the Incorporated Law Society of Ireland for the Intermediate and Final Examinations from 1906 to 1927, the duties of which office he discharged with very marked ability.

PROFESSORSHIP OF COMMON LAW.

The Council invite applications for the office of Professor of Common Law to the Society. Particulars of duties can be obtained from the Secretary.

The newly-elected Professor will enter on his duties next October. The appointment will be made for one year, and the person appointed will be eligible for yearly re-appointment for each of the four succeeding years.

Applications from practising Barristers or Solicitors will be received up to the 18th June, and should be addressed to the Secretary, Incorporated Law Society of Ireland, Solicitors' Buildings, Four Courts, Dublin, N.W.S.

COUNTY DUBLIN FI FAS AND DECREES.

Question put in Dáil by Mr. H. M. Dockrell, T.D. :—

“To ask the Minister for Justice if he is aware that the City Sheriff, when handed decrees or Fi Fas directed to him, where the defendant resides in what was formerly the County of Dublin but now the City, refuses to accept them and insists on their being lodged with the County Sheriff, and if he will have this matter investigated with a view to rectifying this anomaly.” (For answer before 27th April.)

Answer :—“Section 23 (3) of the Local Government (Dublin) Act, 1930, provides that so long as the person who, at the passing of that Act, held the office of Under-Sheriff of the County of Dublin, continues to hold

office, his area of jurisdiction as such Under-Sheriff shall continue as if the Act in question had not been passed. The same person still holds the said office and, therefore, the City Under-Sheriff has no authority to execute the Court Orders referred to by the Deputy, and is acting quite rightly in refusing to accept them for execution."

RE-SEALING IN NORTHERN IRELAND OF ENGLISH PROBATE GRANTS.

Section 2 of the Northern Ireland (Miscellaneous Provisions) Act, 1932, a statute of the British Parliament, provides as follows:—

"Probate and letters of administration granted by the High Court in England shall not be re-sealed in the High Court in Northern Ireland under section ninety-four of the Probates and Letters of Administration Act (Ireland), 1857, as amended by or under any enactment, unless the person to whose estate the probate or letters of administration relate died domiciled in England."

STATUTES OF THE OIREACHTAS PASSED DURING 1932.

1. Pension Books (Prohibition of Alienation).
2. Road Transport.
3. Railways (Miscellaneous).
4. Central Fund.
5. Finance (Customs Duties).
6. Intoxicating Liquor (Occasional Licenses)

EXAMINATION RESULTS.

At the Preliminary Examination held on the 6th and 7th April, the following passed the examination, and their names are arranged in order of merit:—

1. Myles P. Gavaghan.
2. Desmond L. McAllister.
3. Richard O'Brien.
4. James P. Hegarty.
5. Brian S. Murphy.
6. Francis A. J. O'Hare.
7. John D. Guinan.
8. Liam J. Lysaght.
9. William G. Fanning.
10. George P. Andrews.
11. Patrick T. Monahan
William J. Murphy } equal.
13. Bernard G. J. Kelly.

Twenty candidates attended: 13 passed; 7 were postponed.

Brian S. Murphy passed a "First Examination" in Irish, pursuant to the Legal Practitioners (Qualification) Act, 1929. The other candidate at that examination was postponed.

At the Final Examination held on 4th and 5th April, the following passed the examination and their names are arranged in order of merit:—

1. Joseph F. Shields.
2. Malachy S. Matthews.
3. John G. Regan.
4. John B. Sullivan.
5. Thomas F. Dempsey, B.A., N.U.I.
6. Laurence K. Branigan.
7. James J. Sexton.
8. Edward B. Williams, B.A., T.C.D.
9. Philip T. Brooks, B.A., T.C.D.
Michael J. Garvey, B.A.,
N.U.I. } equal.
11. William L. Duggan.
12. Christopher G. Ross.
13. Francis P. Howley.
14. John D'Oyly Battley
John A. Ryan. } equal.
16. Bryan McMahon.
17. Hugh Fitzpatrick.
18. Dominick H. Kearns.
19. Colin H. Maidment.
20. Judah L. Lapedus, B.A.,
T.C.D. } equal.
- Michael O'Meara
22. Thomas J. Batty.
23. James A. English.
24. John C. Kieran, Jun.
25. Bernard Clare.
26. Timothy J. Hegarty
Thomas P. Walsh. } equal.
28. Michael J. K. Dore.
29. Timothy A. Buckley.
30. Patrick J. Connellan.
Cathal L. Flynn. } equal.
32. Brendan A. McGrath.
33. Edmond T. Lalor.
34. Joseph Reidy.

Fifty-one candidates attended: 34 passed; 17 were postponed.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.8.

THE GAZETTE

INCORPORATED BY ACT NO. 10 OF 1951

[The following text is extremely faint and largely illegible due to the quality of the scan. It appears to be a list of government orders or regulations.]

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THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXVI, No. 2.]

JUNE, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

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THE GAZETTE

OF THE

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Vol. XXVI, No. 2]

JUNE, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

HALF-YEARLY GENERAL MEETING.

A Half-yearly General Meeting of the Society was held on Thursday, the 12th May, at the Solicitors' Buildings, Four Courts, Dublin, the President (Mr. Laurence J. Ryan) in the Chair.

The following members were also present : Messrs. T. H. R. Craig (Vice-President), E. M. FitzGerald (Vice-President), W. G. Bradley, E. F. Collins, T. W. Delany, J. B. Hamill, H. P. Mayne, A. H. S. Orpen, A. D. Orr, Peter Seales, W. V. Seddall, W. T. Seddall, W. T. Sheridan, P. N. Smith, Basil Thompson, E. J. Mallins, J. E. MacDermott, C. St G. Orpen, Chas. Gamble, James Henry, William Henry, D. D. MacDonald, Henry Sheil, J. M. Dudley, Denzil O'Donnell, F. E. Bermingham, V. F. Kirwan, Kevin Walsh, J. W. Dyas, E. J. Kenny, M. A. Smyth, Vincent Kennedy, B. J. Seales, W. J. M. Coulter, and W. H. Argue.

The Secretary read the notice convening the meeting and the minutes of the Half-yearly General Meeting held on 26th November, 1931, which were signed by the President.

On the motion of Mr. Craig (Vice-President), seconded by Mr. FitzGerald (Vice-President), the following resolution was unanimously adopted :

"That Mr. T. A. Ireland, Mr. A. E. Prentice, and Mr. P. Glynn be appointed Auditors of the Accounts of the Society for the year ending 30th April, 1932."

The President nominated the following members to be Scrutineers of Ballot for Council, to be held on 21st November next :

Mr. Raymond French, Mr. T. J. Fullerton, Mr. Vincent Kennedy, Mr. F. G. Sharpe, and Mr. Nathaniel Taylor.

THE PRESIDENT, addressing the meeting, said :

Gentlemen, it is customary at the Half-yearly Meeting of the Society for the President to give a summary of the work of the Council during the last six months.

Transfer of Court Offices.

The transfer of the offices of the High Court from the Castle to the reconstructed buildings was completed in October last. Necessarily it took some time before the machinery got into order, and at the start some few complaints reached the Council ; but it must be acknowledged that the work is now proceeding with smoothness and that the profession is gratified with the efficiency of the staff and the machinery as a whole.

Circuit Court Rules.

The much-debated Circuit Court Rules came into force on the 1st of January last. It was only to be expected that defects would be found in the working of the new code. Before, however, any revision of these Rules can be looked for, their general working must get a fair chance. The Council is carefully noting any Rule which requires amendment, and though a number of minor matters have been brought to its notice, I only propose to refer to one matter in connection with these Rules which I consider of considerable importance.

I refer to the procedure by which judgment in default of appearance can be entered in the office of the County Registrar in cases of liquidated demands. This provision was one much in the interest of the commercial community, as it afforded an expeditious and inexpensive mode of procuring judgment for trade debts. The Rules were but a short time in force when it was rumoured that the Rule authorising this procedure was *ultra vires*. So persistent did these rumours become that the Council submitted a case to Senior Counsel, who advised that there was grave doubt as to the validity of the Rule. I approached the Minister for Justice with a view of putting the matter on a satisfactory basis, but having regard to the recent confirmation of the Rules by the Oireachtas, coupled by the fact that there has been no judicial decision on the validity of the Rule, the Minister did not consider that he was called on to take any step.

The difficulty underlying the matter is one arising on the interpretation of Article 64 of the Constitution, by which it is declared that the judicial power of the Irish Free State shall be exercised and justice administered in the Public Courts by Judges appointed by the representative of the Crown on the advice of the Executive Council.

Questions of great importance have arisen as to whether the exercise of what is contended in many quarters to be judicial power by Special Commissioners of Income Tax, the Land Commission, County Registrars and other officers carrying out administrative functions is *ultra vires* the Constitution and illegal. No judicial pronouncement has so far been made on this far-reaching topic, and the Council has come to the conclusion that until the basic difficulty is cleared up by a decision of the Supreme Court, nothing can be done to settle the question of the power of County Registrars to enter judgments by default. In the meantime the Council has thought it well to draw the attention of the profession to the possible illegality of the procedure.

On the subject of expeditious recovery of trade debts it is admitted on all sides that the District Courts have given entire satisfaction. The procedure is simple, quick and inexpensive, and it may be worthy of the

consideration of the profession whether it would not be beneficial to the commercial community if the jurisdiction of District Justices was increased to £50 in simple contract debts. This would cover the vast majority of debts sued for by traders.

Circuit Court Appeals.

In reference to appeals from Circuit Courts, general dissatisfaction has been expressed by the profession at the present mode of dealing with these appeals. In the past enormous arrears ran up and, as you will remember, Special Commissioners had to be appointed to deal with these arrears. It will interest you to know the present position of pending appeals. There were on the 1st of January last 209 appeals unheard. Since then 80 notices of appeal have been lodged, and at the moment there are 90 undisposed of. That shows a considerable speeding up; but, nevertheless, I feel that the profession as a whole regard the hearing of these appeals on notes to be unsatisfactory. The Joint Committee of the Houses reported in favour of appeals by way of re-hearing to be heard locally in convenient centres twice a year, and emphasised the general dissatisfaction with the present mode of appeal expressed by the great majority of the witnesses who gave evidence before the Committee.

It is hoped when the Government introduce the promised legislation to implement the Report of the Joint Committee that this recommendation shall be given effect to.

Landlord and Tenant Act, 1931.

The only recent Act which calls for any remarks is the Landlord and Tenant Act, 1931, which introduces a number of complicated provisions to regulate as regards houses the future relations of landlord and tenant.

By Section 5, Sub-Section (3) the Rule Making Authority is the Minister for Justice, and that provision practically overrides Section 65 of the Courts of Justice Act, 1924. Every Court heretofore has been allowed to adopt its own procedure, and this new method of allowing procedure to be dictated by the Minister for Justice—which as we all know really means the permanent officials of the Ministry—is objectionable. Prescribed

forms have been published, but the Ministry of Justice has not as yet produced any draft Rules.

Membership of the Society.

The membership to date is 736. This shows a satisfactory increase over last year of 35, while the number of Solicitors practising in the Irish Free State is at the moment 1,038, an increase of 6 from the corresponding date last year. The increased membership of the Society is gratifying, but it is not enough. We want everybody's support—in these days more than ever; we cannot afford to stand still. The Society, through its Council, has a constant care over the interests of the profession. It devotes a great deal of time and attention to the education and admission of apprentices and the upholding of the privileges and traditions of the profession generally. It is not unreasonable, therefore, to expect that every practising Solicitor should prove his loyalty to his profession by being a member of its governing body.

Eucharistic Congress.

As a member of the Rule Making Authority of the High Court I assented to a draft rule to enable the Supreme Court and High Court to close in connection with the Congress Ceremonies from Monday, the 20th June, to Monday, the 27th June, both days inclusive. Since the meeting of the Rule Making Committee the Chief Justice was kind enough to intimate to me that the Government intend to deal with the matter by legislation.

I have to thank the members of the Council for their valuable assistance and support since I was elected to the chair, and no speech would be complete without a reference to the invaluable work of our Secretary, Mr. Wakely, which we all much appreciate.

MEETING OF THE COUNCIL.

26th May.

Twenty-eight Members present.

Costs of Appeals in Equity Cases.

A report was submitted from the Costs Committee stating that on the taxation of costs of an appeal from a Circuit Court decree there will be in future allowed, in addition to the notes and notice of appeal, brief copy of

all such affidavits, certificates and orders as the Taxing Master may consider were necessary for the hearing of the appeal, except such documents as have already been briefed for Counsel in the Circuit Court.

Routine.

Several matters of routine were dealt with.

OBITUARY.

MR. FRANCIS E. SCALLAN, Solicitor, died on the 4th May, 1932, at Dublin.

Mr. Scallan served his apprenticeship with his father, the late Mr. Francis J. Scallan, and Mr. Arthur J. C. Cox, Dublin; was admitted in Trinity Sittings, 1921, and practised as a member of the firm of John L. Scallan & Co., at 25 Suffolk Street, Dublin.

MR. GEORGE T. HARLEY, Solicitor, died on the 16th May, 1932, at Lisburn, Co. Antrim.

Mr. Harley was admitted in Michaelmas Sittings, 1882, and practised as a member of the firm of H. Wallace & Co., at Downpatrick, up to 1929, when he retired.

MR. MICHAEL DAWSON, Solicitor, died on the 23rd May, 1932, at his residence, 3 Highfield Road, Rathgar, Dublin.

Mr. Dawson served his apprenticeship with Mr. John G. Fottrell, Dublin; was admitted in Hilary Sittings, 1906, and practised formerly as a member of the firm of Brady and Dawson, Dublin, and latterly as a member of the firm of Peart and Dawson, Dublin. In 1931 he was appointed an Examiner of Title in the Irish Land Commission.

Mr. Dawson was Professor of Common Law to the Incorporated Law Society of Ireland from 1924 to 1929.

MR. WILLIAM H. CORKER, Solicitor, died on the 27th May, 1932, at 12 South Street, Thurloe Square, London.

Mr. Corker was admitted in Michaelmas Sittings, 1879, and practised as a member of the firm of Corker and Levis, at 52 Grand Parade, Cork, up to 1931, when he retired.

MR. PATRICK J. GAYNOR, Solicitor, died on the 29th May, 1932, at Strokestown, Co. Roscommon.

Mr. Gaynor served his apprenticeship with his brother, the late Mr. John Gaynor, Athlone; was admitted in Hilary Sittings, 1897, and practised at Strokestown.

NEW MEMBERS OF THE INCORPORATED LAW SOCIETY OF IRELAND.

The following have recently joined the Society:—

- William H. Argue, Sligo.
- James S. Byrne, Mohill.
- Mark F. Conroy, Galway.
- Richard J. Farrell, Waterford.
- Henry F. Feely, Waterford.
- John F. Foley, 69 South Mall, Cork.
- James P. Glynn, Tuam.
- Michael Kavanagh, Wexford.
- Patrick J. Kavanagh (Jun.), 9 South Mall, Cork.
- William Leahy, Newcastle West
- Thomas G. Logue, Londonderry
- Timothy Lynch, Cavan
- Daniel C. Mangan, Killarney.
- Francis B. Meagher, Tuam
- J. Desmond Moran, 34 Lr. Ormond Quay, Dublin.
- Joseph H. McCarroll, Wicklow.
- Edward J. O'Brien, 35 St. Stephen's Green, Dublin.
- Thomas O'Brien, Mitchelstown.
- James O'Doherty, Sligo.
- Thomas H. O'Donovan, Clonakilty
- Timothy O'Hanrahan, 55 Dawson Street, Dublin.
- Desmond J. O'Malley, Limerick.
- Timothy O'Shea, Killarney.
- Michael Powell, 50 Grand Parade, Cork.
- Ralph H. Reid, Ballyshannon.
- William St. C. Rice, Middleton.
- Edgar J. Ryan, Cahir.
- Bernard J. Seales, 11 College Green, Dublin.
- Patrick J. D. Shaw, Mullingar.
- Barry Sullivan, Mallow.
- Robert McD. Taylor, Drogheda.
- Arthur F. B. Thompson, 12 Molesworth Street, Dublin.
- John J. Walsh, Kiltimagh.
- Edward W. Warren, Gorey.
- Michael White, Cundonagh.
- Peter Woods, Dundalk.

PROFESSORSHIP OF COMMON LAW.

The Council invite applications for the office of Professor of Common Law to the Society. Particulars of duties can be obtained from the Secretary.

The newly-elected Professor will enter on his duties next October. The appointment will be made for one year, and the person appointed will be eligible for yearly re-appointment for each of the four succeeding years.

Applications from practising Barristers or Solicitors will be received up to the 18th June, and should be addressed to the Secretary, Incorporated Law Society of Ireland, Solicitors' Buildings, Four Courts, Dublin, N.W.8.

STATUTES OF THE OIREACHTAS PASSED DURING 1932.

1. Pension Books (Prohibition of Alienation).
2. Road Transport.
3. Railways (Miscellaneous).
4. Central Fund.
5. Finance (Customs Duties).
6. Intoxicating Liquor (Occasional Licences)

SOLICITORS' GOLFING SOCIETY.

The Annual Competition was held on the 19th May at Dollymount (by kind permission of the Royal Dublin Golfing Club).

The following were the best scores returned:—

J. C. McKenna	...	...	Nett 73
J. H. Dixon	...	...	75
J. D. Hollinger	...	...	76
H. H. Maxwell	...	...	76
D. J. Collins	...	...	78
P. Glynn	...	...	78

Mr. A. Rolleston won the Novices' Prize. The Foursomes Sweepstakes were won by Messrs. S. Roche and J. D. Hollinger with 1 up; Messrs. McKenna and Malone being second with 4 down.

The Annual Meeting was held in the afternoon, at which the following were elected officers for the coming year:—

- President*: Mr. Laurence J. Ryan.
- Captain*: Mr. A. Lane Joynt.

Committee: Messrs. R. G. Warren, B. Thomson, P. M. Seales, C. O'Brien, and J. T. Hamerton.

Hon. Sec.: Mr. H. Horan.

A Dinner, attended by over forty members, was held in the Club House in the evening, at which the President of the Incorporated Law Society presided.

SOLICITORS' APPRENTICES' DEBATING SOCIETY.

Awards for Session 1931-'32.

Oratory—Incorporated Law Society's Gold Medal: P. J. O'Brien. Debating Society's Silver Medal: Miss M. Hawthorne.

Legal Debate—President's Gold Medal: P. J. O'Brien. Debating Society's Silver Medal: T. A. Lynch.

Impromptu Speeches—Vice-President's Gold Medal: T. E. Bennett. Vice-President's Silver Medal: D. M. Walsh.

Irish Debate—Debating Society's Silver Medal: G. G. King.

First Year Speeches—Debating Society's Silver Medal: W. Walsh.

Composition—Incorporated Law Society's Gold Medal: R. J. Baylor.

Officers and Committee for Session, 1932-'33.

Auditor: C. J. Holohan.

Hon. Record Secretary: Miss M. A. Hawthorne.

Hon. Correspondence Secretary: N. Lacy.

Hon. Treasurer: J. M. Houlihan.

Committee: E. R. Banim, Miss M. O'Neill, W. Walsh, P. J. O'Brien, B.A. (ex-Auditor).

THE ILLEGITIMATE CHILDREN (AFFILIATION ORDERS) ACT, 1930.

Rules have been made and issued under the above Act, to come into operation on the first day of July, 1932. Copies can be obtained at 5 Nassau Street, Dublin. Price Sixpence.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.8.



THE GAZETTE

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Vol. XXVI, No. 3.]

JULY, 1932.

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THE GAZETTE

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Vol. XXVI, No. 3]

JULY, 1932.

[FOR CIRCULATION
AMONGST MEMBERS

MEETING OF THE COUNCIL.

16th June.

Twenty-four members present.

Examinations.

The report of the Court of Examiners giving the results of the June Intermediate Examination was submitted and adopted.

Section 47.

Three applications for renewal of certificates were dealt with.

Section 16.

Two applications for leave to be bound under Section 16 were considered; both applications were granted.

OBITUARY.

MR. JAMES MCKEOWN, Solicitor, died on the 1st June, 1932, at his residence, "Hillfield," Marlborough Park, South, Belfast.

Mr. McKeown served his apprenticeship with the late Mr. John G. Shaw, Belfast; was admitted in Trinity Sittings, 1898, and practised as a member of the firm of Johnstone and Walkington, at 16 Donegall Square, South, Belfast.

MR. ROBERT A. CROMIE, Solicitor, died on the 8th June, 1932, at Mount Royal, Banbridge.

Mr. Cromie served his apprenticeship with Mr. William A. Cromie, Newry; was admitted in Easter Sittings, 1928, and practised at Banbridge, County Down.

MR. JAMES J. WHITE, Solicitor, died on the 27th June, 1932, at 7 Connaught Terrace, Rathgar, Dublin.

Mr. White served his apprenticeship with his father, the late Mr. Matthew J. White, Dublin, and was admitted Trinity Sittings, 1898.

NEW MEMBERS.

The following have recently joined the Society:—

J. D'Oyly Battley, 31 Molesworth Street, Dublin.

Patrick J. Callery, Elphin.

Herbert W. Condell, 6 Frankfort Avenue, Dublin.

Peter A. Fitzpatrick, Clones.

Robert A. Frewen, Tipperary.

John C. Kieran (Jr.), Ardee.

Judah L. Lapedus, 57 Dame Street, Dublin.

Malachy S. Matthews, Drogheda.

Roger G. O'Sullivan, Limerick.

Brendan C. Russell, Dundalk.

PROFESSORSHIP OF COMMON LAW.

The Council, upon the 7th July, appointed Mr. James J. Hickey, Solicitor, to the office of Professor of Common Law to the Society.

Mr. Hickey passed his final examination in October, 1926, and was awarded a gold medal at that examination, and subsequently was awarded the Findlater Scholarship for 1927. He was admitted in Hilary Sittings, 1927, and practises in Dublin as a member of the firm of Messrs. Kerr and Hickey.

LAND PURCHASE.

**Land Bond Act, 1925, Section 4,
"3 (1) and (3)."**

Friday, 27th May, 1932.

Land Bond Act, 1925—Interest on Solicitors' Costs.

At an interview to-day between the Hon. Mr. Justice Wylie and the President of the Incorporated Law Society (Mr. L. J. Ryan) it was agreed as follows:—

If allocation of the purchase money takes place within one year of the appointed day, Solicitors' costs shall carry full interest on the equivalent bonds from the appointed day.

If allocation takes place within two years of the appointed day, Solicitors' costs shall carry 75 per cent. of the interest on the equivalent bonds from the appointed day; and if allocation takes place after two years from the appointed day, the costs shall carry 50 per cent. of the interest on the equivalent bonds from the appointed day.

The expression "Solicitors' Costs" shall be understood to apply not only to owners' costs of sale, but also to costs of superior and intervening interests and incumbrances and other claims attaching to the purchase money.

When there is more than one appointed day, the costs shall be segregated for the purposes of calculating the interest aforesaid.

**STATUTES OF THE OIREACHTAS
PASSED DURING 1932.**

1. Pension Books (Prohibition of Alienation).
2. Road Transport.
3. Railways (Miscellaneous).
4. Central Fund.
5. Finance (Customs Duties).
6. Intoxicating Liquor (Occasional Licences).
7. Eucharistic Congress (Miscellaneous Provisions).
8. Public Charitable Hospitals (Amendment).
9. Detained Animals (Compensation).
10. Dairy Produce (Price Stabilisation).

SERVICE OF CIVIL BILL.

In the case of *Lambert v. Duane*, on the 28th June, in the Circuit Court of Dublin, on an application for summary judgment for possession of certain premises in which no appearance had been entered by the defendant, and in which service of the civil bill had been effected by the civil bill officer of the Court, whose affidavit of service stated that he had served the defendant at his residence "per his wife," Judge Shannon decided that the service was bad, having regard to Order VI, Rule 4, of the Circuit Court Rules, the wife not being a "relative or employee" within the meaning of the rule.

EXAMINATION RESULT.

At the Intermediate Examination held upon the 1st day of June, the following passed the examination:—

Passed with Merit.

1. John F. Goold.
2. Charles I. J. Foley.
3. Pauline Laverty.
4. Ignatius M. Houlihan.
5. Maureen A. Hawthorne.
6. Joseph F. Kenny.
7. Francis Connolly.
8. Patrick McDowell
Gwynne A. C. Stirling } equal
10. Henry A. Williams.
11. Brian L. J. O'Brien.
12. William Lanigan.

Passed.

John Barry.
John W. F. Cahill.
Ronan Ceannt.
Christopher P. Crowley.
Hugh Dillon-Malone.
David J. Fitzgerald.
Michael B. Kelly.
James A. Keohane.
George G. King.
Francis J. Lanigan.
Michael Larkin.
Martin J. Lavan.
William J. Lenahan.
Alan MacDonald.
Irene E. McCoy.
Alexander J. McDonald.
Desmond O'Connor.
Richard L. O'Flaherty.
Gerald S. O'Rourke.
James E. B. Skelly.

Forty-seven candidates attended: 32 passed; 15 failed.

WAR LOAN.

The following public notice has been issued :—

SAORSTAT EIREANN.

Conversion of British War Loan.**NOTICE.**

To all persons interested whether beneficially or as Trustees or as Solicitors having carriage of proceedings or otherwise in any holding of British 5 per cent. War Loan standing in the name of the Accountant of the Courts of Justice in any cause or matter in the High Court of Justice or in the Court of the Chief Justice :

Take Notice that any person interested whether beneficially or as Trustee or as Solicitor having carriage or otherwise in any holding of British 5 per cent. War Loan standing in the name of the Accountant of the Courts of Justice in any cause or matter or to any credit in the High Court of Justice or in any matter pending before the Chief Justice of Saorstát Eireann and who is entitled to and desires to have such holding converted into British 3½ per cent. War Loan with the benefit of the Bonus and terms

offered during the month of July, may, on or before the 25th of July instant, apply to the Court ex parte in a summary way, for a direction authorising acceptance of the terms of conversion offered by the Lords Commissioners of the British Treasury during the month of July.

And Take Further Notice that in every such case where no such application shall have been made on or before the date above mentioned, the Accountant will be directed to accept the redemption in cash of the holding in all cases except in any case in which, on application made to the Court on or before the 15th of September, 1932, a direction to the contrary shall have been given by the Court.

Signed, AODH UA CINNEIDIGH,
Chief Justice.

Signed, TIMOTHY SULLIVAN,
President of the High Court.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.8.



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXVI, No. 4.]

AUGUST, 1932.

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AUGUST, 1932.

[FOR CIRCULATION
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MEETINGS OF THE COUNCIL.

7th July.

Twenty-six members present.

Professor of Common Law.

The Court of Examiners having interviewed seventeen applicants for the office of Professor of Common Law to the Society, submitted the names of three to the Council from whom to elect a Professor. The Council elected Mr. James J. Hickey, Solicitor.

28th July.

Twenty-four members present.

War Loan.

The President informed the Council of an interview which he had with the Chief Justice and other Supreme and High Court Judges at a conference on the 12th July, in reference to the conversion of British 5 per cent. War Loan standing in the name of the Accountant of the Courts of Justice of the Irish Free State; he also read to the Council a correspondence between the Chief Justice and himself on the same subject, and dealing in particular with the costs of applications to the Chief Justice for orders permitting conversion. The Chief Justice in this correspondence intimated that it was his intention to act in this matter as had been suggested by the President, by declaring the applicant's Solicitor entitled to his costs, and entitled to apply for the five shillings per cent. commission, credit to be given for the commission against the costs. In cases where the commission exceeded the costs, the costs to be taken as satisfied out of the commission. The Council expressed its approval.

Circuit Court.

A letter was read from a member giving particulars of a case in which he had sent papers through the post to a County Registrar to issue execution pursuant to a judgment of the Circuit Court Judge, and in which the County Registrar had returned the papers with a memorandum endorsed thereon: "No execution orders are issued without an attendance."

This matter was referred to the Circuit Courts Committee for consideration, having regard to Order XLI, Rule 18, of the Circuit Court Rules.

OBITUARY.

MR. JOHN J. MOLLOY, Solicitor, died on the 15th July, 1932, at Riverside, Dublin Road, Kilkenny.

Mr. Molloy served his apprenticeship with the late Mr. James Power, Birr, was admitted in Hilary Sittings, 1912, and practised at Birr up to 1923, when he was appointed District Justice for Waterford, and subsequently transferred to Carlow-Kilkenny.

APPOINTMENT.

Mr. Timothy O'Shea, Solicitor, Killarney, has been appointed District Justice for Carlow-Kilkenny, in room of the late Mr. J. J. Molloy, Solicitor.

NEW MEMBERS.

The following have joined the Society:—

Francis Murphy, Clonmel.

Thomas A. O'Reilly, 66 Dame Street,
Dublin.

Patrick B. Ryan, Thurles.

NOTES ON SOLICITORS' COSTS.

This work has been compiled by Mr. Garrett Gill, Chief Clerk of the Taxing Masters' Office, Four Courts.

The Council commend the book to the profession as a most valuable aid in the preparation of bills of costs.

The book can be had from Messrs. Hodges, Figgis and Co., 20 Nassau Street, Dublin, C.2.; price one pound net, by post one pound and sixpence.

LAND PURCHASE.**Section 36, Land Act, 1931.**

In all cases in which an order for payment of interest on the Land Bonds has been made under the above Section, it will be necessary for the Solicitor for the Owner or the Solicitor having Carriage, to have on the vouching of the Allocation Schedule an accurate account of the disbursement of such interest, accompanied by the necessary vouchers.

When a redemption price that has been provisionally fixed for the purposes of this Section is subsequently varied by a final redemption order made prior to the allocation, the payment of interest on the redemption price should be adjusted accordingly, and such adjustment should be clearly shown in the account.

Solicitors, Agents and others interested are referred to the Circular "Provisional Suggestions for Applications under Section 36 of the Land Act, 1931," copies of which can be obtained post free from Mr. R. Kent, Registrar, Irish Land Commission, 24 Upper Merrion Street, Dublin.

STATUTES OF THE OIREACHTAS PASSED DURING 1932.

1. Pension Books (Prohibition of Alienation).
2. Road Transport.
3. Railways (Miscellaneous).
4. Central Fund.
5. Finance (Customs Duties).
6. Intoxicating Liquor (Occasional Licences).
7. Eucharistic Congress (Miscellaneous Provisions).
8. Public Charitable Hospitals (Amendment).
9. Detained Animals (Compensation).

10. Dairy Produce (Price Stabilisation).
11. Finance (Customs Duties) (No. 2).
12. Trade Loans (Guarantee) (Amendment).
13. Dublin and Blessington Steam Tramway (Amendment).
14. Diseases of Animals.
15. Electricity (Supply) (Amendment).
16. Emergency Imposition of Duties.
17. Central Fund (No. 2).
18. Old Age Pensions.
19. Housing (Financial and Miscellaneous Provisions).
20. Finance.

OCTOBER EXAMINATIONS, 1932.

The following are the dates of the October Examinations, to be held in the Solicitors' Buildings, Four Courts, Dublin:—

- 3rd Oct.—Intermediate. Notice to be lodged before 13th September.
- 4th and 5th Oct.—Final. Notice to be lodged before 15th September.
- 10th and 11th Oct.—Preliminary. Notice to be lodged before 20th September.
- 12th Oct.—"First Examination," Irish. Notice to be lodged before 22nd Sept.

MICHAELMAS SITTINGS LECTURES.

The lectures will be delivered in the Solicitors' Buildings, Four Courts, Dublin.

Senior Lectures begin on 18th October: Lecture, 2.15 p.m. Books—Snell's Principles of Equity, eighteenth edition; Williams' Principles of the Law of Real Property, twenty-third edition.

Junior Lectures begin on 19th October: Lecture, 2.15 p.m. Books—Anson's Law of Contract, seventeenth edition; Ringwood's Outlines of the Law of Torts, fifth edition.

Notice of intention to attend either Lecture Class, and fee (three guineas) should be sent to the Secretary, Incorporated Law Society of Ireland, Solicitors' Buildings, Four Courts, Dublin, before 12th October.

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BALLOT FOR COUNCIL.

The ballot for election of Council will be held on Monday, 21st November, from eleven o'clock to one o'clock, in the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin. Voting papers should reach the Secretary not later than one o'clock on the 21st November.

HALF-YEARLY GENERAL MEETING

A Half-yearly General Meeting of the Society will be held at half-past two o'clock p.m., on Monday, the 28th November, in the Hall of the Society, Solicitors' Buildings, Four Courts, Dublin.

MEETINGS OF THE COUNCIL.

27th October.

Thirty-two Members present.

Landlord and Tenant Act, 1931.

It was resolved that the attention of the Minister for Justice be drawn to the want of Rules of Court under this Act.

Court of Examiners.

A report was submitted from the Court of Examiners giving the results of the October examinations and the awards of scholarships. The report was adopted.

Annual Report.

The draft Annual Report of the Council was submitted and adopted.

OBITUARY.

MR. AUGUSTINE NICHOLAS SHERIDAN, Solicitor, died on the 2nd August, at Harrogate, Yorkshire. Mr. Sheridan was admitted in Michaelmas Sittings, 1891, and practised in Dundalk. In 1909 he was appointed Clerk of the Crown and Peace for County Louth, and he was subsequently appointed County Registrar, which office he filled at the time of his death.

MR. JAMES TONER, Solicitor, died on the 2nd August, at Belfast. Mr. Toner served his apprenticeship to the late Mr. Patrick Maxwell, of Londonderry, and practised at Strabane. In 1908 he was appointed Clerk of the Crown and Peace for County Tyrone, which office he filled at the time of his death.

MR. HUGH H. SMILEY, Solicitor, died on the 12th August, at Larne, County Antrim. Mr. Smiley served his apprenticeship to the late Mr. John A. Williams, of Larne; was admitted in Trinity Sittings, 1897, and practised at Larne.

MR. JOSEPH LOUGHREY, Solicitor, died on the 5th September, at his residence, Rosslyn, Londonderry. Mr. Loughrey was admitted in Hilary Term, 1872, and practised at Londonderry until 1929 when he retired.

MR. JAMES BROWN, Solicitor, died on the 16th September, at Knowhead, Coleraine. Mr. Brown, who served his apprenticeship to the late Mr. B. H. Lane, of Limavady, was admitted in Michaelmas Sittings, 1881, and practised at Magherafelt.

MR. DANIEL C. MANGAN, Solicitor, died on the 2nd October, at Lewis Road, Killarney. Mr. Mangan, who served his apprenticeship to the late Mr. Maurice McCartie, of Killarney, was admitted in Hilary Sittings, 1928, and practised in Killarney.

MR. WILLIAM MCFERRAN, Solicitor, died on the 19th day of October, at his residence, Pier View, Sandycove, County Dublin. Mr. McFerran was admitted in Michaelmas Sittings, 1882, and was a member of the firm of H. and W. Stanley, of 59 Dawson Street, Dublin.

INCOME TAX DEDUCTIONS.

Interest payable out of Land Bonds.

The following correspondence has passed :

The Incorporated Law Society of Ireland,
Solicitors' Buildings,
Four Courts, Dublin,

26th August, 1932.

Dear Sir,

I have received a letter from a practising Solicitor of the Irish Free State containing the following paragraph :—

“LAND ACT, 1931.

“There are a number of cases in which I receive interest on Land Bonds from the Land Commission in estates which have become vested under the above Act. I have recently received some pay orders for the half-year to 1st July, 1932, in respect of dividends accrued during that period, and I find that the Land Commission have deducted income tax for the period at the rate of 5/- in the £, although as a matter of fact the new rate of tax did not come into operation until the 5th of April last. When paying the owners on the redemption price of some fee farm rents I deducted 5/- in the £, and my action has been questioned. I would be very much obliged if you would let me know whether the Land Commission are correct in the deduction which they have made, and for any other information which you can give me.”

I addressed a letter of enquiry on the above matter to the Secretary of the Land Commission, and in reply he informs me that in the case of interest on Immature Land Bonds the deduction for income tax is made by the

Land Commission in accordance with instructions issued by the Revenue Commissioners, and that, therefore, the point raised by my correspondent should be submitted to their Department.

You would much oblige me if you would put me in a position to reply satisfactorily to my correspondent.

I remain, Dear Sir,

Faithfully yours,

W. G. WAKELY,

Secretary.

The Secretary,
Revenue Commissioners,
Dublin Castle.

Office of the Special Commissioners of
Income Tax,
Dublin Castle,

29th August, 1932.

A Chara,

With reference to your letter of the 26th instant, I have to inform you that tax on interest on Land Bonds is chargeable under Schedule C of the Income Tax Act, 1918, at the rate in force for the year in which the interest is payable, e.g., 5/- in the pound as regards interest payable in the current year. The rules affecting the charge are contained in the First Schedule to the Finance Act, 1924.

As regards deduction of tax from interest on the redemption prices of charges such as Quit Rent, Mortgages, etc., while the deduction of tax is primarily a matter between the person making the deduction and the recipient of the interest, the Revenue Commissioners would for the purpose of repayment claims, etc., deal with it as follows :—

Where dividend on Land Bonds representing the purchase money is paid to the Vendor under Section 27, Land Act, 1923, or Section 36, Land Act, 1931, the Vendor appears to be liable for payment of the charges such as Head Rent, Mortgage Interest, etc. It is directed in Sub-section 4 of Section 36 that interest “shall be payable to the person in possession or receipt of the income of such superior interest by the person liable to discharge such superior interest.”

If this interest is payable wholly out of profits and gains brought into charge to income tax, deduction of income tax from the interest is authorised by Rule 19 of the General Rules, Schedules A, B, C, D and E, Income Tax Act, 1918, at the rate or rates of tax in force during the period through which the interest was accruing due. If the interest is not payable, or not wholly payable, out of profits and gains brought into charge, deduction of tax falls to be made under Rule 21 of the General Rules at the rate of tax in force at the time of payment.

Mise, le meas,

(Signed) J. P. MACCORMACK.

W. G. Wakely, Esq.,
Secretary,

The Incorporated Law Society of Ireland,
Solicitors' Buildings, Four Courts,
Dublin, N.W.8.

NOTES ON SOLICITORS' COSTS.

Mr. Gill, the author of the above-mentioned work, requests that attention be called to the fact that the Scales of Costs of High Court Judgments by default of appearance for a liquidated demand, set out on page 65 of the book, ceased to be applicable with the coming into operation of the Circuit Court Rules and Schedules.

EXAMINATION RESULTS.

At the Preliminary Examination held on the 10th and 11th October, the following passed the examination, and their names are arranged in order of merit:—

1. Timothy O'Sullivan.
2. Robert E. J. Brady.
3. Francis L. Scott.
4. Hugh J. Ward.
5. James M. Gilmartin.
6. Fergus P. Britton.
7. William D. Andrews.
8. Frederick J. Wright.
9. Diarmuid A. Saunders.
10. Thomas J. Kenny
- Michael Morrissey } equal
12. Patrick M. Farrell } equal
- Charles Reddy }

Eighteen candidates attended, thirteen passed.

Preliminary Examination Prizes, 1932.

None awarded.

Legal Practitioners (Qualification) Act, 1929.

The following passed a "First Examination" in Irish under the above Act, held on 12th October:—

Robert E. J. Brady.
Fergus P. Britton.
Patrick J. Chambers.
Francis M. F. Early.
Stephen J. Gannon.
Desmond A. Houlihan.
Sighle MacBride.
Liadain MacErlean.
Arthur Mullán
Eleanor C. Murray.
John J. Seery.
Hugh J. Ward.

Eighteen candidates attended, twelve passed.

Intermediate Examination.

At the Intermediate Examination held on 3rd October, the following passed the examination:—

PASSED WITH MERIT.

1. William H. Ryan.
2. James M. Hession.
3. Raymond A. French.
4. Bridgid Hogan.
5. Thomas Hutch.
6. John G. J. Colman } equal
- Isaac Nolan }
8. John F. Neilan.

PASSED.

Augustine J. Baldwin.
Edward R. Banim.
Michael R. Boland.
Alan R. Booth.
Thomas D. Brick.
John Burke.
James D. Clenaghan.
Michael J. C. Dempsey.
Margaret M. Dunne.
Kathleen B. Durcan.
Liam J. Egan.
Joseph H. Evans.
William B. Galvin.
Gerald Goldberg.
Charles J. Holohan.

Arthur W. Jeffers.
 Timothy J. Kirwan.
 Stephen E. Law.
 Mary T. McCarroll.
 Maurice McGrath.
 James S. McF. Rountree.
 Richard H. P. Ryan.
 Patrick J. Shaw.
 Edward Toner.
 Thomas C. G. Vance.

Forty-nine candidates attended, thirty-three passed.

Final Examination.

At the Final Examination held on 4th and 5th October, the following passed the examination, and their names are arranged in order of merit :—

1. Timothy O'N. Kiely, B.A., N.U.I.
2. Edward M. O'Beirne.
3. Bernard P. Manning.
4. Arthur J. G. Quirke.
5. Richard C. Faris.
6. Robert Humphries.
7. John P. Murphy, B.A.,
 T.C.D.
 Desmond P. Owens, B.A.,
 T.C.D. } equal
9. Nicholas A. Byrne.
10. Patrick D. Jordan.
11. Kathleen Ryan.
12. Francis P. Galvin.
13. Mathew C. Mullen.
14. Michael Cussen, B.A., T.C.D.
15. John B. Lavelle.
16. John J. P. Gordon.
17. Joseph C. Rutledge.
18. John J. Colbert
 Edward Monahan } equal
20. Dermot J. O'Rourke.
21. Samuel Bolton.
 Patrick J. A. Sweetman } equal
23. Edward Ryan, B.A., T.C.D.
24. Roger P. Greene.
25. William Quinn.
26. Thomas J. Bernardi.
27. Kevin Burke
 Thomas D. Kelly } equal
29. George C. Quinn.
30. Gerald St. J. Nolan.
31. Edmund P. Condon.
32. Arthur G. Fegan.

Fifty-six candidates attended, thirty-two passed.

The Council awarded a Silver Medal to Timothy O'N. Kiely, B.A., N.U.I., and a Special Certificate to Edward M. O'Beirne.

Scholarships, 1932.

Overend Preliminary Examination Scholarship, not awarded. Overend Final Examination Scholarship, awarded to John B. Sullivan. Findlater Scholarship, awarded to Gerald Baily.

SOLICITORS' GOLFING SOCIETY.

The Autumn Competition was held at Portmarnock on the 27th September. Over forty members took part. The following were the best scores :—

- M. G. Lardner, nett 75 (winner of the Council Cup).
- S. O'Connor, nett 77 (2nd Prize).
- P. Glynn, nett 78.
- A. J. Malone, nett 78.
- D. M. Martin, nett 79 (winner of the President's Cup).
- M. J. Bowers, nett 80 (winner of the Veterans' Cup).

In the Foursome Sweepstakes the best cards were :—

- Messrs. Darley and Rolleston, 3 down.
- Messrs. McKenna and Malone, 4 down.
- Messrs. Thompson and Warren, 5 down.
- Messrs. Lardner and Martin, 5 down.

In the evening a Dinner was held in the Clubhouse, presided over by Mr. L. J. Ryan. President of the Incorporated Law Society.

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HALF-YEARLY GENERAL MEETING.

The Half-yearly General Meeting of the Society was held in the Hall of the Society, Solicitors' Buildings, Four Courts, Dublin, on Monday, the 28th November. The Chair was occupied by the President (Mr. Laurence J. Ryan), and the following members were present:—Messrs. W. G. Bradley, E. H. Burne, E. F. Collins, T. H. R. Craig, T. W. Delany, J. J. Duggan, E. M. Fitzgerald, J. B. Hamill, W. S. Hayes, C. Laverty, F. M. Lyons, E. J. Mallins, H. P. Mayne, P. O'Connor, A. H. S. Orpen, A. D. Orr, P. O'Sullivan, G. A. Overend, T. G. Quirke, P. M. Seales, W. T. Sheridan, P. Tallan, B. Thompson, H. K. Toomey, J. E. Wallace, W. J. M. Coulter, E. R. McC. Dix, John Foley, R. W. MacNeice, R. H. Morris, K. Walsh, Daniel O'Connell, Charles Corcoran, Vincent Kennedy, J. R. Stritch, D. O'Flaherty, J. E. MacDermott, W. V. Seddall, C. W. Battley, P. Glynn, E. W. Proud, C. G. Stapleton, H. H. Maxwell, G. E. Grove-White, C. T. B. White, K. Meares, L. Webb, W. H. Sutton, Charles Gamble, J. W. Dyas, C. St. G. Orpen, E. J. Kenny, H. R. Maunsell, E. A. Margetson, W. H. Fry, S. H. Lynch, R. D. English, T. A. Ireland, C. J. Rutherford, D. B. Gilmore, B. J. Seales, J. P. Dillon, H. H. Hurley, Robert Hayes, W. S. Barrett, C. J. Joyce, A. E. Bradley, W. P. Corrigan, J. P. Collins, T. J. Greene, G. M. Meares, A. T. Ellis, A. G. Joyce, J. D. Hollinger, and J. M. Seales.

The Secretary read the notice convening the meeting, also the minutes of the General Meeting of 12th May, 1932, which were signed by the Chairman.

The Chairman, with the consent of the meeting, signed the audited accounts of the Society for the year ending 30th April, 1932.

The Secretary read the report of the Scrutineers of the ballot for Council, which stated that the following had been returned unopposed as Provincial Delegates:—Ulster, William Martin; Munster, James S. Gaffney; Leinster, Daniel O'Connell; that for Connaught, two candidates had been nominated, and had received the number of votes placed after their respective names:—Christopher E. Callan, 17; Louis O'Dea, 14; and the Scrutineers returned Christopher E. Callan elected Provincial Delegate for Connaught. That for the thirty-one ordinary members of the Council the following had been elected and received the number of votes placed after their respective names:—L. J. Ryan, 407; P. M. Seales, 395; T. W. Delany, 386; P. Tallan, 374; J. J. Duggan, 374; T. G. Quirke, 368; E. F. Collins, 337; James J. Lynch, 333; T. H. R. Craig, 328; C. J. Laverty, 324; J. Travers Wolfe, 317; D. J. Reilly, 314; E. Fitzgerald, 314; W. T. Sheridan, 312; Peter O'Connor, 306; J. B. Hamill, 299; E. J. Mallins, 296; W. S. Hayes, 296; P. O'Sullivan, 292; E. H. Burne, 289; P. N. Smith, 284; F. M. Lyons, 283; M. E. Knight, 277; W. Gordon Bradley, 275; Basil Thompson, 269; A. H. S. Orpen, 266; J. E. Wallace, 265; H. K. Toomey, 258; H. P. Mayne, 258; G. A. Overend, 253; A. D. Orr, 250. And the following to form a supplemental list in case of vacancies:—P. E. O'Donnell, 246; William Early, 245; T. J. Greene, 215.

THE PRESIDENT, addressing the meeting, said:—

Gentlemen, I rise to move the adoption of the Report which is in your hands.

When I had the honour of addressing you at the Half-yearly General Meeting of the Society last May I gave you a summary of the work of the Council for the first six months of its office, and now it is my duty to lay before you a resumé of its work during its second six months which expired on the 26th inst.

During that period there were seven meetings of the Council, and the various Committees appointed by the Council met frequently to discuss a large variety of matters which the Council had referred to these Committees for report. It does not appear to be generally known that the Council will always consider and decide on any principle concerning costs and about which there is a difference between members of the Profession. The Solicitors have merely to furnish an agreed-on statement of the facts with a submission to be bound by the decision of the Council. Numerous decisions by the Council following this procedure will be found in the Society's "Calendar."

WAR LOAN CONVERSION.

The most notable transaction during the period under review was the Conversion of British Five Per Cent. Loan, and at the request of the Chief Justice I attended a conference of the High Court Judges, at which was debated the best means of dealing with funds in the High Court represented by the War Loan, the conversion of which was contemplated. It was decided to issue a public notice that all persons interested in such funds and who desired to have a holding converted, and to obtain the benefit of the bonus, and what became to be known as the "July Terms," might apply to the Court for an order authorising acceptance of the terms of conversion, and that where no such application was received before the 25th July the Accountant was to accept redemption in cash, except in any case in which an application before the 15th September a direction to the contrary was given by the Court. Questions arose as to who was to benefit by

the Five Shillings Commission, to which Solicitors as well as Bankers and Stockbrokers were for the first time declared entitled. It reached me that the Court Stockbrokers were bringing considerable pressure to secure this Commission on Conversion of Court Funds. I accordingly wrote to the Chief Justice in reference to the costs of application for conversions and urged that Solicitors should get the costs of the applications, and also be declared entitled to the commission—credit for the commission to be given against the costs. His Lordship was good enough to accede to my request, and the costs of these applications were dealt with on the basis I suggested and that course, I believe, met with universal satisfaction.

LAND BONDS ACT.

A proposition was put forward by the Judicial Commissioner as to the payment to Solicitors of interest on Land Bonds issued under Section 4 of the Land Bonds Act, 1925, was fully considered by the Council, and I subsequently had an interview with the Judicial Commissioner, and the proposals set out in the Report were agreed to, the terms of which, I think, are acceptable to the Profession.

CIRCUIT COURT RULES.

On the whole, the Circuit Court Rules which came into force on the 1st January last have worked smoothly.

The attention of the Council has been drawn from time to time to some of these rules, and the Council has carefully noted all matters which will eventually have to be amended or clarified. There are a number of minor points to which I do not think it necessary to refer, but there are two matters of substance which I think should be mentioned. You will remember last May when I addressed you the Council had submitted a case to senior counsel as to the validity of the procedure by which judgment in default of appearance can be entered in the office of the County Registrar in cases of liquidated demands. Counsel had advised that there was grave doubt as to the validity of the default procedure in question. The matter has recently come up before the Circuit Court Judge at Wicklow, who stated

that he had no doubt that the Court Officers Act, 1926, gave judicial power to the County Registrar to give final judgment, and that it was not the function of the Circuit Court Judge to say whether the exercise of judicial power by the County Registrar was *ultra vires* Article 64 of the Constitution. There is no doubt that a not inconsiderable number of lawyers consider that the exercise of this judicial power by County Registrars is *ultra vires* the Constitution, and consequently the matter cannot be said to rest on quite a satisfactory basis. Another question on the rules of some importance, especially to those Solicitors who do not practise in county towns, is whether the necessary papers to enable judgment to be marked in the County Registrar's Office can be sent to the County Registrar by post or must be presented by a Solicitor or his assistant personally at the office. A number of County Registrars maintain that these papers cannot be sent by post, notwithstanding Rule 18, Order XLI, which provides that any document may be sent by post to the County Registrar. If the contention of these officials is correct it means that Solicitors who do not practise in county towns must appoint agents there to represent them.

Circuit Court appeals have been dealt with as expeditiously as circumstances permit. There are at the moment 108 appeals unheard.

EQUITY APPEALS

The Taxing Masters have intimated as a result of representations to them that in future all proper and necessary affidavits, certificates and orders briefed to counsel on the hearing of Equity appeals will be allowed.

RETURNS AS TO EXTERNAL TRADE.

The Minister of Finance intimated to the Council towards the end of last year that he was anxious to collect statistics regarding the external trade and commerce of the Saorstát. The Minister explained that the Irish Banks had agreed to keep records and also members of the Stock Exchange. These statistics were required to show the value of securities bought or sold on the Stock Exchange by Saorstát residents to and from persons who resided elsewhere.

At first sight it would appear that returns from Bankers and Stockbrokers would cover every transaction on the Stock Exchange, but it was pointed out that a considerable volume of dealings in securities is transacted otherwise than through the Dublin and Cork Stock Exchanges, and the Minister said that he thought a substantial proportion of this business passes through the hands of Solicitors *via* London Stock Brokers.

Considerable correspondence ensued with the Ministry, and the Council decided to comply with the Minister's requisitions in the matter and to commend to the Profession compliance by filling up the necessary forms which were settled at interviews which I had with the Ministry early in the present year.

The Return asked for from Solicitors in the Irish Free State is the total cash value of all Stock Exchange Securities acquired personally or on behalf of clients from persons residing outside the Saorstát by means of Stock Exchange purchases outside Saorstát Eireann, and likewise the cash value of all securities transferred by Saorstát residents, or personally to persons residing outside the Saorstát by means of Stock Exchange sales outside Saorstát Eireann. These forms have recently been issued to Solicitors, and it is recommended that they should be filled up and returned to the Secretary of the Law Society, who has undertaken to summarise the figures and furnish the aggregate for use to the Ministry. This will not entail any great amount of trouble to members of the Profession, and the Council felt that it was their duty to support the Minister in the compilation of useful and necessary statistics.

MEMBERSHIP OF SOCIETY.

The membership of the Society to date is 769. This shows a satisfactory increase over last year of 68, while the number of Solicitors practising in the Irish Free State is at the moment 1,248. The increased membership of the Society is gratifying, but still it is hard to reconcile that there are 479 practising Solicitors on the Roll who do not think it worth their while to become members of the Society.

I make this appeal to those listening to me to use their influence to get all practising Solicitors to join the Society. As I said last May to the meeting, it is not unreasonable to expect that every practising Solicitor should prove his loyalty to his Profession by being a member of its governing body.

INDENTURED APPRENTICES.

Eighty-five students became Indentured Apprentices during the year which ended the first day of this month. This figure corresponds practically with the figures of the previous few years.

I have to thank the members of the Council for their valuable assistance and support since I was elected to the Chair, and no speech would be complete without a reference to the invaluable work of our Secretary, Mr. Wakely, which we all much appreciate.

Mr. T. H. R. CRAIG (Vice-President) seconded the adoption of the Report.

Mr. T. J. GREENE referred to the request of the Minister for Finance that Solicitors should give returns of the total cash values of all Stock Exchange securities acquired personally or for clients, or sold personally or for clients, to or from persons resident outside Saorstát Eireann, through Stock Brokers resident outside Saorstát Eireann. He said he felt that it would be a breach of confidence between Solicitor and client to give the information, and for his part he would not make any return to any Government of the kind suggested.

Mr. JOYCE drew attention to the largeness of the number of those seeking admission to the Profession, and suggested that steps should be taken to lessen the number.

Mr. CRAIG (Vice-President), said there could be no breach of confidence in giving the returns which the Minister for Finance sought for. He drew attention to two matters dealt with in the Report relating to Circuit Court Rules, the question of the validity of judgments by default marked in the office of the County Registrar and the refusal of some County Registrars to accept the papers to lead to judgment by default when sent through the post. He expressed the hope that judicial decisions on those two questions would be obtained.

THE PRESIDENT said that the matter of the return asked for by the Minister for Finance had been carefully considered, and it had been made perfectly clear by the Minister for Industry and Commerce that it merely meant asking for assistance of Solicitors in furnishing reliable information as to Stock Exchange transactions between persons resident in this country and elsewhere. The Banks, and the Dublin and Cork Stock brokers had agreed to give these returns. If Solicitors acted with hostility to the Ministry they might be hit by a section in the next Finance Act, which would compel them to give such particulars. The Council thought it more diplomatic to yield to the request of the Ministry. He did not think it would harm Solicitors, and rather that it was up to them to assist the Ministry in the compilation of statistics useful to the country.

THE PRESIDENT put the resolution adopting the report, and it was passed unanimously.

The Chair having been taken by Mr. Craig, Mr. C. S. G. Orpen moved, and Mr. J. E. MacDermott seconded a vote of thanks to the President, which was supported by Mr. Craig, and passed with acclamation.

THE PRESIDENT returned thanks.

THE PRESIDENT.

The Council elected on 8th December Mr. William Gordon Bradley, of 11 Lower Ormond Quay, Dublin, to be President of the Society for the ensuing twelve months.

The newly-elected President was admitted in Michaelmas Sittings, 1906, he became a member of the Council in 1921, and was a Vice-President of the Society in 1924-25. He practises in partnership with his uncle Mr. Arthur E. Bradley, a past President of the Society.

VICE-PRESIDENTS.

The Council have elected Mr. J. Travers Wolfe, T.D., of Skibbereen, and Mr. Peter O'Connor of Waterford, to be Vice-Presidents of the Society for the ensuing twelve months.

OBITUARY.

MR. JAMES DUNLEA, Solicitor, died upon the 3rd November, 1932, at his residence, Middleton, Co. Cork.

Mr. Dunlea was admitted in Trinity Sittings, 1878, and practised at Middleton up to 1928, when he retired.

MR. WILLIAM H. SPENCE, Solicitor, died upon the 9th November, 1932, at his residence, 5 Temple Villas, Palmerston Road, Dublin.

Mr. Spence served his apprenticeship with the late Mr. John Clark, Dublin, was admitted in Hilary Sittings, 1899, and practised at 11 Westmoreland Street, Dublin, under the style of John Clark & Co.

HILARY SITTINGS LECTURES, 1933.

The Junior Class Lectures will begin on Wednesday, 18th January, at 2.15 p.m.

The Senior Class Lectures will begin on Tuesday, 17th January, at 2.15 p.m.

NEW MEMBERS.

The following have joined the Society:—

Michael C. Burke, Limerick.

Thomas G. Clarke, Listowel.

William L. Duggan, Carlow.

James A. Ennis, Tullamore.

Cathal L. Flynn, Carrick-on-Shannon.

Kenneth P. Kilbride, Carrick-on-Shannon.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.8.



THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXVI, No. 7.] JANUARY, 1933.

[FOR CIRCULATION
AMONGST MEMBERS

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SOLICITORS' ANNUAL CERTIFICATES.

Members are reminded that annual certificates for the year ending 5th January, 1934, should be taken out and the duties paid thereon before 6th February, 1933.

Certificates enabling Solicitors to practise in the Irish Free State are issued in the office of the Secretary of the Incorporated Law Society of Ireland, Solicitors' Buildings, Four Courts, Dublin, and the duties thereon are payable at the Stamp Office, Dublin Castle.

A Northern Ireland Solicitor entitled to practise in the Free State, who desires to take out a Free State certificate, must obtain through his Dublin agent such certificate at the office of the Secretary of the Incorporated Law Society of Ireland, Solicitors' Buildings, Four Courts, Dublin. This certificate must then be produced by the agent at the Stamp Office, Dublin Castle, together with the Solicitor's Northern Ireland stamped certificate for the year then current, so that credit may be marked on the Free State certificate for duty to the amount paid on the Northern certificate.

Certificates enabling Solicitors to practise in Northern Ireland are issued in the office of the Secretary of the Incorporated Law Society of Northern Ireland, 35 Royal Avenue, Belfast, and the duties thereon are payable at the Inland Revenue Office, Belfast.

A Free State Solicitor entitled to practise in Northern Ireland, who desires to take out a Northern Ireland certificate, must obtain through his Belfast agent such certificate at the office of the Secretary of the Incorporated Law Society of Northern Ireland, 35 Royal

Avenue, Belfast. This certificate must then be produced by the agent at the Inland Revenue Office, Belfast, together with the Solicitor's Free State stamped certificate for the year then current, so that credit may be marked on the Northern certificate for duty to the amount paid on the Free State certificate.

MEETINGS OF THE COUNCIL.

8th December.

Twenty-six members present.

Election of President and Vice-Presidents.

The Council elected Mr. W. Gordon Bradley to be President of the Society, and Mr. J. Travers Wolfe and Mr. Peter O'Connor to be Vice-Presidents of the Society for the ensuing twelve months.

15th December.

Twenty-two members present.

Statutory Committee.

A letter was read from the Chief Justice appointing the following seven members of the Council to be the Statutory Committee for year ending 26th November, 1933:— Mr. Bradley, Mr. Orr, Mr. Ryan, Mr. Seales, Mr. Sheridan, Mr. Tallan, and Mr. Thompson.

Dublin Circuit Court.

A letter was read from a member of the Council drawing attention to the large number of the arrears of cases awaiting hearing in the Dublin Circuit Court. The matter was referred to a Committee for consideration.

OBITUARY.

MR. ROBERT A. WILSON, Solicitor, died upon the 4th December, 1932, at his residence, "Hilton," Londonderry.

Mr. Wilson was admitted in Trinity Term, 1877, and practised at Londonderry up to 1901. He was appointed Clerk of the Crown for County Donegal in 1880, and to the joint offices of Clerk of the Crown and Peace in 1901, which he filled up to 1926.

MR. HENRY R. E. DISNEY, Solicitor, died upon the 17th December, 1932, at his residence, 22 Royal Terrace, West, Dun Laoghaire, Co. Dublin.

Mr. Disney was admitted in Michaelmas Sittings, 1880, and practised at 83 Lower Gardiner Street, Dublin, and subsequently at 13 Bachelor's Walk, Dublin, up to 1923, when he retired. He was for several years Registrar to the County Court Judge of Co. Down.

MR. JAMES BRADY, Solicitor, died upon the 18th December, 1932, at Dun Laoghaire, Co. Dublin.

Mr. Brady served his apprenticeship with his brother, the late Mr. Matthew T. Brady, Ballinasloe; was admitted in Easter Sittings, 1894, and practised at 3 Palace Street, Dublin, up to the end of 1931, when he retired.

MR. MICHAEL GLEESON, Solicitor, died upon the 26th December, 1932, at his residence, 21 Summerhill, Nenagh, Co. Tipperary.

Mr. Gleeson was admitted in Trinity Term, 1877, and practised, in partnership with his son, Mr. Lughaidh P. Gleeson, under the style of Michael Gleeson and Son, at Nenagh, up to 1927, when he retired.

He was Crown Solicitor for the County of Tipperary from 1895 to 1921.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.8.

NEW MEMBERS.

The following have joined the Society:—

James H. Gorman, 17 Kildare St., Dublin.

J. Dillon Leetch, Ballyhaunis.

Brendan A. McGrath, Navan.

Peter J. O'Connor, Waterford.

Clifford D. O'Farrell, 17 Kildare St., Dublin.

John J. B. Quigley, Borrisokane.

Joseph F. Shields, 21 Molesworth St., Dublin.

LIST OF STATUTES

passed by the Oireachtas during the year 1932

1. Pension Books (Prohibition of Alienation).
2. Road Transport.
3. Railways (Miscellaneous).
4. Central Fund.
5. Finance (Customs Duties).
6. Intoxicating Liquor (Occasional Licences)
7. Eucharistic Congress (Miscellaneous Provisions).
8. Public Charitable Hospitals (Amendment.)
9. Detained Animals (Compensation).
10. Dairy Produce (Price Stabilisation).
11. Finance (Customs Duties) (No. 2).
12. Trade Loans (Guarantee) (Amendment).
13. Dublin and Blessington Steam Tramway (Abandonment).
14. Diseases of Animals.
15. Electricity (Supply) (Amendment).
16. Emergency Imposition of Duties.
17. Central Fund (No. 2).
18. Old Age Pensions.
19. Housing (Financial and Miscellaneous Provisions).
20. Finance.
21. Control of Manufactures.
22. Finance (Customs Duties) (No. 3).
23. Appropriation.
24. Army Pensions.
25. Therapeutic Substances.
26. Defence Forces (Pensions).
27. Expiring Laws.
28. Rates on Agricultural Land (Relief).
29. Electoral (Registration Appeals).
30. Seeds and Fertilisers Supply.
31. Bowen Vincent Memorial Park.
32. Merchant Shipping (Helm Orders).
33. Control of Prices.
34. Finance (Customs Duties) (No. 4).



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# THE GAZETTE

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FEBRUARY, 1933.

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### COUNCIL MEETING.

12th January.

#### Extra-Ordinary Members.

The following, whose names were submitted by the Incorporated Law Society of Northern Ireland, were elected to serve as Extra-Ordinary Members of the Council:—  
Mr. James C. Taylor (President), Mr. R. Baillie, Mr. R. J. Dickson, Mr. William C. Gage, and Mr. John G. H. Wilson.

#### Circuit Courts.

The Secretary submitted replies received from Free State County Registrars to letter of enquiry, written by direction of the Council, asking the number of arrears of cases awaiting hearing at the end of the most recent sitting of the Circuit Court. Twenty-two replies were received. From these it appeared that in thirteen counties there were no arrears, other than cases adjourned at the request of parties concerned.

### OBITUARY.

MR. ALFRED W. GLOVER, Solicitor, died on the 2nd January, 1933, at his residence, 13 Crosthwaite Park, Dun Laoghaire.

Mr. Glover was admitted in Michaelmas Sittings, 1887, and practised at 20 Wicklow Street, Dublin.

MR. LEWIS GOODBODY, Solicitor, died on the 8th January, 1933, at his residence, Drayton Villa, Clara.

Mr. Goodbody was admitted in Hilary Sittings, 1891, and practised at Tullamore, and at 24 Dame Street, Dublin, as a member of the firm of A. and L. Goodbody.

### APPOINTMENTS.

Mr. Patrick J. Ruttledge, T.D., Solicitor, Ballina, County Mayo, has been appointed Minister for Justice.

Mr. Ruttledge was admitted a Solicitor in Trinity Sittings, 1918. He was Auditor of the Solicitors' Apprentices Debating Society in 1916-17.

Mr. William E. Orr, Solicitor, Omagh, has been appointed Clerk of the Crown and Peace for County Tyrone.

### COSTS OF LEASES.

At a special General Meeting of the English Law Society held on 27th January, 1933, the following resolution was passed after discussion:—

“ That the Council be requested to take early action with regard to the incidence of the costs of a lease, so that instead of both lessor's and lessee's costs of a lease falling on the lessee in accordance with the present practice and custom, each party shall bear their own costs.



**CIRCUIT COURTS EQUITY PRACTICE.**

The Library Committee draw attention to the fact that there are still some copies unsold of Osborne's County Courts practice in Equity and Probate matters, second edition, by the Right Hon. A. B. Babington, K.C. Copies can be obtained from Fred Hanna, Ltd., Booksellers, 29 Nassau Street, Dublin, price thirty shillings.

**THE SOCIETY'S CALENDAR, 1933.**

The Calendar and Law Directory of the Society for 1933 can be obtained at the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin, N.W.S. Price five shillings; by post, five shillings and sixpence.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.S.

**APRIL EXAMINATIONS, 1933.**

A Final Examination will be held on the 3rd and 4th days of April, in the Solicitors' Buildings, Four Courts, Dublin. Notice of intention to attend the examination should be lodged in the Secretary's Office before 13th March.

A "First Examination" in Irish will be held on the 7th April, in the Solicitors' Buildings, Four Courts, Dublin.

Notice of intention to attend the Examination should be lodged in the Secretary's Office before 20th March.

A Preliminary Examination will be held on the 10th and 11th days of April, in the Solicitors' Buildings, Four Courts, Dublin.

Notice of intention to attend the examination should be lodged in the Secretary's Office before 20th March.

THE GAZETTE

THE GAZETTE

NOTIFICATION

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# THE GAZETTE

OF THE

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# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

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### COUNCIL MEETINGS.

2nd February.

Twenty-seven members present.

#### Apprentices' Debating Society

A Special Committee was appointed to consider the working of the Debating Society, and to make such recommendations as the Committee may consider advantageous to the interests of the Society.

#### Law Books.

It was referred to the Library and Circuit Courts Committee to jointly consider what steps, if any, can be taken by the Council to bring the law books dealing with the law and practice in the Circuit and District Courts, and with Registration of Title and Estate and Legacy Duties, up to date.

23rd February.

Twenty-five members present.

#### Death of Mr. W. Martin.

The Council passed a resolution expressing its deep regret at the death of Mr. W. Martin, Provincial Delegate for Ulster on the Council, and conveying its sympathy to Mrs. Martin and his son, Mr. D. M. Martin, Solicitor.

#### Death of Mr. W. V. Seddall.

The Council passed a resolution expressing its deep regret at the death of Mr. W. V. Seddall, a past President of the Society, and conveying its sympathy to Mrs. Seddall and his daughters.

### Courts of Justice Act.

A Special Committee was appointed to consider what amendments are desirable in the Courts of Justice Acts, to be embodied in any legislation which may be introduced giving effect to amendments suggested in the Report of the Joint Committee of the Oireachtas of November, 1930.

### OBITUARY.

MR. WILLIAM EARLY, Solicitor, died upon the 2nd February, 1933, at his residence, Dublin Street, Carlow.

Mr. Early was admitted in Trinity Sittings, 1891, and practised at Aughnacloy, County Tyrone, up to 1913.

He was Clerk of the Crown and Peace for County Roscommon from 1913 to 1926, and County Registrar from 1926 to 1928, when he retired, and resumed practice as a Solicitor, at Carlow.

MR. WILLIAM FREWIN, Solicitor, died upon the 3rd February, 1933, at his residence, "Ard-na-Chree," Tipperary.

Mr. Frewin was admitted in Hilary Sittings, 1885, and practised at Tipperary.

MR. WILLIAM MARTIN, Solicitor, died upon the 3rd February, 1933, at his residence, "Hilden," Monaghan.

Mr. Martin was admitted in Hilary Sittings, 1890, and practised at Monaghan.

He was a member of the Council of the Society from 1924 to 1926, and was Provincial Delegate for Ulster on the Council of the Society since 1927.

MR. WILLIAM R. FENTON, Solicitor, died upon the 14th February, 1933, at his residence, "Ardaghowen," Sligo.

Mr. Fenton was admitted in Trinity Term, 1874, and practised at Sligo till 1902.

He was Crown Solicitor for County Sligo from 1892 to 1902, and Clerk of the Crown and Peace from 1902 to 1923, when he retired.

MR. WILLIAM V. SEDDALL, Solicitor, died upon the 19th February, 1933, at his residence, "Glendarragh," 70 Merrion Road, Dublin.

He was admitted in Michaelmas Sittings, 1893, and practised at 13 St. Stephen's Green, North, Dublin.

He was a member of the Council of the Society from 1907 to 1932, and President of the Society for the year 1917-18.

MR. MALACHI MULDOON, Solicitor, died upon the 21st February, 1933, at his residence, The Manse, Monastevaden, County Roscommon.

He was admitted in Trinity Sittings, 1926, and practised at Ballaghaderin.

MR. PATRICK J. TALLAN, Solicitor, died upon the 25th February, 1933.

Mr. Tallan served his apprenticeship with the late Mr. John T. Simpson, Drogheda, and Mr. Thomas F. Monks, Dublin; was admitted in Hilary Sittings, 1899, and practised at Drogheda.

He was a member of the Council of the Society from 1924, and was Vice-President of the Society during the year 1926-27.

MR. THOMAS J. C. FURLONG, Solicitor, died upon the 28th February, 1933.

Mr. Furlong served his apprenticeship with his father, the late Mr. Thomas J. Furlong, Dublin, and practised at 11 Eustace Street, Dublin.

MR. JAMES ANTHONY LAWSON, Solicitor, died upon the 23rd February, 1933, at Melbourne, Victoria, Australia.

Mr. Lawson served his apprenticeship with the late Sir Benjamin Whitney, Dublin; was admitted in Trinity Sittings, 1887, and practised in Dublin for one year, after which he went to Melbourne, where he practised his profession.

### NEW MEMBERS

The following have joined the Society:—

Michael J. K. Dore, 1 Upper Ormond Quay, Dublin.

Robert T. Falkiner, 9 Suffolk Street, Dublin.

Dermot J. O'Rourke, Naas.

### APPOINTMENT.

Mr. Daniel J. Browne, Solicitor, has been appointed Secretary to the Department of Justice.

Mr. Browne, having obtained first place and a gold medal at his Final Examination, was admitted in Trinity Sittings, 1917, and practised at Tralee.

### ENGROSSING OF DEEDS.

The attention of the Council has been drawn to the question of the lasting quality of the inks now frequently used for the engrossment of deeds on parchment. The blue-black inks used at present for everyday writing on paper would appear to be unsuitable for use on parchment.

An original Deed, engrossed on parchment within the last twelve years, recently produced in Court proceedings, had become practically entirely illegible owing to the nature of the ink which had been used, and which had almost completely faded out. On the other hand, deeds are frequently in use written on parchment more than a century ago with the writing still jet black and perfectly legible. As a result of enquiry the Council has been informed that an indelible ink guaranteed to be fade proof, acid proof and water proof can be procured at law stationers.

The Council consider that this matter is one worthy of the attention of the Profession.

### THE SOCIETY'S CALENDAR, 1933.

The Calendar and Law Directory of the Society for 1933 can be obtained at the Secretary's Office, Solicitors' Buildings, Four Courts, Dublin, N.W.8. Price five shillings; by post, five shillings and sixpence.

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# THE GAZETTE

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### COUNCIL MEETING.

16th March.

Twenty-four Members present.

MR. PATRICK J. TALLAN.

A resolution was passed expressing the deep regret of the members of the Council at the death of their colleague, Mr. Patrick J. Tallan, and of their sympathy with Mrs. Tallan and his family in their bereavement.

A number of miscellaneous matters were dealt with.

### VACANCY ON THE COUNCIL.

The vacancy on the Council, caused by the death of Mr. Tallan, has been filled by Mr. Thomas J. Greene, of 11 Wellington Quay, Dublin, from the Supplemental List.

### OBITUARY.

MR. HUGH H. MOORE, Solicitor, died on 1st March, 1933, at Lisnandra, Crossdoney County Cavan.

Mr. Moore was admitted in Trinity Term, 1872, and practised at Omagh up to 1887, when he was appointed Clerk of the Crown and Peace for County Cavan, which office he filled up to 1926, when he retired.

MR. ALBERT R. QUINNELL, Solicitor, died on the 5th March, 1933, at 6 Prince's Street, Tralee.

Mr. Quinnell served his apprenticeship with Mr. James M. Murphy, Tralee, was admitted in Trinity Sittings, 1905, and practised at Tralee.

MR. ARTHUR LEE BARLEE, Solicitor, died on 16th March, 1933, at Ickleford, Hertfordshire.

Mr. Barlee was admitted in Easter Term, 1872, and practised at 30 Westland Row, Dublin, up to 1897, when he retired.

He was a Member of the Council of the Society from 1880 to 1896, and was a Vice-President of the Society during the year 1888-89.

MR. THOMAS SHILLINGTON, Solicitor, died on the 27th March, 1933, at his residence, Church Street, Warrenpoint, Co. Down.

Mr. Shillington served his apprenticeship with the late Mr. Richard Simmons, Dublin, was admitted in Michaelmas Sittings, 1909, and practised at Newry up to 1932, when he retired.

MR. BERNARD A. LEE, Solicitor, died on the 30th March, 1933, at Clifden, Co. Galway.

Mr. Lee served his apprenticeship with the late Mr. Henry Concanon, Tuam, was admitted in Michaelmas Sittings, 1920, and practised at Clifden.

### MISCELLANEOUS PROFESSIONAL INFORMATION.

The business of P. J. Byrne & Co., of Carlow, which was carried on by the late Mr. William Early, is being now carried on under the same title by Mr. Edward Burke Williams, who was admitted a Solicitor in March last. The Dublin address is, as heretofore, 12 Dame Street.

The business of the late Mr. Patrick J. Tallan, of 106 West Street, Drogheda, is being now carried on at the same address under the title of Patrick Tallan & Co. by Mr. Gerald St. John Nolan, who was admitted a Solicitor in February last. The Dublin address is as heretofore, 130 Stephen's Green, West.

**NEW MEMBERS.**

The following have joined the Society :—

Francis Burke, 39 Dawson St., Dublin.  
Timothy Linehan, Millstreet, Co. Cork.

**COMMISSIONERS FOR OATHS**

Appointed by the Chief Justice on 31st March, 1933.

|                                                             |                                         |
|-------------------------------------------------------------|-----------------------------------------|
| CO. CAVAN :                                                 | DISTRICT.                               |
| Thomas Joseph McDonald,<br>District Court Clerk.            | ... Cootehill<br>Kingscourt<br>Shercock |
| CO. CORK :                                                  |                                         |
| Michael O'Sullivan,<br>District Court Clerk.                | ... Castletownbere                      |
| KING'S CO. (Offaly)                                         |                                         |
| James Daniel Mitchell,<br>Solicitor.                        | ... Birr                                |
| CO. MONAGHAN :                                              |                                         |
| Bernard Joseph Keoghan,<br>Clerk of Urban District Council. | ... Carrickmacross                      |
| Francis George Orr,<br>Solicitor.                           | ... Castleblayney                       |
| CO. TIPPERARY :                                             |                                         |
| Edward John Ryan,<br>Solicitor.                             | ... Thurles                             |
| CO. WEXFORD :                                               |                                         |
| Joseph John Stafford,<br>Town Clerk.                        | ... Gorey                               |

**CERTIFICATE OF PAYMENT OF INCOME TAX.**

Section 6 (1) of the Finance Act, 1928, provides as follows:—"The Landlord or immediate lessor or the occupier of any property charged or chargeable under Schedule A or Schedule B of the Income Tax Act, 1918, may apply to the inspector of taxes for the district in which such property is situated for a certificate that all income tax charged under the said Schedules for all the years of assessment ending prior to the 6th day of April preceding the date of the application has been paid, and that no further income tax under the said Schedules is chargeable for such years, and the inspector of taxes, on being satisfied as to the facts, shall issue a certificate to that effect."

In the case of "Hopkins v. Geoghegan" reported 1931 Irish Reports, 135 the Court expressed an opinion on three of the

requisitions furnished by the purchaser, but without giving a formal decision thereon.

The opinion of the Court on one of these requisitions is in the following terms:—"The production of a certificate under Section 6 of the Finance Act, 1928, from the Revenue Commissioners that no arrears of income tax were outstanding, if required by the purchaser, is an expense which by Sec. 3, Sub-Sec. 6, of the Conveyancing Act, 1881, must be borne by him, as the contract of sale contained no provision to the contrary (Sec. 3, Sub-Sec. 9)."

This matter has been considered by the Council, and while not questioning the validity of the opinion expressed by the Court, the Council is of opinion that in conveyancing matters the certificate in question should be furnished by the Vendor's Solicitor without charge either against his own client or against the purchaser.

**DEATH DUTY ACTS.**

The Library Committee desire to draw attention to a publication issued by the Stationery Office, London, entitled British Death Duty Acts, 1796 to 1924, being a collection of Acts relating to the Death Duties, including sections of various Acts incidentally affecting those duties from the Legacy Duty Act, 1796, to the Finance Act, 1924. The book, which contains 548 pages, can be obtained through any bookseller, price seventeen shillings and sixpence net. Three supplements have been issued, price half-a-crown each, bringing the publication up to the year 1930. The four books can be seen in the Society's Library.

**INTERMEDIATE EXAMINATION.**

An Intermediate Examination will be held on Friday, 2nd June, 1933.

Notice of intention to attend the examination should be lodged in the Secretary's Office before 13th May.

ALL communications connected with THE GAZETTE (other than advertisements) should be addressed to the Secretary of the Society, Solicitors' Buildings, Four Courts, Dublin, N.W.8.



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