



[FOR CIRCULATION AMONGST MEMBERS]

Vol. XXVII, No. 1

CO. DUBLIN

# THE GAZETTE

OF THE  
Incorporated Law Society of Ireland.

Vol. XXVII, No. 1.]

MAY, 1933.

[FOR CIRCULATION AMONGST MEMBERS]

## CONTENTS.

	PAGE
Council Meetings .....	2
Obituary .....	2
Miscellaneous Professional Information .....	2, 3
Commissioners for Oaths .....	3
Examination Results .....	3
Legal Practitioners (Qualification) Act, 1929 .....	3

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVII, No. 1.]

MAY, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

### COUNCIL MEETINGS.

6th April.

Twenty-five members present.

#### Mr. James Henry.

A resolution was passed expressing the deep regret of the members of the Council at the death of Mr. James Henry, a past President of the Society, and of their sympathy with his family in their bereavement.

#### Grant-in-Aid.

A letter was read from the Secretary of the Minister of Finance intimating that, as usual, a grant-in-aid to the Society towards the expenses incurred by the Statutory Committee had been placed on this year's estimates, but that in view of the present financial position the Minister felt himself compelled to enforce a reduction amounting to fifty per cent. The Council directed the terms of a letter to be written in reply.

#### Execution of Decrees.

A letter was read from a country member drawing attention to delay experienced in obtaining returns to District Court decrees lodged for execution. The matter was discussed and a reply directed.

27th April.

Twenty-four members present.

#### Examinations.

A report was submitted from the Court of Examiners giving the results of the April examinations. The report was adopted.

#### Statutory Committee.

A letter from the Chief Justice was read intimating his appointment of Mr. John J. Duggan to be a member of the Statutory Committee in room of the late Mr. Tallan.

### Debating Society.

A report from a Special Committee of the Council submitting regulations dealing with matters affecting the Solicitors' Apprentices' Debating Society was considered, and the regulations were adopted.

### OBITUARY.

MR. JAMES HENRY, Solicitor, died on the 3rd April, 1933, at "Craglands," Greystones, Co. Wicklow.

Mr. Henry was admitted in Trinity Term, 1874, and practised at 11 Molesworth Street, Dublin, in partnership with his son, Mr. William Henry, under the style of Henry & Son.

He was a member of the Council from 1902 to 1921, and was President of the Society during the year 1912-13.

MR. WILLIAM T. SHERIDAN, Solicitor, died on the 29th April, 1933, at Dublin.

Mr. Sheridan was admitted in Hilary Sittings, 1880, and practised at 24 Eustace Street, Dublin, in partnership with his nephew, Mr. Edward J. Kenny, under the style of Sheridan and Kenny.

He became a member of the Council in 1913, and was President of the Society during the year 1926-27.

### MISCELLANEOUS PROFESSIONAL INFORMATION.

The business of the late Mr. William V. Seddall, of 19 Saint Stephen's Green, Dublin, is now being carried on by Messrs. W. J. Shannon & Co., at 19 and 20 Upper Ormond Quay, Dublin.

The business of Moran and Browne, of Listowel, County Kerry, which was carried on by Mr. D. J. Browne, who has been appointed Secretary to the Department of Justice, is now being carried on under the title of Moran and Clarke, by Mr. T. G. Clarke, who was admitted a Solicitor in November, 1931. The Dublin address is, as heretofore, 22 Bachelor's Walk.

### COMMISSIONERS FOR OATHS

Appointed by the Chief Justice.

Louis O. Owens, Solicitor, 5 Upper Fitzwilliam Street, Dublin.

Aubrey R. Walker, Solicitor, 11 Molesworth Street, Dublin.

### EXAMINATION RESULTS.

At the Preliminary Examination held on the 10th and 11th April, the following passed the examination, and their names are arranged in order of merit:—

1. Charles Harvey.
2. Thomas J. Branigan.
3. Henry P. J. Powell.
4. Arthur G. Cullen.
5. Ralph A. F. Benson } equal
6. Philip V. Clarke }
7. Peter D. M. Prentice.
8. Cecilia Hurley.
9. Maelisa MacGinley.
10. James D. Coghlan.
11. Arthur J. Morris.

Eighteen candidates attended : 11 passed ; 7 failed.

### Legal Practitioners (Qualification) Act, 1929.

The following passed a "First Examination" in Irish under the above Act, held on 7th April:—

Thomas J. Branigan.  
Philip V. Clarke.  
Michael M. Goodbody.  
Francis W. Hutchinson.  
Maurice W. Keller.  
Stanley Lapedus.  
Peter Leon.  
Joseph Linehan.  
Arthur J. Morris.

Felix E. Murphy.  
Henry Murray.  
Peter D. M. Prentice.  
Myer Woolfson.

Eighteen candidates attended : 13 passed ; 5 failed.

At the Final Examination held on the 3rd and 4th days of April, the following passed the examination, and their names are arranged in order of merit:—

1. Frederick J. Mangan, B.A., N.U.I.
2. Herbert T. de Vere White.
3. William J. McWilliam.
4. Fionnguala O'Beirn, B.A., N.U.I.
5. Dermot M. F. Walsh, B.A., N.U.I.
6. Thomas Kiersey.
7. Thomas F. O'Keefe.
8. Hector J. G. Ryan.
9. Frederick J. W. Darley, B.A., } equal  
T.C.D.
10. Mary R. Gleeson, B.A., N.U.I. }
11. James A. Connolly, B.A., T.C.D.
12. Thomas M. A. Lynch, B.A., N.U.I.
13. Joseph O'Mahony.
14. Patrick F. O'Connor, B.A., N.U.I.
15. William J. Hegarty.
16. Laurence J. McFadden.
17. Alphonsus Farrell.
18. Thomas E. Bennett, B.A., T.C.D.
19. Conor J. O'Liathain.
20. William J. S. Connor } equal  
Donnchadh L. Ua Donnchadha, }  
B.A., N.U.I.
22. John P. Kennedy.
23. Declan P. A. Murphy.
24. Richard P. Callaghan.
25. Joseph L. Reilly.
26. Michael J. Fitzmaurice.
27. Mary Lohan.
28. John B. Cottrell.
29. John Deegan } equal  
William M. Mullan }

Fifty candidates attended : 30 passed ; 20 failed.

The Council awarded a Silver Medal to Frederick J. Mangan, B.A., N.U.I.

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXVII, No. 2.]

JUNE, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Half-Yearly General Meeting .....	6, 7, 8
Meetings of the Council .....	9
Obituary .....	9
New Members .....	9
Election of Ulster Delegate .....	9
Irish Solicitors' Golfing Society .....	10
"PUNCH" .....	10
Solicitors' Apprentices' Debating Society .....	10
Officers and Committee for Session 1933-34 .....	10

# THE GAZETTE

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## Incorporated Law Society of Ireland.

Vol. XXVII, No. 2 ]

JUNE, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

### HALF-YEARLY GENERAL MEETING.

A Half-yearly General Meeting of the Society was held on Tuesday, 16th May, at the Solicitors' Buildings, Four Courts, Dublin, the President (Mr. W. Gordon Bradley) in the Chair.

The following Members were also present:—Messrs. T. H. R. Craig, W. S. Hayes, D. J. Reilly, P. M. Seales, Vincent Kennedy, E. R. McC. Dix, J. R. Stritch, Kevin Walsh, D. D. MacDonald, R. J. Nolan, T. H. Hayes, T. F. McKeever, R. H. Morris, T. D. McLoughlin, F. G. Sharpe, R. G. Warren, E. J. Kenny, B. J. Seales, S. M. McAuliffe, G. F. Robinson, C. J. Rutherford, D. B. Gilmore, J. P. J. Smyth, G. E. Grove-White, M. A. Smyth, and J. J. Hickey.

The Secretary read the notice convening the meeting and the minutes of the Half-yearly General Meeting held on 26th November, 1932, the latter of which were signed by the President.

On the motion of Mr. W. S. Hayes, seconded by Mr. F. G. Sharpe, the following resolution was unanimously adopted:—

“That Mr. T. A. Ireland, Mr. P. Glynn and Mr. A. E. Prentice be appointed Auditors of the Society's Accounts for year ending 30th April, 1933.”

The President nominated the following members to be Scrutineers of Ballot for election of Council, to be held on 21st November next:—Mr. R. French, Mr. F. G. Sharpe, Mr. N. Taylor, Mr. Vincent Kennedy and Mr. H. G. Sweetman.

THE PRESIDENT, addressing the meeting, said:—

Gentlemen,

At the Half-yearly Meeting of the Society it is customary for the President to give a

summary of the work of the Council during the past six months. Before doing so, however, I have to refer with very great regret to the great loss which the Council has sustained by the deaths of three of its members—Mr. W. T. Sheridan, Mr. Patrick J. Tallan and Mr. W. Martin. The late Mr. Sheridan was a member of the Council for nearly twenty years, and filled the office of President during the year 1926–27. He took a very keen interest in the Society, and in all matters affecting the welfare of our profession, and particularly the education of our apprentices. His sudden death came as a great shock to us all. Mr. Patrick Tallan, who also died so suddenly, was a member of the Council since the year 1924, filling the office of Vice-President in the year 1926–27. His genial personality is greatly missed by us all. The late Mr. Martin was elected an ordinary member of the Council in the year 1924, and at the time of his death was Provincial Delegate for Ulster. By the deaths of these gentlemen the Council and the whole profession have been deprived of representatives whom we can ill afford to lose.

I should also like to refer to the loss which we have sustained by the deaths of two of our past Presidents—Mr. James Henry and Mr. W. V. Seddall. Both these gentlemen rendered services to our profession which cannot be over-estimated.

Another well-known member of our profession has passed away since our last meeting—I refer to the late Mr. James Brady. Until prevented by failing health, he invariably attended the Meetings of this Society, and took the greatest possible interest in its work. At our Half-yearly Meetings we always looked forward to

hearing something interesting from him and his remarks were always listened to with attention and respect.

### COURTS OF JUSTICE ACT.

You will have noticed that the Government intend introducing at an early date a Bill to amend the Courts of Justice Act, and in anticipation of this measure being introduced, the Council have been considering the recommendations contained in the Report of the Joint Committee of the Oireachtas, and we have submitted certain suggestions arising out of that Report to the Minister for Justice for his consideration. In a speech made by the Minister for Justice at a Dinner given to him by members of the Dublin District and Circuit Courts Bar Association last week, he is reported in the Press to have stated that when the draft of this Bill was ready our Profession and other persons interested would be consulted in order that their views might be given every possible consideration. The Minister is also reported to have said that no Minister of the Government should try to devise legislation without contact with the people whom that legislation will affect.

The members of our Profession are grateful to the Minister for this announcement, and when the draft of this Bill is submitted to us it will receive our most careful consideration, and, if necessary, we shall submit further suggestions for his consideration, which, we trust, will be beneficial to both our profession and to the members of the public.

### CIRCUIT COURT RULES.

The new Circuit Court Rules have now been in operation since the 1st January, 1932, and although they have worked satisfactorily, I believe that certain defects have now become apparent which should be remedied at the earliest possible moment in order to insure the smooth working of the machinery of the Circuit Courts.

When these Rules were finally approved of by the Committee who drafted them, it was anticipated that certain difficulties might arise which could be overcome by the Committee being brought together again for the purpose of amending or adding to the Rules as they now exist.

### DELAYS IN CIRCUIT COURT.

It was brought to the notice of the Council that there was a large arrear of defended cases awaiting hearing in the Dublin Circuit Courts, and on enquiry, which I have recently made, I have been informed that there are at present 325 cases for hearing, all of which have been set down for trial for a considerable time. We have two most courteous, energetic and painstaking Judges attached permanently to these Courts, but, unfortunately, the services of both of them are not available exclusively for civil business, one or other having to sit frequently and for long periods at Green Street for criminal work.

When Circuit Judge Moonan was appointed it was hoped that he would be assigned to the Dublin Circuit, but, unfortunately, his services have only been available for very short periods in the Dublin Circuit Courts, and I am of opinion that unless the Government can arrange that two Circuit Judges are continually available to transact the civil business there will always be an arrear of work in the Dublin Circuit Courts.

### APPOINTMENTS.

The important post of Minister for Justice in the present Government has been filled by the appointment of Mr. Patrick J. Ruttledge, a Solicitor who had a large practice in the County of Mayo, and who was Auditor to the Solicitors' Apprentices' Debating Society in the year 1916-17. We can congratulate ourselves that a member of our Profession was called on to occupy this important position. It is also pleasing to note that Mr. Daniel J. Browne, Solicitor, of Tralee, has been recently appointed Secretary to the Department of Justice. Mr. Browne was a distinguished member of our Profession and obtained a Gold Medal at the Final Examination in 1917.

It is a matter of great satisfaction to us that these two most important offices should be filled by members of our Profession, and we trust that the Government, in making other appointments, will continue to consider the claims of our Profession.

### CENTRAL OFFICE.

It was reported to the Council that delays are caused to members of our Profession and their assistants, and, indeed, to the officials themselves, in the Examiners' offices in getting Rulings and other documents from the Central Office of the High Court to the Examiner's Office. Prior to the Courts of Justice Act coming into operation, it will be remembered that these rulings were always kept in the custody of the Examiners themselves in their respective offices and were immediately available. Since the establishment of the Central Office these rulings are now retained there, and if the Examiner requires certain papers he has to telephone to the Central Office and the papers are then sent to him under the charge of a messenger.

In connection with the reported delay, I saw the Master of the High Court, who received me most kindly, and stated in theory no delay should take place, and he promised that he would at once investigate the matter, and would see that, as far as was in his power, no avoidable delay would take place in future.

### SOLICITORS' APPRENTICES' DEBATING SOCIETY.

For the first time in the history of this Society a Dance organised by the Solicitors Apprentices' Debating Society was held in this Hall on the 2nd February last. As President of the Debating Society I was privileged to be present, and the Dance was honoured by the presence of the Chief Justice, Mr. Justice O'Byrne and members of the Circuit Court and District Court benches. It was a most enjoyable Dance and reflected the greatest possible credit on those members of the Committee of the Debating Society who were responsible for its organisation.

As President of this Society, I occupied recently the chair at one of the Meetings of the Debating Society, and was greatly struck by the high quality of the debate and the speeches made by the various members. I should like to commend this Society to all members of our Profession who have

apprentices, and I should like to see every apprentice becoming a member and taking an active interest in the various debates that take place each week. I cannot help thinking that our apprentices would greatly benefit by so doing, as, by taking part in these debates, they are preparing themselves for the more serious work of advocates in our Courts, and will gain that confidence in themselves which is so necessary when conducting their cases after being admitted as Solicitors.

### MEMBERSHIP OF THE SOCIETY.

The Membership of the Society to date is 747 members, an increase over the corresponding period of last year of 13. While this slight increase is satisfactory, the number of practising Solicitors in the Irish Free State at the present time is 1,248, so that it will be seen that there are 499 members of our Profession who are not members of this Society. I would like to see every member of our Profession a member of the Incorporated Law Society. After all, the work that is being done by this Society is for the benefit of the whole Profession in the Free State, and I do not think it is too much to expect that all our fellow-practitioners should support us in this work.

Although I have only briefly been able to refer to a number of matters in this address, it is right to say that a great many questions affecting our profession have been dealt with by the Council from time to time, and by the various Committees. The Council are always willing to consider and decide on any principle concerning costs, and about which there is a difference between members of the Profession. Solicitors have merely to furnish an agreed-on statement of facts with a submission to be bound by the decision of the Council. These decisions on costs, which I hope will be found useful to the members of our Profession, are reported in the Society's Calendar.

I have to thank the Members of the Council for the great assistance which they have rendered since they honoured me by appointing me as their President. They have made my task a pleasant and an easy one, and I am very grateful for all the kindness that they have shown me on all occasions.

**MEETINGS OF THE COUNCIL.**

4th May.

Sixteen members present.

At this Special Meeting of the Council the following resolution was passed:—  
 "The President and Council of the Incorporated Law Society of Ireland have heard with feelings of deep regret of the death of their colleague, Mr. William T. Sheridan, for many years a member of the Council and a past President of the Society. They desire to place on record their appreciation of the valued services rendered to the Society and to the Profession by Mr. Sheridan, and they wish to convey to his widow and daughter their deepest sympathy with them in their bereavement."

18th May.

Nineteen members present.

**Estate and Stamp Duties.**

The President reported the result of his interviews with the Controller of Estate Duties Office and Solicitor to the Inland Revenue on the subject of alleged delays in valuations for Estate Duty purposes, and in assessment for Stamp Duties.

**Vacancies on Council.**

On consideration of Bye-law 38 of the Society, the Council determined that the Supplemental List to fill vacancies among ordinary members of Council being exhausted, an existing vacancy cannot now be filled. The Council gave directions for the holding of an election to fill the vacancy in the office of Provincial Delegate for Ulster.

**OBITUARY.**

MR. WILLIAM J. McMILLAN, Solicitor, died upon the 1st May, 1933.

Mr. McMILLAN served his apprenticeship with Mr. John C. White, Belfast, was admitted in Michaelmas Sittings, 1896, and practised at 30 Chichester Street, Belfast, as a member of the firm of White, McMILLAN and Wheeler.

MR. EDMUND MOONEY, Solicitor, died upon the 6th May, 1933, at Dublin.

Mr. MOONEY was admitted in Hilary Sittings, 1881, and practised at 16 Fleet Street, Dublin, as a member of the firm of William Mooney & Son, up to 1921, when he retired.

MR. EDWARD S. LOWE, Solicitor, died upon the 14th May, 1933, at his residence, "Kinrara," Howth Road, Dublin.

Mr. LOWE served his apprenticeship with the late Mr. Shapland M. Tandy, Dublin, was admitted in Trinity Sittings, 1896, and practised at 65 Lower Gardiner Street, Dublin.

MR. TRAVERS W. KING, Solicitor, died in the month of May, 1933, at Silverspring, Ballycastle, Co. Antrim.

Mr. KING served his apprenticeship with the late Mr. Robert H. Orr, Ballymena, was admitted in Trinity Sittings, 1894, and practised at Ballymena.

**NEW MEMBERS.**

The following have joined the Society:—

James A. Connolly, 9 Bachelor's Walk, Dublin.

John Corrigan, Castleblayney.

James Egan, Killarney.

James A. Geary, 9 Bachelor's Walk, Dublin.

Roger P. Greene, 11 Wellington Quay, Dublin.

John W. Montgomery, 17 Suffolk Street, Dublin.

Gerald St. J. Nolan, Drogheda.

**ELECTION OF ULSTER DELEGATE.**

The following is the result of the election of Delegate for Ulster on the Council to fill the vacancy caused by the death of the late Mr. William Martin. Two candidates were nominated and received the following votes:—Mr. John Gillespie, Castleblayney, 42 votes, and Mr. M. G. R. Lardner, Monaghan, 23 votes. Mr. Gillespie was elected.

**IRISH SOLICITORS' GOLFING SOCIETY.**

The annual competition of the above was held at Portmarnock (by kind permission) on the 8th June. The following were the best cards returned:—

Ivan Howe, 75 (Winner of Cup.)

P. R. Boyd and T. H. Hayes tied for second prize with net score of 80.

M. G. R. Lardner, 81 (Winner of St. Patrick's Cup).

J. D. Hollinger, 82.

M. A. Corrigan, 83.

C. Magwood, 83.

The foursome sweepstakes were won by Messrs. Roche and Colfer.

At the Annual General Meeting of the Society, Mr. W. Gordon Bradley, President of the Incorporated Law Society, in the Chair, the following officers were appointed for the ensuing year:—President, The President of the Incorporated Law Society; Captain, Mr. Michael A. Corrigan.

Committee:—Messrs. R. G. Warren, P. M. Seales, A. Lane Joynt, T. D. McLoughlin and D. R. Pigot.

A dinner attended by about forty members was held in the Clubhouse in the evening, Mr. A. Lane Joynt, outgoing Captain, presiding.

**“PUNCH.”**

Should any member desire to purchase *Punch* weekly eight days after the date of issue, he can obtain same on application to the Secretary for twelve months by post for the sum of one pound.

**SOLICITORS' APPRENTICES' DEBATING SOCIETY.**

Awards for Session, 1932-33.

*Oratory*—*Incorporated Law Society's Gold Medal*: Miss Monica Gallagher.

*Composition*—*Incorporated Law Society's Gold Medal*: Michael J. Kennedy.

*Debating Society's Silver Medal*: Thomas M. A. Lynch.

*Legal Debate*—*President's Gold Medal*: Francis Connolly.

*Debating Society's Silver Medal*: William Walsh.

*Impromptu Speeches*—*Vice-President's Gold Medal*: Charles J. Holohan.

*Vice-President's Silver Medal*: Miss Maureen A. Hawthorne.

*First Year Speeches*—*Debating Society's Silver Medal*: Miss Monica Gallagher.

**OFFICERS AND COMMITTEE FOR SESSION 1933-34.**

*Auditor*: William Walsh.

*Hon. Record Secretary*: Miss Maire O'Neill.

*Hon. Correspondence Secretary*: A. F. M. O'C. Comyn.

*Hon. Treasurer*: Alex. J. McDonald.

*Committee*: Francis Connolly, John J. Timoney, James D. Clenaghan, C. J. Holohan (ex-Auditor).

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# THE GAZETTE

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AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council	12
Obituary	12
Appointment	13
Intermediate Examination Result	13
High Court Sittings, 1933	13
Statutes of the Oireachtas passed during 1933	13

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVII, No. 3 ]

JULY, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

15th June.

Twenty-two Members present.

#### Mr. Blood, K.C.

A resolution was passed expressing the regret of the Council at the death of Mr. A. F. Blood, K.C., who for some years past represented the Society in Court proceedings, and conveying to Mrs. Blood and the members of his family the sympathy of the Council in their bereavement.

#### Intermediate Examination.

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

#### Appointment of Solicitor to Tipperary Urban District Council.

A letter was read from the Hon. Secretary of Tipperary and Offaly Sessions Bar enclosing particulars of the terms offered to intending applicants for the vacant position of Solicitor to Tipperary Urban District Council. The matter was referred to a Special Committee for consideration.

#### Ulster Delegate.

The result of the scrutiny of ballot papers for election of Provincial Delegate for Ulster on the Council was submitted. Mr. Gillespie was declared elected.

#### Law Books.

A report was submitted from the Special Committee of the Council which has been for some time considering the question of the desirability of the publication of editions of law books dealing with the law and practice

of the Courts of Justice of the Irish Free State up to date. The Committee reported that they had had an interview with representatives of the Bar Council, and the steps which the representatives of both bodies suggested to be taken to endeavour to carry the matter further.

### OBITUARY.

MR. GEORGE F. FLEMING, Solicitor, died on 5th June, 1933, in Dublin.

Mr. Fleming was admitted in Hilary Sittings, 1889, and practised at Arklow.

MR. JOHN TAYLOR, Solicitor, died on the 6th June, 1933, at Ballymena.

Mr. Taylor served his apprenticeship with Mr. Henry S. Robinson, Londonderry; was admitted in Trinity Sittings, 1923, and practised at Ballymena.

MR. HUGH A. ANDERSON, Solicitor, died on the 16th June, 1933, at Ferndene, Coleraine.

Mr. Anderson served his apprenticeship with his brother, Mr. Charles R. Anderson, Coleraine; was admitted in Hilary Sittings, 1894, and practised as a member of the firm of Anderson & Co., at Coleraine.

MR. THOMAS J. DEERING, Solicitor, died on the 21st June, 1933, at Dublin.

Mr. Deering served his apprenticeship with Mr. Randall A. Howe, Dublin; was admitted in Easter Sittings, 1904, and practised as a member of the firm of Lynch & Deering, at 12 Lower Ormond Quay; Dublin.



**APPOINTMENT.**

MR. JAMES L. RUSSELL, Solicitor, Ballymena, has been appointed Notary Public for the County of Antrim.

**INTERMEDIATE EXAMINATION RESULT**

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

**PASSED WITH MERIT.**

1. John A. G. Cullen.
2. John J. Bruen.
3. William Walsh.
4. John B. Gleeson.
5. Andrew F. M. O'C. Comyn.
6. Michael J. O'Hara.
7. Peter J. F. McDwyer.
8. James F. Little.
9. James F. J. G. Kent.
10. John J. Timoney.

**PASSED.**

Arthur G. Ardagh.  
 Donal Delany.  
 Leonard E. M. Downes.  
 Gerard Gorman.  
 Dermot J. Hanly.  
 Joseph N. Hughes.  
 Joseph A. Jones.  
 Thomas T. Keogh.  
 Timothy Lucey, Jun.  
 Donal McClement.  
 Dermot McGillicuddy.  
 James McGuirk.  
 James G. McPhillips.  
 Robert C. Magee.

James D. Mitchell, Jun.  
 Arthur S. Murphy.  
 Miceal O'Cleirigh.  
 Jarlath A. O'Connell.  
 Aloysius D. O'Riordan.  
 Herbert J. Smyth.  
 Una M. Treacy.

Forty-five candidates attended; thirty-one passed; fourteen failed.

**HIGH COURT SITTINGS, 1933.**

Trinity Sittings end on Monday, 31st July.  
 Michaelmas Sittings begin on Tuesday, 10th October.

**STATUTES OF THE OIREACHTAS PASSED DURING 1933.**

1. Central Fund.
2. Land (Purchase Annuities Fund).
3. Defence Forces (Temporary Provisions).
4. Dairy Produce (Price Stabilisation).
5. Local Government.
6. Constitution (Removal of Oath).
7. Agricultural Produce (Cereals).
8. Road Transport.
9. Railways.
10. Trade Loans (Guarantee) (Amendment).
11. Road Traffic.
12. Foreshore.
13. National Health Insurance.
14. Electoral (Amendment).

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Vol. XXVII, No. 4.]

AUGUST, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meetings of the Council	16
New Members	16, 17
October Examination 1933	17
Michaelmas Sittings Lectures	17

# THE GAZETTE

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## Incorporated Law Society of Ireland.

Vol. XXVII, No. 4.]

AUGUST, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETINGS OF THE COUNCIL.

6th July.

Twenty four Members present.

#### Examinations in Irish.

A letter was read from the Secretary of the Ministry of Education conveying the approval of the Minister of the appointment of Mr. T. P. Waller, B.A., N.U.I., to conduct the second examination in Irish under the Legal Practitioners (Qualification) Act, 1929.

#### Sale of Court Forms.

A letter was read from the Master of the High Court stating that the Revenue authorities have decided to arrange for the official sale of Court forms, etc., for the High Court and Circuit Court, at a room in the Four Courts.

27th July.

Twenty-two Members present.

#### Valuations for Estate Duty.

The President informed the Council of his interview with the Commissioner of Valuation in reference to the work of valuations for estate duty purposes, when he urged that whatever steps are possible should be taken to obviate delays.

#### Stamp Duty Adjudications.

A letter was directed to be written to the Solicitor for the Inland Revenue, requesting that where the Solicitor who has lodged a deed for adjudication is requested to attend to discharge queries, the communication should inform him of the nature of the queries.

#### Landlord and Tenant Act.

It was resolved that the request of the Council to the Minister for Justice that Rules of Court and a Scale of Costs under this Act be issued be repeated.

#### Appointment of Solicitor to Tipperary U.D.C.

A letter was read from the Hon. Secretary of Tipperary and Offaly Sessions Bar Association stating that a Solicitor has now been appointed to the position of Solicitor to Tipperary U.D.C., on a solicitor and client basis so far as his costs are concerned, and expressing the thanks of the Association for the interest which the Council took in the matter.

#### NEW MEMBERS.

The following have joined the Society :—

Richard A. Burke; 22 Eustace Street,  
Dublin.

Frederick J. Mangan, 31 Dame Street,  
Dublin.

Arthur J. G. Quirke, 42 St. Stephen's  
Green, Dublin.

Adam J. N. Reid, 4 College Green, Dublin.

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### OCTOBER EXAMINATIONS, 1933.

The following are the dates of the October examinations:—

2nd October—Intermediate. Notice to be lodged before 12th September.

3rd and 4th October—Final. Notice to be lodged before 13th September.

9th and 10th October—Preliminary. Notice to be lodged before 20th September.

11th Oct.—“First Examination,” Irish. Notice to be lodged before 22nd September.

### MICHAELMAS SITTINGS LECTURES.

The lectures will be delivered in the Solicitors' Buildings, Four Courts, Dublin. Senior lectures begin on Tuesday, 17th October, 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 Wednesday, 18th October, 2.15 p.m. Books: Anson's Law of Contract, seventeenth edition; Ringwood's Outline 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, N.W.8, before 12th October.

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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. XXVII, No. 5.]

NOVEMBER, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Ballot for Council	20
Half-yearly General Meeting	20
Meeting of the Council	20
Obituary	20, 21
Appointment	21
Examination Results	21
Preliminary Examination Prizes, 1933	21
Legal Practitioners (Qualification) Act, 1929	22
Intermediate Examination	22
Final Examination	22, 23
Scholarships, 1933	23
"First Examination" in Irish	23
Irish Solicitors' Golfing Society	23

# THE GAZETTE

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Vol. XXVII, No. 5.]

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[ FOR CIRCULATION  
AMONGST MEMBERS

### BALLOT FOR COUNCIL.

The ballot for election of Council will be held on Tuesday, 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 on Monday, the 27th November, in the Hall of the Society, Solicitors' Buildings, Four Courts, Dublin.

### MEETINGS OF THE COUNCIL.

26th October.

#### Mrs. Wakely.

The Council passed a resolution expressing deep sympathy with the Secretary on the death of his wife, which took place on the 14th inst.

#### Mr. James S. Gaffney.

The Council passed a resolution expressing deep sympathy with Mrs. Gaffney on the death of her husband, which took place on the 21st inst. Mr. Gaffney was Provincial Delegate for Munster on the Council since 1919.

### Examinations.

The report of the Court of Examiners on the October Examinations was submitted and adopted. It was resolved that a "First Examination" in Irish be held in December.

### Annual Report.

The draft Annual Report was considered and adopted.

### OBITUARY.

MR. JOHN P. HARTFORD, Solicitor, died upon the 4th July, 1933.

Mr. Hartford was admitted in Trinity Sittings, 1878, and practised (in partnership with his father, the late Mr. John P. Hartford, Senior) at 55 Lower Dominick Street, Dublin, and Kilkenny, up to 1900, when he retired.

MR. WILLIAM J. SMITH, Solicitor, died on the 10th August, 1933, at his residence, "St. Kilda," Coleraine.

Mr. Smith served his apprenticeship with Mr. Daniel McLaughlin, Coleraine; was admitted in Trinity Sittings, 1889, and practised at Coleraine.

MR. EDWARD V. HAMILTON, Solicitor, died on the 20th August, 1933, at "The Residency," Omagh.

Mr. Hamilton was admitted in Michaelmas Sittings, 1881, and practised at Omagh.



MR. WILLIAM V. DAVIDSON, Solicitor, died on the 11th September, 1933, at Albany Villas, Ballymoney, County Antrim.

Mr. Davidson was admitted in Michaelmas Sittings, 1880, and practised at Belfast up to 1917, when he retired.

MR. JOHN R. STRITCH, Solicitor, died on the 22nd September, 1933; at his residence, 17 North Great George's Street, Dublin.

Mr. Stritch served his apprenticeship with the late Mr. Isaac Molloy, Dublin; was admitted in Trinity Sittings, 1892, and practised at 4 Eustace Street, Dublin.

MR. JOSEPH M. CULLINANE, Solicitor, died on the 23rd September, 1933, at Dublin.

Mr. Cullinane served his apprenticeship with the late Mr. Maurice Healy, Cork; was admitted in Hilary Sittings, 1912, and practised at Clonakilty.

MR. FRANCIS KERR, Solicitor, died upon the 3rd October, 1933, at his residence, "Altafort," Myrtle Field Park, Belfast.

Mr. Kerr served his apprenticeship with the late Mr. John Coulter, Belfast; was admitted in Trinity Sittings, 1887, and practised at Belfast.

MR. CHARLES E. R. A. IRVINE, Solicitor, died upon the 10th October, 1933, at Enniskillen.

Mr. Irvine was admitted in Hilary Sittings, 1880, and practised (under the style of Alexander and Irvine) at Enniskillen.

He was Sessional Crown Solicitor for Fermanagh County from 1892 to 1922, and Crown and Sessional Crown Solicitor from 1922 to 1926.

MR. JAMES S. GAFFNEY, Solicitor, died upon the 21st October, 1933, at his residence 86 O'Connell Street, Limerick.

Mr. Gaffney was admitted in Michaelmas Sittings, 1890, and practised (in partnership with his son, Mr. Niall S. Gaffney, under the style of P. S. Connolly & Co.), at Limerick.

He was Crown Solicitor for Limerick County and City from 1907 to 1922, and was Provincial Delegate for Munster on the Council of the Society since 1919.

MR. SAMUEL J. MILLAR, Solicitor, died upon the 24th October, 1933, at his residence, "Hazelton," Moneymore, Co. Londonderry.

Mr. Millar served his apprenticeship with the late Mr. John Harbison, Magherafelt; was admitted in Trinity Sittings, 1908, and practised at Cookstown.

MR. JAMES CARUTH, Solicitor, died upon the 31st October, 1933, at his residence, Grange, Ballymena.

Mr. Caruth served his apprenticeship with the late Mr. Alexander Caruth, Ballymena; was admitted in Easter Sittings, 1879, and practised (as a member of the firm of J. and A. Caruth) at Ballymena.

#### APPOINTMENT.

Mr. Henry S. Robinson, Solicitor, Londonderry, has been appointed Clerk of the Crown and Peace for the County and City of Londonderry, in room of Mr. Alfred M. Munn, retired.

#### EXAMINATION RESULTS.

At the Preliminary Examination held on the 9th and 10th October, the following passed the examination, and their names are arranged in order of merit:—

1. Patrick S. Gill.
2. Arthur G. Nixon.
3. Samuel F. Hogan.
4. William A. Menton.
5. John P. L. Murray.
6. Francis J. Hill.
7. Michael M. Neary.
8. James A. Kelly  
Thomas G. Treanor } equal.
10. Austin L. F. Orr.
11. John F. Donovan.
12. Robert S. Roper.
13. Vincent P. J. Forde.

Fifteen candidates attended: thirteen passed; two failed.

**Preliminary Examination Prizes, 1933.**  
None awarded.

**Legal Practitioners (Qualification) Act, 1929.**

The following passed a "First Examination" in Irish under the above Act, held on 11th October:—

Liam P. Cafferky.  
James G. Clahane.  
James P. Coffey  
William S. DeB. Conway.  
Daniel A. Creedon.  
James A. D'Arcy.  
Henry P. Dockrell.  
John D. M. Donnelly.  
John J. Fitzgerald.  
Maureen French.  
James H. Gallagher.  
Donncad M. Greene.  
Desmond G. Horan.  
Timothy G. Kavanagh.  
Peter K. I. McCourt.  
Donald E. Murray.  
Thomas V. O'Connor.  
Hubert S. O'Donnell.  
Mary G. O'Leary.  
Robert J. Sheehan.  
William Tormey, Jun.  
Jasper C. Tully.

Twenty-six candidates attended: twenty-two passed; four failed.

**Intermediate Examination.**

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

**PASSED WITH MERIT.**

1. John K. Coakley.
2. Bernard d'Arcy.
3. Maire O'Neill.
4. Nathaniel Lacy.
5. John Kelly.
6. Michael J. Kennedy.
7. { Edward G. Gleeson  
Cornelius Murray  
Mary J. O'Neill } equal.
10. Mary E. Reilly.
11. Desmond Rooney.
12. Patrick L. Callan.
13. Joseph F. Delany.

**PASSED.**

James Aitken.  
Henry A. Barlee.  
Murtagh E. Burke.

Michael C. Casey.  
James Claffey.  
Francis Conway.  
Robert S. Cresswell.  
Joseph W. Delahunt.  
James S. Dunne.  
Martin Kelly.  
Patrick J. G. Keys.  
Andrew M. Killeen.  
Francis Lambe.  
James B. MacGarry.  
Arthur J. Nix.  
Patrick Noonan.  
Edward A. O'Connell.  
Andrew J. O'Leary.  
Patrick J. O'Meara.  
Patrick J. O'Sullivan.  
Charles B. Phillips.  
John S. G. Sealy.  
James P. Sweeney.  
James P. Trainor.  
James S. Traynor.  
John Wells.

Fifty-one candidates attended: thirty-nine passed; twelve failed.

**Final Examination.**

At the Final Examination held on the 3rd and 4th October, the following passed the examination and their names are arranged in order of merit:—

1. Michael C. Black.
2. Ignatius M. Houlihan.
3. Robert J. Baylor.
4. John T. Hannon.
5. Brendan Glynn.
6. William B. Galvin, B.A., N.U.I.
7. Charles I. J. Foley.
8. Francis Connolly.
9. Donal Joseph O'Sullivan.
10. Michael Moran  
Patrick M. Murray } equal.
12. Patrick McDowell.
13. Seamus Murphy.
14. Richard J. Muldowney.
15. Richard L. O'Flaherty.
16. Timothy J. O'Keefe.
17. Laurence B. McMahan.
18. George P. M. Hogan.
19. Michael J. Dunne (Mr. McKeever).
20. Thomas McHugh B.A., N.U.I.
21. Arthur J. Barrett.
22. William J. Lenahan.

23. Brian L. J. O'Brien.
24. John Barry.
25. Patrick J. T. O'Brien  
Donal James O'Sullivan } equal.
27. Edward P. M. Power.
28. Michael J. Dunne (Mr. Lloyd).

The Council awarded Special Certificates of Merit to Michael C. Black, Ignatius M. Houlihan and Robert J. Baylor.

Forty-seven candidates attended : twenty-eight passed ; nineteen failed.

#### SCHOLARSHIPS, 1933.

The Overend Preliminary Examination Scholarship was not awarded owing to the insufficiency of the merit displayed.

The Overend Final Examination Scholarship (for Real Property and Conveyancing) was awarded to Robert J. Baylor, who served his apprenticeship with Mr. Anthony Carroll, Fermoy, Co. Cork.

The Findlater Scholarship was awarded to Timothy O'Neill Kiely, B.A., N.U.I., who served his apprenticeship with Mr. Edward M. FitzGerald, Dublin.

#### "FIRST EXAMINATION" IN IRISH.

A "First Examination" in Irish for intending Solicitors' Apprentices under the

Legal Practitioners (Qualification) Act, 1929, will be held on the 8th December, 1933, in the Solicitors' Buildings, Four Courts, Dublin.

Notice of intention to attend, and fee one guinea, should be lodged before 1st December.

#### IRISH SOLICITORS' GOLFING SOCIETY.

The autumn competition was held at Dollymount (by kind permission of the Royal Dublin Golf Club). The following were the winners of the various competitions :—

Council Cup.—E. J. H. Hopkins (nett 72).

2nd.—S. Roche (nett 75).

St. Patrick's Cup.—P. Glynn (nett 75).

Veterans' Cup.—B. Collins (nett 78).

Ryan Cup.—R. G. Warren (nett 79).

In the Fourball Sweepstakes Messrs. A. J. Malone and T. D. McLoughlin tied with Messrs. S. Roche and T. Colfer, with 5 up.

In the evening a dinner was held in the Club House, the Captain of the Golfing Society, Mr. Michael A. Corrigan, presiding.

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# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVII, No. 6.]

DECEMBER, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

### CONTENTS.

	PAGE
Half-yearly General Meeting	26, 27, 28, 29, 30
Miscellaneous Professional Information	30
Obituary	30, 31
New Members	31
Dublin Circuit Court	31, 32
Statutes of the Oireachtas passed during 1933	32
Hilary Sittings Lectures, 1934	32

# THE GAZETTE

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## Incorporated Law Society of Ireland.

Vol. XXVII, No. 6 ] DECEMBER, 1933.

[ FOR CIRCULATION  
AMONGST MEMBERS

### 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 27th November. The Chair was occupied by the President (Mr. W. Gordon Bradley), and the following members were present:—Messrs. E. H. Burne, E. F. Collins, T. H. R. Craig, J. J. Duggan, T. J. Greene, J. B. Hamill, W. S. Hayes, Charles Laverty, J. J. Lynch, E. J. Mallins, P. O'Connor, L. E. O'Dea, S. O hUadhaigh, P. F. O'Reilly, A. H. S. Orpen, P. J. O'Sullivan, G. A. Overend, T. G. Quirke, D. J. Reilly, Peter Seales, Basil Thompson, T. D. McLoughlin, W. H. Sutton, L. Webb, R. W. MacNeice, E. R. McC. Dix, J. E. MacDermott, D. D. MacDonald, E. Jordan, R. G. Warren, S. Kerr, D. O'Donnell, N. S. Gaffney, S. M. McAuliffe, P. R. Boyd, D. R. Pigot, E. W. Proud, M. J. Bowers, L. J. Jameson, B. J. Seales, F. E. Birmingham, A. B. Watson, B. Bernstein, D. O'Connell, Ivan Howe, H. R. Maunsell, H. V. B. White, A. G. Quirke, C. J. Rutherford, W. J. Coulter, J. J. Hickey, J. L. Lapedus, F. D. Darley, C. St. G. Orpen, M. A. Corrigan, S. Hayes, H. H. Hurley, L. W. Webb, Robert Hayes, A. E. Walker, J. A. Geary, R. Greene, J. D. Hollinger, V. E. Kirwan, W. H. Fry, D. P. Morris, C. J. C. Joyce, C. G. Stapleton, F. S. Collins, P. Glynn, M. A. Smyth, C. B. White, A. G. Joyce, T. Maguire, D. O'Flaherty, G. F. Robinson, K. Walsh, S. H. Watson.

The Secretary read the notice, convening the meeting, also the minutes of the General Meeting of 16th May, 1933, 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, 1933.

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,

John Gillespie; Munster, P. E. O'Donnell; Leinster, Daniel O'Connell; Connaught, Christopher E. Callan. That for the thirty-one ordinary members of the Council the following have been elected and received the number of votes placed after their respective names:—P. Seales, 429; L. J. Ryan, 389; J. J. Duggan, 388; T. W. Delany, 386; T. G. Quirke, 383; E. Collins, 368; J. J. Lynch, 357; C. J. Laverty, 336; E. M. FitzGerald, 336; F. M. Lyons, 332; D. J. Reilly, 331; J. T. Wolfe, 329; E. J. Mallins, 325; P. O'Connor, 316; T. H. R. Craig, 314; P. O'Sullivan, 312; L. E. O'Dea, 304; P. N. Smith, 303; W. G. Bradley, 301; W. S. Hayes, 295; J. B. Hamill, 294; E. H. Burne, 285; Basil Thompson, 283; H. St. J. Blake, 278; T. J. Greene, 274; A. H. S. Orpen, 270; H. K. Toomey, 265; P. F. O'Reilly, 265; G. A. Overend, 264; M. J. Neilán, 264; S. O hUadhaigh, 256. And the following to form a supplemental list in case of vacancies: M. E. Knight, 255; H. P. Mayne, 253; A. D. Orr, 247.

THE PRESIDENT, addressing the meeting, said:—

Gentlemen,

I rise to move the adoption of the Annual Report of the Council, which you have in your hands, but before dealing with the Report in detail, I have to refer with very deep regret to the great loss which the Council has sustained by the death of Mr. James Gaffney, who died on the 21st day of October. Mr. Gaffney was one of the best-known Solicitors in Ireland, and filled many public positions. He was a member of the District Court Rule Making Authority under the Courts of Justice Act, and was a Provincial Delegate for Munster on the Council of the Law Society since the year 1919 up to the time of his death. The Council will miss his genial personality and the advice which his great experience as a Solicitor qualified him to give.

I also refer with great regret to the death of Mr. Horace Turpin, of Maryborough, who died on the 23rd November. Mr. Turpin was a member of the Council from the year 1924 to 1928, when he retired. He filled the office of Vice-President in the year 1924. The late Mr. Turpin was a very prominent member of our profession in the Midlands, and his death will be greatly regretted by all who knew him.

#### Courts of Justice Act.

The Bill to amend the Courts of Justice Act of 1924 has not yet, I understand, been completed. As I stated at the Half-yearly Meeting of the Society which was held in May last, the Minister for Justice promised to send to the Law Society the draft of this Bill, so that our profession would have an opportunity of considering the Bill and making suggestions which they might consider useful and beneficial to both our own profession and to the members of the public. We await the introduction of this Bill with considerable interest, because it is quite clear that if the machinery of the law of the Irish Free State is to work satisfactorily changes will have to take place. If rumour is right, the Bill will authorise the appointment of two additional Judges for the High Court, which will be necessary if the present system of hearing appeals from the Circuit Court is to be altered in favour of the old procedure of a local re-hearing. Both the profession and the litigants themselves will welcome this change if it takes place.

#### Dublin Circuit Courts.

Following the suggestions which I made in my address at the Half-yearly Meeting that two Circuit Court Judges should be continually available to transact the civil business of the Dublin Circuit Courts, the Council wrote to the Department of Justice bringing this matter under their notice, and on the 9th November a reply was received from the Department stating that, while the Minister was aware that the civil business in the Dublin Circuit Court is in arrear, he was not satisfied that such business was sufficient to occupy the time of two Judges, and that he hoped shortly, without increasing the total number of Judges, to make arrangements to meet the needs of the Dublin Circuit Court. From enquiries which I have made recently I have ascertained that the number of defended civil actions awaiting trial in the Dublin Circuit Court at the present time is 446. Some of these cases have been set

down for trial as far back as March, 1933. Owing to Judge Shannon having been occupied with criminal business at Green Street from the commencement of the present legal term, and owing to the fact that Judge Davitt was occupied in hearing the numerous other types of cases, such as Workmen's Compensation Cases, Appeals from District Court, Income Tax Appeals, and Licensing Applications, etc., it has not been possible to list any defended civil actions for hearing until about a week ago. With due deference to the statements of the Minister, I still am strongly of opinion that there will always be an arrear of work in the Dublin Circuit Courts unless two Judges are continually available to transact the civil business there.

#### Court Houses.

I have noticed from time to time reports published in the newspapers and in the legal journals of Judges of the Circuit Courts and District Justices having to complain of the unsatisfactory condition of the buildings in which they have to administer justice, and on some occasions the proceedings have had to be adjourned owing to the impossibility of transacting business in these Courts under the conditions prevailing. I think it is of the utmost importance that the legal business of our country should be administered in suitable surroundings, and that Judges and members of our profession and the public are entitled to proper accommodation. I would suggest that, if there are any further complaints, the local Bar Associations should communicate with the Department of Justice and insist upon the unsuitable court-houses being put into a proper state of repair, and refuse to transact business in them until this has been done.

#### Adjudication of Deeds.

Owing to complaints that the Council had received in connection with alleged delay in getting deeds adjudicated on for stamp duty purposes, I had an interview with Mr. Collins, the Solicitor for the Revenue Commissioners in May last. He informed me that the Adjudication Office dealt with about 12,000 deeds per annum, and that during the six months prior to May, 1933, there had been an increase of 1,500 deeds sent in for adjudication. He stated that the practice of his department was to try and deal with this matter themselves, and that it was only in the case where an absurd valuation was

submitted that the deed was transferred to the Valuation Office to make a valuation. He also thought that in many cases Solicitors did not give enough information when deeds were sent to be adjudicated on, and that he had in course of preparation a circular which he was going to send to every Solicitor in the Free State specifying the information which was required in order to deal with the adjudication promptly, and he hoped that by giving this information a great deal of delay would be avoided. I understand that this circular will be shortly issued. Mr. Collins admitted that owing to illness amongst the office staff an arrear has accumulated, and that special provision had been made to deal with this arrear. Mr. Collins was, as usual, most sympathetic and anxious to help the members of our profession in any way he could.

#### Valuations for Estate Duty.

In the month of July last I had an interview with the Commissioner of Valuation with reference to alleged delays in dealing with valuations for estate duty purposes. The Commissioner assured me that he was aware that there was a considerable amount of delay in issuing these valuations, and that this was principally due to inadequacy of staff, and that vacancies which had occurred through death or retirement had not been filled for some time. He informed me that since his appointment as Commissioner he had considered this question of delay carefully, and had applied for an increase in staff in order to speed matters up, and that five additional valuers had been sanctioned who would be attached to the Valuation Office.

The principal work of the Valuation Office, of course, is in connection with valuations for rating purposes, but for many years past a considerable amount of extra work has been thrown upon the Valuation Office, who are now required to make valuations for estate duty purposes, and the Commissioner stated that he had recently organised a special Estate Duty Section in the Valuation Office to deal with this class of work. It has been my experience, and I am sure has been the experience of most of you gentlemen, that these valuations are now being dealt with much more promptly, and we are all grateful to the Commissioner of Valuation for the special interest which he has taken in connection with this class of work. Needless to

say, it is of the utmost importance that these valuations should be dealt with promptly, as otherwise executors and administrators are unable to wind up estates of deceased persons within a reasonable time.

#### Law Books.

The Council during the year appointed a Special Committee to consider the present want of law books to meet the needs of practitioners in the Circuit and District Courts. Standard books, such as O'Connor's "Justice of the Peace," Carleton's "County Court Practice," "Browning & Glover's Registration of Title," have been out of print for several years, and the same remark applies to "Wylie's Judicature" (1906). The need of standard books of this nature is apparent to everyone in the profession, and, unfortunately, it is not a business proposition for anyone to publish a law book in the Irish Free State: At the request of the Committee representatives from the Bar Council joined our Committee in their deliberations in connection with this matter, when it was decided that the following books were urgently needed:—

- (1) Wylie's Judicature (1906), revised up to date.
- (2) A Book on the Law (independent of Practice) administered in the Circuit Courts.
- (3) A Book on Criminal Law, dealing with summary jurisdiction and committals to take the place of O'Connor's "Justice of the Peace."

A joint deputation from our Council and the Bar Council had an interview with the Minister for Justice in the month of July last, when this matter was fully discussed, and it was arranged that, subject to further information as to the cost of publication being supplied to the Minister, he would give the matter his careful consideration. I trust that something may be done to get these books published for the members of our profession who at the present time are unable to purchase books of a similar nature.

In connection with this, I would like to express my very best thanks to Mr. T. W. Delany, of Longford, who has taken such a keen interest in this matter and who was one of the deputation who came with me to the Minister for Justice, and made to him a clear and well-reasoned case showing the need of these publications.



### Examinations in Irish.

The Legal Practitioners' (Qualification) Act, 1929, as you know, applies to every intending apprentice who was under the age of 15 years on the 1st October, 1929. Intending apprentices who come within the provisions of this Act must, before being bound by indentures of apprenticeship, pass a first examination in Irish, conducted by the Society under the Act, and before they can be admitted as Solicitors will have to pass what is referred to in the Act as the "Second Examination" in Irish, also to be conducted by the Society. For this second examination every apprentice must possess a competent knowledge of the Irish Language, and this knowledge, as defined by the Act, means such a degree of oral and written proficiency in the use of the language as is sufficient to enable a practitioner efficiently to receive instructions, to advise clients, to examine witnesses, and to follow proceedings in the Irish Language. The first apprentices who will be required to pass this "Second Examination" will present themselves for examination about April, 1935, and the Court of Examiners recently had under their consideration the test that will be applied in order to comply with the provisions of the Act, which we are bound to enforce loyally and which it is our intention to do. It would appear to us, after consultation with our Examiner in Irish, Mr. Thomas P. Waller, that apprentices will have to maintain a continuous study of the Irish Language from the time they pass their first examination in Irish, and cannot rely on being able to pass the test by merely working at the subject a few months before they sit for same.

The Court of Examiners will shortly issue for the guidance of apprentices a list of the books, etc., which they should study.

### Debt Collecting.

Some of our members have recently brought under our notice objectionable debt collecting forms. These notices, which are in print, are sent out by traders to their debtors, and are framed in such a way as to imply that they are documents issued by a Court and have some legal effect. Similar notices have appeared for some time past in England, and a provision to prohibit their circulation was inserted in a recent County Court Bill which will shortly be introduced in that country. Your Council has sent copies of these notices to the Minister for Justice, with

a request that a similar provision to prevent their circulation should be inserted in the proposed new Courts of Justice Bill, and I hope that this request will be acceded to. There would also appear to be an increase in the number of debt collecting agencies and so-called associations for the protection of trade, and in referring to these associations I do not for a moment wish it to be thought that I am in any way attacking those well-known firms which have been in existence for a considerable time and which do such excellent work for their members. What I am referring to is the association employing some high-sounding title (usually a one-man concern) and whose objects are to do work usually performed by members of our profession, and who frame their correspondence in such a manner as to suggest to the public that they are qualified legal practitioners. Your Council are always on the alert to prevent any infringement of the rights of Solicitors, and the Society will not hesitate to prosecute in any case where the facts justify them in doing so.

### Members of Society.

The number of members of the Society at present is 768, an increase of 19 over the figure mentioned by me in May last, but two less than the corresponding number for this time last year. There are 1,249 Solicitors practising at the moment in the Irish Free State, of which 481 are not members of this Society. I appeal to all of these gentlemen to become members. Quite apart from the advantages which membership of this Society can offer in various ways, it is, I think, of the utmost importance from a mere business point of view that all practising Solicitors in their own interests should be members. Let me give you one example. It is common knowledge that a considerable amount of business goes to Solicitors who practise in the country through the offices of Dublin Solicitors who are members of the Society. I think I am right in saying that when we in Dublin have to employ an agent in a country town and we find that in that particular town there are fellow-practitioners who are members of the Society, we always give them the preference over Solicitors who are not members, and for the very good reason that we feel that they are friends and colleagues of our own.

### Golfing Society.

I had the honour of being present at the

two meetings of the Irish Solicitors' Golfing Society, which were held in the months of June and October last. May I commend this Society to all our members, as it plays a great part in the social side of our profession: These meetings bring together members of our profession, both old and young, and by doing so enable us to make valuable friendships with men who perhaps are only known to us by name.

Now, gentlemen, I feel I owe you an apology for detaining you so long, and I will, therefore, conclude my address, but before doing so may I be permitted to add a few personal remarks.

I have had during my year of office two most efficient and capable Vice-Presidents—Mr. Travers Wolfe and Mr. Peter O'Connor—who have rendered me the greatest possible assistance. No President could hope to do the work of the Society single-handed, and I desire to thank them both for taking a share of the work off my shoulders. I also desire to express my grateful thanks to the members of the Council who have made my year of office a pleasant one, and their kindness and consideration to me I shall not easily forget. I feel I am under a deep debt of gratitude to all of them for the support and advice which they have so willingly given to me at all times.

I beg to move the adoption of the Report.

MR. PETER O'CONNOR (Vice-President) seconded the adoption of the Report.

MR. T. DESMOND McLOUGHLIN drew attention to the system of Solicitors agreeing to the cutting of their costs, which he considered should not be allowed. He also expressed the opinion that the Society's Examiners were unsuitable for the work entrusted to them.

MR. T. H. R. CRAIG expressed his disagreement with the remarks of the previous speaker in reference to the Society's Examiners. He urged that steps should be taken without further delay to remedy the matter of the arrears of cases awaiting hearing in the Dublin Circuit Court.

THE PRESIDENT, in reply, said that the Society's Examiners had the complete confidence of the Council and of the Court of Examiners. It was not, he said, left to the Examiners to say who was to be declared as having passed the examinations, that was done by the Court of Examiners, who, after consultation with the Examiners, reported to

the Council. One of the Examiners was a well-known Solicitor who now occupied a position in the Civil Service, and the other Examiner was a practising Solicitor, and the Council had no intention of making any change.

THE PRESIDENT put the resolution adopting the report, and it was passed unanimously.

Mr. Peter O'Connor, Vice-President, having taken the Chair, on the motion of Mr. J. E. MacDermott a vote of thanks was passed to the President with acclamation.

THE PRESIDENT returned thanks.

#### THE PRESIDENT

The Council elected, on 7th December, Mr. James Joseph Lynch, of Kells, County Meath, to be President of the Society for the ensuing twelve months.

The newly-elected President, who served his apprenticeship with the late Mr. Edward D'Alton, of Dublin, was admitted in 1900; he became a member of the Council in 1924, and was a Vice-President of the Society in 1925-26.

#### VICE-PRESIDENTS.

The Council have elected Mr. George A. Overend, of Dublin, and Mr. Philip O'Sullivan, of Limerick, to be Vice-Presidents of the Society for the ensuing twelve months.

#### MISCELLANEOUS PROFESSIONAL INFORMATION.

The business of the late Mr. John Russell Stritch, of 4 Eustace Street, Dublin, is now being carried on by Messrs. Lancelot U. Smith and Cecil G. Vanston, who have entered into partnership, and practise at 39 Westmoreland Street, Dublin, under the title of Stritch, Smith and Vanston.

#### OBITUARY.

MR. WILLIAM J. MAGNIER (Jun.), Solicitor, died on the 16th November, 1933, at his residence, Mill View, Fermoy.

Mr. Magnier served his apprenticeship with his father, Mr. William J. Magnier, Fermoy, was admitted in Trinity Sittings, 1919, and practised at Fermoy.

MR. HORACE TURPIN, Solicitor, died on the 23rd November, 1933, at his residence, Greystones, Maryborough.

Mr. Turpin was admitted in Trinity Sittings, 1881, and practised (in partnership

with his son, Mr. Horace Turpin, Jun.), at Maryborough.

He was a member of the Council of the Society from 1924 to 1928, and Vice-President of the Society for the year 1924-25.

MR. ANTHONY CARROLL, Solicitor, died on the 24th November, 1933, at his residence, Glenavon, Fermoy.

Mr. Carroll served his apprenticeship with the late Mr. Thomas Rice, Fermoy, was admitted in Michaelmas Sittings, 1888, and practised at Fermoy.

He held the office of Crown and Sessional Crown Solicitor for the East Riding of County Cork from 1905 to 1922.

#### NEW MEMBERS.

The following have joined the Society:—

Gerald Baily, Tralee.

Timothy A. Buckley, 52 Grand Parade, Cork.

Kevin Burke, 30 Lr. Ormond Quay, Dublin.

Richard P. Callaghan, 40 South Mall, Cork.

Patrick G. Collins, 11 Glentworth Street, Limerick.

John N. Duff, 11 St. Stephen's Green, Nth., Dublin.

Alphonsus Farrell, Portarlington.

Austin R. Farrell, Dungarvan.

Hugh J. Fitzpatrick, 110 Grafton Street, Dublin.

Francis P. Howley, Sligo.

Timothy K. Keane, Youghal.

John B. Lavelle, Ballahadereen.

John F. McM. Lynch, Ennis.

Thomas M. Mitchell, Hospital, Co. Limerick.

Patrick F. Molony, Ennis.

Edmund W. Mooney, 16 Fleet Street, Dublin.

Clohra MacBride, Westport.

John L. McDowell, 3 College Green, Dublin.

Edward Neville, 55 South Mall, Cork.

Edward M. O'Beirne, 2 Inn's Quay, Dublin.

Patrick O'Donnell, Dungloe, Co. Donegal.

Conor J. O'Liathain, 1 Upper Ormond Quay, Dublin.

Joseph O'Malley, 20 St. Stephen's Green, Nth., Dublin.

John D. T. Rooney, Bank of Ireland, College Green, Dublin.

Wm. J. Ryan, Abbeyleix.

Lancelot U. Smith, 39 Westmoreland Street, Dublin.

#### [DUBLIN CIRCUIT COURT.

The following correspondence has passed in reference to the civil business of this Court:—

The Incorporated Law Society of Ireland,  
Solicitors' Buildings, Four Courts,  
Dublin,

30th October, 1933.

Dear Sir,

I am directed by the Council of this Society to convey to you its opinion that during the times when one of the two Dublin Circuit Court Judges is engaged in discharging Criminal Court business at Green Street, there should be available a Circuit Court Judge to take his place in the discharge of the civil business Court, so that there would always be two Circuit Court Judges engaged at the Civil business at the Dublin Circuit Court. The Council make this suggestion having regard to the large accumulation of arrears of civil cases awaiting hearing in the Dublin Circuit Court, and they hope you will give this matter your earnest attention and consideration.

I remain, Dear Sir,

Faithfully yours,

(Signed) W. G. WAKELY,

Secretary.

The Minister for Justice,  
Government Buildings,  
Upper Merrion Street,  
Dublin.

Department of Justice,  
Upper Merrion Street,  
Dublin,

9th November, 1933.

A Dhuine Uasail,

I am directed by the Minister for Justice to acknowledge the receipt of your letter of the 30th ultimo conveying the opinion of the Council of the Incorporated Law Society of Ireland that, during the times when one of the two Dublin Circuit Court Judges is engaged in the Criminal Circuit Court another Circuit Court Judge should always take his place in the discharge of civil business. As your Council is aware, the number of Circuit Court Judges was originally limited by law to eight—that is, one for each of the eight Circuits specified in the schedule to the Courts of Justice Act, 1924. Two additional Judges were appointed under the Act of 1928, of whom one, Judge Shannon, always assists in Dublin, and the

other, Judge Moonan, is for the greater part of each year engaged in Circuits 3 and 5, the business in each of these Circuits being more than can be disposed of by one Judge. Whenever Judge Moonan is not so engaged he has, since his appointment, been assigned to assist in Dublin. Whilst the Minister is aware that the civil business in the Dublin Circuit is somewhat in arrear, he is not satisfied that the volume of such business is sufficient to occupy the entire time of two Judges. He hopes to be able shortly, without increasing the total number of Judges, to make arrangements which will meet the needs of the Dublin Circuit.

Mise, le meas,

(Signed) S. A. ROCHE,

Leas Runai.

W. G. Wakely, Esq.,

Secretary,

The Incorporated Law Society of Ireland,

Four Courts,

Dublin.

### STATUTES OF THE OIREACHTAS PASSED DURING 1933.

1. Central Fund.
2. Land (Purchase Annuities Fund).
3. Defence Forces (Temporary Provisions).
4. Dairy Produce (Price Stabilisation).
5. Local Government.
6. Constitution (Removal of Oath).
7. Agricultural Produce (Cereals).
8. Road Transport.
9. Railways.
10. Trade Loans (Guarantee) (Amendment).
11. Road Traffic.
12. Foreshore.
13. National Health Insurance.
14. Electoral (Amendment).
15. Finance.
16. Musk Rats.
17. Cement.
18. Public Hospitals.
19. Dail Eireann Loans and Funds (Amendment).

20. Appropriation.
21. Imposition of Duties (Confirmation of Orders).
22. Perpetual Funds (Registration).
23. Clare Castle Pier.
24. Shannon Electricity (Amendment).
25. Industrial Credit.
26. Agricultural Products (Regulation of Export).
27. Cork Tramways (Employees' Compensation).
28. Seeds and Fertilisers Supply.
29. Merchant Shipping (International Labour Conventions).
30. Barrow Drainage.
31. Sugar Manufacture.
32. Garda Siochana (Pensions).
33. Land Bond.
34. Approved Investments.
35. Damage to Property (Compensation) (Amendment).
36. Moneylenders.
37. Public Services (Temporary Economies).
38. Land.
39. Road Transport (No. 2).
40. Constitution (Amendment No. 20).
41. Constitution (Amendment No. 21).
42. Merchant Shipping (Safety and Load Line Conventions).
43. Rates on Agricultural Land (Relief).
44. Unemployment Insurance.
45. Constitution (Amendment No. 22).
46. Unemployment Assistance.

### HILARY SITTINGS, LECTURES, 1934.

The Junior Class Lectures will begin on Wednesday, 17th January, at 2.15 p.m.

The Senior Class Lectures will begin on Tuesday, 16th January, at 2.15 p.m.

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. XXVII, No. 7.]

JANUARY, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Solicitors' Annual Certificates	34
Meetings of the Council	34, 35
Members of the Council who represent the Profession on other Bodies'	35
Obituary	35
Appointment	35
Statutes of the Oireachtas passed during 1933	36
Examination Result	36

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVII, No. 7.]      JANUARY, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS ]

### SOLICITORS' ANNUAL CERTIFICATES.

Members are reminded that annual certificates for the year ending 5th January, 1935, should be taken out and the duties paid thereon before 6th February, 1934.

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, Royal Courts of Justice, 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, Royal Courts of Justice, 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.

7th December.

Twenty-seven members present.

#### Election of President and Vice-Presidents.

The Council elected Mr. James J. Lynch to be President of the Society and Mr. George A. Overend and Mr. Philip J. O'Sullivan to be Vice-Presidents of the Society for the ensuing twelve months.

#### Extra-ordinary members.

A letter from the Southern Law Association was read giving the names of the following members as those elected as extra-ordinary members of this Council for the ensuing twelve months—Mr. Alfred Exham (President), Mr. B. St. J. Galvin, Mr. J. J. Horgan, Mr. E. Emerson and Mr. P. J. Kavanagh.

#### Statutes of 1932.

A letter in reply was read from the Controller of the Stationery Office in which it was stated that the complete "copy" for the bound Statutes, 1932, is with the printer, that it is of considerable volume, but steps are being taken to have the printing and binding expedited so that publication may take place early in the New Year.

**Workmen's Compensation Bill, 1933.**

The Secretary reported that he had communicated to the Minister for Industry and Commerce the request of the Council that the Minister would move on Report stage of the Bill the omission from section 43 of the words "or agent" where those words occurred three times in that section, and that the Minister on Report stage had complied with the request, and that Section 43 of the issue of the Bill as amended on Report does not contain the words.

**14th December, 1933.**

Twenty-three members present.

**Statutory Committee.**

The Secretary submitted memorandum received by him from the Hon. Mr. Justice FitzGibbon under which the following members of the Council were appointed by Mr. Justice FitzGibbon acting under the provisions of the Courts of Justice Act, No. 15 of 1928, to be and to act as the Statutory Committee for the year ending 26th November, 1934:—Mr. James J. Lynch, Mr. W. Gordon Bradley, Mr. John J. Duggan, Mr. Daniel J. Reilly, Mr. Laurence J. Ryan, Mr. Peter Seales and Mr. Basil Thompson.

**Committees and Court of Examiners.**

The Committees of the Council and the Court of Examiners for year ending 26th November, 1934, were appointed.

**MEMBERS OF THE COUNCIL WHO REPRESENT THE PROFESSION ON OTHER BODIES.**

Incorporated Council of Law Reporting:—

Mr. Thomas G. Quirke and

Mr. Thomas W. Delany.

Rules of Court Committee under Section 36 of Courts of Justice Act, 1924. Supreme and High Courts:—

The President.

Rules of Court Committee under Section 65 of the Courts of Justice Act, 1924. Circuit Court Rules:—

Mr. W. Gordon Bradley and

Mr. John J. Horgan.

Rules of Court Committee under Section 90 of the Courts of Justice Act, 1924. District Court Rules:—

Mr. Edward H. Burne and

Mr. Laurence J. Ryan.

Rules under Land Purchase Acts to be made after consultation with—

The President.

**OBITUARY.**

MR. JUSTIN MACCARTHY, Solicitor, died on the 9th December, 1933, at Kildrought, Celbridge, County Kildare.

Mr. MacCarthy was admitted in Trinity Sittings, 1889, and practised at 19 Upper Merrion Street, Dublin, under the style of Justin MacCarthy and Co. up to 1929 when he retired.

MR. THOMAS F. MONKS, Solicitor, died on the 22nd December, 1933, at his residence "Annacrevey," Glenageary, Co. Dublin.

Mr. Monks, who served his apprenticeship with the late Mr. Robert K. Clay, 21 St. Andrew Street, Dublin, was admitted in Michaelmas Sittings, 1887, and practised (in partnership with Mr. John J. Gaynor) under the style of Monks and Gaynor at 27 Molesworth Street, Dublin.

He was a member of the Council of the Society from 1918 to 1923.

MR. RICHARD FITZSIMMONS, Solicitor, died on the 29th December, 1933, at his residence 4 Heathfield Road, Terenure, Dublin.

Mr. FitzSimmons served his apprenticeship with the late Mr. William Patterson, Belfast, was admitted in Trinity Sittings, 1899, and practised as a member of the firm of Hone and Falkiner at 9 Suffolk Street, Dublin up to 1932 when he retired.

**APPOINTMENT.**

MR. JOSEPH H. DIXON, Solicitor, 16 Parnell Square, Dublin, has been appointed by the Minister for Local Government and Public Health, to act as Taxing Officer under the Labourers (Ireland) Acts and Orders.

**STATUTES OF THE OIREACHTAS  
PASSED DURING 1933.**

1. Central Fund.
2. Land (Purchase Annuities Fund).
3. Defence Forces (Temporary Provisions).
4. Dairy Produce (Price Stabilisation).
5. Local Government.
6. Constitution (Removal of Oath).
7. Agricultural Produce (Cereals).
8. Road Transport.
9. Railways.
10. Trade Loans (Guarantee) (Amendment).
11. Road Traffic.
12. Foreshore.
13. National Health Insurance.
14. Electoral (Amendment).
15. Finance.
16. Musk Rats.
17. Cement.
18. Public Hospitals.
19. Dail Eireann Loans and Funds (Amendment).
20. Appropriation.
21. Imposition of Duties (Confirmation of Orders).
22. Perpetual Funds (Registration).
23. Clare Castle Pier.
24. Shannon Electricity (Amendment).
25. Industrial Credit.
26. Agricultural Products (Regulation of Export).
27. Cork Tramways (Employees' Compensation).
28. Seeds and Fertilisers Supply.
29. Merchant Shipping (International Labour Conventions).
30. Barrow Drainage.
31. Sugar Manufacture.
32. Garda Siochana (Pensions).
33. Land Bond.
34. Approved Investments.
35. Damage to Property (Compensation) (Amendment).
36. Moneylenders.
37. Public Services (Temporary Economies).
38. Land.
39. Road Transport (No. 2).
40. Constitution (Amendment No. 20).
41. Constitution (Amendment No. 21).
42. Merchant Shipping (Safety and Load Line Conventions).
43. Rates on Agricultural Land (Relief).
44. Unemployment Insurance.
45. Constitution (Amendment No. 22).
46. Unemployment Assistance.
47. Expiring Laws.
48. School Meals (Gaeltacht).
49. Agricultural Produce (Cereals) (Amendment).
50. Oireachtas Payment of Members.
51. Prisons.
52. Finance (Customs and Excise Duties).
53. Sea Fisheries Protection.

**EXAMINATION RESULT.**

**Legal Practitioners (Qualification) Act, 1929.**

The following passed a "First Examination" in Irish under the above Act, held on 8th December, 1933:—

Martin T. Butler.

John Carrigan.

Bernard Daly.

Charles W. D. Hyland.

Patrick I. Pettit.

James S. Reilly.

Thomas G. Treanor.

Frederick J. Wright.

Ten Candidates attended; eight passed; two were postponed.

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# THE GAZETTE

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*Incorporated Law Society of Ireland.*

Vol. XXVII, No. 8.]

FEBRUARY, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meetings of the Council .....	38
Obituary .....	38, 39
Miscellaneous Professional Information .....	39
Unqualified Person pretending to be Qualified to act as a Solicitor .....	39
Probate Grants (England) .....	39, 40

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVII, No. 8 ] FEBRUARY, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETINGS OF THE COUNCIL.

11th January.

Twenty-three Members present.

#### Land Certificates.

The Council had under consideration the recently adopted practice of the issue to owners of registered land their Land Certificates from the Land Registry, accompanied by a printed letter from the Registrar to the registered owner, explanatory of the objects of the issue of Land Certificates.

#### Circuit Court Costs.

A letter from a member drawing attention to a difficulty in reference to the taxation of the costs of a reversal of a District Court decree was referred to the Circuit Courts Committee.

1st February.

Twenty-four Members present.

#### Mr. A. D. Orr.

The Council passed a resolution expressing its deep regret at the death of Mr. Alexander D. Orr, a past President of the Society, and its sympathy with his relations in their bereavement.

#### Mr. J. W. Dyas.

The Council passed a resolution expressing its deep regret at the death of Mr. Joseph W. Dyas, a past Vice-President of the Society, and its sympathy with his relatives in their bereavement.

#### Courts of Justice Bill.

A letter in reply was read from the Secretary of the Department of Justice on the subject of the introduction of the Courts of Justice Bill which is now in preparation. The Council considered the letter satisfactory.

#### Legal Practitioners (Qualification) Act, 1929.

Draft regulations for "Second Examinations" under this Act, submitted by the Court of Examiners, were approved.

### OBITUARY.

MR. ROBERT W. GLASS, Solicitor, died on the 8th January, 1934, at Montenotte, Londonderry.

Mr. Glass served his apprenticeship with his uncle, the late Mr. Hugh Glass, Banbridge; was admitted in Easter Sittings, 1895, and practised up to the outbreak of war in 1914, when he joined the Army. He was twice mentioned in despatches, and received the French Military Medal.

He was appointed to the office of Resident Magistrate for the County of Mayo in 1919, and subsequently for the Counties of Fermanagh and Londonderry.

MR. JOSEPH W. DYAS died on the 21st January, 1934, at his residence, "The Priory," Monkstown, County Dublin.

Mr. Dyas served his apprenticeship with his father, the late Mr. Joseph Galloway, Dublin; was admitted in Hilary Sittings, 1894, and practised formerly at 55 Upper Sackville Street, and latterly at 14 South Frederick Street, Dublin.

He was a member of the Council of the Society from 1918 to 1924, and Vice-President of the Society for the year 1921-22.

MR. ALEXANDER D. ORR, Solicitor, died on the 30th January, 1934.

Mr. Orr served his apprenticeship with the late Mr. John A. French, Dublin; was admitted in Trinity Sittings, 1900, and practised at 5 Foster Place, Dublin, under the style of Beauchamp and Orr.

He had been a member of the Council of the Society for thirteen years, and was President of the Society for the year 1930-31.

#### Miscellaneous Professional Information.

Francis C. Earle Bland has retired from practice, and the business of the firm of Anderson and Bland, under which title he practised at 10 Saint Stephen's Green, Dublin, is being carried on under that title and at that address by Robert B. Wolfe, of 10 Saint Stephen's Green, and Joseph C. Erskine, of 19 Kildare Street, who have entered into partnership.

Thomas W. Franks, who has hitherto practised at 17 Ely Place, Dublin, under the title of Norman and Franks, has joined the firm of Franks and Oulton, 21 Lower Fitzwilliam Street, Dublin.

#### UNQUALIFIED PERSON PRETENDING TO BE QUALIFIED TO ACT AS A SOLICITOR.

At the Dublin District Court, before District Justice O'Sullivan, on 22nd January, 1934, Edward Mark Brady, carrying on business under the business name of "The Irish Traders' Association," at 14/15 Saint Andrew Street, Dublin, was summoned by the Incorporated Law Society of Ireland, under Section 53 of the Solicitors (Ireland) Act, 1898, for wilfully and falsely pretending to be qualified to act as a Solicitor.

Mr. Phelps, K.C. (instructed by Mr. E. H. Burne), appeared for the Incorporated Law Society; Mr. J. W. Lane, Solicitor, appeared for the Defendant.

Mr. Phelps read to the Court the letters to an alleged debtor with regard to the writing of which by the Defendant the proceedings were taken, and which stated:—

"We have been instructed by above member to collect this account, and unless we receive a remittance from you by return of post we shall take other steps to effect recovery. Please note that all correspondence must be addressed to us, and all cheques, postal orders, etc., crossed and made payable to the Irish Traders' Association. Yours faithfully, for the Irish Traders' Association."

"Urgent. Sir, your account is being passed into the Legal Department. An immediate reply is necessary. Yours faithfully, for the Irish Traders' Association." "Amount due, £8 9s. 3d. and part expenses."

"Dear Sir. In reply to yours, undated, received here on the 29th ult., we put same before our members, who reply that they can only deal with you as the other parties do not concern them. All transactions have passed through you. We shall proceed on the 21st inst. if your cheque for the full amount is not to hand. Yours faithfully, for the Irish Traders' Association."

Mr. Lane admitted a technical offence on behalf of the defendant, who had, through his solicitor, previous to the hearing, apologised to the Society and undertaken to pay costs.

The District Justice stated that having regard to the fact that there had been no previous conviction against defendant, and that he had apologised, he would deal with the case under the Probation of Offenders Act, the defendant, to enter into a bond to be of good behaviour for two years under a recognisance of £5 and to come up for judgment when called on if there was a breach of the bond, the defendant also to pay £25 costs to the Society.

#### PROBATE GRANTS (ENGLAND).

The following Regulations have been issued in reference to the issue of copies of grants of probates and of grants of letters of administration from the Principal Probate Registry (England):—

1. On the 1st January, 1934, a new system will be introduced in the Principal Probate

Registry with regard to the issue of copies of probates\* and letters of administration.

2. In the following observations any reference to probate may be read as a reference to letters of administration with the appropriate substitution of "administrator" for "executor" and "intestate" for "testator" in the context.

3. Where probate is granted at the Principal Registry on or after the 1st January, 1934, the executor will be able to obtain sealed copies of the probate for a fee of one shilling each. The object of this facility is to save estates of deceased persons from loss and expense occasioned by lapse of time between the date of the grant and the date when the probate is registered with those limited companies in which the testator held stock or shares, a period which under the old system often lasted for many weeks.

4. In order to obtain the benefit of the new system; the executor shall send copies of the probate, with suitable covering letters, simultaneously to all the persons and corporations (*e.g.*, companies, debtors, creditors, etc.) who may be expected to require proof of the grant before recognising the title of the executor. By this means he may well be in a position to deal with the assets of the estate within a few days of the grant. He should, therefore, apply for as many copies as he may need for this purpose, having upon receipt of the probate examined it to make sure that it contains no slip needing correction.

5. The application for the copies may be made on the day of issue itself, but only if the probate is produced in the Copies Department, so as to identify the grant without reference to the public calendars at the Court. Within a week after the day of issue the person applying for copies may choose between producing the probate and making the usual search in the calendars. After that time the usual search will be required.

6. The new copies will be copies of the probate reproduced by photographic process, and will be sealed with the small seal of the Court. They must be received in evidence of the grant in all parts of the United Kingdom without further proof, but they do not obviate the necessity to re-seal the English

grant, or to obtain separate representation, where there is property out of England. If produced to a limited company in England they are sufficient evidence of the grant, notwithstanding anything in the articles of the company. The methods of establishing the identity of the testator with the person registered in the books of the company are unaffected by the new system.

7. A copy of the probate, sealed with the large seal of the Court, or a copy certified by the Registrar but not sealed, will continue to be obtainable, if desired; the fees at present payable for similar copies of the record of the grant being applicable.

8. The photographic process will entail the discontinuance of the red seal upon probates issued from the Principal Probate Registry, and for uniformity it is proposed soon to make a similar change in those issued from the District Probate Registries. With this exception no alteration will be made in the form of probates issued from the District Probate Registries, but those issued from the Principal Registry will, on and after the 1st January, 1934, contain the addresses and descriptions of the executors and, where appropriate, the net value of the personal estate will be shown. An executor must give a precise occupational description in his oath and if he has no occupation the words "of no occupation" should be used. Such a description as "Esquire," "Gentleman" or "Clerk" should be avoided. A female should be described as "Spinster," "Widow," "Wife of—" or "Single Woman," as the case may be.

9. The introduction of a photographic process between the sealing and the issue of the probate is new. This is not expected to retard the time of issue appreciably, but any slight delay before issue will be more than compensated by the provision of copies at a low fee which, if utilised, will greatly expedite the business of winding up the estate.

Lord Chancellor's Office,  
House of Lords, S.W.1.  
December, 1933.

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.

\*By "Probate" is meant the grant of probate only, and does not include the copy of the will.



# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVII, No. 9.]

MARCH, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

### CONTENTS.

	PAGE
Meeting of the Council	42
Obituary	42, 43
New Members	43
Solicitors' Benevolent Association	43
Under-Sheriffs' Fees Order, 1934	43
Calendar, 1934	43
April Examinations, 1934	43



# THE GAZETTE

## Incorporated Law Society of Ireland.

Vol. XXVII, No. 9 ]

MARCH, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

22nd February.

Twenty-six Members present.

**Mr. Charles G. Gamble.**

The Council passed a resolution expressing its deep regret at the death of Mr. Charles G. Gamble, a past President of the Society, and its sympathy with Mrs. Gamble and his relatives in their bereavement.

### National Health Insurance Act.

The procedure in relation to claims for compensation under this Act was under consideration, and the President undertook to see the Secretary of the Unified Society in reference thereto.

**Mr. Walter J. L. Wheeler**, Solicitor, died on the 10th February, 1934, at his residence, "The Bungalow," Marlborough Park, Belfast.

Mr. Wheeler was admitted in Trinity Sittings, 1884, and practised as a member of the firm of Wheeler and McCutcheon, at 2 Wellington Place, Belfast.

**Mr. Peter J. Murray**, Solicitor, died on the 12th February, 1934, at his residence, Verbena House, Upper St. Columba's Road, Drumcondra, Dublin.

Mr. Murray served his apprenticeship with his brother, Mr. Charles J. Murray, LL.D., Dublin, and practised at 16 Dame St., Dublin.

### OBITUARY.

**Mr. Charles G. Gamble**, Solicitor, died upon the 9th February, 1934, at Dublin.

Mr. Gamble was admitted in Hilary Sittings, 1892, and practised as a member of the firm of Carruthers and Gamble, at 39 Fleet Street, Dublin.

Mr. Gamble was a member of the Council from 1908 to 1928, and was President of the Society during the year 1920-21. He was the author of "Solicitors in Ireland, 1607-1921."

**Mr. Thomas Huggard**, Solicitor, died upon the 9th February, 1934, at his residence, Clonmore House, Tralee.

Mr. Huggard was admitted in Hilary Sittings, 1885, and practised at Tralee.

**Mr. Gerald Tench**, Solicitor, died on the 22nd February, 1934, at his residence, Geraldstown, Santry, Co. Dublin.

Mr. Tench was admitted in Michaelmas Sittings, 1885, and practised under the style of Tench and Reynolds, at 18 Bachelor's Walk, Dublin.

**Mr. Valentine Wilson**, Solicitor, died on the 22nd February, 1934, at his residence, Oakfield, Portadown.

Mr. Wilson served his apprenticeship with the late Mr. William H. Atkinson, Portadown; was admitted in Hilary Sittings, 1901, and practised at Portadown. He filled the office of Sub-Sheriff for County Armagh from 1923.

MR. THOMAS J. MARTIN, Solicitor, died on the 26th February, 1934, at his residence, Clonard, Coleraine, Co. Londonderry.

Mr. Martin served his apprenticeship with Mr. Robert O'Neill, Coleraine; was admitted in Hilary Sittings, 1907, and practised as a member of the firm of Macaulay, O'Neill and Martin at Coleraine.

#### NEW MEMBERS.

The following have joined the Society:—

Robert H. Brett, Monaghan.

John Deegan, Templemore.

Timothy J. Hegarty, 23 Marlboro' Street, Cork.

Gerrard L. McGowan, Balbriggan.

Richard J. Muldowney, 12 South Anne Street, Dublin.

Edward Ryan, 12 South Anne Street, Dublin.

Thomas P. Walsh, Wexford.

William T. White, Abbeyleix.

Robert B. Wolfe, 10 St. Stephen's Green, Dublin.

#### SOLICITORS' BENEVOLENT ASSOCIATION

An election for the John MacCrossan Annuity (present value £73 10s. 6d. per annum) will be held in the month of May next. For further particulars application should be made to Patrick Glynn, Secretary, 22 Nassau Street, Dublin.

#### UNDER-SHERIFFS' FEES ORDER, 1934.

By this Order, which is dated the 30th January, 1934, it is provided as follows:—

"4. Whenever an under-sheriff is by law required, before executing an execution order, to send or give any letter or notice in relation to such execution order, a fee of one shilling shall be leviable by and payable to the under-sheriff in addition to the fees mentioned in the appropriate Schedule to the Under-Sheriffs' Fees Order, 1926, as amended by the Under-Sheriffs' Order, 1931."

#### CALENDAR, 1934.

The Society's Calendar for 1934 can be obtained in the Secretary's Office, price, five shillings; by post, five shillings and fourpence.

#### APRIL EXAMINATIONS, 1934.

A Final Examination will be held on Monday and Tuesday, the 9th and 10th days of April. Notice of intention to attend should be lodged in the Secretary's Office before 20th March.

A "First Examination" in Irish will be held on Wednesday, 11th April. Notice of intention to attend should be lodged in the Secretary's Office before 21st March.

A Preliminary Examination will be held on Monday and Tuesday, the 16th and 17th days of April. Notice of intention to attend should be lodged in the Secretary's Office before 27th 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

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Vol. XXVII, No. 10.]

APRIL, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council	46
Obituary	46, 47
New Members	47
Library	47
Land Registry, Central Office, Dublin—Memorandum	47, 48
Calendar, 1934	48
Intermediate Examination	49
Unemployment Insurance Act, 1933	49

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVII, No. 10 ]

APRIL, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

15th March.

Twenty-five Members present.

#### Land Bond Certificates.

It was resolved to write to the Irish Land Commission urging greater expedition in the issue of Land Bonds Certificates after allocation.

#### Judgment Mortgages on Registered Land.

A special committee was appointed to consider and report whether some quicker and less expensive procedure than that now existing, in order to register a judgment mortgage against registered land, could be provided.

### MISCELLANEOUS PROFESSIONAL INFORMATION.

The business of J. and J. Galloway, hitherto carried on by the late Joseph W. Dya's at 14 South Frederick Street, Dublin, has been taken over by WILLIAM HENRY, who practises under the name of Henry and Son at 11 Molesworth Street, Dublin, and the combined businesses will be carried on by him, under the name of Henry, Son and Galloway, at 11 Molesworth Street.

The business of R. H. Beauchamp and Orr, hitherto carried on by the late Alexander D. Orr, at 5 Foster Place, Dublin, has been taken over by HARRY R. WHELAN of 5 Foster Place, and PHILIP T. BROOKS of 30 South Frederick Street, Dublin, who have entered into partnership, and will carry on the business under the name of R. H. Beauchamp and Orr at 5 Foster Place.

### OBITUARY.

MR. PATRICK GRIMES, Solicitor, died on the 3rd March, 1934, at his residence "Sandhurst," Cowper Gardens, Dublin.

Mr. Grimes served his apprenticeship with his brother Mr. Christopher M. Grimes, Dublin; was admitted in Hilary Sittings, 1913, and practised as a member of the firm of Gore and Grimes, at 6 Cavendish Row, Dublin.

MR. THOMAS B. DUNBAR, Solicitor, died on the 9th March, 1934, at Dublin.

Mr. Dunbar served his apprenticeship with Mr. M. J. O'Connor, Wexford; was admitted in Trinity Sittings, 1917, and practised at Enniscorthy.

MR. MARTIN J. BURKE, Solicitor, died on the 13th March, 1934 at his residence, "Dehra Lodge," Belfast.

Mr. Burke served his apprenticeship with Mr. Robert E. McLean, Belfast; was admitted in Trinity Sittings, 1898, and practised at 53 Waring Street, Belfast, up to 1914, when he was appointed Clerk of the Crown and Peace for the Counties of Antrim and the City of Belfast.

He also held the office of Local Registrar of Title for Antrim and Carrickfergus.

He was an Extraordinary Member of the Council of the Society from 1904 to 1914.

MR. GEORGE MARTIN, Solicitor, died on the 22nd March, 1934, at his residence, 55 South Parade, Belfast.

Mr. Martin served his apprenticeship with Mr. John Mackay, Dundalk; was admitted in Trinity Sittings, 1912, and practised formerly at Oldcastle, Co. Meath, and latterly at Mayfair, Arthur Square, Belfast.

MR. FRANCIS E. FETHERSTONHAUGH, Solicitor, died on the 30th March, 1934, at his residence 68 St. Stephen's Green, Dublin.

Mr. Fetherstonhaugh served his apprenticeship with Mr. Albany Fetherstonhaugh, Dublin; was admitted in Hilary Sittings, 1914, and practised as a member of the firm of Crookshank, Leech and Fetherstonhaugh at 22 Kildare Street, Dublin.

#### NEW MEMBERS.

The following have joined the Society :—

Philip T. Brooks, 5 Foster Place, Dublin.

Francis I. Clinch, 78 Dame St., Dublin.

#### LIBRARY.

The Council has recently purchased the following sets of Law Reports, consisting of 461 volumes for the Library :—

Law Journal Reports with Magistrates' Cases and Statutes, 1823—1933.

Law Times Reports (Old Series), 1843—1859.

Law Times Reports (New Series), 1859—1933.

Times Law Reports—12 Volumes.

Land Registry, Central Office, Dublin.

#### MEMORANDUM

*On the issue, delivery and production of Land Certificates.*

##### First Issue of Land Certificates.

1. Every registered owner is entitled to a land certificate certifying his ownership of his land. Whether a land certificate has been issued or not in respect of any land can be ascertained by an inspection of the Folio of the register in which its ownership is registered. If a certificate has been issued, the fact is noted on the Folio. If a certificate has not been issued, the registered owner of the land can obtain one on payment of the prescribed fee.

The Act only authorises the issue of the certificate to the registered owner of the land. A Solicitor who applies for the issue of a certificate must, therefore, state explicitly :—

(A) that he is the Solicitor for the registered owner and that he applies for it as such Solicitor, or

(B) if he is Solicitor for any other person, that he applies for the issue of the certificate to him as Solicitor for such person on the consent of the registered owner to its issue to that person. In this case the consent of the registered owner must be lodged with the application and the signature to the consent must be attested.

The land certificate of any land will be issued to a Solicitor who applies for it in the manner above stated.

#### Production of Land Certificates for Registrations.

2. Where a land certificate has been issued, no registration affecting the land described in it can be made until the certificate is produced in the Registry. It is useless, therefore, to lodge any document in the Registry for registration unless the certificate is lodged with it, or its production in the Registry by its holder has been secured. Having regard to the increase in the number of land certificates issued and being issued, it is of the utmost importance that Solicitors dealing with a registered owner should ascertain whether a land certificate has been issued, and if it has, whether its production for the registration of the proposed transaction can be obtained. No sale, transfer, lease, or mortgage should be completed until the production of the certificate for the purpose of the necessary registration is secured. It is the duty of the registered owner to produce it, or to ensure its production. The production of a certificate for a registration can be compelled in certain cases; see par. 4.

#### Delivery from Registry of Land Certificate lodged for a Registration.

3. When a land certificate is lodged in the Registry for the registration of a transaction, the person who is entitled to the redelivery of it is, *prima facie*, the person who is the registered owner of the land on the completion of the registration. The owner of a registered charge, lease, or other burden, is not as such entitled to its custody or its delivery.

On the completion of the registration of a transaction, and in the absence of any evidence that it was lodged by or on behalf of any other person than the registered owner, the land certificate is dealt with as follows:—

(i) if the transaction is a transfer or transmission of all the land, it is delivered to the new registered owner;

(ii) if the transaction is a transfer of part of the land in a certificate, it is redelivered to the registered owner of the land remaining untransferred, the certificate being amended by removing from it the part transferred: the owner of the part transferred can obtain a certificate for his part on payment of the prescribed fee;

(iii) if the transaction is a charge, lease, or other burden, it is redelivered to the registered owner of the land.

In any case in which it appears from the documents that the certificate was lodged by or on behalf of a person, who was not the registered owner, it will be redelivered to that person.

The certificate will in all cases be delivered to the Solicitor for the person appearing to be entitled to its custody as above stated, provided he states in writing that he is the Solicitor for the person so entitled and that he requires the certificate to be delivered to him as such Solicitor. The Registrar will not assume or infer that a Solicitor is the Solicitor for a person or that he requires delivery of the certificate; he must say it. The statement should normally accompany the certificate or the document lodged for registration; but, if it is produced in the Registry while the Certificate is in it, it will be acted on. It will be filed for reference when production of the certificate is again required on subsequent registrations.

**When production of a Land Certificate can be ordered.**

4. The Registrar can order the production of a Land Certificate for the registration of a transaction that can be effected without the consent of its holder (S. 81 (2)). The Registrar's view is that he can order its production for any registration that will not

affect a lien created by its deposit. When necessary, therefore, he will order its production for the registration of a voluntary transferee, or a person entitled under the Will or intestacy of a deceased owner, or a judgment mortgage, or any other burden created *without valuable consideration*; for these can be registered without affecting the lien of the holder of the certificate. But the Registrar will *not* order the production of a certificate for the registration of a transfer on sale or marriage, or given for other valuable consideration, or for the registration of a burden created for valuable consideration, in any case in which the holder claims a lien on it by deposit; for in his opinion registration under such a document would defeat or postpone the lien (See S. 44(2)).

Solicitors should note that the onus is on the Solicitor for the deposit of a land certificate of deciding whether he will produce it or not for a registration. It is not the duty of the Registrar to inquire into the motive or reason for the production of a certificate by its deposit. If the latter produces it for the registration of a transfer for value or a charge for value, and a registration is made on its production that defeats or postpones the lien, his loss is caused by his production of the certificate when he could have refused to produce it; and he will have no claim against the Insurance Fund.

**A Land Certificate may be lodged for specified registrations.**

5. Where a registered owner is making a number of transfers of parts of the land in a land certificate, the Registrar will on request facilitate the completion of the transfers by receiving the certificate from the registered owner and holding it for registration only of the transfers specified by the Solicitor for the owner; and an acknowledgment of its receipt for the purposes specified will be given. When this is desired the Solicitor for the registered owner should first communicate with the Registry.

#### CALENDAR, 1934.

The Society's Calendar for 1934 can be obtained in the Secretary's Office, price, five shillings; by post, five shillings and six pence.

**INTERMEDIATE EXAMINATION.**

An Intermediate Examination will be held on Friday the first day of June, 1934. Notice of intention to attend should be lodged in the Secretary's office, Solicitors' Buildings, Four Courts, Dublin, before 11th May.

**UNEMPLOYMENT INSURANCE ACT, 1933.**

This Act came into operation on the first day of April, 1934.

The new rates of contribution payable by employed persons and employers after the first day of April, 1934, are as follows:—

**Ordinary Rates.**

- 1. From the employed person, for each week:—
  - In the case of men ... .. 9d.
  - In the case of women ... .. 7d.
- 2. From the employer, for each week:—
  - In the case of an employed person who is a man ... .. 10d.

In the case of an employed person who is a woman ... .. 8d.

**Rates in the case of persons under eighteen years of age.**

- 1. From the employed person, for each week:—
  - In the case of boys ... .. 4½d.
  - In the case of girls ... .. 4d.
- 2. From the employer, for each week:—
  - In the case of an employed person who is a boy ... .. 5d.
  - In the case of an employed person who is a girl ... .. 4½d.

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXVIII, No. 1.]

MAY, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council	2
Obituary	2
Appointment	2
Examinations Results	3, 4

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 1]

MAY, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

Twenty-three Members present.

#### Judgment Mortgages on Registered Lands.

A report was submitted from a special committee appointed to consider and report whether some quicker and less expensive procedure than that now existing, for the registration of judgment mortgages against registered land, could be provided. It was resolved to request the Minister for Justice to have rules made under the Local Registration (Ireland) Act, 1891, for the purpose indicated.

#### Commissioners for Oaths.

A letter from a member, submitting to the Council for its opinion a question relating to the duties of Commissioners for Oaths, was referred to the Privileges Committee for report.

### OBITUARY.

MR. JOHN HOY, Solicitor, died on the 4th April, 1934, at his residence, 37 St. Lawrence Road, Dublin.

Mr. Hoy was admitted in Hilary Sittings, 1892, and practised at Dungannon (in partnership with his son, Mr. Bernard B. Hoy) up to 1933, when he retired.

MR. WILLIAM H. FOWLER, Solicitor, Newry, died on the 10th April, 1934, at his residence, Laurel Lodge, Newry.

Mr. Fowler was admitted in Michaelmas Sittings, 1891, and practised at Newry.

MR. THOMAS M. GERRARD, Solicitor, died on the 12th April, 1934, at Dublin.

Mr. Gerrard served his apprenticeship with the late Mr. Charles Daly, Dublin; was admitted in Michaelmas Sittings, 1895, and practised as a member of the firm of Thomas Gerrard & Co., 25 Westmoreland Street, Dublin.

MR. ARCHIBALD S. MCCOY, Solicitor, died on the 13th April, 1934, at his residence, "Leoville," Waterford.

Mr. McCoy was admitted in Trinity Term, 1875, and practised under the style of Dobbyn & McCoy, at Waterford.

MR. JOHN A. KENNEDY, Solicitor, died on the 28th April, 1934, at Killenaule.

Mr. Kennedy was admitted in Hilary Sittings, 1891, and practised at Killenaule.

### APPOINTMENT.

Mr. John M. Mark, Solicitor, Londonderry, has been appointed a Resident Magistrate for Northern Ireland.



**EXAMINATIONS RESULTS.**

At the Preliminary Examination held on 16th and 17th April, the following passed the examination, and their names are arranged in order of merit :—

1. Leslie E. Kearon.
2. Richard J. Elgee.
3. John Carrigan  
Thomas V. Daly } equal.
5. Joseph Gill.
6. John McMahon.
7. Walter Carroll.
8. Eileen M. M. Forde.
9. Dermott G. Hennessy.
10. Dora C. M. Corrigan.
11. Gerald J. H. Barry.
12. John A. Woods.
13. Martin F. O'Callaghan.
14. James Barry.
15. Henry W. McCormick.

Patrick Howard passed the modified Preliminary Examination, for which he had liberty to present himself.

Eighteen candidates attended : 16 passed ; 2 failed.

**Legal Practitioners (Qualification) Act, 1929.**

The following passed a " First Examination " in Irish under the above Act, held on 11th April :—

- Thomas D. Brophy.  
Edward H. Byrne.  
Walter Carroll.  
Dora C. M. Corrigan.  
Thomas V. Daly.  
Richard J. Elgee.  
Eileen M. M. Forde.  
Matthew MacNamara.  
Patrick B. McCarthy.  
Jane T. McGowan.  
William T. Moran.  
Francis X. Mulligan.  
Beatrice Mushatt.  
Martin F. O'Callaghan.

Dominick O'Donnell.

Patrick F. Ryan.

William A. F. Sandys.

Andrew G. Sheedy.

John A. Woods.

Twenty-one candidates attended : 19 passed ; 2 failed.

**Final Examination.**

At the Final Examination held on the 9th and 10th April, the following passed the examination, and their names are arranged in order of merit :—

1. John F. Goold.
2. Francis J. Lanigan.
3. Brendan P. McCormack, B.A., T.C.D.
4. Peter J. F. McDwyer.
5. Daniel J. O'Mahony.
6. John K. H. Lloyd-Blood, B.A., T.C.D.
7. Patrick Groarke.
8. Gwynne A. C. Stirling, B.A., T.C.D.
9. Maureen A. Hawthorne.
10. John P. Dunne, B.A., N.U.I.
11. John S. Morris  
John J. A. O'Hare } equal.
13. Alfred A. Rochford.
14. Patrick J. O'Flynn.
15. Gordon M. Greene, B.A., T.C.D.
16. Andrew A. Donnelly.
17. Donal Sheehan.
18. John F. Neilan  
Desmond O'Connor } equal.
20. Thomas J. Guihan  
Dermot J. Hanly, B.A., N.U.I. } equal.
22. Stephen E. Law.
23. Alexander J. McDonald.
24. Michael L. O'Connell, B.A., T.C.D.
25. Albert Commins.
26. Christopher P. Crowley  
Joseph A. M. Deane, B.A.,  
N.U.I. } equal.  
John J. Kennedy.
29. Thomas A. O'Gorman.
30. Michael J. Garahy.
31. James E. B. Skelly.

32. Irene E. McCoy.
33. Michael Larkin.
34. Edward Daly.
35. James P. MacGeough  
James L. McLoúghlin } equal.
37. Thomas C. C. Vance.
38. Michael B. Kelly.
39. David J. Fitzgerald, B.A., T.C.D.
40. Henry A. Williams, B.A., T.C.D.
41. David Fitzgerald.

Fifty-one candidates attended : 41 passed; 10 failed.

The Council has awarded a Silver Medal to John F. Goold, and Special Certificates to Francis J. Lanigan and Brendan P. McCormack, B.A., T.C.D.

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# THE GAZETTE

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**Incorporated Law Society of Ireland.**

Vol. XXVIII, No. 2.]

JUNE, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS ]

## CONTENTS.

	PAGE
Half-Yearly General Meeting .....	6, 7
Meeting of the Council .....	7
Obituary .....	8
Appointment .....	8
New Members .....	8
Statutes of the Oireachtas which have been passed during 1934 .....	8
Solicitors' Golfing Society .....	8

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 2.]

JUNE, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

### HALF-YEARLY GENERAL MEETING.

A Half-yearly General Meeting of the Society was held on Wednesday 16th May, at the Solicitors' Buildings, Four Courts, Dublin, the President (Mr. James J. Lynch) in the chair.

The following members were also present—  
Messrs. G. A. Overend (Vice-President), W. G. Bradley, E. H. Burne, J. J. Duggan, E. J. Mallins, Peter O'Connor, Sean O hUadhaigh, P. F. O'Reilly, A. H. S. Orpen, D. J. Reilly, Peter M. Seales, Basil Thompson, C. St. G. Orpen, E. J. Kenny, D. D. MacDonald, B. J. Seales, J. M. Dudley, R. D. English, R. J. Dodd, V. E. Kirwan, J. D. Hollinger, E. R. McC. Dix, P. C. Moore, T. A. O'Reilly, T. D. McLoughlin, Miss E. G. Keller, Messrs. V. Kennedy, J. Cusack, K. Walsh, P. Glynn, C. H. Hardman, C. J. Rutherford, D. B. Gilmore, E. W. Proud, A. J. N. Reid and W. J. M. Coulter.

The Secretary read the notice convening the meeting and the Minutes of the Half-yearly General Meeting held on 26th November, 1933, the latter of which were signed by the President.

On the motion of Mr. Overend, seconded by Mr. Burne, the following resolution was unanimously adopted:—

“ That Mr. T. A. Ireland, Mr. P. Glynn and Mr. A. E. Prentice be appointed Auditors of the Society's Accounts for year ending 30th April, 1934.”

The President nominated the following members to be Scrutineers of Ballot for election of Council, to be held on 21st November next:—Mr. R. French, Mr. F. G. Sharpe, Mr. N. Taylor, Mr. H. G. Sweetman and Mr. H. H. Maxwell.

The President, addressing the meeting, said:—Gentlemen,

It is usual at this half-yearly meeting of the Society for the President to give a summary of the work of your Council during the preceding six months.

I have in the first place to refer with regret to the loss the Society has sustained since our last meeting by the deaths of two of its past Presidents, Mr. Charles Gamble and Mr. A. D. Orr. We have also to lament the death of Mr. Joseph W. Dyas, a former Vice-President of the Society. Amongst other distinguished members of the profession who have passed away since our last meeting are Mr. Justin McCarthy, Mr. Thomas F. Monks, Mr. Francis E. Fetherstonhaugh and within the last few days, Mr. Robert T. F. Greene, and, in Northern Ireland, Mr. Walter J. L. Wheeler, Mr. Martin J. Burke and Mr. George Martin.

Your Council have given their best attention to all matters connected with the welfare of the profession which have been brought to their notice.

### Courts of Justice Bill.

We still await with interest the introduction in the Dáil of the long promised Bill to amend the Courts of Justice Act, 1924, for which your Council prepared a number of amendments suggested by the experience of the profession in the working of that Act, and these suggested amendments have been submitted to the Minister for Justice, and it is hoped will have been taken advantage of in the framing of the Bill.

With this important and overdue legislation pending, your Council hesitate to bring to an issue at the present moment various important questions raised by the different interpretations given to the Rules by some of the Judges and County Registrars. Until the Bill is introduced however, your Council are necessarily in the dark as to its provisions.

### Land Registry.

You will have observed in the Gazette of the Society of last month, a Land Registry Memorandum dealing with the issue of Land Certificates. Since the issue of Land Certificates to the owners has become general, the matter of registration of judgment mortgages against registered lands has presented some difficulty, as no registration affecting the land described in the certificate can be made until the certificate is produced in the Registry. Your Council has suggested to the Minister for Justice the desirability of making rules under the Local Registration of Title Act to facilitate the removal of this difficulty, and the Minister has informed the Council that this matter is at present receiving consideration.

### Library.

In my opinion the most outstanding feature so far of my term of office, has been the large and valuable addition to our Library. The Society has had up to this in its present Library complete sets of all the authorised Reports, but there are other Reports which until now the Library has not contained. We have recently succeeded in acquiring on most advantageous terms 461 volumes consisting of The Law Journal Reports 1823 to date; The Law Times Reports, 1843 to date, and several wanted volumes of The Times Law Reports. The acquisition of these works puts our Library in the front rank so far as legal text books and books of reference are concerned, and must add greatly to the convenience of the many members who from time to time require the use of its volumes. It is only right to say that this great acquisition is due entirely to the efforts of our Secretary, Mr. Wakely.

### Portraits.

There is another addition to our property which we have acquired within the past month. You observe the portraits which adorn this Hall. In the Council Chamber of the former premises of the Society at the Four Courts, we had a collection of photo-etchings of about twenty past-Presidents of the Society, and in addition we had a Collection of valuable engravings, presented to the Society by the late Sir Augustine Baker. The Society received compensation in respect of the destruction of these portraits and engravings, and last year your Council

decided to expend the compensation money on a collection of portraits of as many of the sixty past-Presidents of the Society as it would be found possible to procure. We succeeded in obtaining on loan 59 portraits or photographs of past Presidents and we entrusted to Messrs. Lafayette the work of producing photo-etchings in uniform size from these. Miss Gertrude O'Flynn, a member of the staff of Messrs. Lafayette and a pupil of the late Sir William Orpen, is responsible for the production of the 59 photo-etchings which you see hanging on the walls of this Hall, and I think you will agree with me when I say that she has displayed great skill in the performance of her work.

### Membership of the Society.

In conclusion I would like, if my words can carry beyond this Hall, to impress on all Solicitors the benefit to themselves of becoming members of the Society, and with this object in view I would urge upon all of you the importance of inducing those of our professional brethren who are presently outside our fold, and with whom you may come in contact, to join the Society and thus assist us in our efforts to promote the welfare of the profession throughout the State.

### MEETING OF THE COUNCIL

31st May—Twenty-four Members present.

#### High Court Rules.

The Council having directed a letter to be written, requesting the Minister for Justice to bring before the High Court Rules Committee a suggested amendment of a High Court Rule, a letter was read in reply from the Secretary of the Department of Justice stating the matter will have the Minister's attention, but he fears that there is not any prospect of effective action until the present procedure as regards the making of Court Rules is simplified, and that it is the Minister's intention to lay proposals for such simplification before the Oireachtas as part of the Courts of Justice Bill which he hopes to introduce in the near future.

#### Right of Audience.

A letter was read from a member as to the right of audience of Solicitors before the Land Commission Appeal Tribunal, and the Council directed a reply informing the member that Solicitors have a right of audience before that Tribunal.

**OBITUARY.**

MR. ROBERT T. F. GREENE, Solicitor, died on the 12th May, 1934, at his residence, 1 Galtrim Road, Bray, Co. Wicklow.

Mr. Greene served his apprenticeship with the late Mr. Frederick A. Barlow, Dublin, was admitted in Trinity Sittings, 1897, and practised as a member of the firm of Jameson and Greene at 182 Pearse Street, Dublin.

MR. SAMUEL ROSS, Solicitor, died on the 16th May, 1934, at "Dunrobin," Helen's Bay, Co. Down.

Mr. Ross was admitted in Hilary Sittings, 1890, and practised as a member of the firm of Samuel Ross & Co., at 10 Arthur Street, Belfast.

MR. WILLIAM J. REYNOLDS, Solicitor, died on the 23rd May, 1934, at his residence, Howard Terrace, Dungannon.

Mr. Reynolds was admitted in Trinity Sittings, 1879, and practised at Dungannon.

MR. EDWARD MACDERMOTT, Solicitor, died on the 25th May, 1934.

Mr. MacDermott served his apprenticeship with his father, Mr. Joseph E. MacDermott, Dublin, was admitted in Hilary Sittings, 1921, and practised at 21 Nassau Street, Dublin.

**APPOINTMENT.**

MR. FREDERICK G. S. MCLEAN, Solicitor, has been appointed Resident Magistrate for County Armagh.

**NEW MEMBERS.**

The following have joined the Society:—

Michael C. Black, Ballinamore.

William F. Darcy, Tipperary.

Frederick J. W. Darley, 31 Kildare Street, Dublin.

Charles I. J. Foley, Gort.

Thomas Jackson, 11 St. Stephen's Green, Dublin.

J. C. Rutledge, 50 Lr. O'Connell Street, Dublin.

Hector J. G. Ryan, 46 Kildare Street, Dublin.

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.

Statutes of the Oireachtas which have been passed during 1934.

1. Dangerous Drugs.
2. Harbours (Regulation of Rates).
3. Horse Breeding.
4. Trade Loans (Guarantee) (Amendment).
5. Local Government (Amendment).
6. Electricity (Supply) (Amendment).
7. Acquisition of Land (Allotments) (Amendment).
8. Central Fund.
9. Workmens Compensation.
10. Defence Forces (Temporary Provisions).
11. Land Bond.
12. Control of Imports.
13. Sheepskin (Control of Export).
14. Registration of Maternity Homes.
15. Children.
16. Local Services (Temporary Economies).
17. Road Transport.
18. Finance (Customs Duties).
19. Customs Duties (Preferential Rates).
20. Agriculture (Amendment).
21. National Health Insurance.
22. Town and Regional Planning.

**SOLICITORS' GOLFING SOCIETY.**

The Annual competition was held at Dollymount (by kind permission of the Royal Dublin Golf Club) on Thursday, the 24th May, at which 50 members competed. The following were the best scores. D. J. Collins, 75 (2) 73, winner of Cup. J. O'Connor, C. Magwood, J. P. McCurtin, M. G. Lardner and B. Collins tied for 2nd place with 75 each.

The Fourball Sweepstakes were won by Messrs. Grove White and Fitzpatrick with 6 up—Messrs. Basil Thompson and Rolleston being 2nd with 4 up.

The Annual Meeting of the Society was held in the evening, at which the following officers were appointed.

President.—The President of the Incorporated Law Society.

Captain.—Mr. Sydney Mathews.

Committee.—Messrs. R. G. Warren, P. M. Seales, A. Lane Joynt, J. D. McLoughlin, D. R. Pigot and M. A. Corrigan.

A very enjoyable dinner was held in the clubhouse, at which 40 members were present—Mr. Mathews the Captain presiding.



# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXVIII, No. 3.]

JULY, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council .....	10
Obituary .....	10
Miscellaneous Professional Information .....	10
Circuit Court Costs .....	11
Intermediate Examination Result .....	11

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 3 ]

JULY, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

21st June.

Twenty-three Members present.

#### Jury Trials.

A letter of 1st June was read in reply from the President of the High Court expressing regret that he could not accede to the request of the Council to alter to a later day the day fixed as the last day for setting down actions for trial by jury during the present sittings, but, owing to the amount of work that has to be disposed of, he could not do so.

#### Proceedings for Recovery of Rates.

The question of the desirability of legislation for the purpose of authorising the recovery of rates by civil process in the District Court was referred for consideration to the Circuit and District Courts Committee.

### OBITUARY.

MR. EDWARD J. MALONE, Solicitor, died on the 6th June, 1934, at his residence, Church Street, Cookstown, Co. Tyrone.

Mr. Malone served his apprenticeship with his brother, the late Mr. John Malone, Cookstown; was admitted in Trinity Sittings, 1894, and practised at Cookstown.

MR. KEVIN WALSH, Solicitor, died on the 17th June, 1934, at Dublin.

Mr. Walsh served his apprenticeship with his father, the late Mr. James J. Walsh Dublin; was admitted in Easter Sittings, 1920, and practised at 56 Merrion Square, Dublin.

MR. HOWARD McNEILE McCORMICK, Solicitor, died on 22nd June, 1934, at Cairnsfort, Sligo.

Mr. McCormick served his apprenticeship with the late Mr. St. George Robinson, Sligo, and practised at Sligo in partnership with Mr. Henry C. G. McCormick, as Fitzgerald and McCormick.

MR. MATHEW HENRY JACKSON, Solicitor, died on 25th June, 1934, at Hastings, Sussex.

Mr. Jackson served his apprenticeship with the late Mr. Samuel Hemphill, Dublin, and practised at 19 Saint Andrew Street, Dublin, up to 1913, when he retired.

#### Miscellaneous Professional Information.

The partnership heretofore existing between Lancelot Upton Smith and Cecil George Vanston, under the style of Stritch, Smith and Vanston, at 39 Westmoreland Street, Dublin, has been dissolved by mutual consent as from the 1st day of June, 1934. Mr. Smith will continue the business under the style of Stritch, Smith and Co., at 39 Westmoreland Street. Mr. Vanston has become a partner in the firm of Crookshank, Leech and Vanston, at 22 Kildare Street, Dublin, as successor to the late Mr. Francis E. Fetherstonhaugh.

Patrick J. Brady, of 20 Molesworth Street, Dublin, has retired from practice as from 30th June, 1934. The practice of Mr. Brady has been acquired by Mr. Stephen Dempsey, lately of Claremorris, who will carry it on at 20 Molesworth Street, under the style of Patrick J. Brady and Co.



**CIRCUIT COURT COSTS.**

The case of "McKenna v. Ledwidge," heard in the Dublin Circuit Court, was one of ejectment for overholding. The premises were held under a weekly tenancy at the weekly rent of £1 11s. 0d.

On taxation of Plaintiff's Bill of Costs of ejectment and an application for summary judgment, the County Registrar disallowed charges for attending to file Civil Bill, drawing affidavit of Plaintiff to ground motion for summary judgment, attending to file; affidavit of service of Notice to Quit, attending to file same; attending to file Notice of Motion for Summary Judgment; perusing affidavit of Defendant; drawing affidavit of Plaintiff in reply, attending to file; attending to file Notice of Trial; perusing notice to produce; attending to file costs. Plaintiff applied to the Court to vary or set aside the disallowances, and that the charges be allowed Plaintiff as reasonable and proper and in accordance with Scale of Fees in the Third Schedule to the Rules of the Circuit Court, and particularly in Parts III. and X. thereof; or, in the alternative, that same be referred back to the County Registrar for review. The application came before Judge Davitt on the 17th May, 1934, when the following judgment was delivered:—

"This came before me by way of appeal from the taxation of the County Registrar in taxing a Bill of Costs (Plaintiff's bill) in ejectment for overholding. The point at issue really amounts to this: that the County Registrar disallowed certain items in that bill which were charged, not under the scale actually relating to Ejectments for Overholding, but from the Miscellaneous Costs Scale. These items mainly consist of attendances to file documents and to serve documents, and the point really at issue is: as to whether the scales under Schedule III. of the Rules under various headings—like 'Costs of Action,' 'Contract, Costs of Action,' 'Tort, and Costs of Ejectment Proceedings,' are intended to be exhaustive or not. There is very little to go on in the interpretation of the Rules in this point, and I have given my best consideration to it, and have come to the conclusion that these Schedules of Costs are intended to be exhaustive, and in their case resort should not be had to the Miscellaneous Costs Schedule for the purpose of increasing costs. I cannot go further than that. I agree with the County Registrar in the whole of his taxation."

**INTERMEDIATE EXAMINATION RESULT**

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

**PASSED WITH MERIT.**

1. Matthew Purcell.
2. Desmond L. McAllister.
3. Patrick Fitzgibbon.
4. Myles P. Gavagan.
5. Liam J. Lysaght.
6. Thomas J. Kirwan.
7. Margaret Carey.
8. John D. Guinan.
9. Emily M. J. Cosgreave.
10. Lucas O'Dubhghaill.
11. Edward E. Emerson.
12. George P. Andrews.
13. Richard O'Brien, Jun.

**PASSED.**

- George C. V. Brittain.  
 John E. G. Byrne.  
 Daniel J. Carbery.  
 John B. Farrell.  
 Shane P. Flynn.  
 William Fry.  
 John J. G. Gilmartin.  
 James R. C. Green.  
 Joseph G. Groarke.  
 Leonard Hayden.  
 James P. Hegarty.  
 Raymond G. Kenny.  
 Ernest O. Knapp.  
 Joseph S. Martin.  
 Patrick T. Monahan.  
 William B. Montgomery.  
 Patrick J. Mulcahy.  
 Brian S. Murphy.  
 James W. A. M. McCabe.  
 Patrick J. Neilan, Jun.  
 Edward J. O'Brien.  
 Caoimhghin A. R. O'Cuinn.  
 Francis A. J. O'Hare.  
 James Rowlette.  
 Brian P. G. Taylor.  
 Patrick J. Walsh.  
 Esmonde T. White.  
 Benjamin J. deB. Whyte.

Forty-eight candidates attended: forty-one passed; seven failed.

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CONSTITUTIONAL HISTORY OF THE AMERICAN MEDICAL ASSOCIATION

By the Honorable Charles C. Brannan, Secretary of the American Medical Association

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AUGUST, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council	14
Obituary	14
Commissioners for Oaths (Diplomatic and Consular) Act, 1931	14
Appointments	15
October Examinations, 1934	15
Michaelmas Sittings Lectures, 1934	15

# THE GAZETTE

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Vol. XXVIII, No. 4 ]

AUGUST, 1934.

[ FOR CIRCULATION  
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### MEETING OF THE COUNCIL.

12th July,

Twenty-six members present.

#### Recovery of Rates.

A report was submitted from the Circuit and District Courts Committee in reference to proposed District Court proceedings by Civil process for collection of rates. It was resolved that a letter be written to the Minister for Justice requesting him to give effect in the Courts of Justice Bill to the recommendation contained in Clause 52 of the Report of 1930 of the joint Committee of the Oireachtas on the Courts of Justice Act, 1924, "That Section 77 of the Act of 1924 be amended by inserting in A. at the end of paragraph (IV) a further paragraph empowering County Councils, Urban District Councils and Town Commissioners to sue for rates," and that in addition to the Bodies mentioned in this recommendation, that the following be included, County Borough Councils, Borough Councils and Drainage Boards. The proceedings empowered to be taken to be for rates irrespective of amount.

### OBITUARY.

MR. VINCENT P. MCGAHON, Solicitor, died on the 19th July, 1934, at his residence, Castleblayney.

Mr. McGahon served his apprenticeship with Mr. Henry Murphy, Clones, was admitted in Trinity Sittings, 1926, and practised at Castleblayney.

### COMMISSIONERS FOR OATHS (DIPLOMATIC AND CONSULAR) ACT, 1931.

The Minister for Justice has requested the Secretary to invite the attention of members to the provisions of this Act, which is an Act to enable persons performing Diplomatic or Consular services outside Saorstát Eireann to administer Oaths and do notarial acts in the countries in which they are performing such functions for use in the Irish Free State and for other purposes connected therewith.

Section 2 of the Act provides as follows:—

(1) Every person to whom this section applies may, in any country or place outside Saorstát Eireann in which he is for the time being exercising the functions of his office, administer any oath and take any affidavit, and may also do any notarial act which a notary public can do in Saorstát Eireann, and every oath, affidavit, and notarial act administered, sworn, or done by or before such person in such country or place shall be as effectual as if duly administered, sworn, or done by or before any lawful authority in Saorstát Eireann.

(2) Any document purporting to have affixed thereon, or thereto, or to have impressed thereon, the seal, and to have subscribed thereto the signature, of any person to whom this section applies in testimony of any oath, affidavit, or act being administered, taken or done by or before him, shall be admitted in evidence (saving all just exceptions) without proof of the seal or signature being the seal or signature of such person, or of the status and official character of such person.

(3) This section applies to every person who is employed in the Civil Service of the Government of Saorstát Eireann and who is an envoy extraordinary and minister plenipotentiary, a high commissioner, a charge d'affaires, a counsellor of legation, a first secretary of legation, a second secretary of legation, a first secretary of the office of high commissioner, a second secretary of the office of high commissioner, or an attache.

(4) This section also applies to every person who is employed in the Civil Service of the Government of Saorstát Eireann and who is a consul-general, a consul, or a vice-consul.

(5) This section also applies to every person who is an honorary consul or an honorary vice-consul and who is appointed to that office by the Minister for External Affairs.

The following are the addresses of Irish Free State Representatives abroad:—

Legation to France and Belgium—37 bis rue de Villejust Paris (XVle).

Legation to Germany—34A Tiergartenstrasse, Berlin.

Legation to the Holy See—Villa No. 10, Via San Martino della, Battaglia, Rome.

Legation to United States of America—1800 Connecticut Avenue, Washington.

Consulate General in U.S.A.—Chrysler Building, New York.

Consulate in Boston—84 State Street, Boston, Mass.

Consulate in Chicago—Wrigley Building, Chicago, Ill.

Consulate in San Francisco—681 Market Street, San Francisco, Cal.

#### APPOINTMENTS.

The following have been appointed Notaries:—

John I. M. Carrigg, Solicitor, Ballina, Co. Mayo.

Hastings D. Draper, Solicitor, 5 St. Andrew Street, Dublin.

Henry D. Keane, Solicitor, Waterford.

The following have been appointed Commissioners to administer Oaths.

Henry J. J. Walker, Solicitor, Athlone.

Thomas Gilsean, District Court Clerk, Trim, Co. Meath.

#### EXAMINATIONS.

##### October, 1934.

An Intermediate Examination will be held upon Monday the 1st day of October. Notice of intention to attend the examination should be lodged in the Secretary's Office before the 11th September.

A Final Examination will be held upon Tuesday and Wednesday the 2nd and 3rd days of October. Notice of intention to attend the examination should be lodged in the Secretary's Office before 13th September.

A "First Examination" in Irish will be held on Friday the 5th day of October. Notice of intention to attend the examination should be lodged in the Secretary's office before the 15th September.

A Preliminary Examination will be held upon Monday and Tuesday the 8th and 9th days of October. Notice of intention to attend the examination should be lodged in the Secretary's Office before the 18th September.

#### MICHAELMAS SITTINGS LECTURES, 1934.

Senior Lectures will begin upon Tuesday the 16th October, 1934, at 2.15 p.m. in the Solicitors' Buildings, Four Courts. Notice of intention to attend and fee of three guineas should be lodged in the Secretary's Office before the 1st day of October.

Books for Senior Lectures:—Strahan's Law of Property, 7th Edn., and Snell's Equity, 18th Edn.

Junior Lectures will begin upon Wednesday the 17th October, 1934, at 2.15 p.m. in the Solicitors' Buildings, Four Courts. Notice of intention to attend and fee of three guineas should be lodged in the Secretary's Office before the 1st day of October.

Books for Junior Lectures:—Ringwood on Torts, 5th Edn., and Anson on Contracts, 17th Edn.

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Vol. XXVIII, No. 5.] NOVEMBER, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Ballot for Council	18
Half-yearly General Meeting	18
Meetings of the Council	18
Obituary	18
Appointments	19
Miscellaneous Professional Information	19
Statutes of the Oireachtas passed during 1934	19
Commissioners for Oaths (Diplomatic and Consular) Act, 1931	19
Examination Results	19
Preliminary Examinations Prize Award, 1934	19, 20
Scholarships, 1934	20

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 5.] NOVEMBER, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

### BALLOT FOR COUNCIL.

The ballot for election of Council will be held on Wednesday, 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 Wednesday, 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 26th November, in the Hall of the Society, Solicitors' Buildings, Four Courts, Dublin.

### MEETINGS OF THE COUNCIL.

4th October.

Twenty-four Members present.

#### Land Purchase.

The question of the nature of the ownership of a tenant in his holding purchased under the Land Act, 1923, between the vesting of the estate in the Land Commission and the actual vesting of the holding in the tenant, was under discussion, and it was resolved to take the opinion of counsel thereon.

#### Courts of Justice Bill, 1934.

It was noted that on 8th August the Minister for Justice obtained the leave of the Dáil to introduce a Bill, entitled: An Act to make further and better provision in relation to the administration of justice and for that purpose to amend the Courts of Justice Acts, 1924 to 1931, and other enactments. A special committee of the Council was appointed to consider the Bill when issued.

25th October.

Twenty-seven Members present.

#### Estate Duty.

The question of the assessment of Estate Duty was under consideration

#### Court of Examiners.

The Report of the Court of Examiners upon the October Examinations and awards of Scholarships was submitted and adopted.

#### Annual Report.

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

### OBITUARY.

MR. JOSEPH C. W. REA, Solicitor, died on the 2nd September, 1934, at his residence, "Iverna," Mornington Park, Bangor, County Down.

Mr. Rea served his apprenticeship with Mr. James C. McDowell, Belfast; was admitted in Hilary Sittings, 1901, and practised at 39 Castle Lane, Donegall Place, Belfast.

MR. BARRY I. SULLIVAN, Solicitor, died on the 13th September, 1934, at London.

Mr. Sullivan served his apprenticeship with Mr. James Nunan, Mallow; was admitted in Michaelmas Sittings, 1918, and practised at Mallow.

MR. CHARLES P. W. BATTLE, Solicitor, died on the 26th October, 1934, at his residence, Belvedere Hall, Bray, Co. Wicklow.

Mr. Battley served his apprenticeship with the late Mr. Thomas T. Mcreedy, Dublin; was admitted in Trinity Sittings, 1895, and practised in partnership with Mr. Samuel Gordon, under the style of Stephen Gordon and Son, at 15 Molesworth Street, Dublin.



**APPOINTMENTS:**

MR. ROBERT A. CORSCADDEN, Solicitor, Ballymoney, has been appointed Clerk of the Crown and Peace for County Antrim and Belfast, in room of the late Mr. Martin J. Burke.

Mr. Corscadden was formerly Crown Solicitor for County Leitrim.

MR. THOMAS CAMPBELL, Solicitor, Swinford, has been appointed County Registrar to the Circuit Court Office for County Wicklow.

**MISCELLANEOUS PROFESSIONAL INFORMATION.**

The business of the late Gerald Tench, Solicitor, heretofore carried on by him at 18 Bachelor's Walk, Dublin, has been acquired by Sydney E. Cooper, and will be carried on by him in connection with his own business at 5 South Frederick Street, Dublin.

**STATUTES OF THE OIREACHTAS PASSED DURING 1934.**

1. Dangerous Drugs.
2. Harbours (Regulation of Rates).
3. Horse Breeding.
4. Trade Loans (Guarantee) (Amendment).
5. Local Government (Amendment).
6. Electricity (Supply) (Amendment).
7. Acquisition of Land (Allotments) (Amendment).
8. Central Fund.
9. Workmen's Compensation.
10. Defence Forces (Temporary Provisions).
11. Land Bond.
12. Control of Imports.
13. Sheepskin (Control of Export).
14. Registration of Maternity Homes.
15. Children.
16. Local Services (Temporary Economies).
17. Road Transport.
18. Finance (Customs Duties).
19. Custom Duties (Preferential Rates).
20. Agriculture (Amendment).
21. National Health Insurance.
22. Town and Regional Planning.
23. Public Assistance (Acquisition of Land).
24. Fisheries (Tidal Waters).
25. Poultry (Diseases).
26. Defence Forces (Temporary Provisions) (No. 2).
27. University College, Dublin.
28. Appropriation.

29. Housing (Gaeltacht) (Amendment).
30. Housing (Financial and Miscellaneous Provisions) (Amendment).
31. Finance.
32. Imposition of Duties (Confirmation of Orders).
33. Creamery (Amendment).
34. Dairy Produce (Amendment).
35. Limerick City Management.
36. Control of Manufacturers.
37. Tobacco.
38. Electricity (Supply) (Amendment) (No. 2).
39. Agricultural Co-operative Societies (Debentures).
40. Industrial Alcohol.
41. Agricultural Produce (Cereals).
42. Slaughter of Cattle and Sheep.
43. Military Service Pensions.

**COMMISSIONERS FOR OATHS (Diplomatic and Consular) ACT, 1931.**

The Minister for External Affairs, with the consent of the Minister for Finance, has, by order, made Regulations dated the 22nd August, 1934, fixing the fees to be charged in respect of matters dealt with under the above Act. The Order has been issued as No. 234 of Statutory Rules and Orders, 1934.

**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. Michael A. Humphreys.  | } equal. |
| 2. William S. Healy.      |          |
| 3. Cyril D. Tarrant.      |          |
| 4. Donald Cullen.         |          |
| 5. James P. Coffey.       |          |
| Thomas J. V. Cullen.      |          |
| 7. Thomas J. Fitzpatrick. |          |
| 8. Richard G. Emerson.    |          |

Ten candidates attended: eight passed; two failed.

**Preliminary Examinations Prize Award, 1934.**

A Special Certificate is awarded to Leslie E. Kearon.

At the "First Examination" in Irish, pursuant to the Legal Practitioners (Qualification) Act, 1929, held on 5th October, the following passed the examination:—

- Geoffrey L. Collins.  
Thomas J. Fitzpatrick.

Maureen Hannon.  
 Dermot C. Hawthorne.  
 Joseph King.  
 Patrick McEllin.  
 Thomas M. McMahon.  
 John J. Nagle.  
 Kathleen E. Nolan.  
 Donal O'Hagan.  
 Patrick J. O'Reilly.  
 Moira O'Sullivan.  
 Laurence J. B. Steen.

Eighteen candidates attended: thirteen passed; five failed.

At the Intermediate Examination held on 1st October, the following passed the examination:—

PASSED WITH MERIT.

1. Desmond A. Houlihan.
  2. Sighle McBride.
  3. Fintan Burke.
  4. Francis L. Scott.
  5. William Synnott.
  6. Peter Cowan.
  7. John C. Daly.
  8. Patrick G. Smyth.
  9. John A. Shee.
- } equal.

PASSED.

William D. Andrews.  
 Emerson H. Babington.  
 Robert E. J. Brady.  
 Fergus P. Britton.  
 Thomas Campbell.  
 Patrick J. Chambers.  
 William G. Fanning.  
 Patrick M. Farrell.  
 William B. Fawsitt.  
 Dermot V. Fitzgerald.  
 Francis A. Gibney.  
 Donal Kearney.  
 Daniel F. Leahy.  
 James Leeney, Junr.  
 Liadain MacErlan.  
 Arthur Mullan.  
 William J. Murphy.  
 Roderick O'Connor.  
 Patrick M. O'Dwyer.  
 Daniel J. O'Neill.  
 Richard K. C. Pilkington.  
 Patrick M. Quinlan.  
 James J. Sheehan.  
 Michael Ward.

Forty-four candidates attended: thirty-three passed; eleven failed.

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

1. Gerald S. O'Rourke.
  2. Kathleen B. Durcan.
  3. Michael R. Boland.
  4. Dermot McGillicuddy, B.A., T.C.D.
  5. Michael J. C. Dempsey.
  6. Henry D. Hurley, B.A., T.C.D.
  7. Alan R. Booth.
  8. Augustine J. Baldwin.
  9. Christopher J. J. Gore-Grimes, B.A., T.C.D.
  10. Raymond A. French, B.A., T.C.D.
  11. Monica Gallagher, B.A. (Manchester).
  12. Maurice McGrath.
  13. Gerald Goldberg.
  14. Joseph H. Evans.
  15. Ernest M. Newman.
  16. Joseph F. Kenny.
  17. Liam J. Egan.
  18. Bridget W. Hannon.
  19. Thomas D. Brick.
  20. John J. Macken, Junr.
  21. James R. J. Quirke.
  22. Ronan Ceannt, B.A., T.C.D.
  23. James McGuirk.
  24. Samuel MacD. A. Kennedy.
  25. John W. F. Cahill.
  26. William Lanigan.
  27. Herbert J. Smyth.
- } equal.
- } equal.

Forty-seven candidates attended: twenty-seven passed; twenty failed.

The Council has awarded a Special Certificate to Gerald S. O'Rourke.

Scholarships, 1934.

The Findlater Scholarship was awarded to John F. Goold, who served his apprenticeship with Mr. Christopher T. F. Russell, Cork.

The Overend Final Examination Scholarship (for Real Property and Conveyancing) was awarded to Gerald S. O'Rourke, who served his apprenticeship with Mr. Peter Canning, Ballinamore, Co. Leitrim.

The Overend Preliminary Examination Scholarship was awarded to Leslie E. Kearon.

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# THE GAZETTE

OF THE

Incorporated Law Society of Ireland.

Vol. XXVIII, No. 6.] DECEMBER, 1934.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Half-yearly General Meeting ....	22, 23, 24
The President ....	24
The Vice-Presidents ....	24
Obituary ....	24
New Members ....	24
Hilary Sittings Lectures ....	24

# THE GAZETTE

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## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 6.] DECEMBER, 1934.

[ FOR CIRCULATION  
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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 26th November. The chair was occupied by the President (Mr. James J. Lynch), and the following members were present:—Messrs. G. A. Overend (Vice-President), P. J. O'Sullivan (Vice-President), W. G. Bradley, E. H. Burne, E. F. Collins, T. W. Delany, J. J. Duggan, W. S. Hayes, C. J. Lavery, F. M. J. Lyons, E. J. Mallins, Peter O'Connor, Sean O hUadhaigh, A. H. S. Orpen, T. G. Quirke, D. J. Reilly, P. M. Seales, Basil Thompson, H. K. Toomey, Daniel O'Connell, John Gillespie, R. G. Warren, C. St. G. Orpen, H. P. Mayne, E. R. McC. Dix, D. D. MacDonald, R. J. Dodd, I. V. Elyan, T. D. McLoughlin, M. J. Bowers, J. D. Moran, D. O'Donnell, A. Woodcock, R. McCreedy, W. H. Sutton, P. R. Boyd, J. H. Gorman, B. J. Seales, Charles Corcoran, E. Jordan, J. C. Rutledge, V. Kennedy, E. W. Proud, J. G. O'Connor, John Foley, W. J. M. Coulter, R. G. H. Carter, J. F. Murtagh, J. Cusack, J. D. Hollinger, C. J. Rutherford, R. W. MacNeice, C. T. B. White, H. R. Maunsell, A. Lloyd-Blood, M. Corrigan, T. A. O'Reilly, P. J. Masterson, J. A. Geary.

The Secretary read the notice convening the meeting, also the minutes of the General Meeting of 16th May, 1934, 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, 1934.

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, John Gillespie; Munster, A. J. Blood-Smyth; Leinster, Daniel O'Connell; Connaught, Christopher E. Callan. 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, 403; James J. Lynch, 389; L. J. Ryan, 380; T. W. Delany, 376; T. G. Quirke, 366; John J. Duggan, 360; Eugene Collins, 354; W. S. Hayes, 326; D. J. Reilly, 325; Peter O'Connor, 318; T. H. R. Craig, 311; J. T. Wolfe, 311; E. J. Mallins, 307; C. Lavery, 306; P. Smith, 302; F. M. J. Lyons, 299; E. M. FitzGerald, 297; Philip J. O'Sullivan, 296; H. St. J. Blake, 295; G. A. Overend, 292; A. H. S. Orpen, 291; H. K. Toomey, 287; L. O'Dea, 284; Basil Thompson, 284; W. G. Bradley, 280; P. F. O'Reilly, 280; E. H. Burne, 276; J. B. Hamill, 276; Sean O hUadhaigh, 257; M. E. Knight, 256; M. J. Neilan, 238. And the following to form a supplemental list in case of vacancies: P. R. Boyd, 220; T. D. McLoughlin, 166; J. Barrett, 161.

THE PRESIDENT, addressing the meeting, said:—

Gentlemen, in moving the adoption of the Annual Report of the Council I would refer with much regret to the death of Mr. Charles Battle, a former member of the Council, which has taken place since the date of our Report. I have already referred at the meeting of the Society held last May to the deaths of other past members of the Council, which are recorded in our Report.

### Membership.

Passing to the Report, I am pleased to observe that the membership of the Society has increased somewhat over former years, but when I observe that there are 480 Solicitors practising in the Free State who are not members of the Society, I feel that a great deal yet remains to be done to make the Society—as it should be—co-extensive with the profession. It cannot be so described while one practising Solicitor out of every three is outside our fold, and is the more astonishing when you observe the advantages provided by the Society for its members.

The accommodation we have here is the admiration of all who have had an opportunity of visiting the premises, and as I have already remarked, and as is emphasised in the Report, we now have a library complete with legal text-books of every description, including all the Reports from 1843 to date, and which are available on loan to members residing in all parts of the country.

I do hope that when this fact is more generally known it will result in a further substantial increase in our membership.

### Legal Text-Books.

Turning to the subject of legal text-books, as you will see from the Report, your Council have had under consideration for some time past the want of law books to meet the requirements of practitioners in the Circuit and District Courts. This is a matter which concerns the Bar just as much as ourselves, and a report from a joint committee of your Council and the Bar was submitted to the Minister for Justice so far back as July, 1933, who requested further information as to the cost of production. This was furnished, and the matter is still before your Council, but pending the passing of the Bill to amend the Courts of Justice Act, we feel it would be undesirable to take any further immediate action.

### Chronological Index of Statutes.

I am glad to observe that since our Report was prepared there has been published by the Stationery Office an index of the legislation passed by the Oireachtas in the years 1922 to 1932, a publication familiarly known to us as a Chronological Index of Statutes. The cost of this publication is half a guinea.

The more rapid publication of the bound volumes of Statutes has been urged on the Stationery Office by the Council. The volume of 1933 Statutes is not yet issued.

### Courts of Justice Bill.

As you all know the long-expected Courts of Justice Bill was read a first time some months ago, but though the legal future of this country depends so much upon it, it has not yet been printed or made available in any form for the public or the professions which are so vitally interested in its contents.

It is generally believed that the Bill provides for the appointment of two additional High Court Judges. If this is so, the delay in passing it into law is the more unfortunate, as one of the existing High Court Judges, having received an important temporary appointment under the League of Nations, must necessarily be absent from his work here during the busiest period of the legal year.

We have made from time to time important suggestions for the better working of the Courts of Justice, and we have invariably received the reply that the matter would be considered when the Courts of Justice Bill was being prepared. So we continue to look forward with anxiety to the contents of the Bill.

The Council has during the year looked after the general interests of the profession, and I now beg to move the adoption of its Report.

MR. GEORGE A. OVEREND (Vice-President) seconded the adoption of the Report.

THE PRESIDENT put the resolution adopting the Report, and it was passed unanimously.

MR. OVEREND (Vice-President) having taken the Chair, on the motion of Mr. H. P. Mayne, seconded by Mr. R. G. Warren, a hearty vote of thanks was passed to the President with acclamation.

THE PRESIDENT having returned thanks the meeting terminated.

**THE PRESIDENT.**

The Council elected, on 6th December, Mr. Charles Laverty, of Castleblayney, County Monaghan, to be President of the Society for the ensuing twelve months.

The newly-elected President, who served his apprenticeship with Mr. Gerald B. Cullen was admitted in 1894. He became a member of the Council in 1924, and was a Vice-President of the Society in 1928-29.

**THE VICE-PRESIDENTS.**

The Council has elected Mr. Eugene F. Collins, of Dublin, and Mr. Philip N. Smith, of Cavan, to be Vice-Presidents of the Society for the ensuing twelve months.

**OBITUARY.**

MR. WILLIAM ALEXANDER, Solicitor, died on the 26th November, 1934, at his residence, St. Agnes's, Greystones, County Wicklow.

Mr. Alexander was admitted in Michaelmas Sittings, 1881, and practised at 182 Great Brunswick Street, Dublin, up to 1889, when he was appointed Solicitor to the Irish Land Commission, which office he filled up to 1916, when he retired.

MR. WILLIAM DEVERELL, Solicitor, died on the 9th November, 1934, at his residence, Ellesmere, Greystones, Co. Wicklow.

Mr. Deverell was admitted in Hilary Sittings, 1885, and practised at 17 D'Olier Street, Dublin, up to 1902, when he was appointed Clerk of the Crown and Peace for the County of Wicklow, which office he held up to 1922, when the office of Clerk of the Crown ceased to exist. He continued as Clerk of the Peace up to 1926, when he retired.

**NEW MEMBERS.**

The following have joined the Society:—

Joseph A. M. Deane, Longford.

F. S. H. Derham, Sligo.

Michael J. Dunne, 16 College Green, Dublin.

David J. Fitzgerald, 30 Anglesea Street, Dublin.

Robert P. Humphries, 34 Dame Street, Dublin.

Hugh J. Jones, Waterford.

Robert J. Kehoe, Carlow.

Mary Lohan, 21 Lincoln Place, Dublin.

Mathew C. Mullen, Dundalk.

James L. McLoughlin, 18 College Green, Dublin.

Laurence B. McMahon, 9 Lower O'Connell Street, Dublin.

Wm. S. Nolan, Clonmel.

Gerard L. J. O'Brien, 38 Parliament Street, Dublin.

Desmond O'Connor, 4 Trinity Street, Dublin.

Edward Walsh, Birr.

**HILARY SITTINGS LECTURES, 1935.**

The Junior Class Lectures will begin on Wednesday, 16th January, at 2.15 p.m.

The Senior Class Lectures will begin on Tuesday, 15th January, at 2.15 p.m.

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXVIII, No. 7.]      JANUARY, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Solicitors' Annual Certificates ....	26
Meetings of the Council ....	26
The Incorporated Law Society of Northern Ireland ....	26
The Southern Law Association ....	26
Obituary ....	26
Facilities for persons under Arrest to Consult Legal Advisers ....	27
Unqualified Person Acting as a Solicitor ....	27, 28

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 7.]

JANUARY, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### SOLICITORS' ANNUAL CERTIFICATES.

Members are reminded that Annual Certificates for the year ending 5th January, 1936, should be taken out and the duties paid thereon before 6th February, 1935.

### MEETINGS OF THE COUNCIL.

6th December.

Twenty-seven Members present.

#### Election of President and Vice-Presidents.

The Council elected Mr. Charles Laverty to be President of the Society, and Mr. Eugene F. Collins and Mr. Philip N. Smith to be Vice-Presidents for the ensuing twelve months.

13th December.

Fifteen Members present.

#### Extra-ordinary Members.

A letter from the Southern Law Association was read giving the names of the following members as those elected as Extra-ordinary Members of this Council for the ensuing twelve months:—Mr. James J. MacCabe (President), Mr. B. St. J. Galvin, Mr. J. J. Horgan, Mr. E. Emerson, and Mr. P. J. Kavanagh.

#### 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, 1935:—Mr. Laverty, Mr. Bradley, Mr. Duggan, Mr. Lynch, Mr. Reilly, Mr. Seales, and Mr. Thompson.

#### Committees and Court of Examiners.

The Committees of the Council and the Court of Examiners for the year ending 26th November, 1935, were appointed.

### THE INCORPORATED LAW SOCIETY OF NORTHERN IRELAND.

Mr. William C. Gage has been elected President of the Society for 1934-35.

### THE SOUTHERN LAW ASSOCIATION.

Mr. James J. McCabe has been elected President of the Association for 1934-35.

### OBITUARY.

MR. ROBERT BOAL, Solicitor, died on the 17th December, 1934, at his residence, Lislea, Ballymena.

Mr. Boal served his apprenticeship with the late Mr. J. K. Currie, Ballymena; was admitted in Trinity Sittings, 1888, and practised in partnership with Mr. Samuel Anderson, under the style of Boal and Anderson, at Ballymena.

MR. EDWARD C. JAMESON, Solicitor, died on the 18th December, 1934.

Mr. Jameson was admitted in Michaelmas Sittings, 1884, and practised at 182 Pearse Street, Dublin (in partnership with the late Mr. Robert T. F. Greene), under the style of Jameson and Greene.

MR. AINSWORTH BARR, Solicitor, died on the 19th December, 1934, at Belfast.

Mr. Barr served his apprenticeship with the late Mr. J. D. Coates, Belfast; was



admitted in Michaelmas Sittings, 1898, and practised at Belfast up to 1904, when he became a member of the Belfast Stock Exchange.

MR. WILLIAM H. GEOGHEGAN, M.B.E., D.L., Solicitor, died on the 29th December, 1934, at his residence, "Glenthorne," The Downs, Wimbledon.

Mr. Geoghegan was admitted in Michaelmas Sittings, 1891, and practised at 19 Kildare Street, Dublin, up to 1923, when he retired.

**FACILITIES FOR PERSONS UNDER ARREST TO CONSULT LEGAL ADVISERS.**

In reply to a letter from the Secretary of this Society on this subject, the following letter has been received from the Secretary of the Department of Justice:—

Department of Justice,  
Upper Merrion Street,  
Dublin,  
12th December, 1934.

A Dhuine Uasail,

I am directed by the Minister for Justice to refer to your letter of the 7th instant, requesting, on behalf of the Council of the Incorporated Law Society, that the Minister should give directions so as to secure that persons who are arrested and detained, and who intimate that they desire to consult their legal advisers, should be given reasonable facilities to do so. I am to say, in reply, that so far as the Minister is aware, such reasonable facilities have always been granted as a matter of course.

It is possible, however, that some misunderstanding may have arisen in individual cases and particularly as regards persons detained under the provisions of Article 2a of the Constitution. The Minister will take the necessary steps to rectify any such misunderstanding, if it exists, and if any particular instance of the refusal of reasonable facilities is reported to your Council, the Minister will be glad if his attention is drawn to it.

Mise, le meas agat,

(Signed), S. A. ROCHE,  
Runai.

The Secretary,  
Incorporated Law Society of Ireland,  
Four Courts,  
Dublin, N.W.8.

**UNQUALIFIED PERSON ACTING AS A SOLICITOR.**

*The Incorporated Law Society of Ireland and W. G. Wakely v. Con Keaveny.*

This was an action brought by the Society, with the sanction of the Attorney-General, for recovery of a penalty of fifty pounds under Section 52 of the Solicitors (Ireland) Act, 1898, and by the Secretary of the Society for the recovery of a penalty of twenty pounds under Section 3 of the Conveyancers Act, 27 Victoria, Cap. 8, in the Circuit Court of County Leitrim.

The defendant is a Rate Collector, and resides at Stralongford, Ballinamore, County Leitrim.

The action was heard at Carrick-on-Shannon on 6th December. Mr. Pringle (instructed by Mr. Canning) appeared for the plaintiffs, and Mr. M. McGilligan (instructed by Mr. Black) appeared for the defendant.

The particular act in respect of which the proceedings were brought was the preparation by the defendant for remuneration of a deed of transfer of registered land and the registration by him of the completed deed in the Local Registry.

In the week previous to the date fixed for the hearing representations were made upon behalf of the defendant to the plaintiffs' Solicitor to the effect that the defendant was prepared to admit the allegations contained in the plaintiffs' claim, and asking that the claims for penalties should not be pressed. After correspondence between the respective Solicitors, the following memorandum, submitted on behalf of the plaintiffs, was agreed to by the defendant through his Solicitor:—

*"The Incorporated Law Society of Ireland  
and W. G. Wakely v. Con. Keaveny.*

"1. The plaintiffs' Counsel having stated the case and the fact that in addition to the particular transaction dealt with in these proceedings, the defendant has carried out a large number of similar transactions, the Defendant will in open Court admit having carried out the said transactions and having acted as a Solicitor, contrary to the Statute 61 and 62 Vict., Cap. 17, and also having acted as a conveyancer for reward, contrary to the Statute 27 Vict., Cap. 8; and the defendant

“ will express regret therefor, and undertake  
“ to the Court never again to carry out or  
“ be concerned in carrying out transactions  
“ of a similar nature, or in any way to act as  
“ a Solicitor or conveyancer contrary to the  
“ said Statutes.

“ 2. The defendant will submit to an  
“ Order for the payment of such penalty  
“ under 27 Vict., Cap. 8, as the Circuit Judge  
“ may think fit to impose.

“ 3. The plaintiffs, the Incorporated Law  
“ Society of Ireland, having regard to the  
“ admissions of the defendant, and with the  
“ consent of the Attorney-General already  
“ obtained, will not press for the penalty  
“ under 61 and 62 Vict., Cap. 17, and will  
“ accept (subject to the consent of the  
“ Circuit Judge) the admission and under-  
“ taking referred to in paragraph 1 hereof in  
“ respect of the offence under the said  
“ Statute.

“ 4. The defendant agrees to pay to the  
“ plaintiffs the sum of £30 as and for the

“ costs and expenses of the plaintiffs of and  
“ incidental to these proceedings.”

At the hearing in Court, Counsel for Plaintiffs, having stated the case, the defendant personally in Court admitted the facts as contained in paragraph 1 of the memorandum, and expressed regret for what he had done, and gave the undertakings set out. Judge Sheehy expressed his approval of the Society bringing the action, and of the course adopted, and directed that the defendant should pay £5 penalty under the Conveyancers Act and the agreed sum of £30 to the plaintiffs for costs and expenses.

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXVIII, No. 8.] FEBRUARY, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council	30
Obituary	30
New Members	30
Courts of Justice Bill, 1934	31
Statutes of the Oireachtas passed during 1934	31
April Examinations, 1935	31

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 8 ]      FEBRUARY, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

17th January.

Twenty-five Members present.

#### Bank Acting as Executor.

A letter from a member drawing attention to the action of a bank, which acted as executor and trustee of a will, under which a client of the member was entitled to a legacy and an ultimate share of the residue, and in which the member communicated with the bank in the interests of his client, and the bank, having corresponded with the member, subsequently addressed communications direct to the client notwithstanding the protest of the member. The Council directed a letter to be written to the bank inviting its observations on the matter.

#### Legal Text-Books.

A special Committee was appointed to continue the consideration of the question of the want of legal text-books for use in the Courts of the Irish Free State.

### OBITUARY.

MR. HENRY J. HARRIS, Solicitor, died on the 8th January, 1935, at his residence, Beresford Row, The Mall, Armagh.

Mr. Harris was admitted in Easter Term, 1864, and practised at Armagh up to 1922, when he retired.

MR. J. MOORE BOYLE, Solicitor, died on the 15th January, 1935.

Mr. Boyle served his apprenticeship with his uncle, the late Mr. Hunter Moore, Newry; was admitted in Hilary Sittings, 1912, and practised at Newry up to 1931, when he retired.

MR. JOHN M. SALMON, Solicitor, died on the 20th January, 1935, at his residence, 35 South Main Street, Naas.

Mr. Salmon served his apprenticeship with Mr. Peter J. McCann, Naas; was admitted in Michaelmas Sittings, 1922, and practised as a member of the firm of Messrs. Brown & McCann, at Naas.

MR. GEORGE N. PROCTOR, Solicitor, died on the 26th January, 1935.

Mr. Proctor was admitted in Trinity Sittings, 1887, and practised at Limavady.

### NEW MEMBERS.

The following have joined the Society—  
Thomas J. Batty, 21 Lincoln Place, Dublin.  
William H. P. England, 51 St. Stephen's Green, Dublin.  
Patrick J. Flynn, Strokestown.  
Patrick Groarke, Longford.  
Dermot J. Hanly, 1 Upper Ormond Quay, Dublin.  
Patrick J. O'Donovan, Clonakilty.  
Edward B. Williams, Carlow.

**COURTS OF JUSTICE BILL, 1934.**

This Bill, entitled an Act to make further and better provision in relation to the administration of justice, and for that purpose to amend the Courts of Justice Acts, 1924 to 1931, and other enactments, introduced by the Minister for Justice, has been issued.

A special Committee of the Council is considering the Bill.

**STATUTES OF THE OIREACHTAS PASSED DURING 1934.**

1. Dangerous Drugs.
2. Harbours (Regulation of Rates).
3. Horse Breeding.
4. Trade Loans (Guarantee) (Amendment).
5. Local Government (Amendment).
6. Electricity (Supply) (Amendment).
7. Acquisition of Land (Allotments) (Amendment).
8. Central Fund.
9. Workmen's Compensation.
10. Defence Forces (Temporary Provisions).
11. Land Bond.
12. Control of Imports.
13. Sheepskin (Control of Export).
14. Registration of Maternity Homes.
15. Children.
16. Local Services (Temporary Economies).
17. Road Transport.
18. Finance (Customs Duties).
19. Custom Duties (Preferential Rates).
20. Agriculture (Amendment).
21. National Health Insurance.
22. Town and Regional Planning.
23. Public Assistance (Acquisition of Land).
24. Fisheries (Tidal Waters).
25. Poultry (Diseases).
26. Defence Forces (Temporary Provisions) (No. 2).
27. University College, Dublin.
28. Appropriation.
29. Housing (Gaeltacht) (Amendment).
30. Housing (Financial and Miscellaneous Provisions) (Amendment).
31. Finance.
32. Imposition of Duties (Confirmation of Orders).
33. Creamery (Amendment).
34. Dairy Produce (Amendment).
35. Limerick City Management.
36. Control of Manufacturers.
37. Tobacco.
38. Electricity (Supply) (Amendment) (No. 2).
39. Agricultural Co-operative Societies (Debentures).
40. Industrial Alcohol.
41. Agricultural Produce (Cereals).
42. Slaughter of Cattle and Sheep.
43. Military Service Pensions.
44. Local Government (Amendment) (No. 2).
45. Carriage by Sea (Heavy Articles).
46. Expiring Laws.
47. Imposition of Duties (Confirmation of Orders) (No. 2).

**APRIL EXAMINATIONS, 1935.**

Final Examination will be held on Tuesday and Wednesday, 2nd and 3rd days of April. Notice of intention to attend to be lodged before 13th March.

First and Second Irish Examinations will be held on Friday, 5th April. Notice of intention to attend to be lodged before 16th March.

Preliminary Examination will be held on Monday and Tuesday, 8th and 9th April. Notice of intention to attend to be lodged before 19th 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.

1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36
37	37
38	38
39	39
40	40
41	41
42	42
43	43
44	44
45	45
46	46
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48	48
49	49
50	50
51	51
52	52
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54	54
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56	56
57	57
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59	59
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89	89
90	90
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101	101
102	102
103	103
104	104
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106	106
107	107
108	108
109	109
110	110
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112	112
113	113
114	114
115	115
116	116
117	117
118	118
119	119
120	120
121	121
122	122
123	123
124	124
125	125
126	126
127	127
128	128
129	129
130	130
131	131
132	132
133	133
134	134
135	135
136	136
137	137
138	138
139	139
140	140
141	141
142	142
143	143
144	144
145	145
146	146
147	147
148	148
149	149
150	150

# THE GAZETTE

NOTICE TO THE PUBLIC

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXVIII, No. 9.]

MARCH, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meetings of the Council	34
Obituary	34, 35
Courts of Justice Bill, 1934	35
Library	35
Calendar	35

# THE GAZETTE

the 19th February, 1935, at his residence in (City) Street, Dublin

## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 9 ] MARCH, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETINGS OF THE COUNCIL.

7th February.

Twenty-eight members present.

#### Damage to Property (Compensation) Acts.

A country member submitted to the Council correspondence which had taken place between him and the Ministry of Finance in reference to the action of the Minister in appropriating and applying in discharge of debts due by a client for Land Commission annuity, and for rates, the costs and expenses, as well as the sum for compensation included in the Report of the Circuit Court Judge, under the Damage to Property (Compensation) (Amendment), Act, 1933. A letter in reply was directed drawing attention to what would appear to be the power of the Minister in Report cases under the Act.

#### Land Commission.

A letter was read in reply from the Secretary of the Irish Land Commission stating that the Land Commission regretted they could not see their way to waive a claim for payment for loss incurred by the State through the attendance of an Inspector of the Commission as witness for one of the parties in a case heard in a Circuit Court, which claim the Council had asked the Commission not to press, owing to what the Council considered to be special circumstances.

28th February.

Twenty-three members present.

#### The late Mr. Patrick E. O'Donnell.

The Council passed a resolution expressing its deep regret at the death of Mr. O'Donnell, of Limerick, and its sympathy with his family in their bereavement.

Mr. O'Donnell had formerly been an ordinary member of the Council and subsequently Provincial Delegate for Munster.

#### Courts of Justice Bill, 1934.

A report from a Special Committee of the Council submitting suggested amendments to this Bill was considered.

### OBITUARY.

MR. ROBERT BAILLIE, Solicitor, died on the 9th February, 1935, at his residence, "Hilary," Antrim Road, Belfast.

Mr. Baillie served his apprenticeship with Mr. James C. McDowell, Belfast; was admitted in Hilary Sittings, 1905, and practised as a member of the firm of Messrs. Carson, Baillie and Thom, at 41 Royal Avenue, Belfast.

Mr. Baillie was President of the Incorporated Law Society of Northern Ireland for the year 1929-30, and was an Extra-Ordinary Member of the Council of this Society from 1930 to 1934.



MR. PATRICK E. O'DONNELL, Solicitor, died on the 13th February, 1935, at his residence, 8 Glentworth Street, Limerick.

Mr. O'Donnell was admitted in Trinity Sittings, 1890, and practised at Limerick. He was an ordinary member of the Council from 1928 to 1932, and was Provincial Delegate for Munster for the year 1933-34.

MR. JAMES DUNLEVY, Solicitor, died on the 19th February, 1935, at his residence, Bay View, Donegal.

Mr. Dunlevy was admitted in Trinity Sittings, 1889, and practised at Donegal.

MR. FRANK T. WALSH, Solicitor, died on the 27th February, 1935, at Dublin.

Mr. Walsh served his apprenticeship with his father, the late Mr. James J. Walsh, Dublin; was admitted in Trinity Sittings, 1901, and practised at 35 Upper Ormond Quay, Dublin, up to 1913, when he retired.

#### COURTS OF JUSTICE BILL, 1934.

A deputation from the Council, consisting of the President, the two Vice-Presidents, Mr. E. H. Burne and the Secretary, had an interview on the 8th March, at Government Buildings, with the Attorney-General and Mr. Roche, Secretary of the Ministry of Justice,

in reference to the Courts of Justice Bill. The Minister for Justice was not present owing to illness.

Amendments to the Bill, submitted by the deputation, were fully discussed.

#### LIBRARY.

The Council returns thanks for the following gifts of books received for the Library of the Society:—

Nine volumes of Griffith's General Valuation of Rateable Property in Ireland. Presented by Miss M. Griffith, Temple Gardens, Dublin (per Messrs. Whitney, Moore and Keller, Solicitors, Dublin).

A miscellaneous collection of useful Law Books. Presented by Mr. Florence O'Sullivan, Solicitor, 76 Upper Leeson Street, Dublin.

#### CALENDAR.

The Calendar of the Society for 1935 can be obtained in the Secretary's Office; 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.8.

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Amendments to the Bill, submitted by the deputation, were fully discussed.

LIBRARY

The library of the Society is open to all members of the Society and to all persons who are entitled to use the library of the Society. The library is situated at the offices of the Society, 11, Upper Merrion Street, Dublin. The library is open from 10.30 a.m. to 5.0 p.m. on weekdays and from 10.30 a.m. to 4.0 p.m. on Saturdays. The library is open to all members of the Society and to all persons who are entitled to use the library of the Society. The library is situated at the offices of the Society, 11, Upper Merrion Street, Dublin. The library is open from 10.30 a.m. to 5.0 p.m. on weekdays and from 10.30 a.m. to 4.0 p.m. on Saturdays.

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Mr. Patrick E. O'Donnell, Solicitor, died on the 13th February, 1935, at his residence, 8 Clontarf Street, Limerick.

Mr. O'Donnell was admitted in Trinity Sittings, 1890, and practised at Limerick. He was an ordinary member of the Council from 1928 to 1932, and was President of the Council for the year 1933-34.

The law of the State is a subject of great importance and interest to all citizens. It is the duty of the State to ensure that the law is administered in a fair and equitable manner. The law is the foundation of a just and orderly society. It is the duty of the State to ensure that the law is administered in a fair and equitable manner.

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXVIII, No. 10.]

APRIL, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council	38
Obituary	38
Miscellaneous Professional Information	39
High Court Sitings	39
Lectures	39
Intermediate Examination	39
Examination Papers	39

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXVIII, No. 10.]

APRIL, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

21st March.

Twenty members present.

**The late Mr. F. D. Darley.**

The Council passed a resolution expressing its deep regret at the death of Mr. Frederick D. Darley, of Dublin, and its sympathy with Mrs. Darley and the family in their bereavement.

**Courts of Justice Bill, 1934.**

The President reported to the Council on the interview which took place on 8th March between the Attorney-General, with whom was Mr. Roche, Secretary of the Minister for Justice, and a deputation from the Council in reference to amendments to the Bill suggested by the Council.

A letter was read from the Secretary of the County Kerry Sessions Bar enclosing report from that Bar containing suggested amendments to the Bill. The Council considered the amendments the purport of most of which had already been previously dealt with by the Council.

**County Registrars' Association.**

Correspondence with the President of the County Registrars' Association was dealt with.

### OBITUARY.

MR. LEOPOLD McC. L. DIX, Solicitor, died on the 9th March, 1935.

Mr. Dix served his apprenticeship with his father, the late Mr. Henry T. Dix, Dublin; was admitted in Hilary Sittings, 1887, and practised as a member of the firm of H. T. Dix and Sons, at 24 Clare Street, Dublin.

MR. TIMOTHY J. HUNT, Solicitor, died on the 13th March, 1935, at his residence, 45 Abbey Street, Ennis.

Mr. Hunt served his apprenticeship with the late Mr. Michael C. O'Meara, Dublin; was admitted in Trinity Sittings, 1894, and practised at Ennis, Co. Clare.

MR. FREDERICK D. DARLEY, Solicitor, died on the 20th March, 1935, at his residence, "Ferney," Stillorgan, Co. Dublin.

Mr. Darley served his apprenticeship with the late Mr. John Maunsell, Dublin; was admitted in Michaelmas Sittings, 1894, and practised as a member of the firm of Darley, Orpen and Synnott at 30-31 Kildare Street, Dublin.

MR. WILLIAM W. CARRUTHERS, Solicitor, died on the 29th March, 1935, at his residence, 17 Palmerston Park, Dublin.

Mr. Carruthers was admitted in Hilary Term, 1877, and practised as a member of the firm of Carruthers and Gamble, at 39 Fleet Street, Dublin, up to 1931, when he retired.

He acted as one of the Auditors of the accounts of the Society from 1894 till 1928.

**MISCELLANEOUS PROFESSIONAL  
INFORMATION.**

SAMUEL R. C. HEMPHILL and EDWARD A. MARGETSON, who have carried on business under the title of Cathcart and Hemphill, Solicitors, at 11 Ely Place, Dublin, have dissolved partnership. The business of Cathcart and Hemphill will be carried on at 11 Ely Place, Dublin, by Mr. Samuel R. C. Hemphill. Mr. Edward A. Margetson will practise in his own name at 17 Ely Place, Dublin.

**HIGH COURT SITTINGS.**

Easter Sittings begin on Monday, 29th April and end on Thursday, 6th June.

**LECTURES**

Easter Sittings Senior Lectures will be delivered on April 30, May 3, 7, 10, 14, 17, 21, 24, 27 (Monday), 28, 31 and June 4.

Easter Sittings Junior Lectures will be delivered on May 1, 2, 8, 9, 15, 16, 22, 23, 29, 30, June 5 and 6.

**INTERMEDIATE EXAMINATION.**

An Intermediate Examination will be held on Monday, 3rd June. Notice of intention to attend should be lodged in the Secretary's office not later than 13th May.

**EXAMINATION PAPERS.**

A booklet containing a reprint of the papers set at all of the Society's examinations during 1934 can be obtained in the Secretary's office; price one shilling.

**CALENDAR.**

The Calendar of the Society for 1935 can be obtained in the Secretary's office; 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.8.

THE ROYAL ANTHROPOLOGICAL INSTITUTE  
21, BEDFORD SQUARE, W. LONDON, N.W.  
PUBLISHED BY THE INSTITUTE  
1911

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# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 1.]

MAY, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### CONTENTS.

	PAGE
Meeting of the Council	2
Obituary	2
Legal Appointments	2, 3
New Members	3
Statutes of the Oireachtas passed during 1935	3
Examination Results	3, 4

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 1.]

MAY, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

11th April.

Twenty-five Members present.

#### Courts of Justice Bill.

A letter was read from the Ministry of Justice dealing with the amendments to the Bill suggested by the Council, which had been submitted to the Ministry, and requesting further information in reference to some of the suggested amendments. A reply, settled by the special committee of the Council which originally prepared the amendments, was approved of and adopted.

#### Grant-in-aid Statutory Committee.

Correspondence with the Ministry of Finance was submitted, and was ordered to be inserted on the minutes.

### OBITUARY.

MR. MICHAEL MAGUIRE, Solicitor, died on the 13th April, 1935, at Ballyshannon.

Mr. Maguire was admitted in Trinity Sittings, 1887, and practised at Ballyshannon.

MR. LOUIS O. OWENS, Solicitor, died on the 22nd April, 1935, at Dublin.

Mr. Owens served his apprenticeship with Mr. Weldon C. Molony, Dublin; was admitted in Trinity Sittings, 1917, and practised under the style of Molony and Owens, at 5 Upper Fitzwilliam Street, Dublin.

MR. CHRISTOPHER C. SHAW, Solicitor, died on the 23rd April, 1935, at Dublin.

Mr. Shaw served his apprenticeship with Mr. Harford A. C. Kelly, Dublin; was admitted in Trinity Sittings, 1914, and practised at 4 Dame Street, Dublin, up to 1926.

MR. JAMES P. LAVAN, Solicitor, died on the 25th April, 1935, at his residence, Cullinagh, Newcastle West.

Mr. Lavan served his apprenticeship with the late Mr. John Condon, Newcastle West; was admitted in Hilary Sittings, 1897, and practised at Newcastle West.

### LEGAL APPOINTMENTS.

#### County Registrars.

Mr. John D. Ross, Solicitor, has been appointed to the office of County Registrar for County Westmeath, in room of Mr. Charles E. Fair, retired. Mr. Ross was admitted in Hilary Sittings, 1923, and practised at Mullingar.

Mr. Patrick J. O'Hagan, Solicitor, has been appointed to the office of County Registrar for County Louth, in room of Mr. William X. White, retired. Mr. O'Hagan was admitted in Trinity Sittings, 1902, and practised at Dundalk.

#### Notaries Public.

The following have been appointed Notaries Public:—

Francis Gallagher, Solicitor, Donegal.

Michael White, Solicitor, Carndonagh, Co. Donegal.



**Commissioners for Oaths.**

The following have been appointed Commissioners to administer Oaths:

Denis J. Bergin, Solicitor, National Bank Ltd. (Law Department), 7 Suffolk Street, Dublin.

James H. Gorman, Solicitor, 17, Kildare Street, Dublin.

Francis P. Howley, Solicitor, Sligo.

Dermott P. Morris, Solicitor, 67 Dame Street, Dublin.

Harry R. Whelan, Solicitor, 5 Foster Place, Dublin.

Patrick J. Muldowney, District Court Clerk, Portlaoighise.

John S. Murrow, Estate Agency Manager, Sligo.

Edward O'Donnell, District Court Clerk, Carndonagh, Co. Donegal.

Thomas Tancred, District Court Clerk, Arklow.

**NEW MEMBERS.**

The following have joined the Society:—

Ignatius M. Houlihan, Ennis.

Francis J. Lanigan, Carlow.

James McGuirk, 16 College Green, Dublin.

Esmond A. A. Ryan, 62 O'Connell Street, Limerick.

John B. Sullivan, 70 South Mall, Cork.

**STATUTES OF THE OIREACHTAS PASSED DURING 1935.**

1. Rates on Agricultural Land (Relief).
2. Public Dance Halls.
3. Sale of Food and Drugs (Milk).
4. Shannon Fisheries.
5. Electoral (Revision of Constituencies).
6. Criminal Law Amendment.
7. Finance (Miscellaneous Provisions).
8. Central Fund.
9. Local Government (Extension of Franchise).
10. Local Government (Dublin).
11. Defence Forces (Temporary Provisions).
12. Constitution (Amendment No. 26).
13. Irish Nationality and Citizenship.
14. Aliens.
15. Agricultural Products (Regulation of Export) (Amendment).

**EXAMINATION RESULTS.**

At the Preliminary Examination for intending apprentices to Solicitors, held on the 8th and 9th April, the following passed the examination, and their names are arranged in order of merit:

1. Edward C. Cooke.
2. Thomas P. Early.
3. Gerard O'Donnell.
4. Synge Millington.
5. Robert B. McGrath.
6. Paul G. C. L. Whitsitt.
7. Dermot S. Dunleavy.
8. David J. Farrell.
9. James M. McGoldrick.
10. Kevin T. White.
11. George A. Williams.
12. James A. Neilan.
13. John F. V. Arnold.
14. Thomas G. White.

Twenty-one candidates attended; fourteen passed; seven failed.

**Legal Practitioners (Qualification) Act, 1929.**

The following passed a "First Examination" in Irish held on 5th April:—

- Daniel W. Curran.  
 Thomas P. Early.  
 Nicholas J. Gantley.  
 James F. Kearney.  
 Leslie E. Kearon.  
 Alice M. Lanigan.  
 James Lucey.  
 Joseph E. Lynch.  
 Thomas MacDonagh.  
 Thomas E. MacGowan.  
 John Maher.  
 John A. O'Loughlin.  
 Teresa P. O'Meara.  
 Joseph F. St. J. O'Neill.  
 George G. Overend.  
 Denis R. Peart.  
 Vernon A. Walker.

Twenty-four candidates attended, seventeen passed; seven failed.

James P. Trainor passed a "Second Examination" in Irish, held on 5th April. There was no other candidate for this examination.

**Final Examination.**

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

1. John G. J. Colman.
2. William Walsh, B.A., N.U.I.
3. James M. Hession.
4. John K. Coakley.
5. John J. Timoney.
6. Nathaniel Lacy.
7. Patrick Noonan.
8. John J. Bruen.
9. John A. G. Cullen.
10. Edward G. Gleeson, B.A., N.U.I.
11. Desmond Rooney, B.A., N.U.I.
12. Andrew F. M. O'C. Comyn, B.A., N.U.I.
13. Arthur W. Jeffers.
14. Plunkett K. M. Carey, B.A., T.C.D.
15. Robert M. Wilson, B.A., T.C.D.
16. Joseph P. Little, B.A., T.C.D.
17. John D. Clarke, B.A., T.C.D.
18. James F. J. G. Kent, B.A., N.U.I.
19. Thomas Hutch.
20. John Burke.

21. Hubert E. M. W. Flanagan, B.A.,  
T.C.D.

22. Edward R. Banim.

23. Margaret M. Dunne }  
James F. Little } equal.

25. Joseph N. Hughes.

26. Patrick L. Callan.

27. William B. Montgomery.

28. Richard G. Walsh.

29. Charles J. Holohan.

30. Arthur S. Murphy.

31. George G. King.

32. Aloysius D. O'Riordan.

33. Pauline Laverty.

34. Jarlath A. O'Connell.

Sixty-six candidates attended: thirty-four passed; thirty-two failed.

The Council awarded Silver Medals to John G. J. Colman and William Walsh, B.A., N.U.I., and Special Certificates of merit to James M. Hession and John K. Coakley.

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# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 2.]

JUNE, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### CONTENTS.

PAGE

Half-yearly General Meeting	6, 7, 8
Meeting of the Council	8, 9
Obituary	9

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 2.]

JUNE, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### HALF-YEARLY GENERAL MEETING.

A Half-yearly General Meeting of the Society was held on Thursday, 16th May, at the Solicitors' Buildings, Four Courts, Dublin, the President (Mr. Charles Laverty) in the chair.

The following members were also present : Messrs. E. F. Collins (Vice-President), E. H. Burne, J. J. Duggan, W. S. Hayes, J. J. Lynch, E. J. Mallins, Sean O hUadhaigh, P. F. O'Reilly, A. H. S. Orpen, G. A. Overend, P. M. Seales, C. St. G. Orpen, C. G. Stapleton, C. E. Callan, J. J. Hickey, L. J. Jameson, R. G. H. Carter, V. Kennedy, T. D. McLoughlin, E. J. Kenny, P. Masterson, D. D. MacDonald, B. Bernstein, J. J. O'Connor, J. R. Creswell, B. J. Seales, H. H. Hurley, R. J. Dodd, E. Jordan, J. D. Hollinger, J. H. Gorman, T. Jackson, G. Crowley, J. P. J. Smyth, J. D. Moran, and P. O'Leary.

The Secretary read the notice convening the meeting and the minutes of the Half-yearly General Meeting held on 26th November, 1934, the latter of which were signed by the President.

On the motion of Mr. Collins, seconded by Mr. Lynch, the following resolution was unanimously adopted :—

“That Mr. T. A. Ireland, Mr. P. Glynn and Mr. A. E. Prentice be appointed Auditors of the Society's Accounts for year ending 30th April, 1935.”

The President nominated the following members to be Scrutineers of Ballot for election of Council, to be held on 21st November next : Mr. R. French, Mr. F. G. Sharpe, Mr. N. Taylor, Mr. H. H. Maxwell and Mr. H. G. Sweetman.

THE PRESIDENT, addressing the meeting, said :—

Gentlemen—My predecessors in the office of President of the Incorporated Law Society of Ireland have always considered it a great privilege to meet the members of that Society at its Half-yearly General Meetings. This privilege has the advantage of enabling him to review and reconsider with them the various activities of the Council of your Society during the six months preceding the General Meeting, and to take counsel with them as to what has been done during the last half-year and what is proposed to be done in the succeeding half-year. We are thus enabled to keep in touch with one another throughout the year, and secure that measure of co-operation and encouragement without which a society cannot successfully pursue its work and secure its objectives.

During the half-year just completed, your Council has been called upon to deal with many important matters touching the well-being, not only of the legal profession, but also of the people of this country, and to these matters your Council has given many hours of careful and indeed anxious consideration. Your Council has had, I think,

a strenuous half-year, and we are very hopeful of the outcome of the work we have been engaged upon.

Since our last Half-yearly General Meeting death has been busy amongst our colleagues, and it is with deep regret that I recall to your memories the names of those gentlemen, many of them eminent in their profession, who have passed away since November last. We lament the deaths of Mr. William Deverell, formerly Clerk of the Crown and Peace for the County of Wicklow; and Mr. William Alexander, formerly Solicitor to the Irish Land Commission; Mr. Patrick E. O'Donnell, of Limerick, a member of your Council for some years; and Mr. W. W. Carruthers, one of the Auditors of the Accounts of the Society from 1894 to 1928. We also mourn the death of Mr. Edward C. Jameson, Mr. Wm. H. Geoghegan, Mr. John M. Salmon, Mr. James Dunlevy, Mr. J. T. Walshe, Mr. L. McL. Dix, Mr. Timothy J. Hunt, Mr. Frederick D. Darley, Mr. Randal Howe, Mr. William H. Dunne, a past President of the Society, and Mr. Michael Buggy, for many years the Provincial Delegate for Leinster on the Council. The deaths of all these gentlemen is a great loss to our Society, and on my own behalf and on yours I tender to their relatives a tribute of our sorrow and respectful sympathy.

The question of the want of Legal Text Books referred to by the President at the last half-yearly General Meeting in November 1934 is still engaging the attention of your Council, and it is hoped that a solution will be found which will assist in disposing of this problem. It is quite plain that something must be done in regard to this matter. This difficulty has mainly arisen from the cost of production of appropriate law books and the very limited market for their disposal in the Irish Free State when produced. The urgency which has arisen is becoming every day more pressing because quite a number of law books, on which the teaching authorities in the legal profession in the recent past relied, have actually gone out of print, and are now unobtainable except by way of loan or second-hand, and of course none of these books were written up to date before they went out of print. I understand Carleton's "County Court

Practice" and Wylie's "Judicature" are both out of print. Strange as it may seem, having regard to the large number of Acts passed for the purposes of Local Government administration by the Oireachtas since its establishment in the year 1922, no Law Book on Irish Local Government administration has been published since Mr. Vanston's Local Government Supplement was published in the year 1919. This is all the more surprising when we recall that there have been four or five times more Acts passed by the Oireachtas dealing with Local administration matters than were passed for Ireland by the British Parliament in the hundred years preceding the establishment of the Irish Free State in the year 1922.

The explanation of our failure to produce such books lies in the fact that it would pay no person qualified to do the work to give his time and trouble to the proper production of such works in the very restricted market the Irish Free State offers for the sale of Irish Law Books.

As far as I can see there is only one way to meet the difficulty which exists. There must be a fund created out of which the expense of production will be met. Your Council, to make a beginning to meet the difficulty, would be willing to make a contribution from the funds of your Society to such a fund. I would hope that the Bar Council and the Universities would also co-operate and I think the Government of our Country ought to come to the assistance of the legal teaching authorities who, in this emergency, will require financial assistance from the Government.

We cannot have sound lawyers without Law Books. We cannot have our country governed by laws if they are not taught and understood as construed and defined by our Law Courts. This we cannot have without books. It must be clearly understood that the production of Law Books in the Irish Free State, except at a loss to the author, is practically impossible because, as I have already said, the market is too small. It seems to me, therefore, that the only way out is a periodic subsidy from the Government of the Country as the necessity from time to time arises, with suitable co-operation from the Bar Council.

the Incorporated Law Society of Ireland and the Universities which have also Law schools of their own. In that way a fund can be created and maintained out of which the author of a book will be suitably rewarded for his labours and the cost of publication of each book defrayed.

If this suggestion be not considered acceptable, at any rate, it must be recognised by everyone that the author of a legal book cannot be expected not only to work for nothing but in anticipation of certainly suffering financially as well. If there is a more suitable alternative to the scheme suggested, the sooner it is made known the better for both branches of the legal profession and the country generally.

Since our last Half-yearly General Meeting your Council had occasion to make representations to the Minister for Justice concerning facilities for legal advisers to consult persons under arrest. The Minister for Justice courteously agreed to these representations and the matter was satisfactorily adjusted, and on representation to him by the Council through me, he also agreed to make suitable arrangements for the appearance of Solicitors before the Tribunal set up under the Military Service Pensions Act.

During the half-year just ended your Council, having received a report that an unqualified person had been acting as a Solicitor in the county of Leitrim, prosecuted successfully this person, who was ordered to pay a penalty and costs. At the trial the Circuit Court Judge expressed his approval of your Council's action in the matter.

In the month of February the new Courts of Justice Bill was issued in printed form. The Bill was carefully examined by the Council, and after long consideration certain amendments, which the Council deemed desirable and useful, were submitted to the Ministry of Justice and the Attorney General by a deputation from the Council consisting of the President, the two Vice-Presidents and Mr. E. H. Burne and your Secretary.

The amendments submitted by the deputation were fully discussed and favourably considered by the Ministry and the

Attorney General, and the Council expect that they will form part of the Statute when it has passed through all its stages. The Council believe that the Bill, so amended, will bring about a much needed reform in the matter of hearing appeals and also in other particulars; and will be a useful and welcome addition to the Statute Law of the Saorstát. The Bill has been read a second time and its passage through the Committee stage will be followed with care and attention by the Council.

I would like on behalf of the Council to express the thanks of the Council to Miss M. Griffith, for her gift to the Society's Library of nine volumes of Griffith's General Valuation of Rateable Property in Ireland, and to Mr. Florence O'Sullivan, Solicitor, for his gift to the Society's Library of a miscellaneous collection of useful law books.

#### MEETING OF THE COUNCIL.

23rd May.

Twenty-six Members present.

**Mr. W. H. Dunne.**

The Council passed a resolution expressing its regret at the death of Mr. Dunne, a past President of the Society, and its sympathy with his relatives in their bereavement.

**Mr. M. Buggy.**

The Council passed a resolution expressing its regret at the death of Mr. Buggy, who had been for twenty-four years Provincial Delegate for Leinster on the Council, and its sympathy with Mrs. Buggy in her bereavement.

**Free State Statutes.**

The Council directed a letter to be written to the Controller, Stationery Office, calling his attention to the delay in the issue of the bound volume of the Statutes of 1933 passed by the Oireachtas.

**Valuations.**

A letter was read from the Secretary of the Irish Auctioneers' and Estate Agents' Association asking the support of the Council in the efforts of the Association to secure

the employment only of duly licensed persons as Valuers for Probates, Property and Furniture Valuations, and the giving of evidence as to values of land, and all other purposes for which valuations are required. The Council gave instructions for a letter in reply.

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#### OBITUARY.

MR. RANDALL A. HOWE, Solicitor, died on the 1st May at his residence, 3 Sydenham Villas, Bray. Mr. Howe was admitted in Michaelmas Sittings 1879, and practised at 19 Eustace Street, Dublin.

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MR. WILLIAM H. DUNNE, Solicitor, died on the 9th May, at his residence, Bartra, Eglinton Road, Dublin. Mr. Dunne was admitted in Easter term, 1876, and practised at 51 Dame Street, Dublin till 1885 when on being appointed Solicitor to the National Bank, he removed to 7 Suffolk Street, where he continued till 1925 when he retired from the service of the Bank. From 1887 to 1909 Mr. Dunne was a member of the Council, and was in 1897-98 President of the Society.

MR. MICHAEL BUGGY, Solicitor, died on the 11th May, 1935, during a sea voyage on board S.S. Washington. Mr. Buggy was admitted in Michaelmas Sittings, 1881, and practised at 28 Parliament Street, Kilkenny. From 1907 till 1931 Mr. Buggy was Provincial Delegate for Leinster on the Council.

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MR. JOHN MORAN, Solicitor, died on the 16th May, 1935. Mr. Moran served his apprenticeship with the late Mr. M. L. Horan, Dublin, was admitted in Hilary Sittings, 1897, and practised at 34 Lr. Ormond Quay, Dublin, until 1933, when he retired.

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MR. ARTHUR W. DEVENISH-MEARES, Solicitor, died on the 23rd May at his residence, Luceila, Newry. Mr. Devenish Meares was admitted in Michaelmas Sittings, 1901 and practised at Newry till 1920 when he was appointed Clerk of Petty Sessions for Newry, which office he held until his death.

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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. XXIX, No. 3.]

JULY, 1935

[ FOR CIRCULATION  
AMONGST MEMBERS

### CONTENTS.

	PAGE
Meeting of the Council	12
Obituary	13
New Members	13
Intermediate Examination Result	13

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 3.]

JULY, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

20th June.

Twenty-five Members present.

**Solicitor's Name struck off Roll.**

The Secretary reported that the Chief Justice had made an order, on the application of Counsel on behalf of the Society, directing the name of John J. Tully, of Dublin, to be struck off the roll of Solicitors by reason of his conviction for fraudulent conversion of money to his own use.

### Free State Statutes.

A letter in reply, dated 17th June, was read from the Controller of the Stationery Office, stating that publication of the bound volume of Statutes for 1933 would take place within the next ten days. The letter further stated, in explanation, that the volume is unusually large, occupying 1,500 pages, and that the folding, gathering and collating of such a large quantity of material is a matter requiring much time and care to ensure perfect accuracy; and, further, that the volume in question is no doubt an exception, and that the Society can be

assured that it is unlikely that future volumes will be so long delayed.

### Damage to Property (Compensation) (Amendment) Act, 1933.

Correspondence with members in reference to a question affecting Solicitors arising under this Act was submitted, and it was resolved to take the opinion of Senior Counsel in reference thereto.

### Costs Query.

The following report from the Costs Committee on query submitted for decision was adopted:—

What is the scale fee payable to Vendor's Solicitor under Rules of the Solicitors' Remuneration Act, Schedule I, Part I, on a purchase, the consideration money being £75, having regard to Rules 7 and 8?

The Committee is of opinion that the fee is four pounds and ten shillings, consisting of three pounds minimum fee prescribed under Rule 8, plus fifty per cent. increase; and that Rule 7 does not apply.

**OBITUARY.**

MR. JOHN A. O'CONNELL, Solicitor, died on the 2nd June, 1935, at Portrush Cottage Hospital.

Mr. O'Connell served his apprenticeship with the late Mr. Howard McN. McCormick, Sligo; was admitted in Michaelmas Sittings, 1918, and practised at Roscommon up to 1921, when he retired.

**NEW MEMBERS.**

The following have joined the Society:—

- Samuel Bolton, 24 Clare Street.
- John P. Dunne, 21 Molesworth Street.
- Francis P. Galvin, 36 South Mall, Cork.
- Gordon M. Greene, 17 Ely Place.
- H. Derek Hurley, 41 Nassau Street.
- Stephen E. Law, 60 Dawson Street.
- James J. Macken (Jun.), Mullingar.
- Peter J. F. McDwyer, Belturbet.
- H. T. de Vere White, 21 Nassau Street.

**INTERMEDIATE EXAMINATION RESULT.**

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

**PASSED WITH MERIT.**

1. Peter J. Flynn.
2. Maurice W. Keller.
3. Peter R. Murphy.
4. Michael C. Beatty.
5. Henry Murray.
6. Mary F. O'Connor.

**PASSED.**

- Daniel Ahern.
- Timothy P. Coffey, Jun.
- Joseph M. Collins.
- Patrick Cunningham.
- Moira Flynn.
- Stephen J. Gannon.
- James M. Gilmartin.
- Michael M. Goodbody.
- Charles W. Grove-White.
- Charles Harvey, Jun.
- Edmund Hayes.
- Maurice Horan.
- Patrick Howard.
- Joseph Hughes.
- Thomas J. Kenny.
- Peter Leon.
- Joseph Linehan.
- Arthur J. Morris.
- Michael F. Moynihan.
- Felix E. Murphy.
- Eleanor C. Murray.
- Henry P. J. Powell.
- Charles S. Reddy.
- Alfred M. Smith.
- Hugh J. Ward.
- Myer Woolfson.

Forty-two candidates attended: 32 passed; 10 failed.

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXIX, No. 4.]

AUGUST, 1935

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council .....	16
Obituary .....	16
Courts of Justice Bill, 1934 .....	16
Damage to Property (Compensation) (Amendment) Act, 1933 .....	17
Examination Papers, 1934 .....	17
October Examinations, 1935 .....	17
Solicitors' Apprentices' Debating Society .....	17

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 4.]

AUGUST, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

11th July.

Twenty-eight Members present.

**Damage to Property (Compensation)  
(Amendment) Act, 1933.**

The opinion obtained of Senior Counsel was submitted on the question as to whether the Minister under the Damage to Property Compensation (Amendment) Act, 1933, has legal authority to apply the costs, as well as the compensation, awarded by him in Report cases, towards payment of debts due by the applicants, to the State, or to the Land Commission, or for rates. Counsel advised that if a Report under the Act of 1933 provides for costs, the Minister's discretion to pay, or not to pay, under Section 6 (2) of the Act of 1933 applies to the costs, and also that the power of deduction given by Section 13 (3) of the Principal Act also applies to the costs.

### OBITUARY.

MR. HENRY P. BRIDGE, Solicitor, died on the 2nd July, 1935, at Galway.

Mr. Bridge served his apprenticeship with the late Mr. William Bridge, Roscrea, was admitted in Trinity Sittings, 1910, and practised at Roscrea.

MR. JOHN R. MOORHEAD, Solicitor, died on the 3rd July, 1935, at his residence, Hazelbrook, Knock, Belfast.

Mr. Moorhead served his apprenticeship with the late Mr. McMordie, Belfast, was admitted in Trinity Sittings, 1886, and practised as a member of the firm of Moorhead

and Wood at 30 Rosemary Street, Belfast.

He was Crown Solicitor for the County Antrim and City of Belfast from 1912 to 1921 and Chief Crown Solicitor for Northern Ireland from 1922 to 1928, when he retired.

### Miscellaneous Professional Information.

Charles-St. George Orpen, Frederick John Waller Darley, and Dermot McGillicuddy have entered into partnership, and will carry on the business of Darley, Orpen and Synnott at 30 and 31 Kildare Street, Dublin under the name of Darley, Orpen and McGillicuddy.

### COURTS OF JUSTICE BILL, 1934.

On the 19th July, the Committee stage of the Courts of Justice Bill, 1934, was taken in the Dail, but by arrangement only Government amendments were considered, these being moved by the Minister for Justice.

On the next stage the Bill will be re-committed in its entirety, it will be taken again in Committee, section by section, and amendments may be submitted as for a first Committee stage. It will be necessary to give notice of all amendments intended to be moved, including any of which notice may have been given for the Committee stage which has taken place, but which amendments have not yet been dealt with. Some of the amendments submitted by the Council to the Minister have been, at his instance, incorporated in the Bill.

The Bill has been reprinted, and is now on sale as amended in Committee.

**Damage to Property (Compensation)  
(Amendment) Act, 1933.**

The following Memorandum has been received from the Ministry of Finance, containing a statement made by the Minister in the Dáil:—

Dáil Éireann,  
18th June, 1935

MR. MACENTEE—

I am aware that a number of persons failed to make application for compensation under the Damage to Property (Compensation) (Amendment) Act, 1933, within the time prescribed by the Rules of Court framed under the Act. The question of late applications has, however, been the subject of a recent judgment of the High Court, the general effect of which is that a Circuit Judge has power to extend the time for lodging applications under the Act where it appears to him that such extension is just and reasonable. Accordingly it is open to any person to apply to the Circuit Court for an extension of time to enable him to lodge a claim for compensation under the Act, and it is within the discretion of the Circuit Judge to grant or refuse such an application.

Any person who intends to make a claim for compensation would do well to take the necessary steps in the matter without delay. State Solicitors will be instructed to oppose strenuously the grant of an extension of time where the claim is not lodged on or before the 30th September, 1935.

**Examination Papers, 1934.**

A re-print of all papers set at the Examinations held by the Society during 1934 can be obtained in the Secretary's office. Price one shilling.

**October Examinations, 1935.**

The Final Examination will be held on Tuesday and Wednesday the first and second days of October—Notice of intention to attend to be lodged before 12th September.

The First and Second Irish Examinations will be held on Friday 4th day of October—Notice of intention to attend either examination to be lodged before 14th September.

The Intermediate Examination will be held on Monday 7th October—Notice of intention to attend to be lodged before 17th September.

The Preliminary Examination will be held on Tuesday and Wednesday the 8th and 9th October—Notice of intention to attend to be lodged before 18th September.

**SOLICITORS' APPRENTICES' DEBATING  
SOCIETY.**

**Awards for Session, 1934-35.**

ORATORY.

*Incorporated Law Society's Gold Medal*—Francis A. Gibney.

*Debating Society's Silver Medal*—James F. J. G. Kent, B.A.

COMPOSITION.

*Incorporated Law Society's Gold Medal*—Myles P. Gavagan.

LEGAL DEBATE.

*President's Gold Medal*—James F. J. G. Kent, B.A.

*Debating Society's Silver Medal*—Liam J. Lysaght.

IMPROMPTU SPEECHES.

*Vice-President's Gold Medal*—James F. J. G. Kent, B.A.

*Vice-President's Silver Medal*—Joseph S. Martin.

FIRST YEAR SPEECHES.

*Debating Society's Silver Medal*—Andrew G. Sheedy.

IRISH DEBATE.

*Debating Society's Silver Medal*—  
Patrick FitzGibbon, B.A.

**Officers and Committee for Session, 1935-36.**

*Auditor*—Francis A. Gibney.

*Hon. Record Secretary*—Colum Gavan Duffy, B.A.

*Hon. Correspondence Secretary*—John D. Guinan.

*Hon. Treasurer*—Peter R. Murphy.

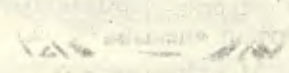
*Committee*—Francis A. J. O'Hare, Michael Ward,  
Patrick G. Smyth.

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXIX, No. 5.]

NOVEMBER, 1935

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meetings of the Council	20
Ballot for Council	20
Obituary	20, 21
Miscellaneous Professional Information	21
Committee of Inquiry into Patent, Design and Trade Mark Law	21
List of Statutes passed by the Oireachtas during 1935	21, 22
Examination Results	22, 23
Scholarships, 1935	23
Irish Solicitors' Golfing Society	23

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 5.]

NOVEMBER, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETINGS OF THE COUNCIL.

3rd October.

Twenty Members present.  
The late Mr. L. J. Ryan.

The Council passed a resolution expressing deep regret at the death of their colleague, Mr. Laurence J. Ryan, and their sympathy with Mrs. Ryan and his son in their bereavement.

### Courts of Justice Bill, 1934.

The meeting had before it the print of the Bill as amended in Committee of the Dáil in July last, and it was referred by the Council to the Special Committee which had it previously under consideration.

24th October.

Twenty-seven Members present.  
October Examinations.

The report of the Court of Examiners, giving results of October Examinations and recommendations as to awards of scholarships and honours was adopted.

### Courts of Justice, 1934.

The report of the Special Committee of the Council on the Bill as amended in Committee of the Dáil was adopted.

### BALLOT FOR COUNCIL.

The ballot for election of Council will be held on Thursday, 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 Wednesday, 20th November.

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

### OBITUARY.

MR. SAMUEL KERR, Solicitor, died on the 2nd August, 1935, at his residence, Verona, Monkstown, Co. Dublin.

Mr. Kerr served his apprenticeship with the late Mr. Isaac Molloy, Dublin; was admitted in Trinity Sittings, 1895, and practised as a member of the firm of Kerr and Hickey, at 43 Dame Street, Dublin, up to 1934, when he retired.

MR. MARTIN TIERNEY, Solicitor, died on the 4th August, 1935, at his residence, Farnham Street, Cavan.

Mr. Tierney served his apprenticeship with the late Mr. Louis C. P. Smith, Cavan; was admitted in Trinity Sittings, 1911, and practised at Cavan. He was Under-Sheriff for Co. Cavan.

MR. PATRICK F. QUINLAN, Solicitor, died at Perth, Western Australia.

Mr. Quinlan served his apprenticeship with Mr. John M. Maxwell, Dublin; was admitted in Hilary Sittings, 1916; and practised at 68 Middle Abbey Street, Dublin, up to 1920, when he retired.

MR. LAURENCE J. RYAN, Solicitor, died on the 29th August, 1935, at his residence, Beechmount, Thurles, Co. Tipperary.

Mr. Ryan served his apprenticeship with the late Mr. James Plunkett, Dublin; was

admitted in Michelmás Sittings, 1894, and practised at Thurles. Mr. Ryan was a member of the Council from the year 1924 to the date of his death, and was President of the Society for the year 1931-32.

MR. JOHN K. MCCONNELL, Solicitor, died on the 1st September, 1935, at Omagh.

Mr. McConnell was admitted in Hilary Sittings, 1892, and practised at Omagh up to the year 1931, when he retired.

MR. THOMAS F. CURRAN, Solicitor, died on 8th September, 1935, at his residence, Annagh House, Ballyhaunis.

Mr. Curran was admitted in Easter Sittings, 1883, and practised at Ballyhaunis up to 1893, when he retired.

MR. WILLIAM A. LANPHIER, Solicitor, of Naas, Co. Kildare, died on the 8th October, 1935, at Kingstown, Co. Dublin.

Mr. Lanphier was admitted in Trinity Sittings, 1887, and practised at Naas up to the time of his death.

MR. SAMUEL J. DIAMOND, Solicitor, died at his residence, "Holmhurst," Richmond Park, Belfast, on 11th October, 1935.

Mr. Diamond served his apprenticeship with Mr. Robert Diamond, Belfast, and was admitted in Hilary Sittings, 1906, and practised in Belfast up to the time of his death.

MR. PATRICK J. MAGEE, Solicitor, died on the 27th October, 1935, at his residence, 226 Antrim Road, Belfast.

Mr. Magee served his apprenticeship with the late Mr. Charles L. McLorinan, of Belfast; was admitted in Trinity Sittings, 1895, and practised in Belfast up to the time of his death.

MR. PATRICK A. MOONEY, Solicitor, died on the 27th October, 1935, at Cork.

Mr. Mooney served his apprenticeship with Mr. Charles E. Murphy, of Cootehill; was admitted in Hilary Sittings, 1914, and practised formerly at Kells, Co. Meath, and latterly as a member of the firm of Babington, Clarke and Mooney, Cork, up to the time of his death.

Mr. Timothy Lucey, Solicitor, died on the 27th October, 1935, at his residence, Sandy Hill, Macroom, Co. Cork.

Mr. Lucey served his apprenticeship with the late William J. Dunlea, of Cork, and was admitted in Hilary Sittings, 1904, and practised at Macroom up to the time of his death.

### COMMITTEE OF INQUIRY INTO PATENT, DESIGN AND TRADE MARK LAW.

The Minister for Industry and Commerce on the 6th August appointed a Committee, consisting of nine members, to consider and report whether any, and if so what, changes in the law relating to patents, designs and trade marks are desirable. At the request of the Council, Mr. G. A. Overend and Mr. A. Cox, Solicitors, have consented to give evidence before the Committee.

### LIST OF STATUTES

Passed by the Oireachtas during 1935

1. Rates on Agricultural Land (Relief).
2. Public Dance Halls.
3. Sale of Food and Drugs (Milk).
4. Shannon Fisheries.
5. Electoral (Revision of Constituencies).
6. Criminal Law Amendment.
7. Finance (Miscellaneous Provisions).
8. Central Fund.
9. Local Government (Extension of Franchise).
10. Local Government (Dublin).
11. Defence Forces (Temporary Provisions).
12. Constitution (Amendment No. 26).
13. Citizenship.
14. Aliens.
15. Agricultural Products (Regulation of Export) (Amendment).
16. Local Loans Fund.
17. Pounds (Provision and Maintenance).
18. Courthouses (Provision and Maintenance).
19. Local Government (Temporary Provisions) (Amendment).
20. Electricity (Supply) (Amendment).
21. Dairy Produce (Price Stabilisation).
22. Milk and Dairies.

- 23. Road Transport.
- 24. Pigs and Bacon.
- 25. Appropriation.
- 26. Agricultural Produce (Cereals).
- 27. Imposition of Duties (Confirmation of Orders).
- 28. Finance.
- 29. Widows' and Orphans' Pensions.
- 30. Rates on Agricultural Land (Relief) (No. 2)
- 31. Approved Investments (Amendment).
- 32. Diseases of Animals.
- 33. Fisheries (Tidal Waters) (Amendment).
- 34. Fisheries.
- 35. Trade Union.
- 36. Agricultural Produce (Fresh Meat) (Amendment).
- 37. Slaughter of Cattle and Sheep (Amendment).
- 38. Unemployment Assistance (Amendment).

**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. Charles Kelly
- 2. John B. Jermyn
- 3. Thomas B. Bowes
- 4. William H. Phayre
- 5. Eamon J. Crowley
- 6. Thomas Costello
- 7. Maurice P. Ronayne

Ten candidates attended; seven passed; three failed.

**Legal Practitioners (Qualification) Act, 1929.**

The following passed a "First Examination" in Irish under the above Act; held on 4th October, 1935:

- Gerald J. H. Barry
- Thomas B. Bowes
- Constance M. Campbell
- Joseph Clancy
- Philip J. Clarke
- John R. P. Colfer
- William A. Crowley
- Louis J. Gillic
- Sheela M. Hegarty

- Michael J. Higgins
- Patrick P. B. McCormack
- Robert B. McGrath
- Patrick C. McLaughlin
- Anderson D. Mason
- Francis Reilly
- Michael D. Sweeney
- John J. Walker
- Kevin P. Wallace
- Thomas G. White

Twenty-seven candidates attended; nineteen passed; eight failed.

Only one candidate presented himself for a "Second Examination" in Irish. He failed to pass same.

At the Intermediate Examination held on 7th October, the following passed the examination:—

**PASSED WITH MERIT.**

- 1. Thomas V. O'Connor
- 2. Francis J. Gearty
- 3. John C. Murphy
- 4. William S. Conway
- 5. John P. L. Murray
- 6. Robert J. Sheehan
- 7. Samuel F. Hogan
- 8. Charles W. D. Hyland
- 9. Mary G. O'Leary
- 10. John O'Rorke
- 11. Liam P. Cafferky
- 12. Peter D. M. Prentice.

**PASSED.**

- Patrick L. G. Burke
- James G. Clahane
- James D. Coghlan
- Arthur G. Cullen
- John D. M. Donnelly
- John J. Fitzgerald
- James H. Gallagher
- Denis M. Greene
- Martin A. Harvey
- Timothy G. Kavanagh
- Maelisa P. MacGrinley
- Desmond M. McGracken
- George C. McGrath
- Desmond J. Mayne

Arthur G. Nixon  
Francis J. O'Flynn  
Teresa B. O'Halloran  
James S. Reilly  
Patrick J. Rooney  
John Seery  
William Tormey, jun.  
Jasper C. Tully

Fifty candidates attended: thirty-four passed; sixteen failed.

At the Final Examination held on the 1st and 2nd days of October, the following passed the examination, and their names are arranged in order of merit:—

1. Mathew Purcell, M.A. (Lond.)
2. Joseph G. Groarke
3. Michael C. Casey
4. James B. MacGarry
5. Mary J. O'Neill
6. James Claffey
7. James P. Sweeney
8. Michael J. O'Hara  
Mary E. Reilly } equal
10. Joseph S. Martin
11. Edward E. Emerson
12. Francis Conway
13. Timothy Lucey, jun.
14. James S. Traynor
15. William H. Ryan
16. Martin Kelly
17. Isaac J. Nolan
18. Michael J. Kennedy
19. Patrick J. Shaw
20. John Wells  
Andrew M. Killeen } equal
22. Robert S. Cresswell, B.A., T.C.D.
23. James S. Dunne, B.A., N.U.I.
24. Patrick J. O'Sullivan
25. Bernard d'Arcy  
Miceal O'Cleirigh } equal
27. Leonard E. M. Downes
28. Emerson H. Babington
29. John B. Gleeson
30. Patrick A. Curran
31. Andrew J. O'Leary
32. James D. Mitchell, jun.
33. James A. Keohane
34. Cornelius Murray, B.A., N.U.I.

Fifty-nine candidates attended: thirty-four passed; twenty-five failed.

The Council awarded Silver Medals to Mathew Purcell, M.A. (Lond.), and Joseph G. Groake, and a Special Certificate to Michael C. Casey.

#### SCHOLARSHIPS, 1935.

The Findlater Scholarship was awarded to John G. J. Colman, who served his apprenticeship with Mr. M. A. Lynch, Dublin.

The Overend Final Examination Scholarship was awarded to Mathew Purcell, M.A. (Lond.), who served his apprenticeship with Mr. J. J. Hickey, Dublin.

The Overend Preliminary Examination Scholarship was not awarded owing to the insufficiency of the merit displayed.

#### IRISH SOLICITORS' GOLFING SOCIETY.

The Autumn Meeting of the Society was held at Portmarnock Golf Club on the 3rd October, 1935. The following are the results of the Competitions:—

*Incorporated Law Society Challenge Cup.*

Winner: Basil Thompson (89-15, 74).

*Veterans' Challenge Cup.*

Winner: James D. MacCarthy (93-17, 76).

*Ryan Challenge Cup.*

Winner: Francis J. Farrell (96-20, 76).

*St. Patrick's Plate.*

Tie between R. M. Saunders (78-2, 76) and H. H. Maxwell (80-4, 76).

*Fourball Sweepstakes.*

Winners: A. E. Prentice and Chas. Magwood (2 up).

Tie for 2nd: D. McLoughlin and G. E. Grove-White (1 down); Thomas F. McKeever and Thomas H. Hayes (1 down).

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXIX, No. 6.]

DECEMBER, 1935

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Half-yearly General Meeting	26, 27, 28
The President	28
The Vice-Presidents	28
Obituary	28, 29
New Members	29
Hilary Sittings Lectures	29

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 6 ]

DECEMBER, 1935.

[ FOR CIRCULATION  
AMONGST MEMBERS

### 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 Tuesday, the 26th November. The chair was occupied by the President (Mr. Charles Laverty), and the following members were present:—Messrs. E. F. Collins (Vice-President), P. R. Boyd, W. Gordon Bradley, E. H. Burne, T. H. R. Craig, T. W. Delany, J. J. Duggan, J. B. Hamill, W. S. Hayes, M. E. Knight, J. J. Lynch, E. J. Mallins, Peter O'Connor, P. F. O'Reilly, P. J. O'Sullivan, G. A. Overend, T. G. Quirke, D. J. Reilly, P. M. Seales, Basil Thompson, H. K. Toomey, Daniel O'Connell, C. St. G. Orpen, H. P. Mayne, Robert Mcreedy, D. D. MacDonald, J. S. MacNeice, C. J. C. Joyce, R. J. Dodd, Leonard Webb, T. D. McLoughlin, Denzil O'Donnell, J. G. O'Connor, J. R. Quirke, S. M. McAuliffe, Ivan Howe, S. H. Lynch, Samuel Hayes, C. J. Rutherford, J. H. Gorman, M. J. Bowers, D. B. Gilmore, D. P. Morris, Vincent Kennedy, B. J. Seales, William Dwyer, Patrick Glynn, H. H. Hurley, H. R. Maunsell, F. V. Gordon, J. J. McDonald, P. J. Masterson, B. T. Walsh, J. J. Hickey, R. P. Greene, Patrick O'Leary, Archibald Clarke, J. F. Murtagh, F. J. Mangan, P. C. Moore, A. E. Walker, A. J. Joyce.

The Secretary read the notice convening the meeting, also the Minutes of the General Meeting of 16th May, 1935, 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, 1935.

The Secretary read the report of the Scrutineers of the Ballot for the Council, which stated that the following had been returned unopposed as Provincial Delegates: Ulster, John Gillespie; Munster, A. J. Blood-Smyth; Leinster, Daniel O'Connell; Connaught, Christopher E. Callan. 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, 412; C. Laverty, 382; T. G. Quirke, 377; E. F. Collins, 374; T. W. Delany, 371; J. J. Duggan, 366; J. J. Lynch, 360; D. J. Reilly, 344; Peter O'Connor, 330; W. S. Hayes, 327; H. St. J. Blake, 326; E. J. Mallins, 312; P. F. O'Reilly, 311; S. OhUadhaigh, 310; P. O'Sullivan, 309; L. E. O'Dea, 306; J. T. Wolfe, 305; J. B. Hamill, 304; M. E. Knight, 288; A. H. S. Orpen, 288; Basil Thompson, 285; W. Gordon Bradley, 284; T. H. R. Craig, 284; G. A. Overend, 283; P. R. Boyd, 279; H. K. Toomey, 273; E. H. Burne, 266; J. F. D'Arcy, 264; M. J. Neilan, 251; H. P. Mayne, 247; J. O'Doherty, 241. And the following to form a supplemental list in case of vacancies:—C. G. Stapleton, 239; W. J. Norman, 232; T. Greene, 223.

THE PRESIDENT, addressing the meeting, said:—

Gentlemen, I move the adoption of the Annual Report of the Council. It is, I am happy to say, as it usually is, a record of successful and competent management during the year which has just closed. You will have observed that the Council of your Society has had a busy and interesting year of work.



### Courts of Justice Bill.

The Council has met fourteen times, and there have been forty-four committee meetings, a great many of which were occupied with the consideration of the new Courts of Justice Bill, which has been under the consideration of the Oireachtas throughout the year, and will soon take its place on the Statute Book of this country. I am pleased to say that most of the amendments submitted by your Council during the year were adopted by the Government and inserted in the new Bill which, when passed into law, will, I think, remove many of the complaints we were accustomed to hear for the past ten years in regard to the procedure and practice of the Courts of Justice of the Irish Free State. It will, I think, be a very useful measure of reform, and will be welcomed not only by legal practitioners but by the general public for the facilities which it offers and the rights it confers. I wish, on behalf of this Society, to thank the Minister for Justice and the Attorney-General for the courtesy and consideration shown to your President and your Council throughout all our dealings with them in reference to our suggested amendments to the Bill.

### Membership.

Turning to the Annual Report of the Council, you will observe that the number of members of the Society has been increased from 775 to 786. This, however, is not as satisfactory as it may appear. There are 1,294 solicitors practising in the Free State, and it is a surprising fact that there are 508 of them who failed during the year to become members of a legal organisation which primarily exists for their own welfare and protection and the maintenance of the dignity and privileges of their own profession, of which, I feel sure, they themselves are proud to be members. I hope that in the coming year most of those 508 gentlemen who stand outside this Society will join hands with those within. It is a distinct handicap not to belong to this Society, as those of us who have the use of our magnificent Law Library well know. Members can, of course, have the loan of any book free of charge that the library contains, whether he lives in the city or the country, by simply communicating his wish to the Secretary. If the

solicitors who neglect to join the Society are influenced by the idea that their only loss is want of access to our Library, there again they are wrong, because it should be remembered that the Council of the Society is always available for advice and assistance in helping to advise and elucidate questions of both law and practice. The sooner all the solicitors in the country realise that their Society has done in the past, is doing now and will continue to do, solid and enduring work for the whole profession, the better; and the value of its industry can, perhaps, be best appreciated by recollection of the fact that it has had forty-four Committee meetings and fourteen Council meetings during the year.

### Legal Text-Books.

At the half-yearly meeting held in the month of May last I spoke to you at considerable length on the subject of the want of suitable legal text-books. This is a subject that has been engaging the earnest consideration of your Council during the year. It has, I am glad to say, attracted attention in other quarters, where the necessity for such books and the difficulty of producing them has been recognised. It is hoped that as soon as the Courts of Justice Bill passes into law, a scheme may be devised for the production and publication of such works as are first urgently necessary. I have hopes that the Government, the Bar and the Universities will all co-operate with your Council in this scheme. Your Council has already signified its willingness to contribute to what may be described as a Publication Fund to meet the cost of production and publication of such legal text-books as are immediately necessary. A book on Local Government Administration is badly wanted. There is no up-to-date book on Housing, although there have been many recent Acts passed dealing with the subject. Vanston's book on Local Government, and Vanston's book on Public Health both require to be brought up-to-date. No book has been published on either of these subjects since 1919. Carleton's "County Court Practice" and "Wylie's Judicature" are both out of print, and I am informed that Kisbey's "Bankruptcy" will soon be out of print. I mention the foregoing few instances—I am

quite sure there are others—to indicate the need there is for the production of necessary legal text-books with the least possible delay. As soon as the Courts of Justice Bill has become law I hope that no time will be lost to set on foot a scheme properly financed to encourage skilled lawyers to undertake the production of proper legal text-books.

### Obituary.

Since our last half-yearly meeting in May death has been busy amongst our colleagues, and it is with deep regret that I recall to your memories the names of those gentlemen, many of them eminent in their profession, who have passed from amongst us since the month of May last. Gentlemen, we mourn the death of Mr. Laurence J. Ryan, of Thurles, who was President of your Council for the year 1931-32, whose death took place in August last. He was a man of great eminence in his profession, in which he took a deep interest, and his death was a great loss to your Council and a cause of deep sorrow to his colleagues. We also lament the death of Mr. John A. O'Connell, of Roscommon; Mr. Henry P. Bridge, of Roscrea; Mr. John R. Moorhead, of Belfast; Mr. Samuel Kerr, of Dublin; Mr. Martin Tierney, of Cavan; Mr. John K. McConnell, of Omagh; Mr. Thomas F. Curran, of Ballyhaunis; Mr. William A. Lanphier, of Naas; Mr. S. J. Diamond, of Belfast; Mr. Patrick J. Magee, of Belfast; and Mr. Patrick A. Mooney, of Cork.

The death of all these gentlemen is a great loss to our profession. We all deeply regret their deaths, and on my own behalf and on yours I beg to tender to their bereaved relatives a tribute of our sorrow and respectful sympathy, and pray that God may have mercy on their souls.

### Conclusion.

In conclusion, gentlemen, I would like to thank my two very able and distinguished Vice-Presidents, my dear friends Mr. Eugene Collins and Mr. Philip Smith, without whose valuable assistance I could not have properly discharged the duties of my high office. I thank them and your very esteemed and competent Secretary for all the assistance and extremely kind co-operation they gave

me, and without which I could not have hoped to follow even far behind the standard and tradition set for me by a long line of very eminent and distinguished predecessors.

MR. E. F. COLLINS (Vice-President) seconded the adoption of the Report.

THE PRESIDENT put the resolution adopting the Report, and it was passed unanimously.

MR. COLLINS (Vice-President) having taken the Chair, on the motion of Mr. John J. Duggan, seconded by Mr. E. H. Burne, a hearty vote of thanks was passed to the President with acclamation.

THE PRESIDENT having returned thanks, the meeting terminated.

### THE PRESIDENT.

The Council elected, on the 5th December, Mr. Michael E. Knight, of Clones, County Monaghan, to be President of the Society for the ensuing twelve months.

The newly-elected President, who served his apprenticeship with his father, the late Mr. George Knight, was admitted in 1890. He became a member of the Council in 1924, and was a Vice-President of the Society in 1927-28.

### THE VICE-PRESIDENTS.

The Council has elected Mr. Edward J. Mallins, of Dublin, and Mr. John B. Hamill, of Dundalk, to be Vice-Presidents of the Society for the ensuing twelve months.

### OBITUARY.

MR. FRANK SWEENEY, Solicitor, died on the 7th November, 1935, at his residence, Dungloe, County Donegal.

Mr. Sweeney served his apprenticeship with Mr. James E. O'Donnell, Londonderry; was admitted in Hilary Sittings, 1909, and practised at Dungloe.

MR. VALENTINE F. KIRWAN, Solicitor, died on the 14th November, 1935, at his residence, 57 Grosvenor Road, Rathgar, Dublin.

Mr. Kirwan served his apprenticeship with Mr. James Robinson, Dublin; was admitted in Hilary Sittings, 1904, and practised at 119 Saint Stephen's Green, and latterly at 3 Suffolk Street, Dublin.

MR. FREDERIC E. BIRMINGHAM, Solicitor, died on the 16th November, 1935, at his residence, Weston, Alma Road, Monkstown, County Dublin.

Mr. Birmingham served his apprenticeship with the late Mr. John Doherty and the late Mr. M. Cartan O'Meara, both of Dublin; was admitted in Hilary Sittings, 1907, and practised under the style of Montgomery and Chaytor, at 13 Molesworth Street, Dublin.

MR. FRANCIS C. EARLE BLAND, Solicitor, died on the 20th November, 1935, at his residence, Raglan House, Clyde Road, Dublin.

Mr. Bland served his apprenticeship with the late Mr. William Fry, Dublin, and was admitted in Trinity Term, 1877. The first award of a Findlater Scholarship was that made to Mr. Bland. He practised as a member of the firm of Anderson and Bland, at 10 Saint Stephen's Green, Dublin, up to 1934, when he retired.

Mr. Bland was a member of the Council of the Society from 1892 to 1912, and a Vice-President of the Society for the year 1897-98.

He was Secretary of the Solicitors' Benevolent Association from 1886 to 1926.

MR. WILLIAM HENRY, Solicitor, died on the 30th November, 1935, at Dublin.

Mr. Henry served his apprenticeship with his father, the late Mr. James Henry, Dublin; was admitted in Trinity Sittings, 1901, and practised under the style of Henry, Son, and Galloway, at 11 Molesworth Street, Dublin.

He was a member of the Council of the Society from 1922 to 1924.

#### NEW MEMBERS.

The following have joined the Society :—

E. Roughan Banim, 1A Lower Ormond Quay, Dublin.

Patrick L. Callan, 32 Nassau Street, Dublin.

Liam P. Egan, 1 Lower Ormond Quay, Dublin.

George G. King, 11 Eustace Street, Dublin.

Samuel MacD. A. Kennedy, Roscrea.

Nathaniel Lacy, Kells.

James F. Little, 16 Lower O'Connell Street, Dublin.

Brendan P. McCormack, 56 Lr. O'Connell Street, Dublin.

Ernest M. Newman, 49 Kildare Street, Dublin.

Albert O'Donoghue, 31 Exchequer Street, Dublin.

John J. A. O'Hare, 25 Bachelor's Walk, Dublin.

James R. J. Quirke, 15 South Frederick Street, Dublin.

☒ Cecil G. Vanston, 22 Kildare St., Dublin.

#### HILARY SITTINGS LECTURES.

The Junior Class Lectures will be resumed on Wednesday, 15th January, at 2.15 p.m.

The Senior Class Lectures will be resumed on Tuesday, 14th January, at 2.15 p.m.

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# THE GAZETTE

OF THE

**Incorporated Law Society of Ireland.**

Vol. XXIX, No. 7.]

JANUARY, 1936

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Solicitors' Annual Certificates .....	32
Meetings of the Council .....	32
The Incorporated Law Society of Northern Ireland .....	32
The Southern Law Association .....	32
Obituary .....	33
List of Statutes .....	33

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 7.]

JANUARY, 1936.

[FOR CIRCULATION  
AMONGST MEMBERS

### SOLICITORS' ANNUAL CERTIFICATES.

Members are reminded that Annual Certificates for the year ending 5th January, 1937, should be taken out and the duties paid thereon before 6th February, 1936.

### MEETINGS OF THE COUNCIL.

5th December.

Twenty-eight members present.

#### Election of President and Vice-Presidents.

The Council elected Mr. Michael E. Knight to be President of the Society, and Mr. Edward J. Mallins and Mr. John B. Hamill, to be Vice-Presidents, for the ensuing twelve months.

#### Extra-Ordinary Members.

A letter was read from the Southern Law Association giving the names of the following members as those elected as Extra-ordinary Members of this Council for the ensuing twelve months:—Mr. Frederick H. Hall (President), Mr. B. St. J. Galvin, Mr. J. J. Horgan, Mr. E. Emerson, and Mr. P. J. Kavanagh.

#### Circuit Court Witnesses' Expenses.

A letter from a country member in reference to the mode of the measuring and awarding of witnesses' expenses was referred to the Circuit Courts Committee for consideration. The practice in this matter would not appear to be uniform throughout the Circuit Courts of the Free State.

12th December.

Eighteen 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, 1936:—Mr. Knight, Mr. Bradley, Mr. Duggan, Mr. Laverty, Mr. Lynch, Mr. Seales, and Mr. Thompson.

#### Conveyancing.

A letter from a member in reference to a conveyancing matter of general interest was referred to the Privileges Committee.

#### Committees and Court of Examiners.

The Committees of the Council and the Court of Examiners for the year ending 26th November, 1936, were appointed.

### THE INCORPORATED LAW SOCIETY OF NORTHERN IRELAND.

Mr. Robert V. Hamilton has been elected President of the Society for 1935-36.

### THE SOUTHERN LAW ASSOCIATION.

Mr. Frederick H. Hall, has been elected President of the Association for 1935-36.

**OBITUARY.**

MR. ST. JAMES B. ENGLAND, Solicitor died on the 5th December, 1935, at Tipperary. Mr. England was admitted in Hilary Sittings, 1924, and practised at Tipperary.

MR. SAMUEL GORDON, Solicitor, died on the 13th December, 1935, at his residence, 2 Burlington Road, Dublin.

MR. GORDON served his apprenticeship to his father, Mr. Stephen Gordon, Dublin, was admitted in Trinity Term, 1875, and practised at 15 Molesworth Street, Dublin, under the style of Stephen Gordon and Son.

MR. HENRY F. C. STEPHENS, Solicitor, died on the 23rd December, 1935, at his residence, "Silchester," Glenageary, County Dublin.

Mr. Stephens served his apprenticeship with Mr. Hugh S. Moore, Dublin, was admitted in Trinity Sittings, 1882, and practised as a member of the firm of Frederick Sutton and Company, at 52 Dame Street, Dublin.

**LIST OF STATUTES**

Passed by the Oireachtas during 1935.

1. Rates on Agricultural Land (Relief).
2. Public Dance Halls.
3. Sale of Food and Drugs (Milk).
4. Shannon Fisheries.
5. Electoral (Revision of Constituencies).
6. Criminal Law Amendment.
7. Finance (Miscellaneous Provisions).
8. Central Fund.
9. Local Government (Extension of Franchise).
10. Local Government (Dublin).
11. Defence Forces (Temporary Provisions).
12. Constitution (Amendment No. 26).
13. Citizenship.
14. Aliens.
15. Agricultural Products (Regulation of Export) (Amendment).

16. Local Loans Fund.
17. Pounds (Provision and Maintenance).
18. Courthouses (Provision and Maintenance).
19. Local Government (Temporary Provisions) (Amendment).
20. Electricity (Supply) (Amendment).
21. Dairy Produce (Price Stabilisation).
22. Milk and Dairies.
23. Road Transport.
24. Pigs and Bacon.
25. Appropriation.
26. Agricultural Produce (Cereals).
27. Imposition of Duties (Confirmation of Orders).
28. Finance.
29. Widows and Orphans' Pensions.
30. Rates on Agricultural Land (Relief) (No. 2).
31. Approved Investments (Amendment).
32. Diseases of Animals.
33. Fisheries (Tidal Waters) (Amendment).
34. Fisheries.
35. Trade Union.
36. Agricultural Produce (Fresh Meat) (Amendment).
37. Slaughter of Cattle and Sheep (Amendment).
38. Unemployment Assistance (Amendment).
39. National Loan (Conversion).
40. League of Nations (Obligations of Membership).
41. Local Government (Dissolved Authorities).
42. Local Authorities (Mutual Assurance).
43. Railways.
44. Cork Fever Hospital.
45. Slaughter of Animals.
46. Expiring Laws.
47. Imposition of Duties (Confirmation of Orders) (No. 2).

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# THE GAZETTE

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Vol. XXIX, No. 8.]

FEBRUARY, 1936

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council	36
Obituary	36, 37
New Members	37
Courts of Justice Bill, 1934	37
The Society's Calendar	37
April Examinations, 1936	37

# THE GAZETTE

OF THE

## Incorporated Law Society of Ireland.

Vol. XXIX, No. 8 ]      FEBRUARY, 1936.

[ FOR CIRCULATION  
AMONGST MEMBERS

### MEETING OF THE COUNCIL.

16th January.

Twenty-two Members present.

**Mr. Philip J. O'Sullivan.**

A resolution was passed expressing the deep regret of the Council on the death of their colleague, Mr. Philip J. O'Sullivan, and their sympathy with Mrs. O'Sullivan and his son in their bereavement.

### Extra-Ordinary Members.

A letter was read from the Incorporated Law Society of Northern Ireland giving the names of the following members as those elected as Extra-Ordinary Members of this Council for the ensuing twelve months:—  
Mr. R. V. Hamilton, Mr. William C. Gage, Mr. G. Murnaghan, Mr. J. C. Taylor and Mr. J. G. H. Wilson.

### District Court.

A letter from a member drawing attention to delay in the work of the Dublin Metropolitan District Courts was considered, and it was resolved to address a communication on the subject to the Minister for Justice.

### OBITUARY.

**MR. PHILIP J. O'SULLIVAN**, Solicitor, died on the 12th January, 1936, at his residence, Brookville, Ballinacurra, Limerick.

Mr. O'Sullivan served his apprenticeship with the late Mr. Patrick S. Connolly, Limerick, was admitted in Trinity Sittings, 1896, and practised at Limerick.

He was a member of the Council of the Society from 1929, and was a Vice-President of the Society for the year 1933-34.

**MR. WILLIAM MURPHY**, Solicitor, died upon the 27th January, 1936, at his residence, 30 Wellington Road, Cork.

Mr. Murphy was admitted in Michaelmas Sittings, 1883, and practised at 44 South Mall, Cork.

He was an Extra-Ordinary member of the Council of the Society from 1924 to 1930.

**MR. JOHN T. TATLOW**, Solicitor, died on the 20th January, 1936, at Dublin.

Mr. Tatlow was admitted in Easter Sittings, 1881, and practised at 24 Anglesea Street, Dublin, up to 1899, when he retired.

MR. JOSEPH E. MACDERMOTT, Solicitor, died upon the 31st January, 1936, at his residence, Belfort, Blackrock, County Dublin.

Mr. MacDermott served his apprenticeship with the firm of Maxwell, Weldon & Co., Dublin, was admitted in Michaelmas Sittings, 1880, and practised at 21 Nassau Street, Dublin.

Mr. MacDermott was a member of the Council from the year 1912 to 1928, and was President of the Society for the year 1922-23.

He was Deputy Chairman of the Solicitors' Benevolent Association from 1927 to 1932, and was Chairman from 1933 to 1936.

#### NEW MEMBERS.

The following have joined the Society:—

John J. Colbert, Waterford.  
 James S. Dunne, 20 Wicklow St., Dublin.  
 Miss Irene E. McCoy, Waterford.  
 Richard J. McDonnell, Kells, Co. Meath.  
 Seamus Murphy, Waterford.  
 Noel P. Shee, 56 O'Connell St., Limerick.  
 Leo F. Trainor, Waterford.

#### COURTS OF JUSTICE BILL, 1934.

This Bill, which is under consideration at present in the Dail, has passed the Committee stage, and awaits Report stage. The Bill has been issued as amended on re-committal.

#### CALENDAR.

The Calendar of the Society for 1936 can be obtained in the Secretary's office. Price five shillings; by post, five shillings and sixpence.

#### APRIL EXAMINATIONS, 1936.

Final Examination will be held on Wednesday and Thursday, 1st and 2nd days of April. Notice of intention to attend to be lodged before 11th March.

First and Second Examinations in Irish will be held on Friday, 3rd day of April. Notice of intention to attend to be lodged before 14th March.

Preliminary Examination will be held on Monday and Tuesday, 6th and 7th days of April. Notice of intention to attend to be lodged before 17th March.

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# THE GAZETTE

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Vol. XXIX, No. 9.]

MARCH, 1936

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meetings of the Council	40
Obituary	40, 41
Medical Professional Etiquette	41
Easter and Trinity Sittings' Lectures	41
The Society's Calendar	41
Examination Papers	41
The Solicitors' Benevolent Association	41

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### MEETINGS OF THE COUNCIL.

6th February.

Twenty-seven members present.

**Mr. Joseph E. MacDermott.**

A resolution was passed expressing the deep regret of the Council on the death of Mr. Joseph E. MacDermott, a past President of the Society, and of its sympathy with his family in their bereavement.

### Workmen's Compensation Act.

It was directed that the attention of the Minister for Justice be drawn to the necessity of rules being made under the Workmen's Compensation Act, 1934.

27th February.

Twenty-six members present.

### District Court.

A letter was read from the Minister for Justice on the subject of arrears in the work of the Dublin Metropolitan District Court, stating that so far as these consisted as work proper to the officers of the Court rather than to the Justices themselves, they had now been disposed of. The letter further stated that so far as the strictly judicial side of the business is concerned, the Minister had arranged, after consultation with the Senior Justice, that one of the permanent Assistant Justices be available for the Court, in addition to the three ordinary Justices, during the month of March, and that it is understood with this assistance the business of the Court will be brought up to date.

### Insurance Bill, 1935.

It was resolved to take action in reference to some suggested amendments to this Bill.

### Courts of Justice Bill.

The Courts of Justice Bill, as amended on re-committal, was submitted.

### Workmen's Compensation Act.

A letter in reply from the Department of Justice was read, in which it was stated that the work of drafting of new Rules of Court under the Workmen's Compensation Act, 1934, has been undertaken by counsel, and that considerable progress has been made therewith.

### OBITUARY.

MR. CHARLES J. E. SUTTON, Solicitor, died on the 2nd February, 1936.

Mr. Sutton served his apprenticeship with his father, the late Mr. Frederick Sutton, Dublin; was admitted in Hilary Sittings, 1884, and practised as a member of the firm of Fred Sutton & Son, at 52 Dame Street, Dublin, up to 1905, when he retired.

He was a member of the Council of the Society from 1893 to 1899.

MR. JOHN J. MAGUIRE, Solicitor, died on the 4th February, 1936, at his residence, 4 North Great George's Street, Dublin.

Mr. Maguire was admitted in Hilary Sittings, 1889, and practised at 4 North Great George's Street, Dublin.

MR. THOMAS R. T. CALLAN, Solicitor, died on the 8th February, 1936, at Dublin.

Mr. Callan served his apprenticeship with Mr. James H. Murphy, Dundalk; was admitted in Hilary Sittings, 1926, and practised at 1 Suffolk Street, Dublin.

MR. CHARLES G. MACMAHON, Solicitor, died on the 12th February, 1936, at his residence, Brookfield, Dundalk.

Mr. MacMahon served his apprenticeship with his father, the late Mr. Charles MacMahon, Dundalk; was admitted in Michaelmas Sittings, 1917, and practised at Dundalk up to 1931, when he retired.

MR. HENRY F. LEACHMAN, Solicitor, died on the 16th February, 1936, at his residence, Rydalmount, Milltown, County Dublin.

Mr. Leachman served his apprenticeship with the late Mr. Keith Hallowes, Dublin; was admitted in Trinity Term, 1859, and practised at 1 College Street, Dublin, up to 1927, when he retired.

MR. JAMES LYNCH, Solicitor, died on the 19th February, 1936, at his residence, 9 Bindon Street, Ennis.

Mr. Lynch was admitted in Hilary Sittings, 1890, and practised at Ennis.

MR. ALEXANDER STEWART, Solicitor, died on the 28th February, 1936, at his residence, Lynalta, Newtownards.

Mr. Stewart served his apprenticeship with the late Mr. Hugh Graham, Newtownards; was admitted in Trinity Sittings, 1903, and practised at Newtownards.

#### MEDICAL PROFESSIONAL ETIQUETTE.

A member of the Society sends the following information for publication:—

The member put the following query to the Registrar of the Royal College of Surgeons in Ireland:—

Is a doctor attached to a public hospital entitled, without the consent of a patient, to furnish a report on the patient's condition to an insurance company, or the patient's employer?

The reply from the Registrar was as follows:—

In answer to your enquiry, the British Medical Association lays down the following for the guidance of newly-qualified medical practitioners:—

“The general principle which should guide a medical practitioner is that he should not, without his patient's consent, voluntarily disclose information which he has obtained from such patient in the exercise of his professional duties. It is essential that for the proper rendering of professional services there should be established a relationship of complete confidence between one who receives and one who renders the service.”

#### EASTER AND TRINITY SITTINGS' LECTURES.

Senior class lectures begin on Tuesday, 21st April, at 2.15 p.m.

Junior class lectures begin on Wednesday, 22nd April, at 2.15 p.m.

#### CALENDAR.

The Calendar of the Society for 1936 can be obtained in the Secretary's office. Price five shillings; by post, five shillings and sixpence.

#### EXAMINATION PAPERS.

A booklet containing a reprint of the papers set at all of the Society's examinations during 1935, can be obtained in the Secretary's office; price one shilling; by post, one shilling and twopence.

#### THE SOLICITORS' BENEVOLENT ASSOCIATION.

The Board of Directors has elected Mr. Patrick J. Brady to be Chairman, Mr. Richard A. J. O'Brien to be Deputy-Chairman, and Mr. Dinnen B. Gilmore to be Honorary Secretary for the year 1936.

Mr. Patrick Glynn, Solicitor, 22 Nassau Street, Dublin, is Secretary to the Association, to whom all applications in reference to the Association should be addressed.

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Vol. XXIX, No. 10.]

APRIL, 1936

[ FOR CIRCULATION  
AMONGST MEMBERS

## CONTENTS.

	PAGE
Meeting of the Council	44
Obituary	44
The Society's Calendar	44
New Members	45
Intermediate Examination	45
Examination Papers	45

# THE GAZETTE

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Vol. XXIX, No. 10.]

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[FOR CIRCULATION  
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### MEETING OF THE COUNCIL

19th March.

Twenty-four members present.

#### Land Registry.

The new practice of requiring attendance at the Central Office and at Local Registries to get return of documents lodged was under discussion, and it was decided that representations to the Chief Registrar be made on the matter.

#### Insurance Bill, 1935.

It was referred to the Parliamentary Committee to take action in reference to amendments to this Bill of which notice had been given, and which would appear to be injurious to the interests of members of the profession.

#### Registration of Judgments.

Proposals in reference to amendments of the laws regulating registration of Circuit Court judgments were under discussion.

#### Law Books.

A report from a Special Committee of the Council on the question of the steps to be taken for securing the publication of law books for use in the Irish Free State was submitted, and the matter was referred back to the Committee to take further action.

### OBITUARY.

MR. KEITH H. HALLOWES, Solicitor, died on the 5th March, 1936, at Dublin.

Mr. Hallows served his apprenticeship with his father, the late Mr. Keith Hallows, Dublin; was admitted in Hilary Term, 1866, and practised at 8 Westland Row, Dublin, up to 1913, when he retired.

MR. RAYMOND FRENCH, Solicitor, died on the 10th March, 1936, at his residence, 20 Northbrook Road, Dublin.

Mr. French served his apprenticeship with Mr. Weldon C. Molony, Dublin; was admitted in Hilary Sittings, 1896, and practised under the style of Bowles and French, at 32 Nassau Street, Dublin.

Since the year 1923 Mr. French rendered valuable services to the Society by acting annually as one of the scrutineers of the ballot for the election of the Council.

### CALENDAR

The Calendar of the Society for 1936 can be obtained in the Secretary's office. Price five shillings; by post, five shillings and sixpence.

**NEW MEMBERS.**

The following have joined the Society :—

Plunkett K. M. Carey, 20 Wicklow Street,  
Dublin.

Bernard P. Manning, 6 Dawson Street,  
Dublin.

William J. McWilliam, Monaghan.

Donal J. O'Sullivan, 54 Middle Abbey  
Street, Dublin.

Eric A. J. Plunkett, 116 Grafton Street,  
Dublin.

Henry A. Williams, 6 Dawson Street,  
Dublin.

**INTERMEDIATE EXAMINATION.**

An Intermediate Examination will be held on Tuesday, 9th June. Notice of intention to attend should be lodged in the Secretary's Office not later than 19th May.

**EXAMINATION PAPERS.**

A booklet containing a reprint of the papers set at all of the Society's examinations during 1935 can be obtained in the Secretary's office; price one shilling; by post, one shilling and twopence.

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