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This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1891 edition. Excerpt: ...occupation, for the benefit and on behalf of the tenant and his creditors. This view of the position is the only one which is consistent with the powers of the Court of Chancery either in the cases of infants' or lunatics' property, or where receivers are appointed in creditors' suits. Judge Monroe might have made an order, if it had been necessary, that the tenant should be put into occupation for the purpose of the application to the Land Court; but this was unnecessary, because the receiver was regarded as merely managing for the tenant, who was the occupier for cvery legal purpose--e. g. under the Poor Laws. I agree that Mr. Commissioner Fitzgerald took the right view of the case, and that the order of the Land Commission should be reversed. The landlord must pay the costs of the appeal; but the Land Commission will deal with the costs of all the proceedings below when those proceedings terminate. I concur, for the same reasons. It would be an extraordinary result if the action of the Courtof Chancery in appointing a receiver, the principal object of which is to entrust the manage ment of the property to the receiver for the benefit of all the parties interested in it, was to destroy the most valuable right of the tenant, namely, the right to fix a fair rent. I think Mr. Commissioner Fitzgerald accurately expressed the nature of the transaction when he said--" The occupation of the estate is not changed, but merely a mode of management is directed by the Court, through its oificer, as a common agent for all parties. Appeal allowed. Solicitor for the tenant (appellant): William H. Dunne. Solicitors for the landlord (respondent): J 6 J Galloway. Weekly tenants occupying premises in the municipal borough of Dublin...

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