

Dissertation shewing that the House of Lords in cases of judicature are bound by precisely the same rules of evidence, as are observed by all other courts; with an appendix ... By Edward Christian, ...

printed by J. Archdeacon; and sold by Messrs. Merrill, Lunn, and Nicholson, Cambridge; and J. Deighton, J. Stockdale, and R. Blamire, London - Dalton v Henry Angus & Co



Description: -

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Eighteenth century -- reel 1212, no. 05. dissertation shewing that the House of Lords in cases of judicature are bound by precisely the same rules of evidence, as are observed by all other courts; with an appendix ... By Edward Christian, ...

Notes: Microfilm. Woodbridge, CT Research Publications, Inc., 1985. 1 reel ; 35mm (The Eighteenth Century ; reel 1212, no. 05). This edition was published in 1792



Filesize: 69.91 MB

Tags: #House #of #Lords

House of Lords

I should have been disposed to give expenses to neither party.

Judicial functions of the House of Lords

Such rights when they arise spring, not from acts originally actionable or unlawful on the part of the dominant owner, but from acts done on his own land and within his own rights; they confer on the dominant owner not the right to use the subject, but a right to forbearance on the part of the owner from using the subject, i.

A Dissertation Shewing That the House of Lords, in Cases of Judicature, Are Bound by the Same Rules of Evidence That Are Observed by All Other Courts

When the Commons demand judgment, the Lords may proceed to pronounce the sentence against the accused. Cases 39, 1 Adam, 564 ; MacArthur v.

Dalton v Henry Angus & Co

Scott 3 ; Hide v. On the whole case I am of opinion that the Sheriff-substitute has acted incompetently, and that we must, on the ground of incompetency, set aside his decree dismissing the forthcoming, and remit the case back to him for further procedure.

On the 27th of November, the Lords Committees for Petitions are ordered to consider all former Petitions, and those which shall be exhibited, except the Petitions concerning Sir John Bennet.

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Your Lordships have now to say whether this view of the authorities is a correct one; and, with some reluctance, I feel constrained to say that in my opinion it is so. And inasmuch as it was clearly proved that, though there had been more ancient buildings on the spot, they were removed, and buildings of a different structure and requiring a different degree of support were erected in their place only twenty-seven years before the excavations complained of, it seems to me clear that the buildings are not ancient buildings in the sense that they or similar buildings, for which in the course of repair they were substituted, had stood there from time beyond memory. Or there may be conduct or inaction on the part of an adjoining owner which will in equity preclude him from denying that a right in the nature of an easement has been acquired against himself.

House of Lords

He, therefore, thought the House was bound before parting with the Bill, to enter its emphatic protest against the claim set up by the House of Lords. And they state more openly than I should have expected in a book published in Paris in 1804, that in their opinion it was not an improvement.

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