

**PRACTICAL REMARKS, AND
PRECEDENTS OF PROCEEDINGS IN
PARLIAMENT; COMPRISING THE
STANDING ORDERS OF BOTH HOUSES,
TO THE END OF THE YEAR 1801**

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Practical remarks, and precedents of proceedings in Parliament; comprising the standing orders of both Houses, to the end of the year 1801 by Charles Thomas Ellis

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CHARLES THOMAS ELLIS

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PRACTICAL REMARKS,
AND
PRECEDENTS OF PROCEEDINGS
IN
PARLIAMENT;
COMPRISING THE
STANDING ORDERS OF BOTH HOUSES,
TO THE END OF THE YEAR 1801;
RELATIVE TO THE
APPLYING FOR, AND PASSING, BILLS

FOR

Inclosing or Draining Lands; making Turnpike Roads, Navigations, Aqueducts; building Bridges; for the more easy recovery of Small Debts; Paving, &c. Towns; confirming or prolonging the term of Letters Patent; obtaining Divorces; and Bills called Estate Bills; with an Introductory Chapter, containing Practical Directions for soliciting Private Bills in general; and with occasional references to Acts of Parliament, adjudged Cases, &c.

BY CHARLES THOMAS ELLIS,
OF THE INNER TEMPLE.

LEX ET CONSUETUDO PARLIAMENTI, AB OMNIBUS FAT QUÆREBBA,
A MULTE IGNORATA, A PAUCIS COGNITA.

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PREFACE.

THE great spirit which in the present age prevails for agricultural improvements ; for ornamenting cities and towns ; the growing prosperity and increasing wealth and population of this country ; its extended commerce and flourishing manufactures ; are circumstances (among others) which have rendered applications to Parliament for *Private Bills*, so frequently necessary, that it is rather singular, the practical forms and method of proceedings to be observed in order to obtain private Acts of Parliament, have not been collected and published for the use of the Gentlemen of the Law ; and more particularly so, as the practical proceedings of almost all the Courts of Law and Equity, have for a series of years constantly occupied the atten-

tions and engaged the pens of various Gentlemen, whose united and successive labours have met with an uniformly favourable reception from the Profession. What has occasioned this deficiency, it is not the intention or object of the Compiler to investigate; but he is induced to hope that his endeavours to supply it, will not be considered altogether as an useless attempt.

For the better regulating, and for the sake of uniformity in, the proceedings upon Private Bills, each House of Parliament has made certain Standing Orders, which are expected to be strictly adhered to on all occasions, unless a good and sufficient reason can be given why the observance of them should be dispensed with. The wisdom and justice of Parliament, in adopting these rules, and in requiring this strict adherence, will be readily admitted, when it is considered what serious inconveniences were felt by individuals, before public notices

tices were required to be given in the country, of intended applications to Parliament for Bills to inclose and drain lands, and to make canals, &c. At that time of day it too often happened, that persons residing at a distance from their estates, were put to great expence for an inclosure, or had their lands cut through by a canal, almost without any notice at all, or at least with too little to afford them an opportunity of considering the proposition maturely, and of laying their observations upon such Bills before Parliament with effect : But now, a previous notice being required to be given, persons interested, may at their leisure examine into the propriety of, and the advantages to be derived from such Bills, and prepare themselves to offer objections or amendments, as occasions may require^a.

^a See the Report made on the 15th November 1775, from the Committee appointed to take into consideration the Standing Orders of the House of Commons relating to Private Bills, 35 vol. Com. Journ. 443.

It is the design of the Compiler to collect these Standing Orders, and to point out the forms to be observed previous to the introduction of, and during the pendency of, certain Private Bills in either House, in order to obtain a private Act of Parliament.

The plan adopted in the execution of this design, is to divide the whole into Chapters, one of which is assigned to each Bill; and every Chapter, where it is necessary, is subdivided into distinct heads; and the Standing Orders of either House, that have been made from time to time, to the close of the year 1801, are methodically placed in that Chapter, under the different heads to which they are immediately applicable; and a collection of Precedents in general use, are systematically arranged in an Appendix. In collecting and arranging his subject matter, utility has been the principal aim of the Compiler,

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knowing that by attending to that point, he should best answer the purposes of Professional Gentlemen, for whose use the Work is chiefly designed. With this view, he has occasionally referred to Acts of Parliament, cases decided in the Courts of Law, on questions that have arisen out of Private Bills, and to books from which further information on each particular subject may be obtained. Besides the Standing Orders peculiar to particular Private Bills (to each of which a particular Chapter is assigned), there are General Standing Orders affecting all Private Bills, as well those that have peculiar orders, as those that have not. To avoid the frequent repetition of the same matter, these General Standing Orders are enumerated in an Introductory Chapter, to which the Reader is requested to refer, on perusing the subsequent Chapters. The enumeration of these General Orders will be attended with practical remarks, by the help of which, the knowledge of
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