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978-0-521-86907-2 - Legal Foundations of Tribunals in Nineteenth-Century
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LEGAL FOUNDATIONS OF TRIBUNALS IN
NINETEENTH-CENTURY ENGLAND

Nineteenth-century governments faced considerable challenges from the rapid, novel and profound changes in social and economic conditions resulting from the industrial revolution. In the context of an increasingly sophisticated and complex government, from the 1830s the specialist and largely lay statutory tribunal was conceived and adopted as the principal method of both implementing the new regulatory legislation and resolving disputes, between the state and the subject, or between subject and subject. The tribunal's legal nature and procedures, and its place in the machinery of justice, were debated and refined throughout the Victorian period. In examining this process, this book explains the interaction between legal constraints, social and economic demand and political expediency which gave rise to this form of dispute-resolution. It reveals the imagination and creativity of legislators who drew on diverse legal institutions and values to create the new tribunals, and shows how the modern difficulties of legal classification and analysis were largely the result of the institution's nineteenth-century development.

CHANTAL STEBBINGS is Professor of Law and Legal History at the University of Exeter. Her research is in the commercial legal history of the nineteenth century, with special reference to the law of taxation, trusts and commercial property. She has written extensively in this field, including *The Private Trustee in Victorian England* (Cambridge University Press, 2002).

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CAMBRIDGE UNIVERSITY PRESS
Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo

Cambridge University Press
The Edinburgh Building, Cambridge CB2 2RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org
Information on this title: www.cambridge.org/9780521869072

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First published 2006

Printed in the United Kingdom at the University Press, Cambridge

A catalogue record for this publication is available from the British Library

ISBN-13 978-0-521-86907-2 hardback
ISBN-10 0-521-86907-2 hardback

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ACKNOWLEDGEMENTS

This project was made possible by the generous funding of the British Academy, whose support, both financial and otherwise, I gratefully acknowledge. I would like to thank Dr Ken Emond of the British Academy for his patient efficiency, Mr Roger Brien of the Devon and Exeter Institution for providing the perfect working environment, and a great many friends and colleagues in many universities in legal history and in tax law who have patiently discussed aspects of this work with me. Their interest and advice have been invaluable. Any remaining errors are, of course, my own. My special thanks to my husband Howard who, while far from his own field of cell biology, has read every draft of every chapter with unfailing patience, care, humour and wise counsel.

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ABBREVIATIONS

LAW REPORTS

Source: Donald Raistrick, *Index to Legal Citations and Abbreviations*, 2nd edition (London: Bowker-Saur, 1993). The relevant volume of the *English Reports* (ER) is also indicated.

A & E	<i>Adolphus and Ellis' Reports</i> (110–13 ER) 1834–40
AC	<i>Law Reports Appeal Cases</i> 1891–
All ER	<i>All England Law Reports</i> 1936–
B & Ad	<i>Barnewall and Adolphus' King's Bench Reports</i> (109–10 ER) 1830–4
B & C	<i>Barnewall and Cresswell's King's Bench Reports</i> (107–9 ER) 1822–30
Bing	<i>Bingham's Common Pleas Reports</i> (130–1 ER) 1822–34
Black W	<i>Sir William Blackstone's King's Bench Reports</i> (96 ER) 1746–80
Burr	<i>Burrow's King's Bench Reports</i> (97–8 ER) 1757–71
Cald	<i>Caldecott's Magistrates and Settlement Cases</i> , 1776–85
Camp	<i>Campbell's Nisi Prius Reports</i> (170–1 ER) 1808–16
Carth	<i>Carthew's King's Bench Reports</i> (90 ER) 1686–1701
CB	<i>Common Bench Reports</i> (135–9 ER) 1845–56

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CB NS	<i>Common Bench Reports, New Series</i> (140–4 ER) 1856–65
Ch D	<i>Law Reports, Chancery Division</i> 1876–90
Co Rep	<i>Coke's King's Bench Reports</i> (76–7 ER) 1572–1616
Comyns	<i>Comyns' King's Bench Reports</i> (92 ER) 1695–1741
CPD	<i>Law Reports, Common Pleas Division</i> 1875–80
Dowl & L	<i>Dowling and Lowndes' Bail Court Reports</i> (67–82 Revised Reports) 1843–9
Ex	<i>Exchequer Reports</i> (154–6 ER) 1847–56
HLC	<i>House of Lords Cases</i> (9–11 ER) 1847–66
Holt KB	<i>Holt's King's Bench Reports</i> (90 ER) 1688–1711
KB	<i>Law Reports, King's Bench</i> 1901–52
Keny	<i>Kenyon's Notes of King's Bench Cases</i> (96 ER) 1753–9
Ld Raym	<i>Lord Raymond's King's Bench Reports</i> (91–2 ER) 1694–1732
LJ NS CP	<i>Law Journal Reports, New Series, Common Pleas</i> 1832–1949
LR App Cas	<i>Law Reports, Appeal Cases</i> , 1875–90
LR CCR	<i>Law Reports, Crown Cases Reserved</i> 1865–75
LR CP	<i>Law Reports, Common Pleas</i> 1865–75
LR Ex	<i>Law Reports, Exchequer</i> 1865–75
LR HL	<i>Law Reports, English and Irish Appeals</i> 1866–75
LR PC	<i>Law Reports, Privy Council</i> 1865–75
LR QB	<i>Law Reports, Queen's Bench</i> 1865–75, 1891–
LT	<i>Law Times Reports</i> 1859–1947
M & W	<i>Meeson and Welsby's Exchequer Reports</i> (150–3 ER) 1836–47

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Man & G	<i>Manning and Granger's Common Pleas Reports</i> (133–5 ER) 1840–4
March NR	<i>March's New Cases, King's Bench</i> (82 ER) 1639–42
Mer	<i>Merivale's Chancery Reports</i> (35–6 ER) 1815–17
Mod	<i>Modern Reports</i> (86–8 ER) 1669–1755
QB	<i>Queen's Bench Reports</i> (113–18 ER) 1841–52
QBD	<i>Law Reports Queen's Bench Division</i> 1875–90
Salk	<i>Salkeld's King's Bench Reports</i> (91 ER) 1689–1712
Sayer	<i>Sayer's King's Bench Reports</i> (96 ER) 1751–6
Sid	<i>Siderfin's King's Bench Reports</i> (82 ER) 1657–70
Str	<i>Strange's King's Bench Reports</i> (93 ER) 1716–49
TC	<i>Reports of Tax Cases</i> 1875–
TR	<i>Durnford and East's Term Reports</i> (99–101 ER) 1785–1800
Vern	<i>Vernon's Chancery Reports</i> (23 ER) 1680–1719
Wms Saund	<i>Williams' Notes to Saunders' Reports</i> (85 ER) 1666–73
Y & C Ex	<i>Younge and Collyer's Exchequer Reports</i> (160 ER) 1834–42

OTHER ABBREVIATIONS

DRO	Devon Record Office
<i>HCPP</i>	House of Commons Parliamentary Papers
<i>Parl. Deb.</i>	Parliamentary Debates
TNA:PRO	The National Archives: Public Record Office
<i>Report/Minutes, Copyholds Enfranchisement, 1837–8</i>	'Report from, and Minutes of Evidence before, the Select Committee on Copyholds Enfranchisement', <i>HCPP</i> (1837–8) (707) xxiii 189

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Report/Minutes, Commons' Inclosure, 1844

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Minutes, Railways, 1844

'Minutes of Evidence before the Select Committee on Railways', *HCPP* (1844) (318) xi 17

Report/Minutes, Copyholds Bill, 1851

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Minutes, Income and Property Tax, 1852

'Minutes of Evidence taken before the Select Committee on the Income and Property Tax', *HCPP* (1852) (354) ix 1

Report/Minutes, Railway Amalgamation, 1872

'Report from, and Minutes of Evidence before, the Joint Select Committee of the House of Lords and the House of Commons on Railway Companies Amalgamation', *HCPP* (1872) (364) xiii 1

Minutes, Railways, 1881

'Minutes of Evidence before the Select Committee on Railways', *HCPP* (1881) (374) xiii 1

Minutes, Railways (Rates and Fares), 1882

'Minutes of Evidence before the Select Committee on Railways (Rates and Fares)', *HCPP* (1882) (317) xiii 89

Minutes, Income Tax, 1919

'Minutes of Evidence taken before the Royal Commission on the Income Tax', *HCPP* (1919) (288) xxiii (Parts 1 and 2)