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"The Dillon System of Registration of Deeds."

OBSERVATIONS

ON

THE RECENTLY ISSUED

Parliamentary Paper No. 425,

(Ordered by House of Commons to be printed, 11th August, 1876,)

RELATIVE TO THE

"DILLON" INVENTION FOR SIMPLIFYING THE SYSTEM
OF REGISTRY OF DEEDS IN IRELAND.

A PAPER

READ BEFORE THE MEMBERS OF

THE IRISH CIVIL SERVICE LITERARY SOCIETY, DUBLIN,

12th January, 1877,

(CHARLES G. BURKE, Esq., Master, Court of Common Pleas, in the Chair),

BY

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(DISTRICT REGISTRAR OF PROBATE COURT AT ARMAGH.)

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The following paper is published at the special request of the large meeting before which it was read. The object for which it was prepared necessitated many points being treated somewhat briefly, and others being rather indicated than dealt with.

G. H. S.

13th January, 1877.

Observations, &c.

I FEEL assured that no apology on my part is needed for asking your special attention this evening to the somewhat "departmental" subject which I have selected for consideration in this paper. There are movements which, though directly only affecting one particular branch of the community, well deserve the attentive study of those outside the bounds of that special circle; and there are times when it becomes the imperative duty of others than those immediately and presently affected to examine well the bearings of a scheme, which, in its further development may, at an early date, influence more distant sections of society as well. In the subject matter of this Parliamentary paper I believe we are brought face to face with such a movement; and I trust to be able, ere I conclude, to satisfy you that in connexion with that subject we, at all events, as members of the great body of the Civil Servants of the Crown, have arrived at such a period of time. We are forgetful of the principles which professedly bind us together, in this Society especially, if we disregard questions arising from time to time simply because they are apparently only "departmental;" and we withhold from our brother officers in the section of the public service directly affected by such questions, the sympathy and moral support which they are entitled to receive from us, if we cannot extend the area of our intelligent consideration of passing topics beyond the four walls of our own individual department.

Independent of considerations such as these, peculiar to ourselves here, there are grave public reasons why attention should be at once directed to the subject dealt with in this Parliamentary paper. It relates to the conduct of business of a class in which the great bulk of the people of the country are vitally interested, and it suggests alterations in the mode of conducting that business which, if adopted at all, can only be adopted by a complete revolutionizing of an old established, well organized system; and in that conservative

spirit which actuates the adherents of all parties amongst us, we, as members of the public, may surely have the privilege of asking if the change be needed.

This paper then is a Return, issued only within the last few days, under an order of the House of Commons made so long ago as 21st July, 1876, for "Copies of Reports of the Committee appointed "to enquire into an invention by Mr. Dillon for simplifying the "system of Registry of Deeds, Ireland," and "of Reports of the "Registry of Deeds, Ireland upon the same subject."

The briefest glance over this document enables us to see four facts clearly established; (1) that there is an existing system for registering Deeds in Ireland; (2) that Mr. Dillon has invented that which he regards as means of simplifying that existing system; (3) that a Committee was appointed by Government to enquire into the details of such invention; and (4) that such Committee and the officials of the office itself have, as a consequence of such enquiry, made special Reports, which are now in print before the public.

Of the Registry of Deeds Office it may be well and truly said that, more perhaps than any other single department in Ireland, it has been the object of vigorous, oft repeated, and occasionally not ever scrupulous attacks. Established by an Act passed so long ago as the reign of Queen Anne (6 Anne, cap. 2), for the purpose of securing, by registration of deeds affecting lands in Ireland, the rights of purchasers and incumbrancers, and of preventing frauds respecting conveyances of property, it commenced its labours in the year 1708; and since that time its operations, almost to their most minute details, have been trenched upon, modified, rearranged and disarranged under the influence of no less than fifteen statutes, some prepared by men acquainted with the subject which they affected to deal with, and therefore beneficial, and others, drawn by the would-be legal legislators ever to be found in a British Parliament, which have either proved not injurious because not acted on, or which have to a greater or less extent produced results somewhat fatal to not a few of the leading purposes for which the office was originally established.

Notwithstanding these legislative interferences, the office has, on the whole, throughout its existence of nearly 170 years, efficiently carried on its important operations, and under its successive heads

has endeavoured to mould each new scheme, forced upon it by Parliamentary action, into a shape which would enable the great purposes of the establishment to be fairly and satisfactorily accomplished.

However attacks such as these may from time to time be regretted, we cannot well complain of them. Constituted as our mode of government is, they seem to be inevitable, and perhaps in the long run, it may be as well for public departments that it should be so. But independent of these, the Registry of Deeds Office has been, even within our own days, called upon to endure attacks from quarters other than Parliamentary in their character; and many of such attacks have been made with the avowed purpose not of remedying defects or simplifying procedure, but of *destroying altogether* the creature of 170 years growth, in order to erect in its place another, and an untried theoretical system. *This* was practically the character of the attack made upon this department during the years 1863-64 when such violent efforts were put forth against it by Mr. Torrens and his friends; it is avowedly the fundamental feature of the attack made against it but a few weeks since in a paper read at the Dublin Society House by Dr. Hancock (subject:—"The Extension of the English Land Transfer Act of 1875 to Ireland": date December, 1876) in which the complete annihilation of this office is coolly advocated as a preliminary to placing the authority for dealing with Registration with the Landed Estates Court, whose officials are already tired nursing that abortion called "The Record of Titles Act"; and *under cover of* an enquiry into the merits of the "Dillon" invention, it is *the* class of attack made by the Reports of the Committee as printed in this most extraordinary Parliamentary paper.

Of Mr. Dillon himself I desire to speak in terms of the most sincere respect. I have known him as an obliging official and as a brother Civil Servant for many years; and no one is prepared to give him more credit than I do for the zeal, energy, and ability which he has displayed in maturing the details of a scheme which, according to his view, will tend, if adopted, to simplify the system of this large office. Nor can anyone blame the Government for having instructed a Committee, specially named for the purpose, to investigate the proposed scheme; for such a course was due alike to the inventor and to the office, besides being a prudent step, in view of expenditure which might be involved in the acceptance of

the plan. It would, however, be satisfactory to know that the efforts of any other official to simplify and improve the detailed procedure of his particular department were, in the future, likely to meet with even half the favour and encouragement so lavishly extended in this instance by the Treasury authorities to Mr. Dillon; or that the heads of Departments who in these Reports have spoken so favourably of this invention, had in the past ever displayed the slightest desire to encourage their own subordinate officers in any scheme for the improved working of their own offices.

This is not the place to enter into the minute details of the Dillon invention, though for the object I have in view it will be necessary, in general terms, to indicate its main features; and as of necessity the contrast is to be drawn and the comparison made between the existing system on the one hand and the proposed one on the other, I must, however briefly, allude to such main features in both.

Divested of all mere departmental technicalities, it can be readily understood that the usefulness of such an office as a Registry of Deeds depends practically upon its records being properly kept in an order of easy access, and capable of being readily and with precision referred to as the result of consulting proper and accurate Index books. If the practical utility of an historic or other work is considerably enhanced by its being accompanied by a well drawn and accurate Index, everyone can see how important a part the Index books of a Record Office must play in the carrying on of its daily work. Now the Index books of a department like this must of necessity be of a twofold character:—they must (1) afford information as to the “names” of all *persons* whose acts, in the shape of deeds, are of record; and (2) they must also afford information as to the particular *lands* which are the subject of these acts. Of course the first class of Index may be regarded as common to all departments in which records of any kind are kept; while the latter class is peculiar to offices which deal with records specially affecting lands, and of such offices the Registry of Deeds itself is at once the largest and most important.

The special purpose for which the Registry of Deeds Office exists involves the necessity of an accurate record being kept not only of deeds brought in to be registered, but of the precise moment when that registration is effected; and the exigencies of the office and of the

public, for all reference purposes afterwards, involves the grouping of those daily entries under separate headings and letterings, so as in time to constitute Index books in something of an alphabetical or dictionary shape. Such books, thus formed, are required alike for "names" and for "lands," and therefore there have existed in the office, since its foundation up to the present, those two classes of Index books. Their special form, and the period of time embraced in each volume, have been from time to time varied by or under the authority of Acts of Parliament; but all have been and are still kept in *manuscript*, and are compiled with great care and marvellous accuracy by officials skilled in such peculiar and technical work. Now from the special Report of the Registrar given in this return I extract the following paragraph, stating in general terms the existing system of procedure in the compilation of these Index books :—

The Office Indexes are expeditiously constructed in books by the simple use of the pen, and are carefully checked and compared, without either difficulty or confusion. The Index of Names and the Index of Lands are both dictionaries of reference to the Abstract Book, which is common to both these Indexes, and is a carefully and skilfully prepared epitome of the principal particulars of the Memorial. The 'year, book, and number' in either Index refer at once and readily to the particular abstract required . . . Should further information be wanted than the Abstract book discloses, the same references—*i. e.*, 'year, book, and number'—refer to the original memorial or its transcript, which can be consulted at great ease. [Mr. Dwyer's Report, p. 35 of Return.]

And I take a shortened account of the precise *modus operandi* from an earlier portion of the same document :—

A memorial is presented with the deed. It is a duly executed document, verified by the oath of one witness, and is an abstract of the deed, more or less full, which when received is first compared by officers in the department, and if found conformable in certain statutable requirements with the deed, is received, and delivered forthwith to the officer who makes out the 'day book', which is written up as the deeds come in, and the 'Names' Index is at once posted from it (p. 25). Our Index of *Names* is now kept up to *within a day* (p. 30). The 'Lands' Index cannot be entered up so promptly, because many abstracts contain large numbers of lands, which have to be entered on several baronies and counties; nor has this been found necessary. Provision is accordingly made by law for the delay. A duplicate of the "day book" is kept, to enable searches to be carried up by the public to *the latest moment*. There are two kinds of Names Indexes now kept; one sectional, embracing a

period of five years, and arranged alphabetically, so far as two first letters of the surname are concerned; and this is the most safe for public use, for its simplicity, but is necessarily more slow than the other, which is *decennial*, and in strict dictionary order of the surnames, and is of rapid reference; and this is, with the sectional index, posted *hourly* (p. 30).

We have thus seen the system at present existing in this office, and I feel bound to say that its accuracy or efficiency has not been in the slightest degree overcolored by the Registrar in the statement just quoted. With this system Mr. Dillon proposes directly to deal, and, so far as he is concerned, specifically in order "to simplify the mode of recording and indexing the work in the office". But his plan would in reality effect a complete revolution in not only the mode of preparing the Index books, and in their character when prepared, but also in the *very materials* from which such books would in future be compiled.

Mr. Dillon's first proposal is to abolish Memorials altogether, and substitute in their place Abstracts of the deeds to be registered, drawn up according to a specified form; and this proposal receives the unqualified approval of the Committee (Recommendation 6, p. 21). Now this Memorial has been the unvarying feature of the Irish Registry system since its establishment in 1708; and the ground upon which both inventor and Committee now desire to throw it overboard is, that in consequence of such documents being carelessly prepared by incompetent clerks or practitioners, they are in the main practically valueless. But, as has been clearly pointed out by Mr. Dwyer, the change from "Memorial" to "Abstract" will not get rid of this careless work of ignorant practitioners, because under the new scheme the same class of individuals is entrusted with the duty of preparing the "Abstracts;" and thus is enunciated the rather novel principle, that because practitioners at present lodge Memorials carelessly drawn—which are in their very essence simple documents—they will in future be asked to lodge special technically prepared condensed abstracts of deeds, which is a class of work only capable of being performed by trained and experienced hands! The very proposition carries its own condemnation on its face. But let us for a moment assume that this is no blot on the proposed system. How are its operations to be carried on? In answer to this enquiry, let us take the Inventor and Committee's own account, which they say

“concisely” describes “the mode of registering by Mr. Dillon’s Index” (p. 11):—

1st step.—To photograph the abstracts when handed into the office, if sufficiently long to require it.

2nd step.—The duplicate of the abstract, which it is proposed to substitute for the old Memorial, or its photograph, is given to compositors to set up in type.

3rd step.—Ordinary *papier maché* moulds are taken, which are required for stereotyping, and which when used can be stored as matrixes for future reproduction, if necessary.

4th step.—The stereotypes having been taken in blocks, containing all the abstracts of the deeds registered during that day, are then cut by a circular saw into separate portions, each containing one abstract.

5th step.—Each of these separate blocks above mentioned is then placed in a powerful press, and the type having been treated with ink, a deeply indented impression is forced into the brass, leaving a perfect print on its white surface, each abstract being stamped on the roll, in its proper place, in dictionary order.

When it becomes necessary to interpolate, the brass band can be cut and portions introduced.

It is difficult to imagine how any one, even slightly acquainted with the work of the Deeds Office, could for one moment regard this proposed scheme—thus to be worked out by photographer, compositor, printer, circular saw manipulator, interpolator, and stitcher, to say nothing of machine-men and comparers—as possessing one single element entitling it to the character of “simplicity,” either as viewed by itself, or in contrast with the existing system. We may well credit Mr. Dillon himself with entertaining such a belief as regards his own pet project, for if he did not, he would not be entitled even to the courtesy of having his scheme considered. But outside of the charmed circle of the inventor himself and the members of the Committee who have reported on his production, I venture to assert that no ten men, qualified by knowledge of the work of the Registry Office, or by experience of any ordinary departmental details of work elsewhere to give an opinion, will agree in the judgment which the Report passes upon this diverse charactered scheme. I believe the general voice of the officials themselves is against it, and certainly in the separate Report of the Registrar printed in the Return most abundant and cogent grounds are adduced to enable anyone of even ordinary intelligence at once to condemn the project as impracticable in such

an office. Nor can the opinions thus expressed by the well qualified officers of the establishment be put aside by statesmen or the public on the ground that they have an interest in maintaining the existing system unchanged, because as regards this class of officials, whether the Dillon scheme is or is not adopted, no change would occur in their position; and there is no reason whatever to attribute to the Registrar or his qualified subordinate officials, any tinge of insincerity in this statement appearing in the Report of the former: "I would welcome any plan really better than the present that could be found to perform the work of the Registry Office" (p. 28); as there is no reason to disbelieve the perfect accuracy of the opinion then expressed; "but I do not consider the one now under consideration" (*i.e.*, the "Dillon" plan) to be such. Indeed, though many schemes have from time to time been suggested, all of them have been abandoned." And why, we may well ask? "Because conceived by persons ignorant of the practical details, the legal bearings, and the rigid precision with which every operation of a Land Registry must be carried out."

But suppose we for one moment test the working of the two systems now under consideration by an illustrative case of the simplest character.

A conveyance executed by the Landed Estates Court to John Thompson, of four townlands, two in one Barony, and two in another of the same County, is executed and brought to be registered. The deed and memorial having been checked by officials, the day book entry is made under existing system by one line, or at most two, of an entry, in manuscript, in a parchment volume already ruled for the purpose. The memorial then passes to the officer whose duty it is to prepare the abstract, and a very brief entry in that class of book is the result of his operation, and the transcription of the memorial then takes place, while from the Abstract book the necessary entries are made under the letters "La" of the "Names" Index, and under the proper initial letter of the lands conveyed in the Barony sections of the County volume in the "Lands" Index, and the entire matter is complete. But under the Dillon scheme, the "Abstract"—which is to take the place of the memorial—would be first handed as it was lodged, on the certificate of the practitioner, and without comparison or checking by officials at all, to a printer, who would proceed to

set its matter up in type. A proof would, of course, be struck off, and of necessity checked with the manuscript of the abstract, and when made correct a stereotype plate would then be prepared from a mould of ordinary *papier maché*, and the plate or block having been made of sufficient size to contain all of one day's abstracts, is then cut by the circular saw into separate portions, each containing one abstract, and then each such portion is placed in a printing press, where an impression is struck off from the stereotyped letters on the already prepared brass band in dictionary order.

Now, confining our attention to one day's operations of registration alone, what does this involve? Avowedly the abolition of a "Memorial," and substitution of an "Abstract"; the abolition of the present comparison of memorial with deed, and the acceptance, *without official comparison*, of the technical document styled the "Abstract," prepared by a practitioner; the absolute certainty of *all the defects or inaccuracies* of that document (which, to say the least, are just as likely to exist in it as they are said to exist in the present Memorial) being *stereotyped for all time* in some place in the office, beyond the power of correction so far as any original errors in the Abstract may themselves be concerned; the abolition of the Day Book altogether; and, even assuming that it was possible to set up most of the Abstracts received during a day before that day terminated, which I believe to be impracticable, the entire of the next day would be occupied in the manipulation of the stereotype plates, and another day in the printing of each block in its proper dictionary order on what the Report calls "the Roll," but on what, in the case I have instanced, would be practically three different Rolls,—one for the "Names" Index, and two separate ones, at least, for "Lands" Index; and upon what in every case must of necessity be two, and might be twenty, different Index rolls. Now, for each different Index roll, either by stereotype plate process, or by hand printing, or otherwise, provision must be made for indicating the word (either "name" or "land,") which is to guide the place of the entry in dictionary order; and it is thus clear that the Committee have not detailed all the operations required for the Dillon scheme of work. But how, it may be asked, is perfect accuracy in all these manifold operations to be secured? Is the whole work of the establishment to be entrusted to *employeés* of Mr. Thom, or to

parties employed on the premises, or is a staff of officials to be maintained to check their work? If the latter is the proposal, then, on the ground of expense, the boasted economical elements of Mr. Dillon's plan are scattered to the winds, even supposing for a moment that that plan was in its working simple, rapid, and accurate.

One fact is perhaps worth a hundred arguments, and let me instance that fact from the operations of a Department, one of the heads of which was a member of this Committee. Under the Probate Act, abstracts—or as they are in that Act technically called “Calendars”—of all grants issued from the Court each year are prepared by officials, and at the close of the year thrown into absolute dictionary order, and thus sent to be printed in a volume. The volume is printed at Mr. Thom's, of course at his own establishment, with its vast appliances and large staff; and yet, though all the manuscript be furnished in arranged dictionary order, the issue by him of the volume—containing not as many as 4,000 entries of a brief character—occupies at least four, and very frequently seven months. So much for the rapidity of printing operations, even in an admirably organized establishment.

But when we remember that the bands of brass printed in one continuous slip for the entries of one day's abstracts, are liable each subsequent day to be cut asunder, in order to allow of the interpolation, in its proper dictionary position, of another abstract received after; and that this process of cutting and reuniting must largely increase the risk of the proper dictionary order of the contents of the roll being displaced, while it points to the absolute certainty of imperfect joinings and consequent displacement of words—as occurred on the specimen submitted to the trial searching operations (Report, p. 7)—it is quite obvious, that uncertainty and inaccuracy would, ere a week had passed over, be the essential characteristics of an Index, which, under present arrangements, is readily, speedily, and accurately compiled by officials whose work not only costs the public nothing, but who are, in truth, helping to place a large annual surplus in the hands of the Chancellor of the Exchequer. It is equally plain that all searching operations, whether by officials or the public, would be most materially interfered with by this constant necessity of unshipping the rollers and interpolating new entries, and that a search made now daily for all acts, *up to the moment of searching*, could not be made *at all* on *any* part of the “Dillon” scheme.

But assume the search to be made and an act found under the new plan; what is the information obtained? The bald "abstract" returned by the practitioner, and printed on the brass rollers, which affords no information, even of the sometimes unsatisfactory character conveyed by the worst prepared Memorials. And here let me remind you, as Mr. Dwyer has done in his able Report, that the abolition of the Memorial at once abolishes a document which, besides being a document required for registration purposes, is also a document very often needed and resorted to by Courts of Justice as secondary evidence of the contents of a deed which is itself not available. As a matter of course that evidence may be subject to all the infirmities which, to a greater or less extent, must ever characterize evidence of that class; but of what kind of secondary evidence one would like to know would the Dillon "abstracts" be, or how are they to be produced when needed?

Each Index roll, to be workable at all, should have but a certain limited length of brass material upon it; and even with that quantity, the natural tendency of a material such as that being rolled continuously backward and forward, would be to dull, if not obliterate, the indentations of the print in the under surface of the brass band, and thus render it utterly useless for the purpose suggested, namely, as type from which to print off copies of any abstract which the public might bespeak.

The idea of talking of large enclosed iron frames, containing Index rolls enclosed, to be examined under a plate-glass opening at the top in the "dim religious light" of the Registry of Deeds department, being as easy of reference and as convenient as the present handy and conveniently sectionized Index volumes, is so ridiculous, that it is to be wondered any one of the gentlemen whose names are appended to this Report has ventured to hazard the statement.

In view of what has been already suggested, one need not be surprised to find that, with all their desire to introduce the new plan, the Committee practically surrender its claims to attention on the ground of economy. Their test searches on it incontestably prove that rapidity means *inaccuracy* (p. 7); and Mr. Dwyer tells us, what every practical man knows, "that an *inaccurate* search is a *misrepresentation of title*" (p. 33).

But, as I regard this subject, the most reprehensible feature about this Report is the enormous proportion of its matter which is taken up with topics not either directly or indirectly within the scope of the enquiry entrusted to the Committee by the Treasury letter. Its members seem to have availed themselves of these extraneous topics for the purpose of trying to shew up the Registry of Deeds Office in such colours of incompetency, inefficiency, confusion, and arrear, that the adoption of any scheme, even if not the Dillon one, is absolutely needed to redeem it from utter uselessness. With a temerity to be applauded, they cite extracts from Mr. Lane's Report of April, 1861, to prove that the Middlesex Registry, with a smaller staff, does more work more efficiently than the Irish Registry Office. But surely it would have been a straightforward thing for them to have placed side by side with those extracts some choice passages from the Special Report (ordered to be printed 20th August, 1867, and numbered 573), in reference to that same Middlesex Registry, which would have informed the public that the grand features of that establishment were illegal and unauthorized charges, and no small amount of inaccuracy and confusion; and they might also have satisfied themselves, even by a slight enquiry, that as the Irish office treats each Requisition lodged, no matter how many separate searches it may involve, as but *one* search in its statistical returns, while in the Middlesex Registry each sub-section of any one Requisition is counted as a distinct search, the apparent largeness of the business done in the latter is illusory, as evidence, for the only object with which that part of Mr. Lane's Report is cited.

The Committee has made no less than 25 recommendations, many of them on matters long since suggested by amateur reformers, and authoritatively condemned—some (like the adoption of the Ordnance Survey as a basis of Registry) by the Treasury itself, and some (like the Assurance Registration scheme) by Parliament itself—but in only *one* of those recommendations do these gentlemen deal with the only subject entrusted to them for enquiry into; and it is worth while to quote that one in full, for I have never yet come across a suggestion more impotent for any purpose, except as condemnatory of the scheme they have elsewhere so lavishly applauded. Recommendation 3 reads thus: "That the mechanical index invented by Mr. Dillon, *even in its present shape*, is a great improve-

“ment on the existing system of record and index, and that with a
 “view to its introduction into the office, its practice, so soon as the
 “duplicate abstract has been established, should be continued in
 “the office over a sufficient space of time to test its working capa-
 “bilities on all points, side by side and simultaneously with the
 “present system, reports being made to the Treasury as to its
 “results.”

Now the invention has reached its present shape, be it remembered, under the fostering care of the Treasury official in this country, and by the aid of grants liberally bestowed to mature its details, and of official leave generously granted to convenience the inventor; but the Committee admit practically here that notwithstanding all this the thing is but an experiment still, “the working capabilities of which on all points” have not been tested by them. And yet they counsel its adoption; and, to facilitate its easy progress through all further tests, they recklessly demand immediate legislation at once to annihilate the Memorial, the fundamental basis of all registration in the office since 1708! So, spurred on by their printed Report, or influenced by representations not yet made public, the Government, late last Session, announced that a Bill was in preparation to give effect to the recommendations of the Committee!

No wonder that Mr. Dwyer should contemplate with feelings of just alarm the blind adoption by the Government, as a basis of legislation, of the crude opinions of such a Committee, given in twenty-four points out of twenty-five on subjects not entrusted to their care at all, and being on the remaining point essentially valueless and unfounded. We owe him a debt of gratitude for the protest he has here entered against this gross abuse of their position as a Committee appointed for a specific purpose; and it will be well if, as the result, the system of Commissioners making themselves famous by treating of subjects not committed to them for investigation is at once and for ever put an end to. But even grant for a moment that the extraneous topics with which this Committee has dealt are deserving of treatment in the public interests, and should have been entrusted to some one to investigate, can we regard this Committee as constituted of gentlemen qualified for the task? Who are they? Let the graphic, but perfectly accurate, answer of Mr. Dwyer, in his able Report, reply to such an enquiry:—“I have every possible

“respect, collectively and individually, for the members of this
 “Committee”—and so have I—“but it consists mainly of gentlemen
 “from other departments, having *no personal knowledge* in particular
 “*of the organization or business of the Registry of Deeds Office*, and
 “*some of whom, I believe, have never been within its precincts prior to*
 “*the commencement of the present enquiry.*” Untrammelled by any
 acquaintanceship with the special details of an essentially peculiar
 establishment, and not previously very much renowned as gentlemen
 at all intimately acquainted with the working details of even their
 own particular departments, Committees such as this may be safely
 relied on to propose sweeping changes in whatever system of
 procedure may be submitted to their united wisdom; and they will be
 sure to be most emphatic in their recommendations on the very points
 on which thoroughly qualified men would be most cautious and
 doubtful.

In the interests of the public of Ireland, who are vitally interested
 in the maintainance in its integrity of a system which has proved
 practically useful, readily accessible, and critically accurate, let us
 hope that the present or any future Government will pause ere it so
 far risks its reputation for common sense and sound judgment, as to
 make such recommendations of such a Committee the groundwork of
 a measure to paralyze the present Registry system, in order to vitalize,
 even for a limited period, a scheme which may be ingenious, but is not
 practicable for the purposes of such an office. I know something of
 these purposes, and how efficiently and accurately under the present
 system they are carried out. During sixteen years at the profession of
 a Solicitor's managing assistant, entrusted with the making of searches,
 preparation and investigation of abstracts of title, and registration
 of deeds, I had ample opportunities of becoming acquainted with
 the operations of the Office; and on several occasions since then I
 have made the Acts of Parliament regulating the place, and the
 work carried on there under them, my special study. I can lay claim
 to having taken some part, during 1864, in unmasking the true
 features of the scheme then flaunted about by Mr. Torrens and his
 friends, for the practical annihilation of the Deeds Office; and it is
 because I can trace in many of the recommendations of this Report
 much of the old leaven of the Torrens' tactics, that I have made it
 the subject of this paper.

In conclusion, let me suggest to at least three of the members of this Committee, that in connexion with their own special departments the working capabilities of this Dillon invention can at once be tested to the full, under circumstances most favourable to it and its inventor, and without in any way interfering with public or official business transacted there. Are they prepared to give such a proof of their estimate of the practicable character of the invention for Indexing purposes? If they really believe it to be practicable in an office where an Index for Names and for Lands must be kept up, will they not consider it practicable in offices where Names *only* require to be indexed? Such offices are the Landed Estates Court and the Court of Probate; and there are many special reasons why the latter might be selected for the further trials, if such be at all needed, of this elaborate scheme. In the first place, the "abstracts" to be indexed are there already in print, in dictionary order, by year, since 1858, and surplus volumes for each year issued could be handed to the inventor for his use in working any number of those years up on his consolidated Index Roll. In the next place, under the Probate Act, there must be printed, of each Index volume when ready, a sufficient number of copies to enable one perfect copy to be placed in the Dublin office, and in each of the eleven Irish District Registries, and also one in London, and one in Edinburgh. Printing the Index, therefore, for the Probate Office is already an absolute statutable necessity, and at least fourteen copies would be at once needed for official purposes. Will the Registrar of that department, who acted on this Committee, recommend the trial of the Dillon process there? No Act of Parliament is needed for the purpose there. If he is not prepared to go this length, I entertain the opinion—it is for you to judge of its propriety—he ought not to have joined in demanding its forced introduction into the Deeds Office. If, on the other hand, he does make such a recommendation for his own department, I have no hesitation in affirming that even for the simple work of that department of the public service—where only "Names" are to be dealt with, and where the "Abstracts" are all short, and prepared and revised by officials—it will prove a complete failure for all official or public purposes. I had in that department, for some years, charge of the preparation and issue of the Calendar annual volumes, and long entertained the idea that for public as

well as official purposes a quinquennial or decennial Consolidated Index to them was desirable, even though such Consolidated Index should afterwards be printed ; but I was over and over again officially told that such an Index was useless. I have never changed my opinion as to its desirability, and I am fortified in entertaining it by every working official in the department, and by every practitioner searching in it. Now, happily, I have neither a personal nor official interest in the matter, but in my consideration of the Dillon scheme, I have had the requirements of the Probate Department also in my mind ; and, as the result, I not only agree with the Registry of Deeds officials that it is wholly impracticable for their purposes, but I believe that even for the limited and much less complicated and heavy purposes of the Probate Office it is equally impracticable. I have no doubt whatever that if ever tried to be incorporated with the Registry of Deeds system, it will prove to be not only as great an abortion as the Record of Titles Act has been, heralded in as it was with such pæans of triumph some years since, but infinitely more mischievous in its results, as tending to upset an existing system which efficiently and satisfactorily, at small outlay, accomplishes accurately all that such an Establishment or its requirements may demand. The only clogs which mar the working of that existing system have been placed upon it by the legislative wisdom of would-be reformers in the past ; these clogs the advocates of a Dillon scheme demand the removal of contemporaneous with the adoption of his plan. Would it not be more prudent first to try whether such removal would not leave the *existing machinery absolutely perfect* ? Those best qualified to express an opinion believe it would. Let us then, while doing all honor to Mr. Dillon personally, transfer his invention as a work of mechanical skill to the South Kensington Museum to be admired by sight-seers, and assign the Reports of this Committee to some obscure corner of an equally obscure department of our public libraries, that future generations may not be able easily to ascertain how blindly and recklessly six otherwise estimable gentlemen have accepted a project which practical men regard as only useful as a means of making the fortune of its ingenious inventor or of some future Government printer ; and as pre-eminently calculated to throw the entire system of conveyancing and making of titles in Ireland into the most chaotic confusion.

NOTE.

With reference to the matter referred to on p. 14 of foregoing paper, I may also state, that while the Committee cite passages from Mr. Lane's Report of 1861, to shew that the Scotch Registry system is superior to the Irish one, no notice whatever is taken of the Special Report respecting the Scotch Registry presented to Parliament in 1863, which shews that Mr. Lane's conceptions of its business capacities and excellencies are, in many essential particulars, faulty and inaccurate.

It should also be remembered, that while these enquiries into the Dillon Scheme have been going on, and even still, the authorities at the Treasury have *absolutely stopped all promotions, etc.*, in the Irish Registry Office !

That the work of the Irish Office is not falling off is evidenced by the fact, that in 1876 the number of deeds registered was nearly 2,000 in excess of that recorded in 1874 ; and that the work, though so heavy, is speedily and efficiently performed, is proved by the fact, that at the close of the year the Names Index book was completed and checked up to the termination of the day before.

Houses of the Oireachtas