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LAND PURCHASE IN IRELAND. A RETROSPECT AND A FORECAST.

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[Read Friday, 29th November, 1912.]

MORE than a quarter of a century has elapsed since on the 28th of April, 1885, I read a paper from the platform of this Society to which I gave the title "How to open the Irish Land Market." (1) When presenting to you this evening a retrospect of the progress of Land Purchase in Ireland since 1885, it is not necessary to refer to the various causes which led up to the then existing dead-lock in the sale and transfer of Irish land, save to remind you that while the bitter agrarian and political agitation which followed upon the Fair Rent legislation of 1881 had closed the door of the Irish land market to all bidders except the occupying tenants, no adequate means had been afforded to them to become owners of their holdings upon equitable terms.

Prior to 1885, the only legislative attempts to facilitate the conversion of agricultural tenants into occupying owners were the pre-emption sections of the Irish Church Act of 1869, whereby the tenants of Church lands were enabled to acquire the fee-simple of their holdings upon the terms of the payment of at least one-fourth of the purchase money in cash, the balance being secured by an instalment mortgage bearing interest at 4 per cent., and repayable in 32 years by half-yearly instalments.

Under this Act about 6,246 tenants purchased their holdings, the total purchase money being about £2,180,586, of which about £1,121,667, or more than one-half, was paid in cash. Then came the Bright clauses of the Land Act of 1870, under which the Board of Works was enabled to advance to purchasing tenants two-thirds of the price of their holdings repayable by an annuity of 5 per cent. for 35 years. Only 877 tenant-purchasers were created under this Act, the total purchase money being £859,622, of which £514,536, was advanced by the Board.

Lastly the fifth part of the Land Act of 1881 empowered the Land Commission to make advances to tenant-pur-

(1) *Journal*, Vol. viii., p. 606.

chasers to the extent of three-fourths of the price, repayable as under the Act of 1870 by an annuity of 5 per cent. for 35 years. The results were not encouraging, only 731 tenants availed themselves of the provisions of this Act, the advances made being £240,801, or one-fourth of £963,204 the total price.

This then was the position when in April, 1885, I submitted for the consideration of the members of this Society a Draft Bill which provided for the advance of the whole purchase money upon the terms of the retention as a collateral security of one-fifth of the price until 20 annual instalments had been paid. The Bill further provided that the advances should be repayable by a 4 per cent. annuity instead of the 5 per cent. annuity payable under the Act of 1881. The Government of the day then made the first practical attempt to open the market. On the 14th August, 1885, Royal Assent was given to the Purchase of Land Act, 1885, (1) with which the name of Lord Ashbourne, its framer and promoter, will always be rightly coupled.

This Act provided five millions in cash for the promotion of Land Purchase by means of the advance of the whole purchase money, of which one-fifth was to be retained as a guarantee deposit until the purchaser had repaid on account of principal money a sum equal to the guarantee deposit and the advances were made repayable by an annuity at the rate of 4 per cent. for 49 years. Under these conditions the guarantee deposit would be retained for about 18 years.

In 1888, the limit of five millions provided by the Act of 1885 was extended to ten millions, and under these Acts 25,367 tenants became purchasers of their holdings, the total amount advanced being £9,992,536. The admitted success of the experiment under the Ashbourne Acts was the plea and justification for the extended legislation which was embodied in the Purchase of Land Act, 1891. But there was a serious departure from the financial conditions under which the previous advances had been made. Instead of the advances being made in cash the landlords were paid in Guaranteed Land Stock bearing interest at $2\frac{3}{4}$ per cent., the stock being taken as equal in value to its nominal amount.

I shall not trouble you with any explanation of the rather complicated financial provisions of this Act, save to state that the Imperial Treasury was counter-secured against ultimate loss arising from the non-payment of the annuities whereby the advances were repayable, by making the deficiency in any such payments a charge upon the shares of the respective counties in which default might arise in the Guarantee Fund. The ratepayers in each county were thus made the guarantors of the Imperial Treasury.

The advances under this Act were made repayable by an annuity at the rate of 4 per cent., of which £2 15s. was applied in payment of the interest on the stock, £1 as the sinking fund, and 5s. to the Guarantee fund as a county percentage to be applied towards the cost of providing cottages under the Labourers' Acts. This latter application was subsequently varied, and the sinking fund was increased to £1 5s.

Before going into the question as to the results of the financial provisions of this Act as bearing upon Land Purchase, I desire to digress for a moment in order to call your attention to the question of the relief of congestion in the agricultural population in certain counties in Ireland which was brought prominently before the Royal Commission on the Land Law Act, 1881, and the Purchase of Land Act, 1885, presided over by Lord Cowper, which made its report in the year 1887 (1).

In the appendix E. to that report, p. 1012, will be found a summary of the evidence which I gave before that Commission in October, 1886, upon this burning question. I then suggested that the congested estates should be exceptionally treated; that local corporations, acting under a strong central board in Dublin, should be constituted and supplied by the State with adequate funds, and that they should be empowered to purchase estates of this character and also untenanted land, and be endowed with ample powers for the re-division of the lands into holdings of a suitable size, the carrying out of a judicious system of migration, and the development of the resources of these districts, including Fisheries and other local industries.

It was under the second part of this Act of 1891 that practical effect was given to the benevolent recommendations of that Commission by the creation of the Congested Districts Board, which has done such useful work in the past, and to which, as reconstituted under the Act of 1909, greatly extended powers have been given. The success which has up to this attended the operations of this Board in their efforts to ameliorate the condition of the agricultural population in these districts should be a matter of congratulation to us all. Turning back to the financial provisions of the Act of 1891, as I have already said, the Guaranteed Land Stock was issued to vendors at its face value. So long as it was saleable at par in the market, vendors sustained no loss, if the market price of the stock rose the premium obtainable was an inducement to them to sell; if, however, there was a fall, and the stock went below par this impetus to sell disappeared. During the period between August, 1891, the date of the passing of this Act and the 1st November, 1903,

when the Act of 1903 came into operation, there were many fluctuations in the price of Guaranteed Land Stock. It was first quoted on the Dublin Stock Exchange, in July, 1892, at 96½, it gradually rose until in May, 1897, it had reached 114½. In December, 1899, it had fallen to 98½, and in December, 1902, it stood at 92 5/16, and in November, 1903, it had further fallen to 88 3/16. In the year ending 31st March, 1898, being the period at which Guaranteed Land Stock stood at the highest premium, 6,204 applications were received for advances amounting to £1,777,393. In the year ending 31st March, 1903, during which the price had gone down to 88 3/16, the number of applications had fallen to 3,871, and the amount applied for to £1,056,967. These comparative figures speak for themselves, and illustrate some of the objections to making Land Stock a medium of advance. The total amount advanced in Guaranteed Land Stock under the Act, 1891, and the Amendment Act, 1896, was £13,648,614, which included £502,797 advanced to the Congested Districts Board for the purchase of estates, and the total number of tenant-purchasers under these Acts may be taken as 46,834.

I pass now to the Irish Land Act of 1903, (1) by which the greatest impetus was given to the work of the conversion of agricultural tenants into occupiers. Under it advances were made in cash instead of in stock. The annuities whereby these advances are repayable by the tenants are at the rate of £3 5s. instead of £4 per cent. and a bonus at the rate of 12 per cent. on the advances was given to the landlords who were willing to sell their estates "en bloc" either directly to the tenants; or to the Estates Commissioners, or Congested Districts Board for the purpose of resale to the occupiers. Negotiations for sales progressed by leaps and bounds; between November, 1903, and 31st March, 1906, advances to the amount of £35,275,831 had been applied for in respect of 3,596 estates comprising 97,245 tenant-purchasers, and on 31st March, 1909, the total amount of the advances applied for had increased to £78,282,260, and the number of tenant-purchasers to 236,390. This abnormal increase in the number of applications during the latter period was largely due to the desire of landlords to secure the 12 per cent. bonus provided by the 48th section of the Act of 1903, and which was revisable by the Treasury after the expiration of five years from 1903, and to the apprehension of both landlords and tenants that further Land Purchase legislation as the necessary outcome of the proceedings of the Dudley Commission on Congestion which was appointed on the 20th July, 1906, and made its report on the 5th May, 1908, (2) would not be as favourable to either vendors or purchasers as the Act of

(1.) 3 Ed. 7, C. 37.

1903. Before referring to the Act of 1909, it may be convenient that I should here state the results of the proceedings under the Act of 1903.

It appears from the reports of the Irish Land Commission and the Estates Commissioners for the year ending 31st March, 1912, that up to that date £49,736,760 had been advanced to about 143,617 purchasers; this sum includes £2,003,109 advanced to the Congested Districts Board, while there were still pending about 112,275 applications for £34,054,859. These cases are in various stages of progress, and if carried through will be financed under the Act of 1903, subject to the provisions of the 3rd section of the Act of 1909, for expediting the payment of purchase money of sales pending under the Act of 1903.

The financial sections of the Land Act of 1909, (1) so far as regards agreements for sale entered into after the 15th September, 1909, provide that all advances are to be made in Guaranteed 3 per cent. Stock; that these advances are to be repayable by an annuity at £3 10s. per cent. instead of £3 5s. per cent. as under the Act of 1903, and that, reverting to the provisions of the Act of 1891, the stock is to be accepted by the vendor at its nominal value. It is further provided that the bonus payable under the 48th section of the Act of 1903 is to be measured, not as under that Act at 12 per cent. on the total amount advanced for the purchase of the estate, but upon a scale varying according to the number of years purchase represented by the advance for each holding, the principle being the lower the price of a holding the higher the percentage on the purchase money.

These terms are not as attractive to either landlords or tenants as those offered under the Act of 1903. Tenants, if they buy, pay higher annuities. Landlords, if they sell, are paid in stock which is only worth in the market about 80 per cent. of its face value; and while the effect of the application of the new percentage table is to reduce the total bonus payable on the sale of the estate, the disturbing element of uncertainty as to what that sum may be is introduced by the prescribed mode of assessment.

The Act was passed in December, 1909; it had been in force for two years and a quarter on the 31st March last, and up to that date £1,488,039 had been advanced, the number of purchasers being about 4,782. This sum included £235,593 advanced to the Congested Districts Board for the purchase of estates. But the amount of advances made is not a correct standard by which we can gauge the results of this enactment towards furthering Land Purchase. We all know that it takes a considerable time after agreements for sale have been entered into before the purchase

money is advanced. I, therefore, prefer to measure the popularity of the financial provisions of this Act by the number of agreements for sale and purchase which have been actually entered into and the purchase money agreed upon up to the 31st March last. It appears from the annual reports to which I have referred that during the period from the commencement of the Act of 1909, up to the 31st March last, £3,596,172 had been applied for, this sum includes the purchase money of estates agreed to be sold to the Congested Districts Board. But of this sum only £2,814,671 represents the purchase money of 1,010 holdings under agreements between landlords and tenants, known as "direct sales."

Turning, however, to the first report of the Estates Commissioners for the period from 1st November, 1903, to 31st December, 1904, we find that 31,140 agreements and applications for advances, amounting to £12,849,670, had been lodged. Comment on these figures is unnecessary.

It is admitted on all sides that the results of the financial provisions contained in the Act of 1909 in so far as they were intended to accelerate the conversion of occupying tenants of agricultural and pastoral holdings into owners have not been a success, and so late as the 16th of October the Chief Secretary for Ireland, when speaking on an amendment moved by Mr. William O'Brien to a certain Bill relating to Ireland then before the House, is reported to have said that the Government "must take upon themselves to make such alterations as can be made to facilitate and accelerate Land Purchase"; and he went on to say, "I quite agree that under the provisions of the Act, Land Purchase does not work quickly enough, that is to say, we are not giving enough to induce landlords and tenants alike to enter into these contracts, and some arrangement must be found to accelerate matters." Following this on the 21st of October, the Prime Minister, in reply to a question by Sir John Lonsdale as to the introduction of a measure to expedite the completion of Land Purchase, stated that "the Government are considering how best to carry out this object, and fully recognise its importance."

Is it not fitting at this juncture that this Society should intervene and give some light and leading to our legislators as to the best means by which we can achieve the goal to which all who have the future welfare of Ireland at heart are now aiming?

The main difficulty in our way is a financial one, the failure of the Act of 1909 is largely due to the fact that while on the one hand advances are being made to the tenants which are repayable by terminable annuities at the rate of three and a half per cent.; on the other hand the advances are

paid to the landlords in a debased currency, they are given £100 three per cent. stock, the market price of which on the 5th of this month was only £80. They have to pay their mortgagees and other creditors 20s. in the pound, and redeem all the outgoing upon their estates in cash, and at their full redemption price. It appears to me that the only way in which this manifest obstacle to sales can be removed is by reverting to advances being made in cash as provided by the Act of 1903, or in three per cent. stock equivalent to its market value at the price of the day. I do not, however, suggest that having regard to the present market value of Government securities and the rate at which they can raise loans, the annuities by which these advances would be repayable should be less than at the rate of three and one half per cent. as provided by the Act of 1909. I am, however, of opinion that the Government must bear the entire loss consequent upon the stock being at a discount. This loss or risk would be wisely incurred by the State, and would be comparatively insignificant when we consider the immediate and lasting benefits which would result therefrom. If British securities and British credit recover from their present depressed condition the loss will be less, or perhaps disappear, but there should be no further attempt at making the landlords share this loss. Under the 3rd section of the Act of 1909 provision was made for the purpose of accelerating the carrying into effect of then pending purchase agreements by the issue of Guaranteed two and three quarters per cent. Stock. If the vendor so agreed he would receive for each £100 purchase money instead of £100 cash an amount of two and three-quarters per cent. stock (£108·14s.) which if sold at 92 would realize £100. The loss to the State is limited to £8 14s. stock for each £100 advanced. But if for the purpose of the allocation of the purchase money, and the payment of the charges affecting his estate the vendor has to sell this stock, it would if sold at £75 only realize £81 5s. 6d., resulting in a cash loss to the vendor of £18 14s. 6d. on every £100 of the purchase money. I have named £75 as the price of the day; this stock was in fact sold in the Dublin market on the 5th of this month at £73 10s.

Such results may spell ruin to an encumbered landlord. It would, in my opinion, be a fatal mistake to attempt further legislation on these lines, it certainly would not accelerate Land Purchase.

In this connection I suggest that there should be no restriction, as at present by Treasury Rules or otherwise, upon the annual amount of stock to be raised, or advances to be made in any one year. Such a restriction only impedes

sales. The funds for advances should be available according as the Land Commission is in a position to make them. It appears from the reports to which I have already referred that during the financial year ending 31st March last, £8,078,593 was actually advanced; it may, therefore, I think, be assumed that the annual output of the Land Commission would be about ten millions. This, of course, would include advances under all the Acts, but exclusive of the advances made under the Labourers' Acts, 1906 and 1911, whereby the Land Commission are authorized to make advances to Rural Districts Councils to the extent of £5,250,000, as against which £3,588,829 had been advanced up to the 31st March, 1912.

I pass now to the Bonus question, to which I have shortly referred in an earlier part of this paper. Under the 47th Section of the Act of 1903, a Land Purchase Aid Fund was established, and the Land Commission were empowered to draw upon that Fund to the extent of twelve million pounds, and by the 48th Section they were authorized for the purpose of aiding the sale of estates to pay out of that fund to the vendor of each estate sold, a sum calculated at the rate of 12 per cent. on the amount of the purchase money advanced, and provision was made for the revision quinquennially of this percentage. Up to the 31st March, 1912, £4,937,493 had been paid in respect of bonuses. By the 6th Section of the Act of 1909, whereby Sub-section 3 of the 48th Section of the Act of 1903 as to quinquennial revisions was repealed, a serious change was made in the law as to the manner in which the bonus was to be calculated; instead of it being calculated on the total amount advanced for the purchase of the estate, it has now to be calculated on the advances made in respect of each holding and parcel of land comprised in an estate. The rate of percentage ranges between 3 per cent. and 18 per cent. If the rent of the holding was fixed since 1896, and the price is at the rate of 25 years' purchase and under 26 years, or if the rent was fixed before 1896, or is a non-judicial rent, and the price is at the rate of 23 and under 24 years' purchase the percentage would be 3 per cent., and then the rate rises as the price goes down. If the price be at 20 years or 18 years on the same principle, the rate of bonus would be 12 per cent. If, however, the number of years purchase was only 18 or 16 years the rate of bonus would be at 18 per cent. Apart altogether from any question of principle or policy, I am of opinion that the mode set up under this section of computing the bonus according to holdings instead of estates, and calculating it upon the sliding scale principle based upon the number of years' purchase at which each holding may be sold is a great

obstacle to, and causes delay in the preliminary negotiations for sale of an estate. The bonus should, as under the Act of 1903, be at a uniform rate, and assessed on the total purchase money of each estate. Having regard to the arrears of rent which have usually to be wiped out on the occasion of sale, the costs which landlords have to incur in making title to their estates, the expenses in relation to surveys, maps, the preparation of agreements with the tenants, and the negotiations for sale as well as the costs which have to be paid by them to the owners of superior interests affecting their estates which have to be redeemed (which costs and expenses, I am inclined to say, would amount to about six per cent. on the purchase money), and the price paid for the compulsory redemption of such interests, it appears to me that the rate of bonus should be fixed at ten per cent on the total purchase money advanced on each estate. When considering this question as to the bonus it should be borne in mind that the fixing of the annuity under which future advances will be repayable at £3 10s. per cent. instead of £3 5s. as under the Act of 1903, will result in the reduction in the prices paid by tenants, as they will naturally take into account when calculating the price at which they will buy, the terms upon which they can borrow the purchase money from the State.

There is another method whereby I believe the wheels of "the land purchase machine" could be oiled without trenching on the financial question.

During the year ending 31st March, 1912, 3,296 applications to fix fair rents were made to the Land Commission and the Civil Bill Courts. I suggest that the sales of holdings would be promoted, friction between landlords and tenants removed, and costly litigation avoided if, following the precedent given by the Redemption of Rent Act, 1891, (1) a tenant who was entitled to have a fair rent fixed might serve an originating notice to redeem his rent at a price, if not fixed by agreement, to be determined by the Land Commission, and that as to pending applications to fix fair rents the landlords might answer such applications by an offer to sell at a price to be agreed upon or fixed by the Land Commission. Such an amendment to the existing law would further lead up to economy in administration, and leave the legal and lay Assistant Commissioners now engaged on the fair-rent side of the Land Commission free to take part in the work arising under the Land Purchase Acts.

But going back to the financial difficulties which have arisen under the Act of 1909, it is all important that we should have some more definite information than has yet been published as to the probable amount which may be required

to complete the conversion of agricultural tenants into occupying owners. It is only thus that any estimate can be made as to the probable extent of the loss or risk which the National Debt Commissioners may run by undertaking the entire burden of raising the funds required for this purpose, having regard to the depressed condition of the market for Government securities. I find in the very interesting and instructive returns prepared by Mr. J. T. Drennan, the Registrar and Assistant Secretary to the Estates Commissioners, which were presented to Parliament in March last, that he states "on the assumption that all the agricultural land in Ireland unsold on the 31st of March, 1911, will be sold under the Land Purchase Acts, and that it will be sold on the average price for which lands have been sold up to that date under the Acts of 1903-1909, that the area of the unsold lands is 7,318,196 acres; the Poor Law Valuation, £4,071,243; and the purchase money so estimated, £83,861,096. (1) He, however, gives this estimate subject to the many very proper qualifications stated in his introductory memorandum. I find, by reference to the Agricultural Statistics published by the Department of Agriculture for the year 1911, Table M., page 14, that the number of "tenanted" holdings in Ireland is estimated to be 218,209, but this includes 86,906 holdings not exceeding one acre in extent. I believe this £83,861,096 will prove to be an over estimate of the amount which will be required for the completion of the sale of tenanted land to the occupying owners. I should be inclined to name £50,000,000 as the outside limit. What, however, is needed at the present moment is a return according to provinces and counties of all agricultural and pastoral holdings in the occupation of rent-paying tenants, giving the names of the tenants and of the landlords, the area, Poor Law Valuation, and rent payable in respect of each holding. The Commissioner of Valuation makes annual revisions for taxation purposes of all agricultural holdings, and it appears to me that there should be no difficulty in the compilation of such a return by the Commissioner of Valuation co-operating with the Superintendent of the Statistical Branch of the Department of Agriculture, and with the assistance of the Land Commission and the Congested Districts Board. Such a return would enable the Government to form a reliable estimate as to the possible extent of their future commitments for the completion of this great work. There is, however, a serious disturbing element in connection with this estimate to which I desire to direct your attention. It is as to the sale by means of advances under the Land Purchase Acts of Town Tenancies. It never was the intention of the Legislature, when framing the various Land Purchase Acts, that the benefits of these

Acts should be extended to the occupants of town premises. The object aimed at was the enfranchisement of agricultural tenants by the severance of the relations of landlord and tenant, and the conversion of rent-paying tenants into owners in fee simple, subject to the payment by terminable annuities to the State of the advance made to them for the purchase of the landlords' estate and interest. Running all through these Acts are sections demonstrating the policy and intention of Parliament in this regard. Since the passing of the Act of 1903, whereby estates can be sold *en bloc* to the Land Commission or the Congested Districts Board, landlords upon whose estates towns were situated, and who desired to get rid of their entire estate have, in not a few instances, succeeded in selling under the Land Purchase Acts these towns with, what I would describe as, their agricultural estates. I name for example the town of Boyle, population, 2,477; Ballaghaderreen, population, 1,358; Kiltimagh, population, 921; Ballyhaunis, population, 1,139; Ardara, population, 521; and I understand there are many sales pending of towns with similar or larger populations. I gather from the admirable statistical tables given in *Thom's Directory* (1) that there are about 875 towns in Ireland with populations exceeding 120. If, however, we exclude towns with populations exceeding 3,000 there remain 801 towns with a total population of 428,203. If the traders and other occupiers of the houses in these towns can successfully claim a share of the funds properly applicable for the benefit of agricultural tenants I apprehend that the Irish draft on the Imperial Exchequer will be considerably and unduly swollen.

It has always been conceded in the cases of agricultural and pastoral holdings adjacent to the small towns, which are scattered over Ireland, where the tenants of these holdings reside in the town, and have their farm offices in the town, working their farms, as in the case of town parks, from their residence, and in conjunction with the business they may carry on therein, the land and the town premises being, not unfrequently, held under the same lease, that it is reasonable that these tenants should be enabled to buy under the Land Purchase Acts their residences in conjunction with the loan, but this is very different from a procedure which would enable town tenants to redeem their ground rents by means of advances under these Acts. Apart from the important question as to security, and the cost of repairs and maintenance and caretaking in the event of the houses becoming vacant, and we know how frequently we see the bills "To be let, or sold" as we pass through these towns, it appears to me that the provisions of the 54th Section of the Act of 1903 against sub-letting and mortgaging are quite inapplicable to the cases of houses in towns, and that their enforce-

(1.) 1912, p. 1373.

ment would be prejudicial to the interests of town tenants. It has, however, been judicially determined that there is a discretion given to the Estates Commissioners and the Congested Districts Board when estates which comprise towns are offered for sale as to the manner in which they may be purchased and resold. The late Master of the Rolls when sitting as Judicial Commissioner, and dealing with this question in connection with the sale of the King-Harman estate, said, "I cannot conceive anything more opposed to the spirit of the Land Purchase Code than the buying up of small houses in the Town of Boyle without some very good and sufficient reason," and he went on to say "one good and sufficient reason being the case where an agricultural tenant had his headquarters in the town." (1) This was the exception to which I have just referred. Mr. Justice Wylie in his judgment in the case of the sale of the Town of Kiltimagh by the Congested Districts Board, gave a description of the character and occupancy of the town premises then being dealt with, which is applicable to all country towns. He said, "the holdings are chiefly held under leases for 999 years, the plots ranging in size from six perches to a rood, while some of those held from year to year are under four perches. The occupants of these premises carry on various trades, including that of publican, of whom there are 29, grocer, draper, butcher, carpenter, and blacksmith. Some of the houses are sub-let, and occupied by persons carrying on some of these trades, or by artisans or labourers, and in one case by a solicitor." (2) If landlords are unable or unwilling to retain possession of their town properties, and if the payers of the ground rents issuing out of them are unwilling or unable to redeem them, they should be sold in the open market for cash, and at such prices as they may fetch to local capitalists and small investors, and there will be no difficulty in finding such bidders who will be in a position to see to the proper maintenance of property of this character. The Town Tenants' Act affords ample protection for town tenants. I suggest that the discretion of the Estates Commissioners, and the Congested Districts Board be fettered, so that the funds available for Land purchase cannot, in the future, be applied to such purposes. It is expedient at this juncture that our demands upon the Imperial Exchequer for the conversion of agricultural and pastoral tenants into owners, and for the relief of congestion in the agricultural population, wherever it may exist, should be as moderate as is possible, consistent with the completion of that work. Under the 3rd Section of the Act of 1903,

(1.) King-Harman's Estate (No. 2), 38 I. L. T. R. 239.

(2.) Congested Districts Board's Estate [1911] Ir. R. 56: 46 I. L. T. R. 74,

provision is made for the repurchase by landlords of their demesnes or other lands in their occupation adjacent thereto. I gather from the reports of the Estates Commissioners and the Land Commission for the period ending 31st March, 1912, that 215 advances amounting to £1,061,949 were made by the Estates Commissioners to landlords for that purpose, and that eight similar advances amounting to £18,689 were made by the Congested Districts Board. It occurs to me that the legitimate demands of landlords to be enabled to retain their demesnes might be satisfied if the advances to be made by the State were limited to such sums as might be required for the discharge of incumbrances affecting their demesnes so far as such had not been paid out of the purchase money of their tenanted estate. I have some doubts as to the necessity for, or the prudence of advancing public money to unincumbered landlords for repurchase of their demesnes. We hear much of the amount of deposits in Joint Stock Banks and the Post Office Savings Banks. In 1911 the former amounted to £56,011,000, and the latter to £12,253,000. A large proportion of these are deposits by tenant farmers. Could not some inducement be held out to tenants to apply some of these savings towards the payment of a portion of the purchase money of their holdings? There could be no more prudent investment for these savings. I suggest that in cases where the tenants paid one-fourth of the price in cash the balance of the purchase money might be advanced and made repayable by an annuity of £3 5s. per cent. instead of £3 10s. as provided by the Act of 1909. There is precedent for such a premium under the 7th Section of the Act of 1891, where the advances did not exceed three-fourths of the price the annuity was at £3 17s. 6d. instead of £4 per cent., the annuity fixed under that Act.

I have referred to the deposits in Post Office Savings Banks. I am not versed in the mysteries of Treasury Finance, but I think that when considering the loss which may accrue from the issue of Government Stock in the present depressed condition of the market, the Chancellor of the Exchequer should not lose sight of the fact that while the interest paid to the depositors is at the rate of £2 10s. per cent., the National Debt Commissioners invest these deposits in the purchase of Irish Guaranteed Land Stock at the reduced price at which they are now saleable, receiving thereby about £3 16s. per cent. interest, as against £2 10s. paid to the depositor. If from £1 6s., the profit realized on the transaction, we deduct 6s. for the expenses of management, there remains a profit of one per cent. which might *pro tanto* be set off against the loss on issue.

Before bringing this paper, which has already run to much too great a length, to a close, I desire to refer shortly to some facts which may be of some interest to those who are considering the various aspects of the results of the working of the various Land Purchase Acts up to the 31st March last.

Under the Act of 1909, Section 46, the counties of Donegal, Sligo, Leitrim, Roscommon, Mayo, Galway, and Kerry were constituted Congested Districts counties, and the six rural districts of Ballyvaughan, Ennistymon, Kilrush, Scariff, Tulla, and Killadysert in the County Clare are formed into one Congested Districts county, while the four rural districts of Bantry, Castletown, Schull, and Skibbereen are formed in the County Cork into another Congested Districts county. Within these counties no congested estates, by which is meant "an estate not less than half the area of which consists of holdings not exceeding £7 in rateable value, or of bog or mountain land, or not less than a quarter of the area of which is held in rundale or intermixed plots" can be sold to persons other than the Congested Districts Board save with the consent of that Board, nor can the Land Commission enter into any agreement for the purchase of an estate without a like consent. Subject to these limitations, the sales of estates and holdings proceed as under the Act of 1903, save that the Estate Commissioners and the Congested Districts Board each within their respective domains carry on the work for the relief of congestion, so far as they may deem necessary, on the sale of the estates brought under their jurisdiction.

I have already stated that under the Church Temporalities Acts about 6,246 tenants purchased their holdings for about £2,180,586, of which about one-half was paid in cash, that under the Act of 1870, 877 tenants bought their holdings for £859,622, about one-third being paid in cash, and that under the Act of 1881 731 tenants purchased their holdings for £963,204, of which one-fourth was paid in cash. Taking, however, the Acts of 1885 to 1909, the total number of advances made to the 31st March, 1912, were 222,455, the total area purchased being 7,284,137 acres, and the total amount advanced £73,755,975. Dividing these purchases by provinces, the following are the figures:—

Province.	Number of Advances.	Area (Acres).	Amount of Advances.
Ulster	.. 77,313	1,785,122	18,711,851
Leinster	.. 43,759	1,747,708	22,474,758
Connaught	.. 53,362	1,499,867	10,650,568
Munster	.. 48,021	2,251,440	21,918,798
Total	.. 222,455	7,284,137	73,755,975

I do not consider it necessary to distribute these sales over the 32 counties into which Ireland is divided, but taking the cases of the four counties in which the largest number of sales have been effected, and of the four counties in which the smallest number have been effected, the following are the figures :—

LARGEST.

County.	Number of Advances.	Amount.
Cork	14,920	£ 7,183,424
Galway	14,175	3,579,258
Roscommon	12,574	2,814,521
Mayo	12,223	1,916,774

SMALLEST.

County.	Number of Advances.	Amount.
Carlow	1,106	£ 683,714
Dublin	1,316	1,353,519
Louth	2,113	831,485
King's	2,743	1,080,417

As regards the operations by the Congested Districts Board, it appears that between the passing of the Act of 1891 and the 31st March last, they purchased 276 estates, the total amount of the advances made for such purchases being £2,956,155. During the same period the total number of holdings resold by them was 7,267, the purchase money of which was £1,020,172. During the year ending 31st March last, the number of holdings resold was only 761, the purchase money being £99,699. It takes a considerable time to re-divide and create holdings where congestion may be found to exist, but on the other hand there are many holdings where the question of congestion does not arise, and which do not need rearrangement, and it appears to me to be a matter of regret that the resale of holdings does not progress *pari passu* with the purchase of estates, or that resales should be postponed in order that new purchases may be effected. As to the number of payers of annuities in respect of advances under the Land Purchase Acts, and the number of payers

of interest in lieu of rent in respect of pending agreements on the books of the Land Commission at the close of the last financial year, the respective numbers are, payers of annuities 191,073, the amount collectable being £2,164,881; payers of interest in lieu of rent, 132,584, the amount collectable being £1,518,252.

I have endeavoured to put before you this evening as clearly as I could such facts and figures as I thought necessary to enable you to grasp the problem as to the acceleration of Land Purchase in Ireland, which is now uppermost in the thoughts of all who desire to promote the peace and prosperity of our country, and I have ventured to submit for your consideration some few suggestions as to the mode in which, in my opinion, the present financial difficulties which now confront us might be removed, and the end to which we are all aiming may best be attained. I believe that the Statistical Society which has before now been well described as "the cradle of land law reform in Ireland" can do much at this moment by counsel and suggestion to further the peaceful solution of this problem. Since the year 1870, there have been some forty-two principal and amending Acts passed dealing with the question of the sale and transfer of land in Ireland. About thirty-three of these Acts were passed during the period since 1885, which has been the subject of our present review. It were time that we reached finality in land legislation. This question should be lifted out of the slough of party strife and political conflict, and it is only thus that we can hope to succeed in our efforts towards the completion of the enfranchisement of the agricultural tenants in Ireland "whose interest in the soil and security in the enjoyment of the fruits of their labour when so enfranchised will render them industrious, law-respecting, and order-loving citizens, the truest safeguard and strength of a nation." I commit with confidence the cause of those who are still anxiously waiting to be enfranchised into your hands to-night.