

the yeomanry of England; such are the peasantry of many parts of Switzerland. Wherever this class of men exists, the beneficial effects are felt by the state in the industry and frugality of the people, and in increased respect for the laws and institutions of the country."

---

V.—*Notes of a Visit to some Church lands, where tenants have bought their holdings, and also to other Church lands where tenants have not yet bought their holdings.* By G. Shaw Lefevre, M.P.

[22nd December, 1877.]

TO THE SECRETARIES OF THE STATISTICAL AND SOCIAL INQUIRY SOCIETY OF IRELAND.

Dear Sirs,

It has been suggested to me by Dr. Hancock that it may not be without value to the Statistical Society, that I should put on record the notes of a visit which I have paid during my short stay in Ireland to two of the properties of the Church Temporalities Commission, subject to the clause of the Church Disestablishment Act giving a right of pre-emption to the tenants.

My object was that I might personally judge of the motives which the tenants had in view in effecting the purchase, and of the results, so far as they could be ascertained by ocular proof and by conversation with the new owners.

By the advice of Mr. Murrough O'Brien, I selected for my visit two properties in the neighbourhood of Newry, one of which was sold four years ago to the tenants, and the other which, owing to some technical difficulties, is only now about to be offered to its tenants.

I. The first consisted of about 250 statute acres, distributed in twenty-one small farms, with an average rent of £1 4s. per acre. All the tenants of this property bought at rates of about twenty-four years' purchase of the rental. The property is in a purely agricultural district; the land light and undulating; the tenants are small farmers of about average condition.

The following are the notes of my conversations with the new owners.

(1) A. B. farms twenty acres, for which he paid the Church Commissioners £516, the whole of which he paid down. He spent some years of his life as an engineer in the merchant service; later at Liverpool as a marine store dealer. A few years ago he inherited the tenant's interest of a small farm of eight acres, and subsequently bought the tenant's interest of an adjoining farm of twelve acres, for which he paid £350, or thirty times the rent. Since his purchase of the fee from the Commissioners, he has built a range of superior farm buildings, at a cost of £500, tiled the floor of his house, put

in an excellent kitchen range, and had drained and reclaimed a part of his land. He would not have done this, he said, but for the security of ownership. There was general satisfaction, he told me, among his neighbours at having become owners. Those, however, who had to borrow the balance of the purchase-money, beyond the amount left on loan by the Commissioners, had a hard struggle. A neighbouring lawyer lent them money at five per cent., which they were paying off by degrees, and they could not lay out money on improvements until these debts were discharged. Those who had not borrowed were making improvements. He, himself, works harder now than ever before; likes the life. His wife would rather be in Liverpool.

(2) Farm of two and a-half acres, rented at £2 15s., bought for £77, of which the tenant paid down £39. This he borrowed in small sums from different persons—giving £1 for use of £10, for ten months; 10s. to a sister for £11 for a year, and so on. Has repaid most of it, and will soon be free. Is a labouring man, working at wages for the clergyman, to whom he has let a part of his land for grazing; his wife does washing, and uses the remainder of the land for drying clothes. They are well pleased to have the land for their own; expect to have it free before they die. Wife said: "It all seems like winning (saving) now; we never could save before."

(3) Tenant bought his little farm of five and a-half acres for £164. Is ninety-two years of age; has nine sons and two daughters. Seven sons at sea; one of them, sailing out of Newry, gave the money for purchase, and last year gave more to build an additional farm building; has a neat slated cottage; gate piers, and iron gates to fields. A son, aged forty, who was for some time in hospital at New York and Dublin, far gone in consumption, told me he had every comfort and all the care he needed at home.

(4) Farm of seventeen acres, rented at £27, bought by tenant for £648, of which he paid down £226; saved this at sea—"many a salt wave went over his head for it." Since his purchase, he paid £87 for building materials, has converted his thatched cottage into a two-storied slated house; would have rebuilt the house in any case, but would have had no security unless he bought, and is well pleased to be the owner; has seven little girls too young to help him, and lives wholly by his labour on the farm.

(5) Tenant bought ten acres for £273, of which he paid down £75, but borrowed this from friends. Wife says her husband is an able seaman in vessel trading between Liverpool and Rotterdam; borrowed the money lest they should be turned out of the farm. Four months ago her eldest son, "a fine quiet boy of twenty-five," died; he used to work on the farm; she now finds it hard to struggle on, her second son being only thirteen. No improvements effected; but they hope to pay off the debt.

(6) Tenant, a widow, bought nine and a-half acres for £314, of which she paid down £79. Family consists of mother, two daughters, and a boy of fifteen. The eldest daughter, a fine able young woman, full of spirits, says they borrowed £75 at 6 per cent. All

but £15 has now been repaid. She works on the farm, and the family have no means of living except from it. A brother in Liverpool sent a few pounds towards the price. How do they manage? I asked. "Well, just cooling and supping." "Last year they had a good bit of flax, and paid off £10." "Why did they buy?" "Every one said, if ye dont, yez 'ill be thrown out and may go lie behind a hedge." House is thatched, clean, neat, and comfortable.

(7) Farm, fifty-one acres; bought by tenant for £1,583, which he paid in full. Is now farmed by the son; the father lives in an adjoining property.

(8) Tenant bought the farm of fifteen acres for £421, of which he paid down £106; leaves the remainder on mortgage. Purchaser died, leaving farm to his son, but in charge of his widow. Son, aged fifteen, is at sea; will soon be able to help his mother out of his earnings. Father, a Scotchman, was tenant of a farm of ninety-five acres in Fermanagh; sold the tenant-right of it for £600, and bought this farm. Widow says he preferred being the owner of a small farm, to being tenant of a larger farm. Since they came they have greatly improved the house.

(9.) Farm of eighteen acres, bought for £508, of which £128 paid down; purchaser died three years ago, leaving farm to his widow for life, and then to his youngest son. Other house-property was to be sold; £300 to go to his eldest son, and remainder to second son. Property sold for less than was expected, and only sufficed for eldest son's portion. Widow is laying by for the second son: "Please God," when she has done this, she will pay off the debt to the Commissioners. She is well pleased with purchase of farm. It enables them to be independent, and to save. She added that those who had to borrow from other quarters have had a hard struggle.

It might be dangerous to draw conclusions from this limited number of cases on one property, were it not that they confirmed in every respect the evidence which was laid before my committee of last session. In every case it was clear that great benefit has resulted from the purchase. Ownership has been a spur to increased industry and thrift. In many, it has prompted improvements. If it has not had this effect in all, it is because the first obligation has been to pay off the money borrowed from other sources than the Commissioners. It has lifted the family in the social scale—from the position of tenant, dependent on the good will of a landlord, who might be changed at any moment, to that of owner. It has caused a hard struggle in not a few cases; but these struggles will not be without their result. The money paid off the land, remains in the value of the farm as a nest egg for the family. The increased industry and thrift of a few years required to pay off the loans will establish a habit for the future; and the freehold and tenant-right of the farm together will always fetch a high price in the market.

It will be seen that many of the families I visited, are in part supported by contributions from some one or more members of the family at sea. In this respect, the district is perhaps fortunate, from its proximity to Newry, where such employment can be easily found. I have, however, always contended that small landowners are not

necessarily to be expected to derive the whole of their sustenance from the land. Some members of the family may obtain employment elsewhere, and contribute to the maintenance of the family-home. The system thus working in with other employments, the home is maintained, to which in bad times, sickness, or in old age the absent members will return. I feel confident that many of the older people I saw would in England have been in the workhouse.

Under the English system, the nine small farms I visited, consisting of 150 acres, would be thrown into one. In lieu of nine families, such as I have described, there would be one farmer's family, four or five families of labouring men, each with perhaps a quarter acre of garden. The farmer and his family would be somewhat above those I visited in social status; but little above them in intelligence. The labouring men would be infinitely below them—without any hope of bettering themselves, without any sense of property—without any prospect in old age but parish relief. Even if the net produce of the latter system, looked at from the food-producing point of view, be greater—a point of some difficulty to determine—there would be few, I think, bold enough to advocate its substitution.

In a few years the sums payable to the Church Commissioners for interest and return of capital, will cease, and the owners or their families will be free from anything in the shape of rent. Charges will perhaps accrue for other members of the family, when death of the owner occurs; but how infinitely pleasanter to pay the interest of such obligations to relatives, with the power of paying off the principal by thrift and industry, than to pay the rent. The main difference, however, will be that every penny-worth of labour invested in the land will remain the property of the family, without the smallest danger of being swept away by increase of rent. Who can doubt the benefit resulting from such a change?

II. The second glebe which I visited is of a very different character. It consists of 298 acres of light and in part very poor land, held by twenty-seven tenants, and also of a barren and rocky mountain of 500 acres, held in common by them, and on which each tenant has the right of turning out cattle and sheep without stint. It lies in a mountain glen, rising to six hundred feet above the sea, is difficult of access, and the rough road down the centre is not unfrequently a mountain torrent. The tenants' holdings are divided into two parts—the one, in the lower part of the glebe, where the soil is comparatively good; the other in the upper part, where the land is miserably poor, and has been reclaimed from rock and bog with infinite difficulty.

The holdings have not yet been offered to the tenants, but will shortly be so. The average rents are under £5. It may be presumed that the purchase-money in each case will scarcely exceed £100; in many cases will be below that sum.

I saw and conversed with most of the tenants. I found them without exception anxious to buy; but doubting whether they can find the balance of the purchase-money. The following are the notes of cases which appear to be worthy of record.

(1) Rent, £5 17s. Farm consists of two plots, about a mile apart. House thatched, walls good, roof bad. Tenant has thirty sheep on the mountain; wanted to know if he bought the farm and paid one-fourth of the purchase-money, whether he would still have to pay rent; would strive to buy, and would sell some of his sheep for the purpose. Intended to have slated his house: "The sheep would have fitted him well for that."

(2) Rent, £4 6s. Tenant forty-four years old. Returned from America a few years ago, with some money; did so at request of his father and mother, since dead. Spent his savings in building a slated house—a neat, tidy, two-roomed cottage. Has no money in hand now. A brother in America might help him to find the purchase-money. "The town," he said, "will be apt to borrow rather than let a landlord over them. Will put themselves to great straits to do so. It will do me no great good in my time; but I'd like to buy for my children." Doesn't live here as well as he did in America, but has no intention of leaving the place.

(3) Farm sixteen acres; rent, £4 14s. One half the farm is rough and rugged bank of a mountain stream, of little value. Has a comfortable slated house, built by his father, who reclaimed all the available land on the farm. His farm is two miles from the country road, and six hundred feet above the sea. The road is kept in repair by the tenants—often at great expense, on account of the mountain torrents. A son in Liverpool helps him sometimes out of his wages. Has five sons and three daughters at work or in service in England. They often came to him for a month's holiday. Intends to buy, and is encouraging his neighbours to do so.

(4) Slated cottage and half an acre at the highest point of the glen on the edge of the mountain. Tenant a poor woman, with one illegitimate daughter, aged fifteen. Daughter was knitting and mother preparing to spin when we called. The neighbours say she was betrayed under promise of marriage, and that she is now a most respectable, industrious woman; works hard among the neighbours. She is anxious like the others to buy, but has no money or stock of any kind; couldn't buy even if she got her place for £5.

Though this property differs from the previous one in many respects, yet it has this in common, that the tenants exhibit the same desire to obtain possession of the land; the same dread of a new landlord, who may perhaps buy merely as a speculation, and in the hopes of screwing up the rents by a few pounds. There is the same feature, that the tenants are largely dependent on other resources, on wages of other members of the family, or on other work; and there is evidence of the same inter-dependence between the rural family home, and the wage-earning members in the centres of human industry, which is promoted so much by the facility of communication.

I cannot but come to the conclusion that society is as much interested in those smaller and poorer tenants becoming owners, as their somewhat better-conditioned neighbours on the other property.

Looking at the condition of these tenants, and the difficulty of making them understand the nature of the offers made to them by

the Church Commissioners, I am the more surprised at the success of the Commissioners in effecting sales to so large a proportion of their tenants; nor am I less persuaded of the difficulties which must necessarily attend and prevent the sales to such people in the Landed Estates Court.

One point only of criticism I have to make on the action of the Church Commission. Their present terms are somewhat more hard upon the tenants in small holdings than upon those with larger holdings. If the purchase-money is less than £100, the Church Commissioners will only advance one-half the purchase-money, by way of mortgage; and if less than £50, they will make no such advance. After seeing the poor tenants in the mountain glen I have spoken of, I cannot but come to the conclusion that it would be wise and just to treat the lowest class upon even more liberal terms than those above them.

For such small holdings, the tenant-right in respect of the house bears a higher proportion than in larger holdings. The security of the Commissioners is therefore better; and the Act of last session, giving equitable jurisdiction to the County Courts, removes any difficulty which existed against lending money to such small owners. The small owners find it also more difficult to borrow elsewhere. I would venture to hope then that this difference of treatment may be removed. I am certain that, as it stands, the rule will press very hardly upon the small tenants I visited.

In conclusion, I have only to add, that I would willingly have visited other properties sold to the tenants, had the time at my disposal permitted. I had proposed a visit to Cavan, to some property of Lord Gesford, sold in the Landed Estates Court to the tenants; but my correspondent in that district informs me that the purchases were only effected last year, and that the tenants have scarcely had time to realize their new position. "Some of the most shrewd of them," he says "are big with hopes of their future; one of them said he believed that in fifteen years he will have every acre on his farm worth the average of every two acres at present." Another correspondent, writing about some Church property in the same county, says of the tenants:—"Not a few have had to borrow money to effect their purchase, but by renewed energy and increased industry which they bring to their work, conscious that no one can take from them the fruits of their toil, I am certain that even these will in few years pay off their liabilities, and become contented and prosperous. These who had means to purchase their holdings and had sufficient capital to work their farms, are already becoming independent. Some have expended large sums of money on buildings and in other improvements on the farms. I am certain that if they were still tenants at will, not one sixpence of the money would have been expended."

These statements only confirm the evidence given before the Committee, and my own observations. They are striking testimonies to the truth of Arthur Young's statement, that property in land is of all others the most active instigator to severe and incessant labour;

and to the conclusion of all the experience of Europe, that it is only when combined with ownership of the soil, that small farming can be expected to achieve good results.

I beg you will thank the members of the Statistical Society for their kind reception of me at their Council meeting, and at the meeting of the Society.

I am, yours faithfully,

G. SHAW LEFEVRE.

VI.—*Prize Essay on the Differences in the Organization of Local Courts in Ireland, Scotland, and England, for the discharge of the duties of Judges and Officers, suggesting such changes as would be expedient in case of an Assimilation of Jurisdiction in the Local Courts of the Three Kingdoms.* By William H. Dodd, A.M., Barrister-at-Law.

[Read 11th January, 1878.]

LAST session I had the honour of submitting to this Society an essay containing the result of some inquiries into the constitution of the local courts in the Three Kingdoms, and containing also some suggestions as to the modification of our Irish local courts. I ventured to advocate for the local courts a jurisdiction complete and comprehensive, within whatever money limits it might be thought desirable to fix. The Council of the Society have done me the further honour of asking me to supplement that paper by another. They commissioned me to ascertain by a comparison between the official staff in the local courts in the Three Kingdoms, what officers should be supplied to the local tribunals in Ireland, so as to give complete effect to the proposed extended jurisdiction.

Since I received that commission, however, I am glad to say most of the reforms which were contended for by members of this Society have been carried into effect, by the County Officers and Courts (Ireland) Act, which was passed almost at the close of the last session of Parliament. That Act makes provision for the officers of the court as well as for the extension of the jurisdiction. But there are important matters in connexion with an efficient system of local tribunals, which it leaves untouched. I take the liberty of congratulating the Society on the passing of that Act, and I think I can best discharge the duty laid upon me by accepting, as not needing further investigation, the reforms already adopted, and by dwelling, with some minuteness of detail, on those reforms which a comparison of the official staff in the local courts of the Three Kingdoms shows to be still urgently needed.

The officers required for a complete system of local administration of justice may be conveniently classified under three heads:—