

THE
LAND QUESTION,
IRELAND.

No. IV.

FRENCH OPINION
ON THE
IRISH CRISIS.

ISSUED BY
THE IRISH LAND COMMITTEE,
31 SOUTH FREDERICK STREET, DUBLIN.

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P R E F A C E .

AT a time when the example of France is constantly obtruded on the English Public, as suggesting an expedient for the regeneration of Ireland, it is satisfactory to be able to refer to the opinion of a distinguished Frenchman on the subject.

M. de Molinari is a scientific Economist, who has devoted special attention to industrial and agricultural questions; and being a Belgian by birth, he is specially familiar with that system of small holdings which has so often been recommended as a remedy for Irish discontents.

The letters from which the following extracts have been translated originally appeared in the

Journal des Débats during the months of August and September, 1880; and the extracts contain the deliberate conclusions of M. de Molinari on the subject of the Irish Crisis.

M. de Molinari, it will be seen, is of opinion that in Ireland "Tenants have ceased to be under the absolute dominion of Landlords;" and that "the law guarantees to them all those rights which it is just and reasonable that they should possess—perhaps even something more" (p. 15).

He declares that in Ireland "the general rate of the rents is moderate;" and that "for the same quality of land it is one-half lower than the rate of the rents in Flanders (pp. 16, 17).

He recognizes the truth that in Ireland "most of the improvements have been made at the expense of the Landowners" (p. 18); and that "the efforts of the Tenants, so far from leading to the improvement of the soil, have rather tended to exhaust it" (p. 17).

With respect to the Ulster Tenant-Right, he says that "instead of paying one rent, the Tenants pay two—that due to the Landlord

and that represented by the interest of the sum paid for the transfer," (p. 19) ; and, " that in spite of the Ulster Custom, Donegal, in which it prevails, is one of the most miserable districts in Ireland" (p. 20).

Of the proposal which would replace the Landlord by the Government, he expresses the deliberate opinion that "the worst result of this artificial combination would be to reduce Agrarian Pauperism in Ireland to a system" (p. 21).

He holds that the Land League has accepted the heritage of the Whiteboys, the Ribbonmen and the Molly Maguires (p. 15).

He holds that "the Eviction of Landlords would deprive Ireland not only of the greater portion of her capital, but also of the best part of her civilization" (p. 18).

He holds that "all that is required for the evolution of the result, which the force circumstances is working out, is that Nature should be allowed to take her course ;" and that all that Government should aspire to do is to assist

Nature by well devised schemes of Emigration (p. 24).

He holds, in fine, that Ireland has as much to fear from Political Quacks as it has to fear from its Political Disorders (p. 25).

FRENCH OPINION

ON THE

IRISH CRISIS.

Let us suppose that the Municipal Council of Paris thought fit to issue a Decree in some such words and with some such preamble as follows :—

Introduction to
Letter 1.

Aug. 4th.
1880

WHEREAS the hardness of the times causes the occupiers of lodgings in certain quarters, such as Belleville, Menilmontant, the Faubourg St. Antoine, and others, to experience extreme difficulty in paying their rents; and WHEREAS a great number of them are several terms in arrear, and are threatened with ejectment by rapacious or at least ungenerous landlords; THE MUNICIPAL COUNCIL DECREES, *First*, that if any landlord shall before the 31st of December, 1881, take on himself to eject any lodger occupying lodgings in the aforesaid quarters under the vain pretext that the said lodger has omitted to pay the rent then due, such landlord shall be deemed to have disturbed such tenant; *Secondly*, that if it be proved to the satisfaction of a competent Court that the default in payment of rent

due is caused by its being impossible for the lodger to pay, and that he does not, nevertheless, refuse to come to an understanding with the landlord to continue in occupation of the holding at a reasonable rate of rent, as also to settle amicably the question of arrears; in short, if it be proved that the landlord has obstinately refused to accept these offers and has not made on his own side any reasonable offer of accommodation; in such case the landlord found guilty of disturbing the tenant shall be bound to pay to the ejected lodger a compensation for the damage he shall have unduly caused, which compensation may amount to one-third of the capitalized value of the rent.

If our Municipal Council thought fit to issue a Decree of this sort, people would be sure to accuse it of making an attack on property, and placing Society at the mercy of Collectivism and Communism. Nor would they be wrong. And yet the Decree, the terms of which I have given is the exact counterpart of the *Compensation for Disturbance Bill* which has been passed by the House of Commons, and is now under consideration by the House of Lords, with a view to relieve the tenants in those parts of Ireland which are suffering most severely from distress. It appeared to me that a situation which called for such extraordinary remedies deserved a close examination, and this is my reason for determining to spend three or four weeks in Ireland.

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I now proceed to give a *resumé* of the impressions which a stay of a month in the most impoverished and most disturbed parts of Ireland has made upon my mind. In spite of everything, the economic situation there has begun to improve; and I would add that the improvements would be still more marked if only Nature were left to herself.

Letter X
and last.

Sept. 8th,
1880.

Ireland undoubtedly suffers. She labours under one of the worst forms of Pauperism—*Agrarian Pauperism*. Of the 580,000 occupiers* who till her soil there are about 230,000, representing a million individuals, a fifth of her population—who have scarcely the means of living in good years, and whose miserable balance-sheet is closed with a deficit. When a bad year comes upon them this million of poor people find themselves on the verge of starvation. The Poor-rate and the Public Works Loans are insufficient to support them. As Mr. Davitt, the apostle of the Land League, said at the meeting at Chicago, Ireland is then obliged to hold out the wooden bowl to the charitable throughout the world.

But the social malady of which I speak is not peculiar to Ireland, though it is there exceptionally violent, and has, at least of late years, been aggravated by the doctors. I allude to the *Social Doctors*—a race of men who were unhappily unknown

* There are really only about 450,000 tenant farmers. The 580,000 include all holders of land for agricultural purposes or otherwise. M. de Molinari's 230,000 is also considerably over the mark.—[Editor.]

to Molière, and whose special vocation it is, as every one knows, to cure all the evils of society. If they do not wear the long robe and the sugar-loaf hat of the Doctors of Molière, they resemble them at least in the essential particular of believing religiously in the infallibility of their systems and the virtue of their elixirs. Poor Ireland, with her open wounds, which she is falsely accused of parading in order to excite pity, but which the inveterate use of whisky may have contributed to inflame, has attracted Doctors just in the same way as the commodities in the stalls of the Dublin butchers near St. Patrick's Cathedral attract flies. From all quarters have gathered together Doctors—political, socialistic, philanthropic, revolutionary, and parliamentary—wildly disputing and seeking to try upon the country the virtue of their several panaceas. I look in vain for a real remedy for her disease amongst their heterogeneous prescriptions. Those which are most vaunted are not only inefficacious but positively mischievous.

In this category I would at the outset place *Home Rule*—whether it be taken to mean the complete separation of Ireland from England, or the re-establishment of an Irish Parliament, with a simple federal bond between the two nations. England will never consent to repeal the Act of Union, and upon that point the most advanced Radicals are perfectly in accord with the stanchest Tories. Would it be possible to compel England to do so? Many Irishmen, and those by no means the least intelli-

gent, indulge in this hope. 'England,' said one of them to me, 'has begun to decline; she occupies no longer the second or even the third place among the Military Powers, and that at a time when prestige is more than ever dependant on large battalions. She could not maintain a struggle with Germany or even with Russia. Where would she find soldiers? Ireland supplied her formerly with the flower of her army, but since our young men have commenced to emigrate to America, rather than enrol themselves under her flag, she recruits her regiments only from the dregs of the population, and even then it is with difficulty that she succeeds in obtaining the number which she requires. Her hold on India is precarious, and Canada and Australia will before long sever their connexion with her. What portion of her power will then remain? A century ago the liberation of Greece and of Bulgaria would have been regarded as a dream, but that dream is to-day a reality. Why should it not be so with Home Rule? Why should not we, as well as the Greeks and the Bulgarians, succeed in shaking off our Turkey, and in re-establishing Irish nationality?'

I could have raised objections to this line of argument and could have replied to the Home Ruler, who appeared so convinced of the force of his remarks, that the credit of England was not yet reduced to the level of that of Turkey; but to what purpose? Passion is not only blind but it is deaf; and the agitation for Home Rule, is eminently an affair of passion.

Suppose that Ireland by means of some political cataclysm should succeed in recovering her independence, would her situation in consequence be ameliorated? She now contributes the modest sum of only £6,781,000 to Imperial Taxation, while England and Scotland contribute £62,803,000; in other words, she is a source of expense to her two partners. If she were to become independent, she would be obliged to bear all the cost of her Government, both internal and external; her expenditure would be at least doubled, and consequently so would the amount be, which it would be necessary to raise by means of taxation. Then comes the question, Would Ireland if she were independent be better governed? It is evident that her Local Administration leaves much to be desired. I was struck by the wretched appearance of the workhouse in Galway; and the newspapers contained numerous revelations by no means edifying as to the administration of the workhouse at Belfast. The Towns in Ireland are ill paved and dirty, although the municipal budgets rapidly increase, while the Prisons and the Constabulary, which are under the control of the Central Government, are models of organization and good order. The same may be said of the Post-office Department, except perhaps in the case of Dublin, where the Post-office, although a magnificent building with colonnades, situated in Sackville-street, contains no accommodation for the public, who are relegated in the Continental fashion to a long passage with a door

opening on a side street; worse still, the business arrangements are defective. On the other hand, in the smaller localities, and particularly in those in which females are employed, the management of the department is worthy of all praise. Those, therefore, who derive benefit from the public services, and who constitute the great mass of the population, have nothing to gain from the establishment of a national government. I would say the same for that intellectual *élite* which now shares in the vast outlets which the British Empire affords to every description of talent. Assuming, then, that the politicians, journalists, and others of whom I have been speaking, clever but terribly restless people, were to be thrown back upon the limited resources of a nationalized Ireland, I would ask, could they there find, with the facility they would wish, positions corresponding to their merits, and would their rivalries tend to consolidate the public peace? 'An Independent Ireland,' said an Irishman to me who was not a Home Ruler, 'would be soon torn asunder by the contentions of parties. Before ten years had elapsed we should have a Civil War. The North, in which industry and capital are concentrated, would eventually rule over the South, as has happened in the United States; the Catholic would again fall under the yoke of the Protestants, and it might come to pass that they would implore the aid of England and the re-establishment of the Union to deliver them from so detested a bondage.' Is it necessary to add that an agitation set on foot

for the purpose of realizing the most chimerical of political Utopias turns the mind of the people from the path of possible progress, frightens away capital, and obliges England to reinforce her garrisons? Behold, then, without speaking of Coercion Bills, or Peace Preservation Bills, the benefits of Home Rule!

Is the Agitation of the *Land League* more sane, or less chimerical? What do those who are the promoters of that agitation seek to effect? They wish to remove the Landlords, and to replace them by Peasant Proprietors. They desire also to make general the Ulster Custom, which empowers a tenant to choose his successor, and to sell to him his Tenant-Right for a money payment. But above all things it is their object to prevent the Landlord enforcing his right to eject those tenants who have not paid their rent; and they seek in a general way, to pledge all those tenants who happen to be in arrear to 'hold the harvest'—that is to say, not to pay a penny to those terrible Landlords (who are designated as 'land robbers') under pain of being considered traitors to the cause of the people, and of exposing themselves to the decrees of Popular Justice. But Popular Justice is not remarkable for its mildness, nor has it moreover the choice of punishments: for the Government has not as yet thought fit to recognize the validity of its decrees, and goes so far as even absolutely to prohibit the proposed rivalry with its own administration of justice, instead of sharing in a fraternal way its prisons and its gallows with the Land League.

Disobedience to the Agrarian Law which the people in their sovereign wisdom have established is, therefore, generally punished with death. Sometimes they are satisfied with mutilating the cattle belonging to the person who happens to have come under their ban, or with doing some injury to himself. Quite recently, for example, a collector of rents escaped with only the loss of an ear. It would not, however, be just to attribute to the Land League the establishment of this *Sainte-vehme*. It has existed for centuries, and perhaps, at the time when the agricultural classes were entirely at the mercy of Landlords, served to moderate the exercise of their powers, just as the absolutism of the Eastern Monarchies, as has been said, is tempered by poison and the bowstring. But Tenants have ceased to be under the absolute dominion of Landlords; and the law guarantees to them all those rights which it is just and reasonable that they should possess—perhaps even something more. Agrarian Justice, therefore, as it is still practised in Ireland, is simply a barbarous anachronism; and the Land League has committed a fault which is inexcusable, in accepting for the sake of popularity, its heritage of Whiteboys, Ribbonmen and Molly Maguires. Indeed, the moderate members of the League repudiate agrarian outrages, and even the enthusiasts themselves abstain from openly advocating them. Mr. Dillon, for example, has declared that he had no intention of preaching up the mutilation of cattle at the meeting at which he was present in Kildare. But is it not

clear that in advising tenants not to pay rent and in denouncing as traitors to the cause of the people those who pay it, or, still more, those who take the place of an ejected tenant, the men who so act do half the work of the *Justice Vehmique*? They condemn the traitors, while they leave it to the people to execute the sentence according to the accustomed method. When the blood of the traitors has been shed, have the men of whom I speak the right to wash their hands of it? If these agrarian outrages continue to increase will not the Government inevitably be compelled to introduce some Coercion Bill, which will put an end to the agitation of the Land League?

But, supposing that the Agitation should go on without any hindrance, and that it should even succeed in preventing evictions and the payment of rent, whether arrears or not, would the *Situation of the Tenants* be improved? There are two kinds of tenants—those who possess a tenure of sufficient length in point of time, and who avail themselves of it with intelligence and economy; and those who cultivate, in accordance with the agricultural processes of the days of the Pharaohs, wretched little strips of land the meagre harvest of which even in good years hardly enables them to make both ends meet. The first pay their rents without difficulty, and in bad years, should they require it, the landlords rarely refuse to grant them time for the payment; good tenants do not abound in the market, and a landlord when he possesses such is anxious to retain them. I may add that the general rate of rents

is moderate, as far as I have been able to judge, for the same quality of land it is one half lower than the rate of rents in Flanders. The small tenants, however, would be in a state of misery even though they were to get the land gratis; and the rent is by no means the heaviest of the charges which they bear—leaving altogether out of account the consumption of whisky. They are for the most part burdened with debts which their wretchedness and improvidence have led them to accumulate; and though the landlord were not to insist upon his rights, so magnanimous an act would apparently have no other result than to give the tenant the opportunity of replacing him by his other creditors, inasmuch as his credit would be for the time increased. ‘I ejected one tenant last month,’ writes an Irish Agriculturalist in *Macmillan’s Magazine*, ‘and between the time I got the decree and its execution a fortnight afterwards, no less than five or six decrees for debts were executed upon the stock he had, and it is known there are still more to come. The occupation of a farm by a ruined tenant is a loss to all, especially to himself.’ Indeed, how can capital be expected to flow in an agricultural direction if a landlord can only recover rent on pain of being stigmatized as a robber and being treated as such by popular justice?

Will it be said that the Tenants see to the *Improvement of the Soil*? Hitherto their efforts have tended rather to exhaust it. ‘The advocates of Tenant Right,’ says the writer in *Macmillan’s Magazine*, maintain that tenants have a right to compensation

for having reclaimed the land from a state of nature. The truth is, they took every good thing out of the land that nature at first put in it, and left it as near a state of *caput mortuum* as possible. Most of the Improvements have been made at the expense of the Landlords. I have often asserted that I have drained more land than all the tenants together for 20 miles round on every side. If I said I had drained twice as much I believe I should still be far within the truth. I have said that my tenants are much before most of those on adjoining estates in wealth and good farming. When the Land Act passed I made inquiry on the subject, and satisfied myself that all the improvements done by the tenants from father to son, and at the value the tenants themselves put on them, did not amount to a year and a half's rental of the estate. Assuming that the landlords (who have more capital and better credit than the tenants), were thrown overboard, would agriculture be any the better for it? One must be ignorant of the character of the Irish tenant to believe such a thing. The fact is the soil requires all the available capital of both landlords and tenants for two or three generations to come, to be put into a proper state.'

In short, the *Eviction of the Landlords* would deprive Ireland not only of the greater portion of her capital, but also of the best part of her civilization. Of course, such an eviction need not be feared so long as the Act of Union subsists. With the exception of a few hot-heads the promoters of the land agitation are under no delusion on this point. Meanwhile,

capital flees from a country where the celebrated aphorism *La propriété c'est le vol*, has become a commonplace in the mouths of agitators; and the less capital there is in a country the more important is the part it plays in production, and the less important become the functions of labour. Ah! if the Irish people only knew a little Political Economy! But Political Economy is nowhere as yet a popular science, for it is well known Political Economists are everywhere 'bound hand and foot to capital.' Hence the fervency of the popular belief in Ireland in political panaceas, socialistic or philanthropic, for the cure of all the evils of society. The people believe in these as they would in the efficacy of a sacred pool for the cure of bodily ailments.

Let us consider the second of these panaceas—namely, *Ulster Tenant Right*. This is a custom which sprang up in the North of Ireland at a period when payment of rent was very unpunctual. The landowners authorized their tenants to transfer their farms on condition of paying the arrears out of the price of the transfer. But has the position of the new tenants thereby been improved? Instead of paying one rent they pay two—that due to the landlord and that represented by the interest of the sum paid for the transfer. Besides, the obligation of providing this sum, often considerable and always heavy in proportion as the rent is moderate, deprives the incoming tenant of the capital necessary for the proper working of his farm. On the principle of *post hoc ergo propter hoc*, the prosperity of the

North of Ireland has, of course, been attributed to the Ulster Custom without regard to the question whether the capital and industry of England and of Scotland, which have made Belfast a second Glasgow, have not also something to do with it. The Ulster Custom prevails in Donegal, and that picturesque portion of the North-West is, nevertheless, one of the most miserable districts in Ireland.

The panacea *par excellence*, which Socialist Radicals and Liberal Philanthropists unite in extolling, is the transformation of tenants of every degree into *Peasant Proprietors* by an operation similar to the emancipation of the serfs in Russia. The Government would acquire land at a fair price, and make over the ownership of it to the tenants on the understanding that the latter should pay off principal and interest in 35 years. Thanks to the exceptional credit enjoyed by the English Government, (notwithstanding that its enemies predict for it a speedy decline to the condition of the Government of Turkey) the increase in the annual payments by the tenant would be insignificant, and all his evils would be infallibly cured by a plunge into the sacred pool of property. Examples in support of this view are not wanting. In particular, the case of the Peasant Proprietors of France and Belgium is quoted. The advocates of this system, however, fail to add that the subdivision of property in France and Belgium has been the work of centuries, and that the Peasantry, before becoming Proprietors, acquired those qualities of order and economy which are indis-

pensable to the good administration of property. They worked and saved, sou by sou, the capital which they employed first to acquire and afterwards to extend their little possessions. Nothing of that kind is sought on behalf of the Irish Tenants. It is proposed in their case to do away with this apprenticeship to property—merely substituting during a period of 35 years, more or less, the Government for the Landlord. I am aware that something of this kind has been done in Russia; but it has not been shown that the popularity of the Russian Government has thereby been promoted, still less the welfare of the peasant, who now groans under the burden of taxation augmented by the yearly instalments of the purchase-money. It may be remarked also that while the Czar was regarded and venerated as a father by the Russian peasant, the Irish peasant has no such filial feeling for the Government of the Queen. In some cases he even detests his Landlord, although this sentiment is far from general. What will his feelings be, then, when the Landlord is replaced by the English Government, which uses Ireland for its own purposes, and massacres ‘brave Afghans?’ Let us not forget, moreover, that this new Landlord will be obliged to exact regularly the instalments due without any abatement such as Landlords usually make in bad years. Can any one suppose that the position of this new Official Creditor will be a pleasant one?

But the worst result of this artificial combination will be to reduce Agrarian Pauperism in Ireland

to a system. The *Position of Small Tenants* in Ireland could hardly be better compared than to that of the hand spinners and hand-loom weavers on the introduction of machinery into their handicrafts. Now that agriculture has become a business, the little agricultural workshop which was, not without reason, supposed to be the best adapted to the old order of things, is getting out of date, and woe to those who endeavour to hold on to it! They will go down in the struggle as did the hand-loom weavers when they entered into a hopeless contest with machinery, and as the owners of stage coaches would have gone down had they attempted to compete with railways. Well, of what avail would it have been to the hand-loom weavers had the Government proposed to make them proprietors of their old hand-loom? Would it not rather have added to their misfortunes to have encouraged them or forced them to retain, until they had paid off their debt, appliances that were out of date? Small farms, where the soil is cultivated in the old fashion, are to modern agriculture what the hand-loom is to modern weaving; and do not those philanthropists who desire to attach the tenants to small holdings by offering the bait of proprietorship practically bar the path of progress?

So far, it may be remarked, this deferred panacea has in no wise proved seductive to the Irish tenants. Special clauses, known as the *Bright Clauses*, were inserted in the Land Act of 1870, for the purpose of facilitating the acquisition

of Land by the tenants—the Government undertaking to advance them two-thirds of the purchase-money. These extraordinary facilities have been taken advantage of only to a very limited extent. During the first ten years the amount of land acquired by means of the Bright clauses has not exceeded 45,000 acres.

But it will be said, as, indeed, the Landlords themselves have said to me, *Something must be done*. Of what use are Doctors if they do not prescribe remedies? It may be that something must be done, but all remedies are not equally good. It is essential, first of all, to study, in an unprejudiced way, the condition of the patient, to seek out the causes of his malady, and to be careful, above all, not to counteract the *Vis medicatrix Naturæ*. The cause of the Economic Evil from which Ireland is suffering—and this evil is the root of all others—is the existence of from 290,000 to 300,000 tenants, representing a million individuals, who work with old-fashioned tools, and whom the slightest failure in the crops reduces to the verge of famine. A glance at the statistics of Ireland will show that Nature herself is endeavouring to effect a cure, and that if she is but left alone small holdings, before another quarter of a century has elapsed, will have disappeared from Ireland. In 1841 there existed 310,436 farms of from one to five acres, and 252,799 farms of from five to fifteen acres a-piece. In 1878 those numbers had been reduced to 66,359 and 163,062. On the other hand, the number of farms

of from fifteen to thirty acres had increased during the same interval from 79,342 to 137,493, and those above thirty acres from 48,625 to 161,264. Since the Land Act established a special system of protection for small holdings the rate of progress in this direction has naturally tended to fall off. Progress, however, continues nevertheless, and Ireland in due time will be cured of her sore of pauperized holdings, in spite of the Doctors.

But what will become of *the Small Tenants*? Some will emigrate to America; others will become mere agricultural labourers. 'My best hands,' says the author of the article in *Macmillan's Magazine*, 'are old tenants, and their pride has been to go to mass better dressed than the small farmers of the neighbourhood. They are unquestionably better off. For 30 years past the young men and women have had as much work as they wished at good wages. Thousands and tens of thousands have availed themselves of it, and the condition of these simple farm-labourers is in every way preferable to that of the small tenants.'

All that is required, then, for the evolution of the result, which the force of circumstances is working out, is that Nature should be allowed to take her course. The only way, perhaps, in which she may be usefully assisted would be to lighten the labour market in England and America, and to advance money to those whom the gradual suppression of small holdings leaves for the time being without work and penniless, to enable them to move to a distance or

to emigrate. The Canadian Government has shown itself disposed to favour this system under proper guarantees for the recovery of the sums of money advanced. Let the Land League transform itself into a simple Employment and Emigration Agency for the benefit of the small tenants who are evicted by the march of events like the hand-loom weavers, and the change which is indispensable, will be effected with a *minimum* of suffering.

Need it be said, however, that this modest *rôle* of assisting Nature and, as often as not, letting her take her own course, does not suit the Political Doctors, Socialists, and others whom the Irish people have chosen to consult, attracted by their fine promises and their loud pretensions? Ireland—and this is the final conclusion at which I have arrived—suffers not only from her Disorders, but also from her Doctors.

Houses of the Oireachtas

A Bill to make temporary provision with respect to Compensation for Disturbance in certain cases of Ejection for Nonpayment of Rent in parts of Ireland.

WHEREAS, having regard to the distress existing in certain parts of Ireland arising from failure of crops, it is expedient to make temporary provisions with respect to compensation of tenants for disturbance by ejectment for nonpayment of rent in certain cases :

Be it therefore enacted, &c. :

1. An ejectment for nonpayment of rent for the recovery of the possession of a holding situate wholly or partially in any of the poor law unions mentioned in the schedule hereto, and which shall be commenced *after the passing of this Act and before the thirty-first day of December one thousand eight hundred and eighty-one*, or which shall have been commenced *before the passing of this Act*, and in which any judgment or decree for possession shall be executed *after the passing of this Act and before the thirty-first day of December one thousand eight hundred and eighty-one*, shall be deemed and declared, by the court having jurisdiction to hear and determine land claims in and for the county in which such holding is situate, to be a disturbance of the tenant by the act of the landlord within the meaning of the third section of the Landlord and Tenant (Ireland) Act, 1870, notwithstanding anything contained in the said Act—

If it shall appear to the Court—

- (1.) That such nonpayment of rent by the tenant is owing to his inability to pay, caused by such distress as aforesaid ; and
- (2.) That the tenant is willing to continue in the occupation of his holding upon just and reasonable terms as to rent, arrears of rent, and otherwise ; and
- (3.) That such terms are unreasonably refused by the landlord.

2. This Act may be cited for all purposes as the Compensation for Disturbance (Ireland) Act, 1880, and shall be read and construed as one with the Landlord and Tenant (Ireland) Act, 1870

Houses of the Oireachtas

Houses of the Oireachtas

