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THE
LAND QUESTION,
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No. XIII.  
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MORE FACTS AND FIGURES.

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E V I C T I O N S.

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*JULY, 1881.*  
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ISSUED BY
THE IRISH LAND COMMITTEE.

OFFICES:
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EVICTI ONS.

ON the 17th February, 1881, Mr. Forster, Chief Secretary, moved for a Return relating to Ejectments in Ireland 'for each of the four years ending 31st December, 1880,' distinguishing between Ejectments brought in the Superior Courts and those in the Civil Bill, or Quarter Sessions Courts; and also distinguishing between Ejectments on Title and those brought for non-payment of Rent.

From this Return it appears that during the year ended 31st December, 1880, the number of Ejectment Decrees executed in Ireland was 2888, of which 725 issued from the Superior Courts, and 2163 from the Civil Bill Courts. The fact thus disclosed that, during the year 1880, the Civil Bill Ejectment Decrees executed were three times as numerous as the Haberes from the Superior Courts, effectually disposes of the calumny that the Landlords of Ireland, who were compelled to

proceed against their Tenants, elected to do so in the Superior Courts, with the object of heaping law costs upon them. Such was not the case; and the fact that the Irish Landlords abstained from doing so, in the face of the avowed determination of Tenants, whom they knew to be solvent, not to pay beyond a certain proportion of their rents, and in some instances not to pay rent at all, is but one more proof of the forbearance which, as the Bessborough Commission was compelled to admit, characterizes the dealing of Irish Landlords with their Tenants.

It would further appear from the Return that of the 2888 Ejectments executed in 1880, there were 441 on Title, and 2447 for non-payment of Rent. This, however, is not strictly accurate as regards the Haberes issued from the Superior Courts; for we find that, in six counties, all the Evictions are set down to non-payment of Rent, the Sheriffs being unable to say how many were on Title. The number of Haberes executed in those six counties was 316, and if we divide this number in the same ratio as in the twenty-six other counties, respecting which there is definite information, we shall find that 74 of them were presumably on Title; so that the true proportion between Ejectments on Title, and those for non-payment of Rent in the Superior Courts will be about 170 of the former, to 555 of the latter, instead of 96 to 629, the numbers given in the Return. The same result is arrived at if we divide the unclassified Ejectments

in those six counties in the ratio of the two classes of Decrees issued in them.

In the case of the Civil Bill Ejectments, the distinction between those on Title, and those for non-payment of Rent, is made with more certainty, there being only two instances in which there was any doubt on the part of the Sheriff making the Return; and these two cases relate to only 63 Ejectments in all. We may, therefore, accept the Return relating to the Civil Bill Courts as showing, with substantial accuracy, the distinction between the two classes of Ejectment; and combining it with the corrected Return relating to the Superior Courts, we find that of the 2888 Ejectments executed in Ireland in 1880, there were 515, or less than 18.0 per cent., on Title, and 2373, or a little over 82 per cent., for non-payment of Rent.

Now, let us suppose for a moment that every one of those 2888 Ejectments was carried out to the bitter end, and that 2888 Tenant-farmers were actually evicted in the year 1880. This, as we shall show, is very far indeed from being the fact; but let us assume it for argument's sake, and let us see what it means.

It is not easy to determine the exact number of Tenant-farmers in Ireland. Agitators on the platform and in Parliament, and their organs in the Press, speak flippantly of 'the 600,000 Tenant-farmers of Ireland'; but to show how much above the truth such a statement is, we need only mention

the fact that the number of holdings in Ireland above one acre in extent was only 525,900 in 1879 (*Thom's Almanac* for 1881, p. 681). Of these, moreover, 65,269 consisted of less than five acres, and, doubtless, the greater part were not strictly agricultural holdings; and there were also many Tenants with more than one holding, some perhaps having several. Making allowance for these probable deductions, we believe we shall not be far from the truth if we estimate the number of Tenant-farmers in Ireland at 425,000, which is very near the number returned at the Census of 1871. It would make our argument stronger if we could adopt a higher number; but we desire, if we err at all, to err against ourselves.

Taking then the number of Tenant-farmers in Ireland at 425,000, and assuming for the present that the whole 2888 Ejectments executed in Ireland during the year 1880 were carried out to the full extent, and the Tenants actually and for ever dispossessed of their holdings, the per-centage of evictions would amount to only 0.68 per cent. of the number of Tenant-farmers, or one Eviction for every 147 farmers; and distinguishing between the different classes of Ejectments, only one Tenant in every 964 would have been evicted on Title, and one Tenant in every 175 for non-payment of Rent.

We must not forget that the Return before us relates to the year 1880, when the clamour against Landlords was at its loudest, and when the new-born zeal of the Government led them to bring in

the celebrated 'Disturbance Bill,' to save the Irish people from 'extermination.' A queer sort of 'extermination,' that, at its possible worst, would remove only one tenant yearly out of every 147, and could not be completed in less than 147 years! We wonder whether more than one man out of every 147 in business in Ireland fails annually, and how many of those who were in business 147 years ago are now represented in the trading community.

So far we have dealt with the question on the assumption that the whole 2888 evictions were carried out to extremity, and the Tenants finally dispossessed; but, as we have said, this is very far indeed from being the fact.

As soon as the Return was made public the Irish Land Committee took steps to obtain accurate information respecting each case—a very difficult and tedious task for private individuals to accomplish. They have been successful in getting almost complete details from 22 counties, comprising 7 of the 9 counties of Ulster, 10 of the 12 counties of Leinster, 3 of the 5 counties of Connaught, and 2 of the 6 counties of Munster, and information of a less complete character from the others. The following Table shows, in detail, the particulars which the Committee have been able to obtain respecting Ejectments for non-payment of Rent in the 22 counties referred to:—

TABLE I.

*Showing details respecting Ejectments for non-payment of Rent in Ireland during the year 1880,
so far as same could be ascertained.*

PROVINCE.	Number of Counties Tabulated.	Nature of Decree.			Defendants reinstated.			Some of Defendants, Relative, or Representative admitted as Tenant.	Defendants got compensation in money, or leave to sell their interests.	Premises not agricultural, Houses only, or deserted.	Defendant not resident on the holding.	Possession given up by agreement.	Defendant included in previous tabulation.	No Explanation offered.	No Information.	Total as in Col. (5).
		Superior Courts.	Civil Bill Courts.	Total.	As Tenants.	As Caretakers.	Total reinstated.									
(1).	(2).	(3).	(4).	(5).	(6).	(7).	(8).	(9).	(10).	(11).	(12).	(13).	(14).	(15).	(16).	(17).
ULSTER, . .	7	46	716	762	276	190	466	28	45	99	48	8	30	22	16	762
LEINSTER, . .	10	140	245	385	73	46	119	21	26	86	61	6	18	25	23	385
CONNAUGHT, .	3	19	146	165	29	43	72	2	1	26	28	3	4	9	20	165
MUNSTER, .	2	48	104	152	42	19	61	9	7	24	17	2	4	19	9	152
IRELAND, .	22	253	1211	1464	420	298	718	60	79	235	154	19	56	75	68	1464
Per Centages, .	68.75	17.28	82.72	100.0	28.69	20.36	49.05	4.10	5.40	16.05	10.52	1.30	3.82	5.12	4.64	100.0

This Table deals with 1464 cases of Ejectment for non-payment of Rent, amounting to 61.7 per cent., of the 2373 included in the Government Return. The portion of Ireland to which it relates is fairly typical of the entire country; it includes Donegal, Galway, and Mayo, three of the poorest counties in Ireland, and comprises the whole mountainous seaboard of the North and West, from Lough Foyle to the mouth of the Shannon.

The Land Committee pledge themselves that they have made every exertion in their power to obtain information respecting these Ejectments; that they have faithfully tabulated the information they received; and they believe that if it had been possible for them to obtain full details regarding the counties not included in the tabulation, the result would not have been materially different from that presented by the Table. We may, therefore, safely assume that we have before us, in the 22 counties tabulated, a fair representation of all Ireland.

The first and most striking fact disclosed by the Table is, that of the 1464 Tenants evicted in 1880 for non-payment of Rent, no fewer than 718 (Col. 8 of Table), or very nearly one-half of the entire number, were not removed at all! Of these, 420, or 28.69 per cent., were restored as Tenants, and 298, or 19.80 per cent., as Caretakers. We shall have something more to say respecting these latter a little further on—for the present we need only know that they were left in occupation. The plain English of

this portion of the Table is, that of every 100 Tenants evicted for non-payment of rent during the eventful year 1880, no fewer than 49 were instantly reinstated, 29 of them in full possession as Tenants, and 20 in occupation as Caretakers; in fact, 49 out of every 100 were practically not evicted.

There yet remain, however, 746 cases of Ejectment for non-payment of Rent, or 51 out of every 100, in which the Tenants were not restored either as Tenants or Caretakers, but were actually 'evicted' in the ordinary sense of the term. Let us see what the Table says about them. The answer is complete and satisfactory. Taking the Columns in their order, we find that in 60 cases (Col. 9), or 4 in every 100, some of the Defendants—where there were joint-occupiers—or some relatives or representatives of the Defendants, were admitted as Tenants; that in 79 cases, rather more than 5 in every 100, the Defendants got compensation in money from the Landlord, or were allowed to sell the interest in their holdings; that in 235 cases, or 16 out of every 100, the holdings consisted of houses only, or were not agricultural—having possibly but a small garden attached to the dwelling-house—or had been deserted; that in 154 cases, rather more than 10 in every 100, the Defendants were non-resident on the holding from which they were evicted—there can be absentee Tenants as well as absentee Landlords—that in 19 cases, a little over one in every 100, the Tenant gave up possession by agreement with the Landlord; and that in 56 cases, rather less than

4 in every 100, the Defendants were included under some previous heading. Adding these cases together, we find that, of the 746 Tenants not reinstated in occupation, 603 were evicted under circumstances that deprived their removal of all element of harshness or greed on the part of the Landlord; leaving only 143, or less than 10 in every 100, of the whole 1464 cases unexplained. In 75 of these 143 cases no explanation was offered in respect of the eviction, and in 68 cases no information could be obtained.

We have already shown that if the whole 2888 Ejectments executed in Ireland in 1880 had been carried out to extremity, and the Tenants finally evicted, considerably less than one per cent. of the Tenant-farmers would have been disturbed; that, in fact, only one tenant in every 147 would have been removed. We now see that considerably more than fifty per cent. of those nominally evicted were not removed at all; and that of the remainder only ten per cent. cannot be accounted for. Let us apply these percentages to the 2373 Ejectments for non-payment of Rent. Adding together the percentage of Tenants reinstated in their holdings, of Tenants not resident on the evicted premises, of Tenants of premises not agricultural or deserted, and of those occupying houses only, we find that there were actually 76.62 per cent.—or over 76 cases out of every 100—in which either the Tenants were not removed at all; or, if removed, could not by any ingenuity be represented as being Tenant-farmers, for whom alone the Landlords can be held

accountable. The percentage of those not removed at all was 59.57—or nearly 60 out of every 100—and the remainder were not agricultural Tenants, in any sense of the term. And, admitting, what we are not in a position to deny, that the 9.76 per cent.—less than 10 in every 100 evictions—respecting which we are unable to offer any explanation, were for non-payment of Rent only, what does it amount to? Simply, that of the 2373 Ejectments *executed* in Ireland in 1880 for non-payment of Rent, there were only 231 Tenants evicted, in respect of whom there was not some cause, in addition to the non-payment, to justify or explain the eviction; while, on the other hand, there were 17.05 per cent.—or 405 Tenants—who were not agricultural, and 59.57 per cent.—or 1413 Tenants—who were not removed at all!

Let us now compare these numbers with the estimated number of Tenants in Ireland, and we find that the 231 unexplained cases amount only to .054 per cent. of the 425,000 Tenant-farmers, or *one eviction for every eighteen hundred and forty Tenants!*

Further, it does not follow that these Evictions, respecting which the Land Committee have been unable to obtain definite information, were all necessarily carried out to the full extent—on the contrary, it would be only fair to reason from analogy that the greater portion of them were not—and lastly, it must be remembered that both the 2373 Ejectments given in the Government Return, and the 1464 Tabulated by the Land Committee, were for non-payment of rent.

Hitherto at least, the payment of rent has been considered a necessary incident of the occupation of a Farm; and its non-payment a sufficient cause for the removal of the Tenant.

Reverting to the cases of those Tenants who were re-instated in their holdings as caretakers, it may be necessary to explain that, in Ireland, Tenants evicted for non-payment of Rent are allowed a period of six months, during which they can redeem their holdings by payment of the arrears of Rent and the costs of the Ejectment; and it is customary, at least in cases where there is any prospect of the Tenant's exercising this right of redemption, to allow him to remain in occupation during those six months. If the Landlord, however, were to allow him to remain in occupation after eviction, except as caretaker, and if he failed to redeem within the six months allowed for the purpose, it would be necessary to have recourse to further legal proceedings in order to remove him. This is obviated by allowing the evicted Tenant to remain in occupation as caretaker for the Landlord; and it commonly happens that before the expiration of the period allowed for redemption a new agreement is come to, and the temporary caretaker remains in possession as Tenant, or receives from the Landlord a sum sufficient to enable him to take his family elsewhere.

It will be observed that both in the Government Return and in the foregoing Table there is a much larger proportion of Ejectments executed in Ulster

than in the other Provinces. Without attempting to explain this apparent anomaly, we shall only draw attention to the fact that it is in the Province where Tenant-right exists, and in which the Tenants are supposed to be the most prosperous, that Ejectments are most numerous; a fact which clearly establishes that Ejectments are not necessarily a proof of arbitrary action on the part of the Landlords, and that they will not be prevented by the extension of the Ulster Custom to all Ireland.

It is necessary to bear in mind that no action of Ejectment for non-payment of Rent can be brought in Ireland until at least a year's rent is due. It is unusual, in the case of agricultural holdings, to proceed by ejectment when the tenant owes only a year's rent; and when such proceedings are taken, they are rarely commenced until a third gale of rent is nearly due. In consequence of this, and of the time necessary to carry out the legal proceedings, and also of the six months allowed for redemption, it is almost impossible for a Landlord to remove a defaulting Tenant until at least two years' rent is due; which rent, of course, he loses, as well as the costs of the legal proceedings. When a larger sum is due at the commencement of the proceedings, the Landlord's ultimate loss is proportionally greater, and, in practice, seldom amounts to less than three years' rent.

The following Table exhibits in a forcible manner the forbearance shown by Landlords in Ireland towards their defaulting Tenants:—

TABLE II.

Showing the Number of Half-yearly Gales of Rent Due before Ejectment Proceedings were commenced.

PROVINCE.	Number of Eject- ments Tabu- lated.	NUMBER OF GALES DUE.										Total.
		2	3	4	5	6	7	8	9	10	Above 10	
ULSTER, . .	693	57	115	173	82	123	33	45	13	10	42	693
LEINSTER, . .	264	63	69	64	29	24	5	4	2	1	3	264
CONNAUGHT, .	109	27	26	25	11	7	1	2	1	3	6	109
MUNSTER, . .	100	36	30	22	3	4	—	3	—	1	1	100
Totals, . .	1166	183	240	284	125	158	39	54	16	15	52	1166
Per Centages, .	100.0	15.69	20.58	24.36	10.72	13.56	3.35	4.63	1.37	1.28	4.46	100.0

The Ejectments included in this Table amount to 79.65 per cent., or very nearly four-fifths of the number in Table I.; and to 49.14 per cent., or nearly one-half of the number of Ejectments for non-payment of Rent given in the Government Return for 1880. The counties to which the tabulation relates are the same as in Table I., and are, as we have already shown, fairly typical of the whole country. There is no reason to believe that exactly similar results would not be arrived at if the entire number of Ejectments for non-payment of Rent executed in Ireland during the year 1880 could be investigated, and we may assume that such would be the case. It is scarcely necessary for us to analyze the Table minutely—it speaks for itself; but we may direct attention to the fact established by it, that of every 100 Tenants evicted, rather less than 17 owed so few as 2 gales, or 1 year's rent; that rather more than 20 owed 3 gales; that rather more than 24 owed 4 gales, or 2 years' rent; and that between 39 and 40 owed at least $2\frac{1}{2}$ years' rent before the Ejectment proceedings were commenced.

As already stated, we must add on an average a year's rent in each case in estimating the loss to the Landlord, to cover the time necessary to carry out the legal proceedings, and the six months allowed for redemption; and we ask the public to consider whether it is fair to brand as tyrants and exterminators a body of men who in the few cases in which they are compelled to have recourse to the *ultima ratio* of Eviction, show such

forbearance towards their defaulting tenants. There can be no doubt about the answer.

In Table III. (p. 18) we give details of ejectments on Title executed in Ireland in 1880.

It ought to be sufficient explanation of the Ejectments in this Table to say that, so far as they are the result of the Landlord's action, the Tenants affected by them are *primâ facie* entitled to the full benefit of the 'Disturbance Clauses' of the Land Act of 1870, and, in addition, to full compensation for the improvements made by themselves or their predecessors in Title. But even here we find that the action of the Landlords is on the most limited scale, and of the most forbearing character.

No fewer than 36.88 per cent. of the whole number of Ejectments tabulated were brought at suit of, or for the benefit of, persons other than the Landlords. In 30.91 per cent. of the cases, the premises were not agricultural, or were deserted, or consisted of houses only. In 6.75 per cent. the tenants were reinstated, 5 per cent. of them as Tenants, and in 5.19 cases the defendants were non-resident. Adding these per-centages together, we have 79.83 of the Ejectments on Title, or very nearly 80 out of every 100 Ejectments which cannot be ascribed to harshness or caprice on the part of the Landlords; and there are only 9.87 per cent.—or less than 10 in every 100 evictions—of which a satisfactory explanation is not given.

Admitting, as in the case of Ejectments for non-payment of rent, that these 9.87 per cent.—equivalent to 51 of the 515 Ejectments on Title exe-

TABLE III.

Showing the Details respecting Ejectments on Title, executed during the Year 1880, so far as same could be ascertained.

(1). PROVINCE.	(2). Number of Counties Tabulated.	Number and Nature of Decrees.			Defendants Re-instated.			(9). Ejectments at suit of or for be- nefactors, viz., Assignees, Landlords, Trustees, &c., or to carry out family arrange- ments between Tenants.	(10). Premises not Agricultu- ral; Deserted Premises, or Houses only.	(11). Some of Defendants, Rela- tives, or Representatives admitted as Tenants.	(12). Defendant got Compen- sation in Money.	(13). Defendant non-resident on Premises.	(14). Defendant a Squatter, Cottier, or Servant of a deceased Tenant.	(15). On Expiration of Lease, or death of Tenant.	(16). Defendant included in previous Tabulation.	(17). No Explanation offered.	(18). No Information.	(19). Total as in Column (5).
		Superior Courts.	Civil Bill Courts.	Totals.	As Tenants.	As Caretakers.	Total.											
ULSTER, . .	7	37	146	183	6	5	11	99	40	1	4	8	—	4	2	7	7	183
LEINSTER, .	10	37	77	114	7	1	8	21	52	5	4	7	4	6	—	1	6	114
CONNAUGHT,	3	4	25	29	1	—	1	8	12	—	—	4	—	—	—	2	2	29
MUNSTER, .	2	20	39	59	5	1	6	14	15	4	2	1	2	2	—	—	13	59
IRELAND, .	22	98	287	385	19	7	26	142	119	10	10	20	6	12	2	10	28	385
Per Centages,	68.75	22.45	74.55	100.0	4.93	1.82	6.75	36.88	30.91	2.60	2.60	5.19	1.56	3.12	0.52	2.60	7.27	100.0

cuted in 1880—cannot be satisfactorily explained; though, as in the former case, this does not at all follow; and comparing this number with the 425,000 Tenant-farmers of Ireland, we find that *only one in every 8333 Tenants was so evicted during the year.* It is surely not necessary to pursue this branch of the question further.

The picture presented in the foregoing pages is very different from that drawn by the Agitators, with which we are all familiar. These men know, when they speak of thousands of persons flung daily on the roadside, without food or shelter, that they are speaking of a state of things that no more exists in Ireland than in Kent or Surrey; but they also know that assertions, no matter how reckless or false, if only made with sufficient boldness and repeated with sufficient frequency, will receive credit from the multitude, who know nothing of the facts, and have neither the opportunity nor the inclination to investigate them. They know, further, that no subsequent contradiction or disproof will remove the injurious impression made by the first calumny; and caring nothing for the exposure, which is sure to follow in due time, they do not scruple to utter the most malignant falsehoods.* It is thus the character of Irish Landlords is vili-

* The *Times* of the 14th of July, instant, speaks in the following unqualified terms on this very subject:—‘It is only just to say that if any one thing has been clearly established in the course of this long inquiry, it is that the attacks made upon the general body of the Irish landlords have been absolutely baseless and calumnious.’

fied ; it is thus that, in spite of the testimony borne by the Bessborough Commission, who say that, 'a Tenant who pays his rent is very seldom evicted'; and that, 'even if the rent falls into arrear, it has not been the general or the prevailing rule that ejectment should follow, as a matter of course'; in spite of Mr. Gladstone's declaration, in his introductory speech on the Land Law Bill, that 'the Landlords of Ireland had stood their trial, and had, as a rule, been acquitted,' the same course of slander against Irish Landlords is systematically persisted in. Day after day, under the flimsy disguise of questions to the Government leaders in Parliament, the calumnies are repeated in every form of exaggeration. Day after day Mr. Forster, speaking with the authority of Chief Secretary for Ireland and a Cabinet Minister, exposes their utter baselessness. All to no purpose ; next day another head of the Land League Hydra rises to put a similar interpellation, only to meet with the same ignominious repulse. And yet, day after day the Land Law Bill proceeds through Committee, apparently on the assumption that no portion of the allegations made against Irish Landlords has been challenged, much less refuted ; that they are the grasping tyrants and exterminators the Land League represents them to be, whom no moral obligation, no human sympathy can bind ; and who can be restrained only by a special code of laws, that violates the soundest principles of economic science, and outrages the most sacred traditions of the British Parliament.