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AGRICULTURAL QUESTION.

TWO PAPERS

ON

COMPENSATION TO OUTGOING TENANTS

AND THE

LIABILITIES OF INCOMING TENANTS,

BY

JOHN LYNCH FLETCHER, ESQ.

The Grafton Club.

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COMPENSATION TO OUTGOING TENANTS,

READ TO THE

Monmouthshire Chamber of Agriculture,

BY JOHN LYNCH FLETCHER,

Agent to the Right Hons. the Earls of Suffolk and Effingham.

At no period of our history has the public mind felt more keenly the need of a well-digested tenant-right than now. Chambers of Agriculture have spoken on the subject of leases, tenant-right, and compensation for unexhausted improvements, but as yet no scheme has been devised for recognising and regulating the value of a tenant's improvements. It is impossible that matters should remain in this state. Agricultural interests are too powerfully advocated to permit of delay; there never was more capital, greater intelligence, and vigour devoted to the cause than at this period; on every side are seen improved husbandry, valuable live stock, and contented and well-to-do peasantry. Men are no longer content to farm as our forefathers did. Cattle must be housed and artificially fed, lands drained and artificially manured, and education and energy are necessary to direct. Yet the one great question remains unsolved—"How to establish a tenant-right which should give greater encouragement to the expenditure of tenants' capital, at the same time that it affords security for the outlay?" Arguments have been used ascribing the delay to insecurity of tenure, the absence of leases, and an imperfect system of compensation; to these we might add the objections both felt and expressed to putting down a large sum on entering a farm, the want of capital at that period, and then, again, the natural anxiety of both ingoing and outgoing tenants to keep down expenses, and to secure themselves in every possible manner in both quitting and entering upon a farm. Also, there is so much vagueness connected with valuations, that dissatisfaction often arrises to one or both of the parties negotiating. We have no scale of prices for produce, or "exhausted

improvements;" such as is acknowledged in one district is ignored in another, as if the property and operations of a farmer were such as could not be priced, and the items published and paid for. I feel sure these causes produce a slackness, and retard agricultural progress. I have before now met with a tenant, who, after having agreed to take a farm, became so alarmed at the amount of valuation that he prayed to be released, and immediately afterwards I have let the same farm to the next comer without raising an objection. I give this fact by way of illustration, for I fear it is a circumstance of too common occurrence.

If it is really intended to bring about a more simple and perfect mode of action on changing holdings, we must be up and stirring. What do we find? Customs in some localities, none in others, leases and agreements in existence exhibiting absurd differences in their clauses, until no two counties possess identical rules for letting land. These are points in which occupiers alone are almost entirely concerned; they are essentially tenants' questions, and they must be argued and pursued until a general system is attained. Inasmuch as it is not likely or possible that leases will become general, or that owners will subscribe to one form of tenancy, so we must abandon our hope of finding relief entirely at the hands of the landlord. Agriculturalists must unite, debate, and agree upon a broad measure for compensating each other for works of "improvement," which, I hope to show, appertain exclusively to themselves.

It has been asked, what are "unexhausted improvements?" In the first instance they appear to be works of a permanent character, such as the landlord does, or should supply, or the tenant performs with the permission of the owner. They include buildings, drainage, road-making, ponds, and construction of fences. These operations should never be undertaken by any occupier except under a distinct understanding with the proprietor. Draining is best carried out at the sole cost of the owner, who charges the interest upon the tenant in the form of an increased rent. Where the tiles are buried, and labour is performed by the latter, a special guarantee, extending over at least seven years, should be granted him. They are entirely matters of agreement between landlord and tenant, such as cannot be arranged or settled by us. It would occur to a man of business that operations for the mutual benefit of two individuals can be effected without consulting a third party,

therefore I contend that a tenant has only himself to blame if he embarks capital on another's property, without first obtaining a guarantee that his outlay shall be secured. Believing this to be the legitimate course for arranging matters of a permanent character between the landowner and occupier, I come to the subject of game, and, as far as I can judge, it is a question that must be settled by the same means. I do not see how the Legislature can with justice dictate what amount shall be kept on an estate. It is hardly policy for you to attempt to do so, but it is perfectly competent for an occupier to make terms with the proprietor which shall secure him from injury or loss. A large head of ground game is most improper, a tenant should protect himself against it.

There is no denying the fact that agriculture prospers, in proportion to the desire and power of those possessing land to perform improvements. There are extensive estates but partially developed by reason of the want of funds to open them out; and on these very estates reside tenants willing to undertake the cost and responsibility of works of improvement, whose efforts are drowned by the powerless position of the tenant for life; he cannot charge the property with an outlay for improvement by himself, and the occupier's lease is not long enough to allow him to commence the work with his own capital. It is a matter of regret that proprietors do not avail themselves more generally of the Act of Parliament which permits the employment of capital, from whatever source, towards benefiting the freehold, securing the outlay by the ordinary mode of rent-charge. Tracts of poverty-stricken land might be redeemed by granting leases; tenants would be forthcoming who would pay the interest on the money expended in addition to the whole rent, but these are matters hardly connected with the subject.

But there is another question in which landlords and tenants are deeply concerned, not of the character of an improvement, although it is of essential importance to both parties. I refer to the agricultural products, which custom requires should be left for his successor by the outgoing tenant. By this I mean hay, straw, and manure, which are as necessary to the profitable working and existence of the farm as food is to the support of man. No matter in what season the tenancy begins, a portion of these articles should be present. What is an occupation without them? Where is the man that would quietly enter upon a holding robbed of its fodder and manure? What

would be his first complaint, and what the first request? "There is no hay, litter, straw for thatch, or dung. I must be allowed the equivalent in money, or the farm rent free for a period." Here, then, we observe the relationship between the ownership or freehold, and certain products appertaining to it. Having proved this connection, we establish at once the broad principle which requires that a reasonable proportion of hay, straw, and of yard manure, should of necessity be taken to by the owner or incomer. I say of necessity, because I cannot imagine there being a doubt on the subject: the materials in question are the very life and soul of the farm; without them there could be no length of existence. We know that, as a rule, hay, straw and manure, in fair proportions, are, or should be, left; but we also know that this rule is most irregularly and imperfectly observed, causing dissatisfaction, and not unfrequently loss and injury, to the incoming tenant. He either finds fodder in unreasonable abundance or cruelly short, and no manure, or rubbish called by that name which he has to pay for. This unsatisfactory state of things arises from there being no established general rule or custom in the country.

Now, it is this very word "custom" which appears to annihilate all good practice, and acts as a barrier to anything like uniformity of action. The variety in customs in this land would make the largest volume of contradictions ever met with. In some instances, hay, straw, and manure are valued; again, only hay and a portion of straw, and no manure; then, we find none of these commodities, except hay, recognised by those valuing. I will give you a few examples from different counties. The information is obtained within the last few days from the localities, and I now take this opportunity of thanking my correspondents:—

CUSTOMS.	CUSTOMS.
As to the Manuring with Lime, Chalk, Bones, Artificial Manure, and the Consumption of Artificial Food.	As to the Purchase, or Transfer of Hay, Straw, and Farmyard Manure.
<i>Northumberland</i> :— No general system of payment, nor any tenant-right.	Manure left, but not paid for; nothing said about hay and straw.
<i>Derbyshire</i> :— Lime considered to last four years; a quarter deducted yearly. Bones on grass, seven years; bones on ploughed land, three years. Artificial, two years. Artificial food, a quarter of the bill allowed.	Hay and straw purchased at market price, with an allowance for delivery. Farmyard manure purchased by the ton.

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As to the Manuring with Lime, Chalk, Bones, Artificial Manure, and the Consumption of Artificial Food.	As to the Purchase or Transfer of Hay, Straw, and Farmyard Manure.
<i>Buckinghamshire</i> :— No particular custom; that used for roots, in last year of tenancy, full value allowed.	Wheat straw goes off; hay and Lent corn consumed. Manure not paid for.
<i>Kent</i> :— If crop taken after use of artificial manure, no allowance; nor any for artificial food.	Hay paid for in some instances at market price, some at spending. Manure not purchased.
<i>Sussex</i> :— If no crop taken after application, full cost—in addition, carriage and applying; afterwards yearly deduction. Consumption of artificial food, nothing allowed (but ought to be).	Hay, 60s. per ton; straw charged as near cost of cleaning and carrying corn to market—that thatched before Michaelmas paid for. Manure in heap of good quantity, 3s. 6d. per yard.
<i>Hampshire</i> :— No allowance for lime, chalk, or bones, or artificial manure, except in rare cases.	Hay and fodder of straw valued. Straw and dung left free.
<i>Dorsetshire</i> :— An outgoing tenant gets no allowance, or next to it.	Hay and straw, consuming price. Dung, for what it may be worth.
<i>Somersetshire</i> :— Unexhausted manure, one-third allowed.	Hay and straw, consuming price. Manure not paid for.
<i>Devonshire</i> :— Lime, before a crop, full cost; after one crop, half; two crops, quarter. Bones, same proportion. Guano and superphosphate used in last year, two-thirds of cost, provided latter does not exceed 40s.	Hay and straw, at consuming price, one-half to two-thirds. Manure not paid for.
<i>Herefordshire</i> :— Not at all, except by special agreement.	Hay, consuming price; straw and manures not paid for.
<i>Monmouthshire</i> :— The same, except under special agreement.	Ditto.

Now the payment we are speaking of becomes a serious question in the event of a Michaelmas entry, seeing at that season the corn is harvested, hay abounds, there are large breadths of roots, some fallow, and yards and boxes swelling with dung. At Lady Day the quantities of the several commodities are reduced to the lowest convenient scale (and it may happen that a careless extravagant tenant does not leave sufficient hay or straw to supply the needs of his successor): to meet such an emergency, and for the carrying out of those views, I think a limit should be named to regulate the quantity

of both hay and straw which the incomer should take to at Lady Day. For every 25 acres of land under corn, say 5 tons of straw should be left; of ditto of grass mown for hay, 5 tons of hay; hay to be paid for at one-third of the market price, and straw at one-fourth ditto. Straw is now such an important ingredient in feeding that it must become an article of purchase, and more care, it is to be hoped, will be bestowed upon it. Manure, properly thrown together, to be paid for at the rate of 3s. per cubic yard. At Michaelmas, of course, the quality of these several products would be very large, but I would adopt the same scale of payment. I believe a general system of this sort would induce greater care for both straw and manure, and that the purchaser would be the gainer. It seems unreasonable that the excrement from animals receiving corn should be left in exchange for a valueless compound of dirt and straw called manure, and yet this may occur when it is the custom to leave the material without payment. Too much encouragement cannot be given towards maintaining a higher state of fertility at the termination of a tenancy, and, therefore, I argue strongly in favour of payment for indispensable produce, such as has been named to you. I have given you my ideas on the principles which should regulate arrangements between landlord and tenant in the matter of permanent improvements, as well as on the absolute purchase of certain farm products by the owner or incomer at the termination of a tenancy; I have started subjects worthy your consideration, and upon which, I hope, we may hear valuable opinions this evening.

I now invite your attention to what I feel is the important part of the question under discussion, viz., the necessity for recognising and defining what are the remaining unexhausted improvements, and regulations you would establish between the outgoing and incoming tenant for maintaining the condition of the soil, and for fairly remunerating the former.

The words "unexhausted improvements," as concerns an occupier, I take it, signify "an existing interest in an investment which cannot be immediately realised." These investments take a variety of forms, their effects are unequal in duration, and the cost of employing them differs, more or less, according to circumstances: they purpose to impart condition and fertility to soils; and there is no doubt that, under proper management, the investments become highly beneficial and valuable. We are accustomed to speak of them as acts of

husbandry and cultivation, manuring with lime, chalk, bones, rape cake, and various artificial compounds, such as guano, superphosphate of lime, &c., and the spending of cake and corn in yards or upon the land. Acts of husbandry and tillages, when carried out in a reasonable, workmanlike order, are of the utmost importance and advantage to an incoming tenant; and, subject to limitations, they might be legally and regularly performed by the outgoer at a published scale. As for the manures and other materials just named, they have become the chief elements in modern farming; the necessity for them is best evidenced by the extensive manner in which they are adopted, and it is a matter of national regret that a check to their use should ever occur. That it does happen we all know too well, for it is the common habit, long before the term for quitting a farm arrives, to discontinue the use of artificials. Professor Low, in speaking of them says:—"No farm can be cultivated in a suitable manner unless the farmer can look forward to a future time in which he can recover, with a profit, the capital expended by him." Now it is most desirable that all farms should be cultivated in a good and proper manner, and that their fertility should be preserved; and if this can only be attained through a system which recognises a tenant's outlay, and provides for the repayment of it, the sooner a scheme to effect such a desirable end is framed and adopted the better.

Cultivations and acts of husbandry assume almost the same form throughout the country, now that the implements employed are so similar, that a universal scale of prices might be agreed upon for steam and horse labour, and other ordinary works of tillage, care being taken that only a reasonable number of ploughings or other costly operations would be sanctioned. Since steam has effected such marvellous works of cultivation, some of its operations would need to be specially considered; for instance smashing-up heavy clays by Fowler's digger, or subsoiling with steam-cultivators, are tillages which confer lasting benefit on such soils and they should be valued accordingly.

The old system of summer fallow is rapidly disappearing; where it still exists, the ploughings should be confined to not more than three. I remember perusing a lease in Surrey, in which no less than five ploughings to fallow were covenanted to be done by the out-going tenant. I did not hear that the farm, though, was let upon those terms. The outlay for culti-

vations and acts of husbandry would vary according to the season a tenant entered on his farm. I am decidedly of opinion that Lady-day, March 25, and Michaelmas, September 29, are, in every respect, the fittest periods for dating a tenancy, and, of these seasons, I prefer Lady-day. The bulk of the material grown on the land is then either consumed or sold, the interest of the out-going tenant is comparatively simple to value, and that most undesirable practice of tenants sharing the same house and homestead is avoided. In districts where chalk, lime, marl, and bones are applied, the utility and value of these substances are well known and appreciated. You could only frame a table of payment for them on assumption, since the quality of the materials themselves, and the properties of the soil to which they are applied, have no uniformity of action. Nevertheless, the matter is capable of adjustment, and prices might be agreed upon, in localities where such things are used, which would satisfy the man who incurred the cost of the operation, and be perfectly fair to his successor.

Guano and superphosphate of lime should be allowed for under certain circumstances, for instance, where either or both are applied to the root crops, and the acts of husbandry and cultivation to that crop are charged. In the case of the roots themselves being valued, manures are not calculated. I have never detected lasting results where these manures are used; they appear to act as a stimulant, and no doubt do largely increase the bulk of the root crop, but the benefit to cereals and grasses may be purchased at the expense of the soil, and for that reason I am not sure that I should allow anything for their use any more than I should for nitrate of soda or sulphate of ammonia. I have no doubt that these opinions will be unpalatable to some of our great experimentalists and theorists, and whilst declaring my great respect for their talents and labours, I cannot forget that we may have yet to debate and pass a scheme to deal with plain simple facts; and that, until this is carried, it is impossible to go into the far deeper question of top-dressings and their influences.

The consumption of oilcake and corn on land has a highly beneficial and comparatively a lasting effect, such as warrants a valuer in taking cognisance of it. So much depends upon the quality of the cake and corn used that I submit an analysis of them should accompany the invoice; this course would prevent the employment of inferior food. Most of us have tried

and discovered the manurial effects of these feeding substances, whether on pasture or arable. Poor grass land has been improved 200 per cent., and shallow, hilly ploughs have been profitably cultivated, since the secret of feeding oilcake and corn on them has been discovered. Permanent benefit has been produced on meadows by the use of oilcake; and heavy crops of barley and seed have followed the use of it on inferior arable land. Who could deny the right of an outgoing tenant (consuming such food within the last year of his term) to remuneration? Surely not the man who succeeds, and will therefore reap the fruit of the practice. Feeding and penning land is viewed as one of the most beneficial acts a farmer can pursue. The animal penned becomes the vehicle by which you manure. On our hills, sheep previously folded on sanfoin or ley, are given a pen of rape or turnips, or corn is given to the flock folded alone on turnips; either process greatly enriches the land, the benefit being valued at from 30s. to 50s. per acre, sometimes more. Green crops, when only partially fed, such as old or new seeds, not depastured after June, and vetches or rape ploughed in, may fairly be reckoned in a valuation. Before quitting the subject of cultivation, acts of husbandry, manures, and artificial food, I wish to explain that I have avoided entering into detail upon their cost or agricultural value, because I felt it would be presumptuous and of no avail for me to attempt to introduce a scale of payment for them. The precise worth of these operations is still a matter of doubt, as the reports you have had read to you this afternoon prove. It will require the knowledge and experience of the first agricultural authorities to compile a just and acceptable table of payment for such things. My object has been to draw your attention to those matters which bear more immediately on the question.

I don't care to enter upon a series of calculations and figures (at all times distasteful enough, and which at the present moment are useless); this business, I trust, will follow a few such debates as these. It is enough for us to ascertain and declare that certain facts require to be placed on a satisfactory footing, and having discovered what that should be, to invent the proper means for effecting it. I want this meeting to affirm that most or all the points referred to form a basis or framework for a broad system of tenant-right: if we once get this idea accepted by the majority of our agriculturists the machinery for working it out lies in our Chambers of Agricul-

ture. Here the landlord and tenant, meet for the purpose of discussing their mutual interests. One and all of them are deeply concerned in the settlement of our subject to-day, their united efforts and wisdom must produce a scheme which shall grapple with the difficulties of our situation and give us the benefits we have a right to demand. Suppose we take a view of their several interests. The landlord is personally concerned in securing liberal treatment and good management to the soil, the rent and facility of letting depend upon the condition in which a farm is left. It is no uncommon circumstance for a proprietor to allow half a year's rent, or the equivalent in money, for an exhausted or ill-managed holding. It would be to his interest if the custom become legalised, and a stop was put to that wretched course of running out, and otherwise abusing his land; far better that the owner should take his share in a measure which would ensure a more equitable and profitable working of his estate. What if he consented to take all reasonable cultivations, fodder, and manure at the expiration of a tenancy? The step is to his advantage, no tenant could object to take such matters off his landlord's hands. Beyond the responsibility the owner would rarely have to find the money to pay the valuation, the latter being transferred to the new occupier.

Next take the tenant. Surely it is not to the interest of either outgoing or incoming tenant to treat for a wilderness. Far better for both that there is something to bargain for. A man on quitting a farm might do worse than think of his successor; that too common practice of neglecting cultivations, hoeing, and dispensing with corn for stock in the last year of a tenancy is not always profitable! As I have before observed, there is a vagueness attached to valuations which we cannot now explain. I take it that many is the pound a tenant has lost through his mistaken economy on leaving. Valuers are good judges, and observe how land is left, and make their calculations accordingly.

There are too many instances of farms given up in woeful condition and disorder, which would scarcely be the case if those quitting them could claim compensation for better management; not that I am inclined to recommend payment for fences, roads, watercourses, and gates—these things should, as a matter of course, be kept up, and any neglect to do so should be a penalty on the outgoing tenant. See again of what advantage it would be to the incoming tenant to succeed

to clean fields rich in manure, sufficient portions of well-stored fodder and straw; his course is thenceforth clear, there is no interruption to ordinary rotations nor check to his energy, but an immediate opportunity for commencing operations with fair promise of success. Surely these are circumstances of no small importance, nor can I imagine there is a farmer in this kingdom who would object to a fair payment for a farm so left. Whilst boasting of our supremacy as agriculturists, it is remarkable, but nevertheless true, that the first and grand rule, acknowledged by the earliest nations, is neglected in this generation. I refer to the importance of maintaining the fertility of land. I was much interested by some remarks in an agricultural work by Pliny, who is reported to have lived A.D. 35, upon this very question of condition of land. He observes:—"Many hold opinions that negligence and ill-husbandry of the former tenant is good for him that shall come after;" but he goes on to say, "Nothing is more dangerous and disadvantageous to the incomer than land so left to waste and out of heart." Besides other valuable maxims in this book, one other particularly struck me, which I must give to you. The great Cato, being asked "what was the most assured profit rising out of land," made this answer:—"To feed cattle well."

It might be well to remember these plain, practical remarks, although uttered by men in the first days of the Christian world. Mechanics and chemistry rendered but little aid then, yet their ideas and practices were identical with our own, with this exception, that the ancients tilled and preserved the qualities of the land, whilst we till and lose them.

There is a class that I have not yet referred to, whose very existence and prosperity is so essential to the safety and success of the proprietor and occupier that agriculture would cease without them. I mean the labourer. We must acknowledge the importance of good and competent hands, and the necessity for retaining in our employ those who labour cheerfully and manfully for us. As a rule, we find the best and most intelligent workmen in districts noted for the superiority of their agriculture. Here the enterprising tenant follows his pursuit with vigour: there is constant occupation for the labourer, who prospers with an enlightened system of farming. Take another view of the working man's state. We have a wild, ill-managed district, sluggishly and wretchedly farmed, neither capital nor energy, farms only half cultivated,

the peasantry lowly paid and often unemployed. Occupations change hands, the fields are left to slumber, and the labourer starves. Then follows crime and all its attendant horrors. Now, as "tenant-right" becomes general, this melancholy, but too true, picture will alter, land will not then be allowed to deteriorate, capital will be poured into it (now that it is secured), and constant employment will be found for the labouring man.

THE
LIABILITIES OF INCOMING TENANTS,

READ TO THE

Bideford Farmers' Club,

BY JOHN LYNCH FLETCHER,

Agent to the Hon. Mark Rolle.

Great agitation has prevailed in this country for some years in favour of the "interests of outgoing tenants." It has not alone been confined to agriculturists, but statesmen, economists, and philosophers have joined in the cry, until Parliament can no longer resist the demand for legislation in this direction. There is every prospect of the Agricultural Holdings Bill becoming law in a very short period, and we have yet to learn that the measure will confer the benefits and be productive of the results its framers design. The creation of tenant-right marks an important era in agriculture, and it seems impossible at this moment to foresee the consequences that will follow its adoption. There are statesmen and agriculturists who view the measure as a direct interference with private interests, and there are others who hold that it is the duty of the Legislature to define the terms upon which land shall from henceforth be let. No doubt the whole thing is an experiment, and it must affect the relations that have hitherto existed between landlord and tenant. What that effect may be it is difficult just now to say. The matter has been debated both in and out of Parliament. The Premier, quoting Mr. Pusey's views, stated that when the latter came forward to advocate tenant-right, it was to protect the owners of the soil, and to place the occupier in a stronger position, I take it by occupiers he meant the incoming, as well as the outgoing tenant. Up to this time the arguments have been directed chiefly to the cause of the outgoing tenant, whilst some voices have been raised in support of the landlord's interests. Nothing appears to have been said on behalf of the incoming tenant. One cannot but

be struck with the indifference (amounting almost to ignorance) with which his interests have been treated, not only by Parliament, but also by Chambers of Agriculture. Surely there are representatives of both places who are well aware of the doubtful value which at present attaches to many matters for which an incoming tenant will, from henceforth, become responsible. The only member who touched upon the first discussion on the Government measure was Sir W. Barttelot, who is reported to have said that "the incoming tenant had hardly been mentioned during the debate, and that he, of all others, was the person who ought to have the most serious consideration of the House." This is a weighty charge to bring against Parliament, and one we should have thought sufficiently urgent to lead to immediate enquiry on the subject. No one rose to refute it, nor was any explanation asked for, and I verily believe the thing is not more understood in the House of Commons than it is by the public at large. The tenant farmer is the only man who does or should know what will result from legislating upon unexhausted improvements, and he, of all others, is most interested in securing an equitable arrangement at the termination of tenancy, and he should watch with jealousy the wording of every clause in a Bill for this object. It is my firm belief that some of the provisions in the Act now before the House are in advance of the knowledge we possess of many of the subjects it deals with, and that dissatisfaction and litigation must spring from its enactments. Holding these views, I embrace the opportunity afforded me by your Association to invite discussion upon the incoming tenant's liabilities. In recognising the claims of a farmer at the termination of his tenancy, you must insure their being substantial and honest ere deciding who is to discharge them. It is all very well to say the landlord shall do so, and he may do so, but that the incoming tenant will eventually have to pay the bill no one acquainted with the letting of land will deny. A very great authority, in addressing the Lavenham Farmers' Club, is reported to have said that "mistakenly associating great wealth with landlordism, opinions are pretty strongly expressed that the landlord ought to pay for this or that, forgetting that practically it is a matter which more concerns the incoming tenant, for all land agents of average sagacity first protect their employers by informing the would-be-hirer of a farm that he must pay by valuation for all the claims the outgoer is entitled to make." Assuming that the Act now before

Parliament be passed, we may take it for granted that its provisions will become the basis of all future arrangements in letting land, notwithstanding the outcry against the 44th clause. These provisions we find described in three classes. Passing over the first class, which treats of improvements needing the landlord's sanction before they can be executed, we come to those in the second class, which a tenant can perform upon giving his landlord seven days' notice. They comprise boning of pasture land with undissolved bones, chalking of land, clay burning, claying, liming, and marling of land. These improvements are to extend over seven years. Finally in class 3 we find the tenant is to be entitled to compensation, up to the end of two years, for application to land of purchased artificial or other manure, consumption by cattle, sheep, and pigs, of cake or other feeding stuff, not produced on the holding. With some few restrictions, these are the matters the outgoing tenant will be entitled to be paid for, and the man who has to pay the bill will find it his interest to discover the money value of them. The liability we have, I think, traced to the incoming tenant. Let us see how it would affect him in the event of his entering upon a farm in this county, subject to the provisions I have just now read you. Assumed valuation upon a farm of two-hundred acres, let subject to the provisions of the Agricultural Holdings Bill, at Lady-day, 1875, cultivated in the following proportions :—

40 Acres Wheat.			
40 „ Lent Corn, part with seeds.			
40 „ Seeds.			
40 „ Second year's seeds.			
40 „ Roots.			
	£	s.	d.
10 acres of lime, 4 tons per acre, at 15s. per ton, in 1873, allowing improvement seven years. . . .	22	17	6
6 ACRES OF MANGOLDS			
3 cwt. guano at 12s. cwt., whole cost	10	16	0
4 cwt. superphosphate at 6s. cwt., whole cost. . . .	7	4	0
6 acres of mangolds in previous year, one-third cost	6	0	0
14 ACRES OF SWEDES			
6 cwt. dissolved bones at 13s., whole cost	27	6	0
14 acres of swedes in previous year, one-third cost	9	2	0
Carried forward. . .	£83	5	6

	£	s.	d.
Brought forward..	83	5	6
20 ACRES OF COMMON TURNIPS			
4 cwt. superphosphate at 6s., whole cost.....	24	0	0
20 acres common turnips in previous year, one-third cost	8	0	0
25 acres of seed at 15s. (seed bill)	18	15	0
Cake to 20 fat oxen, 5 tons at £11 ton (half cake bill)	27	10	0
do. do. previous year (quarter bill).....	13	15	0
80 fat sheep at 8s. head (half cake bill)	16	0	0
do. do. previous year (quarter bill)	8	0	0
Meal to 10 pigs 7½ cwt. at 12s. cwt. (quarter meal bill)	11	5	0
do. do. previous year, ½ bill	5	12	6
10 tons hay, two-thirds market price	30	0	0
15 tons straw, do. do.	30	0	0
Taking down hedges, &c., &c.	7	10	0
	<hr/> £283 13 0		

Disregarding the items in this account of hay and straw, it will be seen that the sum of £223 13s., or five-sevenths of the whole amount, is charged for matters which have not hitherto been generally included in a valuation. This increase is not in my opinion the most important feature in the account. 22s. per acre is by no means a heavy valuation. It is the calculation for manures and feeding stuffs I think unsatisfactory; also there is a looseness in the classification of the improvements in the third class which opens the door to deception, and must cause infinite trouble hereafter. As the words now stand, an outgoing tenant might claim to be paid for the veriest rubbish in the shape of purchased manures and feeding stuffs. My valuation, I am aware, differs in many respects from the practice of some of our local valuers, but my desire has been to make the calculation in strict conformity with the Act before Parliament. The matter we are now upon may appear small in itself, but with the farming interests of this kingdom it is of vital consequence; and who dare say that claims for compensation may not grow up under the Act we are discussing precisely as they have done under the Landlord and Tenant (Ireland) Act, 1870. According to the

agricultural returns for the year 1874, the total number of acres under mangolds, swedes, and turnips in Great Britain was 2,455,950. Now supposing an average of 2 cwt. of artificial manure per acre was applied upon that area, and that we compute its value at 8s. per cwt., we get £1,964,760. Going back another year we find the figures much the same, and we should under the allowance in the Act be entitled to $\frac{1}{3}$ of this sum for that year, or £2,619,680 for the whole period, being the value of this article now in the soil. If from the same report we take one-third of the number of cattle, sheep, and pigs in England, Wales, and Scotland in the same year, it would give us 2,041,830 cattle, 10,104,647 sheep, and 807,611 pigs; and consider them as the proportion of both cattle, sheep and pigs which have received purchased artificial food, at the rate of 30s. a head for each ox, 2s. a head for each sheep, and 5s. a head for each pig, it gives us the enormous total of £4,275,112 paid for these commodities by the British farmer in the last year. Now, taking the unexhausted value of these artificial manures and purchased feeding stuffs according to the rules laid down by Parliament, the whole of the £2,619,680 charged against the manures, and two-thirds of the cost of artificial food used in the last two years, making together the sum of £5,469,755, would literally be the amount of the present occupiers' unexhausted interests in these things, and therefore the sum of the incoming tenants' liabilities for them. These calculations must be accepted for what they are worth. I do not claim accuracy for the figures of the statistical department of the Board of Trade, from which they are made; even if they be larger than is really the fact, the subject will appear of sufficient magnitude to demand not only the earnest consideration of Parliament, but also strict inquiry from yourselves. I have as yet spoken of but two subjects which must be treated on the exchange of tenancies. They are, perhaps, the most important because they will be the more general, viz., the employment of purchased manures and foods. There are other matters to be dealt with, which may be considered as shrouded in uncertainty—I mean the application of bones, lime chalk, clay, marl, and sand. Much diversity of opinion, as I shall be able to show, prevails in regard to the value of applying these commodities to land. Any good effect which they may have is ruled by climate, season, soil, and mechanical treatment. Where the rainfall is excessive or the atmosphere humid, the process of decay and consequent dis-

solution of the parts would be more rapid than in drier situations, hence causing earlier exhaustion of the substance employed. The adoption of them out of season may be an error and render their effect nugatory. Their contact with soils and the result which follows become obvious in proportion with the existence of certain properties in the soil, in some cases producing good, in others no benefit is discernible, and the previous cultivation of the land and process of applying these articles has much to do with after results. What says Mr. Lawes, of Rothamstead? the greatest authority we have upon the manurial results of every kind of substance. In his pamphlet on unexhausted manures, speaking of compensation for them, he says, "Much must depend on the description of the manure employed, the character of the soil to which it has been applied, the characters of the climate or of particular seasons, and the kinds of crop which have been grown since the application." Further on he dwells on the importance of carefully considering the peculiar properties and probable duration of effect of different manures if we could hope to arrive at anything like a fair estimate of the money value of the unexhausted residue they leave in the soil under various circumstances, and in referring to estimates by him of the value of the unexhausted residue of various manures, Mr. Lawes cautiously adds the amounts might be materially affected according to the cleanliness or foulness of the land, the lightness or heaviness of the soil, the dryness or wetness of the locality or of particular seasons, and the difference between the purchasing price of the food or manure and its actual and relative value. Taking another authority on these matters, Professor Wrightson, of the Royal Agricultural College in Gloucestershire, who has conducted a series of experiments, not only on the college farm, but also through the co-operation of gentlemen and farmers upon some other eight farms in the district around Cirencester. In his paper, which appears in the *Journal* of the Society of Arts for April last, he asserts, after quoting several cases in point, that not only manure but the land and climate must be taken into account, and that his experiments have shown that, in the Cirencester district, the character of the land and its agricultural condition exert a very positive effect upon the increase from the use of any manure whatever. Feeling that this meeting might like to know the actual results of some of the Professor's labours, I have extracted from his table of experiments upon swedes in the year 1874 the following examples:—

	Rev. T. Maurice, Harnhill.		Mr. Arkell, Dean Farm.		Mr. Stevens, Bathbury.		Mr. Hawkins, Oaksey.	
	Tons.	cwt. lbs.	Tons.	cwt. lbs.	Tons.	cwt. lbs.	Tons.	cwt. lbs.
DRESSINGS PER ACRE.								
Mineral superphosphate, 3 cwt.	9	11 78	12	16 48	9	15 60	12	7 96
Mineral superphosphate, 3 cwt., and nitrate of soda, 1 cwt.	7	14 102	13	2 86	5	14 67	10	15 70
Mineral superphosphate, 3 cwt., dissolved guano 2 cwt., drilled together	11	3 24	15	8 34	10	13 94	10	17 76
Mineral superphosphate, 3 cwt., dissolved guano 2 cwt., sown broadcast separately	9	18 54	14	17 96	10	4 82	12	17 16
Mineral superphosphate, 3 cwt., nitrate of soda, $\frac{1}{2}$ cwt., organic matter, $\frac{1}{2}$ cwt., potash, salts $\frac{1}{2}$ cwt.	8	17 6	14	16 38	6	6 98	7	6 48
Patent bone superphosphate, 3 cwt.	9	11 38	9	1 38	7	5 60	12	18 24

I happen to know the locality intimately from which these particulars are derived, and am not aware of any perceptible change in the soil that has been experimentalized upon, although some of the farms are from fifteen to twenty miles apart, and am therefore at a loss to account for the great difference in the yield in the cases given in the Table. I should

weary you were I to quote the diversity of results that follow the use and application of purchased Artificial Foods and Manures; as far as I am able to trace, the whole thing is wrapped in mystery. The mysterious part of the business commences directly an artificial manure is buried in the soil and the last atom of artificial food disappears down the gullet of an animal. What follows a Higher Power than man alone can say with certainty. In most cases undoubtedly manurial benefit is to be traced to the use of these things, but have we sufficient evidence to shew the money value of them? I think not, and that is why I am anxious to invite discussion upon the matter amongst those who are certain to be affected by coming legislation. In doing so I do not wish to be understood as opposed to a measure for securing tenant-right—far from it. So far back as the year 1870 I took up the question of compensating tenant farmers for unexhausted improvements, and in a paper I read to the Monmouthshire Chamber of Agriculture, I defined these things as “Investments which took various forms, their effects being unequal in duration, and the cost of employing them as differing more or less according to circumstances.” If this description is marked by caution it is because I knew of no authority to sanction my saying the results were positive; nor am I aware of any facts since to define or prove the precise value to be assigned to unexhausted improvements. From information I now propose to lay before you I think you will see that my doubts are shared by others. It is a summary of the replies I have received from some of the first agricultural authorities in the kingdom to six questions which I addressed to every county. You will be struck with the diverse notions which prevail relative to the several subjects.

QUESTION No. 1.—Is lime or chalk applied to land in your county? If it is, please say what proportion is used to the acre, and if you consider its good effect (in all cases) lasts for any number of years?

REPLY.—*Cheshire*—Yes; 40 to 70 cwt. per acre—considered to have a beneficial effect for 3 years. *Devonshire (South)*—Yes; from 4 to 7 tons on grass chiefly. It lasts at least 7 years. *Devonshire (East)*—Yes; 4 to 5 hogsheads on grass land has effect for 10 years; on a bare wet fallow it has no effect. *Glamorganshire*—Yes; 3 tons. Never seen any effect. *Kent*—Yes; on the weald clay 80 to 100 bushels. Its effect lasts 6 or 7 years. *Norfolk*—Chalk and marl are used. Their

effect lasts from 8 to 12 years. *Pembrokeshire*--Yes; from 5 to 10 tons. Its effect is always good, and lasts 7 years. *Staffordshire*--Yes; 4 to 8 tons on pasture; effects are visible 5 to 20 years. *Suffolk*--Yes; 40 bushels to the acre; effects lasts for 2 or 3 crops. *Warwick*--Yes; from 2 to 3 tons. Beneficial, if applied at intervals of 12 or 14 years. 7 counties--Yes. 5 counties--No.

QUESTION No. 2.—Are you of opinion that artificial manures in all cases confer benefit to soils, and does the consumption of corn and cake do so likewise?

REPLY.—*Bedfordshire*--Certainly, when of good quality, and suitable to the soil. *Cheshire*--Yes; if varied and applied of description to suit the nature of the land. *Devonshire* (East)--Certainly not; nitrate grows too much straw, which incomer has to take to. *Essex*--Certainly; if the proper kind of artificial manure is used suited to the nature of the soil. *Kent*--Not in all cases, as applied by men ignorant of the chemical constituents and requirements of soils. *Lancashire*--Certainly not; I have seen repeated dressings of guano injure land. On some lands bones have no good effect. *Norfolk*--Generally genuine manure applied to root and corn crops answer. To grass the result is uncertain. Artificial food, also; unless the expenditure is excessive in a wet season. I believe superphosphate is an exhauster of the soil, and have doubts as to the lasting effects of guano. Consumption of corn and cake does good to soils but I question the propriety of incoming tenants paying for their use. *Shropshire*--To very limited extent. 8 counties--Yes. 1 county--No. 1 county--Doubtful.

QUESTION No. 3.—Are you aware that the operations of (1) subsoiling, (2) applying $\frac{1}{2}$ inch bones, (3) dressing with clay or sand increases the fertility of land for any number of years.

REPLY.—*Denbighshire*--Applying $\frac{1}{2}$ inch bones has a very permanent effect. Ought to be spread over from 7 to 10 years. *Devon* (South)--Yes; 5 to 10 years. *Kent*--Subsoiling on the green sand in the Weald improves the land for 4 or 5 years. *Lancashire*--Subsoiling on strong land is beneficial, if judiciously done in dry weather. $\frac{1}{2}$ inch bones applied to pasture lands 20 years ago; the effect is still good. *Norfolk*--Deep cultivation answers admirably on heavy soils. Bones are of little use on pasture, but excellent on arable. *Warwickshire*--Land is permanently benefitted by bones, say from 1 to 10 cwt. per acre. 4 counties---Yes. 2 counties---No.

QUESTION No. 4.—Do you consider the value of the several matters before mentioned sufficiently established to make it compulsory upon an incoming tenant to pay for them?

REPLY.—13 counties---Yes. 5 counties---No. 4 counties---Doubtful.

QUESTION No. 5.—In your opinion are public valuers qualified and armed with enough fact to entitle them to our entire confidence in assessing the sums to be paid for unexhausted improvements.

REPLY.---*Norfolk*—I should have perfect confidence in *Norfolk* valuers where, under agreements, payments are made. *Staffordshire*---Where well acquainted with the particulars of the district and armed with information. 4 counties---Yes. 9 counties---No. 9 counties---Doubtful.

QUESTION No. 6.---Is there not cause to fear that in the event of tenant-right becoming compulsory, demands will be made upon the incoming tenant for matters of a doubtful and hitherto unascertained value?

REPLY.---*Bedfordshire*---At first they will until valuers become trusted. *Devon (East)*---If the Agricultural Holdings Bill passes there is too much left to opinion on the one hand. *Essex*---I do not agree with the proposed finality in the Agricultural Holdings Bill. Doubtful claims will no doubt be made which valuers must disallow. *Herefordshire*---A good system of arbitration will correct this. *Kent*---The demands should be defined in the Bill, making tenant-right compulsory. *Lancashire*---All claims should be made each year. *Norfolk*---No; taking into consideration the experience of *Lincolnshire*. *Shropshire*---Certainly, unless properly guaranteed. *Staffordshire*---Possibly, but competent valuers will be called in on such points. 13 counties---Yes. 1 county---No. 7 counties---Doubtful.

If any of the enquiries I have asked should appear to reflect upon our public valuers, I trust that no gentleman in this room will consider it as personal to himself. I desire to fix no responsibility upon them, but am inclined to say that the ignorance which prevails with regard to the manorial value both of artificial food and manure arises from the very small knowledge the world possesses about these matters, and until absolute experiment, aided by science, affords proof and furnishes a basis upon which calculations can be made, that it is unrighteous to frame laws making payment for them compulsory. The absence of this proof never appears to have

entered the minds of statesmen or agriculturists, but one idea seems to have pervaded their councils, viz., compensate the outgoing tenant. For what, I ask? For the several matters under clauses 2 and 3, in the bill referred to? Why you have only the shallowest evidence of their value, as the reports I have just read go far to prove. The article lime, it is shewn, is applied regardless of quantity (I might add and consequences), from 3 to 10 tons per acre being used, its effect lasting from 3 to 20 years; in one instance no result is observed from the use of it. Artificial manures and feeding stuffs are not more satisfactorily spoken of; great stress is laid on their quality and suitableness to soils, and doubt is expressed as to their enduring effects. Subsoiling: half-inch boning and claying do not appear to be much practised, and but little information is obtainable about them. In the face of all this many of my correspondents are satisfied that the value of these articles is sufficiently established for them to be assessed to an incoming tenant, but the majority of them declare they do not consider public valuers are competent or armed with sufficient fact to deal with them. A general feeling would seem to prevail that advantage will be taken of a Tenant-right Scheme to obtain payment from the incomer for things of a doubtful value and that our valuers need to be educated up to the Lincolnshire standard to resist them. There remains yet to be noticed the outward and visible improvements to land, the fruit of the toil, industry, and patience of the occupier producing more permanent results than the artificials in every form, but in no respect encouraged by tenant-right. The certainty of fairly well-tilled land, free from weeds, is to be preferred to a foul surface dosed with nitrate or dissolved bones; and if this fact were more generally recognised I have no hesitation in saying that Lord Derby's prophecy, that the produce of the kingdom might be doubled, would be realised. Take a locality a few miles distant from this town, and note the number of half-cultivated acres, and of those covered with rushes, &c., and if it is not nearly 50 per cent. of the whole I shall be surprised. Does anyone mean to tell me that tenant-right alone is going to regenerate these profitless acres? Has not the want of capital much to do with it, and are you not making the redemption of the land more distant by imposing a heavy tax upon an incoming tenant for matters of a doubtful value? It is clear to me that many good men will be kept out of the field by a too strict tenant-right. The small capitalist who hopes

to arrive at the top of the ladder by the sweat of his brow will be defeated in that endeavour, and he, of all others, is the man to take hold of the neglected land and put a new face upon it. Be cautious in imposing liabilities on an incoming tenant. Let the value of a claim be clearly established before demanding payment, in order to mete out compensation with justice. Let the man who brings his holding to a high state of fertility by sheer labour feel that his exertions shall be rewarded. An old adage says "An ill husbandman is he who is forced to buy that which his farm might produce," and no doubt the better your tillage, the cleaner your surface, the greater will be your crop. By way of illustration, I may relate the case of a Roman citizen who, upon the complaint of his neighbour, was indicted and brought before one of the rulers for having used sorceries, charms, and witchcraft, whereby he had gathered from a little piece of ground a far larger bulk than they had from much greater possessions. When called up for his defence, "My masters," quoth the citizen of Rome, "behold, there are the sorceries, charms, and all the enchantments that I use (pointing to his daughter—a lass strong and big of bone, yea, and well fed and well clad—his draught oxen, full and fair, and with all his tools, plough irons, and coulter, and strong and tough spades). I might besides," quoth he, "allege my own travail and toil, the early rising and late sitting up, and the careful watching and the harmful sweats which I daily endure; but I am not able to represent this to your view nor to bring the means I have used with me to this assembly." The Roman was acquitted, and we have a lesson from which we may learn that success in agriculture proceeds as much or more from the labour and skill of the husbandman as it does from any legislative or arbitrary principles laid down by man. It has been my endeavour, up to this point, to impress you with the consequences which will follow the establishment of Tenant-right. I have taken for my basis, as you are aware, the Agricultural Holdings Bill, now under discussion in the House, because I do not apprehend the "carving and gilding" that may be practised upon it there will greatly alter the spirit of the measure. The country seems bent upon passing a Tenant-right Bill without much stimulating from the tenant farmer, and there is a recklessness about the whole proceeding which betokens a want of knowledge with those who originated the Question. I shall be much disappointed if I have not induced the majority of

my hearers to feel and acknowledge that there is a very great deal to be learnt on the subject of unexhausted improvements. Before justice can be done to the incoming tenant, a severe task must be mastered by both farmers and valuers. The actual benefit which soils derive from artificials, whether applied directly in the shape of chemical substances, or indirectly through the carcase of an animal, has to be ascertained. The duration of these things in the respective localities in which they are employed must be discovered, and last, but not least, the money value of the unexhausted residue they leave in the soil, under various circumstances, requires to be ascertained. Now, how is this to be achieved? I would submit by practice and observation. You have heard how various are the results which follow the use of artificial manures and food in different localities, and must perceive how it influences their value. From this time it seems to me every neighbourhood must provide for a series of experiments in its centre with all sorts of manures and foods; the information which must naturally follow such a step will be of infinite value to agriculturists, and the foundation on which valuers will make their calculations in the several counties. Unless some scheme of this kind be introduced, I don't see how you will overcome the mystery which now shrouds the whole matter. I would not confine these experiments to the tests I have mentioned, but would have all artificial manures and feeding stuffs analysed and certified before exhibiting them for sale. With the risk of bringing upon myself the indignation of the vendors of these things, I have no hesitation in declaring that a large amount of spurious material is annually sold to the farmers; you cannot wonder at it. The manufacturer is perfectly conscious of the consumer's ignorance of the commodity he is preparing for the market, and mixes his articles accordingly. I have touched briefly upon this business, because it is in such close relation with the "Liabilities of the Incoming Tenant," and, in the words of Mr. Lawes, I "leave the further discussion of this complicated and difficult subject to those whom it may most concern."

