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**A letter
Frankland
Lewis, Esq.
M.P. on
commutation ...**

Rev. John Fisher

A

LETTER

TO

FRANKLAND LEWIS, ESQ. M.P.

ON

COMMUTATION OF TITHES.

**BY THE REV. JOHN FISHER,
RECTOR OF WAVENDON.**

London :

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1817.

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A

LETTER, &c.

SIR,

IT may be deemed some apology for addressing you on a great public question, that you are a member of the Legislature; but the subject of this Letter is peculiarly associated with your name, from the knowledge and right view of it, which you have lately discovered in the House of Commons, and the good temper and moderation with which you have treated the property and system of Tithes. The propriety of a Commutation of Tithes becoming a matter of deliberation, it is not for me to question; I neither deny the power nor wisdom of Parliament, and as little do I doubt the equitable issue of its enquiries. It is evident that the consideration will not be taken up from clamour or party, and the manner in which it is already entertained, augurs nothing finally to

the prejudice of the Church and its rights. But the tone of other speakers has been greatly caught from your temperate and unanswerable statement of the legality and equity of its possessions; and should this important Question again come before Parliament, not I trust, as a subject of legislative change, but of discussion; I doubt not but such discussion will terminate in the quiet disposal of the matter, much to the future peace of the parties, who now seek to agitate it, not from evil or selfish motives, but from mistaken views and apprehensions.

Allow me, Sir, to deviate a little from the ordinary form of a Letter, and to dispose of what I have to say, under the following heads.

1. That Tithes are a legal right and property.

2. That they are no grievance.

3. That they are no restraint upon agricultural improvement.

4. That they admit of no equitable commutation, which would not prove more burthensome to the land, than they are at present.

1. The indefeasible right of Tithes seems to be admitted on all sides. Our best authority on this point is Sir William Black-

stone, that constitutional and liberal commentator on the Laws of England ; and it is well that he is a common lawyer. He waives the *jure divino* right of Tithes ; and though he does not place it on so high and holy grounds, yet in the contemplation of secular and reasoning minds, he fixes it on a safer basis, the law of the land. Like him, I would not stickle for the *jus divinum* of Tithes : but let it repose with that other *jus divinum*, which the glorious Revolution set aside, to the great content of the good people of this country.

He shows that they are founded in reason and equity ; and that they are a tenure more ancient in this country than any other, excepting, perhaps, manors, which are an immediate emanation of the crown, and with which advowsons of livings have been intimately blended. The freehold is certainly of much younger birth. But this is matter of history. What then has been so long sanctified by law and by religion, by statute, by canon and by custom, it is not necessary to support at length. It is felt that the same protection which is held over the layman in the enjoyment of his property, is equally extended to the possessions of the Church ; that the endowment of the one is as sacred as the

inheritance of the other ; and that one does not enjoy the nine-tenths of the produce of the soil with greater right, than the other does the one-tenth, which law and prescription have awarded.

The days of encroachment of the churchman upon the laity is gone by. The fears of superstition no longer fill the cowl of priest-craft ; and the watchful eye of the Legislature has fixed a forbidding look upon the grasping hand of the ecclesiastic, by the act of Mortmain. But under the same sanction, the remaining possessions of the Church, I conceive, to be unalienable, if not unalterable ; and it must be owned that the restraint is as necessary upon the avarice of laics. Her former plenitude of wealth proved a temptation to plunder ; and by whatever means she had become bloated and overgrown, the unwieldy mass was sufficiently reduced. But in the end, the punishment has proved wholesome : for whilst the tenure of the *spoliæ opimæ* is defended by the most powerful possessors of them, the poor remains of the Clergy can never be in danger : the lay impropiator is in some degree changed from a spoiler to a protector. But, Sir, I mean not to attack the right of the layman, however it might originate in wrong.

“ Nothing here said is intended in the least to impeach or to bring into dispute the legal rights of any persons possessing such Tithes, or other revenues, that were formerly of a spiritual nature, but are now by the laws of the land, become the properties of those in possession of them*.” Time and law have also confirmed their property, and we must now stand or fall together. But it is a presumption against any further change or surreption, that the rights of the Church have never been assailed since that most arbitrary act, by which Henry despoiled her in the worst period of the monarchy; and it is an act, which certainly will not be most distantly imitated in these better days of the Constitution.

2. That the present system of Tithes is not a grievance, it may be more difficult to prove against the prejudices and interests of those concerned in paying them. But, Sir, I hope in few words to show that these prejudices and interests are both mistaken. The proprietor of the land inherits it, or has purchased it, subject to the legal incumbrance of Tithes: If the former be his case, he has no more reason to complain, or to seek

* Bacon's Lib. Reg. Pref. p. vi.

exemption from Tithes, than from the land-tax, or from any other rent-charge it may be saddled with: If the latter, he has purchased it with a knowledge of the fact, and undoubtedly with a reasonable deduction in the price, on that special consideration; or in truth, he has not bought the entire estate, as another has a clear, legal, and considerable interest in it; which, though incorporeal and indivisible from the rest, is yet subject to the control of its owner, as undeniably as the remainder. Had the land been exonerated from such a burthen, a higher consideration would certainly have been paid for it. Instances are at hand in every part of the kingdom to illustrate this argument.

Let us now, Sir, turn to the case of the farmer or occupier. By parity of reasoning, he has no greater right to call Tithes a grievance. He occupies under the same knowledge and circumstances, as the landlord possesses the estate; he takes it fully aware of the further demand of Tithes; he calculates upon such further demand, as is apparent from the different prices at which land is rented, similarly situated in all other respects, but that of being subject to, or exempt from Tithes. When therefore he

pays a composition for Tithes, or sets them out in kind, he is neither oppressed nor taken advantage of, for he knowingly made his bargain with the landlord under this liability, and is to consider such further payment as part of his rent. It is the manner in which I often hear farmers calculating ;—e. g.

Landlord, per acre	£1	10	0
Parson - - -		6	0
Poors'-rates - -		4	0
		<hr/>	
	£2	0	0

In this manner he throws his outgoings together, and thinks, or should think, no one payment attendant upon his farm, more a grievance than another.

Thus, Sir, we see the separate interests of the landlord and of tenant, as affected by the present system of Tithes. The former has no right to call that a grievance to him, which has not been imposed upon *him*, but is an accident to the land. The latter is not to term it a grievance, for he has adequate allowance made for it in his rent ; and it is proper to impress upon his mind, that if he paid no Tithes, he would probably

pay more than their equivalent to the landlord. The farmer is indeed fully aware of this, however reluctant he may be to acknowledge it: but one candid man has spoken out the real sentiments of all. "The Devonshire farmer," says Mr. Bearblock, "inquired at the vestry, if Tithes were abolished, who would be benefited by it? The answer was, the land will be worth more. Nay, then, he rejoined, if that be all, I would rather things should bide as they be: for I would rather, at any time, deal with the parson, than with the squire."

It appears, then, that improving the landlord's estate, by removing a grievance which he has only felt in imagination, would be merely seizing upon the right of another, which has existed long before his own, without in the least improving the occupier's situation.

One gentleman in the late Report of the Board of Agriculture, has boldly prescribed as the best remedy for the reduced state of the landed and agricultural interest, a total abolition of Tithes. There can be no doubt of the specific: but knowing that gentleman's life and conversation to have a tendency directly opposite to such doctrine, I am convinced that it never occurred to him,

that an abolition of Tithes involves in it an abolition of common honesty; that in order further to enrich the man who already enjoys nine-tenths of the land by inheritance or purchase, without labour, duty, or other personal consideration, he would forcibly wrest the remaining tenth from him who is as lawfully seized of it, and whose professional duties and engagements debar him from every other lucrative pursuit. How would that gentleman feel if his proposition was reversed? Let him remember the golden rule of our religion, as well as of right, of placing ourselves in the very situation of the person we are dealing with; and then asking the question of equity. Would he answer with the Lion's reason in the Fable? If the ghastly spectre of the French Revolution still haunts the good Doctor's imagination, let him remember that it almost begun with sacrilege. He should be the last man to propose a surrender of the rights and experience of a thousand years to wanton experiment and overweening cupidity, an iniquitous and revolutionary measure only worthy the Age of Reason.

3. That the present system of Tithes is no restraint upon agricultural improvement, will not, I fear, be easily admitted by its

opponents. But I have long and calmly looked at the objection, and have never seen an instance or a proof to support this favourite argument, that Tithes operate against the spirit of cultivation. It seems a general observation of landlords,—where there is capability of improvement, and a sufficient inducement to embark capital in the prospect of a remunerating produce, that lands should not be underlet; that a reasonable rent will rather operate as a stimulus to good husbandry, than as a damp on the spirit of the farmer; that he has proportionate industry to use, and adequate exertions to make, to prepare for the demands upon him; that giving him land is an encouragement to indolence, as it directly leads to the neglect of what is of no cost to him. The same reasoning is exactly applicable to the proper compensation for Tithes, with fair grounds of self-defence on the farmer's side, when he conceives an exorbitant demand is made upon him by the Tithe-owner, by setting them out in kind. This is the *ultima ratio*, I acknowledge: but it is equally disagreeable to both parties, and seldom resorted to for want of moderation in the Clergyman. It is as weak in principle, as it would be in practice, to suppose that a

tenant, who has to support his family, pay high rent for land,—for land is still highly rented, comparatively with Tithes,—and to be ready for all other incidental expenses of taxes, parochial rates, &c. by his produce and profits, would neglect his improvements, and forfeit nine-tenths of what he might produce from the land, for the paltry drawback, or gratification of depriving the parson of his solitary tenth. To suppose such a case, is to suppose avarice to carry its own punishment along with it, in a manner altogether new to the moralists. There is a competence of judgment in most men, generally an acuteness in their own affairs, excited by interest and experience; and farmers are by no means peculiarly deficient in this necessary quality. They can, and do make as judicious bargains as any men. If they can reduce the value of rent, or of Tithes, by any feint or argument, or shew of reluctance, they will discover ingenuity enough in making a contract, either with the landlord or with the parson, and play off the one against the other. But let them understand that an abolition of Tithes, or even a commutation, which they are taught to pray for, would merely lead to an advance

of rent, and their indifference to such a measure would soon become apparent, as we have already seen. It is time to remove the undue prejudice that exists on this subject ; and I confidently hope that the present liberal manner in which it is agitated will do much to that effect.

The only case where the apprehension of Tithes can really operate against speculation, and perhaps it is a wholesome apprehension, is where it may restrain the capitalist from that commonly fruitless, and often fatal waste of his fortune, in the attempt to ameliorate the sterile wastes of the country. The loudest complaints have been raised against Tithe-holders, by speculators or adventurers of this kind, for a sin, which has perhaps been of saving effect to those, who are most outrageous against them. But even by these, an arrangement may be always made with the parson, who will of course comply with the most reasonable proposals to bring barren land into some degree of profit to him ; and if no security from too sudden advance of Tithes, in case of improvement, can be given under the existing laws, beyond the Incumbency of the Rector for the time being, it is now

within our hope and prospect that a legal remedy for the defect, will be soon enacted.

Where new enclosures have given power and facility and inducement to convert old common pastures into arable land, the demand of or for Tithes can never operate against the sanguine expectation of the farmer; who by proper treatment of such land, that is, by paring and burning, never fails to remunerate himself by a long profitable succession of crops, which leave after a fair compensation for the land and Tithes, a full and well deserved reward.

4. I come now, Sir, to the most important part of the subject; that Tithes admit of no equitable commutation, which would not prove more burthensome to the land, than they are under their present constitution.

Of course the usual method of compounding for Tithes, between the Tithe-owner and the Tithe-payer, is not objected to, or affected by the present argument. That is matter of specific agreement between man and man, and being optional, is also equitable.

The three principles or plans of commutation of Tithes hitherto admitted and acted upon by Parliament, are,

1. A fixed rent-charge or money payment.
2. A corn-rent, fixed or variable.
3. An allotment of land.

Each of these has been practised on Inclosures, by which lands have been exonerated of Tithes—as Tithes.

1. Of the rent-charge or money-payment severe experience has shown the injustice and improvidence. It is arbitrarily fixing what is in its nature fluctuating, and reducing the value of what ebbs and flows from different impulses and causes, which is affected by seasons, by a state of peace or war, by commerce, by the currency, and various contingences, to a standard, which is set up by local, and temporary, and occasional circumstances. The presumption and folly is extreme, of attempting to fix for ever the most variable of all interests dependant on the land: It is changing the proprietor of an improveable freehold, into a mere annuitant or pensioner, without influence and without hope. Instances are to be found, where a fixed parliamentary payment of perhaps one hundred *per annum*, which was settled *ad valorem*, one hundred years since, to Rectors of benefices, which would at the present time produce by Tithes three

hundred. We might as well look for the real value of livings so predicamented in the Liber Regis, or in Domesday Book. Wheat, at the time such assessments were made, was perhaps at three shillings per Winchester bushel, which is at present worth twelve shillings, and has been sold at one pound. Here then the inadequacy of a fixed payment as to the *receiver*, is sufficiently exposed

But the same principle may, and for what I know to the contrary, does actually aggrieve the *payer*. Suppose an average of the price of wheat had been struck during the last ten years of the war, and such price had been fixed for ever on a given number of bushels, in the shape of a money payment, in lieu of the Tithes of a living, lately under inclosure, and to be charged thereon; to what a situation would the landlords of such parishes be now reduced? Under an unalterable act of Parliament, which they solicited and voluntarily submitted to, their property would be depreciated in value, perhaps one half; whilst the Rector would, in the most unsatisfactory manner, be in the receipt of an income, for which he must conscientiously feel, that sufficient consideration had not been awarded. It would be trifling with

your time and patience, Sir, to add any thing against the injustice and inapplicability of this method of exoneration from Tithes.

2. The corn-rent has been a more favourite substitute, and I confess approaches somewhat to an equitable compensation for Tithes; but I still conceive that sufficient objections to it exist, founded on experience, to deter the land-owner, at least, from adopting it. It has been liberally and most correctly acknowledged, during the late discussion of the Tithe Question in the House of Commons, that the Clergy are so moderate for the most part, in the compositions for Tithes, that they do not really receive half their value; at the same time it is freely admitted, that they are as clearly intitled to the full value of their Tithes, as the landlord is of his land. This admission and right, is, I imagine, acted upon by commissioners on inclosures under this plan of commutation, and the full quantity of produce per acre is estimated by them in their consideration of the Rector. If justice be done him, his interest must therefore be greatly increased, and the land consequently charged with heavier payment in corn, than would be made as composition for Tithes, which are always under-rated. This seems to be a

valid and weighty objection on the side of the land-holder.

There is a second case to be supposed, and which actually exists, in which both parties are equally injured. A parish has been inclosed twenty years, on which a corn-rent is charged at five shillings per bushel, which was the average price of wheat for seven years preceding the inclosure. Within the term of twenty years the Rector has been actually buying bread at the price of twenty shillings per bushel for wheat, at the very moment he was receiving five shillings for it. During this period the farms in the parish have been rented highly, under the consideration that they were almost Tithe-free. Now, Sir, mark the change!

The next term of twenty years is about to commence, and a new average will be struck by the direction of the act of inclosure, from the prices of the last twenty years. The corn-rent will probably be doubled, and the land of the parish will suffer a proportionate depreciation. In the mean time the tenants, who cannot get such abatement of rent, as they deem adequate to the new demand, are shifting their farms; and the land-holders, under the apprehension of the advanced corn-rent, are offering their pro-

perty for sale at very reduced prices. We know that fears always magnify the real danger, as is the case here; but still the effect is great and certain, and the loss of the landlord is real. The Clergyman in the mean time would have remained better satisfied to have risen and fallen with the times; and will be badly repaid by finally receiving his arrears for the long privation he has sustained. This is supposing the same incumbent shall outlive two terms of twenty years, a rare case indeed! and when he does not, the injustice of this method of exchange is more glaring and irremediable.

This, indeed, brings us to that more equitable mode of payment by a corn-rent, which is regulated from time to time, by the most considerable markets in the neighbourhood. By this means, it should appear, that a fluctuating interest is adequately provided for. The objections to this manner of exoneration, if so it may be termed, are of the same nature and nearly as great, as to Tithes in kind: for the frequency of fixing the price occasions as much alarm and jealousy between the parties, as the setting out and taking Tithes; and it is known that as many tricks are played, and as much management and collusion takes

place, in markets to obtain unfair averages on the set days of price. This will be well understood by those who are governed by the Oxford-market. There is much less solid objection to Tithes when compounded for, as they are almost universally by the Clergy, than to this plan; and that the land is actually more burthened by it must be felt. For, as before supposed, if the commissioners have honestly ascertained the interest of the Tithe-holder, the commutation must have charged the land with a heavier payment, because it is an equivalent, than the moderate composition. There is also great impropriety in making the price of corn the sole regulator of the money payment, when a considerable part of the Tithe-holder's estate, or revenue, arises out of various articles of produce, which are by no means subject to the standard of corn. Butchers' meat, the dairy and wool, have been very little of late affected by the price of bread; and the depression of these, when corn has been in an inverse scale, shows that any single arbitrary regulator must be an inequitable one. Thus the land is by no means ameliorated by a corn-rent, and the various and varying interests of the Rector undergo a limitation and change, without

certain or satisfactory compensation ; whilst the farmer may, as must be the case during the present year, be paying by the standard of corn, a part only of his produce, a very unfair price for Tithes arising from various other sources.

3. The allotment of land in lieu of Tithes has been the usual mode of exonerating parishes lately inclosed ; and it has been held by men, who are favourers of the Church-interests, that it is the only real compensation for Tithes that can be given. During the agromania of the last twenty years my brethren have fallen into this measure very readily, and in some instances have found their incomes improved by such a change of property. But to this plan of commutation, also, some objections exist of perhaps equal weight to those against corn-rents, both as to the landed interest and to the Church. In the first place the same argument holds, that by a due valuation of the Tithes by the commissioners, a greater proportion of land will be laid to the Rector's share, than his usual composition for Tithes would seem to entitle him to, and consequently an abridgment of the land exonerated, takes place to a greater extent and loss to the landlords than perhaps they are aware

of. Therefore, if we allow the compensation in land to be equivalent to the Tithes, it by no means improves the estate of the landlord.

Secondly, it has often occurred to me that by awarding to the Church so large a quantity of land, an essential loss is sustained by the country at large: For, by this practice, if generally adopted, as it has been of late, a large portion of land newly-enclosed, where Tithes are fairly estimated, a fifth or sixth of the whole is for ever vested in hands from which it cannot again pass or be transferred. It can never again be brought into the market, nor held, for the most part, but by men of a single profession. It can neither be divided, nor devised, but with the Church to which it is appended, and it is brought under the very circumstances which the act of Mortmain was intended to prevent. Tithes are, it is true, attached chiefly to the Church, and may therefore be deemed untransferable: but the land from which they arise, is nevertheless transferable, with such incumbrance upon it. This I think, as far as it extends, an objection of importance.

But in any general plan of commutation, I cannot conceive any feasible means of now

awarding land in lieu of Tithes, in parishes already inclosed, without exoneration. There is no possibility of again bringing the parish amain, and of setting out a single allotment to the Parson, after the divisions and inclosures have taken place : nor of doing any thing by way of purchase in the same parish, which would not be attended with difficulties and disagreements enough to deter a host of commissioners. It will and must be allowed that any scheme of this sort cannot be practicable ; and as the kingdom is now so generally inclosed, where Tithes remain payable, they will remain so, if nothing better can be suggested than an allotment of land to be purchased by assessment on the parish. I firmly believe, that proprietors of lands, subject to Tithes, are by no means generally desirous of purchasing them at their full value, had they the option of so doing ; and less than their full value would not be set on them by commissioners, who would be appointed as guardians of the rights of the Church. Something might be added on this head on the investiture of money even temporarily, for finally, that it must and ought to be in land, I trust will not be denied ; as it would arise out of land, and in that shape only could be permanently

attached to the Church, or accommodate itself to the times, as a maintenance for the Clergy.

On the side of the Clergy many objections exist to an exchange for land. They have hitherto acceded to such a commutation, in better times, under the hope of improving their revenues, or in contemplation of becoming cultivators and improvers of their new glebes; or on the more laudable, though fallacious ground of removing all reason of disagreement with their parishioners. I fear that rueful disappointment has followed the two former expectations in most instances; and here, permit me, Sir, to transcribe the almost prophetic language of a man, who illumined every subject with a sunbeam, where he only transiently passed over it; "Nor less fatal to our order," says Bishop Horsley, "would be any change in the tenure of ecclesiastical property; especially the favourite project of an exchange of Tithes for an equivalent in land. Many of us here have felt in some part of our lives the inconvenience of succeeding to dilapidated houses, with small resources in our private fortunes, and restrained by circumstances of a predecessor's family from the attempt to enforce our legal claims. But what would be the

situation of a Clergyman, who in coming to a living, should succeed to nothing better than a huge dilapidated farm? which would too soon become the real state of every living in the kingdom in which the Tithes should have been converted into glebe: not to mention the extinction of our clerical character, and the obvious inconveniences to the yeomanry of the kingdom, which would be likely to take place should this new manner of our maintenance send forth the spirit of farming among the rural Clergy*." Much of this is already realized; and it were not difficult to pursue this train of observation still further. For the most part allotments set out to the Parson are large tracts of arable land, which require great capital to subdivide and bring into condition. This he is probably not in circumstances to under-

* This extract is from Bishop Horsley's Sermons. Though not writing professedly *ad clericos*, I would recommend to my brethren a perusal of the debate in the House of Peers, on the Ilmington Inclosure Bill, in the New Annual Register for 1781. They will there find the opinion of this great man given at length, and confirmed by Bishop Watson by great strength of reasoning. These are authorities which we must ever reverence: "though dead they yet speak." I believe I may venture to say that the greatest living authorities in our Church do not differ from them in opinion on this subject.

take himself, and perhaps without the knowledge or industry for such an enterprize, nor is it much to be lamented; he is therefore compelled to let on a beneficial lease his new possessions, in order to their proper cultivation. He generally finds that no house or home-stall is annexed to them, and to avoid the expense of building, must suffer the produce of his land to be taken to the farmyards of other proprietors, whose joint tenants can hardly be expected to bring honestly back the manure arising from it. Where unfortunately the disease of farming has infected the Clergyman, he becomes the occupier of his new glebe under every disadvantage. He divides and impales, plants and plucks up by the roots, levels hills and fills up hollows, forces nature to yield to his hard labour, and subdues all deformities by the new canons of agriculture; then plows and sows in hope, is in high confidence and expectation of a full and merited reward, and thinks he shall see much good: but after all his toil and turmoil, behold! there is nothing but vexation of spirit. Some unfortunate circumstance or mistake will still interfere between him and success. He finds himself outwitted by the meanest labourer, and

twice cheated on every article passing through his hands, when he buys and when he sells. His character is lowered by frequently coming in contact with those much below him in the gradations of society; and his new engagements take him from the more peremptory duties, and from the pursuits and habits more becoming his profession. At last, after the misapplication of his means to the reclamation of ungrateful land by ill applied instruments of husbandry, ungenial and expensive manures, and altogether ill-adapted treatment, he finds the bubble burst; and he is the simple owner of a houseless, tenantless, comfortless tract of land, in lieu of a certain, equitable, and constitutional maintenance.

Thus, Sir, I have adduced some of the objections to the usual modes of commutation of Tithes. There can be little of novelty expected on a subject of so old standing; and from the similarity of sentiment expressed by yourself in the House of Commons, I conceived that you have been influenced by nearly the same reasoning. It is only as a humble assistant that I venture forth, chiefly with the intention of keeping the right argument alive in the publick mind, so liable to prejudice on this mistaken Question. Whatever

new plans of commutation or of abolition may be in the contemplation of any gentlemen in or out of Parliament, they have not yet been produced in a tangible shape; such as I have heard of are too chimerical or revolutionary to be entertained by the good sense of the House, and inconsistent with that attachment which all parties have fully declared to the Church establishment, and the legality of its provision. When the sponge is applied to the national debt, we may expect the total dismemberment of Church-property; and at no great distance the subversion or overthrow of every other existing or constitutional right. We have witnessed such a succession of events, and must be watchful to avoid the first advance to it in this country.

The Chancellor of the Exchequer will undoubtedly renew, or support, the proposed measure for obviating the present chief objection to Tithes, by rendering compositions for them more certain and permanent than they can be under the existing law, by power of granting leases of greater extent. There can, under such protection or provision, remain no more check upon the spirit of agricultural improvement from Tithes, than under the lease of a farm from the proprietor of

the land. In both cases the joint-tenant may have co-existent leases, and the interests of the joint-proprietors may go hand in hand; or, more to simplify the contract between landlord and tenant, the landlord may become the lessee of the Tithes, which will enable him to let his land altogether unincumbered. Wishing sincerely for the introduction and success of this measure, I would by no means raise unnecessary objections to it: but the care of framing leases, the valuation of the Tithes, and the approval of the ordinary and patron should be well provided for; or cases may be easily supposed where the interests of the successor and of the patron may be greatly and fraudulently or carelessly injured. That very fair and cautionary suggestion, I believe of Mr. Wynne, will claim attention in the new enactment, that on consideration of the lease of the Tithes, a lien should be given on the land for the recovery of the rent or composition for Tithes by distress, as it is now in the cases of corn-rent. The equity of this is too apparent to need any support of argument. The present system of Tithes will thus receive a new sanction by being brought under the consideration and approval of Parliament, and will probably pass through with this suggested improvement,

the only improvement it has long appeared to me capable of receiving, with impartial care of the separate interests of the Land and of the Church,

I have the honour to be, SIR,

With the highest respect,

Your very humble and obedient Servant,

JOHN FISHER.

Waxendon,
7th Feb. 1817.