attributable to the gradual reclamation of the marshes in bygone centuries, without which, however, the present conditions would not have been attained. Also it must be remembered that the economic benefits of the reform would bear only on future improvements, and on the future upkeep of existing ones. On the whole, one may suggest the following draft definition, which is based on the terms of the Land Values (Scotland) Bill, though with some variations :—

"The term 'improvements' means—

(a) buildings, erections, or structural improvements, of whatever nature, on, in, or under the soil, woods, trees, and fixed or attached machinery; and

(b) works of drainage and of reclamation, making up, levelling, and the like, in so far as such work has been executed not more than twenty years preceding."

The Present Situation.

The treatment of the Land Values (Scotland) Bill by the House of Lords shows that the next step must be an advance of a more general character. As a preparation for that, it is of the first importance to have the line of action clearly marked out.

A GREAT FIASCO.

The Irish Land (Purchase) Act, 1903.

"We must take care that the final act of the landlords and their English backers shall not be the placing of a load of debt on Ireland's shoulders and a tax upon our chief industry, such as will weigh the country down, so as to fatally hamper her progress during the next seventy years."—Michael Davitt, 1903.

With this solemn warning fresh in their memories, it had been repeated in the House of Commons during the progress of the discussion, the British Parliament of 1903 by an overwhelming majority passed the famous Irish Land Act of that year, of which probably more will be heard during the next Session. For the general position is such as to involve the whole question being reconsidered by the British Parliament in the near future. In November last, on the recommendation of the Chancellor of the Exchequer, Mr. Asquith, a Committee was appointed "to inquire into the difficulties which have arisen in connection with the provision of funds required for the purpose of this Act, and to report how far these difficulties can be diminished or removed without imposing any additional charge on the Exchequer." Though unable to solve this insoluble problem, their Report (Cd. 4005) throws a flood of light on the terrible burdens the Act imposed both on the British taxpayer and the Irish ratepayer; burdens which will have to be largely increased if the process of land purchase in Ireland is to be carried through to completion under its provisions.

Before considering these provisions and the position of affairs the Act has created in Ireland, a brief survey of previous legislation seems to us necessary.

Gladstone's Irish Land Act of 1870 was the first serious attempt to grapple with the agrarian difficulty in Ireland. In truth, however, it was a very insufficient measure, which mildly attempted to secure some small meed of justice to the Irish tenant without prejudicing the overwhelming power of the landlord. The tenant-right of Ulster, which recognised the claim of the tenant to a vested interest in the land, received the sanction of the law, and a tentative attempt was made to extend its benefits over the whole of Ireland. But in other parts of Ireland, save Ulster, the tenant could only claim the benefit of the right when actually disturbed in his tenancy by the landlord; and even this limited right of "compensation for disturbance" could be cancelled by agreement, which, of course, inevitably resulted in the majority of the poorer and more needy tenants "voluntarily" contracting themselves out of the benefits of this Act. As the Royal Commission presided over by Lord Bessborough, himself an Irish landlord, reported in March, 1881—"The Land Act of 1870 had completely failed to protect tenants' property in their improvements."

In 1881, Gladstone introduced and carried a much bolder and more comprehensive measure, the famous Irish Land Act of 1881. Whatever its shortcomings, it was a bold and honest attempt to grapple with the most pressing and crying evils that afflicted Ireland. Michael Davitt well describes it as "completely revolutionising the system of land tenure upheld in Ireland for over two hundred years of English rule." And John Morley warmly says that "Many will be disposed to give it the highest place among Mr. Gladstone's achievements as lawmaker."

The Bessborough Commission, on whose admirable Report this Bill was mainly framed, had been forced to admit that "The conditions under which land has been held by yearly tenants in Ireland have been such that the occupiers have, as a general rule, acquired rights to continuous occupation which, in the interest of the community, it is desirable legally to recognise." The Land Act of 1881 made a bold attempt to fill up the "chasm which existed between the law and the facts," and, for the first time in the sad history of English rule in Ireland, to conform the law to the realities of society as it had existed for centuries. It was, in truth, a brilliant endeavour, to use the words of the above Report, "to do equal justice patiently between man and man, and to recognise by legislation the abiding and prevailing traditional sentiment that the cultivator has a property in the soil he cultivates, to which, in past ages, legal recognition has so unfortunately been denied."

But even this eloquent passage seems to us to reveal the wide gulf separating English and Irish thought on the land question. Unlike the average Englishmen, whom centuries of perfected feudalism had accustomed to the idea of private property in land, the Irish peasants have remained true to the traditions of their race, which frankly recognised the equal claims of all to the use of the soil. True, it was their labours that in many cases had made the land useable and valuable, and they fully admitted, nay, in defiance of the existing law had enforced, the proprietary rights of the individual to the improvements his labours had called into existence. But there is no evidence to be found that the Irish peasant ever desired or ever claimed any "property" in the land itself. His position may be summed up in the words quoted by a witness before the Bessborough Commission—"The land God Almighty made good, we will pay the value of; but the land we made good, we will pay accordingly for." "If you take that into account," the witness said, "you generally please them." This, however, had never been taken into account, and is even yet not fully taken into account, either by the English law or the Irish landlords. Still, despite the will of the landlord and the real or seeming veto of the law, the Irish peasants had in great measure enforced the recognition of their equitable claims to their own improvements, to continuous occupation of their holdings, and to such possessory rights as accrued according to their traditions to the cultivators of the soil. If these had been fully and freely granted them, they would have desired nothing more.

This Act made another attempt to extend the system of the "Three F's"—Fixity of Tenure, Fair Rent, and Free Sale of Tenant's Rights and Improvements—over the whole of Ireland. The main principle of the Bill was that a fair judicial rent was not to include the value of improvements made by the tenants, and that, until the contrary was proved, all improvements were to be assumed to be the property of the tenants. To carry out the provisions of the Bill, a tribunal, called the Land Commission, was appointed and clothed with almost absolute power, especially in regard to its decisions as to "fair rent," which were final. This judicial fair rent was readjustable at the instance of either landlord or tenant every fifteen years, during which time no eviction was possible, except, of course, for non-payment of rent or some distinct breach of covenant. The Land Commission was also empowered to assist tenants to the purchase of their holdings, to advance three-quarters of the purchase money, or under circumstances, even the whole amount; and also itself to purchase estates from the landlords if three-quarters of the occupying tenants were willing to buy. Though on the passing of the Act the applications to fix "fair rent" were general, no less than 80,187 such applications being received during the first year of the Act, the purchase clauses were not largely made use of. This tends to show that the majority of the tenants wisely regarded the question of the recognition of their claims to the use of the soil at a fair rent, not the acquisition of the fee-simple, as the question of most vital importance to them. However this may be, the dire necessity for some such remedial measure may be inferred from the fact that the fixing of judicial rent resulted in an average reduction on the first term—between August, 1881, and August, 1884—of about 20 per cent., and on the second term, 1896, of about 22 per cent. Finally, we would ask our readers to bear in mind that in 1911 another readjustment was possible, which it was confidently anticipated would result in at least an equal reduction. In view of the hasty legislation of 1903, this fact is of special importance.

Whatever its shortcomings, the Land Act of 1881 served to convince the Irish landocracy that their impoverishing and enfamishing grip of Ireland was doomed, and to convert them to the policy of land-purchase. Within twelve months of its passing, a prominent Tory, the late W. H. Smith, submitted a motion to the House of Commons for an Irish Land Purchase scheme. Some four years later, in 1885, what is known as Lord Ashbourne's Land Purchase Act was passed by the Salisbury, Tory, Government, a sum of £5,000,000, increased in 1888 to £10,000,000, being voted out of the surplus funds of the Irish Disestablished Church for the purpose. Instead of part, the tenant was to be advanced the whole of his purchase money by the State, repayable by a terminable annuity equal to 4 per cent. on the amount borrowed, $3\frac{1}{8}$ being interest and $\frac{7}{8}$ sinking fund, thus repaying the whole amount in 49 years. In 1886 various Land Purchase schemes were before the country, the most noteworthy being that outlined in "The Economist" by the well-known statistician, Robert Giffen. Briefly, he proposed (1) that the Government should buy out every landlord in Ireland, giving him Consols at par, equal in nominal amount to 20 years' purchase of the existing judicial rents; (2) that the land should be given free to the present occupier, subject only to a rent-charge payable to the local authorities in Ireland; and (3) that the Imperial Exchequer should be relieved of all payments now made out of it in connection with the local government of Ireland (estimated to amount to £4,000,000 annually). The plan was, in fact, to throw the cost of local government in Ireland on Irish resources exclusively, and to give the Irish people the rent of the country for the purpose of carrying it on.

It was during the year that this and similar schemes were being discussed throughout the country that Gladstone introduced his famous Irish Home Rule Bill of 1886, an indispensable portion of his whole policy being the buying out of the Irish landlords by the aid of a loan in Consols from the Imperial Exchequer, which practically sealed the fate of his Home Rule Bill. He estimated the whole of the land of Ireland at £300,000,000 and the rented land, which was the subject of his Bill, at £113,000,000. Of this amount, only £50,000,000 was to be forthcoming in the first instance, the provision of the remainder being left to future Parliaments. Under his scheme, far less radical than that of Sir Robert Giffen, the tenant occupiers were to be converted into "owners," paying for a time an annuity of 4 per cent. per annum, to provide interest and sinking fund on the advance made by the State.

In 1891, the Salisbury Government passed another Land Purchase Act, on the lines of the Ashbourne Act, but on a more extended scale, a sum of £33,000,000 being made available to enable tenants to purchase their holdings, repayable by an annuity of 4 per cent., the interest charge being $2\frac{3}{4}$ per cent., and the sinking fund charge $1\frac{1}{4}$ per cent. Under the provisions of this Act, after the landlord and the tenant had come to an agreement, the Land Commissioners inspected the property, and sanctioned the advance only if they deemed it adequate security; and payments to the landlord were made in $2\frac{3}{4}$ per cent. Guaranteed Land Stock at its face value, instead of cash. So long as this Stock was at a premium, and the landlords could pocket the premium, this scheme appears to have worked all right; but when the Stock fell below par, the landlord refused to accept payment in the depreciated security, and land purchase did not make progress. In 1896, the first judicial term of 15 years, since the passing of the Land Act of 1881, expired, necessitating the introduction of yet another Land Bill, strengthening and defining the provisions of that Act. It was introduced and carried by Mr. Gerald Balfour, and extended the time of repayment from 49 to about 70 years. In the year 1898, the Irish Local Government Bill was passed, which Michael Davitt claims as "the greatest of all the victories won by the Irish forces." The price of this extension of a measure of self-rule to the counties of Ireland, however, was the exemption of agricultural land from poor rates, which the same authority estimates as equivalent to a bonus of £20,000,000, and which would naturally proportionately increase the selling value of their land.

Finally, in 1903, a Unionist Government passed the notorious Irish Land Act of that year, which appropriated another £112,000,000 of State credit as a means of completing the process of Land Purchase in Ireland. And it is to the provisions and effects of this Act, and the burdens it imposed upon the British taxpayer and the Irish ratepayer, that we shall devote our next article. As will be shown, if Land Purchase is to be carried through to completion, yet greater sacrifices will have to be demanded both of the British taxpayer and the Irish ratepayer; and the question we shall finally consider is as to whether the advantages to be gained by the community at large warrants the imposition of such additional burdens. More especially is it incumbent upon the representatives of the Irish people impartially to reconsider this question. It may be time that they dropped compromise and demanded justice, not only for the people of Ireland, but for the industrial masses of the whole civilised world. And, in conclusion, we would venture in all earnestness to remind them of one of the eloquent passages of the Land League's official judgment upon the Bill of 1881:—

"With us landlordism means confiscation. The people of Ireland will never acknowledge any Statute of Limitation in a matter of injustice. Their basis is their inherent right to the land of their country. They consider the longer the injustice is continued the greater is the wrong inflicted; and if they seem to admit the principle of landlord compensation, they do so not as admitting the landlord's right, but because they are willing to accept a peaceful solution of the question. They are prepared to make concession to-day; to-morrow they may insist on rigid justice."

L. H. B.