

COMPENSATION FOR DISTURBANCE (IRELAND) BILL.

of the question, which we propose to quote from Lord Cairns' now famous speech :—

The debate in the House of Lords last night upon the Irish Disturbance Bill, which ended in the loss of the motion for the second reading by the extraordinary majority of 282 votes to 51, brought to a close a long and embittered controversy. The rejection of the measure upon a division by a great majority was fully anticipated, and the speeches in its favour partook of the gloom and langour of overshadowing defeat. Lord Cairns resumed the discussion upon the assembling of the House in a powerful and exhaustive criticism, which erred, perhaps, upon the side of length and elaboration, but which practically disposed of every argument adduced by the supporters of the Bill. A more thoroughly destructive speech has not often been delivered in Parliament. The late Lord Chancellor may be compared as a master of detail with Mr. Gladstone himself, and in dealing with the questions debated yesterday he had the advantage of an intimate knowledge of Ireland, and of a trained legal intellect. We have great difficulty in believing that any unprejudiced person who listened yesterday to Lord Cairns' lucid and cogent reasoning can have remained unconvinced that the Ministry were from the first ignorant of the real scope and effect of the measure, or that, after they discovered the grave objections to it, they attempted to defend it by crude and hasty arguments. Of the Bill thus originated in ignorance, impatience, and inconsistency, it can be no matter for surprise that it has been found to involve pernicious consequences, of which Mr. Forster, justly confident in the excellence of his own intentions, had no suspicion.

We will, however, first present to our readers, the terms of the Bill itself as amended in Committee. The Bill is worded as follows :—

Whereas, having regard to the distress existing in certain parts of Ireland arising from failure of crops, it is expedient to make temporary provision with respect to compensation of tenants for disturbances by ejectment for non-payment of rent in certain cases;

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this Parliament assembled, and by the authority of the same, as follows :—

1. An ejectment for non-payment of rent for recovery of the possession of a holding valued under the Acts relating to the valuation of rate-

able property in Ireland at an annual value of not more than £30, situate wholly or partially in any of the Poor Law unions mentioned in the schedule hereto, or where any electoral division is specified in the said schedule situate wholly or partially in such electoral division, and which shall be commenced after the passing of this Act and before the 31st day of December, 1881, or which shall have been commenced before the passing of this Act, and in which any judgment or decree for possession shall be executed after the passing of this Act and before the 31st day of December, 1881, shall be deemed and declared, by the Court having jurisdiction to hear and determine land claims in and for the county in which such holding is situate, to be a disturbance of the tenant by the act of the landlord within the meaning of the third section of the Landlord and Tenant (Ireland) Act, 1870, notwithstanding anything contained in the said Act,--

If it shall appear to the Court—

(a) That such non-payment of rent by the tenant is owing to his inability to pay, caused by such distress as aforesaid; and

(b) That the tenant is willing to continue in the occupation of his holding upon just and reasonable terms as to rent, arrears of rent, and otherwise; and

(c) That such terms are refused by the landlord without the offer of any reasonable alternative.

2. The acceptance of compensation for disturbance under this Act shall be a bar to any claim, under the provisions of the Act passed in the twenty-third and twenty-fourth years of Victoria, chapter one hundred and fifty-four or otherwise, to be restored to the possession of the premises included in the ejectment for non-payment of rent; provided always, that if it appears to the Court that any person other than the tenant has a specific interest in the holding, notice of the proceedings shall be given to every such person, and so long as any such person may be entitled to redeem the holding no acceptance of such compensation shall be valid, nor shall the amount awarded, or any part thereof, be payable, unless every such person shall consent thereto. or the Court, having regard to all the circumstances of the case shall so direct.

3. The amount of rent which may be allowed by any landlord to accrue due during the period of the operation of this Bill shall not be reckoned against him in calculating the arrear of rent which might in any case of ejectment for non-payment of rent be sufficient to subject him to damages for disturbance under the 9th section of the Landlord and Tenant (Ireland) Act, 1870.

4. This Act may be cited for all purposes as the Compensation for Disturbance (Ireland) Act, 1880, and shall be read and construed for all purposes, including the making of rules for carrying