SCIENCE.—SUPPLEMENT.

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RECENT LAND LEGISLATION IN ENGLAND.

THE attitude of the English government toward the land question has undergone a thorough revolution within the last generation. Thirty years ago all propositions to reform the abuses which had grown up under the present system of land laws were uniformly met by loud protests about the sacredness of vested interests, the 'naturalness' of the existing order, and the danger to society and the government of disturbing it in any way whatever. It was insisted that it would be a violation of all sound principles of political economy for the government to go beyond its province so far as to interfere with the relation of landlord and tenant, or that of tenant and laborer, or that existing between these classes as a whole and the public. So vigorous was this protest, and so in accordance with the prevailing views as to the true sphere of government interference, that reformers were usually content to withdraw their propositions.

But this attempt to delay or prevent much-needed reforms in governmental policy was destined to bring with it the usual penalty. The disease, which might have been modified, if not entirely cured, by mild remedies rightly applied at an early stage, became more and more deep-seated and serious with every passing year. The movement for reform, too long delayed, and gathering force with every rebuff, has finally proved irresistible, and in its onward sweep has carried the government and the people far beyond what would have been necessary if legitimate demands had been satisfied in the first place.

The evidence of this is seen very plainly in the changed attitude and policy of the government, which has recently given most* unmistakable evidence of its determination to take up the question in earnest, and to leave no stone unturned in order to secure a permanent settlement. In this endeavor, limited thus far chiefly to one phase of the Irish land question, it does not propose to be checked by any theoretical considerations as to the true limits of government interference. It stands ready to do any thing which promises to afford permanent or even temporary relief. If necessary, it will declare martial law. It will confiscate landed estates by the wholesale. It will change a tenant at the will of the landlord into a tenant at his own will. It will convert a tenant into a proprietor. It will lend money, to those wishing to buy land, at low rates of interest and on insufficient security. It will destroy all freedom of contract in regard to the use of land. It has, indeed, already done all these things.

The proof of these statements is to be found in the history of recent acts of parliament on the land question.[1] It is impossible to convey a clear idea of such a complicated problem as the Irish land question in a brief space, but one or two of the most important points may be set forth which will illustrate the far-reaching sweep of recent legislation.

The act which really introduced the new policy was that of 1870, which declared whole classes of contracts hitherto in vogue between landlord and tenant to be void both in law and equity, and established the novel principle of compensation for disturbance or damages for eviction. It took from the landlord the right to dismiss a tenant so long as he paid his rent. It secured to the latter a just compensation for all improvements, whether made with or without the consent of the landlord, and conferred on him the power to sell his tenant-right, with all the privileges pertaining thereto. This act was in form, therefore, a great encroachment on the control of the landlord over his property. But as it did not regulate the amount of rent which the latter might exact, it left him, after all, in practical control of his property, since he might raise the rent at will, and evict the tenant if he did not choose to pay it. It rather aggravated than lessened the difficulty.

The act of 1881, which was the most important act relating to Ireland, was the logical outcome of the act of 1870. It finished the work which the latter had begun by establishing a series of optional courts for regulating rents. They are optional in the sense that either landlord or tenant may resort to them in case he is not contented with the terms of a lease. The court, in case of a resort to it, fixes the rent which the landlord may exact. When the rent is thus judicially fixed, it is to hold good for a period of fifteen years, when, by a similar process, it may be modified to suit altered circumstances during another period of like duration. As long as the tenant pays the rent

[1] *Economic aspect of recent legislation.* By WILLIAM WATT. London, *Longmans, Green, & Co.*, 1885.

thus fixed, he cannot be disturbed in possession by the landlord, except on the payment of a fine known as 'compensation for disturbance.' The tenant may sell his tenant-right to another, who has then all the privileges as against the landlord which the original tenant enjoyed. In this way are secured the three 'F's,' — Fair rents, Fixity of tenure, and Free sale. In this way, also, the landlord is almost completely deprived of any real control of his property.

The act has not been, by any means, a dead letter. Eighty-five sub-commissioners were, in 1883, engaged in the work of determining 'fair rents,' and the number was afterwards somewhat increased. As a result a general reduction in rent was effected, amounting on the average to about twenty per cent, and in some cases to thirty per cent and upwards. This virtually amounts to a confiscation of from one-fifth to one-third of the capitalized value of landed estates in Ireland. Its moral effect may lead to a still further reduction in value: for who can be sure that a government which has confiscated one-fifth of the estate will not subsequently confiscate it all if peace and quiet shall not follow as a result of the present measure?

Both acts above mentioned contained provisions intended to favor the growth of a class of peasant proprietors. The purchase of holdings by tenants in the case of estates which fell under the jurisdiction of the encumbered estates court, was favored by the authority given to the Irish board of works, in 1870, to advance two-thirds (increased in 1881 to three-fourths) of the purchase-money at three and a half per cent interest, to be repaid at intervals during a period of thirty-five years. It has already been proposed to extend this authority so as to let them advance all the purchase-money at a lower rate of interest, for a longer time.

He would be a bold man indeed who would assert that these acts, sweeping as they are, constitute any real contribution to the actual solution of the Irish problem. Such a statement could only be made by one who had a political point to gain, or who had given but little attention to the actual investigation, even at second hand, of the social and economic conditions which prevail over a large part of Ireland. The difficulty lies deeper than any mere landlordism, and it will not be long until the Irish land question will be again to the front, and that, too, whether Ireland be under English or Irish rule.

These acts, however, mark a new era in English legislation on this subject. They indicate (and herein lies the hopeful feature of the case) that the English people are now ready to take up this and similar questions in earnest. They are now willing to throw to the winds all doctrinaire theorems of *laissez-faireism*, to disregard alarmist speeches about approaching communism or socialism, and to close their ears to the old song about the supreme sacredness of private property. They are now determined, after getting all the light they possibly can from economic and historical science, to make use of the only means which promises any solution whatever, viz., that of actual experimentation. The outcome of the recent experiments in Ireland, to which the late acts have been practically limited, will afford great assistance in the solution of the Scottish and English land questions, which must soon come to the front.

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THE BLACKFOOT TRIBES.

AT the late meeting of the British association for the advancement of science, a committee of the anthropological section presented a report (prepared by Mr. Horatio Hale) on the tribes of the noted Blackfoot confederacy. The report comprises many particulars relating to the origin and history of the tribes, the character of the people, their mythology, languages, and mode of government, and their present condition. The facts have been mostly derived from correspondence with missionaries now residing among the people, and from official documents, with some memoranda made by the author of the report during an exploring tour in Oregon. Only a brief abstract of the information thus brought together can here be given.

The tribes composing the confederacy are, or rather were, five in number. Three of these, forming the nucleus of the whole body, are the original Blackfoot tribes, who speak the same language, and regard themselves as descended from three brothers. These are the Siksika, or Blackfeet proper; the Kena, or Blood Indians; and the Piekanè, or Piegans (pronounced Peegans),— a name which is sometimes corrupted to 'Pagan Indians.' To these were added, when the confederacy was at the height of its power, two other tribes,— the Sarcees, who joined them from the north; and the Atsinas, who came under their protection from the south. The Sarcees are a branch of the great Athabascan or Tinneh family, which is spread over the northern portion of the continent, in contact with the Eskimo. The Atsinas, otherwise known as Fall Indians and Gros Ventres, are shown by their language to be akin to the Arapohoes, who once wandered over the Missouri plains, but are now settled on a reservation in the Indian Territory.

The dividing line between the United States and