

...the nature of the Tenancy, the description of the Premises, and the Baroules or Parishes wherein the same are respectively situated, the Rent at which the same have been last holden; and also, in cases where the proceeding is grounded on desertion or abandonment, the fact of desertion by the Tenant, and of the amount of Rent due after all fair and just Allowances, and of the insufficiency of Distress to answer all the same; and in cases where the proceeding is grounded on the Tenancy being determined, of the refusal to deliver up possession; in cases where the proceeding is founded upon the ground of non-payment of Rent, of the amount of Rent due after all fair and just Allowances; and that the truth of the contents of the said Civil Bill shall be verified by the affidavit of the Landlord, his known Agent or Receiver, or the said affidavit to remain in the custody of the Clerk of the Peace attending such Quarter Sessions.

And he further enacted, that the Clerk of the Peace shall enter in a book, to be kept for that purpose, all Decrees in the cases herein before mentioned which shall be made at any Sessions of the Peace, and which entries shall specify the names of the Plaintiffs and Defendants, and the Lands and Premises recovered, as the same shall be specified in the Civil Bill respectively; which book every person shall have liberty to inspect and examine, by applying to the Clerk of the Peace for such inspection and examination the fee of

And he further enacted, that if any Person in the said Office for the Registry of Deeds in Ireland shall demand or take any greater Fee, Gratuity, or Sum of Money, for or on occasion of the Registry of any of the said Decrees, than he is now by Law entitled to for the Registry of a Deed, he shall forfeit the sum of £100 for every such offence, to be recovered in an Action of Debt by any person suing for the same: Provided always, that the said Clause, with respect to such entries, or posting, shall be considered as directory to the Clerk of the Peace, and that the omission to make such Entry or Posting shall not invalidate or in any way affect any Decree for recovery of the possession of any Lands or Premises.

And he further enacted, that every Defendant who shall think proper to appear on the trial of such Civil Bill, in any of the cases herein before mentioned, shall be entitled, on the hearing of such Civil Bill, to every defence which he may have, either in Law or Equity, and also shall have all and every the same Rights of Appeal, under the same restrictions, conditions, and limitations, as in other cases of Decrees made by any Assistant Barrister, Chairman of the Sessions of the Peace, or Recorder, as the case may be: Provided, however, that such appeal shall not be stayed by reason of such appeal, unless the Tenant shall deposit with the Clerk of the Peace the amount of Rent proved to be due on hearing of such Civil Bill.

And he further enacted, that for the execution of the said Decrees, it shall and may be lawful for the Sheriff to grant his Warrant to a Special Bailiff, at the Plaintiff's nomination, in like manner as for the execution of any other Decrees of the said Assistant Barrister, Chairman of the Sessions of the Peace, or Recorder, as the case may be; and that such Bailiff, to whom such Warrant shall be granted, together with his Assistants, to execute the same by detaining the possession of the Lands or Premises therein named to the Landlord to whom the same shall be decreed, or to any person appointed by the said Landlord to receive the possession on his behalf; and that neither the said Sheriff, nor the said Assistant Barrister, nor the Clerk of the Peace, nor any other person, shall demand, receive, or have, for or on account of the said proceedings, any greater or other fees than such as are authorized by an Act passed in the Parliament of Ireland, in the thirty-sixth year of the reign of his present Majesty, intituled, "An Act for the better and more convenient Administration of Justice, and for the Recovery of small Debts in a summary way at the Sessions of the Peace of the several Counties at large within this Kingdom, except the County of Dublin, and for continuing and amending an Act, intituled, "An Act for the better execution of the Laws and preservation of the Peace within Counties at large;" save only that it shall and may be lawful for any Attorney employed upon the trial of any Civil Bill which shall be tried under the provisions of this Act, relative to the possession of Lands and Premises, to charge and take from the Plaintiff by whom he is employed the sum of

in addition to the sums which he is now by Law entitled to charge for his attendance on the hearing of any other Civil Bill, and that the same shall be taxed against the unsuccessful party, in case he shall have appeared at the trial of such Civil Bill.

And he further enacted, that every Assistant Barrister shall sign two Copies of every Decree which shall be made in pursuance of this Act, and also a Memorial thereof, for the purpose of registry in manner hereinafter mentioned; and that his signing his Signature to one of the said Copies shall be witnessed by some person present there in Court; and that it shall and may be lawful for the Landlord or Lessor, if he thinks proper, at any time between the next ensuing, and the commencement of the Assizes thereafter next following, unless the Assizes so decreed shall have been previously terminated, or unless a Suit in Equity or a Civil Bill shall have been previously commenced, and in such case he shall have liberty to apply to the Clerk of the Peace for a Redempcion, in cases where the proceeding shall have been grounded on non-pay-

ment of Rent, to register one Copy of the said Decree in the Office for the Registry of Deeds and Wills in Ireland, by lodging a Memorial and proving the perfection of the same in like manner as is now provided by Law for the registering of Deeds; and that from and after the registry of the said Decree, it shall have the further effect of a conveyance to the said Landlord of any interest which the Tenant, or any person claiming under him, may or might have in and to the said Lands and Premises, freed and discharged from all Leases, Contracts, Mortgages, Debts, Charges or Incumbrances, which the said Tenant, or any person claiming under him, may have charged, made, or created thereon: Provided, however, that nothing in this Section contained shall be taken or construed to prevent any Tenant or other person, in cases where the possession shall have been evicted on the ground of non-payment of Rent, from redeeming the same within the time now limited by Law for redemption of such Lands or Premises.

And he further enacted, that if any Person in the said Office for the Registry of Deeds in Ireland shall demand or take any greater Fee, Gratuity, or Sum of Money, for or on occasion of the Registry of any of the said Decrees, than he is now by Law entitled to for the Registry of a Deed, he shall forfeit the sum of £100 for every such offence, to be recovered in an Action of Debt by any person suing for the same.

And whereas by the several Acts now in force in Ireland, which regulate the Action of Ejectment for non-payment of Rent, it is provided, that no proceedings by virtue of the said Acts shall prejudice the right or title of any Infant, Femme Covert, Persons being non compos mentis, or being out of his Majesty's Dominions: And whereas no such Exception exists in the Laws of England, and it has been found in Ireland to produce great injustice to Landlords, in some instances, by preventing the enforcement of the payment of Rent justly due to them, and in others, by obliging them, after getting into possession of Lands and Premises by ejectment for non-payment of Rent, to account nevertheless for mesne profits to the Tenant really in default: And whereas it is just and reasonable that the Law of Ireland should in this respect be assimilated to the Law of England: Be it therefore further enacted, that the said provisions in the said Acts of Parliament, so far as relate to saving the rights of Infants, Femmes Covert, Persons being non compos mentis, or out of his Majesty's Dominions, be and the same are hereby repealed.

And whereas by a Law passed in the Parliament of Great Britain, in the eleventh year of the reign of his late Majesty King George the Second, intituled, "An Act for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants," it is amongst other things enacted, "that it shall and may be lawful to and for every Lessor or Landlord, Lessee or Landlords, or his, her, or their Steward, Bailiff, Receiver, or other Person or Persons empowered by him, her, or them, to take and seize, as a Distress for arrears of Rent, all sorts of Cereals, and Grass, Hops, Roots, Fruits, Pulse, or other product whatsoever, which shall be growing on any part of the Estates so demised or holden, as a Distress for arrears of Rent, and the same to make out, gather, cure, carry, and lay up, when ripe, in the Barn or other proper place, the Premises so demised or holden; and in case there should be no Barn or proper place on the Premises so demised or holden, then to any other Barn or proper place which such Lessor or Landlord, Lessee or Landlords, shall have or otherwise procure for that purpose, as near as may be to the Premises; and in convenient time to appraise, sell, or otherwise dispose of the same, to satisfy the arrears of the Rent for which such Distress shall have been taken, and of the Charges of such Distress, Appraisal, and Sale, in the same manner as any other Goods and Chattels may be seized, distrained, and disposed of; and the Appraisal thereof to be taken when cut, gathered, cured and made, and not before:" And whereas no such Provision exists in the Law of Ireland, and it is reasonable that the Remedies of Landlords in Ireland should in this respect be as extensive as they are in England: Be it therefore further enacted, that from and after

it shall and may be lawful to and for every Lessor or Landlord in that part of the United Kingdom of Great Britain and Ireland called Ireland, or his, her, or their Steward, Bailiff, Receiver, or other Person or Persons empowered by him, her, or them, to take and seize, as a Distress for arrears of Rent, all sorts of Cereals, and Grass, Hops, Roots, Fruits, Pulse, or other product whatsoever, which shall be growing on any part of the Estates so demised or holden, as a Distress for arrears of Rent, and the same to make out, gather, cure, carry, and lay up, when ripe, in the Barn or other proper place on the Premises so demised or holden; and in case there shall be no Barn or proper place on the Premises so demised or holden, then in any other Barn or proper place which such Lessor or Landlord, Lessee or Landlords, shall have or otherwise procure for that purpose, and as near as may be to the Premises, and dispose of the same towards satisfaction of the Rent for which such Distress shall have been taken, in the same manner as any other Goods and Chattels distrained for non-payment of Rent.

And whereas it is fit and just that provision should be made for securing the occupying Tenant, as far as may be, against being called upon for payment more than once of the Rent reserved and made payable out of the Land which he occupies, by different Landlords successively the same; for remedy thereof, be it enacted, that in all cases where the entire Rent due and payable by the Tenant shall have been paid or satisfied by the Tenant or otherwise from the occupying Tenant to his immediate Landlord or Land-

lords, if, in consequence of the fraud, malfeasance, or neglect of such Landlord to pay and satisfy the Rent due and owing by him out of the said Premises to his Landlord or Lord Paramount, the Lands shall be again distrained, or Notice of Ejectment served by such Lord Paramount, then it shall be lawful for such occupying Tenant to proceed against such his immediate Landlord (through whose willful default or neglect to make such Payments his Lands have been distrained), to recover treble the amount of Costs and Damages by him sustained thereby; and that such Costs and Damages shall be recoverable by Civil Bill before the Assistant Barrister, at the Quarter Sessions of the County where such Lands lie, in all cases where the same shall not exceed

Pounds; and that the amount of such Costs and Damages, when ascertained by the Decree of the Assistant Barrister, or by the Judgment of any superior Court, may be tendered by the occupying Tenant, or his or their Representatives, in payment of the whole of the subsequently growing and accruing Rent as shall thereafter become due and payable, to such his immediate Landlord, and shall be accepted by him in payment of the same, or shall be recovered by process of Execution against the Person or Goods of such Landlord, as the said occupying Tenant so aggrieved shall deem most advisable.

And he further enacted, that if, on such trial by Civil Bill, before the Assistant Barrister, Chairman of the Sessions of the Peace, or Recorder, as the case may be, the Complainant shall prove the facts of payment of Rent by Distress or otherwise to his immediate Landlord, and of the subsequent seizure of his goods or stock under Distress by the superior Landlord, he shall be entitled to recover in Damages, and shall so recover, upon such proof made of the facts herein before mentioned, without any other or further proof of damage sustained, ten pounds in the hundred of the Rent reserved and distrained for, in addition to the whole sum he shall have paid under such Distress to the superior Landlord, but shall not be precluded from entering upon proof of other more aggravated or special damage sustained, if he shall prefer such mode of proceeding for recovery of due and adequate compensation on such account.

Waterford Chronicle.

THURSDAY, MAY 16.

The principal subject to which we have this day directed the attention of the Public is Sir John Newport's Bill for amending the Law of Ireland respecting the recovery of Farms from absconding and defaulting Tenants; and for the Protection of the Tenant from undue Distress. We have been indebted for this Document to the friendly attention of a Gentleman of this City, and we need hardly say, that the measure is one of the greatest importance to Ireland. The provisions of the Bill are admirably calculated to secure the rights of Landlords and Tenants, and to put an end to those vexatious proceedings, both as to public morals and as to the right of property, which menaced such serious calamities. The Bill is in progress, and will commence its operation soon after it shall have received the Royal Assent.

The Irish Assessed Taxes, as given in our last publication, have created very strong feelings of disappointment, as an expectation universally prevailed, that several of them would be abolished, and that others would be greatly reduced. The only changes are—houses which have only three hearths are not to pay the hearth-tax—regulations with respect to the malt-tax—and the repeal of the house-tax. To have adopted these three provisions by themselves, instead of first repealing all the taxes, and then re-imposing most of them, would have been the wisest plan, as hopes, which were not to be realised, would not then have been indulged. The Public did not look forward to the abolition of all these taxes, but they did look forward to the abolition of some of them, and to a favourable modification of others, and it will probably hereafter be found, that the interests of the revenue would have been better promoted by a reduced system of taxation. People will resort to retrenchments, and the anticipated calculations may turn out to be extremely defective.

The Committee of the House of Commons, appointed to report upon the state of Grand Juries in Ireland, are actively proceeding in their labours. It is not likely, that any fundamental alteration in the system of Grand Juries, as now constituted, will be made, but some very beneficial provisions will undoubtedly be adopted. Some of these intended provisions have come to our knowledge, but as they are merely matters of proposition before a Committee, it would be premature to speak of them.

On Friday, in the Commons, in a Committee of Supply, Sir G. Hill said, "he understood, that a grant was in contemplation to the Academic Institution in Belfast. He fully admitted the great advantages of education in Ireland, but this Institution was likely to be perverted, as persons of a desperate character had assumed themselves into that school, with a view of promoting the politics and religion of France and Germany. Some of those persons were notorious in 1798, and, then falling in their objects, they now thought, that, by insidious means, they could promote their ambitious principles, and inculcate them into the minds of the young. The visitors had not, perhaps, been sufficiently active. Many good men had declared their dissent. In what he said, he did not speak lightly." He referred to the manner in which the 17th of March had been celebrated, when every thing was applauded that was revolutionary and Anti-British, as might be seen from the toasts and

sentiments, notwithstanding the attempts to excite them. They were in honour of every thing of this Country." Mr. V. FITZGERALD said, "he had no estimate to propose on this subject." On Thursday last, a numerous meeting of the Proprietors was held in the Lecture-room of the Institution, in Belfast, CUNNINGHAM GREG, Esq. in the Chair. A letter from Mr. V. FITZGERALD, Irish Chancellor of the Exchequer, was read, in which he declined presenting the Petition of the joint Board of Managers and Visitors, for a grant, to the House of Commons, assigning, as a reason, the toxic events, and the sentiments expressed, at the celebration of St. PATRICK'S DAY in the Town of Belfast, at which were present several of the Directors of the Institution, as well as some of the Teachers, and lamenting, that a sense of duty compelled him to adopt this line of conduct, having received various and repeated communications on this subject. The answer transmitted to Mr. FITZGERALD, by the joint Board of Managers and Visitors, was also read. Amongst other things, it stated, that they have always avowed every idea of party politics, and have conducted themselves, with a sincere respect to the Constitution of their Country, and to that Government upon whose justice they were proud to depend; and they thought he would not withdraw his influence in their favour on account of the imputed misconduct of a few individuals of their number, in circumstances totally unconnected with the Institution, and over which the Board has no control—that the Managers and Visitors have resolved, that they condemn and lament the proceedings which took place in the meeting of the 16th of March last, at which some of the Members of the Board and Teachers were present, and they disavow a participation in any of the sentiments on that occasion inimical to Government, or the principles of the British Constitution—that the meeting consisted of about 50 persons—that the great majority were ignorant of what toasts were to be given—that others, in the hour of levity, were not aware of their nature—that others expressed strong indignation—that the most objectionable toasts were given after the Chairman had retired—that many who attended felt much disapprobation—and that the toasts on any means be considered as the deliberate sense of the meeting. Dr. TENNANT, who, it appears, was Chairman of the meeting, and Mr. W. MACKENZIE, sent in their resignations. Mr. NEILSON did mean to offer his resignation, but considered it incumbent upon him to declare his reasons for so acting. He then went at great length into the subject. In accepting an office in the Institution, he by no means considered, that he surrendered those rights as a Citizen of a free State, which were secured to him by the Laws and Constitution of his Country. Upon the merits of the toasts it was not his intention to enter, but that he considered it difficult to defend them, but, with the utmost deference for the highly respectable assembly he was addressing, he did not consider himself accountable to them, or any other authority, save the Law of his Country, for his conduct on that occasion. He then spoke in severe terms of the enemies of the Institution, warmly complimented Dr. TENNANT, and concluded by observing, that he would retain his situation till deprived of it by the Proprietors. Mr. TENNANT gave a short history of the Institution, and said a great deal about the general principles of liberty, despotic Government, the three Bishops tried in France, and the moderation which ought to mark the conduct of the meeting. The Rev. Mr. HASS expressed his high approbation of Mr. FITZGERALD'S letter, concerning it to be both firm and dignified, and, at the same time, well calculated materially to benefit the Institution. Mr. J. BENNETT was not of the list of every sentiment expressed, or of all the proceedings published, as having taken place at the dinner in question. "The great point to decide upon is, whether you acknowledge his Majesty's Ministers to charge to account of Managers and Visitors, any, or every, inconclusive (or if you will criminal) act of each individual member in his private and convivial meetings?" This doctrine leads much farther than its warmest advocates are aware of, for it appears monstrous and absurd to suppose, that, because a man holds a situation in this Summary, he is thereby deprived of the right of private judgment; or, should he be so unfortunate as to commit an involuntary error, that his misconduct should be visited on the Institution. Really this is worse than original sin. Should it appear to the meeting, that his resignation would be for the interest or independence of the Institution, he was ready, *instantly*, to deliver up the trust reposed in him into the hands of his Constituents, he trusted, the Rev. Gentleman was far mistaken indeed, if he supposed that any of the five Directors would appear there in the character of informers.

Mr. Robert McDowell expressed his astonishment, that the Rev. Gentleman could expect an answer to his question—was one with which the Meeting had nothing whatever to do. He proposed a resolution, stating it to be the opinion of the Proprietors, that the interests of the Institution would be promoted by the resignation of those Gentlemen."

On this suggestion, Mr. Stoupp's motion was withdrawn, and Mr. McDowell's being carried to the affirmative. Mr. Gurnshaw and Mr. Neilson, immediately presented their resignations.

The Rev. Mr. May was understood, in strong terms, on the basis of which he published.

Mr. Neilson answered in reply, that the Rev. Gentleman appeared to be very partial to the *terrors* system, which, it was presumed, he had borrowed from the French mode of proceeding in the case of our most distinguished patriots at Paris; but with respect to his patriots, if the gentleman had any doubts, he presumed he knew, or Mr. Neilson had the happy to afford him every satisfaction.

The Rev. Edward May proposed a resolution to those who differed in political sentiments from the Chancellor of the Exchequer should be considered as improper persons to direct the affairs of the Institution; that he valued much more the independence of the Institution, which, in his opinion, would be at once surrendered, should they remove Directors on account of their political opinions. He was determined to stand his ground, whatever might be the result.

Mr. William Thompson remarked, that, as some of the five gentlemen interested in this business had not come forward with offers of resignation, he would commence by proposing, first, "That Mr. William B. Neilson be now removed from his situation in this Institution."

This motion was seconded by Mr. Robert Callwell. Upon which Mr. Neilson called upon Mr. Thompson to state, whether he had any charge to prefer against him.

To this no answer was returned.

Mr. Getty disapproved in the strongest terms of the motion which had been submitted—no charge whatever had been brought forward against the gentleman in question; and nothing could be more unjust or improper than for that Meeting to adopt such a resolution.

Mr. William Tennent declared his astonishment, that such a motion could have been submitted to the Meeting. He was persuaded it would be instantly dismissed. It was a dreadful idea, that any individual, against whose conduct not the slightest charge had been brought forward, should be treated as if guilty of a crime. He concluded, by moving an adjournment.

Mr. Neilson strongly objected to this matter being disposed of by a question of adjournment, and wished the sense of the Meeting to be taken upon Mr. Thompson's motion. He again called upon Mr. Thompson to state a specific charge, and declared to know whether the motion was founded on any misconduct in the discharge of his official duties, or on any of his actions in private life, which could render him unworthy to hold the situation.

Mr. Thompson did not impute any misconduct to Mr. Neilson, either in private life, or in his official situation; and stated, that his motion was solely founded on the notice taken by Government of the dinner at which Mr. Neilson was present, as he had himself avowed.

The Rev. Mr. McCree, Moderator of the Synod of Ulster, and the Rev. Mr. Hanna, both recommended, that the motion should be withdrawn; and the sense of the Meeting appearing hostile to it in that shape, Mr. Thompson accordingly withdrew it, declaring his only motive in bringing it forward was a view to the interests of the Institution.

Mr. John M. Stoupp then proposed a resolution, which was seconded, thanking the two Gentlemen who had resigned their situations.

Mr. Hugh M. Kibbin declared, that, although the proceedings of the Boards on this occasion so far met with his entire approbation, yet he would not condescend too much to praise Ministers; and, rather than call for the resignation of the five Directors in question, he would propose, that all the Members of both Boards should resign, and a new election take place.

It was stated, that, as the Boards were renewed by fourths, and as the act of incorporation had not provided for such a case as that proposed by Mr. M. Kibbin, his suggestion could not be adopted.

The Rev. Mr. Hanna recommended, that the Gentlemen who had declared offering their resignations, and who, he had no doubt, were governed by their view of the interests of the Institution, should, for the sake of unanimity, voluntarily resign their situations.

Dr. Stephenson joined in this recommendation, as did several other Gentlemen.

The Rev. Edward May expressed strong disapprobation of the sentiments contained in the toasts—they breathed a spirit hostile to the Constitution of the Country, and were a stigma upon the town of Belfast, which it became necessary to wipe away. He trusted, that some of those Gentlemen who had declared they were present would state the names of the persons who had proposed the execrable toasts.

Mr. Neilson had thought the last speaker would have better understood the duties of gentlemen to each other, than to suppose them capable of violating the confidence of the social bond. He trusted the Rev. Gentleman was far mistaken indeed, if he supposed that any of the five Directors would appear there in the character of informers.

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