

Position Of Short-Term Tenants

REVISION OF LAW IN REGARD TO COMPULSORY ACQUISITION FORECAST

A SUGGESTED revision of the law in regard to the compulsory acquisition of houses, held under monthly and weekly tenancies, was foreshadowed by Mr. I. Rice, Corporation Law Agent.

at a sworn inquiry into the Donore Avenue and Crumlin Road Compulsory Purchase Orders, held by Mr. E. O'Maille, assistant chief engineering inspector, Local Government Department, at the City Hall, yesterday.

The matter arose on an objection by two monthly tenants, Mrs. Susanne Fox and Mr. Thomas Byrne, 12 Dolphin's Barn Street, to compulsory acquirement.

Mr. Brendan T. Walsh, solicitor, who appeared for the tenants, argued that despite the present position of the law, no compensation was provided for in the case of acquisition of the interest of a monthly tenant.

He submitted that his clients' position was such as to justify them in law and in equity in claiming as much compensation as an ordinary leaseholder, because as the law stood now his clients had the protection of the Rent Acts. In addition, there was the Landlord and Tenant Act, 1931, under which they would be entitled to even further protection after the expiration of a fixed period.

The net effect was that although from one point of view the law afforded them absolute security of tenure, when it came to compulsory acquisition, that security became valueless owing to the survival of the older law which regarded a monthly tenant as having no valuable interest.

"FULL MARKET VALUE."

Mr. Rice said that, unfortunately, they could not carry through these schemes without inconveniencing somebody.

At present there was a friendly case stated, pending in the High Court, as to whether there was power given by those Acts to compensate weekly and monthly tenants. Nobody would be better pleased than the Corporation if there was power to compensate in those cases.

He would say, however, that suggestions had been put forward by him to the Department for the amendment of the law in that respect in the next Local Government Bill which they were bringing forward.

When the Inquiry opened Mr. Rice stated that the Corporation was prepared to pay the full market value of the property which they proposed to acquire compulsorily.

LAUNDRY TO BE ACQUIRED?

Mr. J. A. Costello, S.C. (instructed by Messrs. Arthur O'Hagan and Sons, solicitors), entered an objection on behalf of Mrs. Annie Day, whose premises at 74 Donore Avenue the Corporation propose to acquire.

Mrs. Day, said Mr. Costello, had carried on for many years a successful business of dealing in and selling thoroughbred horses and polo ponies, and had a considerable trade with foreign Governments.

The premises comprised 3½ acres and were laid out with a track for training the horses and ponies.

The goodwill would be destroyed if the Corporation took the premises, and the compensation necessary would, in his opinion, render their scheme uneconomic.

Mr. David Harvey, Mrs. Day's son-in-law, gave evidence regarding the nature and extent of the business.

Mr. C. S. Campbell, S.C. (instructed by Mr. S. H. Watson, solicitor), objected on behalf of the Mirror Laundry, which it is proposed to acquire compulsorily.

If they had to move to another centre there would be serious interference with the economic life of the city.

Mr. N. Watson, Managing Director of the laundry, stated that he had considerably enlarged the premises at great expense since 1916. Of every pound they got from the public they had to spend 10/- in wages. The cost of moving the plant alone would be about £2,000. The most serious loss would occur in the interval of leaving the present premises and moving to another site.

Mr. M. O'Brien, Dublin Corporation Housing Committee Engineer, said that the Corporation were going to spend £250,000 developing the area, and if they left the laundry there it would be an eyesore.

Mr. H. G. Simms, Housing Architect, Dublin Corporation, said that the scheme was something more than a housing scheme.

It contained many new features of modern town planning, including the widening of some existing roads. The Poddle river would probably be diverted.

If they left the Mirror Laundry there it would be facing one of their new main roads. They were prepared to provide them with nearby alternative accommodation and they would not be asked to move for about two years, during which they could be preparing the new building.

Mr. Stanley A. Joyce, giving evidence in support of his acquisition to the acquisition of his dairy farm and house,

said that, thanks to the present Government, the trade had come into its own for both master and man.

Compensation would have to be on a much higher scale than if it had occurred a few years back.

The Inquiry adjourned until 11 a.m. to-day.

Cork Freedom Ceremony

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on his missionary travels should have as his last recollection the unity of the whole people of Ireland in praise of one of the great fighting instruments of the Catholic Church.

Mr. Cosgrave, responding, said that every Irishman, as well as every Dominican, had reason to be proud of Dr. Ryan, who was following in a great tradition.

His fellow-citizens had every confidence that he would reflect credit upon them, upon his Order and upon himself.

Very Rev. Father Stephens, Provincial, replying, said that the same Community had given Dr. Leahy, most distinguished theologian, to Dromore; the gentle Dr. O'Callaghan to Cork, and Archbishop Spence—a Corkman, even though not of the Community of St. Mary's—to Adelaide.

On behalf of the Irish Dominicans he thanked the Lord Mayor and Corporation sincerely for their signal honour, and begged God's blessing on them in all their undertakings.

"The Lord Mayor" was proposed by Seamus Fitzgerald, Chairman, Cork Harbour Board, who said Councillor Hickey succeeded a line of Lord Mayors who, in their time, gave to Cork a distinction that would be long remembered, and he believed he would add to that distinction.

His first function as Lord Mayor was a proud and honoured one, and they thanked him for honouring them with his invitation to be present.

Dr. Merriman, President, U.C.C., supporting, said they thanked the Lord Mayor and Corporation for interpreting the wishes of the citizens of Cork in conferring the freedom of the city on Dr. Ryan.

The Lord Mayor said that for years Dr. Ryan had made a very definite appeal to him, and he could assure him that nobody had a warmer corner for him in their hearts than the workers of Cork.

The O'Callaghan

Notice is given in "Iris Oifigiuil" that, by deed poll dated August 11 last, George O'Callaghan Westropp, of Lis-mehane, O'Callaghan's Mills, Clare,

"after reciting as therein and that he was the direct male descendant and representative of Donal O'Callaghan, of Mount Allen, in the County of Clare, who was in the seventeenth century styled 'The O'Callaghan,' the said George O'Callaghan Westropp declared that from the date of the said deed poll he would assume and use the style and title of 'The O'Callaghan.'"

THE THOMAS DAVIS SOCIETY

The Thomas Davis Historical Society appointed a committee to carry out the suggestion of a member who stated that the grave of Anne Hutton ("Annie Dear") in the old burial ground, Whitworth Road, Drumcondra, was in a neglected condition, and that the Society should see to its speedy renovation.

Thanks were voted to Miss K. Whelan, Dublin, for presenting to the Society part of the original headstone for the grave of Wolfe Tone, in the possession of her family for over a generation.

The chairman (Mr. O'Beirne) said the stone was designed to the order of Thomas Davis but Davis died before arrangements were completed for its erection.

Mr. Doran volunteered to do a black and white drawing of Davis for presentation to the Society.