

THE  
POLICY OF A POOR LAW  
FOR  
IRELAND,  
ANALYTICALLY EXAMINED,

BY  
WILLIAM STANLEY,

THE AUTHOR OF THE CLONCURRY PRIZE ESSAYS.

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“ No society can surely be flourishing and happy, of which the far  
“ greater part of the members are poor and miserable. \* \* \* \*  
“ They who feed, clothe, and lodge, the whole body of the People, should  
“ have such a share of the produce of their own labour, as to be themselves  
“ well fed, clothed, and lodged.”—*Adam Smith, Book I., Chap. 8.*

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Houses of the Oireachtas

# THE POLICY OF A POOR LAW FOR IRELAND

ANALYTICALLY EXAMINED.

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## ESSENTIAL OBJECTS OF A POOR LAW.

To provide a comfortable subsistence for the Poor, who are unable to work, and without parents or children capable of supporting them.

To provide work for the Poor, who are able to labour, but cannot obtain employment at the general sources of industry.

To secure employment to the rural population, in proportion to the land's capacity of employing labourers.

To suppress mendicancy; protect benevolence from imposition, and public alms from waste and abuse; and to rescue from misery and demoralization, the orphan, the widow, or "the woe-worn mendicant whom old age, sickness, or the general vicissitudes of life, may have thrown into the motley pauper horde."

## THE RIGHTS OF THE POOR.

To beg, is in Ireland the only available right of poverty. If an Irish labourer be disabled by sickness, his family must beg for subsistence. When in strength, but unable to obtain employment, he is forced to beg or become a robber. And in old age, if he have not children to support him, the only resource which his country provides for him is beggary. In Anglo-Irish legislation, it has never been considered sound policy to do more for poverty



than restrain vagrants and lunatics, and provide a few hospitals for the sick. The utmost extent of its philanthropy, towards the hungry and houseless poor was to assign to meritorious paupers the distinction of a badge ; and all who had not this honorable order of merit were left to their own resources, to escape the rigors of the laws, like Spartan youths, in proportion to their dexterity.

This right of begging, places the support of poverty, principally, on the classes most accessible to the mendicants : the traders, farmers, tradesmen, and labourers ;—and it is only by substituting a compulsory national provision, for this right, that the burden which it creates can be justly distributed over the whole community.

Ireland, in all her struggles for rights, has never asserted the right which the poor have to be maintained without the debasement and demoralization of beggary. She pays her share of taxes, exceeding five millions a year,\* to maintain civil and military functionaries, on “the retired lists ;” and to compensate public servants for the loss of offices, from which they have been removed, without being disabled ;—but she takes no care to provide for the tradesman or labourer who may be thrown out of employment by sickness or the casualties of trade,—or who has worn out his strength in toiling to increase the general stock of wealth.

Tradesmen and labourers are not regarded as working for the whole community, because they are immediately employed by individuals ;—but these immediate employers are, as such, merely the agents of the community, and they charge to it all their expenditure for labour, in the prices of the commodities prepared for its use. It is these tradesmen and labourers that enrich the community ;—all the wealth it possesses is the product of their labour and ingenuity ;—and all the lands in the country derive value from their industry. The proprietor, who unthinkingly contemns the crowd, still owes to it his rents and eminence :—but for it, his lands would not be worth a shilling an acre.

There is indeed no right in an individual, to live on the property of another individual ;—but it is the duty of the community to protect its members from want. And it has a right over property for this purpose, just as it has for the purpose of levying taxes to support the state and the laws. It thus interferes with individual property in all nations. It also interferes with it in these countries, by its laws for the relief of bankrupts and insolvents, under which individual rights are largely sacrificed.

The law requires obedience to its enactments for the protection of property :—in return, it owes to its subjects, a subsistence, or the means of earning one. In Ireland, if a refractory subject be imprisoned for a violation of the law, he is supported in gaol ;—yet if he keep the peace, he may starve outside. He is lodged, clothed, and dieted, if refractory or dishonest :—he

\* Retired allowances, half-pay, &c., on the public accounts of 1834 :—Army, Ordnance, Commissariat, and Militia, £2,907,097. Navy, £1,607,966. Revenue Departments, £404,286. Retired Ambassadors, £63,510. Special, £282,309. Total £5,265,168, exclusive of superannuations charged in the account of Supply, or included in the general charge of Civil Offices, as well as allowances to retired Law Officers, &c., in Scotland, and the pensions on His Majesty's civil list.



may starve or beg, if peaceable and upright. So disgraceful an anomaly as this, Ireland ought not to endure.

If every person able to work, could get employment when disposed to accept it, a compulsory provision would only be requisite for the helpless poor; but the misfortune of Ireland is, that thousands who are anxious for employment cannot obtain it, and have not means to emigrate.

Were the land of the country possessed by the community, this evil could not exist, even with as great a population as Ireland contains at present. But the community has still a right of controlling the uses of the land, and ought to exercise it. The land is the natural and primary source of employment. It is the source from which the subsistence of the community is derived; and unless it can be maintained that the landholders may starve the community, there is still a public right of enforcing a proper use of it.

There is still a public right, of levying a penalty on the proprietor or forestaller, for keeping land unoccupied and waste, putting labourers from employment, and diminishing the stock of food. There is also a public right of controlling landholders, to prevent them from pauperizing the neighbouring villages, by capriciously converting tracts of tillage lands into pastures.

Mere personal rights are unavailable when opposed to the interests of the whole community;—and these require that the labouring classes shall not be capriciously, or selfishly, excluded from the land, while their labour is necessary for its cultivation, and to provide an abundant supply of food for the public wants.

The land is under this liability in proportion to its capacity of affording productive employment; because, if retained as public property, and managed by the direct agents of the community, it would give employment in this proportion, and the right of partition is not a right to abuse, but only a right to the land's issues or profits, and while these are protected the compact of partition is unviolated by the public.

Manufacturers and traders are placed in very different circumstances. They are limited as employers by the demand for the produce of industry. They cannot give employment beyond the providing of supplies for this demand; and to this extent it is constantly given. Land likewise should give employment to the extent of the demand for supplies of food and its productive capacity;—but this it does not give in Ireland: a great part of the reclaimed soil is neglected or abused; and there are millions of acres lying totally waste; yet thousands of rural labourers are unemployed, and the supply of food is insufficient.

The more employment is given on the land, in proportion to its means, and the more food is abundant and cheap, the greater the prosperity of the country; the greater, too, must be the demand for manufactures and all objects of commerce; and the more urgent must be the demand for the labour of tradesmen. The produce of the soil is the primary object for which traders, manufacturers, and tradesmen, exert their industry; and if the soil be abused and wasted, not only are the rights of the labouring population violated, but the interests of the whole community are virtually damaged.



## EFFECTS OF A COMPULSORY PROVISION.

Every person capable of labour, and not able to obtain employment from individuals, would be provided with it by the community:—therefore, no person possessing strength would be without the means of earning a subsistence, in any part of Ireland.

The poor who are incapable of labour, and without parents or children possessed of sufficient means to support them, would be entitled to a comfortable subsistence, at the expense of the community; and Ireland would no longer be exporting food, while her people required it for their sustenance.

The principal charge of supporting the helpless poor would be transferred from the farmers, shopkeepers, and working classes, to the possessors of property, in rents and public securities.

All the poor would obtain the public bounty equally; none could be mispent; it could never reach the dram-shops;—and by the suppression of mendicancy, the impostor and idler would be compelled to resort to labour, or be punished as vagrants.

Benevolence now bears all the burden of Irish pauperism; and alms-giving is necessarily indiscriminating and wasteful. The artful mendicant obtains more than the less importuning and active pauper, who is generally a more deserving object of bounty. Paupers inured to beggary obtain more than a sufficiency for their natural wants; while families newly stricken with poverty perish in their homes; and the gifts, designed for the relief of misery, are largely squandered. But these are not the worst consequences of mendicancy. It has a demoralizing influence, and unfits for industry, in most cases, all who are driven to it. Few adults have ever abandoned it, untainted by its vicious associations: And it wholly demoralizes their unfortunate children.

Mendicity Asylums supported by voluntary contributions, are not capable of subduing the evils of mendicancy; and it is not pretended by their advocates that they could counteract the pauperizing influences, which are continually in operation throughout Ireland. Besides, the proper support of only a portion of the paupers, by these institutions, would cost the voluntary contributors more than they would have to pay for the support of all paupers, were every member of the community compelled by law to contribute in proportion to property. Therefore, such societies never will be cheerfully and amply supported, and never can be efficient substitutes for a compulsory and national provision for the poor.

They fail, too, in the most essential part of a compulsory provision. They have no reactive influence: and were they even efficient in relieving poverty, which they are not, they must be wholly incompetent to check it.

A compulsory provision would not only relieve poverty, but tend to prevent or diminish pauperism. It would do this, by making owners of property suffer in taxation for any increase of pauperism caused by their mismanagement, caprice, or indifference. It would, therefore, enforce attention to the interests of the working classes in every part of Ireland, which otherwise they would not obtain. The English compulsory provision has had this



effect; and it is the chief cause of the remarkable difference which now exists between the condition of England and Ireland.

A provision for the helpless poor, without one for all persons able to work, but unable to obtain employment, would entail great expense on the country, be inevitably abused, and promote pauperism. Besides, the means of Ireland would not be increased by it;—whereas by the law to provide employment, when required, the annual product of the country would be increased; the peasantry would be all employed near their homes, instead of being compelled to migrate, and leave their families to beg;—and the actual cost of pauperism would be limited to the expenditure requisite for maintaining merely the helpless poor, and correcting vagrancy.

It has been suggested that if there were a compulsory provision in Ireland, the influx of labourers annually into England would be greater than ever. This would be the certain effect of a provision for helpless paupers only; as the hope of gaining by it would be a further inducement to the poor western peasants to quit their families, and try their fortune in England. But combined with a system of general employment, the provision would have a direct tendency to keep all the labourers at home. The labourers of Wexford, Wicklow, Dublin, Louth, and Down, although nearest to England, do not go there in these annual migrations of which the English complain:—yet their condition is far below that of English labourers; but agricultural labourers do not shift about until wages are equalized as some theorists believe;—tradesmen in towns do change their homes, when the change appears desirable, for they have not the ties which attach the rural labourers to their original localities:—the latter seldom quit the old cabin, and old neighbours, as long as they can obtain employment; if they did, the rate of rural wages throughout Ireland would be equalized, instead of being so much higher in the eastern counties than elsewhere.

It is a common error, in Ireland, to suppose that the compulsory provision would encourage idleness. It would have a contrary effect. The idler would be deprived by it of the right to beg; and none, able to work, would get any other relief than employment.

The opponents of the provision pretend that it would demoralize females; and they assert that it has had this effect in England;—but in this they are wrong. The Bastardy Laws have been heretofore wholly distinct enactments from the Poor Laws, but in management have been united. Ireland has already a legal provision for illegitimate and deserted children, (though a very limited one,) and if no other provision for them be made, of course no additional effect could be produced:—perhaps, too, the evils complained of in England are less justly ascribable to her Bastardy Laws, than to the non-residence and inactivity of a large number of the clergy.

Voluntary charity is the favourite remedy for Irish poverty, with all that desire to avoid contributing to relieve it. But Ireland has had a long trial of it, without awakening among the classes most capable of relieving poverty a sufficiency of the fine sensibilities to which she has been referred for aid;—while Eng.



land, with a compulsory provision, has been her chief resource in time of suffering, when charity failed to draw succour from many who profess to be her natural protectors.—“Like the master-knave, who, in the company of our Saviour, affected compassion for the poor, not that he cared for the poor, but because he carried the purse;—many of those who pretend to fear that sympathy for the poor will cease, care not a rush about them, but are very much concerned lest their own purses would suffer if a law for the relief of the poor were enacted.” Those who desire to give money in voluntary charity, can do it more securely with the aid of a compulsory provision than without one, and either publicly or secretly. Their contributions in this way would abate the general charge on the community;—and should they prefer private objects of charity, they could never fail to discover afflicted families above the class to which applicants for public relief would generally belong.

Sentimental opponents object to the public provision, that it severs filial and parental ties, and induces children to abandon helpless parents, and parents to abandon children; but the English provision guards specially against these infractions of natural obligations, and renders the unnatural parent or child responsible to the authorities for the charge abandoned to them. So little is the occurrence of these unnatural desertions apprehended in Ireland, by those who are acquainted with the people, that a great authority has objected to a public provision, because the law would provide for such cases, and thereby impute an unnatural disposition to Irish parents and children:—this, however, might be used equally as an objection to the Ten Commandments, because they require children to honor their parents; besides, if there were a compulsory provision, and no Irish parents or children coerced, the natural piety of the people would be still more honored.

The arithmetical opponents of a compulsory provision, assume that it would make the working classes more improvident; that if it existed they would not save money for old age or sickness, and that they would marry before having means to provide for a family in the event of death. But when are the working classes to marry if they must first save a provision for their families?—If they were to form such a resolution, the country would be depopulated before the close of the present century. It is strange, if a public provision causes improvidence, that the Irish should be considered more improvident, (though without a Poor Law,) than the English who have one. In England, notwithstanding the compulsory provision, the working classes have invested large sums in the public securities, through savings banks and benefit societies. In Scotland, too, the working classes are remarkably provident, notwithstanding their also having a compulsory provision for poverty. Why is it not objected to the system of pensioning the great public functionaries, and the inferior servants of Government, that the prospect of pensions makes them all spend-thrifts? The Judges, and all other recipients of the public money, who have good incomes, usually, however, amass wealth, in spite of their pensions. Admitting, nevertheless, that the Irish working classes are really improvident, where is the advantage of leaving them as at present to their own resources? This neither diminishes



poverty or prevents the increase of it; while the public provision, bettering their condition through an increase of employment, would certainly diminish poverty, and by giving them something to save, which they have not now, would introduce a new habit among them. The Irish middle classes do not usually marry improvidently. They may not indeed be all provided with a good family fund when marrying, but still they do not marry to live on potato diet;—and the labouring classes only marry with that subsistence before them, because they have no prospect of a better one.

## STATE OF ENGLAND WHEN HER POOR LAW WAS ENACTED.

When England was placed under the guardianship of the great Poor Law, devised by the distinguished Statesmen of Queen Elizabeth's reign, she was in a condition even worse than that which Ireland now presents, although thinly populated, and having all her land proprietors resident. Before the time of Henry the 7th, the most cruel measures were adopted to suppress mendicancy; and Henry, to diminish pauperism by providing employment, framed a law to enforce the extension of tillage. Henry the 8th found it necessary to inflict the penalties of this law; but they were not sufficient to accomplish the end desired; and in the reign of Edward the 6th there was a predial revolt. A Commission was then appointed by the Crown, to inquire into the cause of the riots, and reported that they had been occasioned by the pasture system of the landholders. However no efficient remedy was applied; and misery and lawlessness pervaded England until near the close of Elizabeth's reign. Hume's appendix to his history of her time, contains the following description of the disorders that prevailed, from a paper, (in Strype's Annals, vol. 4, p. 290,) written by an eminent Magistrate of Somersetshire, in 1596, the year preceding that in which the first British Poor Law was prepared, and five years anterior to the enactment of the celebrated "43d of Elizabeth," the fundamental Poor Law still in force. "This paper contains an account of the disorders which then prevailed in the County of Somerset. The author says, that forty persons had there been executed *in a year*, for robberies, thefts, and other felonies; thirty-five burnt in the hand, thirty-seven whipped, one hundred and eighty-three discharged: that those who were discharged, were most wicked and desperate persons, who never could come to any good, because they would not work, and none would take them into service: that, notwithstanding this great number of indictments, the fifth part of the felonies committed in the County were not brought to a trial; the greater number escaped censure, either from the superior cunning of the felons, the remissness of the magistrates, or *the foolish lenity of the people*: that the rapines committed by the infinite number of wicked,



“wandering, idle people, were intolerable to the poor country-men, and obliged them to keep a perpetual watch over the sheepfolds, their pastures, their woods, and their corn-fields:—  
 “that the other Counties of England were in no better condition than Somersetshire; and many of them were even in a worse:—  
 “that there were at least three or four hundred able-bodied vagabonds in every County, who lived by theft and rapine; and  
 “who sometimes met in troops, to the number of sixty, and committed spoil on the inhabitants.”

Such was the state of England when a Poor Law was committed to the management of her householders; and yet it is assumed that Ireland is too much disturbed and disorganized to manage a Law for a similar object. It is also assumed that Ireland is too poor, and has not sufficient capital for the purpose. See what Hume says respecting English capital at the time. “Before the reign of Elizabeth, the English Princes had usually recourse to the City of Antwerp for voluntary loans; and their credit was so low, that besides paying the high interest of *ten or twelve per cent.* they were obliged to make the City of London join in the security.”—(*App. to the Life of Eliz.*) This was not however so much owing to the want of capital in England, sufficient for Government loans, as from distrust of the Government among the capitalists; and this distrust was removed through the influence of the distinguished merchant, Sir Thomas Gresham. It still shows that England generally had then but little capital; and like Ireland at present, she was without the means of safely investing it for her own improvement, until the reclaiming of the *English waste lands* was commenced, under an act passed in the 43d of Eliz. along with the Poor Law.

## IRISH CAPITAL.

From 1821 to the close of 1834, Ireland invested capital in additional Government Securities, transferred from London, amounting to £18,190,029, (*Accounts of the Board of Trade, part 3, page 325, and Finance Accounts, 1834, page 96,*) which cost at an average, say of £90 per cent., upwards of sixteen millions sterling. In the same period, (see the same accounts,) there were securities transferred from Ireland to England, amounting to £9,522,181, but these must have been transferred for Irish purposes—for Irish non-residents, Irish banks, and Irish public companies. The former might also have been transferred partly as remittances; but to render the stock available for such purposes, it must have been bought in Dublin with Irish money.

The capital of Ireland is far from being insignificant. It appears by an account used in the debate on the Repeal of the Union, in April, 1834, (*see Report published by Knight, London,*) that the gross amount of personal property, which passed in Ireland under Probates or Letters of Administration, during fourteen years, ended with 1832, was £44,833,359. The duty paid



on this sum, according to the finance accounts, was £485,138, of which there was drawn back for *debts and over-estimates* £17,430, and this being a twenty-eighth of the duty on the gross capital, enables us to ascertain that the *net* capital was £43,232,168—more than three millions annually. What proportion did this capital, left by the dead, bear to the capital possessed by the living? Say that it bore the same proportion as the annual deaths have borne to the total population. The average proportion of annual deaths to the population in England and Wales from 1821 to 1831, was 1 in 51, and from 1801 to 1811, it was 1 in 46. (*Board of Trade accounts, part 3, page 454.*) But suppose the Irish mortality to be greater;—suppose it to be even in the proportion of 1 in 40. Take then the three millions left annually by the dead, on the average of fourteen years, as being a fortieth of the personal property of the living, and the total Irish capital (in such property) would be one hundred and twenty millions. To this must be added all the capital vested in houses, &c. erected on freeholds; and all that passed annually by *post obit* deeds (to avoid taxation) and by investments for survivorships. Of the whole there is in Government securities in Dublin a sum exceeding thirty millions. And there is about one million annually invested in additional securities transferred from London.

If the law were to constitute public authorities for supporting the poor, and providing employment, much of the Irish capital now invested in Government Securities, would be employed in improving the country, because it could be safely invested for that object. And if Irish capital could not be obtained in sufficient abundance, English capital might be procured on as advantageous terms. However, against English borrowing it is objected that it drains the country; but this is a very mistaken notion. Suppose a million be obtained from England, and that the use of it creates a product out of which the interest would be paid: the million would still remain, until ultimately the gains of many years would enable the borrowers to repay the principal, after it should have created a permanent property; for which property the country would only give the interest on the loan, out of a product which but for the loan would not exist.

The opponents of an Irish Poor Law appear not to understand how it could cause an increase of capital in the country. It would cause an outlay of money on sources capable of being rendered permanently productive; thus immediate and permanent incomes for labourers and employers would be created: out of these, additional capital would be formed; and again, by the trade thus occasioned, capital would be formed. And additional capital would also be formed by a greater diffusion of the general annual product of the whole country, which the Poor Law would promote. In England every person engaged in forming the great annual product, receives a full share as remuneration: the labourer and tradesman for work; the manufacturer and trader for capital and time; the landowner for his investment.—And each forms capital. But in Ireland the labourer does not obtain a sufficiency for proper subsistence: the great bulk of the product goes to the landowner or his chief middleman: it thus goes chiefly to those least likely to form capital; and the manufacturer and trader have



not the advantage of an expenditure of a large share of the product by the labourer. Suppose 100 acres pay £100 a year for rent, and employ ten labourers constantly, at 1s. 6d. a day to each, which would be £234 a year: this would cause a valuable trade, and leave some savings with the labourers:—but suppose the farmer incapable of working his land properly, that in consequence he employs less labour, and therefore must every year grow worse, paying probably £1 5s. a week in wages, being £65 a year:—in this case the country gets a less product, the farmer gets less, the labourer gets but a scanty subsistence, and still the rent may be the same, yet here it engrosses the greater part of the product, while in the former case it takes but a small portion. It is only a Poor Law that would alter this state of things. Bound to provide employment to a certain extent, or subsistence, the landholder would be compelled to fit himself for his liability, and the landowner should look to it, as the rent would be in jeopardy; thus an adjustment would follow, suitable to the working of an improved system of husbandry.—(See *Blacker's Essays on Irish Farming.*)

Another way by which a Poor Law would increase Irish capital, is, that it would tax rents, and riches generally, for the support of the helpless poor, and also for public works—thus a large amount would be usefully applied in the country, which is now withdrawn from it, and local industry would be relieved from a heavy burden which now falls on it exclusively.

The Poor Law opponents have perplexed themselves with the notion that it would force the employment of capital at a low profit. Forcing capital to manufactures would cause a glut; but there cannot be a glut of agricultural produce. There never has been a glut of food. Therefore, if a landholder have any capital unemployed, he cannot be injured by being forced to use it, at current profits, (the natural result,) and it would at once serve himself and the community.

Compare the condition of Ireland with that of England, past and present. Before England got a Poor Law, she was distracted by a peasantry made turbulent by privations, and she was obliged to borrow capital from Foreigners. With a Poor Law in operation ever since, see her now the richest capitalist in the world. And see Ireland, without a Poor Law, the poorest of all civilized countries.

### EFFECT OF A POOR LAW ON ABSENTEEISM.

A diminution of non-residence would be among the effects of a Poor Law. It would pacify districts from which many proprietors are driven by misery and turbulence. It would render property in these districts more saleable. Thus, doubly, it would curtail absenteeism.

There is a prevalent fallacy—that if all proprietors were resident, a compulsory provision for the poor, would be unnecessary.



But Italy, France, Switzerland, Bavaria, Prussia, Denmark, Sweden, Norway, Russia, and America, have a compulsory provision for poverty. (*See Appendix.*) And England adopted it, as a pacifying measure, in the reign of Elizabeth when all her proprietors were resident; and it became the basis of her prosperity.

Those who would cure Ireland by imprisoning her landowners on the estates, overlook the circumstances under which the great majority of estates are held. They do not permit themselves to see, or will not candidly acknowledge, that the majority of the lands are held by middlemen, and that these are the chief promoters of pauperism among the peasantry. Some of the best resident landowners have their estates thus circumstanced, and cannot do anything to alter the condition of them, until the chief leases expire. Again, a considerable portion of the estates are under the management of receivers appointed by the courts. For all these estates, residence could do nothing; and it is on such properties that most misery exists.

If landlords have the disposition, to improve property, *under their control*, their residing on another estate cannot prevent them—for it is not necessary that they should be supervisors of the workmen in laying out capital, or that they should be in the agents' offices to fix the amount of rent. The Duke of Devonshire, the Marquesses of Lansdowne and Hertford, Lords Arden, Palmerston, Headley, Stanley, and several other Absentees, or occasional residents, have in this way done more for the country than the majority of residents. Lord Palmerston's improvements on his Sligo estate entitle him to be considered the best landowner of that county—(*Inglis on Ireland*, vol. 2, p. 126)—and the Marquess of Lansdowne is now rebuilding Kenmare, and erecting farm-houses, offices, and cottages, on his estate in that part of Ireland, according as the middlemen, who pauperized it, lose their leases. (*Inglis*, vol. 1, p. 209.) The latter Nobleman also does for *his own* occupying tenants, voluntarily, that which it is now proposed to compel all landlords to do by law, on the principle of the act for encouraging planting,—compensate for all the permanent improvements of tenants.

A valuable resident proprietor, of Westmeath, Mr. Fetherstone, of Kinnegad, has just recorded the following testimony to the disposition of the majority of landlords, before the Committee of the House of Commons on Irish public works:—

2401. “Do you not attribute a great deal of the evils of Ireland to the fact of the landlords being, generally speaking, in distress? I think they are greatly distressed; but I attribute a great deal to their own indolence and supineness, towards carrying on improvements, and a great dislike to those who do carry on improvements.”

2402. (As to a rich mountain district of Galway along the Shannon towards Clare.) “I have not the smallest doubt, that if there is not a controlling power, the Grand Jury never will open the country.”

2407. (As to his reclaiming, in that district.) “I am in a great degree paralyzed from the difficulty of getting limestone and gravel, which we have within a mile of us, but we cannot



“get at it. *My neighbour, Lord ———, has a beautiful lime-stone quarry, and he would not let me take a stone out of it, and he would not take a stone out of it himself. I offered to buy it, but he would not sell it to me. . . . Then I built large stalls, and reclaimed by means of the manure.*”

A compulsory mandate to create employment or pay a tax, would coerce the supine, the indifferent, and the ill-disposed, to improve their estates. It would not, indeed, localize the expenditure of every landlord's rental, which is impracticable, but it would at once take a part for the poor, and for local charges;—it would make a further deduction from rack-rents, by causing an increase of wages;—and it would in many cases localise still more of the rental by inducing residence on properties from which proprietors have fled to avoid misery and disorder. Any measure which could localise the proprietors, and not also compel landholders to give constant employment, would be of little utility.—The Kildare proprietors are nearly all resident in Ireland, and yet the county does not contain a good town, or a nice village.—Nearly all the proprietors of the northern part of the county Dublin are Irish residents—(Lords Howth and Talbot, the Dommilles, Evanses, Palmers, Husseys, Hamiltons, Bakers, Vernons, Whites, Doynes, Woods, Cobbes, &c.)—and still there is not one prosperous town in it, or any good villages, except bathing-places.—Why? because the peasantry are unable to support towns, and are just as impoverished, generally, as in any other part of Leinster.

The exhausting rent is seldom the proprietor's rent;—it is generally the rent of a resident middleman; and when the proprietor is absent, the portion of rent remitted to him, does really less injury to the country, than the high profit rent which is spent at home by the middleman. If the occupier paid only the former, he would have more means for increasing the produce of the land, of which the latter deprives him.

The absentee deprives the country of a certain portion of capital, which the trader would realise by his expenditure; but by his non-residence he takes no more capital from the occupiers of the soil than they are deprived of by the payment of high rents; and the loss to the traders is trivial, in comparison with the loss they suffer by the poverty of the rural population. If the peasantry were consumers of merchandise, and all well clothed and housed, the internal trade of the country would be of immense extent;—towns would be rapidly augmented;—canals and other means of internal conveyance would yield large profits;—and tradesmen would find good employment in every town. All these advantages may be obtained by enlarging the annual product of the soil; and while such substantial benefits are within reach, it is merely a wasting of time to speculate on the possible results which would be obtained, if it were practicable to place a resident proprietor on every estate in the country.

A certain portion of the rents (at the utmost three millions out of more than sixteen millions†) must now be remitted to landlords

† The land rents are usually estimated at twelve millions. The house rents must exceed four millions. In 1831, there were 1,429,816 inhabited houses; but there were also 884,339 families then employed in agriculture,



who prefer living in England, where Irishmen of all classes, lawyers, merchants, manufacturers, tradesmen, and labourers, are employed indiscriminately with Englishmen, and from which Irish farmers and export merchants receive a considerable income, and local labourers obtain a large portion of their wages. This cannot be the cause of Irish poverty; but if it be, a Poor Law is the only legal alternative that can be devised, to which the Legislature is likely to assent. That law, by creating peace and comfort in the land, would ultimately cause proprietors to reside more on Irish estates than at present;—it would immediately compel all proprietors to establish a good system of management on the estates under their control;—it would re-act against the coercive measures of political-dominion-landlords, and defend poor tenants from oppression;—and it would do for the country, that which the proprietors cannot do—control the middlemen, whose forestalling of the soil has enabled them to obtain rents from it, for which the greater number of them have never invested capital either in fines or improvements.

#### EFFECT OF A POOR LAW ON THE EXPORTATION OF FOOD.

The food exported from Ireland is only the surplus which the people cannot buy. It goes into the markets to reimburse the farmers for their general outlay, and pay the rents, (whether the landlords are resident or absent,) and there the people might buy it if they had means. In 1817, when the supply of food was scanty, Ireland exported only 59,025 quarters of Wheat and Flour, being 22,384 quarters less than the quantity *imported*—although Wheat in that year sold in England at an average price of 94s. a quarter, being 18s. over the average of 1816, and 9s. over that of 1818, in each of which years she exported more than double the quantity exported in 1817. In lieu of food, an increased quantity of linens, with a very largely increased quantity of cotton goods, were exported in 1817, and the actual trade balance in favour of Ireland was £4,250,132.

The whole of the Irish flour, meal, corn, cattle, bacon, butter, &c., exported to Liverpool in 1832, was valued at £4,400,000, (*Board of Trade accounts, part 3, p. 324,*) and Liverpool must receive the greater part of the food exported:—suppose, however, that only one half-goes there—at this estimate, the whole of the food sent to England in 1832, was worth about eight millions. Now, were the condition of the 1,131,715 labourers and labouring occupiers in Ireland, according to the census of 1831, so much improved that they could expend 6d. a day for additional or better food, this outlay in the year would be £10,326,580; or were the

including landholders, cottiers, and labourers, whose houses are either rented with the land, or yield very low rents;—however, the remaining houses amount to more than half a million, and if they, with the ground, yield only an average rent of £8 each, the total exceeds four millions.



884,339 agricultural families, enumerated in 1831, to expend only the same additional sum for food, this outlay would amount in a year to £8,069,420. Thus then, all the food exported would not sufficiently supply the actual wants of the population; and this fact demonstrates the necessity of obtaining an increased supply from the soil, as the first step towards the improvement of the country. Were it possible to create sufficient employment for the population, without resorting to the land, Ireland should not only cease to export food, but commence to import it;—otherwise the increased work and wages, would make the labourers but little better than at present, in consequence of the high prices of food.

The exportation of food does not impoverish the peasantry, or deteriorate their condition;—as they are paid for raising it, just as much as if it were consumed in Ireland; and as no greater quantity can be purchased by them, until the prices are lowered by increased production,—or until by increased employment and production combined, they shall acquire additional means. America and other prosperous Nations export food; but it is a surplus existing after the general product has given abundance to the producers:—a Poor Law would place Ireland in similar circumstances.

Some English writers consider the Irish supply as an intruder, forgetting that Ireland is rather competing with foreigners than with the English farmers; and also forgetting, (which is still more important,) that a great part of the English money paid for Irish food returns for English merchandize and for rents, (as if Ireland were an English county,) while the foreigners are paid in gold which does not speedily return, but passes into general commerce, and thus has frequently embarrassed the English Banks. (*See Mr. Rothschild's evidence before the Bank Charter Committee, 1832*).

## EFFECT OF A POOR LAW ON POPULATION.

Irish misery is not ascribable to a redundancy of population for the territory. It existed a century ago, when the population had not advanced beyond a fourth of its present extent. Swift then complained as bitterly of rack rents and landlords, as they are now complained of;—and Primate Boulter, (one of the Lords Justices), was as actively engaged in advocating measures to provide employment for the peasantry, as any of the friends of Ireland now existing;—while Mr. Dobbs, a satistical writer of the day, was employed in pointing out the evils, and describing the extent, of the mendicancy that then pervaded the country.

The last computation of the extent of *reclaimed* land in Ireland, gives a total of 14,603,473 statute acres—(Board of Trade accounts, part 2)—which quantity affords no less than 13 acres for each of the 1,131,715 labourers and labouring occupiers enumerated in 1831. It is therefore manifest that the country is not



over populated, even with reference to the reclaimed soil ;—and still she has additional resources in large tracts of reclaimable wastes.

But unless a Poor Law be enacted, to enforce improvement in the condition of the peasantry, the increase of population will soon create an actual redundancy. From 1821 to 1831, the increase was nearly 14 per cent., which is about equal to doubling in seventy years ; and in some districts the increase was 25 per cent., which is equal to doubling in forty years. However, as if to demonstrate the importance of improving the condition of the people, the increase was only 8 per cent. in Down, and 7 per cent. in Louth and Wexford, where the peasantry generally are in a better condition than in any other Counties in Ireland. If the whole increase were equalized with Down, the population would not be doubled in less than 120 years. But, without a Poor Law, to improve the condition of the labouring classes, and make them as provident as the middle classes—the population may be doubled in FORTY years. England's population has not been doubled in the last hundred years, notwithstanding the great accession from Ireland, at all the manufacturing towns :—This fact, compared with the progress of the human race in Ireland, ought to convince the opponents of a Poor Law, that it has not a tendency to accelerate the increase of population, but to retard it.

## EXPEDIENTS FOR DEFERRING A POOR LAW.

*Emigration* is the most favoured expedient ; for it would promote the happiness of all the working classes that could be favourably located in a fertile and untaxed country ; but the relief of Ireland by this expedient is impracticable : the mass of the population cannot emigrate and form new locations, unless at the public charge ; and it would be extreme impolicy to place such a charge on the contracted resources of the country, while the public capital can be productively employed at home, and would give the working classes increased means of contributing to the support of the State. Those who advocate Emigration, should remember that if it were accomplished to any great extent, the Revenue would inevitably fall short of meeting the demands on the Exchequer.

*Public Works*, in forming roads through mountain districts, fishery piers, and drainages, are next in favour, to Emigration, and not less in importance ;—but heretofore they have only been temporarily beneficial to the working classes, and the ultimate and permanent advantages belong solely to the landlords. Those now in progress, have however the important effect of employing great numbers of the peasantry, that would otherwise be in beggary ;—but they also will fail to make a permanent alteration in the condition of the districts in which they are carried on. They may advance those districts to the condition of the counties of Dublin, Meath, Kildare, &c.—but will any one contend that the



roads, canals, and reclaimed lands, of these counties, render other measures for the protection and aid of their working classes, unnecessary?

*Public Pawnbroking*, to lend money on pledges, and *Public Lotteries*, to make money for public works, by gambling,—come next. Both are adapted to the realizing of gains by encouraging improvidence. The former would take from pawnbroking an odium which now attaches to it, and so remove a great restraint on improvidence, giving loans at cheap rates to facilitate resort to the dram-shops. Instead of encouraging the pawn system, the Legislature would act wisely, were it to prohibit the lending of money on pledges, except in sums exceeding £5—the interdict to have effect in six months from the passing of the act: it would cause but one week's difficulty to the great majority of persons who practise pawning. In Spain (at Barcelona) a lottery is maintained for the benefit of the Poor. And in France a profit is made by pawnbroking for the benefit of the public hospitals:—that is, the poor are made to assist in providing for the poor;—but in France, through a system of licensing, a profit is made even of the lowest vice: The plea is—it exists; why not make something of it? This is also the plea here for public pawnbroking and lotteries. There is already a large sum made of pawnbroking in Dublin, through licenses issued by the police. Lotteries, however, have been prohibited; but while they existed, the gain to the State was trifling compared with the losses of the ticket-holders. It is no defence for lotteries to say that since they have been abolished English money has been going to Foreigners. This would be an equally sound reason for establishing public gaming-houses all through the country, to induce ruin at home instead of abroad. Neither of these expedients would have the re-active effect of a Poor Law; they might partially relieve pauperism, but they could not prevent it, which is the tendency of an unabused compulsory provision.

*Confiscation* of the funded property of the country, or, in other words, the cancelling of the National Debt, is the last project that shall be noticed; it is also the last that will be attempted; but as it has been recently proposed in print, and by an opponent of Poor Laws, it shall be canvassed. The object is to get rid of about three-fourths of the taxation. This would certainly be the result; but it would also abolish *Income* to the same amount, which is distributed among nearly 300,000 persons, principally the families of traders and tradesmen. Of these, many would be utterly ruined; the rest would be deeply injured; and the traders through whom the Income is expended would also be deeply injured; another effect would be, the loss of the capital of Friendly Societies and Savings' Banks, amounting to many millions, belonging to the working classes, and nearly all husbanded in England, notwithstanding the presence of a compulsory provision to make these classes improvident! Of course the end would be a Revolution, in which the landowners would lose their estates. The projector conceives that as the measure would reduce so much taxation, and injure, directly, only 300,000 persons, it must be beneficial to the community. But, suppose that instead of abolishing the debt, the Legislature were to confiscate the landed



property. Only 100,000 (at the utmost) would be injured by that measure, and it would relieve the country from every kind of taxation, as the rents would be sufficient to support the State, pay the creditors, and provide for all local charges. It would not be more unjust than the other; it would be two-thirds less injurious; and it would not be so unpopular. Of the two monsters it seems the less horrible; it has but a gaunt aspect; the aspect of the other is both gaunt and gory.

### THE EXPENSES OF A POOR LAW.

It appears by an account presented to the House of Commons on the 11th June, 1835, that the expenditure for the Poor in 1833-4, was in England £6,029,371 11s., and in Wales £287,883 15s., making together £6,317,255 6s., out of a levy in rates for all local purposes, (except for the Church, and the maintenance of turnpike roads,) amounting to £8,338,078 11s. The account does not show how much of the whole levy was charged on each description of property, but the Board of Trade Accounts, (*part 3, page 34,*) give the following distribution of the total levy for 1832-3:—

	England.			Wales.		
	£	s.	d.	£	s.	d.
Levied on Land,	5,110,870	4	0	324,020	3	0
On Dwellings,	2,597,956	0	0	37,301	11	0
Mills, Manufactories, &c.,	346,771	10	0	5,708	0	0
Manorial Profits, Navigations, &c.,	174,200	18	0	9,673	3	0
	<hr/> £8,229,798 12 0			<hr/> £376,702 17 0		

According to the 3d Report of the House of Commons Committee on Emigration, England contains 25,632,000 acres of reclaimed land, and Wales 3,117,000 acres. The average land rate of England in 1832-3, was therefore 4s. an acre, and that of Wales was 2s. 1d. an acre.

According to the census of 1831 there were 2,326,022 inhabited houses in England, and 155,522 in Wales: the average house rate of England in 1832-3, was therefore £1 2s. 4d., and that of Wales was 4s. 10d.

The census returns of 1831 show that there were then 2,911,874 families in England and Wales:—therefore the average charge on each, for the poor only, in 1833-4, was about 10d. per week.

For these rates, which (however greatly abused) appear light when the population and riches of the country are considered, England has public order and conveniences which do not equally exist in any other country. It is a great error to suppose that the rates for the able-bodied poor, are always given for nothing. Besides,—their reactive influence, in forcing the owners of pro-



perty to pay attention to the interests of the labourers, has done more for England than any other cause of her prosperity; by creating a great home trade, and maintaining good wages, without which the present agricultural produce of the country could not obtain markets, and pauperism would exist to a ruinous extent.

It is usually assumed that the charge of a compulsory provision in Ireland, would bear the same proportion to the English, as her total of population bears to that of England. Were this so, the Irish charge for 1833-4, would have been about three millions and a half sterling, a little more than 7-13ths of the charge of England and Wales.

But why assume that the Irish and English charges would be in equal proportion to relative population? The English provision has been largely abused. In the majority of parishes, there has been no control whatever over the persons who distributed the relief, and in many cases these persons gave it among their own customers, in provisions, clothing, &c. However in the parishes where local bodies, elected by the rate-payers, have distributed the relief, the charge has been very light,—and this reformed system is now only in progress of extension:—when it is in general operation, the charge of England, may form a just criterion by which to estimate the probable charge which Ireland would have to sustain.

At present, the charge of Scotland is a more accurate guide, than the English charge.

On an average of ten years ended in 1820, the annual charge of the Scotch compulsory provision was £114,195.—(See Report presented to the House of Commons, 23d June, 1820.)—And this charge was borne by the following resources:

Collections at churches	...	...	£34,069½
Other funds	...	...	19,705½
Voluntary contributions	...	...	10,702
Assessments	...	...	49,718

In 1821 the Scotch population was 2,093,456. It has increased about 1-7th since; say that the charge has been equally augmented, and it would be now £130,508.

Assuming the Irish annual charge to bear a proportion to the Scotch, equal to relative population, it would now be about £460,000.

This is far less than the present cost of Irish mendicancy and poor-houses. There were in Ireland, in 1831, 564,274 occupiers of land, which was cultivated by their families;—if they each give away in food, &c., only one penny a week, their alms in the year amount to £122,252. There were also 95,339 occupiers, (landowners and tenants,) who employed labourers: if their donations average only one shilling a week for each, they would amount in the year to £247,881. Both classes of Irish landholders would thus give to the poor £370,133;—and if only half that amount be given by the inhabitants of cities and towns, the total charge on the country is £555,199. This is far under the actual charge, and still it is much more than the charge estimated on the assumption that if there were a compulsory provision, the Irish poor to be relieved would bear the same proportion to the



Scotch as the Irish population bears to that of Scotland;—and it is borne exclusively by residents, and principally by the working and middle classes.

For this charge nothing is done; but for the English and Scotch charges, the public obtain many advantages, for which Ireland pays, if she have them, in addition to supporting the paupers. Streets and roads are kept clean, and are watered in summer; footways are formed, and nuisances removed: in fine, every kind of public work is executed, (for which special levies are not made,) that Ireland is paying for, or does not obtain, while her paupers are strolling in idleness, or indulging in vice.

The Irish paupers are now supported; the cost of a compulsory provision could not be greater than the wasted expenditure of existing pauperism; the latter, if not diminished, would, by a Poor Law, be made an equivalent for public advantages not now obtained; and it would be distributed justly over the community in proportion to property.

## PLAN OF A POOR LAW,

FOUNDED ON THE PROPOSITIONS MADE BY LORD CLONCURRY,  
IN 1831 AND 1834.

Local Boards for the management of all local affairs of a public nature, to be elected annually for each barony, city, and large town, by the rate-payers, and from among them. These Boards to be controlled by a Government Board in Dublin (the present Board of Public Works) for the purposes of appeals, as well as to preserve a uniform system of management throughout the country, to direct the progress of all public works, and audit the accounts of the collection and expenditure of the rates for each Local Board's district.

All the sources of public employment to be under the management of these Boards, which are now under the care of Ballast Commissioners, Harbour Commissioners, the Paving Board in Dublin, Grand Juries, Turnpike Trustees, and Municipal Corporations. This is desirable not only for placing all public affairs under public control, but to enable the Boards to contract or extend public work, according to the wants of the labouring classes, where this can be done without impairing the public interests.

All Hospitals, Asylums, and Dispensaries, supported wholly or principally by public or local taxes, to be also placed under the sole control of the Boards. And all endowed Institutions for the poor, to be placed under their guardianship to protect the endowments from abuse.

The Boards to select collectors of taxes, and other officers, and persons required, from among those now employed in managing local public affairs—before resorting to new candidates for employment.

The taxes to be paid weekly, into the local banks; and all



payments, (except trifling incidents,) to be made by drafts on those banks. The banks to receive donations, if tendered, in aid of the funds for the poor.

A tax of sixpence in the pound to be imposed on all rents, and dividends on public securities. All persons having incumbrances on the rents to bear a rateable proportion of the tax.

A rate to be assessed on all tenanted lands and houses, according to their actual value to *occupiers*, without reference to value acquired by locality, which only enhances the interest of the proprietors.

Another rate (sixpence in the pound more than the preceding one) to be assessed on all lands and houses, occupied by their proprietors.

These taxes to be for the support of the helpless poor, to pay for public works of all kinds, required for general convenience, improvement or security, and to be in lieu of Grand Jury rates for roads, bridges, hospitals, &c., as well as turnpike tolls, and corporation tolls for paving, &c. in towns.

A labour rate to be assessed on all reclaimed land, on which there would not be employed one labourer for every ten acres of land, fit for tillage—wherever the Board of any district should be applied to for employment, by any number of the resident labourers not required for ordinary public works.†

Covenants against tillage to be abolished and forbidden by law. The labour-rate levied to be applied in extension of employment on public works. Lands not fit for tillage to be exempt from it. Every labouring occupier, and every male in his family aged fifteen years or more, labouring for him, to be deemed labourers entitling him to the exemption. In levying the rate, ten acres to be exempted for every labourer employed—the rate to attach to the residue; and to be levied first on the lands employing the fewest labourers.

The landholders not to be required to prefer resident labourers; but to be entitled to the exemption, for employing labourers of any district. Thus labour would be unshackled, and employers could not be compelled to keep inefficient workmen.

The object of the rate would be to make all landowners and landholders pay for the pauperism they create, instead of throwing the charge on the community as in England, which is the greatest defect of the English law. At present, nearly all the wealthy landholders of Ireland, being graziers, or cattle-feeders, are the worst employers:—the rate would correct this evil.

A *permanent* labour rate of \_\_\_\_\_ an acre, to be imposed on all reclaimable waste lands, with power to levy it off the reclaimed lands of the proprietors or leaseholders, in the event of non-payment, under civil bill decrees. Receipts to occupying

† Extract from the evidence of Mr. Griffith, Civil Engineer, before the House of Commons Committee on Irish Public Works, 1835:

2843. Are the lands at present in cultivation, properly cultivated? They are not;—very far from it.

2844. If they were, would there not be provided a much more ample scope for the employment of the Poor? Certainly;—I conceive that one hundred acres of arable land, if properly cultivated, would give employment to *ten families*,—and at present *farmers* rarely employ more than four, and sometimes in the proportion of only three families to that extent of land.



tenants, on the decrees, to be received as cash in payment of rent.

District Asylums to be provided for the helpless poor, with land attached for training the children to labour, and providing the asylums with food. Parents to pay for children, if able, and adult children for parents. All children to be admissible on security being given for a certain monthly payment. All the inmates of the asylums, capable of going out, to appear in their respective places of worship on Sundays and holydays.

The General Board to be empowered to borrow money on the security of rates, for erecting asylums, taking lands for them, and buying waste lands, if necessary, near large towns, for employing able-bodied paupers;—also, for indemnifying persons having interests affected by abolishing corporation and turnpike tolls. The board to undertake debts rightfully due and charged on tolls and county rates.

The poundage tax on rents and dividends, would yield more than £400,000, a year, and support not only all the helpless poor, now supported chiefly by the farmers, traders, and the working classes, but afford a considerable surplus for general purposes.

The general tax on occupying tenants of lands and houses, might possibly be higher than the present grand jury assessments, but would still be under the general charges to which occupiers are subject, in rates, turnpike and town tolls, and for the support of the poor. The grand jury rates alone yield nearly a million annually;—and this sum (which is most unequally levied at present) when placed under proper management, with the resources of Ballast Boards, &c., the property tax, and also the labour rate on pastures and wastes, would require but a very small addition, (if any,) to enable the boards to defray the local expenditure and provide abundant public employment in every part of the country. Therefore, the Irish farmers would be relieved by this Poor Law, instead of being subjected to an additional burden, as they apprehend.

To an interference with pastures by a labour rate, it is usually objected, that it would extend the growth of corn, injuriously, and diminish the feeding of cattle. This is a mistaken notion of its tendency. It would compel the holders of large tracts of land to cultivate crops for the feeding of stock;—to keep lands alternately in pastures and tillage, instead of wasting the resources of the soil under perpetual grass;—and thus, it would, while extending employment, largely augment the supply of animal food, and consequently the supply of materials for manufactures.

The whole system would, no doubt, raise the rate of wages;—but that is just what the country most requires. That would lessen the competition for land, and take the surplus families off the crowded cottier farms—it would create a large local expenditure in all parts of the country, and give farmers good markets near home, instead of being as at present obliged to sell the greater part of their produce, at low prices, to jobbers who require it for the export markets. Farmers who desire low wages are opposing their own interests, and those of the country. By wages, the farmers lose nothing. Increased labour would raise increased produce to pay its wages and requite the farmers;—the produce of the Irish soil ought to yield as much wages, rent, taxes, and pro-



fits, as the produce of England ;—and the community, in buying the produce, would bear the burden of the outlay.

The opponents of Poor Laws do not perceive that the Irish consumers of agricultural produce are paying additional prices for food in consequence of the English Poor-rates on Land. They must be aware that English prices govern those of the Irish markets. They must also know that the English farmers cannot afford to pay the rates without being reimbursed by the community. It therefore ought to be obvious to them that Irish consumers are paying increased prices for food in consequence of the English rates. Then mark the public injury which Ireland thus suffers:—she pays the increased prices, not for the public advantage, but for the profit of landholders and landlords ; but England pays them for the poor and other public uses.



## APPENDIX.

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*Extracts from the Review of the Commissioners of Poor Law Inquiry, for England, prefixed to the Returns received by them from British Diplomats and Consuls abroad, describing the public provision for the Poor, made in Foreign Countries:—presented to the House of Commons, on the 21st of February, 1834.*

### FRENCH POOR LAWS.

The Government of the Directory, by three laws passed in the autumn of 1796, established the system under which the principal portion of the relief afforded by the public, is now regulated in most of the Countries which constituted the French Empire.

By the first of these, that of the 7th October, 1796, the property belonging to the Hospices, (or Almshouses,) was restored to them, and their management was entrusted to a Commission appointed by the municipal authorities.

By the second, that of the 13th November, 1796, it was enacted, that all the revenues of the different Hospices in one commune, should be employed as one fund for their common support.

And by the third, that of the 25th November, 1796, that in every commune there should be appointed one or more bureaux de bienfaisance, each bureau consisting of five members, to administer out-door relief; and that the funds at the disposition of the bureau de bienfaisance should consist of one-tenth of the receipts from all public exhibitions within its district, and of whatever voluntary contributions it could obtain. By the same law all able-bodied beggars were required, under pain of three months' imprisonment, to return to their place of birth, or of domicile.

By the law of the 23d November, 1793, the additional sums necessary to provide for the hospices, and the secours à domicile, (or out-door relief,) of each commune, are directed to be raised by the local authorities in the same manner as the sums necessary for the other local expenses.

By that of the 23d February, 1801, all rents belonging to the State, of which the payment had been interrupted, and all national property usurped by individuals, were declared the pro-



perty of the nearest hospitals. By that of the 5. Prairial, An. xi, the Commissaires des hospices and bureaux de bienfaisance, were authorised to make public collections in churches, and to establish poor-boxes in public places; and by a train of subsequent legislation they were enabled to acquire property by testamentary dispositions.

By the law of the 16 Messidor, An. 7, the inmates of the hospices were to be set to work, and two-thirds of the produce of their work was to belong to the hospices, the other third to be given to them either periodically or when they quitted the hospice.

And partly for the purpose of increasing the funds for charitable purposes, and partly with a view to reduce the rate of interest in the mode of borrowing usually adopted by the poor, by two arrêtés of the 6th February, and 13th July, 1804, all pawn-broking by individuals was prohibited, and public establishments for that purpose, under the name of *Monts-de-piété*, were directed to be established and conducted for the benefit of the poor.

### BELGIAN POOR LAWS.

The union and subsequent separation of Belgium and France, and afterwards of Belgium and Holland, occasion the Belgian laws on this, as on every other subject, to be divisible into three heads:—First, those which she received when incorporated with France; second, those which were made during the union with Holland; and third, those which have been passed since the revolution of 1830. By far the largest portion of the Belgian Poor Laws is derived from the first of these sources.

By an arrêté of the 12th October, 1825, the Governors of the different provinces were directed to give notice that all persons in want of employment and subsistence would obtain them in the *Depots de Mendicité*, or the *Mendicity Colonies*, and had only to apply to the local authorities in order to be directed to the one or the other, and that consequently no begging at any period of the year, or under any pretext whatever, could in future be tolerated.

It appears from the report of M. Lebeau that there are in Belgium six *Depots de Mendicité*; . . . that the Hospices for the old and impotent, and the hospitals for the sick, are very numerous; and that each commune possesses its *bureau de bienfaisance* for the distribution of out-door relief. In 1832 the annual income of the different *Bureaux de Bienfaisance* was estimated at 5,308,114 francs, and that of the Hospices at 4,145,876 francs, altogether about £378,160.

### HOLLAND INSTITUTIONS FOR THE POOR.

As the Canton de Berne appears to be the portion of Continental Europe in which the burden of legal relief is most oppressive, Holland appears to be that in which pauperism, unaided by a legal claim, is the most rapidly advancing.

The main support of the poor is derived from religious communities and charitable institutions.

The principle which invariably has been acted upon is, that the charge of relieving the poor should, in the first place, rest on the



overseers of the poor of the religious sects in each parish ; but when the means of the administration of the poor are not sufficient, they can indiscriminately (without reference to the sect to which such poor belong) apply to the local administration for relief, which, after due investigation, generally grants it, according to the means of the municipal administration, which is regulated by its direction.

### DENMARK POOR LAWS.

The Danish Poor Law is recent. It appears to have originated in 1798, and to have assumed its present form in 1803.

Each market-town . . . constitutes a separate poor district. . . . In the country, each parish forms a poor district.

The Poor Laws are administered in the market towns by a Board of Commissioners. In the country, this is done in each district by a similar board.

All persons are to be considered as destitute, and entitled to relief, who are unable, with their own labour, to earn the means of subsistence, and thus, without the help of others, would be deprived of the absolute necessities of life.

### NORWAY POOR LAWS.

Impotent through age, cripples, and others who cannot subsist themselves, are, in the country districts, billeted or quartered on such of the inhabitants (house and landholders in the parish) as have the means of providing for them. . . . In the distribution, respect is had to the extent or value of the different farms, and to the number of the indigent.

The return contains two projects of law for the relief of the poor, drawn up in 1832, in obedience to a Government Commission issued in 1829.

The bill directs that the poor fund shall consist in the country—of the interest of legacies and other property ; an annual tax (of 2s. 6d.) on each cottager and man servant, and (1s. 3d.) on each woman servant ; a duty on stills equal to half the duty paid to the state ; penalties ; the property of paupers leaving no wife or children ; an annual assessment on the occupiers of land, and on all others capable of contributing ; and a tax (2½d. per pot) on all imported fermented liquors.

### POOR LAWS OF SWEDEN.

M. de Hartsmandorff states that every parish is bound to support its own poor, and that the fund for that purpose arises from voluntary contributions, (of which legacies and endowments appear to form a large portion,)—the produce of certain fines and penalties,—and rates levied in the country in proportion to the value of estates, and in towns on the property or income of the inhabitants.

### RUSSIAN POOR LAWS.

The peasantry, being in a state of slavery, the lords of the soil are induced more by their own interest, than compelled by law, to take care that its cultivators, upon whom their means of de-



living advantage from their estates depend, are not entirely without the means of subsistence.

In Courland, Esthonia, and Livonia, the parish or community are bound to provide for the destitute to the utmost of their means. . . . When those are inadequate, a levy is made on the community, which is fixed by the elders and confirmed by the district authorities.

All public begging is forbid by very strict regulations.

### PRUSSIAN POOR LAWS.

In Prussia, each town, and each commune, is obliged to take charge of the poor that may happen to reside within them; and consequently there is no passing from one parish to another, or refusal to maintain an individual because he belongs to another parish.

In general it is the duty of the police authority in every community, where any person in distress may come, to render him the needful assistance for the moment, which must be repaid, by the provincial pauper fund, if the person be a foreigner, or have no domicile, or by the community, or owner of the estate (called the dominium,) he belongs to, if a native of the country.

### POOR LAWS OF SAXONY.

Persons receive from the parishes to which they belong, assistance in proportion to their inability to maintain themselves;—a sum is fixed as necessary to maintain a man, and if he cannot earn the whole, the difference is given to him as relief;—and with respect to lodging, the parish interferes in cases where ejectionment takes place on account of non-payment of house rent, and guarantees payment for a short time to those who agree to receive the houseless.

### WURTEMBERG POOR LAWS.

He who cannot derive the necessaries of life either from his property, his labour, or his trade, nor be supported by his nearest relations and other persons bound to it by private right, has a claim on the support of the political or civil community in which he has the right of a burgher or of a beisitzer.

In times of particular distress, not only those who are absolutely poor, but those also who are indeed not without property, but by the unfavourable circumstances of the times, are rendered incapable of providing the necessaries of life for themselves and their children, have a right to require from the communities of which they are members, the necessary support. Thus in the year of scarcity, 1817, the spiritual and temporal overseers of the communities were expressly made responsible by the Government, that none of those who were confided to their superintendence and care should be exposed to suffer want;—with the threat, that if, for want of care on the part of the overseers, any person should perish, the guilty should be prosecuted with all the rigor of the law.



## LAW OF FRANKFORT ON THE MAINE.

The most striking circumstance mentioned in the report is, that the orphans and deserted children brought up in the public establishments, are so carefully and successfully educated, that on an average they turn out better than those merely kept to school and living at home.

## BAVARIAN POOR LAW.

TEXTS OF THE LAW :—Each town, market and village, is to have an institution for the poor. Each provincial district must have an institution of its own. All the inhabitants of such district are obliged, according to their means, to contribute to that purpose ;—each person is besides bound to continue to support those poor relations whom the laws direct him to maintain.

## POOR LAW OF BERNE.

At a period, of which the precise date is not stated, but which appears to belong to the 17th century, it became the law, that every one was entitled to support from the commune of which he was bourgeois ; and that the sums necessary were to be supplied from the public property of the commune ; and so far as that was insufficient, from landed property, to whomever belonging, situated in the commune ; and from the personal property of the bourgeois, whether resident or not.

## SARDINIAN POOR LAWS.

The information respecting the Sardinian States, consists of answers from Piedmont, Genoa, and Savoy. . . . The general system appears to resemble that of France, except that in Piedmont mendicity is not an offence.

## POOR LAW OF VENICE.

There is a commission of public charity, composed of the laity of the first rank and consideration in Venice, at the head of which is the Patriarch. All sums destined for the relief of the poor, are placed at the disposal of this commission. There are no almshouses in Venice, but there are houses of industry, where work of various descriptions is provided. . . . Relief is given to many, at home. . . . Every commune in the Venetian provinces is bound to support the poor and the indigent within its limits, whether they be natives of the commune or not. No commune or parish can remove from it a pauper. . . . When a commune to which a pauper does not belong affords him relief, it is always reimbursed by his own parish. Every commune derives funds from local taxes.

## POOR LAWS OF AMERICA.

It may be stated, with respect to America, that a legal provision is made for paupers in every part of the United States from which we have returns, excepting Georgia and Louisiana.



# LAW OF TRANSPORT ON THE MAIN

The law of transport on the main is a subject of great importance. It is a subject which has attracted the attention of the public mind in the most recent years. The law of transport on the main is a subject which has attracted the attention of the public mind in the most recent years. The law of transport on the main is a subject which has attracted the attention of the public mind in the most recent years.

## BAVARIAN POST LAW.

There is a law in Bavaria which is known as the law of transport on the main. It is a law which is of great importance. It is a law which has attracted the attention of the public mind in the most recent years. The law of transport on the main is a subject which has attracted the attention of the public mind in the most recent years.

## POST LAW OF DENMARK.

As a matter of fact, the law of transport on the main is a subject of great importance. It is a subject which has attracted the attention of the public mind in the most recent years. The law of transport on the main is a subject which has attracted the attention of the public mind in the most recent years.

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