

8
UNION RATING,
IRELAND.

SPEECH OF MR. SERJEANT BARRY, M.P.,

DELIVERED

IN THE HOUSE OF COMMONS

ON WEDNESDAY, JUNE 13, 1866,

ON MOVING THE SECOND READING OF

THE POOR-LAW (IRELAND
AMENDMENT BILL.

Specially Reported for the Committee for Promoting Union Rating,

WITH NOTES, STATISTICAL AND OTHERWISE,

BY JOSEPH FISHER,

AUTHOR OF "THE LAND QUESTION," "FOOD SUPPLIES OF WESTERN EUROPE,"

"HOW IRELAND MAY BE SAVED," "THE CASE OF IRELAND," ETC., ETC.

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THE LAND QUESTION,

BY

JOSEPH FISHER.

By the same Author, price 5s. 6d., by post 5s. 10d.,

THE FOOD SUPPLIES OF WESTERN EUROPE,

Being Letters written in reply to the question, "Where shall we get meat?"
during a Tour in France, Switzerland, Belgium, and Holland, in the autumn of 1865.

LONGMANS & CO., LONDON.

PREFACE.

THE Committee appointed for the promotion of Union Rating in Ireland, believing that it will eminently conduce to the fair and impartial consideration of the important social, moral, and material aspects of this question, have obtained a special report of the very able and comprehensive speech delivered by Mr. SERJEANT BARRY, on moving the second reading of the Bill for the Amendment of the Irish Poor Law, by substituting Union for Electoral Division Rating, on Wednesday, the 13th June, 1866.

The report of that admirable speech possesses the great advantage of presenting, in a clear and lucid manner, the history of the Irish Poor Laws. It shows the analogies and the discrepancies between the English and Irish measures, and points out, with no less fidelity than force, the evils which flowed from each system.

The report cannot convey an idea of the effect produced upon the House of Commons by that excellent speech which places the whole subject in sequence and

illustration fairly before the public. It supplies a desideratum long felt, and presents in a concise and readable form the principles which ought to guide statesmen in providing for the wants of the poor. It will enable those who take an interest in this very important question to form a clear opinion as to the injurious effects which have invariably followed the taxation of small areas, whether Parishes or Electoral Divisions, and the benefits likely to arise from extending to Ireland a measure similar to that adopted for England last year.

LONDON, *June 4th*, 1866.

SPEECH ON THE SECOND READING
OF THE
POOR-LAW (IRELAND) AMENDMENT
BILL.

WEDNESDAY, JUNE 13, 1866.

MR. SERJEANT BARRY rose and said—Sir, I beg to move the second reading of the Bill having for its object an amendment of the Poor-Law system in Ireland, by substituting a Union Rating for the present mode of assessment by Electoral Divisions. The measure is one of great importance to Ireland, involving considerations of far deeper significance, and consequences far more serious, than might at first sight seem to attach to a mere alteration of the machinery of this taxation; and it is regarded by the people of Ireland with feelings of the greatest interest. And such being the importance of the measure, I sincerely regret that the duty of conducting it through this house has not devolved upon some member possessed of an ability and experience to which I can lay no claim (No, no). But the very importance of the measure, whilst it renders the feebleness of my advocacy the more conspicuous, carries with it its own compensation, for it will ensure the attention of the House, and enlist the support of many Honour-

able Members competent to do justice to its merits (Hear, hear).

In proceeding to discuss a question on the Irish Poor Law, it is satisfactory that, however important the question may be, it does not possess that momentous and fearful interest which at one time attached to a debate upon Irish Poor Law. I allude to that dreadful period when famine and pestilence had swelled the rates to an amount so exorbitant and excessive, as to threaten the confiscation of the property on which they were charged* (Hear, hear). Those times are passed, I

* According to a return made in 1852, and published in the Appendix to that on Consolidated Annuities, the combined poundage for Poor Law expenditure and county cess was in the electoral division of Ballagholla, union of Ballinrobe, 34s. 3d. in the pound. The names of twenty electoral divisions are given, in which these taxes exceeded the rent—*i. e.*, they were over 20s. in the pound. Eighteen electoral divisions are named, in which they ranged from 15s. 9d. to 19s. 11d. in the pound; twenty-seven from 10s. to 14s. 9d.; and others varying in amount, the lowest being 2s. In addition to these large outlays, the repayment of the famine loans required an additional payment, amounting in some electoral divisions to 2s. 2½d. for forty years.

The expenditure and numbers relieved in Ireland was as follows:—

Expenditure.	Expenditure.	Numbers relieved.
1844.....£244,374	1854.....£760,152.....	106,802
1845..... 251,467	1855..... 685,259.....	86,819
1846..... 316,026	1856..... 576,390.....	73,083
1847..... 803,684	1857..... 498,889.....	56,094
1848.....1,732,597	1858..... 457,178.....	50,582
1849.....2,177,651	1859..... 413,712.....	44,866
1850.....1,430,108	1860..... 454,531.....	44,929
1851.....1,141,647	1861..... 516,769.....	50,683
1852..... 883,267	1862..... 518,789.....	66,228
1853..... 785,718	1863..... 605,981.....	68,135

It is worthy of remark, that the Select Committee of 1861 dealt principally with the facts of the three preceding years, when the expenditure was lower than at any period since the full operation of the Poor Law system in Ireland.

hope never to return, and poor-rates in Ireland, though still heavy, have been reduced to somewhat reasonable dimensions; and I only regret that this improvement in our condition cannot be ascribed to causes which can be regarded with universal satisfaction—to increased employment, to enlarged enterprise, to newly developed resources*—and that we are compelled to attribute the reduction of our rates to the diminution of our population, which has not merely affected the class from which pauperism is created, but has deprived us of an able-bodied, vigorous, and hard-working peasantry, who would be an element of wealth and strength to any country in which they could be maintained in industry and independence (Hear, hear). I do not intend upon this occasion to engage in any discussion as to whether the exodus of the Irish people is, as we are told, the result of some inevitable, I may say natural, economic law, wise in its conception, and ultimately beneficial in its effects, or whether it be not the work of a human agency, alike ungenerous and unwise (Hear); but this I may say without fear of contradiction from the most enthusiastic advocate of diminished numbers, that we ought not, in an agricultural country, by unjust and impolitic legislation, promote the abolition of the rural labouring class by driving them from their legitimate dwelling-places, and compelling them either to seek better fortunes in another land, or to find a miserable shelter, I

* The value of Irish agricultural produce was estimated thus:—

1847	Value of Irish produce	£52,299,804
1860	„ „	42,621,918
1861	„ „	36,776,326

Dr. Hancock estimated the value of Irish produce thus:—

1857 to 1860 (four years), average.....	£39,437,522
1861	34,893,375
1862	29,077,473
1863	27,327,772

cannot call it a home, in the noisome purlieus and alleys of the next available town.* And such, I say, has been the operation of the existing mode of rating by electoral divisions (Hear, hear).

In submitting to the House a Bill for the introduction of Union Rating into Ireland, I am not making a proposal hitherto unheard of and novel; the advisability and wisdom of that system of rating in Ireland has already been affirmed by the solemn legislative decision of this House (Hear, hear); and in this Bill I only propose to restore to the Irish Poor-Law code the shape which it originally received from this branch of the legislature, but which it lost by an alteration introduced in another place, an alteration founded upon reasoning now admitted to be fallacious, and intended for an object which it has failed to accomplish (Hear,

* The town and rural population of Ireland, in 1841, 1851, and 1861, was as follows:—

	1841.	1851.	1861.
Population, Boroughs.....	804,705	878,430	788,430
„ Rural districts...	7,370,419	5,673,955	4,976,115
Total.....	8,175,124	6,552,385	5,764,545
Houses, Boroughs.....	99,955	101,556	103,357
„ Rural districts	1,228,884	944,677	889,876
Total	1,328,839	1,046,233	993,233
Families, Boroughs	164,535	173,098	174,850
„ Rural districts	1,308,252	1,031,221	954,638
Total	1,472,787	1,204,319	1,129,488

The emigration from Ireland was as follows:—

		Average.
1841 to 1845, five years	272,892	54,580
1846 to 1848, three „	499,553	166,518
1849 to 1853, five „	1,016,218	203,249
1854 to 1860, seven „	693,200	99,000
1861 to 1862, two „	138,766	69,383
1863 to 1865, three „	334,444	111,481

hear). And in another respect this principle of Union Rating is familiar to this House, for in the year 1865 the last Parliament adopted that principle for England, under circumstances and for reasons identical with those, under and for which I contend the same principle should be extended to Ireland (Hear). And if I had no other argument to adduce in favour of this Bill than the fact of last year's legislation for England, I would deem that argument, if not conclusive in my favour, at least sufficient to throw the onus on the opponents of my Bill, of showing by the clearest and most conclusive reasoning that the principle adopted for this country should not be extended to Ireland (Hear, hear). The expediency of assimilating as far as may be the laws and institutions of this country and Ireland, is universally admitted by every man anxious for the welfare, or who understands the true interests of the two nations. I do not mean to suggest that universal assimilation is at present practicable. There are diversities of habit, perhaps of character, though I should say rather of custom and circumstance, which on some points require, for the present, distinct legislation; but the sure mode of removing these diversities is to adopt assimilation wherever practicable; each step in advance will lead to another, until at length we shall reach that complete identity of laws and institutions which so eminently conduces to identity of feeling and of interest (Hear, hear).

If there be any subject upon which assimilation is desirable more than another, it is in respect of this matter of Union Rating, for the English Bill of last year was passed by the Legislature expressly as a measure in favour of the humbler and labouring classes; almost every argument was, that it tended to relieve the poor from some restriction or hardship imposed by the pre-

vious system, and I can fancy nothing more calculated to excite disaffection and discontent among the corresponding class in Ireland, than that Parliament should refuse to extend to them the boon conferred upon their English compeers (Hear). It would tend to confirm an opinion too largely entertained in Ireland that the wants and grievances of the humbler classes of the Irish are not considered in the same generous and remedial spirit as is exhibited towards the corresponding class in England. Nor would that feeling of dissatisfaction at the rejection of this Bill, be confined to the humbler classes. It would be shared by the educated and influential rate-payers of the towns and cities, who cannot understand why they should not obtain a measure of relief which has been given to the wealthier urban districts of this country (Hear, hear).

But it is not alone upon the expediency of assimilation that it is necessary for me to refer somewhat fully to the history, progress, and results of the English Poor-Law system, up to the introduction of the Union Chargeability Act of last year. Irrespective of any such consideration, and independently of any connection between the two countries, it is necessary to review the system of England, for that of Ireland was altered to its present shape in the other House of Parliament in avowed imitation of the English. The arguments in favour of that alteration were the very same as were used to resist the Union Rating Bill of last year, and the evils which resulted from the English Parochial system, and which led to the Act of 1865, are identical with the evils which I wish to remedy by the present measure (Hear, hear). Up to the year 1834 the English system was entirely parochial, the parish was the area of administration, taxation, and chargeability; there were some exceptions in the case of parishes united under

what were called "Gilbert's Incorporations," but it is not necessary to take any further notice of these exceptions. This system originated, as the House is aware, in the time of the Tudors, and is mainly based upon Acts passed in the reign of Elizabeth. It was not unnatural that at that comparatively remote period of our history the Parish should be selected as the area of the Poor-Law machinery, and circumstances connected with that period, will obviously account for that selection; but although the parish was in the first instance the area, it is most worthy of remark that even the legislation of that period provided for the very state of things which now exists in Ireland, namely, the undue pressure of the poor-rate upon some districts, in which case the laws of Elizabeth provided for the levying of a rate in aid upon adjoining parishes or districts. The liability of each parish to maintain its own poor led to a settlement thereon, and hence arose, in the reign of Charles II. the Law of Removal. The effect of the Law of Removal and Settlement was in substance this:—A man was only entitled to relief in the parish to which he belonged, *i.e.*, that in which he acquired a settlement, by apprenticeship, by renting a tenement, and by other means which it is needless to enumerate. If he removed to another parish, and before having acquired a settlement in that parish he applied for relief, that parish had the power of sending him back to the parish of his settlement.

I shall not enter into any disquisition upon the economic evils of that law of Removal. Suffice it to say that for centuries it was the object of the censure and condemnation of successive generations of philosophers and statesmen (Hear, hear). But the influences in its favour were too powerful, and Removal and Settlement has continued the law of England up to this hour, though shorn of its most

pernicious consequences by the Union Chargeability Act of last year. It is of essential importance to the consideration of the question before the House that Honourable Members should bear in mind that the chief argument at all times used in favour of maintaining the parish as the area of chargeability and taxation by this Law of Removal and Settlement, has been, that it compelled or induced the owners of property in the parish to provide employment for the labouring class, and thus prevent them becoming chargeable upon the poor rates. In practice it was found that this result was far from being universal. Many parishes gradually evaded their responsibility by a steady and persevering destruction of the dwellings of the poorer class. Still there was some foundation for the argument, inasmuch as the parish could not, by simply compelling or inducing its pauper to reside elsewhere, avoid liability for his support. The evils, however, arising from the parochial system became so conspicuous, that in 1832 a Commission of Inquiry was issued, which resulted, in 1834, in an important alteration in the law, namely, the combination of several parishes into Unions for the purposes of administration. The Commissioners were anxious for a total abolition of the parochial system, and to have the Union the area of chargeability and taxation, but the opposing influences were too powerful, and they were compelled to content themselves for the present with that improvement in the law (Hear, hear).

Such, Sir, was the state of things existing in England, when it was determined by the Government of the day that a Poor Law should be introduced for Ireland. One of the ablest and most experienced of the English Commissioners, Mr., afterwards Sir George Nicholls, was sent to Ireland, to report upon the best method of carrying out the resolution of the Government. He recommended that the system to be adopted

should be in-door relief. Considerable diversity of opinion exists whether that was the system best adapted to Ireland, but that question it is now irrelevant to consider. He recommended the division of the country into Unions, and that these Unions should be divided into Electoral Divisions, for the purpose only, as the nomenclature indicates, of electing guardians, but that the Union was to be the area for all purposes of administration and rating. The plan adopted for the formation of the Union was to select a market town, and attach to it a rural district. This formed the Union. It may be objected, although the objection was not, I believe, strenuously, if at all, urged at the time, that as towns contain a greater number of poor than the country, it would be an injustice to the rural divisions to make them bear the burthen of urban pauperism (Hear, hear). This disparity was not at the time at all so great as some suppose. Besides, it is to be remembered that the rural district derives important advantages from the influence of the town, and that the pauperism of the town is by no means of its own creation. There is always a tendency of the pauperism of the surrounding district to gravitate to the town or city, attracted by the hope of obtaining employment or to seek the benefit of hospitals, infirmaries, almshouses, and other charitable institutions which are maintained in the towns, and though of a voluntary character, impose upon the inhabitants no inconsiderable burthen for the support of the indigent and infirm. Whatever line of demarcation was adopted, it was impossible to avoid some anomalies or objections in detail, but one principle was clearly, and as the result has shown wisely, resolved upon, that there should be no subdivision for any purpose but that of election, and that the Union and the Union alone should be the area of administration and taxation. In fact, the argument in

favour of contracting the area of taxation, or, as it is called, individualising the responsibility, if pushed to its legitimate results, would terminate in a single house or a single individual (Hear, hear). Sir George Nicholls, in his report on this part of the subject, said :—

“ Parochial settlement, as established in England, is almost universally admitted to have been productive of great mischief. It has led to much litigation and expense; and, by fixing the peasantry to the narrow limits of their parish, beyond which the world was to them a blank, it has probably done more to injure their character by destroying its elasticity and banishing all self dependence and resource, than any other part of the old English Poor-Law system. It will not, therefore, I presume, be considered right to establish parochial settlement in Ireland. In the Poor-Law Amendment Act provision is made for the several parishes comprised in a Union, becoming one for rating and settlement; and although this may not be immediately achievable the Commissioners are fully sensible of the extreme desirableness of the object, and spare no effort to hasten its accomplishment. This is now, in fact, the only practicable mode of correcting the evils of parochial settlement. In Ireland, however, no such practice has prevailed. The habits of the Irish people are migratory, their movements depending upon their own volition. To establish a Law of Settlement would be to fix them in one locality. No such law has yet been established there; and it is, therefore, perfectly open to the Legislature to prescribe the limits, if settlement shall be deemed advisable, or else to dispense with settlement altogether, leaving the whole country open to the whole of its people, as at present. If it should be decided to establish a Law of Settlement, it will of course be a Union settlement, making the limits of the union the boundary.

This would be open to fewer objections than a parochial settlement; an extension of area necessarily lessening the amount of evil which must always result from fixing any limit whatever. The union limits would be also the boundary for rating to the relief of the poor, and thus *the union would be one for rating and settlement* in the sense provided for in the Poor-Law Amendment Act.”*

In conformity with these recommendations the Irish Poor Relief Bill of 1838 was framed.† It was introduced into the House of Commons with a provision which made the Union the area for all purposes of management and rating, and in that shape it passed this branch of the legislature. But in another place it encountered a most determined opposition, the principle of Union Rating being selected as a special object of attack; and it was proposed by way of amendment that the Electoral Division which had been introduced (as we have seen) for a totally different purpose, should be adopted as the area of chargeability and taxation. The Government became convinced that unless these amendments were accepted the Bill would be lost, and the condition of Ireland so urgently required some system of relief for the poor, that

* Nicholls' Report, pp. 44, 45.

† Lord John Russell, in introducing the Bill in 1837, thus spoke of the probable advantages:—"It will also be of use by interesting the landlords and persons of property in the welfare of their tenants and neighbours. A landowner who looks only to receiving the rents of his estate may be regardless of the numbers in his neighbourhood who are in a state of destitution, or who follow mendicancy, and are ready to commit crime; but if he is *compelled to furnish means* for the subsistence of persons so destitute, it then becomes his interest to see that those around him have the means of living, and are not in actual want."—Nicholls, p. 190. Lord Melbourne, in introducing it into the House of Lords, said "that it was most beneficial for the landlords to be made to take an interest in the condition of the people on the land."—Nicholls, p. 48.

the Government yielded, and this House was compelled by the necessity of the case to accept the Bill in its altered shape. The influences which produced this result, and the arguments used in favour of the Lords' Amendment were the very same as had been exercised and used in favour of the parochial system in England, and it was in avowed imitation of that English system that the Duke of Wellington amongst others supported the "Amendment." The Duke said:—

"It is our duty to take care that those parishes from which those persons are taken who are to be placed in the workhouses shall be required to pay the expenses connected with the relief of those paupers. That arrangement is one of the principles of the economy of the execution of the poor law in this country. Each parish pays its own expenses, and the consequence is that there is the greatest possible economy practised, that there is a control over the expenses, and that proprietors of the soil are interested in keeping those expenses down to as low a pitch as possible. So that it frequently happens, a fact within my personal knowledge, that they employ a man at sufficient wages rather than send him to a workhouse to be supported by the parish at a far greater expense." *

The House will observe that so close was the analogy intended and supposed to exist between the two systems, that the Duke of Wellington uses the word "parish" as equivalent to the words "electoral division," thus far making a very conclusive argument against those opponents of Union Rating, who now contend that there is no resemblance between the English parish and the Irish electoral division (Hear, hear). But the most remarkable feature connected with this alteration in the bill of 1838, is that whilst it was ostensibly introduced for

* Hansard, vol. 43, p. 23.

the purpose of compelling the district to maintain its own poor, it omitted the security which the English system provided by the Law of Removal. We have seen that under that law a parish could not avoid liability to support a pauper by merely sending him to reside elsewhere; whereas, under the Irish Act, as shaped by the Lords, the proprietors of an electoral division could avoid the liability. Under the Irish Act, a sort of settlement arose from residence; but the moment a pauper, or a man likely to become a pauper, ceased to reside in the electoral division, he could not become chargeable to its rates; thus the act provided the proprietors in each Electoral Division with a very simple mode of evading responsibility, and which they very soon proceeded to put into execution. The two systems thus became analogous, and the same evils resulted from each, the difference being that by reason of the absence of the Law of Removal, and circumstances which supervened, the progress of mischief was more rapid in Ireland (Hear, hear).

Let me not, Sir, be understood as advocating in any way the introduction of the Law of Removal into Ireland. I conceive that law radically vicious, as well as inhuman; but, bad as it was, it operated in England to carry out in some degree the objects expressed by the Duke of Wellington, and to prevent the wholesale expulsion of the labouring population, which was left open by the Irish Act to the proprietors of electoral divisions. The local proprietors of Ireland having obtained by this Act the unrestrained power of sending away the poor from their own electoral divisions, the only effectual safeguard for the good working of the electoral division system in the sense contemplated by its authors did not exist. It was said there was a difference between Ireland and England, in consequence of the larger size of the Irish electoral divisions and unions as

compared with the English Parishes and Unions. Now, it might be, that the Unions and Electoral Divisions of Ireland, including, as they often did, many acres of waste land, exceeded in mere superficial area the corresponding divisions in England; but in using the word "area" in this discussion you must take into account population and valuation as well as mere space. The average population of a union is in Ireland 33,000, and in England 30,000; while the average valuation of an English union is about £145,000, and that of an Irish union is £70,000 or £75,000.* But even assuming that

* ENGLAND AND IRELAND.

	England and Wales.	Ireland.
Number of Unions	610	163
Population average	30,000	33,000
Valuation	£145,000	£71,000
Rateable property	£86,677,671	£12,623,598
Poor-Law Expenditure ...	£6,423,381	£732,969
Per £ of valuation	1s. 6d.	1s. 2d.

Comparison of the valuation of Poor-Law Unions in England and Ireland.

England and Wales.		Ireland.	
West Derby	£781,484		
Wandsworth & Clapham	503,118	South Dublin	£529,434
Salford	360,615	Belfast	388,532
Clifton	353,180	North Dublin	324,564
Newcastle-on-Tyne	344,558	Cork	304,260
Welwyn	14,977	Belmullet	10,744
Sedbergh	22,262	Skull	14,583
Presteigne	24,716	Dunfaughy	11,259

Comparison of area and population of Counties and Poor-Law Unions in England and Ireland.

ENGLAND.			
	Unions.	Area. Acres.	Population.
Lincoln	14	1,738,112	404,143
Northumberland ...	12	1,249,299	343,025
Cumberland	8	1,001,273	205,275
IRELAND.			
Cork	17	1,846,333	544,818
Mayo	9	1,363,882	254,527
Tipperary	9	1,061,731	249,106

there was a disparity between the two, that did not constitute a difference of principle, but only a difference of degree. The principle involved was, that the area of administration, and rating, should be co-extensive and commensurate, that was the principle expressed last year by the Right Honourable Gentleman, the President of the Poor-Law Board; and such being the principle, it is only a question of degree whether the union be larger or smaller, or whether it be subdivided into fewer or larger number of parishes or electoral divisions. (Hear.) But whatever distinction disparity of size may constitute in theory, in practice it constitutes none, because the same evils precisely have resulted from the electoral division in Ireland as from the parish in England, and that no such practical distinction ever existed is plain from the language of Sir George Nicholls, who, writing in 1854, after the system had been at work for sixteen years, said:—

“ The 18th and 44th sections of the Relief Act provide for dividing the Unions into Electoral Divisions, and for charging against each electoral division not only its proportion of the general expenses of the union, but also the expense incurred for the relief of persons stated in the registry to have been resident in such Electoral Division; the relief of others, not stated to have been so resident, being charged against the Union at large. These provisions were inserted in the Bill in the House of Lords, on the motion of the Duke of Wellington, with the professed view of assimilating the mechanism of the Irish unions to the unions in England; but the circumstances in the two countries were widely different, and there would be little analogy between the long-established English parish, and the newly-created electoral divisions. This difference was, however, overlooked in the desire for assimilation, and the electoral division system was incorporated in the Act, together with a sort of quasi settlement

as between the different divisions, approximating to settlement as between parishes in the English unions. Under these circumstances, it can hardly occasion surprise that, although arranged with the utmost care, and with every endeavour to give them a general harmony and coherence, the electoral divisions did not work smoothly. Their separate chargeability interfered with the efficient action of the unions for general purposes, as in the case of emigration, and led to struggles and contention in the Boards of Guardians, as soon as the unions got fully into operation, each division endeavouring to relieve itself from the charge of a registered pauper by fixing it upon some other, or by casting it upon the union at large; and thus one of the evils of the English Settlement-Law was inflicted upon the Irish unions, contrary to the intentions of the original framers of the Act, and contrary, likewise, to what a more thorough knowledge of the condition of the two countries would, it is believed, have dictated.”

The evil which has characterized both systems, and from which every other mischievous consequence may be said to flow, is the incentive they offer to avoid taxation, by removing from the district that class of the community upon whose labour so much depends, but who unfortunately furnish the materials of which pauperism is created. And the result has been, rapidly in Ireland, but more slowly in England, the expulsion of the rural labouring class from their legitimate dwelling-places.* In 1854, the late Mr. Baines, then President of

* Table showing the population, valuation, and produce of Ireland :—

	1841.	1851.	1861.	
Population.....	8,175,419	6,552,385	5,764,545	Reduction between the first and last periods.
Parliamentary boroughs	804,705	878,430	788,430	
	<hr/>	<hr/>	<hr/>	
Rural districts	7,370,714	5,673,955	4,976,115	2,394,304
Houses in do.	1,228,894	—	899,876	329,018

the English Poor-Law Board, thus describes the state of things in England:—

“But, sir, it is with regard to the residences of the labouring classes that the law is productive of the most cruel hardships of all. The House will see how the Law of Settlement gives a direct interest to the land-owner to prevent the erection of cottages in his parish. Nearly every one of the present modes of creating a settlement requires a certain duration of residence in the parish. If, then, the residence of the labourer can be prevented, settlement will be prevented, and he cannot at any future period become chargeable to the parish.

	1847.	1862.	Decrease.
Holdings exceeding one acre.....	723,523	565,669	157,854
Estimated Produce—	Tons.	Tons.	
Grain	2,548,503	1,297,456	1,251,047
Potatoes	2,048,195	2,145,902	
Turnips	5,760,616	3,792,682	
Mangel Wurzel	247,267	221,678	
Other green crops	729,064	457,465	
Total	8,785,142	6,617,727	2,167,415
Flax	17,494	24,257	Increase

If we deduct the decrease in the number of holdings (157,854) from the number of inhabited houses (329,018), it shows the number of labourers' cottages swept away (161,164).

There is a decrease of grain of 1,251,047 tons, and a decrease in green crops, including potatoes, of 2,167,415 tons. The only increase is in flax, which is 6,763 tons, worth £338,150.

The decrease in the value of the agricultural produce between 1847 and 1862 may be estimated at £25,000,000. If the annual value of the produce of live stock be equivalent to one-third of that of the stock itself, the annual increase of returns from live stock may be estimated at £2,500,000; but this would leave a reduction in the value of the total produce of Ireland of £22,500,000, upon a comparison of 1847 with 1862. The diminution of the rural population between 1851 and 1861 was 697,840; the lessened value of the produce is therefore nearly £30 per head, or if the adult males form one-fifth of the population, a loss of nearly £150 for each adult male.

In the case of a close parish, *i.e.* when the whole of the land is in the hands of a few proprietors, the unfortunate labourer who works in the parish, is often compelled to reside at a great distance, and generally to seek a dwelling for himself and his family in some open parish, where, owing to the number of proprietors, combination to prevent the building of cottages is impracticable. This may be and frequently is, three, four, or even five miles from the place of his daily labour. Most respectable witnesses examined before the Committee of 1847, and before the gentlemen appointed by the Poor-Law Board in 1848, gave numerous instances, within their own knowledge, of labourers having to walk several miles to work every morning, and as far home every night. I beseech the House to mark the manifold evils of such a system. The labour which the farmer thus procures is, of course, deteriorated in value, as the work of a man who has to walk three or four miles from his home in a morning, and as far back at night, must be comparatively worthless. Here again there is a cause, which, operating as it does in hundreds of parishes, tells most ungenerously upon the agriculture of the whole country, and consequently upon its productiveness. I do not dwell upon the gross injustice to the open parish, which if the labourer should become destitute, must undertake the burden of his maintenance, while the close parish has had all the benefit of his work. But see the consequences to the unhappy labourer himself. In the first place, he is subjected to the cruel addition to his ordinary toil implied in walking such a distance to and from the place of his daily work. In the next place, the open parish in which he dwells is often so overcrowded with labourers, driven into it from neighbouring close parishes, that the greatest evils, social, sanitary, and moral, are found to result.”*

* “Hansard,” vol. 138, p. 446.

My object in citing these opinions is to show the House, that the very state of things which existed in England, and which is thus described, existed also in Ireland. Every word is as accurate with regard to the latter as the former country. Mr. Baines quoted an opinion given by Mr. A'Beckett, who was engaged to investigate the condition of the poor in England. I shall not detain the House by reading it, but would recommend its perusal to the Honourable Members who are considering the subject.*

* Mr. A'Beckett, who was officially engaged to investigate the Law of Settlement and Removal in Norfolk, Suffolk, and Essex, reported thus:—

“It is, however, as to their command of their places of residence, and the comfort and condition of themselves and their families, that the labouring classes suffer most severely from the Law of Settlement and Removal of the Poor. It is almost impossible to imagine the misery, dirt, degradation, and consequent immorality, in which a large portion of the labouring classes of this country are at the present moment living. In almost every union where the course of my inquiry has taken me, I have found some one or more densely populated parishes in the neighbourhood of others very thinly inhabited by labourers, and in some instances having scarcely any cottages at all. In the former, the dwellings are for the most part wretched, damp, unwholesome, inconvenient, excessively high rented, and crowded with inmates to such an extent as to render it impossible that health or comfort could be enjoyed, or the commonest rules of decency observed. It is the general result of my inquiries on this head that the labouring classes are, to a great extent, demoralized and deprived of domestic comfort by the inducement offered to owners of property in close parishes to clear their estates of cottage habitations—an inducement for which the present Law of Settlement and Removal of the Poor must be held chiefly, if not entirely, responsible. The desire to shift the burden of parochial chargeability prevails almost co-extensively with the power, though I have met with some honourable exceptions; and in many cases I have heard the motive openly avowed and the sanction of the law cited, as a justification of conduct involving much unfairness, if not actual dishonesty, towards one's neighbours, and great oppression towards the labouring portion of the community.”—“Hansard,” vol. 138, p. 448.

We find similar statements made last year by the Right Honourable Gentleman the President of the Poor-Law Board, who said*—

“The great source of chargeability of the poor in parishes springs from residence in them. The poor may have acquired settlements at some time, owing to their residence there, and then their families derive their settlement from them. It has always been a great object therefore, in particular parishes, in order to keep down the poor, to prevent them residing in those parishes, and for that purpose their dwellings are pulled down and no new cottages built. This is one way of what is called managing parishes. But where the poor have got dwellings in a parish, the next best thing is to get them out, and into a neighbouring parish, in order to shift the burden and yet not lose the benefit of their labour. That used to be a favourite practice under the old law, and it was the mistake of retaining parochial liability under the new system that the officers of parishes have the same motive for displaying their zeal and discretion in keeping down the poor as they had before. Many of the complaints, therefore, that are still heard of in the working of the Poor Law, are thus accounted for, it being still observed that the labouring poor live in wretched dwellings, and sometimes far from the place at which they work, being the only place where they can find habitations; and the same struggle goes on between different parishes, each trying to get rid of the poor, and varying its success according to the circumstances of the parish. Parishes, it is well known, vary in character almost as their number, and may differ alike in size as in the disposition of those who reside in them. A parish owned by one, two, or three proprietors may be able to

* Speech of the Right Hon. C. P. Villiers, President of the Poor-Law Board.—Hansard, vol. 188, p. 279.

get rid of its poor in the way I have described, and an adjacent parish may be in such a position that it cannot help receiving the outcasts of the proprietary parish. Hence the great complaints raised during the last twenty-five years as to the manner in which the poor have been dealt with, and the capricious and unjust distribution of the burden of their maintenance, some parishes being compelled to pay far more than they ought, while others are pretty nearly exempt. . . . But the evidence collected by these Commissioners, went far beyond that given before the Committee. It establishes beyond question all the evils that followed from the system of parochial settlement, the change of parishes, driving the poor out of them, and thrusting them into places already overcrowded, and into dwellings more fitted for beasts than human beings.* . . . It will be found in other cases of Union management, however large the district, such as in Paddington, Islington, or Marylebone, that both the expenditure and the amount of pauperism are found to be less than in the City of London, where the parochial division is so numerous. . . . There cannot be the least doubt of the fact, after the evidence which has been so repeatedly adduced, that there is a strong desire in rural parishes to get rid of the poor, and to compel the labourers who might become chargeable, to reside elsewhere. This is very detrimental to the interests of the poor, who have then to live at a distance from their work and to get lodgings or houses wherever they can. They find these dwellings in towns and large villages where the rents are high, and with the view to economy, they get crowded together in a manner that has a most injurious effect upon them both physically and morally.” †

* Hansard, vol. 188, p. 282.

† Ibid, p. 293.

The Right Honourable Gentleman quoted the opinion of a very eminent gentleman on the Poor Laws—Sir Edmund Head—in favour of Union Rating, from which I shall only read one passage—

“The scheme proposed has another positive merit. It equalizes the charge on the ratepayers, and no part of the land would escape from its fair share of the burden of the district. Nor is this principle new to the English Poor Law. By the 43rd of Elizabeth, the justices are empowered to impose rates on neighbouring parishes; that is to say, to spread the pressure over a wider surface when it has become intolerable within the narrower circle.”*

Such, according to these high authorities, were the evils which flowed from the English system, and every sentence I have read will be found to apply with equal accuracy to Ireland (Hear, hear).

In 1838, when the Irish Poor-Law Bill was about passing, Mr. Lucas, afterwards Secretary for Ireland, predicted the consequences of the electoral division system with remarkable precision. He said—

“It was very probable that when this Bill should have passed, what was termed ‘the clearing estates’ of the superabundant population, would take place to a very considerable extent, and it was equally probable that that superabundant population, if without any other resource, would repair to the district where there was the greatest chance of their obtaining support.”†

The prediction was fully and speedily verified. So early as the year 1844, a letter was written by a remarkable man to a very eminent statesman. No man of his time was better qualified than the late Sir Matthew Barrington to give a just opinion, or make an accurate statement respecting the condition of Ireland, especially in connec-

* Hansard, vol. 188, p. 294.

† Ibid, vol. 41, p. 66.

tion with the land system and the agricultural population. He had been for very many years the Crown Solicitor for the Province of Munster, the confidential servant of successive governments. He was himself a large landed proprietor, and was the manager and trusted adviser of many of the most extensive landowners in the country; and writing to Sir Robert Peel in 1844, on the condition of the agricultural population of Ireland, he says:—"The landlords are rapidly *clearing* their estates in apprehension of the Poor Law." If it were necessary, I could multiply similar statements from other unimpeachable sources; but why refer to individuals when we have the testimony of the Legislature itself.

Such was the mischief and intolerable injustice inflicted on Ireland by reason of the law of 1838, giving the landowners in electoral divisions, the power at their own caprice to get rid of their chargeability for paupers by sending them away into other electoral divisions, that in 1843, the Legislature had to pass an Act to correct those evils, and that new Act required, that before a pauper could become chargeable to another electoral division than the one which had sent him away, he should have resided in that other electoral division for a particular time. The required period was altered from time to time by subsequent Acts, the rule being sometimes made more and at others less stringent; and finally, in 1862, a residence of two years out of five, was fixed on as the minimum period for determining chargeability; but when we remember, that the English Act, requiring five years' residence, even though aided by the Law of Removal, entirely failed to prevent parishes from getting rid of their poor, by sending them to reside elsewhere, it is not surprising that the shorter time in the Irish Act should prove almost wholly inoperative to prevent the progress of "clearance" (Hear, hear).

In the mean time there came upon us the potato blight of 1846 and the succeeding years. I shall not attempt to draw a picture of the dreadful effects of that awful visitation, which, with its consequences, constitutes such an epoch in the history of Ireland. It has reduced our population by one-third, altered the course of agriculture, changed the food of the people, and transferred the ownership of the soil in a great degree to a new class of proprietors. But what is more pertinent to the matter before us, the potato blight either supplied a cause, or furnished a pretext, for accelerating and extending that process of "clearing" estates which Sir Matthew Barrington had described as being previously in operation. On this subject we have the evidence of no less a person than Lord Derby, who complained in 1849 that a neighbouring proprietor, in another electoral division, had evicted no less than 375 persons, who had settled upon his (Lord Derby's) estate (Hear, hear).

I shall also refer to a remarkable statement recently made by a gentleman of high position and repute in the south of Ireland, Mr. James O'Connell, of Lakeview, in the county of Kerry. I speak in the presence of many Honourable Members to whom Mr. O'Connell is known, either personally or by repute; and I think I may say without fear of contradiction, that there is no man in Ireland whose statements or opinions are entitled to greater respect. He is a gentleman not alone of high social position, but of great ability, long experience, and thorough knowledge of Irish affairs. I may observe, though perhaps the observation is unnecessary, that Mr. O'Connell's pecuniary interest is altogether opposed to the introduction of Union Rating. "What," says he, "did this law of electoral division rating do? It gave a premium and encouragement, even before the famine, for depopulation

on every estate. When the famine came, and we had staring us in the face, rates from eight shillings to fourteen shillings in the pound, landlords and farmers had a fearful dread of the labourers coming into or near their farms. If they came into their farms they were looked upon as if they were wild beasts. They were hunted out, and we know too much of the fatal results that followed." He then referred to a murder which formed the subject matter of a trial before Chief Baron Pigott, the facts of which, as stated by Mr. O'Connell, were: "A young man at the end of 1847, went towards his uncle's house, near Caherciveen. He had claims on the uncle, of course. They were kindred, and he had a still stronger one—the young man had been an orphan, brought up in the uncle's house for a considerable time. Now, such was the terror created, and so rigorously was the rule of exclusion enforced, that the uncle turned him out. He went away, and died within two hours afterwards. There was, in consequence, an inquest, and a trial for murder, and the prisoner was acquitted, of course. That," says Mr. O'Connell, "is but a solitary case; and I say with as much solemnity as if I were giving testimony in a court of justice, that it would be impossible for me to describe the odious acts of oppression that were then perpetrated, consequent on this electoral division rating. The poor were driven into the town, estates were cleared, and notices to quit were served. If that did not answer, the houses were levelled. Perhaps fifty families were cleared for every three or four kept. The only refuge of those poor creatures then was to go into the town. The young and healthy, and those who could afford it, left the country for England or Scotland; for emigration to America was not as easy then as it is now. The old, the indigent, and infirm, came into the towns, went into those dens that Mr. Downing described, and dragged out a

miserable existence, at most for a few years, and then became chargeable on the town electoral division" (Hear).

To suggest that Mr. O'Connell's statement may require corroboration, would be an injustice to that gentleman; but if corroboration were necessary, I can vouch the testimony of the Legislature itself, which has placed upon its records an ineffaceable memorial, of the acts, I shall use no harsher term, committed at that dreadful period. I allude to "the Evicted Poor Protection Act of 1848," which, in respect of the necessity which called it forth, has not its parallel in the legislation of any civilized nation. What were the provisions which Parliament was obliged to pass? and what must have been the state of things which called for such legislation? Parliament was forced to enact, that no process of eviction should be executed on Christmas Day or Good Friday (Hear, hear). One would have thought that the associations connected with those days would have rendered such legislation unnecessary (cheers). It further provided that the evicted people should not be turned out on the roadside without having some shelter provided, and that therefore the landowner or his agent should serve notice on the relieving officer, in order that he might have some provision made for the unhappy people. How can any man, with that provision on the Statute Book, contend that Irish evictions have no connection with the Irish Poor Law? (Cheers). But further—and I ask English members to fancy the deeds which required this enactment—it was made a misdemeanour to tear the roof off the dwelling-house, before the wretched inmates had left it (Cheers). These, sir, are not the exaggerated statements of heated partisans, but the solemn testimony of legislation, recording, in imperishable terms, the history of Irish evictions (Loud cheers). In referring to these things, I have no desire to rake up unpleasant reminiscences or excite angry feelings (Hear, hear); I

merely refer to them to show the House some of the effects of the electoral division system, which the Bill I have the honour of moving seeks to remedy (Hear, hear).

To rectify the evils arising from the contracted area of taxation, an extraordinary remedy was proposed—namely, that the area should be further contracted. The old arguments of 1838 were again brought forward, and the landowners said, “Contract the area of taxation, make each man’s estate an area in itself, individualize responsibility, and you will thus insure, that the proprietors will maintain the poor of their own district by giving them employment.” It is incredible that such arguments would, after the experience of the past years, have been listened to, were it not that the panic and alarm which prevailed, caused statesmen to grasp at any proposition that offered a remedy for a state of things which could not be worse. Accordingly, in 1850, the electoral divisions were reduced in size, the instructions to the boundary commissioners being, to insulate as far as possible each owner’s property, and thus give him greater control over the poor rates. That measure wholly failed to accomplish the object designed, and the work of “clearance” went on as vigorously as before, save so far as antecedent evictions had reduced the numbers of the objects of the operation. I do not mean to say, that there were not many honourable instances of a faithful fulfilment by some noblemen and gentlemen, of the pledges which had been given by them, or on their behalf, that they would employ the poor (Hear, hear). But there was no such general result. If, as has been alleged, the people were retained by employment on the estates, where are they? The people are not on the land. You may now travel for miles without meeting with the dwelling of an agricultural labourer (Hear, hear). We see by the census that between 1841 and 1861 no

less than 445,533 houses of that class* had disappeared. What became of the people? Some emigrated, many died; but I may confidently assert, as was stated by Mr. O'Connell, that large numbers had flocked into the towns—the only places where they could get a roof to cover them. Any man can test for himself the truth of this statement. Let him drive out, in the evening, from any town in Ireland, and he will meet returning from their day's labour the agricultural labourers who have had to walk sometimes several miles from the scene of their employment. The result of this has been to impose upon the towns a burden of the most unjust and intolerable character (Hear, hear).

I shall not go into any detailed statistics to establish the existence of this inequality and injustice; the details upon the subject will fully appear upon returns which have been ordered by the House upon the motion of my Hon. friend the member for Kildare. I shall simply take one or two instances as an illustration.

In Limerick, the population of the rural portion of

* The dwellings for the labouring classes no longer exist in the country districts, and the census returns tell us of the decrease of the dwellings of the poor. Of third-class houses—that is, mud cabins—with from two to four rooms, there were—

In 1841	533,297
In 1861	489,668
	<hr/>
The decrease is..	43,629

Of fourth-class houses—namely, mud cabins, with one room—there were—

In 1841	491,278
In 1861	89,374
	<hr/>
The decrease is...	401,904

—General Report Census Commissioners, xix. Table 10. Parliamentary Proceedings, 1863, vol. 61.

the Union was 76,000 in 1841, and that of the city 53,000. In 1851 the population of the rural district had fallen to 49,000, while that of the city had risen to 61,000. The paupers in the rural division in 1851 were 3000, while in 1865 they were about 200. In the same year the city division had upwards of 1300 paupers,* numbers of whom can be distinctly traced to the rural district from which they had migrated. Thus rural Electoral Divisions, in which in 1851 the rates were 5s. 6d., 5s., and 4s. in the pound, have fallen in 1865 to 1s. 8d., 1s. 10d., and 1s. 6d. in the pound, whilst the rate in the city division, which, in 1851 was only 3s. 3d., had risen in 1865 to 3s. 9d. in the pound.† Now if the rates were levied on the principle of my Bill, this monstrous inequality would be removed, and the rate on the entire union would be about 1s. 11d. in the pound. I find also, in reference to the same union, that in seven electoral divisions, having, in various numbers ranging from 34 up to 97, an aggregate of

* Population, number of houses, and paupers, in the Limerick Union :—

	1841.	1851.	1861.
Population of Union	129,497	110,628	90,528
Limerick Electoral Division	52,645	61,277	50,040
Rest of Union	76,852	49,351	40,488
Houses in do.....	12,250	8,213	7,217
Paupers charged to City Division		3,081	1,356‡
„ „ Rest of Union		3,000	197

† Rates made upon electoral divisions in the Limerick Union :—

	1851.	1865.
Division of Curamore	5s. 6d.	1s. 8d.
„ Clogher	5 0	1 10
„ Kilokin	4 0	1 6
„ Limerick	3 3	3 9

If levied over the Union it would be 1 10 $\frac{3}{4}$

‡ 196 were heads of families, or their families who had been farmers or farm-labourers.

416 paupers; in 1866 the numbers had been reduced to a total of six.*

Next, advertng to the city of Waterford. In 1846, the city division, then much larger than it is at present, had 543 paupers, as against 273 in the other divisions. In 1851, the number charged to the city division, though then reduced in size, increased to 1120, as against 527 in the rural district—an increase which can only be accounted for by an influx of pauperism from the rural districts. In 1865, the numbers in the city were 562, being nineteen over that of 1846, while in the rural districts they had reduced to 150.†

* Population, number of houses, and number of paupers, in some electoral divisions of the Limerick Union :—

	Population.		Houses.		Paupers charged to	
	1851.	1861.	1851.	1861.	1851.	1866.
Cahirconlish, East	2179	1951	381	330	81	2
Cahirelly	1024	720	168	117	48	1
Couilly Crime.....	691	700	173	138	71	1
Doon	624	591	95	87	35	0
Kilcooley	748	726	119	114	50	1
Killokenedy.....	905	768	173	143	97	1
Lackereagh	711	511	123	86	34	0
Total	6,982	5,967	1,232	1,015	416	6
Limerick	61,227	50,140	7,285	6,846	3,081	1,356

No one can argue that the paupers charged in 1851 were restored to their employment in the divisions to which they belonged, as there is a decrease not only in the population, but also in the number of houses. Nor can it be maintained that 410 out of 416 died off in the fifteen years. The only inference which can be drawn is that those now living were gradually shifted from the electoral divisions to which they were chargeable in 1851, either to Limerick electoral division or to the Union at large.

† Population, number of houses, number of paupers, and rates, made in the Waterford Union :—

	1841.	1851.	1861.
Population of Union	71,997	69,083	59,977
City Electoral Division.....	28,439	31,499	28,623
Rural do. do.	43,558	37,584	31,354
Houses in do. do.	6,960	6,409	5,678

It may be said that these are instances of large cities. I shall pass to the union of Dungarvan, with which I have the honour to be connected. The total valuation of that union is £53,000. Of this £12,000 is the valuation of town division, which is thus less than one-fourth of the union, and less than one-third of the remaining seventeen rural divisions. Yet the town division has actually to support three-fourths of the paupers of the entire union. A single instance will suffice to show how this result has been produced. One of the rural divisions called Clonea is separated from the town division by a small stream. At the Clonea side formerly stood twenty-three houses. Of these houses, twenty-two were levelled. Such of the inhabitants as could, emigrated, but the greater number crossed the little stream, and settled in Dungarvan, where they eventually became chargeable upon the rates. There were in 1851 five electoral divisions of that union, having, in numbers ranging from 10 to 63, an aggregate of 138 paupers, and

	1846.	1851.	1865.
Paupers charged to Union at large	174	693	245
„ Rural Electoral Division	273	527	150
	<hr/>	<hr/>	<hr/>
Total.....	447	1220	395
„ City Electoral Division	543	1120	562

	1846.	1855.	1865.
Cost if levied by Union Rating, per £	0s. 8d.	1s. 9 $\frac{3}{4}$ d.	1s. 6 $\frac{3}{4}$ d.
„ imposed upon the City Elec- toral Division, per £	1 1	3 2 $\frac{1}{2}$	2 8

Valuation of City Electoral Division	£48,828
„ Rest of Union	97,817
Charge for Electoral Division Paupers :—	
City Electoral Division	£6,000
Rest of Union	1,000

in 1866, an aggregate of five, being one for each electoral division* (Hear, hear).

* Population, number of houses, and number of paupers in the Dungarvan Union:—

	1841.	1851.	1861.
Population of Union	39,325	31,236	24,346
Dungarvan Electoral Division	11,146	10,842	8,162
Rural District	28,179	20,394	15,184
Houses do. do.	4,169	3,246	2,568
Valuation	—	£56,025	£53,856

Population, number of houses, and number of paupers, in some electoral divisions of the Dungarvan Union:

	Population.		Houses.		Paupers.	
	1851.	1861.	1851.	1861.	1851.	1866.
Ardmore	1030	844	187	164	63	1
Coormarglan	798	633	110	99	27	1
Kieren	703	530	128	106	37	1
Knockaunbrandawn	597	476	84	72	10	1
Mount Stuart	316	294	66	58	21	1
Total	3444	2777	585	499	138	5
Dungarvan	10842	8162	1501	1319	519	170

Dungarvan Union comprises 18 electoral divisions, the valuation being £53,000. The numbers chargeable to the entire Union are 353, of whom 226 are chargeable to the electoral division of Dungarvan, the valuation of which is £12,000, and 79 charged to the remaining 17 electoral divisions, the valuation of which is £41,000, the remaining 48 are Union-at-large charges, not having resided the prescribed time in any particular division. From the above it appears that the electoral division of Dungarvan, with a valuation of nearly three and a half times less than that of the 17 other divisions, has to support three-fourths of the paupers of the Union.

Many of those now chargeable to the divisions of Dungarvan were inhabitants of rural divisions, who, from eviction and other causes, were driven into town to seek employment, ultimately became paupers, were admitted to the workhouse, and having lived the prescribed time in Dungarvan, became chargeable to it.

In that Union in the division of Clonea, divided from that of Dungarvan by a small stream, at the Clonea side of which, about twelve years since, stood twenty-three houses, of which there is now

Take the small towns of Rathkeale and West Askeaton, where the average poundage on a union rate would be 1s. 5d., whilst the amount paid by the towns has been 3s. 9d.;* or Kanturk, where the union rate would be 1s. 4d. in the pound, but the town division has paid 3s. 3d. in the pound.† English members will remember that these are small struggling towns, possessed of no extended commerce or manufactures which might enable them to endure a burthen so oppressive (Hear). I could multiply other instances, but it is unnecessary to do so. They will be found in the statistical returns to which I have referred, and in a simpler form in other returns, which I have obtained, and which will in a few days be in the hands of Honourable

standing but one. The inhabitants were got rid of by eviction and other means, the houses levelled, those who could emigrated, but the greater number crossed the stream, came into the division of Dungarvan, lived as best they could for a time; but old age, infirmity and poverty overtook them, they became the recipients of relief, and were charged to the Dungarvan division. From a return made by Guardians of this Union a short time since, the case referred to is only one out of many such in other divisions. A case lately occurred of a woman who was admitted to the workhouse from the electoral division of Mount Stuart in the year 1853, continued chargeable to it until 1863, when she was hired as a servant by an inhabitant of Dungarvan. After a time, from ill health, she is obliged to give up her service, again appears at the workhouse, is admitted, and charged to Dungarvan, in which division she only spent two years out of a life of sixty-five. Similar cases are of frequent occurrence.

* RATHKEALE UNION. s. d.

Average expenditure of, levied by a Union Rate for past five years	1 5
Average amount charged to the towns of Rathkeale and West Askeaton	3 9

† KANTURK UNION.

Average rate for the past ten years of charge to the Union	1 4
Average rate on the town of Kanturk	3 3

Members; but it was not alone the injustice to the towns upon which the necessity for this measure depended.

What was the effect upon the interests of the farmer? The language of the President of the Poor-Law Board, describing the evils which in this respect prevailed in England, apply in every respect to Ireland. The farmer is compelled to look for his workmen in the alleys of a town more or less remote.* He gets him to his work in

* POPULATION, VALUATION, AND PRODUCE OF SOME COUNTIES IN IRELAND.

The following counties, one for each province, have been selected to exemplify the vast social changes which have taken place since the Electoral Division system was introduced, and which may be partly attributed to that measure:—

ULSTER.—COUNTY CAVAN.

	1841.		1851.		1861.		Decrease.
Population	243,158	...	174,071	...	153,906	...	89,252
Inhabited Houses	40,964	...	30,079	...	28,129	...	12,735
Valuation	£274,754	...	£248,415	...	£268,474	...	£6,280
Produce—Grain in tons			1847.		1862.		
			85,897	...	29,080	...	56,817
Potatoes „			40,714	...	51,245	}	52,768
Turnips, etc.			121,893	...	58,594		
Flax			487	...	900		Increase.

CONNAUGHT.—COUNTY GALWAY.

This county has been spoken of as presenting a model, which shows how, that under the Electoral Division system, the landowners have built cottages, and afforded employment to their people. A few facts connected with it illustrate the accuracy of such a statement:—

	1841.		1851.		1861.		Decrease.
Number of inhabited houses, Co. Galway	71,182	...	49,190	...	45,678	...	25,504
Population	422,973	...	297,897	...	254,256	...	168,717
Valuation	£530,288	£468,491	...	£661,797
Produce—Grain in tons			1847.		1862.		
			109,757	...	49,710	...	60,047
Potatoes „			101,787	...	129,614	}	27,868
Turnips, etc.			268,950	...	213,255		
Flax			29	...	354		Increase.

the morning, wearied by a walk, perhaps, of several miles, and gets him the next morning still further fatigued by the long walk home in the antecedent evening. He cannot obtain an honest day's work from such a labourer (Hear). The effect is that the agriculture produce has diminished in the same ratio as the population (Hear, hear).

But what is the effect upon the labouring class

LEINSTER.—KILKENNY COUNTY.

	1841.		1851.		1861.		Decrease.
Population	183,349	...	138,773	...	109,706	...	73,641
Inhabited houses	29,090	...	23,370	...	19,976	...	9,014
Valuation	£397,388	...	£353,283	...	£357,232	...	£40,156
			1847.		1862.		
Produce—Grain in tons			89,963	...	42,379	...	47,584
Potatoes „			72,380	...	69,761	}	56,846
Turnips, etc.			181,866	...	128,699		
Flax			27	...	28		Increase.

MUNSTER.—LIMERICK COUNTY.

	1841.		1851.		1861.		
Population	281,638	...	208,684	...	170,983	...	110,655
Inhabited houses	42,872	...	30,845	...	27,940	...	14,932
Valuation	£618,475	...	£495,973	...	£519,120	...	£99,465
			1847.		1862.		
Produce—Grain in tons			100,972	...	53,950	...	47,022
Potatoes „			101,218	...	61,632	}	184,995
Turnips, etc.			277,694	...	132,285		
Flax			86		125		Increase.

WATERFORD COUNTY.

	1841.		1851.		1861.		
Population	172,971	...	138,738	...	111,116	...	61,855
Inhabited houses	25,367	...	20,190	...	18,065	...	7,302
Valuation	£360,681	...	£326,979	...	£315,609	...	£45,072
			1847.		1862.		
Produce—Grain in tons			62,617	...	29,309		33,308
Potatoes „			33,561	...	40,700	}	120,349
Turnips, etc.			253,828	...	126,340		
Flax			18		17		1

itself? and this, perhaps, is the most important consideration. I pass by the hardship of his having to walk miles each day to and from his work. Where is his dwelling? In some overcrowded lodging-house, in some filthy lane or alley. I admit that his cabin in the country might not have been as well ventilated or as cleanly as one might desire, that the dung-heap may have been before the door, and perhaps the habitation shared by the pig, but it was surrounded by the fresh air of heaven, and was a paradise of cleanliness and health, when compared with those dreadful lodging-houses, the horrors of which as described by the officers of nuisances in the various towns, are so appalling as almost to surpass belief (Hear hear). Apply this test, children are most sensitive of the effects of air and ventilation. Remember the ruddy and vigorous children whom one could see playing about the doors of the humblest and most squalid cabin, and compare them with the rickety and sickly objects who are seen crawling about the back lanes of a town (Hear, hear).

Again, what is the effect upon the morals of the labouring class? It is not necessary for me here to claim for the Irish peasant a larger share of morality and virtue than falls to the lot of average humanity. But no man can deny that the lives of the labourer and his family would be purer and more moral in a rustic home, no matter how humble, than amid the vices and temptations of a town (Hear). Again, what is the result of this upon the health of the general community? The evil results of the overcrowding of the poorer classes in towns, have been dealt with recently by medical and other gentlemen who have turned their attention to sanitary subjects. I find in a recent paper read by Dr. Mapother, of Dublin, a gentleman who has bestowed much time and study upon

the subject, and supplied much valuable information. He says:—

“Evictions and the demolition of cabins in the rural districts, have driven agricultural labourers into the small towns, and as new abodes in the place of those removed would be subject to taxation, they have not been erected. Besides the fearful overcrowding thus induced, the labourers have to expend their strength in walking long distances to their work. The remedy is that which followed in England last Session, upon a masterly demonstration of its necessity by Dr. Hunter, of the Medical Department of the Privy Council—namely, *Union Rating*.”

Now what are the arguments against this Bill, and in favour of the continuance of this mischievous and unjust condition of affairs? In the first place, we are told that the Select Committee of 1861 passed a resolution against Union Rating. Now, sir, I believe I am right in saying that that Committee was not appointed with any special view to the consideration of Union Rating.* That subject was somewhat incidentally

* SELECT COMMITTEE OF 1861.

A Select Committee was appointed in 1861 “to inquire into the administration of the relief of the poor in Ireland under the orders, rules, and regulations issued by the Poor-Law Commissioners, pursuant to the provisions of the Poor-Law Acts, and into the operations of the laws relating to the relief of the poor in Ireland.” It consisted of Mr. Cardwell, Chief Secretary for Ireland; County Members—Lord Naas, Mr. Herbert, Lord Claud Hamilton, Mr. Monsell, Sir Edward Grogan, Mr. Waldron, Mr. Cogan, Colonel Forde, Lord John Browne, Mr. Gregory, Mr. George; Borough Members—Mr. Quin, Mr. Maguire, Sir John Arnott.

The report contains the following paragraphs:—

4th. “That several witnesses have recommended the substitution of Union Rating for Divisional Rating; but that it is not desirable to alter the present law in that respect.”

5th. “That an extension from three to five years (with a minimum

considered by them (Hear, hear). Witnesses were interrogated on the subject, some of whom gave evidence for and some against Union Rating, but

residence of two years in some one division) of the time which suffices to make the pauper chargeable to the Electoral Division, instead of the Union at large, would *tend to remove the undue pressure imposed on Town Electoral Divisions* from any sudden increase occasioned by the gravitation of pauperism towards the more populous districts."

Upon the motion being made to adopt paragraph 4, Mr. Maguire moved an amendment, which would have made it read thus:—

"That it having been proved by the distinct testimony of several, as well as by the admission of other witnesses, that the system of divisional rating has operated most prejudicially to the population of towns, to which, from many causes, the destitute classes have been and are induced to resort, it is both just and expedient that the area of rating should be extended from divisions to unions."

The division showed the following results:—Ayes, 10—Mr. Monsell, Mr. H. Herbert, Lord John Brown, Mr. George, Mr. Gregory, Sir E. Grogan, Lord Naas, Lord Claud Hamilton, Mr. Cogan, Mr. Quin; Noes, 3—Mr. Maguire, Mr. Waldron, Sir John Arnott.

Mr. Quin, member for Newry, voted with the rural party, and Mr. Waldron (County Tipperary) with the civic.

The fifth paragraph asserts, all that those who advocate a relief to the towns require: it affirms the existence of the evil when it proposes a remedy which "*would tend to remove the undue pressure imposed on Town Electoral Divisions.*" This undue pressure is what is complained of; the towns claim relief. It was a very strong admission, and appears the stronger coming as it does from a Committee composed mainly of county representatives.

The evidence principally referred to was the following:—

MR. R. I. O'SHAUGHNESSY, clerk of the Cork Union, asked by Lord John Brown.

2510. You are strongly in favour of Union Rating, and the Guardians of the County Electoral Divisions are in general adverse to it; would it, in your opinion, be a fair settlement of the question of the law if chargeability were altered so that a residence of at least two out of the last three years should be necessary before a pauper could become chargeable to a new division?—That, of course, would improve the existing state of the law, *but I think it would have no practical effect now*; if the law had remained unaltered, the city divisions would not have suffered as much as they have suffered since 1849.

even the witnesses against Union Rating admitted invariably that there was an unfair pressure upon the towns; and the Committee, although resolving against Union Rating, recommended that this unfair pres-

2511. Do you not think that there are a great many people who come from the country and pass into the poorhouse after they have been one, but before they have been two years resident in the Cork Electoral Division?—Yes.

2512. And they thereby become chargeable to the Cork Electoral Division instead of sending them to the country?—Yes.

2513. Then if the law stood so that a residence of two years out of the last three should be necessary to change the chargeability they would never have become chargeable to the Cork Electoral Division, and that would prevent people from becoming so chargeable?—It would prevent some people becoming so chargeable; but I do not think the number would be very great in the present state of the country.

Mr. S. O'HALLORAN, of Limerick, a witness unfavourable to Union Rating, was asked—

3070.—You think there are many reasons which concur to swamp the city with the pauperism of the country?—I think the tendency in all large cities is to have a *pauper population flowing into it*.

3100.—Supposing anybody were inclined to make clearances with harshness, would not the fact of the persons who were evicted, if they became paupers being chargeable upon his Electoral Division, have a tendency rather to discourage than to encourage it?—That is the reason I would go back to the residential term of three years.

3032. Although you approve of the present system of Electoral Division Rating, do you approve of the present Law of Chargeability?—I think that ought to be altered to what it was before 1849; it was three years then. I think that when an eviction does take place out of land, there ought to be protection given, or at least a penalty (if I may call it so) to have those parties chargeable to the land from which they came for three years at least. If they go to another division I do not think it fair that for eighteen months' or twelve months' residence they should be charged to the Union to which they go; it ought to be a longer residence, and I think a three years' residence would be very necessary.

Mr. RONAYN SARSFIELD, of Cork, also against Union Rating, in reply to questions 6884-5, said—

I find that there are charged to the Cork Electoral Division 1058

sure should be removed, and with that view they suggested that an Act should be passed, raising the period of residence, constituting chargeability, to two years out of five. We thus have the members of that

persons: I find that to the rural districts there are 207 persons: I find in the general Union charge there are 1388 persons.

6887, by Lord Naas.—I presume that a great number of the paupers who are charged to the Union at large actually become destitute in the city?—Yes; at the present moment there is no influx of paupers into the city of Cork; *at the time of the famine the hundreds that came in were a very appalling thing.*

6888.—With respect to that large number charged to the Union, where should you say they generally became destitute?—I should think in the city; *great numbers are only just arrived.*

6889.—Arrived from where?—From England perhaps.

Mr. E. SENIOR, who was unfavourable to Union Rating, gave the following evidence:—

7396.—Do you consider that the Poor Rate at present is an even tax or an uneven one?—An uneven one.

7397.—Will you explain in what way you consider it an uneven one, or whether you think any remedy ought to be introduced in order to get rid of the unevenness?—I have here a table showing the rates made in the year 1860, giving each Union, and the highest rated and lowest rated Electoral Divisions.

7398.—To what length of time does that table refer?—It is made for the year 1860. I find that the general result of that table is that the burden of the rate is far heavier on the town districts than on the rural districts; but several of the rural divisions vary very considerably. For instance, Belfast, Balhomorand town division paid 1s. 3d.; the lowest rated rural division, which is Dundonald, paid 6d.: the average rate for the whole Union is 8½d. Taking Cashel, the town of Cashel paid 2s. 2½d., while Graigue, the rural division which was the lowest, paid 6d.: the average was 10½d.

7399.—Would you not call Graigue a town?—I should hardly call it a town; it is a large village perhaps. Then taking Clonmel, I found the parish of St. Mary's paid 3s. 7d., while Gurteen paid 1s.: the average being 1s. 10½d. Taking Dublin, North Dublin paid 1s. 11d., Glasnevin paid 9d.: the average being 1s. 0½d. South Dublin paid 1s. 1d., Rathmines paid 10d.: the average being 11½d.

7400.—To what cause do you attribute that inequality?—I attribute it to the fact, that pauperism is, in my opinion, and always will

Committee distinctly admitting the existence of the grievance complained of by the towns; but I have to inform the Honourable Gentlemen who composed that Committee that the remedy they recommended has proved wholly inoperative, as will appear by returns which I have obtained, and which will be delivered to Honourable Mem-

be, more prevalent in the towns than the rural districts, and partly to the law that regulates chargeability.

7401.—Are there any steps which you would take with a view to lessen the inequality in question?—I would alter the Law of Chargeability by going back to the last five years instead of the last three for the charging a pauper to the division in which he had constantly resided longest, requiring a minimum residence to make him chargeable in a given division two years, instead of one year, as at present.

7402.—You would change the Law of Chargeability in that respect, but you would preserve the principle of Electoral Chargeability?—Certainly; I believe such a change would slightly cure the inequality now under consideration; but I do not anticipate that any great result in that direction would accrue from it.

EXAMPLES OF RATING IN 1860, FURNISHED BY MR. SENIOR.

Union.	Poundage if provided by Union Rating.		Lowest Electoral Division.			Highest Electoral Division.		
	s.	d.		s.	d.		s.	d.
Ballyvaughan ...	1	5½	Carron.....	0	10	Glemingh...	3	8
Baltinglass	1	1½	Togher	0	6	Baltinglass	2	6
Belmullet.....	2	5½	Grunmony ...	1	0	Bughuntown	4	6
Cashel	1	0	Graigie	0	6	Cashel	2	2
Clifden	2	5½	Cuskullay ...	1	3	Clifton	3	6
Clonmel	2	0½	Gurteen	1	0	St. Mary ...	3	7
Dingle	2	2	Kilgarvan ...	1	0	Dingle	3	6
Dungarvan	1	6½	Keeren	0	10	Mountstuard	3	0
Kilkenny	1	5½	Paulstown ...	0	8	Kilkenny ...	2	6
Limerick	1	4	Claum	0	8	Limerick ...	2	8
Skull.....	1	9½	Ballykine ...	1	1	Golam	3	6
Sligo	1	0	Dinnadhup... 0	6	Sligo.....	1	6	
Waterford	1	4½	Portnascully	0	9	Waterford	2	2

bers in the course of a few days.* That Act, if passed long before, might have impeded or retarded the clearing of the rural divisions, and thus in some degree have prevented the pressure on the towns, but it came too late.

The argument as to the difference of area between the English parish and the Irish electoral division I have already disposed of; but it is said that the system of Union Rating will entirely destroy all motive for local supervision on the part of the rural guardians. Now I confess that argument does not seem to me very complimentary to the good sense, or public spirit, or humanity of the rural guardians. This argument implies that the sole object of these guardians is to save their division from the maintenance of a few paupers. The proportion of the gross expenditure, which is applicable to maintenance, is not more than 44 per cent., of which about 33 per cent. is charged to Electoral Divisions;† but surely the establishment and

* Statement showing the cost of in-maintenance of paupers in Ireland, distinguishing the amounts chargeable to the Electoral Divisions and the amounts chargeable to the Unions at large:—

Year ending 29th Sept.	Amount charged to Electoral Divisions. £	Amount charged to Union at large. £	Total. £	Proportion per cent. of Union- at-large cost.
1862	280,011	93,205	373,216	25·0
1863	285,246	95,491	380,737	25·1
1864	273,986	92,746	366,732	25·3
1865	270,501	94,752	365,252	25·9

† The expenditure for Electoral Division, Union-at-large, and Dispensary Districts for the year ending 29th September, 1865, were as follows:—

1. The Electoral Division	£327,485	44·7 per cent.
2. The Union at large.....	287,427	39·3 ,,
3. The Dispensary District.....	117,038	15·9 ,,

The Dispensary District charges, are resolved into charges on the Electoral Divisions constituting the district in proportion to the net annual value of each, and are in effect levied on the same principle as the Union-at-large.

other charges already levied according to the principle of this Bill, demand as large a share of the attention of the rural guardians as the small sum they may save under the present Electoral Division system, and, as a matter of fact, there are no questions which attract a larger attendance of guardians, or are more earnestly debated as those which affect the taxation of the entire union. A similar objection was for a long time urged against the introduction of Union Rating for England, but the result has proved that the argument was destitute of any foundation (Hear, hear). Indeed in Ireland, so far as the machinery of administration is concerned, the passing of this Bill will remove a very glaring anomaly introduced by the alteration of the Bill of 1838 from its original shape, for the electoral divisions were intended to send into the Board representatives to take a share in the administration of the common fund of the union, as we in this House administer the funds of the nation, but the result is that on a Poor-Law Board the majority are often not disposing of the common fund, but of money exclusively the property of the minority (Hear, hear).

These are the grounds upon which I ask the approbation of the House to the second reading of this Bill. I have trespassed on the attention of the House (No, no) much longer than I had intended, but the importance of the subject will no doubt be a sufficient excuse (Hear, hear). I have endeavoured to present rather an outline of the entire question than to pursue the arguments in detail; this latter duty I must leave to other Honourable Gentlemen, who, no doubt, will take part in the debate. I ask the House to read this Bill a second time; firstly, because it will be a step, and an important one, towards that assimilation of the laws and institutions of the two countries so eminently calculated to produce a sense of

equality, and so render the connection between them not a mere political association, but a genuine bond of sympathy and interest (Hear, hear) ; and secondly, because it will effect a fair and equitable adjustment of the burden of taxation, will ameliorate the condition of the poor and labouring classes, and will confer benefits social, sanitary, and moral, on the country at large (Loud cheers).