

~~In a statistical society appeal to sentiment, of course, seems out of place, but surely we, all citizens of Dublin, only divided by artificial boundaries, should desire to see the position of the capital of our country maintained. It is rapidly drifting into a secondary position in valuation and population, while on the other hand the City of Belfast has grown in both, and, as you will see by a map which I submit, has extended its boundaries again last year by an addition of 10,000 acres, the added area alone being nearly three times the present extent of our city.~~

~~Now is the time for the Society and the people of Dublin to call on the Government to carry into effect the report of a Commission appointed by a Conservative Government, and thus raise the Capital of Ireland to its due position, bring new blood and fresh intelligence into its great civic council, combine its scattered and expensive governing bodies, and bind us all inside and outside the present boundaries in one strong and united body to forward the material interests and happiness of GREATER DUBLIN.~~

II.—*Neglected Children and Neglectful Parents.*

By E. D. DALY, Esq.

(Read Tuesday, 22nd February, 1898.)

I.

It seems to me quite impossible for those who do not, or who cannot, keep out of sight of the poorer classes, to resist the sad importunity with which the facts of life in our back streets and tenements for ever plead for the waif and stray, the homeless orphan, or, what is perhaps worse, the child whose only home is a den of drunkenness or vice.

It is equally impossible to deny the difficulty of knowing how to interfere wisely to any greater extent than is done at present.

I need not dwell on those difficulties in appealing to this Society, whose volumes are full of essays discussing them.

The problem is to avoid demoralising kindness on the one hand, and doctrinaire inaction on the other.

My purpose is to remind the public of one line of effort which avoids either of those extremes—a line of effort which is not merely consistent with, but essential to, any attempt whatsoever to deal with this subject—a line of effort at present almost wholly neglected in the United Kingdom, and especially in Ireland. Although in our own City of Dublin there is reason to believe that the evil of child neglect is more acute than in any other quarter of Ireland.

Now what, in the first place, is the condition of Dublin in this matter? I do not wish to be misunderstood. Dublin may be no worse than other towns in the United Kingdom with which it can be fairly compared, such, for example, as Liverpool or Glasgow. But it is worse than many English county towns, just as it appears to be worse than other Irish towns which—if I may say it without impertinence—are, after all, only county towns in the matter of crime and disorder.

Dublin was a metropolis when Belfast had only twelve or thirteen thousand inhabitants. Lever, describing the Dublin of a hundred years ago, speaks of its organised vagabonds. It is natural to expect, on general principles, that crime gravitates towards the sheltering slums and tenements of the capital of the country. And this general probability is borne out by statistics in a manner which no distrust of statistics can explain away.

Taking the latest published Judicial and Criminal Statistics I have examined, I find it stated that in 1894, out of 1,468 simple larcenies committed in all Ireland, 1,274 were committed in Dublin.

Setting aside breaches of bye-laws, drunkenness, etc., serious offences per 10,000 of population were in the same year, for Dublin, 72; Belfast, 7; and Cork, 12.

In the same year Dublin sent 1,029 persons for trial by indictment; Belfast, 183; and Cork, 107. (*Vide Criminal and Judicial Statistics, Ireland*, pp. 22 and 24, and 82 and 83.)

I give the references which will enable anyone to verify these rather startling figures. It seems to me that they must be taken as evidence of a considerable criminal population in Dublin, of thieves, drunkards, corner-boys, and disreputable women, and no one ever yet heard of any considerable section of an Irish population where children were not plenty.

But I do not base my impressions that there are many children in Dublin in a bad way on figures of this kind alone. Week after week I see children who are cruelly neglected. The records of the Society for Preventing Cruelty to Children illustrate the same sad fact. I never heard anyone in contact with the poor deny it, although the optimistic views of some persons, who do not go near the poor, make me feel the need of giving definite evidence to show that there is a large number of children in Dublin growing up in circumstances calculated to drive them into the disorderly or criminal classes.

Now, consider what Industrial Schools are doing. They exemplify the principal State effort to rescue children. No one sets much store on the Poorhouse as a means of rescuing neglected children. It may be that our Dublin Guardians are more or less of a good example to the rest of the country in

many ways, but in this matter they cannot do much. They have not the extensive compulsory power which the Industrial School legislation provides for the rescue of children, hence, so far as children go who are growing up in criminal or vicious surroundings, the Irish Industrial School Act of 1868 is almost the only Act available for their rescue unless they commit actual crime; and there is no doubt as to the energy with which that Act is worked in Dublin. In 1896, out of each 100,000 of population, Dublin sent 177; Belfast, 43; and the rest of Ireland (excluding Dublin, Belfast, and Cork) 18 children to these schools. (*Vide Report for 1896 of Inspector of Reformatory and Industrial Schools, Ireland.*)

The total contribution from local authorities towards this system of child rescue in Ireland was £39,938 in 1896, out of which Dublin Corporation alone paid £11,302

But in spite of such energy, there is evidence that the class of children who are in criminal surroundings are not getting the benefit of this system primarily created especially for them.

Last year, out of 451 children sent from the Dublin City Police Courts to these schools, I can only trace in eight cases grounds of committal which distinctly imply criminal surroundings.

All the rest appear to belong to the non-criminal destitute poor. Do not misunderstand me as suggesting that the great majority of these children should not have been looked after, either in an Industrial School or in some other way.

A large number of them were orphans or children of disabled parents, and with no one able or willing to take care of them.

But, so far as the Industrial School Act of 1868 goes, it appears to be admitted that it was primarily intended for the little waif or arab whose relatives or associates are vicious or criminal; that is to say, children who appear to have no chance in life but that of growing up corner-boys or disreputable women, notwithstanding which no one can pretend that these children are getting the benefit of the Act, and it surely behoves us, as Christian citizens, to see to it that they shall not be overlooked, and that they shall get a due share of beneficial legislation passed especially on their account.

I think the extent to which children living in a criminal environment are overlooked in Dublin is due to the want of an official central agency to oversee more effectively than at present the child population of the city. Magistrates cannot do that. They can only deal with such cases as other people bring before them.

At present, rescue is carried on almost wholly by a few ladies, who, week after week, with a devotion which cannot be too highly respected and esteemed, face the unpleasant associations of the Police Courts in order to get children sent to schools.

But these ladies only see the state of the child population here and there. They cannot traverse the slums looking after children, as, for example, School Board Officers do in London; and so it comes to pass that the most *bona fide* of our waifs and strays are overlooked and left to their fate, until later on it becomes necessary to send them to our gaols.

When last in London I had a conversation with Father Sedden, who is the Cardinal's representative in dealing with the work of Industrial Schools in the Diocese of Westminster; and it was he who pointed out to me that the street arab class could hardly be overlooked as they are if the Elementary Education Act were put in force, because the School Board Officers, being obliged to see that all children went to school, would be sure to meet the *bona fide* street arabs, who now escape notice, although we must know that they are abroad, and are too numerous for the good of the city.

Unless anyone can dispute these statements and figures to a material degree, it seems to me that the condition of Dublin is a grave one, as regards the children of its slums, and I think I can hardly be blamed for intruding myself on public attention, in order to appeal to the citizens of Dublin to come together and consider what shall be done about this sore and sad spot in our city life, and when I say the citizens of Dublin, I include the great religious orders associated with the city, whose work in rescuing children, so far as the law has allowed them to do so, should never be forgotten, and I trust their sympathy and approval may be given to the purpose of this paper.

II.

I have already said that there is, it seems to me, one line of legislative effort to ensure greater care for children which should be started at once, whatever else may be done now or afterwards.

I will ask you to approach its consideration in this way—I will ask you to remember that in every civilized community the care of children depends on and is, in fact, largely carried out by three distinct agencies—viz., by the parents, by private institutions and charity, and by State aid, whether out of Imperial or Local Revenue.

The relations between these three, and the consequences which must follow, if undue reliance on the two last is encouraged, must never be lost sight of.

No one can be more persuaded than I am of the vital need in Dublin of *increased care* for children. The whole purpose of this paper is to advocate the need of it. But that is quite a different attitude from the one of thinking *only* of how to gather more children into Industrial Schools and Charitable Homes.

The very best thing for a community is that children should be properly cared by their own parents and kinsfolk in their own homes. The very worst thing for a community is to encourage the parental class to leave that care to private charity or to the State. These two thoughts should, I think, guide us at each step, and the first should be the ideal at which we aim.

Now, I have no brief to defend the interests of the Treasury as representing the general tax-payer, or the interests of Local Authorities who represent local ratepayers. They are both well able to look after their own pecuniary interests.

But on this question the manner in which they do look after or neglect to look after their pecuniary interests, affects very seriously the general moral tone of the community no less than its purposes of benevolence and charity; and in this matter I submit the duties and the interests of the Treasury, of the Dublin Corporation, and of the great religious orders, are absolutely identical in relation to the parental class.

It would be a lapse of public duty for any of those authorities to spend funds entrusted to them on either punishing or maintaining other people's children without using every possible means to induce those people to perform their own parental obligation at their own cost, by keeping their own children in proper care at home.

The illustration I prefer to take is a religious or benevolent community or committee entrusted with large bequests and subscriptions for the poor. Now, no one who knows the city pretends that existing funds are enough to help adequately all the deserving cases of sad want due to illness, to orphanage, or to want of employment. It must be a most urgent duty for a religious order or benevolent committee to husband its resources for the most needy, and withhold them from others who, with a little pressure, might be made to do all that was necessary without such aid.

In proportion as the parental class can be persuaded or obliged to take proper care of children, it is evident that charitable funds and resources will be relieved and set free to meet more fully the claims of wholly unavoidable want and destitution.

Therefore, I say, it is absolutely the interest of every religious order and benevolent association in the kingdom to see to it: that in dealing with child rescue the most careful efforts shall be made to persuade or coerce parents to keep sober, and exert themselves to provide at home for their children, *before* any attempt is made to get the children into schools or institutions.

No doubt a large number of the children now in industrial schools are either orphans, or belong to parents unable to earn. But, as I have pointed out, very few children of the criminal or vicious poor are at present going to school at all. If child rescue is not to remain a dead letter in regard to this, the most dan-

gerous class, a large number of parents, well able to earn, will have to be dealt with, and at present the law gives no means in Ireland to deal with such parents effectively.

At present the Dublin Corporation, by its Standing Order in this matter, is known to say, "We will not rescue a child when the parent is a blackguard, who could work if he liked." But if child rescue is to be effective, it must be applied outside the destitute class contemplated by the Corporation. It must deal with many a father who prefers drunken self-indulgence to honest work; and surely there should be an effort to do something to make him work, instead of the present and alternative attitude of simply leaving the child to its fate—a necessary consequence of the Corporation policy.

These considerations, I think, clearly show the importance of mending the law, so as to bring pressure on people to mind their own children better, and so endeavour to relieve our charities and our rates by expedients calculated to reform the home itself.

But legislative effort in this direction was almost unthought of in Ireland until the Act was passed for preventing cruelty to children. The provisions of that Act, useful as they are, are not of general application. They are confined very largely to circumstances where a parent or guardian is guilty of some act involving physical cruelty to a child. They do not touch a host of cases where the only person before the Court is a child charged with an offence, or in a condition likely to lead it on to crime.

I might prove the defects in existing law by taking existing provisions one by one, and by pointing out where each fails.

But a shorter and yet sufficient way will be to point out the powers which, I submit, are required, together with the statement (which anyone can verify by consulting a text-book) that they do not at present exist in general, my argument being that they should exist in general when children are before a Court.

Bear in mind that I have no new-fangled expedients or inventions of my own to offer. I am simply endeavouring to bring before the public in a conclusive way, if I can, what many writers, Government Committees of Inquiry, and the practice of other countries justify, with a remarkable unanimity of opinion and practice, as necessary and expedient.

*Power to enforce Attendance of Parents and place them under
Recognizance to bestow due care on their Child.*

Now, where does the right of a Court to meddle at all with the fate of a child begin? It begins chiefly, if not, indeed, wholly, with two distinct facts. Either the child has committed a defined offence, or else the condition in which it is found

comes within a rescue Act, such as the Industrial Schools Act or the Prevention of Cruelty to Children Act.

The essence of the term "child" is an individual who, by reason of youth, requires and needs care to be provided by someone else. It follows that the first presumption from finding a child committing offences, or in a condition of filth or vagrancy, or extreme want, is that care was lacking; and the first obvious necessity is that a Court should have power to call on those bound by law to have provided such care for some account as to the presumed default.

In numerous cases the presumption of such default would be increased by the appearance of the parents, or by evidence of drunken or other disorderly habits, and, just as at present, *Vide, 5 Vic., cap 24, sec. 53*, when a suspicion is reasonably established that a man has stolen goods, the burden of accounting for them rests on him, and in default of an account which satisfies the magistrate, he must go to prison on mere suspicion and without proof; so also it would be just and consistent with existing principles of law that on reasonable suspicion of parental neglect in case of a little child in the grip of the law, the burden of satisfying a Court that they were not to blame should rest with parents; and if they did not satisfactorily remove the suspicion, they should submit, if not to actual punishment, at least to precautions which should bring punishment in case of future neglect, and which should influence them by the fear of it in the meantime. That view has been taken by more than one authority.

The Report of the Departmental Committee on Reformatory and Industrial Schools, published in 1896, suggests two expedients:—

- "I. In the case of a child before a Court of Summary Jurisdiction it should be remanded, and the father compelled, if necessary by warrant, to be present."
- "II. The Court should have power to bind the parent over for good behaviour of the child instead of sending the child to a school."

Power to Organise Supervision over Parent and Child.

So far I agree with the recommendation, but it is not enough. Sending a child back on such probation is no use unless the case is kept under observation. The Howard Association Report of 1897 says:—

"In Massachusetts a considerable amount of what may be termed the institution evil has been saved by the appointment of Probation officers, with powers of control both over juvenile offenders and their parents, with the object of preventing children from being sent either to prison or reformatories, but rather to stimulate proper home training. Such a Probation system is greatly needed in England. It has already been adopted in a modified manner in Australia with much good result."

There are many alternatives as to the choice of a person to exercise such supervision. Often a Priest or other Clergyman or District Visitor of the same religious denomination as the child would be willing to act if authorised to do so, or authority might be given to special officers, as in Massachusetts. I do not think it should be made a matter of police, but rather a means of bringing effective personal influences of good people to the aid of the less fortunate.

Weak parents, as well as vicious parents, would have to be dealt with, and nothing strengthens the weak more than personal influence with authority behind it. Common sense encourages that view. But we have more to go on. We have direct evidence on the point.

Report after report of the National Society for Preventing Cruelty to Children declares that home after home has been reformed by restoring children, under supervision, and with the warning of future punishment for the parent in case of parental misconduct.

The Government Report, already mentioned, of 1896 refers to this. It says that in many cases of candidates for Industrial Schools it would be well to consider whether, if parents were punished,

“The child might not safely be allowed to return home, a course which has answered so admirably in cases under the Prevention of Cruelty to Children Act, just the cases in which, of all others, it might have been thought to be the most dangerous.”

In the face of such reasons and such testimonies as I have mentioned, the time has surely come to urge the passing into law of the four first provisions in the appendix, which are so worded as to apply to the case of every child, under whatever Act of Parliament it may be brought before a court, and which should be applied, in a very large number of cases, before any child is removed to an Industrial or Reformatory School.

Protection for a Sober Parent against a Drunken Parent.

Now come to the next question. Every one acquainted with the poor knows that in a large number of cases one parent, in striving to give children due care, is baffled by the molestation of a drunken partner in the family concern. Often the sober partner breaks down under the example and temptation, and becomes a drunkard also.

In practice there is one law for the rich, and another for the poor in such matters.

Rich or poor, it is possible, by law, for a married woman to have separate earnings or means in which her husband has no property, but a civil action is her only means to enforce her right while she lives with her husband. While living together

she can not bring a charge of larceny against him (*Vide 45 and 46 Vic., cap. 75, sec. 12*).

The civil remedy is worthless unless the husband, who misappropriates anything belonging to her, having also property of his own, is a mark for an action; hence, while a lady in the wealthy classes can procure legal protection from a husband's misappropriation, a poor woman is at his mercy. He can take and drink her week's wages, or maliciously destroy articles she purchased, or sell for drink clothes she bought for the children, and, in practice, she can do nothing to him.

In practice, unless a woman in the slums can procure protection from a police magistrate, she is without it altogether so far as law goes, and in Ireland a magistrate can only give an order protecting her separate earnings or property *in case the husband deserts her*.

I explained this a few days ago to a poor woman who applied. She began to cry, saying of her husband: "He is too clever to desert me; where would he get anything to eat?"

An English Act of 1895, *58 and 59 Vic., cap. 39*, gives a magistrate very large powers of dealing with husbands "too clever to earn themselves, instead of living on the wife, but it savors rather of divorce. I did not realize this in a proposal submitted in a former paper of mine on the drink question. The principle on which I now suggest legislation should be based is a very simple one, and free from the same objections.

It is this. When a husband or wife who is a habitual drunkard takes, by force or stealth, what a sober partner has earned and requires for the children or the home, the drunkard should be liable to the same procedure and punishment which at present are provided to give protection to either party from a common assault committed by the other.

A section in the appendix is drafted upon that principle, and I submit it is against common sense that no such protection has been provided long ago for sober fathers or mothers in the struggle to bestow care on their own little ones.

It may be said that no such protection is needed. On that point I think I can speak with special authority, as clerk of by far the largest police court in the whole country. I can do so with more opportunity of judging than my own magistrates, for two reasons. They only, according to our usual practice, know of cases in which a solicitor or myself have first inquired into and ascertained that legal grounds are shown to warrant an application. They do not hear of case after case where women ask for protection orders from husbands "too clever to desert them." And I distinctly tell the citizens of Dublin that over and over again poor Dublin women leave the police office in tears, because they are told that Irish law gives them no such protection from husbands too clever to desert them, as English

law provides for their sisters across the channel, and until such protection is given it will continue to be almost impossible for private benevolence to give practical help to mothers, such as I speak of.

Day Industrial Schools.

The next method of helping wisely the parental class to perform their own obligations when unavoidable poverty overburdens them is that of Day Industrial Schools.

On this subject I need only quote from a most valuable paper by our present Recorder in the journal of this Society of 1877.

After quoting a statement that

“Day Industrial Schools are used largely in Scotland, the result being that the small gutter children have been almost entirely got rid of.”

Sir Frederick Falkiner goes on to say:—†

“I feel most assured that whatever circumstances may have converged for the prosperous issue of this system in New York or Aberdeen, in Edinburgh or Bristol, the circumstances which render it desirable exist in Ireland—at least in Dublin—in an aggravated and a favouring degree—in Dublin where the crime rate is highest in the Empire—where we have no compulsory education, and but a modified system of out-door relief.

“For my own part, if I could mould legislation, I should advocate complete assimilation, *mutatis mutandis*, of the English and Irish law affecting Industrial schools, both boarding and day. I think differential legislation between the two countries, save when circumstances imperatively demand, is objectionable and impolitic. I therefore would respectfully propose that the powers to contribute from local taxation to the building and establishment, as well as to the support of inmates, which exist in England and Scotland, should be extended to our municipalities and grand juries, both as regards the boarding and day schools, and with like borrowing powers; but that at least the law should be equalized as regards the latter class, if it be thought by the cautious that we may leave the former as they are, on the principle of letting well enough alone. I believe this assimilation of the law would be safe, because, as the powers would be permissive only, no school supportable from local taxation could be established without the vote of the representatives of the rate-payers, and abuse on their part would be subjected, besides the usual checks, to the control of the Chief Secretary and the Government; whilst the system is made an elastic one by the reservation of power to withdraw the certificate of authorization, so that any of those establishments might be summarily put an end to when the experiment had proved it to be prejudicial or unnecessary. The want of these schools is, of course, more emphatically an urban one, and the statutory powers might perhaps, with practical safety, be confined to the municipalities; but it would, I think, be wiser to make the law general, as in Great Britain, on the double ground of uniformity, and because there might be exceptional circumstances affecting a locality, or the industries within it, rendering a day industrial school desirable in a rural district. I, at least, as Recorder of Dublin, would accept a permissive measure confined to this city, where it is most sorely needed, if nothing more were obtainable.”

† Vol. vii., p. 85.

Those seem to me to be admirable and remarkable words. Remarkable by reason of their age. They are 20 years old. Twenty years of Irish apathy about this needed legislation have passed since they were uttered.

During this time in England and Scotland the benefits for which Sir Frederick Falkiner appealed have been largely bestowed on the children of those countries, and with what result? In order to show the result, I will now quote from the same official report, that of 1896, already mentioned, which speaks of Day Industrial Schools as follows:—

“The children attending them are from the very poorest class. The school is open for reception from a very early hour in the morning, so as to enable parents going out to their work to leave their children if convenient to do so. A later hour is fixed by which the children are bound to have come. If they fail they are sent for. On arrival, at whatever time, the child is washed and cleaned. The day is spent in school work and the simpler kinds of industrial employment, manual drill, and play. The system is non-punitive, and the object is to make the children as happy as possible. The child receives three meals in the course of the day, and at six o'clock is set free to go home. With regard to expense, the Government grant is 6d. per head per week for maintenance, and another 6d. dependent upon the results of the examination. The parent is put under contribution to the managers usually in the nominal amount of 2s. In case of his default he has to apply to the Guardians, and they are under an obligation to pay on his behalf so much as they consider he is unable to pay. Whatever expense is not covered by the Government grants and parents' payments has to be made up by the managers, usually it amounts to a considerable sum.

“We have nothing but praise to give these institutions. We concur with the observations of Colonel Inglis in his last report:— ‘Day Industrial Schools are, without exception, going on well and doing good work.’”

Could there possibly be a stronger case for prompt legislation than is furnished by these two quotations—the words of an experienced Irish judge, endorsed after twenty years' social experience by the emphatic approval of a Government Commission.

And remember, half-a-dozen lines in the promised Local Government Bill would extend to Ireland the English provisions authorising these schools for the Irish poor.

Surely whoever could rouse the citizens of Dublin out of their twenty years' sleep over such a practical matter should live to see the Recorder's proposals made law in Ireland.

I think whoever takes in the idea, as a whole, of the methods so far noticed, must see that they mean an extent of kindly influence and pressure, and help exerted by good people in the city, and brought to bear so as to strengthen weak parents and reform bad parents, an influence the like of which is at present wholly impossible, because the principle of “authority” is not available to support it.

Treatment of Parents after it becomes necessary to remove their Children to Schools.

But no doubt, after all our efforts, incorrigible parents or incorrigible children will have to be dealt with, and then the need of removing children to schools must be recognised and largely carried out.

In such cases nothing can be more objectionable than to let the parent feel it an advantage to himself to be unfit to have the care of his children, and to have them taken care of by charity or the State. But that is exactly the present state of things.

The law now stands thus:—The Poor Law attaches legal liability to the parent to maintain the child. There is no occasion in legal proceedings to give direct proof of his ability to do so. It is sufficient to give evidence that a child is relieved out of the rates, and that a certain man is the child's father. The burden of showing that he was unable to keep the child rests on him; and he goes to gaol if he fails to show it.

The Industrial School Law reverses this. The moment a child is relieved in a school at the cost of the State, the onus of proof is shifted. Nothing can be done whatsoever to a parent unless the prosecutor can first give positive proof of his ability to pay some contribution towards the maintenance of his child. Even ability to earn is not usually deemed to satisfy the Act.

So far from the parent being required to show why he failed to provide for the child, he is allowed to stand silent before the Court, while the prosecutor is baffled by the obvious difficulty of proving the actual means of a man who cannot be continuously watched.

This practical difficulty in the way of procuring orders against parents to contribute towards the cost of keeping their children in State schools, to a large extent baffles many attempts to penalize parental neglect.

But, suppose an order should be obtained, the question still remains, how is it to be enforced?

So far as Ireland goes, in case of Industrial Schools, the only method is distraint. It is true the Irish Statute provides a warrant of imprisonment to be used when the parent neglects to pay, but it has been held that there is no power given in the Irish Act to use it.

In 1883, Sir John Lentaigne told a Royal Commission that in 1878 he had been advised as above by the Irish Law Authorities, and the oversight is uncorrected to-day.

Hence in Ireland a parent can escape contributions in case of children in Industrial Schools, by living in furnished lodgings, or by spending his earnings in drink instead of home comforts.

In either case he has no goods to be distrained, and nothing can be done to him.

The way to terminate this impunity for parents whose children are maintained by the State, obviously would be to use a more peremptory method of enforcing such orders to contribute.

They are more important as penal expedients against parents who prefer drink to exertion than as a means to secure revenue.

Therefore, there can be no strong reason against the use of imprisonment to enforce them in proper cases as freely as it is used under the Poor Law when there is neglect to maintain a child, or as freely as it is used against men, women and children ordinarily well conducted in order to enforce penalties for breaking a civic bye-law.

The report of 1896 already mentioned gives the example of a Mr. Manley, whose children cost Leeds, up to date, £500 in schools, and the law was impotent against the incorrigible Mr. Manley.

Finally, in Australia and elsewhere, such parents are compelled, under penalties, to keep their addresses registered. In Ireland, if a man gets rid of his children into an Industrial School, he may go where he will, and leave no address.

I ask leave now to dwell emphatically on one special point. I am persuaded that in a country where the majority of the poor are Catholic, we cannot, and we ought not push legislation in any direction without gaining the sympathy and judgment of the great Catholic Orders. I fear other denominations, such as my own, fail sometimes to realize all that the Catholic Orders have done for Ireland in social problems, in so far as law has left them scope. The Christian Brothers, the Little Sisters of the Poor, the Oblate Fathers, and others, have done wise service in such matters as we are considering to-night which Ireland should not, and will not, ever forget.

I most earnestly appeal to those Orders to remember that I have not brought forward, as I said before, new fangled ideas. The idea of beginning our efforts to increase care for children by endeavouring more effectually to reform individual homes is not new either in theory or practice.

What we need is to embody that idea in legislation; and I feel sure that the cause I am advocating will survive my imperfect advocacy, and gain attention bit by bit.

Now, what is the use of papers like this? There is a great deal to be done. We want technical education and other means not alluded to to-night, but all intimately affecting the child population. The article of Mrs. Samuels in a recent number of the *Fortnightly Review* forcibly states many of these wants.

Whoever studies either the Irish Poor Laws or the Irish Industrial School Act will find, as regards children, much in both calling for remedy, but not gone into to-night. I believe we are only beginning to realize the importance of this social question.

It is difficult, without a sense of startling shame, to read

much about legislation bearing on child rescue and care on the Continent, in North America, in our Colonies, as even in England and Scotland, and to feel obliged to confess that Ireland, notwithstanding her undoubted charity, is behind hand in such State action.

These are strong statements, but I fear no one can contradict them. The question is, where ought pressure to be put in order to effect a change?

The answer, and the only answer in which I believe, is this: "Stir up the public."

Experience shows that the most valuable teaching remains forgotten in some Blue Book or other learned volume, like a corpse in its coffin, unless the public call it to mind and insist on a resurrection.

The thing to do is to remind the public and importune the public until good men, in spite of the hurry and turmoil of daily life, begin to listen.

Then there are two distinct lines of effort. One is, by the importunity of correspondence and deputations to force the attention of members of the House of Commons and of Government. But this difficulty exists. The House of Commons is over-weighted. Chief Secretaries and Members of the House of Commons, if doing their duty, must be overwhelmed with all they have to think of. That difficulty does not at all equally in the other House, and it is on our Irish peers we should bring pressure.

Surely in such matters as, for example, coming by law to the aid of wretched mothers in the slums, struggling against drunken husbands, Lord Ardilaun, Lord Meath, Lord Monteagle, Lord Emly and others, would not turn a deaf ear.

But first of all it is, as I said, necessary to stir the public conscience and judgment.

The motive power for such legislation as I am appealing for is not to be found in the brain of a lawyer, or the social position of a peer, or the intellect of a philosopher.

The motive power resides in the hearts and consciences of the people—of the fathers and the mothers who constitute the citizen population of Dublin, be they high or low.

My humble effort to-night is to reach their hearts and their judgment if possible.

The Philanthropic Reform Association has been organised in order to reach and stimulate the same deep source of social energy.

This paper has been written in consultation with members of that association, and assuredly even imperfect efforts to help the neglected children of this city towards lives of industry and order, and away from vice and crime, ought to enlist the sympathy of Dublin citizens, and of the Dublin Press.

APPENDIX.

The following draft sections are, of course, not to be taken as a specimen of a complete statute, but only as specimens of particular provisions at which this paper aims.

I.

Power to enforce Attendance of Parents.

When a Court has jurisdiction under any Act now in force, or hereafter passed, to order punishment or detention, whether on remand or otherwise, of a child apparently under fourteen years old, it shall have power, if it sees fit, to require, by summons, the attendance of either or both parents, or to issue a warrant to search for and bring either or both of them before it.

II.

Probation and Supervision.

Any Court which has power to dispose of the matter without sending it to a higher tribunal, may, in addition to, or instead of, its other jurisdictions over any child, act as follows, after a parent has had full opportunity of making a defence:—

Unless a parent of any child coming within Section I. satisfies the Court that due parental care and control were habitually exercised, or that the child was refractory or incorrigible, or that otherwise, in the opinion of the Court, such parent was not to blame, the Court may, if it sees fit, order such parent to enter into recognizances, with or without sureties conditioned, for any period not more than one year at a time, that the child shall not be suffered again to come within Section I., and that the child shall be produced to the Court whenever required.

Such Court may imprison the parent until the order to enter into recognizance is obeyed, but not for more than a month.

Such Court may, if it sees fit, order any child coming within Section I. to be restored to the parents, or to one of them, or to some person willing to take care of the child, and of the same religious denomination as that in which the child has been baptized and reared, and may, by order in writing, name some fit person of said religion to exercise supervision over the child for any period not more than one year.

III.

Procedure in case of Breach of Recognizance.

On breach of a parent's recognizance under this Act, any Court made aware of same may certify on the recognizance any such breach thereof.

On production of a recognizance so certified to any Court within whose jurisdiction the parent who was bound may happen to be, that Court may fine the parent any sum not more than the amount for which he or she was bound, unless the Court be satisfied that such parent was not to blame.

IV.

Procedure as to Supervision.

Any authorized fit person may visit and see the child named in the order at all reasonable times, subject to any regulations made under this Act.

A Court may at any time cancel the authority it has granted to a fit person, and may substitute some other fit person of the same religion to act for the remainder of a probation period.

If applied to in writing by the Court which first ordered supervision, any other Court where the child may go to reside shall, during the unexpired term of a probation period, have power to appoint a fit person to exercise supervision or to cancel any appointment it makes.

Whoever obstructs any person authorized under this Act in duly exercising supervision shall be liable to a fine of not more than £5.

The Inspector of Reformatory and Industrial Schools, with the approval of the Lord Lieutenant, may make and cancel or alter regulations for carrying on supervision under this Act.

V.

Protection for a Sober Parent against a Drunken or Idle Parent.

On application of any wife, and on proof that her husband is (a) habitually intemperate and drunk, or (b) that he habitually fails, without reasonable excuse, to provide due maintenance for her and for their children, whom he is liable to maintain, or (c) that he habitually and unlawfully assaults her or them, a Court may grant to her an order protecting—

1. Her earnings or separate property.
2. Anything she has purchased or directed to be purchased by the same.
3. The wearing apparel and school requirements of her children or step-children, and their earnings, if any.
4. Tools, instruments, appliances, materials, or anything entrusted to her, and not to her husband.
5. Furniture, bedding, and other articles in use, as household necessaries, in the home.

If a husband or any other person wilfully, or while under the influence of drink, takes away or keeps or damages anything so protected without the wife's consent, the person so offending shall, on her complaint, be liable to the same procedure and punishment as if he had committed a common assault on her.

In like manner, but only on proof that a wife is habitually intemperate and drunk, a husband may procure a like protecting order, with similar consequences, for—

1. Furniture, bedding, and other articles in use as household necessaries in the home.
2. The wearing apparel or school requirements of children or step-children, and their earnings, if any.
3. Tools, instruments, appliances, materials, or anything under his control, and not entrusted to his wife.

VI.

Extension to Ireland of power to establish Day Industrial Schools.

VII.

Power to enforce parental contributions under Industrial School Acts by imprisonment.

To throw on parents the onus of giving proof as to any inability to earn the means of so contributing.

To oblige parents who have children in Reformatory or Industrial Schools, or at home under supervision, to report their addresses or changes of address.

VIII.

Married persons may give evidence for or against each other in any matter under this Act.

III.—*The Coming Changes in Irish Local Government.*

By W. J. JOHNSTON, Esq., Barrister-at-Law.

(Read Tuesday, 19th April, 1898.)

THE changes in Local Government proposed to be made by the Local Government (Ireland) Bill, which is now on the eve of the Committee stage, aptly illustrates some economic and social theories which may well be discussed by this society.

This Bill, as introduced by the Chief Secretary for Ireland, is undoubtedly a large and generous measure, introducing into local affairs a principle of government which has for hundreds