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THE IRISH POOR LAW,
1838 - 1862
THE IRISH POOR LAW, 1838 - 1862:  
A STUDY OF THE RELATIONSHIP BETWEEN 
THE LOCAL AND CENTRAL ADMINISTRATORS. 

Dissertation submitted to Trinity College 
in fulfilment of the requirements for the award of Ph.D. 
by 
Christine Kinealy  
Modern History Department  
1984.
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Christine Kinealy

February 1984.
ERRATUM

Errors in pagination have been made. Page 286 follows directly after page 283. No text has been omitted.
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Christine Kinealy
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LIST OF ABBREVIATIONS

A.P.L.C. Assistant Poor Law Commissioner.
A.R. Annual Report of Poor Law Commissioners.
B. Coms. Boundary Commissioners.
B.Gns. Board of Guardians.
B.R.A. British Relief Association.
C. of E. Chancellor of the Exchequer.
C.H. Custom House.
Coms. Commissioners.
C.S. Chief Secretary.
D.C.L. Donegal County Library.
D.P. Distress Papers.
D.U. Distressed Unions.
E. Coms. Emigration Commissioners.
Gn. Guardian.
H.J. Historical Journal.
H. of L.R.C. House of Lords Record Office.
H.O. Home Office.
H.S. Home Secretary.
I.H.S. Irish Historical Studies.
J.B. Joseph Burke.
J.E. Justice of the Peace.
K.C.L. Kerry County Library.
L.B. Letter Books of J.B.
L.L. Lord Lieutenant.
M.B. Minute Book.
M.C.L. Meath County Library.
Mem. Memorial.
M.H. Ministry of Health.
m/f microfilm.
n.c. not classified.
N.L.I. National Library of Ireland.
O.P. Official Papers.
P.L. Poor Law.
P.L.I. Poor Law Inspector.
P.F. Parish Priest.
P.R.O. Public Record Office, London.
P.R.O.I. Public Record Office, Dublin.
P.R.O.N.I. Public Record Office, Northern Ireland.
r.c. rate-collector.
R.C.P. Relief Commission Papers.
S. of F. Society of Friends.
S.M. Stipendiary Magistrate.
S.M.H. St Marys Hospital.
S.P.O. State Paper Office.
T.C.D. Trinity College, Dublin.
T.P.L.I. Temporary Poor Law Inspector.
Ty Treasury.
V-Gns. Vice-Guardians.
W.C.L. Wexford County Library.
The historiography of the Irish Poor Law can only be described as meagre and one-sided. During the Famine, for example, its operation has been seen through the eyes of its central administrators, but the forces which shaped the Poor Law were local ones. The result was not a uniform pattern but one of wide regional diversities, which this thesis attempts to examine. Recent studies of 19th-century Irish history have demonstrated the divergence between the static administrative framework and the reality in the localities. This thesis looks at this dichotomy in regard to the Poor Law.

In order to study the detailed local situation, Minute Books of 42 unions were examined. The survival of some of the Poor Law Commissioners' correspondence makes it possible to understand the routine administration of the Poor Law. The standardised system which its central administrators desired, was far from what was evolving in the unions. The leitmotif of this thesis is, that the Poor Law varied over time and over space, and generalisations should be made with extreme caution.

State intervention in social welfare in Ireland was unknown up to 1838. The 1838 Poor Law Act was a new departure in Irish social history, although its aim was not to relieve Irish poverty at large but to reduce destitution. After 1845, six successive years of potato blight meant that, in varying degrees distress and famine extended over the country. Initially, relief was not provided by the Poor Law, but the continuation of distress into 1847, meant that the Poor Law was extended to become the main means for relief. This development was to alter fundamentally the role of the Poor Law in subsequent years.

In the 1850s the Poor Law further changed as workhouses became bodies which looked after the old, young and sick, rather than institutions for able-bodied paupers, as envisaged by the 1838 Act. This resulted in administrative changes in the relief of destitution. These changes codified in 1862, highlight the dramatic evolution of the Poor Law and provide a termination point for this analysis.
Although the Poor Law operated in Ireland from 1838 to 1923(*) it has been the subject of relatively few studies in contrast to its English counterpart. The historiography of the Poor Law oscillates between superficial accounts or detailed studies of certain aspects of its administration or of individual unions. To some extent this is due to the large quantity of source material available at both the local and central level. It is also a reflection of early 19th-century Ireland, which was a highly regionalised country for which it is difficult to make generalisations. In no area was this more true than in the history of the Irish Poor Law.

Economic, social, political and geographical variations, combined with differences in the composition of the Boards of Guardians, meant that each Poor Law union had its own individual character. At times, however, specific issues brought together a number of Boards of Guardians in an attempt to mould the Poor Law structures to accommodate their own ideas of how relief should be administered. Often this resulted in conflict with the central administration in Dublin. The result was a divergence between the theory of the Poor Law and its implementation in the localities. The interaction of the central and local authorities in its formative years proved to be a vital force in shaping the changing Poor Law in the late 19th century.

Nowhere were these conflicts more pronounced than during the Famine years, 1845 to 1852, which generated a crisis in the Poor Law administration. Following the first appearance of blight in 1845, the Poor Law was by-passed in favour of alternative forms of relief. By the
beginning of 1847, the distress proved beyond the resources of these other systems. The British Government responded by re-directing relief into the Poor Law machinery and attempting to transfer the burden of financing it to local unions. The Poor Law was to be the main agency for relief: outdoor relief was permitted and all relief was now to be financed from the local rates. As a result of this, local Poor Law unions fell into severe financial difficulties. Twenty-two unions were designated 'distressed' (see map), and given aid from central Government funds. The country's continuing economic problems forced the Government to play a wider role than it had envisaged for itself, and as late as 1852, it was still providing financial aid to a few unions.

The impact of the Famine throughout the country was uneven. Following the 1848 harvest, the worst of the Famine was over in Ulster, and following the 1849 harvest, the demarcation between recovery and deterioration became even more marked. The Government, in a further attempt to reduce its role, introduced a national rate, known as the Rate-in-Aid, which attempted to shift the financial burden from the local rates to a national one. This was introduced with the intent of forcing the wealthier unions to subsidise the poorer ones, thus reducing the amount contributed by the Imperial Treasury. By 1852 the Famine can be considered over, although it had a profound effect on the Poor Law.

From 1848, the Poor Law was the principal agent in relieving distress, but in insisting that local resources should finance local Poor Law relief, the Government failed to take account of the local rate-payers' inability to pay rates in an economy verging on financial

* Until 1948 in Northern Ireland
breakdown as a result of the devastation of the Famine years. The understanding of the situation varied considerably throughout the Poor Law administration. The distributors of the Government's funds, the Treasury, were concerned with balancing the Imperial Books rather than financing the local poor rates. The Dublin Commission was more sympathetic to the local situation, but they were controlled by London, and this meant that, at times, they were forced to implement policy which they disagreed with. At the local level, the reality of the inability to collect rates and consequent lack of funds had an immediate impact, and the result was an almost total collapse of the unions in the west and south-west. The demographic change which resulted from the Famine meant that in the post-Famine years relief to the able-bodied ceased to be significant, and because relief to the old, infirm and young was relatively more important, medical relief became a central concern. These changes resulted in the Irish Poor Law in 1862 being radically different from the one introduced in 1838.

The sources for the study of the Irish Poor Law are many. Although the records of the central administrators were destroyed in 1921, the Order Books of the Poor Law Commissioners are still kept in the Custom House. The Annual Reports of the Commissioners are also available although they tend to be complacent and biased.

Most of the Minute Books of the Poor Law Guardians still exist but they are scattered in various locations—usually county libraries—throughout the country. For the purpose of this thesis, the Minute Books of 42 unions were consulted, some in more depth than others. Many newspapers covered the meetings of their local Boards, but the reports are often sporadic, sometimes limited and occasionally partisan. They
have, therefore, been used sparingly.

The letter-books of one of the Assistant Commissioners survive and this provides a useful record of the relationship between the local and central Boards, and their intermediaries.

The connection between the Commissioners and the Irish Executive was close and a vast amount of correspondence exists in Dublin Castle, which also includes letters between the Commissioners and the Guardians and the British Government. This complements material in the PRO (London) which contains the correspondence of the Treasury and the records of the Home Office. For any study of the Famine, this is invaluable as, during this period, control of the Poor Law passed from the hands of the Commissioners to the Government and their agents, the Treasury. Although the records of the English Poor Law Commissioners were consulted, their interest in the affairs of their Irish counterparts was minimal. In London also, a number of letters, petitions and memorials of Irish unions can be found in the House of Lords Record Office.

Parliamentary Papers are also a useful and extensive source for the study of the Irish Poor Law, although the evidence of individuals is treated with caution as it is often biased and sometimes contradictory. Private Papers and contemporary Pamphlets have also been consulted. This thesis pieces together these disparate sources in an attempt to produce as complete a picture as possible of the Irish Poor Law between 1838 and 1862.
BACKGROUND

Prior to 1838, the poor in Ireland were almost totally relieved by private charity. The partial distress of 1817 brought the question of legislative assistance to the poor to the fore and Select Committees were appointed in 1819, 1823 and 1829 to examine this. The question was also increasingly discussed by politicians and between 1825 and 1837, seven Poor Law Bills were unsuccessfully introduced into the House of Commons by private members. (1) Contemporary economists agreed that if material standards were to be improved in Ireland it was necessary to check population growth and increase capital, but they disagreed as to how this was to be achieved. Irish landlords generally objected to any kind of Poor Law, whilst classical economists were opposed to one which gave gratuitous relief to the able-bodied. British public opinion favoured the compulsory introduction of a Poor Law to Ireland. This was largely motivated by a dislike of Irish landlords who were considered to have failed in their duty towards the Irish poor. (2)

The growing pressure for a Poor Law to be introduced resulted in a Royal Commission, chaired by Archbishop Whately, being appointed in 1833 to inquire into the condition of the poorer classes in Ireland. The Commissioners carried out an extensive survey of Irish poverty which took almost three years and for which they interviewed 1,590 persons. They estimated that the number of persons out of work and in distress for 30 weeks of each year was not less than 2,385,000. Although they felt that remedial measures were necessary, they rejected the English workhouse system, believing that relief could not be provided in this way for so many. Instead they recommended schemes for the economic development of Ireland, such as land reclamation and the improvement of
the fisheries. The Commissioners also recommended that the labour market be relieved through large-scale emigration. (3) These findings were received unenthusiastically in Britain. Nassau Senior criticised the Commissioners for making such a high estimate of the number of poor in Ireland and disagreed that this poverty was through no fault of the people. (4) George Cornewall Lewis, when asked by the Chancellor of the Exchequer to comment on the Commissioners' Report, stated that if jobs were provided for the poor it would remove individual responsibility. Lewis recommended that the English Poor Laws be adopted in Ireland. His ideas were based on the popular philosophy that the Government should not intervene directly in the provision of relief but should rather try to promote self-help. (5)

One of the main opponents of the Commissioners was Lord John Russell, the Home Secretary. He criticised them on the grounds that they had 'bestowed too great a degree of consideration on the question by what means, by what state resources, they could improve the general welfare of the country, and have not confined themselves entirely to the question as to the destitute classes, which was more particularly put into their hands'. (6)

As a result of this, Russell believed that the Report was neither adequate nor economic. He desired that Ireland should be assimilated as far as possible with England and that Irish landlords should be compelled to support their poor in a similar manner to their English and Scottish counterparts. (7)

The obvious antagonism towards the Report of the Poor Inquiry Commissioners on the part of influential people within the Government resulted in its being ignored. The recommendations of the Commissioners were not in accord with economic theory; they would be expensive to
implement and they allowed the Irish landlords to continue to take no responsibility for the provision of poor relief. More importantly, by the time that the Report was made, the English Poor Law, based on the workhouse 'test', had been introduced and its supporters believed that even in Ireland, 'instead of tending to increase the population and attach it more firmly to the soil, a properly designed Poor Law could be made to facilitate the transition from a cottier economy to capitalist farming by giving the cottier another alternative besides land or starvation'. (8)

Within a few months of the Commissioners publishing their findings, George Nicholls was despatched to Ireland to comment on the relief of poverty there. He was directed to take the Reports of the Poor Inquiry Commissioners with him and to pay special attention to whether any kind of workhouse could be established and how demand for labour could be increased. (9) George Nicholls had been involved in the administration of English poor relief since 1819. expenditure. As an overseer of the Southwell union, he had achieved prominence through his frugal policies, which had led to reduced relief expenditure. As a result of this, in 1834 he was asked to be one of the three Commissioners of the new English Poor Law. (10) Nicholls viewed his knowledge of the English Poor Law as affording him an opportunity to judge its applicability to Ireland. Even before he arrived there, he was convinced that it would be as effective with the Irish as it had been with the English poor.

Within less than three months Nicholls submitted his first Report. He had stayed in Ireland for 9 weeks during which time he had visited parts of the south and west, leaving out the north because he believed the people living there were similar to English people. (11) Not surprisingly, Nicholls concluded that the English Poor Law system was
suitable to Ireland. Apart from relieving destitution it would help Ireland through its 'transition' period, that is, the desired change from a system of small holdings to one of day labour for wages. (12) It would also improve the 'character, habits and social condition of the people', which Nicholls believed were prerequisites for the influx of capital to the country. (13) Essentially, however, Nicholls saw the function of a Poor Law as being to relieve destitution, whereas the Commissioners had set themselves the much larger task of trying to eliminate poverty in Ireland. When suggesting the type of relief system to be introduced, therefore, Nicholls confined himself to the relief of the 80,000 people whom he calculated fell into this category.

Russell asked Nicholls to transform his Report into a Bill and in this form it was introduced into the House of Commons in February 1837. Following the death of William IV, Parliament was prorogued, during which time Nicholls revisited Ireland. As a result of his second investigation Nicholls admitted that it would be more difficult to introduce the Poor Law than he had originally thought. Despite this, he remained convinced that the workhouse system should be introduced to Ireland but added that its success would depend on there being no divergence from the principles on which it was founded. He was further convinced that although the function of a Poor Law was not to eradicate poverty, if one based on the English model was introduced into Ireland, by making a district answerable for its own poor, it would lead to the consolidation of property and the introduction of capital to the area. (14) As a result of this Report a slightly modified Bill was introduced into the Commons in December 1837.
During the passage of the Poor Law Bill through the House of Commons, various amendments to it were proposed. Although these were generally non-party in their origin, for the most part they came from Irish members. The most notable proponent of these was Daniel O'Connell who suggested that the Act should be administered by an Irish Poor Law Board, that unions should not be divided into fixed divisions for elections unless desired by the Guardians, that clerics should be eligible to act as Guardians, that there should be no ex-officio Guardians, that landlords only should pay poor rates, and that voting for the Guardians should be by ballot. (15) Perhaps as a result of all being defeated, O'Connell changed his mind and became totally opposed to the proposed Poor Law. (16) The weakness of the opposition and the existence of a Government majority within the Commons meant that the Bill passed through the House with no substantial changes being made to it. (17)

In the House of Lords opposition to the Bill was more concerted. This was partly due to a fear of the effects of poor rates and the existence of a large Irish interest - one in four peers owning property in Ireland (18). Some amendments were passed, the most important being the one introduced by Wellington which made electoral divisions rather than the union the area of rating. This was passed in the hope of creating a feeling of local responsibility. (19) Despite this, the Irish Poor Relief Bill had a relatively easy passage through both Houses of Parliament; in the Commons it had a majority of 175 and in the Lords a majority of 62. (20) This meant that in July 1838 a Poor Law, closely modelled on the first Report of George Nicholls, was introduced into Ireland.
Notes for the Introduction


3. Third report of Commissioners for inquiring into the condition of the poorer classes in Ireland; H.C. (43), 1836, xxx.1.

4. Letter from N.W.Senior, on the third report from the Commissioners for inquiring into the condition of the poor in Ireland, p.4, (90), H.C. 1837, L1. 241.


9. Russell to Nicholls, Report by G. Nicholls to his Majesty's Secretary of State for the Home Department, on Poor Laws, Ireland, pp1-2 (69), H.C. 1837 L1. 201.


11. Nicholls, Irish Poor Law, p.159.


13. Ibid., p.11.


17. Ibid., p.190.


CHAPTER ONE

Implementation of the Poor Law.

1838 - 1845
On September 1838, a few weeks after the Irish Poor Relief Act was passed, George Nicholls, the new resident Commissioner in Ireland arrived in Dublin. Before Nicholls left England, Lord John Russell, the Home Secretary, advised him to 'proceed so as to obtain the concurrence of the owners of property and to conciliate the good will of the Irish people'. He further recommended that whilst it would be advantageous to have some English Assistant Commissioners, Nicholls should also appoint some native Irish to this position. In accordance with this, Nicholls arranged for four Assistant Commissioners to travel to Ireland with him and later chose four Irishmen to join them. Before the Irish Assistant Commissioners began work they were trained in England. In some cases also, workhouse officers were sent to England for training. (1) This established a pattern which continued throughout the early part of the Poor Law's existence, that is, that the Irish Poor Law was dominated by men who were trained in the English system whilst its Chief Commissioner was usually both Protestant and English.

The Irish Poor Law was to a large extent modelled on the 'new' English Poor Law of 1834. (*) Nicholls regarded the English Poor Law as the 'parent' of the Irish one and described their common object as the relief of destitution without encouraging dependency. (2) The two Poor Laws differed in three important respects: in Ireland relief could only be administered within the confines of a workhouse, no provision being made for outdoor relief; no 'right' to relief existed; and no Law of Settlement had been introduced. The first of the three features indicates that the Irish Poor Law was intended to be more stringent than its English counterpart, whilst the latter reinforced the fact that

* This law applied to Wales also.
Irish people, no matter how long their residence in an area, could never acquire a right to relief.

In both England and Ireland poverty and destitution were viewed as the fault of the individual which could be ended through exertion and self-help. Some historians, however, have argued that this belief was more strongly applied to the Irish than the English poor. (3) To some extent this is verified by the fact that both the principles and the ethos of the Irish Poor Law were harsher than those of the English one. A common weakness of both Poor Laws was that although theoretically a distinction was made between the deserving and the undeserving poor, neither Poor Law gave any legislative recognition to this.

A reformed Poor Law was felt to be necessary in England because the old one, which was based on outdoor relief, was both costly and demoralising. Although outdoor relief continued, it was on a smaller scale and within ten years of the passing of the new one, rates were reduced from an average of £6,700,000 per annum before 1834 to £4,500,000. (4) In Ireland, prior to 1838, no legal provision for poor relief had existed. The type of Poor Law which was introduced in 1838 was shaped by the fear that even a system of limited outdoor relief would perpetuate the low level of economic activity and might eventually bankrupt the country. The Irish Poor Law, therefore, was based on a strict adherence to the workhouse test.

Apart from alleviating destitution, the Irish Poor Law reflected contemporary economic thought as to how Ireland might be best transformed into a more productive society. The raising of local rates to finance the Poor Law would, it was hoped, force landlords to increase
the efficiency of their estates. After 1843, on land which had been repeatedly subdivided, the landlord became liable for the payment of all of the poor rates which provided him with the incentive to consolidate his property. This was little used until the Famine, however, when, facilitated by the Gregory Clause, landlords who had the economic resources to do so, cleared their property of pauperised tenants. (5)

The 1838 Act provided for an increase in the number of Commissioners from three to four, but no extra Commissioner was appointed until 1845. Instead, a provision was invoked allowing the full powers of the Board of Commissioners to be delegated to any one Commissioner. Although it was intended that each of the three existing Commissioners would take it in turn to administer the Irish Poor Law, in practice Nicholls became permanent Commissioner in Ireland. However, even though the Commission was separated into two Boards - John Shaw Lefevre and George Cornewall Lewis remaining in England - Nicholls desired to ensure a perfect unity of action between the two. The orders and directives of the Irish Commission were modelled closely on the English ones and all of its correspondence, regulations and minutes were forwarded to London for revision and approval. In reality this unity did not materialise as the business of the Irish Board never received more than cursory attention from the Commissioners in Somerset House. In 1847, because of the increased administrative duties caused by the Famine, this arrangement did not prove satisfactory and a separate Irish Commission was established. (6)
The Irish Poor Law was viewed as the brainchild and therefore the personal problem of George Nicholls. Frankland Lewis who had been one of the English Commissioners, disliked the idea of an Irish Poor Law so much that he refused to be a party to it and at the end of 1838 he quit his position in protest. When at the end of 1842 Nicholls returned to England, his two fellow Commissioners and the Home Secretary, Sir James Graham, admitted that they regarded the Irish Poor Law as having failed. Although Nicholls contemplated resignation at this point he refrained from doing so, fearing it would further jeopardise the Irish Poor Law. Each of the other two Commissioners was then to spend some time in Dublin, but this did not prove satisfactory and neither of them stayed for more than a few weeks. As a result of this the powers of the Commissioners were vested in two Assistant Commissioners, Edward Gulson and Alfred Power. (7)

The Poor Law Commission was an autonomous body and its Commissioners, in order to be free from party politics, were permanent and non-political. In England its connection with the Government was through the Home Office whilst in Ireland it was through the Irish Executive in Dublin Castle. Each of the three Commissioners had equal power over a wide variety of issues. They had power to appoint and remove officers, to audit accounts, to issue orders for the management of workhouses and to control the actions of the Guardians. They could also issue regulations which had the force of law. In addition to all of this, the Irish Board had a variety of functions which the English Board did not have. They could appoint chaplains and regulate religious services within the workhouse, they could change an area of taxation, their permission was required before the Guardians could spend money on
emigration or proceed in a superior court of law for poor rates, and, whereas in England the building and hiring of workhouses was vested in the Guardians, in Ireland it lay with the Commissioners. Perhaps of most significance was the power the Irish Board had to dissolve a Board of Guardians. (8) This, however, was viewed as a last resort. The Commissioners dealt with recalcitrant Guardians first through entreaties, followed by threats and only finally using their judicial powers. The authoritarian manner of the Commissioners meant that in both England and Ireland they were unpopular and were frequently accused by the local boards of being despotic and tyrannical. In Ireland much of the opposition which emerged following the introduction of the Poor Law was directed against the Commissioners rather than the Law itself.

The disputes which emerged between the Commissioners and the Guardians mark a power struggle between the local and central administrators over the way in which the theory of the Poor Law was to be put into practice. While the Commissioners strove to achieve national uniformity and a strict adherence to the principles and ethos of the 1838 Act, a variety of other forces were determining the way in which the Poor Law actually developed. In its formative years, the Poor Law was modified as a result of the character of individual unions and their local administrators, in combination with changing social, economic and political conditions within both Ireland and Britain. The rigid approach of successive Commissioners failed to make sufficient allowance for this. Although some of the conflicts which occurred were resolved quite quickly, others were a source of contention through the history of the Poor Law. When, as occurred in a few instances, the centrally determined regulations were challenged on a sufficiently large
scale as to constitute a threat, the Commissioners were forced to abandon them. Also, whilst the 1838 Act had provided a framework for the provision of relief, a number of Boards of Guardians rather than openly defy the dictates of the Commissioners found room for manoeuvre within them. Consequently, in the years before the Famine it was the Guardians and their officers who ultimately were able to determine the degree of stringency with which relief was administered. This resulted in many local variations within the Poor Law which the Commissioners were never able to fully eradicate.

Because of the relatively weak powers of compulsion of the central administrators, it fell increasingly to the Assistant Commissioners to intervene in cases where a local Board was refusing to obey orders. The Irish Assistant Commissioners had little power themselves but they were well liked by the Guardians with whom they had frequent and personal contact. This must have been reassuring for the Commissioners because in England anti-Poor Law feeling had sometimes taken the form of physical attacks on the Assistant Commissioners. One English Assistant Commissioner was especially unpopular and was often pelted when he appeared in public and effigies of him were burnt. (9) In contrast to this, in Ireland this small group of men frequently used their powers of persuasion and their personal popularity to hold the Poor Law system together.

The fact that the Assistant Commissioners who, after 1847, were described as Inspectors, were salaried professional agents of the Poor Law is indicative of the fact that the state was taking the problem of poverty very seriously. In this, the Irish Poor Law was innovatory as it introduced a totally new administrative machinery into Ireland.
Apart from the use of salaried experts the principle of popular representation, as embodied in the elected Boards of Guardians, was a further radical innovation. The ability to vote in Poor Law elections was given to every ratepayer - both male and female - giving the franchise a broad popular base. The propertied classes were, however, protected: landlords were allowed up to six votes, proxy and plural voting was allowed and a third of the Board consisted of ex-officio Guardians who were to be Justices of the Peace.

The task of dividing the country into Poor Law unions and establishing administrative machinery within them fell almost totally on the eight Assistant Commissioners. The union was a totally new unit and consisted of a number of electoral divisions which were in turn made up of townlands. Each union was to have its own workhouse and Board of Guardians. Unions were also to be the unit for Poor Law taxation and the Guardians were responsible for levying rates for the maintenance of their poor.

The Assistant Commissioners were initially despatched to Cork, Limerick, Belfast, Dublin and Londonderry. Before this they were warned by Nicholls that the Irish people were 'peculiarly sensitive and ardent' which made it necessary to conciliate their feeling and gain their confidence. Because of this the first unions were to be formed in areas where least difficulty was expected and the workhouses were to be built as quickly as possible. Nicholls believed that one advantage was that, whereas in England the Commissioners had been forced to modify and adapt their arrangements to fit in with previously existing institutions, in Ireland the absence of any earlier Poor Law meant that their work could be more orderly. (10) The formation of unions soon showed itself to be
more complex than the Commissioners had anticipated due to the complicated nature of property divisions within Ireland. This meant that within a year of the passage of the original Act, an Amendment had to be introduced to accommodate these difficulties. (11)

The Poor Law unions were to be formed in clusters of three to five at a time. As in England they were each to consist of a market town and the area surrounding it, the workhouse being situated as near the middle of the union as possible. The Commissioners emphasised that great care should be taken at this stage of the proceedings so that subsequent changes would not be necessary. In cases where rich and poor townlands were joined together in an electoral division the Assistant Commissioner was to ensure that the burden on the former was not too heavy. Although it had originally been estimated that Ireland would be divided into 100 unions the final number was 130 due to a general desire for smaller ones. The size of the unions was far from uniform, the ones along the western seaboard being larger than those on the East Coast, with the smallest ones being in north east Ulster. (12) (See map 1, opposite)

When the Assistant Commissioners had decided the parameters of a union a public meeting was convened at which they made their proposals and at the same time explained the basic tenets of the Poor Law to the local population. These meetings were generally well attended and the Assistant Commissioners met with little opposition. Copies of the Poor Law Act were also distributed to all Justices of the Peace and clergy in order to make as many people as possible conversant with its provisions. (13)
Following the declaration of a Poor Law union and the selection of a workhouse site, the election of the Board of Guardians took place. The Commissioners recommended that each Board should have between 16 and 24 elected members together with the requisite one-third more ex-officio members. The ex-officio Guardians were to be local Justices of the Peace and if the number resident exceeded the quota an election was to take place amongst them every September. A J.P. who was not chosen at this time could stand as an ordinary candidate in the March elections.

The qualification of elected Guardians depended on the circumstances of each area, with a minimum property qualification of £30. However, in recognition of the scarcity of people with property in some of the western unions the qualification was reduced to £10. The Assistant Commissioner in Connemara believed that the consequences of such low qualifications would be inefficient administration and he strongly advocated higher ones. The lowness of the property qualification also caused concern amongst some property owners who feared it would result in a preponderance of shopkeepers and tradesmen as Guardians, which meant that property would not be adequately protected. These apprehensions proved to be unfounded and, although the professional classes and farmers were numerically dominant on many Boards, the chairman, vice-chairman and deputy vice-chairman were inevitably local nobility and landed gentry. (14)

Usually, at an early meeting, the Guardians would approve a contract for the workhouse and would order a valuation to be made. When the workhouse was nearly ready officers would be appointed and a first rate struck. Shortly after the building was completed the workhouse was declared fit for the reception of paupers. The speed with which this
was achieved can be judged from the fact that within six months of the Act being passed 22 workhouses had been declared, and 18 unions had elected Boards of Guardians. By the beginning of 1842, 81 workhouses had been declared fit for occupation and by the beginning of 1845, 118 workhouses were open for relief. (15)

Although the Commissioners were anxious to discourage contests at the elections, fearing that this would make them both expensive and acrimonious, they were nonetheless a source of contention and controversy for a few years. At the first election, as no rate had been made, each cesspayer was allowed to vote. Many irregularities resulted from this as no complete and correct list of cesspayers existed. This problem disappeared when the valuation and first rate had been made. (16)

More serious than this was the fact that many elections were accompanied by party and religious feeling - an event which the Commissioners had wanted to avoid. In some unions priests urged their flocks to support only Catholic candidates. IN the Longford union, for example, the priests told their congregations not to vote for anyone from the 'Orange Order' and in New Ross the priests openly canvassed for candidates of their persuasion. In contrast to this, the magistracy of the Clogheen union were accused by the parish priest of only nominating as prospective candidates men who were both Protestant and High Tory. In a few unions the results of the election showed a clear divide between the landlords and the tenants within the unions. (17)
Apart from the use of influence, many elections were accompanied by forgery and other forms of interference. Some instances occurred where the voting papers were collected and distributed in such a way as to put certain candidates at a disadvantage. An example of this took place in the Mallow union where the police, who distributed the voting papers, were found guilty of corruption and two of them dismissed. A more blatant incident was perpetrated in Old Ross where, on the night before the election, about 30 voters were taken from their beds and not returned for a few days. A relatively rare problem occurred in the Galway union where, in some of its electoral divisions, no candidates came forward to act as Guardians. (18)

Following such occurrences appeals were made to the Lord Lieutenant for his intervention. This was always refused as the policy of the Irish Executive in all matters connected with the Poor Law was to refer them to the Commissioners. The attitude of George Nicholls was that the numerous irregularities would subside as people became more acquainted with the Law. Nicholls was especially sensitive to the public image of the Poor Law and directed an official enquiry into this. He was satisfied that the Law was proceeding well, but that Government interference would be viewed as loss of confidence and would make ultimate success difficult. (19)

To a large extent Nicholls was correct in realising that many of the irregularities which occurred were due to a general lack of familiarity with voting procedures. Also, the religious and political antagonisms present in some unions, following a peak in 1843, declined and were only revived during the Land League agitation. (20) Of most significance is the fact that following the elections the vast majority
of Boards worked well together and fighting within the Board room was uncommon.

During the first few months following the introduction of the Poor Law to Ireland certain aspects of it proved to be unsuitable, some of which had been based on incorrect assumptions about Ireland. Because of this, new powers had to be given to the Commissioners to enable them to divide up land for the purpose of elections. It was also necessary to define more precisely who had the ability to vote in Poor Law elections. Provisions were also made for Guardians to borrow money prior to a rate being made and, to facilitate appeals for the recovery of poor rates. (21) These amendments did not change any of the essential tenets of the 1838 Act but were a clarification of the details within it.

Because the Irish Poor Law had made no provision for outdoor relief, until the workhouses were built and ready for paupers, the law was inoperative. The size of the workhouses was to vary to accommodate between 300 and 1,500 inmates at an estimated cost of between £4,300 and £10,500 for each workhouse. The workhouses were in many ways an embodiment of the whole ethos of the 1838 Act. While on one hand they were the medium for the provision of relief they were simultaneously to be administered in such a way as to deter all but the really destitute from applying for relief. (22) The architect was told to make them uniform and cheap, durable and unattractive. Life within the workhouse was to be based on the principles of order, classification and discipline. Originally it had been intended to convert disused buildings into workhouses but this idea had been abandoned as it would not have been possible to achieve a high level of regimentation within them. The Commissioners believed that this was essential to the proper
management of a workhouse and without it the workhouse 'test' would be undermined. (23)

Within the workhouse, paupers were to be divided into five categories: children under the age of two, females between two and 15, males of the same age, females over 15 and males over 15. Each group was to be kept separate although parents had access to their children. The workhouse inmates were to be given a diet which was not superior to that of independent labourers, or, if this was not possible, it was to be monotonous. Inmates were required to wear a distinctive uniform and were compelled to have a bath on entry. Nobody was to be idle within the workhouse. Women were to do the necessary domestic chores, whilst able-bodied men were to be employed in something which would not compete with work being done by independent labourers. The work was to be irksome, stone-breaking being considered ideal for this purpose. Although the workhouse test was not supposed to be applied to children under 15, they were to attend school for at least three hours daily and were to be trained to be useful members of the community.

The punitive nature of workhouse life was in principle intended to act as a deterrent to the able-bodied. The Commissioners feared that if they relaxed the rules regarding old people, young people would think there was no need to be industrious and so guard against old age. As a consequence, the old, young and infirm not only shared the same buildings with the able-bodied but were subject to the same regulations. (24) This meant that the whole of the Poor Law was permeated with the aim of discouraging dependency by any group within society which in turn meant that the concept of 'deserving' poor was not recognised.
Whereas in England, the workhouses had been built by the Boards of Guardians, in Ireland they were under the control of the Commissioners and they were financed by a loan from the Treasury. Each Board of Guardians was to apply to the Treasury for a separate loan, the amount of which was determined by the Commissioners. Nicholls estimated that the total cost of this would be £1 million which was to be paid back over a period of 20 years. (25)

Although the Poor Relief Act had given the Commissioners the power to provide workhouses, the task of obtaining suitable sites and overseeing the building operations largely fell upon the Assistant Commissioners. (26) It was the Guardians who ultimately had to pay for all of this and whenever there were differences of opinion clashes inevitably occurred. Some disagreements arose over the appearance of the workhouses, many Guardians wanting more ornamental work than the Commissioners would permit. Even more common, were the financial wranglings which frequently took place between the central and local administrators. These were exacerbated when it became obvious that the original estimate was much too low and a further loan of £145,000 was necessary. The Commissioners blamed this on the fact that the purchase of land and the furnishings and fittings had all proved more expensive than originally estimated. (27)

The most common grievances of the Guardians concerned the choice of site, the execution of the workhouse building and the overall cost. The Strabane Guardians petitioned Parliament over the site which had been chosen for them. They accused the Commissioners of paying too much for it and of dealing with them in a high-handed manner. When the building was completed the Guardians complained of its unfinished state and a
year later declared the workhouse to be 'awful'. Rain was pouring in the windows which continually soaked the bedding. The Strabane Guardians blamed the architect for having supervised the builders inadequately. A similar case occurred in the Lowtherstown union where, as late as October 1845, the Guardians were in dispute with the Commissioners over the site which had been chosen four years earlier and they were refusing to pay their workhouse loan. (28)

Following a storm in Castlederg, the local workhouse let in rain through the roof, the walls and the windows to such an extent that the paupers had to be evacuated. The Commissioners sent down their architect, Wilkinson, to inspect it and he admitted that the workhouse was unsatisfactory. (29) In other unions the Commissioners refused to send Wilkinson to investigate the complaints. When this happened in the Edenderry union, the Guardians protested by refusing to take possession of the workhouse and they complained to the Home Secretary of the Commissioners' behaviour. (30)

Although the Tralee workhouse was declared fit for the reception of paupers in September 1842, a year later it was still unopened. The complaints of the Guardians were many: they disliked their site, they resented the 'flying visits' of the architect who never fully inspected the workhouse, whilst in general the workmanship was faulty. They refused to pay an installment of the workhouse loan until they received details of how the Commissioners had spent their money. (31)

By 1842 many Guardians were in pecuniary difficulties which were compounded by the fact that the first installment in repayment of the workhouse loan was due. Throughout the country, Boards of Guardians
objected to this payment, agreeing that it was exorbitant and the workmanship shoddy. Unions involved in this dispute include Parsonstown, Swineford, Kanturk, Castlebar, Drogheda, Downpatrick, Ballyshannon, Inishowen, Galway and Ballinrobe. They refused to repay this debt, arguing that this money should have been a grant rather than a loan. At the same time many of the Guardians resented the cursory treatment they received from the Commissioners over this matter. (32)

The attitude of the Commissioners to these complaints did nothing to reconcile the Guardians to their own limited powers. Guardians who had wanted to control the fixtures and fittings of the workhouses were informed: 'although the Guardians have the use of the workhouse for carrying out the law, the duty of providing it in the first instance and control of the premises afterwards, are exclusively devolved upon and vested in the Commissioners'. Nor did the Commissioners initially attach much weight to the general dissatisfaction with the condition and cost of the workhouses. The central Board felt that the Guardians had little justification for these accusations as imperfections were inevitable in any system which had been made operative so quickly. They pointed out that it was they who had checked the amount of money spent, as many Irish Guardians desired to build much more lavish workhouses than their English counterparts. Nicholls had personally visited all of the workhouses and declared himself to be satisfied with them. (33) Guardians who had said that they were without sufficient funds to open their workhouses were told they should either borrow more money or cause sufficient rates to be collected. Privately, the Commissioners were beginning to worry that if the views of the Guardians became widely known, it would become very difficult to collect the rates. (34)
Despite the confident public assurances of the Commissioners, by 1843 Nicholls, who was in England, felt sufficiently worried by the profusion of complaints to offer to go back to Ireland and conduct an investigation. Sir James Graham, the Home Secretary, refused to let him do so. Graham was no supporter of either Nicholls or the Irish Poor Law. He accused Nicholls of leaving Ireland at a critical moment and thought his return would only exacerbate the problems of the Poor Law. The Home Secretary believed that too much had been attempted in too short a time, which had made discontent inevitable. (35)

The large number of complaints and the lack of sympathy shown by Graham resulted in a Commission of Enquiry in 1844. The Commissioner in charge of this was James Pennethorne who was directed to look into water supply and drainage of the workhouses and enquire whether the expense had been necessary. In the course of his investigation, Pennethorne visited 62 workhouses. He reported that most of the workhouse sites had been well chosen, but that most of the workhouses had been faultily constructed especially with regard to water supply and drainage, whilst exorbitant prices had been charged for any extra work. Pennethorne regarded the speed with which the buildings had been completed, under the directions of only one architect, as false economy. He found the Guardians generally described the Commissioners as 'uncourteous and despotic and having no confidence in them'. Apart from all of this, Pennethorne could find no evidence of peculation and fraud against the Commissioners or the architect. (36)
Nicholls' response was that many of the facts had been misrepresented and Pennethorne had been deceived by appearances. It was often the Guardians themselves who had desired extras, and if the architects' staff was too small the Poor Law Commission staff in general was too small despite the enormity of the task, but the Government had deemed economy to be of great importance. Nicholls believed that the accusations were made by somebody who was ignorant of the true circumstances of the situation. (37). The 2 Assistant Commissioners acting in Dublin were also doubtful about Pennethorne's conclusions. They described his report as hastily executed and not always based on fact. Also during his time in Ireland, Pennethorne never asked the Commissioners for any explanation or information, they therefore viewed his findings with caution. (38)

A Select Committee was appointed to consider the allegations made by Pennethorne, but it was unable to reach any decision because the statements made by Pennethorne and the Commissioners were so contradictory. They recommended that a further enquiry should be made. In accordance with this, Lieutenant Colonel Blarney of the Royal Engineers was appointed by the Treasury to examine each workhouse. To a large extent Blarney agreed with the conclusions of Pennethorne and stated that the workhouse loans were above what was reasonable. As a result of this the Treasury relieved the unions of £46,000 which they estimated to be the excess charge. (39)

The function of the workhouse was to both test and relieve destitution and as such it was the foundation of the Irish Poor Law. Relief could only be administered within the confines of the workhouse and to whole family units. Destitution was the only condition necessary
for receiving relief and the absence of a Law of Settlement meant it could be obtained in any union. The stringent application of the workhouse test was crucial to the Poor Law as otherwise it was feared that Ireland would be unable to bear the burden of a poor relief system. Relief was to be afforded in the most economical manner possible and in such a way that only the really destitute would apply. An effective workhouse test would deter people from applying; for relief, whilst for those who did, it would ensure they did not stay in the workhouse for any protracted period. (40)

Conditions within the workhouse were to be based on the principle of 'less eligibility', that is, life inside was to be less preferable than life outside. When Nicholls visited Ireland in 1836, Lord Russell asked him to ascertain whether 'any kind of workhouse can be established which shall not, in point of food, clothing and warmth, give its inmates a superior degree of comfort to the common lot of the labourers. (41) The Commissioners quickly realised that in some areas it would be impossible to make the workhouse diet and other material comforts inferior to those outside. This meant that in Ireland, unlike in England, the diet alone could not be used as a test of destitution. Instead of this, the loss of liberty together with strict regimentation were to constitute the workhouse test. (42)

The application of this test to a large extent was under the control of the local administrators, and much of the time of the Commissioners and their Inspectors was spent in ensuring it was strictly enforced. The Commissioners felt that they needed to pay rigorous attention to this during the early years when the Guardians would not be fully aware of the principles of the Poor Law or sufficiently
appreciative of the importance of the workhouse test. A few years later the Commissioners admitted that this was not true in Ulster where the Guardians administered the law judiciously and the workhouse test effectively. In the south and west, on the other hand, the application of the law was laxer and the Guardians were less willing to take the advice of the Commissioners. The Armagh and Banbridge workhouses were considered the two best managed ones because they were only used as a last resort; in workhouses such as Loughrea and Kilkenny discipline was so little observed that workhouse life was regarded as tolerable by the inmates. (43)

Nicholls feared there would be difficulty in getting suitable personnel to administer the law and had even briefly contemplated the appointment of Guardians. Instead, it was decided that Guardians should be popularly elected. In some of the poorer unions in the west of the country, larger unions were formed to ensure that sufficient competent men could be found to act as Guardians. (44) The Irish Poor Law Commissioners, apart from being given greater executive powers over the Guardians than was the case in England, also enforced a much stricter adherence to the principles of the Poor Law. (45) The duties of the guardians were, to survey and value property, to make, levy and collect poor rates, to relieve and set to work the poor in the workhouse, hire officers and to make contacts - all of which were subject to the final approval of the Commissioners. The Commissioners defined their role in relation to the Guardians as 'by every means in our power, to aid the several Boards of guardians in their duty, to guide, assist, inform and persuade them rather than to compel or coerce them'. Nicholls believed that a lot of patience was necessary in order to maintain cooperation
between the guardians and the Commissioners and he prided himself that he always exercised this. (46)

The Annual Reports of the Commissioners show that the public image which they desired to project was one of relative harmony between themselves and the local administrators. In reality this picture was less rosy as, from the introduction of the Poor Law to 1845, numerous conflicts arose between the Guardians and the Commissioners. During these disputes the Guardians established a network of communication with each other, often sending a circular to every other Board in the country whilst simultaneously memorialising the Lord Lieutenant and petitioning the British Government. To some extent, the same unions frequently took the lead in this and a pattern emerged showing that unions in certain areas such as counties Cork, Limerick, Kerry and Meath tended to be the most active in opposing the central administrators, whilst unions in east Ulster - with the exception of Belfast- rarely took a leading role or ever got involved in these conflicts. As far as can be judged, to a large extent, this sort of activity was more characteristic of Ireland than England, as in the latter, disputes with the central Commissioners, especially after the new Poor Law had been established, tended to be very localised. (47)

One area which the Commissioners desired to keep control of was the appointment and duties of the paid officers of the unions. The selection of the officers was vested in the Guardians, pending the approval of the Commissioners. One of the first people to be hired was the valuator, and this appointment often led to disagreements. The Commissioners had ruled that valuators did not have to be professional but just competent, by which they generally meant that the guardians
were to accept the lowest tender offered. The Commissioners also refused to sanction men whom they believed to be personal friends of the Guardians, a practice which they felt was rare in the northern unions. Some Guardians such as in Ballina and Wexford resented this interference, whilst the Kenmare Guardians complained to the Lord Lieutenant of the 'absolute power' of the Commissioners. The Lord Lieutenant adopted his usual stance, however, refusing to get involved in matters concerned with Poor Law administration. (48)

The Commissioners also kept a close watch on the rations and the salaries of the officers. They frequently refused to sanction proposed wages increases which sometimes resulted in wranglings lasting for months. In general they considered the staffing levels too high and often directed the Guardians to reduce them. (49) The Commissioners maintained control over the dismissal of staff and when, for example, the Ennistymon Board dismissed their master and matron the Commissioners refused to sanction this until they had enquired further into the matter. Many Guardians resented this and passed motions demanding more control over their officers. (50)

In 1844 the Commissioners changed their regulations and the 41st article of the new regulations put the power of suspending the clerk of a union solely in the hands of the Commissioners. (51) Many Boards of Guardians, led by the Limerick one, objected to this and demanded that it be changed. They viewed it as unnecessary interference by the Commissioners over the principal executive officer of the union. The Tralee Guardians described it as indicative of the 'insolent authority arrogated to themselves by the Poor Law Commissioners' who had treated their complaint with 'haughty indifference'. They forwarded this
resolution to every other union in Ireland. (52)

The Limerick and Rathkeale Boards, who were unofficial leaders of the dispute, resigned in protest but were forced to resume their duties again when the Commissioners issued a mandamus against them. The strength of the opposition forced the Commissioners to take legal opinion in both England and Ireland, but the two opinions were completely contradictory. (53) The Commissioners, therefore, decided not to waver from their original order as they believed the Guardians had no legitimate grounds for complaint, since they were always willing to listen to their opinions. (54) This meant that even after months of protest on a large scale, the Guardians were unsuccessful in changing the law but the intransigence of the Commissioners estranged them even more from their local Boards.

One issue in which the Guardians achieved a victory over the Commissioners was in regard to the admittance of strangers to the Guardians' meetings. The Cork workhouse was one of the first to be opened in 1839 and the Guardians immediately admitted reporters to their meetings. The Commissioners asked them to stop this as it was in direct contravention of the 14th section of the Poor Law Act. Despite this, as other Boards came into existence, they also started to admit the press. (55) In the Kilkenny and Tuam unions, the question of the press was one of the first items to be discussed by the Guardians. Numerous other Boards including the Ballyshannon, Killarney, Tralee, Listowel, Dunshaughlin, Ballina, Kells, Wexford, Limerick, Castlebar and Waterford ones passed resolutions to admit the press. (56)
Initially the Commissioners tried to dissuade the Guardians from this course of action, telling them that they found it objectionable. They did concede that the guardians could occasionally allow information to be published but, that this was not to include matters of a personal or controversial character. It was also pointed out that the principle of excluding the press was the one used in England, where it was found to be sound. (57) Each Assistant Commissioner was to make this position clear to any Board which showed an inclination to admit reporters. Privately, the Assistant Commissioners were asked to prevent this question from even being discussed. The Commissioners admitted that it was a difficult question and as public opinion had become involved, they were anxious not to do anything to activate hostile feeling. (58)

Although some of the Guardians obeyed the instructions of the Commissioners for a short while, within a few months, again led by the Cork Board, they were deliberately disobeying them. In a few unions where the press were not being admitted the Guardians were supplying them with full accounts of the meetings. (59) The Commissioners continued to point out the illegality of this, their tone varying between dictatorial and conciliatory. The Castlebar Guardians were told that the Commissioners would not take any further steps to enforce their regulations but instead would allow the Guardians to witness the bad effects which would result from this publicity. (60) The Commissioners were more cursory when dealing with the Kilkenny Guardians. They threatened to dismiss the Board and to take them before the Queen's Bench for acting illegally. (61)
The Cork Guardians, who were in the vanguard of this dispute, informed the Commissioners that they had overstepped their legal powers and consequently did not feel obliged to obey them. The Commissioners took legal opinion which ruled in their favour. In spite of this, the issue had received so much publicity nationally and had involved so many Boards that the Commissioners were forced to reconsider their position. They agreed to yield temporarily to this demand and issued an order permitting 15 unions to admit strangers to their meetings. (62) This was eventually extended to all unions, the Guardians being allowed to decide whether or not to admit the press. Ironically it was the Assistant Commissioners, who tended to be grossly overworked, who benefited from this. They used newspaper reports to keep in touch with what was happening in the unions under their control and often forwarded clippings of articles to the Commissioners in place of writing them a letter. (63).

One area where the central administrators experienced difficulty in trying to enforce their regulations was over food allowances in the workhouse, the Guardians and the Commissioners frequently differing as to the quantity and quality of the diet. Prior to the workhouses being opened, the Commissioners issued a selection of dietaries intended as a guideline for the Guardians. These diets were usually based on what was given in local prisons in an attempt to make the diet as inferior as possible to that of independent labourers. (64)

The Dublin workhouses were the first opened and the Commissioners felt that in both of them the diets were too abundant. In their Annual Report the Commissioners stated that they had refrained from interference because they were 'desirous on all occasions of acting
concurrently with the Boards of Guardians, where the divergence from the correct principle as indicated by experience is not too great'. (65) This policy was shortlived as many other workhouses were providing more food than was considered necessary. An example of this occurred in the Belfast union where the Commissioners objected to the diet on the grounds of quantity rather than cost. They pointed out that many of the local ratepayers did not have such a varied and regular diet and refused to sanction it. Initially the Guardians refused to reduce the diet but following the issue of a Sealed Order they relented. At the same time they made it clear that they were not doing so voluntarily but as a result of the Commissioners' 'paramount authority'. (66)

The Galway Guardians gave their name to a special diet which they 'invented'. They had decided not to use milk due to its expense and because it was rarely drunk by the people anyway. Instead, with the approval of their Medical Officer, they replaced it with molasses and gruel. This was authorised by the Commissioners who recommended it to other unions. (67)

In cases where Guardians gave extra food rations as a reward or treat, the Commissioners were adamant that this constituted a departure from Poor Law principles. In the Clonmel and Skibbereen unions the Commissioners objected to the fact that paupers who were employed in certain duties, received extra rations. The official policy was that where paupers were involved in arduous duties the workload was to be reduced rather than the diet increased. (68)
The Commissioners were peremptory with the Cork and Waterford Guardians when it was discovered that they were giving food to the paupers on leaving the workhouse. The Guardians were told to stop this immediately and were reminded of the illegality of what they were doing. (69) The Dunshaughlin Guardians were repeatedly in dispute with the Commissioners over the quality of their diet and they let it be known that they resented this interference. Following a complaint by the inmates that the stirabout was too thin the Guardians directed that it be made thicker. When the Guardians were ordered to reduce the diet they refused to do so on the grounds that the country air increased the hunger of the inmates. The Commissioners also disapproved of sick paupers being given eggs which, they explained, were only to be provided in extreme circumstances. (70) This stipulation is indicative of the fact that the Commissioners applied some of the punitive aspects of workhouse life to all classes of inmate, rather than just as a deterrent to the able-bodied. Although the Poor Law Acts were primarily concerned with the problem of the able-bodied pauper, by attempting to standardize the treatment of all inmates of the workhouse, they were punishing every group for its destitution.

One area in which the Commissioners were totally unsuccessful was in regard to extra allowances being given at public holidays. In the Balrothery and Wexford unions the Guardians resolved to give each pauper extra rations at Christmas and Easter. The Commissioners refused to sanction this on the grounds that it would make the conditions of the paupers superior to that of independent labourers. (71) Despite this warning, this practice became so widespread that the Commissioners, while continuing to disapprove, were forced unofficially to turn a blind
The paupers were not as passive in these matters as they are frequently depicted. The inmates of the Kells workhouse asked if they could receive larger portions of potatoes which was granted. When the paupers in the Tralee union complained about the small size of the oatmeal portions, the Guardians agreed to increase them. The paupers of the South Dublin union who petitioned the Guardians for outdoor relief to be given, were not surprisingly turned down. (73)

The attitude of some of the Guardians to workhouse diets to some extent reflected their general attitude towards the quality of workhouse life. In 1838 the Commissioners had described the Poor Law as 'kind and beneficient' and had been confident that it would be applied rigorously. (74) Within a few years, however, many Guardians were deviating from its harsher provisions. The Commissioners attempted to eliminate irregularities by demanding a weekly transmission of the minutes of each Board of Guardians together with a copy of the diaries kept by the Assistant Commissioners. This meant that any recalcitrance was quickly detected and the offending Guardians received a letter pointing out the error of their behaviour. If the matter was sufficiently serious, the Assistant Commissioner was despatched to the union in question. The Guardians were warned that although the central Board preferred to have frank and friendly relations with them, if they did not uphold the provisions of the law, coercive measures would be taken against them. (75)
Although the Commissioners had the power to dissolve a Board or proceed by mandamus against them, when their orders were flagrantly opposed they were relatively powerless when faced with a relaxation of Poor Law administration. In the Skibbereen, Killarney and Balrothery unions, the Guardians administered relief to parts of families, either to children without their parents or wives whose husbands had gone elsewhere looking for work. The Guardians were warned of the danger inherent in establishing a precedent for this type of relief and the Commissioners cited the example of the evils of outdoor relief in England under the old Poor Law. When it became obvious that some Boards of Guardians were periodically willing to practice this the tone of the Commissioners' letters became harsher and they demanded that the Guardians take legal action against the family members remaining outside. (76)

The attitude of some Boards of Guardians and their officers towards the paupers was frequently more lenient than the Commissioners found acceptable. The central administrators were continually warning the Guardians of the dangers of relaxing discipline within the workhouse. The Commissioners regularly enquired about the type of pauper being admitted, seeing this as indicative of how strictly the workhouse test was applied. To ensure a strict administration, they recommended that the master of the workhouse be either ex-army or ex-Constabulary and so used to discipline and regimentation. Despite this, the Commissioners frequently complained that, even though the workhouses were in good condition, the workhouse officers were too humane. (77)
When the Belfast, Waterford and Inishowen Guardians decided to give their paupers permission to go out on certain days the Commissioners curtly informed them that only under very special circumstances should paupers be given leave of absence. (78) The Guardians of the Strabane union got around this by allowing friends and relatives of the paupers to visit them every Monday. (79) The Limerick Guardians sent one pauper to the seaside and one to the countryside, each for a month for health reasons. (80) In the Wexford union, the schoolboys asked for permission to play in the workhouse fields which was granted and the Guardians further decided that, whenever the weather was fine the children should be taken for walks in the country. (81) The South Dublin union erected seats in its gardens for the use of its inmates who were invalids. (82) The Commissioners did not approve of this sort of thing, but they were unable to use their legislative powers to forbid it.

One of the regulations which was most disliked by the Guardians was the one forbidding the use of tobacco in the workhouse. The Galway Guardians actually bought tobacco for the use of their inmates, but in many other unions paupers were allowed to smoke their own. (83) At the end of 1842 George Nicholls visited every workhouse in Ireland, one of his aims being to promote uniformity within them. Nicholls reported that in general the paupers were getting too much to eat. Also, as he believed the efficiency of the workhouse test depended largely on the exclusion of tobacco, he instructed the masters to destroy all pipes within the workhouse. (84) The Wexford Guardians got around this regulation by allowing their paupers to have snuff instead. (85) The Lowtherstown Guardians openly condemned this instruction. They attributed the fact that their workhouse was almost empty to the harsh
regulations of the Commissioners which deterred even people who were proper objects for relief from applying for it. For many poor people tobacco was as necessary as food. (86) In some unions tobacco did continue to be allowed unofficially by the Guardians. (87)

The rigid adherence of the Commissioners to the workhouse 'test' sometimes operated detrimentally to those seeking relief. An example of this is apparent in their attitude to paupers suffering from fever. Each workhouse had an infirmary and because of the inadequacy of other forms of medical relief they increasingly took on the role of local hospitals. The 1838 Act had provided for each union to build a fever hospital, but up till 1846 this was rarely done. The 1843 Amendment Act, recognising that many people became destitute through illness, allowed fever accommodation to be made available to those not necessarily paupers without insisting that their families became inmates also. (88) Through fear of infection many Guardians preferred to give outdoor relief to those afflicted with fever. Where this happened the Guardians were directed to stop it and the Commissioners threatened that if they did not their auditors would disallow expenditure for it. (89)

One question which caused resentment between the local and central administrators and which remained unresolved for many years was the registration of foundling children. The legislature had striven for neutrality in the question of religion - Guardians, for example, could not be clerics - but the official policy in this matter was regarded by some Catholic Guardians as sectarian. Nicholls had considered the question of foundlings in 1840 and concluded that there would not be many of them as the Irish were not an immoral race. The 1838 Act had made provision for this and he recommended that if the Guardians had
some idea of the religion of the child, they should rear him in that religion. (90)

In November 1841 a foundling was taken to the Celbridge workhouse and the Guardians admitted that they had no idea of the religion of his parents and asked the Commissioners what to do. The Commissioners asked the Attorney General and he advised that such children should be educated in the religion of the state. This caused an outcry in Catholic areas of the country and some Boards suggested that instead of this the child should be given the religion of the person who found him. Despite its unpopularity, this ruling was not changed, thus alienating some Catholic Guardians from the Poor Law. (91)

On two issues, the local and central Boards both desired change but they were unable to make any impact on the British legislature, on the question of removal from Britain and on the introduction of a vagrancy law. In Ireland, there was no Law of Settlement which meant a pauper could receive relief in any union provided he was destitute. The Law of Settlement in England meant that unless a pauper had 'residency' in an area - either by being born there or living there for a certain number of years - he could be removed to his parish of birth. In this way, Irish paupers could be removed back to Ireland, but this could not be reciprocated.

There is evidence that some seasonal Irish labourers used this system to get a free passage home, but for those who had made their home in England, removal was a harsh possibility. The removed paupers were usually left in the port of entry and these unions were obliged to provide them with relief. Some paupers were removed illegally and the
Belfast and Dublin unions formed committees to try to end the 'cruelty of removal' (92). The Commissioners sympathised with this and requested the Government to intervene in cases of unfair removal. The Government was unwilling to become involved in this dispute, realising that in times of depression in England, it could be used advantageously. (93) This law remained unchanged even though it was often misapplied and obviously worked to the disadvantage of the Irish Boards.

Over 40 Boards of Guardians, including some of the northern ones, passed motions asking for vagrancy to be repressed. They felt that once the Poor Law was operative, vagrancy was a double charge on the ratepayers. The Commissioners agreed that until it was outlawed it would be to the detriment of the Poor Law and asked the legislature to pass a Vagrancy Act similar to the British one. The Government refused to do so and a Vagrancy law was not introduced until 1847. (94)

To a large extent, the success of the Poor Law depended on the attitude of the local ratepayers to it and their co-operation in paying the rates. In the north of England the Guardians and the ratepayers had frequently worked together to oppose the Poor Law, and succeeded in preventing some workhouses from operating. Sustained opposition of this sort did not manifest itself in Ireland but in many unions, especially the poorer ones, there was large-scale resistance to the payment of the rates. The 'rate war', as it has been called, was a series of confrontations, firstly, between the ratepayers and the Guardians and secondly, between the Guardians and the Commissioners, concerning the amount of rate to be paid, how it was to be decided and who was to pay it. It also brought into question the legal limitations of the Commissioners' power in the enforcement of the collection. This
resulted in a major amendment in 1843 which limited the number of people liable to pay poor rates. (95)

The Commissioners desired that the Irish workhouses should be opened as quickly as possible and they continually urged their Assistant Commissioners to speed up these proceedings. (96) Even when the buildings were complete, relief could not be administered until a valuation had been made and a rate levied. The 1838 Act provided that where existing valuations were inadequate, new ones were to be made. In nearly all of the unions it was found necessary to make a new valuation and most of these were completed by 1840. (97) The valuation was to be based on the net annual value of property, or the value at which it would let for a year after deductions were made for depreciation. Nicholls believed that landowners should be made responsible for a large part of the rates and he had suggested that no occupier under £5 should pay poor rates, but that they should be paid by the lessor. His proposal had not been adopted but instead, the 1838 Act provided that rates were to be paid, in the first instance, by the occupier who could then deduct from his rent half of the rate he had paid. (98)

In 1840 Charles Haig and Richard Deasy were directed to examine the Poor Law valuation and determine whether it could be used as the basis for parliamentary franchise. (99) At the beginning of 1841 this was extended into a fuller enquiry about the principles on which the valuations were made, especially the proportion the rated value bore to the actual letting value and the rent paid. Haig and Deasy visited 52 unions and reported that the terms of the Poor Relief Act had not been sufficiently adhered to and the valuation lacked uniformity. Also, the valuations tended to be too low, resulting in a greater burden being put
on the landlords than intended. (100) Despite these criticisms and the fact that many revaluations were necessary, the Commissioners were confident that these problems would sort themselves out. The incompetence of some of the valuators, however, did result in 1843 in the Commissioners being given even greater control over the appointment of these men. (101)

In 1842, the Commissioners confidently asserted that 'great apprehensions were at the outset expressed that in some parts of the country there would be difficulty in collecting the poor rate; but we are happy in being able to state that, with the exception of very few instances, such apprehensions have proved unfounded'. (102) The Commissioners were over-optimistic in this assessment, as their experience was based on few workhouses being open. It was expected that by the summer of that year, 100 workhouses would be administering relief, which meant that, for the first time, poor rates would have to be collected on a large scale. (103)

As early as 1841 there had been some difficulties in the collection of poor rates and as more collections of it were made, resistance grew. Throughout the latter part of 1842 and most of 1843, the offices of both the Commissioners and the Irish Executive were inundated with correspondence about the antipathy to rate payment. Although Nicholls insisted that this opposition was never concerted, in some parts of the country, notably in the south and west, it was widespread enough to bring Poor Law operations to a standstill. In the Ballina, Swineford and Castlebar unions, by the beginning of 1843, no rates were being paid and the Guardians had no cash left. The local Assistant Commissioner feared that these workhouses might be forced to close down. The Galway
and Scariff Guardians threatened to close their workhouses and the Ballinrobe Guardians discharged 40 paupers, again because of their inability to collect the rates. In Tralee, the Guardians delayed opening their workhouse because no rates had been paid. They attributed this to the fact that the ratepayers themselves had no money. (104)

This resistance sometimes manifested itself in bodily attacks on the collectors, some of whom were severely assaulted and beaten. In the Limerick union, attempts were made to stab the collector with a pitchfork, whilst the collector and his assistant in Kanturk were knocked down with a shovel and then beaten with stones. The collectors in the Tipperary, Carrick-on-Suir and Scariff unions wrote to the Lord Lieutenant asking for protection and claimed that they feared for their lives. The chairman of the Boyle union informed the Commissioners that if their rate collectors carried out their duties, they were likely to be killed. It was not surprising, therefore, that in these unions, many of the collectors resigned and the Guardians were unable to find replacements. (105)

Although the local magistrates could order police or military protection for the collectors this was not always effective. In Loughrea, for example, the collector was provided with an escort of policemen who, when met with a mob of about 300, decided it was safer not to proceed and beat a hasty retreat. (106) In the Inniscarra region of the Cork union the opposition extended far beyond the non-payment of rates. The whole area was placarded, meetings organised and the local newspapers wrote articles supporting the campaign. Some of the jargon of the English anti-Poor Law movement was adopted when the workhouses were referred to as 'the new bastilles'. The organisers were believed
to be a Guardian and a local magistrate. The Commissioners were very worried about this and feared that unless the Government intervened quickly the Law might become ineffective in the whole country. (107)

The legal enforcement of rate payment was made even more difficult by the nebulous wording of the Act itself. The Commissioners informed the collectors that they had no ways of enforcing payment; they could issue a warrant which gave them the power to distrain goods, or they could apply to a magistrate for a summons against the defaulter. The Commissioners felt the latter method was the more effective especially as it was the same procedure as was used in claiming Grand Jury Cess which meant people would be familiar with it. (108) Some magistrates were reluctant to grant these summonses as they considered the collectors had sufficient powers without them. They also believed that some ratepayers were using this method of court proceedings to gain extra time in which to pay. (109)

These legal intricacies were thrown into total confusion by an opinion of the Law Officer of the Crown in December 1842. This was in answer to a query from some Cork magistrates regarding their powers. This opinion deemed that no magistrate ought to determine Poor Law cases for a union in which he was a ratepayer. (110) This opinion was quickly circulated and it provoked immediate reaction. Magistrates who had previously issued summonses for the recovery of rates now found they were unable to do so, and there was some doubt about their ability to act in any case concerning the Poor Law. (111) In parts of Connemara, as a consequence, rate collection stopped altogether and the local Assistant Commissioner feared that some of the workhouses would close down. (112) Both the Commissioners and the Irish Executive realised the
implications which this opinion had for the future of the Poor Law and they quickly introduced a Bill to remedy it. This Bill received Royal Assent in April 1843. (113)

The Commissioners believed the cause of some of the difficulties which they were experiencing lay in the political influences which were agitating the country. (114) In some areas, especially Tipperary, Skibbereen and Fermoy, resistance to the rates was reinforced by political activity. In Oughterard, opposition had started following a visit by Daniel O'Connell and it was led by the local repeal warden. In Kanturk also, non-payment of the rates was used as a political weapon and O'Connell was invited to address an opposition meeting. (115)

Despite the coincidence in some areas of non-payment of rates and repeal agitation, the former was essentially due to financial rather than political considerations. The opposition was quite widespread geographically but for the most part was confined to the poorer classes of ratepayer. Some Boards of Guardians and Justices of the Peace realised this and, led by the North Dublin union, passed resolutions condemning the unfair system of taxation. A few of the Assistant Commissioners also realised that inability rather than unwillingness to pay was at the root of most of the trouble. (116)

Although the Commissioners were aware that most of the resistance came from small occupiers, their solution to it was to urge an even stronger enforcement of the law. In contrast to the Commissioners, some of the Guardians were sympathetic to this class of ratepayers. In Tralee, the Guardians were reluctant to open their workhouse as they had no funds and many of the ratepayers were unable to pay their due. When
they asked the Commissioners for permission to extend the period of payment they were told to get on with their job and approach the local magistrate for help if they had any problems. The Guardians were also told not to hesitate to take action against any collector who delayed in his duty. (117)

The Commissioners blamed many of the pecuniary difficulties of the Guardians on the fact that they had made inadequate rates and urged them to make additional ones. (118) In unions such as the Castlebar, Ballinrobe and Westport ones where much of the first rate remained uncollected, the Guardians doubted their ability to collect a second one and resented the Commissioners' interference. When the Roscommon collectors could only collect a small portion of the rate, they were told that ample means existed to enforce its payment. The Guardians were warned that if the delay continued the Commissioners would, albeit reluctantly, be forced to take action against them. (119) Where opposition persisted, the Commissioners sometimes by-passed the Guardians and asked the Lord Lieutenant to send either a Stipendiary Magistrate or military support to the area. (120)

The general failure of these tactics resulted in a modification of the Poor Relief Act which accommodated the inability of certain groups to pay rates. Nicholls had anticipated this and in 1838 had recommended that people occupying land valued under £5 should be exempt from rate payment. In this instance, his advice was ignored and the Act was framed on the same principle as the English Poor Law, that is, that poor rates were to be assessed on all occupiers of property. By doing this, the Act ignored the fact that in some parts of Ireland there were many small, indigent occupiers who did not possess the means of
In August 1843 an Amendment Act was passed which exempted all occupiers valued under £4 (£8 in certain boroughs) from poor rates. Instead this charge was transferred to the landlord who was designated by the Act 'immediate lessor'. (122) In some of the western unions, this Act simultaneously disenfranchised over half of the rate-payers. (123) The transfer of the liability for rates to the landlords in areas where the land was much subdivided or of poor quality, greatly increased the burden on them. The full impact of this became obvious during the latter part of the Famine when the pressure of poor rates bankrupted some landowners, whilst their failure to pay, often made them objects of public censure. (124) (See later.)

The Act did not specify what course should be taken in regard to the collection of arrears but the Commissioners ruled that the Guardians could declare these irrecoverable. (125) Following the introduction of this Act most of the opposition to the payment of the rates came to an end, resistance continuing only in the Ballinasloe, Ballinrobe, Castlerea, Loughrea and Tuam unions. In these cases the Commissioners dealt with it by sending a Stipendiary Magistrate or military to the area. As a result of this, by the beginning of 1844, only 8 of the rate remained uncollected, which meant that despite this trouble, poor rate in Ireland was better paid than in England. (126)

To some extent, the complaints of the Guardians about the cost of the workhouses, the authoritarian manner of the Commissioners and the unfair system of rating, merged together and became opposition to the Poor Law itself. In 1843 this dissatisfaction was heightened by a more
general political agitation. Daniel O'Connell encouraged this resistance to the Poor Law and told people not to pay their poor rates. (127) Like the earlier protests, few of the Ulster unions were involved in this whilst the unions in the south and west of the country tended to be the most active.

The agitators fell into two main categories: those who desired modifications in the existing Poor Law, and those who wanted it totally abolished. In Kerry, feeling against the Poor Law was particularly strong and the Tralee, Killarney and Kenmare Boards demanded its repeal whilst the Listowel Board calling for changes in it. The Kerry Boards viewed the Poor Law as an English measure unsuited to Irish conditions and opposed its expense and the fact that the Guardians had so little power. (128) The Kerry Grand Jury also became involved and petitioned Parliament for a revision of the Poor Law. (129) The 'Kerry Evening Post' and the 'Tralee Chronicle', two local newspapers, also condemned the attitude of the Commissioners to the Guardians and recommended that a watch be kept on them. (130)

Other Boards who condemned the Poor Law as totally unsuited to Ireland included the Limerick, Macroom, Ballinrobe and Tipperary ones. (131) This opposition appeared to peak in 1843 but it was reactivated in the following year by the dispute as to who had control of the clerk of a union. Boards such as those at Kilrush, Rathkeale, Balrothery, Edenderry, Mountmellick, Wexford, Ballyshannon, Letterkenny, Milford, Belfast and Downpatrick demanded that an enquiry be made into the conduct of the Commissioners and modifications made in the Poor Law. (132)
In a few instances, Boards of Guardians became involved in issues outside of Poor Law administration. In 1843, both the Thurles and Wexford guardians petitioned Parliament for a repeal of the union between Great Britain and Ireland. The Guardians were rebuked for this as it was considered inconsistent with their official duties. (133) In 1845, the Granard union petitioned other Boards to support their demand for tenant right to be extended throughout the country. By this time many Boards had decided not to get involved in issues outside of their duties and so it did not receive much support. (134)

In the few years following the introduction of the Poor Law to Ireland the weather was particularly harsh and wet. June, July and August were traditionally the 'hunger' months, but in every year between 1838 and 1845 extraordinary distress was reported in some parts of the country. (135) This distress was most intense in the summers of 1839 and 1842 and it was especially severe in parts of the west and south, but in parts of the north also there was some distress amongst the handloom weavers. (136) Very early in 1839 reports of scarcity were sent to the Lord Lieutenant from many parts of the country but, because such reports were not unusual, they were regarded cautiously. As the year progressed the reports increased and it became obvious that a period of exceptional scarcity was to follow. (137) Because no workhouses were open and no relief could be administered outside them, the question was whether the Poor Law should be extended or whether it should be by-passed, either partially or totally, and relief be provided by the Government.
George Nicholls had realised that it was beyond the scope of the Poor Law to cope with a famine but he did not specify in what way the Poor Law should be used to deal with extraordinary distress. During the periods of scarcity prior to 1838, the Government had increasingly been forced to intervene. In 1839 the decision as to whether the Poor Law should be used as a vehicle for relief was left to the Poor Law Commissioners. They resolved that they 'could not deviate in the slightest degree from the course the Act prescribed'. (138) The Commissioners abandoned the idea of utilising the Poor Law machinery in the few areas where it had been established because of the long-term implications of this. Instead the relief to be administered was to be kept totally separate from the Poor Law although the Commissioners permitted the advice and assistance of their Assistant Commissioners to be used.

The Government relief operations were put under the control of Captain Chad of the Royal Navy. Aid was only to be given if met by equal subscriptions from private quarters, apart from exceptional circumstances. It was feared that otherwise self-reliance would be undermined. (139) In the distressed areas the Assistant Commissioners were to make discreet enquiries regarding the price of provisions, the means of detaining supplies, the general state of the people, and what the leading proprietors in the area were doing. This information was relayed to the Lord Lieutenant together with advice on how to act. At the same time, they were to impress on the people that the Government would only intervene as a supplement to local efforts. (140)
Throughout 1839, the Poor Law Commissioners received many applications for relief. One Board of Guardians asked if they could use the Poor Law machinery in their area to help relieve the distress, but the Commissioners replied that they could not 'entertain' this idea. Other Boards asked if provisions could be given as outdoor relief or if the introduction of the Poor Law could be expedited to help meet the distress - the latter point being taken up by one of the national newspapers. (141) One request from Castleblayney said that the possibility of the Poor Law being used had caused great apathy about relief efforts amongst the middle and higher classes and that it looked as if all voluntary charity would be checked. (142)

The Commissioners replied to all applications by quoting the 44th section of the Poor Relief Act which stated that relief could not be provided until the workhouses were officially opened. The Commissioners could not recommend any deviation from this and they did not support any change. The legislature had only recently made its decision on the Poor Law and if any deviation from that was allowed, a precedent for outdoor relief would be established. The Commissioners insisted on a dogmatic adherence to the principles of the 1838 Act, which they believed were already proving beneficial. (143)

In 1842, there was again extraordinary distress in Ireland and again it was most severe in the south and west. In 1839 the local machinery of the Poor Law had hardly been established, but three years later unions had been introduced over the whole country and 81 workhouses were administering relief. The Commissioners believed that these workhouses would be beneficial in providing relief, but they again refused to extend the provisions of the Poor Law. (144)
In June 1842, the Under-Secretary, Edward Lucas, asked if additional temporary accommodation could be made available in the workhouses in the distressed areas. Lucas suggested that two large rooms could be used - one for males, one for females - with no attempt being made at classification. (145) The Commissioners refused to tolerate this, however, and informed him that not only was his suggestion impracticable but that it was dangerous. Workhouses were only a safe means of affording relief when based on a strict system of discipline, classification and employment. Even in times of distress a test of destitution was necessary and probably needed to be even more strictly applied. (146)

The policy adopted by the Government and the Poor Law Commissioners in 1842 was very similar to that used in 1839 - the Government advancing a sum of money equal to local subscriptions. In both 1840 and 1841 there had been much distress in parts of the west but the Government had decided that only actual necessity could warrant their direct intervention. In 1842, the people were to be continually impressed with the 'guarded way' the Government viewed their help. They decided that in areas where the workhouses were open, relief was not their responsibility unless the workhouses became full.

As in 1839, the Assistant Commissioners were put at the disposal of the Irish Executive. Where extraordinary distress existed they were to proceed to the area and organise a Committee of local notables. The Assistant Commissioner could advise the Committee on the employment of the poor and the distribution of relief, but he was not to look like 'the official dispenser of Government bounty'. Nor was he to be involved in any money transactions. This was considered especially
important in Ireland where it might be interpreted as giving sanction to outdoor relief, 'a recognition of which in any shape would be full of peril and ought by all means be avoided'. In order to minimise their connection with the Poor Law, the Assistant Commissioners were not to use the assistance of Guardians or other union functionaries, and all arrangements were to be made without reference to any territorial division of the Poor Law. The idea was that the Assistant Commissioners would confine themselves to preliminary arrangements without implicating the Poor Law. (147)

In the areas where the distress was most severe, that is, Mayo, Clare and Kerry, only the Kilrush workhouse was open. (148) The Castlebar Guardians asked the Lord Lieutenant to grant relief locally as their workhouse would not be ready until the end of the year. The Listowel Guardians informed the Commissioners that Government intervention was necessary as the workhouse was closed and no local subscriptions were forthcoming. The local relief committee also applied to the Commissioners for help. Again the Commissioners adopted a rigid stance. They would not allow money to be spent for other than the purpose stated by the Government, but advised the Committee only to dispose of their funds following a strict test of destitution. (149)

In areas where the workhouses were open, the Commissioners felt that until they were full no other relief was necessary and they advised the Government not to intervene in those areas. (150) Although the Guardians were liberally admitting people to the workhouses none of them were full. (151) However, as one of the Assistant Commissioners realised, the Poor Law as a method of relief was limited in that it made no precision for small-holders who, during periods of distress, needed
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In the Cavan and Bailieborough workhouses there was much pressure for admission. The local Assistant Commissioner feared this might disrupt the classification arrangements and urged the Guardians not to swamp the workhouse. (153) Other Guardians who were providing large-scale relief were told to keep the paupers employed in order to deter any but the really destitute from applying. (154) In Belfast, there was again distress amongst the hand-loom weavers. The demand for relief resulted in the Guardians directly contravening the principles of the Poor Law by giving poor people who had gathered outside the workhouse a meal. (155) Overall, the Commissioners were satisfied with the way the Poor Law was operating as, with few exceptions, only the truly destitute were applying for relief. (156)

The intransigent attitude of the Commissioners during periods of exceptional distress was due to their reluctance, which at times bordered on obsession, to deviate from the tenets of the 1838 Act. This was hardly surprising as the Chief Commissioner at the time was George Nicholls, who had framed the Act and believed in a rigid enforcement of its principles. In both England and Ireland, outdoor relief was seen as the chief evil to be avoided. Not only was it expensive, it was also demoralising and corrupted the poor, eroding any spirit of self-reliance. It also left a legacy of disorder, confusion and lax administration. Nicholls feared that even if outdoor relief was provided on a temporary basis, it would be impossible to return to the usual system of relief and this would ultimately break down the whole system. (157)
In some ways the shortages of 1839 and 1842 established a pattern which was adopted following the first potato blight of 1845. During periods of scarcity, both the Commissioners and the Government adhered to the idea of the social responsibility of the propertied classes. To some extent this was made inevitable, as the Famine clearly showed, by the practical limitations of the Poor Law: firstly, it was restricted to the amount that the workhouses could accommodate; secondly, those who did not fall into the category 'destitute' were excluded from receiving relief; and, perhaps most importantly, the principle of local chargeability meant that the Poor Law was limited financially by what could be raised locally - something which was to have disastrous repercussions after 1847. Although these factors were relatively unimportant in 1839 and 1842, the long-term and more widespread distress of the Famine years showed that the 1838 Act was not designed to cope with such crises.

The Annual Reports of the Poor Law Commissioners for 1845 and 1846 were self-congratulatory and optimistic. Although the Commissioners had issued mandamuses to the Tuam and Castlerea Guardians to force them to open their workhouses, the administration of the other 128 unions was operating smoothly. By the beginning of 1845, only 12 workhouses remained unopened and rates had been made in 126 of them. Overall, the financial condition of the unions improved although the building loans were still outstanding. (158) The Commissioners' confidence was to a large extent justified: within a few years they had introduced a Poor Law to Ireland which had been better received than the English one; rates were being well paid; and, to a large extent, relief was being provided in accordance with the provisions of the 1838 Act. As a
consequence of all of this, the introduction of the Irish Poor Law was more successful than had been expected by even its chief proponents. (159) The leitmotif of the English and Irish Poor Laws was the necessity to prevent large numbers of able-bodied men applying for relief. This fear proved to be completely groundless as the main inmates of the workhouses were the old, the young and the infirm. Due to the absence of other institutions providing medical relief, the workhouses were taking on the roles of hospitals. This was recognised as early as 1842 when Denis Phelan, an Assistant Commissioner who was also a doctor, inspected the sanitation of the workhouses with a view to introducing a Medical Charities Bill. (160) Apart from the lack of able-bodied men in the workhouses, these buildings were far from full and some Guardians complained that they were unnecessarily large. (160)

The Irish Poor Law, therefore, despite various teething problems, had by 1845 been firmly established. Certain aspects of it were unpopular and some of these, when challenged by the local administrators, had been removed. The resultant changes were primarily concerned with the details of the Law rather than the Law itself. Much of this dissatisfaction was directed, at the Commissioners, which was perhaps inevitable given the high level of centralisation of the Act. Opposition in Ireland rarely reached the degree it had in Britain where some of the workhouses had been burnt to the ground. The potato blight of 1545 and successive years, however, stretched the resources of the Poor Law to its limit, which meant that within ten years of its introduction it was to become an administration in crisis.
NOTES FOR CHAPTER ONE


8. Roberts, *Victorian origins*, p. 133; Report of Messrs. Bromley and Stephenson, 1854, relative to the Poor Law Commission etc., Ireland; and Treasury minute; and other papers, H.C. 1854-55 (0.28), XLVI, 213


11. 2 Vic. c. 1.


14. Coms. to A.P.L.C.s, P.R.O.I., L.B., 9 Oct. 1838; ibid., Burke to Coms., 22 Dec. 1843; *Morning Register*, 10 June 1839; Evidence of E. Senior, First to Sixth Reports of select committee of the House of Lords, appointed to inquire into the operation of the Irish Poor Law, and the expediency of making any amendment in its enactments, p. 146-148, H.L. 1849 (192) XVI, 1; (hereafter cited as Select committee on Irish Poor Law, 1849).

15. Nicholls, *Irish Poor Law*, p. 245; Appendix to Eighth A.R., 1842, p. 357; Eleventh A.R., 1845, p. 34.
16. Morning Register, 7 Aug. 1839; Kerry Evening Post, 7 Sept. 1839; Coms. to Burke, P.R.O.I., L.B., 24 April 1840; ibid., Burke to Coms., 5 June 1839, 12 June 1839.


18. Morning Register, 9 July 1839; R. Muggeridge, (A.P.L.C.) to Nicholls, H. of L.R.O., 1840, 605, 22 May 1840; Burke to Coms., P.R.O.I., 10 March 1841, 1 May 1841; Mem. from Mallow, S.P.O., C.S.O.R.P., 1840 0.6440, 17 May 1840; ibid., Mem from New Ross, 1840 0.6452, 25 May 1840.

19. Captain Chad, Kilkenny to L.L., S.P.O., C.S.O.R.P., 1839, 73/4488; ibid. Mem from Scariff to C.S., 1839 73/7185, no date; ibid. L.L. to New Ross memorialists, 1840 0.8576, 6 July 1840; Nicholls to Marquis of Normanby, P.R.O., H.O. 100. 263, 16 April 1840.


24. Coms. to Burke, P.R.O.I., L.B., 9 Oct. 1838, 20 Nov. 1839, 23 June 1840; Report of Poor Law Commissioners on the continuation of the Poor Law Commission and on some further amendments to the laws relating to the relief of the poor, p.29 H.C. (226) 1840 xvii, 167.

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27. Evidence of G. Gulson, Select Committee on Irish Poor Law, 1849, p 89; Nicholls to C. of E., Letters from the Poor Law Commissioners to the Treasury, stating the necessity of a further advance for the completion of workhouses in Ireland; also an account of the loans already granted for the erection of workhouses in Ireland, and of
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the further sums required, as far as the same can at present be ascertained, p.1. H.C. 1842 (4) xxxvi, 355., (hereafter cited as Enquiry into contracts for certain union workhouses).


29. Castlederg Gns. to H.S., H. of L.R.O., 1843, 102, 2 April 1841.

30. Extracts from M.B. of Edenderry Union, Copy of Memorial and accompanying papers from the Boards of Guardians of the Edenderry Union, in Ireland, to the Secretary of State for the Home Department complaining of certain acts of the Poor Law Commissioners, pp 1-2, H.C. 1843 (382), xlvi, 607


36. Evidence of James Pennethorne, Enquiry into contracts for certain union workhouses, passim.

37. Ibid, Nicholls to Graham, 22 April 1844, pp 521-525; ibid., Nicholls to Graham, 6 June 1844, p.555.


39. Report of select committee appointed to consider the report of the commission for enquiring into the execution of the contracts for certain union workhouses in Ireland, and to whom two petitions were referred, H.C. 1844 (441) xiv, 495.

40. Evidence of Power, Select committee on Irish Poor Law, 1849, pp 91-2; Coms. to Burke, P.R.O.I., L.B., 9 Oct. 1838.
41. Russell to Nicholls, reprinted in Book of Pamphlets (1837), 22 Aug. 1836.

42. Nicholls, Irish Poor Law, p.253; Sixth A.R., 1840, p.67.

43. Evidence of Power, Select committee on Irish Poor Law, 1849, p.8; ibid., evidence of E.Gulson, pp 89-95; ibid., evidence of E.Senior, pp 133, 142.

44. Nicholls, Irish Poor Law, p.150.

45. Nicholls to Graham, Enquiry into contracts for certain union workhouses, pp 125-134; D.Fraser (ed), The New Poor Law in the Nineteenth Century (1976), passim.

46. Nicholls, Irish Poor Law, p.289.


53. M.B., Tralee Union, K.C.L., BG.154.A.1, 22 Nov. 1844; M.B., Trim


58. Sixth A.R., 1840, p.50; Coms. to Burke, marked private, P.R.O.I., L.B., 14 Jan. 1841.

59. Seventh A.R., 1841, p.88


61. Morning Register, 13 Sept. 1839.


63. One Assistant Commissioners, Joseph Burke, for example, had 18 unions under his jurisdiction and worked 14 - 15 hours daily, seven days a week; See P.R.O.I. L.B., 25 June 1843, 3 Sept. 1843.

64. Nicholls, Irish Poor Law, p.253; Coms. to Burke, P.R.O.I., L.B., Oct. 1840.


68. Coms. to Skibbereen Gns., P.R.O.I., L.B., 16 May 1845.

69. Ibid, Coms. to Burke, 2nd Aug. 1844.

70. M.B., Dunshaughlin Union, M.C.L., BG.84.A.1, 7 June 1841 - 19 July 1842.


75. Coms. to Lowtherstown Gns., M.B., Lowtherstown union, P.R.O.N.I, BG.15.A.1, 8 Nov. 1841.


81. M.B., Wexford Union, W.C.L., n.c, 1 April 1843.

82. M.B., South Dublin Union, S.M.H., n.c. 24 April 1842.


84. Ibid., Circular from Nicholls, 25 Nov. 1842.


86. M.B., Lowtherstown Union, P.R.O.N.I, BG.15.A.1, 12 Nov. 1845.


88. Burke to Coms., P.R.O., L.B., 26 March 1844; 6 + 7 Vic. c.92.

89. M.B., Ballymoney Union, P.R.O.N.I, BG.5.A.2, 26 Feb. 1844 - 1 July 1844.
90. Nicholls to James Napier Lenox, H. of L.R.O., 1840, 689, 20 June 1840.


94. Nicholls, Irish Poor Law, pp 254-5; Seventh A.R., 1841, p.75; Chairman, Ardee Union to C.S., S.P.O., C.S.O.R.P., 1840 0.114, 6 Jan. 1840; M.B., Dunshaughlin Union, M.C.L., P.R.O.N.I, BG.84.A.1, 9 Jan. 1840; M.B., Kells Union, M.C.L., BG.99.A.1, 9 Jan. 1840; M.B., A.R.magh Union, P.R.O.N.I, BG.2.A.1, 29 Nov. 1839; M.B., Lowtherstown Union, P.R.O.N.I, BG.9.a.1, 1 Oct. 1840; Copies of any resolutions which have been passed by the several Boards of Guardians in Ireland and communicated to the Poor Law Commissioners, relative to the expediency of enacting a law for the suppression of mendicancy and vagrancy in Ireland, H.C. 1840 (168) xlvi, 357.

95. N. Edsall, Anti-Poor Law movement, passim; McDowell, administration of Relief in Edwards and Williams (eds.), Great Famine, passim.

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100. General Report by Haig and Deasy to Viscount Morpeth, Reports relative to the valuations for poor rates, and to the registered elective franchise in Ireland, pp iii - vii, H.C. (292) 1841, xxii,1.


102. Eighth A.R., 1842, p.54.

103. Ibid., p.50.


105. Ibid., Burke to Coms., 20 March 1843; ibid., Coms. to Burke, 19 July 1843, 23 Sept. 1843; Kerry Evening Post, 1 Feb. 1843; Voules (A.P.L.C.) to Coms., S.P.O., C.S.O.R.P., 1843 A.12334, 7


114. Tenth A.R., 1844, p.43.


118. Coms. to Burke, P.R.O.I., L.B., 20 Nov. 1842.

119. Ibid., Coms. to Burke, 2 Dec. 1843, ibid., Coms. to Clifden Gns., 25 Nov. 1842; Tralee Chronicle, 2 Dec. 1843.


121. Report from the select committee of the House of Lords, appointed to enquire into the operation of the Irish Poor law Acts relative to the rating of immediate lessors, and to report thereon to the House, pp 3-11 H.L. 1847-8.

122. 6 + 7 Vic. c.92.
123. Returns of Parliamentary electors; also of tenements valued for relief of the poor, H.C. (533) 1844 xliii, 323.


125. Burke to Coms., P.R.O.I., L.B., 22 April 1844.

126. Eleventh A.R., 1845, p.34; Nicholls, Irish Poor Law, p.300; Evidence of Senior, Select committee on Irish Poor Law 1849, p.147.


130. Ibid., 19 Aug. 1843; Kerry Evening Post, 8 Feb. 1843.


132. Ibid., 15 Feb. 1843; resolutions from various B.G.s received by Trim Gns., M.B., Trim Union, M.C.L., BG.155.A.2, Feb. - March 1845.


139. Sixth A.R., 1840, p.56.


141. Sixth A.R., 1840, p.56; Morning Register, 22nd March 1839, 15 April 1839.

1839.


144. Eighth A.R., 1842, p.50.


146. Ibid., Hall to C.S., 1842 Carton 1097, 20 June 1842.


148. Burke to H.S., P.R.O.I., L.B., 9 June 1842.


152. Ibid., Ennis Gns. to Coms., 1842, Z.9828, 21 July 1842.


155. Ibid., Voules to Nicholls, 1842 Z.8906, 29 June 1842; ibid., Senior to Nicholls, Z.9202, June 1842; ibid., Gulson to Coms. Z.9828, 21 July 1842.


159. Evidence of Senior, *Select Committee on Irish Poor Law, 1849*, p.133.


161. Ibid., Burke to Coms., 12 Jan. 1842; Circular from Stranorlar
Gns., M.B., Tralee Union, K.C.L., BG.154.A.1, 26 Nov. 1844; M.B.,
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CHAPTER TWO

The Famine.

The Poor Law is bypassed.

1845-1847
The role of the Poor Law in the early years of the Famine has received scant attention from historians who have deemed it of minor importance. This is due, to some extent, to the fact that the initial British response to the failure of the potato crop was to introduce extraordinary relief measures rather than extend the existing administrative machinery of the Poor Law. From the harvest of 1845 until the introduction of the Extension Act in 1847, however, the Poor Law played a significant part in the overall relief operations, and the value of the Poor Law was realised by contemporaries. Charles Trevelyan, for example, Assistant Secretary at the Treasury, who played an important role throughout the Famine, admitted in 1847 that it had provided 'a new and invaluable machinery for the relief of the poor' which also provided a useful supplement to other forms of relief. (1)

Initially it was hoped that the shortages resulting from the failure of the 1845 harvest would be similar to earlier years of distress - there had been partial failures of the potato crop in 1817, 1822, 1839 and 1842. The remedy applied by the Government in 1846 was similar to that adopted in 1839 and 1842 which had achieved a high degree of success. At this time, there was no conception that this was any more than a temporary failure.

This view meant that the country was poorly prepared for the crisis which it was to undergo. In many unions the Boards of Guardians had to stretch their limited resources to supplement the inadequate temporary relief measures. The actions of the Guardians were frequently in direct contravention of both the letter and spirit of the 1838 Act. Often, they were forced to oppose the wishes of the Poor Law Commissioners and the Government, who had intended to keep the ordinary Poor Law system
separate from the extraordinary measures precipitated by the failure. The further appearance of the blight in 1846 meant that the distress could no longer be viewed as short term and the temporary relief measures had to be reviewed. The dramatic increase in distress resulted in a more permanent system of relief embodied in the Poor Law Extension Act of June 1847, which recognised the Poor Law as the main source of relief. (2)

George Nicholls had realised that one of the limitations of the Poor Law was its inability to provide sufficient relief during a period of acute distress or famine. (3) The ability of the Poor Law to provide relief was limited by the fact that the workhouses could only accommodate a total of 100,000 paupers. Attempts to meet additional distress through outdoor relief were not possible under the terms of the 1838 Act.

The Government preferred to introduce other relief measures to alleviate the situation because they believed they were applying a 'temporary remedy' to a 'temporary, though widespread calamity'. A fourth Poor Law Commissioner was appointed, however, who was solely responsible for the Irish Poor Law. Sir James Graham, the Home Secretary, informed the Irish Executive in Dublin Castle, that the Government had chosen a method which had been successful in the past rather than one of 'uncertain expediency'. He added that as the recent distress was widespread and workhouse accommodation alone could not cope with it, outdoor relief would have to be made available. Parliament had specifically rejected all plans of outdoor relief when it had considered the Irish Poor Law. If the Poor Law was to be temporarily modified in this way, there was a danger that these changes could become permanent.
New machinery for outdoor relief would have to be created which would take time to implement. Also, if the demand for relief rose substantially, the payment of poor rates would rise accordingly and the income of individuals would be diverted from creating employment to the payment of poor rates. Graham felt that the Guardians would be reluctant to levy the increased poor rates, whilst the ratepayers would resist their payment. The Government preferred that if any changes were to be made in the Poor Law, they should be considered at length rather than in a hasty fashion at a time of extraordinary distress. Edward Lucas, the Under-Secretary at Dublin Castle, agreed with this view. He regarded the Poor Law as perfect as any law could be and dreaded any departure from the system which it had introduced to check destitution but he feared, however, that its enemies would delight in its being bypassed. (4)

The Government had little concept of the size of the problem. A Scientific Commission was set up in 1845 comprised of Dr Lyon Playfair, Dr John Lindley and Sir Robert Kane to investigate the cause of the potato blight. They reported that the problem was greater than was acknowledged. Following this, the Prime Minister, Sir Robert Peel, repealed the Corn Laws in order to bring down the price of corn. This measure, which became law in June 1846, was political suicide for the Tory Party and it brought about the fall of Peel's Government. (5)

The Government realised that the main burden of the distress would not be felt until May or June of the following year which would give them time to prepare the additional relief measures before the pressure began. These relief measures were on a larger scale than in previous crises and consisted of two main components. Firstly, a Relief
Commission was established in Dublin which controlled and coordinated the efforts of local relief committees and superintended the distribution of the £100,000 worth of Indian corn imported by the Government from America. Secondly, the Board of Works was given a grant to implement relief works. The Government defined its own role as 'stimulating, directing and supporting', but not superseding the duties of local landlords. They were concerned that the whole burden of relief should not be thrown upon them. (6)

The Relief Commission first met on the 20 November. It consisted of some of the most influential members of the Irish administration: Sir James Dombrain, the Inspector General of the Coastguard; Colonel Harry Jones of the Board of Works, Edward Twistleton, the new Irish Poor Law Commissioner, Sir Randolph Routh, senior officer in the Commissariat Department of the Army, John Pitt Kennedy, former Secretary of the Devon Commission; Sir Robert Kane, the distinguished scientist; and Edward Lucas, Under-Secretary at Dublin Castle, who was appointed chairman. In January 1846 the Relief Commission was reorganised and Randolph Routh appointed chairman and Harry Jones dropped from the Committee. The Commission had to ascertain the extent of the distress, organise the formation of local relief committees comprised of landlords and other notables, and superintend the distribution of grain. The main function of the local committees was to raise subscriptions for the purchase of food which they were to sell, or in emergencies, distribute gratuitously to the local needy. Between 600 and 700 of these committees were established throughout the country and by July 1846 they had raised a total of £98,000 in voluntary subscriptions - the largest sum ever raised for the relief of distress in Ireland, to which the Government
The Board of Works became involved in the relief operations in December 1845, at the request of the Lord Lieutenant. Shortly afterwards, the Government decided that the Board of Works should be the main organ responsible for relief and introduced the Public Works Act in March 1846. Funds were to be granted from the Treasury for relief works, matching exactly the sums provided by the local taxpayers. The burden therefore, was to be distributed equally on local and imperial taxation. This Act enabled the magistrates and principal cess payers of the district to obtain advances of public money through the Presentment Sessions. Grand Juries forwarded applications to the Treasury, and if approved, the money was forwarded through the Public Works Board. These advances which were half grant and half loan, were to be repaid by the Barony concerned out of the Grand Jury Cess. Up to August 1846, £733,000 was expended in this way, of which £368,000 was a loan and £365,000 a grant. (8)

In the spring of 1846, the £100,000 worth of Indian corn purchased by the Government arrived in Ireland. Two main depots were established, one in Cork and one in Limerick from which the corn was to be released gradually onto the market when prices rose. It was to be sold at a low price to relief committees and where these were not formed, to needy individuals. Depots were to operate from May 15 to August 15 except in exceptional circumstances. (9)

There were considerable problems in distributing this corn. Early in 1846 Sir Randolph Routh, Chairman of the Relief Commission, approached Twistleton, the Poor Law Commissioner, and asked if the
Commission could use local Guardians as agents to receive and distribute grain at cost price. The Guardians were initially to pay for it from the poor rates. Twistleton, however, was adamant on this point. He felt the Guardians would be prepared to cooperate in this scheme, but any form of outdoor relief was contrary to the instructions he had received on the potato failure. At the same time, the Guardians had no power to levy rates for the purpose of outdoor relief. Although Routh acknowledged there might be problems in regard to the paying of advances from the rates, he felt this could be circumvented and appealed to Trevelyan for advice. (10)

The important role which the Poor Law was to play was indicated on 20 November 1845 when a fourth permanent Commissioner, based in Dublin, was appointed to the Poor Law Commission. The powers which had been given to Edward Gulson and Alfred Power, the two acting Commissioners since 1843, were revoked, and Edward Twistleton, an English Assistant Commissioner, was appointed Commissioner. (11)

The main official function of the Poor Law system at this stage was the care of fever victims. The Amendment Act of 1843 had authorised workhouse facilities to be used to treat fever victims who were poor, but not necessarily destitute. Since periods of widespread distress were usually followed by an outbreak of fever, in the absence of a national hospital system, the service provided by the Poor Law was extremely valuable. (12) Twistleton, the Poor Law Commissioner, believed that no change in the law on medical relief was necessary but that full advantage should be taken of the powers already given to the Guardians. Routh, who was more apprehensive, believed there would be cases which the Poor Law did not cover and requested increased powers to appoint
medical attendants. (13)

In December 1845, the Poor Law Commissioners sent a circular to each Board of Guardians reminding them of the provisions of the 1843 Act regarding fever. They recommended that a separate and distinct building should be erected on the workhouse grounds rather than fever victims remaining in the workhouse buildings. (14) The Commissioners realised that the building of a permanent fever ward would take some time and so, in emergencies, they advised that temporary sheds of timber should be built. This had been done in Galway in 1844 and was both economic and effective. If there was no urgency, the Commissioners decided the preferred long-term solution was to erect a permanent structure. Various Boards of Guardians enquired how the money for the buildings was to be raised, to which the Commissioners replied that the money could be borrowed from any person willing to advance it and could be repaid over 20 years. (15)

Very few Guardians had taken advantage of the medical provisions of the 1843 Amendment Act. At the beginning of 1846 only 11 fever hospitals had been built and eight hired or rented. In 23 other unions, the fever victims had either been sent to a separate hospital or relieved in wards connected with the workhouse. In the remaining 88 unions, nothing had been attempted. On 12 January 1846, the Commissioners sent a further circular to the Guardians on the subject of fever wards. Two months later, the Home Secretary announced the setting up of a temporary Board of Health in Dublin under the control of the Lord Lieutenant who could require local Boards of Guardians to set up fever hospitals and provide medical assistance. This was a temporary measure and was to expire in September 1846. By May of that year, 50
fever wards were completed or in progress, but the majority of Irish unions were without adequate facilities to combat any outbreak of fever. (16)

The correspondence of the Poor Law Commissioners with their Assistant Commissioners suggests they felt no undue apprehension about the effects of the blight. In November 1845, they predicted there would be an increased pressure on the workhouses during the following spring and summer. They believed that rates might be more easily collected than usual due to the high price of agricultural produce. The Assistant Commissioners, therefore, were to urge the Guardians to strike as high a rate as the circumstances of the union would allow and collect as much of it as possible before spring 1846. (17)

The main impact which the potato blight initially had on the administration of the Poor Law was in regard to the workhouse diet. At the beginning of November, the Commissioners allowed the Guardians to substitute other food, such as rice, for potatoes, which formed a substantial part of the Irish diet. The Commissioners felt that this would help reduce the demand for potatoes. By May 1846, only 69 of the unions had found it necessary to modify their diets. (18) At the same time, the Lord Lieutenant had recommended that the Guardians oversee the manufacture of flour, starch, farina etc. from the diseased potatoes by the workhouse inmates. This was to be done on a daily basis for the benefit of poor people in the union. Sound potatoes were not to be used. Although some Guardians attempted this, the conversion proved to be difficult and expensive and generally the scheme collapsed. (19)
The role of the Poor Law in this initial period of distress was therefore, to be limited. The Guardians were merely to supply the Government with weekly information on the state of the potato crop in each electoral division and to extend the facilities for the medical treatment of the poor. (20) In this way, the Government hoped to keep ordinary and extraordinary distress separate. Although there was an increase in the number of workhouse inmates at the beginning of 1846, the workhouses were by no means full. Because of this, neither the Commissioners nor the Guardians felt any undue alarm as to the ability of the Poor Law to meet the increased distress. (21)

The Government had intended that the relief operations would be closed in mid-August, about the time that the new potato crop would be ready. (22) As early as July, however, there were reports of blight and these increased as time passed. By the end of the year it was obvious that blight and distress had appeared in every electoral division in Ireland. The blight of 1845 had been localised, but the information now reaching the Government showed that the disease had spread to all areas. By early August, it was apparent that there was going to be a widespread failure of the potato crop. (23) Government intervention was again inevitable but what form it would take was debateable.

Throughout the spring and summer of 1846, there had been great pressure on the grain depots although their value in relieving distress was generally acknowledged. (24) The intervention of Government had annoyed many Irish merchants who felt their market had been eroded. (25) This belief was also present in Government circles. Trevelyan felt that the relief committees' purchase of grain had made it difficult for private merchants to survive, and had forced some of them to reduce
their activities which, in the long run, would not be beneficial to the country. Routh feared that further intervention would paralyse all private enterprise, which would leave Ireland dependent on the Government for years. The Government therefore, compromised and assured Irish merchants that there would be no interference with the provision trade in the east of the country. (26)

There was also apprehension in Government circles that the Irish people were depending excessively on the grain depots. It was necessary to wean them from relying on the Government and instead encourage more self-help. Accordingly, the Treasury ordered that no more depots were to be established and that the existing ones - now confined to the west - were only to be used as a last resort. (27)

The events of the summer of 1846 were to have a significant bearing on the role of the Poor Law in the remaining years of the Famine and to shape fundamentally the post-1846 system of poor relief which evolved from the earlier system. This reluctance of the British Government to import food in order to alleviate the distress occurred because, according to one historian of the Famine, they were unwilling to tamper with the normal workings of the market. (28) The reality was more complex. 1846 saw not only a potato blight in Ireland and most of Great Britain, but also a general European failure of the grain harvest. As a result of this, the price of American grain rose and there was a fall in grain stocks for sale. Trevelyan remained confident that the Government would be able to obtain grain supplies for Ireland. He realised that purchasing it would have to be done in such a way as not to increase further the already high prices in the rest of the United Kingdom where, he declared, the population would have to depend on its own
efforts. (29)

By December 1846 however, Routh was accusing the Treasury of not having made a sufficient effort to purchase meal and grain for the Irish distressed. Trevelyan replied that it was no longer within the power of the Government to obtain food supplies: in the preceding year their purchase had been a question of money, this year it was a question of supply, and the Government had been unable to procure sufficient meal and grain. (30)

Just as the arrangements for the supply of food were reordered in the autumn of 1846, so were the arrangements for Public Works. The Public Works Act, introduced in March 1846, was due to expire on August 15, by which time it was hoped the new crop of potatoes would be harvested. The reappearance of the potato blight meant that a new Act had to be passed for the works to continue. This time the system of relief works introduced by the Government was deliberately intended to throw more of the responsibility for relief on the Irish themselves. (31)

The demand for employment during the spring and summer of 1846 was large. Trevelyan attributed this to the landed proprietors using the public works for their own ends rather than as a means to relieve the distress. The benefits of the half-grant system meant that a demand existed for it whether or not relief was required. Trevelyan concluded from this that, whereas in earlier periods of distress, the relief works had been confined to the remoter parts of Ireland, the recent Act extended it to the whole of the country and this appealed to the landlords' sense of greed. (32)
The Treasury held the Board of Works responsible for employing numerous people on the public works who were not in need of relief. Since they paid wages above subsistence level, the people preferred them to normal employment. They attributed most of the blame for this to local factors: relief committees were accused of not having made adequate investigations before issuing tickets for employment whilst the local superintendents were described as incompetent. (33) The Public Works Act of August 1846 therefore, was passed with a view to eliminate these shortcomings.

The new Public Works Act became popularly known as the Labour Rate Act. This Act abolished the system of half-grants. The Government would no longer pay half of the cost of the relief works, instead the expense was to be paid entirely by the district in which they were carried out. This money could be borrowed initially from the Treasury and was to be repaid at 5% interest per annum in annual installments over four to six years. The Presentment Sessions at which public works were requested were no longer to be voluntary, as under the 1845 Act, but were to be summoned by the Lord Lieutenant. (34)

An important change which the Act made was that the money known as the labour rate— which was to pay for the relief works—was no longer to be raised in the same way as Grand Jury Cess, but was to be levied in the same way as poor rate. This brought the financing of labour relief into line with normal poor law finance. A grant of £50,000 was simultaneously made available for distribution among districts considered too poor to bear the burden of this rate.
Certain new conditions were introduced by the Act which were intended to make employment on the relief works less attractive. The Government feared that if they did not do so, labourers would again forsake their permanent employment, preferring the terms offered by the public works. The Government hoped that by placing more of the financing on the landlords, the relief in the coming season would be more effectively administered. (35)

The structure of the local relief committees was also to be altered to meet the approaching distress. Membership was no longer to be voluntary and its members were to be chosen by the Lieutenant of the county from people of standing in the community such as magistrates, constables, chairmen of Poor Law unions and clergy of the main denominations. These committees no longer had the power to issue tickets of employment to distressed persons, but were to compile lists of people whom they considered eligible for employment. Subscriptions continued to be raised locally, but the contribution of the Government was to be reduced to one half of that raised voluntarily - although it was subsequently increased to be equal to the amount raised. The committees were told that each application for relief was to be carefully scrutinised. People who occupied land were no longer automatically eligible for relief, and those whose land was valued at more than £6 per annum were to be rejected unless 'the most undoubted evidence of destitution shall be presented'. (36)

All of these measures indicate a significant shift in Government policy in the second season of distress. Although it was acknowledged that the relief measures of the previous spring and summer had been adequate, it was felt their success had been achieved at a very high
price. The Government saw its role as support rather than total control, and feared the consequences both for themselves and for Ireland if they became too deeply involved. Landlords were not bearing their fair burden and were using the relief committees for their own benefit. At the same time, Government interference was disrupting the normal market mechanisms and people were forsaking their own labours for public employment. (37)

The new system of relief therefore, was designed to place more of the burden of relief on the localities. For this purpose, the machinery of the Poor Law was used to a greater extent than in the previous year. The chairman of each Poor Law union was to be an ex-officio member of local relief committees, the Assistant Commissioners were to assist Routh in stimulating and reporting on relief committees, the Guardians were to supply these committees with information on the value of holdings in each union, and most importantly, public works were now to be funded in the same way as poor rates - a system which threw a high portion of the burden on the landlords. (38) All of this is in strong contrast to Twistleton's aversion to any link existing between 'normal' and 'extraordinary' poor relief.

Although the Government's policy was moving towards giving the Poor Law a greater role in the management of relief, it was to remain subsidiary. Both the Commissioners and the Government continued to view the Poor Law as secondary in the new relief programme, while the public works and relief committees were to be 'the principal means of contending with the calamity'. (39) Nevertheless, the Poor Law was to contribute to the maximum within its limits. The Commissioners were aware that a second failure of the potato crop would put a strain on
their limited resources. In September 1846 they circularised each Board of Guardians telling them that as there was going to be an increase in poverty and destitution, they should review their stocks, contracts and finances. The Guardians were also to base their estimates for new contracts and levying rates on the assumption that all the workhouse accommodation would be needed for a considerable period from the end of the summer. As the finances and accommodation of the Guardians were limited, the Commissioners informed them that they should make maximum use of them. (40) Guardians were to leave nothing undone to provide relief within the framework of the law, especially for the 'primary objects' referred to in the 1838 Act, that is, the old, sick, infirm and disabled persons. Thus it was felt that even the most destitute class would be provided for as the 1846 legislation had little impact on them. (41)

By the spring of 1846, some Boards of Guardians were finding the increase in distress a heavy burden on their resources. To some extent, this was a bad omen, as the usual peak of distress did not occur until the summer period. In the Tralee union, as early as February, there had been a considerable influx of applicants for the workhouse and the Guardians had to send a Memorial to the Lord Lieutenant requesting public works to be brought to the area. (42) The Cork workhouse had been so full that the Guardians had tried to acquire additional accommodation. They blamed this intensified pressure on more old, sick and feeble, who were the principal encumbrance on distressed families, coming into the workhouse. (43) In the Fermoy workhouse, there had been a substantial increase in the mortality of the inmates due to large numbers coming into the workhouse with fever. (44)
This extraordinary pressure was confined to a few of the unions in the south of Ireland and tended to be of short duration. In general, the Guardians had been satisfied with the relief measures of the Government and, with few exceptions, had felt no undue strain on their facilities. The Ballina Board of Guardians even went as far as passing a resolution in May 1846 approving of the measures adopted by the Government which had brought the price of food within the range of many. (45)

The second failure of the potato crop in 1846 had an immediate impact on the Irish workhouses, especially those in the poorer regions of the south and west. In October, the number of inmates in workhouses throughout the country increased rapidly. Before the end of the month, the Cork, Granard, Ballina and Waterford workhouses were full, and by Christmas, well over half of the workhouses were in a similar position. Numbers continued to grow until February 1847 when they peaked and almost 100 workhouses contained excess numbers of inmates. (46) This pressure on the Poor Law so soon following the harvest was atypical and indicated a crisis in the demand for relief which was likely to worsen as the season progressed.

In 1847, the destitution was much more widespread than before and people were much less resilient than they had been 12 months earlier. The relief promised by the Government took a long time to materialise. The Presentment Sessions were due to commence on 6 September 1846 but the experience of the previous year had shown that the process of organising relief works was a protracted one. This problem was not solved in the second year of distress and in some areas there was an additional delay because some landlords could not afford their share of
the contribution or even sufficient security for a loan. (47)

Trevelyan had ordered that, wherever possible, wages this year should be reduced. In Mayo and Roscommon, when the labourers received the news that their wages were to be cut, they rioted. In other areas, there were delays in the payment of wages which often resulted in assaults on the pay clerks. In Timoleague for example, employees had only received one week's wages when they had worked for six. This situation was not helped by the fact that local relief committees were poorer than they had been in the previous year. Colonel Jones, chairman of the Board of Works, felt that the committees were acting so badly that the Board of Works should dissociate itself from them completely. (48)

The tale told by the correspondence of the Board of Works for this period is despondent: the relief works were felt to be inadequate, the demand for employment exceeded supply; there were many outrages and attacks on the officers; and destitution was much greater than in the previous year. By November 1846, it was obvious that the system had broken down in many places and there was a growing conviction among the administrators that labour and relief should be kept separate. (49)

The shortcomings of the Government relief system resulted in crowds of people going to the workhouses, often the only established relief organisation in the area, some demanding admittance, others food or temporary relief. The pressure for relief grew as the full implications of the failure became clear. While it was intended that the contribution of the Poor Law should be confined to what could be afforded in the workhouses, even by early October 1846, pressure for
relief had already exceeded this limit which resulted in outdoor relief being administered by many Guardians, which was directly contrary to the provisions of the 1838 Act and the instructions of the Commissioners. This was a departure by the Guardians from both the spirit and letter of the Poor Law. It was to force the Government to reconsider the role which the Poor Law was to play and contributed to the passage of the Poor Law Extension Act of August 1847. As a result of the rising demand for relief, the dichotomy between how the Commissioners at central level viewed the Poor Law and the Guardians' assessment of it, which was determined by local circumstances, was even sharper than usual.

In many areas, the workhouse became a focal point for an assembly of people to air their grievances, and the Guardians became a medium through which they felt they could make the Government aware of the problem. On some occasions, this was accompanied by threats of force, but instances of actual violence were few. The Guardians responded to this, swiftly and compassionately; parts of families were admitted to the workhouses, free meals were provided on the premises, and the numbers admitted to the workhouses often exceeded the official limit. All of this was totally contrary to the provisions of the 1838 Poor Law Act.

In the Annual Report of the Poor Law Commissioners for 1847, they admitted that towards the end of 1846, a few unions in Cork, Kilkenny and Tipperary, had attempted to introduce a system of outdoor relief. As this was not allowed by the Irish Poor Law, the Commissioners urged the Guardians to discontinue it and gradually outdoor relief was stopped. (50) The reality of the situation was more complex. From September 1846 until April 1847, there is striking evidence in the
unions of Skibbereen, Dunmanway, Macroom, Cork, Tralee, Kanturk, Mallow, Fermoy, Waterford, Tipperary, Carrick-on-Suir, Callan, New Ross, Kilkenny, Carlow, Cashel, Abbeyleix, Edenderry, South Dublin, Trim, Dunshaughlin, Bailieborough, Kilkeel, Banbridge, and possibly others, that the Guardians were administering an 'ad hoc' system of relief which was totally beyond the parameters of the system envisaged by either the Commissioners or the Government. When urged to discontinue, some Guardians refused outright to do so, others promised to comply as soon as alternative relief was made available. Many of those who did bring outdoor relief to an end, recommenced it within a few days as the pressure for relief continued. (51) Outdoor relief therefore, on a wide scale, was being carried out intermittently before it was officially introduced in the summer of 1847.

The first union in which an illegal system was carried out was Cork. Since 24 September, they had been providing breakfast for up to 1438 people who had not been regularly admitted to the workhouse as inmates. The Guardians explained that this was the result of the tardiness in establishing relief works in the union and they appealed to the Government for their introduction. (52)

Hearing of the situation in Cork, the Commissioners ordered their Assistant Commissioner, Joseph Burke, to proceed immediately to the union and impress upon the Guardians their objections to this measure. Burke was warned not to refer to the legality of the Guardians' activities, as the Commissioners wanted more information before they took legal advice. The Commissioners adopted a conciliatory attitude to the Cork Guardians. They explained they had grave objections to their approach because the Guardians were administering a system not intended
by the 1838 Act and without precedent in either England or Ireland. This meant that it was fraught with evil consequences to the moral and social condition of the labouring classes. The Guardians were also reminded that they were administrators of public funds and their actions might be bringing upon the ratepayer a burden too heavy to be borne. In a private communication to Burke, Alfred Power who was temporarily filling in for Twistleton, told him that he found what was going on alarming and feared that it might spread to other unions where neither the funds nor the personnel to administer outdoor relief existed. (53)

On 6 October, the Cork Guardians decided to stop giving food to those who had not been admitted to the workhouse because they expected public works to commence within a few days. The Commissioners were apprehensive that this news might result in local disturbances but their fears were unwarranted. The Guardians did resolve however, to continue admitting to the workhouse the wives and children of men who were waiting for employment on the public works, although this was forbidden by the 1838 Act. (54)

At the end of October, the Cork workhouse was full but all destitute applicants for relief continued to be admitted. This brought the Guardians into conflict with the Commissioners, who warned the former of the evil consequences of admitting more than the number recommended by the workhouse Medical Officer. (55) By the beginning of November, public works had not yet commenced in many parts of the union and the pressure for workhouse relief was continuing to grow. Confronted with this, the Guardians once again began to administer outdoor relief. The Commissioner again told the Guardians to stop this but the Guardians refused to do so until the relief works had commenced.
The Guardians added that although they were opposed to outdoor relief in principle, they viewed their activities as a temporary, though necessary, measure. (56)

Although public works were eventually commenced throughout the union and outdoor relief discontinued, the demand for admittance further increased. By January, the Guardians again considered providing a daily meal to people who were not workhouse inmates. The Commissioners had by this stage received legal advice from Jonathan Henn Q.C. on the provision of outdoor relief, and it confirmed the illegality of such action. The Commissioners advised the Cork Guardians to look for additional accommodation but the Guardians replied that even if they could find it at such short notice, they would not be able to pay for it. The Guardians were even pessimistic about the Poor Law as a method of providing relief. They felt that an extensive system of relief could not be supported by the levying of a heavy rate on an impoverished country. This resulted in their passing a resolution condemning the Poor Law as inadequate to meet the prevailing destitution. (57)

Although the Commissioners hoped that this system of outdoor relief would not spread to other unions, it soon became obvious that it had. Within a few days of the Commissioners hearing of what was happening in Cork, it became known that a similar system was being operated by the Fermoy Guardians. When Burke visited the union in early October, he found that between 400 and 500 people who were not inmates had been receiving a daily breakfast of stirabout for about a fortnight. The Commissioners asked the Guardians to discontinue this practice, but the latter resolved to continue for a further week. (58) This pattern was repeated in the Macroom, New Ross, South Dublin, Dunshaughlin and Trim
unions where outdoor relief was given to people who were not workhouse inmates. Although the Commissioners continually objected to this, they were generally ignored and the system continued until public works were commenced. (59)

In other Irish unions, the inadequacy of the Government relief system resulted in the improvisation of a system of outdoor relief through the medium of the Poor Law. The Skibbereen Guardians described the distress in their union as heartbreaking and because they felt they were responsible for the relief of the poor, they resolved to open soup kitchens. (60) The Edenderry Guardians also opened a soup kitchen for the poor of the union as they regarded the other relief measures as inadequate. (61) In Waterford, the Guardians admitted parts of families freely to the workhouse. (62) In both the Dunmanway and Kanturk unions, able-bodied men who were without employment were provided with a meal at the workhouse. (63) In the Kilkeel union the Guardians were giving meals in the workhouse to people who slept in their own homes at nighttime. (64)

Generally, when the Commissioners realised that these illicit forms of relief had been adopted in a union, they instructed the Assistant Commissioner in the area to directly proceed there and convince the Guardians of the inexpediency of their actions. This was followed by a letter from the Commissioners in which the Guardians were asked to stop this form of relief. If the Guardians gave prolonged outdoor relief, the Commissioners threatened to tell the auditor of the union in question to disallow the charge so incurred. (65) Whenever possible, the Commissioners preferred to dissuade rather than threaten the Guardians. Although many Guardians agreed in principle with what the Commissioners
said, they were usually forced by local circumstances to continue to administer illegal relief.

By mid-December, the Commissioners hoped that financial considerations would force local Guardians to limit the amount of relief they were providing. The Commissioners had by this time received a report from Edward Senior, their Assistant Commissioner in eastern Ulster, which they considered significant. When referring to the Kilkeel Guardians who had begun to give outdoor relief, he adverted to the pecuniary difficulties which this would involve. Senior pointed out that as it took six months to collect a rate and it could only be collected in the winter months, the rate could not be increased with ease. Since estimates for this year were already too low and because about one third of the rate had been lost due to the blight and general crop failure, only two or three of the unions in his area could stand the drain on their resources of giving extraordinary relief. The Commissioners felt that as Senior's unions were the most prosperous in Ulster, his argument applied with more force in Munster and Connaught, where the practice of outdoor relief was much more widespread and the unions poorer. They also believed it to be unjust for this burden of additional relief to be thrown on the Poor Law. (66)

The Poor Law Commissioners felt that when a union workhouse became full, 'the duty of relieving the destitute poor then devolved upon the relief committees which had been established in it'. (67) Twistleton, the Chief Commissioner, informed the Home Secretary:

'where the workhouse of a union is full, and the finances would not bear new expense, I confess that it does not appear to me that the responsibility of deaths from starvation rests either with the Boards of Guardians or the Commissioners'. (68)
The fact that the local relief committees received a Treasury grant in addition to local subscriptions, meant that they should have sufficient funds for this relief. (69)

As early as October 1846, it became increasingly obvious that in many unions both workhouse accommodation and the income from the poor rates were likely to prove inadequate to cope with the increased pressure on them. In many unions, demand for admittance had begun to exceed the accommodation available, but various Boards of Guardians continued to admit people. By the beginning of 1847, over 90 workhouses contained an excess number of inmates and demand for admittance was still growing. (70)

When the Waterford workhouse became full in October, for example, the Guardians carried on admitting the families of able-bodied men, and assured the Commissioners that they would discharge all able-bodied inmates when the relief works commenced. (71) The Kilkenny workhouse became full in November and the Guardians gave outdoor relief to between 1,612 and 1,820 persons daily. When the Commissioners told them that they were acting illegally, the Guardians replied that as the food was consumed on the premises, they were acting within the spirit of the Poor Relief Act. They added that they were determined to continue with this, despite the enormous expense, as the alternative was to leave the wretched people to starve. (72)

In other unions, the Guardians continued to admit paupers beyond the approved number. The Guardians were urged not to admit in excess of the number recommended, and the Commissioners told them they would be responsible for the consequences if they did. Not only did overcrowding
increase the risk of infection in the house, but the Commissioners regarded it as being beyond the duty of the Guardians. They also informed the local administrators that by thus stretching their limited resources, they were converting these means to evil rather than good. The Guardians were asked to revise their lists of inmates with reference to the primary objects of relief. Parliament had made provision for those who were able to work, which meant that the destitute able-bodied poor had only a secondary claim to Poor Law relief. The Guardians were directed to contact the local relief committees whose job it was to provide for those unable to be maintained in the workhouse. (73)

The great increase in people wanting workhouse relief took many Boards of Guardians by surprise, especially when compared with the distress 12 months earlier which had had little impact on the Poor Law. Many Guardians appealed to the Government to bring public works to their area, hoping that this would reduce the pressure on them. This course of action was approved of by the Commissioners who viewed it as the best way of keeping the able-bodied out of the workhouse. (74) Some Guardians blamed the insufficiency of Government relief for throwing so much of a burden on them. The Guardians of the New Ross, Wexford, Kilkenny and Carlow unions jointly sent a Memorial to the Lord Lieutenant in which they accused the Government relief measures of being badly administered, of having made no provision for large families or the infirm, and of generally being inadequate to meet the distress. The insufficiency of Government relief resulted in many Boards of Guardians co-operating with their local relief committees in an attempt to increase the efficiency of the relief services. (75)
The inadequacy of the relief committees to deal with the growing distress meant that where necessary, the Guardians continued to admit paupers liberally to their workhouses. This defiance by the Guardians resulted in a change of approach by the Commissioners. From December 1846, they allowed the Guardians to take steps to provide extra accommodation. This could be achieved either by erecting extra sleeping galleries in the workhouse or sheds in the workhouse grounds, or by hiring additional buildings in the union. The Commissioners did not want the existing workhouses to be extended as this would take too long to implement. (76) This change of policy was partly motivated by the Commissioners' fear that the effectiveness of the workhouse test was being eroded. They did not recommend this on a large scale, however, as they realised that the finances of some unions would not be able to bear a large increase in expenditure. Only if a workhouse became full did they suggest this and, at the same time, they impressed upon the Guardians that they must not look to the Government for financial assistance for this purpose. (77)

When the potato blight reappeared in 1846, both the Commissioners and the Government desired to adhere to the underlying principle of the previous year's relief system, that is, that the permanent and temporary should be kept separate as far as possible. However, in the months following the harvest, the demarcation between the relief systems was becoming less well defined under the continuous pressure for assistance, whether employment, food, or workhouse relief.
In some areas, the local relief committees found the distress so overwhelming that they approached the Guardians for help to relieve it. In Carrick-on-Suir, the Guardians received an application from the local committee asking them to provide breakfast and dinner to persons who were not inmates of the workhouse. (78) In the same way, the Cavan Guardians were requested to provide extra relief to non-inmates of the workhouse. The Guardians agreed to this because they realised that there were problems in obtaining employment under the Labour Rate Act. Although the Commissioners acknowledged that in these cases the Guardians were acting from the purest motives in cooperating with the relief committees, they were anxious that the two bodies should conduct their business separately. Despite this, the Guardians resolved to keep providing such assistance until public works were commenced. (79)

Requests were also made by some relief committees for permission to use the facilities of the local workhouse, such as the kitchen, boilers, wards, etc. Although the Guardians were generally willing to comply with this, the Commissioners again requested them not to do so, arguing that it would interfere with the administration of the workhouse. (80)

Although the poor rate collected between September 1846 and March 1847 exceeded by one third the amount collected in the same period in the previous year, this money was rapidly used up. In March 1846, the cumulative credit balances of the Irish Guardians had been £52,115, whereas, by March 1847, they were in debt to the value of £4,619. In some unions, the Poor Law had not been long enough in operation to be on a secure economic footing and the loans for the workhouse buildings were still outstanding throughout Ireland. The burden was especially heavy in some of the southern and western unions which had a low valuation,
particularly those in Mayo and Clare where the poor rates were only just beginning to be levied. (81)

Since 1844 there had been few problems in the collection of poor rates, but the second failure of the potato crop exacerbated these difficulties. Throughout the country, rate collectors found it difficult to obtain payment, and even if the rates were well paid they were sometimes inadequate to meet the increased union expenditure. The price of food was rising everywhere and now the Guardians were having to purchase enough food, bedding and clothing, for a capacity number of inmates. (82)

The finances of the Ballina union were totally exhausted by the end of September 1846, and their contractors were refusing to supply any more provisions. The Guardians applied to the local landlords, agents and other notables to give them help so that they could continue to provide relief. (83) The Castlebar Guardians also had problems with their contractors. By Mid-October they owed them £1,000 and the supply of provisions to the workhouse was stopped. Their chairman, Lord Lucan, had been supporting the workhouse financially for one month when the Guardians decided to stop admitting paupers unless they received an advance from the Government. (84) On October 21, the Westport Guardians resolved that all paupers subsequently admitted would have to wear their own clothes as they could not afford to purchase any. The union funds were exhausted and the workhouse was being financially supported by individual Guardians. By the beginning of 1847, although the workhouse was not full, the situation had deteriorated and the Guardians decided that unless they received external assistance, they would close the workhouse. (85) Both the Commissioners and the Irish Government believed
that the financial problems of the unions would be solved by the striking of additional rates. In many unions, however, much of the first rate was still outstanding, despite the fact that winter was the most effective period for its collection. Throughout Ireland, the rate collectors were finding their jobs increasingly difficult and some of them were even physically assaulted. Although some Guardians did levy a further rate, they realised that it would take some time to collect and it was unlikely to be fully paid. (86) To some extent, this situation was caused by inability rather than unwillingness to pay the rates. Some landlords found the combination of poor rate and labour rate a heavy burden on their diminished resources. The Landlords of the Stranorlar union for example, petitioned the Lord Lieutenant asking to be relieved of the poor rate. (87) In parts of the south and west this was even more pronounced. The Assistant Commissioner in the Cork and Kerry region reported that in the Skibbereen, Cahirciveen, Kanturk and Bantry unions the ratepayers had no means at all with which to pay the rates (88)

The appeals for financial aid continued to grow as the poorer Boards of Guardians realised that without it, they would be unable to provide relief. These advances were not forthcoming, however. The Guardians were instead informed that they had adequate powers to levy rates which should be used to the full. The Irish Executive further told them that, whilst they would not give them a loan, they would assist them in every way to enforce the rate collection. (89)
In some unions, the Guardians found the high price of food a great drain on their resources and they asked the Relief Commission to supply them with cheap meal. Both Routh and Trevelyan had very definite views on this, however. At the start of the distress in 1845 they had decided that Government depots were not to issue food to the Guardians and in 1846, they desired to adhere to this. (90) Trevelyan feared that a departure from this policy would bring upon the Government 'the expense, and as a necessary consequence, the charge and care of all the poor in the workhouses in addition to those outside'. (91). Trevelyan admired the Poor Law for providing efficient relief machinery in Ireland which made people with property responsible for the relief of their local destitute. He was anxious that this responsibility should not be transferred to the Government. The administrators in charge of the grain depots were therefore, informed that food was not to be sold under any circumstances to the Boards of Guardians. (92) An exception to this did occur in the Ennistymon union where the contractors suddenly stopped supplying provisions to the workhouse. In this case, the Poor Law Commissioners acted in an unprecedented manner by personally appealing to Routh and telling them that the paupers would be turned out unless the Guardians received temporary assistance. Routh responded by authorising five tons of meal to be delivered to the union. (93) Other Guardians who applied for this form of assistance were refused. (94)

The Commissioners, like the Government, were anxious that the Guardians should not look to the latter for any financial assistance. Although certain unions had applied to them for loans, the Commissioners felt a dangerous precedent would be established if any were given. Instead, they encouraged the Guardians to borrow money locally rather
than look to the Government for it. The Commissioners believed that if the Guardians did this, it would be possible to maintain from local funds destitute persons who would otherwise be supported by relief committees, that is, partly by local subscriptions and partly by the Government. The Poor Law Act, however, made it illegal for Guardians to pay interest out of the poor rates for money borrowed to pay current expenses. The Commissioners therefore, suggested that, where necessary, if the treasurer of a union or a private party lent money to the Guardians, the Irish Government would act as guarantor for any interest to be paid. The Commissioners saw this as being the most secure and economical way for the Government to intervene in the financial affairs of the unions. At the same time, the Treasurer, who had control of the union funds, would be able to pay himself back and so was safeguarded from any possible default on the part of the Guardians. (95)

Privately, the Commissioners were aware that until the following harvest, the number of requests for loans was going to increase, and they informed the Government that there was likely to be a period when some unions would need assistance from an external source. (96) In turn, the Government professed that it was surprised by the amount of people applying for employment on the relief works and admitted that the level of distress had been greater than anticipated. They felt the resultant burden on them had been further increased by the unwillingness of the Irish upper and middle-classes to exert themselves and provide alternative employment. Apart from the financial considerations, the Government realised that the people employed on the public works were neglecting to cultivate their lands which would have disastrous long-term effects. (97)
The inadequacies of the Government relief measures meant that if a third season of distress ensued, some changes were inevitable. Perhaps the first indication of what form these would take was indicated at the beginning of 1847. In a letter from the Home Secretary to the Poor Law Commissioners, the former referred to a recent decision by the Edenderry Guardians to establish soup kitchens in each electoral division which were to be financed by the poor rates. Although George Grey, the Home Secretary, acknowledged that this was a total departure from the principles of the Poor Relief Act, he felt that circumstances justified it and he fully approved. (98)

Independently of this, Trevelyan was considering a similar idea. He was motivated by the fact that despite the extent of the public works, people were still dying in their hundreds. He, therefore, felt it was necessary to allow even more outdoor relief, and suggested it should be done under the auspices of the Poor Law. Trevelyan proposed that this should be first introduced on a temporary basis but that eventually it should form the basis of a permanent system. Trevelyan expounded further on this idea in his book, 'The Irish Crisis' published in 1847. He claimed that by the end of 1846 it had become obvious to the British Government that great efforts were required to stop the dependence of the Irish people on the potato; if the same system of relief continued, the people would be reduced to a state of 'helpless dependence', and that some other form of public relief had to be found. Trevelyan believed that although the public works had proven successful on former occasions, faced with so much calamity, they had now broken down. But relief based on the principle of the Poor Law, that is, provided out of funds locally raised, had been successful wherever it had been put into
By the end of 1846, therefore, the general consensus amongst the Government and the administrators of relief was that the measures introduced only four months earlier had failed. This resulted in a new system of relief being introduced at the beginning of 1847 which kept labour and relief separate and which, for the first time ever, admitted the principle of outdoor relief.

In January 1847, the Government announced that the public works were to be closed and replaced by a system financed by the Poor Law. The subsequent legislation became known as the Temporary Relief Act, or more commonly, the Soup Kitchen Act. This Act was to come into operation immediately and was to expire at the end of September. It provided for relief to be given in the form of free food and this, the Government hoped, would enable the people to prepare their land for the coming harvest. The most economical food for this purpose was soup and from this, the Act acquired its name. This Act marked a further step towards a local provision of relief.

To implement the Temporary Relief Act, a new Relief Commission was established in Dublin with Sir John Burgoyne as chairman and Edward Twistleton as one of its Commissioners. Local committees were to be formed in each electoral division consisting of magistrates, a clergyman of each persuasion, the local Poor Law Guardians, and the three highest ratepayers. Each Committee was to have a finance committee comprised of four local notables who were to control the relief expenditure. Inspecting Officers were to be appointed under the control of the central Relief administrators.
Money for this relief was to be raised from the poor rates. If they were not sufficient, they could be supplemented by a loan from the Government, the Guardians first having to promise to make a rate for its repayment. Grants would be made to the poorest unions and, if any local subscriptions were raised, the Government would match them with an equal amount. Simultaneously, it was announced that when the first half of the public works debts were paid, the second half would be remitted. (101) The Government also declared that major changes were to be made in the Poor Law, but that they were not to be introduced until the harvest period. (102) The Soup Kitchen Act, therefore, was a temporary expedient passed to facilitate the transfer of relief from the public works to the Poor Law.

The Government continued to see its role in the new relief measures as supervisory and hoped to force the landlords to play a more prominent part. The British Government was no longer willing to feed the people through the medium of its officers, but desired that the Irish upper and middle-classes be organised for this purpose. This was to be achieved by combining the old relief committees with the local Poor Law Boards to form a new relief administration. Although the Government would provide money to these committees if absolutely necessary, they hoped the fact that it was locally raised money which was being spent, would prevent any misappropriation of the relief funds. (103)

Because it would take at least six weeks to establish the soup kitchens, the public works were to be closed gradually, that is, no new presentments would be sanctioned. (104) If the soup kitchens were opened speedily this presented no problem, however, if there were was delay, relief depended on there still being enough money left from the old
presentments to keep the public works going. In some areas this meant there was a gap between the closing of the public works and the opening of the soup kitchens. In March, because many people were still employed on the public works, the Treasury intervened and directed that in areas where a soup kitchen had been established, the people employed on the public works were to be immediately discharged. The soup kitchens, however, were slow to be opened in some areas. As late as May, only about half of the electoral divisions had them and by July, out of 2,049 electoral divisions, only 1,826 were providing this form of relief. 

(105)

The introduction of the Temporary Relief Act had little immediate impact on the demand for workhouse relief. One of the reasons for this sustained pressure was the hardship which followed the closure of the public works, especially where the soup kitchens were still unopened. In some areas, the Guardians complained about this delay. In the Galway union, as late as June, the Guardians alleged that deaths from starvation were resulting from the tardiness in opening the soup kitchens. (106)

In some unions, this pressure again resulted in the Guardians providing the local paupers with illicit relief. The Banbridge Guardians for example, had to refuse 1,271 persons workhouse relief and instead they supplied them with food. The Guardians appealed to the Commissioners to sanction this, but they were informed that the Irish Poor Law made it illegal to charge this money on the poor rates. (107) The Clonmel Guardians, when faced with a similar problem, in an attempt to comply with the provisions of the 1838 Act, paid for this type of relief out of their own pockets. (108)
The main reason for the slowness in the opening of the soup kitchens was an economic one. The Commissioners blamed the delay in the introduction of the Temporary Relief Act on the weak financial position of the Guardians and their failure to make adequate rates. They urged the Guardians to make sufficient rates not only for the present period, but also with a view to the time when the whole burden of relief would be thrown on their shoulders. (109) The Government also was anxious that sufficient rates to finance the soup kitchens should be collected. They expected that the Guardians would be reluctant to levy these additional rates, and that it was therefore necessary to give the Poor Law Commissioners more power to enforce obedience. This was provided in August 1847, when the Commissioners were given increased powers to dissolve a Board. (110)

Pressure on the workhouses eased over the summer of 1847 as an increased number of people were relieved under the Temporary Relief Act. In July, this system was at its peak with 3,020,712 people - 2,265,534 adults and 755,178 children - receiving rations from the soup kitchens. The extent of this operation can be compared with the 700,000 people who were employed on the public works. (111) The Treasury took advantage of this reduction in pressure on the Poor Law by announcing, at the beginning of June, that all advances to the unions were to cease. A month later, the Guardians were informed that the advances for the Temporary Relief Act would be discontinued at harvest and the Guardians should begin to make their rates with this in mind. (112)
Although the Government had not intended to introduce changes in the Poor Law until the autumn of 1847, the clamour for workhouse admission together with the financial situation of the unions made some changes necessary at an earlier date. In January, both the Under-Secretary and the Lord Lieutenant informed the Home Secretary that the situation in the Irish workhouses had reached crisis point. Ninety-three workhouses contained excess numbers and twice the number of destitute were receiving relief compared with the same period in the previous year, with demand showing no signs of abating. In some workhouses, fever was rampant and generally, the overcrowded conditions were detrimental to the health of all of the inmates. Many Medical Officers warned the Guardians that the admittance of more paupers would further generate the spread of pestilent disease. (113)

Despite the obvious need for Poor Law relief to be extended, the Commissioners privately were apprehensive as to whether the rates could support any additional burden. The Irish Executive agreed with them and asked the Government for advice. (114) Publicly, however, the Commissioners continued to urge the Guardians to use every means at their disposal to collect the old rates and strike new ones. The Guardians continued to be dubious about their ability to do this and many continued to apply to the Government for a loan. (115)

The difficulties in the collection of rates often meant that the funds at the disposal of the Guardians were inadequate. This problem was most acute in the counties, Clare, Mayo, Cork and Kerry. The Assistant Commissioner in the south-west region, informed the Commissioners that the Bantry, Skibbereen, Dunmanway, Cahirciveen and Kenmare unions, would soon be unable even to provide for the poor in...
their workhouses. (116) In Clare, the local Commissioner described the situation as distressing: the price of food was high, the Guardians were unable to obtain credit from their Treasurers, and no rate was being collected. Many of the workhouses in this area were only able to stay open due to the personal benevolence of the Guardians. (117) This pattern was repeated in Mayo. In the Ballina, Westport and Swineford unions, the funds were exhausted and again, the workhouses were being financially supported by the local Guardians. (118)

In the unions which were without money, credit or provisions, the Guardians sometimes threatened to close their workhouses unless they received some external aid. An example of this is the Westport Guardians who warned the Commissioners they would resign unless they were given a Government loan. (119) The Commissioners responded to such demands by reiterating that there was no hope of assistance as the Guardians had ample powers to raise money. (120)

Unofficially, however, the attitude of the British Government was not as confident. The Lord Lieutenant feared that faced with such financial problems, some Guardians might actually close their workhouses, and he believed that this should be avoided at all costs. (121) Although Grey, the Home Secretary, admitted there was a crisis and there would be fearful consequences if any workhouse closed during the present period, he had been informed by the Commissioners that, if pressure was applied, most people could afford to pay their rates. He, therefore, agreed that the Guardians should use every means at their disposal to obtain payment. The Government was willing to give aid to some of the poorest unions, but they wanted to do it in such a way as not to supplant the ordinary means of relief, but rather to
supply local deficiencies. (122)

In February 1847, the number of workhouse inmates peaked and this was followed by a slow decrease. In addition to providing this relief, the Guardians now had to levy a further rate for the purposes of the Temporary Relief Act. The Government, whilst acknowledging that this put a heavy burden on local resources, stated that they could see no alternative to this. They did, however, decide to give aid to the most distressed unions in the form of free food, clothing and bedding. One problem in relation to this lay in the obtaining of the requisite amount of food, as a deficiency of provisions existed throughout Europe. The Government feared that if they did not husband their stocks, this would have disastrous consequences. (123)

The Temporary Relief Act empowered the Lord Lieutenant to put money at the disposal of the Poor Law Commissioners for distribution amongst the unions in case of emergency. As no legal security existed for the repayment of money so advanced, the Commissioners made these loans dependent on the Guardians pledging to make a provision in the next rate to repay them. The Guardians were told that the Government was to be considered as the last resort for such a loan and that they should first apply to a private party for it. (124)

The financial insecurity of some unions meant that the Guardians were unable to obtain a loan unless some security or interest was offered. As payment of interest could not be raised from the rates, where necessary, the Commissioners suggested that the Guardians should pay it out of their own pockets. Although some Guardians agreed to this, others such as the Scariff Board refused to make themselves
The refusal of many Boards to comply with this, resulted in the Government conceding that interest could be paid from the poor rates. This was done to enable the Guardians to obtain private loans. The Commissioners approved of it because it made the interference of the Government so unostentatious that neither the ratepayers nor the Guardians would necessarily be aware of it. This new policy accorded with the Government's belief that extreme caution was necessary in order to keep their role to a minimum. The Treasury regarded it as of the utmost importance that charges which should be made on the local rates should not be thrown on national funds. The Lord Lieutenant was, therefore, directed to confine 'within the narrowest possible limits, the advances authorised by him for the support of the poor in workhouses whether in food or money'. The Irish Executive had reservations about the practicability of this as they realised that as the Temporary Relief Act became more fully operative, even more advances would be required by the Irish unions.

Loans to the unions were only to be made in cases where they were necessary to prevent the workhouse being closed or the inmates being left without sufficient food. They were to be in money and the Guardians would now be allowed to purchase food from the Government depots. As soon as the rates became sufficient to support the local Poor Law administration, these loans were to cease. The Commissioners were directed to forward the minimum amount necessary to support a workhouse. Both the Kenmare and the Ballyshannon unions were receiving £50 a week and they expressed surprise at the smallness of the sum, but it was not increased. Where the Commissioners felt a high
enough rate had not been struck, the Guardians were not advanced a loan until a new one was levied. (130)

Descriptions of the condition of the Irish people in the early months of 1847 depict a scene of appalling destitution. There were reports of death from starvation in various parts of the country, especially along the western seaboard. In Galway, the applicants for relief were described by the local Guardians as 'living skeletons'. The Stranorlar Guardians felt that conditions in their union were so horrific, that it would be cruel to refuse any applicant for relief. (131) In many workhouses the rate of mortality was high, which the Medical Officers attributed to the debilitated state in which people were entering the workhouses. This was augmented by the prevalence of fever throughout Ireland which resulted in the workhouses acting as surrogate hospitals. (132)

The financial position of many Poor Law unions continued to deteriorate, sometimes with serious consequences. (133) One example of this is the Kenmare Guardians who were in so much debt that their contractors took a law suit against them and the local sheriff threatened to distrain their personal goods and chattels. Private parties including banks, continued to be reluctant to loan money to the unions due to a provision in the Temporary Relief Act which gave the Commissioners alone the power to recover money borrowed by the Guardians. In February, the Commissioners were informed by the Banks representing 30 of the unions, that they were unwilling to lend them any further money even though the interest was now guaranteed. (135)
By this time, some Guardians doubted their ability even to collect a small rate. Already in some unions the rate was very large - the Westport Guardians, for example, levied one of 10/- in the pound in order to become eligible for a Government loan. In other unions, notably the Ballina, Armagh, Kenmare and Killarney ones, the Guardians objected to striking a rate for the purposes of the Temporary Relief Act, as their ordinary expenses were already so high. Many Guardians feared that if the rates were too high they would result in resistance and non-payment anyway. The Commissioners, whose actions were controlled by the Government, remained impervious to these arguments. As well as directing the Guardians to use every legal means possible to collect the rates, they now suggested that they first approach gentlemen of rank, landholders and fellow Guardians so that they could provide an example to other ratepayers of their duty. (136)

The intransigence of the Commissioners was sometimes resented. The Kenmare Guardians informed them that they did not need to be told of their powers regarding rates. Although they had agreed to make a new one they were convinced of the 'utter hopelessness of collecting it'. The Lurgan Guardians asked the Commissioners what 'an increased and vigorous' collection meant when so many of the local ratepayers were already in debt, and if the collectors seized their goods, it would only result in adding them to the list of paupers. The Ballina Guardians reported that people were already fleeing from the land in alarm at the high poor rates, whilst the Banbridge ones were convinced that no more money could be collected until the following harvest. For the most part, the Guardians felt that the situation was neither their fault nor that of the ratepayers or collectors but resulted from the general
poverty of the country. (137)

Some Guardians also disliked the unsympathetic attitude of the Commissioners to their financial and administrative problems. The Abbeyleix workhouse contained 200 people more than it should have but there was still unrelieved distress and people dying in the union. Because of this, the Guardians gave food to people who were still staying in their own homes. The Commissioners however, directed the auditor to disallow the money expended for this purpose. The Guardian therefore, appealed to the Prime Minister to intervene and prevent the Commissioners from doing this. (138) The Westport Guardians also were angered by the indifference of the Commissioners in refusing to give them a loan even though they had made a new rate and until it was collected, the chairman was supporting the workhouse. The Guardians threatened to resign as a protest against this. (139) Twelve of the Tralee Board actually resigned due to the unhelpfulness of the Commissioners. Their workhouse was full and they had been anxious to obtain additional accommodation, but the Commissioners had given them no encouragement. The union was also without funds and one of the Guardians had been paying the contractors to enable the workhouse to remain open. (140)

Following the harvest of 1847, the responsibility of relieving the destitute would devolve almost totally on the Guardians and they were advised to prepare for these increased demands by making sufficient rates. Not only were the rates to pay for the normal Poor Law expenses, but they were also to include a sum for the repayment of the Government advances. In the first instance, relief was to have priority over repayment of the loan, even if this meant that the entire proceed of the
rate was to be used for Famine relief. It was also stipulated that no more than 3/- in the pound be used for the repayments. The Guardians were directed to make vigorous efforts to collect this money. (141) They were to be helped by the fact that half of the money advanced by the British Government to the public works and the soup kitchens - sum of £4,500,000 was to be remitted. (142)

Although the Government was anxious that the rates should be collected as quickly as possible, the Relief Commissioners were doubtful about the ability of the Guardians to do this. They believed the additional burden of the Temporary Relief Act advances would prove too much of a burden and suggested that the loans should be paid in installments. (143) Trevelyan, who was playing an increasingly prominent role in the relief operations, disagreed. He argued that the idea of immediate repayment had been introduced with the intention of checking excess expenditure and it would be weakened if any delay was allowed. Grants had been made to the poorest unions and after the expiration of the Act, the poor rates alone would have to support the destitute poor without any help from the public funds. Because the rates raised for repayment of the Government advances were not to exceed what a district was capable of paying, the wants of the workhouse were to be given priority over repayments. Trevelyan believed they would not be detrimental to the permanent Poor Law. He felt that the Guardians should be continually impressed with the need to raise sufficient funds because

'the welfare of the whole community requires that all further assistance, either in the way of a loan or a grant, should be withheld until the rates are put properly in the course of collection'. (144)
Locally, there was some disquiet regarding this policy. Both the Guardians and the Assistant Commissioners doubted if sufficient rates could be collected for both of these purposes. To some extent, the Commissioners sympathised with this, but they were not willing to interfere with Government legislation. They did realise that advances would have to continue being given to the poorest unions, although no indication of this was given to the Guardians. Instead, they told the Guardians that when the Poor Law Extension Act was introduced, they would be both legally and morally responsible for the welfare of all paupers. (145)

Reports on the state of the country in June and July were optimistic. Information relating to the harvest was favourable although there was distress amongst the handloom weavers in the north and fever was prevalent throughout the country. (146) An improvement in the appearance of the people was remarked upon by the Assistant Commissioners who attributed it to the gratuitous relief the people were receiving. But although the progress of the agricultural crop was promising, and there was no evidence of blight, the extent of the land sown was much less than in previous years — in some areas as little as 1/3 of it was productive. Some apprehension was also expressed concerning the high rates compared with the small amount being realised, the number of tenements which had been abandoned, and the diminished resources of the landlords. (147) The disappointing small harvest of 1847, combined with a more general economic recession, proved that these fears were not without foundation.
NOTES FOR CHAPTER TWO


2. 10 Vic.c.31; 10 + 11 Vic.c.84; 10 + 11 Vic.c.90.


4. Sir J. Graham to L.L., P.R.O., H.O.45.1080, Box 1, 7 May 1846.


6. Routh to Trevelyan, Commissariat series, p.76, 23 March 1846; ibid., Trevelyan to Routh, p.14, 26 Jan. 1846; ibid., Routh to Trevelyan, p.6, 9 Jan. 1846; ibid., Trevelyan to Routh, p.43, 20 Feb. 1846.

7. Royal Commission on Poor Law, 1909, p.15.


9. Royal Commission on Poor Law, 1909, p.15; Redington to Trevelyan, Commissariat series, p.102, 28 July 1846.

10. Routh to Trevelyan, Commissariat series, pp33-37, 14 Feb. 1847.

11. Twelfth A.R., 1846 p.60


13. Twistleton to Graham, P.R.O., H.O.45, 1080, Box 4, Dec. 1845; Routh to Trevelyan, Commissariat series, p.56, 6 March 1846.


17. Coms. to Burke, P.R.O.I., 1845, 15 Nov. 1845.


22. Redington to Trevelyan, Commissariat series, p.102, 28 July 1846.


24. Ibid., Routh to Trevelyan, p.88, 2 April 1846.

25. Colonel McGregor, (constabulary) to Trevelyan, Relief of distress in Ireland. Commissariat - correspondence relating to measures adopted for the relief of distress in Ireland from July 1846 to January 1847, p.12, H.C. (761 1847, LI,1), (hereafter cited as Measures adopted to relieve distress).


32. Griffiths, Board of Works, p.636.

33. Treasury Minute, Commissariat Series, p.330, 26 June 1846; ibid., Coms. of Public Works to Treasury, p.332, 7 July 1846.
34. Commission on poor relief, 1909, p.16.
35. 6 + 7 Vic.o.92; Griffiths, Board of Works, pp 641-2; Commission on poor relief, 1909, p.15.
36. Circular of Commissariat Relief Office to Secretary of each relief committee, Measures adopted to relieve distress, p.350, 8 Dec. 1846.
40. Coms. to Burke, P.R.O.I., L.B., 10 Sept. 1846.
42. Dublin Evening Post, 7 Feb. 1846.
43. Coms. to Burke, P.R.O.I., L.B., 7 March 1846.
44. Ibid., Burke to Coms., 25 April 1846.
45. M.B., Ballina Union, N.L.I., Ms10,001, 18 May 1846.
46. Coms. to Labouchere, S.P.O., C.S.O.R.P., 1846 0.18344, 17 Oct. 1846; ibid., Coms. to Redington, 1846 0.19408, 31 Oct. 1846; Coms. to Labouchere, P.R.O., H.O.45, 1080, Box 1, 28 Oct. 1846; Appendix to Thirteenth A.R., 1847, passim.
47. Trevelyan to Routh, Measures adopted to relieve distress, p.425, 28 Dec. 1846; Griffiths, Board of Works, p.643.
48. Board of Public Works to Treasury, Commissariat Series, 8 Aug. 1846; Routh to Trevelyan, Measures adopted to relieve distress; p.361, 12 Dec. 1846; Griffiths, Board of Works, pp 643-7; Dublin Weekly Register, 12 Dec. 1846.
49. See correspondence of Board of Works, Commissariat series; Griffiths, Board of Works, pp647-50.
51. See for example P.R.O., L.B.; M.B. of various Gns; correspondence of Commissioners to Government, P.R.O., H.O.45, 1080, Box 1; S.P.O., C.S.O.R.P., 1846-7.
52. Coms. to Burke, P.R.O.I., L.B., 25 Sept. 1846; Coms. to H.O., P.R.O., H.O.45, 1080, Box 1, 10 Oct. 1846; ibid., Coms. to H.O.,

54. Burke to Coms., P.R.O.I., L.B., 8 Oct. 1846, 26 Oct. 1846; Correspondence of Gns. forwarded to H.O., P.R.O., H.O. 45, 1080, Box 1, 10 Oct. 1846.

55. Coms. to Burke, P.R.O.I., 21 Nov. 1846.


58. Ibid., Burke to Coms., 8 Oct. 1846.


63. Correspondence of Coms., forwarded to H.O., P.R.O., H.O. 45, 1080, Box 1, 10 Oct. 1846, 23 Oct. 1846.


67. Ibid.

68. Twistleton to Grey, P.R.O., H.O. 45, 1682, Dec. 1846.


70. Appendix of Thirteenth A.R., 1847, passim.

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79. Ibid., 1 Dec. 1846.

80. Ibid., Burke to Coms., 27 Nov. 1846; M.B., Ballina union, N.L.I., Ms.12,001, 2 Nov. 1846; M.B., Banbridge Union, P.R.O.N.I., BG.6.A.6., 23 Nov. 1846, 30 Nov. 1846; M.B., New Ross union, W.C.L., n.c., 30 Nov. 1846.


83. M.B., Ballina union, N.L.I., Ms.12,001, 7 Sept. 1846, 28 Sept. 1846.


87. Report on Clones, Cootehill, Cavan unions by Senior to Coms., P.R.O., H.O.45, Box 1, Sept. 1846.


90. Ibid., Glenties Gns. to C.S., 1846 Z.16602, 23 Sept. 1846; Trevelyan to Routh, Measures adopted to relieve distress, p225, 5 Nov. 1846; ibid., Routh to Trevelyan, p.241, 7 Nov. 1846.

91. Ibid., Trevelyan to Routh, p.226, 5 Nov. 1846.


93. Routh to Trevelyan, Measures adopted to relieve distress, p.241 7 Nov. 1846; Eng. P.L. Coms. to Philips, P.R.O. H.O.45, 1712, 5 Nov. 1846.

94. Routh to Trevelyan, Measures adopted to relieve distress, p.241, 7 Nov. 1846.


96. Ibid.

97. Trevelyan to new Relief Commission, Correspondence relating to measures adopted for the relief of distress in Ireland. Commissariat series (second part), p.105, H.C.1847 (796) L11, (hereafter cited as Commissariat series II); Grey to Bessborough, Correspondence relating to the measures adopted for the relief of distress in Ireland. Board of Works (second part), p.230, H.C.1847 (797), L11, (hereafter cited as, Correspondence of Board of Works).


99. Trevelyan to Jones (Board of Works), N.L.I., Ms.7745, 14 Jan. 1847.

100. Trevelyan, Irish crisis, pp51, 111.


102. Grey to L.L., printed in Kerry Evening Post, 10 Feb. 1847.


104. Grey to L.L., printed in Kerry Evening Post, 10 Feb. 1847; Griffiths, Board of Works, p.651.

105. Ibid., Somerville, Whitehall to Redington, S.P.O., C.S.O.R.P., 1847 0.580, 11 Jan. 1847; ibid., L.L. to Grey, 1847 0.635, 20

106. M.B., Wexford Union, W.C.L., n.e., 20 March 1847; Mem. of Dungannon Union, S.P.O., C.S.O.R.P., 1847 0.4193, 22 March 1847; ibid., Extract from Ballycastle Minutes forwarded to C.S., 1847 0.1380, 1 Feb. 1847; Galway Gns. to Relief Commissioners, P.R.O., H.0.45, 1942, 1 June 1847.


108. Ibid. 6 March 1847.


111. Commission on poor relief 1909, p.17; Graham to L.L., P.R.O., H.0.45, 1080, Box 1, 7 May 1846.

112. Ibid.; Coms. to Gns., M.B., Kenmare Union, K.C.L., BG.100.A.3., 10 July 1847; Appendix of First A.R., 1848, passim.


122. Ibid., Grey to L.L., 1847 0.1519, 23 Jan. 1847; ibid., Somerville to Redington, 1847 0.580, 14 Jan. 1847.

123. Ibid., Grey to L.L., 1847 0.1519, 23 Jan. 1847.

124. Ibid., Coms. to Redington, 1847 0.1607, 12 Feb. 1847; ibid., Coms. to Gort Gns., 1847 0.3797, 20 Feb. 1847; M.B., Ballyshannon union, P.R.O.N.I., GB.38.A.3., 27 Feb. 1847; M.B., New Ross Union, W.C.L., n.c., 24 Feb. 1847.


127. Trevelyan to Philips, H.O., P.R.O., H.O.45, 1942, 12 April 1847.

128. Ibid., Treasury Minute, H.O.45, 1942, 5 March 1847; ibid., Treasury Minute, 12 April 1847.

129. C.S. to Coms., S.P.O., C.S.O.R.P., 1847 0.4378, 15 March 1847; ibid., Routh to Redington, 1847 0.4377, 23 March 1847; ibid., Coms. to Redington, 1847 0.7536, 25 June 1847.


131. For example, see Distress Papers, S.P.O., D.P., 1846-7; Kerry Evening Post, 17 Feb. 1847; Mem. of Abbeyleix Gns., P.R.O., H.O..45, 1942, 1 June 1847; Mem. of Abbeyleix Gns., P.R.O., H.O.45, 1942, 1 June 1847; ibid., Galway Gns. to Relief Commissioners, 1 June 1847; M.B., Stranorlar Union, D.C.L., 1 March 1847.

132. Report of Medical Officer, Skibbereen, P.R.O.I., L.B., 4 Feb. 1847; Coms. to Moon, Board of Health, P.R.O., H.O.45, 1816, 7 May 1847.


134. M.B., Kenmare Union, K.C.L., BG.100,A.2, 17 April 1847; ibid., BG.100.A.3, 5 June 1847.

135. Provincial Bank to Wexford Gns., S.P.O., C.S.O.R.P., 1847 0.9502, 7 April 1847; ibid., Coms. to Redington, 1847 0.2061, 22 Feb.
1847.


139. M.B., Westport Union, N.L.I., Ms.12,608, 14 April 1847.

140. Kerry Evening Post, 24 Feb. 1847; 24 March 1847, 27 March 1847; 31 March 1847; 10 April 1847.


142. Twistleton to Graham, P.R.O., H.O.45, 1080, Box 4, Dec. 1845.

143. Redington to Coms., S.P.O., C.S.O.R.P., 1847, 1847 0.6575, 29 May 1847.

144. Relief Coms. to Redington, S.P.O., D.P., 1846-7, 9 June 1847.


146. Armagh Guardian, 17 Aug. 1847; Senior to Coms., S.P.O., C.S.O.R.P., 1847 0.7584, 26 June 1847; ibid., Senior to Coms., 1847 0.7268, 27 June 1847.

147. Ibid., Otway to Coms., 1847 0.7268, 27 June 1847; ibid., Phelan to Coms., 1847 0.8281, 17 July 1847; ibid., Senior to Coms., 1847 0.8304, 1 July 1847; ibid., Crawford (A.P.L.C.) to Coms., 1847 0.8305, 19 July 1847; Ball, (A.P.L.C.) to Coms., 1847 0.7919, 6 July 1847; ibid., Phelan to Coms., 1847 0.8039, 10 July 1847 1847; ibid., Bourke to Coms., 1847 0.8271, 15 July 1847; ibid., Ball to Coms., 1847 0.8211, 19 July 1847.
CHAPTER THREE

The extension of the Poor Law.
1847 - 1848
In early 1847 the Government had decided that new relief measures were necessary to meet the prolonged distress as the Public Works Acts had proved defective in the face of long-term distress. It was also feared that continued general interference would demoralise the population and reduce the people relieved in this way to 'helpless dependence'. Relief administered in the workhouse and provided by funds locally raised was felt to have been more successful and so it was decided to give more emphasis to the local union structure. An essential feature of this relief was that the potato failure was acknowledged as of a local nature and its cure was to come from local sources. This meant that the expense of the system was recognised as a local rather than an Imperial charge. (1)

The type of relief envisaged was codified in the 1847 Poor Law Amendment Act which acknowledged the right of certain categories of people to relief, that is, all destitute persons disabled by old age or infirmity, destitute persons disabled by sickness or serious accident which prevented them from working, and destitute women having two or more legitimate children dependent upon them. These people could be relieved either inside or outside the workhouse. It was left to the discretion of the Guardians as to which was more expedient. Others could only receive outdoor relief if the workhouse was full or, if due to infectious disease, it was unfit to accommodate them. Outdoor relief was to be given in food only and on a Sealed Order of the Commissioners which permitted relief for up to two months. The Commissioners were only willing to give relief to the destitute able-bodied as a last resort and hoped that it would not be necessary to issue the order extensively. Instead they hoped that the workhouse test could be
maintained by emptying the workhouses of the old and infirm and replacing them with able-bodied applicants for relief. (2)

The Act also provided for Relieving Officers, who were to be in charge of a district within a union, to recommend to the Guardians destitute persons for admission to the workhouse. In cases of urgent necessity they could give provisional relief. The Poor Law Extension Act repealed the limitation in the number of ex-officio Guardians, and the Commissioners' power to dissolve Boards of Guardians and alter the size of unions was extended. Provision was also made to facilitate the emigration of workhouse inmates. The most notorious section of the 1847 Act was the Gregory or Quarter-Acre Clause, which specified that any occupier of more than a quarter acre of land could not be deemed destitute and could not receive relief from the poor rates. (3) Simultaneously an Act was passed which provided for the conviction of persons willfully neglecting to maintain their wives or children. (4)

The Poor Law Extension Act altered the structure of the Poor Law Commission and provided for the establishment of a completely separate Commission in Ireland with similar powers to the British one. This separation was motivated partly by the Famine but was also felt to be necessary following the Andover scandal in England, which highlighted the neglect of paupers in the Andover union. This separation recognised the different interests of the two Boards. The English Board rarely interfered in or had ever taken an interest in the Dublin business, and the resident Commissioner in Ireland had little communication with Somerset House. (5) Twistleton approved of the separation from England, as he felt that the Irish Poor Law could not be well administered from such a distance. Also, as its provisions were more stringently
administered in Ireland than in England, he felt it would be embarrassing for the English Board to even nominally continue in control of the Irish Poor Law. (6)

Since November 1845, Twistleton had been the resident Commissioner in Ireland and he continued in office as Chief Commissioner. The new Commission also comprised the Chief Secretary, Sir William Somerville, and the Under-Secretary Thomas Redington, a former chairman of the Galway Board of Guardians. At the same time, Alfred Power, who was later to succeed Twistleton as Chief Commissioner, was appointed Assistant Commissioner. The Commission met daily in Dublin Castle or, if the Chief Secretary was in London, Twistleton and Redington would meet. The number of Assistant Commissioners - now called Poor Law Inspectors - was raised from five to nine. The Act placed control of the Poor Law with the Irish Executive. It also continued a tradition established during the early years of the Famine, that of keeping relief closely under the aegis of the Treasury, that is, of Charles Trevelyan, the permanent Secretary there. (7)

Trevelyan approved of the transfer of the burden of outdoor relief to the Poor Law. He advocated the ideas of Adam Smith and Edmund Burke in regard to distress as outlined in the 'Wealth of Nations!' and 'Thoughts on Scarcity'. Trevelyan echoed Burke and Smith that private charity and gratuitous relief had a demoralising effect on the recipients of relief during sustained periods of distress. He recommended to his colleagues, when sick, to read Smith and Burke and even sent extracts from them to the relief staff in Dublin.
Trevelyan was critical of Irish landlords, many of whom he felt were guilty of selfishness, neglect and apathy. He believed the Poor Law would correct this problem as it emphasised that property had its duties as well as its rights. Furthermore, he believed that the poor rate acted as an absentee tax and provided the landlords with a powerful incentive to reside on their estates or ensure that they were properly managed with regard to the welfare of the poor. Trevelyan felt that rate after rate should be levied for the preservation of life until either the people were able to support themselves by honest industry or were forced to sell their property to those who would. (8) The use of the Poor Law as an instrument for social reform in Ireland had first been advocated by George Nicholls in 1838 and it was taken up again by Trevelyan in 1847. This idea was to influence the relief operations in Ireland from 1847 to 1852.

The new Poor Law has been described as marking a radical change in the attitude of the British Government to Irish distress, but the Extension Act consolidated certain strands already present in the relief operations rather than making radical changes in relief. The new Poor Law did not introduce the principle of outdoor relief to able-bodied men, since this had been established under the Temporary Relief Acts. It did, however, separate labour from relief and introduced the principle of local chargeability. The aim of incorporating outdoor relief into the Poor Law was to regulate and systematise its application and usage. Twistleton described the intentions of the legislature as being:

'to extinguish such relief as soon as possible; merely to tolerate it for a time when deaths from starvation could not be prevented without it, and ultimately to extinguish it'. (9)
He felt that under both the Labour Rate and Temporary Relief Acts people who were not really destitute had been able to obtain relief whereas, under a well-administered Poor Law it would prove difficult for people to hide their resources. (10)

Many Guardians were apprehensive about the effect of closing the soup kitchens and transferring to Poor Law relief in the harvest of 1847. They protested that the poor were generally without any means and they themselves had no funds. The Relief Commissioners were unsympathetic and informed them:

'the Temporary Relief Act was passed, not as a remedy for any embarrassments in the unions, nor for any general poverty in the country, but solely to replace for one season the food of which the people were deprived by the failure of the potato crop.' (11)

They believed that they had achieved this purpose and it was up to the Guardians to make the necessary efforts to collect rates to meet the first emergency. They did admit that in the more remote areas they might provide relief in a reduced form for an interim period but that the people must now be compelled to make greater efforts. (12)

In December 1846, there had been apprehension in Government circles in both England and Ireland that the quantity of land under cultivation was falling. George Grey, the Home Secretary, suggested this was because occupiers of land were unwilling to employ labour and, after two years of blight, were reluctant to sow potatoes. He was anxious that the land should not be totally unproductive and proposed that information should be distributed about crops which would act as substitutes for potatoes and how they should be grown. At the same time, both owners and occupiers of land were to be urged to cultivate their land. (13)
The Lord Lieutenant was equally apprehensive on this matter. He had instituted enquiries on land cultivation throughout Ireland and concluded that people were unable to cultivate their land because serious destitution in certain areas forced small occupiers to work on public works to survive. Large farms had also been neglected because their owners could not afford to pay labourers. The more highly paid public works reduced the supply of labour prepared to work for low salaries. Reports from the country expected a shortage of fuel as the people had had no time to cut turf, having spent their time travelling to and from the places appointed for relief. (14)

The full extent of the under-cultivation was not appreciated until the end of June 1847, when the local Poor Law Inspectors sent reports on the prospects of the crop. These reports demonstrated that, although there was very little evidence of the blight, the land cultivated was much reduced - in many areas only one-third of the usual acreage had been sown. It had become apparent that in some areas, by the end of September, local food supplies would be exhausted. The Commissioners feared that in the south and west there would be scarcity. In some of the southern unions, however, such as the Dunmanway, Macroom and Kanturk ones, the Great Southern and Western Railway provided employment which was expected to reduce the demand for relief. The Commissioners expected that in the areas dependent on the potato, due to the small crop yield, the population would soon be forced to rely on relief. (15)

The 1847 harvest internationally was below average. The harvest was poor in Britain, Europe and America, which created a global problem in 1848. A slump developed in the manufacturing area as prices rose and demand fell. These events contributed to a financial crisis in Britain
in the autumn of 1847. A run on the Bank of England resulted and it was forced to stop money issue. (16) Although this financial crisis was shortlived it had repercussions on the manufacturing trade in Ulster. As early as June, Edward Senior, the local Poor Law Inspector informed the Commissioners of distress amongst the weavers in county Antrim and Belfast, due to the decline in manufacturing employment. An application for aid from the Banbridge union was supported by Edward Senior, who argued it was especially difficult to collect rates there due to the small size of the holdings and the distress suffered by handloom weavers. (17) Although by September 1847 the linen trade in parts of counties Down, Antrim and Armagh had improved slightly, in other parts of the north it remained depressed. (18)

The Poor Law Commissioners realised there would be another season of widespread distress and advised the Guardians to extend workhouse accommodation and obtain stocks of bedding and clothing to prepare for an influx of inmates. As relief was now a local charge, the Guardians were told to collect sufficient rates to meet the distress and to proceed 'vigorously and impartially' to enforce their collection. The Guardians were also informed that advances which they had received over the previous few months would come to an end on August 15, and the relief of the destitute would devolve entirely upon the local Boards. Over the summer the provisions of the Temporary Relief Act required that all existing union funds were to be made immediately applicable to the relief then being given. The Government had supplemented this money with loans to local relief committees and the Guardians were expected to repay these loans out of the incoming rates. (19)
Because the effectiveness of the Poor Law rested upon the payment of local rates, problems in their collection were taken very seriously by the Government and the Commissioners. As early as May 1847 the Irish Executive asked the Commissioners to urge the Guardians to prepare rate-books for the collection of the harvest rate. The Commissioners agreed this was necessary and sent a number of circulars to each union devoted to the collection of rates. They also ordered that collectors' books were to be more frequently examined than they had been. The Commissioners further recommended that rates should first be obtained from the gentry and larger rate-payers, and the Guardians should publish the names of the 10 highest defaulters to shame them into paying their rates. Both police and military were to be made available to help enforce the collection. (20)

The Irish Executive also saw the importance of urging the Guardians to make sufficient rates for the repayment of the Government advances. The Lord Lieutenant felt it necessary to impress on the local administrators and the ratepayers in general that the responsibility of providing relief would rest exclusively on them. He did not want the advances to the unions to continue after harvest unless the alternative was starvation. Although the Irish Executive admitted that a few unions might need assistance beyond August 15, as far as possible advances were to cease on this date. (21) But as the paucity of the 1847 harvest became more obvious, the Irish Executive became more concerned about the financial condition of the unions. The Lord Lieutenant foresaw that many unions would be unable to repay their advances, and he recommended that they should receive a liberal extension of time for this purpose. The Chief Secretary informed Trevelyan that although the amount of rates
collected in September was promising, he found the prospect of providing relief when the workhouses were full, terrifying. (22)

Twistleton was also pessimistic. The transfer to Poor Law relief meant that if the ratepayers did not pay sufficient rates, the responsibility of deaths from starvation rested with them, if such deaths arose from want of funds. Although he promised to enforce the collection of the rates, he felt that the Government should bear more of the burden for the relief which had already been provided, rather than trying to make it a local charge. (23)

During the harvest period, the Commissioners tried to enforce as large a rate collection as possible. Twistleton informed the Vice-Guardians of the Ballinrobe, Castlebar and Westport unions, that he regarded it of essential importance to the interests of the Empire that it be shown possible to collect enough rates to relieve their own destitution. The Scariff Guardians were told that when advances to their union ended, they would be legally as well as morally responsible for the consequences if they failed to relieve the poor in their union. (24) In October, when it proved essential to give a further advance of £100 to the Glenties union, Twistleton stipulated that it was not to be spent until the Poor Law funds were exhausted, and even then, the money was to be applied with the utmost secrecy and only to prevent actual starvation. Twistleton admitted that he was afraid to entrust any Guardians with money, as it might result in them relaxing their exertions in the collection of the rates. (25)
Although the Government had hoped that advances would cease on August 15, this did not happen due to a financial collapse in some unions. One example of this is the Ballinrobe union. At the beginning of September, their finances were in such a bad state that the local sheriff had seized the property of the workhouse and was preparing to sell it. This forced the Commissioners to ask for a loan on behalf of the union, but before receiving it the Guardians were simultaneously dissolved. (26) John Ball, the Poor Law Inspector in the Granard union, supported the application of the Guardians for a continuation of advances. He estimated that rates would not be collected until the end of September and if the advances came to an end, relief would also cease. (27)

At the end of October, there was a discernible hardening of attitude on the part of the Irish Executive. The Lord Lieutenant stipulated that advances were not only to be repaid at the first possible opportunity, but future applications were to be accompanied by a statement of the persons owing the rates and the means taken by the Guardians to enforce their payment. (28) When, in November, the Skibbereen Guardians asked the Lord Lieutenant for a further advance, they were told it would not be given until local resources had been used to their fullest extent to provide relief. (29)

The attitude of the Commissioners towards Guardians who were slow in striking sufficient rates became increasingly less tolerant. The Tipperary union was the first one in which repayments for the Government advances were due, and the Commissioners were anxious that there should be no impediment in their collection. When the rate was slow to come in, they wrote to each collector individually and asked them to explain
why this was the case. (30) When the Enniskillen Guardians asked to be allowed more time to repay the loan, they were refused on the grounds that as they were a comparatively wealthy union if their demand was assented to, a similar principle would have to be allowed elsewhere. The Guardians were warned that if they did not make this rate they would be dissolved. (31)

Increasingly, if the Guardians refused to make rates for the Government repayments, the Commissioners responded by impounding their rates or dissolving the Board. Throughout October, the Treasurers of various unions received notices informing them that they were to allocate union funds to the repayment of the relief advances. The Guardians of the Cork, Drogheda and Killarney unions passed resolutions that this was unnecessary as they had promised that when they had sufficient funds in hand, they would repay the loans. The Kenmare, Clogheen and Galway Guardians condemned this action because, if the Treasurers could no longer pay their drafts, their ability to give relief would be paralysed. (32)

The ultimate threat of the Guardians when dealing with recalcitrant Guardians was that of dissolving them. The Extension Act had facilitate this by providing for their immediate replacement by paid officers. The Commissioners admitted to the Lord Lieutenant they they were more willing to ask for a loan on behalf of Vice-Guardians because they were directly answerable to the central Board. (33) One of the first examples of dissolution was the much publicised case of the Lowtherstown Guardians. This Board had refused to make an additional rate for the Government advances, although they promised to repay it in five-yearly instalments. When the Guardians refused to deviate from this, they
received an order for their dissolution. Their local Inspector tried to placate them by informing them that the Commissioners were forced by the Treasury to act in this way. The Commissioners however, disapproved of this as they considered it to be their duty to act in accordance with the Treasury. (34)

Many Boards of Guardians viewed this transfer of the burden of relief with alarm, especially as they were also expected to repay money advanced to finance earlier systems of relief. The Kenmare Guardians stated that if other forms of relief were suspended on this date, they anticipated serious consequences as local effort alone would not be able to provide for the current expenses of the union. They appealed to the Lord Lieutenant to allow all unfinished public works to be completed in order to provide employment. (35) The Ballina Guardians had been dependent upon advances for the maintenance of the paupers over the summer, and if they were brought to an end they feared they might even be forced to close the workhouse. They exhorted the ratepayers to pay their rates if humanly possible. (36)

Although the Guardians were directed to include in their harvest rates a sum for the repayment of the Temporary Relief Act advances, many Boards objected to this. The Nenagh Guardians, for example, resolved that it was inexpedient to levy an extraordinary rate at this particular moment and it asked if payments could be by instalments. Both the Wexford and Enniscorthy Guardians asked for a postponement of this repayments as they felt it was impractical to collect a rate for both this and current Poor Law expenses. The Inishowen Guardians stressed that although they wanted to comply with the Commissioners' instructions, an additional rate would be impossible to collect. The
Rathdown, Trim, Dunshaughlin and Ballina Guardians also adopted similar resolutions, but they were all told that no deviation was possible. (37) When the Lowtherstown Guardians refused to make a rate for this purpose but offered to pay it in instalments, they were replaced with Vice-Guardians. The Commissioners began to threaten other recalcitrant Boards with dissolution also. (38)

In some unions where paid Guardians were appointed, they too were reluctant to make a rate for this purpose. The Vice-Guardians of the Ballinrobe, Castlebar and Westport unions echoed what had already been requested by the elected Boards when they asked that payment of the rate be postponed, as the poverty of the rate-payers meant that most of the rate would not be collected. The Commissioners instructed them to make every effort, but the vice-Guardians remained convinced that the burden of the ordinary rate was already heavy and asked again for a postponement. (39)

Some Boards of Guardians were pessimistic about the possibility of being able to collect the rates. In county Tipperary, Guardians from five unions met to discuss the weight of taxation in relation to the general state of their unions. They concluded that if they levied rates for the cost of the public works in 1846 and for the repayment of loans advanced in the summer of 1847, together with the usual rates, the whole produce of the land would be swallowed up. They asked the Government to introduce alternatives to the Poor Law, such as providing employment and assisting emigration. The Fermoy Guardians believed that as it would be impossible for Irish unions to collect any additional rate, the Imperial Treasury should bear the cost of earlier relief measures and so leave the local Boards free to cope with their own pauperism. The Enniskillen
Guardians also believed that the country had to recover before any repayments were demanded, and they condemned the way that the Government had handled the whole relief operation. (40)

The financial problems of many unions were compounded by difficulties in collecting the ordinary rates. The Lurgan Guardians requested the Commissioners to clarify the phrase 'increased and vigorous' collection of rates. The majority of people in their union depended on weaving for an income, and if the collector distrained their looms, it would reduce these people to destitution and increase the number of paupers. They believed that the money necessary to provide relief was not in the country. (41)

The Ballina Guardians appointed a committee to enquire into the collection of rates in their union since they were faced with the problem of how to collect from abandoned premises in which there was usually nothing left to distrain. In cases where the land was valued under £4, the immediate lessor was liable for the rates, but he objected to paying this money as he was receiving no rent from the land. The Guardians felt that in these cases it would be a great severity to collect rates from them. (42)

The Killarney Guardians estimated that the financial outlook of their union was so bad that they would be unable to survive beyond March 1848. They agreed to strike a high rate during the harvest period in 1847, but anticipated that the result of striking a second one of a similar amount would be to endanger law and order in the union. They recommended that distress should be relieved, not through the Poor Law, but by completion of last winter's public works and the provision of
employment by landlords under the Land Improvement Act. (43)

In some unions, difficulties caused by the general economic situation were compounded by the unwillingness of ratepayers to pay the new higher rates. As early as July 1847, the Chairman of the Carrickmacross relief committee, informed the Lord Lieutenant that there were already signs of resistance to rate collection. Edward Ormoney, Poor Law Inspector of the Kenmare union, reported that in his area there was a general feeling of opposition to the rates and that one rate-collector had been assaulted while attempting to distrain for them. The rate-collector in the Newcastle union told the Commissioners that there was united opposition throughout the union to the rate collection and he feared his life would be in danger if he tried to enforce their payment. (44)

The situation was similar in the Listowel union where one of the collectors had distrained for the rates, but the distress had been rescued by 20 persons who threatened him with violence. In Carrickmacross, the opposition was general and systematic. When a bailiff had served a notice on some of the ratepayers he was assaulted. In one of the electoral divisions, the ratepayers had employed their own attorneys to hinder the collector. (45)

This opposition worried various Guardians. The Boyle union was without finances and the Guardians convened a meeting in order to discuss how they could obtain provisions for the following week. The Kenmare Guardians directed public notices be displayed throughout the union calling on the populace to pay their rates, and they informed the principal proprietors that the onus was on them to make every exertion
in this matter so that relief could be be provided. When the Treasurer of the Lurgan union refused to draw any more cheques, the Guardians resolved to try to get rates in by every means possible. (46)

The pessimism of the ratepayers and the Guardians was shared by some of the Poor Law Inspectors. Joseph Burke, Inspector in the south-eastern region, thought it would be utterly impossible to collect the large harvest rates being struck locally. Although many of the Guardians under his jurisdiction were striking the requisite rates for the Poor Law and the Government repayments, they were simultaneously declaring that these would be impossible to collect. Burke felt that none of the Government loans should have to be repaid as the people were without the means to pay it. He feared that if payment was enforced the Guardians would relinquish their duties and thereby throw the whole responsibility for relief onto the Government. (47)

The Inspector of the Swineford union reported that in some areas a system had developed that rates were not to be paid until the rents were secured. The Guardians of the Castlederg union applied to the Commissioners for a loan as, for the first time, their union was in debt. This application was supported by their local Inspector who informed the Commissioners that even if all the current rate was collected it would still be inadequate to meet the demands on the union. (48) Richard Bourke, Inspector in Ballina, attributed the difficulty in collecting rates to the diminished resources of the landed proprietors who, because of the fall in rents, were less able to pay the rate than they had been. Both proprietor and occupier had found it difficult to pay the Grand Jury Cess, and Bourke predicted that the rate would be even more difficult to collect. (49)
The problem created by abandoned farms and tenements was especially acute in the west and south-west. The Poor Law stipulated that subsequent occupiers continued to be liable for poor rates until they were paid. The rate could therefore be recovered from any subsequent occupier provided that it was carried forward as an arrear. The fact that only a small amount of land was productive frequently meant that there was nothing on the land which the collectors could distrain in lieu of payment. (50) Alfred Power, the Assistant Commissioner, believed that much land in these unions remained unoccupied and untilled due to the great arrears of poor rate which discouraged people from taking farms. If however, this rate was declared irrecoverable, it would have the effect of increasing the burden of rates on the land which continued in occupation. (51) Charles Crawford, Inspector in west Cork, foresaw the consequence of under-production as being that many small occupiers would be forced to rely on relief and the financial condition of the unions would deteriorate. He recommended that food and further loans should immediately be made to certain unions, otherwise they would not be able to provide relief. (52)

The smallness of the 1847 harvest forced the Government to modify its policy on the repayment of Government advances. The Guardians were told that no repayments would be demanded before 1 January 1848, if a rate of 3/- or more was needed to be levied for current expenditure. In unions where current expenditure could be defrayed by a rate of less than 3/-, a rate of this amount was, however, demanded. The Commissioners informed the Guardians that this concession by the Treasury should be met in a similar spirit of co-operation by the local Boards. (53) Not everybody approved of these changes however. The Omagh
and Donegal Guardians disliked this new ruling on the grounds that it would benefit districts who had obtained large amounts of money from the Government. (54) This was supported by the Chief Secretary who agreed that it was unfair to ask the more solvent unions to pay so much at once when unions which had been negligent in the collection of rates would not be pressed in the same way. He believed that it would always be the case that the better managed unions would be penalised rather than the ones with lax administration. (55)

Despite the vicissitudes in the levying and collecting of rates, the financial position of the Irish unions did improve in the months following the harvest. By January of 1848, 119 unions had balances in their favour, whilst the balances against the other 11 unions were the smallest that they had been for three years. By February 1848 all but six unions had made a rate for the repayment of Government advances. (56) To some extent this was attributable to the fact that in the poorest unions the Guardians had been replaced by paid officers. Regardless of this, however, the 'Times' newspaper in England was publishing a series of deprecating articles on the finances of Irish unions. Because of this, Twistleton thought it necessary to reassure Trevelyan that the paper was misrepresenting the facts, informing him that rates were better collected in Ireland than in England and that the preceding year was therefore uncharacteristic. (57)

Trevelyan did not agree with Twistleton as he felt that repayments had only been made to a small extent. In the majority of cases he attributed this to the Guardians failing to strike sufficiently high rates. Despite this, by May, the financial difficulties of the unions resulted in the Treasury again revising its position and deciding that
no repayments were to be made until harvest. Trevelyan believed that a major concession had been made to the Guardians in allowing them extra time to make these repayments. He desired that following the 1848 harvest, the sum to be repaid by each electoral division was not to be less than the difference between the expense incurred for maintaining the poor and 3/- in the pound. (58) The reappearance of the potato blight in 1848 again forced the Treasury to reconsider this policy.

Following the harvest of 1847, apart from poor rates being expected to repay Government advances, ordinary Poor Law expenditure was also very high. This was because the responsibility for providing relief had almost exclusively devolved upon the Poor Law. In the southern and western unions, only weeks after the harvest, demand for relief was abnormally high. At the beginning of September, one Inspector reported that in the Dungannon union, people were being admitted to the workhouse in an extremely wretched state. He felt this was ominous as it was so early in the season. The Dungannon Guardians wanted to obtain additional accommodation in order to cope with this unexpected pressure, but had no funds with which to do so. They therefore resolved to admit people to the workhouse in the daytime and allow them to go home at night. (59)

In the Bandon, Middleton and Mallow unions the local Inspector reported that there was no prospect of employment locally and the condition of the people was deteriorating daily. The Poor Law Inspector of the Kenmare, Skibbereen and Cahirciveen unions informed the Commissioners that there existed in these places a mass of destitution which was beyond the power of the Guardians to relieve. As the season progressed, this pressure would increase, and he recommended that
Government food depots be established. In the Castlebar union, the
Vice-Guardians described the applicants for relief as a 'wretched mass
of human misery' and they admitted 98 persons beyond what their Medical
Officer considered prudent. They informed the Commissioners that the
state of the people was so desperate that they felt impelled to take
this risk. Even in Ulster conditions had deteriorated. The local
Inspector, at the beginning of November, asked if outdoor relief could
be given in his unions as there existed widespread destitution, mostly
caus ed by the dubious state of the linen trade. (60)

The Lord Lieutenant regretted that so soon after the harvest
complaints of want were being made by so many areas. He felt that it
was necessary to appoint a certain number of temporary Inspectors to
help carry out the provisions of the new Poor Law, as the poorer unions
would need constant supervision. The Inspectors who had acted under the
Relief Commission were appointed to these positions, as it was felt that
they would have gained some useful experience. This resulted in
Temporary Poor Law Inspectors being appointed in 22 unions along the
west coast, which had officially been declared 'distressed', and in 27
other unions throughout Ireland. (61)

The need for extensive relief at an even earlier date than in the
previous year, swelled the number of applicants for relief. In the
Scariff and Cahirciveen unions, groups of paupers regularly congregated
outside the workhouse to demand relief. In the Sligo union also, the
local Inspector reported a general increase in disturbances in the area
which he attributed to want of food and clothing. At the same time,
people from all parts of the union regularly gathered outside the Board
meetings to clamour for admission to the already full workhouse. (62)
Often these paupers hoped to force the Guardians to introduce outdoor relief into the union, or if it had already been implemented, to extend it. Sometimes, the attitude of the paupers was belligerent. In the New Ross union, about 400 labourers assembled outside the workhouse asking for either employment or food and threatened to attack the workhouse if they did not get it. In Kilrush, about 3,000 paupers who had gathered outside the workhouse to demand outdoor relief became disorderly and rushed the building. Troops and police had to restore order. (63)

Often if these paupers were offered indoor relief they refused it. This happened in the Newcastle union where some people forced their way into the Board room and demanded relief, but refused to accept admittance to the workhouse. Similar cases occurred in the Galway and Nenagh unions. Occasionally these demands took the form of threats of violence to individual Guardians or the workhouse buildings, but these rarely materialised. (64)

In August, the Guardians were directed to prepare for the possibility of giving outdoor relief by the appointment of Relieving Officers. This new class of administrator was essential in the more distressed unions as they had the power to give immediate relief either by admission to the workhouse or via outdoor relief. Although in some unions it seemed unlikely that outdoor relief would be necessary, the Commissioners directed that at least one was to be appointed in each union. (65)

Some of the more prosperous northern unions saw the cost of appointing a Relieving Officer as a further burden on the ratepayers. The Antrim, Larne, Downpatrick, Lisburn, Newtownards, Lurgan and
Inishowen unions, as they still had available space in their workhouses, refused to appoint a Relieving Officer. The Commissioners insisted that this was to be done in every union and where the Guardians continued to refuse to obey them, they instructed Law Agents to proceed against the latter for neglect of duty. As a result of this, most Boards acquiesced, but even as late as May 1848, the Commissioners were still taking legal action against recalcitrant Boards. (66)

In some unions, the increased demand for relief outstripped the administrative capabilities of the Poor Law bureaucracy. This was most apparent in the south and west. As in the two previous years it was the local Boards who had to find an immediate solution to the problem rather than the central administrators in Dublin. Again, as in 1846, this resulted in the Guardians of the poorer unions giving relief in a way which was contrary both to the spirit and the provisions of the Poor Law.

In the Abbeyleix union, when there was a dramatic increase in destitution, the Guardians responded by admitting more to the workhouse than it could hold, including people who were not part of a family unit. In Westport also, more paupers wanted to be admitted to the workhouse than it could accommodate. Their distress was so appalling that the Vice-Guardians admitted them, even though it meant overcrowding the workhouse and inmates having to wear their own clothes. The situation was similar in Cahirciveen where three or four paupers were sleeping to a bed. When the Listowel workhouse became full, the Guardians rejected over 200 applicants for relief in one day but compensated them with bread. Likewise, in the Ballina union, the Guardians gave 260 paupers whom they were unable to admit a week's supply of provisions, even
though no order had been issued allowing outdoor relief. A few weeks later, on one day, 2,000 paupers applied for admission to the workhouse, and although the Guardians were unable to admit them they directed that they should all be given a meal. (67)

In some unions, although there was available room in the workhouse, the problem was that stocks were deficient and the Guardians had no means with which to replace them. In Skibbereen, the Guardians continued to admit paupers even though their stocks were exhausted, and so they were allowed to wear their own clothes. When this came to the attention of the Commissioners, they ordered that this be stopped as it would lead to the spread of disease. The master of the Killarney union was directed by the Guardians to give food to certain groups of people, such as cripples and children, if he thought necessary. When the Commissioners learnt of this they told the Guardians to discontinue it. (68)

Elsewhere the Guardians were again giving outdoor relief to the able-bodied without first obtaining an order for this purpose from the Commissioners. Examples of this illegal form of relief occurred in the Waterford, Thurles, Kilkenny, Clogheen and Dungarvan unions. The Guardians felt justified in doing this because it would have taken too much time to obtain the requisite order for what they perceived to be a short-term expedient. The Kilkenny Guardians described the destitution in their union as being so awful that the so-called 'able-bodied', to whom they had given relief, were so enfeebled that they could be included under the first section of the new Poor Law, which allowed relief to be given to the infirm. (69)
Some of the Guardians in the poorer unions regarded the Poor Law as unable to bear the whole burden of relieving destitution during the Famine. The Skibbereen Guardians were especially vociferous in their condemnation of the Poor Law as they felt it made insufficient provision for unemployed labourers. They also disliked the policy of turning people out of the workhouse in order to create space in it for the able-bodied, which resulted in great hardship. Distress in the Skibbereen union was so great that the Guardians considered that more time was required to administer it than unpaid Guardians were able to devote, and they recommended that paid Guardians should be appointed. (70)

The Tralee Guardians doubted if even an extension of workhouse accommodation would prove adequate to meet the local demand for relief. Instead they asked for public works to be introduced by the Government into the union. The Killarney Guardians declared that the present crisis made it difficult for them to reconcile the conflicting interests of poverty and property in the union and convened a public meeting to discuss the problem. In the Kilrush union also, the Guardians felt that Poor Law relief was inadequate and asked the Government to procure food for the people rather than leave it to mercantile caprices. Unlike the other Boards, however, they saw the problem in political terms and discussed the question of 'tenant right' and even made speeches denouncing the connection with Britain. (71)

The Commissioners were staunch advocates of the efficacy of the workhouse test, believing that outdoor relief, especially to the able-bodied, was demoralising. Also, if used for any length of time it was open to so many abuses that the cost of administering it would prove
too heavy for the resources of the country to bear. The first section of the new Poor Law had provided that the old, the infirm and orphans could be given outdoor relief at the discretion of the Guardians and the Commissioners recommended that this should be done in unions where the workhouses were becoming full in order to make room for the able-bodied. This was not achieved without difficulties however. The condition of entry to a workhouse required that applicants had to be destitute in order to be eligible for relief and this meant that some paupers, because they were without possessions were reluctant to leave the shelter of the workhouse once admitted as they no longer had land to return to.

Even before the Extension Act was introduced, Twistleton warned Trevelyan that it would be in the interests of the Government to discourage outdoor relief. This meant that despite the growing demand for relief in the winter of 1847 and 1848, the Commissioners attempted to stave off the need to give outdoor relief to the able-bodied for as long as possible. Where the Guardians applied to the Commissioners for an order to enable them to give outdoor relief, they were told they should first spare no exertion to obtain additional accommodation and, if necessary, discharge paupers already in the workhouse in order to make room in it for the able-bodied. (72)

The northern unions were usually the most willing to comply with the Commissioners' directive. In Armagh, for example, the Guardians resolved to increase their accommodation so that they would not even have to give a limited amount of outdoor relief. The Lurgan Guardians also were unwilling to grant relief outside the workhouse as they believed its effect would be to demoralise the population. When their
workhouse became full, they therefore purchased canvas tents which were used to provide additional accommodation. The Inspector in Ulster informed the Commissioners that this belief was common throughout the northern unions as every Board was averse to granting outdoor relief in any form. (73)

In other parts of the country, especially the south and west, where a greater demand for relief existed, it was more difficult to increase the workhouses to the size required to answer the distress. The Guardians in these areas, as in the north, also believed that outdoor relief was demoralising and open to many abuses, but their attitude was more flexible when faced with the surrounding distress. The Kenmare Guardians informed the Commissioners that, although they wanted to comply with their directions and obtain additional accommodation, the state of their funds made this impossible. The Castlebar, Bantry and Westport Vice-Guardians were able to find suitable buildings within their unions for this purpose. In Clifden the only extra accommodation which could be obtained was thatched cabins. Although the Cahirciveen and Mohill unions did acquire some additional accommodation they knew it would still prove insufficient to meet the demands on it. The Trim Guardians feared that it would not be possible to obtain additional accommodation in time to meet the distress. The Carrick-on-Shannon Guardians had reservations about even trying to obtain more accommodation as they feared that if they gave extensive indoor relief to the destitute, the houses of these people would be pulled down and they would never again get a footing on the land. The Inspectors of the Kenmare, Bantry and Skibbereen unions also recommended that outdoor relief to the able-bodied should be granted because:
'if such parties are once admitted into the workhouse it becomes afterwards a matter of the greatest difficulty to support them by outdoor relief as, on coming into the workhouse, they leave their houses which they would be unable to gain possession of should the Guardians be disposed to alter the kind of relief afforded to them'. (74)

In the Clogheen union the Guardians tried to persuade some of the inmates to leave the house and receive outdoor relief, but very few people were willing to avail of this. Paupers in the Kilkenny and New Ross workhouses were also reluctant to leave them as they had no homes, lodgings, bedding or clothing to return to. The Sligo Guardians offered outdoor relief to orphan inmates of the workhouse, but each one of them refused it as they had nowhere to return to. The Rathkeale Guardians anticipated that they would have problems in persuading people to leave the workhouse and therefore applied for an order permitting outdoor relief to be given to the able-bodied. But the Commissioners refused to grant it and told the Guardians to make more endeavours to clear the house by putting out the impotent and pauper children. When the Guardians heard this, they unanimously decided to resign. The Cahirciveen Guardians tried to ease the pressure on their workhouse by admitting into it children whose fathers were working outside, but who could only afford to support part of their family. When the local Inspector heard this he urged them to charge the father for the expenditure incurred. (75)

When the Commissioners were informed of the reluctance of various people to leave the shelter of the workhouse they decided to increase the allowances which could be made to them. Relief was not to be limited to food, as was the case for the able-bodied, but could be given in money with which they could also pay for food and lodgings. Twistleton felt that it would have been monstrous if people were turned
out of the workhouse and only provided with food. But despite this, people were still unwilling to leave the workhouses as it was difficult to obtain shelter outside. In these cases the Commissioners ruled that the Guardians were to ascertain whether lodgings with friends or relatives might be obtained for them. The Commissioners were determined that as these groups could now be provided with lodging it was essential that the workhouse should be secured for the able-bodied. (76)

When the Milford Guardians showed themselves unwilling to turn people out in this way they were told that, for reasons of economy, the workhouse was to be maintained as a test for the able-bodied. When the Mohill Guardians asked the Commissioners to grant them an order for outdoor relief they were told this would not be granted until the workhouse was full of able-bodied men. The Galway Guardians refused to expel from the workhouse people who were reluctant to leave it and they were threatened with dissolution unless/did it. Sometimes the effect of emptying the workhouses was exactly what the Commissioners had hoped for. An example of this is the Castlebar union where many vacancies had been created in the workhouse by transferring its inmates onto the outdoor relief lists. The able-bodied, who had been eager for relief outside the workhouse, now refused the indoor relief offered to them, which the Commissioners saw as proof of the value of the workhouse test. (77)

In spite of these precautions it was inevitable that in some unions the limits of workhouse accommodation would soon be reached and outdoor relief to the able-bodied would have to be granted. In November 1847, only two unions, Oldcastle and Newcastle, were giving outdoor relief to the able-bodied although by the beginning of 1848 this had grown to over
half of the unions. Both Twistleton and Trevelyan agreed that outdoor relief was to be put off for as long as possible unless it was necessary to prevent starvation. This relief was to be financed by the levying of rate after rate to any extent necessary to preserve life, with external help only being used as a last resort. Trevelyan believed that:

'The Poor Law is intended to achieve this satisfactory result and it will produce it, if it is properly carried out. Rate after rate must be levied for the support of the starving people until the landlords either enable them to support themselves by giving them employment, or sell their estates to those who will give employment'. (78)

In unions where it was necessary to give outdoor relief to the able-bodied, the Guardians were advised to guard against abuse. The Extension Act had provided that this relief could be issued for a period of no longer than two months and was to be given in food only. The Commissioners further stipulated that these rations were to be cooked in order to prevent its recipients from selling it. Many Guardians however, found this impractical due to the large scale of the operation necessary to cook the food, and they continued to give uncooked rations, or a combination of the two. As outdoor relief became more general the Commissioners told the Guardians to publish the names of the people receiving it so that frauds could swiftly be detected. (79)

The Commissioners believed the best way of detecting imposition amongst able-bodied persons was by insisting that work be done in return for it. Since the introduction of the Poor Law the Commissioners had been anxious that pauper inmates should be kept employed in some way. The Commissioners believed that all manufactured articles used in the workhouses could be produced within them. The work performed, however, was not to be a source of profit to the union and goods so manufactured
were to be for consumption within the workhouse otherwise they might interfere with the free market. (80)

In February 1846 each union was informed that all able-bodied people receiving outdoor relief were to be compelled to work for at least eight hours every day. In April this was increased to ten hours each day that relief was given. The Commissioners recommended stone-breaking as the task of work. They believed that even this was easy compared with the lot of the independent labourer. The criterion adopted by the Commissioners for the work chosen was that:

'it should be as repulsive as possible consistent with humanity, that is, that paupers would rather do the work than starve, but that they should rather employ themselves in doing any other kind of work elsewhere, and, that it would not interfere with private enterprise or be a kind of work which otherwise would necessarily be performed by independent labourers'. (81)

The Commissioners felt that although stone-breaking did not fulfill the second qualification it did so more completely than anything else. Other advantages of stone-breaking were that it was possible to measure the precise amount of work done, it could be more easily superintended than public works and it required fewer tools than other types of labour. (82)

Twistleton believed that there was almost universal demand in Ireland that paupers should be employed on productive work. (83) Many Guardians preferred productive work, such as land improvement, to stone-breaking. The Chief Secretary also recommended that paupers should be employed on the reclamation of wastelands. Twistleton, however, was adamant. He felt that the Guardians were motivated by a desire for profit and he only agreed to other types of labour being performed if the alternative was that the paupers did no work at
Although the system of enforced labour was similar to the public works of winter and spring 1847, the Commissioners regarded them as very different. The public works had given daily wages to those employed on them and the nature of the work was to be of use to the public. It differed from independent labour as it was designed specifically to afford relief. The Commissioners regarded the consequences of this system as:

'immense numbers of labourers were attracted; discrimination became impractical; work could not be exacted; an enormous expenditure took place and the works which were begun remained to a great extent unfinished'. (85)

They felt that relief in aid of wages which had been common at that time had also been discredited. The distinguishing feature of the Poor Law in this respect was that it drew a line between relief and wages and thereby ensured that a man would be either wholly kept by his employer or by the union. The Guardians were told that there existed no rule of greater importance than this in Poor Law relief and some Boards were dissolved for failing to implement it. (86) The poor disliked stone-breaking as sometimes they had to travel long distances to their work-place and remain there for eight hours without food. The able-bodied men in the Callan union were disgruntled because the amount of relief which they received compared unfavourably with that given to workhouse inmates who were provided with fuel, soap, lodging and clothing. (87)
Paupers receiving outdoor relief were also at a disadvantage in not being provided with coffins if they died. A number of paupers went into the workhouses in a dying state in order to have a decent funeral, but this right was not extended to those in receipt of outdoor relief. This anomaly was brought to the attention of the Commissioners by the Rathkeale and Lismore Guardians who asked them to change it. The Killmallock Guardians asked permission to levy an additional rate for the purpose of providing coffins for these people. (88) Both the Commissioner and the Irish Executive agreed that this problem should be rectified and informed the Guardians that a Bill for this purpose was being introduced into Parliament. In July 1848, it was made legal for paupers who died while in receipt of outdoor relief to be provided with a coffin paid for by the union. (89)

The cost of providing outdoor relief was relatively cheap: adults were given 1 lb of Indian meal daily costing about 1d compared with 9 lb of potatoes costing 1.5d per day, which the paupers received in the workhouse prior to the Famine. The Commissioners feared this might produce an unfavourable impression of the Poor Law in reference to the adequacy of the relief afforded by it. However, they believed that the extent of the means of affording relief had to be taken into account and also the scale of the deficit which the administrators were having to supply. The quantity of meal allowed had been approved by the Board of Health and Indian meal was very cheap, therefore the Commissioners felt that the amount of food given for outdoor relief was adequate. (90)
In May 1848, over one million people were daily being relieved from the poor rates, 800,000 of whom were receiving outdoor relief. There was a progressive increase in the numbers in the workhouse until June, and of those on outdoor relief, until July. From July the numbers declined until the end of September. Although the Commissioners felt satisfied that these persons were kept alive by the Poor Law they privately admitted that there was some suffering because both indoor and outdoor relief were over-subscribed. Nevertheless, they believed that the destitute were getting relief and that it was being given in such a way as not to impair the industrial energies of the country. (91)

With the approach of the harvest of 1848 the Guardians were told that outdoor relief would not be extended beyond August 15. The Guardians were directed that, as soon as paupers left the workhouse of their own accord the vacant room was to be made available to persons receiving outdoor relief, whilst people who could obtain employment were to be discharged. The advances which had been made by the Government were to cease at harvest also, and from that time each union was to depend exclusively on its own resources. (92)

In some areas, even when destitute, the people showed great reluctance to enter the workhouses. In the Sligo union this was partly explained by the prevalence of fever within the local workhouse and the Inspector admitted that these fears were not without foundation. More often it was due to the reluctance of the paupers to give up their possessions and so become eligible for relief. Despite the recently passed Vagrancy Act, people contrived to beg in the streets and this was tolerated. In some unions it was reported that the people were so wretched and desperate that they were stealing in order to be sent to
gaol and receive food. The pledging of articles with pawnbrokers also greatly increased, whilst the redeeming of these articles decreased considerably. (93)

The Commissioners viewed the unwillingness of some poor persons to enter the workhouse as the most unsatisfactory facet of the Poor Law as a mode of relief. They felt that the Quarter-Acre clause was the most significant factor in forcing people to choose between property and relief. The Quarter-Acre Clause, or Gregory Clause, was introduced as a result of the experiences of the Labour Rate Act and Temporary Relief Act under both of which it was felt that people who should not have been receiving relief were obtaining it. The Quarter-Acre Clause stipulated that:

'no person who shall be in the occupation of any land of greater extent than quarter statute acre shall be deemed and taken to be a destitute poor person ... and if any person so occupying more than the statute quarter acre shall apply for relief, or if any person on his behalf shall apply for relief, it shall not be lawful for any Board of Guardians to grant such relief within or out of the workhouse, to any such person'. (94)

This Clause received a mixed reception in Ireland: some viewed it as the salvation of the property of the country, others regarded it as draconian and harsh. To some extent this division existed amongst the Poor Law administrators. Twistleton felt that the Gregory Clause was too stringent a test given the state of the country, whilst Alfred Power saw its introduction as necessary to restrict the abuses in outdoor relief. (95) These differences of opinion were reflected by the national newspapers. The 'Dublin Evening Post', a Catholic paper which viewed itself as the champion of the poor, described the Quarter-Acre Clause as very cruel and alleged that the landlords were using it in a way not contemplated by the legislature. The 'Evening Mail', a Protestant
paper, attacked the Poor Law Commissioners for allowing too liberal an interpretation to be put on the Clause, and they declared it to be a necessary test against imposture. In the same way, the 'Kerry Evening Post' declared that without the protection of the Gregory Clause the whole country would be ruined. (96)

This polarisation was apparent at the local level. Some union administrators were optimistic that this provision would ensure that relief was only given to deserving cases, whilst others claimed that it made it possible for landlords to take unfair advantage of the poverty of their tenants. The Killarney Guardians, who felt strongly about the question of tenant right, advocated that poor rates should be paid by the owners rather than the occupiers of land. They considered the Gregory Clause both unjust and injurious to the poor and stated that they were administering it reluctantly. This was because they considered that it had introduced a spirit of ejectment into the union which they regarded as contrary to the principles of a Poor Law. The Killarney Guardians believed that because of this the Clause did not protect the poor from starvation but instead made permanent paupers of those who might otherwise have supported themselves unaided by the rates. The Guardians of the Kells union also felt that the Quarter-Acre Clause was being used for nebulous ends. In order to prevent this they resolved that if they found evidence of interference by forcible entry into the premises of any person who had a cottage and was receiving relief in the workhouse, they would lay information before a Justice in order to protect the rights of the person so interfered with. The Guardians also petitioned Parliament for a complete change in the Irish Poor Law. (97)
The interpretations which were put on the Quarter-Acre Clause varied greatly amongst individual unions, the central Commissioners, and within the Government, and resulted in much confusion. An example of this occurred in relation to the ability of Relieving Officers, in cases of emergency, to give relief to persons occupying more than a quarter acre of land. Twistleton felt that even in cases of starvation this was not permitted by the Poor Law. George Grey, the Home Secretary, however, questioned this, as he thought that relief should be possible in cases of sudden and urgent necessity. Twistleton explained that the 1838 Poor Law Act only allowed relief to be given to poor persons who were destitute and no person in occupation of this much land could be deemed destitute. Therefore, if he applied for relief it could not be given even in cases of emergency. Twistleton did promise Grey that if this provision caused any problems he would take legal opinion on it. (98)

A further problem was caused by what precisely constituted a 'surrender' of land. There were some cases of people who occupied more than a quarter acre of land offering to give up possession of the excess amount, but this was refused unless it was all given up. Some Guardians received certificates of surrender from the paupers but suspected that certain landlords were allowing these people to continue to occupy their property illicitly. There was also confusion as to what proof of surrender needed to be provided before these people became eligible for relief. (99)
The Commissioners took legal advice on these issues. It ruled that the refusal of a landlord to accept a surrender did not disqualify a person from receiving relief. Legal opinion on the question of surrender also showed that the occupation or non-occupation of land was to be the only criterion for the giving of relief under the Quarter-Acre Clause. The Commissioners accordingly informed the Guardians that: 'no additional unbending condition should be insisted on such as a certificate of surrender from a landlord, or the cessation to occupy even a quarter acre or any land of still less extent.' (100) The Guardians were also told that they were not bound to investigate the question of title in these cases. (101)

Throughout the early months of 1848 many cases were brought to the attention of the Commissioners and the Irish Executive of the suffering resulting from the Gregory Clause. This was especially common amongst the families of men occupying more than a quarter acre of land who refused to give it up, thereby causing their families much privation. The Commissioners again took legal advice on this point as they felt this constituted neglect by the head of the family and wanted to prosecute the father for this. They therefore asked:

'if the Guardians could legally afford the wife and children of this man relief either in or out of the workhouse, and whether he could be prosecuted and forced to relieve them as they were receiving relief from the poor rates'. (102)

The legal opinion given by the Attorney General, Jonathan Henn, was both unexpected and controversial, and it put an interpretation on the Gregory Clause which the Commissioners had not envisaged. He believed that in such cases the wife and children could be relieved either in or out of the workhouse if they were destitute. Also, if the father was
really unable to maintain his family then Henn did not believe that he could be prosecuted for failing to do so. A second legal opinion was sought by the Commissioners from J.M.Monahan but he agreed with Henn that the Guardians could not convict the father for neglecting to maintain his wife and children who could be considered proper objects for relief. Both of these legal opinions regarded the provisional power of the Relieving Officers to provide relief in the case of sudden and urgent necessity applied to the families of, but not the actual person, occupying land over quarter of an acre. (103)

The Commissioners informed the Guardians that the only material difference which the opinions should make was that neither the Guardians nor the Relieving Officers should permit the wife or child of a person occupying more than quarter of an acre to die of starvation or suffer extreme privations because the husband or father refused to qualify himself for this relief by ceasing to occupy this land. The Guardians were also told:

'It would be an extreme perversion of the meaning of the law, and of the language and meaning of the circular, to give relief systematically and indiscriminately to the wives and children of persons occupying more than quarter acre of land, when the Legislature has expressly declared that such persons are not to be deemed destitute'. (104)

If the Guardians suspected that the person really could maintain his family then they were to prosecute him. Although the Guardians were told that they were now in a position to save an innocent wife or child from starvation, they were warned to be wary of attempts at imposition. (105)
These legal opinions caused consternation within the Government. Trevelyan and Wood agreed that there was a need to guard the Treasury against the consequences resulting from this 'relaxation' of the Quarter-Acre Clause. They feared it would bring upon the Treasury an increased demand for funds resulting from increased Poor Law expenditure. Trevelyan also felt that some of the instructions of the Commissioners were contrary to the spirit and intention of the Poor Law and, unless they were modified, would have dangerous repercussions. (106)

The Home Office was also apprehensive about the implications of the new interpretation. The Home Secretary admitted that while danger had existed for the families of people occupying more than a quarter of an acre, there was now a danger that these people would have undue expectations of relief. Although he did not doubt the correctness of the legal opinion, he informed the Commissioners:

'It appears to the Government that it would be obviously contrary to the spirit and intention of the provisions of the law and tend to defeat the object with which it was enacted if the families of persons owning more than quarter of an acre of land were to be considered as indiscriminately entitled to relief'. (107)

Twistleton was not surprised by the alarm caused by the legal opinions and he admitted that he disliked the general bearing which it would have on the Poor Law. However, he realised that some people had already died and others were likely to die of starvation due to an erroneous interpretation of the Clause and it was the duty of the Commissioners to rectify this. Twistleton predicted that over the summer this opinion would save many lives. At the same time he believed it would have little impact on the surrender of land because the
prospects of the crop were so good that no amount of suffering would induce occupiers to surrender their land before harvest. Twistleton felt that the problems caused by the Quarter-Acre Clause were the fault of the legislature, and if they disliked this legal interpretation, then they should amend the Act. (108)

Despite the various legal opinions taken in regard to the Quarter-Acre Clause and the vigilance with which it was observed, various abuses resulted from it, especially over the surrender of land. Some landlords collaborated with their tenants to enable the latter to obtain relief without losing possession of their land. In some cases the occupiers were permitted by their landlords to give up all but a quarter of an acre of their land which contained their dwelling, in order to be eligible for relief. There were also some 'collusive arrangements' for the obtaining of relief by which people sublet the excess quantity of land to friends or relatives, or even by an agreed surrender to the lessor. There were also instances, however, where people chose to cling to all of their land and thus remain ineligible for relief, some even to the point of death. (109)

Some landlords did not want to regain possession of their land because if a tenant ceased to occupy the resident landlord was, for the purpose of the Poor Law, treated as the occupier and as such was liable for the arrears of rates. Especially in the poorer unions, this could put a great burden on the local proprietors. But it was more difficult to compel the landlords to pay the rates than the occupiers: with the latter it was possible to seize the whole of his visible property at once, but with the former it was first necessary to sue him. Twistleton feared that one of the consequences of this might be to encourage
absenteeism, because if the landlord removed all of his personal property from Ireland and was living out of the country, he would be immune from this. (110)

Some landlords used the Poor Law, especially the Quarter-Acre Clause, to facilitate eviction. The main incentive for this was that on holdings valued under £4 the poor rate was paid by the landlord, which meant that if rents were not being paid his rates alone could exceed his income. Some unions, such as Kilrush, became notorious for the amount of evictions taking place there daily. Evictions were most numerous in counties Leitrim, Roscommon, Clare, Tipperary, Mayo, Antrim, Cork, Dublin, Galway and Queens. (111)

Where evictions were widespread they created additional problems for the local Guardians. In Carrick-on-Shannon union the workhouse was swamped by applicants who had been unhoused and their homes destroyed. Although the workhouse was full the Guardians could not offer them outdoor relief because these people had no lodgings. The financial problems of the union meant that the Guardians were unable to hire a building for additional accommodation. The Guardians were pessimistic that these people would never be able to get a footing on the land again. (112)

The Galway Guardians convened a special meeting to discuss the problems caused by local eviction, as, within a space of days eleven boat-loads of paupers had arrived from Connemara who had been ejected from one estate there. The Guardians regarded the system of clearance as injurious to the ratepayers of the union, especially the inhabitants of the town. The Inspector of the Ballina union feared that if the
system of unroofing cabins was carried on much further it would render
the attempts of the Vice-Guardians in the unions to keep workhouse
accommodation for the able-bodied useless. In the Swineford union 23
families on Lord Lucan's estate were evicted, despite the fact that many
of them had their land cropped and their rent paid. When this reached
its attention, the Home Office, fearing that this would throw a heavy
burden on the local poor rates, asked the Lord Lieutenant to enquire
into this. Although Twistleton regarded these cases as harsh, he
believed that if such people were allowed to hold onto the land they
were preventing somebody else from cultivating it. In the long run he
was optimistic that these evictions would help to decrease
poverty. (113)

Although the smallness of the 1847 harvest forced the Government to
intervene in the Irish relief operations they were determined that their
role should be streamlined as much as possible. The Commissioners and
the Treasury agreed that a continuation of relief on the same scale as
in the two previous years would threaten the prosperity of the local
districts and the Empire at large, and would perpetuate the habit of
dependence on Imperial taxes. The Government therefore decided only to
give assistance to areas in which destitution exceeded the ratepayers'
ability to relieve it and to give it in such a way as to ensure that it
would not interfere with the local administration of relief. Using this
criterion, the Government estimated that it would have to give assistance
in up to 25 unions but they emphasised that this would not be given
until all practical local exertion had first been made. (114)
The desire of the Government to reduce its activities in Ireland was facilitated by the intervention of various charitable organisations such as the Society of Friends and the British Relief Association. The Society of Friends first became involved in Irish relief in the latter part of 1846, although their activities did not become extensive until 1847. Initially they formed a committee which was intended to be advisory, but when they received contributions for Irish distress they decided to use them to provide relief. Apart from giving aid to local relief committees the Society of Friends also distributed clothes and blankets throughout Ireland. But most of their relief was in the form of cooked food, as they felt this form of relief was least open to abuses. They had hoped to sell their provisions at cost price rather than give it gratuitously, but they realised that if they adhered to this they would not meet the needs of the destitute. When the new Poor Law became operative, they decided to provide relief in such a way as to develop the resources and productive industry of the country. In order to achieve this they only gave gratuitous relief to the sick and convalescent whom they felt might be excluded from Poor Law relief. The main form of relief provided by the Society of Friends in 1848 was through the distribution of nearly 200,000 lbs of seed and the cultivation of about 800 acres of green crops. The Society of Friends hoped that these agricultural improvements would have a permanently useful result in Ireland. (115)

The Government approved of this as they were anxious that the failure to cultivate land in 1847 should not be repeated in 1848. They did not want to become involved in the distribution of seed themselves as they feared it might result in people relaxing their own exertions.
They therefore preferred that the distribution of seed should lie in the hands of a private charity. (116) The Society of Friends were active throughout Ireland. One of the main problems faced by them was that where distress was most severe, the administrative machinery for the distribution of relief was the scantiest. Joseph Bewley, Secretary of the Society of Friends, felt that a further consequence of this was that poor rates were heaviest in the areas where the people were least able to afford them. Although the people were kept alive by the Poor Law, he believed that their health was not maintained by it and that none of the Government relief systems would be of any long-term benefit. Up to 1849, the Society of Friends gave money advances, food and clothing to the destitute Irish poor to the value of about £200,000, of which over half came from America. (117)

The British Relief Association was also financed by charitable donations from England and America. In August 1847 it had a balance of about £200,000 in hand, and Count Strezelecki, their officer in Ireland, suggested this money should be used to provide relief to children in the schools. The Poor Law Commissioners, however, asked if these funds could instead be used to provide direct relief to some of the poorest unions, and the Commissioners promised to be answerable for its expenditure. Trevelyan approved of this and drew up a programme for the distribution of the funds of the British Relief Association. He recommended that they should not form any new independent machinery which might 'produce the impression that the lavish charitable system of last season was intended to be renewed'. (118) Trevelyan preferred that they should select a certain number of unions in which the ratepayers would be unable to meet their liabilities and give them such aid as the
POOR LAW UNIONS,
1838 – 1849

Distressed Unions
1848–51

Map 2.
Commissioners considered necessary. Trevelyan felt this scheme would ensure that relief was being provided in the most distressed parts of Ireland and simultaneously would be 'supporting and strengthening the administration of the Poor Law, which is the greatest point of all'. The plan also coincided with the desire of the Government to draw a line between distressed and non-distressed unions, that is, those which could support themselves and those which could not. (See map 2) (119)

The British Relief Association agreed to act on Trevelyan's suggestions and provide relief in the unions where the ratepayers could not meet the liabilities of their union independently. In order to do this, they asked Trevelyan for a list of the Distressed Unions and whether food depots could be opened in these localities. Strezelecki was adamant that part of the funds of the British Relief Association should be appropriated to the relief of destitute children. He had already experimented in the Westport union where, through the medium of the schools, he had distributed clothing and a daily meal to '460 children at a cost of one-third of a penny per day'. Strezelecki wanted to extend this system to each of the 22 unions designated 'distressed'. He therefore proposed that a small portion of the funds of the British Relief Association should be set aside to feed and clothe the children in these areas. This meant that, apart from relief via the Poor Law, the British Relief Association was also involved in the direct provision of relief to schoolchildren in the Distressed Unions. In two of the poorest unions, Belmullet and Bantry, the Association also gave £100 to each of the local Inspectors which they considered was imperative in order to prevent death from starvation. (120)
In each of the 22 Distressed Unions a separate Inspector was appointed by the Poor Law Commissioners with the approval of the Treasury. Depots were established in each for the distribution of food and ovens were built for cooking it. Relief given to the able-bodied in these unions was to be in bread, and its quantity was to be determined by the Poor Law Commissioners. The Treasury gave £500 to the Commissioners to enable the ovens to be erected, but any expense incurred beyond this was to come from the unions. (121) With regard to the schoolchildren, Strezelecki directed each of the local Inspectors to prepare the local schools for the distribution of relief. Grants for this purpose were to be allocated to each union according to the number and size of the local schools, and it was then to be distributed to the children by the clergy, the school Inspectors or the school masters. Each child was to receive a daily ration of rye bread and warm broth, which was considered more nourishing than Indian meal. It was estimated that the cost of this would be 5/10 per child, and Strezelecki was provided with £12,000 for this purpose. (122)

Strezelecki decided that assistance would only be given to unions when:

'the Boards of Guardians have made proper exertions to work out their own arrangements, and when it is clearly ascertained and certified by the Inspector that these efforts have been made, and that the extent of distress really exceeds all of their powers of relief duly and fully exerted'. (123)

Any union in which the paupers were performing useful work would be seen as having a stronger claim on the British Relief Association funds. Unlike grants which had been made by the Government, advances from the Association were not made conditional on the levying of rates within a union but were only dependent upon an assurance by the Commissioners
that the money was necessary. Because of this the British Relief Association saw the purpose of its assistance being to alleviate immediate distress, whilst they considered more long-term remedies were the responsibility of the Government. (124)

In December 1847, relief to schoolchildren was established in many western unions. In the Swineford union, for example, the local Inspector reported that schools were springing up like 'mushrooms'. Whereas there had previously only been three schools in the area with 176 pupils, the local schools now had an attendance of 2,138. In the Kenmare union there were so few schools in the district that the local Inspector doubted if the system of relief could be of any practical benefit. (125) In general, however, the school feeding system was both popular and successful.

The British Relief Association wanted to avoid as far as possible giving cash advances to the Distressed Unions. If it did prove necessary to give an advance, it was usually given as a provisional loan to the paid Guardians until the rates were collected. (126) But the pressure of the distress meant that the British Relief Association was forced to give regular advances to these unions. Because of this it was estimated that the amount necessary during the five months from March to harvest 1848 would far exceed that of the previous five months. This would be made even worse by the fact that in the poorest unions it would not be possible to collect a second rate before the next harvest. (127)

In March 1848, the Commissioners decided to suspend outdoor relief to the able-bodied in 24 unions in an attempt to release labour to cultivate the soil. This was made possible by the fact that rations
were being given to approximately 200,000 children, and the British Relief Association agreed to make this relief contingent on parents working on the land. By this time, the funds of the British Relief Association were much reduced and they decided to start contracting the issue of rations to children. The effect of these measures was to force the children and their parents to seek relief in the workhouses. Twistleton was apprehensive about this because in July and August there was always a marked increase in distress, and he feared the Poor Law alone would be inadequate to provide the requisite relief. (128)

By the beginning of July, the funds of the British Relief Association were almost exhausted and they started to close their activities in Ireland. Since October 1847 they had advanced £143,518 in aid of local rates to the Distressed Unions and had spent £92,968 on relief for schoolchildren. When the Association closed its operations it had a balance of £12,900 in hand which they decided to donate to the Poor Law Commissioners. This meant that in the period from the harvest of 1847 to the harvest of 1848 they had expended a total of £249,386 on Irish distress and in this way had contributed to the maintenance of about 300,000 paupers. (129)

The British Relief Association desired that the residue of their funds should be used in the same way that it already had been. The Commissioners promised that if the money was handed over to them they would use it to assist the Distressed Unions and that it would be done in such a way as to avoid holding out any further prospect of external assistance. Instead the money would only be used to meet the most pressing emergencies of these unions. These recommendations were accepted, which meant that the balance of the British Relief Association
POOR LAW UNIONS,
1838 -- 1849

Unions where the Boards
Guardians were Dissolved.
1847-9.

Map 3.
funds were used to provide relief through the medium of the Poor Law. (130)

The end of the involvement of the British Relief Association in the Irish unions meant that it again became necessary for the British Government to intervene in the relief operations beyond the point envisaged by the Poor Law Commissioners. Over the summer of 1848 the number of advances to the Distressed Unions increased considerably even though the Treasury tried to keep down these payments. Assistance from the Government was to end at the period of harvest but Twistleton was pessimistic about the prospects of many unions. Before a new rate could be made he predicted that a large number of unions would apply for loans but would be unable to make any immediate repayment of them. Twistleton felt that there also existed a possibility that during the summer the Government might also be called upon to give aid to previously unassisted unions. Twistleton had received a request from each of the Distressed Unions for outdoor relief to continue beyond the 15 August and although he had not allowed any orders to extend beyond August 31 he realised that further extensions might again prove necessary. Because of this Twistleton was unwilling to commit himself to saying when any of the Distressed Unions would be able to manage without external assistance. (131)

Trevelyan was aghast at Twistleton's predictions as he felt the latter was contemplating a more extensive measure of assistance than the Government had any intention of providing. Aid from the public purse was only to be a continuation of the British Relief Associations system and was to be based on the principle that:
'a broad line should be drawn between those unions which, if the Guardians chose to exert themselves, could maintain their own poor, and those which, even if they were to make every practicable effort, could not so maintain them'. (132)

If the Government supplied deficiencies wherever they existed the result would be to extend dependency upon them until the demands were infinite. Government intervention therefore, was to be limited to unions which could not, by any means in their power, support their own poor. The Government did concede however, that this money was not to be a loan but was to be given as grants where it was absolutely necessary. (133)

Over the summer of 1848 it was decided that at harvest the relief operations of the Commissariat Department would be discontinued. The Government was confident that if the Irish harvest was supplemented by imported Indian corn, there would be adequate food for each union. The Treasury decided that the balances remaining in the hands of the Treasurers of the local relief committees were to be transferred to the Poor Law. (134) This meant that relief operations were to be even further centralised in the hands of the Poor Law Commissioners.

Throughout the Famine, the Boards of Guardians spent an increased amount of time attending to the duties of their office. In the poorer unions especially the time necessary for this was substantial. The Ballyshannon Guardians decided to meet twice a week as they were unable to cover all of their business in one meeting. The New Ross Guardians sat for 14 hours in one day and had to reconvene the next day to complete their duties. Because of this they asked the Commissioners if committees of Guardians could be appointed in each electoral division in order to lighten the burden. The distress in the Clogheen union was so overwhelming that the local Guardians found it necessary to meet daily
in order to deal with it. But, as occurred in other unions, because the Guardians had their own affairs to look after, they found it difficult to devote this much time to union business. The Inspector of the Clogheen union, whilst praising the efficiency and dedication of the Board, realised that because of this the Guardians would not be able to bring the union through its difficulties. (135)

The precarious financial position of many unions meant that in some workhouses, food was being purchased on a daily basis and some Guardians threatened to close their workhouses unless external funds were given to them. In some unions the workhouses were being subsidised by individual Guardians. (136) A number of Guardians received threatening letters in an attempt to force them to give an increased amount of relief. Actual violence was rare however, although there was an attempt to murder the chairman of the Nenagh Board because he had refused to give outdoor relief. This incident alarmed various other Boards of Guardians, and the Rathkeale ones, who had also refused to give outdoor relief, decided to resign because of it. (137) The desire to resign was not uncommon. The Ballina, Skibbereen, Newcastle, Kanturk and Carrick-on-Shannon Boards are examples of this, but the Commissioners informed them that they could not be dissolved unless their duties were not being discharged. (138)

Throughout 1847 and 1848 the Commissioners dissolved 39 Boards of Guardians (see map 3). As the map shows, there is a close relationship between Distressed Unions and unions with dissolved Boards of Guardians. The ability to dissolve a local Board and immediately appoint paid officers in their place had been facilitated by the 1847 Extension Act. The Commissioners believed that the advantages of paid Guardians were
many: they would not be swayed by local considerations when making and collecting the rates; they would have more time for the conduct of the business of the union; Board-room business would be conducted more quickly; and they would be more directly answerable to the Commissioners. (139)

Although the Commissioners professed themselves reluctant 'in the highest degree' to interfere with the principle of local self-government, at the same time they were willing to resort to this measure if relief was not being provided properly. (140) However, the private disclosures of the Commissioners differed substantially from their public declarations regarding dissolution. At the beginning of 1848 Twistleton informed Trevelyan that for unions which were in debt the appointment of Vice-Guardians was the best solution, and he regretted that the Commissioners had no excuse for doing it more extensively. Twistleton felt the main reason for doing this was 'to prevent Irish unions from making demands upon the national funds at a time when such demands, if carried to very great extent, might be seriously injurious to the Empire'. (141) This resulted from the desire of the Government, following the harvest of 1847, to force Ireland to rely on its own resources. To facilitate this, it was considered that the best method of extracting money from unwilling ratepayers was by the appointment of paid Guardians. A few months after the Act was passed therefore, Twistleton regretted that twice the number of Boards had not been dissolved. This accorded with his belief that:

'the principle of local Government is excellent, but it seems to be of less importance for the present year than to protect the national finances'. (142)
The Government and the Treasury however, reacted to the first wave of dissolution with caution, as they apprehended it might cause trouble within the unions. Twistleton felt these fears were groundless and he believed that the aim of the Government - to prevent deaths from starvation whilst simultaneously forcing the Irish people to depend on their own resources - could not be achieved unless the Commissioners were allowed discretion in the appointment of paid Guardians. Twistleton suspected the main critics of the dissolutions were the Irish landlords who did not like being compelled to pay their poor rates and he accused the Government of judging what should be done in Ireland by English notions of dissolution. If anything, Twistleton considered that the Commissioners had failed to avail of some opportunities to dissolve certain Boards and now these unions were in a worse position than they had been. (143)

Before a Board could be dismissed, evidence of maladministration had to be given to the Commissioners. The three most common reasons for dissolution were failure by the Guardians to collect a sufficient amount of rate, refusal to repay Government advances, or giving unauthorised relief. In the case of the Scariff Board they were dissolved for making a rate which did not include the arrears of the former one. The Kenmare Guardians were dissolved following a report of their Inspector saying that they were not enforcing an adequate rate collection. In a private letter to Trevelyan, the Inspector admitted that he had caused the dissolution of the Board not because of the negligent manner in which they had discharged their duties, but principally because many of the Guardians themselves had not paid their rates. The Guardians of the Trim union were dissolved for continuing to give outdoor relief without
an order from the Commissioners. The dissolved Boards tended to accept their disbandment without resistance. (144)

In some cases the local Inspectors showed themselves sympathetic to the problems faced by the local Boards. Joseph Burke, Poor Law Inspector in the south-west, was aware of the difficulties which the Clogheen Guardians had to contend with. He described them as an efficient and dedicated Board, but he was apprehensive as to whether they could carry the union through the distress. If the Guardians were to provide an adequate amount of relief they would have to meet daily, which was not possible. Burke therefore recommended that Vice-Guardians should be appointed. (145)

Following the dissolution of the Kinsale union, Burke informed the Commissioners he disagreed with this because the problems of this union were not due to any lack of diligence by the Board. As late as 1850, the Commissioners threatened to dissolve the Ennistymon Guardians because their workhouse was overcrowded. The Guardians were reluctant to give more outdoor relief fearing that if they did the pressure on them would be too great to bear. The local Inspector supported the Guardians and informed the Commissioners that no Board in his area had tried as hard to perform their duties as this one, even though it was the most destitute union in Clare. Despite this, the Guardians were dissolved. (146)

The men who were employed by the Commissioners to act as Vice-Guardians invariably came from an area outside of the union to which they were sent. Usually two or three were appointed simultaneously with a view to working in co-operation with each other in...
up to three adjoining unions, for example, Westport, Castlebar and Ballinrobe. The Poor Law Inspectors were asked to recommend individuals in their unions who had acted as Guardians and would be willing and competent to undertake the duties of Vice-Guardian. Because of this the vast majority of paid Guardians were either former Guardians, clerks of unions or men who had been Inspectors under the previous relief systems. (147) This meant that they all had direct and recent experience in the administration of relief.

When a Board of Guardians received a dismissal order they were told to remain in office and carry on their duties until the paid Guardians arrived. Following their installation, the Vice-Guardians were usually given a provisional loan from the Commissioners to enable them to provide relief until the rates were collected. The Vice-Guardians were to send a weekly report on the union to the Commissioners, distinct from the Minutes which were also forwarded. They were to give special attention to the rate collection because:

'in dissolving the respective Boards of Guardians to whose functions you have succeeded, the Commissioners have had principally this object in view, and they regard it of essential importance to the interests of the whole Empire that it may be distinctly shown to be possible, even in the most distressed unions of Ireland, to collect a sufficient amount of rates to relieve their destitution at the present season'. (148)

The appointment of Vice-Guardians was felt by the Commissioners to be very satisfactory. Over the summer of 1848 the overall number of deaths from starvation was reduced compared with the previous year, which Twistleton attributed to the Vice-Guardians taking over the Distressed Unions. In some unions also, the appointment of Vice-Guardians brought a reduction in expenditure. (149) Alfred Power saw the main strength of the paid Guardian system as being that they
were on the spot and able to devote the whole of their time to the administration of relief. Twistleton hoped that because of this the relief committees would not be revived, even though there was a general demand in the Distressed Unions for this. (150)

But the administration of the Poor Law by paid Guardians was not without its problems - many being similar to those encountered by their predecessors. The most pressing and recurrent difficulty was caused by the shortage of funds, especially in the Distressed Unions. When the credit of the Vice-Guardians became exhausted, a large number of paid officers, as many of the elected Guardians had done, made themselves personally liable for union debts. The Commissioners disapproved of this and they urged the Vice-Guardians to collect more rates. (157)

Another problem facing the vice-Guardians was the sheer bulk of work which they had to get through. One local Inspector reported that the local Vice-Guardians were working very hard, often staying in the workhouse until eleven at night. Colonel Dobree, of the Commissariat Department, according to his report on some of the western unions, regarded the paid Guardian system in the Ballinrobe, Castlebar and Westport unions as not very efficient. He attributed this to the fact that the three officers had to divide their time between three unions. Because of this they did not have sufficient time to get through union business and had to leave the unions for four of the six weekdays, unattended. Dobrees' solution to the problem was that more Guardians should be employed and receive lower wages. (152)
In a few unions the Vice-Guardians quickly showed themselves to be incompetent. Joseph Burke reported that the Vice-Guardians in the Clonmel and New Ross unions were unsuitable, and he asked for them to be replaced. In the Kenmare union there was disagreement among the Vice-Guardians and the local Inspector considered them to be no better than the late Board. In the Scariff union there were also some problems with the Vice-Guardians which resulted in their being removed from office. Within the Government complaints were circulated about the Vice-Guardians of the Mohill and Loughrea unions. Twistleton felt these allegations were unfounded and had originated from Lord Clements and Lord Clanricarde - both of whom had personal associations with these unions. For the most part however, as Twistleton repeatedly assured Trevelyan, there were no complaints worth mentioning in the majority of unions. (153)

The restoration of dissolved Boards could take place in March 1848, or, if this did not occur, had to take place 12 months later. Their re-establishment could not happen at any other time. At the beginning of 1848 the Commissioners felt that with the exception of the Lowtherstown union, which had been dissolved by mistake, they did not want any of the dissolved Boards to be restored. The re-appearance of the blight in 1848 meant that the Commissioners continued to be reluctant to allow elections in some unions. This meant that in March 1849 only 16 Boards were restored, the others not being revived until the harvest period. (154)
Following the transfer to Poor Law relief, growing differences emerged between the Treasury and the Commissioners over the role of their respective Departments in relief operations. Trevelyan privately asked the Vice-Guardians and Temporary Poor Law Inspectors of the Distressed Unions to relay to him confidentially details of local destitution, the prospects of collecting rates, and information about the operation of the Poor Law. Trevelyan also asked Twistleton to forward to him a copy of all Poor Law correspondence. Twistleton refused to comply with this because most of it was concerned with individual points of administration, not of interest to the Treasury. In other ways Trevelyan tried to play a greater role in the Poor Law than the Commissioners liked. The Extension Act had provided that the number and salaries of clerks employed under the Poor Law was to be regulated by the Treasury, but Trevelyan also attempted to control the appointment of these employees, much to the annoyance of Twistleton who refused to let him do so. (155)

Initially the attitude of the Treasury and the Commissioners regarding the responsibility for providing relief was similar. In December 1847, Twistleton declared that any deaths from starvation which occurred were due not to defects in the Poor Law but to local circumstances. He therefore believed that the responsibility for this rested mainly with the Guardians or the ratepayers. The Guardians and the local Inspectors were told that it was their duty to make the ratepayers fully aware that the preservation of the destitute poor depended on their paying money. At the same time Twistleton perceived that in the attempt to achieve this, 'some risks must be run, you cannot fight a great battle without some loss'. (156) Trevelyan agreed that
the collection of rate after rate was crucial for the success of the Poor Law. He saw it as a choice between:

a lamentable loss of life of the lower classes, and the temporary distress of those classes whose duty it is to give employment to able-bodied poor and gratuitous relief for the impotent poor. (157)

Following an increased number of deaths from starvation at the beginning of 1848 Twistleton became more critical of the Poor Law and its shortcomings. He believed that if this system of relief was continued, a risk existed of even more deaths from starvation. If the Government wanted to prevent such deaths, he advised that they would have to revive the Temporary Relief Acts of the previous year and advance money from the Treasury to various unions. He promised that if they did this, deaths from starvation would become unknown. But Twistleton realised that the Government was determined to continue with the system introduced in August 1847, as they:

considered it inexpedient that the poor of Ireland should be again maintained from the public purse, and a great effort was to be made, even in the most distressed unions, to ensure the maintenance of the poor from local taxes.

By transferring the burden of providing relief to the Poor Law there was a likelihood of deaths from starvation; however, for the Government, Twistleton believed;

it seemed to be a less evil to the Empire to encounter the risk than to continue the system of advances from the public purse. If the system pursued during the last four months is continued there will be a continuation of the same risk ... But the success of the Commission in preventing deaths from starvation must not be judged by a comparison with another system of relief, which is wholly distinct in its fundamental principles'. (158)
Trevelyan was adamant that the course begun by the Government should be continued. Twistleton disagreed with Trevelyan's desire for a rigid enforcement of the rate collection, fearing that any further increase in deaths would create mischief for the Poor Law politically. Twistleton believed that there had been no extravagance on the part of the Poor Law administrators. He informed Trevelyan that he would ensure that the money owed to the Government was repaid in accordance with the Treasury's suggestion that rates should be collected to the utmost practicable point, although he admitted that he did not know where this point was. (159)

Although the Commissioners were aware that the Poor Law had a number of limitations, they felt that abuses under it were less than under any other system, and it was cheap to administer. (160) Wood, the Chancellor of the Exchequer, realised that in order to prevent starvation the Government would have to give money to the Poor Law, but he felt that the advantage of this system over previous ones was that it did not create a feeling of dependency on the Government. He was confident that the Poor Law, as well as relieving destitution, would help promote 'the national remedial process which is in rapid progress amongst all orders of society in the distressed unions'. (161)

The main limitation of the Poor Law was most clearly realised by George Nicholls who had introduced it to Ireland. In 1838 he acknowledged that one of the defects of the Poor Law was that it would not be able to cope with any prolonged period of distress. Writing in 1856 he said that during the Famine it was the duty of one part of the Empire to come to the rescue of the other. This was because he realised that the relationship between a famine and a Poor Law.
'although in one sense intimate, is in other respects limited; for where the land has ceased to be reproductive, the necessary means of relief cannot be obtained from it, and a Poor Law will no longer be operative, or at least not operative to the extent adequate to meet such an emergency as then existed in Ireland'. (162)
NOTES FOR CHAPTER THREE


2. 10 + 11 Vic.c.31, sections 1, 2, 3.; General Order of P.L. Coms. for regulating outdoor relief, Papers relating to proceedings for the relief of distress, and state of the unions and workhouses in Ireland, (fourth series); pp8-17, H.C. (896) 1847-8, liv, 29, 1 July 1847, (hereafter cited as Relief of distress, fourth series).

3. 10 + 11 Vic.c.31, sections 4-18.

4. 10 + 11 Vic.c.84.

5. 10 + 11 Vic.c.90; Roberts, *Victorian Origins*, passim; also see, M.B. of Engl P.L. Coms., P.R.O., M.H.I.

6. 10 + 11 Vic.c.90; evidence of Twistleton, Select committee on Irish Poor Law, 1849, pp682-4.

7. Ibid., p.682; First A.R., 1848, p.6; 10 + 11 Vic.c.90.


10. Evidence of Twistleton, Select committee on Irish Poor Law, 1849, pp627-8.


13. Ibid., Grey to L.L., 1847 0.9309, 9 Dec. 1846.


15. Ibid, reports of P.L.I. to Coms., 12847 cartons 1454-5; ibid., Phelan to Coms., 1847 0.10037, 18 Sept. 1847; ibid., Crawford (P.L.I.) to Coms., 1847 0.10513, 4 Oct. 1847; First A.R., 1848, p.9.

17. Senior to Coms., S.P.O., C.S.O.R.P. 1847 0.7584, 26 June 1847; ibid., Senior to Coms., 1847 0.8304, 1 July 1847, 26 June 1847; ibid., Senior to Coms., 1847 0.8304, 1 July 1847; ibid., Coms. to Redington, 1847 0.8682, 31 July 1847.

18. Ibid, Senior tc Coms., 1847 0.10061, 21 Sept. 1847; ibid., Senior to Coms., 1847 0.11473, 6 Nov. 1847.


20. Redington to Coms., S.P.O., C.S.O.R.P., 1847 0.6575, 29 May 1847; ibid., Coms. to Redington, 1847 0.6835, 4 June 1847; Circulars to B.G., Relief of Distress, fourth series, p.6, 1 July 1847; ibid., Circular as to collection of poor rates, p.25, 26 Oct. 1847.

21. Redington to Coms., S.P.O., C.S.O.R.P., 1847 0.6575, 29 May 1847; ibid., L.L. to various B. of Gs., 1847 0.9273, 7 July 1847.


23. Ibid., Twistleton to Trevelyan, T.64.367.A., 23 Oct. 1847; ibid., Twistleton to Trevelyan, T.64.369.3.1., 14 Dec. 1847.

24. Coms. to V-Gns. of Ballinrobe, Castlebar, Westport unions, S.P.O., C.S.O.R.P., 1847 0.9345, 16 Aug. 1847; ibid., Coms. to Scariff Gns., 1847 0.8151, 14 July 1847.


27. Ibid., Ball to Coms., 1847 0.8211, 12 July 1847.

28. Ibid., Coms. to Somerville, 1847 0.10409, 4 Oct. 1847; ibid., Coms. to Somerville, 1847 0.10409, 4 Oct. 1847.

29. Ibid., Mem. of Skibbereen Gns., 1847 0.12959, 25 Nov. 1847.

30. Ibid., Coms. to Redington, 1847 0.6871, 3 June 1847.

31. Ibid., Minutes of Enniskillen Gns., 1847 0.10700, 3 Aug. 1847; ibid., Coms. to Enniskillen Gns., 23 Aug. 1847.


38. Coms. to Ballina Gns., M.B., Ballina Union, N.L.I., Ms.12,202, 4 Oct. 1847; Reports from Mr Barron to the Poor law Commissioners and correspondence relative to the dismissal of the late Board of Guardians of the Lowtherstown Union, H.C. 1847-8, (207), liii, 401.


42. M.B., Ballina Union, N.L.I., Ms.12,203, 24 Nov. 1847.


44. Chairman of Carrickmacross Relief Committee to C.S., S.P.O., C.S.O.R.P., 1847 0.8266., 21 July 1847; ibid., P.L.I., Kenmare to Coms., 1847 0.949, 10 Jan. 1848; ibid., r.c., Newcastle to Coms., 1847 0.10480, 23 Sept. 1847.

45. Ibid., extract of Listowel Minutes, 1847 0.10480, 23 Sept. 1847, 23 Sept. 1847; r.c., Carrickmacross to C.S., 1847 0.8909, 7 Aug. 1847; ibid


47. Burke to Coms., P.R.O.I., L.B., 7 Aug. 1847.

0.13324, 18 Dec. 1847; Ibid., Coms. to Redington, 1847 0.7843, 7 July 1847.

49. Ibid., P.L.I., Ballina to Coms., 1847 0.8271, 15 July 1847.

50. Ibid., Coms. to T.P.L.I., Tralee, 1847 0.13162, 18 Dec. 1847.


54. P.Barron (P.L.I.) to Coms., S.P.O., C.S.O.R.P., 1847 0.9259, 9 Sept. 1847; ibid., Coms. to Donegal Gns., 1848 0.645, 28 Dec. 1847.

55. Redington to Trevelyan, P.R.O., T.64.369.B/1., 18 Dec. 1847.

56. Coms. to Redington, S.P.O., C.S.O.R.P., 1847 0.13253, 27 Dec. 1847; ibid., Coms. to H.O., 1848 0.2842, 11 March 1848; Twistleton to Trevelyan, P.R.O., T.64.370.C/4, 13 Feb. 1848.

57. Ibid., Twistleton to Trevelyan, 12 Feb. 1848.


60. Crawford to Coms., S.P.O., C.S.O.R.P., 1847 0.11276, 1 Nov. 1847; ibid., Crawford to Coms., 1847 0.10190, 24 Sept. 1847; ibid., Coms. to Somerville, 28 Sept. 1847; ibid., Senior to Coms., 1847 0.11473, 6 Nov. 1847; ibid., V-Gns., Castlebar to Coms., 1847 0.11034, 26 Oct. 1847; ibid., 1047 0.11223, 28 Oct. 1847.


62. P.L.I., Cahirciveen to Coms., S.P.O., C.S.O.R.P., 1848 0.34, 17 Dec. 1847; ibid., P.L.I., Scariff to Coms., 1848 0.303, 1 Jan 1848; ibid., P.L.I., Sligo to Coms., 1848 0.12730, 8 Dec. 1847.

64. Extract of minutes of Newcastle Gns., S.P.O., C.S.O.R.P., 1847 0.9877, 7 Sept. 1847; report on Nenagh Union in Dublin Weekly Register, 13 Nov. 1847; extract of Nenagh Minutes, P.R.O.I., R.C.P., 25 Nov. 1847; P.L.I., Galway to Coms., S.P.O., C.S.O.R.P., 1848 0.948, 13 Jan 1848; ibid., P.L.I., Kilrush to Coms., 1848 0.948, 13 Jan. 1848.


69. Burke to Coms., P.R.O.I., L.B., 29 Dec. 1847, 12 Jan 1848, 4 Feb. 1848, 21 March 1848; ibid., Coms. to Burke, 4 Jan. 1848.


72. Twistleton to Trevelyan, P.R.O., T.64.368.A., 5 May 1847; Circular from Coms. to all Gns., S.P.O., C.S.O.R.P., 1848 0.1171, 21 Aug. 1847; Second A.R., 1847 p.13; Coms. to Dunshaughlin Gns., M.B., Dunshaughlin union, M.C.L., BG.84.A.5., 7 Dec. 1847.


74. Twistleton to Trevelyan, P.R.O., T.64.369.B/1, 9 Dec. 1847; M.B., Kenmare union, K.C.L., BG.100.A.3., 6 Nov. 1847; M.B., Trim Union, M.C.L., BG.155.A.5., 29 Dec. 1847; M.B., Trim union, M.C.L., BG.155.A.5, 29 Dec. 1847; P.L.I., Bantry to Coms., S.P.O., C.S.O.R.P., 1848 0.4739, 7 May 1848; ibid., P.L.I., Westport to Coms., 1847 0.11478, 4 Nov. 1847; ibid., P.L.I.,
Castlebar to Coms., 1847 0.536, 29 Dec. 1847; ibid. P.L.I., Clifden to Coms., 1847 0.13220, 20 Dec. 1847; ibid., P.L.I., Mohill to Coms., 1847 0.13304, 24 Dec. 1847; ibid., P.L.I., Carrick-on-Shannon to Coms., 1847 0.13372, 16 Dec. 1847; ibid., J.Dobree, Vice-Commissary-General to Coms., 1847 0.13306, 12 Dec. 1847.

75. Chairman of Rathkeale Gns. to Trevelyan, P.R.O., T.64.367.a/3, 12 Nov. 1847.


77. Ibid., Coms. to P.L.I., Milford, 1848 0.708, 30 Dec. 1847; ibid., 5 Jan. 1848; P.L.I., Galway to Coms., 1847 0.13385, 19 Dec. 1847.

78. Twistleton to Trevelyan, P.R.O., T.64.367.A.3., 17 Nov. 1847; evidence of Twistleton, Select committee on Irish Poor Law, 1849, p.634; P.L.I., Bantry to Trevelyan, P.R.O., H.O.45 1942, 6 Dec. 1847.


81. Coms. to Burke, P.R.O.I., L.B., 5 Feb. 1848; Twistleton to Trevelyan, P.R.O., T.64.370.C/4, 27 Feb. 1848; First A.R., 1848, p.16.


83. Twistleton to Trevelyan, P.R.O., T.64.370.C/4, 27 Feb. 1848.


85. Ibid.


87. V-Gns., Tuam to Coms., S.P.O., C.S.O.R.P., 1848 0.3564, 21 March 1848; ibid., Mem. of ratepayers of Ennistymon Union, 1848 0.6504, 29 June 1848; confidential letter to Coms. from able-bodied workers in Callan union, P.R.O.I., L.B., Jan. 1848.
88. M.B., Ballina Union, N.L.I., Ms.12,204, 18 March 1848; evidence of Power, Select committee on Irish Poor Law, 1849, p.12; resolution of Rathkeale and Lismore Gns., S.P.O., C.S.O.R.P., 1848 0.4669, 8 May 1848.

89. Ibid., resolution of Killmallock Gns., 1848 0.4835, 4 May 1848; Coms. to Kenmare Gns., M.B., Kenmare Union, K.C.L., BG.100.A.4., 29 July 1848.


91. Ibid., second A.R., 1849, p.2; Coms. to H.O., P.R.O., H.0.45. 2472, May 1848.


93. P.L.I., Cahirciveen to Coms., S.P.O., C.S.O.R.P., 1848 0.2126, 9 Feb. 1848; ibid., P.L.I., Sligo to Coms., 1848 0.2187, 26 Jan. 1848; ibid., P.L.I., Sligo to Coms., 1848 0.4843, 21 April 1848; ibid., P.L.I., Crcarrick-on-Shannon to Coms., 1848 0.3352, 15 March 1848; ibid., Dobree, Vice-Commissary-General to Coms., 1847 0.13306, 12 Dec. 1847; Burke to Coms., P.R.O.I., L.B., 12 June 1848, 23 Dec. 1848.

94. 10 + 11 Vic.c.31, section 10.


96. Ibid., 17 Feb. 1848; Armagh Guardian, 4 May 1847; Kerry Evening Post, 14 April 1847.


98. Twistleston to Trevelyan, P.R.O., T.64.367.C/1, 3 Jan. 1848, 12 Jan. 1848.

99. Coms. to V-Gns., Ballina, S.P.O., C.S.O.R.P., 1848 0.2116, 7 Feb. 1848; ibid., V-Gns., Ballinrobe to Coms., 1848 0.5139, 31 Jan. 1848; ibid., V-Gns., Castlebar to Coms., 1848 0.2328, 3 Feb. 1848; ibid., P.L.I., Glenties to Coms., 1848 0.2161, 15 Jan. 1848.

100. Ibid, Coms. to V-Gns., Ballina, 1848 0.2116, 7 Feb. 1848; ibid., Coms. to V-Gns., Castlebar, Ballinrobe, Westport, 1848 0.1048, 13 Jan. 1848; ibid., Coms. to P.L.I., Glenties, 1848 0.2161, 20 Jan. 1848; ibid., Coms. to V-Gns., Castlebar, 1848 0.2328, 5 Feb. 1848; Dublin Evening Post, 24 Feb. 1848.

1848.

102. Circular from Coms., Copies of correspondence upon which the Commissioners of the Poor laws in Ireland took legal advice as to the construction of the 10 section of the Act 10 Vict. c.31; and of the case submitted to them by counsel; and of the circular letter of the Commissioners issued thereon, p.4, H.C. (442) 1847-8, liii, 519, 23 May 1848.

103. Ibid., opinion of Attorney General, J.Henn, P.3, 15 May 1848; ibid., opinion of J.Monahan, P.4, 20 May 1848.

104. Ibid., circular of Coms., p.5, 8 June 1848.

105. Ibid.

106. Trevelyan to Twistleton, P.R.O., T.64.367.b/1, 12 June 1848.

107. H.O. to Coms., S.P.O., C.S.O.R.P., 1848 0.8186, 30 June 1848.

108. Twistleton to Trevelyan, P.R.O., T.64.367.b/1, 15 June 1848.

109. First A.R., 1848, pp18-9; V-Gns., Ballinrobe to Coms., S.P.O., C.S.O.R.P., 1848 0.5139, 31 Jan. 1848; ibid., Coms. to Redington, 1848 0.5225, 25 May 1848; ibid.; Coms. to Redington, 1848 0.5211, 23 May 1848.

110. Evidence of Twistleton, Select committee on Irish Poor Law, 1849, pp649-51.

111. Coms. to Redington, S.P.O., C.S.O.R.P., 1848 0.10671, 13 Nov. 1848; ibid., Coms. to Redington, 1848 0.11405, 6 Dec. 1848; ibid., Coms. to Redington, 1848 0.10221, 27 Oct. 1848; P.L.I., Kilrush to Coms., P.R.O., H.O.45 2472, Nov. 1848, Dec. 1848; S.Cousens, 'The regional variations in mortality during the great Irish Famine' in Proceedings of the Royal Irish Academy, lxiii, no.3 (1963) p.139.


113. Ibid., Coms. to Redington, 1848 0.28, Dec. 1847; ibid., P.L.I., Ballina to Coms., 1848 0.4272, 15 April 1848; ibid., Coms. to Redington, 1848 0.6588, 8 July 1848; ibid., H.O. to C.S., 30 June 1848.

114. Twistleton to Trevelyan, P.R.O., T.64.369.b/1, 14 Dec. 1847; ibid., Wood to Treasury, 16 Dec. 1847.


116. Trevelyan to L.L., P.R.O., T.64.367.b/1, 24 April 1848; ibid., Trevelyan to J.Pim (S. of F.), T.64.367.b/2, 24 Aug. 1848.

117. Evidence of Bewley, Select committee on Irish Poor Law, 1849,
118. Wood to Treasury, P.R.O., T.64.369.B/1, 16 Dec. 1847; ibid., 
Coms. to H.O., H.0.45 2472, 15 Dec. 1848; Trevelyan to chairman 

119. Ibid.


121. Ibid.; Treasury Minute, P.R.O., T.64.369.B/1, 31 Dec. 1847.

122. Strezelecki to each P.L.I. of D.U., Relief of distress, fourth 
series, p.4, 6 Nov. 1847; ibid., resolutions of committee of 

123. Ibid., Strezelecki to Coms., p.5, 4 Nov. 1847.

124. Ibid., Strezelecki to Trevelyan, P.5,9 Nov. 1847; E.Cane 
(B.R.A.) to Trevelyan, P.R.O., T.64.369.B/3, 3 March 1848.

125. P.L.I., Skibbereen to Coms., S.P.O., C.S.O.R.P., 1847 0.13177, 16 
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1847; Strezelecki to B.R.A., P.R.O., H.O.45. 1794, 3 Jan. 1848.

126. Ibid., Twistleton to Trevelyan, T.64.368.A., 3 Jan. 1848.

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Strezelecki to Twistleton, 25 April 1848; ibid., Twistleton to 
Trevelyan, 13 May 1848; ibid., Twistleton to Trevelyan, 13 May 
1848.

129. Second A.R., 1849, p.8; evidence of Strezelecki, Select committee 
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P.R.O., H.O.45, 1794, 1 July 1848.

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131. Trevelyan to Twistleton, P.R.O., T.64.367.B/1, 6 June 1848; 
ibid., Twistleton to Trevelyan, T.64.367.B/2, 15 July 1848; ibid., 
Coms. to Trevelyan T.64.367.B/1, 10 June 1848; ibid., Twistleton 
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132. Ibid., Trevelyan to Twistleton, T.64.367.B/1, 13 June 1848.
133. Ibid.

134. Ibid., Wood to Trevelyan, T.64.367.B/2, 25 July 1848; Trevelyan to Coms., N.L.I., m/f, T.14.31.20010, 14 Sept. 1848.


136. Otway to Coms., S.P.O., C.S.O.R.P., 1847 0.9122, 4 Aug. 1847; ibid., Minutes of Gort Gns., 1847 0.8734, 24 July 1847.

137. Ibid., Extract from Ballymoney Minutes, 1847 0.13329, 27 Dec. 1847; ibid., P.L.I., Ballina to Coms., 1847 0.13172, 19 Dec. 1847; ibid., P.L.I., Kilrush to Coms., 1848 0.298, 1 Jan. 1848; ibid., P.L.I., Newcastle to Coms., 1848 0.1062, 5 Jan. 1848; Twistleton to Trevelyan, P.R.O., T.64.367.A/3, 19 Nov. 1847.

138. Ibid., Twistleton to Trevelyan, 10 Nov. 1847; P.L.I., Ballina to Coms., S.P.O., C.S.O.R.P., 1847 0.13169, 14 Dec. 1847; Mem. of Skibbereen Gns., 1847 0.12959, 25 Dec. 1847; P.L.I., Carrick-on-Shannon to Coms., 1848 0.1019, 1 Jan. 1848.


140. Ibid., p.11.

141. Twistleton to Trevelyan, P.R.O., T.64.368.A.3., Jan. 1848.

142. Ibid., Twistleton to Trevelyan, T.64.370.C/4, 3 Feb. 1848.

143. Ibid., Twistleton to Trevelyan, 6 Feb. 1848.

144. Ibid., Twistleton to Trevelyan, 5 Feb. 1848, 8 Feb. 1848, 10 Feb. 1848; ibid., P.L.I., Kenmare to Trevelyan, 23 Feb. 1848; ibid., Twistleton to Trevelyan, T.64.367.A.3., 10 Nov. 1847; ibid., Twistleton to Trevelyan, T.64.365.A4., 14 Sept. 1848; M.B., Kenmare Union, K.C.L., BG.100.A.4., 21 Jan. 1848.


146. Ibid., Coms. to Burke, 15 June 1849.

147. Coms. to Burke, P.R.O.I., L.B., 19 Aug. 1848; report of P.L. Coms. showing V-Gns., their names, late residence and previous employment, P.R.O., T.64.370.C/4, 19 Feb. 1848.


149. Twistleton to Trevelyan, P.R.O., T.64.370.B/1, 13 Sept.

150. Evidence of Power, Select committee on Irish Poor Law, 1849,
pp.62-3; Twistleton to Trevelyan, P.R.O., T.64.368.B., no date, probably Oct. 1848.


152. Halliday to Trevelyan, P.R.O., T.64.370.C/4, 20 Feb. 1848; ibid., Dobree to Trevelyan, T.64.369.B/3, 1 March 1848.

153. Burke to Cons., P.R.O.I., L.B., 17 May 1848, 19 July 1848; P.L.I., Kenmare to Trevelyan, P.R.O., T.64.370.C/4, 20 Feb. 1848; ibid, Twistleton to Trevelyan, T.64.366.A, 14 Sept. 1848.

154. Ibid., Twistleton to Trevelyan, T.64.367.c, 26 Feb. 1848; ibid., Twistleton to Trevelyan, T.64.367.C/1 26 Jan. 1848; Copy of a letter from the Poor Law Commissioners in Ireland to the Secretary of State for the Home Department, dated 31 January 1849, with reference to the restoration of elected Boards of Guardians in certain unions in Ireland, pp1-3, H.C. 1849(61), xlvi, 687 (hereafter cited as Restoration of Boards); Copy of an order, dated 22 January, altering the dates of the proceedings for the annual elections of Guardians; and of an order dated 5 February, prescribing amended rules for the government of workhouses, p.2, H.C. 1849 (82), xlvi, 691 (hereafter cited as Election of Guardians).


156. Ibid., Twistleton to Trevelyan, T.64.369.B/1,14 Dec. 1847.

157. Ibid., Trevelyan to P.L.I., Kenmare, T.64.370.C/4, undated, probably Feb. 1848.

158. Ibid., Twistleton to Trevelyan, H.O.45. 2472, 9 Feb. 1848.

159. Ibid., Twistleton to trevelyan, marked confidential, T.64.370.C/4, 13 March 1848; ibid., Twistleton to Trevelyan, T.64.370.C/3, 1 March 1848.

160. Ibid., Twistleton to Trevelyan, T.64.370.B/1, 13 Sept. 1848.

161. Ibid., Twistleton to Trevelyan, T.64.366.A., 26 Feb. 1849; ibid., report of Trevelyan, no date, probably March 1849.

162. Report by G.Nicholls to Her Majesty's Secretary of State for the Home Department, p.22, H.C. (69) 1837 li, 20 1; Nicholls, Irish Poor Law, pp 309, 357.
CHAPTER FOUR

The first sign of recovery.

1848 - 1849

At the same time some action was necessary. Only activity, for example, did not reach down as the settlement of the famine area and it had provided no additional employment. Because they were too poor to be able to afford next potato their small holdings had been left untilled, and all the evidence of the average meant that farming operations were likely to be delayed. The very large extent of potator was in some areas due to the exclusion of other crops, which showed the willingness of many Irish people to their sole reliance on agriculture. The Inspector informed the Government that, while the people were in better position and were expecting that they have been, as believed that in the event of a crop failure the result would be a total relaxation of small farmers.
In the spring of 1848, the prospects for the approaching harvest seemed good. In April, the Poor Law Commissioners had asked each of the Inspectors in the distressed districts about the state of agricultural crops, especially potatoes, in their unions. For the most part the replies were favourable, reflecting a general feeling of optimism about farming prospects. In practically every case, the Inspectors reported that large tracts of land, previously left as waste, had been planted with crops, whilst potatoes were being cultivated to an extent unknown for many years. The reports were all the more reassuring because the previous year's distress had not been due to blight but had resulted from the smallness of the crop sown. The almost total lack of blight in 1847, therefore, had resulted in a renewed confidence in the potato which had encouraged many small farmers to suffer privation in order to procure as much seed potato as possible.

At the same time some caution was necessary. This activity, for example, did not reach down to the cottiers or the labourers and it had provided no additional employment. Because they were too poor to be able to afford seed potato, their small holdings had been left untilled. Also, the wetness of the season meant that farming operations were likely to be delayed. The very large extent of potatoes sown in some areas was to the exclusion of other crops, which showed the willingness of many Irish people to again rely on it for their livelihood. One Inspector informed the Commissioners that, while the people were in better spirits and more energetic than they had been, he believed that in the event of a crop failure the result would be a total ruination of small farmers. (1)
The optimism was shortlived. By the beginning of July, reports of the reappearance of blight along the western seaboard were reaching the Commissioners. By August, it was obvious that where blight had reappeared it was even more virulent than before. As it continued to spread, prospects of a sound potato crop became increasingly remote. (2)

The policy regarding relief in the summer of 1848 had been similar to the one adopted in the previous two years. The local Guardians were informed that outdoor relief was not to be extended beyond August 15. In cases where outdoor relief was being given to the able-bodied, they were to take preparatory steps to bring it to an end by ensuring that when inmates left the workhouses the vacant room was given to persons receiving outdoor relief. In cases where it was clear that persons might obtain employment, the Guardians were to discharge them totally from the relief lists. The money which was being advanced by the Government in aid of rates was to cease absolutely at harvest, and instead, the Guardians were to make sufficient rates to enable the union to depend on its own resources. (3)

Unofficially, however, neither the Government nor the Commissioners were complacent about the financial prospects of the unions. The Commissioners especially were warned as to how the most distressed unions would manage in the period before harvest. The burden on the Poor Law would be further increased as the funds of the British Relief Association were almost exhausted. They had been successfully feeding schoolchildren and supplying grants to the 24 most distressed unions, but they had decided to cease operations in Ireland at harvest. As early as May, Twistleton informed Trevelyan that the reduction in relief by the Association was forcing people increasingly into the workhouses. He realised this would put extra pressure on the Poor Law between the
critical weeks of July 16 and September 3 which he feared might not be within its power to cope with. (4)

Trevelyan also viewed the withdrawal of the British Relief Association with apprehension. He regarded it as a transferral of the burden of relief from that organisation to the Treasury and he was anxious to know exactly how much additional expenditure this would entail. In his usual thorough manner, he demanded of Twistleton whether sufficient rates were being struck in these 24 unions and if they were being used properly. Trevelyan also wanted to know how it was possible to keep down the heavy payments to those unions consistent with the safety of the paupers in them. (5)

In July, Twistleton recommended that it would not be safe to go to Parliament with an estimate of less than £2,700 to be used to finance the Distressed Unions for the nine weeks commencing on July 1. Although this figure appeared high, he realised that the Commissioners might be called on to give assistance to previously unassisted unions. (6) The Treasury made it clear that they would only support this amount of money being allocated to the Poor Law on the condition that all advances were to cease at harvest. (7) By August, however, although assistance was only being provided in 'desperate cases', Twistleton no longer believed that it could be brought to an end on August 15. In the previous year relief had not ceased until 12 September and he considered that a similar extension might prove unavoidable. Twistleton had been forced to revise his opinion because, although potato disease had not appeared in all parts of the country, in the affected areas it was already as virulent as in 1846.
The Poor Law Commissioners were pessimistic about the financial position of the Distressed Unions. They calculated that before a new rate could be made, a large number of unions would apply to the Government for loans which they would be unable to repay immediately. The Commissioners did not believe that these unions could manage without external assistance. (9)

The Treasury was appalled by the Commissioners' assessment of the situation and informed them that they were obviously contemplating a much more extensive amount of assistance than the Government had in mind. The aid to be given by the Government was intended only to be a continuation of that afforded by the British Relief Association, that is, to unions who were without the means to maintain their poor. The Treasury did not want to depart from this, fearing that if they did: 

'the demands upon us would become infinite and the habit of depending upon assistance from the national fund would be extended and confirmed'.

The hardline attitude of Trevelyan was summed up by his statement, 'we do not profess to aim at saving the unions from serious embarrassments', and this disagreement caused a further deterioration in his relationship with Twistleton. (10)

Trevelyan proposed that unions which were able to obtain money from private sources were to do so and the Government would only intervene until harvest in unions who had no means with which to support their poor. The criterion to be applied was that money would only be given where it was absolutely necessary to enable the unions to feed their paupers. Trevelyan informed Twistleton that he was giving the Commissioners very clear instructions on this matter because so many misunderstandings and embarrassments had already occurred, due to the Commissioners' misinterpreting the Government's intentions. Trevelyan
added that he did not feel that any money should be given to either Galway or Tuam because he considered their rates to be very small. (11)

Trevelyan's suggestions concerning what to do following the exhaustion of the funds of the British Relief Association were adopted by the Treasury in June 1848. The Commissioners were unhappy with this because it implied that the Guardians would be able to borrow money privately to defray their current expenses. They knew that this was not the case unless they were again authorised to guarantee the payment of interest on the money borrowed. This was necessary because the poor rates could not be used for this purpose and it was subject to disallowance by the auditors. (12)

The Commissioners also took exception to the fact that the Treasury had publicly stated that grants from the funds of the British Relief Association should not have been made to either the Galway or Tuam unions. The Commissioners believed that without the help of the Association the Poor Law would have been inoperative in many unions and thousands would have died. They were, therefore, anxious to absolve themselves from this slur and assure the British Relief Association that its money had not been misapplied. Moreover, the Commissioners considered that the Treasury had pronounced on this matter without asking them for an explanation. In Galway, the distressed state of the union and the difficulty in finding experienced collectors meant that, even with military assistance, only a small amount of the rate had been collected. The Board had been dissolved and although the Vice-Guardians were making every effort to get the rate in, they were doing so at the risk of their lives. The union was extremely poor and if the Commissioners had withheld assistance, the Galway union would have achieved the same notoriety as Skibbereen in the previous year. In
Tuam, the Guardians had been dissolved for collecting an insufficient rate, but the valuation of the union was so imperfect that a revision was necessary before a new one could be made. Until this was done, the Vice-Guardians needed assistance to keep the people from starvation. In both cases this relief had been given with due economy and the Commissioners considered it had been employed in order to preserve life. The Commissioners hoped that this explanation would reassure the Association and the Treasury that there had been no departure from the spirit or understanding on which assistance was to be granted. (13) Privately, Twistleton asked Trevelyan not to publicly reproach the Commissioners without first asking them to explain their actions. In general, he felt that Trevelyan should have more confidence in the Commissioners and the way they chose to distribute grants to the unions. (14)

The level of repayment for the Temporary Relief Act also was a source of conflict between the Commissioners and the Treasury. At the end of May, the Treasury decided that after harvest where the amount of Government advances to be paid together with Poor Law expenditure exceeded 5/- in the pound, they would allow the amount of repayment to be diminished by a sum equal to the excess. In August, the Commissioners informed the Treasury that they did not advise the exacting of repayment from any electoral division which would have to collect rates of 5/6 or 6/- in the pound for ordinary Poor Law expenses alone. They believed it would be unwise to act on the Treasury's earlier suggestions as it would put upon the country too heavy a burden to bear which would prove uncollectable, even with the most zealous exertions of the Guardians. Instead, they believed that a limit of 3/- should be put on the amount demanded. (15) The Irish Executive also believed that it would be unwise
to insist on a larger rate than 5/- in the pound for ordinary Poor Law purposes. They agreed with the Commissioners that more money would probably be realised with a 3/- rate than one of a larger amount. The pessimism of Twistleton regarding the financial position of the unions was confirmed by the reappearance of the blight and he predicted, 'the Empire will reel under this blow'. (16)

Although the Treasury refused to follow this advice, they did concede that in the poorer unions 5/- was to be the limit of the amount collected. (17) The Commissioners, therefore, found themselves having to implement a policy which they disagreed with. The local Guardians were told that where the sum demanded from an electoral division for the purpose of repayment, together with ordinary expenses, exceeded 5/- in the pound, the excess was not to be demanded. Where the total rate did not exceed 5/- in the pound, the repayment was to be made to the full amount specified. The Poor Law Inspectors were told that as the Commissioners could not sanction any deviation from this, they should use all possible exertion to secure these repayments, and the Guardians were told to collect the rates promptly. (18)

As the full extent of the potato blight became known, the Treasury was forced to concede the Commissioners' point. The Inspectors of the Distressed Unions were informed that a rate of more than 3/- in the pound would not have to be collected after harvest for the purpose of repaying the Government advances. Further, in a distressed electoral division, the rate did not have to be higher than 3/- even if more was required for expenses. Again the Commissioners were told that they could not deviate from the rules laid down by the Treasury regarding this. The Guardians in turn were directed to collect this money as quickly as possible and then to make another rate immediately in order
to obviate the need for external aid as far as possible. At the same time, the Poor Law Inspectors were informed that it was of the highest importance that 'the money so liberally advanced by the Government during the distress of 1847 should be punctually paid'.

Trevelyan was not totally satisfied with this change of policy. He believed that the failure of the potato crop made it desirable to have as large a sum as possible in hand to meet the claims which would be made on the Poor Law funds. Although the Treasury had agreed not to press for the immediate repayment of advances from unions whose resources would be needed for current expenditure, they warned the unions that they would take action against those who made a small rate during the harvest period.

Wood, whilst acknowledging that the principle of allowing the current Poor Law expenditure preference over Government repayments, disliked the fact that the less that was realised from Poor Law taxation, the higher the amount that would have to be advanced by the Treasury. He agreed with Trevelyan that following the harvest an extensive rate collection should be made. Wood felt a consequence of this might be to force the emigration of small farmers, but this he regarded as highly desirable.

Twistleton, however, believed the recent decision of the Treasury had been correct as it would have been morally, if not physically, impossible to collect a 5/- rate. Rather, it would have resulted in organised opposition and not even the magistracy would have supported the higher rate. The Irish Executive also had opposed the former rate proposed. Twistleton predicted that more money would actually be realised from the smaller rate as the alarm which had been created by
the news of the higher one would help to reconcile the ratepayers to it. The Poor Law Commissioners had proposed to urge each union to provide funds for the support of its own poor as any aid above this was to be regarded as supplemental to local taxation. Although Twistleton agreed with Wood that it was very desirable that small tenants should emigrate, he was apprehensive that if the more substantial farmers left the west the collection of the rates would be made even more difficult. (22)

However, despite the concession made over the amount of rate to be paid, even some of the less distressed unions considered that the repayment of the Temporary Relief advances would still be beyond their capabilities. In the Donegal union, both the Guardians and the ratepayers feared that this rate would spell ruin for the union as there were still large arrears of rent and cess unpaid. (23) In Roscommon, Swineford, Carlow and Tipperary the local ratepayers felt similar apprehension and asked for a postponement in the payment of this rate. (24) The Newry Guardians asked if they could be allowed to pay a small portion of the Government advances, whilst the Wexford Guardians suggested that the rate should be replaced by an income tax on those who were absent from the country for more than four months a year. (25)

In the unions designated 'distressed' there was much consternation as to the amount of rate it was necessary to collect. Even before the failure of 1848, these unions were deeply in debt and their local administrators now feared that the burden of another rate would make many farmers insolvent. Even the Vice-Guardians expressed some misgivings as their credit was exhausted and some of them were dubious about their ability even to feed their paupers. (26)
Despite the fact that Ireland was now entering the fourth year of distress, the Treasury continued to have faith in the ability of private sources to bring the country through this period. In the spring of 1848, the Commissariat Department, which had been involved in Irish distress since the start of the Famine, had been directed to gradually dispose of its stock because its operations were to be discontinued at harvest. This resulted from the Treasury's conviction that there would be plenty of Indian corn available and private trade would be stimulated by the Government's decision not to interfere with the market again. (27) Even the reappearance of the blight did not shake the resolve of the Government to keep its role to a minimum. When they heard of the renewed potato failure, the Government considered distributing seed to the people, but when they heard the Society of Friends were going to do this, they decided to leave the matter totally in their hands. (28)

The potato failure of 1848 was, in many ways, a watershed in the relief operations. This was due to the uneven distribution of the blight, which resulted in an even greater demarcation between the 'Distressed' and the 'non-Distressed' Unions, that is, between those able to rely on their own resources and those unable to function without extraneous aid. This meant that whilst in parts of the country, notably the north-east, the worst of the Famine was over, along the western seaboard the effect of the fourth year of blight and shortages was devastating.

The financial prospects of many northern unions was much improved in 1848. The northern economy was particular in that every small farmer was also a weaver. This meant that the level of distress in the area also depended on the current state of trade. In 1847 the severe distress in Derry, Down and Antrim arose not only because of the
smallness of the potato crop but also as a result of the terrible state of the weaving industry. At the same time, fever had appeared in many districts affecting rich and poor alike. But the impact of this had been shortlived because the rates had been well paid which meant that the unions had managed without any help from the Treasury. Many of the workhouses had been enlarged out of the union funds and so it had only been necessary to give limited outdoor relief in seven out of the 17 unions. Moreover, because each workhouse had its own fever hospital they had tended to remain healthy. (29)

In 1848 the failure of the potato crop in the north was almost as universal as 1846. Despite this, Edward Senior, the local Poor Law Inspector, was optimistic about the prospects of the unions. He considered there was a great difference between the northern and southern unions and felt it unfair that the whole country should be considered diseased and corrupt. Although potatoes would not be available in his unions, Senior realised that breadstuffs would be as the corn crop in Europe and America had been good, unlike 1846. In the north also, there had been a large yield of all crops apart from the potato, in contrast to their widespread failures in other parts of the country. Workhouse accommodation had been further increased by up to a third and their sanitary condition had also improved. The linen trade was showing signs of recovery which meant that the farmers and other private individuals were able to provide more employment. Not surprisingly, Senior believed that the major change for the better was the replacement of the relief committees, which had been lax and demoralising, by the Poor Law administration. This meant that relief was now more strictly monitored and administered on better principles generally. (30)
Because of the general amelioration of circumstances in the north, Senior was of the opinion that in the unions under his jurisdiction it was unnecessary to provide additional accommodation. He realised that in the approaching season there would be severe distress, but estimated that the unions would be able to meet it without aid from the Government. Also, although outdoor relief would have to be given in about half of his unions, it would mostly be confined to the aged and infirm and it would not be necessary to give outdoor relief to the able-bodied. This would mean that neither additional Inspectors nor Vice-Guardians would have to be appointed in any northern union. (31)

The improved situation in the north of the country showed that the potato failure was not a decisive factor in rural welfare. This fact was made even more obvious by the revival of the linen industry in mid-1848. In contrast to this, in areas where the potato was the mainstay of the subsistence economy, such as the west and south-west, the impact of a fourth year of blight was devastating. The Poor Law Commissioners were inundated with correspondence from the administrators of the Distressed Unions relating to the disimprovement within the unions and the fear that the situation would worsen.

An example of this is the Kenmare union. The local Vice-Guardians were among the first to show alarm at the great increase in demand for relief, which far exceeded that of 1847. They attributed this decline to a variety of reasons: the throwing down of many houses in the union, which increased the number of homeless families; the fact that people had voluntarily surrendered their land in order to be eligible for relief; the emigration of men who had left large families behind; the wetness of the season which meant there was a scarcity of fuel; and, most importantly, the cumulative effect of three years of scarcity. The
Vice-Guardians believed that the actual loss from blight, although exaggerated, had left a large portion of the population without food. The local Inspector confirmed this and stated that the poverty of the union could be gauged by the fact that when people had been asked to transfer to outdoor relief, over half of them refused to leave the shelter of the workhouse because their dwellings had been levelled. (32)

The prospects of the Skibbereen union, which had achieved such notoriety in 1846, also showed a marked deterioration compared with the previous year. In 1847, employment for the able-bodied had been provided under the Land Improvement Acts, but this had not been repeated. In the previous year the turnip crop had been good, but in 1848, it was almost a total failure and the fisheries were unproductive. The British Relief Association had been giving food to over 20,000 children locally, but they were no longer involved. Also, 12 months earlier some of the relief committees still had balances in hand, but these funds were now exhausted. In addition to this, many people had sold what little they had in order to procure seed potatoes, but the blight had made their sacrifice meaningless. The Skibbereen union, therefore, was without the advantages present in the previous year and it was to be left to the Poor Law to provide for the resultant destitution. (33)

This situation was repeated in the other Distressed Unions. In Kilrush, between July and December 1848, 6,090 people were evicted and this figure did not include those who had surrendered their holdings. The local Inspector described the eviction as an inhuman act, carried out on 'helpless, hopeless paupers' who often did not have the means with which to emigrate. Because of this, by November, between 1,000 and 3,000 paupers daily were applying for Poor Law relief. This was beyond
the resources of the local workhouse and the Inspector recommended that outdoor relief to the able-bodied be allowed. (34) In the Gort union, destitution had materially increased, which put severe pressure on the local workhouse. Although the more comfortable portion of the working class had emigrated, most of them left their families behind, a further burden on the Poor Law. (35)

The Inspector of the Ballina union was pessimistic about the ability of the Poor Law to provide the relief needed there. He observed that although the rates appeared to be light, they had brought the union to virtual ruin and if another was struck it would get rid of the few remaining solvent tenants. The Inspector informed the Commissioners:

The question must now be determined whether the experiment of making property support poverty is to be continued in the west of Ireland, and I have no doubt whatsoever, such an experiment must ultimately fail and I therefore think it would be most cruel to persevere in it.

This pattern, he thought, would be repeated in every union in Mayo and he agreed with the local Vice-Guardians that the consequence of striking rate after rate would be disastrous. (36)

In 1848, therefore, a number of factors affected the level of destitution in the west of Ireland. Apart from the reappearance of the blight, the yield from other crops was poor and fish catches low. Although in the period immediately following the harvest there was a glut of cheap potatoes on the market, they quickly became scarce and expensive. Because no employment was available, the poorest section of the population did not have the financial resources to buy this food. All of this was aggravated by the large-scale evictions occurring in these unions. But of most significance was the fact that, after three years of shortage and famine, the resources of a large number of the population were totally exhausted.
The role which the Poor Law had to play in the provision of relief after 1848 was further increased because the activities of other relief organisations were brought to a close, either voluntarily due to lack of funds, or as a result of a Government decision. Apart from the involvement of the Commissariat Department being ended, the Society of Friends also decided not to continue providing relief after December 1848. The Prime Minister sent £100 to the Quaker central relief committee to help it continue its work. The Committee refused to accept this as many of their members were exhausted from their part in providing relief, although since the passing of the Poor Law Extension Act they had increasingly been absorbed by the machinery of the Poor Law. Nevertheless, the Quakers did agree to continue distributing seed in the west of Ireland and they hoped this might have long-term benefits. During the course of the Famine, the Quakers distributed clothing, seed, food and cash, to the value of £25,000, £6,271 and £10,000 respectively to schools and manufacturers, and £8,000 to fishermen and £23,000 to Irish farmers.

The aid which had been provided by the Board of Ordnance did not continue in 1848. In 1847 they had given the Poor Law Commissioners a large supply of bedding and clothing and Twistleton had hoped this would be repeated. The Treasury, however, decided not to sanction this as it would only succeed in reviving and prolonging the habit of dependence on the Government. (38) A much more significant loss resulted from the winding down of the activities of the British Relief Association. Since harvest 1847, apart from giving relief to schoolchildren, the British Relief Association had also given direct aid to 24 of the most distressed unions. The Poor Law Commissioners estimated that without this about 200,000 people would have perished. By July 1848, they had
given a total of £145,253-1-8 to Ireland, but because their funds were almost totally exhausted they decided to leave Ireland at harvest.

By October the British Relief Association had at its disposal a balance of £12,000. They asked Twistleton if the Poor Law would distribute this money or if he could suggest any other use for it. Twistleton believed that it could be used with much advantage in the western unions although it might 'excite sanguine hopes both in the rate-payers and the destitute poor which would soon result in disappointment'. Twistleton, therefore, proposed to use this money only where necessary to meet sudden and pressing emergencies. Twistleton was well aware that in the coming season there would be many opportunities to provide relief in this way. (40)

Trevelyan agreed that the British Relief Association should dispose of the residue of its funds through the medium of the Poor Law, through which it could be distributed to the Distressed Unions. He believed that if there was any departure from this method of providing relief, there would be a revival of the mendicant spirit in Ireland. The British Relief Association accordingly gave the balance of their money to the Poor Law Commissioners, on the understanding that it was only to be used for pressing emergencies. (41)

At the end of September, the Treasury announced that it had less than £3,000 of the Government advances in hand and therefore its grants to the Distressed Unions were to cease. But the acute distress in the west of Ireland meant that, if the Poor Law was to continue providing relief, the Government would have to give some financial assistance. By November, requests were pouring daily into the Commissioners' offices from the local administrators who were finding the resources of their
unions insufficient to meet current expenditure. In the unions receiving money from the limited resources of the British Relief Association, it was apparent that funds would still fall short of demands. (42)

The Commissioners initially responded to these requests by directing the local administrators to do everything in their power to enforce an immediate collection of rates, although privately they sympathised with the Vice-Guardians. The embarrassments of the Bantry union, for example, were so great that the Commissioners sent them £300 which had been allocated to another union. The Commissioners then asked the Government to sanction this, explaining that

'unless funds from some extraneous source are placed at their disposal for the aid of the most Distressed Unions, it cannot be doubted that deaths from starvation will occur in some of these unions as in the winter 1846-7'. (43)

They described the reappearance of the blight as having reduced the people 'to nearly the lowest point of squalor and want at which human beings can exist'. (44) The Government agreed that the Commissioners were justified in cases where such help was necessary to prevent starvation but stipulated that its distribution was not to be left to either the Guardians or Vice-Guardians. The Bantry Guardians were asked to make a new rate of not less than 3/- in the pound, but the Commissioners realised that even if it were all collected, it would not be sufficient to meet the needs of the union. The Commissioners knew that this pattern would be repeated in other western unions where, during the eight months from December to the following harvest, external aid was necessary to prevent deaths from starvation. (45)
The Government was more complacent about the situation as they believed that money from other than the local rates had to be limited to cases of emergency. (46) Twistleton agreed that financial aid to the Distressed Unions was only to be given as a supplement to local taxation but questioned the point at which the Government considered it to be 'indispensably necessary'. (47) When, for example, the Treasury accused some of the Vice-Guardians of having been lavish in their expenditure, he disagreed with them. He explained that in these unions the Vice-Guardians deserved credit for having put an end to death from starvation, but the fact that they had not been lavish could be judged from the emaciated appearance of the population. (48) By November Twistleton believed that in Connaught the situation was so bad that nothing could be worse than deaths from starvation. Shortly afterwards, when trying to persuade the Treasury to provide additional money to the Gort union, he described their situation in these terms:

What I think of Gort union is that they were really hurt when they cried - in many parts of Ireland, especially the east, men have cried without being hurt'. (49)

Twistleton also had reservations about how far the resources of the Poor Law could be stretched. By the beginning of 1849 it was obvious that no system of relief on such a large scale had ever been administered so cheaply before. Because the Commissioners feared that precise details about this might result in a public outcry by opponents of the Poor Law, they decided to omit certain information from their reports, fearing that 'Mr. Pocock and others might say that we are slowing murdering the peasantry by the scantiness of the relief'. (50) Twistleton felt the weakest point of the amended Poor Law was that it did not make an allowance for clothes, soap, fuel or anything apart from food, for those receiving outdoor relief. While
this was partly defensible in the poor circumstances of Ireland, Twistleton believed it was totally contrary to the principle on which relief was administered in England. (51)

The attitude of the Treasury was more detached. They had intended that all Government advances were to be brought to an end on August 15, but this had not been possible, although the amounts given were greatly reduced. Twistleton was of the opinion that the advances during this time were very small given the indebtedness of each union whose resources were already pushed to the limit. Despite this, at the beginning of October 1846, the Treasury decided to bring these advances to an end. (52)

Both the Poor Law Commissioners and the Treasury agreed that the Poor Law was by far the best method of providing relief during the ensuing season of distress. In August, Twistleton had sent a confidential circular to each Inspector who had previously been employed under the Relief Commission, asking them which of the two systems they preferred. The Inspectors were unanimous in choosing the Poor Law, agreeing that there were now far fewer abuses than there had previously been. (53)

Trevelyan agreed that public works should not be used to relieve the destitution because general distress could only be met by general relief. He believed that the task of trying to feed a whole nation was beyond the capacity of even the most powerful Government. It was therefore necessary to use the cheapest type of relief to make maximum use of their limited means. Trevelyan felt that the British Government was not in the same position as it had been in 1846: the experiment of trying to provide employment had been tried in Ireland and more recently
in France, at a fearful cost and so they should not neglect to learn from experience. (54) Wood felt that the reintroduction of public works would revive the tendency of relying on the Government which would 'only prolong the expense and consequent expenditure by enabling small-holders to hold on; that the plea of helping the Poor Law preserves us from the calamity of that admirable institution breaking down under the pressure of local and temporary distress, prevents extreme destitution, and does not in the least retard the national remedial process which is in rapid progress amongst all orders of society in the distressed districts'. (55)

However, he viewed the grants which had been given to the unions during the harvest period, although necessary to prevent actual starvation, as a foretaste of the demands yet to be made on the Treasury. (56)

Although the date for the restoration of dissolved Boards was March 1849, due to the reappearance of blight the Commissioners again were reluctant to allow this. The Commissioners asked the Government for discretion in this matter as they were apprehensive as to what the consequences of allowing elections would be. The Vice-Guardians had been appointed in order to facilitate the introduction of the Poor Law Extension Act, and 18 months later, the Commissioners believed that it was still necessary for them to administer this new system. The Commissioners suggested that there should be a postponement of the elections until September 29, as by then destitution would be decreasing.

As relief would be on a large scale and financed by money from extraneous sources until the autumn, the Commissioners preferred the administration of relief to be left in the hands of paid Guardians. The Government assented to this and so only 16 out of the 32 dissolved Boards held elections in March 1849, whilst the revival of the remaining Boards was left until the harvest period. (57) (*)
The unpopularity of the Poor Law in a variety of circles was particularly intense towards the end of 1848. In England the Irish Poor Law and Irish distress had been, since 1845, the 'bête noire' of the English newspaper, The Times. When Parliament proposed to give Ireland a further grant of £50,000, the paper described this money as breaking the back of English benevolence. (58) The Tory papers in Ireland also saw the effects of the Poor Law as detrimental. The 'Northern Whig', for example, described its operation in the west as a 'cruel and useless experiment' which had even failed in its purpose of bringing about an economic transition within Ireland. In Dublin, the 'Evening Mail' advocated no less than a total repeal of the whole Poor Law system. (59)

In the unions, there was both individual and collective dissatisfaction with the Poor Law and a number of unions petitioned Parliament for a repeal of it. Towards the end of 1848, the Kells Guardians established a Poor Law Amendment Committee with headquarters in Northumberland Buildings in Dublin. In December this Committee arranged a meeting to which representatives of each Board of Guardians in Ireland were invited. At this meeting the Kells Guardians, who had for many months desired a complete change in the Poor Law, proposed a motion to this effect. The demand was, however, rejected. Instead it was agreed that the existing Poor Law was necessary, even though it was a disincentive to proprietors to improve their land and degraded recipients of relief. It was suggested that the area of Poor Law taxation should be reduced to the size of townlands which would make it in the interest of each proprietor to provide employment, but that the old and decrepit should be provided for by a union rate. In addition to

* Boards revived in March 1849 - Athlone, Ballina, Ballinrobe, Bantry, Cahirciveen, Carrick-on-Shannon, Castlebar, Cavan, Galway, Kanturk, Kenmare, Mohill, Roscommon, Scariff, Trim, Westport.
this, it was proposed that there should be a small tax on all property for the use of any area unable to manage on its own resources. At this meeting, therefore, the more militant faction of the anti-Poor Law movement was defeated, despite the support of the 'Dublin Evening Mail'. Instead, the more moderate element, who were supported by the 'Dublin Evening Post', were able to channel this agitation into a petition to Parliament in support of the above resolutions. (60)

The Poor Law Amendment Committee was attended by Guardians as far apart as Belfast and Tralee, although less well by those in the north. It met throughout December, January and February, during which time it continued to suggest amendments in the Poor Law. Again, their attention was directed to altering or extending certain aspects of the Poor Law, not repealing it. At the beginning of March, the Poor Law Amendment Committee met for the last time as its members felt they had reached their objective in the preparation of petitions to Parliament. (61)

The opposition to the Poor Law was not confined to the Guardians. In the North Dublin union, the ratepayers held a meeting to discuss the removal of paupers from England and to object to the conditions under which they were returned to Ireland. The landed proprietors in Westmeath held a meeting at which they proposed various changes in the Poor Law to stop it acting as a hindrance to the trade of Ireland. The ratepayers of Clare felt the Poor Law was demoralising and expensive, and petitioned for a change in its method of taxation. The Magistrates in Kilmainham, Dublin, also wanted changes in the Poor Law as they felt it was contributing towards a revolution. (62) However, opposition tended to concentrate on changing certain details of the Poor Law and, following a peak at the beginning of 1849, tended to disappear. A few months later dissatisfaction with the Poor Law was reactivated in many
unions, especially the northern ones, over the controversial Rate-in-Aid Bill.

Within Parliament, antagonism to the administration of the Poor Law also existed. The Irish members of the House of Commons formed a committee to discuss possible amendments to the Poor Law. Other M.P.s objected more specifically to the way in which Twistleton was administering the law. (63) The opponents of the Poor Law continually attempted to induce the Government to hold an inquiry into the efficiency of its administration. This was acceded to in 1849 when the House of Lords and Commons separately established committees for this purpose. (64) George Grey, the Home Secretary, disapproved of this as he did not see what such an enquiry would achieve. He believed that the Poor Law did have some defects, however, and that where it failed this was due to administrative rather than financial reasons. The Chancellor of the Exchequer also regarded the Poor Law as the best way of relieving distress in Ireland. The Commissioners, aware of the unpopularity of the Poor Law, tried to ensure that material published relating to it was as uncontroversial as possible, even to the extent of omitting certain details. Despite this, antagonism towards Irish poverty and its relief can be judged by the furore caused by the comparatively small grant of £50,000 made to Ireland in February 1849. (65)

From November 1848 the Commissioners warned the Treasury that in unions in the west of Ireland, extraneous assistance was necessary if relief was to be provided. The Commissioners also pointed to the increased level of mortality from fever and dysentery in the Distressed Unions which was largely due to the diminished resources of the population. They considered that there would be an even greater loss of lives if the produce of the poor rate were to be the only means of
providing relief. The need for external aid was, however, limited to certain districts in Ireland. The Commissioners predicted that 100 unions would not need outside assistance, whilst of the remaining 31, 'by dint of exertion' 10 or 11 of them could avoid financial embarrassment, leaving only 20 requiring help. (66)

Although it was obvious by the beginning of 1849 that some money would have to be found for the relief of distress in Ireland, there was a difference of opinion over how much was to be given, who was to provide it and through what channel it was to be distributed. In a debate in the House of Commons regarding the amount of money to be allocated to Ireland, Wood recommended that £50,000 should be given. At the same time, he admitted that this was a small sum of money and would not necessarily last until the following harvest. However, the opposition to any grant being made at all was so strong that the Prime Minister decided to postpone a decision. (67) Shortly after this, Wood again proposed that a grant to Ireland should be made. He explained that the resources of 20 unions were totally exhausted, whilst a further 11 unions would require partial aid. Again there was some opposition to any grant being made at all, accompanied by accusations that the Irish had done nothing to help themselves. Russell, the Prime Minister, pointed out that this accusation was not totally true because, in the previous year alone, £60,000 had been raised in Ireland for the relief of distress. But, although he supported Woods' proposal, he felt there should be a limit imposed on the amount given to relieve Irish distress. A further group within the Government, led by Graham and supported by Disraeli, suggested that if, after this grant was used up, further money was needed, it should be raised by a national rate levied in Ireland. (68)
On February 12, £50,000 was granted for the relief of Irish distress. This was a relatively small sum of money but opposition to it was strong, although it was carried by a majority of 220 to 143. This dissent was indicative of a harder attitude within Parliament to distress in Ireland and showed that a significant number of M.P.s desired the financial involvement of the Government in Irish relief to end.

The money was put under the control of the Treasury who then distributed it to the Poor Law Commissioners. The Treasury adopted the same policy when disbursing this money as they had in the previous year, that is, the condition for aid being given was that rates were first to be collected to the fullest extent the resources of the union would allow. The Treasury deemed it to be the responsibility of the local Inspectors to ensure that this payment was enforced to prevent 'the great injustice of the burden which belongs to the ratepayers of each union being unnecessarily transferred to the taxpayers of the United Kingdom'. They stipulated that this money was to be used for the current expenses of the union whilst the workhouse 'test' was to be used as far as possible in order to reduce the 'social evil' of outdoor relief. If outdoor relief was unavoidable, it was to be given in the form of cooked food and a task of work demanded from the able-bodied. A further condition was that, before the beginning of each month, the Commissioners were to submit to the Treasury an estimate of the sum likely to be required. At the same time, the Commissioners were to transmit a detailed financial statement of each union on its progress in the collection of rates. The Treasury would then decide if a grant was necessary. (70)
Twistleton was generally satisfied with this, although he did not like the fact that the proposals of the Treasury were made without consulting the Commissioners. He did, however, feel that more recognition should be given to genuine inability to pay poor rates—something which was allowed by the English Poor Law but not its Irish counterpart. By this time Twistleton felt that the level of interference by the Treasury had become unacceptable. When Trevelyan suggested that all children should receive outdoor relief to make more room for able-bodied men in the workhouses, Twistleton informed him, 'it is a Poor Law point and not a Treasury point'. (71)

Despite this grant being made to Ireland, by March the situation in the Distressed Unions had worsened. Some Vice-Guardians were unable to get supplies of food and reported that many of the contractors themselves were now on the relief lists. The Commissioners believed that this state of affairs was putting the lives of the poor in jeopardy. The small size of the grants to these unions meant that they were only managing to support their poor by getting even deeper into debt, and Twistleton felt that this reflected unfairly on the Vice-Guardians. The Commissioners demanded to know upon what principle the Treasury were basing their calculations and they appealed to the Government to intervene on their behalf. Twistleton declared that he had arrived at the opinion that 'the extent of the calamity which affects the Distressed Unions and the intensity of the distress in them, do not seem to be fully understood in England'. (72)

The response of the Treasury continued to be unbending and doctrinaire. The Commissioners were reminded that the money granted to the Distressed Unions had been given not to provide for the payment of debts but to provide such aid as was necessary for the preservation of
life. If this was adhered to, the Treasury believed that the sum needed would be far below the amount which the Commissioners calculated to be necessary. The Commissioners were admonished for asking the Treasury for grants which exceeded those which had been provided by the British Relief Association. The Treasury attributed this to 'the too prevalent disposition to make exorbitant demands on the national funds for the relief of local distress'. (73)

Privately, the attitude of Trevelyan was even less sympathetic. He compared the Distressed Unions to the prodigal son who, while he could not be sent away, at the same time was not to be given a fatted calf, instead the workhouse was to be offered and one pound of meal per day. Trevelyan admitted that the starving condition of these unions was a fact and that, although disagreeable, it was the duty of the Government to help relieve it. If the Government did not do so 'the deaths would shock the world and be an eternal blot on the nation and the Government will be blamed. (74) But as the Government did not intend to provide any further aid, the grant which had been given had to be tightly controlled. Trevelyan felt that it was necessary for a new solution to be found to the problem of the Distressed Unions which would put an end to dependence on the Government.

February, March and April of 1849 were remarkable for a succession of pleas from the Commissioners asking the Treasury for a continuation of aid to the Distressed Unions. In return they were given small and piecemeal grants and reminded that the resources of the Treasury were limited. The Commissioners considered the situation in the Bantry, Castlebar and Westport unions to be desperate, and that in any of the Distressed Unions any sudden stoppage of relief would result in loss of life. Because the funds at the disposal of the Poor Law were
insufficient to prevent this, the Commissioners informed Trevelyan that they considered themselves 'absolved from any responsibility on account of deaths which may take place in consequence of those privations'. (76)

In contrast to this, the responses of the Treasury continued to be moderate and cautious. Repeatedly the Commissioners were told to distribute this money with 'greater care', 'rigid economy', 'as stringently as will serve to prevent disastrous consequences affecting human life', and 'loss of life', not 'severe privation', was to be the criteria for forwarding aid. The Treasury believed that there would be no sudden stoppage of relief if the Commissioners practised economy with the money already allocated to them. The Commissioners were further informed that their estimates for future expenditure were to be based solely on the principle of loss of life. (77)

In the middle of March, £1,000 was given by the British Relief Association to the Commissioners. Money from this source was now to be considered definitely at an end, as the Association wanted to keep a small balance in hand for use at an unspecified date. (78) A month later, the Commissioners received from the Treasury £6,200 which was the end of that £50,000. At this time, the Government showed no sign of making any further grant even though the Commissioners estimated that 21 unions were likely to require external assistance until the end of October. The amount of rate to be collected in this period was likely to fall short of the amount levied, yet the Vice-Guardians and local Inspectors agreed that it would be unwise to levy a further rate. Although the Commissioners believed it to be their duty to insist on rates being collected to the utmost, they hoped that the Government would realise that further aid was necessary. The gravity of the situation became obvious on April 26, when the Commissioners found themselves in a
position of having absolutely no money. (79)

The repayment of the Temporary Relief Act advances continued to be a heavy burden on many unions. The Commissioners asked if, as had been the case in the previous year, unions with heavy relief expenditure would be allowed to strike rates without including in them a provision for loan repayment. (80) Between the harvest of 1848 and February of 1849, the amount of Government advances repaid varied throughout the Country - the unions in Ulster having paid the highest amount whilst those in Connaught had not repaid anything. The Treasury was dissatisfied with the repayments as the amount repaid fell far short of the amount demanded. In some unions, they recognised that this was because all of the money raised was needed for relief, but they could not understand why larger sums had not been paid in the Munster and Leinster unions. They did agree, however, that no more repayments would be required until the next harvest when the sum to be demanded was not to be less than the estimated difference between the produce of the 3/-rate and the expense of maintaining the poor from then until March 1850. (81)

The financial difficulties of many unions were increased in the spring of 1849 by an outbreak of cholera. The first reported case appeared in the Belfast workhouse in December 1848. This quickly spread throughout the whole workhouse and then to the town. The local Guardians, out of the rates, paid for cholera victims to go to the local hospital and allocated money for the same purpose to the Belfast Dispensary Committee. There was no provision for this, however, within the Poor Law, but the Commissioners appealed to the Government on behalf of the Guardians to sanction this. The pressure of relieving the cholera soon proved beyond the medical resources of the union. (82)
Early in 1849, the central Board of Health warned each Board of Guardians that a cholera epidemic was imminent and that the cost of treating it was to come from union funds. Because cholera struck its victims very quickly, the Guardians were advised to take preparatory steps for its treatment immediately. The Commissioners also urged the Guardians and the local Inspectors to ensure that prompt medical relief would be available if it appeared. In some unions the inhabitants asked the Guardians if they would use their powers under the newly introduced Nuisance Removal and Disease Prevention Act to ensure the cleanliness of their area. (83)

Although cholera appeared in many parts of the country, it was most virulent in the western and north-western unions, especially those close to a seaport. The way in which it was treated varied from union to union and this usually depended on their financial resources. In the Omagh union, for example, the Guardians appointed local Officers of Health even before cholera appeared. The Dungarvan Guardians, however, took no precautions and when cholera did appear they responded by admitting more people to the workhouse than it could safely accommodate. This resulted in a great many deaths. (84)

In March cholera broke out in one of the Distressed Unions and it quickly spread through them all. Initially the Vice-Guardians appealed to the Commissioners for financial aid to enable them to treat it. (85) In turn the Commissioners applied to the Treasury for permission to use part of the Government funds to defray the expense of this if no other money could be obtained. The Commissioners asked for a decision to be made quickly regarding this. There would be much suffering unless it was promptly treated. (86)
The Treasury agreed in certain cases to allow money to be diverted for this purpose, but warned that it had to be allocated with caution. The Commissioners however, quickly ran amiss of the Treasury by allowing what the latter considered to be too much money to be spent in two Distressed Unions. For the most part, the Commissioners had sent sums of £50 to the affected unions, but in Galway and Westport, £288 and £264 had been allocated respectively. The Commissioners had done so in the belief that they were to be allowed discretion in the distribution of this money. The Treasury, on the other hand, considered that their explicitly instructions had not been carried out. They had intended for a fixed sum to be allocated which was not to be exceeded. The Treasury informed the Commissioners that they refused to sanction money for the general treatment of cholera. (87)

The Commissioners disagreed with this policy, which meant that grants would be brought to an end even if medical aid was still necessary. The Treasury had suggested that certain Vice-Guardians should be removed from office but the Commissioners believed that these officers had only been doing their duty. This extra expenditure had only occurred where the alternative was loss of life, a principle upon which the Government had been willing to act on in the past. The Commissioners therefore asked the Treasury to reconsider authorising the expenditure of this money. Although the Treasury did eventually agree to this they did so reluctantly and made it clear that the parameters of Government aid were more limited than those envisaged by the Poor Law Commissioners. (88)
The cholera epidemic reached its peak in March and April and for the most part had disappeared by June, with only a few cases being reported by July. But in the Distressed Unions and the sea ports, cholera had often proved fatal to both the inmates of the workhouses and the population at large. In these areas, the Commissioners attributed the failure to treat it properly to lack of adequate funds. The unions where the epidemic was most virulent were in Galway, Limerick, Waterford, Clare, Dublin, Carlow, Cork and Kilkenny. (89)

The impact of cholera on mortality in Irish workhouses was a short-term but significant one. In 1848, throughout Ireland, there had been a slight reduction in mortality compared with 1847. In 1849, whilst it continued to decrease in Ulster, it again rose in the rest of the country. The regional nature of mortality in 1849 also differed in location from that in 1848, as in the latter year, with the exception of Ulster, there was a marked extension eastwards of mortality. To some degree this was due to the uneven nature of the 1848 blight, which appeared in some of the richer counties such as Dublin, Meath, westmeath, Limerick and not some of the poorest ones, such as Donegal, Sligo and Roscommom. It was this factor, above all, which affected the death rate. The impact of the cholera epidemic, together with the more general effects of distress, resulted in a second peak of mortality in many areas outside Ulster. (90) When, in April, the £50,000 advanced by the Government came to an end, Parliament in May 1849 directed that a further £6,000 should be allocated from the Civil Contingencies Fund to Ireland. This, however, was over £4,000 below the Commissioners' estimate of £10,728 and they warned the Treasury that an absolute stoppage of relief was imminent. (91)
Although the Treasury accused the Commissioners of advancing money too liberally to unions which had not made sufficient rates, they did agree to allow biscuit, which the Commissariat still had in store, to be given to the Distressed Unions. The Commissioners persisted with a stream of daily correspondence to the Treasury, pleading for further remittances without delay and pointing out the fatal consequences of allowing the needs of the unions to continue to exceed the resources of the Commissioners. Although some workhouses were on the verge of closing down, they had to inform the Vice-Guardians that no financial help was forthcoming as they had no funds at their disposal. (92) When giving evidence before a Parliamentary Committee on the Poor Law in 1849 Twistleton made very clear his attitude to the stance adopted by the British Government to Irish distress. He informed the Committee that in the 32 poorest unions, the sum required for all of the debts and expenses for the half year ending September 1849 was £700,000. He described this as 'very trifling indeed' and stated:

'I wish to remark that it is wholly unnecessary that there should be a single death from starvation this year in the Distressed Unions in Ireland. The machinery for the administration of relief is now tolerably complete and all that is requisite is that the necessary funds should be furnished to those who are entrusted with the administration of relief'. (93)

Twistleton made this point repeatedly, emphasising that:

the comparatively trifling sum with which it is possible for this country to spare itself the deep disgrace of permitting any of our miserable fellow subjects in the Distressed Unions to die of starvation. I wish to leave distinctly on record that, from want of sufficient food, many persons in these unions are at present dying or wasting away; and at the same time it is quite possible for this country to prevent the occurrence there of any death from starvation, by the advance of a few hundred pounds, say a small part of the expenses of the Coffre War. (94)
In England the response was less than sympathetic. The Treasury pointed out that May was a favourable time for rate-collection which should be done immediately. They advised that rates should be collected from immediate lessors in unions such as Kilrush, where large numbers had been evicted, which placed an additional burden on the rates and made external assistance necessary. The Government dealt with the Commissioners in an equally perfunctory manner. They proposed to introduce a Bill authorising an advance of a further £100,000, which would then be charged to the produce of a national rate to be known as the Rate-in-Aid. The Rate-in-Aid was not to be used to pay the outstanding debts of the unions, which were to be repaid out of future rates. Until Parliament passed this Bill the Government refused to issue any money to the Treasury except in the most limited manner possible. (95)

The Rate-in-Aid Bill, which was introduced in May 1849, made it possible for the Government to provide relief to the Distressed Unions whilst at the same time severing financial dependence on the Treasury. This legislation provided for the more prosperous unions to levy a new rate which was not to exceed 6d. in the pound on the annual value of their union. This money was then to be made available to the Distressed Unions in a way deemed to be fit by the Treasury. Simultaneously, the Treasury was empowered to advance from the Consolidated Fund money not to exceed more than £100,000 for the immediate use of the poorest unions, which was subsequently to be repaid out of rates levied in this way. The duration of this Act was December 1850 and the money raised by this Rate was to be paid by December 1849. It was accompanied by an advance of £50,000 for the immediate use of the Distressed Unions. (96) The introduction of the Rate-in-Aid marks an important change in the
policy of the British Government in relieving Irish distress. The responsibility for relief was to be a national rather than a local charge, but definitely not an Imperial one.

In Parliament, opinion about the proposed Rate-in-Aid Bill was mixed, but opposition was strongest amongst those with a vested interest in Ireland. In March, a meeting was convened of all members connected with Ireland to consider the Bill. Although some Irish members favoured it, the majority resolved that 'the tax to be levied upon the present rateable property of Ireland is unjust in principle and dangerous in its tendency, and that, we will oppose its enactment by every means which the Constitution affords us'. (97) One supporter of the Bill was Sir Robert Peel who pointed out that if Irish unions had discharged their debts to the Government for the building of the workhouses they would not now be required to pay this Rate. Opposition within the Parliament was relatively small, however, and the Bill passed through the two Houses, especially the Commons, with a large majority. (98)

The Chancellor of the Exchequer and other members of the Treasury approved of the new rate. Trevelyan saw it as the best method of relieving distress without continuing the burden on the Imperial Treasury. He saw the advantages of this tax as being that it would require no new machinery to be created, whilst the sum raised would only be according to what was needed. Also, pressure to provide relief would no longer be exerted on the Government but rather on the neighbours of the Distressed Unions, who would be in the best position to detect fraud and resist undue applications. In this way Trevelyan believed that the great principle of the Poor Law would be realised, that is, 'to make the burden as near local as possible in order that it may be locally scrutinised and locally checked'. (99) Trevelyan was confident.
that this tax would not be of long duration, rather he viewed it as a temporary measure, necessary to facilitate a transition from small to large-scale farming. (100)

Perhaps the most serious opposition to the Bill came from the actual Poor Law officials, with whom it proved universally unpopular. Joseph Burke, Inspector in the south-east, considered that in three-quarters of his unions the Poor Law was working well - they were financed by their own rates and also attempting to repay the Government advances. If the Rate-in-Aid was introduced, Burke expected general resistance to the rates which would result in solvent unions becoming insolvent. He suggested that instead of this tax there should be another Government advance, as the people had mostly proved willing to repay these grants. This would also ensure that solvent unions were not subsidising insolvent ones. (101)

Both Edward Gulson, a former Poor Law Commissioner in Ireland, and Edward Senior, Poor Law Inspector in the north, agreed that if the Rate-in-Aid was introduced, there would be much resistance to it. Gulson recommended that a property tax should be levied instead, as it was fairer than the proposed rate which would force people in the north to contribute to the relief of those in the south. Senior suggested that an income tax would be preferable, together with the enforcement of the payment of workhouse loans. He anticipated the Rate-in-Aid would cause general alarm in the north and make local landlords less willing to employ people. He advised that if it was introduced it would be made more palatable if it was accompanied by a financial and a time limit. (102)
The strongest opponent of the Rate-in-Aid was Edward Twistleton, the chief Poor Law Commissioner. Despite the general distress in Ireland and the highness of the rates, he felt that, for the most part, they had been well paid. If the Rate-in-Aid was introduced, it would deter farmers from investing capital in their land and where the Poor Law was working well would result in much discontent. Instead, he recommended there should be an additional uniform rate of 7d. in the pound and any additional aid should come from the state. Twistleton, however, who had so often been in conflict with the Government over the amount of aid to be allocated for Irish distress, resigned in protest over this legislation. He informed Trevelyan, 'strongly disapproving as I do of the Rate-in-Aid Bill ... I could not have with honour carried it into execution'. (103) Twistleton was replaced by Alfred Power who had formerly been an Assistant Commissioner in England.

George Nicholls, the first Poor Law Commissioner in Ireland, believed the introduction of the Rate-in-Aid resulted from alarm on the part of the Legislature, which made them determined to make the property of Ireland responsible for the relief of its poverty. He objected to the principle of the Rate-in-Aid and the timing of its introduction. Nicholls felt the potato blight warranted special treatment, especially as it had been designated an imperial calamity. But, because the Government had already contributed almost £10,000,000 in the fourth year of famine, by throwing the burden of relief on Ireland, they hoped to end the people's dependence on the potato. Nicholls admitted that this policy was objectionable because Irish distress was so general and so severe that it constituted an exceptional case, and in his opinion, this warranted a continuation of extraneous aid. (104)
The response to the introduction of this Bill in Ireland showed that in some areas its provisions were less than welcome. The reaction of the local newspapers, for example, varied. In Dublin the 'Morning Chronicle' objected to the Rate-in-Aid on the grounds that the money expended would not reduce pauperism but would increase it. The paper predicted that the number of Distressed Unions would double within six months and this would continue until all of the wealth had disappeared from the country. (105) The 'Dublin Evening Post', however, although it did not particularly like the new Rate, believed there was no alternative to it and described it as a national tax to prevent a national loss. (106)

Opposition to the Bill was most vehement in Ulster. The 'Northern Whig', a paper which had already shown itself unsympathetic to the distress in the west, in a series of editorials, objected emphatically to the Bill. It forecast that 'Antrim, Armagh and Down are to be made the preserves for the paupers of Connaught to graze on', and warned the Government that the people in the north would not comply with its provisions. The 'Northern Whig' based its opposition on the fact that the Rate-in-Aid 'is simply and avowedly an attempt to make the industrious peaceable, hard-working portion of Ireland pay towards the support of the idle and turbulent.' (107)

Locally, amongst the ratepayers and Guardians in the north, much dissatisfaction was expressed. The unions in eastern Ulster, especially those which had received little or no aid from the Government during the previous few years, were unwilling to subsidise the distress of the poorer unions. Various Boards of Guardians passed resolutions condemning the Bill and these were followed by petitions to both Houses of Parliament. They contended that, if Ulster was truly an integral
part of the British Empire, then they had no connection with Connaught that was not equally shared by other parts of the Empire. Therefore, they considered there was no moral obligation upon them to relieve the poverty in the west. The Guardians believed that the Bill would lead to the economic ruin of northern Ireland and would act as a disincentive for ratepayers there to make any exertion to pay their rates. (108)

The strength of feeling amongst the northern unions can be seen from the fact that they united in order to prevent the Bill being introduced - a step which they had previously been reluctant to take on matters connected with the Poor Law. At the end of February, there was a large meeting in County Fermanagh protesting against the Rate-in-Aid and suggesting that instead of it, a tax should be levied on imported goods from England. The next large meeting took place on 11th May in Belfast and it was attended by representatives from 11 Boards of Guardians. This was followed by a further one at the end of May but by this time the Bill was law. (109)

Despite this agitation, by July, Edward Senior, the local Inspector, allayed the fears of the Commissioners by informing them that the worst of the crisis was over. Senior had anticipated that in his unions either the Guardians would refuse to make this rate or, the ratepayers would refuse to pay it - either of which would have paralysed the administration of the law. This fear, however, had proved groundless. Many unions had already struck the rate and he expected even the most hard-line ones, such as Belfast and Larne, to follow. If opposition did occur it would be localised and sporadic, but the local Resident Magistrates should be prepared for this possibility. Resistance in the north, therefore, despite the fact that it initially appeared concerted and determined, quickly proved passive and
short-lived, nor was it sustained on any significant scale when the rate was actually collected. (110)

In Leinster and the wealthier parts of Munster, reaction to the Bill varied. In Enniscorthy a meeting was convened to protest against the Bill and a petition sent to Parliament suggesting that a rate for this purpose should be levied off the Empire at large. In Wicklow also, a meeting was held at which similar views were expressed. In Carlow, however, at a meeting called by opponents of the Rate-in-Aid, proposals to this effect were defeated and instead a motion approving of it was passed by a large majority. In the Dunmanway union, the Guardians professed themselves willing to pay the tax but stated that they were unable to do so and asked if they could just pay part of it. (111) Again, in this area, when the Rate was actually made, little opposition to it was shown.

The Rate-in-Aid, which became law on 24 May 1849, was intended to be a temporary measure only. It provided for a rate of 6d. to be declared on all rateable property for the year of 1849, which would total £332,552. A month after it was passed, a subscription was started by the Government, each member contributing £100 and the Queen £500 in the belief that this money could be usefully expended without interfering with the administration of the Poor Law. This money totalled almost £10,000 and it was raised because it had become obvious that, even with the Rate-in-Aid, further aid would be necessary before harvest. Its distribution to the Distressed Unions was entrusted to Count Strezelecki, formerly of the British Relief Association. (112)
The money raised by the Rate-in-Aid and from the Government subscription was used to relieve destitution in the Distressed Unions over the summer of 1849. The Commissioners believed that the overall financial position of these unions could be improved if some of this money could be used to discharge union liabilities. This was necessary because many Vice-Guardians were unable to obtain further credit, and to remedy this some of them had made themselves personally responsible for the debts incurred - an act which the Commissioners disapproved of. The Rate-in-Aid, however, like earlier grants, could only be used for current expenses. This meant that, like previous extraneous aid, it did nothing to help put the finances of a union on a more secure footing. (113)

The number of people in Irish workhouses reached a peak in June 1849, with 227,329 inmates receiving relief. The maximum number on outdoor relief occurred in July with 784,367 receiving relief. From July onwards, the total number receiving Poor Law relief decreased and was at a minimum on October 6. (114) The Commissioners hoped that the number of people receiving outdoor relief would soon be permanently reduced as, in the spring of 1848, a Boundary Commission had been appointed with the aim of increasing the number of unions in Ireland. At the beginning of 1849, the Boundary Commission made its first proposals regarding the formation of new unions, although these did not become effective until 1850. The Commissioners were optimistic that following the building of new, permanent workhouses, the granting of outdoor relief to the able-bodied would no longer be necessary. The Poor Law statistics, to some extent, disguise the fact that during the summer period much suffering and privation existed in the poorest unions. The Commissioners were aware of this and partly attributed it
to the fact that, under the existing law, outdoor relief to the able-bodied could only be given in food. (115) In order to help ease the precarious financial position of the Distressed Unions, the Commissioners recommended that no new rates should be struck until harvest so that the large arrears of rates could be reduced. At the same time, they estimated that in 23 unions it would be necessary to continue advances even after harvest, as the debts of these unions were so high. (116) As the harvest of 1849 approached, therefore, despite optimism about the prospects of the crop, the financial condition of the Distressed unions continued to cause disquiet in Poor Law circles.
NOTES FOR CHAPTER FOUR

1. Circular to T.P.L.I. asking information on the state of agricultural crops, especially potatoes, in the unions and replies, Appendix to First A.R., 1848, April 1848.

2. V-Gns., Bantry to Coms., S.P.O., C.S.O.R.P., 1848 0.6930, 18 July 1848; Twistleton to Trevelyan, P.R.O., T.64.367.B/2, 15 July 1848; ibid., reports to Trevelyan on state of potato crop, T.64.367.b/1, 28 June 1848; ibid., Twistleton to Trevelyan, T.64.367.B/2, 15 Aug. 1848; M.B., Kenmare Union, K.C.L., BG.100.A.4., 5 Aug. 1848.


4. Twistleton to trevelyan, P.R.O., T.64.367.B/1, 13 May 1848.

5. Ibid., Trevelyan to Twistleton, 6 June 1848.

6. Ibid., Twistleton to Trevelyan, T.64.367.b/2, 15 July 1848.

7. Ibid.; ibid., Trevelyan to Twistleton, T.64.367.B/1, 6 June 1848.

8. Ibid., Twistleton to Trevelyan T.64.367.B/2, 10 Aug. 1848.

9. Ibid., Coms. to Trevelyan, T.64.367.B/1, 10 June 1848.

10. Ibid., Trevelyan to Twistleton, 13 June 1848.

11. Ibid.

12. Coms. to Trevelyan, S.P.O., C.S.O.R.P., 1848 0.6624, 8 July 1848.

13. Ibid.

14. Twistleton to Trevelyan, P.R.O., T.64.367.B/2, 9 July 1848.


19. Ibid., Circular to T.P.L.I., 29 Aug. 1848; ibid., Coms. to Burke, 30 Sept. 1848.


22. Ibid., Twistleton to Trevelyan, 13 Sept. 1848, 17 Sept. 1848.


24. Ibid., Mem. of r.p. of Roscommon Union, 1848 0.6241, 26 June 1848; ibid., Mem. of Gns. of Swineford Union, 1848 0.12240, 26 Dec. 1848; ibid., Mem. of Gns. of Tipperary Union, 1849 0.123, 4 Jan. 1849; ibid., Carlow Gns. to C.S., 1848 0.8756, 7 Sept. 1848.


26. P.L.I., Scariff to Coms., S.P.O., C.S.O.R.P., 1848 0.12417, 22 Dec. 1848; ibid., P.L.I., Galway to Coms., 1848 0.10525, 4 Nov. 1848; ibid., V-Gns., Westport to Coms., 1848 0.10999, 23 Nov. 1848; ibid., P.L.I., Newcastle to Coms., 1848 0.7802, 10 Aug. 1848.

27. Wood to Trevelyan, P.R.O., T.64.367.B/2, 25 July 1848.

28. Ibid., Trevelyan to J.Pim (S.of F.) 24 Aug. 1848.

29. Evidence of Senior, Select committee on Irish Poor Law, 1849, pp.141-142; Senior to Trevelyan, P.R.O., T.64.367.B/1, 2 May 1848.


31. Senior to Coms., S.P.O., C.S.O.R.P., 1848 0.9353, 21 Sept. 1848.


35. V-Gns., Westport to Coms., S.P.O., C.S.O.R.P., 1848 0.10999, 23 Nov. 1848.

36. Ibid., P.L.I., Ballina to Coms., 1848 0.11984, 5 Dec. 1848.


38. Twistleton to Trevelyan, P.R.O., T.64.366.A, 9 Nov. 1848.

39. Coms. to L.L., Papers relating to the aid afforded to the


42. P.L.I., Ballina to Coms., Distressed Unions, p.11, 18 Nov. 1848; ibid., V-Gns., Bantry to Coms., P.21, 28 Nov. 1848; ibid., P.L.I., Bantry to Coms., p.22, 5 Dec. 1848.

43. Ibid., Coms. to V-Gns., Bantry, p.22, 30 Nov. 1848; ibid., Coms. to Grey, p.23, 16 Dec. 1848.

44. Ibid., Coms. to Grey, p.26, 2 Jan. 1849.

45. Ibid., Grey to Coms., p.24, 18 Dec. 1848; ibid., Coms. to Somerville, p.34, 28 Nov. 1848; ibid., Coms. to Grey, p.37, 18 Dec. 1848.

46. Ibid., Grey to Coms., p.30, 16 Jan. 1849.

47. Twistleton to Trevelyan, P.R.O., T.64.366.A, 13 Sept. 1848.

48. Ibid.

49. Ibid., Twistleton to Trevelyan, 15 Nov. 1848, 6 Feb, 1849.

50. Ibid., Twistleton to Trevelyan, 21 Jan. 1849.

51. Ibid.

52. Ibid. Twistleton to Trevelyan, 4 Oct. 1848.

53. Ibid., circular from Coms. to P.L.I., Aug. 1848.

54. Ibid., Trevelyan to Walker, T.64.367.B/2, 23 Aug. 1848.

55. Ibid., Wood to Trevelyan, T.64.366.A, 14 Nov. 1848.

56 Ibid.

57. Restoration of Boards, pp1-3; Election of Guardians, pp2-3.


61. Chairman of Tralee B.A. of Gns. to Trevelyan, P.R.O., T.64.366.A,


64. Dublin Evening Post, 8 Feb. 1849, 2 March 1849; The Northern Whig, 20 Feb. 1849.


67. Dublin Evening Post, 8 Feb. 1849.

68. Ibid, 10 Feb. 1849.


70. Treasury Minute, Distressed Unions, pp3-5, 16 Jan. 1849.

71. Twistleton to Trevelyan, P.R.O., T.64.366.A, 19 Jan. 1849.


74. Report by Trevelyan, P.R.O., T.64.366.A, undated, probably March 1849.

75. Ibid.

76. Treasury to Coms., N.L.I., m/f, T.14 2414, 20 Feb. 1849; Coms. to Trevelyan, Further papers relating to the aid afforded to the Distressed Unions in the west of Ireland, p.14, H.C. (060) 1849, xlviii, 121, 7 March 1849, (hereafter cited as, Distressed Unions II).

77. Treasury to Coms., T.14.12539, 8 June 1849.

78. Ibid., Treasury to Coms., T.14.12539, 8 June 1849.

79. Coms. to Grey, Distressed Unions II, p.25, 31 March 1849; ibid., Coms. to Trevelyan, p.44, 26 April 1849.


81. Ibid., Treasury to Coms., T.14.12539, 8 June 1849; Treasury Minute, Distressed Unions, p.12, 6 March 1849.


86. Ibid., Coms. to Trevelyan, 11 April 1849.

87. Ibid., Treasury to Coms., 14 April 1849, 19 June 1849, 21 July 1849.

88. Ibid., Coms. to Treasury, 17 Aug. 1849.


90. Cousens, Regional Variations in mortality, pp127, 140-143.

91. Treasury Minute, Distressed Unions II, p.45, 28 April 1849; ibid., Coms. to Trevelyan, p.46, 2 May 1849; Coms. to Trevelyan, Further papers relating to the aid afforded to the Distressed Unions in the West of Ireland, p.12, H.C. (1077) 1849, xlviii, 171 (hereafter cited as Distressed Unions III); ibid., Coms. to Lewis, P.4, 30 April 1849.

92. Treasury Minute, Distressed Unions II, p.48, 4 May 1849; Treasury Minute, Distressed Unions III, p.13, 14 May 1849; ibid. Treasury Minute, p.13, 15 May 1849; ibid., Coms. to Trevelyan, p.5, 8 May 1849; ibid., Coms. to Tr, p.9, 10 May 1849; ibid., Coms. to Trevelyan, p.10, 11 May 1849; ibid., Coms. to Trevelyan, p.12, 12 May 1849.

93. Evidence of Twistleton, Select committee on Irish Poor Law, 1849, p.947.

94. Ibid., p.717.

95. Treasury Minute, Distressed Unions III, p.19, 17 May 1849; ibid., Waddington (H.O.) to Coms., p.8 10 May 1849.

96. 12 + 13 Vic.c.24.


98. Ibid., 8 March 1849.

100. Ibid.


102. Evidence of Gulson, Select committee on Irish Poor Law, 1849, pp103-4; ibid., evidence of Senior, pp149-151.

103. Ibid., evidence of Twistleton, pp699-714; Twistleton to Trevelyan, P.R.O., T.64.366.A, 24 March 1849.


111. Dublin Evening Post, 10 March 1849 - 27 March 1849.

112. 12 + 13 Vic.c.24.


115. Strezelecki to Trevelyan, P.R.O., T.64.366.A, 3 July 1849; Coms. to Trevelyan, Distressed Unions III, P.30, 26 May 1849.

116. Ibid., Coms. to Trevelyan, p.38, 1 June 1849; Coms. to H.O., S.P.O., C.S.O.R.P., 1849 0.5256, 2 July 1849.
CHAPTER FIVE

The final phase.

Improvement and deterioration.

1849 - 1852

Although the number of paupers supported by Poor Law relief increased in 1849 compared with the previous year, certain changes had occurred which the Commissioners regarded as favourable. In 1849, a shift from outdoor to indoor relief was noted, with 11,220 persons receiving outdoor relief in 1849, while the total number receiving indoor relief was 23,000, compared with 19,000 in the previous year. Also, the living conditions within the workhouses improved, and this contributed to an overall decline in the Irish mortality rate. (1) Both of these factors largely resulted from an extension in the amount of workhouse accommodation available. It increased by 70,000 places in 1849, and the proposed boundary changes, by increasing the number of workhouses in Ireland, seemed likely to extend this even further. The harvest of 1849 was a good one, and the Commissioners were optimistic that if this continued, outdoor relief would decline even more. In accordance with this, from the period of harvest, they refused to issue any order allowing outdoor relief to the able-bodied. They explained to the Guardians that we consider it a matter of the utmost consequence to the future as well as the present working of the Poor Law to avoid, if possible, the issue of these orders in a season which has been marked by an abundance rather than a scarcity of food, and that to prevent any expectation being created that their power will be exercised,example extraordinarly
Although the number of people receiving Poor Law relief increased in 1849 compared with the previous year, certain changes had occurred which the Commissioners regarded as favourable. In 1849 a shift from outdoor to indoor relief was evident: 1,210,482 persons received outdoor relief in 1849 compared with 1,433,042 in 1848, while the total number receiving indoor relief was 932,284, compared with 610,463 in the previous year. Also, the living conditions within the workhouses improved and this contributed to an overall decline in the Irish mortality rate. (1) Both of these factors largely resulted from an extension in the amount of workhouse accommodation available. It increased by 70,000 places in 1849, and the proposed boundary changes, by increasing the number of workhouses in Ireland, seemed likely to extend this even further. The harvest of 1849 was a good one, and the Commissioners were optimistic that if this continued, outdoor relief would decline even more. In accordance with this, from the period of harvest, they refused to issue any order allowing outdoor relief to the able-bodied. They explained to the Guardians that "we consider it a matter of the utmost consequence to the future as well as the present working of the Poor Law to avoid, if possible, the issue of these orders in a season which has been marked by an abundance rather than a scarcity of food; and thus to prevent any expectation being created that these powers will be exercised, excepting extraordinary..."
circumstances'.

However, although 1849 marked the first of a series of good harvests, in Clare and Kerry, distress remained abnormally high and was even worse than it had been in the previous year. (2)

In August 1849, the Commissioners outlined the form that poor relief was to take in the ensuing year. Their basic premise was that abundant employment would be available to the labouring classes, and their primary objective was a 'stabilisation' of Poor Law administration. The latter was to be achieved by extending workhouse accommodation in order to obviate the need for outdoor relief to the able-bodied, and through the restoration of the management of the Distressed Unions to their respective Boards of Guardians. (3)

Simultaneously, changes were made in the Poor Law by an Amendment Act of the same month. To some extent this was passed in response to two Parliamentary Enquiries earlier in the year, by the House of Commons and House of Lords respectively. They recommended that, apart from exceptional circumstances, the Irish Poor Law should be based on indoor relief only. To make this possible they suggested that additional accommodation should be provided, especially in the poorest unions. The Amendment Act, therefore, allowed the formation of new Poor Law unions. The Act also disallowed occupiers from deducting from the rent paid to them, more than a half of the amount of rate which they paid. This provision redistributed the burden of poor rates in favour of the immediate lessors. It also facilitated the emigration of Irish paupers to British colonies, paid for from the poor rates. Over one quarter of the clauses of the Act were concerned with increasing the ability of the Guardians to collect and recover rates. (4) This Amendment Act did not, however, change either the spirit or the principle of the earlier Poor
Law Acts.

The most significant change in local administration occurred in November 1849 when 11 of the remaining 16 dissolved Boards of Guardians were reinstated. Originally it had been intended that the 32 dismissed Boards would be restored on 25 March 1849, but at the request of the Commissioners only 16 had been, the others remaining under the control of the Vice-Guardians. The unions in which the Boards had not been reinstated were the poorest ones, where the Commissioners had anticipated much distress before the harvest period. (5)

In order to facilitate the change from paid to elected Guardians, the office of 'Assistant Guardian' was created. In 1848 Twistleton had recommended that if desired by the Guardians, a resident Inspector should be appointed, and the 1849 Act gave official recognition to this. The power of appointing Assistant Guardians was vested in the Commissioners who hoped that their presence would make the dissolution of Boards of Guardians unnecessary. (6)

In the unions this provision was popular, especially in the poorer ones where the amount of work devolving upon the Guardians was still a heavy burden. This clause, however, remained almost inoperative through the absence of a provision allowing the salaries of the Assistant Guardians to be paid from the rates. The Commissioners suggested that in some cases the Government should pay for these officials but, despite the support of the Prime Minister, Parliament refused to agree to this. This meant that unless Assistant Guardians were willing to work on a voluntary basis, as occurred in the Kenmare union, this new class of administrator did not emerge. (7)
In some unions the restored Boards of Guardians were dissatisfied with the condition in which they found their unions. In Westport, for example, the newly elected Board described the workhouse as 'a hotbed of laziness and vice'. (8) The Guardians of Lowtherstown also criticised their predecessors for their laxity in administering relief which had left the union:

'much demoralised, the poorer classes being impressed with the doctrine that instead of finding employment it must be found for them, and that the decree of the Almighty, that man must live by the sweat of his brow, is changed to the effect that man is to live by Act of Parliament'. (9)

In the Mohill union, the restored Board viewed their dismissal as a denial of their rights. The chairperson, Lord Leitrim, described it as a 'most unbounded, arbitrary and despotic' exercise of the Commissioners' power. He stated that he had no confidence in the Commissioners and distrusted them. Because of this, Leitrim recommended that his fellow Guardians should not accept the control of their union which had been handed back to them in such a disreputable manner. (10)

The most common complaint against the Vice-Guardians was that they had misspent or squandered union funds, or had levied rates in an unfair manner. This often arose from the fact that the restored Boards were often confronted by large debts which they were expected to repay. One such complaint resulted in a Select Committee being appointed by the House of Lords, which ruled that neither the Commissioners nor the paid Guardians had displayed the activity or judgement which the public had the right to expect. This Committee concluded that, whereas bad administration generally resulted in demoralisation, in Ireland it would more likely lead to ruin. (11)
Some Boards of Guardians were, however, satisfied with the way in which the paid Guardians had managed their unions. The Guardians of the Enniskillen, Galway, Gort, New Ross, Scariff and Tullamore unions, passed resolutions thanking the Vice-Guardians for the way in which they had administered their unions, whilst the Guardians in the Athlone, Kenmare, Mullingar and Waterford unions, declared that they could not have provided relief more efficiently and asked if the Vice-Guardians could be retained for a further period to help administer the poor Law. (12)

The changes made in the Poor Law during the harvest of 1849 were largely based on the assumption that there would be less distress to relieve than in previous years. However, some blight did appear, although it was more localised than in any year since 1845 and tended to be confined to areas on the south-western seaboard. In their 1850 Annual Report, the Commissioners optimistically refer to an 'abundant harvest in 1849, which suffered less from blight than in previous years', but they fail to mention the implications for those areas where blight reappeared. (13) By the autumn of that year there was an obvious contrast between areas in which the Famine could be said to be 'over', and those where it was still having devastating effects on the local population. In Ulster, the area which had suffered least during the Famine, the local Inspector observed that he had never before seen such an abundant harvest, the potato crop being especially luxuriant. In Mayo also, an area which had suffered much since 1845, the Poor Law Inspector reported favourably on the prospects of the local unions. He described a new spirit of activity in the region, resulting in a reinvestment of capital in the land. This optimism was well founded because, by the end of the year, plenty of food and fuel were available
for the first time in four years. In contrast to this, in the counties of Clare, Kerry, Limerick and Tipperary, the blight was prevalent and it was feared that if the potato crop was not immediately consumed, it would be useless. (14)

The Commissioners were optimistic that following the harvest of 1849, there would be a significant decrease in the expenditure of local unions. The cost of Poor Law relief in 1849 was £2,177,651 compared with £1,732,597 in the previous year. This increase was due to a higher number of persons being relieved by the Poor Law and additions being made to the workhouse buildings. By the end of 1849 a reduction in union expenditure was apparent, and in the six months following the harvest, rates exceeded expenditure by £426,470. This was due to an overall decrease in the numbers being relieved, but its impact was uneven and the poorest unions remained in debt. (15) In county Clare for example, in the spring of 1850, apart from 12,000 people receiving workhouse relief, a further 30,000 people were on the outdoor relief lists, which was nearly twice the number relieved in the whole of Connaught at that time. (16) Despite this, the Commissioners were confident that 1849 marked the beginning of a permanent reduction in Poor Law expenditure. (17)

The Treasury shared this optimism and viewed this general amelioration in conditions as an opportunity to enforce payment of debts to the Government. Both Trevelyen and Wood believed that even the poorest unions could now afford to do this and they ruled that after harvest the demands on the unions, in order of priority, were to be the new Rate-in-Aid, the Temporary Relief Act advances, and the workhouse loan repayments. In the past the amount of repayments to be demanded from the Irish unions had caused conflict between the Commissioners and
the Treasury, but Alfred Power, who replaced Twistleton, was more acquiescent than his predecessor, and he agreed to support this. The Guardians were, therefore, reminded of their responsibility for repaying these debts as far as possible from the harvest rates. Despite this, even in the period following the harvest, repayments were slow to materialise, but Trevelyan attributed this to a stagnation in the property market. (18)

But even in unions unaffected by blight, financial prospects were less promising than the Treasury chose to believe. Twenty-three unions had required advances during the summer, and even a good harvest did not remove all of their financial difficulties. The repayment of the Government advances was a heavy burden on many unions, and even unions which had escaped major problems were alarmed by these increased pecuniary demands. The Londonderry Guardians believed that these repayments were impossible because in their union the potato crop was worse than in the previous two years. (19) In the Omagh union, the Guardians refused to hand over any of their funds to the treasury on the grounds that it was needed to provide relief. The Commissioners were unsympathetic and threatened that if the Guardians did not pay £1,500, their Treasurer would be personally directed to pay this amount to the Government. Although the Guardians paid £1,000 and promised to pay more when they had it, the Commissioners informed them that the full amount had to be paid from the current rate. (20)

In the south of the country, many unions were finding these extra financial burdens difficult to meet. In the Waterford union, following the harvest, the Guardians had £8,000 in hand, £6,000 of which they were directed to repay to the Government. The Guardians refused to do so on the grounds that pauperism and distress were increasing and this amount
of money would leave the union without sufficient funds. Because their expenses would be no less than in the previous year and the ratepayers were poorer than they had been, the Guardians did not believe they could collect another rate until the following harvest. But the Commissioners were insistent that the sum stated by them was to be repaid. The dispute between the Commissioners and the Guardians continued until April 1850, when the former invoked their statutory powers to resolve the situation. This resulted in an order being issued to the Treasurer of the Waterford union, obliging him to retain a fixed sum from the union funds for the repayment of Government loans. (21)

Lack of funds for ordinary relief purposes was, by the beginning of 1850, resulting in deaths from starvation in some of the western unions. In Scariff, the local Inspector reported that in one case of death there had been considerable irregularity in the supply of meal, which meant that for one week the dead man and his family had received only 3.5 lbs of food. Although the following week he received the usual 21 lbs, it was too late and he died at the end of the week. A similar case occurred in the Ennistymon union. A man and his family had received 24.5 lbs of meal per week, but on one occasion was given only 12.25 lbs because the rate collection had been so low. The man died a few days later. (22)

In the poorest unions, where blight reappeared, the level of distress was comparable to that of preceding years. Again, in the Scariff union, when the elected Guardians resumed office in November, they were £11,996-6-6 in debt and they had no funds in hand. Because a new valuation was being made no rate could be levied, but even when it was ready, more money would be needed than could be collected. At the beginning of 1850, only one-third of the meal required had been
delivered to the union. This meant that people who were eligible for
outdoor relief were not receiving it. The workhouse was full, but
pressure for admission was increasing and overcrowding had resulted in
fever, malaria and other infectious diseases becoming rampant. There
was no change of clothes for the inmates and there had been no milk in
the workhouse for six weeks.

At the beginning of February, supplies to the union were seized by
the sheriff to pay off the debts to one of the contractors. He then
took possession of the workhouse and its auxiliaries and threatened to
dispose of the goods in them. The meal contractor also refused to make
further supplies, until he received some payment. As a result of this,
deaths from starvation occurred daily and the Guardians admitted that
they were unable to discharge their duties adequately. In desperation
they appealed to the Irish Government to intervene on their behalf. The
Lord Lieutenant, although he could not give financial aid to the union,
informed them that a measure was about to be introduced to aid the
Distressed Unions which would ensure that this and similar cases would
be brought to the attention of the Treasury. (23)

The ability of Commissioners to give financial help to these unions
was restricted by the tight control which the Treasury continued to have
on available funds. In April 1859, the Commissioners asked the Treasury
for an advance on behalf of the Kilrush union, as the Guardians were
having trouble in getting any supplies. The Treasury, however, refused
to sanction this unless they were given exact information concerning the
rates being collected in the union. (24) In the case of the Tralee
union, which included some of the poorest districts in Ireland, the
Commissioners appealed personally to Trevelyan to recommend that the
union be given £1,000 from the Rate-in-Aid. Again this request was
refused because the Treasury considered that, although some of the electoral divisions were very poor, the union at large did not require assistance. (25)

The inflexibility of the Treasury arose from their conviction that they, rather than the Commissioners, were to decide how the Rate-in-Aid money was to be distributed. Throughout the Famine they were guided by the principle that funds under their control were only to be used when absolutely necessary. In general, the Commissioners supported a more liberal usage of them. These differences came to a head in November 1849 over the question of how the newly formed unions should be financed. The Commissioners were in favour of using part of the Rate-in-Aid to finance the unions until rates could be struck, but the Treasury refused to allow the ordinary maintenance of the poor to be thrown upon it in such a way. The Treasury insisted that, if the money in its hands was used in this way, it would constitute an unprecedented departure from all previous policy. (26)

Although Poor Law expenditure decreased following the harvest of 1849, the demands on these funds were heavier than the Treasury or Commissioners had anticipated. At the end of the year, the Commissioners were disappointed with the lodgements being made to the Rate-in-Aid even though the power of the Guardians to collect poor rate had been increased. By March 1850, Alfred Power was concerned that the amount of the harvest rates in the poorest unions, whilst desirable, had drained their resources. The policy of enforcing high rates to be collected had been pursued in order to wean these unions away from dependence on external aid, but Power feared that this might have been pushed too far already and that it would jeopardise the future prospects of these unions. Power calculated that between April and July, and possibly
beyond, the Treasury would have to accept an increased number of demands on them. He realised that the effect of this would be to increase the indebtedness of the poorest unions at a time when the Government was anxious to enforce repayments of all debts. Power's pessimism was well-founded, as by July 10 the funds of the Rate-in-Aid were totally exhausted. By this time, however, the British Government had, for the fourth consecutive year, been forced to intervene and provide Ireland with further financial aid. (27)

The necessity of providing the most distressed unions with further financial aid, forced the British Government to come again to the rescue of the Irish Poor Law. But although a further grant was to be provided, it was to be combined with a determined attempt to force the unions to repay their accumulated debts. This was to be achieved by the Consolidated Annuities Act of May 1850. This Act empowered the Treasury to issue, by way of a loan, advances not to exceed £300,000 to the Commissioners. The latter could then use this to discharge debts and liabilities of unions in a manner prescribed by the Treasury. At the same time the Treasury was to ascertain and consolidate the debts of each union, electoral division and townland, for the purpose of their payment. These repayments were to be made in the form of annuities and the Treasurer of each union was directly responsible for ensuring that payments were made. (28)

This money was to be repaid over a period of between five and 40 years, depending on the circumstances of the union. The Guardians were to make a provision for it out of the first rate made after the yearly date of payment had been fixed, and 3 September 1850 was the date set for the first repayments. (29) The fact that the money simultaneously advanced to the Distressed Unions could be used to discharge debts
marked a radical departure from earlier Government policy, which had stipulated that grants could only be used for the provision of relief. Continuity was maintained by the fact that both the distribution of this money and the collection of the annuities remained firmly in the hands of the Treasury which in effect meant under the control of Trevelyan. The Consolidated Annuities Act was abandoned in 1853 when it was replaced by an income tax.

Despite the grant of £300,000 made by the Government in May 1850, and a second good harvest in that year, the continuation of distress in the west resulted in a second Rate-in-Aid being introduced in December 1850, which declared a levy of 2d in the pound on all rateable property in Ireland. Although some Guardians were opposed to this, their response was neither as uniform nor vociferous as it had been concerning the first Rate-in-Aid. The Strabane Guardians were one of the Boards who objected to its introduction and they resolved that:

'with a sincere desire to avoid any resistance to the proceedings of the Commissioners, or to have any misunderstandings with them, they feel called upon in the faithful discharge of their duty to the ratepayers to protest against the levying of this impost'.

The Guardians considered that the payment of the first Rate had not been equally enforced in every union and felt it was unfair that they should have to pay a second rate when some unions had not even paid a first one. The Commissioners were able to mollify the Guardians, however, when they informed them that there were only three unions in the whole of Ireland which had not made rates for the first Rate-in-Aid order. (31)

Some Guardians questioned the legality of this Act on the grounds that the date for its introduction had expired. The Limerick Guardians submitted their case to Joseph Napier Q.C. for his opinion, and he
replied 'the rate may be (as I think it is) most objectionable in principle, and there may be much hardship in levying it', but he recommended the Guardians to pay it. (3) Isaac Butt's opinion to the Cork Guardians was similar. He felt the order was valid and warned the Guardians that, if they did not conform with it, a mandamus could be served upon them. (32) The opinion of Jonathan Henn Q.C. further confirmed this. He informed the Belfast Guardians that although there were some difficulties in interpreting the timing of the Act, he considered its provisions were now legally in force. (33) When the second Rate-in-Aid was introduced, therefore, little opposition to it materialised.

The potato blight had shown that the method of food production in some parts of Ireland was antiquated and wasteful. In the west and parts of the south, land had been much subdivided whilst, at the same time, the sale of mortgaged property was hampered by obsolete legislation. The Government saw the Famine as providing an opportunity to effect certain changes which would being about an improvement in Irish agriculture. In the poorer areas of the country, the Government desired that there would be a change from a subsistence economy to a more capitalised one. They believed this would be possible if landlords whose estates were in debt, and farmers whose land was underproductive, were replaced by men of energy and capital who would consolidate holdings and rationalise land usage. (34)

To facilitate the sale of land, two Incumbered Estates Acts were passed in 1848 and 1849 respectively. (35) However, the new proprietors were sometimes more mercenary than their predecessors and sales were followed by further clearances and evictions. In 1848 an Act was passed under the auspices of the Poor Law for the protection and relief of the
destitute poor evicted from their dwellings. (36) Despite this, in some unions - Kilrush being the most notorious - clearances on a large scale continued and this forced the local population into the workhouses or onto the relief lists where they became a burden on the poor rates. For those who had the means to so do, emigration was an alternative to poor relief. The Government favoured this as they hoped it would further facilitate the consolidation of land. (37) (*)

The problem which faced the local Poor Law administrators following the voluntary surrender of land was to know who was liable for rates on land which had been left as waste or was unproductive. Provision had been made in the 1849 Amendment Act to increase the power of the Guardians, to force the sale of property for the payment of poor rates. Many Guardians found the terms of this Act confusing and consulted the Commissioners as to how it should be implemented. Some believed that they could now seize growing crops in lieu of payment of rates but the Commissioners decreed that this was not so. Difficulties were also caused by the question of liability of untenanted land, especially where large arrears of rate existed. The Commissioners took legal opinion on this and the Attorney General ruled that the first occupier within two years of the property becoming vacant was legally bound to pay the arrears of rates. But, in the Distressed Unions, the Guardians feared that if they struck very large rates it would result in a wholesale abandonment of land. Although the Commissioners realised that the burden of poor rates acted as a disincentive to purchase indebted land, they were confident that even in Ireland land could not remain in this

* See next chapter
As a result of the general reduction in the price of land and increase in wasteland, many Guardians had their unions revalued. The Commissioners approved of this as the original valuations had been irregular, but at the same time, they suspected the Guardians of wanting lower valuations for their own advantage. Power feared that the revaluations might cause a delay in the repayment of the Annuities but he realised that in the Distressed Unions it was unlikely that a rate would be made before the end of September anyway.

Although the Commissioners were cautious about the amount of repayment to be made for the Annuities, the Treasury was confident about the amount to be realised. Power admitted that he would be watching the first Annuity order with some anxiety and warned Trevelyan that he was perhaps over-optimistic. The Chief Commissioner sympathised with the local unions, as these charges would act as an encumbrance to economies made by the Guardians, who would feel that they were benefitting the Treasury rather than the union. Power also disagreed with the date set for repayment as unions, especially the Distressed Unions, were unlikely to make a rate before that time. But despite these disagreements, the Commissioners assured the Treasury that they would do their best to ensure the Guardians conformed to these orders.

As the time for the first repayment approached, some Guardians asked if they could be spread over a longer period. The Commissioners, although privately sympathetic, informed the Boards that it was not within their power to comply with such requests. The response of the Treasury was both publicly and privately intransigent. Trevelyan believed it was necessary to adopt a hard line in this matter because
all earlier plans for delaying repayment of the Government advances had been successful. If the Consolidated Annuities were launched with a suspension of their operation in some unions, even those who were able to pay would be encouraged to resist. Because of this the Treasury had adopted 'our last position which is a very strong one and we should not allow ourselves to be forced from it'. (41)

Trevelyan recognised that the weak point in this scheme was that the Distressed Unions should not be able to make repayments unless they were given external assistance. He therefore recommended that whilst it would be in the Treasury's interest to insist on payment in every union, the residue of the Rate-in-Aid should be given to the Distressed Unions. Trevelyan was optimistic that if these unions were helped in this way, they would finally be in a position of financial independence. In this way also, the Treasury would keep its repayments intact whilst ensuring that assistance would only be given where it was most required. Trevelyan believed that this would prevent wholesale demands on the Treasury, and at the same time would 'preserve the integrity of our Annuity'. (42)

By September 1851, when the first Annuity was due, opposition had become more widespread. For the most part the Guardians desired a postponement of the repayment, but in a few cases total exemption was demanded. The Guardians of theoughterard union demanded the latter. This union had recently been formed from some of the poorest parts of the Ballinrobe and Galway unions and a large part of it was waste or bogland. The Annuity repayment would require an average rate of 2/- in the pound which the Guardians believed would ruin the union. (43)
The ratepayers of the Belmullet union also objected to the annuities and appealed to the Irish Executive for help. Although the worst of the Famine had abated in the union, its effects remained: the population had been reduced by 29 per cent and much land was laid waste. The annuities would be a disincentive to the investment of capital in the land but would force even more people to emigrate. The ratepayers declared themselves unable rather than unwilling to pay this money and asked if the provision of relief could take precedence over these repayments. (44)

In County Roscommon, the various Boards of Guardians joined together to protest against the Annuities. They believed that the state of their unions made it impossible to carry on with the ordinary relief of the poor, especially as large arrears of rate were still owing. In their area the value of rateable property had dropped by amounts between 25 per cent to 40 per cent, whilst the reappearance of potato blight was threatening half of their crop with ruin. The Roscommon Guardians, therefore, felt they could not pay the Annuities at the time stated, and warned that if payment was enforced, it would lead to a further drop in the value of land and even more being abandoned. (45)

Other Guardians, including those in Rathdrum, Killarney, Parsonstown, Ballyvaughn and Cork, protested strongly against these repayments. (46) The determination shown by these unions forced the Treasury to revise its position and on October 21, it relaxed the terms of repayment. The Treasury acknowledged that in some districts the local resources were still insufficient to meet ordinary expenditure and promised that they would be given help from the Rate-in-Aid. In these areas, the Treasury would not require any money to be levied for the Annuities. With regard to any general postponement the Treasury felt it
would be undesirable as it would only prolong uncertainty at a time when
it was necessary to restore confidence to the owners and occupiers of
land. The Treasury was also convinced that the greater part of Ireland
did not need exemption from these payments which were only loans which
should have been in the course of collection anyway. Despite this the
Treasury reluctantly proposed to introduce a scale of remission which
would be gauged according to the circumstances of each area. The
Treasury believed this was preferable to any general postponement of
payment but they did allow the money which had been retained for the
current year's Annuity to be remitted. (47) These arrangements marked a
liberal departure by the Treasury of its intended stance regarding
repayment of the Annuities. This had been force upon them by the
continuing distress in some unions, combined with widespread opposition
to their payment.

These new measures had the approval of the Commissioners, who
promised to implement them to the best of their ability. Following the
October decision, the amount of poor rate collected considerably exceeded
expenditure. This was mainly due to lodgements being made for the
Annuities by the wealthier unions from which the first payments were
due. (48)

The financial situation of the Poor Law unions was further
complicated by the boundary changes which were becoming effective by
1850. These changes resulted primarily from a desire on the part of the
Poor Law Commissioners, the Treasury and the Government to adhere as far
as possible to the provisions of the workhouse test, that is, indoor
relief. The Extension Act of 1847 had marked a dramatic change of
direction in the ethos of the Poor Law as it provided for Guardians,
with the sanction of the Commissioners, to give outdoor relief to all
classes of paupers. Both Trevelyan and Twistleton were apprehensive about the abuses which this might lead to and agreed that it should be discouraged as far as possible. Twistleton realised that it was highly unlikely that the Guardians could borrow the necessary money to build additional accommodation, especially as the Government would be unwilling to intervene while the repayments of the original workhouse loans had not been fully paid. (49)

Following the passage of the Extension Act, the local Guardians were encouraged to acquire additional accommodation and thereby maintain the workhouse test as far as possible. By the beginning of 1848, this had resulted in a large extension of workhouse room - one third more accommodation had been provided, bringing the entire amount available up to 150,000 places. One result was that in 25 unions, for the most part in Ulster, the workhouses were not full and practically no outdoor relief had been provided. (50) Twelve months later, the amount of accommodation had been further extended to contain 250,000 inmates. As a result of this, in 35 unions no outdoor relief was being given. The Commissioners attributed this to a growing conviction amongst the Guardians that

'...the abuses incidental to outdoor relief are not to be contended with by any administrative agency, when such relief is conducted on a large scale; and that a system of workhouse relief is preferable, not alone in ordinary times, but in the seasons of the severest distress'. (51)

Although certain problems did arise from a strict adherence to the workhouse test, such as overcrowding, the prevalence of disease, and incompetent management, the Commissioners did not believe that these evils were as great as the abuses incidental to outdoor relief on a large scale. In the case of workhouses with a high rate of disease and mortality, the Commissioners decreed that, if the destitute could not
enter the workhouses without endangering their lives, they should be given outdoor relief. (52) In the poorer unions, however, the Guardians did continue to overcrowd their workhouses, and this sometimes had disastrous consequences.

This meant that even following the introduction of outdoor relief, the problem of insufficient workhouse accommodation preoccupied the minds of those engaged in the administration of the Poor Law. As early as November 1847, Trevelyan, who felt himself competent to interfere at all levels of poor relief, recommended that a new workhouse should be built in Erris, a very poor electoral division in the Ballina union. Twistleton agreed, but thought that there was an equally strong case for having new workhouses in other distressed areas. The main problem as he saw it was how they were to be funded. He knew that there was no likelihood of the local unions being able to provide additional accommodation without external aid and he realised that the Government would be reluctant to advance the necessary funds. (53)

Trevelyan's solution to this was to offer to allow the Board of Works to construct two new workhouses at Belmullet and Berehaven respectively. Twistleton gratefully accepted and suggested that if a further one could be built in Dingle, the three worst cases of disproportionately large unions would be met. At the same time, he was aware that given the financial state of those areas it would be unrealistic to expect the Guardians to undertake this operation with money that they should soon be expected to repay. Twistleton realised that the erection of three new workhouses alone would not put an end to the problem of insufficient accommodation. He also warned Trevelyan that what the Treasury did for one union, they had to be prepared to do for others in a similar situation. (54)
The British Government also became involved in the question of additional accommodation, and the Home Secretary questioned Trevelyan as to what the Commissioners were doing to reduce the large size of unions. Twistleton admitted that the greatest problem facing the Poor Law was the size of the unions and that, whilst 130 had been sufficient prior to 1845, twice that number was now necessary. Together with the Under-Secretary, Twistleton produced a paper respecting the inadequate accommodation in some unions, but they were unable to offer any suggestions regarding even temporary accommodation. They did conclude, however, that even if, as was generally desired, the workhouse test was to be maintained, some external financial aid would have to be provided. At this stage, Trevelyan cautioned the Chief Commissioner that he was expecting too great an amount of financial aid from the Treasury.

At the beginning of 1848, a new workhouse was built in Dingle, but the plans to build other new workhouses were suspended. This was because in March, the Government appointed a Commission to enquire into what alterations could be made in the number and boundaries of unions and electoral divisions in Ireland. At the same time, they were to find the most equitable way of apportioning the burden of rates. Also, when forming new areas of administration, they were to bear in mind the availability of persons capable of conducting Poor Law administration. The Commission consisted of Thomas Larcom, William Delves Broughton and Charles Sherman Crawford.

The Poor Law Commissioners approved of the establishment of a Boundary Commission as they were anxious to bring outdoor relief to an end. They believed that indoor relief meant that discipline could be maintained amongst the paupers and that it ensured a more economic usage.
of Poor Law funds. But the Commissioners were apprehensive that in the new unions, difficulty might be experienced in getting competent men to act as Guardians - a factor which had been taken into account in 1838. In 1849, Twistleton informed a Parliamentary Committee that the building of additional workhouses would be unnecessary if the Government issued more money to the Poor Law. This would result in an improved administration of the existing machinery and end much suffering and death. (58)

The information collected by the Boundary Commissioners confirmed the Government's belief that some unions were inconveniently large, which impaired the efficiency of the Poor Law. This lack of uniformity had been arrived at with the consent of the Commissioners who, in 1838, envisaged that only indoor relief would be provided. It had resulted in smaller unions being formed in the north and east of the country where, after 1847, very little outdoor relief had been given. This was seen as confirmation that smaller unions were preferable. Although the Boundary Commissioners admitted that some large unions were efficient, they attributed this to the exertions of the local gentry. (59)

While it was generally agreed that more accommodation was necessary, the question remained as to whether it should be temporary or permanent. The Boundary Commissioners favoured the introduction of additional unions as they allowed a more vigilant administration of the law and were a more economic way of providing relief. In the areas where the Boundary Commissioners envisaged that there would be difficulties in forming new Boards of Guardians, they suggested that the new workhouses should initially be regarded as subsidiary houses with a resident officer and controlled by a parent Board. (60)
The area to be assessed for Poor Law rating provided the Boundary Commissioners with a number of problems. In 1838 the principle had been established that each electoral division was to pay for the support of the poor within its limits. Ten years later, the Boundary Commissioners realised that difficulties had arisen from this attempt to make the produce of an area support its destitute. Following 12 months of detailed and painstaking enquiry, they decided that whilst it was necessary to increase the number of electoral divisions, no departure from the original objectives of the Commissioners was advisable. In accordance with this, the new electoral divisions were, as far as possible, to consist of either single or groups of properties. This, the Boundary Commissioners hoped, would act as an incentive to proprietors to reduce pauperism in their division. The Boundary Commissioners realised that care was necessary in rearranging the areas of rating as they might otherwise put land out of cultivation. Their job was complicated by a stagnation in the land market and the heavy burden of poor rates, which made proprietors reluctant to undertake capital improvements on their land. (61)

The Boundary Commissioners attributed the high rates in the towns to the extent of the areas of rating and a resultant laxity in Poor Law administration. In the larger towns, they recommended a considerable reduction in the size of electoral divisions. The Boundary Commissioners believed that the ease with which relief could be obtained in the towns had facilitated an increased rural eviction. They hoped that if the larger towns constituted a single electoral division rather than, as was frequently the case, embraced both town and the surrounding rural district, this would occur less frequently. Although the Boundary Commissioners favoured a change from small to large holdings they
desired that this should take place with the least possible suffering. They hoped therefore, that as a result of smaller electoral divisions, it would be more in the interests of the local ratepayers to provide their poor with labour or assist them to emigrate, rather than to allow them to congregate in the towns. (62)

At the beginning of 1849 the Boundary Commissioners reported that they had compiled a list of 50 intended new unions to be formed, ordered by degree of urgency, the first ones being Belmullet, Castletown Berehaven and Killala. By February 1850, the Boundary Commissioners had completed their suggestions for new unions in the south and west of Ireland. They had also completed provisional schedules for the midlands, the north-west and south-east. In the remainder of the country, they had decided that the electoral divisions and unions were satisfactory, with only isolated cases needing to be changed. The Boundary Commissioners attempted to ensure that no part of the country was more than seven or eight miles from a workhouse, and that electoral divisions were small enough to encourage their inhabitants to employ labour and capital in them. They realised that the latter aim could only be achieved to a limited extent as contiguous regions of the country varied so much. (63)

The response of the Commissioners to the reports of the Boundary Commissioners was guarded. Although they felt that many of the proposed changes were expedient, they did not support the formation of so many more unions and electoral divisions. The Commissioners also foresaw that problems would arise over the liability for rates until machinery for making and collecting them was operative in the new unions. To facilitate this, they recommended that all boundaries should be changed simultaneously and not, as suggested by the Boundary Commissioners, area
by area. They also proposed that the new unions should receive some pecuniary assistance from the Government, as they believed that the Guardians would not be able to obtain money elsewhere. (64)

Many Boards of Guardians were confused as to whether, following the boundary changeover, they would be able to draw cheques on the Treasurer of the old union. The Commissioners ruled that they could not transfer any of the funds to the credit of the new union unless there was a balance in favour of the electoral division at the time of change. The Commissioners informed the Guardians that they would apply to the Treasury for a loan to enable them to carry on the affairs of the union until a new rate could be made. (65) The Commissioners took it for granted that the Government would advance money for this purpose to the Guardians. The Treasury, however, viewed these proposals with horror, as they felt that responsibility for the ordinary maintenance of the poor was being thrust upon them. Also, by informing the Guardians of this, the Treasury felt that the Commissioners had given them no option but to issue the money. The Commissioners were rebuked and told that the control of money lay with the Treasury and was to be used for emergencies only. The Treasury considered that, for the first time ever, the Government had been forced to use its money to defray the ordinary expenses of certain electoral divisions. (66)

The Commissioners were unrepentant, however. They believed it was unrealistic for relief to be provided in the new unions in the distressed districts out of the current rate, without external aid. If this help was not given they did not believe that the change-over was possible and threatened not to implement it. The Government therefore, reluctantly agreed to support the proposals of the Commissioners. But unions were not to be altered until their various debts had been
consolidated and this was achieved by the Consolidated Annuities Act in May 1850. The Poor Law Commissioners also disagreed with the proposed number of new unions. It had been suggested that 50 new unions should be formed, but the Commissioners believed that these suggestions had been made under different circumstances from those currently existing. The general amelioration of conditions in Ireland eventually resulted in only 32 new unions being formed.

Following the declaration of a new union, steps were taken by the Commissioners to procure a site for a workhouse. Until the new workhouse was open, a portion of the space in the parent union was reserved for the use of the new union. The ex-officio Guardians of the parent union were to manage the new union until a second Board of Guardians could be elected. But these changeovers were not without problems. In the Castlecomer union for example, there were only two local Justices of the Peace, one of whom was in England. In this case, the Commissioners directed the local Inspector to act as Assistant Guardian until elections could take place. Many complications resulted from the financial side of the transfer, especially where the unions were in a state of indebtedness. Because townlands could not carry with them any part of union funds, they were dependent on external aid until new rates could be made.

The views of the Guardians on the proposed changes varied, but their objections were usually economic. In the Killarney union, the Boundary Commissioners had recommended that new unions should be formed at Castleisland and Milltown or Killorglin. The local Guardians regarded this with alarm as they considered the expense of erecting and staffing a new workhouse would be more than the already overtaxed areas could bear. They suggested that instead, additional accommodation
should be provided by an extension of the existing workhouse. (72)

In the Nenagh union, the Guardians and ratepayers welcomed a reduction in the size of electoral divisions but objected to a new union at Borrisokane. They considered that its effect would be injurious as it would be expensive to establish. They also predicted that the new Board of Guardians would be inferior to the old one, which would injure the rate-payers. The local inhabitants considered that the formation of a new union was an unnecessary extravagance at a time when pauperism was decreasing and over 900 vacancies existed in the Nenagh workhouse. (73)

The erection and administration of the new unions was accompanied by various factors, but again, lack of finance was the most frequent one. Although the Treasury allocated money for the building of the new workhouses, the Public Work Loan Commissioners could only make a loan equal to the amount repaid by the union of the original workhouse loan. This was to the disadvantage of the poorer unions and further increased their indebtedness. (74) The actual transfer of paupers from one workhouse to another was also complicated. Until the new workhouse was built they were kept in the parent workhouse, the new Board being liable for their maintenance during this time. In October 1849, the Commissioners ordered that one-third of the accommodation in the Westport workhouse was to be reserved for the newly formed Newport union, for a period not to exceed three years. In the following May, the Westport guardians asked the Commissioners to urge the Newport Guardians to provide separate accommodation for their paupers. This request was made because the Westport Guardians were short of workhouse space and were unable to get additional accommodation except on a long-term basis. As the numbers in the workhouse continued to grow, the Guardians predicted that loss of lives would result unless the Newport paupers
were removed. The resolution of this came in August 1850, when all of the healthy Newport paupers were transferred to their own union. A similar problem occurred in the Ennis union, where, in November 1850, the Guardians were maintaining the paupers of three other unions. (75)

For the most part, the Poor Law Commissioners carried out the recommendations made by the Boundary Commissioners. By the time these changes were implemented, there had been a drastic reduction in the level of pauperism and the Commissioners believed that even 30 new unions was too many. The Commissioners were optimistic that the transfer to indoor relief would lead to a reduction in union expenditure and a more efficient administration of relief. The boundary changes which were implemented by the mid-1850s increased the number of workhouses from 131 to 163, and the number of electoral divisions from 2,050 to 3,439. (75)

The transition from outdoor to indoor relief and the reduction in the number of destitute resulted in many Guardians turning their attention to workhouse administration. The Commissioners encouraged this as they viewed the inspection and management of the workhouses as the 'most important' of the Guardians' duties. Following the good harvest in 1850, the Commissioners were optimistic that the number of auxiliary workhouses could be reduced, although the Guardians were advised to keep an option on the occupation of these buildings. The Commissioners had regarded the auxiliary workhouses as difficult to manage efficiently but, following the closure of many of them, they suggested that the inmates could again be usefully employed, which would constitute a saving for the ratepayers. (77)
The 1838 Act had seen pauper employment as an essential component of the workhouse test. Even during the Famine, the Commissioners had desired that paupers should be gainfully employed and the 1847 Amendment Act had made outdoor relief to able-bodied men conditional on their working at least eight hours a day. Pauper employment had to be such as not to interfere with 'ordinary' labour and stone-breaking was usually considered ideal. To some extent, however, this was a pointless exercise. In the Callan union, for example, the Guardians estimated that one able-bodied man was able to break three tons of 72 cubic feet of limestone per day. But because there was little demand for it, the stones were sold so cheaply that the returns were less than the expense incurred. (78) Although the Commissioners were aware of dissatisfaction with this type of work, they continued to recommend it. This was because they regarded the public works as having 'disastrously' interfered with spring cultivation. The transition to the Poor Law had stopped this and had resulted in a reduction in the number of able-bodied men receiving relief. (79)

The able-bodied females in the workhouses were generally responsible for housework. In some of the Ulster unions, however, they were also employed in cording and spinning and the weaving of wool and flax. The Commissioners were anxious that young females in the workhouses who might be assisted to emigrate should be trained in domestic duties to make them fit candidates. (80)

In 1850 the Commissioners observed that many Guardians were again eager to find gainful employment for workhouse inmates. Because pauper employment was not to be profitable, the Guardians were directed to differentiate between what could be used to provide for the wants of the workhouse and what would bring pauper labour into competition with
independent workmen. The Commissioners believed that labour was necessary to the discipline of the workhouse and in maintaining the efficiency of the workhouse test. (81)

During the years of the Famine, for the first time since the introduction of the Poor Law, there was a large number of able-bodied men receiving poor relief. By 1852 this was no longer true, but instead, the workhouses were developing into asylums for old, young and infirm. Despite this, the Commissioners continued to regard employment as a useful means of maintaining discipline amongst a large assembly of inmates. At the same time, they hoped that it would help to reduce the amount of public money which was spent on relief. (82)

As an incentive to paupers engaged in manufacture, some Guardians suggested that bonuses should be given. The Commissioners opposed this because a bonus might induce people to remain inside the workhouse. The Commissioners maintained that the success of a workhouse could be gauged by the absence of able-bodied men, rather than by the production of profitable goods by those who were reconciled to remaining within it. Also, competition with independent labourers would lead to even more pauperism.

The Commissioners did support the industrial training of children because they would not produce enough to interfere with market operations, but would be given a chance to earn their own livelihood when they left the workhouse. In 1848 an Act was passed which allowed workhouses to hire up to 25 acres of land for the instruction of children under 16. In order to ensure that adults were not employed on this land, they were to be situated away from the workhouse. Unions which hired land for this purpose reported that it had useful and
beneficial results. (83) Throughout the periods of heaviest distress, therefore, one of the main principles of the Poor Law - that is, irksome work being done to deter people from applying for relief and to discipline those receiving it - continued to be applied, and the 1838 Act was maintained as far as possible.

Although after 1850, there was a general improvement in the condition of the poor and destitute in Ireland, this did not apply uniformly to the Irish unions. In some parts of the west, most notably Clare, conditions deteriorated during this period. In the Kilrush, Scariff and Ennistymon unions, there existed 'a degree of destitution which has no parallel in other parts of Ireland at the present time'. In Clare nearly 30,000 people were in receipt of outdoor relief - nearly twice the number receiving relief in the whole of Connaught at that time. Twelve months later, the general sanitary state of the country had improved even further but again the general improvement did not include Clare. In the Ennistymon union the Guardians had, through lack of funds, stopped giving outdoor relief and had been again dissolved for this. In May 1851, in the Kilrush union there were 3,318 people receiving outdoor and 4,903 people receiving indoor relief, but despite this, the Guardians described the applicants for relief as being in 'low physical condition'. The rate of mortality in the Clare unions also remained abnormally high. (84)

Of all the Distressed Unions in Clare, it was Kilrush where distress was most severe and prolonged. As early as 1848, the union had achieved notoriety due to the high number of evictions taking place there daily. This resulted in various Parliamentary reports on the union and in 1850, at the instance of Poulett Scrope M.P., a Select Committee was appointed to enquire into the local administration of the Poor Law. (85)
publication of 'Gleanings from the West of Ireland,' and of a letter by its author in the 'Times' in March 1851, showed the Poor Law in a bad light, criticising the way in which the Kilrush union was managed. This resulted in another Parliamentary enquiry. (86)

Since the start of the Famine, the level of distress in the Kilrush union had been high. This was due to repeated failures of the potato crop and the fact that much local land had gone out of tillage. The pressure on the poor law was increased by the eviction of the poorer tenantry, which was usually accompanied by the demolition of their houses. This phenomenon was not peculiar to Kilrush as it occurred elsewhere, if less extensively. (87). The Commissioners, although they were unsure about its dimensions, admitted that in Kilrush eviction was happening on a large scale. In April 1848, Captain Kennedy, the local Poor Law Inspector, informed them that 30 to 40 cabins, or as many as 300 people, were being evicted daily. The occupier had no power to oppose this as they were tenants at will. At this time, one-quarter of the population was receiving poor relief. (88)

The motive for destroying houses with no land attached to them was frequently attributed to the burden of poor rates which, on holdings valued under £4, fell exclusively on the landlords. These evictions put a great burden on the Poor Law which the Commissioners did not like. They informed Captain Kennedy that:

'the Commissioners do not consider it to be within their province to interfere with the legal exercise of the rights of property; but when, owing to the demolition of houses the poor rates of a union become liable for the support of destitute poor persons who have no house to go to, it becomes competent for the Commissioners to satisfy themselves, that such additions to the liabilities of the union are not occasioned by a violation of the law'. (89)
In May 1849 Captain Kennedy reported that:

'the condition of the poor daily becomes worse and the mortality more distressing. As soon as one crowd of houseless and naked paupers are dead or provided for in the workhouse another wholesale eviction doubles the number who in their turn pass through the same ordeal of wandering from house to house or burrowing in the bogs or behind ditches until, broken down by privation and exposure to the elements they seek the workhouse or die by the roadside'.

He estimated that in the space of only two weeks 1,200 persons had been evicted. Although Kennedy thought that a good rate could be collected, he knew it would still be insufficient to meet the needs of the union

(90)
The Select Committee appointed in 1850 was concerned with the breakdown of relief following the return of the Board of Guardians. In November 1849, there had been a temporary suspension of relief because external funds had ceased and the contractors refused to give any further credit. The Guardians asked the Commissioners for help, but the latter refused on the grounds that local resources had not been used to the full. This meant that outdoor relief was discontinued for several weeks, the workhouse inmates were fed on turnips grown in the workhouse grounds and there were several deaths from starvation amongst those receiving outdoor relief. The Guardians repeatedly told the Commissioners that they were unable to deal with the destitution, and unless they received some aid they felt themselves absolved from responsibility. Only when the local Inspector intervened on their behalf did the Commissioners forward them £100, but the Guardians considered that this would not even provide relief for one week. (91)

The Select Committee was directed to find out if the Poor Law had been administered effectively in the Kilrush union, and if not, what had prevented this. From their enquiries they concluded that the amount of suffering in the union had been 'intense to a degree almost beyond conception'. There had been an estimated decrease in the population of between 25 and 50 per cent although there had been very little emigration from the area. The evidence showed that the Poor Law had neither provided sufficient relief to the destitute poor nor had it preserved lives, despite the fact that since 1848 provisions had been both cheap and plentiful. The Select Committee accused the local landlords of being inactive and allowing themselves to be subsidised by the Government, which encouraged them to evict their tenants. (92)
Sir Lucius O'Brien, a member of the Select Committee who was also a landlord and Guardian in Clare, rejected many of these findings as he believed local resources were inadequate to relieve the distress. He felt that because rents were not being paid the landlords were induced to evict, while the pulling down of small holdings was due to their being liable for rates on land valued under £4. He criticised the Poor Law as 'wholly unsuitable to the Famine', and viewed its administrators as being unfamiliar with the habits of the local population. (93)

The Select Committee recognised that because of the high level of distress the Guardians were totally dependent on receiving aid from the Commissioners who themselves, depended on the Treasury for funds. The Treasury in turn, was aware of the reluctance of parliament to give money for this purpose. The Select Committee was convinced that neither the public nor Parliament would have allowed this situation to continue had they been aware of it. At the same time, they did not believe that local resources were as exhausted as had been claimed. Generally, in the west and south west, the Committee believed that resources had been under-utilised but that blame could not be attached to any one group of people. They concluded that:

'whether as regards the plain principles of humanity, or the literal text and admitted principle of the Poor Law of 1847, a neglect of public duty has occurred and has occasioned a state of things disgraceful to a civilised age and country, for which some authority ought to be held responsible, and would have been long since rendered responsible had these things occurred in any union in England.' (94)

The problem was that Kilrush was not in England and what occurred was an extreme example of a Government trying to force local resources to support local distress without realising that, in parts of Ireland, essential economic and social principles had ceased to function. (95)
Although at this period Kilrush was the most distressed union in Ireland, other unions in the same locality were experiencing acute distress. In September 1850, the chairmen of the Ennis, Kilrush, Tulla, Ennistymon, Corrofin, Ballyvaughn and Scariff unions held a meeting to discuss the administration of the Poor Law. They believed that they could only administer relief efficiently and economically if indoor relief was greatly extended. As these unions were without funds, they appealed to the Government for financial aid. (96)

The Ennistymon union in particular was experiencing great financial difficulties. The Commissioners recommended that more outdoor relief be provided, but the Guardians did not feel that their resources would allow this. The local Inspector, supporting the Guardians, informed the Commissioners that the former were carrying out their duties efficiently and their workhouses were a credit to any union. Sir Lucius O'Brien, chairman of the neighbouring Ennis union, also believed that with financial help the Board could manage the union competently. But, in spite of these recommendations, in December 1850, the Commissioners dissolved the Board and appointed paid Guardian.

The distress in Clare was accompanied by disease and mortality. The period from January to May 1851 was marked by a particularly high number of deaths in this area. A local doctor, Dr. Madden, who had examined the sick in Kilrush, reported that he had never before seen such wretchedness. Although many of the local population feared the workhouse, about 1,000 sick people were constantly congregated around it waiting to be admitted, so that they could be buried in a coffin. Madden felt that the biggest evil in the Kilrush workhouse was the insufficiency of wholesome food. Despite this criticism, he felt that
the conduct of the Guardians was humane. Captain Kennedy corroborated Madden's report. He realised that this situation was not just confined to one workhouse but was prevalent throughout the district. Kennedy believed that protracted insufficiency of food played a major part in breaking down the health of the people. (98)

The Irish Executive appointed two men, Dr John Hill and Dr James Hughes, to investigate the cause of this mortality. Their enquiry took place between June and August 1851. They found that the workhouses were frequently overcrowded and were imperfectly ventilated. Also, union clothing was not warm and the workhouses had an insufficiency of water, all of which contributed to disease. At the same time, they considered the additional accommodation which had been used was cold and ill-adapted to housing the destitute. The debilitated state of the inmates meant that very few of them could be called 'able-bodied', and Hill and Hughes found that healthy people were generally afraid to go into Clare workhouses.

Following this report, the Commissioners addressed the Guardians about the inadequacies made obvious by it. They felt the two most important points made related to a change of dietary and a restriction in the number of inmates. The Commissioners, however, believed that the potato blight and the unavailability of suitable accommodation had meant that these things were difficult to achieve. (99) Power, the Chief Commissioner, was privately concerned about this report. He felt that it might lead to the imputation that the duty of inspecting had not been adequately discharged, and this charge would be levelled at other unions. He therefore asked Trevelyan if the present number of Inspectors in the Clare unions could be retained. (100)
Apart from the Clare unions, other unions in the south and west were still in difficulties. In Tipperary and Limerick, the blight had reappeared in August 1849 and most of the crop had been ruined. (101) In April 1850, the Castlebar workhouses were so overcrowded that the inmates had no change of clothing and only straw for bedding. The Medical Officer reported that the workhouses were a danger to those in them. In the Galway and Listowel unions, the Guardians were still unable to collect rates without police or military aid. Following the harvest of 1850, the finances of the Ballina union were so bad that the sheriff took possession of the workhouse and sold the workhouse clothes. (102)

In the Kenmare union, at the end of 1850, the Guardians had insufficient clothing for the workhouse inmates and asked the Commissioners for advice. The Commissioners told them to strike more rates and to enforce their collection. The Guardians felt this answer was based on an erroneous impression of the union by the Commissioners and the Government. The crowded state of the workhouse was due to a total failure of the potato crop, whilst little employment was available. Because of this, 25 per cent of the local population needed relief and the majority of the others were bordering on the same state. The Guardians calculated that the rate, which they considered high and oppressive, would only be sufficient for half of the needs of the union. By December, the Guardians were unable to obtain further credit from their contractors and their chairman was using his personal credit to purchase supplies. The Commissioners continued to urge the Guardians to collect more rates and threatened them with dissolution unless they did so. (103)
By spring of 1852 some signs of recovery were apparent in these unions. In May of that year, the rate of mortality in Clare was less than the average for the rest of the country. Also, the building of new, permanent workhouses meant that workhouse accommodation exceeded the number of inmates. Although some increase in the numbers receiving relief was expected during summer, the prospects of the crop were good and the Commissioners were hopeful that, following harvest, an even greater decrease would take place. (104)

One problem which was not confined to the poorest unions was that of sore eyes or, in its severest form, ophthalmia. In 1849, of the 932,282 persons admitted to Irish workhouses 13,812 were treated for inflammatory disease of the eye. Of this number, 114 lost the use of 1 eye and 37 became blind. In 1850, of 805,702 admitted to the workhouses, 27,200 had this disease and 202 persons lost one eye and 80 both eyes. This affliction was particularly severe in Athlone in 1849 and Tipperary in 1850. By 1851, despite the advice of various oculists in Ireland, the disease had claimed even more victims. The unions most affected were Clonmel, Cashel, Cork, Limerick, Kilrush, Kanturk, Killmallock, Loughrea, Soariff, Millstreet and Tipperary. The total number of cases for that year was 45,947, 263 of whom lost both eyes and 656 one eye. The Commissioners felt that some people feigned this disease in order to escape work or get better food. By 1852, however, this disease was decreasing rapidly. (105)

The administrators of the Poor Law were increasingly concerned with the provision of medical relief in Ireland and in 1851 the Medical Charities Act was introduced, to improve and regulate the medical services provided by the Poor Law. (106) This Act provided for the
support of dispensaries from the poor rates in place of the previous system which was financed by private subscriptions and county presentments. It also altered the constitution of the Poor Law Commission by abolishing the office of Assistant Commissioner and instead appointing two additional Commissioners, one of whom was to be a doctor. Following this, the Commissioners organised the unions into dispensary districts and by 1852 this was almost complete. (107)

By 1852 the Poor Law had passed through the worst of the Famine although the levels of disease, mortality and emigration were still high. The Poor Law had, however, survived this period of unprecedented distress and its reputation was for the most part untarnished. Despite the introduction of outdoor relief in 1847, its administrators agreed that effective and economic relief could only be provided within the confines of the workhouse, but outdoor relief continued to be given. To some extent the Famine, by reducing the population and bringing about the consolidation land, acted as a catalyst in the resolution of many of the country's problems. The Poor Law, which and been established not only to administer relief but also to bring about a transformation of the Irish economy, had facilitated these changes. The Quarter-Acre Clause, the workhouse test, various emigration clauses, and the burden of poor rates, were the means by which this had been achieved. The 'success' of the Poor Law as an organ of relief during the Famine can be judged from the fact that, at the beginning of the 1850s, its role was even further extended and consolidated.
NOTES FOR CHAPTER FIVE


2. Ibid., p.6; Fourth A.R., 1851, pp9-10; Power to Trevelyan, P.R.O., T.64.367.c/2, 1 April 1850, 2 Oct. 1850.


4. 12 + 13 Vic.c.104.

5. Restoration of boards, pp 1-3.

6. 12 + 13 Vic.c.104; Twistleton to Trevelyan, P.R.O., T.64.366.A., 14 Sept. 1848.


8. B., Westport Union, N.L.I., Ms.12,612, 2 Jan. 1850.


10. Minutes of Mohill Gns., Copies and reports and resolutions made by Boards of Guardians, either entered on their minutes or transmitted to the Poor Law Commissioners, in those unions where paid Guardians have acted, relating to the management of those unions while under the superintendence of paid Guardians, p.45, H.C., 1850 (251) L, 109, 7 Dec. 1849 (hereafter cited as Paid Guardians).

11. Ibid., resolutions of various Boards, pp10-55; Report from Select Committee of House of Lords appointed to investigate and report upon the allegations and charges contained in the petition of the Board of Guardians of the union of Carrick-on-Shannon, complaining of the management and misconduct of the late Vice-Guardians of the said union, H.L. (725) 1850, xi, 1.


17. Ibid., pp7-8.
22. Ibid., Coms. to C.S., 1850 0.1386, 28 Feb. 1850; ibid., Coms. to C.S., 1850 0.1385, 28 Feb. 1850.
23. Ibid., Scariff Gns. to L.L. and reply, 1850 0.1282, 12 Feb. 1850.
24. Ibid., Coms. to Trevelyan, 1850 0.2710, 9 April 1850; 11 April 1850.
27. Ibid., Power to Trevelyan, T.64.367.C/2, 1 April 1850; ibid., Power to Trevelyan, T.64.370.C/1, 15 Dec. 1849, 19 Jan 1850, 29 March 1850; ibid., Coms. to Treasury, H.O.45. OS.2521.A., 10 May 1850.
32. Ibid., 20 Feb. 1851.
33. Fifth A.R., 1852, p.11.
34. Trevelyan to Twistleton, marked confidential, P.R.O., T.64.370.B/1, 14 Sept. 1848; M.B., Kenmare Union, K.C.L., BG.100.A.8, 22 Nov. 1850.
35. 12 + 13 Vic.c.77
36. 11 + 12 Vic.c.47.

37. Trevelyan to Twistleton, marked confidential, P.R.O., T.64.370.B/1, 14 Sept. 1848; M.B., Kenmare Union, K.C.L., BG.100.A.5, 9 Dec. 1848.

38. Ibid., BG.100.A.8, 22 Nov. 1850; Power to Trevelyan, P.R.O., T.64.370.c/1, 15 Dec. 1849.

39. Ibid., Power to Trevelyan, 14 Aug. 1850; ibid., Power to Trevelyan, T.64.367.c., file 2, 18 Jan. 1851, 8 Feb. 1851; Coms. to C.S., S.P.O., C.S.O.R.P., 1849, 0.3293, 2 April 1849.

40. Third A.R., 1850, p.7; Power to Trevelyan, P.R.O., T.64.367.c/2, 18 Jan. 1851.

41. Ibid., Power to Trevelyan, 8 Feb. 1851; ibid., Trevelyan to Wood, 26 June 1851.

42. Ibid.

43. Resolution of Oughterard Gns., S.P.O., C.S.O.R.P., 1851 0.5283, 1 Sept. 1851.

44. Ibid., resolution of Belmullet Gns., 1851 0.5775, 3 Aug. 1851.

45. Ibid., resolution of Roscommon Gns., 1851 0.5925, 29 Sept. 1851.

46. Ibid., resolution of Rathdrum Gns., 1851 0.5706, 16 Sept. 1851; Ibid, resolution of Killarney Gns., 1851 0.61586, 6 Oct. 1851; Ibid, resolution of Parsonstown Gns., 1851 0.6285, 18 Oct. 1851; Ibid, resolution of Ballyvaughn Gns., 1851 0.6360, 21 Oct. 1851; extract from The Southern Reporter, forwarded to Trevelyan, P.R.O., T.64.367.c/2, 11 Nov. 1851.

47. Ibid treasury Minute, T.64.368.A., 21 Oct. 1851.

48. Ibid., Power to Trevelyan, T.64.367.C/2, 8 Nov. 1851.

49. Ibid., Twistleton to Trevelyan, T.64.368.A, 5 May 1847.

50. First A.R., 1848, p.17.


52. Ibid., p.14.

53. Twistleton to Trevelyan, P.R.O., T.64.367.A/3, 18 Nov. 1847.

54. Ibid., Twistleton to Trevelyan, T.64.369.B/1, 4 Dec. 1847; ibid., Twistleton to Trevelyan, T.64.367.B/1, 3 April 1848.

55. Ibid., Twistleton to Trevelyan, T.64.367.c/1, 10 Jan. 1848.
56. Ibid., Twistleton to Trevelyan, T.64.368.A, 3 Jan. 1848; ibid., Twistleton to Trevelyan, T.64.369.b/3, 7 March 1848.

57. Second report of the Commissioners for inquiring into the number and boundaries of Poor Law unions and electoral divisions in Ireland, p.5, H.C. (1146) 1850, xxvi, 1, (hereafter cited as report of Boundary Commissioners); Eighth report of Boundary Commissioners, pp3-5 H.C. (1199) 1850, xxvi, 201; Fourteenth report of Boundary Commissioners, pp3-5, H.C. (1278) 1850, xxvi, 585.

58. Second A.R., 1849, pp13, 19; Twistleton to Trevelyan, P.R.O., T.64.369.B/3, 7 March 1848.


60. Ibid., pp9-12.

61. Ibid., p.10; Second report of Boundary Commissioners, p.5.

62. Eighth report of Boundary Commissioners, pp3-5; fourteenth report of Boundary Commissioners, pp3-6.

63. First report of Boundary Commissioners, pp10-11; Second report of Boundary Commissioners, pp3-5; Eighth report of Boundary Commissioners, pp3-5; Fourteenth report of Boundary Commissioners, pp3-6; Treasury to Coms., S.P.O., C.S.O.R.P., 1849 0.7487, 13 Aug. 1849; ibid., Coms. to Boundary Commissioners, 21 Aug. 1849.

64. Coms. to H.O., P.R.O., H.O.45, O.S.2521.A., 8 March 1849; ibid., Coms. to H.O., no date, probably Nov. 1849.

65. Coms. to Burke, P.R.O.I., L.B., 29 May 1850, 19 June 1850.

66. Coms. to H.O., P.R.O., H.O.45, O.S.2521.A., 8 March 1849; ibid., Treasury to Coms., 7 Nov. 1849.


69. Ibid., p.2; Coms. to Burke, P.R.O.I., L.B., 10 June 1850.

70. Ibid., 19 June 1850.


73. Mem. of Gns., landowners, ratepayers in Nenagh Union, S.P.O., C.S.O.R.P., 1850 0.229, 10 Jan. 1850.


75. Reservation Order, M.B., Westport Union, N.L.I., Ms.12610, 31 Oct. 1849; ibid., Ms.12611, 7 May 1850, 14 May 1850, 28 May 1850; Sir Lucius O'Brien to Trevelyan, P.R.O., T.64.367.C/2, 14 Nov. 1850.


77. Coms. to each P.L.I., P.R.O.I., L.B., 12 Oct. 1850.

78. Ibid., Burke to Coms., 10 Nov. 1848.


83. Ibid.; 11 + 12 Vic.c.25.

84. Third A.R., 1850, p.7; Fourth A.R., 1851, pp4-8; Cousens, Regional Variations in mortality, p.127.

85. 11 + 12 Vic.c.47; Report of the select committee appointed to enquire into the administration of the Poor Law in the Kilrush Union since 19 Sept. 1848, H.C. 1850(613), xi,529, (hereafter cited as Committee on Kilrush Union); Copy of Report addressed to the Poor Law Commissioners by Inspector Bourke with reference to the condition of the Kilrush union, H.C. 1850 (259), L, 99.

86. Copies of the correspondence between the Poor Law Commissioners of Ireland and their Inspector, relative to the statements contained in an extract from a book, entitled 'Gleanings in the west of Ireland', H.C. 1851 (218) xliix, 209; Copy of a report made to the Poor Law Commissioners by Mr Lucas, Temporary Inspector in charge of the Kilrush Union, in regard to certain statements regarding the management of Kilrush union, contained in a letter signed S.Godolphin Osborne which appeared in the 'Times' newspaper of the 31 March 1851, H.C. 1851 (234) xliix, 271.

87. Report of committee, Committee on Kilrush union, p.VIII.

88. Kennedy to Coms., Evictions in Kilrush, p.6, 13 April 1848; ibid., Kennedy to Coms., p.7, 5 July 1848.

89. Report of committee, Committee on Kilrush Union, p.XII; Coms. to Kennedy, Evictions in Kilrush, p.6, 15 April 1848.
90. Kennedy to Coms., Distressed Unions III, p.16, 7 May 1849.

91. Report of committee, Committee on Kilrush union, P.XII.

92. Ibid., P.XIII.

93. Ibid., evidence of Sir Lucius O'Brien, p.XVII-XVIII.

94. Ibid., evidence of select committee, p.XIII.

95. Ibid.

96. Communication from Sir Lucius O'Brien, with copy of resolution of chairmen of unions in Clare regarding the administration of the Poor Law in Ireland, S.P.O., C.S.O.R.P., 1850 0.6066, 25 Sept, 1850.

97. Minutes of Ennistymon Gns., Copies of any correspondence which may have taken place in relation to the dismissal of the Board of elected Guardians of the Ennistymon union, and the appointment of paid officers therein, p.5, H.C. 1851 (203) xlix, 185, 6 Dec. 1851.

98. Ibid., Briscoe (P.L.I.) to Coms., p.6, 8 Dec. 1850; ibid., p.18, 29 Dec. 1850; ibid., Sir Lucius O'Brien to Coms., p.21, 6 Jan. 1851; ibid., Coms to Gns., p.17, 28 Dec. 1850; Report of Dr Madden, S.P.O., C.S.O.R.P., 1851 0.3508, 2 June 1851. a.

99. Report of John Hill and James Hughes, MDs, P.R.O., H.0.45. 3969, 4 Oct. 1851.

100. Ibid.; ibid., Power to Trevelyan, T.64.367.C/2, 1 Nov. 1851.


102. Copy of report made to the Board of Guardians of the Castlebar union, on 20 April 1850, by Dr Ronayne, medical superintendent of the union, relative to the state of the workhouse, H.C. 1850 (382) L, 79.

103. M.B., Kenmare Union, K.C.L., BG.100.A.7, 1 Nov. 1850, 1 Nov. 1850; ibid, BG.100.A.8, 15 Nov. 1850, 29 Nov. 1849, 28 Dec. 1850.

104. Fifth A.R., 1852, pp4-5.


106. 14 + 15 Vic.c.68.

107. Fifth A.R., 1852, p.15
CHAPTER SIX

Emigration, Migration and Removal
Apart from the reorganisation of relief, the Famine also affected the level of emigration carried out under the auspices of the Poor Law. One remedy to the problems caused by the successive potato blights was seen in emigration. Emigration had at various times in the 19th century been regarded as a solution to Ireland's economic and social ills, particularly that of over-population, especially during or following periods of distress. From 1815, emigration was growing throughout Ireland. (1) Apart from this permanent emigration, in the first half of the 19th Century, there was also constant seasonal migration to Great Britain.

By the mid-1820s, many Irish landlords were convinced that the only solution to the increasing distress in the country lay in removing people from the land and consolidating their property. Although there were some fears that large-scale emigration might drain the best people as well as their capital from the country, the general consensus was that its overall effects were beneficial. Increasingly, there was a growth of opinion amongst prominent economists such as Nassau Senior, Thomas Malthus and John Stuart Mill, in favour of emigration as a means of social improvement. The debate was centred for the most part on the desirability of state-sponsored compared with voluntary emigration, with most economists favouring the latter. Emigration was, however, to serve a dual purpose: not only would it help to relieve Ireland of part of her excess population, at the same time it was viewed as beneficial to the development of the British colonies. (2)
In 1823 and 1825, as a result of the distress of 1821-22, the State sponsored a small amount of emigration from Ireland, but this was unique. (3) Between 1815 and 1834, almost 400,000 persons emigrated from Ireland, but compared with the population and the general poverty of the country, this was a relatively small number. (4) It was left to the Famine to totally break down the resistance to emigration and between 1847 and 1852, an estimated 1,313,226 people left their country. By the mid-1820's, Many Irish landlords were convinced that the only solution to the increasing distress in the country lay in removing people from the land and consolidating their property. (5)

The topic of emigration had again come to the fore in the 1830's when the question of a Poor Law for Ireland was debated. Opinion on the issue proved to be divided: some of the opponents of a Poor Law advocated planned state emigration in the hope that this would obviate the necessity for a compulsory provision for the poor, whilst many of the supporters of a Poor Law saw emigration as a means of reducing the burden of any future poor rates. (6) The Poor Enquiry Commission of 1833-36, chaired by Richard Whately, a proponent of emigration, saw it as providing a large part of the solution to Ireland's poverty. The Commission suggested emigration not only as a remedy to the problem of the able-bodied paupers, but as an outlet for all groups considered to be fit candidates for this purpose. To this end, they proposed that depots, paid for from the poor rates, could be established, from whence the Poor Law Commissioners could select suitable candidates. At the same time, the Poor Enquiry Commissioners suggested that half of the cost of the actual emigration should be paid for from the Imperial funds. (7) The proposals of this Commission regarding an organised and
partly state-financed system of emigration evoked some strong opposition, notably from George Cornewall Lewis, Nassau Senior and Lord John Russell. To a large extent, this contributed to the bypassing of the 1833-6 Report and the subsequent sending of George Nicholls to Ireland to re-examine the question of a Poor Law for that country. Nicholls, in his first Report, recommended that emigration could be used as a way of getting rid of the excess population in Ireland which was apparent from the numbers of able-bodied who were at any given time seeking relief. He felt that its cost should be equally shared by the Government and by the local unions. In his second Report, Nicholls again, despite some resistance from Russell, outlined his support for an organised system of emigration. Russell, who continued to oppose planned emigration, ensured that the first Poor Law Bill contained no provision for it. (8) This Bill, however, was replaced by a second, successful one which included a clause empowering Poor Law Guardians, acting with the consent of a majority of the ratepayers, to apply a portion of the rate for the purpose of assisting emigration. (9)

Apart from the shortlived schemes of 1823 and 1825, and the sending of some orphan girls to Australia in 1831 and 1834, the Poor Law of 1838 was the first legislative measure which made provision for emigration from Ireland. The Irish Members of Government had been for the most part in support of a more extensive system of emigration and were consequently disappointed with the limited provisions of this Act. In the early years of the 1840s, they made various attempts to extend these provisions, and achieved some success in 1843 when the Duke of Wellington introduced a clause to this effect into the Amendment Act of that year. (10)
The 1843 Amendment Act provided that two-thirds of the Guardians in any union could assist any person who had been an inmate of a workhouse for at least three months, to emigrate to a British colony, the cost of which was to be charged on the union or electoral district to which the person was chargeable. The outlay for this, was not to exceed in any year 6d in the pound of the net annual value of such area. This Amendment did not result in a significant number of people emigrating under the auspices of the Poor Law: between 1843 and 1847, only 306 persons left Ireland in this way. It was therefore left to the potato failures of 1846 and 1848 to break down the resistance and to provide an overwhelming stimulus to both state and voluntary emigration.

The successive potato blights led to the re-examination of the role of the Poor Law vis-a-vis emigration, especially after the failure of 1846 which marked a transition from 'distress' to 'famine'. The 1847 Poor Law Amendment Act devoted three clauses to the extension of the powers of the Poor Law administrators in respect of emigration. It provided that, if a person occupying land under the value of £5 was willing to give up this land to his landlord and, together with his dependents, was willing to emigrate, and the immediate lessor was willing to forgo any claim for rent and to provide two-thirds of the sum necessary for the emigration, the local Guardians could then charge upon the electoral district of the occupier the remaining one-third of the cost. The amount raised in this way was not to exceed in any one year 1s in the pound on the rates of the Electoral Division and the emigrants were not to be or have been inmates of the workhouse. At the same time, the provisions of the 1843 Act were extended and no longer limited to persons who had been inmates of a workhouse for at least three months but became applicable to anybody who was deemed to be a fit object for
emigration. Expenses for this purpose were to be charged to the electoral division in which the land occupied by such person was situated, whilst the money so raised was not to be deemed as expenses incurred for the relief of the poor. (12) The provisions of this Act therefore, can be seen as an attempt to stimulate small occupiers of land to give up their property without simultaneously becoming a permanent burden on the poor rates.

In 1849, the Poor Law Commissioners stated that there was an increased disposition on the part of the Guardians to avail of the emigration provisions to the British colonies. Some unions were doing this by acting under the 51st section of the original Act, but it was more frequently being carried out under the 18th section of the 1843 Act, as amended by the 1847 Extension Act. However, for the whole of 1848, only £3,429 was spent on Poor Law emigration which showed that assisted emigration remained small. (13) Although the Rate-in-Aid Bill of 1849 empowered the Treasury to use part of this fund for the purpose of emigration, the Treasury decided that, for the time being, they would not make use of this provision. (14) The 1849 Select Committee on the Poor Law recommended that the power of the Poor Law to facilitate emigration should be further extended, and shortly after this, another Amendment was passed which again increased the powers of the Guardians.(15)

The Amendment Act of 1849 provided that the Guardians or Vice-Guardians of a union could apply the rates of any Electoral Division to defray emigration costs, or could borrow the necessary money for this. This money could be borrowed from the Exchequer Bill Loan Commissioners provided that both the Treasury and a majority, in value,
of the ratepayers, agreed to it. The money so borrowed was not to exceed 11/8 in the pound of the value of any Electoral Division or, if charged to the union at large, was not to exceed 2/4 in the pound of the rateable value of that union. The money raised in this manner was applicable to poor persons resident or relievable within a union for the purpose of going either to any British colony or to any foreign state. (16) The relevant clauses within the 1849 Act - sometimes referred to as the Mansell Plan - by enabling Guardians to raise loans for the purpose of emigration, with repayment on relatively easy terms, marked a liberal departure from earlier Poor Law legislation. Following its introduction, Poor Law emigration did increase significantly. The 1849 Amendment showed that the state, through the Poor Law, was now willing to give aid to the organised emigration of the poorer classes who, without this option, would otherwise be forced to remain in Ireland. As the Commissioners realised, however, the fact that it was not used even more extensively was primarily due to the financial embarrassments of the unions. The Emigration Commissioners in 1850, noted with regret that, in districts where labour was most in excess, the powers of the Poor Law for raising funds for emigration were little resorted to. By March of that year, 871 persons - 201 males, 400 females, and 270 children under 15 - had been sent out under these provisions. This figure increased in the year ending March 1852: 4,386 persons were assisted to emigrate at a cost of £21,010-5-4 to the unions. When compared to the overall number who emigrated that year of 190,322 persons, the Poor Law emigration can be viewed as relatively insignificant. (17) (See Table, p. 331)
Within Government circles, the Famine was seen as providing an 
portunity to bring about a permanent improvement in the methods of 
icultural production in some parts of Ireland, and the consolidation 
of small-holdings was felt to be an integral part of this. The Poor 
, in consequence of the stringency of the workhouse test, the harsh 
Quarter-Acre Clause, and the heavy burden of the poor rates, was viewed 
as a vehicle for this transformation. At the same time, the possibility 
of large sections of the population emigrating was seen as another way 
of facilitating the desired transformation from a subsistence to a 
-earning economy.

Following the disastrous harvest of 1848, Twistleton, the Chief 
Law Commissioner, was at variance with the Treasury over the amount 
of rates to be levied in the distressed districts of the south and west, 
believing that some lenience should be shown in this matter. Trevely 
disagreed totally and bluntly stated his opinion that:

'I do not know how farms are to be consolidated if small farmers do not 
igrate, and by acting for the purpose of keeping them at home, we 
ould be defaulting at our own object. We must not complain of what we 
ally want to obtain. If small farmers go, and their landlords are 
duced to sell portions of their estates to persons who will invest 
capital, we shall at last arrive at something like a satisfactory 
settlement of the country'. (18)

This conviction was shared by Wood, the Chancellor of the Exchequer, who 
reed that a very vigorous collection of the rates should be made as 
' the pressure will lead to some emigrating ... what we really want to 
attain is a clearance of small farmers'. (19) The Prime Minister, 
ussell, while aware that the rate collection would be a very heavy 
burden, adopted the position that 'it is better that some should sink 
that they should drag others down to sink with them'. (20) The Poor 
Law therefore, apart from directly helping a number of people to
emigrate was, at the same time, also to play a more significant role in creating the conditions amongst certain groups in Ireland which made emigration seem to be an attractive alternative to remaining at home.

Although the Government had decided that Poor Law emigration was to be encouraged, the role of the state in this process continued to be for the most part a passive one. A major exception to this was the assisted emigration to Australia of female orphans from Irish workhouses. Traditionally, emigration to Australia had been smaller than that to America, and up to 1815, it had existed on a very small scale. This was partly due to the length of the voyage and the resultant expense of the journey - it cost on average three times that of the passage to America. Within Australia itself, there existed an imbalance of the sexes with men far exceeding women, which the Colonial Authorities were anxious to rectify. At the end of 1847, the British Government, in an attempt to solve this, came up with the idea of sending orphans from all of the British workhouses to the Australian colonies. (21) This decision was made in response to a proposal of Governor Robe of South Australia to the effect that a moiety of the South Australian Land Fund could be used to assist emigration to that country. Lord Grey, the Home Secretary, was eager to sanction this, and recommended to Early Grey, the Colonial Secretary that, in the first instance, 10,000 British females should be sent out. In order to accommodate this, the Colonial Land and Emigration Commissioners decided to increase the number of ships sailing to Australia from 54 to 72, which would mean six would now sail every month, a number which was calculated to be sufficient to carry the extra females. As the quota agreed on was not reached, the Emigration Commissioners asked Earl Grey if he thought that Irish orphans in the
workhouses might be considered suitable candidates. The Emigration Commissioners preferred that, as far as possible, females rather than males should be sent to the colony. In this way, they hoped to redress the sex imbalance in Australia, especially as less females were emigrating there voluntarily. At the same time, the Emigration Commissioners informed the Colonial Office that

'The Colonists are desirous of adding to their body not the idle and the worthless but those whose education and moral and religious training affords a reasonable guarantee that they will become active and useful members of a society which is in a state of healthy progress'. (22)

It was therefore agreed that Irish orphans should be allowed to participate in this project, and that women between the ages of 14 and 18 were to be selected from the Irish workhouses, those nearest to 18 being given preference. The suitability of candidates was emphasised, and the Emigration Commissioners recommended that each ship should also be provided with a teacher to be paid for from British funds. It was later decided, however, that the Irish Government should meet the cost of providing the orphans with proper superintendence and instruction on the voyage. (23) At the beginning of 1849, the Lord Lieutenant decided that the instructors who accompanied these females, in cases where the greater number of them were Roman Catholic, should as far as possible, be both chaplains and religious teachers. The low rate of remuneration offered for this post meant that difficulty was continually experienced in getting anybody at all to apply for it. The cost of transferring the orphans from the workhouses to Plymouth, the British Port of embarkation was to be paid for by the Guardians. The Emigration Commissioners appointed an official to visit the Irish workhouses in order to ascertain if they contained suitable candidates. (24)
When the Treasury was consulted on this scheme, Trevelyan expressed his approval. At the same time, he suggested that, as it was being conducted for and at the expense of the colonists, it should be made as acceptable to them as possible, and he therefore suggested that Protestant orphans might be less objectionable than their Roman Catholic counterparts. When, as a result of this, Trevelyan was accused by the Irish Executive of ultra-Protestantism, he defended himself on the grounds that in New South Wales, one of the destinations, there would be resistance to a disproportionate number of Roman Catholics being sent there. Because of this, he continued to be of the opinion that the first consignment of females should contain a fair number of Protestant orphans. He further believed that the candidates selected for this purpose should be chosen from the unions in which the Guardians had given the inmates the best moral education. (25)

Trevelyan's interest in this scheme, characteristically, was thorough, and he insisted that the Emigration Commissioners should make reports of their activities to him. Both he and the Colonial Office were in agreement that unions should first be selected in which the greatest attention had been paid to the training of children, especially those where needlework and washing had been taught. Also, they agreed that if the Guardians did not appear to be co-operating in this matter, they would ask the Commissioners to intervene and choose the most fitting persons for emigration. (26)

Twistleton favoured this project as he felt its effects would be beneficial to the orphans. At the same time it would benefit the Poor Law as almost 50 per cent of the inmates of the workhouses were children under 15. He had initially viewed it as a way of relieving the most
distressed districts of part of their workhouse population, but he quickly abandoned this idea when he realised that in such districts these children were the worst educated and in many ways, the least fitted for emigration. Twistleton therefore went along with Trevelyan's suggestion that the best trained females should be the ones chosen as emigrants. (27)

Upon receiving the approval of the Government, the project was put into effect immediately. The Poor Law Commissioners informed each of their local Inspectors of its scheme, warning them that the selection of the young persons was to be done in such a way as to ensure the complete success of the experiment. The Inspectors were directed to communicate with the Guardians in their districts so as to obtain the names of people willing to participate in it, and the final selection was made by an agent appointed by the Government. The females so chosen were to be fully apprised of what awaited them in Australia. Although the voyage was to be financed by the colonies, the Guardians were to be responsible for the cost of the outfit for those chosen and for their conveyance to Plymouth. (28)

The Commissioners, aware that the continuance of this scheme depended on the first batch of orphans creating a good impression on the colonists, in the first instance chose only unions in which they felt that the most 'suitable' candidates would be found. In accordance with this, the Inspectors were further cautioned that those considered to be the most eligible candidates for emigration would be the females who showed themselves to be the 'most orderly and best educated'. (29) In April 1848, the Medical Officers of the unions involved, were directed to examine and vaccinate the proposed candidates and to eliminate any
whom they considered physically unfit to emigrate. Following this, the Emigration Commissioners appointed Lieutenant Henry as Emigration Agent in Dublin and he was directed to proceed to the unions to further examine the candidates for suitability. (30)

Despite the relative speed with which the orphan emigration scheme was put into effect, there was some dissatisfaction with the way in which it was carried out. At the end of 1848, the Irish Executive complained to the Home Office about the low numbers who had by this time emigrated compared with their original expectations. Lord Grey, who was still in favour of sending out the orphans as quickly as possible, attributed the delay to the fact that he had not received a list of females until May 8 which had meant that the necessary arrangements could not be completed until the end of that month. As a result of this, the first vessel did not sail until June 4, and the second one July 24. The Home Office had been reluctant to send out any more ships until they received news of the progress of the first ones. Despite this, on September 11, a third one had been sent to Port Philip, a fourth one to Sydney on November 4, a fifth one was about to sail, and a sixth one was scheduled for the first week in February 1849. (31)

In their Annual Report for 1849, the Poor Law Commissioners reported that they were satisfied with the progress of this form of emigration. In the space of 12 months, 2,219 females from 88 different unions had sailed for Sydney and Adelaide, at a total cost to the unions involved of about £5 per person. Other Guardians had expressed their desire to participate, but had been unable to do so because of the limitation of the numbers as stipulated by the Emigration Commissioners, who had put a ceiling of 2,500 on those emigrating in the first
instance. A request by the Poor Law Commissioners for more emigrants to be sent out was acceded to, however, which meant that by May 1850, the total number of Irish orphans sent to Australia was 4,175, from 118 different unions. (32)

Within the workhouses, the possibility of free emigration to Australia appeared popular amongst the female inmates. In the Omagh union, 19 girls aged between 16 and 20 approached the Board of Guardians stating their desire to emigrate in this way. The Mallow Guardians were forced to end their involvement in this scheme in January 1849, as it had resulted in too many women trying to become inmates of the workhouse in order to become eligible for it. (33)

The response of the Guardians to this type of state-sponsored emigration was, with few exceptions, one of universal approval. The willingness to participate was such that, as early as September 1848, the Commissioners had been forced to tell their Inspectors that no new names were to be added to the existing list of candidates. The Boards of Guardians were informed that as demand exceeded supply, no more females could be sent out. In the middle of 1849, once again they were in a position to invite names of suitable candidates to be submitted to them. This, again, was short-lived, and in November of that year, the local Inspectors were told that the finds at the disposal of the Emigration Commissioners were almost exhausted: no hope was to be held out to the Guardians of free emigration, and no more lists of female orphans were to be sent to the Commissioners. (34)
The emigration of female orphans was carried out on a voluntary basis, candidates in the selected unions being invited to put their names forward. The Guardians then selected the most eligible women from these, and the reduced list was then further scrutinised by the local Inspector, following which, the selected females were examined by the Medical Officer of the union. They were then finally examined by the Government agent, with whom the ultimate choice lay. Once this selection had taken place, the girls were provided with a new outfit and other necessities for the voyage. They were then to wait in their union until it was time to start their journey; this interval could vary from between a few weeks to a few months. When the time of departure came, the orphans were to travel from either Dublin or Cork to Plymouth in batches of about 20, and from Plymouth they would sail to Australia. This part of the operation was generally achieved without mishap. The local Inspector of the north east region though, recommended that for the duration of the journey, northern girls should be kept separate from the rest of the emigrants as they differed in race, religion and feelings from the others. Although this was not acceded to, it was decided that the Irish orphans as a whole should be kept separate from their English counterparts and they were therefore sent in separate ships from Plymouth. (35)

Following a scandal involving the first batch of orphans sent out from some of the Ulster unions, and subsequent dissatisfaction with the emigrants' knowledge of housework, the Commissioners introduced further stipulations into the selection process - more emphasis being laid on the 'moral character' and the domestic training of subsequent candidates. The Poor Law Inspectors and other officers involved in the
selection process, were ordered to ascertain whether each of the females who might be sent out, was of unblemished moral character and of sound health. If doubt existed regarding any individual, she was to be eliminated from the list. Also, a certificate of character and of health was to be sent to the Emigration Officer regarding each prospective candidate. (36)

The first ship to arrive in Australia carrying Irish orphans was the 'Earl Grey' with 219 females on board. The voyage was reported to have been a healthy one with only two of the passengers dying en route. Some unfavourable reports had preceded the arrival of these girls which the Emigration Commissioners feared might prove prejudicial to their employment prospects, and both they and the British Government were anxious to dispel them. (37) Unfortunately, however, these fears were further reinforced by a scandal which broke shortly after their arrival and which, by arousing public attention, led to a Committee of Investigation being appointed, and this in turn, resulted in a Home Office Enquiry taking place.

The root of the scandal lay in complaints made by the ship's surgeon superintendent, Dr Douglass, respecting the behaviour of the women, in particular those from the Belfast workhouse, both during the voyage and on their arrival in Australia. The Government Officer of that colony informed the British Government of this, adding that over two thirds of the emigrants had conducted themselves badly, whilst 56 of the women had been of 'abandoned' character and their name had been a 'bye-word' on the voyage. Upon their arrival, the Australian authorities had quickly dispatched the girls who had been accused to a different location from the others. A subsequent report stated that,
because of the great demand for servants, all except one of the 'disreputable' girls had immediately found employment. The remainder of the orphans had, upon landing been received into an institution where they were to receive religious instruction pending a report on them from a Committee of Enquiry. The Report proved to be very favourable - they were described as orderly, obedient and industrious, and when they were offered for employment, they all rapidly found some in or around Sydney. (33)

The attitude of the British Government had been to play down the early complaints as much as possible. This did not satisfy the Australian authorities, however, who, even after all the girls had found employment, demanded that the matter should not be allowed to rest but that further enquiries should be made. As a result of this, the Home Office promised that a 'searching enquiry would be made.' The Lord Lieutenant was directed to institute an investigation and to take steps to prevent a recurrence. The Home Secretary expressed his opinion that some of the Poor Law Officers had been guilty of 'a very culpable failure'. (39)

In October 1849, the results of the Enquiry were available. The investigations showed that some irregularities had occurred in the selection of some of the females, and in one case, two girls from the Dungannon union had been substituted for two others and had been sent under the original names. Despite this and other discrepancies, the Home Office ruled that none of the officers involved were guilty of having any knowledge of what was going on but had taken pains to ensure that a good selection was made. By this time also, reports relating to subsequent parties of orphans had been received and they were
favourable. The Home Office therefore attributed many of the initial problems to the difficulty of selecting eligible young women from the workhouses of large towns, especially manufacturing towns. As a result of this, the Poor Law Commissioners were told that in future, they were to make their selections from other localities. The overall conclusion of the British Government was that:

'there appears sufficient proof that Dr Douglass made charges of too sweeping a nature ... casting a general and indiscriminate stigma upon a large body of young women, several of whom must be presumed from the present evidence to have been undeserving of such blame. (40)

Although the unions involved in this incident were reprimanded, the British Government regarded it as an isolated incident in an otherwise successful project. In accordance with this, the Surgeon Superintendent was discredited, whilst news of the affair was kept as quiet as possible.

The Emigration Commissioners admitted that there had been some misconduct amongst the emigrants, but felt that generally, the news of them had been positive and highly favourable and the colony had expressed its willingness to take more of them. The Emigration Commissioners therefore regarded this as a satisfactory experiment of especial benefit to the Irish orphans on whom it conferred an opportunity of obtaining an independent livelihood. (41)

Despite the optimism of both the Emigration and Poor Law Commissioners, in Australia itself, the arrival of the Irish orphans was meeting with some resistance. In Adelaide, in accordance with the instructions of the British Government an Irish Orphan Emigration Committee had been appointed. This Committee was comprised of prelates of the Roman Catholic and Anglican Churches, the Presbyterian minister,
the Wesleyian minister, two non-official members of the Legislative Council, the Advocate General, the Proctor of Aborigines, and two notable colonists who did not hold office under local Government. At their second meeting in September 1848, this Committee reported that it was the decided opinion of the great body of colonists that the emigration of orphans to South Australia should not be composed of females exclusively from Ireland but that it should include a larger portion of English and Scottish orphans. (42) The Emigration Commissioners were notified that whilst the colony would like 300 - 400 more young females to be sent to them, they desired that Irish girls should form no portion of this. The reason given was that bad reports of the character of the Irish girls had been prevalent in Australia, and although the girls had quickly found employment, there was growing apprehension that they might not all be so easily disposed of. (43)

These apprehensions soon proved to be well-founded, because whilst early reports indicated that within a short time after their arrival, the girls had been satisfactorily disposed of, within a few months, the Orphan Committee was reporting that the girls who had arrived in the summer of 1849 were experiencing problems in being hired. They attributed this to the fact that supply was beginning to exceed demand. The first phase of orphan emigration came to an end therefore, in July 1849. Over 2,000 females had been sent out in this way from Ireland, and the Irish unions generally expressed their desire for more to go. (44)
The existence of a widespread wish in both England and Ireland for a continuation of Irish orphan emigration resulted, within a few months, in a renewal of the scheme. But again, the project continued to run into problems. A group of 15 girls from the Clonmel workhouse were reported to have been:

'refractory, insubordinate and extremely troublesome during the passage, setting at defiance all authority, mixing with the sailors and threatening that if extreme measures were resorted to for the purpose of restraining them they would get the sailors to help them'.

In general, their language and conduct was represented as being 'vile in the extreme'. (45) A further batch of orphans was, upon arriving at Plymouth, discovered to be affected with the 'itch', but they were allowed to continue on their journey. In both of these cases, the Commissioners contacted the unions and the officers involved and urged them to take more care in future in the selection process. (46) These cases did prove to be the exception as for the most part the orphans were reported to have conducted themselves creditably and to have been very obedient. (47)

What proved to be more significant and more decisive in bringing the orphan emigration completely to an end was the fact that the Irish females quickly acquired a reputation for being untrained in housework. At the end of 1849, the Orphan Emigration Committee recorded their opinion that females from Irish workhouses, in consequence of their ignorance of the duties of household servants were less acceptable to employers generally than ordinary female emigrants. Despite this, and the fact that at that time 200 of them were without employment, the Board believed there would continue to be an opening for a limited number of them in the future but that in the mean time, this form of
emigration should be discontinued. The Committee further recommended that the total number of females to be sent out in 1850 should not exceed 800. (48)

The British Government immediately informed the Irish Executive of this, directing their attention especially to the remarks made about the inexperience and incapacity of the orphan girls for housework. The British Government inferred from this that the Irish workhouses should afford these girls more instruction in the duties of domestic servants, especially for farmers' families, as this group of colonists would be glad to receive females thus qualified, in increased numbers. (49)

At the beginning of 1850, a further scandal ensued when a letter was published in the 'South Australian Register' which described the female emigrant depot in South Australia as a brothel which was being supported at public expense. (50) The Children's Apprenticeship Board, which was responsible for taking care of unprotected young women on their arrival in that part of the colony, looked into these allegations and discovered them to be false. But although the charges were unfounded, the Board reported that the description of the Irish girls as 'filthy brutes' had been provoked by 'the extreme filthiness and nim g'nable indelicacy of some of those workhouse girls'. (51) The Board therefore recommended that, whereas they had believed it was inexpedient for the colony to receive further Irish orphans without a due proportion of English and Scottish ones, they now considered the transmission of inmates from any Irish workhouse to South Australia was to be seriously deprecated. (52)
The Colonial Office informed the Irish Government that they judged this to be additional proof of the importance of providing more adequately for the training and instruction of children in the Irish workhouses. The absence of such training was regarded as having deprived the Irish unions of the great advantage of relieving themselves of these orphans. The Colonial Office was convinced that a considerable number of them would have willingly been accepted by the Australian colonies had they been in receipt of a proper education which was of use to the colonists. (53)

All of this information was forwarded to the Poor Law Commissioners who were highly indignant at the allegations and counter-allegations in regard to the orphans, especially the imputation that more girls could have been sent out if they had proved to be more suitable. The Commissioners pointed out that the first batch of 224 orphans had all been engaged by the colonists within 14 days of their arrival and had subsequently conducted themselves creditably and so had helped to create a favourable feeling towards them. This pattern was repeated with the later arrivals. Because of this the Commissioners were disappointed to hear that the scheme which had begun so auspiciously had apparently ended in disappointment and the degradation and ruin of some of the girls. Following 'mature consideration', the Commissioners felt unable to ascribe these results to any previous defective training of the girls whilst inmates of the workhouses, blaming instead, the way in which the emigration had been conducted. They considered that:

'it must have been manifest when this branch of emigration was first proposed, that the materials from which the selection was to be made were not altogether of a hopeful character, consisting as they did exclusively of the most indigent peasantry in the world, brought up from their earliest years in habits inseparable from extreme indigence, and
afterwards maintained in large numbers in the workhouses in a state of absolute dependence on the public'.

In addition to this, the Commissioners regarded that two further limitations should be introduced, namely that the girls should be orphans and aged between 14 and 18, and made it even more unlikely that they would possess the appropriate training for the peculiar modes of domestic service needed in a new colony. (54)

Since this form of emigration had started, an amendment to the Poor Law had been passed which authorised the taking of 25-acre farms for the instruction of workhouse children in agriculture. The Commissioners felt it was unreasonable to expect that the duties of farm service should have been imparted to young persons brought up in the workhouse schools prior to this legislation. Before this, the young inmates would have had no practice even in the preparing of meals in the workhouses; the only knowledge of housework which could have been acquired consisted of washing and laundering household linen, and scouring and dry-rubbing the floors of the dormitories. As a consequence of this, the Commissioners believed that the only thing which could have been expected from this experiment was that, by adopting a careful selection process:

'a large number of orphan girls might be supplied in whom any vicious or uncleanly habits acquired in their early years had been repressed by a course of moral discipline in the workhouse schools; that they should be of good health and average physical growth and strength, and prepared to learn with willingness and obedience the duties required from the household servants by the settlers in a colony'.

The Commissioners had been optimistic that this would happen as they believed the Irish people to be naturally quick and apt to learn and so had hoped that, with patience on the part of their employers, they would acquire a knowledge of their duties.
During 1848 and 1849, twenty ships had gone to Australia containing these females. Eleven had sailed to Sydney carrying 2,253 emigrants, six to Port Philip with 1,255 emigrants and three to Adelaide with 606 emigrants, making a total of 4,114 girls. The various progress reports received from Port Philip had not been unfavourable, but showed that by 1849, demand for them was dropping. In Adelaide also, this proved to be true and in this port a depot had been established in order to provide the orphans with food and lodgings in the interval before they found employment. The Commissioners, whilst recognising that the principles upon which this establishment were based were benevolent, which verged on parental feelings towards the girls, considered that it should have been conducted on the more rigid principle of workhouse administration. They feared that this attitude within the house would disturb the relationship between the girls and their future employers, as the girls would see the place as an asylum. The Commissioners were also deeply critical of the way in which the institution had been managed: the matron had no moral control over the inmates, there was no discipline, the girls were free to come and go, some of the inmates had disgusting habits, and the girls were allowed to return there if they left their employment. This last facility had not been made available to their English counterparts and the Commissioners regarded it as unnecessary for the Irish orphans. As a result of it, they believed that some Irish girls had left their jobs without the least provocation, especially those working in the country, in order to return to the town. Once there, they met bad company and went astray. The girls were only expelled if they became totally unmanageable. Overall, therefore, the Commissioners were of the opinion that this institution had exercised a demoralising effect on the orphans.
The resolution of the Apprenticeship Board, that emigration from the United Kingdom at the expense of the colonies was a misapplication of funds, as the labour imported proved to be both costly and inefficient, was also disputed by the Commissioners. They felt that the reports had only shown that the experiment of sending Irish orphan girls had not received a fair trial whilst its costliness had largely been due to the existence of the depot. The Commissioners did promise, however, that if further demand for the orphans arose, they would ensure that the training of such females in the workhouse would be such as to render them suitable for the domestic duties of servants. This could be made possible by the Guardians taking advantage of the new provision allowing them to take up to 25 acres of land. Although this had initially been regarded as of particular value to the males, the Commissioners now intended to adopt the arrangements as far as possible for the instruction of a limited number of girls in the duties of farm servants whilst the boys would be trained in farming. This provision had been introduced in June 1848; many unions had quickly acquired farms but, due to the depressed circumstances of the country, few of the more needy unions had them, though the Commissioners were optimistic that this situation would soon change. (55)

In spite of the hopes of the Commissioners, the scheme for free assisted orphan emigration to Australia was not revived although a small number of females from the workhouses continued to go out by other means. The Emigration Commissioners officially recorded that the emigration of Irish orphans had been stopped at the desire of the Colonial Authorities because, while the emigration in general had been said to be well conducted, the girls had proved to be wholly ignorant of
the domestic work for which they were principally wanted. (56)

This project of free emigration therefore was shortlived. It was suggested that the Australian Government was coerced by Early Grey and there is no doubt that the British Government was eager to promote a scheme which cost them nothing (57) In Ireland, both the Executive Government and the Poor Law Commissioners had also desired to avail of it as far as possible. The colonists, however, for a variety of reasons quickly became dissatisfied with it and so, at their request, the project was abandoned.

Despite the ending of orphan emigration, some assisted emigration to Australia continued from the workhouses. In these cases, both the Commissioners and the Guardians desired that as far as possible, young female orphans, of whom there was a disproportionately large number in the workhouses, should be enabled to avail of it. (58) Even following the decision of the Orphan Board about free emigration, many Boards of Guardians continued to apply to the Emigration Commissioners for free passages for their female inmates. The Australian colonists continued to object to receiving a disproportionate number of Irish emigrants, especially single females. This declaration led the Emigration Commissioners to admit that a further reason why these emigrants would find it difficult to obtain employment was their religion. (59)

As the Emigration Commissioners continued to receive applications from the Irish unions, by the summer of 1852, they decided to finally clear up the misapprehensions existing with regard to the funds which were at their disposal. Unions were informed that the only funds available were supplied entirely from Colonial revenues and were
necessarily limited. The Emigration Commissioners were obliged, when administering them to look exclusively to Colonial interests and not to employ the funds for the purpose of relieving distress in Ireland, although they were satisfied if the two objectives coincided. Their Board had been instructed to send out paupers from the three divisions of the United Kingdom - England, Scotland and Ireland - according to the ratio of the population in each and the Emigration Commissioners had already taken from Ireland about 6,000 more persons than fell to her share. Because of this, it was now necessary to limit the number that they accepted. Given the shortage of females in the colonies and the preponderance of females in the Irish workhouses, Irish emigrants had been almost totally female domestic or farm servants. Following the strong objections of the colonists to receiving any more females from the Irish unions, the Emigration Commissioners no longer felt at liberty to choose emigrants from that source. In consequence of this, the Emigration Commissioners held out no hope of sending out further emigrants, male or female, to Australia.

Although assisted emigration to Australia for any category of Irish person was ruled out, the Emigration Commissioners did have at their disposal a small sum voted by Parliament for the purpose of assisting emigration to Van Dieman's Land. Out of it, they were willing to send out women of good character and industrious habits aged between 18 and 25. The number of places was limited, however, and only between 20 and 30 women from each union could go. Also, payment of £1 would be required for each accepted candidate. As with orphan emigration, the women were to be provided with a proper outfit and were to be conveyed to the embarcation point in England from other than the colonial funds.
The Poor Law Commissioners when they were informed by the Emigration Commissioners that Australia did not want any more females from Irish workhouses, were obviously annoyed and they demanded to know, apart from two cases where the girls were clearly unsatisfactory, what the accompanying comments of the Emigration Commissioners had referred to. At this stage, the Poor Law Commissioners regarded assisted emigration, even in its proposed limited form, as a mixed blessing of unequal benefit to the Irish unions. Again, in the poorest unions where it could be most beneficial, the Guardians were usually without the means to finance it. One such example was the Killyadsert union in Clare, in which the funds of the union were inadequate. The Guardians requested from the Commissioners assistance from the Rate-in-Aid for the purpose of providing the requisite outfit and cost of conveyance to England, in addition to the £1 per head for the 30 females who had been accepted for this emigration. The funds raised by the Rate-in-Aid could be applied, with the consent of the Treasury, to emigration from the Distressed Unions of Ireland, but the Treasury was reluctant to use this facility widely. (61)

The great increase in emigration from Ireland inevitably focused the attention of the Poor Law Commissioners on the question of assisted emigration. Although the Commissioners desired the Guardians to promote Poor Law emigration as far as possible, they had reservations about extraneous funds being used for this purpose. They believed that unless such assistance was given with due caution, it would induce persons who were not in absolute need of relief to enter the workhouses in the hope of obtaining a free passage to the colonies. Because of this, the
Commissioners feared that any expectation of outside funding would injure the operation of the Poor Law and it should therefore be strictly limited.

Despite the reluctance of both the Treasury and the Commissioners to apply the funds of the Rate-in-Aid to the purpose of emigration, a limited amount of this money was used to assist pauper passages to Australia, America and Canada. This was mainly due to the fact that in the poorest unions where emigration was considered most desirable, the lack of finance meant that they were unable to avail of it. In the Killyadsert union for example, the Commissioners regarded assisted emigration as advantageous. This was because, as late as 1852, the union was still partly dependent on accommodation for its paupers in the workhouses of adjoining unions and partly on hired buildings, neither of which was very satisfactory. (62)

In the years 1850 and 1851, a total of £15,000 was issued from the Rate-in-Aid for the purpose of aiding emigration out of a total of £21,075 expended on Poor Law emigration. Most of this Rate-in-Aid money was used in this way to help relieve the overcrowded workhouses of Clare and Kerry. This was exceptional, however, and as the general conditions in Ireland began to improve, the Commissioners desired that no further money should be used for this purpose from this source. (63) Despite this intention, within two years, the Commissioners were asking for Rate-in-Aid money to be used to aid emigration. This was because, whilst the demand for labour had removed large numbers of men and boys from the workhouses, able-bodied women within them remained an encumbrance. In an attempt to remedy this, the Commissioners obtained the consent of the Treasury to appropriate £10,000 from the Rate-in-Aid
to assist young females from the worst circumstanced unions of the west and south-west, to emigrate. It was decided that because an 'unabated demand' for this class of person existed in Canada, that country should be their destination. Fifteen thousand females were accordingly sent there, and the Emigration Agent in Quebec assured the Commissioners that no difficulty would have been found in obtaining immediate employment for twice that number. (64) The exhaustion of the Rate-in-Aid fund shortly following this, meant that no more money was available for this purpose.

Apart from the involvement of the Poor Law in Government assisted schemes of emigration, many Boards of Guardians were increasingly aware of the advantages of voluntary emigration and were eager to promote it. This was fully sanctioned by the Commissioners who directed their local Inspectors to point out to the Guardians the benefits of emigration. The attention of the Guardians was drawn to the expediency of sending out emigrants to Canada, particularly able-bodied females who had been in the workhouse for more than 12 months. In this way, it was shown that a permanent expense to the union could be eliminated for about £5 - the equivalent of one year's maintenance in the workhouse. Although most Guardians were in favour of this, some reservations did exist. One example is the Armagh Guardians who informed the Commissioners that this course of action would encourage people to enter the workhouse and so would lead to increased admissions. In order to avoid this, they resolved not to send out any more emigrants for the present time. (65)
For the most part, however, Guardians from both the relatively wealthy and the extremely poor unions viewed emigration as a way of reducing the pressure on the Poor Law funds in both the long and the short term. What this entailed varied; some paupers only required a new suit of clothes, some, additional funds to supplement a remittance they had received, and others, the whole cost of the journey. In the unions where the poor rates were insufficient for this purpose, either the Commissioners or the Government was appealed to for the requisite finances. (66)

In the Strabane union, throughout 1850 and 1851, much of the time of the Guardians was devoted to emigration. A typical example was the case of a pauper boy whose mother and family had to go received money to go to America and he wanted to go with them. The Guardians applied to the Commissioners for consent to use £6 for this, explaining that if the boy did not accompany them, he was likely to be a burden on his Electoral Division for the rest of his life. The Commissioners, in accordance with their usual practice in such cases, sanctioned this.

At the beginning of 1851, the Strabane Guardians decided to compile a list of paupers who had been in the workhouse for at least two years for the purpose of emigration to British North America (Canada). Following a selection of candidates from this list, the Guardians asked the Commissioners to sanction the necessary expenditure. In accordance with the directions of the Commissioners, they also asked their local Inspector to examine the candidates. The Inspector approved of 58 of these persons for whom, it was estimated, £290 would be needed for the cost of their journey. The Commissioners agreed to this and directed that each emigrant was to be provided with the various articles on a
list which they had drawn up specifically for this purpose.

This group of paupers sailed from Derry to Quebec on April 15 at a cost of £3-10 for each adult and £2 per head for those under 14. They were each given a new outfit of clothes and were provided with cooking utensils, food and sheets. Upon arrival in Canada, each emigrant was to be given 10/--. The master of the workhouse was told that he could permit, at his own discretion, the friends of persons going to Canada to visit them before they left. The clerk of the union was to accompany them as far as Derry to see them safely on the boat.

Apart from their involvement in this scheme, the Strabane Guardians were also involved in helping other paupers to emigrate. They provided £5 to assist two pauper children to join their father in America who had sent insufficient money for the whole of his family to join him. The Guardians believed that by expending this amount they would be getting rid of a large family who, as the mother had died, were otherwise likely to become long-term inmates of the workhouse. There were many similar examples: £3 was given to help a woman and her daughter leave for America; 30s was provided as a supplement for a man to travel to New Brunswick, the rest of his passage having been paid by friends in America; and £1 was contributed towards the cost of a woman's passage to Canada. (67) It therefore became a common occurrence for the Guardians in unions throughout the country to supplement part of the travelling expenses of poor persons within their union.

When a Board of Guardians proposed to send out a large number of emigrants, the Commissioners directed their local Inspector to personally inspect the proposed candidates. At the same time, the
Guardians were warned that no person should be sent out to a British colony if they did not appear to have a fair prospect of being able to provide for themselves and their dependents once there. The Commissioners also wanted the emigration to be regulated to certain times of the year. They considered it inadvisable for emigrants to leave for Canada later than summer, because if they did, they would arrive in the colony after the employment season was over and consequently would have to survive winter without earning anything. (68)

Although the free passages for orphans to Australia had come to an end, the Commissioners continued to regard this category as extremely suited for emigration. This was because a large number of female orphans were inmates of the workhouses and were considered, given the opportunity, to be capable of providing a livelihood for themselves. The Guardians were told to promote their emigration as far as possible, but to ensure that these women were adequately protected during the journey and upon arrival. The existence of a large number of women with children in the workhouses led various Guardians to try to get rid of them through emigration. In these cases, the local Inspectors were strict in disallowing the emigration of widows with large young families or women with illegitimate children as it was unlikely that they would be able to support themselves upon arrival. (69)

The Guardians of the indebted Kenmare union in the distressed district of Kerry were also active in promoting emigration, despite their general lack of finance. At the beginning of 1851, the Guardians appointed an Emigration Committee to examine people between the ages of 15 and 40 who had been in the workhouse for a year or more. The Committee was to decide whether these people were eligible in character
and in industrious habits and likely to be able to earn their own livelihood in another country. The Guardians agreed to send 60 of these paupers initially to Quebec, followed, a month later, by a further 100. The cost of sending each person varied between £6 and £10, and the Guardians requested a grant for this purpose from the Rate-in-Aid. At the same time, they appealed to large proprietors in the union to help them get rid of some of the inmates of the workhouse by giving them the requisite finances with which to emigrate. The Guardians believed that this was the only means of preventing local property being swamped by the burden of poor rates. (70)

Landlord involvement in emigration was on the whole larger than either state activity or Poor Law Emigration. Landlord-assisted emigration was at its highest during 1849 and 1850 but suffered a sharp decline following this. (71) The Poor Law Act of 1847 had tried to encourage it, but, mainly due to landlord indebtedness, had been little used.

Some landlords, like the Guardians, clearly viewed emigration as a long-term economic investment. This was especially true of those who desired to consolidate their property or upon whom the burden of poor rates was particularly heavy. William Stuart Trench, agent of the Marquis of Lansdowne's estates in Kerry, clearly viewed the effects of emigration as beneficial to the landlord. Lansdowne's estates consisted of about 60,000 acres which was almost one third of the Kenmare union. Trench recorded that in the period 1849 and 1850, there was much subdivision on the estate and it was 'swamped with paupers.' In November 1850, he estimated that the number of paupers from the estate in receipt of poor relief was 3,000. These people were unlikely to find employment...
in the union and if they remained in the workhouse, would do so at a
cost of about £5 each per annum. This would mean the cost of
maintaining the paupers on Lansdowne's estates would amount to £15,000
whereas, even assuming that rents were being paid, the rental was no
more than £10,000. Trench thought that it was unlikely that any rent
would be paid for a number of years and anticipated that Government aid
would soon come to an end. He saw the remedy in the offering of free
emigration to every person receiving relief, which would be chargeable to
Lansdowne's property. Trench calculated that even if everybody
receiving relief accepted this offer, the total amount which would be
necessary for the costs of travelling, outfit and money on landing,
would not exceed £13,000 - less than the cost of one year's poor relief.
Lansdowne agreed to this plan and gave Trench an initial sum of £8,000
with the promise of more if necessary, in order to commence this system
of emigration.

The paupers who participated in this project were allowed to choose
whether to travel to Boston, New York or Quebec, all sailing initially
from Cork. The resultant general rush to avail of it meant that an
average of 200 people per week were emigrating in this way. In little
more than a year 3,500 paupers left Kenmare, leaving only 50 or 60
persons in the workhouse who were chargeable to Lansdowne's estate.
Although this did lead to some accusations of eviction, Trench denied
that this was so, insisting that the emigration was voluntary and many
people had even given up their small plots of land in order to qualify.
Despite this, he admitted that some emigrants had attempted to break
ship at either Cork or Liverpool. The reports made on this emigration
were favourable: none of the ships met with any mishap and almost
everybody found employment which resulted in large sums of money being sent to Ireland. Within a period of four years, about 4,600 people were sent to America at Lansdowne's expense. Trench reported that as a result of this, the estate advanced in prosperity. (72)

There is no doubt that the successive potato blights precipitated a flow of emigration of unprecedented volume. The partial blight of 1845 had had no immediate effect, but the more universal one of 1846 had an obvious impact, resulting in thousands of people leaving Ireland. This marked the beginning of an enormous outflow which peaked in 1852, when well over one quarter million people emigrated. One result of this was that, by 1856, the amount of emigration from Ireland was in excess of the annual increase in population. (73)

To a large extent, this high level of emigration was maintained due to the development of a system of remittances which had accompanied it. As early as 1849, the Emigration Commissioners calculated that three quarters of all Irish emigration had resulted from remittances. By 1853, the amount of money sent back to Ireland was sufficient to pay for the entire expense of emigration from that country. The amount of money known to have been remitted during this period was the following:

1848 - £460,000
1849 - £540,000
1850 - £957,000
1851 - £990,000
1852 - £1,404,000 (74)
In comparison with this, the amount of remittances sent to the recipients of poor relief appears small but, within the context of Poor Law emigration, it was significant. This was because paupers were unable to emigrate without external aid and therefore such assistance was a crucial factor in allowing them to leave Ireland. During 1852, the amount of remittances recorded as being received by workhouse inmates totalled £2,515 which enabled 1,397 paupers to emigrate. In 1853, the amount of Poor Law remittances decreased slightly to £2,333-9-3 allowing the emigration of 977 inmates. This system reached a peak in 1854 when £2,744 was remitted resulting in 848 paupers emigrating. During this period, the Emigration Commissioners viewed the remittance system as an indication of people's desire to emigrate but by 1860, remittances had outpaced emigration to such an extent that they could no longer be used as a gauge. (75)

The Emigration Commissioners calculated the total Irish emigration during the years of Famine and those immediately following it were:-

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Persons</th>
</tr>
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<tbody>
<tr>
<td>1847</td>
<td>219,885</td>
</tr>
<tr>
<td>1848</td>
<td>181,316</td>
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<tr>
<td>1849</td>
<td>218,842</td>
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<tr>
<td>1850</td>
<td>213,649</td>
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<tr>
<td>1851</td>
<td>254,537</td>
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<tr>
<td>1852</td>
<td>368,764</td>
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<td>1853</td>
<td>192,609</td>
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<tr>
<td>1854</td>
<td>150,209</td>
</tr>
<tr>
<td>1855</td>
<td>78,854</td>
</tr>
</tbody>
</table>

This meant that, in the space of 9 years, 1,878,665 persons from a population of about 7.5 million, emigrated. (76)
In 1853, the numbers leaving began to decrease. This pleased the Emigration Commissioners who had begun to fear that if emigration continued at this rate, it would erode the labouring population in Ireland to an unacceptable level. At that time, there were very few able-bodied men in Irish workhouses and there was an acknowledged scarcity of Irish labourers in England. The Poor Law Commissioners shared this opinion, attributing the depletion of able-bodied men in the workhouses to a general increased demand for labour, caused by the drain from emigration of this class. Within Ireland, this had resulted in cheaper food and more regular employment. The Emigration Commissioners believed that the worst of the distress had passed, as was further indicated by a change in the motivation for emigration as people were emigrating, in the hope of advancement rather than as an escape from the prospect of destitution. (77)

After 1854, Irish emigration declined as rapidly as it had grown and by 1858, it had fallen even lower than its pre Famine level. This decrease was not due to financial reasons as remittances alone would have been sufficient to pay for a higher amount of emigration. The Emigration Commissioners attributed it to a variety of reasons: the opposition which was being shown to Irish and Roman Catholic immigrants into the America by the 'Know Nothing' Party; the increased demand for men in the army and navy as a result of the Crimean war; and economic depression within America in 1857 and 1858. These factors, however, had accelerated the reduction but were not the sole causes of it. Rather, the Emigration Commissioners saw the main reason for the decrease as lying in the rapid improvements taking place in Ireland most of which were due to emigration increasing the value of labour left behind. (78)
The destination of the majority of these emigrants was America, with relatively few going to Australia, Canada or the other British colonies. The basic unit of Famine emigration was the family, a large percentage of Irish children emigrating in comparison with England. A higher portion of females compared with males also than from England were emigrants. The Emigration Commissioners reported that the Irish emigrants of 1849 and 1850 were generally of a class superior to those of the preceding years and carried with them considerable capital. They considered that the bulk of emigrants continued to be from the labouring population. The Emigration Agents in both New York and Quebec confirmed that poverty continued to be as apparent as in former years. (80) Many of the poorest sections of Irish society would have found it difficult to emigrate at this time due to lack of money. It would therefore seem likely that the population reduction in some of the most distressed parts of Ireland was due to excessive mortality as emigration from these areas was not higher than elsewhere. (81)

Although it is difficult to chart either the social or geographic distribution of the emigrants, it would seem likely that in areas where there was acute destitution, the resultant burden on ratepayers valued over £4 would have been an incentive to leave Ireland or to evict tenants valued under this. The general lowness of the valuation in Ireland meant that poor rates fell most heavily on landlords. For small-holders valued under £4 and therefore exempt from rates, the constrictions of the Quarter-Acre Clause on one hand and the spectre of the workhouse on the other, would also have provided strong incentive to emigrate, if possible. The overall effect of the Poor Law therefore, coincided with the desire expressed by various members of the British
Government in 1848, that is, that land ownership should be consolidated and rationalised. This did occur and between 1850 and 1874 the number of small holdings in Ireland was significantly reduced. (82)

A problem which to some extent was a by-product of the desire to leave Ireland, was that of removal. The removal dispute in these years had two elements; firstly, it was one dimension of the massive Famine induced emigration, and secondly, it was, in a heightened form, a continuation of the contentious issue which divided the Irish and English Poor Law Commissioners concerning the removal of Irish paupers back to Ireland.

The advent of the Irish Famine greatly increased the volume of Irish travelling to Britain hoping to find relief or work there, or passing through to another destination. In Britain, the influx coincided with a period of economic recession and social dislocation, heightened by the repeal of the Corn Laws in 1846. In normal years, the number of removals to Ireland was small, but the massive influx of people led to a greatly increased number of removals.

Removal mostly affected Irish unions which were ports and was caused by the Laws of Settlement and Removal which were part of the Poor Laws of Britain. In Britain, the Laws of Settlement were a complex body of laws determining liability for the provision of relief. For 25 years following the introduction of the Irish Poor Law, they caused disputes between the Irish and British Boards which were never fully resolved. There was no comparable legislation within the Irish Poor Law. The 1838 Act provided that the only condition for receiving relief was destitution, although if a workhouse ever became full, preference was to
be given to applicants residing in the union. (83) The 1843 Amendment Act clarified the position in regard to electoral division chargeability, but otherwise did not change the law with regard to settlement. (84)

In England and Wales, and later, Scotland, 'settlement' and 'removal' were an integral part of both the 'old' and 'new' Poor Laws. These concepts were first introduced in 1662 and were extended by further legislation in 1697, 1793 and 1795. (85) The basic tenet of these Acts was that any person who moved to a different parish and inhabited a tenement of less than £10 per annum had no right to a settlement there and within 40 days of settling in it could be removed to his parish of settlement, usually of birth. (86)

Despite the fact that by the 19th century, the Laws of Settlement were increasingly regarded as an impediment to the free movement of labour, the 1834 Poor Law Act did not abolish or even reform them. The essentially parochial nature of the English Poor Law was confirmed by settlement continuing to be based on the parish and not the union. However, the pressure of increased labour mobility, especially from rural to urban areas, and various social and economic crises in the 1840s, made an amendment inevitable. This resulted in the Act of 1846 which introduced a new class of pauper into the British Poor Laws, namely those who were 'irremoveable'.

The status of irremoveability could be acquired by five years continuous residence in a parish. Paupers who fulfilled this requirement could no longer on applying for relief, be removed to their parish of settlement. (87) In the following year, a further Act known as
Bodkin's Act, transferred the cost of the relief of 'irremoveable' paupers from the parish to the union at large. (88) This Act was intended to be only of one year's duration but, from 1848, its provisions were renewed annually until 1865. In that year, permanent legislation was introduced which placed the whole cost of relief upon the union and made it, rather than the parish, the area of settlement. (89)

The law regarding people born outside England or Wales was slightly different. An Act of 1833 empowered magistrates, upon receipt of a complaint from parish authorities, to enquire into the settlement of any person born in Ireland, Scotland, the Isle of Man or the Isles of Scilly. If they were found to have no settlement, they could then be removed to their country of origin. This Act was regularly renewed and under its provisions, thousands of Irish paupers and their families were removed and, despite protests, usually left at the ports of entry in Ireland.

It was unclear whether the provisions of the 1846 Removal Act applied to those who were born in Ireland yet had acquired a five-year unbroken residence in a parish in Britain. After some initial hesitation, it was decided that the Law did apply to people born outside the United Kingdom. This resulted in an increased determination by some parish officials to remove Irish applicants for relief before they could complete the five-year period of residence and so become 'irremoveable'. At the same time, some union officials made clear their opposition to amendments in the laws of settlement which decreased their protection from Irish pauperism.
In 1847, a Select Committee was appointed to look into the question of Settlement and Removal. The Committee recommended the abolition of Settlement, but suggested that special privileges be given to the relief authorities in the ports of entry, such as Liverpool, in which there might be a sudden influx of Irish immigrants. In 1848, for example, 30 per cent of all relief provided in England and Wales to Irish paupers was provided by the Manchester union. Elsewhere, however, the Irish were proving to be a heavy burden. In Lincolnshire, in 1847, the Poor Law authorities added an extra building to their premises to house the Irish who could not find work, but soon even this was overflowing. Apart from the financial considerations, many of the poorest sections of Irish immigrants were transmitters of fever or disease. When it became obvious that many of the Irish poor were carrying typhus fever, the English Poor Law Board was flooded with requests on how the local unions should deal with this. (90)

In 1854 Irish M.P.s demanded that a proposed Bill to amend the Laws of Settlement should include a provision protecting Irish immigrants against removal back to Ireland. As a result of this, a Select Committee was appointed to enquire into the question of the removal of Irish and Scottish paupers. It recommended that no person, whether English, Irish or Scottish, should be removed from any parish in which he had resided continuously for three years. No legislation followed from this although a further Select Committee led to the Act of 1861 which reduced the period of residence in a parish to acquire 'irremoveability' from five to three years. (91)
Throughout the 19th Century, the Laws of Settlement and Removal were employed by local Poor Law authorities as protection against either a sudden influx of people requiring poor relief, or paupers who were likely to be a long-term burden on the parish or union funds. During the 1840's and 1850's, their provisions were invoked to an extent previously unknown against the Irish immigrants. One authority on the English Poor Law has described them as a 'flexible deterrent' which was used selectively to reduce applications for relief. Discretion was exercised as, not only was it a costly and intricate process, but the cyclical nature of the new industrial economy meant that if a depression was only temporary, the workforce would be needed again. Because of this, the provision of relief was sometimes viewed as a short-term expedient. The distress following the potato blight did not come into this latter category. The large number of paupers who went to Britain as a result of it had no settlement and their poverty and mobility made it almost impossible for them to acquire one.

In the late 1840's there was both a general crop failure and economic recession in Europe and the laws of settlement were employed extensively in Britain against English and Scottish, as well as Irish paupers. The number of removal orders, for example, involving English paupers increased considerably during this period but dropped drastically when the immediate crisis was over. The number of removal orders for Irish paupers grew more steeply and these figures were sustained well into the 1850's. The number of removals to the North Dublin union, for example, was higher in 1853, than in any of the preceding years. (92)
In the British ports and the area surrounding them, the influx of Irish paupers reached its peak during the late 1840s. Within a period of less than four months in 1847, over 144,000 immigrants landed in Liverpool alone. This increased volume of Irish Immigrants was repeated in the ports of Scotland and of Wales. The authorities of the unions involved responded by removing vast numbers of paupers back to Ireland, sometimes indiscriminately and illegally. The number of removal orders involving Irish paupers reached a peak in Liverpool in 1847 when, in that year alone, 15,008 persons were removed at a cost of £4,175-11-3 to the union. In 1849, 9509 persons were removed from there at a cost of £2,568-3-10, and in 1851, 7,808, at a cost of £1,968-19-10. In the 1850s the numbers being removed did stabilise, but it was still as high as 4,503.

The number of persons removed from Scotland also rose dramatically during the Famine. In 1848, 1,072 were removed compared with only 11 persons removed that year to England. This reached a peak in the years 1850 and 1851 when 2,066 and 2,272 persons respectively, were removed to Ireland, compared with a total of 222 persons removed to England. In 1853, the figure was still high with 1,765 persons removed to Ireland and only 87 to England. In the Welsh unions of Newport, Cardiff and Swansea, the number of Irish paupers removed peaked in the late 1840s, but was relatively insignificant by the 1850s. By 1853 only 112 paupers were returned to Ireland from the three unions together. A historian of the English Poor Law has estimated that the total number of Irish paupers removed from England and Wales in the two years 1854-5 was 5,725, and the two years 1856-7 was 3,436. By 1862-3 it had dropped to 416 persons. (93)
Although the number of removals during the Famine was abnormally high, their frequency must be viewed in the context of economic recession in Britain and the enormous number of Irish people descending on the British ports. At the same time, not all of the people who emigrated to Britain were paupers and not all of them went with the intention of staying there. The Head Constable of Liverpool reported that many of the people landing there intended to emigrate elsewhere but abandoned that intention on procuring employment, whilst others, whose intention had been to find employment, emigrated when they failed to do so. In 1847, out of a total of 296,231 Irish persons who arrived in Liverpool, about 130,000 continued to the America, about 50,000 were described as being 'on business', whilst the rest were paupers, described by the local Stipendiary Magistrate as 'half naked and starving ... and becoming immediately on landing applicants for parochial relief'. (94) In 1850, out of the 173,236 Irish who travelled to Liverpool, 134,412 emigrated elsewhere; in 1851, out of 215,369, 158,988 continued elsewhere; whilst in 1853, 144,110 Irish persons emigrated from Liverpool out of the 162,299 who landed there.

The influx of paupers, apart from increasing the financial burden on Liverpool's ratepayers, also resulted in an increased amount of crimes in the area which was attributed to some immigrants preferring the shelter of a gaol to being sent back to Ireland. The people of Liverpool responded by demanding protection in the form of stronger Removal Acts. The attitude of the authorities in Liverpool was generally compassionate, however, and a large number of Irish poor were provided with relief and medical care. The local Stipendiary Magistrate recommended that, as an act of humanity, the number of deck passengers

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travelling on each boat should be limited to prevent the unchecked exploitation of this group. A contemporary observer calculated that, in spite of the high number of removals, overall throughout England, the number of Irish relieved compared to the number removed was three to one in favour of the former. (95)

Apart from the cost of removing or relieving these paupers, many of the Irish arriving in Britain were debilitated or diseased. An outbreak of fever in Liverpool in 1847 was blamed on the arrival of infected Irish paupers. (96) In the Cardiff union, in 1849 alone, £1,670-3-0 was spent on the relief of cholera, the great majority of sufferers being Irish. At the same time, the Guardians of that union were apprehensive that it would spread even more due to Irish paupers landing in the neighbourhood and congregating in the city. A large number of these paupers landed outside the actual port to avoid being removed, and in desperation, the Cardiff Guardians offered a £10 reward to anybody who could give them information leading to the conviction of a Captain illegally landing Irish passengers on the nearby coast. In 1848 the Guardians considered the problem serious enough to appoint a committee, under the provisions of the Nuisance Removal Act, to deal with diseased paupers arriving in the union. (97) Other British unions tried to prevent the spread of the infection by the wholesale removal of Irish paupers. The Irish Executive in Dublin believed that this policy in turn, contributed to a further spread of fever in Ireland where it was already prevalent. It appealed to the British Government to introduce legislation for the protection of Irish ports, but without any success. (98)
The British unions involved in removal usually were anxious to do it as speedily and cheaply as possible. Paupers were frequently returned to Ireland without being given any food for the journey. In 1847 a law was passed which facilitated the transfer of Irish paupers from England, Wales and Scotland. In some unions, the laws were indiscriminately used by parish officials who took the view that the 1846 Act did not apply to Irish paupers and they could be removed regardless of their length of residence. An example of this was the Bradford Guardians who, in 1848, informed the Commissioners that orders for the removal of Irish paupers were obtained irrespective of residence. Four years later, they reported that they had removed nearly all the Irish paupers who had applied for relief without asking their period of residence. (99) In Ireland, the effects of removal were especially severe on unions which were ports of entry, such as Cork, Dublin and Belfast. The usual practice was to leave the returned paupers in them and not their home union. Because there was no corresponding Law of Settlement in Ireland, the paupers were legally entitled to relief in these unions. In Dublin, the return of paupers was a recurrent problem which was regularly discussed by the Guardians of the Dublin unions. Not only were the terms of removal suspect, the Guardians also objected to the conditions under which it was achieved, such as lack of food, and women and children being sent as deck passengers in winter. The Guardians of the North Dublin union informed the Commissioners that they wanted steps taken following the death of two paupers returned from England who had died during the boat journey. They saw this as the last straw and wanted the responsible English Poor Law authorities prosecuted. Providing relief, even in the short term, also proved a great strain on union finances. The Lord Mayor of Dublin
established a fund to pay for this relief, but by the end of 1847, it was exhausted. (100)

The Belfast union faced similar problems: between July 1847 and February 1849, 351 paupers from England and 5,657 paupers from Scotland were removed there. The Scottish Poor Law, which had been introduced in 1846, included a provision by which natives of England, Ireland or the Isle of Man, could be legally removed to their own countries upon applying for relief. The Guardians of the Belfast union complained that the removed paupers were not well provided with food and they petitioned both the Commissioners and the British Government to remove this abuse.

In 1848, the Belfast relief committee under the auspices of the local Board of Guardians was founded. This was a charitable society supported by voluntary subscriptions whose funds were used to forward paupers removed from Scotland to their respective homes. Despite this fund, the influx of returned paupers into the workhouse proved a burden on the union. An Average of 10 - 20 paupers were admitted to the Belfast workhouse each day from Scotland, on some days, the number reached as many as 40. Whilst the greater proportion of them was eventually returned to their own union by the relief committee, for as long as they remained in the Belfast union, the Guardians were obliged to give them relief which the latter considered to be an unfair burden. (101)

The late 1840s witnessed an increasing number of complaints to the English, the Scottish, and the Irish Poor Law Commissioners on the problem of removal. If British unions, such as the Edinburgh one, acquired a reputation for trying to get rid of the Irish as quickly as
possible, a number of Irish unions were equally prompt in denying their responsibility for the returned pauper. An Irish weaver, for example, who had been resident in Scotland for eight years, was returned to Ireland in 1851 accompanied by a Scottish Poor Law Officer. The officer left him in Strabane, but the local Guardians and Magistrates decided that he was legally relievable in Scotland and immediately returned him to the care of the Scottish officer. The officer, however, deserted him in Derry under the pretence of buying some tea. The pauper again returned to Strabane and the Guardians appealed to the Commissioners to intervene and eradicate this injustice.

The same union also had returned to it a woman who was originally a native of Dublin, but had spent the previous 14 years in Scotland. The woman had fallen into bad health and had applied for admittance to hospital, upon which she was returned to Derry and then passed on to Strabane by the Guardians of the former union. The Strabane Guardians complained to the Commissioners of the injustice of a pauper being sent to them who, were she to be returned to Ireland at all, should have been sent to Dublin which was as accessible as Derry. This was not the first time this had happened and the Guardians petitioned both the Commissioners and their local member of Parliament to protect them from such unfair charges. (102)

One case which resulted in a Parliamentary Enquiry was that of John McCoy who was removed from the Newcastle-upon-Tyne union to Armagh. McCoy had lived in the same parish in England for 15 years but had, upon claiming relief for the first time in 1848, been removed back to Ireland. The Irish Poor Law Commissioners supported the Armagh Guardians' claim that, according to the provisions of the English Poor
Law, this man was irremoveable, and the removal was therefore illegal. This case highlighted some fundamental differences between the English and Irish Poor Law Boards. Irish Guardians could not charge upon the poor rates the cost of a legal appeal although the English local Boards did have this power. Consequently, Irish guardians could not conduct an appeal but only take the preliminary steps which, even if supported by the Irish Commissioners, could not be heard without the consent of the English Poor Law Commissioners. If the English central Board refused their consent, the cost of a case could not be charged upon the Irish local poor rates. In the Armagh union, this meant that before the appeal was heard, the Guardians were required to make themselves personally accountable for the expense of it. (105)

In this case, the English Board refused to institute an appeal without further details and they admitted that they did not want to spoil their relationship with the local English unions by interfering in this. Also, they believed that as the residency of John McCoy in one parish could not be proved, no appeal should be made. The English Commissioners felt the central issue was whether any Irish person was included within the terms of the Statutes governing removal at all. (104)

This incident was not untypical and the Irish Commissioners received many similar complaints. Although they were sympathetic to the Irish Guardians, their own hands were tied by legal and financial constraints which rendered them relatively powerless. It was decided that Irish people could become 'irremoveable', but their illegal removal continued. In 1848, 102 protests concerning removal were received from Irish Guardians compared with only 14 in 1846. By 1851, this had risen
to 147 and it remained high with 71 complaints made in 1853. It is probable, however, that the complicated and costly mechanisms of instituting an appeal acted as a disincentive to the Irish Poor Law authorities in many other cases. (105)

The attitude of both the Poor Law Commissioners and the Irish Executive to the problem of removal was one of cautious sympathy. The latter admitted that it was a burden on Irish ports but considered themselves powerless to alter this. The Irish Guardians were reminded that the number of paupers who were landing in Great Britain was also a burden to places such as Liverpool and Glasgow. The Irish Executive concluded from this, that it was a disadvantage to be a seaport in either country. (106)

The English Poor Law Board was perturbed by the complaints regarding the removal of Irish paupers from Britain and the consequent appeals against them. They agreed that the laws were unsatisfactory and needed to be altered. (107) In spite of the dissatisfaction with the Laws of Removal and Settlement, the controversies surrounding them continued throughout the 1850's and even an Amendment Act in 1861 did not resolve the problem. The Laws of Settlement were not finally abolished until 1948. In the latter half of the 19th Century, however, there was a marked reduction in the number of Irish paupers returned to Ireland. This can be attributed more to prevailing economic conditions and a general demand for labour in Britain, rather than to any deliberate relaxation of the Laws of Settlement.
EMIGRATION UNDER ACT 12 & 13 VIC. Chap 104. Sec 26 (1 Aug 1849).

PERSONS ASSISTED TO EMIGRATE UNDER POOR LAW (*)

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<tr>
<th>PERIOD</th>
<th>AMOUNT AUTHORISED TO BE EXPENDED</th>
<th>MEN</th>
<th>WOMEN</th>
<th>CHILDREN UNDER 15</th>
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* from Annual Report of Local Government Board for Ireland for year ending 1901. (Appx. G. No. 8)
NOTES FOR CHAPTER SIX


3. Ibid., p.206.


7. Third report of His Majesty's Commissioners for inquiring into the condition of the poorer classes in Ireland, with appendix and supplement, p.27, H.C. (35) 1836), xxx, 1.


9. 1 + 2 Vic.c.56, section 51.


11. 6 + 7 Vic.c.92, section 18; Report by Lords Select Committee on Colonisation from Ireland, H.L. 1847 (737) vi. 1.

12. 10 Vic.c.31, sections 13-15.


14. 12 + 13 Vic.c.24, section 3.

15. Twelfth report on select committee on Poor Laws (Ireland), together with minutes of evidence, p.iii, H.C. (403) 1849, xv, part II, 169.


18. Trevelyan to Twistleton, P.R.O., T.64.370.b/1, 14 Sept. 1848.
19. Ibid., Wood to Coms., T.64.366.A., 9 Sept. 1848.
20. Ibid., Russell to Treasury, 11 Sept. 1848.
21. Ibid., H.O. to G. Coms., H.O.45.2252, 17 Feb. 1848; MacDonagh, Government Growth, passim.
25. Ibid., Trevelyan to Clarendon, T.64.367.C/1, 29 Jan. 1848.
26. Ibid., 31 Jan. 1848.
27. Ibid., Twistleton to Trevelyan, T.64.370,C/4, 17 Feb. 1848.
29. Coms. to Redington, P.R.O., H.O.45.2252, 4 March 1848; Burke to Coms., P.R.O.I., L.B., 4 March 1848.
30. Coms. to Medical Officers of the unions, First A.R., 1848, Appendix A, No.58, p.155, April 1848; ibid., Coms. to each P.L.I., p.156, April 1848.
34. Coms. to Burke, P.R.O.I., L.B., 22 Sept. 1848, 16 Nov. 1849; ibid., Coms. to Medical Officers of various unions, 28 July 1849; M.B., Omagh Union, P.R.O.N.I., BG.26.A.5, 12 April 1849.


39. Ibid.; Fitzroy to Colonial Secretary, 18 Dec. 1848; ibid., H.O. to C.S., 19 May 1849.

40. Ibid., H.O. to Fitzroy, 1849 O.9573, 5 Oct. 1849.


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43. Ibid., Colonial Office to C.S., 1849 O.3081, 13 April 1849; Young to Earl Grey, Ninth report of Emigration Commissioners, Appendix 18, p. 52, 29 Nov. 1848.

44. Superintendent, Port Philip to Colonial Officer, Sydney, S.P.O., C.S.O.R.P., 1849 O.8132, 8 Jan. 1849; Tenth report of Emigration Commissioners, p. 19.


46. Ibid., Coms. to Burke, 4 Dec. 1849; Coms. to C.S., S.P.O., C.S.O.R.P., 1850 O.2125, 29 April 1850.


48. Ibid., Minute of Orphan Emigration Committee, 1850 O.6423, 8 Dec. 1849; ibid., Fitzroy to Colonial Secretary, 1850 O.3337, 19 Dec. 1849.

50. Ibid., Copy of letter to South Australian Register, 1850 O.6479, 21 Jan. 1850.

51. Ibid., Young, Adelaide to Colonial Office, 8 March 1850; ibid., Childrens Apprenticeship Board to Colonial Secretary, 28 Feb. 1850.

52. Ibid., Young to Colonial Office, 8 March 1850.
53. Ibid., Colonial Office to Cs, 10 Oct. 1850.
54. Ibid., Coms. to C.S., 27 Nov. 1850.
55. Ibid.
56. Ibid., Coms. to all unions, 1850 0.7068, 22 Nov. 1850; Eleventh general report of Colonial Land and Emigration Commissioners, p.14, H.C. (1383) 1851, xxii, 333.
57. O'MacDonagh, 'The Poor Law, Emigration and the Irish Question', in Christus Rex vol 12 (1958) p.34.
60. E.Coms. to Killyadsert Gns., S.P.O., C.S.O.R.P., 1852, o.7445, 22 June 1852.
61. Ibid., Coms. to E.Coms., 6 July 1852.
64. Seventh A.R., 1854, p.8.
65. Senior to Ballymoney Gns., M.B., Ballymoney Union, P.R.O.N.I., BG.5.A.5, 23 April 1849; M.B., Armagh Union, P.R.O.N.I., BG.2.A.6, 14 April 1849.
66. M.B., Lisnaskea union, P.R.O.N.I., BG.20.A.4, 16 March 1850; M.B., Londonderry Union, P.R.O.N.I., BG.21.A.5, 21 April 1849, 5 May 1849, 7 July 1849; Mem. from ratepayers in Skibbereen, 1852 0.3609, June 1852; ibid., minutes of Balrothery Union, 1852 0.3608, 26 May 1852; ibid., minutes of Balrothery Union, 1849 0.442, 24 Dec. 1848.
68. Coms. to Burke, P.R.O.I., L.B., 10 July 1849, 26 Feb. 1851, 5 April 1851.
69. Ibid., 14 March 1851; Coms. to C.S., S.P.O., C.S.O.R.P., 1850 0.2471, 27 March 1850.
70. M.B., Kenmare Union, K.C.L., BG.100.A.7, 3 May 1850, 14 June 1850, 30 Aug. 1850; ibid., BG.100.A.8, 28 Dec. 1850, 3 Jan. 1851, 7 March 1851, 21 March 1851, 11 April 1851; ibid., BG.100.A.9, 8 Aug. 1851.
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77. Sixt A.R., 1853, p.9; Thirteenth report of Emigration Commissioners, p.10; Fourteenth general report of Colonial land and Emigration Commissioners, p.10-12, H.C. (1833) 1854, xxviii, 1.

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79. Fourteenth report of Emigration Commissioners, p.12.

80. Ninth report of Emigration Commissioners, p.1; Eleventh report of Emigration Commissioners, p.4.


82. Return of agricultural holdings in Ireland compiled by the local government board, from returns furnished by the clerks of the Poor Law unions in January 1881, H.C. (2934) 1851, xciii, 793.

83. 1 + 2 Vic.c.56, section 41.

84. 6 + 7 Vic.c.92, section 12.

85. 13 + 14 Ch.II c.12; 8 + 9 Wm.III. c.30; 33 Geo.III.c.54; 35 Geo.III.c.101.


87. 9 + 10 Vic.c.66.

88. 10 + 11 Vic.c.110.

91. 24 + 25 Vic.c.66.


93. D.Ashforth, 'The urban Poor Law' in Fraser *The new Poor Law*, p.146; Report from the select committee on poor removal, pp570-607, H.C. 1854 (396) xvii, 1. (hereafter cited as Committee on Removal); returns of numbers of Irish poor relieved out of the poor rates in the year 1848, in the city of London, Marylebone, Westminster, Lambeth, Southwark, Tower Hamlets and Finsbury respectively; and of the money value of the relief so afforded; similar returns as to Liverpool, Glasgow, Bristol, Cardiff, Newport, Merthyr Tydvil, Manchester, Salford, Preston, Bury, Leeds, Paisley and Edinburgh respectively, H.C. 1849 (342) xlvi, 57.

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98. C.S. to H.O., P.R.O., H.0.45. O.S.1816, 3 July 1847.


100. Dublin Evening Post, 1 Jan. 1848; resolution of N.Dublin Union, S.P.O., C.S.O.R.P., 1847 0.9698, 8 Sept. 1847.


103. Clerk of Armagh Union to Coms., A copy of all correspondence between the Commissioners for administering the laws for the relief of the poor in Ireland and in England, relative to the removal of John McCoy, from Newcastle-upon-Tyne to Armagh, including the opinion of counsel thereon, p.3 H.C. 1849 (159) xlvi, 713, 7 Nov. 1848; ibid., Coms. to clerk of Armagh union, p.4, 4 Dec. 1848; ibid., opinion of J.Henn Q.C., pp7-9, 22 Jan. 1849.

104. Ibid., Viscount Ebrington to Coms., P.9, 6 May 1848; ibid., Coms.
to Ebrington, pp10-12, 19 May 1848.

105. Ibid., opinion of Henn, pp7-9, 22 Jan. 1849.


107. Ibid., Eng. P.L. Coms. to C.S., 1851 0.3136, 3 April 1851.
CHAPTER SEVEN

The Poor Law in post-Famine Ireland.
Stabilisation, consolidation and extension.
1852 - 1864
The tone of the Poor Law Commissioners' Annual Report for 1853 was unashamedly optimistic: the Famine was officially over and most of the relief was being provided within the workhouses. The Commissioners considered the administration of the Poor Law almost 'normal', that is, as had been envisaged by the 1838 Act. In contrast to pre-Famine years, destitution was now highest in February rather than in the summer months, on the eve of the new crop of potatoes. This meant it now coincided with the seasonal peak of illnesses. There were fewer able-bodied inmates overall and workhouses were increasingly being used as hospitals. A large proportion of inmates also were children and females aged between 15 and 21.

Recovery was slowest in Munster, which contained more than half of the pauperism in Ireland. In Connaught, recovery from the Famine was faster than the Commissioners had expected. Unions previously dependent on external funds were now self-supporting although their rates continued to be heavy. Within the space of two years in the Belmullet and Westport unions the decrease in the numbers receiving relief was as high as 80 per cent. This resulted from an increased demand for labour, partly caused by the drain of emigration.

In 1852 relief expenditure decreased by about 25 per cent, whilst the poor rate collected exceeded the previous year's collection. In recognition of the continued insolvency of some unions the Treasury transferred further money to the credit of the Rate-in-Aid. This money was given on the condition that unions benefitting from it were not to expect further external assistance and were to strike rates considered sufficient by the Commissioners. As a result, £29,500 was distributed amongst the Cahirciveen, Dingle, Kenmare, Kilrush, Killyadsert,
Ennistymon, Scariff, Tulla, Clifden, Newport and Oughterard unions.

Although the Commissioners emphasised to the Guardians their responsibility to strike adequate rates in these unions, they had misgivings about the feasibility of this. Despite the grant and the large decrease in destitution the most distressed Unions were paying even higher poor rates than they had been during the Famine. The Commissioners realised that it was not possible for these unions to become financially independent unless the burden of the Consolidated Annuities was removed - a question which was then being debated in Parliament. (3)

Although by 1853, Poor Law administration had to some extent returned to a pre-Famine pattern, some significant differences did exist. The number of Poor Law unions had increased from 130 to 163; a separate central Commission had been established in Ireland; the Quarter-Acre Clause had been introduced; the Medical Charities Act had been incorporated into the Poor Law and 720 Dispensary Districts established. Moreover, the principle of outdoor relief had been officially recognised. Locally, the legacy of the Famine remained: poor rates, until the abolition of the Consolidated Annuity Act, remained excessive, contributing to a more parsimonious administration of the Poor Law throughout the 1850s; the duties of the local administrators had been greatly extended, mainly in the field of public health; whilst the Commissioners continued to have the power to dissolve recalcitrant Guardians - a power under which, since 1847, they had dissolved almost 25 per cent of the Boards.
Significant changes were also made in the composition of the Poor Law Commission. Many Temporary Inspectors were discontinued - following the introduction of the 1847 Extension Act there had been 118 of them, but the number had gradually been reduced to four, whom the Commissioners proposed to add to the permanent Inspectorate. There were now 16 Inspectors, each of whose districts comprised between six and 18 unions. (4) By 1860, the number of Inspectors and Medical Inspectors had been reduced to 13. (5) In 1861, when two Inspectors retired, despite a depression in some areas the vacancies were not filled, which is indicative of the confidence of the Commissioners to meet these conditions with ease. (6)

Throughout the 1850's, the main emphasis of the Poor Law Commissioners was on reducing establishment charges. (7) The continuation of favourable conditions in Ireland resulted, in 1854, in two Government officials being sent to Dublin to see if reductions could be made in the establishment of the Commission. They recognised that few reductions were possible because the central Board in Ireland was responsible for details of union management which in England, were left to the discretion of the Guardians. Also, various medical and sanitary legislation, which required the Commission to act as a Board of Health, had increased the duties and expenditure of the Commissioners. All of this made a large staff and Inspectorate necessary in Ireland. (8)

The Commissioners, when asked to reduce their establishment charges, suggested a number of changes which would reduce their control over the local Boards. They believed that their power to dissolve Guardians and appoint paid ones was no longer necessary as Famine conditions were unlikely to recur. The Commissioners also felt their
power to alter electoral divisions should be repealed, as they considered any more boundary changes unnecessary. At the same time, they recommended the positions of Secretary and Assistant Secretary should be discontinued and the number of Inspectors and Medical Inspectors further reduced. They also suggested the Architects' Department should be closed. (9) As a result of these recommendations, between 1854 and 1856, the post of Secretary and the Architect's Department were abolished. The remaining Commission consisted of three paid Commissioners, together with the Chief Secretary and Under-Secretary. By 1860, only 49 clerks were employed by the Commission, compared with 126 in 1857. A scale of salaries for Poor Law employees had been established in 1854, which was regulated by the Treasury. Despite repeated requests from the Poor Law Commissioners, as late as 1862, the Treasury was still refusing to increase them. (10)

Following the Famine one of the main concerns of the Guardians was with reducing the cost of Poor Law administration. This was possibly a reaction to the years when many unions were bankrupt and many would have remained insolvent if the Government had not cancelled all debts. The reduction in pauperism meant that even in the Kenmare union, which was one of the Distressed Unions, the Guardians closed some of their auxiliary workhouses, but it was not until May 1855 that they felt confident enough to get rid of their remaining additional workhouses. (11) Various unions appointed committees to see if any reduction could be made in establishment charges. Some Guardians tried to achieve this by assisting paupers to emigrate, although the number helped was small compared with the total number emigrating. (12) More frequently the Guardians tried to economise by reducing the wages,
rations, or even numbers of their staff. Sometimes this resulted in a
dispute with the Commissioners who advised that workhouse staff should
not be pared too much. But, in general, they approved of the economies
being made. During this period the financial condition of the unions
was helped by rates being very well collected. (13)

One way in which the Guardians wanted to reduce Poor Law costs was
by closing down workhouses. As early as 1854 one ratepayer suggested
that inmates of thinly occupied workhouses should be moved to those with
space, and the vacated ones be used as barracks. The Commissioners,
however, felt it was too soon after the Famine to consider the closing
down of any workhouse. (14) But the continued decrease in inmates
resulted in a number of Guardians suggesting that some workhouses should
be closed and the paupers sent to neighbouring ones. In 1855, the
Guardians of the Portumna, Loughrea, Ballinasloe, Glenamaddy,
Castletowndelvin and Enniskillen unions all suggested that if
amalgamation was allowed, establishment charges could be greatly reduced.
In the following year, the unions of Youghal, Millstreet, Borrisokane and
Castletown echoed this proposal. (15) The Commissioners continued to
regard this idea as impractical, fearing that if it made relief more
difficult to obtain it might result in more outdoor relief being
given. (16)

This movement continued to spread amongst the Guardians, and in
January 1857, representatives of each Poor Law union were invited to
discuss it in Dublin. Guardians from the majority of unions attended
this meeting which resulted in a Memorial being sent to the Lord
Lieutenant and a pamphlet being produced. The Guardians pointed out
that indoor accommodation exceeded by four times what was required, the
workhouses only containing 53,000 inmates, compared with 250,000 in 1851. (17) The Commissioners again opposed amalgamation, arguing that it would be detrimental to the interests of the poor and sick. (18) In 1855 they had issued eight orders for certain unions to combine into school districts, the children being transferred to the workhouse of one of them. Although the main purpose of this had been economy, it had proven administratively confusing and many women with children had refused to enter the workhouses. The Commissioners were convinced by this experience that amalgamation was not a good idea. (19) The Guardians' desire for amalgamation peaked in 1857 although it continued in a much more reduced form under the auspices of a Poor Law Reform Committee. The distress of 1859-1862 gave it fresh impetus because the workhouses showed themselves adequate to deal with even extra-ordinary relief. Despite this, the Commissioners remained firmly opposed to unions combining. (20)

In spite of the Guardians' concern with economy, during these years the quality of workhouse life improved. Many Guardians were liberal in admitting poor people to workhouse hospitals, and even though this contravened Poor Law regulations, it had the tacit approval of the Commissioners. (21) The Guardians were also active in campaigning for superannuation allowances for workhouse officers which was granted in 1865. (22)

In 1861 a Committee was appointed to enquire into the operation of the Irish Poor Law. Its main recommendations were: that the Commissioners had sufficient control over the Guardians; the role of the Guardians in medical relief should be extended; better provision should be made for children in workhouses; the Quarter-Acre Clause
should be repealed and a separate place for religious worship be provided in each workhouse. (23) Most of these proposals were incorporated into the Poor Law Amendment Act of the following year. The two most significant changes were that the Quarter-Acre Clause was abolished and that workhouse hospitals could now admit a wider range of people, including paying patients. (24) The Commissioners saw these changes as according with public opinion, which favoured a more liberal administration of relief. They approved of them as they believed they could now be introduced without danger to property. (25)

Throughout the 1850s the general trend in Ireland was for wages and employment to increase and for Poor Law expenditure to decrease. In 1852 the Government decided that, with the exception of some of the poorest electoral divisions, each union was to become self-financing. The Commissioners believed this could only be achieved if the burden of the Consolidated Annuities was removed from the Distressed Unions. (26) Although this charge was lifted from the worst circumstances districts in 1853, it initially had little impact, as Annuities still had to be paid for two years. However, it meant that after 1855 poor rates could be used exclusively for the relief of the poor and provision of medical relief. Although the cost of maintaining paupers in the workhouse had increased, the decrease in the number of inmates resulted in a decrease in expenditure to a level considered by the Commissioners in 1854 to be 'normal'. (27)

At the end of 1852, Trevelyan questioned the local Inspectors as to whether a regular demand for labour had resulted in a comfortable subsistence for most of the population and an improvement in their social and moral habits. The response showed that, apart from the
north, employment prospects were uneven: jobs formerly created by the potato harvest had not been restored; farmers and their families were doing work formerly done by hired labour; whilst the change from tillage to pasture had resulted in less demand for labour generally. (28)

In 1854, the Commissioners reported a growing demand for male labour but not for female. To help counter this imbalance, the Treasury allowed £10,000 from the Rate-in-Aid fund to be used to assist 1,500 young female workhouse inmates to emigrate from the poorest unions. (29) The continuing decrease in the number of people receiving relief was attributed by the Commissioners to:

'a material improvement in the condition of the labouring class, arising from a higher rate of wages, and a more continuous state of employment'. (30)

Local reports verified that this was due to continued emigration and increased demand for labour which in some areas resulted in a shortage of male agricultural labourers. As prosperity spread, demand for able-bodied females to act as farm servants also increased. One consequence of this was the clothing of the peasantry improved, although their food and lodgings remained the same. (31)

Although very few able-bodied paupers remained in the workhouses after 1852, the remaining ones were sometimes discharged on the grounds of work being plentiful. In the Boyle union for example, all able-bodied paupers were given passes to enable them to leave the workhouse and look for employment. In the Kenmare union, 110 paupers were discharged on one day and 98 on another for the same reason. In 1860, the Kenmare Guardians published a handbill which advertised two
inmates who were willing to accept employment at 15s. per quarter, plus board. The Guardians were cautioned that, unless employment prospects were certain, they should not do this. However, this practice continued in the Kenmare union throughout the 1850s and much of the 1860s. (32)

The Poor Law Extension Act of 1847 permitted Guardians to give outdoor relief to disabled poor people and to widows with two or more legitimate children. Outdoor relief to able-bodied paupers was under the control of the Commissioners and subject to more stringent conditions. After 1852, outdoor relief to the able-bodied largely disappeared. This pleased the Commissioners who desired that as far as possible there should be a transition to indoor relief and they expressed disapproval of Guardians such as the Gorey, Kilkenny, Castlebar and Callan ones who persisted in giving a high proportion of outdoor relief. (33)

In 1855, due to severe weather conditions, the North and South Dublin workhouses became full and the Commissioners were forced to issue orders for outdoor relief to the able-bodied. At this period such orders were unusual and they had not been issued in either of these two unions since 1849. (34) In 1856, only 926 able-bodied persons were receiving outdoor relief in the whole of Ireland, which was about one in every 7,000 of the population. In 1861, despite distress in parts of the country only about 18 unions were giving this form of relief. (35)

The attitude of the Commissioners regarding outdoor relief was similar to their position in 1838 - that is, no person receiving it would voluntarily give up their position as a pauper. Although they were criticised for the overall level of relief in Ireland, the
Commissioners believed that a sufficient amount was being provided. (36) When questioned by a Parliamentary Committee on this issue, Alfred Power, the Chief Commissioner, maintained that the provisions for outdoor relief were adequate, although he admitted that the attitude of many Guardians was increasingly in favour of a more liberal administration of relief. (37) In contrast to this, a former Assistant Commissioner, Denis Phelan, argued that the powers of the Guardians to give outdoor relief should be greatly extended. He believed that the Commissioners discouraged it to such an extent that many Boards of Guardians were unaware that it could be given at all. Overall, he felt that the stringency with which relief was administered resulted from the memory of the Famine during which time relief had been very expensive. Phelan was convinced that despite this, outdoor relief could be given without abuse and cited the example of the Drogheda Union which gave the largest amount of outdoor relief in Ireland and yet was operating within the spirit of the Act. (38)

Although the Commissioners were anxious to avoid any appearance of religious bias, some religious disputes did occur. A few unions in the north refused to provide their Roman Catholic chaplains with altars or other requisites for the Mass. The Guardians refused to be dissuaded on this issue so the commissioners issued a General Order compelling them to obey. (39) The Galway, Mallow, Mitchelstown, Bailieborough, Castlecomer and Youghal unions, were without a Roman Catholic chaplain because the local and central administrators differed over the amount of salary to be paid. Often this arose from the Commissioners' desire that chaplains should not be exclusively employed in the workhouse. (40) These disputes sometimes caused bad feeling between the Guardians and
One issue which remained a source of contention was the religion of foundling children. With the exception of orphans, foundling children whose religion was not known were to be brought up in the religion of the state. In some areas, the Guardians protested that it was more likely that the children were Catholic. The Commissioners were sympathetic to this and appealed to the Legislature to amend this incongruity. In the Swineford and North Dublin unions, the Guardians insisted on registering foundling children as Catholic, arguing that this was probably their religion anyway. The Commissioners agreed that this was likely and recommended that the last person in contact with the child before its admittance to the workhouse should determine his religion. The Government, however, refused to authorise this or to change the law governing this question. (42)

The religion of Poor Law officers and officials also resulted in acrimony. Some of the Catholic Archbishops and predominantly Catholic Boards of Guardians disliked the fact that the Chief Commissioner was Protestant. (43) George Nicholls had tried to balance the number of Catholics and Protestants employed by the Poor Law Commission, but in 1860, of the 12 Poor Law Inspectors one was Catholic. This was noted and resented by Irish Catholics. (44)

Following the Famine, the moral climate within Irish workhouses changed. Many Guardians petition for a Bastardy Law to be introduced so that putative fathers would be liable to maintain their children. The Commissioners supported this and suggested that the English legislation should be extended to Ireland. In 1863 a Law was passed which enabled
Guardians to recover the costs of maintenance for illegitimate children in certain cases. (45) In some unions, this attitude resulted in moral distinctions being drawn between different categories of paupers. The Kenmare Guardians set aside a room for women of abandoned character with illegitimate children and they were only allowed to mix with the other women after three years of good behaviour. (46) The Abbeyleix Guardians proposed to clothe women of bad moral character differently, whilst the Kilkenny Guardians wanted to limit the admittance of pregnant unmarried women. The Commissioners refused to sanction either of these proposals although they approved of moral classification. (47)

As in the years before the Famine, one of the most common complaints of the Guardians was that the Commissioners interfered in local administration too much. (48) Despite this, George Nicholls was the only Chief Commissioner to inspect the Irish workhouses. Alfred Power, who was Chief Commissioner from 1849 to 1872, admitted in 1861, that he had never officially visited any Irish workhouse. (49)

Occasionally, Boards of Guardians became involved in issues outside the realms of poor relief. In 1860 for example, the Millstreet Guardians petitioned the Queen to give a Constitution to Ireland, whilst in 1861, the Wexford Guardians passed a motion objecting to the Fairs and Markets Bill. (50) But, for the most part, between 1852 and 1864 the main interests of the Guardians lay in providing an effective, efficient and economic administration of the Poor Law, which could accommodate the changes which had taken place as a result of the Famine. During the Land League agitation, however, the involvement of many Boards of Guardians in this issue meant that for the first time they could be regarded as 'politicised'. (51)
The 1838 Poor Relief Act had been almost exclusively concerned with the problem of the able-bodied poor. In the years following the Famine the role of the workhouse changed from asylums for the destitute to centres for medical relief. By the 1860s the change from workhouse to hospital was firmly established and able-bodied paupers - whom the workhouse test was intended to deter - were in little evidence. At the same time, poor relief became more closely amalgamated with public health. This was achieved by the passage of the Nuisance Removal Acts of 1848 and 1849, the Medical Charities Act of 1852, the Burial Grounds Act of 1856 and the Vaccination Acts of 1858 and 1863. (52) To a large extent, these changes occurred because medical relief in Ireland was inadequate and, as the Poor Law was the only national administrative unit in the country, other local Government functions inevitably devolved upon it.

Originally the Poor Law had made no distinction between the relief of destitution caused by sickness and that resulting from other causes. It treated all destitution alike, irrespective of the cause. Each workhouse had an infirmary originally intended for inmates taken sick in the workhouse, but to which subsequently external patients were admitted directly by the Guardians. Although Nicholls wanted to discourage this practice, it continued, and by 1844, infirmary accommodation was insufficient in some workhouses. (53) Following the blight in 1845, the fear of a fever epidemic resulted in the passage of a temporary Fever Act which enabled Guardians to erect fever hospitals and establish local dispensaries to be paid from the poor rates. During this time, it became impossible to separate the sick from any other category of pauper and many deaths were caused by disease rather than starvation. The use of
the Poor Law to provide medical relief resulted from the general insufficiency of hospital accommodation and its unequal distribution throughout the country.

Given the lack of other medical facilities, the workhouse also made provision for lunatics, the blind, deaf and dumb and maternity cases. Each union could also build or rent a fever hospital but this was rarely done until 1846. (54) Although, after the Famine, workhouses increasingly assumed the character of a hospital, admission continued, with the exception of contagious disease victims, to be limited to those who were destitute. Sick inmates also had to enter the workhouse in a family unit. The Commissioners and some Boards of Guardians thought that these restrictions were unnecessarily harsh and openly supported a more liberal approach to the treatment of the sick poor. (55)

In 1852 the number of workhouse inmates who were hospital patients was 15 per cent and, within two years, this increased to 23 per cent. This was not due to any major epidemics in the country but rather to a willingness on the part of the Guardians to use the workhouse in this way. (56) The workhouses were now playing a significant hospital role and when, in 1854, there was an outbreak of cholera in parts of the country the Commissioners attributed the absence of a significant general mortality to the good sanitary state of the country. The continuing trend of fewer able-bodied and healthy paupers in the workhouse meant that, by 1857, the proportion of sick inmates had increased to 33 per cent and 12 months later to 38 per cent (57)
General living conditions within the workhouses also improved. Overall, the workhouse diet improved with increased amounts of milk, tea and fresh vegetables being used. The policy of giving paupers meat on public holidays, which had been abandoned during the Famine, again became general. The Commissioners even failed to react when paupers who cleared privies were given snuff or tobacco. Sometimes this new approach had unexpected consequences; the Callan ratepayers complained that the high level of rates resulted from the workhouse inmates eating superior food to themselves; a girl from Belfast who was sent into service returned to the workhouse because her rations and general conditions had been worse than in the workhouse and her mistress had beaten her; whilst two women from the Kinsale union were discovered selling their bread rations to people outside the workhouse.

At the end of the 1850s, in recognition of the fact that the workhouses had effectively become hospitals and that there had been an improvement in the conditions of the labouring classes, the Commissioners sanctioned a further increase in the amount of food provided in the workhouses, which was liberally acted upon by the Guardians. They also suggested that meat could be used to make soup. In fact, this was already the practice unofficially in some unions. A further advance in Poor Law sanitation was made in 1860, when the Commissioners revised the amount of cubic space required by each workhouse inmate. This contributed greatly to the health of Irish workhouses. Although the treatment of sick paupers varied from union to union, in general it was kind and the Commissioners desired that as far as possible, no stigma should be attached to workhouse hospital treatment. This record was however marred by a...
controversy prompted by the high rate of child disease and mortality in the Cork workhouse. The controversy was occasioned by a report from the Lord Mayor of Cork who blamed it on the workhouse dietary (65). The Commissioners disagreed, attaching no blame to the Guardians. They attributed it to the fact that the workhouse was the only one in the area whilst the after-effects of the Famine contributed to the development of scrofula in certain sections of the population. The Commissioners felt that these accusations threw aspersions on all workhouse diets and they were anxious to assure the Government that the diets were sufficient, nutritious, and subject to continual surveillance (66). The complaints led to an official enquiry in 1861. This reported that the findings of the Lord mayor had been exaggerated and that many workhouse inmates had already been sick on entering the workhouse (67).

The fact that the control of the Nuisance Removal Act lay in the hands of the Poor Law Commissioners effectively rendered them a Board of Health. In the unions this Act, by making the Guardians responsible for removing nuisances and controlling epidemics, moved the local administrators into the field of public health. Guardians were empowered to appoint a Sanitary Committee to carry out the provisions of this Act. The local Constabulary were responsible for reporting and serving notices concerning nuisances and if they were not removed legal proceedings could be started. (68) When, for example, cholera appeared in 1854 in various parts of Ireland, not only were the Guardians directed to examine the ventilation and sewers in their workhouses but were also told to ensure that the sanitary condition of their union was reasonable (69). The role of the Guardians in the field of health was
extended in 1856 when they were empowered to act as a Burial Board in any area where the Town Commissioners were not performing this function (70).

In 1851 the powers given under the Nuisance Removal Act were incorporated into the Medical Charities Act. This Act openly acknowledged the role of the Poor Law in the provision of medical relief. The structure of the Poor Law Commission was altered as the office of Assistant Commissioner was replaced by a Medical Commissioner and Medical Inspectors could be appointed subject to the approval of the Commissioners. Each board of Guardians was to divide its union into Dispensary Districts, consisting of groups of electoral divisions. These were under the control of a Committee of Management consisting of Guardians and of ratepayers elected by the Guardians. This Committee was responsible for employing Medical Officers and each of its members, together with the local Relieving Officers had the power to issue medical tickets to poor persons. The Medical Charities Act replaced the provisions for medical relief which had previously existed. (71) This Act differentiated between poor persons in need of Medical relief and destitute poor persons requiring relief in some other form and it provided a basis for a departure from the stringent conditions still attached to non-medical relief, which was elaborated further in practice.

The introduction of the Medical Charities Act marked a more professional approach towards medical care. This had started during the Famine when the inadequacies of the workhouse infirmaries became obvious. The Commissioners tried to ameliorate this by insisting that female inmates who worked in them should be given some training as
nurses. (72) By 1861 in the larger workhouses salaried nurses were employed in the infirmaries whilst in the smaller unions pauper nurses were receiving extra rations in recognition of their services. (73) Because few lying-in hospitals existed outside Dublin, many confinements were attended by the union Medical Officer in recognition of this. after 1852 the Commissioners insisted that each Medical Officer had a knowledge of midwifery. (74)

Throughout the 1850s the duties of the Poor Law doctors continued to grow and they became the most important medical practitioners in rural areas. By the end of the decade, although the Guardians were urged to economise as much as possible the Commissioners disapproved of either the salaries or the numbers of Medical Officers being reduced. (75) By the beginning of 1862 the Commissioners estimated that Poor Law Medical treatment, apart from directly affecting 50,000 workhouse inmates yearly, was also being given to about 800,000 people through the dispensary system (76)

Although the Medical Charities Act extended and made more uniform the dispensing system in Ireland, medical relief provided on an outdoor basis through the dispensaries continued to be inadequate. In some of the larger unions the sick poor were finding it difficult to get the necessary ticket as the Relieving Officer lived too far away from them. (77) Occasionally members of Dispensary Committees were reluctant to issue tickets to those who could not legally be classed as a pauper (78)
The attitude of the Commissioners to the provision of medical relief was a liberal one. They directed their relieving Officer to issue tickets to all needy cases (79) As early as 1854 they recommended legislation to be introduced to enable workhouse buildings to be available to other than the destitute poor (80) The Commissioners disapproved of compelling the sick poor to enter the workhouse with their families in order to obtain any treatment requiring nursing. They felt if the law was changed it would be especially beneficial to the heads of families who occupied more than a quarter acre of land and who were excluded from receiving any form of relief. (81) But, even though it was illegal, the practice of admitting poor persons to workhouse infirmaries became general and the Commissioners turned a blind eye to it by 1860 there was general acceptance of this practice amongst Poor Law administrators. The Medical Officers of the Poor Law unions organised independently and congregated in Dublin to discuss medical relief in Ireland. At this meeting they proposed that the Poor Law should provide for any of the working classes who needed hospital relief to be treated in workhouse infirmaries. (82)

The agitation resulted in 1862 in the passing of an Act which legalised the admission of poor but not necessarily destitute patients and of paying patients to the sick wards of the workhouses. (83) Opponents of this Act argued that following its introduction additional hospital accommodation would be necessary but this was not so. (84) The Commissioners viewed this Law with pride and regarded it as giving Ireland the best and most comprehensive indoor and outdoor medical relief system in the world. To a large extent this was true: whilst general relief in Ireland was more limited than in England the
expenditure on medical relief in the former was proportionately much greater. (85) By the 1860's, not only had the role of the Poor Law been vastly extended in the fields of sanitation and medicine but the way in which it was carried out was both progressive and liberal.

After 1852, the train of emigration set in motion by the Famine continued at a much reduced level. Poor Law emigration was a small part of this. For example, in 1855 only 830 paupers were given assistance from the poor rates to emigrate, the lowest number since before the famine. (86) Following the distress of 1859-1862, Poor Law expenditure on emigration increased but the bulk of emigration continued to be financed from private sources. (87) The Commissioners viewed emigration from the workhouse, whether wholly or partly subsidised by the rates, as of mixed benefit. They believed it sometimes encouraged people to enter the workhouse and remain there in order to become eligible and so recommended only a limited usage of it. (88)

In 1853, the question of sending paupers from poor unions to other parts of Ireland where employment was available was considered. An experiment had been carried out by the English Poor Law Commissioners during the 1830's, when they helped poor families from the agricultural south migrate to manufacturing districts in the north. The legality of using poor rates for this purpose, however, was doubted, and when many of the migrants returned home during the depression of 1837, the scheme was discarded. The Irish Commissioners disapproved of a similar scheme being introduced into Ireland as they believed the finding of employment was not within the province of the Poor Law and they did not recommend that it be adopted. (89)
Migration to Great Britain in the 1850s remained high, which in some areas continued until the end of the century. In Greenock, near lasgo, in 1857, 22.6 per cent of male workers were of Irish origin, and in 1891 it was as high as 20.9 per cent. (90) Most migrants came from Connaught or the west of Ulster and they were predominantly from small farms. (91) The treatment of Irish migrant workers in Great Britain continued in the pattern established during the Famine, that is, if they were viewed as a possible long-term burden on the local rates they were swiftly removed. The British Boards of Guardians required the approval of the Secretary of State before a removal could take place and he invariably gave it because he believed that some unions were being swamped by Irish paupers. (92) In addition to legal removals, throughout the 1850s illegal ones were rife despite the protests of the Irish Guardians and the Commissioners. The power of the Irish Poor Law administrators to counter this proved to be extremely limited. (93)

The laws governing removal from Britain were those introduced during the Famine. (94) Under these statutes any person born in Scotland could be removed from England to Scotland and vice-versa. Persons born in Ireland could be removed from England and Scotland to Ireland. No provision existed authorising people born in Britain, who became chargeable in Ireland, to be removed back to the mainland. A pauper could only be removed from England following a hearing before a Justice, whilst in Scotland if the pauper agreed he could be removed without any legal proceedings. In both England and Scotland the removal to Ireland was not to any particular place or even any union. Removal to the port stated on the warrant was the only stipulation.
No person could be legally removed if they had obtained a settlement in England or Scotland, that is, if they had resided continuously in any one parish for more than five years. Although the Irish could appeal against illegal removals from England, they had no recourse against illegal removals from Scotland. However, the power of appeal against English Boards was virtually inoperative. This process could only be used if the English Commissioners assented to security being given by the appellant for the Board's costs. But even if an appeal was successful, there was no way of recovering the expense incurred by the prosecuting union in maintaining the illegally removed pauper, nor had the union the power to send him back from Ireland to England.

The legislature had intended that upon landing in Ireland the Irish-born pauper would then proceed to his place of birth, but due to the absence of a law of Settlement in Ireland, the local Poor Law authorities were unable to assist the pauper to proceed any further. Because of this, certain unions in Ireland, such as Dublin, Belfast and Cork, and to some extent Londonderry and Limerick, were obliged to relieve paupers removed from Great Britain. Despite this, the removed paupers remained a financial burden on the port unions. (95) By the mid-1850s, resentment against these laws had been general throughout Ireland. Practically every union became involved in this issue as, even if they were not directly affected, they viewed the laws as being disadvantageous to the Irish Poor Law. This opposition was also stimulated by a proposal in 1856 to introduce a Bill which further limited the power of Irish Guardians to appeal against illegal removals, as such cases were to be tried on 'ex parte' statements in the absence
of the Irish Guardians. Throughout Ireland, Boards of Guardians as far apart as Armagh, Tralee, Parsonstown, Sligo, Bandon, Newtownards, Wexford and Clonmel, joined together in condemning this Bill for giving only an illusory power of appeal which made it cheaper to accept injustice. The Guardians believed that the Bill denied Irish their Constitutional Rights as Irish people went to Britain not to become paupers but to seek work, therefore if they became temporarily destitute, they should be maintained. (96)

Although this Bill was not introduced, the Guardians' sense of injustice about removal continued throughout the decade, as they believed that these laws should apply equally to the three countries. Although the Belfast and Dublin unions were in the vanguard of this movement, petitions circulated amongst the other unions supporting them. (97) The Commissioners fully concurred with the Guardians. They regarded the state of the law as totally unsatisfactory and continually drew the attention of the Government to it. However, their protests were little answered by the British Government. (98) In 1861, the laws governing the removal of paupers from England were amended, and in the following year the Scottish law was altered. These Acts reduced the period of residence necessary to acquire 'irremoveability' from five to three years in England and to five years in Scotland. At the same time, the legislation attempted to alleviate some of the worst hardships of removal. Orphaned children living in Britain were guaranteed protection following the death of their parents, women and children were not to travel as deck passengers in winter, and the rules governing the information given on the removal papers were tightened up. (99)
These laws were not very popular with the British Guardians who felt they did not have sufficient protection against Irish paupers. (100) In some unions, this legislation acted as an incentive to the local Boards to get rid of the Irish before they came into the category of 'irremovable'. (101) The distress in Ireland in 1859-1962 coincided with an industrial slump in England which resulted in an increased number of removals, most of which ignored these new provisions. (102) These abuses were most common in the London unions. However, in Lancashire, where the recession was most severe, removal almost disappeared. (103) Overall, the frequency of illegal removal was sufficient to unleash a storm of protest from the Irish Guardians, the Poor Law Commissioners and the Irish Executive. They regarded the law as still being unsatisfactory and demanded that steps be taken to rigidly enforce its provisions. (104) The English Commissioners attributed these irregularities to unfamiliarity with the law, which they expected to disappear. (105)

In 1863, the English Laws of Settlement were again amended. The purpose was to ensure a stricter observance of the rules already in existence and to impose penalties on those who violated them. (106) Again, in practice, this Law did little to eradicate the dissatisfaction in Ireland with the Removal Laws. These Irish Poor Law Commissioners were extremely vociferous as they believed that as long as wages were higher in Britain migration was likely to continue. They continually urged reform of a system which they viewed as advantageous to Britain, disadvantageous to Ireland and against which they had no power of redress. (107) The Commissioners also resented the fact that no reciprocal power existed for removing paupers back to England or
Scotland. A Bill to this effect had been introduced into Parliament in 1863, but it never became law. (108) By 1866 the attitude of the Poor Law Commissioners had hardened and they asked for removal to be taken off the statute books altogether. The described it as 'an interference with the personal liberties of the poor, unknown, we believe, in any other part of Europe.' (109) Despite their unpopularity in Ireland, the Laws of Settlement continued in operation, and their selective employment is indicative of the fact that the Irish workers were viewed as expendable commodities within the British labour market.

In 1859, pauperism and Poor Law expenditure were at their lowest point since the Famine. Compared with England and Scotland, the amount of relief provided was also low. In England, the daily number of paupers receiving relief was about 4 per cent of the population and it was just above this in Scotland. In Ireland also, outdoor relief was lower, with only one in 30 paupers being relieved outside the workhouse compared with 19 out of 20 in Scotland and six out of 7 in England. In Ireland, the annual Poor Law expenditure was about one-and-sixpence per head of population compared with six shillings per head in England and four shillings per head in Scotland. However, the annual expenditure per head of the average daily number relieved totalled almost £10 in Ireland but was less than £7 in England and little more than £5 in Scotland. (110) This was, therefore, higher than in the rest of the British Isles, reflecting the greater importance of workhouse relief within the Irish administration of the Poor Law. Given that there was little outdoor relief in Ireland and that a high proportion of inmates were aged, young or sick, the fact that the disparity in Ireland's favour was not even higher is to a large extent due to less generous and
less expensive dietaries than in England.

By the beginning of 1860, with severe distress setting in, for the first time in ten years, the number of people receiving relief annually did not decrease. Since the harvest of 1851, with only few isolated exceptions, Ireland had been free from potato blight. (112) In 1858 reports of decay in the potato crop were received from various parts of the country as far apart as Fermanagh, Cork, Clare and Louth, but the blight was piecemeal and had little impact on food supplies whilst rates continued to be well collected. (113) It was only the Belmullet union which suffered extraordinary distress in 1858 as a result of a storm which totally destroyed the crop on some of the islands within the union. Despite this, none of the islanders applied for admittance to the workhouse which the Commissioners attributed to the existence of the Quarter-Acre Clause. The distress was countered by the establishment of a relief committee which raised over £2,000 and distributed oatmeal to the distressed people. (114)

In the following two years, prolonged bad weather resulted in much greater losses in agriculture and this marked the first real general distress since the Famine Losses were incurred in oats, wheat and potatoes, whilst shortages of straw, roots and hay affected livestock production. (115) Initially this was reflected in an increase in prices and Poor Law expenditure from September 1859 to September 1860 exceeded that of the previous year by 10 per cent. By the end of 1860 also, pauperism was increasing due to a deficiency in both potatoes and turf. Although the Commissioners cautioned the Guardians as to the possible consequences, they were not unduly worried as they considered that many favourable changes had taken place in Ireland since 1845. They regarded
pauperism and Poor Law expenditure as having become 'normal' and viewed the distress as a seasonal fluctuation. (116)

Locally the effects of the distress varied although its impact was mostly felt in the west and south-west. (117) In county Clare, which had suffered heavily during the Famine the shortages caused apprehension amongst the local inhabitants. But neither the local Inspector nor the Commissioners believed that there was any need for undue alarm as the rates and the workhouse accommodation were more than sufficient to maintain the local poor. They were confident that, even in the poorest unions, destitution would not exceed the means for relieving it. (118) This initially proved correct as even in the traditionally poor Kenmare union, despite a local potato blight and shortage of turf, there was no increase in demand for relief and the Guardians were able to obtain supplies of most goods. By the following July, however, difficulty was experienced in this union in the collection of rates, which was attributed to depression amongst the farming classes, caused by the previous season's deficient potato crop. (119) At this stage, therefore, the distress affected the ratepayers rather than the poorest economic groups.

The 1861 harvest failure was more widespread. In addition to this, heavy rain had destroyed much turf which resulted in a 'fuel famine', the scale of which had not occurred since 1816-17. (120) But even though there was a great loss in the potato crop, the good potatoes which had been stored showed no signs of rotting as they did in 1846. Also, whilst the cost of potatoes was too high for the labouring classes, Indian meal and oatmeal, which was not part of their staple diet, remained cheap. Many reports were more apprehensive about the scarcity
of fuel rather than of food, especially in areas, such as Mayo, Galway and Roscommon, where the population used peat exclusively. In these districts the price of turf had risen rapidly, which resulted in much suffering. This was largely ameliorated by the establishment of many local relief committees who primarily used their subscriptions to import and distribute coal, turf and timber, (121)

In the first week of November 1861, the number of paupers receiving relief was almost 100 per cent higher than a year previously. The Commissioners anticipated that this increase would continue until the end of February when, if there was no outbreak of epidemic disease, the numbers would decline. The potato blight and the shortage of turf were most felt in the poorest areas along the west coast. These were the Glenties, Ballina, Belmullet, Castlebar, Killala, Newport, Swineford, Westport, Ballinrobe, Claremorris, Clifden, Galway, Oughterard, Scariff, Cahirciveen, Kenmare, Castletown, Millstreet, Skibbereen and Skull unions. These districts were almost identical to those which received help from the Rate-in-Aid between 1849 and 1851. The local Guardians were forced to increase the rates substantially in order to meet the increase in applicants. Although the Commissioners remained confident that workhouse accommodation was sufficient to meet the distress, they recognised the machinery of the Poor Law was almost inoperative in some of the remoter districts and islands. To remedy this, they invested the local constables with the temporary powers of Relieving officers. However, outdoor relief was not to be provided, but the constables were to give the destitute a ticket for admission to the workhouse. (122)
Although one historian of this period has stated that Ulster was least affected by this depression, the table below shows that the numbers receiving indoor relief increased least in Leinster. In this province relief in 1861 rose 9 per cent over that of the previous year, in Ulster it increased by 24 per cent, in Munster 26 per cent and Connaught by 28 per cent. At this time the numbers in receipt of outdoor relief were so small as to be relatively insignificant.

<table>
<thead>
<tr>
<th>PROVINCE</th>
<th>NUMBERS IN WORKHOUSE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>9 Nov. 1861</td>
</tr>
<tr>
<td>Ulster</td>
<td>9,054</td>
</tr>
<tr>
<td>Munster</td>
<td>17,354</td>
</tr>
<tr>
<td>Leinster</td>
<td>14,280</td>
</tr>
<tr>
<td>Connaught</td>
<td>4,944</td>
</tr>
<tr>
<td>Total</td>
<td>45,632</td>
</tr>
</tbody>
</table>

Whilst the distress in Munster and Connaught was caused by a bad harvest, in Ulster it primarily resulted from a trade depression. The two northern unions which were most affected were the Armagh and Belfast ones. In the former the number of workhouse inmates increased by 45 per cent. In Belfast the downturn in manufacturing resulted in high unemployment which made the collection of rates difficult. The groups who suffered as a result of this were artisans and labourers who classed themselves as 'independent poor' rather than destitute. They felt that because of this they deserved outdoor relief and condemned the Poor Law for not providing for temporary depressions. Over the summer of 1862 pressure for workhouse relief increased and soup kitchens were established by local relief committees. By the end of the year trade was improving, although some people were still finding it difficult to
pay their rates. (124)

Along the western seaboard, although extraordinary distress existed, it never reached sufficient proportions to alarm either the Commissioners or the Government. Many memorials were sent to the Lord Lieutenant asking him to intervene, but he was assured by the Poor Law Commissioners that no great pressure for relief existed. (125) The Commissioners regarded many of the local petitions as exaggerated as room was still available in each workhouse. (126) The Government and Commissioners believed that the primary agent of relief should be local proprietors and they were delighted that so many relief and coal committees were established. (127)

To some extent, the fact that workhouse accommodation tended to be sufficient was due to the nature of the distress itself. Reports from west Cork, Roscommon, Sligo, Galway and Mayo showed that many labourers were still able to find employment whilst distress was most severe amongst small tenant farmers. (128) This group, due to the existence of the Quarter-Acre Clause, were excluded from poor relief unless they gave up some of their property which they were unwilling to do. (129) As a result of this, Poor Law returns give an incomplete picture of the number of distressed people at this time. (130)

In August 1862, an Amendment Act repealed the Quarter-Acre Clause and made people owning more than this amount of land eligible for relief, provided it was in the workhouse. (131) To some extent this was due to the findings of a Select Committee on the Poor Law in the previous year which had recommended its repeal. (132) The establishment of this Select Committee had been prompted by the increased destitution
in some parts of Ireland. The Poor Law Commissioners had also come to see the Quarter-Acre Clause as unnecessary, feeling that recent administrative experience showed that there was no need for it. (133) The abolition of this Act marked a liberalisation in the provision of poor relief.

In 1862 the crop failed again and in some areas distress prevailed for a third consecutive year. Again, the Commissioners were confident that the Poor Law, in conjunction with local efforts would be sufficient to relieve the distress. (134) In some areas, however, workhouse accommodation was not sufficient and the Guardians had to resort to outdoor relief. But the situation was eased by private subscriptions raised by the Mansion House Committee and the Society of Friends. Throughout 1862 and 1863 the former organisation dispensed £30,000 and the latter £11,191 in meal or fuel. The good harvest of 1863 marked an end to their intervention. (135)

As the table below shows, from September 1859 to September 1863, the number of workhouse inmates rose annually.

<table>
<thead>
<tr>
<th>Year Ending September</th>
<th>Maximum Number of Inmates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1859-60</td>
<td>56,545</td>
</tr>
<tr>
<td>1860-61</td>
<td>52,103</td>
</tr>
<tr>
<td>1861-62</td>
<td>61,791</td>
</tr>
<tr>
<td>1862-63</td>
<td>66,976 (136)</td>
</tr>
</tbody>
</table>

During this period, although outdoor relief also increased, it remained a very small part of the overall amount. In 1861, for example, only 4,758 people were receiving outdoor relief and none of the
recipients were able-bodied. (137) At the beginning of 1864 both poor relief and expenditure were decreasing. (138) The second favourable harvest in 1864 continued this trend but although the number of workhouse inmates dropped rapidly, outdoor relief increased slightly. The Commissioners expected outdoor relief would continue to grow annually because many Guardians who had hitherto only given indoor relief now believed it could safely be given to certain groups. (139) Although outdoor relief to the able-bodied continued to be frowned upon, the admittance of the principle of outdoor relief to the other groups marked a radical departure from the leitmotif of the 1838 and subsequent Poor Law Acts. The 1847 Extension Act, however, by introducing the principle of outdoor relief, made this development inevitable. The repeal of the Quarter-Acre Clause also showed that an important change in attitude regarding the relief of poverty had taken place.

One effect of the distress was that it temporarily increased the level of emigration. Between 1861 and the beginning of 1865 an estimated 135,000 persons left Ireland, although little of this was paid for by the poor rates. Apart from this, the impact of the harvest failures of 1859-1862 was short-lived. The Commissioners attributed the rapid recovery from it to increased wealth in Ireland. They felt prosperity had grown since the end of the Famine and viewed these years as merely an interruption of this. (140) By 1865 the net annual value of rateable property in Ireland had increased by £1,369,699 since 1855. (141) The continued decrease in pauperism is to some extent indicative of an improvement in the general standard of living in Ireland. This was facilitated by the disappearance of the poorest sections of society during the Famine, and this, in turn, removed much
of the burden from the Poor Law.
NOTES FOR CHAPTER SEVEN

1. Sixth A.R., 1853, pp. 5-6, 16.
2. Ibid., pp. 8, 15.
9. A return of the names of the Poor Law Board in Ireland, and also of the Poor Law Inspectors in Ireland, with the dates of their appointments; and also of the several Poor Law Inspectors removed within the last twelve months, or about to be removed, in Ireland, with the dates of their respective appointments; together with a copy of the correspondence on the subject of such removals, H.C. 1854-5 (69) xlvi, 193; Ninth A.R., 1856, p. 16.
12. Ibid., BG.100.A.14, 8 Sept. 1854; M.B., Lisburn Union, P.R.O.N.I., BG.19.A.20, 2 June 1857; M.B., Wexford Union, W.C.L., n.c., 10 Nov. 1860; Coms. to Burke, P.R.O.I., L.B., 17 April 1852.


23. Report from committee, Select committee on Irish Poor Law, 1861, ppIII-IV.

24. 25 + 26 Vic.c.83.


30. Eighth A.R., 1855, p.11.

31. Ibid., pp11-17; Ninth A.R., 1856, P.10; M.B., Kenmare Union, K.C.L., BG.100.A.14, 23 March 1855.


33. 10 Vic.c.31, sections 1,2; Burke to Coms., P.R.O.I., 11 April 1853, 3 March 1854, 21 Oct. 1854; ibid., Coms. to Castlebar Gns., 15 Feb. 1853.

34. Eighth A.R., 1855, p.11.


38. Ibid., evidence of Phelan, pp154-9.


44. Fourteenth A.R., 1861, p.23.


48. Evidence of Phelan, Select committee on Irish Poor law, 1861, p.168.

49. Ibid., Evidence of Power, p.17.


51. See Feingold, Tenant take-over, passim.

52. 11 + 12 Vic.c.123; 12 + 12 Vic.c.111; 14 + 15 Vic.c.68; 19 + 20 Vic.c.98; 21 + 22 Vic.c.64; 26 + 27 Vic.c.52.

53. See Kelly, From workhouse to hospital, passim.

54. Ibid., p.40.

55. Sixth A.R., 1853, pp5-6.


59. Commission on poor relief, 1909, p.56; Coms. to Thomastown Gns., P.R.O.I., L.B., 9 Nov. 1854.

60. Ibid., Coms. to Burke, 3 Feb. 1854; M.B., Belfast Union, P.R.O.N.I., BG.7.A.15, 13 May 1862; Coms. to C.S., S.P.O., C.S.O.R.P., 1863 4209, 8 May 1863.


64. Ibid., p.10.

65. J.Arnott (Mayor of Cork), The Investigation into the condition of the children in the Cork workhouse (1859) passim.


67. Kelly Workhouse to hospital, p.45.


70. 23 + 24 Vic.c.76.

71. 14 + 15 Vic.c.68.

72. P.Kelly, Workhouse to hospital, p.65.


79. Ibid.


83. 25 + 26 Vic.c.83.


89. Ibid., Coms. to C.S., 1853 4495, 2 May 1853; ibid., Irish office to Coms., 28 April, 1853.


94. 8 + 9 Vic.c.117, 8 + 10 Vic.c.66. (England); 8 + 9 Vic.c.83 (Scotland).


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98. Ibid., Coms. to C.S., 1859 5550, 7 June 1859; Eleven A.R., 1858, p.11; Twelfth A.R., 1859, p.19.

99. 24 + 25 Vic.c.55, 24 + 25 Vic.c.76 (England); 25 + 26 Vic.c.113 (Scotland).


106. 26 + 27 Vic.c.89.


112. M.B., Antrim Union, P.R.O.N.I., BG.1.A.3, 8 Sept. 1853; M.B., Ballyshannon Union, D.C.L., BG.38.A.21, 8 May 1858; Burke to Coms., P.R.O.I., 4 Aug. 1852.


120. Eighteenth A.R., 1865, p.4.


122. Ibid., Coms. to C.S., 1861 8849, 19 Nov. 1861.


128. Dr Brodie (P.L.I.) to Coms., *Reports received by the Poor Law Commissioners from their Inspectors and Medical Inspectors in 1861 and 1862*, relating to the condition of the poor in the counties of Roscommon, Galway, Sligo and Mayo, p.3, H.C. 1862 (111) xlix, part 1, 629 (hereafter cited as *Condition of poor*); S. Horsley (P.L.I.) to Coms., *Copies of extracts of correspondence with Skibbereen and Casteltown Boards of Guardians and Poor Law Inspectors with Poor Law Board since November 1861*, pp22-3, H.C. 1862 (424) xlix, part 1, 667, 14 Feb. 1862; ibid., Horsley to Coms., p.32, 3 May 1862.

129. Dr Brodie (Medical P.L.I.) to Coms., *Condition of poor*, p.8, 24 Dec. 1861; ibid., Dr Greany (Medical P.L.I.) to Coms., p.8, 7 Jan. 1862; Bourke to Coms., S.P.O., C.S.O.R.P., 1862 14552, 13
May 1862.

130. Eighteenth A.R., 1865, p.5.
131. 25 + 26 Vic.c.83, section 2.
132. Select committee on Irish poor Law, 1861, ppIII-IV.
133. Ibid., evidence of Power, pp79-80.
137. Evidence of Power, Select committee on Irish Poor Law, 1861, p.9.
139. Eighteenth A.R., 1865, p.5.
140. Ibid., pp6-7.
141. Nineteenth A.R., 1866, p.17.
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