

IX.—*Some Statistics and Researches on the Poor Removal question, with special reference to the removal of persons of Irish birth from Scotland.* By W. Neilson Hancock, LL.D.

In the course of some researches upon the ages of persons of Irish birth in England and Scotland, I arrived at some figures which place in a strong point of view the very large proportion of persons liable to be affected by the laws as to poor removal from Scotland and England to Ireland.

In the census of 1871 the persons of Irish birth in Scotland were 207,770; those in England and Wales, 566,540; this makes 774,310. If this number be compared with 5,307,114, inhabitants of Ireland, it shows that between a seventh and an eighth of persons in the United Kingdom, who had been born in Ireland, were living in Great Britain. This number is very peculiarly distributed as to age. There were in England and Wales only 67,617 persons of Irish birth under twenty years of age, instead of 424,000—the number to be expected, if the proportion of those under twenty were to those above twenty, as in the rest of the population.

There were, on the other hand, of the entire number of 566,540 persons of Irish birth in England and Wales, no less than 498,733 of twenty years of age and upwards. If the 207,770 of Irish birth in Scotland be in the same way distributed as to age, it would give 184,000 of twenty years and upwards—making in Great Britain 682,000 of Irish birth of twenty years and upwards, as compared with 2,900,000, which is the entire number of persons of Irish birth of twenty years and upwards in Ireland. We get, then, that of the entire number of persons of Irish birth in the United Kingdom of twenty years and upwards, one-fifth were in Great Britain and four-fifths in Ireland. In this number no account is taken of the large body of migrating labourers who usually go over to Great Britain each year after the 3rd of April (the census date). The relatively greater proportion of persons of Irish birth in Scotland than in England may be illustrated by comparing the whole of Scotland, with its 3,360,018 population, with the whole of London, with its 3,254,260 population.

Of 1,788,000 of twenty years and upwards in Scotland, 184,000, or about one-tenth, were of Irish birth; while of 1,789,000 of twenty years and upwards in London, only 82,900, or about one-twentieth, were of Irish birth. It follows from these figures that the persons liable to be brought within the law of poor removal are not a few isolated cases, but they form a large and substantial portion of the population, and that this is especially the case in Scotland.

Researches of Dr. Alison, the Scotch philanthopist, as to working of the Law of Poor Removals in Scotland.

The researches of Dr. Alison on this subject were made between 1846 and 1852, and were communicated to the Statistical Section of the British Association, at the meeting in Belfast in that year. As the Scotch poor-law has not in this respect been altered since 1852,

they are, as illustrative of the possible effects of the law, as applicable now as when they were made. One of the points which Dr. Alison directed his researches specially to was the tendency of unrelieved destitution to produce disease. He says:—

“Of the 4,637 patients admitted to the Royal Infirmary in the year 1851, 1,272, or 27 per cent., were natives of Ireland. In ordinary times this proportion is certainly not above the average. In August, 1852, when the house was unusually free from epidemic disease, of 215 patients, I find that in the medical department only 38, or 17 per cent., were natives of Ireland; but when we look to the number of *fever* patients—those whose sickness is known to be most generally and directly connected with destitution—we find that in the year 1851, 482 out of 937, *i.e.* 51 per cent., an absolute majority of the whole, were natives of Ireland. Or the difference may be thus stated. Of the Irish patients, 37 per cent. (482 out of 1,272) were affected with fever, while of all the other patients only 13 per cent. (455 out of 3,365) had fever. . . . Above 200 of the 482 were from a few houses easily pointed out in the West Port, the Grain-market, and adjoining closes, and Blackfriar’s Wynd. Any one who knows the haunts of the poorest Irish in Edinburgh will be aware that in this as in all former seasons it has been among them that fever and all its attendant consequences, in the forms of misery and destitution of the lower orders, and expense and danger of those of the higher orders who come in contact with them, has found its appropriate *nidus*.”

The suffering of the Irish poor in Scotland in the matter of health, which Dr. Alison noticed so far back as 1851, continued in active operation until a very recent period. Dr. Lyon Playfair, in his address to the Public Health Department of the National Association for the Promotion of Social Science in Glasgow in 1874, in accounting for the excessive mortality of Glasgow, dwelt on the number of persons of Irish birth there as one of the causes of the excessive mortality which he had occasion to notice. It must be very great when he would think it worth noticing under such circumstances.

Dr. Alison ascribed the mortality of the Irish in Scotland to the severity of Scotch poor-law in the matter of poor removals, deterring the poor Irish from seeking medical relief there. He condemned the law of poor removals, and pointed out its effects five years after it was introduced, and predicted what the effect of its continuance was likely to be, and Dr. Lyon Playfair’s facts prove the correctness of Dr. Alison’s views. Dr. Alison notices the effect of a severe law in producing discontent—

“Those against whom the law is, will usually be against the law.”

Dr. Alison, after noticing the difficulties placed in the way of persons of Irish birth becoming entitled to permanent relief in Scotland, says:—

“While there are, from these causes, many Irish people in Scotland really destitute, but not entitled to permanent legal relief there, the local authorities are empowered by the Act passed in 1845 to deal with any such persons, when they do apply for aid, in a manner not formerly authorized by law; *viz.*, by arresting them, and forcibly removing them to Ireland, and imprisoning them if they return. Experience has amply shown, that although the exercise of this power in magistrates is not imperative, and although a medical certificate is required of the health of such persons being not such as to make such removal dangerous, yet these provisions have not furnished adequate security against its being exercised

in such a way as to cause much hardship and injury, or even death, to the sufferers affected by it—one necessary consequence of which is, that others in similar circumstances, afraid of falling into the same predicament, conceal their wants from the parochial authorities.”

Dr. Alison states the principle he contends for thus :—

“ I have always maintained, and I think I have substantially proved, that a large number of destitute poor, unprotected by the law, is a much greater evil, not only to the happiness of the people, but to their health, morals, and habits, than a large number of legalized poor.”

Dr. Alison proceeded to notice the defects in the Scotch poor-law, to which he ascribed the sufferings of persons of Irish birth in Scotland, and I propose to show how far the principles which he laid down have received the sanction of Parliament since; and next, to examine what progress has been made in carrying out the principles in Scotland.

Defects in the Scotch poor-law noticed by Dr. Alison.

The three points he directed attention were : (1) The period of residence to protect against removal ; (2) the difficulty of acquiring a settlement: and (3) the facility with which a settlement might be lost. In 1845 the period of residence in Scotland to protect against removal was raised from three years to five years, in analogy to what was then thought the proper period, as we find five years fixed for England in 1846. In 1862, as the result of very elaborate inquiries of a select committee on poor-laws, the period was reduced in England to the original Scotch period of three years. In 1865 the period was reduced to one year.

Neither of these reforms have, however, been extended to Scotland. Thus, while the principle which Dr. Alison contended for has been conceded, the reform has not been applied in his own country, where the proportion of persons of Irish birth liable to the removal, is, as already observed, so much greater than in England. As to the facility with which a settlement may be lost, Dr. Alison says :—

“ An Irishman who has given the benefit of his labour for thirty years to Scotland, and undergone the requisite conditions (of five year's residence without parochial aid in two or more parishes during that time), may lose all claim to permanent aid in Scotland, because when living in a third parish he has been aided, on the footing of occasional poor.”

What Dr. Alison complained of was remedied for England in 1876; and once a settlement is acquired in England by three years' residence, it is not lost until a new settlement has been acquired.

An attempt was made to remedy this defect, in the Scotch Poor-law Bill of the same year; but as the Bill did not pass, Scotch law has been allowed to fall behind English law in the treatment of persons of Irish birth. The difficulty of acquiring and the facility of losing settlement, by change of residence without regard to the boundaries of city parishes, is a hardship on strangers, which Dr. Alison notices. The remedy for this is to be found, both in Scotland and England, in a recognition of the town boundary as the true area of charge in the case of migratory labourers.

Point in which Scotch Poor-law is in advance of English.

While the Scotch Poor-law, has been allowed to fall behind the English, it is in some respects in advance of it by allowing the question of chargeability to be adjusted between different localities, without an actual removal. It thus points out a way in which compulsory removal may entirely cease. Take a recent case. A poor person was removed from Scotland to a wrong union in Ireland. A member of Parliament took the case up. The Lord Advocate was referred to, and through his intervention with the Scotch Poor-law authorities the poor person was taken back.

Cases like this bring into marked prominence, not only the diversity of the Poor-laws of the three kingdoms, but the conflict of authority on the subject.

As the Irish Poor-law was introduced in 1838 on the principle of assimilation with the English law, and the Scotch Poor-law amended in 1845, with a similar view to assimilation; as all the local arrangements in poor-law matters are under imperial control of three public boards, it would appear *a priori* possible to constitute some central committee of conference, to which the questions of chargeability that are fought out by removals should be determined.

Assimilation of the three Poor-laws.

The difficulties brought to light by poor removal cases all, however, lead up to the larger question of a complete assimilation of the three poor-laws. If it be considered for a moment, the scientific principle on which all poor-laws rests, is that it is impossible for individuals of the labouring class, however well conducted, moral, and prudent they may be, *without co-operation*, to provide from their wages and savings against all the vicissitudes of their lot.

For labourers of the higher class, this provision is made—in the case of officials, by superannuation funds, widows' funds, and orphans' funds, or by pensions for some or all of the classes provided for by such funds; in professional and other cases of higher class labour, provision is made by life insurance companies and accident insurance companies; amongst the artizan class vicissitudes are provided against by trade societies, friendly societies, sick clubs, and burial clubs. Beneath all these classes of labourers there is a lower stratum of agricultural labourers, ordinary town labourers, labourers at trades too small for co-operation, and migratory labourers. As respects these, it has been found by experience that, from want of education, want of common bonds, and want of intercourse, effective co-operation to guard against the vicissitudes of their lot does not exist amongst them; and for these classes, the state, from motives of humanity on the one hand, and of policy on the other, has undertaken to make provision for widows and orphans, for old age, for temporary want of employment, for sickness of the head or of any member of the family.

The state provision against vicissitudes for the lowest class of labourers is liable to two sorts of pressure which it is the business of a wise administration to guard against: (1) Pressure from the better class of labourers and small capitalists; (2) Pressure from poverty

caused by drunkenness, immorality, and loss of character from crime. If the arrangements which exist for guarding either the capitalist class, or the higher branches of the labouring class, fail, the women, children, and helpless members of those classes fall on the poor-rates, or they absorb so largely the private charitable funds that a larger proportion of the helpless members of the labouring classes, just above the lowest, become dependent on the poor-rates.

Hence it becomes a logical consequence of a poor-law system that with regard to labourers of the higher class, the state, on behalf of the women and children who will suffer most if the arrangement for their protection against vicissitudes breaks down, should do its best to guard against such breakdowns.

For destitution caused by drunkenness, immorality, or loss of character, it would appear that the destitute from such causes should be sent to appropriate reformatories, that they should be detained a sufficient time to give a fair chance for reformation, and should afterwards be allowed out on licence only—in short, that the reformatory principle which has been found so successful in the case of juveniles, should be applied to adults of these classes.

Now I believe if the three poor-laws were approached with a view to carry out these principles, it would be much easier than is commonly supposed to effect a large assimilation.

The question of assimilation of the laws, beyond its general importance, has a peculiar effect in producing contentment amongst the class of persons of Irish birth to whom I have called attention. Their migratory character develops their intelligence, and makes them keen critics of diversities and anomalies in the laws that affect themselves.

Summary of Conclusions.

1. There were 774,310 persons of Irish birth in Great Britain in 1871, of whom no less than 682,000 were of twenty years of age and upwards.

2. As there were only 2,900,000 persons of Irish birth of twenty years of age and upwards in Ireland, those in Great Britain are about one-fifth of the whole—without counting migratory labourers.

3. The number in Scotland of this age, 184,000, is one-tenth of the whole number of that age in Scotland, 1,788,000; while the number in London, 82,900, is only a twentieth of the corresponding figure, 1,789,000.

4. Dr. Alison, in a paper read at the British Association in Belfast in 1852, ascribed mortality of persons of Irish birth in Scotland in part to operation of Scotch poor-law.

5. Dr. Lyon Playfair noticed unhealthiness of persons of Irish birth in Scotland.

6. Amongst the defects in Scotch poor-law noticed by Dr. Alison were the period of residence to protect against removal, still five years, though reduced to one year in England in 1865.

7. The defects in the law as to acquiring and losing a settle-

ment, noticed by Dr. Alison, were remedied in England in 1876, but not yet in Scotland.

8. Scotch poor-law is in advance of English in allowing questions of chargeability to be adjusted between different localities in Scotland, without a removal, and so contains germs of total abolition of removal.

In conclusion, I would repeat what I said on this question some seven years ago, in a paper before the Statistical Society of Ireland. "The prestige of our legislation would be strengthened if we were able to have laws, like those relating to poor removals that affect the labouring classes in the whole three kingdoms, assimilated and reduced to an enlightened and beneficent code, by collecting what is best out of each of our laws in England, Scotland, and Ireland. A large cause of discontent would be removed, if we were able to say to the migratory labourers of these kingdoms: 'No matter what is your race or place of birth—no matter where you labour—your relations to the state in any calamity that overtakes you will be the same at Belfast, at Glasgow, and at Liverpool—in Dublin, in Edinburgh, and in London.'"

X.—*On the Use of Education and Training in the Treatment of the Insane in Public Lunatic Asylums.* By Joseph Lalor, M.D., etc., Resident Medical Superintendent of Richmond District Lunatic Asylum, Dublin.

PINEL, who, in 1792, did so much to advance the disuse of mechanical restraint, and the substitution in its stead of moral influence and of kindness, has, with other valuable principles enunciated by him in reference to the treatment of insanity, made the important statement, that thirty years' experience had taught him "that a striking analogy subsists between the art of educating and teaching the young and that of managing the insane." Itard, in the early part of the present century, appears to have been the first to have tried the effect of education and training on an imbecile. The subject of his experiment was supposed by him to have been a savage, but Pinel more correctly considered the patient to have been an idiot. What has been done since the experiment of Itard, or what is being done for the education and training of idiots and imbeciles, in England and elsewhere, it is needless for me to say; and such institutions as Earlswood, Clapton, Lancaster, Colchester, Larbert, and others, do not stand in any want of my poor praise.

Dr. Earle and Dr. Brigham, of the United States, may be mentioned as amongst those to whom the introduction of school teaching of the insane in American asylums was due. Somewhere about 1835 Dr. Brown commenced his labours to promote mental culture and literary teaching amongst his patients at Dumfries. It appears by a statement at pages 92 and 93 of Dr. Brown's lectures styled *What*