

Social Inquiry Society of Ireland.

ADDRESS

OF

HIS GRACE THE ARCHBISHOP OF DUBLIN,

PRESIDENT OF THE SOCIETY,

REPORT OF THE COUNCIL;

AND

LECTURE ON AN INTERNATIONAL CODE OF COMMERCE,
BY LEONE LEVI, ESQ.

AT

THE ANNUAL MEETING OF THE SOCIETY,

3RD NOVEMBER, 1851.

DUBLIN:

PUBLISHED FOR THE SOCIETY BY HODGES AND SMITH,
104, GRAFTON STREET.

1851.

Social Inquiry Society of Ireland.

PRESIDENT :

HIS GRACE THE ARCHBISHOP OF DUBLIN.

VICE-PRESIDENTS :

**MOUNTIFORT LONGFIELD, LL.D., Q.C.
JONATHAN PIM, Esq.**

COUNCIL :

**RICHARD ALLEN, Esq.
RICHARD D. WEBB, Esq.
JAMES PERRY, Esq.
JOHN CAMERON, Esq.
RICHARD ATKINSON, Esq.
JAMES WM. MURLAND, Esq.**

**EDWARD BARRINGTON, Esq.
JOHN HANCOCK, Esq.
WILLIAM HARVEY PIM, Esq.
G. JOHNSTON ALLMAN, Esq.
RICHARD F. MULVANY, Esq.
ANDREW H. BAGOT, Esq.**

TREASURER :

JAMES HAUGHTON, Esq., 35, Eccles-street.

SECRETARIES :

**PROFESSOR HANCOCK, 40, Trinity College.
JOHN K. INGRAM, Esq. F.T.C.D., 40, Trinity College.**

AUDITORS :

**PROFESSOR MOFFETT, LL.B.
PROFESSOR HUSSEY WALSH, LL.B.**

THIS society was established in November, 1850, for the purpose of promoting the Scientific Investigation of Social Questions of general interest, and the publication of reports or essays on such questions. The Council select the subjects for investigation, and either employ competent persons to inquire and report on the questions selected, or offer prizes for the best essays on such subjects.

Subjects for investigation are not selected, nor are reports or essays received, which involve the discussion of religious differences or party politics.

The reports or essays, when approved of by the Council, will be brought under public notice, either by separate publication, or by being read at the meetings of the Dublin Statistical Society, or at those of the Statistical Section of the British Association, or of similar scientific bodies.

The Council propose to make public every report of sufficient importance, which is prepared in a truthful and careful manner. But the publication of a report or essay will not pledge the members of the society to the opinions contained in it, which must rest on the responsibility of the author, and will only express that, in the opinion of the Council, the report or essay is worthy of the attentive consideration of the public.

The annual subscription to the society is one pound, but larger sums are contributed by some members, such as two, three, five, twenty, and twenty-five pounds. Subscriptions are received by the Treasurer, the Secretaries, Messrs. HODGES AND SMITH, 104, Grafton-street, Dublin; and Messrs. WEBB AND CHAPMAN, 177, Great Brunswick-street.

Report of the Address at the First Annual Meeting of the Social Inquiry Society of Ireland Delivered by HIS GRACE the ARCHBISHOP OF DUBLIN, President of the Society.

HIS GRACE expressed his great satisfaction at the establishment of such a society as that, which seemed to him calculated to meet in some, perhaps in a very great measure, one very great evil, which was essentially inseparable from a free government; he meant an evil resulting from party-contests. Every body must have observed—although this was a well-governed country, perhaps the best in the world—yet that in every branch of manufacture they succeeded better than in the manufacture of laws. What would be said, if, after several ships had been built by experienced shipwrights, and sent out to sea, they were forced to put back in a few hours, and have a thorough repair made in them; and, when that was done, on the very first voyage it were found that they did not answer the purpose—that they were unsafe, having been ill constructed, and should undergo another thorough repair, and after the next voyage another thorough repair. That was very much the picture of their laws. Hardly ever was there a law passed but in the next session of parliament there was introduced “an act to amend an act;” the next session another “act to amend an amended act,” and a series of amendments and thorough repairs, almost putting them in mind of the house that Jack built. Or if, again, when the Crystal Palace was constructed, it were found after a great deal of expense and labour had been spent in building it, that it let in the rain in some part, and should undergo a thorough repair, and again that it should be repaired in another part, and so on? They knew how very much it was the reverse of what had taken place in that and other articles of manufacture; but in laws how continual were the sins of commission! That is, they had a hasty, slovenly, crude sort of legislation; and besides that, they had a great many sins of omission; confessed evils, not provided for; a great many remedies suggested, which were not made by the legislature at all, because four-fifths of the energy and intellect of the people were taken up by party-contests for power.

He did not consider this as a blame to individuals, because it was, as he had said, essential to a free government. If they were under an absolute monarchy, and if, what it would be quite Utopian to expect, they could have not only a sovereign but a race of sovereigns, in perpetual succession, endowed all, like the queen-bee, with an instinct for performing all their duties with the utmost perfection, and the subjects also endowed, like bees, with an instinct for rendering cheerful obedience to that government, then only would it be conceivable that there could be a senate or appointed council of the most experienced men, who should devote themselves entirely to legislating for the

public good, the improvement and amendment of all our institutions, and the supply of every want which social life could exhibit. But they all knew that such an idea would be quite Utopian; and if any body could be so childish as to expect it, his error would be corrected by experience. They knew by experience that absolutely irresponsible power was what could not be safely intrusted to any human being, and was likely to corrupt those who were originally the best disposed. They knew that in an absolute government the result usually was, not that they devoted themselves to the improvement of the condition of their subjects, but extorted from them as much as possible of their wealth, to contribute to their own selfish and luxurious indulgence, and that of their favourites. Moreover, they did not even obtain the advantage of being exempt from contests and struggles for the maintenance of power; because the abuses of which they were guilty often led to perpetual war between themselves and their subjects, upon whom they imposed a heavy yoke, which continually and justly there was a struggle to throw off. A despotic government was a stagnant pool; a free government was a flowing stream, of which four-fifths ran to waste, because the greater proportion of the energy and intellect of such a country as this, or America, was directed to a struggle for power. And it must be so: for even supposing party spirit could be freed of all virulence and unscrupulousness, still it was inconceivable but that there must be struggles for power among parties. It would be quite Utopian to expect that ever there would be a ministry, much less a succession of ministries, which all would agree in considering the best possible; or that they could have a House of Commons constituted entirely of persons every one of whom would be unanimously elected by all his constituents; and when that was not the case, as it never could be, even though men were actuated by the purest public spirit, there must always be a struggle who should be members of parliament, and what party should govern the nation. The consequence was, that much the greatest part of the speaking, and debating, and energetic struggles, which took place in our government, were absorbed in contests for power between opposing parties.

Nothing could better illustrate this, perhaps, than the contest which took place for some advanced posts in a battle; which were comparatively insignificant in themselves, but upon which frequently depended the decision of a great conflict. Take for example the chateau of Hougoumont at the battle of Waterloo, which from the great bloodshed and slaughter which took place in contending for it, might be supposed to be of inestimable value—a house built like Aladdin's palace, with alternate blocks of silver and gold, and the windows composed of jewels,—but which in reality the house in which they were assembled would have purchased five times over. And yet that post decided the fate of Europe. Such was the case with the party contests in parliament, and must ever be.

He recollected an instance of it which occurred about the time of the introduction of the poor-law into this country. An inflammatory speech had been delivered by some person in the Freemason's Tavern, which was made the subject of protracted discussion in the House of Commons, and during the debate between 500 and 600 members were present. The house afterwards proceeded to enter upon the details of the Irish poor-law; and in all the debates and divisions upon that measure—a measure upon which depended, in fact, who should have the whole command of the property of this country, and how it should be distributed, there were present only seventy or eighty members. Such must ever be the case in a free government. Every body must have observed continually that only occasionally and incidentally important measures for the public welfare, unconnected with party, were brought forward, and were often hurried through in a very crude and hasty manner, and suffered to slip by and fall into neglect.

Heaven forbid that this evil should ever be remedied by the so much greater one of a despotic government—and no other complete remedy appeared possible. But it seemed to him that a society like that, was likely to furnish the best mitigation ever thought of for such evils. They asserted no power: if they had, there would be party contests as to who should possess it. They came to no decision; they had no influence except upon public opinion; and therefore they could engage in debate free from all party strife. Many of the members no doubt, might be party men and so far biassed in their views; but they would always act according to the best of their judgment, be it good or bad. They would always speak, investigate and deliberate with the knowledge that they were concerned only with the particular case before them. Now the evil which he had observed as to a free government, and an assembly representing a free government, was, that the members, however public spirited and disinterested, were forced to decide upon each question before them, not solely upon the merits, but with a view to the predominance of party. And, the great advantage of such a society as that, was, that they could deliberate on each subject according to its own merits; and through the means of the investigations which they conducted, and the observations which they made as to the result of them, they might so far affect public opinion as to have ultimately measures ready prepared with all that discussion which parliament could not and would not afford to them, and thus the foundations laid of such improvements in their social condition as they never could expect from any parliament existing in a free country, which would be always open to the disadvantage of party contests for power. He hoped their example would be followed in other places; and, as an Englishman, but a citizen of the United Kingdom of Great Britain and Ireland, he would feel it a very great triumph if this country should assert its equality, at least, with any other portion of the British Empire by setting an example which would hereafter be followed by Great Britain (hear, hear.)

Having alluded to other associations which were engaged in carrying on specific investigations in science, arts, and various other departments, his Grace observed that their's was a society which might be said to be to promote good, in whatever way—whether by investigation and inquiry, or discussion—they could advance that object; and he thought accordingly that if they went on and prospered in the path upon which they had entered, that society would be considered as ranking higher than all those other institutions which aimed at particular objects. It might be said of them, in the words of the poet—

Excudent alii spirantia mollius æra
 Credo equidem, et vivos ducent de marmore vultus;
 Orabunt causas melius, cœlique meatus
 Describent radio, et surgentia sidera dicent;
 Tu regere imperio populos, Romane, memento;
 Hæc tibi erunt artes.

In connexion with the proposal for a uniform code of mercantile laws which the lecturer had introduced, his Grace then mentioned that he (the Archbishop) had suggested to Prince Albert a scheme for a universal coinage, which should not bear on the face of it the stamp of any particular country, but would circulate throughout the civilized world, and would consist of an ounce troy of silver; and his Royal Highness highly approved of the idea. After a few other observations, his Grace alluded to the Statistical Society, from which that society emanated, and which had its origin in the lectures of the Professors of Political Economy; and concluded by suggesting that a vote of thanks should be passed to those gentlemen.

Report of the Council, read at the Annual Meeting, 3rd November, 1851.

IN presenting the first annual report of their proceedings, the council think it right, in the first instance, to explain the origin and objects of the society.

This society was established by some members of the Dublin Statistical Society, in November, 1850, for the purpose of promoting scientific inquiries into social questions of general interest.

As the questions are selected as well with the view of advancing the different branches of social science, as for the purpose of solving practical difficulties, the objects of the society are almost identical with those of the Statistical Society. The difference between the two societies consists in the means by which the common objects of both are sought to be attained.

In the Statistical Society the subscription is uniform and moderate in amount; the subjects of the papers read at the meetings of the society are selected by the authors, and the authors volunteer their services, and are unpaid.

In the Social Inquiry Society, on the other hand, large subscriptions are sought for; one subscription last year amounted to £25; there were several of £5, and the lowest or ordinary subscription amounts to double the subscription to the Statistical Society; the subjects and authors are both selected by the council, and the authors are paid for their reports.

In consequence of these differences in the means used, the council of the Social Inquiry Society are enabled to obtain reports on complicated and difficult investigations, entirely beyond the reach of the voluntary and unpaid exertions of individual inquirers in the Statistical Society.

Having thus noticed the distinction between the Social Inquiry and the Statistical Societies, the council have next to state the proceedings which they adopted in carrying out the objects of the society.

The first question selected for inquiry was the legislative measures requisite to facilitate the adoption of commercial contracts respecting the occupation of land in Ireland. To conduct this inquiry they selected Mr. Robert Longfield, the author of well-known treatises on the law of ejectment and the law of distress. Mr. Longfield prepared his report in a very able and satisfactory manner, and since its publication it has been frequently quoted as an authority on the subject to which it relates.

Of this report, 1,000 copies were printed and circulated by the

council; copies were sent to the members of both the Statistical and Social Inquiry Societies, and to those of the Law Amendment Society in London, to each of the Irish newspapers, and to a number of reviews and newspapers in England and Scotland; copies were also left for sale, and given to many other parties.

Some few of the wise suggestions in Mr. Longfield's report were adopted in the legislation of the past session of parliament; but the council regret to say that the law of landlord and tenant in Ireland still remains in the defective and unsatisfactory state which has been so clearly pointed out by Mr. Longfield in his report.

The next subject which the council selected for investigation was the patent laws, and the inquiry was entrusted to Dr. Lawson. This subject was suggested by a patent law amendment committee, formed in Belfast, and its importance was shown by the existence of similar committees in England, and by the subsequent appointment of a committee of the House of Lords, and the introduction of a bill by her Majesty's Government, founded on the report of the House of Lords' committee. This bill passed both houses of parliament, but at the close of the session was lost by a disagreement between the two houses respecting some amendments.

Dr. Lawson's report was very able and complete, and the suggestions contained in it were adopted by the Belfast Chamber of Commerce as the best solution of the present difficulties respecting the patent laws.

Owing to the failure of the Patent Law Reform Bill, the defective state of the law pointed out by Dr. Lawson remains in force, so that it is still true that the fees charged in obtaining patents for inventions in Ireland are greater than in any country in the world, whilst the protection practically afforded to property in inventions is more defective and uncertain than in any civilized country.

These defects seem the more unreasonable in a country where every legitimate means of encouraging industrial activity is so much required, and where the defects admit of such an easy remedy; the fees being capable of reduction by extending to the law officers of the crown the usual payment by salary out of the general taxes, instead of by a special tax on inventions; and the security of property in inventions being readily attainable by the adoption of the simple, complete, and effectual laws respecting patent property, which have been found so successful in the United States of America.

The next subject of inquiry was suggested to the council by one of its members, Mr. John Hancock, offering a sum of money which he had collected, for an inquiry into the merits of Chevalier Claussen's process for converting flax into a substance somewhat resembling cotton. For this inquiry the council selected Dr. Apjohn, the able Professor of Chemistry in the University of Dublin, and they expect to have his report in January next.

The next subject of inquiry was the taxes upon law proceedings. The council were struck with the inconsistency of transferring large branches of jurisdiction from the superior to the inferior courts on

account of the expense of the proceedings in the former, whilst no inquiry was made into the causes of the expensiveness so much complained of, to ascertain whether it admitted of a remedy. For this inquiry the council selected Mr. John O'Hagan, and his report will be completed before January.

The next subject of inquiry was the law of debtor and creditor, so far as relates to the proceedings subsequent to final judgment. In the recent Process and Practice Act all proceedings in the common law courts were rendered more simple, uniform, and effectual, so far as final judgment, but the reform stopped there. Again, the proceedings in the Incumbered Estates Court disclosed many frauds, by parties availing themselves of defects in the law to evade the payment of their just debts. By these considerations the council were led to choose the subject, and they selected Mr. William Ferguson, author of a "Treatise on Practice," to conduct the inquiry. His report will also be ready in January.

Besides these questions, other subjects have occupied the attention of the council, such as Savings Banks, partnerships of limited liability, the repeal of the Usury Laws, and the assimilation of the laws of England and Ireland. There is one subject to which they have devoted especial attention—namely, the question of a general register of deeds by reference to a public map, which will be found to be the basis of all reforms in the law of real property. On this question they have been in communication with a member of her Majesty's government, with a view to ascertain why the valuable and important act of Sir John Romilly for the registration of deeds in Ireland has been allowed to remain for upwards of a year without any effectual steps having been taken to carry it into effect.

The proceedings of the council on this and the other mentioned questions have, however, not yet been completed, and on a future occasion they will report the result of their exertions.

In conclusion, the council have to report that the finances of the society are in a satisfactory state, many members having renewed their large subscriptions, and others having increased theirs. The accounts will be submitted to the auditors, and the balance-sheet and profit and loss account, when audited, will be printed and sent to each member.

Social Inquiry Society for Ireland.

SUBSCRIPTIONS.

	£ s. d.		£ s. d.
Allen, Joseph, Esq. ..	1 0 0	Lawson, James A. LL.D.	1 0 0
Allen, Richard, Esq. ..	20 0 0	Lattledale, William F. Esq.	1 0 0
Allman, George J. Esq. ..	1 0 0	Longfield, Mountfort, LL.D.	5 0 0
Atkinson, Richard, Esq. ..	5 0 0	Longfield, Robert, Esq. ..	1 0 0
Ball, Robert, LL.D. ..	1 0 0	Maley, A. J. Esq. ..	1 0 0
Barrington, Edward, Esq.	1 0 0	Moffett, Professor	1 0 0
Barrington, Richard, Esq.	1 0 0	Mulvany, Wm. T. Esq. ..	1 0 0
Bagot, Andrew H. Esq. ..	1 0 0	Mulvany, Richard F. Esq.	1 0 0
Bagot, Charles E. Esq. ..	1 0 0	Murland, J. W. Esq. ..	1 0 0
Carson, Joseph, Esq. ..	1 1 0	O'Hagan, John, Esq. ..	1 0 0
Cassell, John, Esq. ..	2 2 0	Parker, Alexander, Esq. ..	1 0 0
Dublin, Archbishop of ..	5 0 0	Perry, James, Esq. ..	1 0 0
Gibson, Old, and Co. Messrs.	1 0 0	Pim, Jonathan, Esq. ..	1 0 0
Gunn and Cameron, Messrs.	25 0 0	Pim, W. Harvey, Esq. ..	10 0 0
Hancock, John, Esq. ..	5 0 0	Stuge, Joseph, Esq. ..	1 0 0
Hancock, Professor ..	5 0 0	Sullivan, Professor ..	1 0 0
Haughton, James, Esq. ..	1 0 0	Thom, Alexander, Esq. ..	2 0 0
Hone, Joseph, Esq. ..	1 0 0	Thomas, George, Esq. ..	1 0 0
Hone, Nathaniel, Esq. ..	1 0 0	Walsh, Professor ..	1 0 0
Haigh, James, Esq. ..	1 0 0	Webb, Richard D. Esq. ..	3 0 0
Ingram, J. K. Esq. F.T.C.D.	2 0 0		

STATEMENT OF ACCOUNTS.

DR. PROFIT AND LOSS.	CONTRA		CR.
1851,		1851,	£ s. d.
3rd Nov To Cost of Inquiries,		3rd Nov. By Subscriptions ..	119 3 0
Landlord and Tenant ..	20 0 0	By J Hancock, Subscriptions for Inquiry into	
Patent Laws ..	20 0 0	Flax v. Cotton ..	9 9 0
Taxes on Law Proceedings	20 0 0		
Law of Debtor and Creditor	20 0 0		
Flax v Cotton ..	10 10 0		
To Printing and Circulating			
Two Reports ..	84 6 5		
To Postage, Stationery, and incidental expenses ..	1 0 0		
To Stock	2 15 7		
	£128 12 0		£128 12 0

DR. BALANCE.	CONTRA,		CR.
1851,		1851,	£ s. d.
3rd Nov. To J. Hancock, Subscriptions for Flax v Cotton	9 9 0	3rd Nov. By Inquiries not completed ..	50 10 0
To Members in arrear ..	11 0 0	3rd Nov By Stock ..	2 15 7
To James Haughton, Esq			
Treasurer	32 16 7		
	£53 5 7		£52 5 7