

II.—*The Tenement Houses of Dublin. Their Condition and Regulation.*

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[Read Tuesday, 13th December, 1898.]

THE condition of the tenement houses of Dublin was enquired into by the Royal Commission upon the Sewerage and Drainage of Dublin in 1879. Their report states that “9,760 houses were occupied as dwellings let in tenements,” and that of these 2,300, occupied by about 30,000 persons, were in a condition unfit for habitation. The report recommends the gradual closing of the ruinous houses, and the supervision and daily regulation of the others, and it also says that by the provision of improved sanitary accommodation, and the strict enforcement of the provisions of the Public Health Act against overcrowding, a considerable proportion of the tenement houses can be converted into healthy dwellings. The report pointed out that it is the duty of the Corporation to determine how many persons are to be allowed to occupy each room, and to ascertain, by frequent inspection, that the number fixed upon be not exceeded. The Commissioners affirmed “that the tenement houses of Dublin appear to be the prime source and cause of the excessively high death rate; that they are not properly classified, registered, and regulated; that they are dilapidated, dirty, ill-ventilated, much overcrowded, and that disease, a craving for stimulants and its consequences—drunkenness and extreme poverty, are thereby fostered, and that until the condition of these houses shall have been improved the general health of the city will continue to be injuriously affected.”

The present bye-laws relating to tenement houses were at that time in preparation, and were adopted in November, 1880, a few months after the report was published. The tenement houses were the subject of enquiry in 1885 by the Royal Commission on the Houses of the Working Classes, and their report confirms that which I have already quoted. The Registrar-General, Dr. Grimshaw, set forth the great urgency of the question in a paper published in the *Dublin Journal of Medical Science*, July, 1885. He discussed the bye-laws, and pointed out their defects with a vigour that leaves nothing to be desired. He specially condemned them for lowering the standard so as to give the approval of the sanitary authority to unsanitary conditions. Dr. Grimshaw returned to the subject in 1890, and reaffirmed, from the report of the Royal Commission, which had appeared in the interval, the statements which he had made in 1885. The magnitude of the problem will be better understood by referring to the facts as revealed in the Census of 1891. The total number of houses in the city of Dublin was 25,764, which were occupied

by 51,851 families. The number of families occupying 4th class accommodation was 19,342, or 37·3 per cent. of the whole, representing a population of 90,000 persons. The following table gives the number of families occupying the houses, classified according to the number of families per house :—

Number of Families in each House.	Number of Houses.	Number of Families, Total.	Per House.
10 and upwards	176	2,020	11·5
9 to 6 ...	1,697	11,683	6·9
5 & 4 ...	2,401	10,623	4·4
	<hr/>	<hr/>	<hr/>
	4,273	24,323	5·7
3 & 2 ...	4,214	10,073	2·4
1 ...	17,271	17,271	1·0
Barracks, etc....	6	184	30·6
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Total ...	25,764	51,851	2·0
	<hr/>	<hr/>	<hr/>

These figures do not reveal in how many cases one family occupies only one room, or part of a room. It is so important to know this fact that I think a strong representation should be made to the Chief Secretary to have the information given in the approaching Census. It is given already in the Scotch Census.

The Corporation of Dublin has done a great deal which has tended to improve the condition of city life. Sir Charles Cameron, in his recent address to the Public Health Congress, stated that the following sums had been raised by loans :—

For Clearing Unhealthy Areas ... ..	£54,200
„ Artizans' and Labourers' Dwellings ...	137,323
„ New Streets, by which slums were cleared away ... ..	116,000
„ Public Abattoir ... ..	16,700
„ Baths and Washhouses... ..	12,500
„ Open Spaces ... ..	2,900
„ Offices for Sanitary Department and City Laboratory ... ..	10,000
„ Other Sanitary Purposes ... ..	4,900
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	£354,523
	<hr/>

The Corporation has in a large number of cases compelled landlords to concrete yards, to put in a supply of water, and to fit up waterclosets. It claims to have abolished privies and closed basement cellars as dwellings, though, I believe, there are some cellars still occupied. It has also instituted a system of

collecting house refuse and of cleansing the yards of tenement houses, and, since 1879, 3,000 houses have been closed on the ground of being unfit for habitation. There is some reason to think that the introduction of waterclosets has not been in all cases conducive to health. Dr. Roche stated (see *Daily Nation* of September 9) that the sewers with which the house drains are connected are themselves not properly constructed, with the result that the subsoil of the houses is being seriously contaminated. I shall have something to say later about the cleansing of yards and collection of refuse.

The Dublin Artizans' Dwellings Co. has erected dwellings for over 1,800 families, the Corporation 375, and other companies some 200 or 300; that is to say, something like 2,400 families have been provided for.

But notwithstanding all that has been done, Sir Charles Cameron said at the Congress that the vast majority of the working classes are still lodged in wretched tenements, and this statement is only too strongly confirmed by those acquainted with the houses of the poor.

In the month of September last the *Daily Nation* published a series of articles in which a startling account was given of the unsanitary condition of a large number of tenement houses. The statements made were not controverted, and public attention has been strongly turned to the subject. The *Irish Times* has also published a series of articles on the housing of the working classes to the same effect. In the last article, which appeared on Nov. 19th, it is said: "Most of the tenement houses are in a shocking condition of unsanitariness," and while giving credit to the Public Health Committee of the Corporation for their earnest efforts to improve matters, the article goes on to say: "The evil has been allowed to increase until it is now a manifest danger to the health of the city."

The evils that exist cannot be got rid of by any summary method. A variety of agencies must be made use of: such as—(1) Building of new, and adaptation of existing, houses for the working classes by private enterprise, by companies and associations, and by the Corporation. (2) Visiting of tenement houses for the purpose of encouraging the inmates in habits of cleanliness. (3) Diffusion of information on the laws of health and the benefits to be derived from the observance of sanitary regulations. (4) Increased facilities, by cheap tram fares, to enable workpeople to live in the suburbs. But the subject to which I specially wish to direct attention is the exercise by the Corporation of the extensive powers they possess for the enforcement of good order and cleanliness in tenement houses.

#### *Bye-Laws Relating to Tenement Houses.*

The Public Health Act of 1878, section 100, gives local authorities power to make bye-laws for the regulation of houses let in

lodgings, or occupied by members of more than one family. The existing bye-laws were made by the Corporation in 1880. They are admittedly defective. A new set of bye-laws has been prepared by the Public Health Committee of the Corporation, and I propose now to consider these regulations, to compare them with those of other towns, and to draw attention to points upon which public opinion requires to be formed and expressed.

In regard to each, attention must be directed to the objects aimed at: or, in other words, the evils to be prevented, the persons upon whom responsibility should be placed, and the means of enforcement.

### 1.—*Overcrowding.*

A room which is 12 ft. long, 10 ft. wide, and 10 ft. high contains 1,200 cubic feet. If it is agreed that 300 cubic feet should be allowed for each person, then 4 persons, adults, are the most that should be allowed to sleep in it; or 2 adults and 4 children under 10 (2 children under a certain age being counted as one adult). If any greater number of persons occupy the room there is overcrowding. The evils arising from this are physical—that is, injury to health, and moral.

The aim to be set before us is, that at least not more than one family should live in one room, and that such family should consist of husband and wife and children under 10, or of persons all of one sex.

The bye-laws framed to prevent overcrowding prescribe that a certain space must be allowed for each person. The amount allowed is different, according as the room is or is not used for purposes other than sleeping. The Model Bye-laws of the English Local Government Board (which I shall in future refer to simply as the "Model Bye-laws") prescribe 300 cubic feet in the case of a room used only for sleeping, and 350 cubic feet for a room used for that and other purposes, allowing half the space for each child under 10. The City of London in corresponding cases prescribes 350 and 400 feet, and allows half for each child under 12. Glasgow makes no distinction between rooms used for sleeping and for other purposes, prescribes 400 cubic feet, and allows half for each child under 10. Aberdeen agrees with Glasgow in prescribing 400 feet, but the space is to be "exclusive of the space occupied by lobbies, closets, presses, fittings, and furniture," and allows half for each child under 8.

The proposed Bye-Laws for Dublin prescribe 300 and 400 feet, respectively, and for each child under 10, 200 and 250 feet, respectively.

The Model Bye-laws prescribe that the landlord—that is the person who receives the rent of the rooms—and the lodger—that is the person who pays rent for the rooms—shall not cause or suffer a greater number of persons to occupy a room than the

number as determined by the bye-laws. The city of London makes the landlord responsible for a room under his control : the lodger responsible for a room let to or occupied by him. The St. Giles' district makes both landlord and lodger responsible, and both extend the term lodger to include a person who occupies a room by permission of the person to whom it is let.

Glasgow and Aberdeen prescribe that the number of persons in a room shall not exceed the number determined by the bye-laws, but does not say who shall be liable for breach of the regulations. The existing Dublin bye-law agrees in this respect with Glasgow and Aberdeen. The proposed bye-laws in addition to his general prohibition prescribe that the landlord shall not permit overcrowding.

I think it is desirable definitely to prescribe that both the person who lets a room and the persons who live in it shall be liable for any over-crowding. It tends to keep their responsibility before them, and in case of a prosecution it deprives them of the plea that it was not their business to prevent the breach of the bye-law. The Model Bye-law protects the landlord by the word "knowingly," "shall not knowingly cause or suffer," etc. The proposed Dublin bye-law (6) says he "shall not allow," etc. The over-crowding may arise from (1), letting a room to a family consisting of too many persons : or (2), by the lodger sub-letting his room to other persons : or (3), by casual inmates, paying or not paying. The landlord would naturally be held responsible in the first case, and in cases 2 and 3 the landlord might be notified that the lodger was infringing the bye-law, and it would then be reasonable to require him to use his rights to compel the lodger to conform to the regulations. He could protect himself by a clause in the agreement with the lodger.

The enforcement of the bye-laws must depend upon the Local Authority. It is the duty of the Corporation to ascertain from information supplied by the landlord, and by inspection, the number and size of the rooms : and to inform the landlord how many persons may occupy each room. A notice to this effect should be exhibited in each room. The bye-laws require the landlord to put up such notice, but the lodger should also be required to keep it exhibited.

The Dublin bye-law (2) prescribes that the Sanitary Authority *may* affix on the door of each room a description of the cubic contents, but, as far as I can learn, this power has not been exercised. The proposed bye-laws provide that a Certificate of Registration shall be given to the landlord (schedule Form A) : and bye-law 5 prescribes that the landlord "shall put up in a conspicuous place of every sleeping-room a ticket showing the number of persons allowed to sleep in such room."

The enforcement of these regulations depends upon vigorous inspection. The Model bye-laws prescribe that a Sanitary Officer, duly authorised, shall be allowed free access to rooms at

all times. The city of London does the same. The St. Giles district limits free access to the hours between 10 a.m. and 10 p.m. Glasgow and Aberdeen authorise inspection at all times. Dublin Bye-law limits inspection to the hours from 10 a.m., to 4 p.m., but the proposed bye-law 9\* prescribes the hours between 8 a.m. and 10 p.m., and authorises inspection at any time under the following conditions:—(1). The officer must have reason to believe the regulations are infringed. (2), He must have the written authority of the Medical Officer of Health. (3), He must be accompanied by another officer. These restrictions do not appear to me to be necessary. It is very important that lodgers should know that their rooms are liable to be inspected at any time, otherwise they can easily evade detection. The well-conducted classes need not apprehend any intrusion upon their privacy. If such powers have not been abused elsewhere there is no reason why Dublin should be an exception. It must not be over-looked that, apart from any bye-law, the Dublin Corporation Act, 1890, Sec. 94, gives larger powers of inspection to the Sanitary Officers.

## 2.—*Separation of the Sexes.*

The Model Bye-laws do not contain a bye-law for the separation of the sexes. The Local Government Board states that the omission is due “to the doubt which the Board have entertained as to how far this desirable object can be practically attained, in view of the ordinary conditions of life in lodgings of the poorer class.”

The city of London and the St. Giles’ district have no bye-law on the subject, but Glasgow and Aberdeen have the following bye-law:—“Persons of different sexes above the age of 10 years shall not occupy the same sleeping apartment, except in the case of husband and wife.” Dublin bye-laws are silent on this point, but the proposed code prescribes—(8). “That no adults of opposite sexes, save husband and wife, shall sleep in the same apartment.”

The expediency of such a bye-law depends upon the habits and general sentiments of the people. On the one hand it may be said that the bye-laws should hold up a standard of what is to be expected, and should not be levelled down so as to sanction improper arrangements. On the other hand bye-laws which ignore practical conditions, and hold up an ideal too much above the general sentiment, are likely to become inoperative, and so to bring discredit upon the law as a whole.

Common Lodging-Houses are subject to stringent regulations, and it appears to me that a room occupied by persons of different families is, in fact, a “Common Lodging-House,” and should be liable to similar regulations.

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\* Bye-laws 11-13 authorise inspection at all times. This inconsistency will, no doubt, be removed. The draft has not yet been approved by the Corporation.

### 3.—*Cleanliness of Rooms.*

The object of bye-laws relating to separate rooms, is to ensure that at least some effort should be made to secure cleanliness. The Model Bye-laws provide therefore that each room shall be swept daily, washed once a week, lime-washed at intervals as may be required. They assume that a room is in the exclusive occupation of one lodger, and throw the responsibility for the cleansing upon the lodger. But the landlord is also required by the Model Bye-law (37), to cause every part of the premises to be cleansed once a year, and the ceilings and walls washed with hot lime-wash (painted or papered walls to be renewed as may be required).

The Dublin Bye-laws throw the duty of cleansing rooms only upon the landlord, but the proposed bye-laws (37, 38), follow the Model Bye-laws in throwing the duty of cleansing upon the persons living in the rooms. If these bye-laws are enforced by thorough inspection, the condition of the rooms must be materially improved throughout the City. There is here a large opening for the co-operation of persons anxious to help the dwellers in these houses. Education and instruction in the importance of order and cleanliness are much required, and the assistance of all working among the poor should be enlisted to promote the carrying out of the regulations.

The supply of water to tenement houses is a problem of much difficulty. There ought to be a tap and sink on every landing. The Dublin Bye-law (3), requires the landlord to provide each house with a sufficient supply of pure water. Other bye-laws do the same, but there is no attempt to define what is a sufficient supply.

It is asserted that in Dublin, landlords ought not to be required to provide a water tap in the upper part of a house, because the lodgers wilfully misuse the appliances, leave the taps running, choke the sinks with all kinds of refuse, and even cut away the pipes for the sake of the lead. It must, I think, be admitted that many such cases have occurred. Some landlords have tried the experiment, and have been obliged to remove the fittings. This is a case in which some degree of joint responsibility might well be laid upon the tenants.

### 4.—*Removal of Refuse.*

The daily removal of refuse from every room is indispensable. The Model bye-laws prescribe that the lodger shall do this, and the proposed bye-laws for Dublin do the same. The Corporation of Dublin collects all receptacles of refuse, and as a rule does so daily, but many cases have been reported where the rule has not been carried out, and it has even been asserted

the rule is to collect only on alternate days from the poorer districts. A more thorough inspection would put an end to all such irregularities. The inspectors should also see that the receptacles are kept in a cleanly condition. The Glasgow Bye-law (12) requires the refuse to be removed from the house by the "occupier" before 10 a.m., and the Glasgow Bye-law (11), before 8 a.m. The specification of an hour must greatly facilitate the work of collection, and the carrying out of the inspection.

#### 5.—*Ventilation of Rooms.*

It is the duty of the landlord to provide adequate means of ventilating every room. No new house is, we may assume, put on the register, unless the windows are of sufficient size, and are made to open properly, but in many old houses the windows are not properly fitted. The Dublin Bye-laws already provide for this, so that we must recognise that these have not been fully enforced in the past.

It is the duty of the lodger to make use of the means of ventilation, and the Model Bye-laws provide for this. The proposed code for Dublin prescribes (46), that every lodger shall keep every window of every room used as a sleeping apartment open for one hour at least in the forenoon of each day. This is quite right, but one can see that in the case of a room used as a living room as well as a bedroom, it will not be possible to enforce it rigorously. Inspection alone can secure that the windows shall be opened for a time at any rate, and the enforcement of the Bye-law must be left very much to the judgment of the Inspectors.

#### 6.—*Sanitary Accommodation.*

It is clearly the duty of the landlord to provide sanitary accommodation sufficient for the number of persons that can live in the house. The Model Bye-laws prescribe one water closet to every 12 persons. The City of London has no bye-law on this point. The St. Giles' District, Glasgow and Aberdeen Bye-laws prescribe that the accommodation shall be "sufficient," "adequate and convenient." Local authorities under the Public Health Acts have complete power to prevent a house being used as a dwelling unless the sanitary arrangements are satisfactory, so that the bye-laws, as to the provision of such accommodation are not important.

In regard to the use of water closets, the first point is whether the accommodation is used exclusively by one lodger, or in common by two or more lodgers. In the first case the bye-laws throw the duty of keeping it clean upon the lodger, and the same principles apply to it as to his room.

As to accommodation used in common, the model bye-laws, and those of the towns already so often mentioned, throw the

duty of cleansing upon the landlord, and the Dublin Bye-laws do the same.

It is notorious, however, that the water closets are often in a disgraceful condition, and this notwithstanding *bona fide* efforts on the part of the landlords to keep them in proper condition. There is a bye-law against misuse of, or injury, to the structures in force in Dublin, but it has no effect, because it is rarely possible to ascertain the person guilty of the offence against it. There is a natural reluctance to punish the landlord for the fault of another person. This matter is one of the most important in connection with the whole question of the administration of the sanitary laws. The Artisans' Dwellings Company provide separate accommodation for each family. This removes the difficulty, but the *rent* charged for rooms so constructed is such that only the better class of work-people can take the rooms. In some cases a caretaker is employed by the landlord, whose duty it is to look after all parts of the house that are used in common. I think the plan ought to be more generally adopted. No doubt it involves expense, but a landlord has no right to make a profit by arrangements inconsistent with decency and morality.

Another method by which to overcome the difficulty is to hold all the persons who use the accommodation responsible for the condition of it. They may reasonably be required to assist in detecting and preventing any misuse of the accommodation used in common. It is well to call forth the sense of common interests and duties. The well-being of every State and city depends largely upon the willingness of citizens to perform civic duties, and their readiness to support the administration of the authorities. There is no provision enforcing joint responsibility in any of the bye-laws I have examined. Glasgow, however, has a bye-law (20) which prescribes that "every lessee or principal tenant . . . shall in his proper rotation keep any water closet or sink he is entitled to use in a clean and wholesome condition." This is a plan that seems worth trying, and I think the work of it should be carefully studied. The Public Health Act of 1890 contains a clause enforcing joint responsibility "with respect to any sanitary convenience used in common by the occupiers of two or more separate dwelling houses, or by other persons." The Corporation of Dublin has endeavoured to apply this section to persons occupying separate rooms in one dwelling-house, and has obtained convictions,\* which have had a most salutary effect upon persons living in tenement houses. The proposed bye-laws contain one (35) which embodies the principle of this section, and prescribes that if a water closet is misused "the occupiers who use it in common may be prosecuted, if the person or persons who have caused the fouling or injury

\* The magistrates have since had the question argued before them, and have decided that the section is not applicable to persons all living in one house.

punish the innocent for the guilty, but the object to be attained is of immense importance. The working class of Dublin suffer to an enormous extent from unhealthy dwellings and unsanitary cannot be identified." It is, no doubt, right to be careful not to surroundings. Other persons can do little to help them if they will not help themselves. How to keep sanitary arrangements in order is such a formidable problem that it makes those who are anxious to improve matters almost despair of grappling successfully with it. More houses would be built by private persons if they could rely upon their property being protected from injury by those who use it. The self-interest of those too ignorant and obstinate to combine voluntarily to prevent such injury may be awakened by the enforcement of this joint responsibility. All other means of enlightening public opinion and encouraging the poor to aim at a higher standard of cleanliness should of course be adopted, and the influence of the clergy of all denominations should be exerted in the same direction. The present effort of the Corporation of Dublin deserves hearty approval and the support of public opinion.

#### 7.—*Courtyards.*

In regard to Courtyards, it is necessary that these should be properly paved and drained, and then kept regularly cleansed. It is the duty of the landlord to do the paving to the satisfaction of the local authority. The Dublin bye-laws, as well as those of other towns, provide for the paving of the yard by the landlord. The proposed Dublin by-laws also prescribe that the landlord shall cause the yard to be cleansed. The Dublin Corporation spends yearly a large sum upon the cleansing of these yards, and yet many yards are in a bad condition. I am disposed to think that it is a mistake thus to relieve the landlord and lodger of the responsibility of keeping the yard clean. The lodger is often responsible for the fouling of the yard, and he suffers no inconvenience from his offences, and so it is natural that the condition of the yards should get worse, and the task of keeping them clean become increasingly difficult.

#### *The terms used in the Bye-laws.*

In discussing the bye-laws I have used the terms landlord and lodger. These are the terms used in the Model Bye-laws, but they are not adopted generally.

The persons responsible for the condition of tenement houses are (1st) The persons who live in the various rooms; and (2nd) The person who receives rent from those who live in the rooms. The persons who live in the rooms are called lodgers, occupiers, tenants, chief tenants, principal tenants, landlords' tenants, occupants, keepers. Some of these terms are used in

Acts of Parliament, and have received definite and technical meanings by decisions of the law courts. The same person also may be a tenant in respect to one person, and a landlord in respect to others. The term lodger has this fact in its favour, that it is the only term which is never used to describe a non-resident. The other terms are applicable to both non-residents and residents. The term lodger has under some acts received the technical meaning of a person who pays rent for a room to another person residing in the same house, but this need not prevent a more extended meaning being given to it by special definition. The essential element in the meaning is that it denotes a person who occupies a part only of a house, and thus implies the existence of other persons occupying other parts of the same house. Its use thus at once brings the house within the section of the Public Health Act, which defines the houses for which bye-laws may be framed, as a "house or part of a house which is let in lodgings or occupied by members of more than one family." The proposed Dublin Bye-laws make use of the term "occupier," and define it thus—"The person for the time being who enters into an agreement with the owner of the premises to occupy any room or rooms therein, and who is responsible to the owner thereof for the payment of the rent of such room or room in such premises."

This definition is open to several objections. (1) It makes use of the term "owners," which is a difficult one to define, and is, in fact a more obscure term than "occupier." (2) It seems to imply a written agreement" which may or may not exist. (3) It is ambiguous, for the occupier of a room may pay rent to an occupier of the house, who pays a rent to the owner.

The term used should be defined in reference to the essential fact, viz.:—"living in a room." The Model Bye-laws define a lodger as "a person to whom any room or rooms may have been let as a lodging, or for his use and occupation." To which should be added, as in the City of London Bye-laws, "or who may occupy or use any such room or rooms by permission of the person to whom the same may be let."

The term landlord is used in the Model Bye-laws to describe the second person, who is held responsible for the state of a house. In other bye-laws the term owner is used: and in others the terms landlord's tenant, keeper, and occupier are used in such a way that they include what I call the landlord.

The proposed Dublin Bye-laws use the term owner, and define it as "the person, for the time being, receiving the rack-rent of the premises in connection with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such premises were let at a rack-rent."

This definition has to be considered from several points of view. The essential fact to be reached by the definition is to describe the person who receives the rent payable by

the lodgers, that is, the rent payable not by one lodger to another lodger but by all the lodgers to some one person. The person may not be one who would ordinarily be termed an "owner." The first object of the bye-laws is to fix responsibility upon (1) the persons who use the rooms, and (2) the person who gives them the right to use the rooms, and who has the power to turn them out. This person is I think best described by the term landlord which emphatically suggests receiver of rents. The Model Bye-laws defines the term thus:—"Landlord," "in relation to a house or part of a house which is let in lodgings or occupied by members of more than one family, means the person (whatever may be the nature or extent of his interest in the premises) by whom or on whose behalf such house or part of a house is let in lodgings or for occupation by members of more than one family, or who for the time being receives, or is entitled to receive, the profits arising from such letting."

But the term must be considered also from another point of view, viz.:—Upon whom does the law throw responsibility for the duties as defined by the bye-laws? The bye-laws, for instance, prescribe duties, such as cleansing and whitewashing, to be done by the "landlord," but they also prescribe the provision of adequate sanitary accommodation. The former duties are acts of a transitory character, which may naturally be paid for out of the annual income arising from the property; but the latter, involve a permanent outlay, and must come out of capital. Here we must draw a further distinction. We must carefully avoid confusing the two questions:—(1) What is the law? and (2) What ought to be the law? or, in other words (1) who is liable for the outlay, and (2) who ought to be? Sir Charles Cameron, in his address to the Public Health Congress, stated that the "immediate rack-renter" is the person liable to provide sanitary accommodation, and the only person the Corporation can proceed against. If this be so, I think the law is clearly defective, but it is easier to see the defect than to suggest the remedy. Have we not in this difficulty at least a partial explanation of the failure on the part of the Corporation to enforce the responsibility of the owners of many tenement houses. In equity what Sir C. Cameron suggests seems right—viz., that the Magistrate should have the power of apportioning the cost upon the various persons who have an interest in the property in proportion to such interests. Two elements must be considered in estimating the interest, the annual profit and the term for which it is to be enjoyed. If a house is valued at £20, and the lodgers pay £30 to A, then A receives a rack-rent, and is therefore the owner; but A may pay £25 to B, and B may pay £20 to C, and thus A, B, and C are all rack-renters. A may hold from B for a few years, say 5 only, and B may hold from C, for a term of years, say 10. Thus in 10 years C will have the property directly, and any per-

manent outlay will be mainly for his benefit, I cannot go further into the question now, but must be satisfied with having indicated the difficulty of the question.

### *Duties of the Landlord.*

It is the duty of the landlord to put a house in a condition suitable for habitation before letting it. The roof must be watertight, the windows properly fitted, the walls and ceilings of the rooms, staircases, and passages plastered and whitewashed, the floors sound, the yards paved, the sanitary accommodation adequate and in proper working order. It is, of course, only too notorious that many tenement houses are not in this condition. The local authority has the power to call upon the landlord to remedy all defects, but, having done so, it is confronted with obstacles which must now be considered. Some landlords are too poor to carry out the necessary improvements. The local authority cannot accept this plea as any excuse for letting a house which is in an unsanitary condition. It may be that the immediate landlord is only a middleman, having but a small profit rent out of the house. In such cases an effort should be made to get at the next person interested. If the house were closed he would lose his rent, and in self defence might come forward to protect his own interest. Another alternative is for the local authority to carry out the necessary improvements, and retain the rents paid by the lodgers till the outlay has been recovered. If the legal power to do this is defective the law should be amended. Another alternative is to close the house. This is always unpleasant, and some tenants may have a difficulty in getting rooms elsewhere. The closing ought to be only for a time; but it frequently happens that the houses are left derelict, and fall into a worse and worse condition. In such cases the Corporation ought to have the power to purchase the houses at their actual value.

The Corporation has such power if a whole area is dealt with, but there is no power to do this in regard to single houses. It would not be necessary for the Corporation itself to rebuild the houses. If the bye-laws for the protection of property were made effective, private persons would come forward and purchase the site. The dread of inflicting hardships upon poor persons by turning them out of their houses is natural and justifiable, and, therefore, all the schemes for providing better dwellings deserve encouragement. The new dwellings will probably not be occupied by the persons turned out of the old, but if the total accommodation of the city is increased, the persons who move into the new buildings must leave rooms vacant, which are then available for other persons. The movement of populations to the suburbs must also tend to leave additional rooms for those who remain. Temporary hardship is inevitable, but it must be remembered

that the people are only turned out because the dwellings are unfit for habitation; or, in other words, because they are exposed to danger to their health from unsanitary surroundings. The delay and costliness of the process of clearing an area and building houses upon it have been strikingly shown by the Bride's Alley scheme. The defects in the law which give rise to this result should be pointed out, and steps taken to remedy them.

In regard to houses which are inhabited, it is the duty of the landlord to maintain all structures in proper conditions. This involves regular cleansing of the parts of the house used in common by the lodgers, viz.:—staircases and passages, water-closets and yards. To do all this thoroughly is expensive, and it is only too obvious that many landlords fail to perform these duties. They plead that the tenants are to blame for the dirt, and that they cannot afford to do the work. The Corporation has sought to overcome this difficulty in part by cleansing the yards, but as I have already said, it is open to doubt whether this is a wise procedure. I make no sweeping attack upon landlords as if they alone were responsible for the state of the city. Some landlords do their duty to the utmost; all have tremendous difficulties to overcome. I would appeal to all to point out these difficulties and suggest the remedies to be adopted. The persons who live in the houses are largely responsible, so is the Local Authority, and so—I would say it emphatically—are the well-to-do citizens, including the residents in the suburban townships, who are indifferent to the state of matters, and consider it no business of theirs. All employers of labour should turn their attention to the question and endeavour to assist their work people to find suitable dwellings.

#### *The Law of Ejection.*

Landlords suffer considerable losses from non-payment of rent. The process of ejecting a tenant is a slow one. A magistrate can make an order if the rent is under 4s. 7d. a week. In such cases the process takes from two to three weeks if all forms are duly complied with. The average cost to the landlord (including rent) of each ejectment has been stated on good authority to be 30s. The number of ejectments is some 10,000 a year. The rents paid must recoup the landlord for this heavy outlay. If the rent is over 4s. 7d. a week ejectment proceedings must be taken in the Recorder's Court, which sit only four times a year, and thus the loss to the landlord is much increased. An amendment in the law to enable a landlord to get possession more promptly is urgently required.

#### *Damage done to Property by Lodgers.*

Landlords also suffer largely from wilful damage done by the outgoing tenant. Civil proceedings are useless, as the tenant

is unable to pay damages. Criminal proceedings are mostly useless, because it is necessary to prove that the tenant did the damage himself, and such proof is rarely obtainable. I think it would be quite reasonable to make the lodger liable to punishment by imprisonment, in default of paying a fine, if any injury to property, which can be proved to have been done wilfully, has been done to the room for which he paid rent. If this cannot be done under the present law the necessary amendment in the law should be made. I recommend these changes in the interests of the tenants themselves. Whatever diminishes the loss to the landlord will encourage private effort to provide more houses for the working classes, and diminish the force of the excuses which landlords put forward for not doing what is necessary for the welfare of their tenants.

### *The Housing of the Poor.*

Several efforts, worthy of all praise, are being made at the present time to provide additional or better accommodation for the poorer classes. Some ladies connected with the Alexandra College have formed a company for the purpose of buying some houses, putting them in order, and letting them at rents as low as possible. Any sum over after paying four per cent. interest to the shareholders is to be devoted to carrying on the work. The ladies will take a practical interest in the work by collecting the rents and looking after the houses, and much good will result from the knowledge which will be thereby gained of the conditions of life among the poor. A company is also being formed, with a capital of £20,000 for the same purpose. This scheme is the outcome of meetings held at the Mansion House during the past twelvemonth. The object aimed at is specially to provide accommodation for the "very poor," that is to say for persons who cannot afford to pay a rent of more than 1s. 6d. or 2s. per week. The Corporation have had in hands for over five years a scheme for providing dwellings in the district of Bride's Alley. A sum of £32,000 has been spent, but no plans for erecting new dwellings have yet been adopted. At the present moment a proposal in regard to the site has been submitted to Lord Iveagh. That so large a sum should have been spent merely on the acquisition of a site is very discouraging, and it is difficult not to think that full use was not made of the powers of the Corporation for the acquisition of unsanitary dwellings. At the Public Health Congress Sir Charles Cameron and the Right Hon. Alderman Meade urged that the Corporation should be allowed to erect dwellings for the "very poor" on special terms, such as a grant of the site free of cost, and freedom from city rates. That is in fact to a certain extent at the expense of the ratepayers.

In regard to a free site, it is urged that the clearance of an

unsanitary area is a sanitary improvement for the benefit of the whole city, and may, therefore, be rightly treated as an outlay for sanitary purposes. At the present moment the London County Council has adopted the principle of providing dwellings, at a loss to the ratepayers, in a special case. Time prevents me from discussing this question; but the principle is of the utmost importance, and should not be adopted without very thorough consideration. The idea of confining the dwellings to the "very poor" is not one that seems to me wise or practicable. Rooms must vary in size and position, and, consequently, in value. More satisfactory results are likely to result from persons of different incomes living side by side, and renting rooms in proportion to their incomes. More information should be obtained as to what has been done in other cities. A large scheme has just been made public by Lord Iveagh. He proposes to take an area near St. Patrick's Cathedral, clear it, and build upon the site shops, dwellings, baths, gymnasium, public hall, &c. Such a scheme is deserving of our warmest approval, and all parties who have any influence should use it to facilitate its execution.

The extension of the city boundary to include the adjacent townships would give increased power and additional facilities for the improvement of the condition of the city. The well-to-do people who live in these townships escape at present their due share of responsibility. The question is not one to be settled simply by a reference to the effect upon the rates.

The present boundary is purely artificial. The people on both sides of it are, in fact, one community, and all should be willing to co-operate in the task of grappling with the social problems of the city. There is nothing new in this paper; the evils pointed out, their causes and the possible remedies, have been brought before the public time after time. There is no royal road to their removal. An improvement can only come from personal effort and self-denial on the part of the citizens of Greater Dublin.

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### III.—*Fifty Years of Irish Agriculture.*

By THOMAS KENNEDY, Esq.

[Read Tuesday, 17th January, 1899.]

IN 1847, the year of the famine, the Government first collected for the information of Parliament very ample Irish Agricultural Statistics. Similar returns have been annually published ever since. The result of these compilations extending over half a century is to furnish official figures from which the general condition of Agricultural Ireland may be fairly diagnosed, in