

~~finding critic. On the contrary, I have the greatest admiration for the great Act of that year, which in my opinion was honestly intentioned, boldly conceived and capably drafted. I have endeavoured to point out a number of particulars in which the enactment fails to fulfil the requirements of the country and the situation; but underlying those faults there is a foundation of utility and potentiality on which the complete settlement of the question whether it proceeds on voluntary or compulsory lines can be based.~~

4.—*Proposals for a New Labourers' Bill; an attempt to solve the Rural Housing Question in Ireland.*

BY NICHOLAS J. SYNNOTT, ESQ.

[Read 2nd March, 1906.]

WE have now had more than 20 years experience of the attempt to provide habitable houses for labourers in country districts in Ireland, by means of an elaborate code of seven Statutes, beginning with the Labourers' Act of 1883, and ending with the Land Purchase Act of 1903; and are in a position to judge of the success of this legislation by its tendencies and results. The casual visitor who, from a railway carriage or a country road, observes the new District Council cottages sprinkled over the country, and compares them in his mind with the thatched mud cabins they have replaced, may hastily judge that the problem is in a fair way to be solved; and, indeed, there have not been wanting English economists and philanthropists who have taken, what I must call a superficial view, and urged that these methods should also be applied to rural housing in England.

This was the burden of an article in the *Contemporary Review* (September, 1904), by a Mr. Gilbert Slater, entitled, "A Lesson from Ireland"; but it is plain from an examination of this and other statements on the subject, that only one side of the picture has been looked at. The other side is not to be found in the Reports of the Local Government Board, nor otherwise than by a careful study of local accounts, the proceedings of local bodies, and of Irish rural life.

That closer study would reveal the burden on the rates, the delays, the waste, the inequalities of a system which is an absolute bar to all private effort, and has resulted in providing what is really out-door relief in kind to a privileged few.]

It would further be found that, as a rule, there is no proportion between the supply of these cottages, and what I may call the natural demand, whether that demand be measured by the wants of the labourers, the necessity of replacing insanitary dwellings, or the need of farmers for an adequate supply of labour. Thus it cannot be said that housing accommodation is better (if it is not worse) in Ulster and Connaught, than in the other provinces; and the predominance of Ulster in tillage implies a labour demand. Yet we find that fifteen-sixteenths of the new cottages are built in Munster and Leinster, and of these a large proportion are in the grazing counties of Meath, Tipperary, and Limerick.

In many places the occupants of these cottages are claiming increase of allotments to 3 acres, and reduction of rent to enable them to live, inasmuch as employment is not forthcoming, especially in the winter months;—and as the State cannot find employment, the only prospect is the artificial creation of a new class of public cottier tenants, and this, at the very time that the State agencies and public money of the Congested District Boards and Estates Commissioners are being applied to reduce the evils of uneconomic holdings.

Finally, the system must come to an end of its own inherent imperfections. The dilemma must be faced that either the limit of a shilling in the £ must be removed, and the rural rates intolerably increased, or that building operations must come to an end before a tenth of the required accommodation is provided.

The subvention of some £37,000 a year from Imperial sources only helps to reduce the loss, and pay the interest and sinking fund on existing cottages, and is, so to speak, mortgaged for that purpose, until outstanding loans are repaid. I have pointed out elsewhere (*Statistical and Social Inquiry Society of Ireland. Journal*, Nov., 1903) that a fraction only of the problem had been dealt with; that some 20,000 cottages had been built or sanctioned; that the annual loss on 15,000 cottages built was about £96,000; that the number of families having fourth-class* accommodation was 41,223, and having third-class was 287,998; that there were at least 200,000 labourers to be yet provided for; and that the deplorable state of houses in our country towns and villages was not and could not be dealt with under the Labourers' Acts.

As the facts and figures I adduced 2 years ago, were

* I have omitted specific reference to tenements. There were, according to the 1901 census, 41,918 cases where one-roomed tenements had 2, 3, or 4 occupants; 13,351 where there were 5, 6 or 7 occupants, ...

subject to rigid scrutiny by officials and other persons, fully acquainted with the administration of the Act, and no error pointed out, I can assume they are fairly correct. If they were brought up to date, the annual loss would, I am convinced, be proportionately greater, as the cost of construction and materials has increased, the half-acre plots have been enlarged in thousands of cases to one acre, and the rents have not been increased, and in some cases have been reduced.

As if these results were not sufficiently alarming the Legislature chose to tack on to the Land Purchase Act of 1903, Clauses amending the Labourers' Acts, by which the term "Agricultural Labourer" was made to include all persons working for hire (except domestic or menial servants) whose wages did not exceed 2s. 6d. a day, and gave more stringent powers to the Local Government Board to *compel* District Councils, out of the rates, to provide houses for practically every labouring man in the country. Perhaps the all-absorbing interest in the Land Purchase Clauses of the Act obscured the fact, that this extension of the benefits of the Labourers' Acts (as it was euphoniously called) was really a vital alteration of their original object, and would virtually relieve a number of employers and house-owners of their natural duty to their servants and tenants, and of their specific obligations under the Public Health Acts.

The truth is that the Labourers' Acts have been called to do what they were never intended to do, and are not fitted to do. They were and could be justified as a tentative experimental plan* of dealing with the most glaring cases of insufficiency of accommodation for rural labourers, to provide an example to, but not a substitute for private effort; but that for all time to come the whole working-class population of Ireland (outside the cities and Urban districts) should be provided with houses out of the public rates, is a plan that stands condemned both by principle and experience. In no other country has such a plan been attempted; perhaps in no other country would it be even thought of.

Remedial measures must, therefore, be such as squarely face the difficulties and mischief of the present system; and if these evils are inherent in existing methods, those methods must go altogether.

Legislation of the type of last year's Labourers Bill is worse than useless, for it added few anomalies and complications to the present system, which it stereotyped in its worst features.

* The Act of 1883 was brought in by a private member, and was limited in its operation to 5 years. Mr. Parnell referred to it as a tentative measure. See *Hansard*, Vol. 279, pp. 1241 *et seq.*

That Bill dove-tailed amendments and repealing clauses on to an already complex code of seven previous Labourers Acts, and did little or nothing to simplify the machinery, for the substitution of the inquiry by a County Council Committee (without expert evidence) in place of the Local Government Board Inquiry, would have satisfied no one, and would have in practice, added a fresh step in the series of necessary operations.

Though none of the main evils of the existing system were remedied, fresh powers were given in the Bill (Sec. 12) to the Local Government Board to *compel* District Councils to carry out schemes—*i.e.*, burden their rates; whilst Sec. 16 of the Bill, allowing the weekly tenants of District Labourers Cottages to purchase their houses and plots under the Land Purchase Acts, would in effect be providing public funds to create uneconomic holdings.

Since last Session the matter stands thus: that whilst there is a general agreement that something should be done, no scheme has been outlined, either by individuals or local bodies. In endeavouring to frame a plan that may be the basis of legislation, the end I have had in view has been to abolish or minimise the evils of the present system, and to ensure that the measure be final and adequate.

I may here quote a summary I have elsewhere made of the mischiefs of the existing machinery (*New Ireland Review*, Nov, 1904, pp. 131-133):—

1. A selected number of persons in rural districts are in occupation of cottages and plots provided out of public funds, let at rents which range from one-half to one-sixth of the actual value, as measured, either by interest on cost, or by the existing letting value of privately-owned property.
2. These persons are able-bodied, and not destitute, and receive an advantage or privilege, at the expense of the rates, which is worth, at least, from £5 to £7 per annum.
3. The number of these occupants being 17,411, only a small fraction of those requiring accommodation are provided for. The Acts do not apply to cities or urban districts, and until 1903, were confined to agricultural labourers. Even of agricultural labourers a mere fraction is dealt with. The total number of wage-earners in agriculture in 1901 in Ireland, is officially given as 140,818, whilst there are, in addition, 117,863 "general labourers," who are principally employed in agriculture.
4. How small a fraction of the housing problem has been

dealt with, will appear from the following facts:— There are in Ireland 78,988 families occupiers of one room, 242,710 families occupiers of two rooms, and there are 287,998 families with housing accommodation of the 3rd class, and 41,223 families with accommodation of the 4th class.*

5. The Acts have done nothing to benefit the occupiers of small holdings, of which there are 134,182 under £4 valuation, and 141,162 between £4 and £10 valuation: Total, 275,344. In a large proportion of these holdings, the houses (if they can be so called) are far inferior to the average District Council cottage.
6. The returns reveal the fact that the richer counties, to a large extent, have provided most cottages. The difficulty is here, that faces poor law administration in general, under the present system. Where succour or relief is needed most, the poverty of the district rated will not bear the cost. Thus, Limerick has 2,291 cottages; Meath, 1,447; Tipperary, 1,427; Wexford, 1,158; whilst Galway has 18; Sligo, 27; and in the county Mayo, there is not a single labourer's cottage building or built out of the rates. These latter counties have a low valuation, and high rates that will not bear increase.
7. The capital cost to the ratepayers of the cottages already provided is £2,520,000. To provide for all agricultural and general labourers in rural districts, would probably require an expenditure of eight to ten times that sum, say, £20,000,000; and as the annual loss on each cottage is (as I have shown elsewhere), at least, £5 per annum, and will be a great deal more, as cost of construction has increased, and the rate of interest payable to the Board of Works has been raised $\frac{1}{2}$ per cent., the loss falling on the rates for anything like a complete scheme would be at least £1,000,000 per annum.
8. The present system thus lands us in an ugly dilemma—either special advantages are to be granted out of the rates to a select number of able-bodied persons, or local taxation, already a heavy burden, will be increased to an unbearable amount.
9. The increase of rates, due to wide extension of the present system, will, in the main, fall on employers of labour—*i.e.*, the very persons who are the paymasters of cottage occupants. Without relying on what some persons style the heresy of a “wages fund,” it is certain that excessive burden of rates, not only

* In the rural areas alone there are 11,869 families with 4th-class accommodation, and 234,380 with 3rd-class accommodation.

directly lessens that sum which otherwise would be largely spent in paying labour, but, in addition, impels the employer to adopt new systems and devices that will, as far as possible dispense with labour. A large increase in rural rates will most certainly result in still further diminishing the cultivated area, and, consequently, the demand for labourers; and it will be a poor consolation to the labourer to exchange his wage for a cottage—to receive something worth 2s. 6d. a week in the shape of a cottage and plot, and lose 12s. in wages.

10. It would be a sad comment on the wisdom of this ill-considered legislation 'if the result were to create a new body of paupers. If anything is to be learnt from the system of poor law administration in England in the early part of the nineteenth century, it is that all forms of indiscriminate out-door relief, whether directly in money, or food, or in grant of employment, or letting of plots, as the official Report declared; "perpetuates the misery it professes to relieve," is demoralising to the recipient, and tends to create distress, lower wages, and diminish employment. Experience also shows, as the late Professor H. Fawcett has pointed out, "that so many thousands live just on the verge of pauperism that any addition to local burdens may make many who were before the payers of rates, become the recipients of parochial relief." *

I may add another head under which the existing code is defective. The whole scheme of the Labourers' Acts seems to be the demolition or shutting up of insanitary houses, and building new ones on fresh sites. The repair and improvement of existing houses is practically unprovided for, and the whole question of sanitation of existing dwellings, whether isolated or in groups, is left to the separate machinery of the Public Health Acts. Those Acts do not seem to have been drawn to meet the circumstances of rural Ireland, nor the plan of local administration. Were they ever so willing, local bodies have not a staff of officials adequate or sufficiently experienced in the matter; and whether these officials or the local bodies themselves are in default, there is practically no power to inquire whether their duties have been fulfilled, and to compel them to do so. It follows that any comprehensive measure dealing with the housing question, must deal with the two questions that in practice are inseparable: the building of new dwellings, and remedy the defects, sanitary or other, of old houses.

* "Pauperism: its Causes and Remedies," p. 37

The evils I have thus pointed out, must be met by positive remedies :—

- A. The new housing and sanitary Bill must carefully distinguish between duties properly assignable to local bodies as the Sanitary Authority, and others which naturally fall on individual owners of property, and employers of labour.
- B. Corresponding to each set of duties, the Bill must supply under each head, a simple and easy method of enforcing these duties, in the one case against the local body, in the other against the individual; and these duties should be made easy for both, by means of financial help and expert advice and assistance.
- C. All this points to supervision and financial control by a central independent body, helped by a staff of locally resident officers, responsible to the central authority only.
- D. In the main, the duties of the local authorities should be, in regard to private dwellings, preventive and regulative only, both as regards building and sanitation. They will make bye-laws and enforce them, but will do no building or other work except where the individual obviously either ought not or cannot do it himself—*e.g.*, where large clearances have to be made in towns, or where a public water supply or drainage system has to be furnished.

Public bodies should not undertake the work of repairing old houses, and supplying new ones, for reasons which may be thus summarised :—

- (1.) Individuals will, as a rule, do this work cheaper and better.
- (2.) Experience has shown that irresistible pressure will be put on public bodies to let houses at rents which leave a heavy burden on the rates.
- (3.) Artificially reducing rents inevitably stops private enterprise; the whole volume of supply is reduced and the result is the reverse of what was intended.
- (4.) The time must come, long before all dwellings required have been supplied, when the burden of the rates must stop further building operations, whilst in the meantime that burden is injuring both employer and labourer.
- (5.) Such a system carries out at the public expense, what should be the duty of and enforced against individual owners and employers.
- (6.) In the long run, the provision of houses by employers or by other persons whose business it is to follow the

movements of the labour market, is the only plan by which equilibrium can be established between the demand for labourers and the supply of houses for them.

- (7.) It is inexpedient that public bodies should become on a large scale the owners and rent receivers of cottages occupied by those who may control the election to those public bodies.*

Acting on these principles, and guided by the experience of the last 20 years, we can outline what a Sanitary and Rural Housing Bill should be. The creation and functions of the Central controlling and executive body would be first dealt with, and next the allocation of the duties and powers of local bodies in regard to (1) district sanitary schemes and general sanitary supervision; (2) housing. Under the latter head, the definition of the duties of local bodies will involve a clear statement of the duties of private owners as to repairing and re-building, and provision for the enforcement of these duties. Financial clauses, dealing with the power of local bodies to borrow and lend money, would complete the scheme.

Part I. would deal with the creation of a central Board of Health and Housing, consisting of a certain number of paid engineering and sanitary experts, and I would add, a proportion of unpaid members, duly qualified from experience.

On this Board the Land Commission or Estates Commissioners and the Board of Works should have the right to send representatives when in the one case questions were involved as to providing cottages on estates to be sold under the Land Purchase Acts (see Act of 1891, Sec. 26), or in the other case when any question of the lending or spending of public money was involved. There would be no serious objection to having a certain representative element—*e.g.*, a proportion elected by County Councils; but as the Board would have continuous and daily duties, such element would have little scope of intervening, and ought not in any case to have a preponderating voice, inasmuch as the primary function of the Board is to supervise local bodies.

These powers of control and supervision would cover the making of general regulations, sanctioning bye-laws, making or approving of plans of cottages, &c., and also the power of proceeding both against Local Bodies and individuals who were in default.

Under this Board would be a body of County sanitary

* See *Nineteenth Century*, May, 1901, p. 127, &c.; and *Independent Review*, February, 1904, pp. 32, 33.

inspectors, resident in their districts, paid by the State, and responsible to the Board alone. These inspectors would advise and assist local bodies in sanitary schemes, and would report to the central and the local authority any negligence or dereliction of duty by any local sanitary officer. It is material to observe that at present, one-half the salaries of these officers are paid out of monies provided by Parliament, but there is no effective central control. In fact, whilst the salaries of the sanitary and sub-sanitary officers are on the present low scale, and the qualifications on a par with the salaries, it is idle to expect thorough and competent performance of duty.

If possible, the new Bill should provide for an increased subsidy by the State to these salaries, for higher qualifications in all future vacancies for these posts, and for a clear and full statement as to their respective duties.

Under this system, the local body will not be relieved of its primary duties as sanitary authority under the Public Health Acts, but the resident County Inspector will do much of the work in the way of advice, sanction, and report, now episodically done by what I may call missionary Local Government Board Inspectors. If there is default on the part of the local authority in carrying out necessary sanitary schemes, or in enforcing sanitary rules or requirements against individuals, the County Inspector (with the sanction of the Board of Health) should have power to proceed by *Mandamus*, or otherwise to compel the local authority to perform their duty.

To make this remedy available, a substantive alteration in the law will be required. By the Public Health (Ireland) Act, 1900; the area of charge for sanitary schemes was practically left to the absolute discretion of the Local authority. The common result has been that when, say, a scheme of water supply for a village has been proved necessary the area of charge is fixed in the first instance on the village electoral district; this the district representatives object to, as it would mean a ruinous addition to the rates, and finally no area of charge is agreed on or fixed, and the scheme is hung up indefinitely. Thus it is practically impossible to compel local bodies to carry out works obviously necessary. The area of charge should be fixed by Statute, or the question should be left to the decision of the Board of Health in each case.

Financial details will come under another head of the Bill; but in dealing with the powers of the central Board, it will be advisable, to save complication and delay, to merge the present double functions of the Local Government Board and the Board of Works in relation to advances of public money, into the single authority of the Board of Health and

Housing. That Board can be so constituted as to give the Treasury the necessary control. The present system involves duplication of inquiries, correspondence, plans, &c., without adding to State security.

Part II.—The second part of the Bill would deal generally with housing schemes proper, distinguishing between (a) the management and letting of existing District Council cottages, and (b) the building, management, and letting of new cottages by the District Council. A third head (c) (though not altogether separable from (b)) will deal with bye-laws and regulations to be made in respect of all existing dwellings, and all future dwellings to be built in respect of sanitation, light, air, water, supply, &c.* Under (c) also would come the inspection of all existing houses, the noting of all houses that are uninhabitable or that need repair, &c., and the definition and enforcement of the duties of repair or rebuilding against private owners.

As under Part I., the Local authority would be made primarily responsible for framing and carrying out of regulations, and for the inspection of insanitary property, and enforcing the law against owners; but the County Inspector and the Board of Health and Housing would have general control—e.g., in seeing that bye-laws were made, and by making bye-laws, in case the local authority failed to make any, or made such as were imperfect. Default by the Local authority in its own duties, or in enforcing the duties of individuals, will be met summarily, powers being given to the central Board for enforcing these duties.

It will be necessary, later on, to go into more detail under this head, as it is proposed under (c) to alter fundamentally the whole scheme of the Labourers' Act, in the matter of supplying houses for labourers in the future.

As to (a), existing labourers' cottages. These will still remain vested in and under the control and management of District Councils, and probably no change will or could be made as to present lettings or rent. But the present statutory regulations (see Sec. 13 of the Labourers' Act, 1883) require supplementing and provision should be made for a more stringent enforcement of the rules. New rules as to existing cottages should provide:—

- (1.) That the rent should not be allowed to be more than a month in arrear.
- (2.) That the tenant should cultivate and keep his plot in a husbandlike and reasonable manner.

* See the description of the Dutch Dwelling Houses Act, by N. G. Pierson. *Economic Journal*, Vol. XI., pp. 510-512.

- (3.) That ordinary wear and tear in house and premises be made good by the tenant.
- (4.) That there be no holding over by the family or representatives of a deceased tenant after one month from the death of the tenant, and that then the cottage be re-let in accordance with the Act, to an agricultural labourer only.

The County Inspector should have full power of inspection and report, of examination of books and accounts, and of enforcing all rules and conditions.

Inasmuch as existing cottages have been built on the faith, partly at least, of the Exchequer contribution of £37,000 per annum, it would seem to be equitable, that the Counties and Districts, should retain their existing share, towards repayment of interest and sinking fund. As under the proposed scheme, cottages to be built in the future will cease to be a charge on the rates, there is no reason why the unallocated portion of the fund should not be rateably distributed amongst counties that are burdened with past schemes.

(b) Where existing cottages are re-let, or where new cottages may be built, new statutory rules should be made and enforced. These rules should provide :—

- (1.) That all future tenants be *bona-fide* agricultural labourers. (This will involve repeal of Sec. 93 of the Land Purchase Act, 1903.)
- (2.) That the rent payable be sufficient to pay interest at the Government loan rate, on the cost of the cottage and plot (excluding the cost of administration and legal expenses).

The difficulties as to the rule as to rent are obvious, especially at the present rates for public loans. These rates are now 4 per cent. for a 40 years loan, and $4\frac{1}{4}$ per cent. for a 50 years loan, for interest alone, and seems extraordinarily high, secured as the loan is on all the rates of the district. If the rate charged were $2\frac{3}{4}$ per cent., or even 3 per cent., the covering rent would be on a £100 cottage, £2 15s.; on a £150 cottage, £4 2s. 6d.; or 1s. 1d. and 1s. 8d. a week, respectively.*

These rents are low, compared to those charged by private owners; and the local authority cannot on the one hand, compel an owner to repair and rebuild, and on the other,

* If the rent be made to cover a 1 per cent. sinking fund, it would still remain no higher than the rent of private cottages.

unfairly compete with him by letting at unremunerative rents.

The difficulty would be largely met if a new rule was framed, allowing the local authority, in the case of new lettings, to accept as tenant the owner of the neighbouring farm, or other local employer of labour, on condition—

- (1) that he guaranteed a remunerative rent ;
- (2) that he kept the house and premises in repair ;
- (3) that he allowed the cottage to be occupied by a *bona-fide* labourer in his own employment, at a rent not exceeding the rent payable to the district Council.

Conditions, such as these, would not only save the loss and cost of repairs to the Council, but might do much in encouraging farmers to give permanent employment, as the tenancy of the cottage in such cases would cease when the farmer ceased to employ the occupant.

Division (c), dealing with houses uninhabitable or out of repair, deficiency of accommodation, &c., will effect the greatest change, as it involves the abolition of the existing machinery of the Labourers' Acts, and the principles upon which these Acts have been worked. The inspection and report of insanitary and unfit dwellings will not be left to the un-directed and casual visits of underpaid relieving officers, but will be systematically carried out by the County Inspector and a properly remunerated staff, whose work will be mapped out and controlled by the Inspector. This work will not be confined to the country proper, but will also include the much-neglected small towns and villages in Ireland.

The report of the Inspector will specify the houses needing repair or alterations, those that are uninhabitable. Formal representations direct to the Council will be abolished, but all complaints will be directed to the Inspector and considered by him. To assist these inquiries, it might be advisable to adopt the provision of the Dutch Dwelling Houses Act, by which all persons who let dwellings consisting of three rooms or less, are compelled to send a return to the Local Authority, stating specified particulars as to these dwellings and their occupants.

Dealing with each portion of his district as may seem most pressing, the Inspector will frame provisional schemes specifying and dealing with occupied houses that are uninhabitable, insanitary, or out of repair. He may also include a report as to the water supply and drainage of towns and villages, cases of congestion, and of waste sites, and unoccupied ruinous dwellings. He should give an estimate of cost of repair, alteration, or rebuilding required

in each case of occupied dwellings, and estimated cost of alternative new sites and of land or buildings to be acquired for clearance schemes, and for drainage or water supply, and all necessary maps and plans should accompany the scheme.

These proposals would then be submitted to the District Council, and discussed with them at a special meeting. The Inspector should have power to accept or not, amendments adopted by the Council, but if he refuses, he should state his reasons in writing, and append them to the scheme.

The next step would be to notice to owners, occupiers, and all other persons affected; and all these persons (including the District Council), if they object, should have power of appearing and giving evidence before the public inquiry next to be held. This inquiry should be held, after public notice, before a special inspector or arbitrator appointed by the Central Board, who should have power to sanction the scheme generally, or send it back for amendment. The approval of this special Inspector should make the scheme binding and final in all cases, except where it was proposed to take land or houses compulsorily, in which case the sanction of the Central Board should be necessary.

It is essential, however, that it be made a substantive part of the new law and the basis of every scheme of re-housing, that the owner of occupied houses should be primarily responsible for making good defects, or where a house is uninhabitable and beyond repair, that he should be ordered to rebuild on the same or alternative site.

It will be necessary that full notice be given each owner (using "owner" in the wide sense used in the Housing of the Working Classes Act, 1890), showing full details of all repairing or other work required, or (as the case may be) alternative plans and specifications for new cottages * and approximate cost, also stating conditions of loans available. If by a day named the work is not proceeded with to the satisfaction of the inspector, or if there is default in completion or otherwise, the District Council should have power to (1) sue for penalties, (2) to execute the works at the expense of the owner, charging therewith his holding, or (3) to take over the cottage or site compulsorily. No new Provisional Order should be necessary, but the remedy selected should follow, upon proof of default before two Justices, or the County Court Judge, who should settle there and then the value of sites so taken.

* At present no two counties seem to adopt the same plan, and in the same county plans constantly vary. If a set of alternative plans and specifications were drawn up and approved of by the Central Board, the circumstances of each district could be generally suited, and great expense saved.

In assessing compensation in these cases of default, and possibly also in all other cases, it would be advisable to adopt the principles of the Housing of the Working Classes Act, 1890, Sec. 41, or those of the Dutch Dwelling Houses Act, by which, *e.g.*, in cases of houses unfit for habitation, the compensation is limited to the value of the site and that of the materials, and no allowance is made for compulsory taking. In case of default in repairing or rebuilding, the district Council should also have power, with the sanction of the County inspector, to take land adjoining condemned dwellings, to the extent of a half-acre, for allotments, at a fixed number of years purchase of the judicial rent, or purchase annuity.

It will have to be considered whether powers such as the above will not be more effective in providing suitable cottages for labourers than the penalty clauses of the Land Act of 1881, and the Land Purchase Act of 1891, which have practically remained a dead letter. Sec. 92 of the Land Purchase Act of 1903 should, at any rate, be wholly repealed, as in effect the default of the tenant, purchase is, by a Labourers' "scheme," put upon the rates of the District.

Whether advances for building cottages could not be treated, under certain conditions, as an addition to the purchase-money, and repayable by instalments with the annuity, is a matter which will probably rest with the Treasury, and it is idle to speculate on here.

It is hard to understand why the housing of the labourer is not as proper a subject for State advances, as the "works" and "improvements" allowed under Secs. 12 & 43 of the Land Purchase Act, 1903.

It is evident that it will be the interest, as well as the duty, of an owner of an insanitary dwelling, to repair or rebuild under the above provisions, as the alternative will be that his property will be charged with the cost or the ruinous dwelling compulsorily taken, with perhaps a half-acre plot on unfavourable terms. He will no longer be able to get a friendly "Representation" made, and plant a public cottage on a neighbour's land. To save a slice being taken off his holding, and a labourer over whom he has no control being put to dwell on a corner of his land, the owner will, if he can, do the required work himself, and keep the house in his own possession.

In fact, if the money be loanable on favourable terms for this purpose, in the great majority of cases no compulsion will be necessary, for the farmer will plainly see the advantages. He will not be out of pocket; he will have a labourer at hand, well housed; and he will not fear the prospect of increased rates from new Labourers' Schemes.

Whilst the principle of the measure proposed is, that the

ownership and letting of houses implies a duty, that the thing supplied be not unwholesome or unfit for the use intended, and that for the public interest and safety this rule should be strongly enforced by the local authority, it must be recognised that in the case of large insanitary areas, in plans for straightening and broadening the streets and lanes of country towns, the direct action of the Municipality will be necessary. Even then it would be advisable that the delay, expense, and abuses to which municipal building schemes are prone, be avoided, by the municipality confining itself to the demolition and purchase only, leaving it to others to do the actual building. The Labourers' Acts, and the Housing of the Working Class Acts, contemplated the building work being handed over to employers, Companies, and Benevolent or Building Societies; but in Ireland, at least, these provisions have remained a dead letter. The success of companies like the Dublin Artizans' Dwellings Company in Ireland, and a host of similar societies in England, combining good accommodation and reasonable rents, with a moderate return of interest, seems to show there is an immense field for similar work by societies of employers or co-operative societies in Irish rural districts. Conditions could without difficulty be framed to secure that these societies were competent and *bona-fide*, and if these conditions were satisfied, public monies should be available on loan to the extent, say, of two-thirds the cost of the proposed undertaking.

This brings one to the consideration of the final and crucial question of finance. If, as is certain, sanitary and housing needs are pressing in Ireland, it is equally certain that individual owners cannot, if unassisted, find all the money; and the alternative is to perpetuate the present system, with the abuses I have pointed out. Rural authorities have practically to borrow *all* their money from the Board of Works; so that if it is the wish of Parliament to solve the question on a large scale, the benefit of State credit must be available. Capital cannot be locally raised where most required, or if raisable, the rate of interest would be prohibitive.

FINANCE.

I have already alluded to the advisability of allowing the new Board of Health and Housing to be the direct medium of sanctioning and granting loans from the State, subject to such conditions as Parliament may impose, without the intervention of a second public body, as under the present system—the Board of Works.

It would also be advantageous from the point of view of

security and control that, where repair or rebuilding is required to be done by individuals, the loan should not be made direct to them by the State authority, but that funds should be advanced directly to the District Council, on the security of all the rates of the District, and out of these funds the District Council would advance the necessary portion to individuals.

The loan to individuals for work ordered, should by Statute be a first charge, after land purchase annuity, on the entire holding of the borrower, as Board of Works charges are now. In the case of loans to Building Societies, &c., the conditions and security will have to be defined.

The District Council should have a discretion subject to the County Inspector's *fiat*, as to the amount of the loan in each case, not exceeding in any case, say, two-thirds of the estimated cost of the work.

The District Councils would thus have a direct interest in seeing that interest and sinking fund was paid; and it may be pointed out that they would have better security than under the present system, under which they have to look to the occupiers of cottages alone for payment. The cost of collection, insurance, and repairs, eat up half the rent, at present, in many districts.

Everything, however, will turn upon the rate of interest charged to the Local authority, for it should be provided that sub-loans to owners should be at the same rate. A $2\frac{3}{4}$ per cent., or even a 3 per cent. rate, would enable the owner, building or repairing, to pay interest and sinking fund say, at 1 per cent., out of rent less than that now obtained for privately-owned cottages. £4 per annum is less than 2s a week, and very few habitable cottages, privately owned are let at less; and this sum would pay interest and sinking fund on £100, for which sum a farmer could build a cottage that would satisfy a reasonable standard.

In Holland, under the recent Act, the State lends the money to municipalities, who re-lend in return to the owner for building purposes. There, I understand, the Municipality is allowed to put a small charge on the rates — *i.e.*, it is allowed to re-lend at a slightly less rate than that paid to the State; but this seems unnecessary, if the State interest is low, and it is bad on principle, that private building should be a local loss.

It may fairly be urged that the providing of labourers with proper houses is as much a State duty as making tenants into freeholders, and reducing their present annual payments; and the security of the rates is at least as good as that of individual farmers. It is unnecessary to add that the amount required will be a mere fraction of that required for Land Purchase.

We may add that the State, in helping to supply the farmers with sanitary houses for their workmen, is helping to make agriculture prosperous, and on agricultural prosperity in Ireland, the State depends for the security of its Purchase advances.

An additional advantage of the plan we have been considering is, that in its main features of Central Board Inspectors, enforcement of duties on individuals and local bodies—it is adaptable also to Urban Districts and Cities. The present machinery of the Housing of the Working Classes Acts, and Public Health Acts, is cumbersome, dilatory, and expensive, and, indeed, is only workable where local authorities are energetic and fearless in the discharge of their duties. The irony of the situation is, that the most glaring evils of the Labourers' Acts are those which are most attractive to unthinking reformers. Because country labourers get houses at unremunerative rents out of the rates, there is no reason, it is said, why the same principle should not apply to cities and towns. "Labourers in most towns," says a correspondent in the press,* "cannot pay rents which would cover the cost of decent house accommodation; therefore, such accommodation cannot be provided unless other people pay for it. The deficiency can only be supplied out of the rates of taxes."

The logic of all this cannot be denied, once the justice of the principle now applied in the country is admitted. Grant that the basis and working of the Labourers' Acts is sound you cannot limit their operation. All country labourers must be so housed, or there will be injustice to those unprovided, and the evil to be met being at least as great in the towns as in the country, the mass of the town population will also claim (and with some reason) cheap houses at the public expense. Unless, therefore, the present bad system is put an end to, and a sound one substituted, it is impossible to foresee the immensity of the evils that may result. An unbearable burden of taxation, and an almost universal pauperism, are amongst the most obvious.

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5.—*Suggested Substitutes for the present Poor Law System.*

By CHARLES DAWSON, Esq.

[Read 27th April, 1906.]

THE continual complaints in Great Britain and Ireland of the inefficiency and extravagance of the Poor Law System, have been accentuated of late by the labour crisis and want of employment.

Criticisms abound and commissions of inquiry have been started. I think the present system might, with great advantage, be replaced by the schemes which I shall submit.

However, a brief inquiry into the origin and history of the Poor Law is necessary, before dealing with a remedy.

Undoubtedly, it had its origin in the confiscation of the lands of the monasteries. Though some historians, like Hallam, question the effect of the suppression, yet he and all writers on the subject must refer to the connexion. Hallam's own words on this subject are—"There can be no doubt but that many of the impotent derived support from their charity."† Remark the qualification "impotent" for recipients of charity. Evidently these institutions distinguished between charity for the "can't works" and work the honest "want works." In addition to this early admission of the constitutional historian, we find allusion to the connexion made in the report of the Vagrancy Com-

* See now The Labourers (Ireland) Act, 1906 (6 Ed. 7, c. 37).

† P. 58, Vol. I.