

R E P O R T

FROM THE

SELECT COMMITTEE

ON

P O O R R E M O V A L ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

M I N U T E S O F E V I D E N C E ,

AND APPENDIX.

Ordered, by The House of Commons, to be Printed,
10 July 1879.

Ordered,—[Friday, 7th March 1879] :—THAT a Select Committee be appointed to inquire into the operation of the existing laws in the United Kingdom relating to the settlement and irremovability of Paupers, with special reference to the case of removals to Ireland, and with power to make any proposals for the alteration, repeal, or assimilation of such laws.

THAT the Committee have power to send for Persons, Papers, and Records.

THAT Five be the Quorum of the Committee.

Committee nominated—[Monday, 8th June 1879] :—

Mr. Hibbert.	Mr. French.
Viscount Emlyn.	Mr. Torr.
Mr. Hutchinson.	Mr. Martin.
Captain Curry.	Mr. Giles.
Sir Arthur Middleton.	Mr. Mark Stewart.
Mr. Hanbury.	Mr. Syden.
Mr. Ramsey.	Mr. Salt.
Mr. Foreyth.	

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R E P O R T.

THE SELECT COMMITTEE appointed to inquire into the Operation of the existing LAWS in the UNITED KINGDOM relating to the Settlement and Irremovability of PAUPERS, with special reference to the case of REMOVALS to IRELAND, and with power to make any proposals for the alteration, repeal, or assimilation of such LAWS;—HAVE agreed to the following REPORT:—

THE inquiry of your Committee has been much facilitated by the circumstance that the subject of Poor Removal has been brought to the attention of Parliament, and of the public, in several exhaustive inquiries and discussions during the last 40 years.

Questions
10. 250.
291-313.
2465 to 2483.

Many important changes and much progress have been effected by statutes enacted during that period.

14.

Not the least important of these epochs in the history of Poor Removal have been, the passing of ss. 34 and 35 of the Poor Law Amendment Act, 1876, and the Resolution carried in the House of Commons on 2nd July 1878, "That the laws under which the destitute poor receiving relief from the poor-rate are subject to removal in England and Scotland in their operation inflict hardship, and require consideration with a view to their amendment." The particulars of these transactions will be found recorded in the evidence.

22.

9300.
2472.

Your Committee have, therefore, not thought it necessary to embark in a lengthened and comparatively useless inquiry into the history of settlement and removal; or into the multifarious questions that arise upon matters connected with poor relief; but they have deemed it right rather to confine themselves to the examination of the present state of the law, and to the endeavour to ascertain how far the time is ripe for the adoption of the changes in the law of removal that have from time to time been suggested by persons most qualified to form a correct judgment.

The present state of the law in England will be found clearly set forth in a Paper contained in the Appendix, in continuation of a Table put before the Select Committee that sat in 1847. It is therefore sufficient here to observe generally that in England a settlement may be obtained by birth, or by three years' residence in a parish, and that a status of irremovability is arrived at by one year's residence in a union. These, though not the only, means of obtaining a settlement are, together with certain forms of derivative settlement, the most important heads of settlement.

9.

9300.

In Scotland settlement is obtained by birth, or by five years' residence in a parish, and there are the usual derivative settlements. This will be found fully explained and illustrated in the evidence.

830 to 833.

In Ireland there is no law of settlement or removal.

170.

Several witnesses have been examined who have had long experience in the operation of the three systems.

All the Irish, and several of the English witnesses speak strongly in favour of the system that obtains in Ireland, and are urgent in their view that its adoption would be beneficial elsewhere. They state that the dreaded evils of increased vagrancy, of the dishonest attempt to shift the relief of paupers to a neighbouring union, of the desire of the wandering poor to seek the most liberal union, do not arise by reason of the absence of the power of removal.

173.

1518.

1051.

174, 177, 179.

282.

a 2

Witnesses

Questions
577.

Witnesses from Scotland express a decided preference for the law to which they have been accustomed. They fear that the abolition of removal would cause an irruption of Irish poor into their country. Moreover, it is evident that the dislike to removal is used by many parishes as a test of pauperism, where the strict workhouse test is not applied, as it is in the best-administered workhouses of the metropolis, Manchester, and some other places.

1466.
1553.

Some Scotch witnesses are, however, favourable to a considerable modification of the law; and it is possible that further investigation would exhibit a marked difference of opinion between the rural and sparsely populated parishes, and the crowded districts of the large towns.

62.
1713.
1843.
2454.
267.
401.
493
2453.
2544.

In England there appears to be almost a consensus of opinion in favour of a relaxation of the present law; whilst many of the most experienced witnesses bear strong testimony to the desirability of the total abolition of the Law of Removal.

Your Committee hold that the question of removal should be regarded, not merely in the supposed interest of the ratepayer, but with sympathy and care for the convenience and material advantage of the poor.

2593.
2616.
1716.
1605.
885.
2249.
1703.
1935.
57.
2938.
1716.
1938.

Bearing in mind the various opinions that have been forcibly represented, your Committee have obtained, not only the views of the witnesses upon the operation of the existing law and the probable results of its entire abolition; but also some suggestions touching the modification of the law in a sense short of its absolute repeal.

The arguments in favour of the retention of the law are, that it operates as a test of pauperism; that its abolition would cause a flow of pauperism into certain localities; that vagrancy would be facilitated; that seaport towns would be unduly burdened by the landing of people in a state of destitution and having settlements in other places; and that the great towns, and especially certain parts of the metropolis, would be taxed for the relief of persons having no interest and no permanent residence in the district.

404.

182.
2524.
2520.
2522.

On the other hand, it is contended that the existence of the law is wrong in principle as being an infringement on the freedom and easy circulation of labour; that every poor man has a right to carry his labour to the best market without let or hindrance; that many cases of hardship occur in the operation of the law; that through neglect or misconception of the provisions of the law, unfair and cruel removals take place; that its abolition would occasion a better and more uniform administration of the poor law; that especially non-resident relief would be discontinued; and that the evils of frequent litigation, whereby much time and money are squandered, would be avoided.

Three modifications of the law have been suggested, which may be briefly stated as—

62.
1843.

3233.

2510.

First. One year's residence in an union, or birth, to be the only heads of settlement, certain derivative settlements being retained.

Second. Chargeability orders to be substituted for removal orders, so that a pauper, while relieved in the place where he applies for relief, would be paid for by the place of his settlement.

Third. The county rate, which is now, in certain cases, chargeable for lunatics and for the burial of bodies washed on shore, to be made chargeable in other cases.

These suggestions are more fully explained in the evidence.

46.
2532.

2315.

Representations have been made to the Committee with respect to the confused condition of the statute law concerning settlement. There are upwards of 30 statutes on the subject, the later of which have often been passed without much regard to what has gone before. In addition to the statute law there is an enormous mass of case law. It is stated to be difficult for a lawyer, and almost impossible for a layman, on many points, to know what the law really is. Complaints have also arisen with respect to the obscurity and difficulty of the settlement clauses of the Poor Law Amendment Act, 1876.

Your

Your Committee having given due weight to the various arguments and opinions that have been placed before them, recommend that in England the law of removal should be abolished, and that, for the purposes of poor relief, settlement should be disregarded, with the following exception :—

That with respect to sea-port towns, persons landing in a destitute condition, and immediately applying there for relief, be chargeable to the place of their settlement for non-resident indoor relief.

Your Committee also recommend that in Scotland the law relating to removal should be gradually assimilated to that of England, and that the five years' residential settlement should be reduced to one year.

10 July 1879.

PROCEEDINGS OF THE COMMITTEE.

Friday, 13th June 1879.

MEMBERS PRESENT:

Mr. Salt.
Mr. Forsyth.
Mr. Ramsay.
Mr. Torr.
Viscount Emlyn.

Mr. Hutchinson.
Mr. Synn.
Mr. Giles.
Sir Arthur Middleton.

Mr. SALT was called to the Chair.

The Committee deliberated.

[Adjourned till Tuesday next, at Twelve o'clock.]

Tuesday, 17th June 1879.

MEMBERS PRESENT:

Mr. SALT in the Chair.

Sir Arthur Middleton.
Mr. Hutchinson.
Mr. Synn.
Mr. Ramsay.
Mr. Forsyth.
Mr. Hibbert.

Mr. Torr.
Viscount Emlyn.
Captain Corry.
Mr. French.
Mr. Mark Stewart.
Mr. Martin.

Mr. Gerald A. R. Fitzgerald, Mr. Henry Robinson, Mr. Joseph John Henley, and Mr. Edmund Wadehouse, were severally examined.

[Adjourned till Friday next, at Twelve o'clock.]

Friday, 20th June 1879.

MEMBERS PRESENT:

Mr. SALT in the Chair.

Sir Arthur Middleton.
Mr. Hutchinson.
Mr. Forsyth.
Mr. Synn.
Mr. Torr.
Viscount Emlyn.
Mr. Hanbury.

Captain Corry.
Mr. French.
Mr. Giles.
Mr. Hibbert.
Mr. Ramsay.
Mr. Martin.
Mr. Mark Stewart.

Mr. George Skelly, Mr. William Foster, Mr. R. B. Case, and Mr. John Stalton, were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.]

Tuesday, 24th June 1879.

MEMBERS PRESENT:

Mr. SALT in the Chair.

Captain Corry.	Mr. Giles.
Mr. Synan.	Mr. Hanbury.
Mr. Ramsay.	Mr. Martin.
Mr. Forsyth.	Sir Arthur Middleton.
Mr. Hibbert.	Mr. French.
Mr. Torr.	Mr. Hutchinson.
Viscount Emlyn.	Mr. Mark Stewart.

Mr. Andrew Wallace, Mr. William Stevenson, Mr. Alexander D. Campbell, Mr. Richard Bourke, and Mr. Ebenezer Wylie, were severally examined.

[Adjourned till Friday next, at Twelve o'clock.]

Friday, 27th June 1879.

MEMBERS PRESENT:

Mr. SALT in the Chair.

Viscount Emlyn.	Mr. Forsyth.
Mr. Synan.	Mr. Hibbert.
Mr. Ramsay.	Sir Arthur Middleton.
Mr. Hutchinson.	Mr. Giles.
Mr. Martin.	Mr. Mark Stewart.
Mr. French.	Mr. Torr.
Captain Corry.	

Mr. Henry J. Hagger, Mr. William Wallace, Mr. Joseph Bedford, Mr. Henry W. Higgins, and Mr. C. Croucher Smith, were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.]

Tuesday, 1st July 1879.

MEMBERS PRESENT:

Mr. SALT in the Chair.

Sir Arthur Middleton.	Mr. Giles.
Mr. Hutchinson.	Mr. Hibbert.
Captain Corry.	Mr. Martin.
Mr. Forsyth.	Mr. French.
Mr. Ramsay.	Mr. Mark Stewart.
Mr. Synan.	Viscount Emlyn.
Mr. Torr.	

Mr. Danby Palmer Fry and Mr. Andrew Doyle were severally examined.

[Adjourned till Friday next, at Twelve o'clock.]

Friday, 4th July 1879.

MEMBERS PRESENT:

Mr. SALT in the Chair.

Mr. Symon.
Mr. Foreyth.
Mr. Hanbury.
Mr. Ramsay.
Sir Arthur Middleton.
Mr. Mark Stewart.

Mr. Hibbert.
Captain Corry.
Mr. French.
Mr. Hutchinson.
Mr. Giles.
Mr. Torr.

Mr. Zachary Myler, Mr. Peter Beattie, Mr. Archibald Dempster, Mr. George Greig, and Mr. William Wilson, were severally examined.

Mr. Andrew Doyle was further examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 10th July 1879.

MEMBERS PRESENT:

Mr. SALT in the Chair.

Captain Corry.
Mr. Giles.
Mr. Symon.
Sir Arthur Middleton.
Mr. Foreyth.
Mr. Martin.

Mr. Torr.
Mr. Ramsay.
Mr. Hibbert.
Mr. Hanbury.
Mr. Mark Stewart.

DRAFT REPORT proposed by the Chairman, read the first time, as follows:—

"1. The inquiry of your Committee has been much facilitated by the circumstance that the subject of Poor Removal has been brought to the attention of Parliament, and of the public, in several exhaustive inquiries and discussions during the last 40 years.

"2. Many important changes and much progress has been effected by statutes enacted during that period.

"3. Not the least important of these epochs in the history of Poor Removal have been, the passing of ss. 34 and 35 of the Poor Law Amendment Act, 1874, and the Resolution carried in the House of Commons on 2nd July 1878. The particulars of these transactions will be found recorded in the evidence.

"4. Your Committee have, therefore, refrained from embarking in a lengthened and comparatively useless inquiry into the history of settlement and removal; or into the multifarious questions that arise upon matters connected with poor relief; while they deemed it their duty to confine themselves to the examination of the present state of the law, and to the endeavour to ascertain how far the time is ripe for the adoption of the changes in the law of removal that have from time to time been suggested by persons most qualified to form a correct judgment.

"5. The present state of the law in England will be found clearly set forth in a Paper contained in the Appendix, in continuation of a Table put before the Select Committee that sat in 1847. It is, therefore, sufficient here to observe generally that in England a settlement may be obtained by birth, or by three years' residence in a parish, and that a status of irremovability is arrived at by one year's residence in a union. These, though not the only, means of obtaining a settlement are, in fact, together with certain forms of derivative settlement, the most important heads of settlement.

"6. In Scotland settlement is obtained by birth, or by five years' residence in a parish, and there are the usual derivative settlements. This will be found fully explained and illustrated in the evidence.

"7. In Ireland there is no law of settlement or removal.

"8. Several witnesses have been examined who have had long experience in the operation of the three systems.

"9. Irish

Questions
10. 299.
101-313.
2425 to 2433.

14.

22.

2303.

2470.

9.

2303.

329 to 333.

178.

" 9. Irish witnesses are loud in their praise of the system that obtains in Ireland, and urgent in their view that its adoption would be beneficial elsewhere. They state that the dreaded evils of increased vagrancy, of the dishonest attempt to shift the relief of paupers to a neighbouring union, of the desire of the wandering poor to seek the most liberal union, do not arise by reason of the absence of the power of removal.

" 10. Witnesses from Scotland are strong in their attachment to the law to which they have been accustomed, and to which they cling from habit and from sentiment. They express a fear that the abolition of removal would cause an irruption of Irish poor into their country. Moreover, it is evident that the dislike to removal is used as a test of pauperism where non-resident and out-door relief are given, and where the strict workhouse test is not applied as it is in the best-administered workhouses of the metropolis, Manchester, and some other places.

" Some Scotch witnesses are, however, favourable to a considerable modification of the law; and it is possible that further investigation would exhibit a marked difference of opinion between the rural and sparsely populated parishes, and the crowded districts of the large towns.

" 11. In England there appears to be almost a consensus of opinion in favour of a relaxation of the present law; whilst many of the most valuable and experienced witnesses bear strong testimony to the desirability of the total abolition of the law of removal.

" 12. Your Committee hold that the question of removal should be regarded, not merely in the supposed interest of the ratepayer, but with the greatest sympathy and care for the convenience and material advantage of the poor; the poor being an important constituent part of the community with whose prosperity and happiness the welfare of the whole is closely linked.

" 13. Bearing in mind the various opinions that have been ably and forcibly represented, your Committee have endeavoured to obtain, not only the views of the witnesses upon the operation of the existing law and the probable results of its entire abolition; but also some suggestions touching the modification of the law in a sense short of its absolute repeal.

" 14. The arguments in favour of the retention of the law are, that it operates as a test of pauperism, that its abolition would cause a flow of pauperism into certain localities, that vagrancy would be facilitated, that seaport towns would be unduly burdened by the arrival of people from abroad in a state of destitution and having settlements in other places, and that the great towns, and especially certain parts of the metropolis, would be taxed for the relief of persons having no interest and no permanent residence in the district.

" 15. On the other hand, it is contended that the existence of the law is wrong in principle as being an infringement on the freedom and easy circulation of labour; that every poor man has a right to carry his labour, which is his only capital, to the best market without let or hindrance; that many cases of hardship occur in the operation of the law; that through neglect or misconception of the merciful provisions of the law, unfair and cruel removals take place; that its abolition would occasion a better and more uniform administration of the poor law; that especially non-resident relief would be discontinued; and that the evils of frequent litigation, whereby much time and money are squandered, would be avoided.

" 16. Three modifications of the law have been suggested, which may be briefly stated as—

" First. One year's residence in an union, or birth, to be the only heads of settlement, the necessary derivative settlements being, of course, retained.

" Second. Chargeability orders to be substituted for removal orders, so that a pauper, while relieved in the place where he is found, would be paid for by the place to which his settlement is applicable.

" Third. A less important proposal, that the county rate, which is now, in certain cases, responsible for lunatics and for the burial of bodies washed on shore, should be made responsible in other cases, such, for instance, as the relief of destitute foreigners in seaports.

" These suggestions are more fully explained in the evidence.

" 17. A strong representation has been made to the Committee with respect to the confined condition of the statute law concerning settlement. There are upwards of 30 statutes on the subject, the latter of which have often been passed without much regard to what has gone before. In addition to the statute law there is an enormous mass of case law. It is stated to be difficult for a lawyer, and almost impossible for a layman, on many points, to know what the law really is. Complaints have arisen with respect to the obscurity and difficulty of the settlement clauses of the Poor Law Amendment Act, 1875.

" 18. Your Committee having given due weight to the various arguments and opinions that have been placed before them, recommend that in England the law of removal should

Questions
172.
1813.
1821.
174. 177. 179.

177.

179.

1095.

1353.

62.

3719.

1943.

2454.

207.

401.

623.

2453.

2544.

3221.

2575.

1715.

1035.

885.

2742.

1709.

1503.

57.

2252.

1719.

1908.

401.

182.

2854.

2020.

3022.

65.

1942.

2568.

2510.

38.

2555.

2315.

Questions be abolished, and that for the purposes of poor relief, settlement should be disregarded, with the following exceptions:—

"(c.) That persons landing at a seaport town in a destitute condition should be chargeable by non-resident in-door relief to the place of their birth settlement:

"(d.) That the same rule should apply to Irish applicants for relief within six months of their arrival in England:

"(e.) And that foreigners landed in a destitute condition should be relieved from the county rate.

"19. Your Committee also recommend that in Scotland the law should be gradually assimilated to that of England, that until this is effected chargeability orders should be substituted for removal orders, and that the five years' residential settlement should be reduced to three years.

587. "20. In carrying out such proposals it is probable that some questions of detail may
1086. arise concerning the alteration or simplification of the law, but into these your Committee have not considered it desirable to enter."

DRAFT REPORT proposed by the *Chairman*, read a second time, paragraph by paragraph.

Paragraph 1, *agreed to*.

Paragraphs 2—5, amended, and *agreed to*.

Paragraphs 6—8, *agreed to*.

Paragraphs 9—17, amended, and *agreed to*.

Paragraph 18.—Amendment proposed, in line 2, to leave out the words "in England"
—(*Mr. Symon*):—

Question put, That the words "in England," stand part of the paragraph.—The Committee divided:

Ayes, 7.
Captain Carry.
Mr. Hanbury.
Mr. Ramsay.
Mr. Forsyth.
Mr. Torr.
Mr. Giles.
Mr. Mark Stewart.

Noes, 4.
Mr. Hibbert.
Sir Arthur Middleton.
Mr. Martin.
Mr. Symon.

Another Amendment proposed, in line 3, to leave out from the word "abolished" to the end of the paragraph.—(*Mr. Hibbert*):—

Question put, That the words "and that for the purposes," stand part of the paragraph.—The Committee divided:

Ayes, 7.
Captain Carry.
Mr. Hanbury.
Mr. Ramsay.
Mr. Forsyth.
Mr. Torr.
Mr. Giles.
Mr. Mark Stewart.

Noes, 4.
Mr. Hibbert.
Sir Arthur Middleton.
Mr. Martin.
Mr. Symon.

Another Amendment proposed, in line 4, after the word "exception" to insert the words: "That with respect to seaport towns, persons landing in a destitute condition, and applying there for relief within six months of their arrival, be chargeable to the place of their settlement for non-resident in-door relief"—(*The Chairman*):—

Question proposed, That those words be there inserted.—Amendment proposed to the proposed Amendment, to leave out the words "with respect to seaport towns"
—(*Mr. Martin*):—

Question put, That the words "with respect to seaport towns" stand part of the proposed Amendment.—The Committee divided:

Ayes, 7.
Captain Carry.
Mr. Hanbury.
Mr. Ramsay.
Mr. Forsyth.
Mr. Torr.
Mr. Giles.
Mr. Mark Stewart.

Noes, 4.
Mr. Hibbert.
Sir Arthur Middleton.
Mr. Martin.
Mr. Symon.

Another

Another Amendment proposed to the proposed Amendment, to leave out the words "in a destitute condition"—(Mr. Mark Stewart):—

Question, That the words "in a destitute condition" stand part of the proposed Amendment,—put, and agreed to.

Another Amendment proposed to the proposed Amendment, after the words "condition and," to insert the word "immediately"—(Mr. Hanbury):—

Question put, That the word "immediately" be there inserted.—The Committee divided:

Ayes, 6.

Captain Corry.
Sir Arthur Middleton.
Mr. Hanbury.
Mr. Martin.
Mr. Giles.
Mr. Synan.

Noes, 5.

Mr. Hibbert.
Mr. Ramsay.
Mr. Forsyth.
Mr. Torr.
Mr. Mark Stewart.

Proposed Amendment further amended, by leaving out the words "within six months of their arrival," and inserted in the paragraph.

Another Amendment made.—Paragraph, as amended, agreed to.

Paragraph 19.—Amendments made.—Another Amendment proposed in line 4, to leave out the words "three years," in order to insert the words "one year"—(Mr. Synan):—

Question put, That the words "three years" stand part of the paragraph.—The Committee divided:

Ayes, 2.

Mr. Ramsay.
Mr. Mark Stewart.

Noes, 9.

Mr. Hibbert.
Captain Corry.
Sir Arthur Middleton.
Mr. Hanbury.
Mr. Forsyth.
Mr. Torr.
Mr. Martin.
Mr. Giles.
Mr. Synan.

Question put, That the words "one year" be inserted instead thereof.—The Committee divided:

Ayes, 9.

Mr. Hibbert.
Captain Corry.
Sir Arthur Middleton.
Mr. Hanbury.
Mr. Forsyth.
Mr. Torr.
Mr. Martin.
Mr. Giles.
Mr. Synan.

Noes, 2.

Mr. Ramsay.
Mr. Mark Stewart.

Paragraph, as amended, agreed to.

Paragraph 20, disagreed to.

Question, That this Report, as amended, be the Report of the Committee to the House,—put, and agreed to.

Ordered, To Report, together with the Minutes of the Evidence, and an Appendix.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	Total Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
John Shotton - -	Secretary Board of Supervision - -	Edinburgh - -	5	5 5 -	5 15 -	5 15 -
A. D. Campbell - -	Peer Law Inspector - - -	Kirkcaldock - -	5	5 5 -	5 17 6	5 - 6
W. Stennison - -	Late Governor of Inverkeithing - -	Edinburgh - -	5	5 5 -	5 15 -	5 15 -
Andrew Wallace - -	Peer Law Inspector - - -	Glasgow - - -	3	5 5 -	5 15 -	5 15 -
Ebenezer Willis - -	Late Governor of Liverpool Poorhouse - -	Liverpool - -	3	5 5 -	5 5 -	5 5 -
J. H. Hagger - -	Vestry Clerk - - - - -	- ditto - - - -	5	5 5 -	5 5 -	5 5 -
Georgette Smith - -	Clerk to the Guardians - - -	Southampton - -	9	5 2 -	5 11 -	5 15 -
Andrew Doyle - -	Peer Law Inspector - - -	Aberystwyth - -	5	5 5 -	5 5 6	5 5 6
Enoch Myles - -	Alderman - - - - -	Liverpool - - -	4	4 4 -	5 - -	10 4 -
G. Greig - - -	Peer Law Inspector - - -	Edinburgh - -	3	5 5 -	5 15 -	5 15 -
P. Davis - - -	- - ditto - - - - -	Glasgow - - -	3	5 5 -	5 15 -	5 15 -
A. Dempster - -	- - ditto - - - - -	- ditto - - - -	3	5 5 -	5 15 -	5 15 -
W. Wilson - - -	Manufacturer - - - - -	- ditto - - - -	3	5 5 -	5 15 -	5 15 -
TOTAL - - - £.				40 10 -	65 5 -	104 5 -

MINUTES OF EVIDENCE.

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Tuesday, 17th June 1879.

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MINUTES OF EVIDENCE.

Tuesday, 17th June 1879.

MEMBERS PRESENT:

Captain Carey.
Viscount Enslin.
Mr. Forsyth.
Mr. French.
Mr. Hibbert.
Mr. Hutchinson.
Mr. Martin.

Sir Arthur Middleton.
Mr. Ramsey.
Mr. Salt.
Mr. Mark Stewart.
Mr. Symon.
Mr. Torr.

THOMAS SALT, Esq., IN THE CHAIR.

Mr. GERALD A. R. FITZ-GERALD, called in; and Examined.

Chairman.

1. I THINK you are a Barrister?—I am

2. You have, I believe, given a good deal of attention to the law of settlement and removal?—Recently I have given a good deal of attention to the Statute Law.

3. Would you kindly explain to the Committee briefly the state of the law as it stands at present with regard to settlement and removal in England?—Perhaps it would be convenient to begin by stating the definition of settlement which is adopted in Burn's "Justice." Settlement is defined to be "the right acquired in any of the modes allowed by the poor laws, to become a recipient of the benefit of those laws in that parish or place which provides for its own poor where the right has been last acquired." The definition is probably sufficiently accurate for all practical purposes, because, as a matter of fact, the right to relief of a destitute person is recognised; but so far as I know, neither by statute nor by common law is there any absolute right—any legal right—on the part of any person to be relieved. With respect to the origin of the law of settlement, a long series of statutes, beginning as far back as 1388, with the 12th of Richard the Second, provided for the compulsory withdrawal of destitute poor to the place where they had resided, or where they were born. The object of all these statutes, for between 200 and 300 years, was by means of severe punishment to repress vagrancy; but as a result of compelling the wandering poor to withdraw either to the place where they were born, or to the place, as it is sometimes expressed, "where they were best known, or had abode by the space of 0.107.

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three years"; two heads of settlement came as it were to be evolved, namely Birth and Residence. Then the next epoch, as it may be called, in the statute law may be said to begin in 1862 with the well known Act of 13 & 14 Charles 2, c. 12.

4. What you want to put to the Committee, without going minutely into the history of the law at all, is this, that previous to the time of Charles the Second, and the well known Act to which you have referred, there was practically a law of settlement and removal?—That is so.

5. And that at the time of Charles the Second a new departure took place, upon which we really base our present law of removal?—The modern system of removal by orders of justices owes its origin entirely to the Act of Charles the Second.

6. Will you kindly tell us what is based upon this Act of Charles the Second; I think you will now take the period from the Act of Charles the Second to the well known Poor Law Act of 1834?—If you please. The Act of Charles the Second, as I have just said, started an organised system of removal by orders of justices; but, incidentally, it being found that this arbitrary power of removal of persons likely to become chargeable worked very harshly, new heads of settlement were favoured, and several new heads were created by statute within the next 100 years. In, I think, 1795, by the Act known as East's Act (35 Geo. 3. c. 101), it was provided that actual chargeability should be a condition precedent to removal, in other words that a person should not be removed because in the judgment of the parish officers he was likely to become chargeable, but that he should only become removable when he had actually applied for relief and

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and become chargeable. That was a very great mitigation of the arbitrary power of removal, and it probably was in a great degree owing to the passing of that Act that the Poor Law Commissioners of 1833 were led to recommend the entire abolition of settlement by Hiring and service, Apprenticeship, Purchasing or renting a tenement, Estate, Paying rates, and Serving an office; so that there would only remain Birth, Marriage, and Parentage.

7. You are now speaking of the recommendations made by the Report of the Commissioners on Poor Law in 1833?—Yes.

8. But the Act of 1834, as you will show us in a minute or two, did not carry out in their entirety those recommendations?—With the permission of the Committee I will proceed to state how far the Act of 1834 did carry them out. The Act of 1834 (4 & 5 Will. 4, c. 76) abolished prospectively settlement by Hiring and service, Serving an office, and Apprenticeship in the sea service or to a fisherman; and it also placed further restrictions (which I need not perhaps particularise) on acquiring a settlement by purchasing or Renting a tenement and by Estate. I would ask to be allowed to put in a Table which shows exactly all the heads of settlement, their origin, and whether or not abolished at the present time (*according to the law*). It shows what originally existed, what has been abolished, and what exists now.

9. And I think that your Table is compiled on the basis of, and in continuation of, the Table that was put in by Mr. Lumley, then one of the Secretaries to the Local Government Board, before a Select Committee of the House of Commons which sat in 1847?—It is corrected up to the present time.

10. If I remember rightly, the evidence given before the Committee in 1847 goes very closely into the history of the law of removal and settlement?—I believe it does.

11. Therefore, it is not necessary for us to go so minutely into those matters?—Quite so.

12. Have you done with the Act of 1834?—I have now brought the history down to the Act of 1834.

13. Is there not something peculiar in the Act of 1834 with regard to the continuation of certain rights of settlement which existed before that Act, supposing a man was born before the Act of 1834?—You mean that the abolition was only prospective? That is so.

14. Now will you tell us, very briefly, what has happened between 1834 and 1876?—The changes since 1834 down to and including the Poor Law Amendment Act of 1876, may be very shortly stated. No head of settlement has been expressly abolished; but, indirectly, the importance of settlement has been very much diminished by the introduction of the status of irremovability in 1846, by the introduction of union chargeability in 1865, and, lastly, by the enactment of the Poor Law Amendment Act of 1876 (39 & 40 Vict. c. 61), which provided that three years' residence in a parish shall confer a settlement and which abolished derivative settlements, except in the case of a wife from her husband, and a child under 16 from the father or mother, as the case may be.

15. Will you kindly, without following the history of the Acts of Parliament, tell us how a man at the present moment can obtain a settle-

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ment in any given parish, say parish A.; how can pauper B. get a settlement in parish A.?—He could obtain a settlement by being apprenticed, coupled with 40 days' residence.

Mr. Torr.

16. Is there any term of apprenticeship required, for three years, five years, or seven years?—No.

17. Would an apprenticeship of one year confer a settlement?—Being bound an apprentice by deed, and residing as such apprentice for 40 days, would confer a settlement. A settlement can also be acquired by renting a tenement, by residing three years in a parish, and by possessing and residing in or within a certain distance of the parish in which he has an estate in land.

Mr. Symon.

18. What distance?—Residing within 10 miles.

Mr. Ramsey.

19. Having an estate in possession?—The estate may be of any description. Then, by birth; and then the two derivative settlements, of a wife from her husband, and of a child from either of its parents; the derivation, I should say, in the case of a child from the mother only being recognised in the case of illegitimate children.

20. Is the estate which is possessed to be of any specific value?—No value at all is laid down so far as I am aware.

Chairman.

21. Then in fact we have got five heads of settlement and two heads of derivative settlement?—Yes.

22. They are the following heads of settlement I think as you have given them: Apprenticeship with certain conditions, Ownership with certain conditions, Renting a 10 l. tenement, Residence for three years in a parish, Birth; and then two forms of derivative settlement, one a child from its parents, and the second a wife from her husband?—Yes.

23. I think these are, practically, the existing heads of settlement?—Yes.

Mr. Symon.

24. Is 40 days' residence concurrent with the apprenticeship sufficient, or must it be after a year's apprenticeship?—It must be concurrent.

Chairman.

25. Now, with reference to irremovability, one year's residence in a union confers the right of irremovability?—Yes, one year's residence without receiving relief.

26. And that residence may be in a union, and is not confined to a parish?—Yes.

27. But a man having lived in one union and having got the right of irremovability, if he moves into another union the right of irremovability is of course lost?—He loses what is called his status of irremovability in that union altogether.

28. Now is not the present state of the law the subject of great complaint?—It has long been a subject of great complaint, and these complaints have lately, as honourable Members are so doubtless aware, found expression through the recently instituted Poor Law Conferences. The statute law

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law is in itself in a very confused condition; it is to be found in upwards of 30 statutes, the later of which have very often been passed without much regard to what had gone before. New law is frequently engrafted on the old without repealing the old, so that it becomes difficult, even for a lawyer, and almost impossible for a layman, to know what the law really is. In addition to the difficulty of the statute law, there is an enormous mass of case law, turning very often on the finest possible distinctions, and occupying something like 300 or 600 closely printed pages in Burn's "Justice."

29. I think then you say with regard to the law of settlement there are something like 30 Acts of Parliament, and with reference to the case law, if we turn to one of the most important legal books upon the subject, nearly a third, if not half, the book is occupied by the case law?—Yes.

30. You are speaking now both of settlement and of removal?—I am including the cases both as to settlement and as to removal.

31. Now let us take the most recent and one of the most important Acts relating to settlement and removal, and that is the Act of 1876, Sections 34, 35, and 36; I think those are the important sections. Will you kindly read them?

—Section 34 (Settlement for persons by residence) is as follows: "Where any person shall have resided for the term of three years in any parish, in such manner and under such circumstances in each of such years as would, in accordance with the several statutes in that behalf, render him irremovable, he shall be deemed to be settled therein, until he shall acquire a settlement in some other parish by a like residence or otherwise; provided that an order of removal in respect of a settlement acquired under this section shall not be made upon the evidence of the person to be removed without such corroboration as the justices or court think sufficient."

32. That creates for the first time settlement by three years' residence in a parish?—A pure residential settlement for the first time.

33. That is a very important and a very great change in the law?—Yes, although residence has always entered as an element necessary into the other heads of settlement.

34. But then this is residence pure and simple?—Residence and residence alone.

35. Have any difficulties arisen with regard to the operation of Section 34?—I think I need not trouble the Committee with any details, but with regard to all these sections considerable difficulty has arisen, as appears from the number of reported cases that have been decided on them. One of the main questions I may say has been whether the sections or portions of the sections were or were not retrospective.

36. That is the main difficulty which has arisen upon Section 34, is it?—That difficulty applies to all the sections in question.

Mr. Symon.

37. Does it apply to Section 34?—Yes.

Chairman.

38. I suppose there have been a good many cases in the courts in consequence of these changes?—I am aware of two or three cases reported in the Law Reports on Section 34.

39. Will you kindly next read Section 35?—

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"Abolition of derivative Settlements."—No person shall be deemed to have derived a settlement from any other person, whether by parentage, estate, or otherwise, except in the case of a wife from her husband, and in the case of a child under the age of 16, which child shall take the settlement of its father or of its widowed mother, as the case may be, up to that age, and shall retain the settlement so taken, until it shall acquire another. An illegitimate child shall retain the settlement of its mother until such child acquires another settlement. If any child in this section mentioned shall not have acquired a settlement for itself, or being a female, shall not have derived a settlement from her husband, and it cannot be shown what settlement such child or female derived from the parent without inquiring into the derivative settlement of such parent, such child or female shall be deemed to be settled in the parish in which he or she was born."

40. Now, the intention of that clause is almost, not altogether, but almost, to abolish derivative settlement, is it not?—Yes, to abolish derivative settlement with the view of making the proof of settlement very much more easy.

41. Has it come to your knowledge that the operation of this clause has not been altogether what was intended?—I believe that is so.

Mr. Symon.

42. In what respect?—I believe that the intention of the clause, so far as I am aware, was to do away altogether with the necessity of examining into derivative settlements from parents, and that the section has to some extent failed in that respect. I should like to mention that I have looked at several, in fact, I believe, at nearly all of the reported cases, and I find it extremely difficult to discover any general principles for the construction of these sections laid down, and I find that in each case the judgments are either very short, and without any reasons at all, or they are confined guardedly and expressly to the particular circumstances of the case.

Chairman.

43. Have you anything to say about Clause 36?—Clause 36 only refers to pending orders of removal, and, therefore, may be regarded as a temporary provision, and unimportant.

44. More technical than anything else?—It was to provide for the state of things in pending proceedings.

45. For our present purpose, therefore, that need hardly be regarded?—That is so.

46. Besides the Acts of Settlement and Removal, with regard to which you have given us a short sketch, there are also special Acts that relate to removals to Ireland, Scotland, the Channel Islands, and so forth, are there not?—There are.

47. But we may take it, generally speaking, that those Acts relate to details rather than to principles?—They relate to details of procedure in carrying out orders of removal.

48. The principle of the law is the same with regard to all persons in England?—The principle of the law is laid down in the first of these Acts, which provides that any person born in Scotland, Ireland, and so forth, and not having acquired a settlement in England, and becoming chargeable, may be removed to his birth-place.

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49. What

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49. What Act is that?—8 & 9 Vict. c. 117.

Mr. Symes.

50. "Not having acquired a settlement in England," you say?—Yes.

51. Could an Irishman acquire a settlement in the same way that an Englishman could?—Yes.

Mr. French.

52. Is not this the law at present, that if a man having acquired a settlement in one parish moves into the next for any length of time, he loses the settlement that he had obtained in the first parish?—If a man leaves his parish, and acquires a new settlement elsewhere, he may be said to lose his former settlement, as he can only be removed to the place of his last legal settlement.

Chairman.

53. Now just reviewing for a moment the various answers that you have given to my questions, the operation of the law has been this; from the time of Charles II. to the time of the great alteration in the poor law in 1834, and from the year 1834 to this Act of 1876, which we have just been quoting, Act after Act has been passed containing provisions to remedy the inconvenience, and you may almost say in some cases the hardship, of the laws of settlement and removal?—Yes.

54. You are aware that the abolition of the law of settlement and removal has been suggested more than once?—Yes. Mr. Scarlett, afterwards Lord Abinger, brought in a Bill for the abolition of the law of removal in 1832; the second reading was only rejected by 16 votes; and during the last few years the abolition of the law of removal has been very widely advocated. Mr. Scarlett's Bill proposed simply to abolish removal; of late years the abolition of the law of removal, and in some cases of the law of settlement altogether, as well as of the law of removal, has been very much supported.

55. Are you acquainted with a report made by Mr. Coode, one of the poor law inspectors, in 1864, on the law of settlement?—Yes, I have read Mr. Coode's report.

56. At any other time has a Bill been introduced for the abolition of the law of removal?—There may have been, but not to my knowledge.

57. Do you agree with the view of those who advocate the abolition of the law of removal?—I think that, so far as I am able to form an opinion, it would not be advisable to pass a Bill abolishing the law of removal together. It seems to me that if the law of removal were altogether abolished, a very considerable check on the tendency of the least worthy of the vagrant classes to continue a vagrant life would be altogether removed; and that without substituting anything in its place. A probable result of abolition would also seem to be that vagrants would flock very much to favourite unions and to towns, especially to London, and that there would thus be a great congregation of pauperism in particular localities; such a union as Whitechapel, for instance, I imagine would feel at once, and very seriously, the effect of losing the power to remove; there they have a great number of common lodging-houses, and it is a resort for all the floating, loafing part of the population.

58. Those are your *prima facie* objections to

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the entire abolition of the law of removal?—Those appear to me objections entitled to considerable weight.

59. Assuming, however, that the view was adopted of abolishing the law, I rather presume that you would be in favour of abolishing the law of removal, but leaving the law of settlement?—I think so; and for this reason, that there are probably many cases where the right to the benefit of local charities depends on the law of settlement; if the law of settlement were simply repealed, there would probably be a considerable shifting of rights, and no one could forecast precisely what the result would be.

60. Now assuming that the law of removal were abolished, I suppose we should at the same time abolish every possible existing hardship, though from your point of view we might create new ones?—I think if you speak of hardship to the poor, they undoubtedly would have no cause whatever to complain. I mean by the poor people who pay no rates at all.

61. Now you have considered the question a good deal; can you suggest any amendment of the law short of the absolute abolition of removal, and which in your opinion would be preferable?—It has occurred to me, in examining the Statutes, that simplification of the law is extremely desirable. I think that the old heads of settlement, such as Apprenticeship, Renting a tenement, and Estate, should be altogether abolished retrospectively as well as prospectively. Then I think that the three years' parochial residence, which under the Act of 1876 confers a settlement, might probably with advantage be altered to a shorter period of union residence, say one year of union residence. That would very much facilitate the proof of residence, and it would render the residential settlement easier of acquisition, which seems to me desirable, if settlement is to be retained at all.

62. I will just sum up to see that we are quite clear in our understanding of your evidence. Your proposal really amounts to this; first of all the substitution of one year's residence in a union for three years' residence in a parish as a head of settlement; secondly, all heads of settlement other than Residence as aforesaid, Marriage in the case of a woman, Parentage in the case of children under 16, and Birth, to be retrospectively and prospectively abolished?—Yes.

63. That is your view upon the subject?—Yes.

64. Now have you anything to say with regard to the condition of the law?—The form of the law, it may be said, without exaggeration, is as bad nearly as it can be. It would be an improvement of the greatest consequence to all who have anything to do with the administration of the law, to have all the procedure simplified and consolidated in one Act, together with the law, altered in whatever manner might be thought expedient.

65. You are speaking at this moment from a lawyer's and administrator's point of view?—Yes.

66. Your next proposal then is that the law of settlement, being reduced to the heads of settlement and of removal just now mentioned, should be consolidated into one Act?—Yes; and I would add that I think that the improvement in administration is necessarily an object of great importance to the general public.

67. You would condense the law of settlement and

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and removal both into one Act, would you not?—Yes, that is my proposal.

46. Your proposal comes very briefly to this: the consolidation of the law of settlement and removal for the purposes of convenient administration?—Yes.

47. To reduce the heads of settlement to two, namely, first of all, birth, secondly, one year's residence in a union; and the necessary derivative settlements, marriage in the case of a woman and parentage in the case of a child under 16?—Precisely.

48. Is there anything else that you wish to say on this point?—Nothing.

Mr. Herbert.

49. I should like to ask when the present law with respect to irremovability was reduced to one year?—It was reduced to one year in 1835, by 25 & 26 Vict. c. 78.

50. Having been previously three years?—Having been previously three years, and previously to that five years.

51. In the special Acts with regard to the law for the removal to Ireland and Scotland, is there a difference of law applicable to Ireland and Scotland as to the place to which the paupers are to be taken?—I am afraid I cannot answer that question.

52. Do you know whether any Bill was ever introduced to abolish the law of settlement?—I am not aware of any Bill to abolish the law of settlement; but I have not searched the Journals, or anything of that sort.

53. You stated as your opinion, that the probable result of the abolition of the law of removal might be that the vagrant poor would flock to certain towns, and that it would also abolish a check on the least worthy of the vagrant classes; are you aware that in some large towns of England the board of guardians of those towns have ceased to use the power of removal for many years past?—I am quite aware of that, and it is an argument which at first sight appears of considerable importance in favour of the proposal. I think the answer to it is, that there is all the difference in the world between parting with the power altogether and keeping it as it were in reserve to be used if required.

54. Would it not be likely that if the power was never used, in a place like Manchester for instance, it might have that result which you seem to think would occur if the law was abolished altogether?—You must look, I think, at England as a whole; and the power at present is quite sufficiently used over England to show that it is a really effective power, and is in some districts found useful, and acted upon.

55. Of course you are aware that it is acted upon to a great extent in Liverpool and other export towns?—Yes.

56. Have you considered the hardship which the present law causes with respect to the paupers who have been living in any union in London, who, in the case of their application for relief, not having obtained irremovability, would be sent away either to Ireland or Scotland; the particular hardship which affects them in any of the London parishes or unions?—Cases of individual hardship certainly have arisen.

57. Would not your proposed amendment of the law; that is, altering the three years' par-

Mr. Herbert—continued.

ochial residence to one year union residence, still be rather hard upon any Irish pauper or Scotch pauper who had been living in one of the London parishes, and who happened to have removed to another parish or another union?—I believe that the extent of hardship under the present law has been rather overrated than underrated. I think that my proposals would rather tend to minimise such hardships. At the same time it may be that in the peculiar case of an Irish woman marrying an Englishman, perhaps a soldier, and living all her married life in England, and then on his death becoming removable to Ireland, special provisions might be necessary; if they were thought necessary I think they could easily be made.

58. If that amendment of the law were carried out, might there not be some additional amendments, such as extending the residence beyond the limits of the union to the metropolis, and throwing it upon the metropolitan fund?—That is a detail which I think would require a great deal of consideration; it might perhaps be done in that way. The circumstances of the metropolis are exceptional. I think I should prefer rather, if I might suggest an amendment, the line of providing that a person born in Ireland or Scotland should not be removable at all to Ireland or Scotland after a certain period of what is known as industrial residence in England; but I do not wish to express any very decided opinion on that point.

Mr. Hutchinson.

59. Even though there might have been an interruption of continuous residence?—Yes.

Mr. Herbert.

60. That would reduce the hardship?—Yes, that would almost do away with it.

61. In your proposed amendment have you considered the desirability of having one law to apply to England, Ireland, and Scotland?—I believe that there is no law of settlement in Ireland, and I am not sufficiently familiar with the circumstances either of Ireland or Scotland to give an opinion as to what should be the law for them.

Mr. Torr.

62. Do you think they would require no special provision for the removal of Irish poor from such places as Bristol, Southampton, and Liverpool?—I think it possible that such provision might be required, but I am not sufficiently acquainted with the statistics of Irish removals to give an opinion which is worth very much upon that point. I may say I that was surprised with regard to the statistics I did examine, to find how small the proportion of Irish removals was in comparison with what I supposed. I may mention that in the 10 years, from 1835 to 1845, only 30 paupers were removed from Bristol to Ireland.

63. You do not know, perhaps, the figures for Liverpool?—No.

64. In regard to your suggested uniformity of the Acts would you in your own mind wish it to extend to Ireland and Scotland?—If I were asked to draw a Bill I should say that it was necessary to deal with the question as a whole, and to provide for Scotland and Ireland in that Bill, because I feel convinced that the question could not be dealt with in the House of Commons except as a whole,

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whole, and that the Scotch and Irish difficulty must be faced whenever the question is dealt with.

87. Then you would consider that it would be a great advantage if the three kingdoms could be made uniform in this respect?—It depends, I think, on what you mean by "uniform." I mean that they should all be dealt with in the same Act at the same time; but whether the same provision should apply all over the limited kingdom is a point as to which I do not wish to give any opinion.

Mr. Martin.

88. What were the statistics from which you took these returns in respect to Bristol? were these returns made to this House?—No, I got them from a report which was made to the Local Government Board.

89. Then in point of fact you have not examined the returns that were obtained on the motion of Mr. McCarthy Downing, in reference to the removal of Irish paupers from England?—No I have not.

90. Now, as I understand, with regard to the Irish pauper, you would consider that he ought to be entitled to a settlement if he had had an industrial residence for 12 months in that part of England?—I would put an Irishman just on the same footing with an Englishman in that respect; I would make 12 months' industrial residence in a union confer a settlement on any person, English, Irish, or Scotch.

91. Would you consider that that might be fairly extended in the case of the Irish poor to an industrial residence in any part of the kingdom, for the purpose of simplifying the matter?—I see no reason, speaking off-hand, why it should not.

92. And, in your judgment, this question of the law of settlement and removal, I take it, can be best dealt with in one Act for the United Kingdom?—I think that is so. I do not see how, practically speaking, the English law could be dealt with without facing the Scotch or Irish difficulty.

Mr. Mark Stewart.

93. I understand that your experience is confined to England?—I must not lay claim to any practical experience; I speak merely as a lawyer who has examined the Acts with some attention, and a certain amount of statistics.

94. You said just now that the judgments given in many cases were very short?—Yes, the reported judgments are very short.

95. Have there been any appeals to the House of Lords of any importance?—No.

96. Not on the Poor Law Removal?—No. In fact, I do not think any appeal lies.

97. But from your experience of cases that have come before you, as I understand, you do not believe that there is nearly as great hardship in carrying out this Poor Law Removal Act as is generally supposed?—Does the question of the honourable Member refer to removals generally, or is it confined to Scotland and Ireland?

98. I refer to removals generally in the United Kingdom?—I think that generally the hardship has to some extent been overrated. As the honourable Member for Orlam said, the power of removal in certain very important unions is scarcely used at all; and I have come across

Mr. Mark Stewart—continued.

cases in which guardians have exercised a discretion, and I think they very commonly do so, and that they decline to take steps to remove a person in a case where great hardship would be inflicted by their removing him.

99. Is it not the case that the law, as it at present stands, is rather of a deterrent nature than used as a coercive measure?—That, if I may say so, puts very forcibly what I wished to express.

100. Then, in your opinion, is there very much necessity for making any great change in the law?—I think some change is required, because I think that expense might be diminished; it would be much easier to ascertain what the law is, and it would be much easier to work the law, if it were simplified and improved.

101. And that is a simplification which you would wish to see extended on the same lines, as far as possible, to all the three countries?—The question of the removal of paupers, as it affects Ireland and Scotland, is a much smaller one; speaking legally, it is a question simply of removal, and, therefore, so far as I know, there is much less provision required in the case of Scotland and Ireland than in the case of England.

102. Does it not appear to you that there should be one law for the Irish pauper in Scotland in the event of any change taking place, such as has been suggested in the House of Commons and elsewhere, and for the Scotch pauper in Scotland; at present the Irish pauper follows the Scotch settlement, and he is entitled to all the advantages of settlement in Scotland, provided he has had the necessary residence; now, it has been strongly advocated in the House of Commons, and elsewhere, that that ought to be done away with or altered, and that the Irish pauper should have certain advantages which a Scotch pauper has not?—I do not think that any difference ought to be made as between one part of the United Kingdom and another, unless special circumstances of some sort could be shown to exist.

103. You are, perhaps, not aware that there are no unions in Scotland in the sense of the word in which it is used in England?—Yes, I am aware of that.

104. The remedy which you propose for England of one year's residence in a union, instead of three years' in a parish, would not apply to Scotland?—I wish to confine my remarks as to those proposals for amendment of the law of settlement entirely to England, because, as I said, I do not know what the law of Scotland is.

105. Still you would not consider it hard on an Irish pauper if he were treated on exactly the same lines as a Scotch pauper was treated, under the same law?—Speaking generally, I see no reason why a pauper in one part of the United Kingdom should be dealt with differently from what he is in another.

Mr. French.

106. You said just now that you would be in favour of making any residence for a certain number of years in England or Scotland to give an Irish pauper immovability?—I threw out that as a suggestion; it might relieve the greatest cases of hardship which are alleged to arise and do arise. The strongest case is that of a widow who is removed

Mr. French—continued.

moved after having resided, it may be, 20 years with her husband in England.

107. Have you thought of any particular number of years for that residence?—No, I have not thought the point out.

108. You are aware that by the law at present in Ireland there is no power of removal from Ireland to any other part of the United Kingdom?—I am aware of that.

109. And, therefore, it would not be so unfair as the honourable Member has just suggested, to give to an Irishman in Scotland irreversibility?—It would appear not.

Mr. Hutchings.

110. You told us some time ago that the complaints that had arisen with respect to the law of settlement and removal had been very frequently the subject of discussion at Poor Law Conferences?—Yes.

111. Do you know any other authorities who share your view as to the non-advisability of the repealing of the law of settlement?—Yes. I have found in reading the reports of the Poor Law Conferences a considerable amount of opinion in that direction.

112. Have you any other reason to urge than those that you have given against the repeal of the law of settlement and removal; your principal reason was that it would lead in time to a congestion of pauperism in certain centres?—I think I have stated the chief and main objections. There is another objection that has also been advanced against it by people who object very strongly to a national poor rate, and that is that national settlement is the first step, if it does not lead logically to a national poor rate.

113. Has it occurred to you that your proposal to substitute one year's industrial residence in a union for three years' parochial residence might also lead to the same congestion. Many a man comes to be 12 months in a big town, and might thereby acquire a settlement; so that you might produce the evil in one way which you dread in another?—The period, no doubt, would require to be carefully considered.

Mr. Symes.

114. I understood you to state that you would recommend the law of irreversibility to be maintained on the ground that it is a check on vagrancy; is not that so?—Yes, on that ground; and also on the ground that if it were abolished altogether certain classes of the population would gravitate very much to certain localities.

115. That the vagrancy would produce that effect?—I think it is a double effect. What I mean is, first you increase the amount of professional vagrancy; secondly, you allow those professional vagrants to live where they please.

116. Have you considered that matter, independent of vagrancy, in its relation to freedom of labour?—I do not find in the discussions which I have any acquaintance with of late years, any serious complaints of interference with labour caused by the laws of settlement. In past times no doubt it was so; the law was as barbarous as it could possibly be, and labour suffered very much in consequence; but I am not aware myself that it is so now.

117. Is not the requirement of three years' residence a check upon freedom of labour?—It would seem that it might be so at first sight; I am not
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aware that as a matter of fact it has been found to be so.

118. If you were an industrial man would you consider it rather a check on your freedom?—It very much depends upon how the law is worked.

119. But evidently that is a matter for every man's opinion; now I think you made a distinction between removal from one country to another and removal from one union to another, because I think you suggested that for an Irishman a residence might be sufficient in any part of England?—I think I made that suggestion.

120. Now do you adhere to that suggestion?—I made that merely, as I said at the time, as a suggestion in response to a question that was asked me, stating at the same time that I had not thoroughly considered that part of the subject.

121. You do not think it the same hardship to remove a man from one union to another after some years of residence as it is to remove a man after 30 years of residence from one country to another when perhaps he may have lost all knowledge of the country, and all relatives in that country; that would not be the same hardship, would it?—It is a question of degree.

122. Is there not a great difference of degree?—There might, and there might not be. I think you could put a case where the removal from Cornwall to Yorkshire would be every bit as great a hardship as removal from England to Ireland. On the other hand, taking the average of removals from England, I should say that fewer cases of hardship were likely to arise in a hundred English removals than might arise in a hundred removals from England to Ireland.

123. So that you think it is worthy of consideration whether a residence in any part of England for an Irish industrial man might be sufficient to save him from the hardship of removal?—I think so.

Mr. Ramsey.

124. Are not the difficulties which the Honourable Member has been putting to you caused very much by the fact that the able-bodied poor have the right to relief in England?—I imagine that is so.

125. And would not the abolition of that right and the restriction of the right to relief to those who were unable to work affect your opinion with regard to such a change in the law?—Undoubtedly any organic change in the law of relief, or in the mode of administering relief, would have a very important bearing on one's views as to settlement and removal.

126. So far as Scotland is concerned, perhaps you are aware that the able-bodied poor have no right to relief there?—I was not aware of that.

127. Assuming that to be the case you would recognise that any such state of the law would make a very great difference in the opinions which you might express upon points such as you are now speaking of?—Quite so; I do not wish to express any opinion whatever with reference to Scotland and Ireland, except so far as the question of removal from England to Scotland or Ireland is concerned.

128. But in the case of Scotland your opinion on the right of removal would be modified probably by the fact, that the able-bodied poor have no right to relief there?—It might, undoubtedly.

129. I think

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129. I think you drew a distinction between the abolition of the law of removal and the abolition of the law of settlement?—I think that such a distinction exists and must be recognised.

130. If the law of removal were abolished, would not that practically abolish the law of settlement; because a man if he could not be removed at all would have a settlement wherever he was, would he not?—You might put it in that way; it would abolish the law of settlement for that purpose, but the law of settlement would remain for the purpose of entitling persons to the benefit of local charities, and possibly for other parochial purposes.

131. But not as regards the administration of the poor law, because if a man was entitled to stay wherever he was, and could not be removed, in point of fact he would have a settlement there?—Settlement, if you abolished removal, would become of no importance as regards the poor rate.

132. You have spoken of some proposals to abolish the law of settlement and removal, and to compel the particular union or parish, where a man is found, to support him; how do you propose that in that case the rate or fund should be found to pay for the expense; would the particular locality pay for it, or would it be a national rate?—I should personally be opposed to a national poor rate.

133. Do you mean an imperial tax from the Consolidated Fund, or a rating of all the parishes?—In whatever mode it were raised I think it would be objectionable.

134. You think the economy of management would be very much less?—No doubt it would; but it seems to me, without going into such a large question, that the counterbalancing disadvantages would be very great.

135. You spoke of one objection to the plan of abolishing the law of irremovability and settlement, that there would be a flocking of vagrants to particular localities, and a congestion of pauperism in consequence; would there not be rather a tendency to that, supposing your proposal were to be carried out, to change the three years' parish residence into one year's residence?—I do not see why that should follow.

136. Take Whitechapel; if people attempted to come there (and as you say it is a favourite locality), if they stayed there one year they would gain a settlement; or is one year rather too long a time for vagrants to remain?—I think that the period should be selected so as to be too long for a vagrant to choose and gain his settlement. I should have thought that a year would be sufficient.

137. To prevent that congestion of which you spoke and which you feared?—I think that the period should be selected so as to prevent that congestion. If it were necessary that it should be longer than a year, then it should be longer than a year; there is no magic in a year.

Mr. Ramsay.

138. Have you ever considered in the study of the poor law, what would be the effect upon the poor themselves of doing away with the right to relief of the able-bodied poor?—No, I have not considered that question.

139. Have you not seen it treated in any publications on the subject?—I have read a great

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deal about the poor law at different times, but I have given no particular attention to that point.

140. You would regard that as a point of very great importance, if it could be effected?—Yes.

141. Would you think that it would be favourable or unfavourable to the poor themselves, the working class themselves?—I really hardly like to give an opinion off-hand on such a large question.

Chairman.

142. You have rather considered the legal than the social aspect of the question?—Yes.

Mr. Hibbert.

143. You were asked just now by the honourable Member for Marylebone, whether your proposed alteration of the three years to one year's union residence, giving a right of settlement, would not lead to a congestion of pauperism; is it not the fact that the law now as to irremovability only requires one year's residence?—That is so.

144. And would there be much difference between the present law and the law if it were amended according to your proposal?—I do not think there would in that respect.

145. Therefore there would be no greater objection to the one than to the other?—I think that is really the answer.

146. You have not stated with respect to the law of irremovability that no person applying for relief on the ground of sickness or accident can be removed, even though they are liable to removal, unless permanent disability is likely to ensue; but is not that the law?—That is so.

Mr. Foreyth.

147. I find it stated in a book which I hold in my hand, "As regards the Irish, Scotch, and Channel Islands poor. The statutes relating to this class are very precise in requiring that upon application before two justices of the peace or one of the metropolitan police magistrates for an order for the removal of any one or more paupers, the whole of the paupers named in the order shall be present. In addition to this statutory requirement the following questions are usually put by the magistrates to whom application is made. Do you wish to be removed?" Is that so; is the Irish pauper asked whether he wishes to be removed?—The procedure by statute is different in the case of the removal of natives of Scotland or Ireland from England, from what it is in England; two magistrates must see the pauper and must satisfy themselves that the pauper is not in such a state of health as to be likely to incur either bodily or mental injury by removal.

148. Supposing irrespective of his health he was to answer that he does not wish to be removed, is there any power in the magistrate to compel him to be removed?—Yes.

149. What then is the meaning of the question, "Do you wish to be removed?" the question is not required by statute?—Certainly not; speaking generally, there is a provision that in the case of a native of Ireland, who has been absent from Ireland less than 12 months, the pauper may be removed to any place other than the places above mentioned in the section, with

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his consent; and I apprehend that the question put by the magistrates would refer to special cases of that sort.

Mr. Symes.

150. That is, "other" places in his own country?—In his own country.

Viscount Enghien.

151. I think you said that you did not consider shall all persons becoming practically paupers had a claim upon the rates; did you not say that you thought that there was no legal claim to relief on their part?—There is no legal right to relief that I am aware of. Periodically, a right to relief is always recognised; it is not, to the best of my knowledge, a legal right either by common law or by statute.

152. Then, practically, the able-bodied poor have no real claim to any maintenance from the rates?—No legal claim.

153. Then in that case the law appears to be the same in Scotland as in England?—Legally it may be so, but practically it is different.

Mr. Symes.

154. Have they not a right either to labour or to relief from the rates?—Practically the right to relief is recognised, but I do not believe that it exists in law.

155. Does it not exist under the statute of Elizabeth?—No, I think not.

156. Have you considered that point?—Yes.

157. Then it is altogether a matter of discretion with the guardians, is it?—Acting under the instructions of the Local Government Board.

158. Have you lately considered what are the words of the Act, giving a right to relief out of the rates to the paupers?—I can refer the honourable Member to the statute of Elizabeth, if he wishes. The statute of Elizabeth directs the appointment of overseers for setting to work persons having no means to maintain them, and also to raise weekly or otherwise, by taxation of every inhabitant, and so forth, a convenient stock of wool, and so on, to set the poor on work; and also competent sums of money for the relief of the lame, impotent, old, blind, and such other among them being poor and not able to work; but in the statute there is nothing whatever giving any person, however old or however destitute, a legal right to demand relief, or any mode of enforcing that right. A person could not bring an action, in my opinion, if relief were refused him; that is the real test.

Mr. Forsyth.

159. Supposing a person died from starvation, the guardians having refused him relief, would not an indictment for manslaughter lie under the law?—It might possibly be held that it would lie, because the guardians or persons administering relief might be considered to have grossly neglected their statutory duty, but on no other ground.

Mr. Symes.

160. Does not the first part of the Act of Parliament which you have quoted impose the obligation upon the parochial body to provide labour for the able-bodied; is that obligatory?—It is obligatory in a certain sense; it means that overseers are to be appointed, and that they are to do their duty in setting to work persons who have no means to maintain them; it does not mean that every person who is out of work has a right to come and demand work from the overseers.

161. Supposing the overseers do not give the work under that Act of Parliament, and supposing they prefer to pay out of the rates, is not that a matter of choice with themselves; they have an alternative?—The overseers have a certain discretion, like other administrative officers, in carrying out their statutory duties.

162. Unless it was obligatory the overseers need not provide labour at all for the able-bodied?—I apprehend that no overseer or relieving officer would now be liable to any penalty for failing to provide a stock of wool and hemp to set the poor on work under the statute of Elizabeth.

Chairman.

163. Is it in your recollection that a proposal was made to the House of Lords in 1875 to abolish the law of settlement and removal?—I recollect that a debate arose on an exhaustive speech made by Lord Henniker, and I believe that his Lordship also introduced a Bill.

164. And so far you would modify a reply which you gave in the earlier part of your evidence?—Quite so.

165. Is there anything else you wish to say?—There is one general observation that I should like to make, if the Committee will allow me, and it is this, that what I have said with regard to the state of the statute law relating to settlement and removal, applies with equal force to the whole of the Poor Law Statutes; there are between 100 and 120 Acts, all coming strictly under the title of the Poor Law Acts, which fill two large volumes, and which are overlaid with a very great number of poor law orders, and of decided cases as well. Very few of these Acts repeal even when they alter; and the consequence is that the state of the statutes is something like a jungle in which there is a great deal of what may be called dead wood, that is to say, superseded or obsolete law overlaid by new law, which has sprung up on the top of it. If any operation analogous to cutting out all the dead wood could be performed on these statutes, that is to say, if an Act could be passed in the nature of the Statute Law Revision Act, not attempting to alter the law, but merely cutting away what is obsolete and superseded, and possibly also reducing enactments which are to be found, with modifications, in two or three separate statutes, into a new shape in the amending Act, I think it would be of the greatest possible service, not only to the statute book, but to all who have to do with the poor law in England.

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166. WHAT is your present official position?
—I am Vice President of the Local Government Board for Ireland.

167. I think that you have officially had a long experience in the administration of the Irish poor law?—I have had a very long experience, from the year 1848 to the year 1876, a period of about 28 years. I left that department in the year 1876, and have now returned to it as Vice President of the Board.

168. What appointments did you hold during that time?—During the last three years I held the office of Assistant Under Secretary for Ireland.

169. And previously?—Previously I was Inspector of the Local Government Board and the Poor Law Commission for a period of 28 years, nearly.

170. I understand there is no law of settlement or removal in Ireland?—That is so.

171. Am I right in supposing that there never has been?—There never has been any.

172. Then it follows that in whatever place a man becomes destitute, there he is entitled to claim relief, without raising any charge subsequently upon some other locality?—That is so.

173. Does this system, so far as your experience goes, work well, and with justice alike to the pauper and to the ratepayer?—In my opinion it does; it operates with justice to the pauper inasmuch as he can obtain relief whenever he becomes destitute; and it does not operate unjustly, in my opinion, to the ratepayers, inasmuch as there is reciprocity between one union and another.

174. Have you in any case become aware of a tendency on the part of one union to transfer a pauper unfairly to a neighbouring union?—The boards of guardians in Ireland have no power to act in that manner, and if they were to expend any money in transferring a pauper to another union the expenditure would be disallowed by the auditor. I think I can recollect only one instance which has come to my knowledge, in which a board of guardians attempted to remove a pauper to another union; and that merely took place in leading the workhouse van to convey the pauper to the other union. That was immediately stopped, and their attention was called to the illegality of the proceeding, and the officers were warned not to take part in such a proceeding; but I must say in some places I have observed that there has been a tendency on the part of a board of guardians to say to a pauper applying for relief, if the person came from another union, "You belong to another union," and to refuse relief on that ground, and to drive the pauper to go to his own union. In those cases I think the pauper has generally come from a very short distance, and not far off; but the boards of guardians are now well aware that such a course is illegal; their attention has been frequently called to the fact that, wherever a person becomes destitute, there he must be relieved; and my experience, during the last few years that I was inspector, leads me to believe that the practice of which I have spoken has been diminished, and to a great extent discontinued.

175. Is there any legislative enactment which is designed purposely to check the tendency of which you have been speaking?—There is; the Vagrant Act of 1847 provides that, "Every person who, having been resident in any union, in Ireland, shall go from such union to some other union, or from one electoral or relief district to another electoral or relief district, in Ireland, for the purpose of obtaining relief in such last-mentioned union or district, shall, on conviction thereof before any justice of the peace, if such justice shall think fit, be committed to the common goal or House of Correction, there to be kept to hard labour for any time not exceeding one calendar month." That is 10 & 11 Vict. c. 34, s. 3.

176. Are there any cases in which the penalties of that clause have been put into operation?—Very many; but principally in the cases of tramps who travel through the country and seek relief, having come from one union into another union for the purpose of seeking relief.

177. And have you found in your experience that that plan of prevention is sufficient?—I think it is quite sufficient.

178. Do you find that the paupers in Ireland show any inclination to select the most liberal union when they seek relief?—I have not observed that; I have heard guardians occasionally say, "We treat paupers so well here that they come to us from other unions;" but I have not known cases that have come under my own observation; except, again, in the case of tramps who frequently ascertain whether the discipline is strict in a particular union, and whether they are better treated in one than another; and occasionally they select the workhouse, which is considered to be an eligible place to remain for the night.

179. As a matter of fact, is there much difference in the character of the treatment that is observed in the different workhouses in Ireland?—Very little difference in regard to the treatment of tramps; in some cases the discipline is more strict than in others, and they are required to break stones and perform hard work, and so on, which causes them to avoid the union in which that is the case.

180. Does the central authority exercise any power towards equalising the dietary and the discipline in the unions?—Certainly; the general regulations provide the scale of dietary below which the guardians may not go.

181. You are of course acquainted with the English law of removal?—So far as it applies to the removal of paupers to Ireland.

182. Can you give any cases in which hardship has been inflicted under this law?—I can give a great number of cases if it is not detaining the Committee too long. In the first place, I may be allowed to refer to a Return which was obtained to an Order of the House of Lords on the 4th of July 1878, giving a "Return of Paupers who have been Removed from England and Scotland to any Union in Ireland under the authority of Removal Warrants, between the 1st January 1876 and 1st July 1878," that is a period of two years and a half; and I find on analysing that

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that Return that there were about 10 persons removed to Ireland from England and Scotland who had been over 60 years absent from Ireland; that there were about 24 persons who had been absent 40 years and under 50 years; that there were about 54 persons who had been absent 30 years and under 40; and about 59 persons who had been absent 20 years and under 30 years; so that there were about 147 persons who had been over 20 years resident in England or Scotland who were removed to Ireland. It appears to me that these are cases of hardship, inasmuch as the persons were removed to a country from which they had been so long absent, and were obliged to break all the ties and associations in the country in which they had been living. That Return embraces a period of two and a half years, from the 1st of January 1876 to the 1st of July 1878. I would also beg leave to direct the attention of the Committee to the correspondence contained in the Poor Law Commissioners' Reports from the year 1862 to 1873, that is immediately after the alteration of the law with reference to the removal of paupers, in the year 1851. This correspondence contains a great deal of valuable information, and I think it would afford the Committee much information with respect to the operation of the law of removal if I might be allowed to put it in as an Appendix to my evidence. I could mention some extracts from it if the Committee desire it.

183. Will you give us two of those cases now, and then put some others in the Appendix?—Yes, I can give you two or three cases which have come under my own observation, in which I inquired and took the deposition of the person removed. I may observe that there are two very great causes of hardship that we complain of in Ireland. The one is the removal of women and children without their husbands, their husbands having left them simply for the purpose of obtaining employment. It is believed that that course is illegal. There was a case tried in the Court of Queen's Bench, and the Report of the Poor Law Commissioners for 1870 contains this statement: "Since our last Report the subject of the removal of Irish-born persons from England to Ireland, which was dwelt upon in paragraphs 15, 16, 17, and 18 of that Report, presents itself under a somewhat changed aspect, the Court of Queen's Bench in England having decided in favour of our appeal against the removal of a married woman and her children by the parish of Liverpool to the Tallamore Union in Ireland, the husband at the time being alive." In the next Report it is stated that the Scotch authorities did not concur in the legality of that decision; it says: "This judgment pronounced upon the terms of the English Removal Act appeared to us applicable to the analogous and almost identical terms of the Scotch Removal Act; but we regret to have to announce that that decision is held by the highest legal authority in Scotland (the Lord Advocate) to be a wrong construction of the terms of the English Act, and one which would not, in his opinion, be adopted by the superior courts in Scotland in construing almost identical language in the Scotch law of removal. In England also this decision of the Court of Queen's Bench continues to be disregarded." Therefore, notwithstanding that decision, the magistrates up to a

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certain time (I cannot say what they have done for the past three years) continued removing women and children without their husbands; they called these persons deserted by the husbands; but in many cases the husbands had merely gone to look for work.

184. You contend that that course is illegal, but although it is illegal the practice obtains and the hardship continues?—Up to the period of which I speak, which is previous to the last three years, it did continue.

185. Will you kindly give us some other case in detail?—This is the case of a woman, named Eliza Walsh, who was removed with three children, aged eight years, five years, and seven months, as deck passengers from London to Dublin, on the 15th of October; and I may mention that that was illegal, the Act providing that no woman or child under 14 years of age shall be removed as a deck passenger from the 31st of October to the 31st of March. This woman's removal "was effected in a manner which was illegal, and the order to transmit her to Ireland appears by her own statement to have been carried out with very little care or consideration for the wants or comfort of the woman and her three young children." (I am reading from my report of the facts which I related after examining into the case.) "She was brought to London in charge of a pauper inmate of the Greenwich Workhouse, and left in London on board the Dublin steamer." I will read her deposition: "I went to England about 13 years ago, and was married in Liverpool to an Irishman who went to England at the same time. About four years ago my husband went to work as Deftford from Newcastle, where we were then living, and in May 1861 he sent for me and the children, and we went to him to Deftford. He used to work in an iron foundry. In June 1863 my husband went away to work and left me, and I did not know where he was, and I had to go into the Greenwich Workhouse, and stayed there five weeks; and as the relieving officer wanted to pass me home I left the workhouse, and when I left they gave me eighteen-pence and two loaves. I remained out till July last, and then applied for relief, and got 1s. 6d. and three loaves, and was told I would be sent to Ireland; and, for fear of being sent away, I did not apply again till about four weeks ago, on a Tuesday, October the 11th. On the following Thursday, October the 13th, I went before the Board at Greenwich, and was taken into the workhouse till the Dublin boat left London. On the day I applied for relief, October the 11th, Mr. Potts, the relieving officer, took me before the magistrates, and I was sworn as to my place of birth and residence in Ireland. This was on the Tuesday, and I was not again taken before the magistrates. I always lived in the same street in Deftford while I was there. I did not see Mr. Potts after the Thursday I was before the Board; and, on Friday, the next day, October the 14th, at 7 o'clock at night, a pauper man came for me to take me to London, and I spoke to the assistant matron, Mrs. Flower, about the bad clothing my children had, and she told me to speak to Mr. Potts. The pauper man told me I would see Mr. Potts on board in London. The schoolmistress saw me dressed, and I did not see the master, matron, or porter, and a pauper nurse saw me out of the gate. I had very bad clothes of my own, and the

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schoolmistress gave me an old shawl. My eldest boy, aged eight, had nothing but a bad jacket and old trousers, no waistcoat, and a very bad shirt, and a little overall, and an old cap, and he was barefooted. My second child, a girl, aged five, had very little clothing, and very bad, and not enough to keep her warm. The baby, aged seven months, had very little clothes, and nothing on his feet. We took the train from Deptford to London Bridge, and arrived there before eight o'clock, and had to walk about with the children and the pauper man till near 12 o'clock before we found a lodging." (The officers of the union stated that it was 10 o'clock, not 12 o'clock.) "The children were trembling with cold, and we got nothing to eat for myself or the children till we found the lodging. Next day, Saturday, October the 15th, the man took us down to the quay to the Dublin steamer; and I asked to see Mr. Pate, but could not; and I and my children had to come over in the clothing I have described, which was quite insufficient to keep any of us warm. The man arranged for my passage with the mate, and gave me 5s. and four ounces of tea, 2 lbs. of sugar, and about 3 lbs. of beef, and five loaves of bread; and he gave me the removal order, and told me not to lose it. He did not give me in charge to anyone. I tried to get into the cabin, and spoke to the mate, and I was not allowed; and I had to spend the whole time with the deck passengers, under the cover of the place the horses are kept. I was treated the same way as the other deck passengers. Neither I nor my children had a bed the whole time, and the rain on Tuesday came in on us, and wet me and the children. The deck was scumming with wet, on the Tuesday, where we had to lie, and my children and I suffered very much from wet and cold. I had to pay the cook for letting me cook my meat. We arrived in Dublin on Wednesday afternoon;" therefore, from Saturday night till Wednesday afternoon that woman and her children were left on the deck of the steamer.

186. Will you kindly put in any other cases in the Appendix?—Yes. May I be allowed to say, in reference to that particular case, in justice to the officers in England, that an explanation was received from the clerk of the union about it, but he makes rather an odd statement; he says, "The place of destination of Eliza Walsh being Dublin, there does not appear to be any substantial reason why a person should have been sent to Ireland merely to enable her to find out the Dublin Workhouse more quickly than she had, though, perhaps in strictness, the law required it." He states in his report: "As to the case of Eliza Walsh and children, the relieving officer, Mr. Pate, states that he sent his assistant, Mr. Young, on the Wednesday before the day of sailing to the office of the steam packet, to pay passage money and inquire if the paupers could be put on board the night before sailing, but he was told they must embark some morning, and the passage money be paid on board. To ensure their being in time, he sent his messenger, Shorman, whom he considered trustworthy, to London with the paupers, about seven in the evening, before sailing, directing him to procure lodging for the night, and embark them in the morning as cabin passengers. The messenger states that lodgings were procured about 10 o'clock, and not 12, as stated by Walsh. The assistant matron and

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nurse at the union house state that Eliza Walsh had the clothing returned to her she entered the house in, with some additions from the house stores, and that she was told to apply to the relieving officer if anything more was required. Her clothing was not suitable for travelling in cold weather. The season, however (15th October) was mild. The boy, aged eight, said by Walsh to have been barefooted, had boots on when he left the house, but the messenger says that the boy threw them away when he got outside. The nurse positively asserts that the baby had woollen socks, and a pair of boots put over them before leaving the house. The provisions given to Walsh were as stated by her, except that the beef was six and three-quarter pounds instead of three. The messenger, on his return to the relieving officer, stated he had paid 25s. for passage money, and had seen Walsh and her children placed under cover. The deck fare would appear to be 30s., and the 5s. extra would cover the charge for the barrack-room or fore-cabin, it appearing that Mr. Frost, who contracts for the removal of most of the Irish poor from London, pays 2s. per head for adults, besides deck fare, for the accommodation. The captain of the steamer object to carry paupers in the after-cabin; and one of the relieving officers of this union was told some months back by the captain of an Irish steamer, "You may pay chief cabin fare if you like, but rest assured your paupers are not going into that cabin with my other passengers." The place of destination of Eliza Walsh being Dublin, there does not appear to be any substantial reason why a person should have been sent to Ireland merely to enable her to find out the Dublin Workhouse more quickly than she had, though, perhaps in strictness, the law required it. She seems to have preferred seeking for her mother-in-law to going straight to the workhouse (vide her deposition before Mr. Robinson, Irish Poor Law Inspector, taken 9th November last); and the 5s. she had in money from Mr. Pate, with the provisions, would, and no doubt did, provide her with food and lodging until she found her relative." The 5s. extra mentioned by the clerk does not, however, appear to have been paid, only 20s. having been received by the company's officers for the conveyance of the family as deck passengers, and the clerk seems to think it was not necessary to send a person to Dublin with the paupers, though the law required it. There are numerous cases very similar throughout these reports which I hold in my hand.

Mr. Remay.

187. Do I understand you to state that that is an infringement of the existing law?—Yes, of the existing law.

Chairman.

188. Do you contend that the hardship in that case consists in the infringement of the law, or in the existence of the law?—I think that the hardship consists both in the infringement of the law and in the existence of the law which enables such practices to prevail.

189. In that case the removal was not illegal, I apprehend, but the mode in which it was carried out?—According to the decision in the Court of Queen's Bench it was illegal. It was also illegal

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not to send a person in charge of the pauper who should have delivered her at her place of destination; and it was illegal to send a woman and her young children as deck passengers in the winter time.

Mr. Martin.

190. The English magistrates have refused to allow the relief of the Court of Queen's Bench in that case, as I understand you?—Yes.

Chairman.

191. You have had great experience, and you allege the existence of many cases of hardship with respect to the removal of Irish persons from England to Ireland; what remedy do you propose?—I propose the entire repeal of the law enabling Irish paupers to be removed from England to Ireland. There is no law of settlement in Ireland, and we do not send the English paupers back to England and Scotland who are relieved in Ireland; we cannot do it.

192. In fact, your remedy is the total abolition of the law of removal?—That is so; from England or Scotland to Ireland.

193. Are Scotch or English persons, if they become paupers in Ireland, ever sent back to England or Scotland?—Never. I am, however, not aware what may be done by private arrangement.

194. Are such paupers numerous?—I have a Return here which I, perhaps, had better put in, to an Order of the House of Commons, dated the 14th of February 1878, showing the number of persons born in England receiving relief in workhouses in Ireland on the 1st of July 1877. There appear to have been 100 persons in all Ireland; and three persons in receipt of out-door relief. Then there is a Return to an Order of the House of Commons, dated the 14th of February 1878, with reference to the Scotch poor in Ireland, which shows that on the 1st of July 1877, the number of paupers, including children, receiving relief in workhouses in Ireland, who were born in Scotland, was 75.

195. Do you know of any cases where Irish labourers obtain admission into English workhouses in order to secure a free passage back to Ireland?—I know of several cases. That principally takes place in Liverpool; and I had occasion to make inquiry once on the subject. Of course it was difficult to obtain accurate information without seeing the persons who were removed; but I procured returns of the persons removed from Liverpool to Dublin during the three years 1867, 1868, and 1869, and I observed from these returns that about 16 per cent. of the persons removed in the three years referred to had not been born in the Dublin Unions, nor had they resided there for three years, but that having been less than a year out of Ireland they were legally removable to Dublin with their consent. That is under the clause just referred to by Mr. Fitz-Gerald. If a person has been less than a year out of Ireland he may choose which union he will be sent to. And I found also that 57 per cent. of the entire number removed from Liverpool to Dublin left the Dublin workhouses on the day of their arrival; and I think that is strong evidence that many persons desirous to be sent back to Dublin, who had been temporarily in England, did apply to the Liverpool guardians for relief with the object of being sent back.

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196. I need hardly ask whether that is a system of fraud which would at once disappear if your drastic remedy were adopted?—Certainly.

197. Is it also a fact, on the other hand, that Irish paupers removed to Ireland against their desire frequently contrive to return at once to England?—I believe they do in many instances; I have known of some, but I cannot give details.

198. Do you happen to know the cheapest fare between Ireland and England?—I cannot say.

199. Should you be surprised to hear that a pauper could travel from Ireland to England for a shilling from port to port?—I was not aware of that.

200. Have you any further observations or suggestions to address to the Committee?—I have no suggestion beyond expressing my opinion that it would be most desirable, so far as Ireland is concerned, and in justice to the Irish poor who come to England, that they should not be removed back to Ireland when they lose their employment, and become destitute in England.

Mr. Forgyth.

201. There is a much greater influx of Irish poor to England than of English poor to Ireland, is there not?—Yes.

202. You would throw the burden of maintaining these Irish poor, when once they have come over here, upon the English unions?—The English employers of labour have the benefit of those persons' labour during their years of health and strength, and I do not think it is unjust to the ratepayers in England that they should bear their proportion of the relief of those persons when they become destitute.

203. There being no law of settlement or removal in Ireland, is it found that certain unions are very much more liable to paupers flocking there than others?—That is provided against by the Vagrant Act, the clause I have just read, which provides that no person may come to one union from another for the purpose of seeking relief.

204. It might not be obviously for the purpose of seeking relief, but they might come in very great numbers for other reasons; and might not the rates of that union be very heavily burdened in that way?—That is so; persons thrown out of employment in country districts naturally congregate in towns; and that throws increased taxation on the towns, no doubt; and that evil was attempted to be remedied by the last Poor Law Act, that of 1876, which provided that the expenditure, when it exceeded a certain sum, should be borne by the union at large.

205. And is that the law now?—That is the law now.

Mr. Symon.

206. A sort of rate-in-aid?—It is not exactly that. I will read the clause: "The guardians of a poor law union, when making any rate for the purpose of defraying the expenses incurred by them in the execution of the Poor Law Acts, shall have regard to the following provisions: The sum to be charged upon any electoral division in each half year, in respect of its proportion of the indoor relief expenses under the Poor Law Acts, as amended by this Act, shall in no case exceed the amount which would be raised by a poundage rate, limited in manner hereinafter prescribed, upon all the hereditaments rated to the relief of the poor in such electoral division"; and then it describes

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describes how that is done. The guardians are to calculate what the average cost in each union is for the relief of the indoor poor; they have to add a certain sum to this average, and whatever exceeds that amount is charged upon the union at large. It is very much like a rate-in-aid, as you observe.

Mr. Forryth.

207. Upon the whole, are the people in Ireland satisfied with the law as it is, that there should be no law of settlement and removal; or would they prefer something more similar to the English law?—I think there would be very great dissatisfaction if there were any alteration made in Ireland, inflicting a law of settlement and removal on the country.

Mr. Ramsay.

208. You are of opinion that the Irish people would rather have the present state of the law than any change which would enable them to remove the Scottish and English paupers who are located there?—That is my opinion, formed from what I have seen at the boards of guardians and heard in the country; in fact, I cannot say that I have heard anyone in Ireland advocating the enactment of a law of settlement and removal in Ireland.

209. Might it not be that without changing the law as regarded the native population, you might have the power to remove paupers of English or Scottish birth to their place of birth or settlement?—No, I should not advocate such an arrangement. We do not want the law of settlement or removal in any degree in Ireland.

210. And you are of opinion that such a change would not be satisfactory to the people of Ireland?—I think that nothing short of the absolute repeal of the law of removal of the Irish poor from England and Scotland to Ireland, would be satisfactory to the Irish people.

Mr. Symon.

211. You have never heard, in your experience, any complaint made by the guardians as to the pauper relieved being Irish, or English, or Scotch?—No, I do not remember ever hearing any such complaint.

212. They place all upon the same rule?—Yes.

213. With respect to the influx of Irish paupers into England, is it not in the hands of the English guardians to protect themselves against such an influx by a Vagrant Act, just as the unions in Ireland do?—Yes.

214. Do you think that would be just as good a protection for them as the Vagrant Act in Ireland is for the guardians of the unions there?—Yes.

215. You think that any change in the law, or any new law, ought to look not only to the protection of the rates, but to the right of freedom of labour?—Certainly.

216. And do you think that that right of freedom of labour should be just as broad and liberal as the rights of freedom of any other profession or occupation?—Yes.

217. And have you ever known any Irish pauper or labourer, in your experience, come to England merely for the purpose of throwing themselves on the rates, and not for the purpose of seeking for labour?—I have never known of such an instance.

218. And you have not heard any complaint

Mr. Symon—continued.

made on that subject?—I never heard of an instance or known any complaint made about it.

219. When they do come, they come for labour in the English market, and they are employed, as far as you know, by English employers of labour?—I think so.

220. And you think that, having come for that legitimate purpose, they have a right to be relieved by the country that they spent that labour in?—That is clearly my opinion.

Mr. French.

221. It was stated in the House of Commons, in the debate on this subject, that paupers had been to a very large extent sent over from Dublin to Liverpool, on steamers, at a shilling a-head; could that have been done, to a large extent, without your hearing of it?—I am quite sure they were not sent over by the poor law unions; but whether they have been sent by other parties, or aided by them to come over, I am unable to state without further inquiries.

222. But you think, as a resident in Dublin, you would have been likely to have heard of that if it was carried out on any large system?—I did hear some years ago that there were persons in Dublin who assisted paupers, who had been removed to Ireland, to return to England; but I have no accurate information on the subject, and I am unable to give any evidence about it; I am not able to give reliable information on the subject.

223. The statement made in the House was that they were sent over, never having been in England before?—I never heard of it, and I do not believe it.

224. And any money so expended by the guardians for the purpose of sending a pauper out of their particular union, would be charged to the individuals by the auditor?—Clearly, but I can answer positively that it is not done by boards of guardians.

Mr. Mark Stewart.

225. I suppose you are aware that there is a strong feeling in the minds of many persons against your suggestion of doing away with the law of removal altogether; on the part of the Scotch and English, I mean?—On the part of the Scotch and English I have no doubt there is.

226. Have you ever considered the reasons which have been advanced in support of that view?—The reason appears to me to be that the law of settlement and removal being in operation between one part of England and another, the same should apply between England and Ireland.

227. With regard to those towns and parts of the country which are contiguous to Ireland, would it not be apt to draw a very large influx of Irish beyond what now comes there, if the law of removal were done away with?—I do not think it would effect much difference in that way. I do not think that an Irish labourer is deterred from going to England by the fear of the operation of the law of removal.

228. Is there not a feeling on the part of the Irish pauper, or the Irishman who is likely to become a pauper, that he can get better terms in Scotland or England than he can in his own country?—I have never heard that.

229. If the law of removal was done away with,

Mr. Mark Stewart—continued.

with, would it not be somewhat hard in certain cases for those Irish people who had friends of their own in Ireland, to be kept, as it were, in Scotland, for instance?—There would be nothing to prevent them returning to their own country if they thought fit.

230. But now they can return at the expense of the boards?—I do not think it is desirable to encourage the practice which goes on in Liverpool, of persons applying for relief solely for the purpose of making the guardians pay for their removal.

231. You think that goes on largely?—I believe it does in Liverpool; I have not made inquiries in other places.

232. You could not say whether it went on also in Glasgow?—It is possible, but I have no information about that.

233. You stated just now that the system works well, that is to say in Ireland, there being no law of settlement or removal in Ireland?—Yes.

234. Do you find that you have no legal expenses, no contentions between different unions?—There can be no legal contentions between different unions; when a pauper is in need he is charged to the union in which he becomes destitute.

235. And are the rates comparatively equalised between the towns and the country?—There is a very great variation in the rates in different parts of Ireland, and there also was a considerable difference between the rates in towns and in rural districts; that has been equalised, as I mentioned, to a certain extent by the operation of the Act of 1876. It was in consequence of the difference between the rating in towns and in rural districts that union rating in Ireland was advocated.

236. Then do you consider that the Act of 1876 is a fair solution of that difficulty?—I think it is an improvement on the practice as it existed before. When I was examined upon the subject I gave my evidence in favour of adopting the course pursued in England of having union rating only.

237. I gather from your answer that you still think that it is some improvement?—Certainly, the Act of 1876 has equalised the rates to a certain extent.

238. Not altogether?—Not completely. As I mentioned before, that Act has only come into operation since I left the department, but you will have a witness before you who will give information as to what has occurred during the last three years.

239. Then I gather from your evidence that you do not think that the deterrent effect of the law of removal is homestead on the whole?—No; I do not desire to express any opinion on the operation of the law in England and Scotland; but I give my opinion as to the operation of the existing law in Ireland, and I do not wish to see it altered in that respect with reference to applying the law of settlement and removal to Ireland.

240. Supposing the removing was made reciprocal in regard to removing the Scotch and English to their own country from Ireland, you do not think it would give satisfaction to the Irish generally?—Not as a solution of the difficulty, nor as a remedy of the evil they complain of.

Viscount Ennisk.

241. With regard to the cases you quoted of removal to Ireland, I presume many of those cases have occurred since 1863, when the Act was passed giving irremovability by a residence of one year in a union?—The Paper that I have put in extends from 1863 to 1872.

242. Then a great proportion of those cases would come after the year 1865?—Yes, certainly many of them.

243. There were several cases which you quoted of persons who had been removed after residing 40 years in England?—I have a case here before me in the Return made to the House of Lords in 1878 of a man named John McCradie who was removed from Irvine, and who had been 67 years out of Ireland.

244. Is that a case since 1865?—This is a Return of the removal warrants from the 1st of January 1876 to the 1st of June 1878, a period of two years and a-half.

245. If that person had resided for 12 months in any one union, he would not have been able to be removed?—If he had resided 12 months in the union in which he became destitute he could not have been removed from it.

246. Therefore, in none of those cases could the person have been residing 12 months in the union in which he became destitute?—That is to say immediately before he applied for relief. But when persons lose their employment their natural impulse is to wander about and endeavour to obtain employment elsewhere; many of them do not know exactly the boundaries of the unions, and they go outside and seek for relief outside the unions in which they lose employment, and that breaks their irremovability.

247. I presume the settlement of all the persons who were removed to Ireland was a settlement of birth; or how was it decided where to send these persons?—The law is, that a person may be returned to the union in which he was born or last resided for three years. That is the Act of 1861; there is a provision in that Act that if the magistrates are unable to ascertain where the person was born or resided for three years, they may select the port to which he shall be removed. These are the words: "Provided that in any case where the justices or magistrates shall not be able to ascertain where the evidence before them the place of birth, or of such continued residence as aforesaid, they shall order the pauper to be removed to the port in Ireland which shall in the judgment of such justices, under the circumstances of the case, be most convenient." That is Clause 2 of the Act 24 & 25 Vict. c. 76.

248. In the working of the law in Ireland, do you ever find a difficulty arising in this way: a person leaving his own parish or union and becoming destitute elsewhere, would, as I understand the law in Ireland, be unable to obtain relief anywhere but in the union or parish in which he had become destitute; might not that inflict a great hardship sometimes on the person who had become destitute?—No, I have never found any hardship arise from that.

249. Though it might be a union in which he had no interest, or friends, or belongings?—It is very necessary where there is no law of settlement and removal to have such a provision, as I have quoted, from the Vagrant Act, and that a person becoming destitute should not be permitted to go from that place to another for the purpose

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purpose of seeking relief; I think it is much better that he should obtain relief where he becomes destitute; the reciprocity in it prevents injustice to the ratepayers of any particular union.

250. And prevents hardship to the pauper, do you think?—I do not consider it any hardship to the pauper; he would thus be enabled to go back, perhaps, to his employment in the town in which he became sick or destitute.

251. But take the case of an old person who became destitute from old age, and who was infirm; would it not be hard on persons if in consequence of being at the time they became destitute away from their own home, they should be kept for the remainder of their lives away from their own home?—But they are kept in the union.

252. Unless they had out-door relief?—Out-door relief is very little given, except to persons belonging to the district.

253. You told us that you thought the labouring population is not deterred from seeking employment in England in consequence of the present state of the law?—No instances have come to my knowledge to make me think that they are so deterred.

254. But might not the result of the abolition of the law be to incline the vagrant class to seek the large centres of population in a way they do not now?—From my knowledge of Ireland, I do not think that it would induce persons to come over from Ireland to England.

Mr. Hilbert.

255. In reference to the law of Ireland, supposing that a man is taken sick in seeking work, would he obtain relief in the place in which he became sick?—Yes, wherever a person becomes destitute there he may obtain relief.

256. Might it not be in a case of that kind a hardship upon the ratepayers of that district to have to maintain a person who might be sick for any number of years, who ought to be maintained by the union from which he came?—I think not. If a pauper belonging, say, to Belfast is taken ill in Cork, he is relieved in Cork, and a pauper from Cork taken ill in Belfast is relieved in Belfast, and the reciprocity prevents injustice to the ratepayers.

257. And that gives no dissatisfaction you say?—No.

258. You mentioned a case which you think one of hardship, where a man who had lived in England 67 years had been removed; might it not be the case, according to the English law, that that man might have been 66½ years in one union, or in one parish of England, and have lived there the whole of that time, and yet if he left his residence and became destitute he might be removed to Ireland?—Certainly, if he had not lived a year in the union in which he applied for relief.

259. And that of course would be a case of very great hardship?—Very great hardship indeed.

260. Is it not the case that the power of selection by the magistrates of the port to which the pauper is to be sent, is also a hardship upon the ports in Ireland?—It is a hardship upon the ports to a certain extent, but it does not very frequently happen that a pauper cannot state where he was born; and it is only where the magistrates cannot ascertain where the pauper was born or has resided for three years that he can exercise that power.

Mr. Hilbert—continued.

261. But there have been cases made public where the pauper has been turned out in Dublin, for instance?—Yes, there have been, and the reports are the places which they select.

262. I suppose you know what the law of Scotland is as well as the law of Ireland, in reference to the removal of paupers?—I know from the Acts I have here what is the law about removal.

263. Has your attention been called at all to the greater hardship in the case of the Scotch law than in the case of the English law with reference to the removal of Irish poor?—The Irish paupers, I believe, may be removed from Scotland if they have not a settlement in Scotland, and if I understand the law rightly, the clause relating to the year's residence making them irremovable, does not apply to Scotland; and, therefore, it is harder upon the Irish poor in Scotland than in England.

264. And is it not the case that a person does not obtain irremovability in Scotland in the union but only in the parish; a person is compelled to reside a certain number of years in the parish and not in the union; and, therefore, so far, the Scotch law is much more hard upon the Irish pauper than the English law?—Yes.

265. And is it not the case also that the Scotch law requires five years' residence?—Yes.

Chairman.

266. There is one point that I should like you to clear up in your evidence. The principal case that you gave us with reference to the hardship of removal from England to Ireland really turned upon the illegality of the removal?—Of the way in which the removal was effected.

267. But I think you said also that the removal was illegal?—According to the decision of the Court of Queen's Bench it was. That decision was given in the year 1869, and the case that I refer to took place in the year 1864; therefore that opinion was not known at that time.

268. But then we are dealing with the present; assuming the same circumstances to occur now the case would be illegal, both in its method and in its principle?—Yes, if the magistrates will be guided by that opinion, but I have cases here before me in which the course prescribed by that opinion was not adhered to. I had cases to make inquiry in Dublin with reference to removals from Liverpool, and I found several cases in which women and children had been removed subsequently to that opinion being given.

269. It is a very important point, because there is a great difference between a complaint against the law founded on had execution of the law, and complaint against the law founded upon its own bad principles?—That is so; but I think I gave the case in answer to your question, whether I knew of cases of hardship; I gave that as a case of hardship inflicted on a pauper.

270. Could you give us from your list of cases very shortly a case that is both hard and legal?—I find that in the year 1871 I was directed by the Poor Law Commissioners to ascertain how many deserted women or children had been removed illegally from England since the decision of the Court of Queen's Bench in 1869, specifying the cases.

271. That is, "removed illegally;" I want a case of legal removal which is such a case of hardship as to justify a complete alteration of the law?

Chairman—continued.

law?—These papers in my hand are full of them.

272. Will you give us one. I am afraid we should mislead people who look at your evidence. At the present moment we have got an important case in your evidence in chief which no doubt is an interesting and valuable instance; but the contention is, that the removal is illegal, and you founded upon that case an argument that the law ought to be abolished?—There are numerous cases here, but I cannot find one in which it is actually stated that the removal was legal. Here is one: "Under warrant, dated the 14th October, Catherine Griffin and three children were removed from Leigh in Lancashire. In this case the warrant directs the removal to Ireland merely, and is not addressed to the guardians of any union in Ireland." The warrant was informal in that case. "The women and the children are brought on the deck of a steamer contrary to law, and although permitted by the sailors to go below, were drenched with water during the passage, and landed on the quays under no custody, being left to find their way to the North Dublin Union Workhouse."

273. Will you ascertain some of those cases in which the removal was legal, and insert them in the Appendix?—Yes. In that case which I mentioned of Walsh, it was believed at that time that the removal was perfectly legal, and as the law stood at that time, or was considered to stand at that time, it was a perfectly legal removal.

Mr. French.

274. As the law stands at present in Scotland, there has been quite an opposite decision?—Yes, that decision is not accepted in Scotland, and it is not always accepted in England, because the magistrates do not always act upon it.

Mr. Ramsay.

275. You understand that it is not acted upon by the magistrates in England?—Subsequently to 1869 it was for some years not acted upon; whether it has been acted upon during the last three years, I cannot say.

Mr. Forsyth.

276. What is the reason which was alleged by the Court of Queen's Bench for saying that that case to which you referred was illegal?—The statement of the Poor Law Commissioners in

Mr. Forsyth—continued.

their Report, in which they refer to the subject, explains that, I think; they say, "We have for many years past protested against the impolicy and inhumanity of this class of removals, resulting often in this separation against their will of the husband from the wife, and the parent from the child. The judgment of the court, however, proceeded upon no considerations of that nature, but on the ground that the removal statutes have not effectually provided for such cases. In the former times of the English poor law, when hundreds of thousands were annually spent in the litigation of settlements a *casus omissus* of this nature would have attracted the attention of the Legislature, and an Act would probably have been passed to provide a remedy." That explains it, I think.

277. It does not give the reasons why it was illegal?—No, but it says that there was no express enactment making it legal.

Mr. Symes.

278. You are not giving the words of the judgment of the court?—No, I am reading from a report of the Poor Law Commissioners.

279. I understand you as holding in those cases not only as cases of illegality, but also as cases of inhumanity independent of the illegality; is that so?—Yes; the cases where the removal is perfectly legal, and where the removal is effected in a harsh manner, greatly exceed those in which the removal is illegal.

Mr. Mark Stewart.

280. I understand you to say that you consider that the fact of the law of settlement not existing in Ireland is a good thing?—Yes.

281. Are there not often cases of deception or imposition on the part of one union upwards another in trying to get rid, for example, of a man with a large family who happens to die, supposing that the family would be a very great burden on the rates of that union?—I do not see how the imposition could be practised.

282. For example, by bribing the family to remove into the next union?—No, I do not think that that occurs.

Mr. French.

283. Any such bribe would be surcharged by the auditor?—It certainly could not be paid out of the rates.

Mr. JOSEPH JOHN HARTLEY, called in; and Examined.

Chairman.

284. You are an Inspector of the Local Government Board in England?—Yes.

285. You have been inspector for how many years?—For nearly 12 years.

286. You are well acquainted, I presume, with the law of settlement and removal in England?—I can hardly say that, because my official duties do not allow me to interfere exactly in the law of the matter; but I have had great experience in the administration of the Poor Law.

287. What district have you?—I have a district, comprising 52 unions, in the counties of Surrey, Middlesex, Oxfordshire, Buckinghamshire, Berkshire, and Warwickshire, and a union in Worcestershire; in fact, I go from Birmingham to Guilford.

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Chairman—continued.

288. What is the largest town in your district?—Birmingham.

289. And you have of course, also, from what you have just said, a wide country district?—Yes.

290. Can you give the Committee any idea of the opinion of the guardians in your district upon the question of the law of removal?—I think that the country guardians would almost be unanimous in favour of the abolition of the law of removal; and I also know that some of the most experienced of the town guardians (in Birmingham, for instance) are strongly in favour of the abolition of the law of removal; and I may perhaps be permitted to say that at the largest poor law conference, I believe, in England, certainly

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Mr. Henley.

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in

Mr. Hooley.

17 June
1875.

Chairman—continued.

in my district, held at Malvern in May 1875, this resolution was passed, with three dissentients: "That in the opinion of this conference the time has now arrived when the law of settlement in England and Wales may, with advantage to the community generally, be wholly abrogated."

291. There are a class of poor law officers, who are very able and have had great experience, the clerks of unions; did you take the trouble to ascertain the opinions of the clerks of the unions of your district?—I have a return here which was got in 1875; I received replies from 39 of the clerks, and only six were against the abolition of the law. I sent circulars at that time to 57 unions; I received replies from 39, and as I have said, six only were against the abolition of the law.

Mr. Synan.

292. There were 33 in favour of the abolition, were there?—Yes.

Chairman.

293. Is that return in such a form that you can put it in?—Yes, these are summaries of the replies; they are not all of them absolutely in favour of the abolition, but they are against the present law very strongly.

294. Will you hand it in?—Yes (vide Appendix). Before you pass away from the clerks, perhaps you will permit me to say that their opinions must of course be accepted with some qualification, because in certain large towns they have a direct pecuniary interest in the existence of the present law, or rather in the preservation of the present law; it forms, in fact, a very large part of the salary which they receive.

Mr. Farayth.

295. The great majority, you said, were in favour of an alteration of the law?—Yes, they were speaking against their own interests in so expressing themselves. One clerk asked me, in the event of the law being repealed, whether I thought he would be entitled to compensation for the payments he received for that week.

Chairman.

296. What you mean to put before the Committee is this, that although the clerk to an union may make a considerable sum of money annually by the expenses and charges for removal, nevertheless in your district, out of 39 clerks 33 have replied that they wished for some material change in the law?—Yes; and I say that many of them were speaking directly against their own interests.

297. Now, what do you consider to be the effect of the present law upon the poor themselves?—I think it is an unmitigated evil to the poor themselves. I cannot see that a poor man gains anything by the present law; he is liable to be removed from one end of England to another; to be taken by a warrant and sent away; and I conceive that he gains nothing by having a settlement as far as poor law relief is concerned.

298. You mean to say, that if a poor person universally were entitled to relief on the spot where he becomes destitute, he would be in a better position with regard to the relief which he may claim than he is at the present moment?—Yes, the right of relief is totally irrespective of any question of settlement; if a person is destitute he must be relieved wherever he may fall

Chairman—continued.

destitute, and the question of settlement only comes in afterwards.

299. Now, let us assume for a moment, that the law of removal was abolished; would there be any administrative advantages in the abolition?—I think there would be very great advantages.

300. What, for instance?—In the first place, you would by that means abolish non-resident relief, which is admitted by all those who have had anything to do with the administration of the Poor Law to be a very great evil. I need hardly say that it is open to very great abuse, and in the best managed unions they decline altogether to give non-resident relief.

301. Would there be a saving of expenditure also?—There would certainly be a great saving of expenditure in litigation, correspondence, &c.; a great deal of time is taken up and money expended upon it. I may say I took out in one union the cost, and I found that the cost per case in one year was 6*l.* 7*s.* 11*d.*; that is the legal expense of removal alone.

302. Do you think also the guardians would give a closer investigation to the cases if the law of removal were abolished?—Yes, I have no doubt they would. Very often now the first object of the board of guardians is to ascertain whether the person is really chargeable to the union, instead of ascertaining simply whether the person is destitute or not; and I believe that if they knew that when they accepted the person they would not be able to shift the burden, but would have to bear it themselves, there would be a much closer investigation of cases.

303. Then, to put it shortly, your view on the one side is this, that the advantages of an abolition of the law of removal would be a saving of the time of the officers of the union, a great saving of expense, the abolition of non-resident relief, and probably a more careful and independent investigation of the various cases demanding relief?—That is so; there is a great deal of time wasted now by the boards of guardians in trying to ascertain whether these persons are chargeable to the union or not.

304. Let us now take the other side of the question; what would be the objections to abolition?—The objection, in the first instance, is the stock objection that it would be casting an undue burden upon certain towns, upon urban districts; but I need hardly say that that objection cannot be sustained after the passing of the Union Chargeability Act. A great shifting of business took place at that time, and those who then advocated the change in the law would not for a moment entertain the idea, or listen to the suggestion that hardships would be inflicted upon certain localities by shifting the burden of voting.

305. Would not some unions that had a reputation for liberality be inundated with paupers?—It is quite possible that in certain unions, and particularly in the new sick and infirm wards of workhouses, there might be some addition of paupers; but, on the other hand, I believe it would then lead to a better administration and a better classification of those workhouses.

306. Does not the threat of removal often act as a tax, which prevents people from applying for relief?—No doubt it does. The threat of removal prevents people from becoming chargeable, or, at any rate, they discharge themselves sooner than he removed; but I may, perhaps, be permitted

Chairman—continued.

permitted to say that the law was never intended to be used for that purpose.

307. You consider that an improper application of the law, do you?—I do not go so far as that; but I say that it was never intended at the time the law was passed.

308. Still assuming the abolition of the law to be an accomplished fact, would not this give an encouragement to vagrancy?—It is said so; but I am not able to understand in what way it would operate in that direction. Vagrants are now relieved in England on what I may call, shortly, the "move-on" principle; they are simply treated as wayfarers seeking a night's lodging, and they are passed on from workhouse to workhouse; that is the way they are now relieved, and the question of settlement is never considered at all with regard to vagrants unless they become absolutely incapacitated and come into the sick wards, and then the guardians naturally try to get rid of them; but if the alteration of the law tended to prevent the fluctuation of vagrants, and tended to make them remain in the workhouses, I think it would be an immense advantage to the community in general, because nothing can be much worse than the present system.

309. To sum up this side of the question, I take it that you think there is some weight to be given to the following objections to the abolition of the law of removal: first of all, that a burden may be cast on the urban districts; secondly, that some unions may be unduly popular with paupers; thirdly, that a test against pauperism would be removed; and, fourthly, that some encouragement may be given to vagrancy; but whilst giving weight to those arguments which have been adduced from time to time, you think that there is an answer to all of them?—Yes, especially with regard to the first point that you have put, because the wealth of the towns, as we all know, has been built up by the sweat and bane of the agricultural and other labourers who have come from the country districts; and the small proportion of expense that the towns have to bear for those falling destitute is nothing as compared with the enormous benefit they have received from drawing all this labour from the country districts.

310. I presume that your view would be that the law of removal should be abolished, but not the law of settlement and removal both?—Just so; I am entirely in favour of the abolition of the law of removal; in fact, a person now is irremovable after a residence of one year; and I should strike that one year out altogether, and make them irremovable absolutely.

Mr. Bismarck.

311. That is to say, that they should obtain relief where they become destitute and require that relief?—Yes, they do now obtain relief, but they are liable to be removed.

Chairman.

312. And the law of settlement would then fall within a very narrow compass; but you consider that it is necessary to keep it for certain legal rights and claims?—That is a question which I am hardly competent to answer, but I believe there might be some questions relating to charities in parishes, and other things; I know nothing of that; but looking at it from a poor law point of view I should be satisfied if the power to remove were absolutely abolished.

Chairman—continued.

point of view I should be satisfied if the power to remove were absolutely abolished.

313. And if the power of removal were abolished the poor rate would have nothing more to say either to settlement or removal?—No.

314. Is there anything else you would like to say to the Committee on this point?—If you would permit me I should like to read the conclusion Mr. Code came to after considering this matter; his report, which was written in 1851, is the most able ever written, and the conclusion is very short. Mr. Code most strongly advocated that the law of removal should be done away with, but he also advocated that the Union Chargeability Act should be passed. He wished that the law of settlement and removal should be repealed at once; but he gave 27 years for the alteration of the law as regards the Union Chargeability Act. Now the 27 years expired last year; so that the towns have had the advantage, ever since the passing of the Union Chargeability Act, of the rating of the country places; but the country places have been saddled up to this time with the law of removal, which Mr. Code wished then to be done away with. He says, "We come, then, to the conclusion that the only course, consistent with the public welfare, is to repeal the power of removal by warrant. This, for reasons, should extend to Scotch, Irish, the islanders and vagrants. It is unnecessary to provide expressly for 'settlements'; the provisions as to this, and as to legal and other proceedings, all become inoperative for present purposes by the abolition of 'removal'; and, as they are mixed up with other matters, they should be left in operation as to them until they have been more carefully examined, or can be appropriately provided for in detail. As the right of free settlement may operate to the disadvantage of some of the more accessible places, and as, moreover, it would of itself be beneficial that every union should become to all intents and purposes one parish; but as this, if effected at once, would involve a sudden and violent increase of burden in many of the smaller parishes, without equivalent advantage to any; it is desirable so to introduce equality of rating as to render the approximation, if possible, not more rapid than the receipt of benefits from the change of the law; and, so as not to interfere unnecessarily with the value of property on the just expectations of its present owners or existing expectants, it seems desirable that every union be, on and after the [] day of [], an union for rating according to the provisions of the Poor Law Amendment Act, dispensing with the consent of the guardians; that all its expenditure be provided for by a common fund; that this common fund be raised for the first (say 27) years by rates made in each parish approximating to an equal union rate by (say one-tenth) of their differences every three years. That in the year (say 1878) and thenceforth the common fund shall be raised by an equal union rate." These were Mr. Code's suggestions.

315. Will you give us the exact title and date of that report?—"Report to the Poor Law Board on the Law of Settlement and Removal of the Poor; by George Code, Esq., 1851."

Captain Cressy.

316. That was only a suggestion; it was not carried into effect in any way?—The only thing carried

Mr. Hensley.

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Mr. Healy—
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Captain Curry—continued.

carried into effect has been the Union Chargeability Act.

Mr. Hibbert.

317. Have you had many removals in your district of late years?—I can tell you what has taken place in Birmingham. There have been removed in Birmingham in the last year 46 men, 74 women, and 119 children.

318. Where were they removed to; how many to Ireland, and how many to various parts of England?—I think they have all been removed to various places in England.

319. No cases to Ireland?—I think not; and they were mostly removed to the urban districts, I see. This is a return of the paupers removed to their respective parishes during the 12 months ending June 1879 (*according to the same*).

Mr. Sykes.

320. Does your return give the places to which they were removed?—Yes.

Mr. Hibbert.

321. Do you know whether the guardians at Birmingham have been in the habit of making removals to Ireland?—That I cannot answer.

322. Are you aware whether the number of removals has decreased very much of late years since the law has been altered; since the status of irremovability has been altered from three years to one there have been fewer cases of removal?—No doubt much fewer; but the last alteration of the Act has thrown things into confusion again.

323. The Poor Law Amendment Act of 1876, you mean?—Yes.

324. In what way has that thrown matters into confusion?—There have been so many questions raised as to whether it was intended to be retrospective or not; they have been constantly in the High Court of Justice, and decisions have been given in several ways; and I have no doubt you will receive in this Committee, petitions that are being signed all over the country for the alteration of the law. The guardians say that they cannot possibly understand it; and they go so far as to say that the judges cannot understand it.

325. You refer, of course, to the 34th, 35th, and 36th clauses of the Act of 1876?—Yes.

326. And I suppose, in your opinion, the hardships of the law of removal have been, to a considerable extent, reduced by the alteration of the law of late years?—No doubt; the irremovability first to five years, then to three years, and then to one year, has greatly modified the hardships that used to exist.

327. And I gather that, in your opinion, the abolition of the power of removal altogether would not be likely to lead to any serious inconveniences?—I do not think it would.

328. Do you think it would seriously affect any towns like Liverpool or Bristol, from their being ports of embarkation?—I am hardly able to answer that; they are out of my district altogether.

329. I suppose you are aware that those towns have always seriously opposed the abolition of the law of removal?—Yes, I know they have; but for the grounds that I have given before I think it would be most unjust to limit the migration of labour in any way into those towns, and also to enable the people in towns to get rid of these

Mr. Hibbert—continued.

persons as soon as they become a burden upon the towns.

330. Would you think it necessary on account of the hardships which it might be to those towns, to make any special provision with respect to them as to the relief?—No; I think that a person belonging to those three islands ought to be treated with perfect equality. The Englishman is not treated on an equality when he goes to Scotland, and the Scotchman gets an advantage when he comes to England, because there is no relief in Scotland for an able-bodied person.

331. What is the case with respect to Ireland?—I am not aware.

332. You are aware that they have no law of settlement at all in Ireland?—I am aware of that.

333. And no power of removal?—Yes, that is so.

334. You do not propose to assimilate the law of England to that of Ireland?—What I propose would do away with the power of removal.

335. But not with the law of settlement?—No, but the law of settlement from the poor-law point of view would pass away altogether; we should hear of it no more.

336. But you think there are certain reasons for continuing the law of settlement with respect to charities and other matters of that kind, I understand you?—I am told so; but that is a matter I am really not competent to speak about.

337. It is the case, is it not, that where non-resident relief is given a great amount of money is given very carelessly and lavishly?—Undoubtedly, with very lax supervision, and leading very often to fraud and speculation.

338. Of course if the power of removal were done away with that would cease?—It would cease at once.

339. You stated that with respect to vagrants you did not expect any bad effect to arise from an alteration of the law?—I am unable to understand what bad effect could arise. I am told that there would be, but I have not seen anything in writing, or heard anything which induces me to think that anything would happen. During the time of pressure when people flock into a town and come upon the rates, you have not time to inquire into the question of settlement, but simply to relieve the destitute.

340. Is it not the fact now, in the case of vagrants, that they are relieved generally in a special way without coming before the guardians; they are not taken into the workhouse at all?—They simply come in for the night and remain till 11 o'clock next day and are discharged, unless they are ill, and then they are taken to the body of the house.

341. And then there is no power of removal in case of sickness?—Not unless they recover. Sometimes a vagrant without being sick is unable to go on; he is physically infirm, and claims to remain; and I believe if he should claim to remain he would have a right to remain in the workhouse.

342. Should you recommend an alteration in the law of Scotland with respect to the power of removal?—Yes, I should treat the whole three countries on equal terms; I should not be prepared to say that there should be any alteration of the law with respect to able-bodied people, but as far as the law of removal goes I would treat the three countries on equal terms.

343-4. Is

Captain Corry.

343-4. Is the cost of removal, say, in an union like Birmingham, so large an item as to be worth taking into consideration?—I should think it is. But I may tell you that the guardians were very much dissatisfied with the cost of removals last year, and they now pay the clerk a contracted sum, so that he shall have no interest in procuring removals; but it must be a considerable sum from the number of persons I have put into the list who have been relieved this year.

345. Then in fact, if the Birmingham Union sends over a pauper to Ireland, the Birmingham Union pays the expenses, and not the Irish union?—That is a question I can hardly answer.

Mr. Mori Stewart.

346. You are unable to give any specific evidence with regard to Scotland or those cities which are ports of embarkation or disembarkation for Ireland?—Quite so; they are not in my district.

347. Then the principles you have laid down with regard being away with the law of removal are merely stated in a general sense?—Quite so.

Mr. Hutchison.

348. Supposing that there were any union that had a reputation for liberality, do you not think that the guardians would soon find out the mischief that was done by that reputation, and would regulate the treatment accordingly, and so the evil would be rectified?—They would to a certain extent; but some of the new buildings from their construction are so very much more comfortable than others, that I think it would be an inducement to persons when they are sick or infirm to go into them, and it is very difficult indeed in the sick ward of a workhouse to introduce very strict discipline.

349. But I am not speaking so much of sick people, I am speaking of two classes of people, able-bodied people who represent themselves as destitute, and vagrants; now the mode of relieving these is, as you know, that the able-bodied person, being destitute, is set to work?—Yes.

350. The guardians from time to time vary their regulations in that particular, so as not to make their workhouse luxurious?—Yes.

351. In the next place, as regards the tramp, he can be served with a tramp order, which is not a very comfortable sort of thing?—An order for the vagrant ward, you mean?—Yes.

352. So that the object of my inquiry is this; it being stated that places which were specially comfortable might be victimised by having a large influx of paupers; supposing that were to be so, it would be an evil that would very soon tend to rectify itself by an equalisation of treatment?—So far as the able-bodied and vagrants are concerned you are quite right; but they form a very small proportion of the inmates of workhouses at the present time. I am not in the least alarmed that the able-bodied persons would ever flock into workhouses; the discipline, the labour, the confinement, and the diet, which the guardians could put upon them, would certainly deter able-bodied persons from coming into the workhouse, and especially vagrants; but the difficulty would arise with regard to the aged, the infirm, and the sick; but I do not think it is a difficulty which ought to be entertained for a

single moment, as against the abolition of the law.

Mr. Symes.

353. I understood you to say that the principal ground upon which this law of removal is advocated is, that it acts as a deterrent, that it prevents people entitled to relief from seeking relief?—That is so.

354. Do you think that that is an objection to the proposed abolition which ought to be tolerated by the law of the country?—I do not think so.

355. Do you not think it would be unjust to the person wanting relief that he should have a threat to deprive him of that relief in the shape of this law of removal?—It is a condition of relief; it becomes that really.

356. Now with respect to increasing the charge upon the rates by vagrancy, or by persons coming to throw themselves upon the rates and not to seek for labour, you heard, perhaps, what Mr. Robinson said about the law in Ireland against vagrancy; would not that be a sufficient protection in this country also?—I had not the advantage of hearing that evidence of Mr. Robinson's.

357. The law in Ireland is this, that if vagrants go from one union into another, not for the purpose of seeking labour, but for the purpose of throwing themselves on the rates of a more comfortable union, they are liable by the vagrancy law to be prosecuted and punished; would not that law have the same effect in England as in Ireland?—I am hardly prepared to answer that; it would be so extremely difficult to prove. Take, for instance, men flocking out of London in a hop-picking season into Kent; it is difficult to prove whether those men are going hop-picking or begging.

358. But supposing it should be proved?—If it could be proved that they went there to commit acts of vagrancy, they are now liable to be apprehended, taken before a justice, and sent to goal.

359. You have then a vagrant law in England now?—Yes, certainly; a very strict one.

Mr. Ramsay.

360. Do you agree with the evidence of a previous witness who said that the existing law of England does not confer on any destitute able-bodied person a right to relief; because you state that that is the practice under the law of England?—I believe that by the law of England every destitute person is entitled to relief.

361. Is that your understanding of the law of England, that the law confers on an able-bodied person a right to relief?—I think so; I know it has been disputed whether there is an actual right to relief for anyone, but I believe an able-bodied man has equally a right to relief with anyone else.

362. It was stated, as I have already said, by a previous witness that the law of England does not confer on an able-bodied person the right to relief; but according to your experience it is the practice in England to grant such to destitute able-bodied persons?—Certainly; they can only receive under what is called the prohibitory order in certain unions, indoor relief, but they are certainly entitled to relief, and if the relieving officer did not relieve them, and any harm happened to them in consequence he would be liable to indictment for manslaughter.

363. Has anything in your experience led you

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Mr. Hawley.

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Mr. Rawnsy—continued.

to consider the effect of relief given to able-bodied persons upon the poor themselves?—Do you mean as demoralising them?

364. Or as lowering the wages of the labouring classes generally?—It might have been so years ago; but at the present day the able-bodied men we have in the workhouses are remarkably few and far between; they are generally either mentally disabled, I will not say physically disabled, but not physically strong.

365. Are there no laws under the present administration of the law in which able-bodied persons receive out-door relief?—During a time of pressure, like the last winter, they do receive out-door relief; under those exceptional circumstances they receive out-door relief; they receive, in fact, food and a small payment in return for labour which they have to perform under strict conditions.

366. Is it your opinion that that is or is not detrimental to the poor themselves as a class?—I think it is absolutely necessary for the safety of the country that they should be permitted to have such relief in those exceptional times; otherwise they would be driven to commit crimes.

367. Would their case not be adequately met, as in Scotland, by private benevolence?—It might be; but I should be very sorry to see the law altered.

368. But I understand you to say that you do not desire to see the law of Scotland altered?—No, because the poor law of Scotland is of recent existence, and people there have got into the habit of providing for themselves otherwise; and it has been shown that no evil has happened to able-bodied persons there. In England able-bodied persons have been able to go on the rates in a time of destitution, and I should be sorry to see the law altered. I remember the time when the workhouse gates were shut against able-bodied vagrants; riots were burnt down and other serious offences committed because relief was denied to those people. I would rather see them in the workhouses than doing that.

369. I suppose in treating the poor law of Scotland as of recent date, you refer to the Act of 1845?—Yes.

370. But you are aware that a poor law existed in Scotland for centuries prior to that?—I thought they were relieved by the Kirk Session.

371. But under a statute, was it not?—But I thought it was done by the Kirk Session.

372. But they were the statutory body to administer relief to the poor?—Yes.

373. It is not, perhaps, within your experience, so that you could state it to us what change the law of 1845 made in the condition of the poor in Scotland?—No, I think I could hardly venture to say that. I have had some experience in Scotch poor law, because I was employed for Mr. Goschen to investigate the boarding out in Scotland, and I took the opportunity of visiting almost every workhouse in Scotland, and I have looked carefully into their statistics from time to time.

374. You could not state to the Committee whether the poor were better or worse off prior to 1845 than they have been since?—No, I could not say that.

375. It is not within your knowledge that they have suffered by the operation of the existing poor law?—No, I could not say that. I can only

Mr. Rawnsy—continued.

say that at one time the pauperism was increasing very seriously in Scotland; I did happen to remark that.

376. Within what period?—I think about the years 1867 and 1868 it was increasing, but latterly it has decreased.

Mr. Farquhar.

377. You say that one of the advantages of doing away with the law of irremovability would be, that it would do away with non-resident relief; is that much practised now in your experience?—In some unions. I have not any figures with me, but in many unions they give a considerable amount of non-resident relief.

378. Do you think that is objectionable?—Very.

379. You agree with Mr. Coope, who was strongly opposed to it in his report in 1851?—Yes.

380. It is still practised, you say, to some extent?—In some unions to a very considerable extent, because the guardians think it a great hardship to remove people. I might say upon that, that a sudden change would upset the calculations of many boards of guardians, because they would be saddled with what are called non-settled poor. Those are the poor whom they are relieving for other unions; the non-resident relief is given by the parent union; the non-settled relief is given by the union that accepts the relief of the pauper for the other union.

381. There are two modes of doing it; it is either given by the union where the pauper is actually living, or by the union to which he properly belongs?—Yes; the pauper is living, we will suppose, in union A., but belongs to union B.; union A. asks the guardians of union B. whether they will give non-resident relief; if union A. relieves a pauper for union B., and they pay for that, union A. is giving non-settled relief, and union B. non-resident relief. If the law were suddenly altered the pauper in union A. would remain there, although he would belong to union B.

382. He would remain there as being destitute there, and, of course, would have to be relieved there, because he could not be removed?—Yes.

383. But, I suppose, that would work out pretty fairly in the different unions, one with the other?—The well-managed unions absolutely refuse to give any non-settled relief; many unions in my district will not relieve for another union under any circumstances.

384. Non-resident relief is liable to abuse, so doubt?—Non-resident relief is open to the very greatest abuse.

385. They have not the same check over the pauper to see whether he deserves it; and many things of that kind?—He may be dead, or he may be at work, or he may never receive the money that is sent to him. There are a great number of other ways in which fraud has been constantly practised.

Mr. Elliott.

386. I understand you to say that there might be an evil arising from the abolition of the law of removal in rather leading people to flock to where the better infirmaries or better sick wards were situated?—Yes.

387. Would not the present law allow them to flock there if they thought proper?—Yes; but as

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Mr. Hibbert—continued.

392. As they get better they are liable to be removed.

393. But when they are in the infirmary they might remain there under the present law, just as much as they could if it were altered?—Yes; but if they came back into the same union again after they were once removed, they would be liable to be punished.

394. But, supposing they were sick in union A. and removed into union B., because there was a good infirmary in that union, there is nothing in

Mr. Hibbert—continued.

the present law to prevent their doing so, is there?

—No.

395. And they could be treated in union B.?

—Yes.

Chairman.

391. I think that the most valuable memorandum on the subject of non-resident relief is to be found in the Seventh Report of the Poor Law Board, which is for the year 1841?—Yes.

392. Have you anything further to add?—No.

Mr. EDMOND WOODHOUSE, called in; and Examined.

Chairman.

393. You are one of the Poor Law Inspectors for the English Local Government Board?—Yes.

394. How long have you held that position?—I have been an inspector for nearly 18 years; but for the first five years I was employed as a school inspector, and since that time I was for a time engaged on a special inquiry into out-door relief; and since 1871 I have been one of the general inspectors.

395. What is the district in which you are at present working?—My present district comprises the whole of the county of Sussex, the whole of Kent, except that part included in the metropolis, and one union in Surrey.

396. What large towns?—Brighton is the largest town; Chatham and Dover are others.

397. And before that I think your district was in the west of England?—Yes, in the west of England; and my then district contained the town of Bristol.

398. You are acquainted, not as a lawyer, but as an administrator, with the operation of the present law of settlement and removal; what is your opinion of that law?—My opinion with regard to the law of removal is that it would be a good thing if it were entirely abolished.

399. Your opinion is that it would be better to abolish the law of removal altogether, rather than to attempt some further step in that direction?—Yes, that is my opinion.

400. And you speak purposely of the abolition of the law of removal as distinguished from any suggestion of abolishing both the law of settlement and removal?—I really know comparatively little about the law of settlement as distinct from the law of removal; and as I am told there are reasons which would render it undesirable to abolish the law of settlement altogether, I confine my own opinion to the law of removal.

401. You believe that the abolition of the law of removal would really take away all the difficulties of which complaint is made?—All the difficulties so far the poor law is concerned.

402. Have you ever had the opportunity of taking the opinion of guardians and other persons interested in the working of the poor law in your districts, either the present or the former one?—I have never taken those opinions in any systematic manner, but I have frequently talked over the subject at meetings of boards of guardians, and I have also been present at several poor law conferences, at some of which the subject has been discussed.

403. What has been the tendency of opinion
O. 107.

Chairman—continued.

on those occasions?—I think that in almost all the rural unions the opinion is in favour of the abolition of the law of removal, and that that opinion has gained ground within the last 10 or 12 years. Some urban unions are strongly opposed to the abolition of the law of removal. And as regards the conferences to which I have referred, I think the majority of the speakers at those conferences have been decidedly in favour of the abolition of the law.

404. Do you ground your objection to the existing law of removal upon the fact that you object to it upon principle, that is, that it interferes unduly with the freedom of labour, or do you rather lay stress upon any inconveniences or hardships that may have arisen from the administration of the law?—I rest my opinion upon both grounds; as a matter of principle I think the law is unjust towards the pauper, and as a matter of administration I think it is injurious as regards the ratepayer.

405. I think you are aware that from the time of Charles the Second, from which time the law of removal practically dates, there have been constant changes of the law, in order to ameliorate the difficulties which that enactment occasioned?—There have been frequent changes.

406. And those changes which have occurred from time to time over a long series of years have led to a great confusion in the condition of the law?—I am not personally aware that they have led to much confusion; the law has frequently been changed, and no doubt after each change some time has elapsed before the guardians have got accustomed to it.

407. Have you had any experience recently of the operation of Clauses 34 and 35 of the Poor Law Amendment Act, 1876?—They have not come before me officially in any manner; I have heard observations made upon them when in the ordinary course of my duties I have been present at the boards of guardians, but they have not been brought officially under my notice.

408. You believe that some inconvenience has been occasioned?—I can state that many boards of guardians have felt considerable inconvenience from the difficulty of interpreting the Act; and I can state that several petitions have been sent up asking for its amendment.

409. You mentioned Bristol just now; Bristol is an important place in reference to one chief part of our inquiry, that is, with regard to the removal of Irish paupers; can you put before the Committee any evidence with regard to the number of persons removed from Bristol?—I can give some evidence, but not of very recent date.

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Mr. Henley.

17 June
1879.

Mr.
Woodhouse.

Mr.
Wadehouse.
17 June
1875.

Chairman—continued.

I left that district three years ago, and therefore the information which I have relates to the year 1875; I made some inquiries into the subject at that time; I inquired in the three principal towns of any district in which the removals to Ireland were likely to take place, namely, Plymouth, Exeter, and Bristol; and, as regards Bristol, I have here a return which shows the total number of Irish paupers removed from Bristol to Ireland during the 10 years which followed after the Union Chargeability Act of 1865.

410. Will you give us those numbers?—It appears that for the first five years, namely, from 1865 to 1871, no Irish removals took place at all; and during the subsequent years, namely, the years 1871 to 1875, both inclusive, 21 orders were obtained; of those 17 were executed, and under those 17 orders which were executed the actual number of persons removed was 20.

411. Have you got any other statistics that you can put before the Committee?—That is a summary of the list as regards Bristol. I have the names of the persons in each case, the date of their removal, and the place in Ireland to which they were removed. Also, in making inquiries in Exeter and Plymouth, I found that during the eight years which preceded the date of my inquiry, which was in the spring of 1875, there had been no Irish removals either from Exeter or from Plymouth.

412. Are you of opinion that the law of removal should be assimilated in Ireland, Scotland, and England?—I know next to nothing of the poor law of Scotland, but so far as I can form an opinion I should wish to abolish the power of removal in all three countries; it does not exist in Ireland.

Mr. Forsyth.

413. You say that the law of removal is injurious to the ratepayers; will you explain what you mean by that?—I think the principal inconvenience arises from that which was referred to by the last witness, namely, the case of non-resident relief, which is a form of relief of which, in my opinion, it is scarcely possible to exaggerate the inconvenience.

414. Supposing this did not exist, then how are the ratepayers benefited by abolishing the law of removal?—I think that they would, in the first place, save all the money which is now spent upon the actual cost of removal, which is not inconsiderable.

415. In litigation, do you mean?—In litigation, and in the cost of removal.

416. Of course some places would be more heavily rated than others in proportion to the poor congregated there?—That would be so to some extent.

417. Will you explain what you mean by saying that the law of removal interferes with freedom of labour; do you mean that men are deterred from going to a place by the fear of being removed back?—That was, I presume, the object of the Act of Charles the Second, and has, to some extent, been the effect; and the fact of that being the effect produced by it led to many alterations of the law, and especially to that alteration in the year 1796, when an Act was passed which, for the first time since the Act of Charles the Second, prevented persons being removed before they actually became chargeable.

Mr. Forsyth—continued.

Prior to that a man was liable to removal even if likely to become chargeable.

418. A man wanting work would go to a particular town, not expecting to be a pauper, but to get work; would he be deterred from doing that by the fact that he might become chargeable to the parish he went to, and then be sent back?—I think that if some of his neighbours had been removed from that place, it would make him think twice before he went there.

419. But he would not be injured or damaged, would he, in any way by going there if he were sent back at the parish expense; he would take his chance of getting work, and if he did not he would not be a pauper, and if he did not he would be sent back at the expense of the parish?—Yes; but if he ever wished to return to that same place, and even by accident became chargeable, he would be liable to punishment.

420. He could not go back to it again, you mean?—Not after being removed.

Mr. Rowsey.

421. Are you of opinion that the ratepayers of large towns, in the case of the abolition of the law of removal, would be equally satisfied with the change in the law as those in the rural districts?—I do not think they would be equally satisfied, and I have stated that the abolition of the law is opposed by many of the urban unions.

422. And you have stated that you are not much acquainted with the administration of the law in Scotland?—No, I know nothing of that.

423. Then you are not able to state to the Committee what would be the feeling of the manufacturing and mining districts where labour is generally employed, and labourers drawn from agricultural districts; you cannot say what their opinion might be upon the subject?—As regards England, I think in many cases they might oppose it; but I think the feeling which lies at the bottom of their opinion against it is, that they do not wish to throw away a weapon which may at some time be useful. They suffer, or they think they suffer, no evils from the present law; and they think by the abolition of it they may be throwing away a weapon which may at some time or other be useful to them.

424. You are of opinion, in short, that as they derive advantage from the labourer they should bear the burden of his support, if he becomes destitute within their bounds?—Certainly.

Mr. Symes.

425. With respect to the question that was put to you by Mr. Forsyth as to the freedom of labour, is it not obvious that if the man has the choice of going to any market he likes for labour, or the alternative of being confined to a particular place by the law of removal, the one encourages freedom of labour, and the other checks freedom of labour?—I think so.

426. Now can you give us the particulars of any cases from Bristol out of those removals to Ireland which would show that they were cases of hardship, or cases of long residence of labourers in that district?—No, I am sorry to say I cannot. These statistics were obtained for me some years

Mr. Symon—continued.

year ago, and I only referred to them again last night, and they only give the names.

427. Could you ascertain each particulars as may give us that information?—Bristol is no longer in my district; and I am afraid there would be some difficulty in obtaining information as to these cases, the last of which occurred as long ago as 1875.

Mr. Mark Stewart.

428. With regard to the question which the honorable Member has just put to you, do you suppose that it enters the mind of the Irishman when he comes over to Scotland or England whether the law of removal applies to his case or not?—I really can hardly answer that question; but in the first answer I gave to the Chairman, when I said that the law was unjust to the labourer, I meant that I thought it unjust in principle, because I think every man ought to have the right to carry his labour to the market where he can make the best use of it; subject only to this, that he is bound to carry it there at his own expense, and back again if necessary.

429. He can do so now; he is able to gain a settlement in any country to which he goes, and he is able to return if he likes?—He is not able to gain that settlement except by a year's residence, and if work falls short he may be removed to his own country.

430. But he is in the same position as the Scotchman is or the Englishman is?—Yes; my opinion is that the law of removal should be abolished as regards all three countries.

431. But he is able to go to whatever market competes for his labour, and compete there on equal terms with his fellow men, whether English or Scotch?—That is so, as between the different men; but the freedom is fettered by the law of removal; and the preamble of the Act of Charles II. shows that that was the intention.

432. But it is no more fettered now as regards the Irishman than as regards the Englishman or the Scotchman?—No, except as regards this, that in Ireland there is no law of removal.

433. But whenever the Irishman chooses to come to England or Scotland, his labour is in free competition with his fellow men; and therefore there can be no hardship in his case; he is not removed if he complies with the laws of the country any more than the Scotchman or Englishman is removed?—I think there is no inequality between the two, except with regard

Mr. Mark Stewart—continued.

to the non-existence of the power of removal in Ireland.

434. When you were at Bristol did you hear any complaints made on the part of the guardians there; were any suggestions brought up in order to do away with and abolish the law of removal?—I do not remember that that was the case, but I think I am accurate in saying that the guardians at that time were opposed to the abolition of the law of removal.

435. What would their opinion be now?—I have no reason to suppose that they have changed.

Mr. Herbert.

436. In your remark about interfering with freedom of labour, I understand you to refer to the fact that a person does not go so readily and freely to a place if he knows that supposing he is short of work within the 12 months, he is liable to be removed back to his country, as he would if he knew that he could be relieved without being sent back?—Yes.

437. And therefore it is an impediment to the freedom of labour, whether the man comes from Ireland, or Scotland, or any part of England?—I think it is some impediment; I should not rate it too highly as a matter of practice, but as a matter of principle, it seems to me unjust.

438. Have you any removals from Brighton, or Chatham, or Dover, in your present district?—I have not any information with me on the subject.

439. Can you explain, with respect to Bristol, the fact that they should from 1865 down to 1871, be without any removals to Ireland, and that in the years 1871 to 1875 there were 21 orders obtained, and 17 executed; how is it that during the first years there were no removals at all?—I cannot give you any explanation, though I remember being struck with it at the time; but in the subsequent year there was only one order, namely, in 1872; there were eight orders in 1873; there were 10 orders in 1874; and in the first four months of 1875 there were two orders.

440. You are not aware whether during the first series of years the guardians had passed any law against removal of cases to Ireland?—No, I am not aware that that was so; I think not.

Chairman.

441. Is there anything else that you wish to say?—I think not.

Mr.
Wedderburn.
17 June
1879.

Friday, 20th June 1879.

MEMBERS PRESENT :

Captain Coery.
Viscount Emlyn.
Mr. Fowyth.
Mr. French.
Mr. Giles.
Mr. Hanbury.
Mr. Hilbert.
Mr. Hutchinson.

Mr. Martin.
Sir Arthur Middleton.
Mr. Bamsay.
Mr. Salt.
Mr. Mack Stewart.
Mr. Synn.
Mr. Torr.

THOMAS SALT, Esq., IN THE CHAIR.

Mr. GEORGE SHELLEY, called in; and Examined.

Mr. Shelley.

Chairman.

Chairman—continued

30 June
1879.

442. You have been for many years a member of the Birmingham Board of Guardians, have you not?—I have been for many years a member of that board; I have been chairman one year.

443. Are you now a member of the board of guardians?—I am. I am not chairman now; I have just retired from the chair.

444. You have had great experience in the administration of the poor law in Birmingham?—I have.

445. I need hardly ask whether yours is a very populous and important union?—It is a parish of itself, and it is very populous. It is not a union.

446. Have you given any attention to the question of poor removal?—I have along with other matters; I have never made a special business of it.

447. What is your experience with regard to removals to Ireland?—We have found them almost useless. I cannot call to mind that we have removed any very lately, but some eight or nine years ago we made a great raid upon them. However, we found that nearly all that we removed came back again; some of them were back as soon as the officers who removed them.

448. In fact, practically, you have given up removals to Ireland, have you not?—I think we have, so far as Ireland is concerned.

449. With regard to removals to Scotland, do you say the same thing?—I cannot tax my memory with any removal to Scotland at all.

450. Do you ever remove lunatics to Scotland?—Not that I know of.

451. Do the Scotch poor law authorities ever send lunatics into England?—I do not know of a case.

452. With regard to English poor law removals, is it your habit to remove paupers that belong to other English unions?—Yes, we have done so.

453. Do you do that to a large extent?—Not to a very large extent.

454. Having that experience, do you wish to see any alteration in the law of removal?—I

should like to see the law of removal abolished entirely.

455. It does not exist at all in Ireland; would you abolish it for England and Scotland?—I would abolish it entirely. The only objection that I can see to abolition is as regards adjoining parishes; but I think if it was once abolished, that would be met by the extra attendance that would be paid to parishes, such as Birmingham. We are always in the habit of giving, and we have the credit of giving more liberally, and attending better to the poor than the surrounding parishes; and consequently, we get a great many from the surrounding parishes.

456. In fact, then you think the abolition of the law of removal would be accompanied by a stricter and more uniform administration of the relief generally?—I do.

Mr. Synn.

457. Independently of the question of the Irish paupers coming back again, I suppose, upon general principles, you are in favour of the total abolition of the law of removal?—I am. It is my opinion that all persons who are fairly entitled to relief ought to have it upon the spot where they are.

458. You think they have a right to it?—I do.

459. And you think that, imposing the condition of removal upon any industrious man, is imposing a condition upon that relief?—Yes, and in many instances it leads to cruelty. For instance, in one case in which a widow married a second time, she had two children by each husband; the second husband died, and the first two children were parishioners of a parish something like 200 miles away from the woman and the other two children. The settlement of the two children by the former husband was a very great distance from the widow and her two other children.

460. What was the age of the children?—One was an infant.

461. That

Mr. Symon—continued.

461. That was rather a cruel one, was it not?—It was.

462. Supposing that, instead of sending those children 200 miles, either in England or Scotland, you sent them to the south-west of Ireland, it would be more cruel still, would it not?—It would be more cruel still.

463. In that case case you did not send them because you wanted to avoid the inhumanity and cruelty of doing so?—We kept them in our own workhouse.

Mr. Forsyth.

464. You say that you get a great many poor in Birmingham from other parishes?—We do.

465. Would you not be afraid if the law were abolished altogether, that you would have a large influx of paupers into the Birmingham parish which would press unduly upon the rates of that parish?—That is the only objection that I see to it; but I think it would be met by a stricter inquiry on the part of Birmingham.

466. Do you not think that in the unions of England there is every inducement to be as economical as possible, in order to save the rates; and might not the Birmingham rates be possibly lightened if poor persons might come from different unions and parishes, and so become chargeable to the rates of that particular union or parish?—My experience is that the money spent in removals and appeals is a very great deal more than is spent upon the paupers that require removal.

467. That is to say, the loss, of course, is to the parish to which the pauper is removed?—The loss is to all parishes.

468. But the parish that removes the pauper, if it removes the pauper properly, recovers the cost, does it not, from the parish to which the pauper is removed?—Yes; but with all the cost that we could recover for removals, the cost that we should be at in recovering those costs would be considerably more than we should incur in keeping the paupers; there is always a very great expense in recovering them.

469. Do you not recover the expense; are you out of pocket?—I am of opinion that if we had no removals at all the parish of Birmingham would be in pocket.

470. You lose more by the costs than you gain by the removals?—Yes.

471. Is the cost of attending the removals the reason why the practice of removal at Birmingham is not carried out to any great extent?—No, I say that we do remove to parishes in England; but I cannot remember removing any to Scotland at all.

472. But I think you have told us that the English removals at Birmingham are not very numerous?—They are not very numerous; I cannot tell you how many, but I heard of a return that was prepared the other day in Birmingham, and it was stated to be about eight a week, but I think that is more than it is.

473. Do you think that what influences the guardians at Birmingham is this: that rather than incur the expense and possible loss in the removal they prefer to keep the paupers at their own houses?—That is my own opinion; I am not speaking for the board of guardians.

474. But you think you lose more by the cost of removal than you would lose by retaining the pauper?—I think we do.

Q.107.

Mr. Symon.

475. With respect to this influx of paupers from an illiberal or negatively parish or union, to a liberal one, if they come for the purpose of throwing themselves on the rates, and not for the purposes of labour, are they not liable to the Vagrancy Acts of the country?—Yes, but that is very difficult to carry out.

476. But surely they could be punished as vagrants; they do not come for the purpose of labour?—They come simply because they are better relieved.

477. But they may come for labour, and then in the progress of time they may become paupers in that particular place?—I will tell you what I mean: a woman in an adjoining parish to ours hires her husband; if she can do so by any stealth without being found out, she moves over the water into our parish; and if we find her out, of course she is sent back again. With that parish we have an amicable understanding (we have had a great number of appeals with that parish) to exchange paupers with them.

478. That woman comes as a vagrant, and not for purposes of labour, does she not?—I am speaking more of permanent paupers, and widows, and that kind of people.

479. They come from one place to another for the purpose of being relieved?—Yes.

480. That is to say, they come as beggars, or paupers, and not as labourers; I am talking now of a person coming as a labourer from one parish to another?—In that we suffer very much indeed; from what I would term casual paupers.

481. That would be a perfectly fair ground for abolishing this law of removal altogether, would it not?—That to me seems the only difficulty of it, because, for instance, taking last winter, we have had the casual paupers from the whole of the parishes round Birmingham.

482. Do they come for purposes of labour?—They come for purposes of labour.

483. And not to be relieved as paupers?—And not to be relieved as paupers. That is the only way in which I see that we should suffer by the abolition of the law of removal.

484. Would it not be unjust to have a law of removal to prevent their going from one market to another?—Whatever law we have when we get a pressure of that kind, it is almost impossible to carry it out because of the number.

485. Is it not fair that labour should have an open market?—I do not exactly understand the question.

Mr. Hutchinson.

486. When you say that they came for purposes of labour, do you mean that they came for test work at the workhouse?—Yes.

Mr. Symon.

487. I mean as industrial labourers for employment?—I do not understand the question.

488. Supposing that an industrial labourer goes to seek for ordinary employment from one parish to another, or from one union to another, would it not be unjust towards him that the condition of removal should be imposed upon him, in case he becomes a pauper; he would not be a tramp in those cases?—No, he goes for labour.

489. Supposing that a man goes from Manchester to Birmingham, or from Birmingham to

p 2

Manchester,

Mr. Shelley.

20 June
1879.

Mr. Stobbs.

to June
1879.

Mr. Sykes—continued.

Manchester, looking for better employment, or higher wages, would it not be unjust towards him, and towards industrial labour generally, to

Mr. Sykes—continued.

impose such a condition as the law of removal imposes?—I think it would, decidedly. I did not understand the question.

Mr. WILLIAM POSTER, called in; and Examined.

Mr. Poster.

Chairman.

490. You are the Chairman of the Nottingham Board of Guardians, are you not?—I am.

491. You have had considerable experience of poor law work, I believe?—I have.

492. What is the population and the rateable value of the Nottingham Union?—The population is about 100,000 as near as I can tell, and the rateable value is 460,000 £.

493. I understand that the question of the removal of paupers has received special attention from your board?—It has, since I have been the chairman. About eight or nine months after I had been chairman it was necessary, in consequence of the illness of the late clerk, to appoint a new one, and we made a strict stipulation with him that he should attend to these removals much better than they had been attended to previously.

494. Is it your practice to remove every pauper that is removable?—Every pauper that is removable.

495. I understand that you have a special committee for the purpose of considering removal cases?—Yes; all cases of removal come before that special committee. It is what we call the Removal committee; that is its only business.

496. How many paupers were removed between the 14th December 1875 and the 29th of September 1878?—During those three years 176 paupers have been removed from our union to other unions, and 47 orders have been obtained by other unions upon the Nottingham Union.

Mr. Hibbert.

497. Were any of those paupers removed to Ireland?—Yes.

498. How many?—I do not know whether I can tell you how many were removed to Ireland. I should say the Irish would be something like 20 per cent.

Chairman.

499. Is it a fact that the expenses incurred in removals during those three years was about 740 £.?—It was more than that, I think. The expenditure incurred in making inquiries as to the settlement of paupers, inclusive of cases where orders have been made on the Nottingham Union, for that period, has been 740 £.; the amount paid to the clerk from time to time, as gratuities for extra services rendered in this behalf, has been 540 £.; the amount of legal expenses in enforcing or resisting orders during the same period has been 348 £.; making a total expenditure of 1,628 £. Therefore, as 176 paupers have been removed it is about 7 £. 6 s. per pauper on the average; some have cost more and some less, of course.

500. In three years you have spent 1,628 £. in the removal of paupers, and that, you say, gives an average of something like 7 £. 6 s. per head?—Yes; and from September up till now, we have been going on at something like the same rate, and at about the same cost, as nearly as possible.

Chairman—continued.

501. I suppose Nottingham, like many other large towns, contains a considerable number of Irish?—Yes, there are, as there naturally would be in a large town, a considerable number of Irish paupers. I found, on going carefully into the matter yesterday morning, that in the outdoor relief we have about six per cent. of Irish paupers, and of the indoor paupers about nine per cent.

502. From the month of December 1875 to the present time, have 40 paupers been removed to Ireland?—Yes, somewhere thereabouts.

503. In three of those cases there were appeals against the orders of removal, were there not?—Yes.

504. What was the result of those appeals?—Two were allowed, and one was dismissed.

505. Do you mean that the two appeals were not successful?—They were not successful. Those were removals from this particular union to Ireland.

506. What is your opinion with regard to the law of removal, would you wish it to be altered?—If I were to say, in a very few words, what I wish, taking it all in all, I think I should wish it to be abandoned.

507. Do you mean that you would like to see the law of removal repealed altogether?—I would.

508. You would like to see the law of removal the same in England, Ireland, and Scotland; that is to say, no law at all?—That is rather a broad question, and I have a few little doubts as to how it would act with our Irish and Scotch friends; but, with all the disadvantages that I can see, I must say that upon the whole I should prefer for the poor people to have a settlement wherever they require to live.

509. I should rather like to know what difficulties you see in the way of removal?—I do not know whether I am quite right, but my impression is that Ireland is a poorer country than England, and that paupers are not quite so well treated in Ireland as they are in England; at least the poor people tell us that when they come back. Consequently, I think, if we were to do away with the removals, the destitute in workhouses should be precisely the same in England, Scotland, and Ireland, and then there would be no inducement to people to leave one workhouse to go to another.

510. In other words, you agree with the last witness, who said that he would meet any difficulties such as you suggest, by a strict and uniform administration?—Yes.

511. With regard to another point, I think you had a very curious case of removal at Nottingham, where an Irish woman sent her child by railway straight to the Nottingham Workhouse?—A short time ago a woman presented herself with either three or four children (I think the book will show it). She had been removed to Ireland. She came before our board to come into the workhouse, and she told us, most positively, that her fare, and the fare of the children, had been

Chairman—continued.

been paid by the guardians of the place where she came from in Ireland to Nottingham. We thought that was rather a singular proceeding; but, however, when the woman was before me, I told her that the probability was that she would be removed back to Ireland that afternoon; and the consequence was, that she left the house with her children at once, and we heard no more of her. I do not know whether that is the case that you are alluding to.

Mr. Forryth.

512. Where was her settlement?—In Ireland.

Chairman.

513. How long is it since this occurred?—A few weeks ago.

Mr. Symes.

514. What part of Ireland did she come from?—Her name was Mary Ragan; she had three children; she was removed on 4th January 1876; the name of the union was Mohill, and the nature of the settlement was birth.

Mr. Forryth.

515. Have you found that you generally recover all the expenses incurred in removing?—I should say that the removals have been a considerable money gain to the Nottingham Union. That is my own impression about it, but of course it is rather difficult to tell. It depends upon how long the people live, and so on.

516. The last witness said he thought the costs incurred in the removals were greater than the costs incurred in retaining the paupers, and that the risk of loss rendered it advisable that there should be no removal at all; do you concur in that opinion?—That is not the impression of the Nottingham guardians as a board at all.

517. Supposing that there is an appeal, and that the appeal is dismissed, do you not recover all the costs?—Yes.

518. Supposing that there is no appeal at all, and that the parish to which you remove the pauper admits that the pauper ought to be removed there, does not that parish pay all the costs, including the cost of removal and the other expenses?—Yes, and very often we get the maintenance as well for the time the pauper has been with us.

519. Taking the case of Nottingham, are you afraid that in case the law of removal was abolished, there would be an increase in the rates, in consequence of the number of paupers coming and settling there, who would be a burden upon the rates?—It is a question, in my own mind, whether they would be increased or not; but having regard to the benefit of the poor, and the proper administration of the poor law, even if we were put to a little more expense, I think it would be better to abolish the law of settlement.

520. Would not the tendency of that be to throw the burden upon large towns as compared with agricultural parishes, because there is such a large influx of agricultural persons into towns seeking employment?—That is my only fear; I have a little fear of that kind; but even then I should be disposed to go in for the abolition of the settlement clauses.

0.107.

Mr. Forryth—continued.

521. Notwithstanding that you would be inclined to have no removals at all?—Yes, that is my own opinion, and I think that is very strongly the opinion of the great majority of the board of guardians of Nottingham.

Mr. French.

522. In this number of cases of removal to Ireland, have you known any particular cases of hardship as regards the paupers?—I should call it a hardship myself, because, of course, these people although they have not gained a settlement, have been in Nottingham and the neighbourhood for a good many years; and I think that removing people from their associations and connections at a time of life like that, is a great hardship; I should take it as a very great hardship myself.

523. Do you remember any of the facts of the case that went against you on appeal?—I do not remember them. I think there were only two cases.

524. Did they occur long ago?—No, they cannot have been very long ago, perhaps a year or two.

525. You do not remember whether one of them was a case of a woman and children from the Union of Roscommon in Ireland?—I think that was the name of the union that one went to.

526. The Local Government Board in Ireland took up that case, I understand, for the guardians in Ireland?—I think they did. We have felt that while other unions were at liberty to remove paupers to our union it was our duty to remove them away again.

527. But are you aware that in Ireland there is no law of removal?—I suppose there is not; but you see, although we send them away, they pay their railway fare and send them back. We had that woman's word for it before all the guardians.

528. But the guardians cannot do that legally?—Perhaps not, but they do it.

Mr. Symes.

529. With respect to this case, did you take down the names of the guardians that this woman said paid her passage?—No, I did not take down their names.

530. Did the clerk take down their names?—I do not know whether he took down the names of the guardians; I do not know whether she gave them. I have here the particulars of where she came from.

531. Then you took her statement without communicating with the guardians as to whether they did an illegal act?—Of course, when the woman went away from us there was an end of it, or else we should have communicated with them; but the woman was gone out of the union in half-an-hour after what I said to her.

532. She can away lest you should charge her with having made a false statement?—I do not know about that.

533. Have you taken down any particulars of exportation to Ireland of paupers from Nottingham; whether they were harsh cases, cruel cases, inhuman cases, or ordinary cases?—I consider that they were ordinary cases, and the hardship has been what I have said before, removing people from their connections, and from where they have been so many years.

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534. Have

Mr. Fowler.

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Mr. Symonds—continued.

534. Have you ascertained in these cases how many years these paupers were in England, in different centres of industry giving their labour?—It was said by some of the guardians who, I must confess, very strongly opposed those people being sent to Ireland; and some of those people themselves said, that they had been a very long time in England, and that it was a great shame to send them out, having had their best days of labour from them, and that it was a shame to send them off in their later days.

535. Do you recollect whether any of the cases which you sent to Ireland were cases of female lunatics?—I do not remember.

536. You have not taken any particulars of such cases?—We have not power, I think, to remove lunatics of that kind.

537. They were found to be lunatics when they arrived in Ireland; were any of the cases of appeal which were tried by the Local Government Board against Nottingham, of that nature?—I do not remember.

538. With respect to your objection about Ireland being a poor country, of course necessarily when one country is poor and another country is rich, people will go from the poor country to the rich country for employment?—I did not say that I objected to the country being poor.

539. But you object to the abolition of the law of removal on that ground?—I do not object. I only say that owing to the country being poorer than England, they might come very much over to England.

540. Then your objection to the abolition of removal is not very strong?—I do not object at all; I said so.

541. You have a little fear upon the subject?—A little fear.

542. But you do not object to Irish labourers coming to give their labour in England if it is required?—No; and I do not object to provide for them when they are here. If we had no law to remove them, I should not object.

543. Do you not think that if they give their labour for 20, 30, or perhaps 40 years, it is an act of inhumanity and cruelty to send them 400 or 500 miles back to a place of which they have lost every recollection?—You are rather going to an extreme in saying 40 years; I should not object to it myself if it were only 10 years. I myself object to their being sent back at all; and I am here to recommend that these removals be altogether abolished.

544. And you think the law of removal ought to be abolished, as well on the ground of humanity as on the ground of industry generally?—Yes.

545. You think that people looking for markets for labour ought not to be subject to any stringent conditions?—That is my view.

Mr. Giles.

546. You said, I think, that the 178 paupers that were removed from Nottingham cost upon the average about 7 l. 6 s. each, and that you recovered that money?—I did not say that we had recovered the whole of it, but what I meant was this; sometimes when a pauper was sent back, and we had a very clear case, for instance, eight or ten weeks, we not only got the expenses of removal, but we got the eight or ten weeks' maintenance back.

547. With regard to those 47 paupers that

Mr. Giles—continued.

were removed to Nottingham, did the board of guardians have to pay for them?—Yes, in the same way.

548. What is about the weekly cost of keeping a pauper?—It is a very small sum; I think it is 8 s. a week.

549. So that really the cost of the removal of a pauper is equivalent to the cost of keeping that pauper for something like six months?—Yes; but if those paupers are young, they may live for many years.

Mr. Mark Stewart.

550. I think you said you had never any occasion to remove any lunatic paupers?—I always understood that we had not the power.

551. Of course, if you had to pay for the support of a lunatic pauper from your rates, it would cost something like 22 l. a year, would it not?—If we have them in our own asylum it costs us 11 s. a week, that is to say, in the Nottingham asylum; but if we have to remove them to Leicester, it costs us 14 s. 8 d. a week, in addition to the expense of removing.

552. Therefore it would be very much less expensive to the union to export lunatic paupers to their own homes than it would be to keep them?—Yes.

553. As to the grounds of humanity, the only aspect of the question in which you see any inhumanity, as I understand it, that it is hard for a person to be removed after having spent a considerable portion of his life in a district?—Yes.

554. But is it not the case that, if he is continuously residing in a district for 12 months, he obtains a settlement?—He does now; but that, I think, has not been in practice very long; it was not in practice when we removed those Irish paupers.

555. But inasmuch as that law is now in operation, the hardship of the case is very much relieved, is it not?—It is very much relieved, I admit.

556. And therefore, practically speaking, if an Irishman has an industrial settlement in any union, he is exempt from removal?—If I understand it rightly, it requires a three years continuous residence to gain a settlement; but if they have been a year or rather more than a year, they are not removable. I was talking to our junior clerk yesterday on that point, and he says it is very difficult to get to know whether they have resided three years or not. Of course if it is a matter of birth or marriage, there is no difficulty in getting a certificate, and you are quite certain; but that three years' settlement is likely, I believe, to lead to a good deal of litigation, as it is very difficult to prove that a man has been living for three years continuously in a union without relief.

557. Have not all the changes that the Legislature has made for a long period of years, been successively in the direction of mitigating any hardship connected with this law of removal?—That I firmly believe; that is my view of the law.

558. Would you not think it advisable in the event of any change being made in the law, which most parties consider desirable, that that change should be of a gradual rather than of a sweeping character?—Yes, I consider that it should

Mr. Mark Stewart—continued.

should be gradual. I think the last time that the order of removal was made for the term of three years it was a gradual step, and I should think that now, very shortly, we should be prepared for what you call a sweeping measure. I should have no fear of it at all.

559. You think the time has come for a complete change?—I think so; and that is the opinion of my board generally.

560. It has been suggested that, if reciprocity in the respective laws of the three countries were instituted, that would assist you; you have given the number of Irish paupers that you dispatch from Nottingham to Ireland, but, under the present law, they cannot send them back from Ireland; would you, if reciprocity were established, anticipate receiving as many as you sent?—I do not think we should; I should not be afraid of that.

561. Have you seen the statistics on that point of the number of persons receiving relief in Ireland who were born in England or born in Scotland?—I have not; I have confined myself a good deal to the working of my own union, and I have only come here to speak upon that.

562. In the event of the law of removal being done away with, you would anticipate, as I understand, that a heavier burden would fall upon the towns?—Yes, is it my own impression that it would be so; of course you can only get at that by experience.

563. Would not that be obviated by enlarging the area of the union?—Our union is just about to be enlarged, and there is no doubt that when we got our union enlarged it will be nearly as large as we shall care about.

564. Having a very large union, do you consider that the administration is conducted as economically as it is in a small union?—I think more so in comparison.

565. Are individual cases so carefully attended to in a large union as they are in a small one?—I think so; I do not believe there is a union in England where individual cases are better attended to than they are in the Nottingham Union.

566. Then, on the score of humanity, you think it is better for the poor that the unions should be enlarged?—Yes, I think so.

Mr. Hensley.

567. Have the Nottingham board of guardians ever officially considered the question of repeal of the existing law of removal?—Yes; ever since I have been a member of the board it has been discussed pretty fully; I should say at least twice a year.

568. Have they come to a definite vote on those occasions?—When it was known that I was coming to London, although it was not made known publicly to the board, several of our members who knew that I was coming to give evidence expressed a hope that I should speak most strongly on the advisability of this alteration in the law.

569. But is it because of your knowledge of the opinion of individual members of your board that you now state to the Committee that the Nottingham board of guardians are in favour of the alterations, or have they as a board arrived at any definite decision on the subject?—They have not taken a definite vote upon it; but I should not be at all afraid to take a vote upon it at the

Mr. Hensley—continued.

next meeting, and I believe seven-eighths of the guardians would vote for it.

570. When these discussions have arisen at the meetings of the board, have they ever considered the question with reference to the effect upon the poor themselves?—I do not know that that question has ever been prominently before them.

571. Do you preserve in the union, or does the clerk to the guardians preserve, a record of the birthplace of each pauper, or of the place of settlement where each pauper has a right to relief?—I do not know whether I quite understand your question; but supposing that we have a pauper coming into the house, it is the clerk's duty to inquire of that pauper where his settlement is; and, of course, when they come before the relief committee, the chairman of that relief committee asks the question of the paupers themselves. Sometimes they will tell you; but we often find, and I believe the clerk's experience is this, that the people themselves scarcely know where their settlement is.

572. But they will know whether they are of Scottish or of Irish origin?—Yes, but then we have a difficulty to make out the particular union that they belong to in Ireland or Scotland. We have very few Scotch cases.

573. Is the aggregate number of Irish cases large in Nottingham?—I said that, of the cases of outdoor relief, about six per cent. are Irish, and of the cases of indoor relief, nine per cent. are Irish. I do not think we have any Scotch at all in the houses.

574. You speak of the dietary in the respective countries being different; and I understood you to state that, in your opinion, it was the difference in the dietary that made the Irish or Scottish paupers more anxious to be relieved in England than to return to their own country?—That is an impression that I have got from hearing what the people say; I have no certain knowledge of it.

575. I dare say it is within your knowledge, that the usual mode of relief in Ireland is within the workhouse?—I understand that it is so; but I have never been to Ireland, and consequently I do not know for certain.

576. But you have no doubt seen that stated?—Yes.

577. I think you may assume that, as a matter of fact, it is the practice in Ireland. You are aware, I dare say, also, that that is not the case in Scotland?—Yes. I have been into one or two Scotch unions, particularly in Glasgow, and I am aware that they do give outdoor relief there.

578. They give outdoor relief to the majority of the paupers who are relieved at all, do they not?—I believe so.

579. But the statistics show that the very opposite of that is the practice in Ireland, do they not?—Yes.

580. You have not considered those facts?—I know about the Scotch, but I do not know about the Irish, except through what I may have heard from the paupers.

581. But you are not affected by the Scottish paupers so much as you are by the Irish paupers?—No.

582. With regard to the difference in the dietary to which you attach so much importance,

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Mr. Ramsey—continued.

it may be that indoor relief being the practice in the one case, and outdoor relief being the practice in the other, that has been the cause of your not having so many Scottish paupers, because they go to their own country, as the Irish paupers would do if it was the practice in Ireland to give outdoor relief?—That may be the tendency.

583. Would you not consider it necessary in arriving at a definite opinion upon a question of that kind, as to the repeal of the existing law of removal, that it should be considered what effect the diversity of practice in the three countries would have?—I think it is very desirable that we should all be on the same footing; I think that as no outdoor relief is given in Ireland it should be extended the same as in England and Scotland.

584. But you would not think it expedient to extend outdoor relief in Ireland, if it be found that the effect of confining relief to the indoor aid is to reduce the pauperism in Ireland below the proportion that prevails either in Scotland or in England?—Nobody is more anxious to keep down pauperism than I am; but, at the same time, I think they ought to be treated, as some people say, like human beings; I should like them to be treated all alike.

585. Have you ever considered whether the poor really derive any advantage from the relief that they get by law, whether outdoor or indoor relief?—In a great many cases, for instance, in our own union, which I will speak more particularly about, we have frequently taken people off outdoor relief, particularly old men or women who have nobody to look after them, and ordered them to come into the house, on purely charitable grounds, because they are so much better looked after in the house than they could be at their own homes on 2s. 6d. or 3s. a week.

586. Have you ever considered the effect of the poor law in lessening the inducement to the poor themselves to provide, during their youth, for their old age?—Yes; I do not know whether you are aware of it, but in the five years our outdoor pauperism is about half what it was.

587. Owing to what causes?—In the first place I think the people have been well looked after, so that we have very few impostors; and, at the same time, the present chairmen of these relief committees have shown the people the propriety of providing for themselves in their younger days when they are in full work, so that they may not always have to come to the union the first time they have a week's sickness, or any thing of that kind; and of course the workmen's wages in our neighbourhood and all over the country have been much better; and I say, most positively to them, that they ought to provide now, and that the pauperism ought to be reduced.

588. But the board, as a board, have never considered whether the effect of the relief given is not rather to degrade the poor than to benefit them?—I hardly understand the question. I do not think that there is any outdoor relief in Nottingham given now that people could possibly do without in some form or other.

589. When they come to be in distress you think they ought to be relieved; is simply amounts to that?—Yes; supposing that a man is out of work, or that a man has an accident or is taken ill, if you give him outdoor relief for two

Mr. Ramsey—continued.

or three weeks it keeps both him and his family out of the workhouse, and he does not want any help after that. I think it is very desirable that we should be in a position to give outdoor relief in such cases as that.

590. Do you think that if outdoor relief continue to be given in England and Scotland, there might be a tendency on the part of benevolent persons in Ireland to pay the passage of the poor persons, in order to give them a settlement in England or Scotland?—I should not like to say that. Of course it is my own impression, as I said at the outset, that Ireland being a poorer country than England they might be induced to come more to England.

591. I think you stated that you had accepted the evidence of the pauper that you referred to, as to her expenses having been paid to Nottingham?—She said that; but, as I have already stated, she had gone before we could test the evidence.

592. But if it was done in one case, might it not be done in others, because we understood that guardians in Ireland have not the right, legally, to pay any such expenses, and therefore the probability is that what she received, instead of having come from the guardians or from the poor rate, may have actually come from the pocket of some benevolent individuals?—It is just possible.

Mr. Morris.

593. In that case of Mary Regan you are aware that it was impossible for the guardians, out of the funds in Ireland, legally, to have paid anything?—Yes, I am quite aware of that.

594. With regard to that case, I think it will be within your recollection that there was some discussion between the Mohill guardians and the Nottingham guardians; do you remember whether, in point of fact, it was not alleged that the husband of that woman, Mary Regan, was a native of Nottingham, and that you had no right, legally, to have that woman removed at all; do you recollect a correspondence upon the matter?—I do not.

595. As all events you never, to your knowledge, communicated any statement made by that woman that she had been paid for coming back to the Nottingham Union by the Mohill board of guardians?—Not to my knowledge.

596. You are chairman, I think?—Yes.

597. About that time, I think, a good number of removals of Irish poor took place; would you look if you have got the name of a man named Edward Gilmour in your books?—Yes.

598. Was not Edward Gilmour 75 years of age when he was removed by order of the Nottingham board of guardians?—I have not got his age at all.

599. Have you a recollection of the case that that man had been upwards of 55 years working in England before he was removed?—I have no knowledge of that.

600. Was there another case, about the same time, of Michael Jennings, who was 70 years of age when he was removed, and who had been 65 years in England?—I have no knowledge of it. I have the name, but there is no age here; it is merely the time when he was removed.

601. Do you recollect when an order was obtained directing your board to make a return

Mr. Martin—continued.

to the House of Commons of those cases of Poor Law removal from the Nottingham Union, stating the length of time that the parties had been resident in England and their age at the time of removal?—It is not in my recollection just now.

602. You have nothing in that book that would enable you to tell whether Michael Jennings had been, as I say, 52 years labouring in England before he was removed?—No.

603. There are a number of other cases somewhat similar as to the age, and as to the length of time during which the parties were resident in England, but I need not go through them. If, as a matter of fact, a man had been 50 years resident in England labouring for the benefit of England, and he happened to come into the Nottingham Union for only six months, would he not be legally removable?—He would have gained no settlement in Nottingham.

604. Do you not think it a gross act of inhumanity and hardship to remove men who had been thus labouring for that length of time enriching England?—Most decidedly, or half the time either.

605. And I think I am right in saying that, in expressing that opinion, you express the opinion of the majority of the Nottingham Board as well as your own?—A large majority.

606. An honourable Member has spoken of a sweeping change in these laws; I think probably, as chairman, you have given some consideration to this poor law question?—Yes.

607. Are you not perfectly well aware that for many years some of the highest authorities in England have, in point of fact, recommended the abolition of this law of settlement?—I believe they have.

608. You are also aware, probably, from looking into this question, that Sir Alfred Power, who was thoroughly acquainted with the English system, and who was at the head of the Poor Law administration in Ireland, considered that this law of settlement ought to be abolished?—Yes, I am aware of that.

609. With regard to a question that was put by the honourable Member for Limerick in respect to the removal of two females, is there any rule by which females, when they are thus removed, are to be accompanied by a female?—Yes.

610. Is that, in point of fact, a rule of your board?—It is a rule of the board, but it may be sometimes broken through: for instance, if they were males and females I do not know that they would send male and female nurses with them; if they were sending females I think they would send female nurses.

611. In respect to a particular case which I find here, do you recollect, about the month of June 1876, the removal of two girls named Ellen Slatery and Mary Ann Slatery, to Limerick?—I remember the names of Mary Ann Slatery and Ellen Slatery very well, and, according to this book, they went to Limerick on the 30th of May.

612. Is there anything there that will refresh your recollection as to whether those two girls had not been 23 years in England before their removal?—I recollect that one of the girls did make that statement.

613. And notwithstanding that statement, in 0.107.

Mr. Martin—continued.

point of fact they were removed?—They were removed.

614. Do you recollect whether, as a matter of fact, any female accompanied those girls to Limerick?—I do not remember that as a matter of fact; I should have thought they had a female with them.

615. Is there anything in that book that would show you whether any female accompanied them?—No.

616. The matter of those two girls was brought under the attention of the House of Commons in the month of June 1876, by the honourable Member for Limerick, was it not?—Yes.

617. In answer to that, the President of the Local Government Board appears to have stated that they went to Limerick without any female attendant; can you tell me whether that is correct?—I think the usual course would be adopted; I believe when they are taken and put inside the union house they are left, and we consider that they are done with. I believe the usual practice is to deliver them up to some officer of the union.

618. Then you differ from the statement of the regulations on the part of the President of the Local Government Board, if, in answer to this question, he stated that there was no regulation as to the necessity of a female accompanying all female paupers under such circumstances?—I do not know whether the law requires a female attendant to accompany them, but I should have thought most decidedly that a female ought to have attended them.

619. Do you recollect a very recent case where, in point of fact, two girls were sent over to Ireland in charge of a man, and one of those girls was violated by that man?—I never heard of such a case.

620. At all events, as to these girls, you cannot give me any information beyond your belief that they ought to have had a female attendant?—Yes; it is my impression that they ought to have had.

621. And if they had not, it was a gross violation of the law, and a gross piece of inhumanity; is that your view?—That is rather a strong way of putting it.

622. Then, in point of fact, you think that if there is nothing in the law that requires that a female attendant shall accompany female paupers to their destination, that law ought to be changed?—Yes.

623. Could you tell me how many removals have taken place from Nottingham since the 1st of January 1876; I think I find here recorded 18; is it about 20?—I should have to pick them out, because the first removal is to Loughborough, and then they are removed to many different places.

624. Does the statement as to the expense incurred include all the expenses to the union?—Yes, the clerk's fees, and everything.

625. Is there not some distinction between the mode of procedure in the case of the removal of an English pauper and in the case of the removal of an Irish pauper, in regard to the law?—That I am not prepared to say.

626. Do you not, in the case of the removal of an English pauper, give notice to the union to which you are about to remove that pauper?—Very likely they do; I think they give that notice

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notice one day, and send the pauper the next day.

627. Has not that union the right of appealing from that order before the pauper has arrived?—Yes; we had a short time since a case of a pauper lunatic sent from Glasgow; we got a notice in the morning that this pauper was coming, and in a very few hours the pauper was in the house, long before we had any time to reply or to appeal either. That is what I call sharp practice on the part of the clerk; it is no use minding the matter.

628. Is not that, in point of fact to a certain extent, an illegal practice?—If it is not illegal it ought to be.

629. And, in point of fact, it is your impression that the law as to that ought to be the same both in England and in Ireland, namely, that there should be a right of appeal given in any case?—In any case if the law of settlement is to go on.

630. But, as I understand from you, you think the law of settlement should be abolished altogether?—Yes.

631. Both on account of the expense incident to it and on account of the gross hardship and injustice involved?—The gross hardship and injustice is the principal point with me, because, in our case, I think it has been a money gain to us.

Mr. Hensbury.

632. You say that you are in favour of abolishing this removal altogether?—Yes.

633. But the first thing that you did when you were made chairman of this board, was to carry out the law more strictly than before?—Then I had not the experience that I have now.

634. What was your reason for carrying out the law more strictly then?—Because we found that we had so many paupers in the house that did not belong to us, and we should continue to remove so long as the law remained.

635. How long, on an average, had those 176 people that you had removed been in your union?—I could not tell you the average, but the length of time that they had been in the house would vary very much indeed.

636. Would it vary between 50 years and 60 days?—Of course the honourable Member did not mean that they had been 50 years in our workhouse, and, of course, I do not mean that; but, as I said before, the gentleman that was clerk when I first went to the board was taken ill, and he did not approve of removals, and he removed only just sufficient to get his salary for removal, which was 120 £, and he removed about five in a year.

637. Did his salary depend upon the removals?—Yes, his additional salary did at one time.

638. How much does he get; how is he paid on those removals?—The late clerk got 120 £ a year for removals, more or less, and this amount was added to his ordinary salary.

639. What do you mean by "more or less"?—More or less removals. If he only removed one he got the 120 £. The last year he was there he only removed three.

640. But supposing that he removed 100, would he get more than 120 £?—No.

641. Then it is a fixed salary?—It was a fixed

Mr. Hensbury—continued.

salary for removals, and was not increased or diminished according to the number removed.

642. But you say that he had just a few removed in order to get his salary?—If he removed none, he would get his salary the same.

643. If he removed one he gets 120 £, and if he removed 100 he gets 120 £?—Yes.

Chairman.

644. Instead of paying him for each case, which is a very common practice in unions, you paid him a fixed salary?—Yes.

Mr. Hensbury.

645. Yours is, I suppose, a wholly urban union?—Yes, it is all manufacturing district.

646. You do not know anything then of those Irishmen who come over from Ireland regularly every year for the harvest?—No.

647. Have you had any of them in your union?—Not since I have been chairman, and very few of them come into the neighbourhood compared with the number that came a few years ago; I do not know from what cause.

648. Are not more coming now?—Very few come now.

Mr. Ramsey.

649. Can you inform the Committee what salary your clerk receives for services other than removals?—He has a salary for several things; he first of all has a salary for being clerk to the board of guardians, and then he has a payment for the elections of the board of guardians.

650. What is his aggregate salary?—I cannot tell you; perhaps 300 £, or 400 £ a year. He has to find his own clerks.

Mr. Hensbury.

651. Do you get any persons who come over from Ireland for two or three months on purpose for jobs?—I have no doubt we have, but it is not my experience lately.

652. Would you think it fair that your union should bear the cost of those men who come and go every year?—No doubt they would not stay with us very long; they are people who go about a good deal.

653. They do, as a rule, but things might happen which would throw them upon you?—Yes, we have to risk that.

654. That would be an exceptional case?—Yes.

655. But in these exceptional cases it would be rather hard upon the union, would it not?—It is rather hard.

Viscount Enghien.

656. Do you think the present law of removals deters real labourers, who are bound to travel about in search of labour, from coming to large towns, for instance, from Ireland?—I should not think it would, but it deters people from coming into the workhouse very much. If people knew they are going to be removed they very often take their discharge.

657. But you do not know of any cases in which it would be your opinion that the present law deters real labourers from coming in search of work?—No, I could not say that.

658. I think I gathered from your former evidence that you think, if the law was abolished,

Viscount Ennys—continued.

it might lead to bring over more of the vagrant class?—I have a little fear of that, and that will be found out, of course, speedily by experience.

659. Would you not think it desirable that some test should be applied in some way to those persons, by means of a short residence, before they would be entitled to relief, so as to show that they are *bona fide* persons in search of labour?—It might be desirable, but I think it would be very difficult to impose such test.

Mr. Torr.

660. Do you know the number of Irish labourers that you have in Nottingham?—No, I do not.

661. You have no return as to that?—No. The majority of Irishmen in Nottingham, so far as I am able to judge, are labouring men, bricklayers' labourers and plasterers' labourers more particularly.

662. You never remove any pauper from Nottingham until he comes into the house, do you?—No; we have them in the house first.

Mr. Hibbert.

663. You state that you are of opinion that the present system is a hard one upon the poor who may be removed; if that is your opinion, and if that is generally the opinion of your board, why do you not cease to remove?—Because we do not think we should be doing justice to the ratepayers if we allow those people to stay in Nottingham, if we can show (and I am quite certain we could show) that it has been a saving to the ratepayers of Nottingham to remove them.

664. Are you aware that in other large towns even more populous than Nottingham, the guardians have ceased to remove either Irish, English, or Scotch paupers?—I have heard so.

665. Are you aware that in Manchester they have not removed any for a number of years?—I am not aware of that as a matter of fact.

666. Can you tell me anything with respect to the neighbouring union of Leicester; is it not an equally populous union with your own?—I should think it is.

667. Has it any Irish people?—I should say it has about the same as Nottingham.

668. Are you aware that in the Leicester union they have almost ceased to remove?—They do not remove so many as we do, but they have not ceased removing.

669. Are you aware that, for the last 15 years, they have not spent more than 250*l.* in the removal of paupers from Leicester?—I am not aware that it is so small a sum as that.

670. Can you tell me whether Leicester is a more pauperised place than Nottingham, if such is the case?—I think it is now.

671. For what reason?—Because we have removed the people.

672. Then, because you have removed the people, and the Leicester people have not done so, the one place is more pauperised than the other?—Yes.

673. Do you know what is the amount of rate collected for Leicester, and what is the amount collected for Nottingham?—The amount that we are collecting this year is 1*s.* 0*d.* in the pound.

6407.

Mr. Hibbert—continued.

674. And what is it for Leicester?—I do not know.

675. Have you not the character of giving a large amount of outdoor relief in Nottingham?—We had before I went to the board.

676. I am happy to hear that you have been improving. It is a fact that you had, at one time, the character of giving a large amount of outdoor relief, is it not?—Yes.

677. What was the rate generally during that time?—The rate, until very lately, was rather difficult to get at, inasmuch as the poor rate was collected with the borough rate; but I believe the poor rate has been as high as 1*s.* 11*d.* in the pound.

678. How long ago was that?—Six or seven years since.

679. Presuming that the law of removal was abolished, is it your opinion that it might lead to a better system of administration throughout the country?—I think it would; and, as I have said before, I think the dietary, and the laws relating to people going out, and all those sort of things, ought to be alike all over the country. We have found that the practice of letting people go out when they like did not answer, and the house was always in confusion; and I have no doubt, that putting more strict rules on the people going out, has been one cause of the pauperism being reduced.

680. You stated that you considered it a hardship that there was no power, at the present time, to remove lunatics from England, to either Scotland or Ireland; it is the case, is it not, that lunatics can be removed from Scotland; you stated, I think, that you had a lunatic removed to your own union the other day?—As I say, the subject has very seldom come under my notice.

681. I understood you to say, in one portion of your evidence, that you thought it a hardship that lunatics could not be removed in a similar way to Ireland or Scotland?—I think if we have one class of paupers removed we ought to have the others removed; and it is much more important to have lunatic paupers removed than to have ordinary paupers removed, inasmuch as they are very much more expensive.

682. Are you aware that, according to the present law, a lunatic who is found wandering is charged upon the county, and not upon the union?—So far as my knowledge goes, anybody found wandering in the Nottingham streets is sent to our union.

683. Nottingham is a county of itself, is it not?—It is.

Chairman.

684. Is there anything else that you wish to say to the Committee?—I think not.

Mr. Symes.

685. You were asked a question with respect to harvest labourers; do not Irish harvest labourers return, after the harvest is over, to their own country?—So far as I have any knowledge of them, they do.

686. And they are not likely to come on the rates?—I should not be afraid of them; but if they came into our house, and they were able-bodied, they would have to work for their living, you may depend upon it.

687. You

Mr. R. B. CARR, called in; and Examined.

Mr. Carr.

Chairman.

Chairman—continued.

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487. You are one of the Inspectors of the Local Government Board in England, are you not?—I am.

488. You have had a long experience of poor law administration in the Lancashire and Yorkshire districts, I believe?—In that district and elsewhere.

489. Your experience extends over many years, does it not?—A great many years.

490. Will you kindly give some particulars as to the extent and importance of your present district?—My present district comprises a large number of unions, including all those in Lancashire, all those in the county of Derby, all those in the counties of Cumberland and Westmorland, three unions in the West Riding of Yorkshire, and one in Cheshire. It extends over an area of 3,500,000 acres, and in 1871 the population was 3,886,000. The present population of my district is probably 4,474,000, and the rateable value is 21,782,000*l.* odd, estimated as ascertained during the last valuation.

491. In fact, the population of the district in which you have to perform the duties of a Poor Law Inspector is larger than that of the metropolis?—I should say it certainly was; and I need not say that, with regard to the area, it is a very different thing, my duties being scattered over a very wide area.

492. The population of your district is greater than that of the whole of Scotland?—Yes, and a very rapidly increasing population it is too.

493. What is your view with regard to the law of removal?—My view in one word is, that what is called the present remnant of the law should be abolished entirely, and I found that opinion on various grounds: firstly, in the interests of the poor; secondly, in the interest of the ratepayers; and thirdly, which follows almost as a natural consequence, in the interest of the community at large.

494. Will you briefly take these three points which you have put before us; first of all, how will it benefit the poor?—The poor, who are actually removed now, are of the most helpless and aged class. We hardly ever see an able-bodied strong person removed; it is wholly unnecessary; they go abroad and find work and remove themselves. I think removals operate very harshly upon aged and infirm people in this way: they are sent away from unions in which they have lived for many years, where they have formed connections, and where they have friends who take an interest in them, perhaps to a very distant place, where they are utter strangers. Again, this sometimes happens: an old man and his wife have resided in a union many years; they have brought up a large family, and that family have gone to reside in surrounding unions; the woman becomes a widow, and is left almost alone; she is desirous of going and living with some of her relatives, her sons or her daughters, yet she cannot do so, because the unions will not take her unless they can get non-resident relief, as it is called; and the union in which she resides naturally objects to give relief beyond its limits. I think upon these points it would be a great benefit to aged and helpless poor if they

were not subject to a law that operated in that way.

495. Let us next take a very important class of the community, the ratepayers; how would it benefit them?—It would benefit them by putting an end to what we call non-resident relief. By non-resident relief I mean a system by which one union gives relief to their own paupers who are settled in that union, but who reside at very distant places, and without restraint to any particular part of the country. The practice of giving non-resident relief leads to the greatest abuses, and any alteration of the law that would put an end to it would no doubt confer great benefits upon the ratepayers by bringing the relief more within the control of the ratepayers themselves, and by checking a number of abuses it is impossible to disconnect from it.

496. Then, thirdly, as you said, you consider that it would benefit the community at large?—Yes, that would be so.

497. You have to do with many very important boards of guardians in your district; have you taken the trouble to ascertain what is their opinion upon this subject?—Yes, four years ago I took the opinion of the whole of the boards of guardians, and of the clerks of the unions in my district, on the question as to whether the law of removal should be altered or not, and I wish briefly to give you the results. I should premise that since 1875 my district has been enlarged, and that, therefore, this present statement will not relate wholly to my present district, although it will to a very large portion of it. In answer to my inquiries not a single clerk to a union (and we all know that clerks to unions are very intelligent and competent persons to give an opinion) stated that he approved of the law relating to removal.

498. The clerks of guardians are extremely intelligent and well versed in the operation of the Poor Law, but they are also peculiarly interested in maintaining the law of removal, I conceive?—They are; but, notwithstanding that pecuniary interest, they none of them approved of the law as it now stands.

499. How many clerks gave that answer?—I should say that four or five might have approved of the law remaining.

Mr. Edders.

700. How many unions did they represent?—Forty-eight unions, I think. With hardly an exception they considered that the law ought to be wholly repealed as regards England. In only five unions, which were all favourable to the abolition of the law of removal in England, were distinct reservations made in favour of retaining the power to remove Scotch and Irish paupers. In five unions only, which were all otherwise favourable to the total repeal of the law of removal in England, reservations were expressed in favour of retaining the power to remove lunatics. In five unions apprehension was felt that unions wherein outdoor relief was most liberal, and where workhouses presented the greatest attractions, would be unfairly burdened with poor, if the power of removal were given up. In a district then, containing 48 boards of guardians

Mr. Hilder—continued.

guardians, six only expressed a desire to maintain the power of removal, and were of opinion that the laws relating to settlement should remain unchanged. Three boards only were silent on the subject, whilst by 39 boards the total abolition of removal was expressly advocated. In a district containing an area of 3,165,000 acres, six boards administering relief over an area of only 350,800 acres stated that they were satisfied with the law as it was. Over an area of 2,738,000 acres the law was, for the most part, distinctly condemned. In a district which, in 1871, contained a population of 3,037,000, the law were upheld by six boards of guardians elected by a population of 828,500 only; whilst, by the remainder of the boards, representing a population of 2,408,000, the repeal of these laws was distinctly recommended. In a district in which the rateable value was 13,000,000 £, at that time, boards of guardians representing 2,133,000 £ only, supported the law, whilst by boards of guardians representing 10,855,000 £ of rateable value, those laws were either not supported, or were, by far the largest portion of them, decidedly disapproved and condemned, and their repeal called for.

Chairman.

701. Do you propose to put in any statistics with regard to the information which you have given us?—They could be provided more in detail, but they would perhaps weary the Committee, and I have not them before me. It is natural to inquire, where there is so large a number of boards of guardians unfavourable to the maintenance of the law of removal, why any removals take place at all; but it is for these reasons: the boards of guardians say, "Other unions will remove to us, and we are obliged, therefore, as it were, in self defence, to remove to others." Otherwise if there were some common agreement the law would almost fall into desuetude, as it has done in certain places, especially as regards Irish and Scotch poor. I think in Manchester they have not removed an Irish poor person for many years, and certainly in Sheffield they have not for 12 or 14 years removed a single Irish case of any kind. The feeling is rather different on the coast nearest Ireland, and some of them think they have a peculiar case. For instance, at Liverpool, I believe, they would make some statements very strongly in support of the power to remove to Ireland; but they found that statement probably not on the large number of cases, but they take the more narrow view, and base their opinions upon cases of an exceptional character.

702. We shall have Mr. Haggard, who will give us the Liverpool case, so I will not trouble you about that; but I may gather from you, generally speaking, that these very important boards of guardians, such as Manchester, Sheffield, and others, take this view: that if the law of removal were abolished altogether, as between the unions, practically no injustice would be done?—That was no doubt their settled opinion a few years ago, and I should say that what has happened since that time has confirmed and strengthened that opinion. The apprehension felt by some unions that, where they are somewhat more profuse in giving relief, or where the provisions for the care of the poor in the work-

Chairman—continued.

house is more beautiful, they would have a larger number of the poor, if the law were altered, than they have now if the law remains as it is, is to my mind a recommendation and a reason for the repeal of the law; because it would compel those people to look to their status to see whether they are not doing more than they are doing in other unions, and it would bring about a greater assimilation of practice, and of the scales of relief, than exists at the present time.

703. I take it that you yourself having had great experience in the administration of the law, and having also had the opportunity of knowing and considering the arguments for and against this system of removal, hold the same opinions that you have just expressed as being held by those important boards of guardians?—Decidedly, these are my opinions.

Mr. Herbert.

704. Is it your opinion that, if the law of removal were abolished, it would lead to a better system of administration of relief in the various unions of the country?—I think it would. Certainly it would under the hand of non-resident relief.

705. It is the fact, is it not, that, even in your own district, there is a very great difference between the administration of one union and that of another in strictness?—Yes, even although they adjoined.

706. You have one union in which there is a vast amount of outdoor relief, and other unions adjoining in which there is a very small amount; you would think that, if this law was altered, it would lead to greater uniformity in the system of administering relief, and that so far good would be effected apart from the abolition of the law?—I think it would, most decidedly.

707. Do you remember whether the subject was discussed at any of the various conferences of guardians which have been held in your district?—Yes.

708. Do you remember the conclusion that has been come to on the question?—I do not remember whether there was any formal conclusion come to on the subject, but when I attended them I took every opportunity I could to gain the opinions of a number of the most intelligent and experienced persons there; and I invariably found that what they stated to me in another shape was confirmed by what they said verbally to me afterwards.

709. Was it not the case that a paper was read, and the subject discussed, at a conference held, I think, two years ago at Southport, and that the guardians of nearly every union were favourable to the abolition of the law, but that those representing the Liverpool unions were rather against it?—No doubt that was so.

710. Did they not propose that, in case the law was abolished, there should be something done for those unions specially, apart from the other unions of the country, or rather from the unions in various parts of the country?—That was the opinion of the unions themselves, but I am not quite sure whether it was generally regarded with favour.

711. Do you remember whether the general opinion of the guardians was against any such proposal?—It was so.

712. I suppose there are a large number of Irish

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Irish persons resident in Manchester?—There are a very large number in Manchester, Chorlton, and Salford, which are almost Manchester for the purposes of relief.

713. Have you anything to say about the question of the removal of pauper lunatics?—There seems to be a reservation, or rather a strong feeling, in favour of maintaining some power of removing pauper lunatics, because there is also an impression that pauper lunatics ought to be dealt with in a different way from the ordinary poor of a district. A pauper lunatic has to be dealt with immediately, generally owing to the peculiar circumstances of the case. They have to be sent off to an asylum, and then their place of chargeability has to be ascertained afterwards, and a long correspondence takes place. Not only as regards lunatics, but also as regards other paupers it is a very tiresome and tedious thing, and a very irritating thing to ascertain where a pauper's residence is, and whether he is chargeable to another union; and it is a very expensive thing in some unions where they keep an officer who is solely employed in making inquiries into the settlements of paupers with a view to their being removed elsewhere.

714. Is it your opinion that, if the law was abolished, it really would not increase the rates in various unions; that there would be a kind of giving and taking between one union and another which would rather improve the position of the unions than injure it?—I think it certainly would not increase the rates, and after a short time it would diminish the relief by putting an end to the non-resident relief, which is a fertile source of mischief of all kinds.

715. Several unions in your district, I think, have given up the giving of non-resident relief some time ago?—Many unions did so, and they refuse also to become the agents of other unions in giving non-resident relief; that is to say, they refuse to act for foreign unions in giving relief for them, but nevertheless the other unions do give relief, and they are obliged to find some private means for sending it.

716. Is it your experience that, in the case of Manchester, which has not carried out the law of removal for a great number of years past; the rates in Manchester are extremely low?—They are extremely low, or rather, I am sorry to say, they were, before the last few months.

717. Do you consider that the non-use of the law of removal has led to any increase of the rates of Manchester?—I do not consider that that has had any effect upon the Manchester practice by increasing the amount of relief at all.

718. The Manchester people, although they do not make use of this law, have at the same time a very strict system of administration, have they not?—Very. A large proportion of their relief is given indoors and not out-of-doors at all.

719. They act according to certain rules, called the Manchester rules, which have been adopted by many other unions in the district, I believe?—These rules were voluntarily drawn up and adopted by Manchester, and they have also been voluntarily adopted, with or without certain modifications, by a large number of unions in my district.

Mr. Torr.

720. How long is it since you were appointed to this district?—It is 25 years since I was appointed inspector; but in the district I am speaking of in Lancashire, I have been about 12 years.

721. Have you seen any change in the general opinion of those unions since you went there?—Yes, I have seen a marked change since I have been there. There has been a marked change since the alteration in the law, which greatly modified the law of removal, and the change took this direction: they say, "There is really so little of the law of removal left that it is more trouble than it is worth, and we would rather have nothing at all to do with it."

722. Do you mean since the law of 1874 was passed?—Yes, that is so.

723. You have seen a more marked change since 1874 than previously?—I think so, certainly; and I think the change is growing every year.

724. You mean that there is a gradual and steady increase of opinion in favour of the abolition of the law of removal?—I think so, most distinctly.

725. Is it not the attraction of outdoor relief in contrast with indoor relief, that brings paupers to a district; if one district, or one union, gives a larger amount of outdoor relief and less indoor relief than another, is not that a temptation to the poor to come to the district where they can get outdoor relief?—No doubt it is. They will not only come from one union to another, but where relief is given by sections of guardians the poor will ascertain what guardian presiding over a section is more likely to give outdoor relief, and they will wait until that guardian is present before they make their application; and they will also see if they cannot take up their residence in the district of a relieving officer who is not quite so vigilant as his fellow officers are.

726. From your experience do you favour outdoor relief, or indoor relief?—My course of action has always been to circumscribe relief to the workhouse as much as I possibly can. In fact, I have come to the conclusion that there is hardly any safety at all in administering outdoor relief.

727. Therefore that will be one argument in favour of making the law uniform, that is to say, that there should not be so much option left to the distributors of the relief?—I should be very to force such a law upon the boards of guardians who now so intelligently administer the system, because I do not think that any law would be advantageously administered unless it carried conviction with it at the same time that it was a sound and a proper law; and therefore it was with great satisfaction that I viewed the adoption of these voluntary rules, which went beyond the rules of the Local Government Board in circumscribing relief, and in drawing it more closely to relief in the workhouse.

728. And you think there is no occasion for any difference between the removal of poor from one district of England to another, and the removal of poor to Ireland?—No, I would not exempt either the Irish or the Scotch from the general condition of things which I wish to see brought about, that is to say, the abolition of the law of removal altogether. I think that whenever a person was requiring assistance, there that relief

Mr. Torr—continued.

relief should be afforded to him according to his necessities.

729. You would have one law applicable to the three kingdoms?—I would have one law applicable to the whole of the United Kingdom.

Viscount Enghen.

730. Bearing in mind the last question that was asked you, it was suggested a little while ago that the law in Ireland was applied rather more liberally to paupers than in some parts of England; would you think it necessary, in case of the law of removal being entirely abolished, to take steps to see that the law was equally applied in all respects?—If the law of removal were not wholly abolished, I should say then that the same procedure and the same precautions should be taken in Ireland and Scotland as are taken in dealing between one union and another in England; and that an Irish union should have the same opportunity of objecting to the removal of a poor person as a union A or union B has in England in a case of a poor person being removed from one union to another in England.

731. But might it not be possible that, in a certain district which was a poor district, they might, by using their powers almost liberally, induce them to remove into another district in which they would be better treated; would not that be an evil?—Any administration of relief that had not for its object, and its sole object, the relief of the destitution of poor persons, without reference to the shifting of the chargeability, would be an objectionable mode of administering that relief.

732. Do you think the Local Government Board have sufficient power to check anything of that kind?—I do not think they have. A very wide discretion must, of necessity, be left to the local authorities, but we must look to their proper feelings and their good sense to shew them from administering the law with a view to cost the chargeability on other districts. I am happy to say, and I feel bound to say, that I think it happens very rarely indeed (I do not think I could trace the suspicion even) that in any union the relief is seriously modified, or that they can contemplate a modification of the relief for the purpose of inducing persons to go elsewhere. I have now and then seen indications of that kind, but, of course, I should condemn them very strongly indeed; and that is another reason why I should advocate the abolition of the law of removal. I think I once saw an instance where a case certainly ought to have been relieved in a workhouse; but I think it was not intended that I should hear it. It was said, "We will not give relief in the workhouse, because the relief in the workhouse will not be accepted; we will give outdoor relief, and that will be accepted at once, and then a removal may take place"; but that is a very rare and exceptional thing. I simply mention that as an almost unheard of thing.

733. If you found paupers migrating from one union to another it would be more than probable, would it not, that the union to which they were migrating were not properly carrying out the poor law, and were too free in their relief rather than the union from which they were migrating was too strict?—That would be a matter of opinion. We might say, that the union to which

Viscount Enghen—continued.

they migrated was rather too precise in holding out a temptation to induce them to come to it, and, therefore, that would be an argument in favour of the abolition of the law, because they would assimilate their scales of relief as well as their practice.

734. With regard to labourers, do you think the present law in any way, or to any extent, deters labourers from travelling in search of labour for fear of being removed?—No, I have of necessity, given my attention to what is called the question of vagrancy, but I have never found that any very considerable proportion of ordinary vagrants, what are known as tramp-like vagrants, are either Irishmen or Scotchmen; they are very few of them Irishmen or Scotchmen; they belong to a class that are indigenous to England, I am sorry to say, who are universally, and who have been for the whole length of their lives, since they were able to labour, professionally in search of work, which they do not wish to find.

735. That is a class not travelling in search of labour, but merely travelling about, and maintaining themselves at the cost of the various unions?—They want to maintain themselves at the cost of anybody's labour but their own; and, therefore, it is that we have set up a very stringent law of labour to all vagrants who are relieved in the workhouse.

736. But you do not think they are deterred from coming to England or to seaports in Wales, or elsewhere from Ireland, by the fear of the law of removal?—No, there is no fear, I think of that. For instance, at this time of the year a very large number of Irish people come over to get in the hay harvest and the corn harvest. They are very thrifty and well-conducted saving persons, who send home their money, and as soon as the season is over, they follow themselves; they go away entirely and return again next year, perhaps to the very same place where they have been working before. But if such a poor person whilst labouring over here were to fall sick, he would be relieved probably in the nearest workhouse, as there is no better place for him to go to; but directly he recovered he would return home.

737. Then you think a bond, free labourer is not deterred by the law of removal from coming after his work?—Certainly not.

738. But do you not think it possible that the vagrant class may be deterred from coming over by the fear of being removed the moment they become chargeable, and that if the law was abolished they might flock into certain seaport towns in larger numbers than they do at present?—I have heard the apprehension expressed, but I do not think it would be found, practically, to be of any serious moment at all.

Mr. Hanbury.

739. You mention the case of several clerks who were in favour of abolishing the law altogether; as I understand, at the present moment, supposing that there is one case of removal they get, say 130 l. a year, and supposing that there is no removal at all they get nothing?—I do not know that there is such a bargain as that in any district.

740. Can you tell me the general way in which those clerks are paid as to removals in your district?—The removals are so numerous in very populous

Mr. Cass.

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Mr. Cane.

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Mr. Hestery—continued.

populous unions that a clerk is kept for the purpose of conducting the removals, and making inquiries independently of an actual removal officer; but, where the clerk is an attorney, he conducts it as a branch of the duties of his office, and he receives a gratuity at the end of the year, based, probably, on the number of cases of removal that have actually taken place.

741. These men, I suppose, would expect some compensation?—No doubt they do, and it is part of the understanding, when they are appointed to their offices, that if they are attorneys they are to conduct the removals on certain conditions and certain expenses out of pocket.

742. But I mean that, if their work were to cease altogether, they would expect some compensation?—They might, but that had not occurred to me.

743. It had not been mentioned to you?—No. They are a very liberal body of men, and I do not think they would make any very strenuous opposition to the alteration of the law, on the ground that it was not accompanied by some compensation.

Mr. Morris.

744. As I understand from you, the maintenance of the present law of settlement entails considerable expense upon the unions in the way of extra staff?—It does.

745. Have you ever had any personal experience of our Irish system?—Not personally; my experience is derived from the general information that I have gathered in the discharge of my duties.

746. I do not know whether you were acquainted with Sir Alfred Power?—I was, before he left England.

747. He had very considerable experience of the working of the system in England?—He had at the time when the law was administered in its worst possible form, that is to say, in 1835 or 1836, just when the unions were formed here.

748. You are aware that, from his experience of the working of the system in Ireland, he has always been in favour of the total abolition of this law of settlement in England?—I have always understood that that is so, although I have not seen Sir Alfred for a great number of years now.

749. Do you not think that any danger in respect of those tramps crowding into a union would be entirely got rid of by an Act somewhat analogous to that which was passed for a similar purpose in Ireland, viz., the Vagrancy Act?—My acquaintance with the law and practice in Ireland is not so good as it is with the law and practice of England.

750. But if an Act was passed rendering tramps of that character subject to a punishment by imprisonment, do you not think that would act as a deterrent?—I certainly would assimilate the law of both countries, and then let circumstances adjust the question.

751. Last there might be any mistake as to one of your answers, you are aware that, so far as relates to this law about appeals, there is considerable conflict between the laws with respect to English paupers and those with respect to Irish paupers?—I am afraid there is.

752. And those laws at the present moment, if the law of settlement was continued, are in a

Mr. Martin—continued.

very unsatisfactory state?—The law is in an unsatisfactory state, and I am afraid the practice is not altogether satisfactory.

753. I believe probably there is no inspector under the Local Government Board who has had greater experience in respect to the Irish poor in England than you have?—I am afraid that I must say that I have been connected with the poor law for about 45 years now, so that I have seen it in all its phases.

754. Is there the slightest reason to apprehend that, if this law of settlement was removed, the Irish would flock over in greater numbers than they do at present?—I think they are not kept out by force of law, and I do not think it would make much difference.

755. As I understood, in point of fact, in any union, so far as your practical experience goes, where there has been no removal of Irish paupers, or no removals at all, there has been no perceptible increase of the rates?—Not arising from such a cause as that.

756.* I do not know whether your attention has been called to any cases of extreme hardship with respect to the removal of the Irish poor?—Yes, I have heard of one or two such cases occasionally happening, but that will be spoken of, perhaps, by somebody who knows the actual facts better than I do.

Mr. Mark Stewart.

756. With regard to the expense, have you ever formed any calculations of what general expense would be saved to the unions with which you are connected, by doing away with the law of removal?—The legal expenses in conducting the removal of paupers and the incidental expenses are very considerable indeed, amounting, I suppose, in my district, to some 1,000*l.* or 2,000*l.* a year, speaking roughly; but the amount of non-resident relief is also much larger, and that would be curtailed and brought within proper control, and we should save, I suppose, several thousands a year in that way, besides administering the law more properly, and more to the advantage of the poor.

757. That would be a comparatively small percentage over a rateable area of some seven million pounds, would it not?—Yes, it would be a very small percentage, no doubt.

758. Still you think it would be appreciable?—Certainly; and we can only hope to make a large saving by paying attention to all the small percentages.

759. Do I correctly understand that you are prepared to abolish the law of settlement, as it at present exists, as well as the law of removal?—Yes, I do not see the advantage of maintaining the one if the other goes.

760. Then, do you approve of one year's residence in a union, instead of three years in a parish, as it is at present?—I should approve of it, because it is a step towards the abolition of the law.

761. You are not afraid of the rates in the towns being very materially increased?—Do you mean in a union which consists of a town altogether?

762. I mean a town as compared with a rural district?—No, I think not, because the charge in a union charge now, although a large number of persons are drawn to the towns in preference

to

Mr. Mark Stewart—continued.

to residing in the rural parishes, in which the union is included. I have never known, of late years, any protest on the part of the rural part of a union against an improper increase of the rates, arising from the fact that the people go to live in a town. They see that, as the town is increased, they really become customers, as it were, for all sorts of agricultural produce, and everything else in the surrounding districts, and they no longer dread what they certainly did fear at one time, that is to say, an increase of the rates of outlying parishes because of the number of people that come to reside in the town.

763. You are aware that in Scotland we have not a system of unions?—I have only a general knowledge of the Scotch system.

764. Would you apprehend great difficulties being stated if it were proposed to allocate the different parishes in Scotland into unions?—I should hesitate to give an opinion on that point, as my local knowledge is very imperfect.

765. You would be quite prepared to make the law of settlement and removal identical in the three countries?—Quite so, in every respect.

766. Following the Irish precedent?—Certainly, in every way.

767. You have laid considerable stress on what the clerks in the different unions say; are you quite clear that the ratepayers would take the same view as the clerks on this question?—The guardians are elected by the ratepayers, and they are the representatives of the feelings of the ratepayers, and therefore, inferentially, I think the ratepayers would hold the same opinion.

768. Still I take it that this question has never been brought before the ratepayers in any very marked way?—No; there has never been a general election of guardians on the question of poor removal. It turns chiefly on the question of whether they are economical, or too lax, or some matter of that kind.

769. In your experience can you say that this question has generally engaged the attention of the ratepayers?—No, I do not think it has. I do not think there has ever been an election of guardians where the chief question, or any question at all, arose as to whether the law of removal should or should not be maintained.

770. Still if it was put to the country as a test question, do you suppose that the ratepayers would elect guardians supporting those views?—I think they would elect boards of guardians very much in the same way as they do now. I do not think it would make any difference at all in the return of guardians.

771. You speak generally on this question, I suppose, with regard to the more inland towns, and not with regard to the ports?—On the western coast, of course, I make some exceptions. They feel rather strongly, but no place feels so strongly as Liverpool.

772. Is there any such feeling in any part of Cumberland, or at Barrow, or Silloth?—Barrow is such an exceptional place and so newly constituted that one can hardly form much opinion upon it; but I do not think that Barrow would fear an alteration of the law in any way whatever.

773. What do you suppose the feeling would be in Silloth and Carlisle, and that part of Cumberland?—I do not think that I should find Carlisle.

Mr. Mark Stewart—continued.

Isle amongst the list of those five unions that object to an alteration of the law.

774. I presume you have heard that there is considerable fear in Scotland with regard to the alteration of the law?—I have been so informed, and, when attending boards of guardians just on the Border, I have sometimes observed that there was an apprehension, and that there was some feeling, about removals from one side of the Border to the other, which would be entirely got rid of if the alteration of the law, which I advocate, took place.

775. Is it not your experience that fewer Irish come over now than came formerly for agricultural purposes, on account of the introduction of machinery?—I have no doubt that that is so with regard to agricultural purposes; but then we have a larger demand for Irish labour on other works.

776. And you would not be afraid of a larger number of the vagrant class coming over in the place of the agricultural labourers?—I should not be at all afraid of it, but I always look to some alteration of the law, and I think an alteration is very necessary.

777. Do you put much stress upon the argument which has been used here, that the fact of there being a better diet given in the English and Scotch parishes and larger outdoor relief given in England and Scotland than in Ireland, is an inducement to the Irish to come over here?—No, I never traced that a better diet and a better allowance of outdoor relief had much effect on the emigration of labourers from Ireland.

778. Was it with any difficulty that the Manchester board of guardians enforced the rule that no more removals should take place?—I do not think there was any sudden cessation, but the practice of removing died away altogether and they did not revive it.

779. Was that on the ground of expense?—No doubt that had something to do with it; but, on general grounds, I think they would agree with me that it was better to leave the law to die out, as they call it, entirely.

780. Did it ever occur to you that possibly the law of removal might be abolished, at the same time preserving some of the present parts within the present law?—I have heard that that has been advocated, but I could not justify such an exception to my own mind in any way.

781. Would it be a practicable matter?—I think it would not be a practicable matter at all. I think, if you were to begin to select the towns for which exemption should be made, very great difficulties would arise, and you would have various towns claiming exemptions which they thought ought to be extended to them; and it would be a most difficult matter for you to decide what towns should have those privileges and what towns should not.

Mr. Giffen.

782. I presume, from your remarks, that you consider that the expenses of poor removal press more heavily upon the town population than upon the country population?—No doubt, where there is a union which comprises one large town it would be so.

783. Have you formed any idea of the percentage of expenses upon the poor rate due to removals?

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removals?—I am obliged to profess my inability to answer that question just now.

784. You said something about vagrants going from one union to another, not in search of work, but in search of living on somebody else's work; they are, in fact, professional vagabonds?—They are nothing else.

785. Are they noticed from one union to another by a difference in the diet and in the treatment?—No doubt a great difference in treatment leads to a great difference in the number of vagrants. The vagrants communicate with one another, and they know what they call a good union, or a good workhouse, as well as we should know what we call a good hotel.

786. Then there is a difference in the dietary of the different unions?—There is a difference in the dietary and there is a difference in the task work, and above all there is a great difference in the way in which that task work is enforced or not enforced.

787. Therefore, the greater uniformity would be to the advantage of the public in general; it would stop that wandering about of professional vagrants, at all events?—It certainly would. At the request of the high constable of Cumberland, I very recently addressed to him a letter, which has attracted great attention in Cumberland and Westmorland, on the subject of vagrancy. It has been printed by order of the magistrates in quarter sessions, and circulated throughout all the unions in those two counties; and I believe there will be a meeting of all the representatives of the boards of guardians in those two counties, with a view to assimilate the practice of relieving vagrants, so as to protect one union from a large influx of vagrants, whilst the others are repelling them by a contrary mode of treatment.

788. Perhaps you know that the cost of the keep of a pauper in one union differs materially from the cost of the keep of a pauper in another union?—No doubt it does, both in the scale of outdoor relief and in the cost of indoor maintenance per head. I have before me now a table of the cost of the maintenance in all the unions in my district, and also of the cost of outdoor relief.

789. Will you give us those statistics?—I should be very sorry to part with them until they are printed, and then I will disseminate them very widely throughout the whole of my district. I have collected them with very great labour.

790. Can you give me the average cost per week?—I have the rate in the pound for maintenance and outdoor relief for all the unions in my district, but I am afraid I cannot give the average cost per head per week.

Mr. Hutchinson.

791. I think you say that, in your district, there are three West Riding Unions?—Yes.

792. Will you be kind enough to tell us what they are?—Sheffield, Rotherham, and Ecclehall, which is almost a suburb of Sheffield.

793. Those are the neighbourhoods where, I should think, a considerable number of Irish labourers are employed?—No doubt there are, especially in Sheffield and Rotherham.

794. Consequently, under the present system of removals, they would be very frequently

Mr. Hutchinson—continued.

called upon to remove?—I believe, in Sheffield, they have not removed an Irish poor person for many years.

795. I wanted to know whether, in the opinion of those unions where Irish labour was comparatively abundant, they were still desirous of abolishing the present law?—Certainly, they would be, because in Sheffield, as I said, it has not been their practice to remove Irish persons for many years.

796. In answer to the honourable Member for Oldham, you said you thought the abolition of the existing law would remove some of the difficulties of the existing scales of outdoor relief; how would it have that effect?—Because the unions would fear that, if they gave more than the adjoining union, the poor would by degrees remove from one union to the other, in order that they should obtain a larger allowance of outdoor relief when they got outdoor relief, or be more bountifully treated in the workhouse if they were taken into it.

797. Much in the same way that it has been argued that a criminal prefers to be committed in one county rather than in another, because he gets more liberally treated?—Yes, on the same principle.

798. With reference to a reply which you gave to a question put to you by the honourable Member for Liverpool, I think you made a very broad statement, which is also a very important one, respecting which I must question you, because, owing to your long experience and standing, any opinion expressed by you would have considerable value. I think you said that you would confine yourself as much as possible to indoor relief, because there was scarcely any certainty in the administration of outdoor relief?—That was so.

799. You have had large experience in the West Riding of Yorkshire; I remember perfectly well when Halifax was in your district?—It was.

800. Let us take two or three common cases: supposing that a widow is left with three or four young children, all of whom are too young to work, and she comes before the board of guardians and says that she can maintain them and herself, if they would allow her a little relief; would you bring her and her young children into the workhouse?—I would take part of her family into the workhouse in preference to giving her money, because her children would be probably even better taken care of there than they would be under her care; and, assuming that she was capable of labour, I should leave her to maintain as many of her children as she could by her own industry.

801. And you would do that with the risk of subjecting those young children to the degrading influence of Poor Law education?—I do not admit the degrading influence. I think the children are very often better taken care of in the workhouses, and that it is elevating rather than degrading.

802. In your opinion it is distinctly to the advantage of a child, as regards its future standing, that it should be brought up in a workhouse?—I think many children are far better off in a workhouse.

803. Supposing that the father and the mother die, and that an orphan is left, is it your opinion that

Mr. Hutchinson—continued.

that the orphan is better brought into the workhouse than put out to board with a friend at a very low charge?—Yes; but we are entering upon another question, and that is the boarding-out question.

804. Supposing that an old man or his wife, or both of them, can live with one of their children, or with a friend with a small outdoor allowance, would you think it better that that old man, or his wife, or both of them, should be brought into the workhouse than that they should live outside?—I do not go to the extreme length of saying that there should be no exception whatever; but there might be cases in which it would be even better that an old man and wife, such as you suppose, should be brought into the workhouse, than that they should be left under the care, as it is called, of some relation of their own.

805. Therefore you are disposed to modify that very unqualified generalisation that there was hardly any case in which the administration of outdoor relief was an advantage?—I modify it only to a very small extent; I did not intend to do more.

Mr. Symon.

806. Is it not the bane of the law of removal which has led to the corrupt practice of non-resident relief?—Yes, no doubt it is very closely connected with it.

807. Was it not the removal of the pauper to a great distance, or even to a near distance, that led to the arrangement between one union and another, with respect to non-resident relief?—That is the ground of it. Within this present week I have had instances come to my knowledge where a board of guardians in Westmorland wanted the board of guardians in Westminster to act as their agent in giving relief to an old woman, rather than send her from one part of the country to another.

808. Is not the abolition of that corrupt practice, which leads to expenses and maladministration, a strong argument in favour of the abolition of the law?—Decidedly it is. May I illustrate it by stating a case which came within my observation not a year ago. A man and his wife, the man being a very infirm person, were removed from one union to another; he came back again with non-resident relief; the union where he resided did not take any interest at all in the case, so long as the money was repaid; but the man died after a few years, and the wife became irremovable for 12 months afterwards. Thereupon, immediately, the union where he resided, looked very closely into his case, and found that these people had thriven very much indeed; that they had been very industrious, that their children had grown up and earned huge sums of money, and that, so far from being paupers, they were comparatively well-off, and they instantly ceased all relief, on their own account.

809. Is there, in fact, an immigration of vagrant population from Ireland to England?—I should not say so as a class, certainly.

810. With respect to the question of an open market and a closed market for freedom of labour, the matter of vagrants is a matter of evidence and of proof, is it not?—Yes.

811. But you cannot give evidence and proof as to the motives that operate upon a labourer in 0.107,

Mr. Symon—continued.

going to one market and not going to another; that is a matter for his own feelings?—He must be guided by what he believes to be his own interests.

812. Supposing that you were a labourer seeking for industrial employment, and that you had two places to go to for that employment, and that in the one place the law of removal did not exist, and that in the other place the law of removal did exist, which of those markets, supposing them to be equal in every other respect, would you select?—I have no difficulty in answering that question; that in which I thought I should get the most.

813. You would select the market where there was no law of removal?—I think so, if I placed reliance upon my own strength and my own will to work.

Mr. French.

814. Is there any fixed scale of dietary for the workhouses in England?—They differ in different unions in their materials and in their quantities.

815. You are aware that, in Ireland, there is a scale of dietary fixed by the Local Government Board, below which no union can go?—I believe that is so. There is a general supervision exercised by the Local Government Board in England also.

816. I understood you to say, with regard to Manchester, that since Manchester had given up removing Irish paupers, or any other paupers, the rates had decreased?—The rates have been decreasing, but I could not attribute it very markedly indeed to the fact of their having given up removing Irish paupers.

817. But the giving up of the removal of paupers has not increased the rates?—It has not been accompanied by an increase.

818. With regard to Liverpool, it has been stated here that Irishmen who have come over here for harvest, and for one thing and another, have gone into the Liverpool workhouse simply to get removed back to Ireland instead of paying their own passage; have you heard of such cases?—On that point you will have a witness better able to speak than I am, probably the vestry clerk himself; but I have heard that such cases occur; and he will tell you perhaps also that they are under the apprehension that Irish women sometimes come over to Liverpool to be confined, and then go home again.

819. Supposing that to be the fact with regard to removal, so far as those persons are concerned, the rates would be entirely relieved of that if the law of removal was done away with, would they not?—Not wholly, because they might come over for the sake of the better treatment that they would meet with on one side of the water than they would meet with on the other. It is analogous to the fact that certain diseases are treated in certain workhouses with very great skill indeed, and that people come very long distances and find their way into those workhouses, in order to be treated for those disorders, and then when they are cured they return whence they came. They come from some distance, they change their name, they change their clothes, they come on the union and become chargeable; and as soon as they are cured of the disorder they go to the place where their clothes are deposited, they resume their clothes and resume their names,

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Mr. French—continued.

and go home to their friends as if they had been simply on a tour. It is known that such practices are resorted to occasionally.

820. At present the law of removal does not prevent that?—No, because the man would present himself as a casual poor person who is not subject to removal.

Mr. Forsyth.

821. I suppose vagrants find out such workhouses as give the best treatment to them, as a matter almost of their profession?—They do so, no doubt. The vagrants like those unions where there is no separation from one another, where they can sit up at night and gossip, and tell their stories, and make an agreeable club of the place.

822. You said that, if the law of removal was abolished, in order to prevent an improper influx of vagrants from particular localities, you looked forward to an alteration of the law of vagrancy; what sort of alteration do you contemplate?—I contemplate a longer detention of the vagrants in the vagrant ward than there is at present. Where a man who is destitute applies, on the ground that he is in utter want, I would say, "Very well; if you are, there is no hardship in giving you food and labour for three days instead of one," and I would have the power, under certain circumstances, to keep a vagrant in a union workhouse for three days, in preference to keeping him one single day.

823. Of course putting him to labour, if he was in a fit state to perform labour, otherwise he would have no objection, I should think, to stay four or five days if you fed him?—I assume that he is in a condition to labour.

824. And you would put him to hard labour as a test?—Yes, and to continuous labour. I think it is a charity to keep people in health in a workhouse, rather than let them go dragging themselves about the country, increasing their own sufferings, and very often carrying infection and disorders amongst the rest of the community.

825. I gathered from you that you are, like many others, strictly opposed to outdoor relief?—Yes.

826. In the case of an applicant for outdoor relief, would you, in most cases, compel him or her to become an inmate of the workhouse; a person must not starve, you know?—There must be the compulsion of circumstances, of which they are the judges. If they can do better, they, as they do now, may decline to accept relief in the workhouse. It is their repugnance to enter the workhouse, where there is cleanliness, and decency, and restraint, and comfort of all kinds; that is the great objection to the ratepayers.

827. You, as I understand, refuse to give out-

Mr. Forsyth—continued.

door relief as much as possible, and compel a person in want to become an inmate of a workhouse?—Yes; you are obliged to do so. Unless you do that, the pauper decides what relief he will have, and not the board of guardians. The pauper says: "No, I will not take relief in the shape which you think best; I will have it in the shape which pleases me most."

828. He could not choose it if you said to him, "But if you do not take the relief we give you, either in money or kind, you must then go into the workhouse"?—I would say, "We give you no relief, except that which we can afford you in the workhouse." He says, "No, I will not take indoor relief; if you do not give me outdoor relief, I will not have any." Then we say, "Very well, there is an end of it."

829. Outdoor relief may encourage pauperism and so be objectionable, as I dare say it is; but if you take a dozen cases, it would be a good deal cheaper to the ratepayers to give 3s. 6d. a week, in a dozen cases, than to take these cases into the workhouse, would it not?—No; there is the fallacy of the thing. I always say to a guardian, "The very first lesson that you have to learn is this, that 3s. 6d. is much less than 2s. 6d. If you give 3s. 6d. for one case in the workhouse, you save six or seven cases of 2s. 6d. a week in outdoor relief; you will check off, as it were, six applicants directly, and save your five half-crowns."

830. Because it is such a bad example?—That is so, exactly; and the giving in outdoor relief of one half-crown will lead to applications from four, or five, or half a dozen others.

831. In fact it tends to increase pauperism?—No doubt it does, very strongly.

Mr. Giles.

832. Then you put the cost of the pauper at 3s. 6d. per week?—I mean that I would sooner keep one pauper at 3s. 6d. than half a dozen at 2s. 6d.

Mr. Forsyth.

833. I thought the paupers cost 5s. per week?—3s. 6d. or 4s.

Chairman.

834. Is there anything else that you would like to say to the Committee?—Not on the subject of poor removal.

Mr. Giles.

835. Is that sum of 3s. 6d. founded upon experience?—It is founded upon experience. I am now speaking of 3s. 6d. per week as the cost of an able bodied person who did not require medical attendance.

Mr. JOHN SKELTON, called in; and Examined.

Mr. Skelton.

Chairman.

836. Will you kindly tell the Committee what official position you hold?—I am Secretary to the Board of Supervision in Scotland. I may add that I am a member of the Scotch Bar.

837. We may take it that you have had a long experience of the administration of the Poor Law in Scotland?—I have been secretary since 1863, for more than 11 years.

Mr. Symon.

838. The Board of Supervision is the Scotch Central Poor Law Board, is it not?—Yes.

Chairman.

839. What are the removal statutes which relate to Scotland?—The law with reference to removal depends upon the 8 & 9 Vict. c. 82; and I think the only sections that refer

Chairman—continued.

to removal are Sections 77, 78, and 79. That Act was passed in 1845; in 1854, I think, a Committee of the House of Commons sat upon the question of removal; and in 1882 an Act was passed, the second removal statute, and the last removal statute relating to Scotland, which provided greater precautions in the removal of paupers to England and Ireland. The first of those Acts, 8 & 9 Vict. c. 83, contains a statement of the whole law, except as slightly modified by a subsequent statute. Section 77 of that Act provides, "That if any poor person born in England, Ireland, or the Isle of Man, and not having acquired a settlement in any parish or combination in Scotland, shall be in the course of receiving parochial relief in any parish or combination in Scotland, then, and in such case, it shall be lawful for the sheriff or any two justices of the peace" (the sheriff is a trained lawyer in Scotland, and justices of the peace in Scotland, I suppose, occupy very much the same position as they do in England) "of the county in which such parish or any portion thereof is situate, and they are hereby authorised and required, upon complaint made by the Inspector of the poor or other officer appointed by the parochial board of such parish or combination, that such poor person has become chargeable to such parish or combination, by himself or his family, to cause such person to be brought before them, and to examine such person or any witness on oath, touching the place of the birth or last legal settlement of such person, and to take such evidence or other measures as may by them be deemed necessary for ascertaining whether he has gained any settlement in Scotland, and if it shall be found by such sheriff or justices that the person so brought before them was born either in England or Ireland, or the Isle of Man, and has not gained any settlement in Scotland, and has actually become chargeable to the complaining parish or combination by himself or his family, then such sheriff or justices shall, and they are hereby empowered, by an order of removal under their hands, which order may be drawn up in the form of the Schedule A. hereto annexed, to cause such poor person, his wife, and such of his children as may not have gained a settlement in Scotland, to be removed by sea or land, by and at the expense of the complaining parish, to England or Ireland, or the Isle of Man respectively, according as such poor person shall belong to England, Ireland, or the Isle of Man." Section 78 provides as to the manner in which this is to be done, and that the removing officer is to have all the powers of a constable, which otherwise he would not have; and Section 79 provides that persons having been once removed and again becoming chargeable, subject themselves to punishment by imprisonment, with or without hard labour, for such a period as the sheriff shall think proper, not exceeding two months. That is the first of the Acts. Then the subsequent Act, 25 & 26 Vict. c. 113, introduces some rather important modifications.

840. Does the whole of that Act deal with removals?—Yes, it is the Act under which all the existing removals are carried out, in conjunction with one or two provisions which I have now read. The first section requires that the sheriff or justices "shall see such poor person, or the person who is the head of the family proposed to

Chairman—continued.

be removed, and shall be satisfied that every person who is proposed to be removed by the warrant is in such a state of health as not to be liable to suffer bodily or mental injury by the removal." Then Section 2 applies to the warrant, which is to contain the name and age of the person proposed to be removed, and other particulars, the most important of those particulars being that "where the justices or magistrate, or sheriff or justice shall find such person to have been born or to have last resided for the space of five years, in the case of a poor person to be removed to Scotland" (the five years' settlement existing in Scotland), "and three years in the case of a poor person to be removed to England or Ireland"; and then it goes on, "shall" upon that evidence, "order the pauper to be removed to the port, or union, or parish in England, or Ireland (as the case may be), or port or parish in Scotland, which shall, in the judgment of such justices or magistrate, or sheriff or justices (as the case may be) under the circumstances of the case be most expedient." I may mention that in Section 4, with reference to the warrant, the words are, "and in the case of a removal to England or Ireland, at the workhouse of such place, or of the union or parish containing the port or place nearest to the place mentioned in the warrant as the place of the pauper's ultimate destination." In the second section, the words "place most expedient" are used; but in the fourth section it is the port nearest to the workhouse to which the pauper is to be sent. Then I may mention that Section 3 provides that a copy of the warrant must be sent in every case to the clerk of the union 12 hours at least before the removal of the pauper. "The person obtaining the warrant shall, at least 12 hours before the removal, send a copy of it by post to the Inspector of the poor of the parish or combination in Scotland, and to the clerk of the board of guardians of the union or parish in England or Ireland." Then I do not think there is anything material in the other sections, except in Section 7, which was passed with the object of removing out of the complaints which came before the Committee of 1854, that there had been some want of proper treatment of women and children in the removals by sea. I think those are the only statutes which regulate the matter; and the Committee will see that the first condition that must be satisfied is that the person to whom the warrant applies had been born in England or Ireland. I am now talking of English and Irish paupers, leaving the question of Scotch paupers to be afterwards alluded to. That is the first condition. There has been some doubt about this, but I think it is now conclusively settled that the Scotch-born widow or the deserted wife of an Irishman, she having been born in Scotland, cannot be legally removed under this statute. Another question of considerable importance has occurred in England, viz., can a deserted Irishwoman and her family be removed? There was a decision upon that point of the Court of Queen's Bench, which found that if an Irishman deserted his wife and family, the wife and family could not be removed. When that decision was given, that case was submitted by the Home Secretary to the Lord Advocates of the day (the Lord Advocate being Lord Advocate Young), and the Home Secretary was advised by Lord Advocate

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Young that that decision did not apply to Scotland; that, in his opinion, the courts in Scotland would not hold that that decision was binding; and that, in his opinion, also, it was not likely to be followed in Scotland; Lord Advocate Young's opinion being that it really was a decision which frustrated the obvious design and purpose of the statute.

Mr. Sykes.

841. What was the birthplace of the parties in that case?—The wife was born in Ireland.

842. Was the husband born in Ireland?—The husband was born in Ireland. The husband who was born in Ireland deserted his wife and family, and the Court of Queen's Bench here held that, in these circumstances, the wife and family, although born in Ireland, could not be removed to Ireland. It was in the year 1870, and it is a well-known case.

Chairman.

843. Then the first point that you put is that before paupers can be removed to Ireland or to England (and I presume the same holds with regard to the Channel Islands and the Isle of Man), they must have been born in one of those places?—Yes.

844. Will you now take the next condition that makes a man liable to removal?—The next condition is that he must have become chargeable by himself or his family.

845. In other words, he is not removable until he actually claims relief?—Not until he actually claims relief. The relief, however, may be either given to himself or to his family. Those are the words of the statute. The Committee are probably aware that in Scotland there is no relief to the able-bodied; so that stating that no one can be removed from Scotland who is not in the receipt of relief, there are no removals of the able-bodied from Scotland. The only exception to that statement is the case of a pauper who has an insane wife. The courts in Scotland have held (it has not been laid down, but there have been numerous indications that—that was the opinion of the courts), that a man may be persecuted by his wife becoming insane and being removed to an asylum. That is such an unusual burden that the courts have held that, although he is able-bodied, yet he is entitled to receive relief on behalf of an insane wife. So that it is quite possible that in the case of an Irishman with an insane wife, a removal might take place. It is the only case of an able-bodied man in which I think such a liability exists; and that is simply because the courts have indicated a strong opinion in various cases to the effect that insanity is an exceptional disability, and that an able-bodied man may be relieved under those circumstances.

846. It is your custom, I understand, to remove the whole family in the case of chargeability?—The point has been occasionally raised; in one case at least, which was brought under the notice of the Board of Supervision, the lunatic wife of an able-bodied Irishman was removed by herself. The case was brought under the notice of the Board of Supervision; the Board of Supervision not being a legal body has no right to lay down the law; but they warned the Inspector, ultimately, that it was extremely doubtful and very questionable whether his proceedings in the

Chairman—continued.

case in question would be sustained by a court of law. I think that was the ultimate result of that case. The illegality of separating the members of a family in Scotland rests upon the decision of the House of Lords in the well-known case of *Adams v. Barbour*, in which it was held that it was quite illegal to separate the members of the same family.

847. You have given us two conditions that a man must fulfil in order to be removable; I presume there is a third, that he must have no settlement in Scotland?—Yes; that is the last of the conditions.

848. A Scotch settlement overrides, so far as Scotland is concerned, every other settlement for the purpose of removal?—Yes. I may, perhaps, explain that in Scotland there are only two modes in which a settlement can be obtained, putting marriage out of the question, a wife being sunk in the person of her husband, the settlement by birth and the settlement by residence.

849. Is there no derivative settlement?—Yes, of course, the derivative settlement exists up to a certain age. Then the residential settlement, which is of course the only settlement which an Englishman or Irishman can acquire, is defined by Section 78 of the Poor Law Act of 1845, to which I have already directed your attention. It is a very short section, and contains really the whole law with reference to this matter: "And be enacted, that from and after the passing of this Act, no person shall be held to have acquired a settlement in any parish or combination by residence therein, unless such person shall have resided for five years continuously in such parish or combination, and shall have maintained himself without having recourse to common begging, either by himself or his family, and without having received or applied for parochial relief" (that is in reference to the acquisition of a settlement; what follows is as to the retention of the settlement when once acquired). "And no person who shall have acquired a settlement by residence in any parish or combination shall be held to have retained such settlement, if during any subsequent period of five years he shall not have resided in such parish or combination continuously for at least one year: Provided always, that nothing herein contained shall be held to affect those persons who previous to the passing of this Act shall have acquired a settlement by virtue of a residence of three years, and shall have become proper objects of parochial relief." You will observe that it takes five years to acquire a settlement, but by the wording of this clause the courts have held that a settlement may be lost in four years and a day, the position being, that he shall not retain the settlement unless during a subsequent period of five years he has resided in the parish for at least one year, so that if he is out of the parish for four years and a day, after having acquired a settlement in it, it is impossible for him to fulfil the condition of having resided in the parish for a year.

850. Then in order that a man should retain his settlement, out of every five years of his life he must reside one year in the place of settlement?—He must.

851. That would not apply to birth settlement of course, but only to settlement which was founded purely and entirely upon residence?—Exactly; what is called a residential or industrial settlement.

Chairman—continued.

settlement according to the law of Scotland. I believe there is no doubt that the intention of the statute as drawn by Lord Advocate McNeill, who was afterwards Lord President of the Court of Session, was, that the settlement was not to be lost more easily than it was acquired, and therefore that it should have been six years in the statute instead of five, thereby curing what is certainly rather an absurd result, that a settlement is lost in four years and a day. You cannot possibly keep the settlement if you have been out of the parish for four years and a day. In the Poor Law Bill, which was introduced into the House of Commons in 1877, by the Lord Advocate and the Home Secretary, a section was introduced which substituted the word "six" for "five" in the section that I have now read, so that if a provision of that kind had been passed, the result of that would have been that the man could not lose his settlement in four years and a day as at present.

852. As I understand it, in that case, under the proposed alteration that you have just named, a man would not lose his settlement by residence until he had been away from his parish for a whole five years and a day?—For a whole five years and a day; it substitutes five years and a day for four years and a day.

853. Will you explain what the derivative settlement is?—There is first the derivative settlement that a wife acquires from her husband. In reference to that, I may say that an Irish-born woman marrying a Scotch husband, would cease to be removable if she became chargeable, because for the rest of her life she would be chargeable to the settlement which her husband had given to her. Then there is the derivative settlement of children; but that is a very complicated matter, and I do not know that it bears upon the inquiry before us. In reference to the decisions of the courts, I may say that the word "continuously" has been interpreted by the courts of late years in a very liberal spirit: "he shall reside continuously for five years." At first the judges were rather inclined to hold that if he was out of the parish for, say, a few days or a few weeks, he might lose his settlement; but the result of the recent decisions has been, that men have been out of the parish for one, two, or three, or eight, or nine months, and sometimes more than a year, and have been held to retain their settlement.

Viscount Esher.

854. Do you mean for a year continuously out of the five years?—I do not think any case goes to the extent of one year continuously, but every case is making the law broader, and some of the recent cases go, I think, nearly to a year. I have not got a note of the cases with me.

855. You do not mean an accumulation of a week here and a month there, but you mean that they have been away for seven or eight months straight off?—Yes. If the man has left his wife or family behind him, or if he has rented a house; there must be some tie: but that the existing, the courts seem to consider that the actual presence of the man is not essential.

Mr. Symon.

856. Your evidence now is, as to how a settlement previously acquired may be lost?—I have 6.107.

Mr. Symon—continued.

now gone back to the previous part of the section in which the word "continuously" occurs.

857. But a settlement may be lost by an absence of five years; is not that the short way in which it would be lost?—In four years and a day, because it is then impossible for you to comply with the conditions of the statute. This is important, in so far as it is advisable that a settlement should not be too easily lost. I think that has a material bearing upon the inquiry here, and of course it is more easily lost if four years and a day is held to be the law instead of five years and a day. I think those are all the observations which I have to make upon that head.

Chairman.

858. Will you kindly tell us what is the process of removal when a person is removable?—The process depends almost entirely upon the Statute of 1862, which I have referred to, and I think possibly the Committee will not require me to go further, although I am quite prepared to give the Committee any further explanation with reference to it which may be necessary. I may add, however, that the Board of Supervision have, at different times, issued a number of forms and regulations for the purpose of making the Act work more smoothly, so that there may be less difficulty in the practical administration by parochial boards.

859. Have the Board of Supervision absolute power to make rules with regard to removal?—They have no absolute power, but the inspectors of the poor cannot be dismissed except by the Board of Supervision; the Board of Supervision has the power of dismissing the local inspectors. In each parish in Scotland, under the Act of 1845, an inspector of the poor must be appointed; and as he is practically the person who superintends all removals, the Board of Supervision have the power of saying to him, "We consider that if you act in such and such a manner you will be contravening the statute, and we shall look upon it as a very grave offence, and shall consider whether you are fit to retain your office." That is the manner in which the power of the Board to issue those regulations arises, and the Board have issued a variety of regulations to the inspectors of the poor for that purpose.

860. I suppose any one of the inspectors, who are all intelligent men, would tell us exactly the process which he goes through, from first to last, in any case of removal?—Yes, no doubt.

861. Will you kindly explain to the Committee what are the conditions of voluntary removals?—The removals that I have been speaking of now are removals by warrant, but in Section 79 of the first statute voluntary removals are provided for. The proviso at the end of the 77th section of the original Act, 8 & 9 Vict. c. 83, is as follows: "Provided also, that nothing herein contained shall prevent any parochial board, or their inspectors, from making arrangements for the due and proper removal of such poor persons either by land or water, provided the arrangement be made with the consent of such poor persons themselves." Those removals, distinguished from those to which I have been previously referring, are called voluntary removals in Scotland. There is first of all removal by warrant, and, secondly, voluntary removal.

862. But you could not remove a person voluntarily

Mr. Staddon.

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Mr. Stenton.

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Chairman—continued.

voluntarily who was not liable to removal?—No.

863. He must fulfil the conditions of removal?—He must fulfil all the conditions which I have previously stated.

864. Then voluntary removal is only a simpler process by which certain legal forms are avoided?—Yes; but the Board found some years ago that it was a very common practice amongst the inspectors merely to give a poor person 2*l.*, or 3*l.*, or 4*l.*, as the case might be, to pay the passage to Ireland; and the result was that, instead of going to the proper port, he spent the money in taking his passage elsewhere. That was looked upon by the Board of Supervision as a most questionable practice, and they issued a circular letter in 1864 giving the opinion of counsel that it was always necessary, in all such cases, that some person should go along with the pauper and see that he arrived at the place of destination. So that I think I state the opinions of the Board of Supervision when I say that these voluntary removals are very questionable indeed. I have no doubt that that circular of the Board has prevented, over and over again, the evils which attended those voluntary removals some years ago, but I should not object to see them abolished altogether.

865. Have you any statistics with regard to the removals from Scotland?—You are probably acquainted with this bulky volume of the Poor Removals of 1864. I do not propose to read more than one or two of the figures out of it. Sir John McNeill, who was examined before the Committee in 1864, placed before them a general summary having reference to the removals of poor persons to Ireland, England, and Scotland; and perhaps I might bring out the point which I wish to put before the Committee most strongly in this way: His statistics refer to the eight years after the passing of the Act of 1845, which was the date of the commencement of the Poor Law in Scotland. I have here statistics referring to the last eight years; and, by comparing the two, the Committee will see the extraordinary change which has taken place, the very great number who were removed during the first eight years, and the very small number who are now removed. This table is at page 518: "Removals of poor persons born in Ireland and relieved in Scotland, and removed to Ireland at the cost of the parish by warrant and by voluntary arrangement. Total number during the eight years from 1846 to 1853: By warrant, 5,067; by voluntary arrangement, 41,735;" the average for the eight years being, by warrant, 635, and by voluntary arrangement, 5,216.

866. That makes a total of about 46,000?—Yes, close upon 46,000. Then, comparing those eight years with the last eight years, a comparison which I thought would be interesting to the Committee (although, of course, I can give the figures for the whole period), from 1871 to 1878, both inclusive, the number of persons removed to Ireland, either voluntarily or by warrant of the sheriff or justices (unfortunately I cannot discriminate between voluntary removals and removals by warrant, but that is not very material, I think), in 1871, was 83, with 57 dependants; in 1872 it was 94, with 82 dependants; in 1873 it was 99, with 90 dependants; in 1874 it was 173, with 118 dependants; in 1875 it was

Chairman—continued.

143, with 96 dependants; in 1876 it was 106, with 88 dependants; in 1877 it was 163, with 100 dependants, and in 1878 it was 238, with 66 dependants; making a total, as against the 46,000 in the first eight years, of 1,824 for the last eight years.

867. Do those figures represent paupers removed to Ireland only, or the whole of your removals?—Those are simply the number removed to Ireland.

868. Will you now give the number removed to England during the same periods?—The number of poor persons born in England, relieved in Scotland, and removed to England at the cost of the parish by warrant, is 492 for the eight years from 1846 to 1853, and by voluntary arrangement, 2,914; giving an average by warrant of 61, and by voluntary arrangement of 364, the total being about 3,400, and the average being close upon 426.

869. What were the numbers removed to England during the period from 1871 to 1878 inclusive?—In 1871 there were 37, with 68 dependants; in 1872 there were 31, with 21 dependants; in 1873 there were 29, with 21 dependants; in 1874 there were 33, with 18 dependants; in 1875 there were 41, with 25 dependants; in 1876 there were 45, with 13 dependants; in 1877 there were 43, with 40 dependants, and in 1878 there were 70, with 35 dependants; the total being 352, with 240 dependants; that is 592, putting them both together.

Mr. Symon.

870. I suppose by "dependants" you mean wife and children?—Wife and children under 14.

Mr. French.

871. Are they included in the 1,824?—Yes; exclusive of children, the number is 1,120.

Chairman.

872. Have there been any removals to the Isle of Man?—I do not think there have been any. We have very little communication with the Isle of Man.

873. Have you anything else that you wish to put before the Committee in the form of statistics?—There are, as we consider in Scotland, a very small number of removals now; and I may mention that in a Return which has recently been obtained by the late Mr. Macarthy Downing, a Member of the House of Commons, I find, in looking over pages 40 and 41, that of those a considerable number appear to have been cases in which it was greatly for the benefit of the pauper, and at the wish of the pauper, that the removal took place. Some of the statements made are very curious, and show that it would be a great hardship on those persons to be detained in Scotland. For instance: "Thomas McVeigh, voluntary request after recovery in Aberdeen Lunatic Asylum from insanity;" "Luke Kerr, removed voluntarily on recovering from the effects of an accident, his relatives in Ireland advancing money to defray expense of the journey." Then, if you look down the page you will see: "Widow of Matthew Watson; went home voluntarily to relatives in County Antrim;" "Sarah Miller, voluntary removal to reside with relatives;" "Henry McCann, voluntary removal

Chairman—continued.

for the sake of health; returned as soon as he got better." The number of those cases which came out in this most recent Return, which was ordered by the House of Commons to be printed on the 2nd of July 1878, shows that in those cases the removal seems to have been rather a merciful provision on the part of the boards in Scotland.

874. In fact you consider that the system of removal is merciful rather than unkind?—I was merely calling attention to those particular cases in which I think there would have been very great cruelty if those persons had been left in Scotland, and had not been able to return to their friends in Ireland. It seems to me that in those cases, at least, it is impossible to say that the parochial boards have acted harshly.

Mr. Martin.

875. Have you looked at any except the 40th page of that Return?—Not specially. I may mention, in reference to this return, which was prepared by the Board of Supervision, that only in a very few cases was anything stated by the inspectors who sent us the figures, except the cause of the removal, e.g., debility, or old age.

Chairman.

876. What is the opinion in Scotland as to the law of removal; is it considered desirable to abolish it?—I think that is a question probably more for the parochial inspectors. Of course it is merely by hearsay that I can venture to state any opinion upon the matter.

877. You have, no doubt, heard the opinion of others from time to time; what is your impression as to the general opinion on the subject?—I have had a good deal of talk on this subject with inspectors and members of parochial boards within the last twelve years, and I never met with an inspector or a member of a parochial board who did not express the very strongest objection to the abolition of the law of removal.

878. Will you tell us upon what grounds those objections were based?—The opinion of Scotland in 1854, I may say, was expressed by Sir John McNeill and Mr. Adamson, the Inspector of Glasgow, before the Committee of 1854; and I think they state very well the grounds which are still held by the majority of inspectors there. My impression is that the grounds upon which they proceed are somewhat to this effect: that the retention of the law of removal prevents a pauper immigration into Scotland, which might become of a very serious kind. That, however, is not the ground rested upon chiefly by the inspectors, whose view, I believe is this: that if you abolish the law of removal they will find very great difficulty indeed in dealing with the Irish poor. The sort of position which they take up is this; they say: "When an application is made to us for relief by a person who has come from Ireland, we say, 'Well, we shall remove you;' and the application is at once withdrawn." Then they offer relief in the poorhouse, but the pauper goes into and remains in the poorhouse, and they have no way of getting him out. The only manner in which it has been found practicable in many Irish cases to get the paupers out of the poorhouses is by saying: "If you do not go out of the poorhouse, we will remove you to Ireland;" so that both in keeping off applications

0.107.

Chairman—continued.

Mr. Stelton.

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for relief, and in dealing with paupers on the roll, the inspectors inform me that it has been found of the very greatest use to have this power of removal.

879. That is the main argument that is adduced for its retention?—I think that is the main argument; that, in short, they would find very great difficulty in administering the Poor Law in Scotland where there is such a very large number of Irish, without some test or check of this kind. I may mention that by the most recent Returns obtained by Mr. McLaren of Edinburgh, and Mr. Stewart, the Member for Wigton, the Committee will see that there is a very large number of paupers resident in Scotland who were born in Ireland; and therefore it is really a serious matter for a small country like Scotland, with a comparatively limited population, to deal with such a very large number of paupers.

880. Can you give us the number of Scotch paupers in Ireland?—The first part of the Return refers to the number of Scotch paupers in Ireland?—The total number of paupers, including children, receiving indoor relief who were born in Scotland, was on the 6th of January 1877, 68; and on the 7th of July 1877, 76. The number of paupers, including children, receiving outdoor relief who were born in Scotland, was for the same periods 1 and 1. The number in asylums on the 2nd of January 1877 was 11; and on the 3rd of July 1877 it was 12. Then the number of Irish paupers born in Ireland receiving relief in Scotland in the poorhouses, was on the 31st of December 1876, 1,511, with 217 dependants. The number of Irish paupers born in Ireland receiving outdoor relief in Scotland on the same day was 6,061, with 4,651 dependants. The general result is that there are between 11,000 and 12,000 persons chargeable to the rates in Scotland; that is to say persons born in Ireland and their dependants.

881. I want to point out to you that you have used two very different arguments in favour of the law of removal as it exists in Scotland; one is that it is a kindness to send poor people back to Ireland, because they wish to go, from various circumstances; and another is that it prevents people coming into Scotland for fear you should send them back; but I suppose you will say that the circumstances of a number of poor people are so different in different cases, that although the two arguments appear contradictory, they still apply?—I am afraid that the Committee have rather misunderstood what I meant. I did not mean to say that it was a merciful provision in all cases that paupers should be sent back to Ireland, but that it was a merciful provision in some cases; and I instanced some of the cases which appear in the Return.

882. In fact you do not attach very great weight to that argument?—I think that if, for instance, you take the converse, and take the case of a Scotchman becoming pauperised at Cork, or in the south of Ireland, he cannot return to his friends, because I understand that, by the Irish law, there is no power of removal, and that unfortunate man must remain away from all his friends. I think that is really a hard case.

883. Do you wish for any alteration in that state of the law?—I have now been stating the opinion which I think is prevalent in Scotland. I may say that, for my own part, I think that it

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Mr. Stokton.

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is an extreme hardship that, when an Irish-born person has resided for 25, or 30, or 40 years in Scotland, he should be liable to be removed to Ireland. I hold a very strong opinion that it is impolitic and harsh, in cases of that kind, where there has been a long continuous residence in Scotland; and I rather think, although I am not entitled to say so positively, that the Board of Supervision feel that these are cases that ought not to be dealt with by the parochial boards, and that it would be advisable that, in cases of removal, there should be some appeal, not to a legal tribunal, because I think that would simply involve expense, but to some administrative body, say, to the Board of Supervision, which is the central board in Scotland, from the decision of the parochial boards, in reference to the removals to Ireland. This question was considered by the Board, when the Poor Law Bill of 1877, which was prepared by the Lord Advocate of that day, was before them; and they had occasion to consider Section 23, which, to a very great extent, gave effect to the suggestion which I am now submitting to the Committee, and which is that, "whenever any parochial board shall have resolved or offered to remove any poor person from one parish to another parish in Scotland, not being his parish of birth, or shall have obtained a warrant for the removal of any poor person from any parish in Scotland to England, Ireland, or the Channel Islands, such poor person may, within three days, after intimation of such resolution or offer, or after the granting of such warrant, appeal to the Board of Supervision" (bringing all the circumstances before them, and asking the Board to say whether or not it is expedient), "which Board shall, without delay, investigate the grounds of such appeal, and determine whether it is reasonable and proper that such poor person shall be so removed." I think that provision would, to a very considerable extent, have met the difficulty, because, from my experience of the Board of Supervision, I think every one of those cases would be most seriously and carefully considered by them, and that any risk of a harsh or cruel case occurring under the administration of the Board, would be extremely improbable. If a case came before the Board, in which a man had resided continuously in Scotland for 25 years, but had happened to stray across the boundary of the parish, and thereby lost his settlement, I think the decision of the Board would, in that case, be that it was neither reasonable nor proper to remove the pauper.

884. Did the proposal in that Bill give the Board of Supervision an absolute discretion?—It did; they were to determine whether it was reasonable and proper.

885. Are there any other alterations in the law that you suggest?—In reference to removal, I think it would be advisable that all applications for removal should be brought before the sheriff, who is a trained lawyer; and that there would then be less chance of any miscarriage of justice. I have already said that I would suggest the abolition of voluntary removals; and I have also mentioned the proposed amendment of the law of settlement, that six years should be substituted for five in Section 76 of the Act.

886. Is there any other suggestion that you wish to make?—There is one other suggestion that has occurred to myself, and, I dare say, to

Chairman—continued.

many persons in Scotland, viz., whether it would be practicable and just to make the large towns, such as Edinburgh and Glasgow, one parish for the purposes of settlement. At present, for instance, in the city of Glasgow, there are the parishes of Glasgow, Mary, Govan and Gorbals, and the result of that is that a man by going across a street may lose his settlement in the parish of Glasgow. For instance, if he goes across from a street which is in the parish of Glasgow to another street which is in the parish of Mary, he thereby loses his settlement. My own opinion is that, if it were practicable (I have no doubt the large towns will not view it with much favour), the result would be this, that a very large number of foreigners, more especially of Irish, would thereby acquire settlements, and be rendered incapable of removal. As the Committee have seen, there are a very small number removed from Scotland at present; and I think that number would be very materially diminished if some such change in the law were adopted.

887. I presume that when a man loses his residential settlement he falls back upon his birth settlement?—Yes, in Scotland he does fall back upon his birth settlement; and the result of that is, that some of the Highland parishes complain bitterly of the law to which I have alluded, because if, after having resided in a large town for many years, a man moves across the street he loses his settlement, and he may be sent back to his birth settlement, which may be in the Highlands, or in one of the Shetland Islands.

888. Is it very difficult to find out where a man was born?—Occasionally there are difficulties about it, but I do not think much difficulty attaches to that.

889. Would you propose any change either in the Irish or the English law?—The first change that I should suggest in the Irish law would be that there should be reciprocity; that, as we have a power of removal, the Irish authorities ought also to have a power of removal; and I suggest that not merely in the interests of the Irish, but in the interests of the Scotch who may wish to return to their native country. The only other proposal that I would make is, that there should be some alteration of the Irish law with reference to the detention of lunatics. There are a certain number of Irish lunatics removed to Ireland, and there seems to be some difficulty, according to the existing law (probably any legal Irish witness will speak to that), in the matter of the workhouse, to which the Scotch removing officers are ordered to take the lunatic, retaining him in the workhouse, without going through a number of formalities, which really give the person an opportunity of escaping before they are complied with. We are assured by the Irish Commissioners that there is such a difficulty in the Irish law; and I think possibly it is advisable that some change should be made with reference to it. I may mention that whenever any case of lunacy or illegality is brought to our notice (and there have been very few; I think, during the whole time I have been at the Board of Supervision there have been only 10 or 12), the Board at once take measures to put matters right. There is no desire on the part of the parochial boards, or of the Board of Supervision, to act illegally in
reference

Chairman—continued.

reference to these matters, and, in all these complaints we tell the parochial boards either that they acted legally, or, on the other hand, that they should put the matter right by bringing back the pauper and repaying any expense to which the Irish guardians may have been put.

890. If we were to bestow upon Ireland the blessings of removal, do you think they would receive the gift with gratitude?—I should think that, with reference to the removal of Scotch paupers, it would be difficult for them to feel any strong sentiment about it. The number is so exceedingly small, that I doubt whether there would be any keen feeling of gratitude.

Mr. Farquhar.

891. Is the influx of Irish paupers into Glasgow very great?—I should prefer that all questions of that kind should be put to the inspectors of Glasgow.

892. Are you in favour of the law of removal being abolished as regards Scotland, so as to compel you to keep all your Irish paupers, no matter how numerous they may be?—My own opinion is that there are cases of considerable hardship that occur under the existing law, and that some modification of the existing law would probably remove the worst of those cases.

893. What modification would you propose?—I would propose to have some central tribunal which should review the decisions of the parochial boards, and should say in every case that was appealed, whether a removal was reasonable or the reverse.

894. You would have each particular case referred to some central board to determine whether the case was a fit one for removal or not?—Yes, when appealed.

Mr. Symes.

895. You told us that there was settlement by birth and settlement by residence; is there settlement by marriage in Scotland?—The wife takes the settlement of her husband.

896. Is there any other derivative settlement?—There is the derivative settlement of a child for a certain number of years.

897. You told us that before a pauper was removed from Scotland the authorities were obliged to give 12 hours' notice; what is the use, in the case of an Irish pauper, of sending a 12 hours' notice to any part of Ireland; is it for the purpose of enabling them to object to the removal that the notice is given?—No, it is for the purpose of enabling them to prepare for the reception of the pauper.

898. But I thought your opinion was that notice should be given so that the party about to be removed should have an opportunity of objecting to the action of the Board of Supervision?—Yes, but that is quite another point.

899. Then the notice is given merely to notify to the parties in Ireland that you are about to do a certain thing which may be legal, or which may be illegal; but the pauper would just arrive at the same time as the notice arrived?—Twelve hours later; or possibly a letter would go more rapidly than a pauper.

900. With respect to that observation about giving notice to the Board of Supervision; do you think it would be of any use to an ignorant pauper for you to tell him that he had a power of appealing?—I think that probably every

Mr. Symes—continued.

Mr. Stokess.

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pauper would come to learn that. It might be put in the warrant, and the justice might instruct him that he had the power.

901. You gave your opinion as to voluntary removal; you are rather in favour of it, and you think it would, in fact, be rather a favour and a blessing to the pauper?—Yes, when he consents to be removed, not voluntarily, but by warrant; and if all the legal steps were taken for the purpose of preventing any chance of miscarriage.

902. What possible objection is there to any board of guardians enabling a person to go home who is not under age, and who is capable of consenting, and who wishes to go to any other part of the country?—It is illegal in Ireland to pay the expenses of a Scotch pauper to Scotland.

903. It is not illegal for a board of guardians upon the voluntary application of any pauper, with the consent of the Local Government Board, to give funds to that pauper to go anywhere, or to go to his residence, or even to emigrate, is it?—Not to Scotland.

904. Even to Scotland, if it were his residence, there is no illegality in it, provided that the guardians apply to the Local Government Board for their consent to do so. There are removal instances in which the guardians have done so?—I understood that it was illegal to remove Scotch paupers from Ireland to Scotland.

905. You cannot remove by warrant or by force. Now we come to this list; have you looked over this list, and made a calculation as to the grounds of removal?—I have, since coming into this room, occupied part of my time in doing so, but I have made no abstract of it.

906. You cannot tell us how many of these cases have been cases of removal of paupers who have been 20, 40, or 30 years resident in Scotland, and who, although labouring under fatal diseases, have been sent to Ireland?—I have marked in the first two or three pages some which I considered very bad cases at first sight.

907. Have you any objection to make an abstract of that list, and to put in the number of paupers sent to Ireland after 20, 30, 40, or 50 years' industrial residence in Scotland, though they were labouring under fatal diseases and on the brink of the grave?—I could tabulate the whole of the cases; and probably I had better make it general and include all the cases.

908. You cannot remove able-bodied paupers because you have no power to relieve the able-bodied?—No.

909. Then do you think it consistent with humanity, or with justice, to remove the aged and infirm labouring under heart disease or bronchitis, or rheumatism, or other diseases for which they ought to be treated in the hospital, and that that law ought to be continued?—I have already said that I think there are very hard cases under the existing law.

910. Do you think the class of cases that I mention ought to be provided for and not removed?—I think there is a great distinction between the various classes of cases.

911. I will give you heart disease; you have some cases of heart disease here. I will give you bronchitis; you have some cases of bronchitis here. I will give you rheumatism; you have some cases of rheumatism here. I will give you ulcers; there are some cases of ulcers here; which

Mr. Elliott.

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Mr. Sykes—continued.

of those cases will you except?—I have already said that I think there should be some modification to enable the board to deal with those cases.

912. Would you include all those cases in your modification; would you except all those cases from the law of removal?—The modification to which I allude would certainly enable the central board to deal with all the cases to which you refer.

913. Then it would be altogether a question for the central board; how could the central board form an opinion upon the gravity of the disease?—They can make inquiries and they can get medical certificates.

914. There are various new discoveries by means of which you can apply the stethoscope some hundreds of miles away; I do not suppose you mean to suggest that the central board is to apply that. Now, going to the question of lunatics; you remove lunatics?—Yes.

915. You have a great many of them here; do you think that it is consistent with humanity to remove lunatics?—I do not see any particular inhumanity in removing a lunatic. He is probably less aware of his removal than a sane person.

916. Are you aware that in England the law does not allow them to remove lunatics?—I was not aware of that. I cannot speak in reference to the law of England or of Ireland.

917. Then if the law of England be so, and if the laws do with a mild and benevolent intention provide for the exclusion of lunatics from the law of removal, do you not think that Scotland might adopt that exclusion also?—I feel some difficulty in speaking for Scotland in that matter.

918. Would you tell us what is your modification; at what age would you draw the line?—For instance, here is a person who becomes chargeable after being two months in Scotland from chronic ulcer of the leg; I should rather think that that is one of the cases that might be left under the existing law.

919. Would you make two months the line?—I would not draw any hard and fast line.

920. Would you make two years the line?—As I have already said I would not draw any hard and fast line.

921. If it is a cruelty, what would you do to provide against it?—I would leave it very much upon this clause which I have read from the Bill of 1877.

922. Would you leave it to the central authority to ascertain the gravity of the disease, and the time which a person has spent in Scotland?—I do not see any other authority to whom it could be properly left.

923. Then you give us as a remedy against this inhumanity and injustice what you call reciprocity; that is to say, that we should send away the sick and dying Scotch paupers from Ireland, as you send away the sick and dying Irish paupers from Scotland?—I said that it would be only just.

924. Supposing that the Irish thought it would be cruel, and harsh, and unjust, and inhuman, and would not do it, and said, "Although you give us reciprocity we will not accept it," what would be your opinion?—Then I should be

Mr. Sykes—continued.

sorry for the Scotch paupers in Ireland who could not return to their own country.

925. That is to say, you would be sorry for a dying Scotch pauper who could not be removed by a warrant; but you would give us a law of reciprocity, and you tell us our remedy is to have a law of reciprocity?—A law of removal.

926. That is reciprocity; that is to say, because you remove a man after 54 years' residence in Scotland, having heart disease, to Ireland, we should send a poor Scotchman under the same circumstances to Scotland; but we will not accept that reciprocity, because we call it inhumanity. Then you are altogether opposed to the general view of the English witnesses that for the sake of the country, for the sake of the poor, and for the sake of the ratepayers, this law of removal ought to be abolished?—I am not aware of what the English witnesses have said.

927. Supposing that they did say so, you would be against it?—It is quite possible that if I had heard all the evidence my opinion might be changed.

928. I hope you will read it, and perhaps it may change your opinion. But now you have another remedy; you have a five years' settlement, and you would remedy that by making it a six years' settlement?—Yes.

929. That is to say, you would make it more difficult for a man to get a settlement?—I am afraid you have taken it up in a wrong way. The Act says that he must have resided continuously in the parish for one year during any subsequent period of five years. Instead of that I should substitute that he must reside continuously in the parish for one year during any subsequent period of six years.

930. Then you are applying yourself to the way in which a settlement could be lost rather than to the way in which it could be acquired?—I am trying to make it more difficult to lose the settlement.

Chairman.

931. I think your experience of the Poor Law is rather in its legal operation than in its administration in detail?—The only cases of removal that come before the central board are those which are brought under our notice by the Poor Law Commissioners in Ireland; and there have not been more than six or eight during the last 10 or 12 years.

932. You put before the Committee the bare state of the law, and you leave it to others to state the details of administration?—Yes.

Mr. Giller.

933. You have given us the number of removals; could you also give us the expenses due to those removals?—Unfortunately I have not got that; but I can get a return applicable to the whole of Scotland, if the Committee wish it.

934. You suggest some modification of the present law to the extent of referring any particular case to a central board; would not that very materially increase the expense and delay?—At present in Scotland every pauper who gets relief is entitled to appeal to the central board, and to complain if the amount is inadequate; and I look upon this provision as a sort of supplement to that.

935. How

Mr. Foragh.

935. How does he get before the board?—We have forms of complaint which he signs stating his whole case, and the inspector states the case for the parochial board.

Mr. Giller.

936. You object to the abolition of the law of removal; do you object to it on the ground of the fear of having a large influx of paupers into Scotland from England or Ireland?—I think it is hardly correct to say that I objected to the abolition of the law. I think I stated that there was the strongest feeling in Scotland against the abolition of the law.

937. Is it your opinion that if the law of removal were abolished you would have a large influx of paupers from England or from Ireland into Scotland?—The inspectors, who are most competent to judge, have such strong opinions upon that matter that I should not like to differ from them.

Mr. Mark Stewart.

938. I suppose it is your general experience, especially in the western parts of Scotland, that there is a very strong prejudice against doing away with the law of removal, for fear of a large influx of Irish population?—I think the feeling against doing away with the law of removal, wherever may be the ground upon which it is based, is extremely strong and quite unanimous in Scotland, so far as I have had an opportunity of judging. I think there is almost a panic in Scotland at the very idea of the abolition of the law.

939. Is it not generally thought that the Irish who come over pervert the country in a great measure?—The statement has frequently been made that the class of Irish who come over are not the most desirable class of Irish, and that their influence is not beneficial.

940. Losing all the restraints of their own religion, and not mixing with the Scotch Presbyterians, does not improve their moral character?—I should hesitate to give any opinion upon that point.

941. Glasgow, you stated, was divided into four parishes; would you not anticipate that there would be very great difficulty in so arranging that Glasgow might be considered, for Poor Law purposes, one combination?—I do not say for general Poor Law purposes, but merely for the purpose of the law of settlement.

942. Would such an arrangement be likely to be accepted?—I should doubt it very much, although I should consider it a most desirable improvement.

943. With regard to the expense; do you think it would save much expense to the country generally if the law of removal was modified with reference to Ireland?—I am not quite sure as to that. The cost of removal of course would cease to be an item; but I take it that the whole cost of removal in Scotland is not very great.

944. With regard to removals to other parts of Scotland itself, what is the expense?—The expense of removing 80 or 100 paupers to Ireland cannot be more than £600 or 4000 annually.

945. But I refer to removals into other districts in Scotland, inter-parochial removals. Supposing that the law of removal was done away with, do you consider that there would be a

Mr. Mark Stewart—continued.

Mr. Stirling.

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considerable reduction in the rates?—No; on the contrary. I should doubt if there would be any reduction. I should think that probably there would be an increase at first, until the inspectors saw their way to deal with the new elements of the question.

946. Have you ever taken into consideration whether doing away with the law of settlement and the law of removal, and uniting the different parishes of Scotland into unions, as in England and Ireland, would be more advantageous to the country?—We have a very strong opinion, and I think that now it is the opinion of most Poor Law officers, that the smaller the area the better for thorough and effective administration. In a small area every pauper is known, whereas in a large area it is impossible to have that knowledge.

947. With regard to the incidence of rates, would not the urban constituencies have to pay very much more heavily in the event of a system of unions being adopted than they have to pay at present?—Of course if you made any change in the law of settlement, throwing a larger number of paupers on the towns, that would be the effect.

948. If you did make a change in the law of settlement in Scotland, you must almost necessarily form unions, must you not?—I do not know that that is necessary.

949. Would not the action be, that the population going from the rural districts into the large centres of commerce to seek employment and labour, would naturally be pauperised there, and that the incidence of the rates would fall upon those towns rather than upon the rural parish?—No doubt, so far as the law of settlement is concerned, that would be the result.

950. You do not think that there is any general feeling in Scotland in favour of a system of unions?—I do not think so.

951. Not even with a view of doing away with the law of settlement and the law of removal?—No; I think that the parochial system is very thoroughly established in Scotland.

952. You cannot speak from any experience with regard to the difference of administration, as regards diet and so on, in Ireland and Scotland?—Of course I know the dietary sanctioned by the Board of Supervision, and when I was in Ireland some years ago I went and examined some of the poorhouses there, through the courtesy of the Poor Law Board in Ireland. The dietary in the Irish poorhouses is certainly of a lower class, and not so nutritious altogether; but still there is not very much difference, I think, between the Scotch and the Irish dietary.

953. Then you do not suppose that the Irish pauper would be induced to cross to Scotland in order to have the benefit of that indulgent Poor Law?—The inspectors of the poor hold that opinion very strongly; and their experience of the Scotch poorhouse is, that it has not the deterrent effect upon the Irish pauper that it ought to have. When the Scotch poorhouse is offered to a Scotch pauper, he does not accept it; but when an Irish pauper goes in, the great difficulty is to get him out.

954. Does the same objection to the immigration of the Irish population exist in the east as is found to prevail in the west of Scotland?—I do not think that it is so strong in the east. In

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Forfarshire,

Mr. Stirling.

Mr. Mark Stewart—continued.

Mr. Ramsay—continued.

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Forfarshire, where Dundee is situated, and where there is a large Irish population, I daresay there is the same feeling; but it is not so in the purely rural districts of Scotland.

955. You would shrink from what has been already suggested here, namely, the advisability of making the laws of the three kingdoms identical?—I should think that it would be very unsafe and very hazardous to do so, if the opinions prevalent in Scotland have any soundness whatever.

956. Do you not think that the five years under the present law of settlement is rather too long?—It is difficult to say. Before the Act of 1845 was passed three years was the period, and it was then changed upon the ground that three years was too short.

957. You do not hear complaints upon the score that it is too long?—No, I think not; I think that the opinion is rather the other way.

958. You spoke of the Irish removals as expressing the views of Scotland, and not your own personal view of the question; but with regard to inter-parochial removal, what is your opinion?—I quite differ from the opinions which my friends of the Local Government Board here inform me are held, namely, that inter-parochial, or inter-union removals, might cease. I think on the contrary that inter-parochial removals ought to be continued.

959. Do they not give rise to a great amount of litigation and expense?—Very little comparatively.

960. Many questions are settled by the Board of Supervision, are they not?—A great many questions come to us.

961. So that the Board of Supervision saves the country a considerable amount of expense which possibly in England and Ireland might be paid by the guardians?—Yes, we do a great deal of that work; and of course we do not charge the parochial boards.

962. In your experience of the removals that have taken place with regard to the Irish poor, every consideration is shown to those that are really ill and in bad health, is it not?—I believe so; I have no reason to doubt it. All the complaints that have been brought before us have been thoroughly investigated, and I do not know of any case in which harshness has been proved against a parochial board.

963. Is it not the case, that Scotland is widely scattered in its different parishes, so that the lunatic asylums are few and far between, and the parishes have to send their own lunatics, very often great distances?—Yes.

964. So that there would be no great hardship in returning lunatics to Ireland, who, perhaps, would not have to traverse so great a space as the Scotch lunatics themselves?—I think that upon the whole I agree with what you have now said; but the great difficulty in reference to a change in the law is this: if you abolish the law of removal, which parish is to be chargeable with the pauper? A pauper stays a couple of days in a parish, and becomes chargeable; is that parish to be, during the whole of the rest of his life, liable? That is the difficulty that has to be met.

Mr. Ramsay.

965. You have stated that the City of Glasgow consists of four separate parishes, and that you

think that the law should be altered, so as to enable a resident within any one of the four parishes to acquire a settlement where he felt destitute?—Yes.

966. Would you apply the same rule or law to the other large towns in Scotland, which consist of two or more parishes?—If it was done in one case, it would require to be done in all the others. I think I stated that the Board had been frequently put forward, rather than that I would propose it.

967. I do not understand you to suggest any change in the law?—No.

968. But that is a change which has been urged by many, who have taken an interest in the question, especially in the rural districts?—Yes; and who feel that it is unjust for an Irish pauper residing in one street to lose his settlement by simply going across the street.

969. But it is no greater hardship to the Irish pauper than it is to the pauper from any distant part of Scotland?—None whatever.

970. So that the hardship upon the poor of Irish origin, and the burden upon the ratepayers of Ireland, from the operation of the law of removal, are equally borne by the poor, and by the ratepayers of Scotland?—Except that in Ireland they have no power of removal.

971. But the burden in all other respects falls equally, and the hardship upon the poor is equal, when they are removed from Glasgow or any other large industrial centre, to a distant Highland parish where they may have their settlement?—Yes, it is precisely the same.

972. I suppose it is within your knowledge that so far as the hardship of the law of removal goes it is a more difficult journey to go to one of the distant parishes, for instance, in Scotland, than it is to go to Ireland?—It is very difficult to get to some of the outlying parts of Scotland.

973. And therefore the hardship is so greater?—If there is hardship.

974. It is a hardship if a man is removed from a place where he wishes to remain?—Yes, undoubtedly, in those cases.

975. You have stated that this clause in the Bill of 1877 would give the Irish poor the right of appeal to the Board of Supervision as to the propriety of the removal; but in the event of such a clause being inserted in any law to be hereafter passed, in what way would you determine the parish on which the burden of relief should be imposed?—That is just one of the difficulties that the legislature would require to consider in making the law; that is undoubtedly the great difficulty.

976. But there is nothing in the Bill of 1877 which gives to the Board of Supervision the right to impose the burden of relief upon any particular parish?—No; and the result would be that the parish relieving would continue to be burdened with the relief.

977. Although the pauper might have been within that parish only for a few days?—Yes.

978. That certainly would be an injustice to the ratepayers in that parish, would it not?—Yes, undoubtedly.

979. The argument, as I understand it, is in favour of the non-removal to Ireland, does not consist only in the fact that there is no law of removal in Ireland, but also in the hardship of returning

Mr. Rawney—continued.

Mr. Martin—continued.

Mr. Stalker.

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returning as a burden upon the ratepayers of Ireland persons who have given their industrial life it may be said to the people of Great Britain?—Exactly; there is a great hardship, I think, in that respect.

988. It is a great hardship to the ratepayers of Ireland?—Yes.

989. Would it not remove that hardship if a certain length of industrial residence in Great Britain gave the Irish pauper a right of relief at any point where he might fall destitute?—That is practically what the English practice has come to, I understand; a single year's residence in England now giving a status of irremovability, as I believe it is called, in England.

990. If such a change were made in the law of Scotland, you would suggest that it should be applicable to the poor from the rural parishes of Scotland as well as to the poor from Ireland?—I heard one of the English inspectors saying to-day that they did not think it worth while to fight for the remnant that was left; and if you are going to make the law of Scotland as to irremovability the same as it is in England, I do not know that the Scotch parishes would think it worth while fighting for.

991. You do not feel that the dread of an influx of Irish paupers, in order to be under the operation of the law of Scotland on that subject, would be such as to justify the passing of such a law?—The opinion in Scotland at present is to a considerable extent speculative. Undoubtedly there is a strong feeling amounting to almost a panic amongst the inspectors, derived no doubt from their intercourse with Irish poor; but we have never as yet had the law of removal shelved, and we do not know except judging by rather distant analogies, what the result would be.

992. But they have also the experience, have they not, of the existing law?—They have the experience of the existing law.

993. And the burden of Irish pauperism?—Yes; the difficulty of dealing with Irish paupers.

Mr. Martin.

994. As I understand, there is no question that the law, before the passing of the Act of 8th & 9th Vict., was a three years' residence?—It was a three years' residence.

995. And in point of fact it was simply raised to a five years' residence in analogy with what was considered the reform in the English Act, which was introduced concurrently?—Probably that may be so; but I am not aware.

996. Are you aware whether the Scotch Members resisted the reforms which were subsequently made in the English Act, reducing the time first to three years and then to one year?—I have not read the debates.

997. At all events those reforms were not extended to Scotland?—No. I have given you all the Acts which apply to Scotland, in which anything with reference to the law of settlement occurs.

998. Do you mean to tell the Committee that your suggestion would be to make the period six years instead of five years, and thus to render the gaining of a settlement more difficult, in order that it might be less difficult to lose?—I am afraid that you have misunderstood the point. It was not in reference to acquiring, but in re-

0.107.

ference to losing, a settlement, that I suggested the insertion of the word "six."

999. First of all, you render it more difficult to gain it by making it six years; is not that so?—No; I do not want to raise the period necessary for gaining a settlement, but I wish to make it more difficult to lose the settlement.

1000. That is in fact the only suggestion that you can make in respect of removing what you concede to be an undoubted difficulty about the gaining of a settlement, and also to the chance of losing it?—Yes; I also suggest the combination of large parishes for settlement purposes.

1001. In point of fact, under the present law, is not this case perfectly possible: an Irishman may give the benefit of his labour for 30 years in Scotland, and undergo the requisite conditions of five years' residence without parochial aid in the parish, and then, if he goes to another parish across on the other side of the street, he loses his settlement?—Unquestionably, in course of time, i.e., for four years and a day.

1002. There is no question, in your judgment, that that is a hardship?—It is a great hardship.

1003. In point of fact, the difficulties in the way of preserving the settlement in Scotland are very considerable, are they not?—Of course, when I use the word "hardship," I merely mean that if the pauper does not wish to be returned to Ireland, it is a great hardship that he should have lost his settlement.

1004. Are you acquainted with a paper written by Dr. Alison, a Scotch gentleman, on this subject of poor removal; I believe he read a paper before the Statistical Section of the British Association in Belfast, and also, I think, in London?—There was a Dr. Alison resident in Edinburgh, a very distinguished man, but he has been dead for many years; he died shortly after the passing of the Poor Law Bill in 1845, I think; his evidence was taken, I think, at that time.

1005. The Dr. Alison I allude to ascribes the mortality of the Irish in Scotland to the severity of the Scotch Poor Law in the matter of poor removal depriving many of the poor Irish from seeking medical relief; do you agree with or differ from that opinion, which was written and read before the Statistical Section of the British Association in Belfast in 1853?—I cannot understand on what grounds such a statement can have been made.

1006. In the case that I put, of an Irishman who had fulfilled all the conditions, and had given for 30 years the benefit of his labour in Scotland, would he not, if he gets even occasional medical relief in another parish, lose his settlement by that occasional relief?—The provision of the Act in reference to taking parochial relief is this: that you can only acquire a settlement if, during that period of five years, you have remained continuously in the parish without being in the receipt of parochial relief; and I should say that medical attendance was parochial relief.

1007. Supposing that when he goes to reside in a third parish after having been resident in two parishes, and gained a settlement in one of those parishes, he gets occasional medical relief, does he not lose his settlement?—I should say that whenever a poor person in Scotland gets medical attendance, he then becomes in receipt of parochial relief.

1008. And

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Mr. Skelton.

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Mr. Martin—continued.

1000. And therefore loses his settlement?—No; I think if you will allow me to say so, you are confusing the law with reference to the acquisition of the settlement and the law with reference to the retention of the settlement. The acquisition and the retention are two different things. Five years' residence in a parish without parochial relief gives a settlement.

1001. In fact, does getting that occasional medical relief at the end of four years deprive him of his right to the settlement, supposing that the settlement has been once gained; say, that he goes to reside for three months in another parish, and receives medical relief there?—I do not think that would have the effect of depriving him of his settlement. The only condition that the statute seems to attach in reference to the retention of a settlement, is that he shall reside for one year in five.

1002. Does the getting of occasional medical relief in the case of casual sickness, amount in Scotland to Poor Law relief?—I think so. It would perhaps make the matter clearer, if I said that your question probably refers to the first clause of the section. You cannot acquire a settlement in Scotland if, during that period of five years, you have been in receipt of parochial relief; you start again as it were from the period when you receive parochial relief.

1003. Do you know whether this Return, which was got on the motion of the late Mr. Macarthy Dowling, to which you alluded a short time ago, was made by the Board of Supervision in Scotland?—The Board of Supervision applied to the different inspectors in Scotland, and the result was tabulated by the board.

1004. You called attention to the fact that at first it appeared to you that those were cases where paupers had been removed on their own voluntary request; will you now turn to the other pages, and see if there is any other page which contains a case where a pauper has been voluntarily removed?—Since you have mentioned that, I have looked through two or three of the pages, and I see that most of the inspectors, for instance, the Edinburgh Inspector, instead of giving the cause of removal, or a statement of the circumstances, merely gives the cause of chargeability; there is nothing stated about the circumstances of each case.

1005. Then, in point of fact, except on the first half of the page there is not a single case where the cause of voluntary removal is stated to be a voluntary request; is not that so?—I have merely looked at the first pages of it, but I have no doubt that you are quite correct.

1006. As to this question, as you appear to think it was an act of humanity towards the paupers to remove them, would you oblige me by turning to page 44 of that Return; you will find at the middle of that page, William Reid, removed from Edinburgh; he appears to have been 63 years of age, and to have been for 41 years resident in Scotland; the cause of removal is stated to be bronchitis and debility; and the place to which he was removed was Donegal; do you think that it was an act of humanity on the part of the Scotch authorities to have that man removed?—Not knowing the circumstances of the case, I cannot say. If all his friends and relations were in Donegal, I should say that it was

Mr. Martin—continued.

rather an act of kindness on the part of the authorities.

1007. You think that it is an act of kindness after a man has been 41 years resident in Scotland to remove him?—It depends upon the circumstances in each case.

1008. Take the next, Michael Makover, 71 years old, 31 years resident in Scotland; debility and age are stated as the cause of removal, and he was removed to Carra; was it an act of pure and simple charity and mercy to have this man removed?—It depends, as I have already stated, upon the circumstances of the case.

1009. Do you recollect any correspondence taking place between the Board of Supervision and the Local Government Board in Ireland?—We have had I should say, six, or eight, or 10 cases brought under our notice in the last 12 or 15 years.

1010. And every case of complaint would be of course made to your board in Scotland; if there was any case where boards of guardians in Ireland paid for paupers going over to Scotland, of course that case of complaint would be brought under your notice by the inspectors?—The inspectors are always coming to us, and saying, "Here is so-and-so come back from Ireland, and she says the guardians sent her back;" but we have never had any proof that the guardians were implicated.

1011. I believe you only had one case in six years; in every case that you inquired into did you receive satisfactory information from the Local Government Board in Ireland that no money was given by the guardians; I refer to the case of Bridget Walker; the correspondence appears to have taken place in 1877?—Yes, I recollect that case; that was only last year.

1012. Was it not answered to your satisfaction that no such sum was given, and that her story was an idle story?—Yes, the case was of a woman receiving so much as a nurse. I think it was quite satisfactorily answered.

1013. And there are no cases that have ever been brought under your notice with satisfactory proof in which boards of guardians in Ireland, or other persons, have paid for the removal of paupers to Scotland?—The matter has been frequently mentioned to us by inspectors; but they say that it is very difficult to prove; and we have never received a formal complaint, I think, with the exception of this one.

1014. As to these lunatics, whom you have removed to Ireland, are you aware that a complaint has been made more than once by the Local Government Board in Ireland, on the ground that you had no authority by law to remove these lunatics?—I am not aware that they have taken up the legal position.

1015. Have you not been informed by them that the highest legal authorities in Ireland contend that you have no right to remove a lunatic to Ireland?—May I ask the reference to the case?

1016. The reference is in the Report of the Poor Law Commissioners for 1882?—I have not got that.

1017. Have you taken any legal opinion in Scotland on the construction of the Act, as to your right to remove them?—The Board of Supervision do not remove them; it is the parochial boards who remove them.

1018. But

Mr. Martin—continued.

1018. But have the Board of Supervision, to whom, I take it for granted, the complaint was made by the Local Government Board in Ireland, taken the opinion of the Lord Advocate, or anyone, as to the legality of the removals of these lunatics?—I may mention that the Board of Supervision consists, amongst others, of the sheriffs of three of the counties in Scotland, who are all trained lawyers, and that when any point of this kind arises the papers are sent round amongst those lawyers who write their opinions. I have no doubt that the point which you put, if brought before us, must have been considered.

1019. I think the maxim prevails in Scotch law as well as in other laws, that a man should not be a judge in his own cause; was any opinion taken from the Lord Advocate or any other person as to the legality of the removal of these lunatics?—I do not recollect any such opinion being taken.

1020. Has any opinion been taken about the right of removal of an Irish lunatic?—We have had the opinion of Lord Advocate Young, and of Solicitor General Clark, to which I have already alluded, in reference to the removal of a lunatic wife; but of course the question was only raised incidentally there.

1021. In point of fact you have never taken any direct opinion in reference to your legal right of removal, but the inspectors carry it out notwithstanding?—I may say that the Board of Su-

Mr. Martin—continued.

pervision have no doubt whatever upon the point: they hold that a pauper lunatic is in the same position as any other pauper, and comes under the removal statutes. If they had any doubt upon the question they would certainly have taken the opinion of counsel.

1022. Then am I to understand, as the result of many questions, that in point of fact they have not taken the opinion of counsel?—They have not taken the opinion of counsel outside the board; but I have no doubt the question was circulated amongst the legal members, as they are called, of the board, with a view of obtaining their opinion.

Chairman.

1023. You say that the first Act that established the Poor Law in Scotland was the Act of 1845; what system prevailed before that time?

—We go back a long way before we get any legislation in reference to the poor; we go back 200 or 300 years, I think, before we find the statutes, and they are short statutes of the old Scotch Parliament.

1024. But how were poor people relieved in those days?—Instead of a parochial board there was a board consisting of the Kirk Session and the heritors of the parish who administered a voluntary assessment, and the church-door collections.

Mr. Stobson.

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Tuesday, 24th June 1879.

MEMBERS PRESENT:

Captain Corry.
Viscount Easlyn.
Mr. Forsyth.
Mr. French.
Mr. Gibbs.
Mr. Hambury.
Mr. Hibbert.
Mr. Hutchinson.

Mr. Martin.
Sir Arthur Middleton.
Mr. Ramsay.
Mr. Selt.
Mr. Mark Stewart.
Mr. Symon.
Mr. Torr.

THOMAS SALT, Esq., IN THE CHAIR.

Mr. ANDREW WALLACE, called in; and Examined.

Mr.
Wallace.
—
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Chairman.

1025. I THINK you have had long experience in the administration of the Poor Law in Scotland?—I have been an Inspector of the Poor in Scotland for 12½ years.

1026. That is the length of your official experience?—Yes. About seven years of that time I have been in the Govan Combination, which has a population of 240,000, being the second most populous parish in Scotland.

1027. Have you the rateable value of the parish?—Yes, the gross rental is 1,148,277 l.

1028. That is to say, you have to deal with a district that has a population of 240,000, and a gross rental of about 1,200,000 l.?—Yes.

1029. Have you had much experience in the removal of Irish or English paupers?—Yes, I have been engaged in removing them every year since I came to the Govan Combination.

1030. Do you consider that there is any need for any alteration in the law of removal?—I think the law of removal might be slightly modified or altered, so as to prevent harsh or oppressive cases of removal; but I would not be in favour of an entire abolition of the law, or even of a very fundamental alteration.

1031. What alterations would you suggest?—In the first place, I think that in all cases where a warrant or order has been obtained for the removal of an Irish or English pauper, an appeal might be allowed to the Board of Supervision, who would have the power to prevent the removal taking place, if, in their opinion, such removal would prove harsh and oppressive to the parties proposed to be removed; and I am quite sure the Board of Supervision would deal with such appeals in a very just and discriminating manner. In the second place, I think it might be a safe and humane principle to enact that, after a residence of, say 10 years, in Scotland without obtaining parochial relief, a status of irremovability should be conferred upon natives of England and Ireland, even though no settlement had been acquired; but subject to the proviso that they must have resided three or four years of that time in the parish to which they have become chargeable.

Mr. Gibbs.

1032. You mean a residence of 10 years without being chargeable to the rates?—Yes.

Chairman.

1033. Is there any other suggestion that you have to make?—My board think that if these two suggestions were adopted, it would help to do away with any gross or scandalous cases of parties being removed after a long residence in the country; but as the proportion of Irish pauperism is very high in Scotland, my board think that there should be some means adopted, either from the rates in Ireland or from the Consolidated Fund, of repaying the advances when the paupers are not removed.

1034. Have you any other suggestion to make?—No, I think what I have said embraces all that might be sufficient in modifying a little the harsher features of the law of removal.

1035. Would you make the discretion of the Board of Supervision absolute as to the removal of a pauper?—Yes.

1036. Now let us look at the matter from another point of view; supposing that the law of removal was abolished altogether what, in your opinion (as you have had great experience), would be the effect, first of all upon the poor people themselves; secondly, upon the ratepayers; thirdly, upon the general interests of the community. First of all, what would be the effect of the abolition of the law of removal upon the pauper class?—As regards the Irish poor themselves I think it would have a pauperising effect. From all I can learn, paupers in Ireland are dealt with in a much stricter and more summary manner than in either Scotland or England. Indoor relief is the prevailing mode in Ireland, whereas out-door relief is the prevailing method in Scotland and England. The consequence is that the ratio of pauperism is lower in Ireland than in the other two countries; the poor people in Ireland are, in a manner, forced to be self-supporting. Besides, I am of opinion that the poorer classes in Ireland live in a more frugal manner than in Scotland or England, and it does not take so much to support them there as here.

Chairman—continued.

so that to give greater facilities for permanent relief in Scotland would tend to pauperise them.

1037. Now let us take the position of the ratepayers: supposing the law of removal to be abolished, what would be the result?—It would not be beneficial to the ratepayers in Scotland; it would burden them with an excessive proportion of poor rates on account of Irish paupers over that required for the support of their own poor. From calculations that I have made, I am of opinion that the proportion of Irish paupers to the Irish population in Scotland exceeds the proportion of Scotch paupers to the Scotch population by at least 40 per cent. Taking, in the first place, the number of applications during the year ending the 14th of May last to the Govan Commission, I find the various nationalities follow: Born in Govan and other parts of Scotland, 2,995; born in Ireland, 1,773; born in England, 132; and born in foreign parts, 37; making a total of 4,867. Now the population of the Govan Commission being about 240,000, I estimate that of those one-sixth are of Irish birth, or are the children of Irish parents; and making a calculation by simple proportion, as 240,000 is to 40,000, so is the whole number of applications, 4,867 to 811, which is the natural number of applications instead of 1,773, being an excess in Irish application of about 115 per cent. This high proportion of applications for parochial relief shows the strong predispositions of the people for eleemosynary aid. Taking, in the second place, the number of poor actually chargeable during the course of the year, I find that the total number who were in receipt of relief was 5,917, whilst of those there were 1,375 natives of Ireland. Making a calculation, as before, as 240,000 is to 40,000 so is 5,917 to 966, instead of 1,375, as the fair proportion, being an excess of about 40 per cent.; and if you include the dependants, an excess of about 38 per cent. This, you will observe, is the state of matters in my parish under the present state of removal; and were the law of removal abrogated, the disproportion would be increased, for the law of removal has a deterrent effect upon the applicants as well as a relieving effect. Another consideration is that the Irish population do not pay an equal proportion of the poor rates in the country. The majority of them are poor and live in low-tenanted houses, and a much greater proportion of them than of the Scotch are relieved of their taxation on account of poverty, or get hopelessly into arrears with their payments.

1038. That is your view of the case with regard to the ratepayers; now let us take what almost follows upon the other two, viz., the general interests of the community; how would the abolition of the law of removal affect them?—It would not be beneficial to the interests of the community; for, in addition to the excessive burden of taxation, I am of opinion that the influence of the poorer Irish population has a tendency to infect the poorer Scotch population in the direction of pauperism. It is quite a common thing for me to hear Scotch applicants who have been refused relief say, "If we had been Irish we would have got it long before this time."

1039. Have you any statistics that you wish to put before the Committee with respect to the cost and number of removal?—I have been in Govan since 1872, and I will give you the

Chairman—continued.

number of removals in each year to England and Ireland. In 1872-3 we removed three adults and no dependants to England, at a cost of 2*l.* 4*s.*; and we removed to Ireland three adults and seven dependants, making a total of 10, at a cost of 15*l.* 13*s.* 3*d.* In the year 1873-4 we removed to England one adult and two dependants, making a total of three, at a cost of 9*l.* 19*s.* 6*d.*; and to Ireland we removed 15 adults and 13 dependants, making a total of 28, at a cost of 64*l.* 0*s.* 3*d.* In the year 1874-5 we removed to England five adults and two dependants, making a total of seven, at a cost of 17*l.* 10*s.* 8*d.*; and to Ireland we removed 14 adults and 14 dependants, making a total of 28, at a cost of 46*l.* 12*s.* In 1875-6 we removed to England two adults with no dependants, at a cost of 2*l.* 13*s.* 10*d.*; and to Ireland we removed 11 adults and 12 dependants, making a total of 23, at a cost of 38*l.* 14*s.* 2*d.* In 1876-7 we removed to England four adults with two dependants, making a total of six, at a cost of 28*l.* 11*s.* 2*d.*; and we removed to Ireland three adults with no dependants, at a cost of 12*l.* 19*s.* 3*d.* In 1877-8, we removed to England three adults with two dependants, making a total of five, at a cost of 32*l.* 8*s.* 6*d.*; and we removed to Ireland 13 adults with seven dependants, making a total of 20, at a cost of 47*l.* 18*s.* 6*d.* And last year, 1878-9, we removed to England three adults with three dependants, making a total of six, at a cost of 17*l.* 4*s.* 3*d.*; and we removed to Ireland 23 adults with 19 dependants, making a total of 42, at a cost of 83*l.* 5*s.* 10*d.* I may say, however, that my board are very lenient and considerate in ordering paupers home to Ireland and England; for, whilst in the year just closed we have only removed 33 paupers and 19 dependants to Ireland at a cost of 33*l.* 5*s.* 10*d.*, we have maintained paupers having Irish settlements during the course of the year, 326 adults and 314 dependants, at a cost of 1,079*l.* 4*s.* 7*d.* We have continually upon our rolls a large number of Irish paupers whom we never think of removing, either because they are unfit for removal, or because they had been a long time in Scotland, or because they have certain members of their families in employment, and we have no wish to break up those families, or prevent their ultimately being self-supporting. This, I believe, is also the case in all the large parishes in Scotland.

1040. Is there any other information that you wish to put before the Committee in the way of statistics?—I have no other particularly, unless the Committee wish for statistics upon any particular point.

1041. Do you think that the law of removal should be assimilated in Scotland, Ireland, and England?—With regard to the assimilation of the law of removal in the three countries, if I am correctly informed, there is no law of removal in Ireland, and in England the law of removal is, that after a person has lived one year in a union, he is irremovable. I would have no objection to that law being in operation between England and Scotland, because I believe that we are on a par with regard to the pauperism in the respective countries; but I do not think it would be at all fair in regard to Ireland. There is nothing much in their favour in having a law of irremovability, because I think that they require to send hardly any paupers from Ireland to Scotland; whereas, in our case, we have a

Mr.
Wallace.
24 June
1879.

Chairman—continued.

great many paupers who have settlements in Ireland.

1042. I think it would be convenient to the Committee if you could tell them, in your own way, the exact process that a pauper undergoes, from the time that he first applies for relief to the time that he arrives at his destination in Ireland?—As to the mode of removing paupers to Ireland; when a pauper, having an Irish settlement, is found upon our rolls (they require to get relief before they can be removed), and it is considered desirable (because that is always a consideration with us) to remove him, we apply to the sheriff, or to the justices of the peace, for a warrant of removal. We have to satisfy the sheriff or justices that the pauper has no settlement in Scotland, and we also have to prove the existence of a settlement, by birth or otherwise, in Ireland: and we have also to produce a medical certificate that the pauper and dependants (if any) are in such a state of health as would not render it unsafe to remove them. Then we have to send on to the parish or union, to which the removal is to be made, 24 hours' notice previous to removal; and, after that, we require to send them in charge of an officer, and leave them at the workhouse of the parish, or union, to which they belong. Formerly it was considered sufficient to land them at the nearest port, and allow them to find their way to the union themselves. Formerly, also, it was allowable to pay their passage across without any convey, and to allow them to proceed alone; but those powers are now done away with, and we must forward them in charge, and hand them over to the workhouse authorities. We generally get a receipt of safe delivery, and I may say that the greatest care is exercised to ensure the comfort of the paupers during the journey.

1043. Have you special regulations to prevent any hardship or suffering on the passage?—Yes.

1044. Those regulations, I presume, are furnished by the Board of Supervision?—Yes; they have laid down very stringent rules.

1045. Is there anything else that you wish to say to the Committee upon this point?—No, I think not; I think I have said, in substance, all that I wish to say upon that point. If any members of the Committee wish for any information about the reasons why we remove some and do not remove others, in addition to what I have already stated, I shall be very glad to give it.

Mr. Hibbert.

1046. You stated that the law now required you to send the Irish paupers to the workhouse of the place to which they belong; when was that law passed?—Perhaps I should have said that the instructions of the Board of Supervision required us to do that; but there is a law relating to the more careful mode of removing paupers; the Act of 25 & 26 Vict. c. 113, dated the 7th of August 1862.

1047. Does not that Act say this: that, if they are unable to ascertain the place of birth or residence, they may order the poor person to be moved to the port or union which shall, in their judgment, under the circumstances of the case, be most expedient?—Yes.

1048. Therefore, if they do not know the parish or union to which the paupers belong,

Mr. Hibbert—continued.

they may send them to the port they think most expedient?—Yes.

1049. Are there many cases of that kind?—No, very few; the only case that I remember in all my experience is the case of a pauper whom we removed to England, or rather to Wales, during this last year. We were not quite sure of the exact parish, but the sheriff gave us a warrant of removal to Cardiff as being the nearest place; but as regards the Irish, I do not think we have had a single case.

1050. But you admit that, in the case of an English removal, it has occurred?—It has occurred once.

1051. It might also require a second removal of that person, might it not?—Yes, it might.

1052. Do you not think that that law is a hard one?—We can almost always tell, before we get a warrant; indeed the sheriffs and justices are very particular that, unless we can condense on very particular information, they will not grant the warrant.

1053. Do you admit that an English pauper, or an Irish pauper, who may be resident in Scotland, and who may be under an order of removal, is in a worse position than a Scotch pauper living in Scotland?—No; we put them very much on the same footing.

1054. Is it not the fact that a Scotch pauper, instead of being removed, may be relieved at the place where he is residing, and the expenses charged upon the parish from whence he comes?—Yes.

1055. Is that the case with respect to English and Irish paupers?—No.

1056. Are they not then in a worse position than the Scotch paupers?—The parochial boards are in a worse position, but not the pauper.

1057. They remove him, do they not?—Yes, if you think that a worse position.

1058. In the one case he may be allowed to remain at the place where he has been residing, and to receive relief from the parish which is liable for his relief?—Yes.

1059. And in the other case he would be removed?—Yes; because we cannot get repayment of any of our advances from either Ireland or England.

1060. Again, is not the Scotch law much more severe than the English law, in requiring five years' residence in place of one year's residence?—It is not so easy to acquire a status of irreversibility in Scotland as it is in England.

1061. Even if the number of the years was the same, would not the Scotch law be more severe, inasmuch as, in the Scotch case, it requires a residence in the parish, and in the English case, a residence in the union is sufficient?—Our parishes are in general pretty large, and almost as large as any unions in England.

1062. They are as large in area?—Yes, and more populous; for instance, my single parish contains, I dare say, a larger population than almost any union in England.

1063. Your parish is in Glasgow, is it not?—It is the Govan Combination, partly in Glasgow and partly in the suburbs.

1064. In the case of a town like Glasgow, how many parishes are there?—There are three.

1065. Would it not be a hardship upon a poor man in Glasgow, if he happened to live in one parish and lost his residence, by merely remaining

across

Mr. Hibbert—continued.

across the street into another parish?—The Irish are put on the very same footing as the Scotch with regard to acquiring a settlement; there is no distinction made; they can acquire a settlement just as well as a Scotch person can.

1066. But I am asking you whether the law in Scotland is not more severe than the law in England, as to the power of obtaining a status of irremovability?—Yes; it is easier, as I have already said, to acquire a status of irremovability in England than in Scotland.

1067. Are you quite certain about the number of parishes in Glasgow?—Quite certain; there were originally four; there was Gerhals, in addition to Barony, Govan, and Glasgow; but Gerhals and Govan are now united, and hence it is called the Govan Combination.

Chairman.

1068. There were originally four parishes, and now there are three?—Yes.

Mr. Hibbert.

1069. Supposing that the power of removal was retained, so far as Scotland is concerned, would you be in favour of altering the law so as to assimilate it to the English law; that is to say, to reduce the number of years from five to one?—No, I should be decidedly opposed to that; I think the English law is too lax on that point.

1070. Are you aware that even in a town like Manchester, where there are probably as many Irish poor as there are in Glasgow, the guardians of the poor in that town make no use of the power of removing the Irish poor?—I am not aware. I know they make very free use of it in Liverpool, and I think I have shewn by my figures that we ourselves are very chary in our removals.

1071. You stated, in one reply, that you had many Irish poor on your hooks whom you did not remove; what are the kind of cases which you do remove?—One class of cases that we have removed more than any other consists of lunatics; we have removed a good many lunatics to Ireland. We have done so, I believe, chiefly because our lunatic asylum is all required for our own inmates, and we have had to do that in order to relieve the asylum. But I may say also that we have got a good many of them back again, almost by the same boat as took them over. They seem to have a miraculous way of curing lunatics in Ireland that we have not got in Scotland.

1072. Do you, in the case of the English or Irish poor, hold an inquiry before they are removed?—Yes, we have to appear in court and to satisfy the sheriff or the justices of the peace on the subject.

1073. There is a proper judicial inquiry?—Yes.

1074. Do you remove many of the Scotch poor to their own parishes?—We do not do it at our own instance, but we are instructed to do so in a great many cases by the inspectors of the parishes to which they belong, and, of course, we have to stop relief then and to send them on to their own parishes. Last year we removed to other parishes in Scotland 43 Scotch paupers and 32 dependants.

1075. Were all these removals in consequence of the inspectors having drawn your attention to the cases?—Yes; in a good many other cases they do not.

Mr. Hibbert—continued.

have ordered the parties to be sent home, and they have declined the offer, and continued to be self-supporting; and in those cases, of course, we have not removed them. We gave them the offer of taking them away, but they declined.

Mr. Rensay.

1076. Your reason for not removing the Scottish paupers is that you have a claim against the parochial board, where they have a settlement for them, in respect of your outlay upon them?—Quite so.

Mr. Hibbert.

1077. But supposing that you do not remove them, what is the number of cases in which you apply to the parish which is liable for the maintenance of those paupers for payment; are there many cases of that kind?—Yes; we have a large account with other parishes for the payment of their paupers. Last year we received from other parishes for the support of their poor 5,341 l.

1078. That is from outside parishes?—We advanced that to the paupers of outside parishes and got that money back.

1079. Can you state whether many of those cases are the cases of persons who have lived by their labour in the parish for a great number of years, and who, in their old age, are compelled to seek relief?—Yes; there are a number of those cases.

1080. Is it not a hardship that, when you have had the work of those people during their vigour, you should seek, when they become old, to throw their maintenance upon other places?—They had not been five years in our parish, and that is not a very long time.

1081. They may have been five years in the parish adjoining, I suppose?—If they have been five years in the parish adjoining, then they acquire a settlement in that parish, and they do not lose it again, until they are four years and a day away from the parish. I think the law of settlement in Scotland might be altered in this way; that a pauper should not lose his settlement until he had been five years out of the parish where he had acquired one; and that would give him time to acquire a new one; because, under the present law, there is a kind of gap of nearly a year in which they cannot have any settlement but their birth settlement; and I think that might be altered so as to allow no time to elapse between the time of losing the settlement and the time sufficient to gain a new one, and then they would just be transferred from one residential settlement to another.

1082. You have three modes of settlement; by birth, marriage, and residence?—Yes.

1083. And you think that they might be altered in some way?—Not the principles of the law, but merely on that point. I think the law of settlement in Scotland is a much simpler law than the law of settlement in England.

1084. It is simpler, probably, but is it not more severe?—I do not think so. In Scotland simple residence gives a settlement, whereas a man might live 20 years in a parish in England, and, as I understand it, if he was not a householder or an apprentice, or hired servant, but if he was simply a day labourer in lodgings, he would not acquire a settlement.

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1085. Supposing

Mr.
Waddell.
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Mr.
Wolcott.
24 June
1879.

Chairman.

Mr. Torr—continued.

1085. Supposing that a man lived five years in parish A, and then lived four years and a day in parish B, and then lived five years in parish C, and after that four years and a day in parish D, all in Scotland, that would be 18 years and two days; at the end of that time he would be removable, would he not?—Yes.

Mr. Hibbert.

1086. Do you not call that a harsh law?—We think it harsh in our parish, and for that reason we propose an amendment in the present Poor Law, by giving an appeal to the Board of Supervision in a case of that kind.

1087. In all cases of removal?—In Irish cases and Scotch cases as well.

1088. As I understand you, you wish to give a power of appeal to the Board of Supervision, but that is not now the law?—No.

Mr. Symon.

1089. Does that affect settlement?—No, it affects merely the power of removal.

Mr. Romney.

1090. But on what parish then would the burden of maintaining the pauper fall?—On the parish of birth.

1091. In the case of an Irishman, where would he go?—In the case of an Irishman, if that power was given to the Board of Supervision to prevent his removal, my board think that there should be a claim against the parish of the party's birth in Ireland.

Mr. Hibbert.

1092. Do you make many removals to England?—In the seven years, from 1872 to 1878, we have only removed 32 to England, including dependants.

1093. Have you many English paupers removed back to Scotland?—Not very often.

Mr. Torr.

1094. You say that you receive an amount of something like 5,000*l.* a year for paupers who are resident in your parish, and who belong to other parishes; can you tell us the amount that you pay to other parishes for your own poor who reside away?—I have not that at present; but my parish is one of that kind into which there is a considerable influx of people from the country to work at the public yards and heat yards, and the amount that we pay is not so much, perhaps, one-half, or rather more than that, two-thirds, of what we receive back from the other parishes.

1095. Then you pay from 3,000*l.* to 4,000*l.* to other parishes, do you?—Yes, about 3,000*l.* to 4,000*l.*

1096. In removing poor to Ireland, do you consult their wishes at all; is the pauper allowed to express his wish?—In a good many cases we remove them at their own request; in other cases, where they do not want to go, they have always the alternative of consenting to be chargeable. If a man says, "I would rather stay and work and support myself, than go to Ireland," then we do not insist upon sending him, although we might do it by the warrant which we have got.

1097. What proportion of the poor removed to Ireland would you say go of their own free will,

wishing to go, as compared with those who go against their will?—I should think, roughly, about one-third go of their own free will, and at their own request; and a good many come who are in delicate health, and who want to go back to their native air. For instance, I had a case the other day in which a man had got into bad health, and his wife and he were chargeable, although they had no settlement in Scotland; their settlement was in Ireland. He applied to me to give him some assistance to take himself over to Ireland for a short time to recruit his health. I might have applied for a warrant, and have got the whole of them removed, so that they could not return; but he seemed a respectable man, and anxious to do well, and I paid his fare across to Ireland, so that he might go and stay with his friends for a while, and not become chargeable, and I kept his wife and children on the roll and paid for them during the time that he was away. That shows that we do not exercise harshness in dealing with them.

1098. Does the same rule apply to the removal of English paupers?—The same rule applies.

1099. Does it apply in the same proportion of those going against their will or of their own free will?—We have very few removals to England. They do not, as a rule, express the same reluctance to go as a number of the Irish do. We had a woman, however, whom we removed to Clackmannan very much against her will; she came back again, and applied afterwards, and we gave her a short term of imprisonment for coming back and being chargeable again; but after she came out of prison she applied again, and wanted this time to be sent back to her own parish, and we removed her.

Lord Esher.

1100. Under what Act was that woman imprisoned?—Under the Poor Law Act of 1845.

1101. Not under the Vagrancy Act?—No, under the Scotch Poor Law Act.

1102. I think you mentioned that about one-third of the persons were removed with their own consent?—Yes.

1103. If the law of removal was abolished, what would be the result to those people?—We could not remove them at all.

1104. Although you might be willing to remove them, you could not do so?—No.

1105. Would not that be a case of hardship?—I think it would; and there are also a good many Irish people with Scotch settlements who apply to get removed to Ireland, and we cannot remove them.

1106. Would you suggest an alteration of the law with regard to removals from Ireland to Scotland?—We have no objection to putting ourselves on the same footing with regard to Ireland, as we wish that Ireland should be on with regard to Scotland. We are not in the least afraid of being inundated with Irish paupers.

1107. Do you think that cases of hardship arise in consequence of Scotch paupers being irremovable from Ireland to Scotland?—I have not the least doubt of it.

1108. Could you tell the Committee whether, in your opinion, any *bona fide* labourers in search of employment are deterred from coming from Ireland to Scotland in consequence of the power of removal from Scotland to Ireland?—No; not working

Lord Enslin—continued.

working people who are able and willing to work.

1109. Do you think, on the other hand, that it may be possible that the vagrant class may be deterred from coming from Ireland to Scotland by the law of removal?—Yes; I have acquaintance before me just now of a working man who had his wife in the Belfast asylum; she had been there for four years. He came across to Scotland to work; and it occurred to him that it would be much more convenient for him to go to our asylum to see his wife than to go to Ireland to see her; and he got her out of the asylum in Ireland, and brought her over; and she became chargeable to our asylum, so as to be convenient to himself.

1110. There is a Vagrant Act which applies to Ireland, and it has been suggested to the Committee that, if the law of removal was abolished, a Vagrant Act might be possible applying to Scotland and England, by which any vagrant who went from one union to another, or from one electoral or relief district to another, would be subject to imprisonment; do you think that could be carried out without hardship to the labouring poor?—I think we have a pretty stringent law ourselves against vagrancy; but the class that we have most to deal with are not so much the vagrant class as those who are resident. We can punish a person for vagrancy in Scotland just as well as they can in Ireland; but the parties that we have most to deal with are those who come and reside in our parishes, and who do not go away from place to place.

Mr. Giles.

1111. Does your objection to the abolition of the law of removal apply to English paupers as much as to Irish paupers; because I see by your statistics that you only give us 32 paupers as having been removed from Scotland to England in seven years, so that it can make very little difference to you whether the poor removal law is carried out as regards English paupers?—Very little difference.

1112. But it is by the Irish paupers that you are afraid of being inundated?—Yes.

1113. In the case of a Scotchman not having a settlement, but having changed his residence so often as not to have a residential settlement, his settlement would be the place of his birth, would it not?—Yes.

Mr. French.

1114. You say that the class of paupers that you suffer chiefly from are not vagrants, but people who reside in the district?—Yes, for short periods; not people going and sleeping one night here and another night there; that is not the class that we have to deal with, but it is the class who stay, and perhaps take a monthly house.

1115. What class of people are those; are they broken-down labourers?—Yes; and deserted wives; there are a great many deserted Irish wives.

Mr. Martin.

1116. As I understand, one of the grounds on which you object to the abolition of this law of removal is in the interests of the pauper himself?—Yes.

Mr. Martin—continued.

1117. Is humanitarian ground the main ground?—I would not say that it is the main ground, because parochial boards are not usually taken up with the humane view of things, but I think that would be the result.

1118. In what way do you think it is for the benefit of the pauper?—Because I think that an Irish person living in Ireland, who was able to work a little, but who was not able to support himself as he would like, would simply not get relief in Ireland; he would be forced to support himself or else go into the workhouse. Now we do not deal so stringently with them in Scotland; and therefore those parties would come across if they thought that they could not be removed back to Ireland, because they would be better treated in Scotland than they would be in Ireland. We have a man just now in our asylum who has been removed to Ireland five times, and he has come back each time within a few days after he was removed; but when he comes to our lunatic asylum he has not the slightest desire to go out, for he is a stout, able-bodied man, and our doctors is very particular.

1119. Then do you think, in point of fact, that the removal of that man has been for the benefit of the pauper himself, who has returned to you five times?—I stated that case to show how averse they are to stay in the Irish workhouses, and how much more readily they would stay even in the Scotch workhouses because of the better diet and treatment that they get.

1120. It strikes me that that would rather show that it was not for the benefit of the pauper himself to be removed from Scotland?—It might not perhaps be so much to his own disadvantage to be well fed for a little labour; but it would be better for his interest to work for himself and to support himself.

1121. It is for his higher interests, and in order that you may get as much labour as you possibly can from the pauper that you object to the abolition of the law of removal; is not that what it comes to?—We should not get the labour; it would be the Irish people who would get the labour. We want him to live in Ireland and work there, and not to come across to Scotland and be chargeable to the parochial board.

1122. Is it, in point of fact, for the purpose of discouraging applications for relief by poor people that you object to the abolition of the law of removal?—It is not for the discouragement of the application for relief by people who are really entitled to apply, but it is for the discouragement of that class of the Irish population who are too ready to apply.

1123. I ask you again, is it for the purpose of deterring those people who you say are too ready to apply for relief, that you object to the abolition of the law of removal?—It is very much for that; and it is also to relieve the Scotch people from paying for parties for whom they are not legally liable to pay.

1124. That being so, I ask you whether, from your lengthened experience of the operation of the Scotch Poor Law, that has not been a great deterrent in preventing the Irish poor from applying for relief?—No, I think it has not.

1125. In point of fact, they are anxious to subject themselves to this law of removal; is that so?—I do not quite understand the question.

1126. Do you think the fact that you remove them

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Mr. Martin—continued.

them, as soon as they apply for relief, has a deterrent effect in preventing those poor people from applying for relief in cases where they are distressed?—No, I do not think so. They apply at the rate of 118 per cent. oftener, and more readily, than the Scotch do.

1127. Then, in point of fact, your case, as I understand it, is that most of these Irish removals are voluntary removals?—One-third, I said, roughly.

1128. Do you recollect a case (I do not know whether it was within your district) of a man named Peter McGinley, who was removed in 1889?—No; my figures do not go so far back as that. I do not remember that case.

1129. Did you ever hear of that case of a man who was removed and separated from his wife, after 30 years' residence and work in Glasgow?—I am quite certain that that case did not occur in my parish. I could almost swear that.

Mr. Hibbert.

1130. He was living at Pollockshaws?—That is another parish. I did not hear of the case.

Mr. Martin.

1131. Are those lunatics that you speak of sent over to Ireland heavily handcuffed from time to time?—No, I do not remember any that I have sent being handcuffed, although we have sent a good many in the cabin for their additional comfort. I remember myself going over with an Irish lunatic, not to remove him, but to get an affidavit from certain parties in Ireland before a justice of the peace, as to his settlement. That man was subject to epileptic fits, and I gave him a cabin passage, and I lay in the berth next to him. He had some fits during the night, and the handcuff that I used was that I used my own two hands to his wrists, and kept him down in that way.

1132. You have no doubt heard of these complaints that have been made for the last 10 years by the Irish authorities that lunatics have been constantly sent over handcuffed?—I believe that in some cases handcuffs are necessary.

1133. Are you aware, as a matter of fact, that handcuffs are very constantly used in sending over lunatics to Ireland?—They are not used in my parish; I do not know what is done in any other parishes. I remember hearing of one case of the removal of a lunatic to England, in which the party was not handcuffed so far as I remember; and he sprang out of the carriage on to the line when the train was running, and got himself killed; whereas, if he had been handcuffed his life might have been saved.

1134. But there have been no cases in which you have sent over from your parish lunatics handcuffed?—There may have been an odd case, where a man was violent; but, so far as I remember, I do not recollect any case.

1135. Will you give me the number of lunatics that you have sent over from your parish within the last five years?—In the year 1873-4 we removed six to Ireland.

1136. Would you give me the names of those six?—Rose Fox or Mohan, James McLean, William Williamson, John Coonan or Hamilton, and John Dunlevy.

1137. Were those all removed to Ireland from

Mr. Martin—continued.

lunatic asylums where they had been for some time?—Yes.

1138. Were any of the persons in that list, persons who, in point of fact, had been certified under the Scotch law as dangerous lunatics, and imprisoned under any warrant?—I cannot remember that.

1139. Just try your recollection as to whether two of those persons had not been imprisoned as dangerous lunatics under the Scotch law?—I do not remember a single case of a party being imprisoned at the instance of the fiscal since I came to Govan.

1140. How many were there in the following year?—In the following year there were six; and in the following year again there were five, and one to England; in the following year there were four to Ireland, and three to England; in the following year there were five to Ireland, and one to England; and last year, which was the heaviest year, there were eight to Ireland, and none to England.

1141. Last year were those taken also from lunatic asylums in Scotland?—Yes, they were; and one of those was that man who had been removed five times, and returned within a few days of his commitment in an Irish union.

1142. Was that man sent back to Ireland in irons?—No.

1143. There, in point of fact, he had so completely recovered, after the visit, that he came back; how long did he remain in Ireland?—I think he came back within a week; and then the manner of his being again put into our asylum was that he commenced to break some windows in the street, and he was taken up by the police, and examined by the police doctor, and the doctor asked me to get him removed to the asylum.

1144. What was the expense incurred in those five removals, backwards and forwards, of this man?—He was removed four of the times from Greenock to Inishowen, which, I think, is on the north-west coast; but I do not know what the expense of those removals was.

1145. Was any attendant sent over in charge of this man to bring him to Inishowen?—Yes; we sometimes send two attendants with a lunatic, and we never send any one, either pauper or lunatic, without attendants.

1146. Do you recollect an application being made by the Irish authorities in 1871, asking that no removals should take place from Glasgow, in consequence of small-pox being prevalent there?—No; that was before I came to Glasgow.

1147. In what year did you come to Glasgow?—In 1872.

Captain Garry.

1148. When you send a pauper lunatic to Ireland do you not send him to a lunatic asylum in Ireland?—We send him to the union. That is the provision of the statute.

1149. Then this Irish union sent a man out at once whom you believed to be a lunatic?—Yes, he became chargeable again as a lunatic within a fortnight.

1150. And they did this four times?—They did it four times, and they do it in a good many other cases.

1151. Do you send a certificate with such persons that they are lunatics?—Yes, they are removed

Captain Corry—continued.

removed as lunatic paupers (it is in the petition) "now or lately residing in the Govan Parochial Asylum."

Mr. Symes.

1152. You said that the law of removal in Scotland had no deterrent effect in preventing applications for relief, did you not?—I think it has not.

1153. With regard to what has it a deterrent effect?—It has a deterrent effect in preventing people receiving relief.

1154. It does not prevent them from asking for it, does it?—No.

1155. How does it deter them?—Because we say, "If you want to get relief, we shall require to remove you to Ireland."

1156. Then it has the effect of deterring them from going to a place where the law of removal exists?—No, I do not think it does that so much, because, as I have shown by my figures, it is a small proportion.

1157. You have stated that it does not deter them from applying for relief?—No, it does not.

1158. Then it deters them from going to get relief; that is, from going to the place where they are to be relieved?—Yes.

1159. That is to say, it deters them from going from one place to another, because they are afraid of the law of removal?—It deters the pauper class, who are notable of willing to work, from coming over from Ireland, I believe, to some extent.

1160. It deters the vagrants, because they are under a vagrancy law?—No, not because they are under a vagrancy law.

1161. And another reason is, because they are liable to be removed?—Yes.

1162. Now we come to the industrial labourer; the industrial labourer is not at all afraid of applying for relief when he wants it, is he?—No.

1163. What is he afraid of then; has it a deterrent effect upon the industrial labourer?—I do not think it has a great deterrent effect upon him.

1164. Has it a deterrent effect upon him?—No.

1165. Then it has not a deterrent effect at all?—Not on the working class.

1166. If it has no deterrent effect upon the working class, why do you wish to keep it?—It has a deterrent effect upon the very class that we want to get rid of.

1167. That is the vagrant class?—Yes.

1168. Could you not get rid of them by a vagrancy law?—I do not refer to men that go from one place to another, night after night, but to the poor broken-down class who do not get relief in Ireland. If they thought that they were not to be removed back to Ireland, they would come across to Scotland.

1169. Then I will use the word "pauper," instead of vagrant; a pauper who does not want to work, going from Ireland to Scotland, is deterred by this law of removal; is that it?—Yes, I think so.

1170. You do not call him a vagrant; I do; but an industrial working man going from Ireland to Scotland is not deterred by the law of removal?—Very slightly, if at all. He can

Mr. Symes—continued.

reason in this way: "There will be no harm in applying for it, whether I get it or not."

1171. Is he deterred or not?—He may be slightly.

1172. Then, because he is slightly deterred, you think the law of removal has a deterrent effect, and that it ought to be retained?—Yes, for that reason.

1173. Have you heard, or read, the evidence of the English inspectors, that they wish for the abolition of the law upon that very ground, and for that very reason?—I have not read any evidence.

1174. They said that it had a deterrent effect upon the industrial working man, and that they were in favour of abolishing it altogether in the interests of labour; do you agree with that?—I cannot say that my experience, so far as it goes, indicates that a labouring man who has no expectation of coming upon the rates when he leaves Ireland, would be deterred from coming to Scotland simply because there was a law of removal; I do not think that would deter an able-bodied working man at all, and we have no desire to prevent that class coming over; but the class which we want to deter, and which we do deter, I think, to a considerable extent, is that broken-down class that come from the host direct to the inspector's office.

1175. You said that it had a slight deterrent effect, but now you think it has not?—I am explaining that it has a deterrent effect upon the broken-down class of people.

1176. I am talking of industrial labourers. We left the vagrants and paupers behind?—As I say, I do not think that an industrial labourer, who means to work for his bread, is deterred from coming to Scotland on account of the law of removal.

1177. Then you do not agree with the English inspector?—I do not know what he said.

1178. If he said that it had a deterrent effect, would you agree with him?—I would not; I think it has a deterrent effect upon the loafing class, but not upon the industrial class.

1179. Supposing that there was no law of removal in Edinburgh, and that there was a law of removal in Glasgow, and that the advantages of labour and the hire of labour were the same in the one place as in the other, and that a working man was making a selection as to which he should go to, which, in your opinion, would he prefer; the place from which he would be removed, if he became a pauper, or the place from which he could not be removed if he became a pauper?—Unless a man was a loafer and a pauper in his spirit, the question would never enter into his mind; he would go where his labour would take him, without any consideration of the law of removal, or anything else; if he got broken-down then he might go to Edinburgh.

1180. Are those whom you remove in their old age when they become paupers, men who have worked in Glasgow, or in any part of Scotland for 20 or 30 years, or even 10 or 15 years, or any time you like?—My board only make a very small selection of parties to remove, and we make it a rule that where parties have been a long time in the country, we do not remove them; and, as I say, we paid last year 1,078 l. for paupers of that class.

1181. You

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1181. You do not understand me. Does the industrial labourer in Scotland know that he is liable to be removed?—I have no doubt that he knows that if he has not a settlement he may be removed.

1182. Does he know it as a matter of fact?—I believe he does to some extent.

1183. Does the industrial labourer in Scotland, I do not care whether he is Irish, English, or Scotch, know and see several of his friends after working 5, 10, 15, 20, or 25 years removed 300 or 400 miles?—There may be cases of hardship of that kind.

1184. Being aware that there are cases of hardship of that kind, have not cases of hardship of that kind a deterrent effect upon a man's going to places where there is a law of removal?—No, if he is able-bodied he does not expect to be a pauper.

1185. Does he not think he is as likely to become a pauper as the man whom he saw sent away yesterday?—No, I think not; I think a right-principled working man does not look forward to becoming a pauper.

1186. Does he not see other right-principled men becoming paupers and being removed 300 or 400 miles?—I think if you were to analyse the reasons why Irish people become paupers, in 75 per cent. of the cases it would be found that they were paupers because of their improvidence and intemperance.

1187. I am supposing a right-minded man becoming a pauper, and being removed 500 miles; and I am supposing that his brother, a working man, and not a pauper, sees him removed; has the removal of his brother, the pauper, any deterrent effect upon the right-minded man, as to whether he will go to a place where there is a law of removal or not?—It may, but I do not think it has.

1188. You do not think it ought to be abolished for that reason?—No, not for deterring the working man.

1189. With respect to lunatics, do you know that the law of England and the law of Ireland prevent the removal of lunatics on the ground of humanity?—I am not aware.

1190. Supposing that it does, do you approve of it?—No, because there are plenty of lunatics who are stronger in bodily health than a pauper may be.

1191. You gave us an instance, a little while ago, of a dangerous lunatic that you were obliged to handcuff with your hands, when perhaps another man not so brave as you might have put another kind of handcuff upon him; do you not think that the law which admits of a removal in such a case as that is an inhuman law?—We require to get a medical man to certify that it would not be dangerous to remove him before he can be removed. In that case he was not dangerous; he only took epileptic fits.

1192. You do not think it is inhuman, or harsh, and you do not approve of the English or Irish law?—No.

1193. And you would not assimilate the Scotch law in that respect to the English and Irish law?—No.

1194. With respect to this question of notice, you give a notice, I think you said, of 24 hours before exporting the paupers?—Yes.

1195. A previous witness has told us that he

Mr. Spence—continued.

thought it was 12 hours' notice; does it differ in different parts of Scotland?—No, it does not differ. I may be wrong; I am only speaking from memory.

1196. The gentleman to whom I refer, Mr. Skelton, is a barrister, and I suppose he knows it better than you?—He is the secretary, and I have no doubt he was right.

1197. What is the object of 12 hours' notice or 24 hours' notice?—It is to apprise the people in Ireland that such a person is coming.

1198. Last the workhouse should not have room for him; is that it?—I do not think it is that.

1199. What preparation have they to make to receive a pauper?—I do not know the object of framing the rule.

1200. Would you approve of changing the notice, and making it such a notice as would enable the Irish union to object?—I would have no objections to that.

1201. With respect to this appeal to your Board of Supervision, do you think the pauper would understand his rights in respect of appealing?—They understand their rights just now of appealing to the same board against inadequate relief; so that, if they can understand the meaning, they could understand the other also.

1202. Take a case in which the local authorities were a little harsh, and where a man was labouring under a fatal disease; in a case of that kind how are a board of supervision, 200 or 300 miles away, to ascertain the gravity of the disease?—There is always a medical certificate accompanying each pauper before removal.

1203. Then the Board of Supervision 200 or 300 miles away, will act upon the medical certificate of the local doctor?—And upon the report of the inspector, and if they thought it necessary, they would make personal investigation.

1204. Do you not think they would be likely to act in both?—They would sift the facts.

1205. If they were likely to act upon both, the certificate of the doctor, and the certificate of the inspector, what is the good of the appeal to a board 300 miles away?—The report of the inspector and of the medical officer would be a report upon facts and not of opinions.

1206. The doctor would give his opinion upon the disease, would he not?—Yes, of course.

1207. Do you think that in the face of that certificate the Board of Supervision would send down a doctor of its own to know whether that local doctor was giving a good opinion?—No, unless they had reason to believe that the doctor was giving a biased or wrong opinion.

1208. Have you looked into a Return of the cases of exportation of Irish paupers from different parts of Scotland to Ireland, which has been laid upon the table of this House?—No, I have not seen it.

1209. Your long experience is seven and a half years, is it not?—Yes.

1210. Do you know of any cases within that time of exporting paupers who were labouring under heart disease?—I think I have removed one or two myself who were labouring under slight heart disease, but not at the critical stage which preceded death.

1211. What distance did you remove those paupers who were suffering from heart disease?—I cannot condense upon any particular part.

1212. Do

Mr. Spence—continued.

1212. Do you recollect the cases?—I do not recollect the particular cases. We have the cases all marked down, but I did not bring them here.

1213. Was it a case taken out of the hospital?—I do not remember. We may have removed some from the hospital, but, as I say, we never remove them unless we are certified by the medical officer on soul and conscience, that they may be removed without danger to their health.

1214. Did you bring a list of the hard cases of taking people out of a hospital and sending them to Ireland 300 or 400 miles away instead of treating them as dangerous cases?—We have never removed a party in a case in which his life was in imminent danger.

1215. That is to say, in a case in which you would be afraid of the man's dying on the way?—No, we are never afraid of that.

1216. Did you bring a list of the hard cases here?—I have not brought a list of any cases of the nature of the disease.

Mr. Ramsey.

1217. I think you stated that the effect of the mode of Poor Law administration, as practised in Ireland, is to induce the Irish people to provide for themselves?—Yes.

1218. You think that that is a beneficial operation of a poor law, do you not?—Yes, if it is not carried out too harshly.

1219. But with regard to the community at large, it has the effect of reducing the general pauperism?—Yes, I believe pauperism is lower in Ireland than it is in England, or Scotland; although, on the other hand, they get quit of a great many of their paupers by their coming across to Scotland.

1220. You also, I think, intimated that, in your opinion, the effect of the immigration of that class of the Irish poor is to deteriorate the character of the Scottish poor?—I think so.

1221. And, therefore, it is on that ground that you would desire to maintain the present law of removal, in order to prevent the deteriorating influence of the immigration of the Irish poor?—Yes.

1222. The honourable Member who last interrogated you put some questions to you as to the hardship of the law of removal, because of the distance that the paupers have to travel; you have in your parish, I dare say, Scottish paupers from the Shetland Islands and many other distant parts of the Highlands, where the difficulties must be greater in removing the paupers from the parish of Govan than it would be to send them to Ireland?—In a great many cases it is so.

1223. Then, if it be a hardship that they should be removed, the hardship must be greater on the poor from those distant parts of Scotland, than it is when Irish poor are removed to Ireland?—It is quite as great at any rate.

1224. Is it not a more difficult journey from Shetland to Glasgow than it is from Glasgow to any part of Ireland?—As a rule it is. We sometimes send the paupers to unions in Ireland that are pretty much inland by Irish cars; and I do not think there are so many conveyances of that kind in the north of Scotland as there are in Ireland.

1225. Supposing that you have a poor person from the north-west part of Sutherland, that

Mr. Ramsey—continued.

pauper would be conveyed a much greater distance and have a greater difficulty in travelling than he would have if he were landed in any part of Ireland, would he not?—In nearly all the parts of Ireland that we remove to it is much easier and less expensive to remove them to Ireland than it is to remove them to some parts of Scotland.

1226. Therefore the hardship upon the Scottish poor by the operation of the law of removal, is as great as it is upon the Irish poor?—Quite as great, and there are far more of them removed. I do not know whether your attention has been called to it by Mr. Stelton, but we find in the report of the Board of Supervision, the number of removals to various parts of Scotland and England; I am quite sure there are far more removed from one parish to another in Scotland, by double or treble, than are removed to Ireland.

1227. Do you think that the power you have of removing the poor from your parish to other parts of Scotland, has any influence in deterring a labourer from coming to seek employment when he desires to obtain it in your parish?—I do not think so if he is an able-bodied man and wants to work.

1228. In short, you are of opinion, that the idea of his becoming a pauper never enters into the mind of the working man?—No, never enters his mind.

1229. And, as a general rule, it is but a small proportion of the able-bodied that ever become paupers?—It is but a small proportion.

Mr. Forsyth.

1230. You say that you think the law of removal might be modified, but not wholly altered; would that apply to the removal of the Irish poor particularly, or do you wish to see the law of removal in Scotland altered with regard to removal generally, including the Scotch poor?—My board wanted a clause put into the new Bill giving an appeal to the Board of Supervision, even in the removal of Scotch cases, so as to prevent hard cases being removed.

1231. What do you mean by a hard case?—A case, for instance, in which a person is perhaps only temporarily disabled from work, and if he got a little help to tide him over his difficulty, he would get work, and not be long on the rates. We think that that man should be helped. There are other cases where a widow woman has perhaps five children, and two of them are working, but she is not able to keep the other three; we think that her means should be augmented a little by us, and that she should not be sent away to the poorhouse in her own parish.

1232. I believe the law of outdoor relief is much more stringent in Scotland than in England; do you give outdoor relief to able-bodied paupers in cases of temporary distress?—No, it is against the law of Scotland to do so.

1233. Have you a great deal of what is called non-residential and non-settled relief in Scotland, because you said just now that you had a claim on the parishes where the poor had a settlement, and that last year you received 5,041 £. from other parishes?—Yes, we have several hundreds always on our "other parish" roll.

1234. Then do you prefer to keep them in your parish, receiving pay from the other parishes, rather than remove them?—No, it is no matter to

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Mr. Farquhar—continued.

to us whether we have them or not, but we think that on the score of humanity there should be an appeal in the hard cases. We do not care whether we have the poor of any other parish living in our parish or not; it is of no interest to us; we simply get back from them what we pay away.

1233. Does not that rather lead to extravagance and want of economy?—No, I do not think so, because if a party was going home to his own parish, it would take more to keep him there, if he were thrown out of employment, than it would cost to keep him in Glasgow.

1236. But the parish that pays the money, which may be a great distance off, has not the same means of ascertaining whether these people are in a state which requires relief, as you would have it, being on the spot, you could look after them and see whether they ought to have relief or not?—Yes, and it is for that reason that we think there should be an appeal allowed, because sometimes Highland parishes are pretty severe in ordering paupers home, just simply to try and throw them off; and they carry that principle rather far sometimes, and that is the reason we want an appeal to the Board of Supervision, who would be a neutral and impartial authority.

1237. To determine whether the pauper should be removed to his own parish or not, or whether he should receive relief from the parish in which he is?—Yes.

1238. Has any case of this kind occurred to you, where an Irish pauper has been removed to an Irish union under the idea that he has a settlement in that union, and it has turned out that he had no settlement there?—I have never heard of any such case; but I know that I have received paupers from England who were said to belong to my parish, and when they came to me I found that their settlement was not in my parish, and then I made a claim on the parish of settlement, and got relief; but I have never heard of any case in which we have sent them to the wrong union.

1239. Are you afraid that if the law of removal were abolished altogether with regard to Irish paupers, your parish in Glasgow would be more inundated than now with that vagrant class who come over from Ireland?—Yes, I think so.

1240. For that reason, perhaps, amongst others, you would be unwilling to see the law wholly abolished?—Yes, very unwilling; because I think that Scotland is too heavily handicapped with Irish paupers.

Mr. Ramsay.

1241. You have, on several points, expressed the opinion of your board; by what means have you ascertained that those opinions are the opinions of the board as a whole?—After I received an intimation from the honorable Chairman to come here, I called a meeting of the committee interested in that subject, and they gave me their opinion.

1242. Are you aware what their opinion would be of a proposal to confer what is termed an industrial residence upon any person who had resided for 10 years within any or all of the parishes which constitute Glasgow, and to give them the right of relief on the city as a whole?—They expressed a view of that kind; that if it was thought desirable to relax the law in that way (they did not put it so much as a recom-

Mr. Ramsay—continued.

mendation) there should be a right of relief from the parish of settlement in Ireland, or from the Consolidated Fund.

1243. You stated that previously; but what I wish to know is whether your board had thought of the proposal to make Glasgow one parish for the purpose of poor law administration?—They have never considered that question. They are very much opposed to an entire amalgamation of the three parishes, because they think they would be simply unworkable; and the Board of Supervision agree with us in that; but they have never considered the question as to the amalgamation of a settlement in either one, two, or three of the three parishes giving a settlement in the others. It is a very intricate question.

1244. Have they ever considered the hardship that is inflicted upon the rural parishes by the removal of the industrious poor back again to the place of their birth after they have laboured for a long period in Gorman?—No, they have never considered that.

1245. Do you not think that it is a great hardship on these rural parishes that, after a man has given the whole of his industrial life to the promotion of the wealth of the people of Gorman, the people of Gorman should be relieved from his support when he falls into destitution, and that the burden of providing for him then should be thrown on the parish where he may have a settlement by birth, but where he has no claim from having laboured there?—There are two ways of looking at that. You put it as if the parish of Gorman were deriving all the benefit of the man's labour; whereas the parishes in the Highlands, and elsewhere, have been greatly benefited by these large centres of industry.

1246. In what way?—By relieving them of the surplus population; and then a man, who is respectable and steady, will probably have acquired a settlement by a five years' residence. It is only in exceptional cases that we find a man has been 40 years in the district without acquiring a settlement.

Mr. Symon.

1247. I do not think you understood the question which was put to you by the honorable Member sitting next me a little while ago. Why do you give non-resident relief instead of removing the paupers?—We always act under the instructions of the inspector of the parish of settlement.

1248. Do you know why you give non-resident relief instead of removing the pauper?—Because the rules of the Board of Supervision do not provide for removal until the inspector has had an opportunity of dealing with the case.

1249. After the inspector deals with the case, why do you go on for years giving relief to the non-resident paupers instead of removing them?—We have no motive to remove him.

1250. Why do you give non-resident relief instead of removing the pauper?—We get repayment of it, and it is no interest to us to get him removed.

1251. In fact you do not care, because the other parish must pay you. Does that lead to corruption?—No, certainly not.

1252. Is it likely to lead to extravagance?—No, I do not think so.

1253. Is it because you think it harsh upon the pauper to remove him that you give him non-resident

Mr. Symon—continued.

non-resident relief?—No, it is not that; it is simply because we are acting under instructions.

1254. But why are the instructions given?—Because an inspector in the north, if he has any sense, will see that a family who are partly supporting themselves in Glasgow are better to stay there than go up to an outlandish place like Scotland, or any of those places.

1255. It is for the interest of the pauper?—Yes.

Mr. Forsyth.

1256. In proportion to the whole number of paupers chargeable to your parish who might be removed, is the number of those who are not removed, in consequence of getting non-residential relief, very great?—Last year we removed to Ireland 25 adult paupers and 19 dependants, making in all 44; whereas we have kept on our own roll and given relief to 640 Irish, including dependants whom we might have removed.

1257. Are you getting the money from the Irish unions?—No; we are paying it out of our own pocket.

1258. But I am talking of the Scotch poor alone; is the proportion of those who are kept in your parish, and whom you might remove, but whom you do not remove, and for whom you are paid by another parish, very great in proportion to the whole number of paupers chargeable to the parish?—We have altogether about 2,500 or 2,600 paupers belonging to our own parish residing with us, and we have only some 300 or 400 belonging to other parishes.

1259. Are those 300 or 400 belonging to other parishes kept by you, instead of being sent to their own parishes, you receiving for them residential relief?—They are all kept by us.

Mr. Mark Stewart.

1260. With regard to non-residential payments, has there not been a new rule on the part of the Board of Supervision which requires an inspector, whenever he receives a payment from any given parish, to send to the chairman of that parish a note of the amount received?—There is such a rule.

1261. That is considered and found to be practically a check upon any lavish expenditure?—No; it was rather intended to act as a check on embezzlement on the part of the inspectors.

1262. You represent, of course, only one parish?—That is all.

1263. Can you speak at all as to what the view of the other parishes of Glasgow would be on this subject?—I had an interview with Mr. Dempster, the inspector of the city parish of Glasgow, and he is decidedly opposed to the abolition of the law of removal.

1264. In your opinion, what would be the expression of feeling, supposing that the three other boards were called together?—I saw a member of the Barony board last night, and he told me that his board, so far as he knew, would be decidedly opposed to the abolition of the law of removal.

1265. Do you think that would be the opinion of the majority of the boards in the four parishes?—I have not the least doubt that it is the unanimous opinion of all the boards in Scotland.

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Mr. Mark Stewart—continued.

1266. And that is engendered by the fear that there would be a very much larger influx of Irish paupers on the rates in Glasgow if the law of removal were abolished?—Yes.

1267. Is not the great difficulty in amalgamating the four parishes in Glasgow so as to constitute one parochial board, the fact that in one of those parishes there are very few paupers?—I do not think that is the difficulty.

1268. Which is the parish in which there are a very great number of warehouses?—The largest proportion of warehouses are in the city parish; but in that parish also there is the largest proportion of Irish paupers. In the Govan parish the pauperism is lighter than in the other two parishes.

1269. Are they not found to be the chief objections to any suggested amalgamation?—No, I think they are all equally opposed to amalgamation.

1270. But still it must strike you, as a practical man, that there is very great confusion in ascertaining the law of settlement, especially when it is of the long duration of five years, when one street is the partition of the parish?—Yes, there is a little difficulty between the city and the Barony in that respect; but there is very little difficulty with regard to Govan, because, with the exception of a small portion, the river Clyde divides the Govan Combination from the other two parishes, and in the other part the river Kelvin divides it, so that the boundaries are quite clear and distinct.

1271. At the same time it occasions a good many visits to Glasgow on the part of the rural inspectors to ascertain the settlements of paupers who have become chargeable to the rates of your parishes, does it not?—Occasionally.

1272. Would you be against abolishing the law of settlement, both as regards the poor law removals to Ireland, and also with regard to removals to districts of Scotland and England?—I should be against the abolition of the present law of removal.

1273. Would you consider that if one year's residence were allowed to give a settlement, it would be detrimental to the efficient carrying out of the Poor Law?—It would be very detrimental to the interests of the Scotch parishes to have a law of that kind.

1274. Do you think it would increase the rates?—I think it would.

1275. I gather from your evidence just now that you consider that the hardship which Irish paupers have occasionally to encounter has almost been reduced to a minimum?—Yes, the Board of Supervision have laid down very strong rules now as to the careful removal of Irish paupers.

1276. And your board would not object to any further regulation which the Board of Supervision might think it necessary to impose?—No, in fact they would rather have it than otherwise.

1277. You have nothing to say with regard to diminishing the length of five years as the time for acquiring a settlement in Scotland?—I have mentioned, in my replies to the honourable Chairman, that I think a ten years' residence in Scotland without relief might give a status of irremovability, providing that three or four years of that time was spent in the parish to which the party became chargeable.

1278. A clause similar to that, I think, was inserted in the Poor Law Bill of 1877?—No, that

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Mr. Mark Sennar—continued.

that was more in relation to the law of settlement. It was proposed that a 10 years' residence should give a man a settlement, which he could not lose until he had acquired another one by five years' residence in some other parish.

1279. That was opposed by the rural districts, was it not?—I do not remember exactly; we opposed it at any rate.

1280. You thought that it would make the law of removability very difficult?—We thought that it was a complication of the law of settlement, which was not necessary, because it is so plain and easily understood now, and we thought it would derange the existing system.

1281. I suppose that more than half of your rate is given in outdoor relief?—Yes.

1282. Can you tell us what the proportion is?—The outdoor relief, including education and clothing for the paupers last year, was 15,971*l*. The relief in the workhouses, including management and everything, amounted to about 11,000*l*. But the outdoor relief does not include management; so that one half is about the proportion that the indoor relief bears to the outdoor relief.

1283. Without this law of poor removal, you consider that it would be very difficult to deter more Irish paupers from remaining in the country or from entering the house?—Yes.

Mr. Ramsey.

1284. I understood you to explain to the Committee that it is not your practice to remove the poor of other parishes in Scotland in consequence of your having a right to be reimbursed by the parish of their settlement or in which they have a right to relief?—That is not the reason why we decline to remove; it is simply because, where the settlement is in another parish, we advise the parish of settlement, and ask for their instructions.

1285. And I understand that you are bound to send the paupers to the parish of settlement, or to the place where they have a right of relief, in the event of the inspector of that parish writing to you that that is the desire of his board?—Yes, we are bound to do so.

1286. Therefore, you have no option in the matter?—We have no control at all.

Mr. WILLIAM STEVENSON, called in; and Examined.

Mr.
Stevenson.

Chairman.

1294. Will you kindly tell the Committee what poor-law office you have held?—I have been for 17 years the Governor of the Inverleith Poorhouse, near Musselburgh. I was for three years Assistant Governor in the Barony Poorhouse before that.

1295. I think you have now left poor-law work?—I have now retired; I retired three weeks ago.

1296. I think you communicated to some Member of the House of Commons a particular case of poor removal which came under your notice?—Yes.

1297. Will you tell us the fact of that case in your own words?—The case to which you refer was the case of an Irishman, named Samuel Treen. He was admitted in the afternoon of the 30th of August; he stated that he had been tramp[ing] all over the country for about a fortnight in search of work, and that he was

Mr. Hilderi.

1287. Is it not the case that you have no absolute power of removal of any pauper until you have referred the case to the parish of residence from which the pauper comes?—No absolute power, except that if the parish of settlement does not provide for the pauper to our satisfaction, we can remove him.

1288. If the parish of settlement does not give you a security to pay for the maintenance of the pauper in your parish, you can then remove him?—Yes, and more than that; if they were only to give a shilling a week when they ought to give 5*s*., we should say, "This is not a satisfactory allowance, and, unless it is increased, we will remove the pauper to your own parish."

1289. Who determines whether the amount is adequate, or not?—The Board of Supervision.

1290. You stated that you had received in 1868 about 5,000*l*. during the last year in payment for paupers from other parishes; how much did your Combination pay during the same time for your own paupers in other parishes?—I mentioned, roughly, that we paid between 3,000*l*. and 4,000*l*.

Mr. Giles.

1291. What is the per-centage of paupers in your parish compared to the population?—The per-centage of paupers in the whole of Scotland, taking the population of 1871, excluding dependants, is 3*·*6.

1292. It would be larger in Glasgow, I suppose?—That is on the population of 1871. I believe just now, on account of the increase of population, it is only about 3 per cent. Our parish is somewhat below the average.

Mr. Synan.

1293. Does that law of giving notice to the parish of settlement apply to England as well as to Scotland?—No, the only intimation that we give, either to England or to Ireland, is an intimation that we have a warrant to remove the pauper.

Chairman—continued.

weary and weak, and very poorly with rheumatic pains caused by lying out at night in stackyards and straw-beds. He stated to me that he had come over from Ireland about a fortnight ago. He was bathed and searched after admission, and I found a drover's pass ticket from Glasgow to Edinburgh, two Irish railway tickets, and a pazed ticket. On confronting him with these, he admitted that he had left Belfast at the beginning of the week with cattle, that he had been at the Glasgow cattle market with them, had left there on the 29th for Edinburgh, and after getting rid of them on the morning of the 30th, he walked down to Musselburgh, and applied for relief at half-past twelve o'clock.

1298. What became of him?—After being found out he gave notice and left us.

1299. The pith of that case is this: that this man pretended to be ill in order to be taken into the workhouse, and said that he was a traveller from

Chairman—continued.

from some distance, whereas he had only walked out from Edinburgh to your workhouse, on purpose to obtain a free removal back to Ireland?—He walked out, and made application for relief; I do not know exactly what his purpose was.

Mr. Forsyth.

1300. What became of him?—He gave notice, after being found out, and left us.

Sir Arthur Middleton.

1301. I understand that there were tickets in the man's pocket; were they return tickets which would have taken him back to Ireland, without his receiving relief?—There were some halves of Irish return tickets.

1302. Therefore he did not go to you in order to be removed to Ireland?—Those railway tickets were Irish return tickets (not Scotch return tickets), a drover's pass, and an Irish parcel ticket. One ticket was a return half from Limerick to Belfast, inward not outward. The other is, I think, also an inward ticket, but of much older date. The parcel ticket is Irish. (See tickets in hands of Chairman.)

1303. That did not include the steamboat?—No.

Chairman.

1304. What do you think was the man's object in walking out from Edinburgh to your workhouse, and declaring himself sick and destitute?—It would be difficult for me to pass an opinion upon the subject; but one object might be to get back free to Ireland.

1305. What other object do you think he had in view?—I do not know.

1306. In your opinion is it desirable to alter the law of removal in Scotland?—I am not in favour of any alteration, except it be that possibly the union to which the pauper has been removed should refund the expenses.

1307. With regard to the dietary in workhouses, do you think that the dietary in Ireland, Scotland, and England varies very much?—I believe it varies very much.

1308. In which of those countries is there the lowest dietary?—I believe it to be lowest in Ireland. In Ireland, I understand, many of the workhouses have only two diets daily for some classes of the inmates, whereas in all the Scotch workhouses the inmates above two years of age are obliged to be supplied with three diets.

1309. Are the dietarys in the workhouses in Scotland uniform throughout the country?—They are nearly uniform.

1310. Is the dietary under the direction of the Board of Supervision?—The Board of Supervision prepared the dietary.

1311. And that system, you consider, works well?—It works well, in my opinion.

1312. Have you compared the dietary of the workhouses in Scotland with the dietary of the workhouses in England?—I have not. I have nothing to say upon the dietary of the English workhouses.

1313. Is there anything else that you wish to say to the Committee upon this point?—I think not.

Mr. Forsyth.

1314. I suppose you have not had very much experience of the influx of Irish paupers at Inveresk, have you?—We have had a few.

1315. But you cannot speak of anything like a large influx of Irish paupers?—My experience is 0.107.

Mr. Forsyth—continued.

is altogether with regard to indoor relief. I was not an outdoor inspector.

Mr. Ross.

1316. Are a considerable proportion of your indoor paupers of Irish origin?—A good number, but I could not give the proportion.

Mr. Syme.

1317. Have you many cases of removal from your workhouse?—We never had a case of removal from the workhouse to Ireland. We had one case of removal to England.

Mr. Stewart.

1318. I suppose you have a good many cases of removals to different districts in Scotland?—A good many are shifted backwards and forwards from the poorhouse to other parts of Scotland, and from other parts of Scotland to the poorhouse.

1319. From your experience do you think the law of removal to Ireland acts beneficially as a deterrent against an increase of rates?—I think it ought to.

1320. Have you ever heard any opinion expressed in Scotland in favour of relaxing that law?—I have heard some little opinion expressed, but not much. I have read of it, but I cannot say that I have heard much in favour of alteration.

1321. Then do I correctly gather that your opinion is against any alteration of the existing law?—My opinion is against any alteration of the existing law, unless you institute some equivalent. If you relax the existing law, in my opinion, there is nothing to prevent all the paupers in Ireland from being sent over to England and Scotland.

1322. We have heard something about an appeal to the Board of Supervision; if that appeal was always made in the case of any proposed removal of an Irish pauper, and notice given to the parish where that pauper was to be removed to, do you not think that any present hardship would be investigated?—I do not quite understand the question.

1323. Supposing that there was an appeal to the Board of Supervision before any pauper was removed whom it was proposed to remove to Ireland, then the Board of Supervision could inquire into the merits of the case, and decide whether that removal was to take place or not; supposing that was done, do you consider that any occasional hardship which now exists would be done away with?—Yes, if any hardship exists.

1324. Do you think that that would be a fair solution of the present difficulty?—It would be an alteration, but I am not sure that it would satisfy all parties.

1325. You would be disposed to keep the law as it stands?—I would.

Mr. Martin.

1326. Do you think that Irish labour is of any service to Scotland?—I have no doubt it is.

1327. Then in point of fact the principle that you are anxious to establish for Scotland is this: that you are to get as much as you possibly can out of Irish labour, and give them as little relief as may be consistent with law; is that the prevailing feeling in Scotland?—No; I never heard that stated.

1328. Then you do think that the Irish poor should be treated with humanity and justice?—

Yes.

1329. Under

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Mr. Martin—continued.

1329. Under those circumstances you, having told me that the Irish labourer is of great service in Scotland, would you not consider that the Irish should have a claim to relief?—I would give the Irish the same claim to relief as the Scotch have.

1330. Then, in point of fact, supposing that the law of settlement and removal was not altogether abolished, would you, as a man of humanity, consider that both the Scotch and the Irish poor should, after an industrial residence of a year or so, have a right to relief?—If the law was the same in the three countries.

1331. That is to say, you think it would be desirable to have the law the same in the three countries, giving a year's industrial residence as the test of a right to relief; is that your opinion?—I do not specify any time; but I would make the law the same in the three countries.

1332. In point of fact, you are of opinion that the feeling in Scotland would be in favour of an assimilation of the law; is that so, or is it your own opinion?—That is my own opinion.

1333. Your own opinion, from the experience that you have had, which I see is considerable, is that there should be an assimilation of the law?—That is my opinion; that is, if there is to be any alteration.

1334. Assuming that there is to be an assimilation of the law, and that you have given your opinion that the law of settlement and removal is not to be abolished altogether, what form of industrial residence would you substitute; would you say a year or two years?—That is a question that I have not thought upon.

1335. Have you many of the Irish poor in this Inverkeel Poor Law Union or parish?—It is a combination of 10 parishes for poorhouse purposes only; we have a few Irish poor there.

1336. Have you any lunatics in your workhouse?—We have lunatics.

1337. How many of those lunatics were sent off to Ireland within the last five years?—We have never sent any lunatics anywhere out of Scotland; there is one Irish lunatic there at present who cannot be removed, and yet has no settlement.

1338. From what does that inconvertibility arise in that particular case?—Her husband is an Irishman, and he remains in the country, and, as I understand it, they cannot remove the wife without the husband. You must understand that I do not thoroughly understand the law of settlement; I have had no experience in inspector's work, but only in the indoor work; but this is what I understand to be the reason.

1339. When you were mentioning the dietary in the Irish workhouses, I take it that you were only speaking from mere hearsay report?—The Irish workhouse rules provide only two diets a day for some classes of inmates.

1340. But so far as the dietary is concerned, you have no personal experience?—No, I am speaking from the Irish workhouse rules. The two meals daily is the minimum; but it is to be found in the reports of the Poor Law Commission that a higher scale is given in some workhouses.

Mr. French.

1341. What is the dietary in the Inverkeel

Mr. French—continued.

workhouse?—You will find it in the published rules of the Board of Supervision which have been laid before Parliament; there are several dietaries for the different classes.

1342. What is the dietary for ordinary paupers?—The ordinary inmates belonging to Class B have four ounces of oatmeal made into porridge with three gills of milk, for their breakfast; they have for dinner a pint and-a-half of broth and eight ounces of bread. The broth is made with two ounces of Scotch barley, two ounces of vegetables, and two ounces of butcher's meat, beef without bone. The supper is the same as the breakfast. Class C, what we call the working class, have, in addition to that, four ounces of boiled beef for dinner on the days when they are working.

1343. Is that scale of dietary fixed for all the workhouses in Scotland?—That scale of dietary is fixed for all the workhouses in Scotland by the Board of Supervision, and it cannot be reduced by any local board, except with their permission. The above is the minimum scale. More may be given, but not less. In some workhouses more is given. This was so to Class C in Inverkeel workhouse.

Mr. Huxbury.

1344. You have been at this workhouse for 17 years, have you not?—Yes.

1345. Were many Scotch paupers removed to other parts of Scotland during that time?—A good many.

1346. Do you know how many?—No; I do not.

1347. Did you find any attempts on their part to abuse this system of removal, such as you found in the case of this drover?—The system of removal from one part of Scotland to another, is altogether different from the system of removal to England or Ireland.

1348. But still a man could come into your workhouse I take it, and pretend to be ill, and act as this drover did, in order to be removed to another part of Scotland?—No; it must be the parish to which the pauper belongs, which sends notice to the parish that relieves the pauper, asking that the pauper may be sent home. I do not think that difficulty could arise in the case of Scotch paupers at all.

Mr. Torr.

1349. I suppose this case of Samuel Troom is a very exceptional case?—The reason that I took notice of this case was that I understand it is difficult to get at the truth. This man had the documents in his possession which told the truth. The case is exceptional only in regard to fading of the documents, not otherwise.

1350. Have you ever known a similar case?—No; a similar case has not come under my notice.

1351. During the 17 years that you have been there?—No.

Mr. Hutchinson.

1352. How many inmates are there in your workhouse?—For the 17 years that I have been there, the average would be about 60.

Mr. ALEXANDER DUNCAN CAMPBELL, called in; and Examined.

Chairman.

1133. What official position do you hold in the Poor Law system of Scotland?—I have been for the last 10 years Inspector of the Poor of the parish where I at present work, Kirkintilloch, near Glasgow. Previously, I was for seven years Assistant Inspector in the parish of Glasgow.

1134. Do you happen to have with you the population and rateable value of the parish?—Yes, the population at the last census was under 8,400; but since then, owing to the development of public works and the opening of mineral districts, the population has risen to about 11,000.

1135. What is the rateable value?—£. 60,000 at the last return, made up to Whit Sunday 1878. The new return is not yet made up.

1136. Have you had any long experience of the law of removal?—Yes, since about 1863.

1137. That is a period of 15 or 16 years?—Yes.

1138. Will you explain to the Committee your opinion of the law, and whether any cases of hardship occur under it, as it at present exists?

—My opinion is that the law ought to undergo very considerable modification, not merely in the interests of the paupers, but also in the interests of the parishes to which they have become chargeable. Cases of real hardship frequently occur, not so much in cases of removal from one parish to another in Scotland, as in those which take place from Scotland to Ireland. England being a richer country than Ireland, or even than Scotland, persons subjected to an order of removal never have the same reluctance to be removed. Their prospects are, as a rule, less hopeless upon arrival at their destination than those which take place to Ireland; and the removal home to England is frequently viewed rather in a welcome light than otherwise. In the case of removals to Ireland, the exact reverse usually happens. Almost invariably the greatest reluctance is shown to the step. It breaks up possibly the household, and the dismemberment of the family is usually the consequence. The head of the family, unless healthy and strong, usually sinks into hopeless dependence on parochial relief, while the compulsory transmission to an Irish workhouse forms a complete severance between the person so removed and his friends. After a few years' residence in Scotland, most of the relatives of Irish people follow them from Ireland, so that the removal is often isolation, so far as the presence of relatives or friends of the pauper is concerned. A very great hardship results when a widow with a family of growing children, or a man permanently disabled from work, is ordered for removal. Work at more remunerative wages is more abundant in Scotland than in Ireland, and widows, or sickly men with families, know that if the children reach the age of from 11 to 13, the family becomes independent of parochial relief. A few years' outdoor relief may suffice. But the parish will not award permanent outdoor relief if the settlement be in any country but Scotland. If in the latter, repayment is obtained from it; if not, no repayment is obtained, and the parish to which the chargeability takes place either refuses relief altogether, or orders the family into the poorhouse as a preliminary step to removal to Ireland or England. Only the very last resource compels people of 0.107.

Chairman—continued.

this sort to accede to the order, as it has the effect of destroying their hopes of independence, and spoiling the prospects of their children. At the same time it may be said for Scotch parishes that they only resort to removal in cases of more than temporary duration of chargeability. People are often months in receipt of relief without removal being thought of, and it is only when there appears no immediate prospect of termination of the chargeability that removal takes place. Another form of hardship is where the husband alone is English or Irish, the wife and children being Scotch-born, but compelled to accompany their head to the union of settlement. I have seen instances of very great hardship resulting from this.

1139. Can you give any definite instances of hardship?—At the present time, in my parish, there is a widow who was chargeable from November last, and until the 20th April in the spring of this year. Outdoor relief was given in the severe season, until the weather became suitable for removal, to give her time to prepare for it. On the 20th of April instructions were given to prepare for removal to Ireland, and she surrendered her allowance sooner than have that carried out. She has a young family who, in course of time, will become independent, and her objections to removal are that, if they go to Ireland, they lose their prospect of work; the look-out is not so happy. All similar cases having a settlement in Scotland, would receive outdoor relief; so that her position, in consequence of the operation of the law of removal, is worse than that of people of her own class, and with her own necessities, in her own parish. I call that case a very representative one of similar cases occurring in the rest of Scotland.

1140. What you put before the Committee is this: that a poor hard-working woman, deserving of relief, does not dare to ask for relief, because she is afraid of removal?—That is putting it in the opposite way. She surrendered her allowance.

1141. But it is the same thing?—Yes, sooner than be relieved she surrendered her allowance.

1142. How long had she been resident in your parish?—She has only been four years resident in our parish, but she had been resident in the neighbouring parishes which again care, for about 20 years.

1143. How long has she been a widow?—For about three years.

1144. Can you give us the ages and number of her children?—I cannot from memory. The ages ranged from 11 to three-and-a-half years, and the children are four in number. She has one or more children above that age, but they are not entered as dependants, in the application record of relief. The Scotch law recognises as dependants all children under the age of 14, or, in other words, all who are not working, below the age of 14.

1145. Can you give us any statistics as to the cost and number of the removals in your parish?—In my parish we have had 3,000 applications since the 1st of January 1870. Of that number 109 had settlements in Ireland, and might have been removed had we put in force the laws for compulsory removal; but we removed only seven of that number. Three were lunatics; one was

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an orphan boy whose father was three years in this country, and who had no mother; two were females with two dependents, and one was a male who was not a lunatic. The other cases were only temporary ones which were not likely to continue chargeable for any length of time, in which case the parochial board do not think of removing; they calculate whether the cost of keeping this person for a certain number of weeks or months, as the case may be, either in the asylum or the hospital, is likely to be in excess of what the removal would come to; and they decide partly from humanity and partly on economical grounds, what is the best for the individual. At the same time humanity is a strong ingredient in the calculations which the board make in these cases. In one of the cases a lunatic has been chargeable since 1872; she cannot be removed in consequence of the want of evidence of her birthplace in Ireland; she is still in the asylum, and will remain so all her life it is expected, and she is still chargeable to our parish. We should have removed her but for the absence of information as to where she belongs to in Ireland.

1366. In your opinion would the abolition of the law of removal encourage pauper emigration from Ireland to Scotland?—Not in the sense in which it would have done so 20 years back. The law of removal in Scotland allows parochial boards to remove parties, without a warrant from the sheriff, to the nearest seaport to the parish in Ireland to which they belong; but the Board of Supervision, by a Minute passed in 1863, put a stop to that, and they compelled inspectors of the poor to take out warrants either from a justice of the peace or from the sheriff. The sheriff is usually more exacting in the evidence that he requires, and consequently the parishes resort to the justices of the peace, who do not insist upon the evidence in the same measure. Twenty years ago in consequence of the system of administering relief by the parochial boards, the Irish poor people had more encouragement to come over. Now they never receive outdoor relief; when they apply they are offered the workhouse; and owing to the trouble that the parochial boards have to take in securing evidence, removal is less frequent. Many people at one time applied for removal, but now they do not do so. It is less frequent, owing to the tediousness of removal on the part of parochial boards and their officials, from the necessity of framing petitions, leading evidence, and taking out warrants. In my experience, when I was in the city parish of Glasgow, in 1863, parties applied day after day; they had come over expecting Glasgow to be a species of paradise in regard to the means of livelihood for that class, but they were soon undeceived. They were sent back without a warrant in general, and led to believe that it was compulsory. They were usually sent away in a boat to Greenock, between which port and Ireland there is no landing place; but since then it has been carried out by a warrant from the sheriff. I do not think the same number come over expecting to be kindly treated, because outdoor relief is withheld, and relief in the workhouse is offered; and I am not sure that the workhouse regulations are more gentle in Scotland than they are in Ireland.

1367. I take it then that this is your opinion: that if in Scotland (and, of course, in England

Chairman—continued.

too), the law of removal were altogether abolished, a strict system of relief would prevent any serious Irish invasion?—I am not quite prepared to go so far as that; the opinion of many inspectors differs from mine, and they hold that the abolition of the power of removal would encourage pauper immigration; but I think that in holding that opinion, to an undue extent they are founding upon the traditions which followed the potato famine, which sent many poor Irish people to Scotland; I have only known one instance in my experience where any person (and that person was Scotch) made it a point to reside in a particular parish with a view to acquiring a settlement therein. I think if Irish persons come to Scotland now, they come with an idea of seeking employment, and not with an idea that Scotch pauper relief is of a very acceptable sort in comparison with Irish pauper relief.

1368. What modification of the law would you propose, if you do not go so far as to suggest the entire abolition of the law of removal?—I find that many inspectors in Scotland do not approve of my idea; but my remedy is to extend the settlement system to the three kingdoms in a modified sense, omitting certain classes of persons from liability to removal altogether. I should exclude from the operation of the law all cases of widows with young families, who prefer to remain in the country of their adoption, and who have resided in it for a period of five years, a period sufficient to create a local tie, and should compel the union of settlement in England or Ireland, to pay the alimentary allowance disbursed by the parish of chargeability. I should subject the pauper to the ordinary Scotch regulations as to continuance of relief and general supervision, Scotch parishes rendering half-yearly accounts of advances, precisely as in the cases of their own inter-parochial dealings. I should except from this (A), widows who have lapsed into dissipated or immoral habits; (B), widows who are found to be thriftless, improvident, or of dirty habits, or in the opinion of the parochial board or union officers sent to visit them, not rearing their families in a satisfactory way; (C), all lunatics or persons permanently disabled, who are inmates of institutions at the cost of the parish, reserving, however, to the Irish or English union the option of dispensing with removal by repaying the cost to the relieving parish in Scotland. Where heads of families alone are chargeable, I should not insist on sending the family also, if the latter do not need relief. I had a case in 1870, of a lunatic who was removed to Ireland; he was chargeable for some months; the parochial board gave up hopes of his immediate recovery, and orders were given to remove the man to Ireland; and he had to be removed with his family of nine, including his wife. They were not in the receipt of relief, and they were not paupers; but the law as it exists, requires the family to be removed along with their head. Some parishes do not observe that, but take advantage of doubts in the law; but at that time we were compelled to remove all the dependents along with the head of the family, and to include them in the warrant. In all cases prior to removal, I should require a copy of the grounds for holding the settlement to be out of Scotland, to be sent to the guardians of the union to which the removal is proposed to be made, in order that investigation may be made, and in the opinion of the board of guardians, an amount

Chairman—continued.

awarded. Investigations need not be difficult or expensive; as in Scotland, every parish from the Shetland Isles to the English border, and from the outer Hebrides to Peterhead, have to do it, mostly by correspondence. In a parish spending on the poor 2,000 £. per annum, the cost of investigations need not exceed 10 £. a year upon an average. My parish is only six miles from Glasgow, but without more expense than the postage, I have obtained admissions of liability for parishes 250 miles away, in Orkney and in the Hebrides. Ireland is much nearer, and, practically, all the removals from Scotland to England and Ireland are made from the parishes south of the Forth. Very few Irish particularly reside to the north of that line, if we except Dundee and Aberdeen.

1373. Is there anything else that you wish to say upon this point?—I would suggest, in support of that, that a certain number of days before it is even sought to apply for a warrant to remove any poor person, a full statement of the case, with the grounds upon which it is to be held that the settlement is not in Scotland, should be forwarded to the union to which removal is to be carried out; giving the union the opportunity either of resisting the removals, by making a separate investigation for themselves, or of appearing by an agent to resist the claim. It must be understood that a poor person being removed to Ireland and, looking upon it as a hardship, has, properly speaking, no counsel or agent to undertake the charge of the case, and that were an agent present, much more difficulty would be offered to a parochial board carrying out the removal; and I think, in many cases, an attempt would not be made, if it were known that a shrewd agent were to undertake the interests of the pauper or of the union to which the removal was to be made.

1374. Would you give the Board of Supervision an absolute discretion as to directing whether a removal should take place or not?—Of course the Board of Supervision have that power in the case of inter-parochial removals in Scotland between one parish and another. A poor person may appeal to the Board of Supervision against removal, upon a form which is provided by the Inspector of the poor. But I think the Board of Supervision would not be the proper court of appeal in the case of removal to Ireland; I think the Irish Poor Law Commissioners in Dublin would be a better tribunal, because I should think that, in certain cases, where payment has to be exacted from Ireland for the avoidance of the removal, the appeal should be made to the board representing the interests of the guardians, or of the nation to which the pauper belongs. In Scotland the removal is always a matter of consideration, in a parish which has acknowledged its liability for a pauper. The parochial board consider whether the person is more likely to become independent if he is not removed, or whether the cost will be less in the parish of residence and chargeability, than if the person is removed to the parish of settlement; and removal is very seldom resorted to unless with the idea or under the impression that the removal itself is a test, and will not be acceded to by the pauper if he has any other means of livelihood. We have no power of compulsory removal, and an appeal always lies to the Board of Supervision if the relief is inadequate.

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Chairman—continued.

1375. I understand that in your proposal for the alteration of the law, you would rather favour the application to England and Ireland of the law which now holds good in Scotland, as to parochial removal and relief?—Exactly so.

1376. Are you satisfied with the present law of removal as it affects the Scotch paupers themselves?—Of course the appeal in the case of the Scotch paupers removes from their cases the hardship that exists in the case of Irish people.

1377. Would you not consider that the present law with respect to Scotch paupers, is a hard law in comparison with the law which exists in England?—Yes; in England, of course, they acquire a settlement after a year's residence.

1378. One year gives a status of irremovability in England?—Only in the union in which they have resided, and under certain different conditions as to occupancy.

1379. Therefore the law of England is so far much more easy for a pauper than the law of Scotland, which makes five years' residence necessary to obtain a status of irremovability; and in Scotland it is confined to the parish, whereas in England the residence must be within the union?—Yes, it certainly appears harder with regard to those residing in Scotland.

1380. Would you propose to mitigate the law in Scotland, so as to make it less hard on Scotch paupers?—I think that the appeal to the Board of Supervision secures them every fairness; they are a very just Board, and I have never known a case of hardship.

1381. For instance, you have three parishes within the town of Glasgow; have not cases of hardship arisen there, where a man has broken his residence through merely removing from one parish to another, and so has become liable to removal?—Yes, cases of hardship have arisen, but they are not so numerous as might perhaps be expected.

1382. Would not the hardship be mitigated, if the area of residence were thrown over the whole of Glasgow instead of being confined to one parish?—Yes; but it might be asked which parish was to be at the cost of maintaining the person. Another difficulty would be that a pauper might select the inspector, and the parish to which he chooses to become chargeable, perhaps selecting the most kindly-hearted board.

1383. But if you altered the law in that particular, and mitigated it, or abolished any portion of it, would it not lead to a stricter system of administration in every parish?—I am afraid that Scotch opinion is not educated up to very great strictness in the matter of the administration of the Poor Law.

1384. Is it not true that they should begin to be educated?—Of course it is a gradual process; but in carrying out the poorhouse test, which is one of the great features in the development of education in poor-law administration, not merely the public, but the parochial boards object to it as being very harsh; they do not see the principle involved.

1385. They have not resolved the position which we have in England with respect to keeping the poorhouse as a test?—They cannot understand that. The Poor Law, in Scotland, is only 30 years old.

1386. Is not outdoor relief increasing in Scotland

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Scotland very rapidly?—No, it has diminished within the last few years.

1383. Is proportion to the indoor relief?—Within the last two years there has been a very slight reaction against the rigid operation of the test; but the working of the poorhouse test is comparatively recent in Scotland. Previously, the parochial board, in awarding an allowance to a pauper, disregarded principle, and asked, "What is the most economical mode in which this pauper can be kept; is it better to give 1s. 6d. a week, which the pauper will accept, in preference to the poorhouse, or to pay 5s. 6d. or 6s., as the case may be, in the poorhouse?" We pay 7s. 7d. per week for hospital cases, and 5s. 6d. for ordinary cases, in the poorhouse to which we send our poor.

1384. Are you in favour of reducing the five years which is necessary in Scotland to acquire a status of irremovability, to a less number of years?—I would not take away the power of removal absolutely.

1385. I am presuming that you retain the power of removal; I am asking you not only as it affects the Scotch poor, but as it affects the Irish poor, and English poor; they cannot obtain a status of irremovability in Scotland unless they reside five years in one parish; would you reduce the number of years requisite to obtain a status of irremovability in mitigation of the hardships upon the poor?—I have heard an opinion expressed that a reversion to the old period of three years might be adopted, but I have never formed an opinion myself upon it; five years has never been objected to very strongly.

1386. Are you aware that it was reduced in England to one year, and that the reduction has had no ill effects?—I am not aware of that.

Mr. Torr.

1387. Would you put the Irish, Scotch, and English poor on one term of years?—If the laws of settlement were assimilated in the three kingdoms there would be no harm in doing that; but I think that English and Irish people coming to Scotland, or Scotch and English people coming to Ireland, or Irish and Scotch people coming to England, should be subject to the laws prevalent in each country to avoid complication, and a dual system of settlement.

1388. You know that the English only require one year's residence in England; how low would you reduce it Scotland?—I have suggested five years.

1389. Would you have it the same in Ireland; would you have one law for Ireland and Scotland?—I would make it the same; I would assimilate the powers in each case, making the laws of each country applicable to all its poor of whatever nationality.

Viscount Enslin.

1390. With regard to this term of five years in Scotland, the Committee have been told that if a person resided five years in one parish, and then went out of that parish into another for four years and a day, he would lose his original settlement?—Yes.

1391. What would be your opinion of altering the law so as to enact that no settlement that was obtained by five years' residence in one parish should be lost until that person had resided five years out of that parish?—I quite approve of

Viscount Enslin—continued.

that; that enables a party to complete a settlement in another parish before forfeiting the settlement in the original parish; but of course five years' residence does not acquire a settlement in any parish in Scotland if application shall have been made for relief during that time.

1392. I do not quite understand your object in wishing that the Irish Poor Law Board should be the court of appeal from Poor Law Boards in Scotland?—Not from Poor Law Boards in Scotland, but from the decision of the Irish boards which have ordered the removal of the pauper. I should make the Irish unions pay for paupers in Scotland where removal has been dispensed with; and if the unions sought to remove the pauper, or his family, should give the pauper an appeal to the Irish Commissioners for the relief of the poor in case of hardship. Possibly a union might be actuated by the wish to get rid of the chargeability, and I would allow an appeal to the Irish Commissioners in order to prevent unfairness.

1393. Then would not this difficulty arise, that the Irish Poor Law Board have no communication and nothing to do with the Scotch Poor Boards; but the Board of Supervision in Scotland is really a controlling board which supervises the proceedings of all Scotch unions?—Yes; but this is in the case of a pauper removed to Ireland. I would think that for this appeal the Irish board as representing the Irish guardians would be the better court of appeal. The Board of Supervision have not the same interests; it would be their interest for humanitarian sake to keep the paupers in Scotland; it is no interest to Scotland to remove a pauper for whom they were getting repaid by Ireland.

1394. Would not the object of having the appeal to the Board of Supervision be, that the ordinary board in Scotland has a certain power which it may exercise if it pleases, and that the Board of Supervision is a superior authority who may control it?—Yes, in the case of Scotch paupers; but they have not the same interest in the case of Irish paupers, and if they vetoed an order of removal it might be ground for complaint by the Irish guardians.

1395. You would transfer the power of the Scotch Board of Supervision to the Irish Poor Law Board for that purpose?—Yes, in the interests of the paupers, and of the Irish boards, not of the Scotch parochial boards.

Mr. Giles.

1396. Is there any panic in your part of the country as to the immigration of Irish paupers in the event of the law of removal being abolished?—No, I have never observed it; I had experience in one of the most pauperised districts in Glasgow from 1863 to 1870; the district has since been considerably altered owing to the operation of the City Improvement Act; but at that time it was very much occupied by Irish paupers, and I have known them leave the poorhouse in preference to being removed; but I have never heard of their dreading removal, except when chargeable.

1397. Do you yourself fear that you would have a larger influx of paupers from Ireland in the event of the law of removal being abolished?—I cannot say that I do; but I know that it is feared in Scotland; I have heard very intelligent inspectors express their apprehensions; and I believe at one time, 25 or 30 years ago, the abolition

Mr. Giles—continued.

tion of the law of removal would have had a bad effect.

1398. Why are the expenses of the dietary in your parish so much larger than in other parts of Scotland?—We have no poorhouse of our own; we board them in a neighbouring parish, and they add a proportion of the original cost of the building and management, and so on; they keep their own poor for considerably less than they charge us.

Mr. French.

1399. You said that 20 or 30 years ago the abolition of the law of removal would have had a very bad effect in Scotland; did you mean to imply that it would not have that effect now?—I am speaking about the Glasgow district, and the Greenock district, where I have had experience. At that time the circumstances of Ireland were considerably different from what they are now, and it was found actually that an immense number of people came over from Ireland of the poorer class in the steamers every voyage. Many of these people were in extreme poverty, and went direct to the poorhouse; and owing to the lax administration at that time which allowed paupers to be removed without a warrant, they were sent back in great numbers; and when they objected to being removed, a compulsory warrant was obtained.

1400. Was this after the famine in Ireland?—Yes, 10 years after the famine; since that time there is not the same number coming over, and there is not the same number of applications in proportion to Scotch poor.

1401. The population of Ireland is not nearly so large as it was then?—It diminished after the famine, but I think that it has gained ground since considerably.

1402. But that was owing chiefly to exceptional times; do you think that there is any fear of its recurring?—No; at that time there were about 1,000 removals from Glasgow; now there are not above 150 from the whole of Scotland to Ireland. Now none are removed voluntarily, and the inconvenience of applying for warrants makes the removals fewer.

1403. I thought I understood you to say that although they were removed without warrants, the paupers were led to understand that they would be obliged to be removed?—No doubt the fact that a warrant could be obtained induced them to dispense with that form of removal.

1404. Did they willingly dispense with it, or were they removed under the impression that they were obliged to go?—I have known great numbers who were anxious to go; I have had them applying for the express object of being removed, and we refused to do it, and gave them permission to go to the poorhouse until they were tired of it.

1405. Have there been a great many instances of men being removed from Scotland to Ireland after a residence of 40, 50, and even over 60 years in Scotland?—I can quite see the possibility of it.

1406. Do you not think that that is a great hardship both on the pauper, and on the ratepayers of Ireland?—It is a hardship; but it is a hardship that applies also to Scotland. I have a case now chargeable, a man with a wife and family, who has been 20 years in the south, and last

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Mr. French—continued.

week I got a letter to send him 250 miles on to the posthouse near Invergreen, in the north of Scotland. I have got people who have applied to me who have settlements in the Hebrides, and in one case in the Orkneys, and in Inverness. Only recently I had a case to the Island of Skye, to the Portree poorhouse. Of course in all cases a medical certificate is obtained, and there is no hardship as regards the health of the pauper.

1407. But it is a hardship upon the ratepayers of Ireland that you can send them over paupers while they cannot send them over to you?—It is not a hardship in the same degree, because, practically, there are no Scotch paupers to be removed in Ireland; there are so few Scotch people in Ireland liable to be removed. I think that the return about two years ago showed only about 50 people, Scotch born, to be chargeable in the Irish workhouses, and there is a very much larger number of Irish-born people in Scotland and in English workhouses.

1408. Do you not think, as a matter of justice, that persons residing for a great number of years in Scotland ought to be liable to be sent to the place where they last had a settlement, instead of being sent back to the place of their birth?—I have known cases where parties never acquire a settlement in Scotland after being a very long time in it.

1409. Take the case of a man 65 years resident in Scotland, who was sent back to Ireland; that man must have acquired a settlement in some place and lost it?—Two difficulties meet one in that case; one is the parish which should bear the incidence of the cost of this man; the other is the difficulty that if a man has been 40 years in Scotland, and 30 years ago had a five years' residential settlement in a parish of Scotland, how are you to prove it? All the evidence is gone, and you find it impossible to prove a residential settlement even in Scotch parishes, in Glasgow, for instance, when a party has been a few years out of it, unless he has resided continuously in one locality with his name upon the rate-book, which very few of the pauper class have.

1410. Would you in that case have been obliged to give relief in the place where he became destitute?—All parishes object to doing that if they can avoid it.

1411. If the law was done away with, do you think that it would be any hardship on the particular parish that a person should get relief in the parish in which he became destitute?—If you took away the right of selection from the pauper of the parish to which he chooses to become chargeable, I would see no objection.

Mr. Mark Stewart.

1412. I understand you generally to wish to see the law of removal abolished?—No, I do not go so far as that.

1413. With regard to Ireland, do you not wish the law of removal to be done away with?—No; I said I preferred seeing it modified.

1414. So as to give an appeal to the Irish board?—Yes, and not merely that, but to give the Irish boards of guardians prior to the removal the option of making an allowance for the upkeep of the pauper in Scotland, in the same way as we in Scotland do with non-resident poor of our own. They may insist upon removal if they think

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think proper, subject to appeal upon the part of the pauper which exists in Scotland, to the Board of Supervision with regard to Scotch poor, and to the Irish Board of Commissioners with regard to Irish poor.

1415. Then with regard to the hardship of the case, is it not a very rare case that there is much hardship experienced on the part of the pauper in cases of removal?—In certain classes of cases there is great hardship.

1416. But those cases are well considered, and due precautions are taken to mitigate that hardship, especially since 1863?—In regard to the mere fact of the removal, the removal itself is conducted with great humanity; I think that there can be no fault found with the mere removal, or with the means adopted to remove. The hardship consists in removing certain classes of persons who are temporarily paupers, widows with children, for instance, who, in the course of time would become self-supporting. I call it a hardship to remove people of that sort from a district where they are known, and in the way of becoming independent, to an unknown territory altogether, so far as they are concerned.

1417. But then there would be a hardship, which several witnesses have admitted here, would there not, supposing that the law was done away with altogether, in the case of many Irish who wished to return to their own country?—I do not think that the hardship would be looked upon in that light; and were my proposal adopted of making his Irish union liable, it could easily be arranged to pay him his allowance there. A Scotch pauper may reside where he chooses and be paid his allowance there.

1418. Do you not find many Irish who are too glad to get home again?—Yes; but I think parochial boards do not pay for any except exceptional cases.

1419. Supposing that the law of removal were done away with, would not the hardship strike, perhaps not in an equal degree, but at all events, in a somewhat similar degree, those persons who are anxious to return, and who cannot return?—I think that that is not much of a hardship. I have never seen cases of that sort where the parties could not find means among their friends for returning.

1420. Take for instance a family who have recently crossed, expecting to find work, which in their mind was superabundant in Glasgow; they find there is no work going, and they are anxious to go back again; in the event of any casualty happening to this family, sooner than be hardened with them, the parochial board returns them, and pay their expenses; if the law of removal was done away with, the advantage which that family would gain would also be done away with, would it not?—Yes; but they would find the means independently, I think, of ultimately getting back to their own country. The parochial boards do not now, I think, remove them on that ground unless they are likely to become permanent burdens. They will not on a mere application of any man to pay his expenses to Ireland put themselves to the trouble of taking out a warrant, and attending before the sheriff court, and leading evidence as they would do in a criminal case, merely because a person applies for removal. At one time, when judicial procedure was not requisite, it might be done more frequently than now.

Mr. Mark Stewart—continued.

1421. The witness preceding you stated that he had advocated that the system of a 10 years' settlement in the country, and three years in a single parish should operate against the possibility of removal, do you agree with that?—It is a very good idea, but that is a matter of detail. I suggest that after five years in the country no person should be removable, except after an appeal to the Irish Commissioners; that is to say, if the Scotch parochial boards had a good ground for removal.

1422. Is it not the fact that the Irishman, after he has been in Scotland five years, finds himself in exactly the same position, whether it is a hard one or not, as the poor population of Scotland are in?—Exactly.

1423. So that he has not more to complain of than any ordinary Scotchman?—No, but he considers that it is a grievance. I have seen Highland paupers who had to be sent away to the extreme portions of the country in the north and west, objecting very strongly, and feeling the same amount of misery as the Irish do at the notion of being removed compulsorily; but the Irish have no appeal as the Scotch have.

1424. Did you give any reason why a less number of Irishmen would come over at the present time than would have done so a few years ago, had this law of removal been abolished?—I think that the reasons are two. One is that the causes which possibly operated to bring about the exodus of so many people from Ireland to Scotland no longer exist to the same extent. There are fewer coming to Scotland of that class than there were at one time; a sort of equilibrium has been attained.

1425. Is that owing to the introduction of agricultural machinery, or to any cause of that sort?—It is possibly owing to the whole stream having come over at once. An immense number came over after the famine in 1847, and down to 1860 the numbers were very great.

1426. You cannot speak with regard to 1847?—My recollection of the Poor Law only goes back to 1853. From 1845 down to 1863 people were removed wholesale at their own request. Application was made in the morning to the Glasgow or Glasgow parochial board, and an officer was sent down and saw them off in a steamer that day if there was a boat. The very facility with which removal was obtained I think encouraged parties to come over from Ireland at that time who were sent back at other expense than their own; but since the difficulties now attending removal very few applications are made for removal.

1427. Would you not say that the present law acts as a very strong deterrent against Irishmen coming over unless they see their way to honest and legitimate work?—I know that it is understood to be a deterrent; but I am not aware that it is so. It is a deterrent to parties applying for outdoor relief, if suspended over the applicants there is the liability to removal. I mentioned a case where the party surrendered her allowance sooner than be sent over to Ireland. I believe that in such cases it is a deterrent.

1428. There is no dislike to Irish coming over to Scotland or anywhere else, is there, if they are of a respectable class who one may presume are disposed to work?—Not the slightest. The Irish are told when they apply, "You have no settlement in Scotland; you will receive relief, as fixed

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Mr. Mark Stewart—continued.

by the board, 2s., or 3s., or 4s., or 5s. a week as the case may be," until it suits the board to carry into operation the removal; after which the party may say, "I will not accept relief on those terms."

1439. There is no prejudice existing against the Irishmen coming over, if he comes over with the legitimate purpose of work?—Not the smallest. I am not aware of any coming over *as* without such an object.

1440. And large employers of labour are very glad to hire Irishmen who come over with that purpose?—Yes. At one time there was a very strong prejudice, because large numbers came over without any prospect of work, or of being able to work. Many of them were miserable objects, and went straight to the workhouse.

1441. Would you not say that the motive which inspired Scotchmen with distrust of the abolition of the law of removal was the desire to prevent an indigent, and idle class of Irishmen from coming over?—That is the whole aim of parochial boards in objecting to the abolition of the law of removal. The impression is very strong that if the law were abolished you would have a very great influx of the poorer class of Irish.

1442. But you do not object in the same degree to doing away with any hardships that can be reasonably removed?—Distinctly not.

1443. And with that object you would give the appeal that you have proposed, but you would not do away with the law of removal?—I would not do away with the law of removal.

Mr. Hutchins.

1444. When you say that you object to the present system of removal being abrogated, are you speaking of your own particular opinions, or what you believe to be the general opinions of the people around you; you yourself think, I understood you to say, that the objections to the law of removal are a little exaggerated?—My own opinion is not so extreme against abolition as those of brother officers and members of parochial boards with whom I have spoken.

1445. You have no workhouse of your own?—No.

1446. You pay a sum of 5s. 6d., I think, for the maintenance of your paupers?—Five shillings and sixpence for certain classes, and 7s. 7d. for expensive ones.

1447. And yet, notwithstanding that high price, out of 109 Irishmen that you might have removed since the year 1870, you have only removed seven?—Only seven.

1448. You preferred paying the high price that you had to pay in sending them to the workhouse?—As I have already stated, the parochial boards do not remove cases of temporary chargeability.

1449. Your keeping them is partly owing to motives of humanity and partly to motives of economy?—Exactly so.

1450. Do you not think that there is the same objection, on the ground of humanity, to removing a man from one part of Scotland to another as there would be to removing him from any part of Scotland to Ireland?—There are the same objections to the operation of the law of removal in Scotland, I think, only, as I have already stated, the power of appeal to the Board of 0.102.

Mr. Hutchins—continued.

Supervision operates as a preventive of serious hardship.

1441. But there is not the same objection on the part of the Scotch people to an alteration of the law in that respect as there would be to an alteration in the law as regards Ireland?—I think, that in Scotland, generally, the operation of the law of removal in individual cases is looked upon as harsh; that is to say, that the people of Scotland have no general opinion upon the subject; but when individual cases come under their notice they believe it a harsh law that it should be necessary to send a person out of the district to which he had become chargeable merely because he had been compelled to apply for relief. They believe that it is necessary to have this law to prevent their being inundated with paupers.

1442. But that is not an opinion which you yourself share?—Not in its full extent.

Mr. Syme.

1443. Are you aware of any Irishmen coming over now except for work?—No, not now.

1444. Then you do not want the law of removal against that class?—No, except in so far as the law of removal itself is a check against an influx of prospective paupers.

1445. Do you think that the law of removal is a check upon persons coming for *bona fide* work?—No, I do not think that.

1446. What did you mean then by saying "except as a deterrent"?—I meant this; that possibly the non-appearance now of other than parties coming legitimately for work may be owing to the existence of the law of removal.

1447. You mean to imply that it is a check to other people, and not to people coming for work?—The opinion is held that it is a check.

1448. But at all events you do not want the law of removal against persons coming for industrial labour?—Exactly.

1449. You only want to apply it to the case of what you call paupers and vagrants; is that it?—A pauper is any able-bodied man coming legitimately for work, who breaks down and becomes chargeable to the parish.

1450. How can you know that at the time?—We cannot tell at the time; we do not interfere with the man of course until he does apply.

1451. When you told me that you were not aware of any Irishman coming now except for work, and when you told me that you did not want the law of removal except against that class, I want to know against what class you want it?—As a preventive against parties coming from Ireland who are not *bona fide* in search of work; not against the class coming just now, but against the class whom its abolition might encourage to come.

1452. Against persons who come under the pretence of work, and really want to throw themselves on the rates?—Exactly.

1453. Would you have any objection then to modify the law so as to limit it to that class?—I would not give any preference to parties coming from Ireland, but subject them to the ordinary Scotch Poor Law regulations as to settlement and liability to removal.

1454. You would apply it to every body, English, Scotch, and Irish?—There is the difficulty of identifying a *bona fide* seeker for work.

1455. It

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Mr. Synn—continued.

1455. It would be a mere difficulty of evidence, is that it?—Yes, that is the main point.

1456. And for the purpose of making the evidence easier, you want to cast a wide net, and comprehend the whole, that is to say, to take in the *dead side* man going for labour, and the man that goes under the pretence of looking for labour merely for the purpose of throwing himself on the rates; you want to catch all for the sake of having simplicity of evidence; is that it?—It resolves itself into that partly.

1457. Do you think that any cases of fraud occur with respect to settlement; might not an ignorant labourer, not knowing anything about the law of settlement in Scotland, being asked about his settlement, give his place of birth in Ireland, although he might have a settlement in Scotland of which he was not aware?—I never knew a poor person who understood the law of settlement. A very sharp inspector will easily detect intentional impositions of that sort, and know whether a settlement exists or not.

1458. A poor person, not understanding the law of settlement in Scotland, would give his place of birth in Ireland, and the Poor Law Parochial Board would not upon that; would that be the case?—Of course all the statements made by an applicant are sifted by the inspector, either by correspondence, or by certificates from landlords, or by personal investigation on the spot. That is generally known among the poorer class in Scotland, and imposition is easily detected. I have known an Irishwoman allege that she was born in Manchester, and I have known another woman allege that she was born in Ayr; they are both undoubtedly Irish, but there is no proof either of birth in Ireland or of birth in Manchester, or of birth in Scotland.

1459. Will you confine yourself to my question; I suppose a person from Ireland, going to Scotland, will recollect the place of his birth?—Yes.

1460. He may have resided within a parish in Scotland for five years, so as to give him a settlement, but he does not know that fact, and he does not know what gives him a settlement in Scotland; it is evidently the interest of the parochial board to throw the pauper out of its own district, and out of its own country, and it is not bound to inquire curiously into the facts, unless the pauper wishes to disclose them; would not a pauper be likely to be sent by the parochial board to the place of his birth in Ireland?—He might but for the necessity of leading evidence before the sheriff.

1461. Is it the interest of the parochial board to prove a settlement against itself?—No, but practically it does not appear that a parochial board would take advantage of that.

1462. I do not want to say that there may be cases of fraud, but there may be cases of negligence, may there not?—In that case the pauper would, of course, have to go.

1463. Although he had a settlement in Scotland?—Although he had a settlement in Scotland.

1464. You have given us, I think, very strong evidence as to the hardship of the law as shown by the fact of paupers actually surrendering relief sooner than being removed?—Yes.

1465. Looking at it in a sense of humanity, can there, in your opinion, be stronger evidence for the abolition of the law, not taking the rates

Mr. Synn—continued.

or the ratepayers into account?—Certainly it puts them in a different position from the Scotch poor, who would be awarded further relief under similar circumstances.

1466. You have stated that you gave the case of this poor woman and her children as a representative case, and not as an individual case; what class is it representative of?—Of that class of widows with children; and there are a variety of classes.

1467. When you gave that case as a representative case of a class, I presume you intended to convey that that class was a large class?—Yes, it is; the class of widows with families is a large class; I, of course, assigned that as an extreme case.

1468. And the wider the class, the greater the hardship?—The more widespread.

1469. If that class were widespread and the hardship great, would it not in your mind, as a humane man and an intelligent officer as you seem to be, be as strong evidence again for the abolition of the law?—In my answer I stated an alternative; I do not favour the abolition of the law in that case, but only a modification of it.

1470. Would it not be evidence in favour of the abolition?—It would.

1471. We have your opinion as to the modification?—Yes.

1472. Now with respect to lunatics; as a humane officer and an intelligent man, do you not think that expelling lunatics is rather violating humanity; it is not the law of England, and it is not the law of Ireland?—Of course it is not a question of humanity with parochial boards; it is one of expense.

1473. I am talking of the individual; put the rates out of your head altogether; I am afraid that in Scotland you stick to those rates too closely, and do not take a wide view of the question; putting the rates out of the question, does it not violate the laws of humanity?—I cannot see that it does in the case of lunatics; that is a class which I would include altogether within the law of removal; I do not see any hardship in removing them; for instance, a pauper lunatic becomes chargeable in Inverness; I have to remove him to the district asylum belonging to my own parish; he is not allowed to remain in Scotland in the union in which he becomes chargeable; it makes no difference to the lunatic where he is treated.

1474. But his removal does make a difference; your humanity to a lunatic is a matter of great consideration?—Of course the sole point in the case of a lunatic is economy in removal; there is no other ground for it; that is all the motive that the parochial board have in effecting the removal.

1475. I am afraid it is the motive that parochial boards have in all cases; but why does the law of Scotland differ from the law of England and Ireland in that respect?—I do not know.

1476. Witnesses from England have said that it would be inhuman to remove lunatics; and we say the same in Ireland; why are you different in Scotland?—I got a lunatic removed to my parish from England by the War Office authorities two years ago.

1477. The War Office, I suppose, can do anything; that is a military proceeding; you would not assimilate the law of Scotland to those of England

Mr. Synge—continued.

England and Ireland, then, in that respect?—No, I see no hardship.

1478. Do you see any hardship in taking a person out of the hospital labouring under heart disease, and sending him three or four hundred miles away to Ireland?—If it would prejudice his prospects of recovery it would not be done. I think, speaking generally, I may say emphatically that there is no inhumanity in the mere method of removal. I have accompanied lunatics to Ireland myself, and they are removed with better treatment than the ordinary passengers, who pay their own fares, of their own class obtain; and as to the women and children who are taken over, no allegation of inhumanity can be made against the mere manner of removal; they are well taken care of and kindly treated, and, I believe, they are generally very thankful. I have seen 40 or 50 going at once.

1479. It would depend upon the individual cases, would it not?—I am referring to the mere method of removal.

1480. You may act in a particular manner, but we have had cases of a very extraordinary nature brought before us?—I am only speaking of those cases that I have seen.

1481. You have acted humanely with respect to the removal of those persons under your own protection?—I have seen them under the protection of other officers too, when I have been going with people of my own; and I have observed that they are generally treated with great kindness upon the journey.

1482. That is your own experience?—That is my own experience from my own observation.

1483. But for the sake of the persons, generally speaking, and independently of the rates, supposing that the question of rates was not involved, I suppose you are of opinion that the law is itself harsh, cruel, and almost inhuman, and that you would be rather in favour of its abolition?—I believe the law of removal itself is not a humane one.

Mr. Ramsay.

1484. In every case of removal of Irish paupers to Ireland, you require, according to the regulations of the Board of Supervision, to obtain a warrant, either from two justices of the peace or from the sheriff, do you not?—Yes.

1485. And therefore the magistrates or the sheriff have, in each particular case, full opportunity of considering the merits of the application, and the grounds upon which it is made?—They have.

1486. You are precluded from removing any pauper without such a warrant?—We are.

1487. Will you hand in the form of removal?—This is one of the forms (producing a form of removal). There are four or five different forms applicable to the cases of parties being single men, or married men with families, or widows with families, according to the respective cases. There is a mere verbal difference in the interior form of the schedule, but it is not a difference in the substance. (The same was handed in.)

1488. We may accept that form which you have handed in as the general form of the warrant of removal?—Yes.

1489. Are the opinions that you have submitted to the Committee those which you have derived from your own experience, or are they in accordance with the opinion of your board upon these

Mr. Ramsay—continued.

subjects?—My board have no opinions, strictly speaking, upon the matter as a board. Individually, as a rule, the board are averse to removal altogether, and it is only in extreme cases that they have resorted to it, as shown by the fact that out of 109 that might have been removed within the last 10 years, we have only removed seven. Owing practically I think to the humane manner in which the law is administered in Scotland, the law of removal is a dead letter.

1490. It is within your knowledge, I dare say, that the hardship to the paupers who obtain relief from your board when removed to a distant part of Scotland is quite as great, or greater than when they are removed to Ireland?—Quite as great; but of course they can appeal.

1491. You have also explained to the Committee that, in the case of pauper lunatics, they are removed to distant parts of Scotland, just as they are removed to Ireland, when you have occasion to remove them under the care of your own board?—Yes, exactly so.

1492. Therefore, the hardship as far as it exists, is borne equally by the working poor in Scotland, as it is by the working poor from Ireland, who come to be located in Scotland?—Exactly so; in fact it is identical with this difference, that the removal in Scotland need not be resorted to, provided that the parish of settlement, as it generally does, agrees to pay an aliment in the parish of residence. If that principle were in existence with respect to Irish unions, the Irish poor would be on precisely the same footing as the Scotch poor, and removals might be dispensed with.

1493. Your board have never considered this subject as a board?—Never.

1494. And therefore you are expressing only the opinions at which you have yourself arrived, from your knowledge of the operation of the law in Scotland?—Yes; and the opinions generally expressed by the board when a case for removal comes before them. No removal can be carried out without the parochial board making an order on the subject and discussing the merits of the case.

1495. Have you ever considered the effect of the abolition of the law of removal upon rural parishes, from which numbers of able-bodied persons come to reside in localities such as your own, where labour is abundant?—In country parishes the abolition of the law of removal would not only have a very bad effect, but in large parishes the argument is that it might put an undue power in the hands of landed proprietors to get rid of prospective paupers. There was a case decided in the Court of Session in Edinburgh within the last two months, where the factor of a gentleman in the county of Beauf had caused a person to be removed from the estate of which he was factor, to prevent the party getting a settlement in that parish. The Court held that this was a violation of the law, and that the pauper acquired a settlement in that parish notwithstanding this removal, and notwithstanding that the pauper was non-resident; in other words, that, for the time requisite to complete the five years, the person was constructively resident in the parish from which the factor removed her.

1496. Notwithstanding that she had been removed within five years?—Yes.

1497. What was the name of that case?—I do not recollect it just now, but it is reported in the Scotch

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Mr. *Renney*—continued.

Scotch Law Reports of last month. It is the only case of the kind I have ever seen. It is reported in the "Poor Law Magazine" for the month of April.

1498. Are you aware that the rural parishes that I have referred to consider it a hardship that, after a man has lived for 15 or 20 years in other parts of the country, and has given his labour in other parts of the country during that time, he should, at the end of that time, be returned and become a burden upon the parish of his birth?—It is considered a very great hardship to those parishes, and I think it is as extreme hardship, as in the case of Irish removals. I have seen as bitter and acerbic cases, both as regards the burden thrown upon the parish from which the person has been so long absent, and also as regards the hardship of the removal, as ever occur in cases of removal to Ireland.

1499. And inasmuch as there are a greater number of the labouring poor of Scottish origin than of Irish origin, so the hardship is greater upon the Scottish population than upon the Irish population?—Yes; and in reference to what I stated as to Irish poor widows giving up their allowances in preference to being removed, I have seen that very frequently, every month in fact, with regard to Scotch poor of the same sort.

Mr. *Giles*.

1500. I think you have given us a case of hardship in which a man, after a residence of 20 or 30 years in Glasgow, having acquired a settlement, has lost that settlement by reason of removal, or through not living four years and a day in one particular spot; and in the event of his becoming a pauper, he would then be transferred to his birth-place, where he has a settlement, and he cannot lose that settlement of birth; he never loses that, I think?—Except by acquiring a residential settlement. Where a

Mr. *Giles*—continued.

residential settlement exists, the birth settlement is suspended.

1501. Has it ever struck you, or have you ever considered, that if a man acquires a settlement by residence of, say, five years, or four years and a day, in one particular place, it would be desirable that he should not lose that settlement?—The birth of a person is a fact that at all times admits of evidence. In a case of proving a residential settlement 20 years back, there is an insuperable difficulty. Where is the evidence to be obtained? I have found the difficulty to exist in periods even less remote than that.

1502. If that difficulty could be overcome, it would relieve the parish in which the person was born from having to provide for him as a pauper, would it not?—Yes; it would get rid of the difficulty as regards remote Scotch parishes, but it is almost impossible to prove a settlement of that kind, and if the onus were thrown upon the applicant himself, he would hardly ever make it out before the sheriff.

Mr. *Martin*.

1503. This opinion which you have formed against the abolition of the law of removal, is almost mainly on account of the expenses to the ratepayers in Scotland, is it not?—That is a very large ingredient in the estimation of the parochial boards, but it is not the only one.

1504. Will you tell me any other ground except that upon which you have based your opinion?—In many cases, in rural parishes, a feeling against removal, based upon kindly feeling, or upon humanity alone, has interposed, and they have offered a party a more moderate allowance in preference to undertaking the expense of removal.

1505. As I understand from you, each year the number of Irish going over to Scotland is steadily diminishing?—So far as the influence upon parochial boards is concerned, it has diminished.

Mr. RICHARD BOURKE, called in; and Examined.

Chairman.

1506. You are an Inspector of the Poor Law in Ireland, are you not?—Yes.

1507. How many years have you held that appointment?—Over 30 years.

1508. You are, therefore, well acquainted with the operation of the law of removal?—I think I am, so far as relates to Ireland.

1509. Can you give any case of hardship that has occurred under the existing law?—Yes; I can give several if it is the wish of the Committee.

1510. Will you select one good specimen case?—I will take one of the latest, the case of Patrick Hough, a labourer, who had been working in various parts of Great Britain for nearly 40 years. Having got sick at Ayr he was relieved in the hospital, and, after a short time, was removed to Nenagh on the 11th September 1878, and died in that workhouse on the 13th March 1879. The hardship in that case is the extreme age of the man when he was removed, after a long period of industrial residence in England. His age was 69, and the number of years during which he was resident in England was 40.

1511. Will you give us another?—Here is an

Chairman—continued.

English case. Bridget Parker, a washerwoman, who had been living for some years in Leeds, where she had earned a livelihood, applied for relief. Being sick she was admitted to the hospital on the 24th November 1875; she was taken from her bed so hurriedly as to be only half dressed, to the police office, and removed, under warrant, to Ennis, although the warrant specified another union, on the 2nd December 1875. There was a woman who had lived for a considerable number of years in the town of Leeds by her own industry, and who, being taken ill and put into the infirmary on the 24th November, was hurriedly taken from there, and removed from the union on the 2nd December following.

Mr. *Hibbert*.

1512. Was she removed from the hospital to the police office?—Yes; from the hospital of the workhouse, that is to say, the infirmary.

Chairman.

1513. Are those two cases that you have just given to the Committee special instances of cases that

Chairman—continued.

that occur from time to time, under the existing law?—They are.

1514. In other words, could you give many more similar cases?—Very many more.

1515. Can you tell the Committee what number of paupers are removed annually from England to Ireland, and from Scotland to Ireland?—I can approximately. The last printed Return, which was moved for by Lord Belmore, and which was laid before the House of Lords, and I understand already given in evidence here, shows that there were 944 persons removed from England and Scotland in a period of two years and a half, and that would give about 378 annually. The number may, perhaps, have diminished a little of late years, but substantially they may be taken, I think, to be continuous at about 350 per annum. I tried to get the exact return up to the present date before leaving Dublin, but time did not allow of the list being accurately prepared.

Mr. Ramsey.

1516. That is from England and Scotland?—Yes, they are distinguished in that Return, which covers a period of two and a half years up to the middle of 1878. I have got, approximately, the numbers up to the present date.

Chairman.

1517. Do you desire any change in the present law of removal, and, if so, what change would you suggest?—No change, to my mind, would be satisfactory, but that of its total abolition.

1518. In your opinion no step short of the total abolition of the law of removal in England and Scotland (and I must add the Channel Islands), would really meet the difficulties of the case?—No, I think not.

1519. I conclude that you are of opinion that the law of Scotland and England should be assimilated with that of Ireland?—Yes, where there is no law of removal.

1520. In your opinion, would it be a practicable scheme to retain the law of removal, altered perhaps, in Scotland, and to abolish it altogether in England?—I dare say it would be practicable, but it would be highly inconvenient, I should think, in practice, to have a different law obtaining in different parts of the same country.

1521. Are there any difficulties in the practical working of the law in Ireland where there is no removal; for instance, do not paupers seek the most liberal workhouse?—I have never in the course of my experience observed any difficulty in working the law, nor have I found, as a rule, paupers desiring to go from one union to another through preference either for the diet or the rules of one union over those of another. I have never seen it.

1522. Do you find that the absence of a law of settlement and removal tends in any way to increase vagrancy?—There is, in point of fact, very little vagrancy in Ireland; and I do not think that, such as it is, it is at all affected by the absence of a law of removal.

1523. Does your experience in the operation of the Poor Law, which spreads over a period of 30 years, extend more or less to the whole of Ireland?—No, it is confined chiefly to the west of Ireland. The first district I held was that of Mayo and Galway, and my present district is 0.107.

Chairman—continued.

the county of Clare, and parts of Limerick and Tipperary.

1524. Is there anything else that you wish to say to the Committee upon this point?—I desire to express to the Committee my opinion, for what it may be worth, against any law of removal, and I do so as well on general principles as from the cases of hardship that I have seen arising out of it in various parts of Ireland. But beyond saying that I have a strong opinion opposed to the propriety and advisability of a law of removal, I have nothing that I desire particularly to say to the Committee.

Mr. Hobart.

1525. It has been suggested that if the law was abolished in England, and not in Scotland, although it might be inconvenient, it would be desirable; would not that, in your opinion, place the English paupers in a bad position also with respect to Scotland, as well as the Irish paupers? Yes, I think it would certainly.

1526. Do you think that the abolition of the power of removal would at all influence the Irish people in inducing them to come over to this country?—I think that they are, as a matter of fact, very little influenced in their movements by the existence of the law of removal; but that the direction in which they are influenced is by no means a right and proper or desirable one. I mean in this way; that they are only influenced in their movements by the existence of a law of removal to the extent, that they now go to England upon better chances of employment, and with a smaller amount of money in their pockets, feeling that they will probably upon their first application for relief at a union in England be removed back to Ireland free of expense. But in practice, I think the great body of persons who go over from Ireland to England to seek employment are not influenced by the existence of a law of removal, and their proceedings would not be altered by its abolition.

1527. You are aware that the ports of England, generally speaking, at places like Liverpool and Bristol, oppose the abolition of the law of removal?—I have heard so.

1528. Owing to the supposition that they would suffer very much if they had not this power?—I suppose that is their ground.

1529. With respect to the case which you referred to, where a woman was removed from Leeds, was not that an illegal case of removal, if she was taken from the hospital and sent back to Ireland?—I think that would depend very much upon the nature of the illness for which she was under treatment. I can imagine a case in which the guardians or the physicians may have thought she was malingering, and so it would not be necessarily illegal that she should be taken from the infirmary to the police office. The complaint for which she was under treatment may have been very slight.

1530. Of course it is illegal to remove a pauper who is suffering from illness?—A medical certificate is always required, and there was no doubt a medical certificate in this case.

Mr. Torr.

1531. Did I correctly understand you to say that this Biddet Parker died?—No, she did not.

1532. The

Mr. Bourke.

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Mr. Torr—continued.

1532. The old man died?—He did.
1533. When did the case of the woman Parker occur?—It was in 1875.

1534. Is that the last case of the kind?—No; the case that I gave previously was subsequent to it in date; it was in September last. The man who died in the Nenagh workhouse died on the 15th of March in the present year.

1535. Was that the last case you have known?—No; the very last case that I am acquainted with is a case of removal from Glasgow to Banbridge on the 29th of May of this year, where the man says, "I offered to leave Glasgow City parish and not trouble the authorities there again if they would allow me, so I should not wish to go to Ireland, and leave my wife and family behind me. I said also, 'My son will soon be coming from Edinburgh and will help me,' but they would not listen to my request."

Viscount Enghen.

1536. I think I understood you to say just now, that you thought the present law does not act as a deterrent to labourers coming over for employment in England or Scotland?—I do not think it does.

1537. Is fact I gathered that you thought it had rather a contrary effect?—I specified the class of cases in which it had a contrary effect. Those were men who risked the chance of getting employment in England upon the security of getting back if they failed.

1538. Then we may take it that, if this law was abolished, the abolition of it would rather tend to diminish the number of labourers coming over from Ireland in search of employment in England?—I think it would diminish the number of those speculative cases in which people go over in the hope of being removed if their chances are worse than they expected them to be; but I am not prepared to say that it would diminish the general amount of Irish labour available for English purposes.

Mr. Gillis.

1539. Out of the 244 cases which you have spoken of, have you any idea how many were voluntary removals?—No, I cannot say.

1540. You have given us nine selected cases of hardship in your experience; can you form any idea of the per-centage of hardship upon the cases of removal, because I suppose we must not assume that they are all cases of hardship?—I am not in a position to give the Committee any idea of the proportion between the two; but I think that the majority of cases which are not voluntary, and which are not of that class which I spoke of last, speculative cases I may call them, are attended with more or less hardship, the prevailing hardship being, to my mind, that of a person who has been in industrial employment for a long time in England, being sent back to Ireland when he is past his labour or has fallen sick.

1541. If any alteration were made in the law of settlement, by which a man, after having acquired a settlement by five years' residence in a country, were prevented from losing that settlement, would not that remove the hardship?—I think it would in some degree.

Mr. French.

1542. Do you know what the scale of dietary

Mr. French—continued.

is for Irish workhouses, laid down by the Local Government Board?—Yes.

1543. Will you give it to the Committee?—The Local Government Board in their regulations have laid down a minimum scale which no board of guardians may cut under. It is divided into the classes of able-bodied men and women, aged and infirm men and women, and children of different ages. The dietary for able-bodied men and women is about eight ounces of oatmeal per man, and seven ounces per woman, with new milk in the morning for breakfast, and from 16 to 14 ounces of brown bread with soup for men and women respectively for dinner. The soup is made with oatmeal and seasoned with pepper and salt and so forth; and it is given to the children in quantity varying according to their ages.

1544. Are those the only two meals?—No; all the children get three, as directed by the Local Government Board; but the third meal is not obligatory in the case of the able-bodied, or the aged and infirm. I am speaking of the scale as laid down by the Local Government Board.

1545. In your experience has that scale been strictly adhered to?—By no means. In every union that I am acquainted with it has been more or less increased, chiefly by the addition of a more generous kind of soup; meat is put into the soup for the mid-day meal, and in some cases the allowance to the aged and infirm classes has been very much improved and varied.

1546. Has there been a third meal given in many of the unions to the able-bodied and aged?—To the aged and infirm almost invariably, and in a very considerable number of the unions, in the case of the able-bodied.

1547. Then it is hardly correct to imagine that the mere difference in the diet between Scotch workhouses and Irish workhouses would be sufficient inducement to lead Irish paupers to go over to Scotland and to get on the rates there if the law of removal were done away with?—In my experience the question of diet is seldom thought of by an Irish pauper. I do not think it influences him; and that opinion has been expressed by the Local Government Board in one of their old Reports.

1548. With regard to the removal of lunatics from Scotland, have you found any hardship in cases of removal of Irish lunatics from Scotland when you thought it was illegal, but when at the same time there was no power of appeal against it?—I have had no personal experience with regard to the removal of lunatics from Scotland. I have been employed altogether in the western part of Ireland, and that class of paupers has not been removed to unions within my inspection.

1549. It is the opinion, I believe, of the Local Government Board that it is illegal to remove a lunatic from a Scotch asylum to an Irish workhouse?—Yes, I believe that is held to be so.

1550. Yet it is often done, is it not?—Yes; it has not, I believe, been pronounced to be illegal.

1551. There is no court in Ireland by which we could get the case tried. There is no appeal against the order of the Scotch Board of Supervision?—No.

Mr. Martin.

1552. I think the instances of hardship which you

Mr. Martin—continued.

you have brought under the notice of the Committee have been only the more recent instances which have come under your own notice?—Yes, chiefly.

1553. But you are aware, I think, that in point of fact since 1862, there has been a continuance of cases of hardship which have been publicly condemned by the Local Government Board?—I am perfectly well aware of that.

1554. And I believe I may say that they are not isolated cases, but that there are many instances where women have been sent away with their children under the Removal Act on the allegation that they have been deserted by their husbands, and where it has appeared that the husband was about to return?—Yes, there have been many cases, and very painful cases indeed, of the removal of women under those circumstances upon the allegation of their desertion. But the class of cases of which I was directed to give instances was that of legal removals attended with hardship; and those cases to which you refer were illegal according to the decision of the Court of Queen's Bench in 1869.

1555. But notwithstanding that decision of the Court of Queen's Bench in 1869, I believe you are aware that, in some instances, the magistrates continue to remove?—Yes; I have a return here of recent cases of that class, in some of which, upon notice of appeal, the order of removal was abandoned, and the pauper sent for back again.

1556. There has been an allegation made here, that in some instances in Ireland boards of guardians might expend money out of the rates to defray the cost of sending back paupers; what would happen in such a case as that?—Any such outlay would inevitably be surcharged by the auditor.

1557. As a matter of fact, has it ever come within your personal knowledge that, even as a matter of subscription, any such thing has ever been done by a board of guardians in Ireland?—No, I cannot at present call to mind that even by private subscription a person has been returned to England or Scotland. I have heard of subscriptions being made to enable persons to return to their places of residence or birth in Ireland; but, of course, that was not under any removal law.

1558. Are you aware of any cases in which there has been danger of disease being introduced in Ireland by this system of removals?—I am aware of a correspondence which took place in 1871, on the subject of the introduction of small-pox.

1559. You may recollect that, in 1871, the Local Government Board made a complaint to the Glasgow authorities, that at the time when small-pox was rife in Glasgow deportations were taking place under the Poor Removal Act?—Yes, they represented that the course which had been adopted at Liverpool should also be adopted at Glasgow, namely, that removals should be suspended during the prevalence of that disease.

1560. Notwithstanding that, I believe that removals did take place from Glasgow during the time when the small-pox was very prevalent there?—Yes, the Board of Supervision stated that they saw no advantage in prohibiting removals, so long as there was a free intercourse

Mr. Martin—continued.

of passengers, and upon that ground they declined to follow the example of Liverpool.

1561. The Liverpool authorities, I believe, in compliance with the request of the Local Government Board, prohibited removals from the 33rd of March 1871 to the 16th of October 1871?—Yes, I believe that was the period.

1562. Did you know the late Mr. Senior?—I did.

1563. I believe the late Mr. Senior had formed a very strong opinion against this law of removal and settlement, had he not?—He had.

1564. I believe he considered, and, in point of fact, he stated before a Committee of this House that he considered that this law of removal was both unwise in itself as regards English interests, and unfair and harsh as regards the Irish paupers?—It may be so; I do not remember exactly.

1565. Would it be your opinion also?—I should hesitate in giving any opinion as to its effect in England, because I do not think my experience enables me to give any opinion on that subject that would be worth having; but I think that on broad and general principles the law of removal of the poor is contrary to acknowledged principles of good government.

1566. With regard to the evil which has been suggested of an influx of paupers from one locality to the other, have you ever found any such cases occur in Ireland, where we have no law of settlement or removal?—I have heard frequent complaints by boards of guardians, that they were inundated with paupers from other unions; but those complaints are common to all the unions of Ireland, and seem to prove that there is no one particular union more affected by it than another, but that the fluctuation of pauperism, such as it is (and it is very small), affects all of them in an equal degree.

1567. And you think that wherever there is any extra influx of that character, it would be perfectly corrected in Ireland by the operation of the Vagrant Act which we have?—Where it is anything but a legitimate movement from one place to another, we find no difficulty in correcting it by the operation of the Vagrant Act.

1568. From your lengthened experience you have found no practical difficulty in the present state of the law in Ireland?—None whatever.

Mr. Mark Stewart.

1569. Did I rightly understand you to say that you live in Dublin?—No, I live in the county of Limerick.

1570. Have you had much experience of the northern and eastern parts of Ireland?—No, I observed before that my experience was confined to the west of Ireland.

1571. Are there not more removals to the eastern and northern parts?—Yes, certainly.

1572. I understand that your principal objection to the present law of removal is the hardship which it entails upon the paupers?—Pardon me, my principal objection is one of an abstract kind; but I also object on the ground of the hardship that it produces to the Irish pauper. I may also say that there are many other practical inconveniences connected with the removal of paupers. Unions in England frequently make mistakes, and send paupers to wrong places, a matter for which there is no remedy in Ireland.

Mr. Burke.

Mr. Mark Stewart—continued.

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Ireland, because, having no law of removal, the guardians of the Irish unions cannot send the paupers to their proper place. I have known instances in which a man has left a workhouse to which he has been improperly sent, in order to go himself and get relief at the workhouse to which he ought to have been sent, thereby making himself liable to the penalties of the Vagrant Act.

1573. It has been suggested here to-day as a remedy for the existing state of the law that in the case of persons removed to Ireland, in the event of unions rejecting them, those unions might appeal to the board in Dublin, as the Scotch parochial boards can appeal to the Board of Supervision in Edinburgh, and further than that they might be able to pay the Scotch boards for any outlay so as to prevent that removal taking place, or they might make suggestions by which the pauper would not be removed if that suggestion were adopted, do you think it would obviate the difficulty?—That is to say, that before the removal of a pauper from Scotland the intention should be announced to the union in Ireland to which he was about to be removed, and that a correspondence should take place to see how that might be avoided, or what arrangement might be made.

1574. And if permission were given by law to a union in Ireland to have the same privilege of removal to Scotland, and, as a consequence of that, also to maintain the Irish paupers in Scotland at their union's expense?—I should be extremely sorry to see the power of removal to Scotland given to the Irish boards of guardians, because, although they have an undoubted grievance at the present time in the want of reciprocity; yet the principle is so erroneous, that I should be sorry to see it extended to Ireland, and as to paying for the support of a pauper in any other place than the union to which he belongs, I see the strongest possible objection to it.

1575. You do not take into consideration the hardship to those Irish paupers who are most anxious to return to their own country?—I do not think anybody has a natural right to be removed from one place in the world to another at the expense of the poor rates; and, therefore, I cannot say that I think it is a hardship that the power of removing a man from one place to another should cease.

1576. But is it not a hardship?—I cannot agree that it is a hardship. Of course it is a privation for every man not to be able to move about the world as he pleases, and it may be well to remedy it out of your own pocket; but that is a very different thing from remedying it out of the public purse.

1577. You are, perhaps, aware that in Scotland it is thought that the Irish paupers press very heavily on the Scotch rates?—The principle of paying for the maintenance of a pauper where the administration of relief is in the hands of another body than the one that pays, is so opposed to right principle, that I should be very sorry indeed to see it introduced into Ireland.

1578. You are aware that it is the law of England and Scotland?—I am aware that it is.

1579. You would have no hesitation in doing

Mr. Mark Stewart—continued.

away with the law of removal *in toto*, and you would not even be content with a year's residential settlement?—I would take the year's residential settlement as an instalment.

1580. Would you do away with the law of settlement as well?—I do not know that I am quite competent to form an opinion upon that subject, because that is a matter with regard to Scotland, and I desire to confine my evidence as far as possible to Ireland, where there is no law of settlement.

Captain Corrie.

1581. If the law of removal was abolished in Great Britain would you not retain some means by which an Irish pauper who went over to England and almost immediately became permanently helpless, could be sent back to Ireland if he wished it?—I do not see that it is a necessary ingredient of the Poor Law. I think that the sound principle is that where destitution arises there it should be relieved.

1582. And that the convenience of the pauper should not be consulted at all?—No, I do not see how you could, with safety do that; I think that would lead to very enormous expenditure.

1583. Those are the grounds upon which you object to paupers being sent back from Scotland to Ireland now?—It is a physical hardship. There is a considerable difference between compulsorily removing a man from one place to another, and saying to a man "I will not give you the means to travel." I think it is a very great hardship, when a man's associations and connections have been for 40 years in one place to say to him, "I will send you away"; in my opinion that is a much greater hardship than to say to a man who has come to a place and not succeeded so well as he expected, "I am very sorry for you, my man, but we are not going to pay your way back again." One is a hardship, but the other is one of those evils necessarily entailed by poverty.

1584. If a pauper lunatic is sent back to Ireland what do the unions do with him; do they put him in the county lunatic asylum in Ireland?—No, not directly. There are workhouse wards where idiotic and harmless lunatics are kept, and when a man is sent over he is at first placed there under observation, and if he shows signs of violence then the necessary steps are taken to have him transferred to the district lunatic asylum.

1585. The last witness but one mentioned a case in which he said that a pauper lunatic was sent five times from Scotland to Ireland with a certificate that he was a lunatic, and that he was back again in Scotland in the very union from which he came in a week's time; is that possible?—If the witness said he knew it of his own knowledge of course I should be slow to say that it was impossible, but it appears to me extremely unlikely. I cannot account for it.

1586. It would not be accounted for by the ordinary rules?—Certainly not. Because a man coming in as insane would not be allowed to discharge himself voluntarily without permission from the medical officer; so that I do not understand, if he was a certified lunatic, how, in the course of five days, he could manage to make his escape either from a workhouse or from a lunatic asylum, and be back again in Scotland.

1587. I think

Mr. Hutchinson.

1587. I think you told us that at present the calculation is that there are about 300 persons removed annually from England and Scotland to Ireland?—I think that we may say between 300 and 350. I cannot exactly state the number.

1588. Can you tell us the numbers respectively removed from England and Scotland?—I can, for a good number of years, but not for those 944 persons under Lord Belmore's return.

1589. Have you any idea as to the relative population and the different neighbourhoods from which they come: do they come from manufacturing districts, or from towns, or from country parishes?—Hardly ever from country parishes, almost always from towns, Liverpool, Leeds, London, Glasgow, and so forth.

1590. We have had some evidence before us that in towns like Manchester and Sheffield, where a large number of Irishmen get employment, those two populous places have ceased to send Irish paupers back again to Ireland?—No case from Sheffield has ever come under my notice, and very rarely a case from Manchester, and that not within late years; so that, as far as my opinion goes, though it is not directly in confirmation of that evidence, it goes some way in supporting it.

Mr. Russell.

1591. You are of opinion that the law of the United Kingdom should be assimilated in the three countries to that which prevails in Ireland at the present time?—Yes.

1592. Is it within your knowledge that the law which regulates the relief given to poor in England, Ireland, and Scotland, is different in the three countries?—It is so.

1593. May not the diversity of the law, and of its administration in the several countries, justify some diversity in the law of removal?—In my opinion it would not justify it, though it might in some measure account for it; but I object to the law of removal so very much on principle, that I do not see that the differences of administration to which you have referred in the three countries, would go any way towards justifying it.

1594. You are aware, are you not, that there is not only a diversity in the administration, but in the law regulating the relief given to the poor in England as compared with Scotland?—Yes.

1595. Do you not suppose that the great difference in the law of the two countries may justify some difference in the law of removal in the two countries?—I do not immediately trace the connection between the two.

1596. Would it not influence your judgment, that in Scotland as compared with England, no relief can be properly given to the able-bodied poor, whereas it is the case that they do give it in England?—I do not exactly see how that would justify the maintenance of a law of removal.

1597. You do not think that any diversity either in the law or in its administration in Scotland, as compared with the other two countries, could justify any difference between the law of removal in Scotland and the law as it exists in Ireland?—That is to say, between removal and non-removal. No, I do not.

Mr. Forryth.

1598. Do you not think, considering the large influx of Irish paupers to Great Britain, it would

Mr. Forryth—continued.

be rather hard if the law of removal were abolished, that places like Glasgow and Liverpool should be inundated with Irish paupers with no power of removing them, even if they stayed a very short time in either of those towns?—When I compare the number of Irish born persons in receipt of relief from the poor rates in Scotland or in England with the numbers removed, the proportion is so extremely small, that, practically, I can hardly consider that it can be any great relief to the rates. When the number of paupers with their dependants relieved in England and in Scotland can be counted by thousands in any one year, and the numbers removed to Ireland by hundreds or little more than hundreds, I really do not see that the practical effect of the law of removal upon those countries is so beneficial.

1599. But might not the abolition of the law of removal increase the temptation to Irish paupers to come over. Now they can be removed if the unions think fit to remove them. Supposing that they had no power to do so, might not the temptation to come over and to settle in England, and to receive relief here as paupers, be very much increased?—I stated before that I think the tendency would be precisely the reverse, because I do not think that it enters into the mind of an Irish pauper going to England what his chances of removal are, except in one class of cases, namely, those of men who come over here upon speculation, feeling certain that if they fail in finding employment, they have nothing to do but to throw themselves upon the rates and be sent back to Ireland.

1600. That is not a very large class, is it?—It is not a very large class; but when you see the number of persons removed to Dublin and other parts on the east coast, who have only been a few months in England, I suspect that it forms no inconsiderable proportion of the removals.

1601. Those paupers would, of course, be increased in number if the law of removal was abolished?—I think that they would be entirely done away with, because they would say, "We cannot be removed, and therefore we will not go over to England unless we have a fair prospect of maintenance." Now they go over with the chance of being sent back again free of expense if they fail; if they had not that chance they would be more cautious how they went, or more likely to stay at home.

1602. I think you said that the guardians in Ireland cannot send to the right union of birth a pauper who may have been sent to the wrong union?—No.

1603. Has it occurred within your knowledge that a pauper has been sent from Glasgow to a wrong union, that is to say, to a union where the pauper had no birth settlement at all; and have any steps been taken in that case to get rid of the paupers; are the Irish unions obliged to receive the paupers who come, although the paupers have no right to be there at all?—They are obliged to receive them; the warrant is headed to them, and they are bound to obey that warrant, and they have no remedy but that of remonstrance; which they avail themselves of sometimes with effect and sometimes without.

1604. Then the guardians of a Glasgow parish might send a pauper to any union in Ireland, without reference to its being the place of settlement

Mr. Barch.

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Mr. Banks.

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Mr. Forsyth—continued.

ment of the pauper, and that union would be obliged to maintain him?—They might do so. Of course they do it upon sworn informations that the place of birth was so and so. The pauper being sent to the wrong union arises from mistake. In one of my unions the other day, the union of Rathkeale, in the county of Limerick, the pauper said that she was born in Rockhill. There is no such union as Rockhill; but Rockhill is a townland in the Kilmallock Union. The clerk to the justices there, finding no such union as

Mr. Forsyth—continued.

Rockhill, seems to have assumed that Rathkeale was meant, and so he packed her off to Rathkeale, and there she is.

1605. I suppose in no case does an Irish union ever pay the cost of maintenance of Irish paupers in Glasgow, or Liverpool, or any place where an Irish pauper may be settled?—That would be contrary to the law.

1606. To what law?—To the Irish Poor Law, which forbids relief being given out of the union.

Mr. EDWARD WILKIE, called in; and Examined.

Chairman.

Mr. WILKIE.

1607. You have been for many years Governor of the Liverpool Workhouse, have you not?—Eleven years.

1608. You have now left that occupation, I believe?—I retired some few months ago.

1609. What is the usual number of inmates in the Liverpool Workhouse?—I have had them as high as 5,000, and as low as 2,200; the average number is 3,700; when I went, there were nearly 5,000.

1610. Had you many Irish in the workhouse?—We had a large number; perhaps about half of that number were Irish.

1611. In that time were there many removals to Ireland?—During the last ten years there were 1,041 removals.

1612. That is an average of about 100 a year?—About that.

1613. Was the expense of those removals considerable?—Twenty-five shillings to 30 s. per head is the usual expense.

1614. In your experience did those paupers often return to Liverpool upon their own account very soon after they had been removed?—No, not often; we have had cases removed a second time, but they were not common at all.

1615. You have had great experience, if I may say so, as a very successful governor of a very important workhouse; therefore we should be glad to have your opinion upon this point: does the existing law of removal work well?—It works well enough, so far as I have ever seen any hardship arising from it. In reference to the one-year clause, I do not see that you can lessen the restriction in that, unless you repeal the Act altogether. In addition to giving the pauper a settlement, as he has now by three years' residence in any particular parish, I should say that if any pauper has been in England for three years he would be irremovable. That would remove the objection that we so often hear, to getting 30 or 40 years' work out of a man, and then returning him at the end of the time.

1616. In other words, you would make an Irish pauper irremovable after he had been three years resident in England?—In any part or parts of England.

1617. And I presume that you would apply the same law to Scotland?—I would.

1618. Will you kindly tell the Committee how, in your opinion, the abolition of the law of removal would affect Liverpool?—It would affect it to the extent that of course the paupers removed become a permanent burden upon the parish; but it would affect it very much in reference to the insane. At the present time an Irish

Chairman—continued.

pauper who might under some circumstances be removable, is sent to an asylum, and the cost of the maintenance of that pauper is thrown upon the county; and unless there were some State provision to relieve such a parish as Liverpool, I think that it would be a great hardship upon Liverpool, because Liverpool is a kind of terminus for all parts of the country.

Captain Corry.

1619. Do you mean that they would have to be supported by the union instead of by the country?—Yes.

Chairman.

1620. Were many of those thousand paupers that you speak of as having been removed from the Liverpool Workhouse in 10 years lunatics?—There were 170 insane persons during the 10 years, and those are in the asylum now at the expense of the county.

1621. Your opinion, as a person well acquainted with the subject, and speaking in the interests of Liverpool, is against any material change in the law of removal?—Yes, I think so.

Mr. Forsyth.

1622. Can you tell me what proportion the number of Irish paupers in Liverpool bears to the whole number of paupers in one year?—I could not.

1623. In your own workhouse, out of the 5,000 inmates how many were Irish?—Our calculation was about half, but it is very difficult to define what an Irish case is.

1624. I mean those who were born in Ireland and came home from Ireland?—We generally recognise about half of them as being Irish.

1625. If the law of removal were altogether abolished you would have to maintain the whole of these Irish poor, would you not?—We should only have to maintain those that were removed in addition to those we at present maintain.

1626. What proportion does the number of removals of Irish paupers from Liverpool bear to the number of those who are not removed?—I could not tell you.

1627. Do you remove in every case where you have proper evidence of the pauper's place of settlement in Ireland?—We do not.

1628. Why not?—There are a great many that come into the workhouse and take their discharge and go out, and we prefer that very much to sending them home.

1629. Are you at all deterred from removing

by

Mr. Forryth—continued.

by the fear of the cost?—Not at all. There is no recovery of the expenditure incurred for the removal of paupers to Ireland; that falls entirely upon the parish.

1630. That might deter the parish from removing the pauper, might it not?—I do not think it does.

Mr. Bessing.

1631. In addition to the 1,041 removals during the past 10 years from Liverpool, you have had 170 pauper lunatics committed to the asylum who are maintained therein at the expense of the county?—That is so.

Mr. Mark Stewart.

1632. You say that you would only have to maintain 100 paupers a year if the law of removal was abolished?—They would accumulate at the rate of 100 per annum directly; but indirectly at a greater rate from the families multiplying.

1633. Is it not the fact that there is a very deterring influence exercised by the present law?—I do not think so at all; believing, as I do, that those who ultimately become paupers have little or no idea before leaving Ireland of the action of the Removal Act.

1634. But does it not apply to people in Liverpool; are they as apt to come to you for relief if they know that they are to be removed?—Yes, I think that they are. If they require relief they will, in either case, come and make application for it.

1635. Do you consider that there is much hardship in the matter?—I should not think that there is any hardship in the simple removal, because none are removed from Liverpool except with their consent, and in many cases at their request. There is greater hardship, I think, in the removal of the English poor than in the removal of the Irish poor.

1636. And of the Scotch poor?—Yes.

1637. I suppose, apart from the question of rates, there is no prejudice against the Irish poor in Liverpool?—No, none at all. I do not see why, if the law was assimilated in the three kingdoms, they should be disliked. I think that assimilation would get over all the difficulty.

Mr. Forryth.

1638. Did I understand you aright to say, that in the case of the removal of an Irish pauper from Liverpool to Ireland, you cannot recover the costs at all?—You cannot.

1639. You have no means of recovering it from the Irish birth-place?—No.

1640. And the whole cost falls upon the Liverpool union?—The whole cost falls upon the Liverpool union.

Mr. Martin.

1641. In fact, under the provisions of the Act, the removing parish must bear the entire expenses of the removal?—That is so.

1642. Have you known of any instance where, to avoid this removal, parties have been unwilling to apply for relief?—I have not.

1643. Do you consider that this law of removal, so far as Liverpool is concerned, has no deterrent effect in preventing the immigration of tramps, or vagrants, or people of that class?—I do not think it has.

1644. I suppose that there is hardly a gentleman

Mr. Martin—continued.

in Liverpool who could give us better practical information upon this subject than yourself?—I can offer no opinion as to that.

1645. There can be no doubt that, so far as vagrants or tramps are concerned, the law of removal has no deterrent effect?—I do not think it has.

1646. In the case of those 170 lunatics, they are in lunatic asylums, I suppose?—Yes.

1647. I think you have made no inquiry into their birth-place?—I have made sufficient inquiry to know that they were Irish paupers, and that they would be removable under other circumstances, if they had not been in the asylum.

1648. That is to say, in point of fact, that they were, previous to their lunacy taking place, paupers?—No; they were lunatics when the application was made; but if they had not been lunatics and the application had been made on their behalf, they would have been removable.

1649. Had they been in the workhouse?—They had not.

1650. Had they applied for relief?—They had applied, but through others; of course insanity was the cause of the application being made.

1651. Then you can give me no idea of how many of the 170 lunatics during this period of time may have been resident in England?—I think not.

1652. For all you know, many of these may have been resident 20, or 30, or 40 years?—I do not think it is at all likely; I think those are quite exceptional cases; that is to say, they are cases that seemed to be got up to be pushed to the front; they do not exist except exceptionally.

1653. How many of those on an average have been over 10 years?—I could not state that; I have not prepared any statistics on that point; it is merely a general impression.

Mr. French.

1654. Did it ever strike you that the existence of the present law of removal has increased the number of Irish paupers applying for relief?—Many apply just in order to be sent home.

1655. It has been stated here and in the House, that a number of Irish paupers have been sent to Liverpool at 1 s. a head from Dublin; has that ever come under your notice?—In the famine year that was so; they were brought at 4 s., and even for nothing at all.

1656. Nevertheless that?—Not that I am aware of; it has been talked of.

1657. There is no real hardship upon Liverpool in that respect?—No, none at all.

Mr. Torr.

1658. Will you describe to the Committee the manner in which these paupers are dealt with, when the parish has determined to send them to Ireland; you have a regular mode of dealing with them, have you not?—The relieving officer will take the particulars of the case from the parties themselves, and they are brought before the medical officer, and certified as to the condition of their health; and they appear before the magistrate, and the warrant is signed, and they have every opportunity of making any complaint.

1659. In the first place, they must have a medical certificate to show that they are in good health?—That is so.

M

1660. Then

Mr. Wolfe.

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1879.

Mr. *Steele*.Mr. *Torr*—continued.24 Jan
1879.

1860. Then they have to declare before the magistrates that they go voluntary?—Yes.

1861. Then they have to make a statement as to whether they have been well treated in the workhouse?—Yes.

1862. And then the magistrate signs the warrant; then are they sent alone?—No; an officer is sent in charge.

1863. In all cases?—In all cases.

1864. He delivers them to whom?—This officer hands them over to the parish in Ireland, and they are there asked if they have any cause of complaint.

1865. In the presence of the officer who takes them?—Yes.

1866. And whether they have come willingly?—Yes, that is so.

Mr. *Torr*—continued.

1867. You have no idea of how many Irish paupers come across to Liverpool in the course of the year?—No.

1868. During your time at the workhouse, have you ever known paupers sent across to Ireland without their consent, or without their own seeking?—Never. I am not aware of any one having been sent.

1869. You never know an Irish pauper sent home except at his own seeking?—He either consented to it or requested it. It was a very common thing that the request was made to myself at the workhouse.

Chairman.

1870. Is there anything else that you wish to state to the Committee?—No.

Friday, 27th June 1879.

MEMBERS PRESENT:

Captain Corry.
Viscount Emlyn.
Mr. Forsyth.
Mr. French.
Mr. Gilles.
Mr. Hibbert.
Mr. Hutchinson.

Mr. Martin.
Sir Arthur Middleton.
Mr. Ramsay.
Mr. Salt.
Mr. Mark Stewart.
Mr. Sykes.
Mr. Torr.

THOMAS SALT, ESQ., IN THE CHAIR.

Mr. HENRY JOSEPH HAGGEN, called in; and Examined.

Chairman.

Chairman—continued.

Mr. Hagger.

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1671. WHAT appointment do you hold?—I am Vestry Clerk of the parish of Liverpool. That includes the appointment of Clerk to the Guardians, the select vestry being the guardians of the poor of that district.

1672. How long have you held that appointment?—Twenty years.

1673. Have you had much experience of the law of removal in Liverpool?—It has been under my notice as the chief executive officer of the board during the whole of that period.

1674. Can you give the Committee statistics as to the number of paupers removed, first to Ireland, and secondly to other places during each of the last 10 years?—Yes, I have prepared those figures. Beginning with the year 1869, there were 16 persons removed to English parishes, 204 to Ireland, and 20 to Scotland; in the following year, 1870, there were 15 removed to English parishes, 130 to Ireland, and 9 to Scotland; in 1871 there were 19 removed to English parishes, 47 to Ireland, and 13 to Scotland; in 1872 there were 15 removed to English parishes, 82 to Ireland, and no Scotch removals; in 1873 there were 5 removed to English parishes, 53 to Ireland, and no Scotch removals; in 1874 there were 26 removed to English parishes, 95 to Ireland, and 2 to Scotland; in 1875 there were 27 removed to English parishes, 118 to Ireland, and 4 to Scotland; in 1876 there were 18 removed to English parishes, 112 to Ireland, and 3 to Scotland; in 1877 there were 34 removed to English parishes, 102 to Ireland, and 4 to Scotland; and in 1878 there were 29 removed to English parishes, 88 to Ireland, and 5 to Scotland.

1675. Can you give us the total in each case for the 10 years?—Two hundred and three English, 1,041 Irish, and 61 Scotch. In addition to that, as bearing not so much on the question of Irish removals as bearing upon the question of settlement generally, I may say that, during the same period of 10 years, we have transferred to English parishes the maintenance of 175 lunatics, and to the county of Lancaster the maintenance of 806 lunatics. Of these 506 cases transferred to the county of Lancaster 171

were cases which, except for their being cases of lunacy, would have been removable to Ireland.

1676. What is your custom with respect to Irish lunatics?—The law is simply that in the case of a lunatic not irremovable from a parish, if no settlement can be ascertained, the charge of that lunatic's maintenance is thrown upon the county; and, for the purposes of the Lunacy Act, birth in Ireland is not a settlement; so that the maintenance of an Irish-born lunatic, not irremovable from Liverpool, would be charged upon the county.

1677. Do you ever remove lunatics from Liverpool to Ireland?—Never.

1678. Have you ever known a case?—At present I do not remember any case, but there may have been a question as to a person of weak mind.

1679. But you never remember, in your 20 years' experience, the case of a person in a violent and dangerous condition of lunacy being removed to Ireland?—Certainly not; I am certain that such a case has never arisen in the parish of Liverpool.

1680. You know of no cases in which handcuffs or strait waistcoats, or any system of strong confinement, was used?—I do not know of any case, and I am certain that, so far as the parish of Liverpool is concerned, there has been no such case.

1681. Are there any other statistics that you wish to put before the Committee at this stage of the inquiry?—I think not at present.

1682. What is the Irish population in Liverpool?—That is a question which it is impossible for me to answer. In the first place I should want to know what was meant by the Irish population. In the case of a man coming from Ireland, whose children are born in Liverpool, how am I to class his children? As they become adults are they to be classed as Irishmen or as Englishmen?

Mr. Hutchinson.

1683. Have you any idea of the number of householders in Liverpool?—I am not prepared to answer that question.

1684. Making

Mr. Huggar.
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Chairman.

1684. Making a rough guess, to which we will not commit you in any way, can you give any idea of the number of Irish in Liverpool?—I fancy that the Irish themselves would claim something like one-third of the population of Liverpool, but of course I hope I shall not be committed to that answer. I think the other day I saw a letter in a newspaper (which is of course not a very high authority) giving the strength of the Irish vote in Liverpool, and I think, if I remember rightly, the writer claimed something like 12,000 or 13,000 votes out of a constituency of about 50,000; but I offer no opinion as to the accuracy of the figures.

1685. Can you give the population of Liverpool?—According to the Census of 1871, which is the only authentic source (and I take it that your question refers to the parish with which I am particularly connected), the population of Liverpool was 238,411. Statistics are prepared annually by the Health Committee, and, in point of fact, more frequently, as to the rates of mortality, and so on; and they have a system by which they estimate the population; and the figures upon which their tables are calculated for this year, give a population of 215,332 for the parish.

Mr. Ramsey.

1686. What is the name of the parish?—Liverpool. Liverpool, I may state, to gentlemen not familiar with the locality, consists of the old borough of Liverpool, which forms the heart of the town. The Municipal Corporations Act added the surrounding townships to the borough for municipal purposes, but left the parish alone as a poor law area.

Chairman.

1687. What is the rateable value of the parish of Liverpool?—The rateable value of the Liverpool parish for the year 1878 was 2,074,037 £.

1688. Have you the population of the municipal borough of Liverpool?—Only from the Census of 1871. The population of the municipal borough of Liverpool, including, of course, the parish, was, in 1871, 493,405.

Mr. Ramsey.

1689. What is the valuation of the municipal borough?—I am not able to give it, but I could easily furnish it. Broadly stated, I should say that the rateable value of the parish is about two-thirds of the rateable value of the borough.

Chairman.

1690. Then, in order to arrive at the probable rateable value of the municipal borough, we should have to add 50 per cent. to the figure that you have given us as the rateable value of the parish?—Yes.

1691. Can you tell us the total number of paupers in your parish of Liverpool, taking any date you like?—I have here a return for the week ending Saturday the 14th of June. There were in the workhouse 2,542, and in the separate schools, that is in the workhouse for juvenile paupers, 986. Possibly I ought to correct that figure, because we have at this moment about 200 children belonging to a neighbouring union. I had better subtract those from the figures to show the pauperism of Liverpool, so that I will correct that 986 and make it 736, in the separate

Chairman—continued.

schools belonging to the parish. There were receiving outdoor relief during the same week, 2,413 persons. We had also 474 lunatics chargeable in asylums, for whom the parish are paying.

1692. What is the gross total?—Six thousand three hundred and sixty-seven.

1693. Out of 8,367 paupers, how many do you think were Irish?—I have got the exact figures, or as nearly as our books will give them, with reference to the outdoor poor. Out of the 2,412 outdoor poor, 1,185 were Irish, and we classify the Irish in this way: that if it were not for the special laws conferring a status of irremovability upon the poor, we should be able to transfer that number to Ireland. I have not the same figures for the workhouse, for the same date, or for the industrial schools, or for lunatics, but I have no reason to believe that the proportion would be different.

Vicecount Elnyn.

1694. None of those paupers would have got a settlement in England, I suppose?—No; if it were not for the status of irremovability which the provisions of the present law confer, those paupers would be removable to Ireland.

Chairman.

1695. You refer to the fact that, after one year's residence in a union, a man is irremovable?—Yes; and other conditions of irremovability, as that, for instance, a woman and her children are irremovable if her husband is away.

Captain Corry.

1696. You do not mean that you count that man as an Englishman?—No; the basis of this classification is that we could remove those people to Ireland if there were not special provisions against it.

Vicecount Elnyn.

1697. Can you give the proportion of Irish amongst those receiving indoor relief?—I am not prepared to give the number of Irish receiving indoor relief; but we have no reason to think that the proportions are materially different from the proportions which I have already given.

Chairman.

1698. Mr. Wilkie, who was for many years governor of the Liverpool workhouse, said that he had sometimes as many as 5,000, and sometimes as few as 2,200 inmates in the workhouse, and he thinks that possibly half of that number were Irish; would that statement surprise you?—The figures that I have just given almost lead to the same result. I say that there are 1,183 Irish out of 2,413; that is nearly half.

Mr. Symon.

1699. Your figures would give about the same proportion?—About the same.

Chairman.

1700. Have you known of any complaints that have arisen in consequence of the removal of Irish paupers to Ireland?—There is one long complaint from the Irish authorities.

1701. Do you know of any individual cases of hardship?—Cases of complaint have occurred, but, so far as Liverpool is concerned, I am unaware to say that I am unaware of any individual case of

Chairman—continued.

of hardship having been brought home to us. Lots of cases of alleged hardship have been brought forward, but they have generally broken down upon investigation. One of the most recent cases was that of a man upon whose body an inquest was held, and the foreman of the jury, particularly, was very loud in his complaints against the notion of the Liverpool authorities; but it turned out, upon investigation, that the man had been five or six weeks removed; he had attempted to cut his throat in an Irish work-house, and died a few days after that; and I think the end of it was that, at any rate in the coroner's view, the Liverpool guardians were relieved from anything like blame in the matter.

1702. Are you very careful to carry out the provisions of the law with regard to the removal of people who are sick, and with regard to deck passage, and so forth?—Certainly. If we do go beyond the law in any way, it is rather in favour of the poor than in straining the law against them.

1703. In your experience, do you find that the Irish paupers often return to Liverpool very shortly after their removal to Ireland?—No; very few cases of that kind occur, that is to say, considering the numbers that we send. Such cases are known, but they are very rare.

1704. You have known of such cases?—Yes.

1705. What is the smallest price at which a man can come over from Dublin to Liverpool?—I am not prepared to say, at this moment, but probably it would cost 4s. or 5s. Those rates have varied very much. There was a time when they could come over (and any number of them did come over) at 3d. per head; 6d. was an ordinary rate, and 1s. was a high rate for many years. One year they were coming over from Dundalk at 3d. per head; but I am not aware that, at present, there are any circumstances leading to an unusually low rate from Ireland to Liverpool.

1706. Do you desire any change in the law of removal?—Do you, in your question, make any distinction between the law of settlement and the law of removal; because if you refer to the law of removal simply, I think the simplest answer would be that I desire no change.

1707. My question refers only to the law of removal; but, of course, you are aware that, if the law of removal were abolished, the law of settlement would be practically very nearly abolished also?—Yes, I should desire personally to see modifications in the law of settlement.

1708. What changes would you like to see in the law of settlement?—I should like, if it is retained at all, that it should be somewhat simplified. The Act of 1876 I believe was intended to be a good Act, but I think the intentions were not fully carried out by the wording of the clauses, and a great deal of litigation and difficulty has arisen under that Act, which was intended to be a simplifying Act.

1709. Have you thought out what law you would like to adopt as a law of settlement?—I am not prepared to state the wording of any clause, but I should like the Act of 1876 to be so amended as to give effect to what I believe to have been the intention of those who amended the law in that direction. There are questions with reference to derivative settlements and other matters that are not sufficiently clear, and that have given rise to a great deal of litigation.

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Chairman—continued.

1710. We shall have other witnesses who will explain to us the operation of the clauses in the Act of 1876 of which you speak, so that I will only ask you this question: you have found difficulties in the operation of the Poor Law Amendment Act, 1876?—Yes.

1711. Would you approve of a law of settlement by which one year's residence in a union conferred a settlement?—The extension of the area of residence from the parish to the union would not affect Liverpool, because it is a single parish. I should have thought three years would have been a period quite short enough to confer a positive settlement.

1712. At the present moment the law is that three years' residence in a parish confers a settlement, and although that does not affect your union, because you are a union parish, still it is very important to the rest of the country; do you think it would be desirable that three years' residence in a union should confer a settlement?—I should think it would be a very reasonable thing.

1713*. And that suggestion would about represent your view, generally, as to the change in the law that is desirable?—Together with clearing up those difficulties which have occurred; for instance, making it more clear as to how derivative settlements are done away with. I would do away with all derivative settlements, except so far as may be necessary to keep the members of a family together, and here, I take it, is the case in which the greatest hardship arises under the present law of settlement, so far as my observation goes.

1713. I presume that you would retain the derivative settlements of a child from its father, and of a wife from her husband?—I would retain them to the point to which it was necessary to retain them to keep the family from being divided. To give an instance of what I am speaking about, and of the hardship that I refer to, take the case of a woman with young children who marries again; she, sometime or other, becomes chargeable, and she goes to her second husband's settlement, whereas the children of the first marriage will go to the first husband's settlement, and those children will be separated from their mother after they are seven years old. That is a case of extreme hardship arising under the present law of settlement, and that is almost the only case of real hardship that has ever come under my own notice, where a woman was removed to the south of England, while her child was removed to Liverpool.

1714. In the case where a widow marries again, the wife takes the settlement of the second husband, but the children of the first marriage, so long as they are children, retain the settlement of the first husband?—Yes.

1715. And that state of the law you say occasions hardship?—There are very few cases occurring under it, but when one does occur, I consider it a very hard case.

1716. What, in your opinion, would be the result in Liverpool if removals were abolished altogether?—An enormous additional charge would be thrown upon Liverpool, unless some compensatory provisions were made to meet it. If anything should occur again, such as has occurred in past years, there is no knowing what the effect would be in Liverpool.

1717. It is very clear that, if the law of removal

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Mr. Hogg.

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Mr. Haggan.

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Chairman—continued.

removal did not exist, you would have to retain, in Liverpool, the number of paupers that you have told us of that have been removed to Ireland during the last 10 years; but, to take a further step, do you think that the abolition of the law of removal would induce a larger number of Irish persons to come over from Ireland to Liverpool for the sake of obtaining a settlement in England?—I am hardly prepared to give a categorical answer to such a question as that; but, in past years, we know that they did come over by thousands, and I do not know but what circumstances may arise to bring them over again. We, as being the port nearest to Ireland, felt the first burden of it. They remained with us as long as they could, and that state of things may occur again, and it would be very hard then, that simply because they landed in Liverpool, Liverpool should have the burden of permanently dealing with them without any redress.

1718. Do you think that the Irish people that land in Liverpool come *and stay* for the purpose of seeking work, or do they come merely for the sake of wandering about, and with the idea that they may possibly be better off in England than in Ireland?—I fancy that they come from mixed motives. Of course a very large number come with a *settled* intention to seek employment. Then following these, there are a lot of women who frequently come to look for their husbands, whom they suppose to be in England, not having heard of their husbands for some time. In bad times large numbers have been sent over by other people, just on the chance of improving their condition, without possibly having any definite idea what was to be the end of it; but we know that a very large number have occasionally come over from Ireland to Liverpool, and have marched straight to the workhouse and asked for relief. What their motive was in coming, it is impossible for me to say.

1719. Are you acquainted with the occurrences of the Irish famine year in Liverpool?—I have some figures here bearing upon that.

1720. Can you tell me the number of Irish paupers that were removed from Liverpool to Ireland in the very worst years?—Yes, I have some Returns here which give those figures. In the year 1847, there were removed from the parish of Liverpool to Ireland, 15,000 persons, leaving out the units.

Mr. Rossby.

1721. Were those all Irish?—Yes. In the following year, 1848, there were 7,600; in 1849, there were 9,500; in 1850, there were 7,600; and in 1851, there were 7,800.

Chairman.

1722. Did people come over from Ireland to Liverpool in great numbers, in those years?—Unless I had an authentic statement to put before you, I should have been almost afraid to give you the figures, but here is a Parliamentary Return made in pursuance of an Order of the House of Commons in 1854, signed by the Mayor of Liverpool, which shows that during the year 1849, 80,000 persons came over from Ireland to Liverpool as deck passengers, who presented all the appearance of paupers; the heading to the Return is, "Deck Passengers, apparently Paupers;" there being a separate return for other deck passengers. In the following

Chairman—continued.

year, 1850, 77,700 of the same class came over; in 1851, 68,100 came over; in 1852, 78,600 came over; and in 1853, 71,300 came over; and then they seem to have begun to fall off very rapidly, for the three months of 1854 given here, shows that the number was 4,500. During an inquiry before a Committee of the House of Commons, in 1847, the then stipendiary magistrate of Liverpool, the late Mr. Rushton, was examined, and in reply to a question very much of the same character that you have just asked me, "Can you state to the Committee how many per day, or per week, came over?" his answer was, "I have known more than 6,000 in two days. It is very common to have 1,700, 2,000, and 3,500 every day." His evidence was given on the 22nd of April 1847.

Mr. Sykes.

1723. Of what year is he speaking?—He is probably speaking of that period.

Chairman.

1724. It has been stated that, in those famine years, the law of removal, so far as England and Ireland was concerned, broke down; is that your opinion?—Inasmuch as we removed 15,000 in one year, I think it is hardly correct to say that it broke down. It is probable that it broke down in the sense that we did not remove all that might have been removed; but, if we removed 15,000, it must have been in operation.

1725. The people of Scotland are afraid of an Irish invasion, but you have really experienced an Irish invasion?—We know what it is.

1726. And you think that the law of removal was a valuable protection against that invasion?—Yes.

1727. Can you tell the Committee what you believe to be the view of the guardians in Liverpool on the subject of poor removal?—I believe, so far as I can form an opinion, although as special vote has been taken upon the point, that the evidence that I have given, and the opinions that I have expressed, would be sanctioned and adopted by the guardians.

1728. Of course I can only ask your impression; but your impression is that you are representing the views of the guardians as well as your own views?—That is my belief.

1729. Are there any other observations or suggestions that you wish to make to the Committee at this stage of your evidence?—There is one set of figures that I should like to put in to show the importance of it in some respects. We cannot say what would have been the effect had we not made those removals; but in our particular direction I am able to supplement my evidence on that point, and it is this: I wrote to the treasurer of the county of Lancaster asking him for the number of lunatics at present chargeable to the county of Lancaster, who had at any time been thrown upon the county by the parish of Liverpool; and he sent me a return showing that, at this moment, there are 238 lunatics chargeable to the county of Lancaster, who would, but for the law of settlement in past years, have now been chargeable upon the parish of Liverpool. So that we have, so far as lunatics are concerned, direct evidence of what the advantage of the law of settlement has been to the parish of Liverpool in past years. The maintenance of these lunatics does not cost less than

6,000l.

Chairman—continued.

6,000*l.* a year. They are all removable, except for the fact that they were lunatics. They are not all necessarily Irish; they include all the cases that have been thrown upon the county, English as well as Irish.

Mr. Rawney.

1730. Then it is your impression that, generally speaking, guardians would deprecate any change in the present law, which enables them to remove those Irish paupers who would otherwise become a burden, and to get quit of those lunatics who are chargeable on the county?—The view of the guardians I take to be this: that they have no special love for the law of removal, but they say, "Until some one is clever enough to find a substitute which will give us equal relief, we had better be satisfied with what we have, and hold to it as long as we can."

Mr. Symon.

1731. Where did the case of hardship, or complaint, made in Ireland about the inquest on the death of a pauper who was removed occur?—At Dublin.

1732. In what year?—In the year 1878, I think.

1733. Have you any complaints from any other part of Ireland?—I have the particulars of some other cases. I did not know what I should be asked, but I brought particulars of the only cases that I could foresee I might be asked about.

1734. Will you give us those cases, if you please?—The case that I refer to was the case of a man of the name of Kenny, who was removed to Ireland on the 16th of November 1877.

1735. He died soon after, did he not?—A few weeks after; he died in January 1878; I am not able to say the exact day, but it would be the first or second week in January 1878.

1736. There was a complaint that his death was in consequence of the removal, I suppose; that he was in a bad way when he was removed; was that so?—That was it; and that the authorities of Liverpool were guilty of manslaughter, at the very least.

1737. Have you any other cases of complaint from Ireland; of course, I do not want to say that those complaints are well founded; I only want to know in what cases the complaints are made?—I have notes here of the case of a woman of the name of Jane Gallagher, who was removed to Newry in the month of August 1877.

1738. What was the character of the complaint made in that case?—The statement made was that she had been 50 years resident in Liverpool. That statement appeared probably in some Irish newspaper.

1739. Was there any complaint made in that case as to the hardship of the removal on the individual beyond the 50 years' residence?—I do not know that there was any complaint except on that score. That was the only point, so far as I am aware, to which exception was taken.

1740. Will you give the name of the next case?—I have another case here, of Bridget Stevens. I thought I might be asked something about that. She was a woman who was removed to Tunn in 1878.

1741. What was the character of the complaint made in that case?—The complaint was that she had been a long time resident in Liverpool, and that, inferentially, the removal was altogether
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Mr. Symon—continued.

illegal, and that she had been removed against her consent, or rather in spite of her protest against being removed.

1742. The protest was on the ground of long residence, I presume?—She did not wish to go.

1743. Does it state how long she had been resident in Liverpool?—I have the letter here from the Tunn Union. I do not remember how long, but she had been resident in England a good many years.

1744. Have you any other cases?—No, those are the only cases I have, except those for which I am dependent on my memory.

1745. This last case of removal to Tunn was in 1878?—Yes.

1746. Without going back to the famine times (you are not afraid of a famine invasion), what is the average number of Irish paupers that you now remove?—I have given you the exact numbers removed during the past 10 years; 1,041 for the 10 years; that would be 100 per year that we have actually removed.

1747. I suppose you have nothing to show as the ages of the members of the families that were removed?—No.

1748. With respect to those persons who come from Ireland seeking for work, do the majority of them come for the purposes of industrial labour?—If they have come seeking for work, I suppose they are.

1749. Do you think the majority of those coming from Ireland of the labouring class come for hard *slav* work?—At present, if I am asked my belief, I should say that I believe the majority of them have come with an honest intention to look for work.

1750. Except the power of removal, has the law itself any other advantages for the union in deterring people from coming to the place?—To some extent it has, in this way: if the people do not want to go, and they know that they will be subject to removal if they accept relief from us, it is one form of test, and has a tendency to throw them upon their own resources. There is no question about it. We have experience of that action in Liverpool. Where a person comes into the workhouse, and after some time still remains chargeable, we say to him, "You are removable to Ireland, and we shall have to send you home." He says, "I do not want to go," and we say, "We do not want to send you, but you must get your own living, or else we must send you."

1751. Has it a deterrent effect in preventing labourers from Ireland coming to Liverpool?—I am not able to answer that question at all. My answer would be purely speculative, if I gave one; and, as to the effect that it has upon Irishmen resident in Ireland, I am not acquainted with Ireland personally, or with the feelings of the Irish poor, and, therefore, I have no means of forming an opinion.

1752. Then, the only reason for which you would maintain the law is for the purpose of relieving the rates?—Certainly.

1753. That is your only object?—That is the only object; to relieve us from what we feel would be an undue burden upon a particular locality.

1754. Supposing that a labourer came for *dead* *file* purposes of work and got work, and, by accident or otherwise, was thrown upon the rates, do you think that the law of removal in that case would be a just law?—There are many things protecting the individual against hardship and
injustice.

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Mr. Hagger.

27 June
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Mr. Hogger.

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Mr. Spence—continued.

injurious. He cannot be removed if he has been 12 months resident in the place in which he becomes chargeable; he cannot be removed if he becomes chargeable by reason of accident, using the word "accident" in the ordinary interpretation of the term; and he cannot be removed if he is chargeable by reason of temporary sickness; and further than that, so far as Liverpool is concerned, he would not be removed if there was any chance of his getting back to work again. We have lots of cases of that sort. We do not pack them off as soon as they become chargeable; we try to get rid of them in any way rather than remove them, and we give them weeks and months to look about them, and try to get work. I can give you the names and particulars, if you wish, of people now in the Liverpool workhouse who are removable to Ireland, but whom we do not remove. We say, "Well, we will put it off for a month, and if you can find work in a month, well and good."

1755. You adopt those rules, I presume, from motives of humanity?—Yes, we do not wish to work the law harshly against individuals.

1756. Would you have any objection to moderate the law so as to bring it into harmony with your own *bona fide* feelings of humanity?—We should have no objection at all to modify the law to the extent to which we ourselves modify it in practice, if it can be done; but my own opinion is that, whatever legal provision you made, it would work harshly in many cases. I tell the Committee that, if you were to abolish the law of removal to-morrow, I believe there would be as many or more cases of hardship occurring in consequence of the abolition of the law of removal than now occur under it; that is to say, to individuals.

1757. How is that?—We remove a good many people to Ireland in the course of the year absolutely at their own request where they are exceedingly desirous to go home and die "in the old country" as they say, and they "God bless you!" and all that for sending them.

1758. But that you could do if you abolished the law of removal?—I am afraid the Local Government Board would say that we must not spend money in that way; and I am sure the Irish parishes would tell us that it was a defiance of the law if we sent a case that we were not fully justified by the law in sending.

1759. But I apprehend that in the case that you mentioned of an Irishman wishing to go home to die in his own country, or to go to his own family, for social purposes, he would not select an Irish workhouse to go to if he was going voluntarily?—I tell you, as a fact, that he selects an English workhouse for the purpose of getting there.

1760. But I am talking of voluntary removal; supposing that you abolished the law of compulsory removal, you say that it would operate against the Irish pauper?—What I intended to say was this: that, whatever law could be laid down, cases of hardship would necessarily arise under it; and I went further and said that, if the law of removal were abolished to-morrow, cases of hardship would occur under that state of things.

1761. You mean that a person seeking for voluntarily removal could not be removed?—If the law of removal is abolished we cannot remove anybody; it would be illegal; and further

Mr. Spence—continued.

than that, we should be open to all sorts of complaints of this kind; that we were sending paupers away from our own district to relieve our own rates. If the law of removal were abolished it would have to be abolished out and out, the parishes not being allowed to remove under any circumstances.

1762. But there are many cases of that character in which the people voluntarily request to be removed?—There are many cases absolutely, but not many as compared with the numbers that we remove under all circumstances; such cases occur in England, too. There is a case now of an order pending in which we have given notice of our intention to remove a man to Cornwall; that man is a perfect stranger to Liverpool, but he has friends in Cornwall. I say that the abolition of the law of removal in such a case as that would be a positive hardship to that man, as great a hardship as removing a man to a place in which he was a stranger.

1763. But that hardship would not arise, would it, if, in that particular case, the Local Government Board had no objection to letting a particular pauper be removed to his own family in Ireland?—There is no doubt that, if you gave a free pass to those people, there would be no grievance to the individuals.

1764. But if the Local Government Board consented that that particular person should go to his own family, and gave an order to that effect, that particular hardship would not arise, would it?—It would not.

1765. Supposing that the law of removal were abolished, as is recommended by nearly all the English witnesses, what would be the effect upon Liverpool?—I believe the same question has been asked before, and I can only answer it is the same way; that I believe that an enormous charge would be thrown upon Liverpool, which at present we are relieved from.

1766. Can you tell me what that charge would be, annually?—It is impossible for me to say. I tell you what the advantage is in the case of lunatics, but it would not be fair to take the same proportion of other cases, because in all probability a lunatic remains longer chargeable than an ordinary pauper.

1767. But it is not proposed to alter the law in that respect, or to give you the power of removal in lunatic cases, is it?—No; but if the law of settlement is abolished (and I take it that your question tends in that direction), we should have to maintain all the poor that came to us. My own belief is that the two things cannot be severed; and that, if you abolish the law of removal, you, to a great extent, abolish the law of settlement.

1768. So far as the removal law goes?—My belief is that it would go a great deal further than that; I believe it would be the first nail in the coffin of the law of settlement.

1769. With respect to the law of settlement, you have made a suggestion as to derivative settlements, which does not seem to be a matter of much interest, because that is a matter of the modification of the law?—My experience certainly is, that cases of the so-called hardship are not cases of hardship to the individual, but cases of hardship to the locality which has to bear the burden; and, on that point, to be candid, I admit that it is so. A man comes over here from America; he is thrown upon Liverpool at first, and it is a hardship

Mr. Symes—continued.

hardship that we should have to maintain him. The law gives us the power of sending him, say to Dublin, and we send him there; it is equally a hardship, in my view, that Dublin should have to maintain him. I am speaking of an Irishman who has been perhaps 20 or 40 years away from Ireland. Those are many of the cases that you hear of; many of them are returned emigrants. When you hear of people having been sent back after having been 30 or 40 years absent from Ireland, a good many of them are returned emigrants. I say it is a hardship that Liverpool should have to support that man for the rest of his life, and I admit that it is equally hard that Ireland should have to do it, but the man must go somewhere.

1770. Can you give the average residence in Liverpool of those returned paupers?—Their residence in Liverpool is, of course, very short; it must have been less than one year, or else we could not have removed them at all.

1771. But how long had their residence in England been?—That I am not able to say, but I am able to give you what is probably substantially an answer to your question with reference to the five last years. I have had a return made out of the time that the paupers removed under these orders were out of Ireland, and, taking the last year, 1878, there were 67 families (comprising 88 persons) under 67 orders. In 28 cases the families had been under one year absent from Ireland; in 10 cases they had been absent between one and two years; in seven cases between two and three years; in three cases between three and four years; in two cases between four and five years; in one case between five and ten years; and 16 had been absent from Ireland over ten years.

1772. Now, in contrast with that, will you pick out the particular years, giving us the longest absences out of Ireland?—Sixteen had been over 10 years out of Ireland, but I do not know the extreme limit of absence. Some of these may have been absent 20 or 30 years. The highest number above 10 years was in the year 1876. In the year 1876 we removed 118 persons under 83 orders; and out of the 83 orders, 29 of the families had been absent from Ireland under a year; 8 under two years; 5 under three years; 2 under four years; 3 under five years; 5 from five to ten years, and 38 had been absent from Ireland over ten years.

1773. I am not at all sure that you understood my question; will you select the particular years where the orders were for families longest absent from Ireland; the highest number that you gave was 118?—I selected that year, of the last five, in which there was the highest proportion of removals of persons who had been more than 10 years absent from Ireland. In the first year 18 had been absent more than 10 years, and in the last, 38 had been absent 10 years and upwards.

1774. Have you any return showing those absent longer than 20 years?—Not for recent years, but in years gone by a good deal of trouble has been taken on that question, and I can give you full details of removals made during the years 1857, 1858, 1859, and 1860.

1775. Taking any one of those years, what were the longest periods for which those people had resided in England who were sent under this law of removal to Ireland?—If you take the 1857,

Mr. Symes—continued.

removals during the year 1860 as a sample case, the number of persons removed from Liverpool to Ireland during the year 1860 was 1,788: 1,480 of those had been absent from Ireland less than a year; 163 had been absent between one year and three years; 82 had been absent between three years and five years; 66 had been absent between five years and ten years; 81 had been absent between ten years and fifteen years; 17 had been absent between fifteen years and twenty years; 4 had been absent between twenty years and thirty years; and 2 had been absent between thirty years and forty years.

Chairman.

1776. The law of irremovability has been changed since those dates, has it not?—The period of irremovability has been reduced.

1777. That change in the law would materially affect this question, would it not?—Of the 57 who had been absent from Ireland over ten years, 25 were returned emigrants and 20 discharged soldiers; so that that accounts for the bulk of those who had been absent from Ireland a very long time.

Mr. Symes.

1778. How many parishes have you got in the union?—I am connected with only one parish; Liverpool is a single parish.

1779. The parish and the union are co-terminous?—It is a union in itself, so to speak; it has all the powers of a union; it is a distinct area.

1780. Do you think that an Irish industrial labourer coming and living for 20 years or 10 years in England, if he went to live in Liverpool, and became a pauper for a short period, after such a lengthened residence in England, ought to be sent to Ireland?—I can draw no distinction in my own mind between an Irishman and an Englishman, under similar circumstances. I do not see any reason why he should be removed, or any reason why he should not be removed, except that, as we know in the case of Liverpool, from its special circumstances, a particular hardship may be thrown on the parish, and this is the only relief that we get.

1781. There is one difference, at all events; that if he crosses to Ireland he cannot be sent back?—I do not know why that should be so in the case of Ireland any more than in the case of England. He can only be sent back by some evasion of the law. I make no distinction between an Irishman and an Englishman. If we send an Englishman to his settlement, he cannot be sent back to us.

1782. Of course there is no difference in that respect, but if he has a settlement in England that assumes the whole question; you can send him to his place of settlement, but then you must prove the settlement?—I understand you to mean that the law is different in this respect; that, whilst we have the power of sending poor to Ireland, the Irish have no power of sending poor to England. So far as I am concerned, I do not see why they should not have the power of doing so.

1783. Is it possible that an Irish pauper in Liverpool, having a settlement in some other part of England, after living 20 years in England, but being ignorant of his other settlement in England, might be sent to his place of birth in Ireland?—If the knowledge does not come out

Mr. Hagger.

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Mr. Symon—continued.

if he does not tell anybody that he has a settlement, he may just as well have none; but if he discloses any facts bearing on the matter it is the duty of the English officer to ascertain, if he can, whether the man has a settlement.

1784. But it altogether depends upon the knowledge and memory of the pauper, does it not?—No doubt it does; I do not know how it would be possible to depend upon anything else. This is what we are bound to say: "That the pauper in whose case we ask for an order has no settlement in that part of the United Kingdom called England." That is one of the conditions of the removal; and, besides, we are pretty sharply looked after. I think there are few English officers who would venture to send a pauper to Ireland if there was any chance of his having a settlement in England; I know we should not in Liverpool.

1785. No doubt you would not if you knew it?—It is our business to ascertain it, if it can be ascertained.

1786. But the pauper may be so ignorant as not to know it, or he may wish to conceal it?—Then all that I would say is, that it is very hard that Liverpool should have to maintain such a man as that, if he has no special claim upon Liverpool, rather than the place of his birth.

1787. It only shows the hardship of sending a pauper, after 20 years' residence and industrial employment in England, to Ireland; is it not a hard case under those circumstances?—Hard to whom.

1788. Hard to the guardians in Ireland to whom he would be sent?—It is hard to them, I admit, but it is equally hard that Liverpool, who has had no special interest in that man's labour, should have to support him, simply because he has had an industrial residence in other parts of England.

1789. Supposing that a man, having a settlement in England, but not in Liverpool, should be sent from Liverpool to Ireland, from whence he could not be removed, you do not think that that is any argument for the abolition of the law?—I do not think so myself.

1790. Although it is an injustice and hardship to the Irish guardians to whom he is sent?—It is just as unjust to them as it is to Liverpool; that is all I can say.

1791. Although the man has a settlement in England?—But you are assuming that the man has a settlement in England. I say that if he has a settlement in England, and if any fact is disclosed leading us to believe that he has a settlement in England, we dare not remove him; but, if he discloses no fact giving us that information, then we remove him, if we can.

1792. There is a possibility of injustice occurring, is there not?—There is a possibility of injustice occurring, no doubt.

1793. And you do not think that a possibility of injustice occurring by the ignorance of an individual, or by an evasion, on account of a man's wishing to go to a particular place, is any argument for the abolition of the law?—If we introduce such matters as evasion and wishing, we open up a very wide question.

1794. Do you send any notice to the Irish guardians before sending a pauper over to an Irish union?—Simultaneously with sending the pauper we send a copy of the papers, and they

Mr. Symon—continued.

have a power of appeal, if they find that we have acted illegally.

1795. Have you ever sent a pauper without being accompanied?—No; it is illegal for us to do that.

1796. Do you recollect any case in which a pauper was sent without being accompanied?—Not since the law was altered. We invariably send an officer with the pauper.

1797. How long ago is it that the law was altered?—I believe the Act was passed in 1861. In face of the difficulties that that Act presented to us, we did not remove any Irish at all for two or three years; and we then found that we must either build a new workhouse, or that we must do something to get some of the people out of the workhouse. In that state of the case we removed as many Irish as we could remove out of the workhouse; and, since the removals were resumed, we have never sent a pauper without sending an officer with him, and leaving him at the workhouse of the parish to which he was ordered to be removed.

Mr. Hutchinson.

1798. You have told us that, whatever the law might be, cases of hardship would occasionally arise?—I believe so.

1799. Have you formed any opinion as to what would be the general effect throughout the United Kingdom were the law of England and Scotland assimilated to that of Ireland; that is to say, that there should be no removal at all?—Witnesses from Ireland ought to be able to tell you how that works. It is altogether hypothetical so far as England is concerned, because there are a great many theoretical objections to the abolition of the law of removal, which might possibly break down if it came to be put in force here.

1800. I think you did not quite understand my question. My question was: have you formed any opinion in your own mind as to what would be the effect of such an assimilation?—I was trying to answer that question. I have not come to any conclusion on the subject.

1801. Then the whole of the opinions that you have given us are based upon your experience at Liverpool, and are with relation to what would be the effect upon Liverpool exclusively?—Exclusively.

1802. It is entirely a local view of the matter, as apart from a national one?—Yes; so far as my evidence has gone in that direction.

1803. Did you hear Mr. Wilkie's evidence?—No.

1804. Mr. Wilkie told us, amongst other things, that, in his opinion, a three years' residence in England, or in any part of it, should constitute a status of irremovability; do you agree with him in that opinion?—That was a suggestion of my own three years ago, when the Bill of 1870 was before the House of Commons. I said that, if the only ground for such an alteration of the law as was then contemplated, was the alleged hardship of removing back to Ireland persons who had been a long time absent from Ireland, I saw no great objection to making a person who had been three years absent from Ireland, and could give proof of that, irremovable from England.

1805. And you still adhere to that opinion?—I have nothing to withdraw upon that matter. Personally, I should have no objection to such a provision.

1806. Would

Mr. Hutchinson—continued.

1306. Would you apply that to Irish, English, and Scotch paupers, irrespectively of their nationality?—It could not apply to English paupers in Ireland, because there is no law of removal in Ireland, and the Scotch matter is so small a matter with us, that I see no objection to putting a Scotchman on the same footing.

1307. You told that you thought there ought to be no difference whatever between the treatment of English, Irish, and Scotch paupers, and that their treatment should be based upon the same principles; supposing that a man had lived for three years in any part of England, would not give him a status of irremovability from Liverpool, whether he were an Englishman, an Irishman, or a Scotchman?—If an Irishman has been three years out of Ireland, I say, of course, let him be irremovable. In the case of England, where can the man have been absent from? The question cannot arise in his case.

1308. Supposing that he is a Cornishman?—Then he is still in England.

1309. Would such a three years' status of irremovability relieve you in Liverpool from any hardship, or prevent this invasion that you have spoken of?—Certainly; because it would enable us to remove back again all those who had been a very short time out of Ireland and in Liverpool.

1310. A large proportion of the Irish paupers in Liverpool consist of persons who are, in a manner, migratory, does it not?—We have suffered from that in years past. Of course the extent to which it applies now is shown by the extent to which we apply the power of removal.

1311. You said that large numbers were sent over from Ireland to Liverpool, and you mentioned persons landing directly from the steamer and applying at the workhouse for relief; can you give us any particulars as to the number, or by whom they were sent, or as to the organisation that conducts them?—I referred you to my authority, the evidence that was given before the Settlement and Poor Removal Committee of the House of Commons in 1847, and before the Settlement and Poor Removal Committee whose Report was ordered to be printed in 1855.

1312. Have you any comparison as to the numbers between 1847 and 1855?—They are very large; those enormous figures that I read to you here upon those years.

1313. Did they bear upon 1847, or upon 1855, because we have had a witness here, a very experienced gentleman, who said he believed that a great deal of the dread of the influx of Irish paupers was based upon a recollection of the famine times?—There is no doubt as to that.

1314. Your fear is based rather upon what might be than upon what is?—Yes. If we had a guarantee that it would never be worse than it is, I do not know that we should value the power of removal very much, except so far as regards the question of the settlement of lunatics; because, when we consider the enormous pauperism of the district and the resources of Liverpool, the dealing with 1,041 paupers in the course of 10 years is not a very big affair.

Mr. French.

1315. You said just now that, if the law of removal was done away with, cases of hardship would still arise with regard to paupers?—Undoubtedly.

Q.107.

Mr. French—continued.

1318. Did you apply that to Liverpool?—No; I only wanted to dispose of the notion that the law of removal at present worked with exceeding hardship in special cases; and I say that any alteration of the law would bring about a number of cases of hardship to individual persons.

1317. You said, as an instance of that, that many people applied in Liverpool for relief, and wanted to be sent over to Ireland?—A good many have done that in past years.

1318. Did you ever hear that people go to the Liverpool workhouse, and specially apply for relief there, for the purpose of being sent free of expense to Ireland?—At one time the practice prevailed to an enormous extent. Up to 1841 no doubt a number of persons were induced to come to Liverpool by thinking that they could get over to Ireland easily; and we have known cases of harvest men sending their wages over, and then coming to us to get a free passage.

1319. Do you think that happens now?—Not to any great extent; we protect ourselves as far as we can by giving them a workhouse test for a few weeks before sending them over.

1320. There is nothing to prevent their staying a week or two with you in the workhouse?—Possibly in some cases we may be victimised in that way now. We know that they come over to the Liverpool workhouse for special reasons sometimes.

1321. To that extent, if the law of removal were done away with, the rates would be relieved of the support and expense of removing those people?—Yes.

1322. You said that many of the cases, where the people were absent a great number of years from Ireland, were cases of returned emigrants; do you not think it is a very great hardship to those people to be sent to Dublin or any other seaport town in Ireland?—They are not sent to the seaports now; they are sent to the places of birth. That law to send them to the seaport towns has been altered for 15 or 16 years. We are obliged to send them to the union in which they were born.

1323. It is a great hardship upon that union, is it not, when a person has been absent for 50 or 60 years, to have him sent back upon the rates there?—It is as great a hardship that Liverpool should have to maintain him.

1324. Does it not fall upon Liverpool simply because it is a seaport town; and is it not one of the disadvantages in compensation for which you have many advantages?—That is one view of the case. I take the view that it is a hardship in either case; but I say that it is no greater hardship upon the parish to which he is sent, than upon the parish from which he is sent. Possibly the parish to which he is sent, only has one or two, and Liverpool has 200 or 300; and when this burden comes upon one shoulder it constitutes a greater hardship than where the hardship is more distributed.

1325. Liverpool makes a great deal of money in the year by trade with America, and by passenger traffic especially; do you not think that is one of the advantages which compensate for these disadvantages that you have?—That is true, but, speaking from a poor law point of view, it is not an unmixed blessing. We have heavy burdens to bear.

1326. With regard to the large number of Irishmen who came over between 1847 and 1851, these

Mr. Hoger.

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Mr. French—continued.

these were all during the famine in Ireland?—
Yes.

1827. And as soon as those years of distress ceased, that emigration ceased also?—To a very great extent.

1828. There is no hardship in that way, is there?—There is no hardship that we bring prominently before the Committee; but a great many people come over from Ireland now for the express purpose of getting relief from the rates.

1829. Mr. Wilkie would be a very good authority on that subject, would he not?—I should think so.

1830. Are you aware that he says that now there is no hardship at all in that respect?—Hardship is a question which, to a considerable extent, depends upon opinion. A considerable number come over to Liverpool for the express purpose of getting relief from the rates. I will take a case which is rather a controversial case; the case of women coming over to be confined, which is a case that we have frequently to deal with; why should we keep them?

1831. Do you think they would stay with you, even if you did not remove them?—Some of them would, because we have kept them for a long time.

1832. The law of removal does not prevent their coming at present?—No, it does not; but it enables us to send them back after we have kept them long enough to test them. A case occurred two or three weeks ago in which we might have had to keep a woman for several months, if we had not had the power of sending her back. She came over for the express purpose of being confined. She could not get back again herself; her friends had not means to send her; and we might have kept her there until now, if we had not had the power of sending her back. There are many such cases, 20 or 30 a year of that particular class.

Mr. Martin.

1833. As I understand, you said, in answer to an honourable Member just now, that your view was very much, although not entirely, a local view?—I said that my evidence had been given with special reference to the effect of the law upon the locality.

1834. In fact the opinions that you have given to us have special reference to Liverpool?—They have special reference to Liverpool.

1835. Do you not consider that the practical working of the system is about the fairest and best test of it for poor law purposes?—I have seen no very great objection to it at present. There are some very anomalous matters in connection with the law of settlement, to which I referred generally just now; but I do not see any other way of distributing the burden more fairly or equally than we arrive at by this roundabout process.

1836. Do you not think that the working of a system is the fairest and best test of it?—I believe so; I can suggest no better one.

1837. So far as the peculiar hardship incident to support localities is concerned, you are probably aware that we have something of the same kind in Ireland, and that, in fact, there is a peculiar influx of paupers arising from the same cause in Dublin as in Liverpool, although not to the same extent; if those who have had experience of the working both of the English and Irish systems be

Mr. Martin—continued.

of opinion that the Irish system works well, do you not think that that is a very strong argument in favour of an assimilation of the law?—As a matter of argument, no doubt it is.

1838. We are aware that persons like Sir Alfred Power and the late Mr. Senior, who had experience of both systems, always thought that the Irish system worked well; do you not think that it is a strong argument in its favour?—No doubt it is. All that I would remark in that connection would be that there are other equally good authorities on this side of the channel who take a totally different view.

1839. But I think very few who have had experience of the working of both systems, and who know the practical working of the system in all its details, take a different view?—I should admit, at once, that evidence from Ireland as to the working of the Irish system has a very material bearing upon the abolition of the law of removal in England.

1840. So far as Liverpool is concerned, did I rightly understand from you that there are a great number of cases occurring where there has been a long continued residence in England, but not in Liverpool itself, where removals have taken place?—I have given you the exact figures, and my opinion is based upon those figures.

1841. Have you made any return to the House, shewing the length of residence in England or Wales of the parties removed from Liverpool?—Yes, I have read out some figures bearing upon that head, particularly with reference to 1840. I gave you the full particulars of that year.

1842. But have you any return of a more recent date?—I gave you the last five years.

1843. Are not many of those cases cases in which parties have been resident more than 15 or 20 years in England or Wales?—I dare say they are. I lumped them altogether above 10 years.

1844. Do I correctly understand you to state that many of those cases were cases where the parties were removed at their own request?—Some of them were, undoubtedly.

1845. How many in proportion were removed at their own request?—None were removed against a strong protest from them.

1846. What do you mean by a strong protest?—Their saying, "I very much object to go; I do not want to go to Ireland."

1847. Were they asked before the order of removal was got, whether they wished to go to Ireland or not?—Yes. Before the order of removal was got they were invariably asked, "Are you willing to go?"

1848. That is invariably the practice in Liverpool, is it?—That is invariably the practice in Liverpool. Where there has been a very long residence, we invariably ask them whether they are willing to go.

1849. Do I rightly understand you that that is the uniform practice?—Yes, so far as Liverpool is concerned.

1850. Probably you will give me some explanation of what I find in this return from Liverpool; you do not state that any of the parties were removed by consent, but I find several cases where the parties escaped in Dublin or escaped at Manilla Junction?—That is very possible.

1851. Take one of those persons whom you may possibly recollect: "Thomas Clark, aged 45; 25 years' length of residence in England or Wales; removed

Mr. Martin—continued.

removed to Newport, and escaped at Manilla Junction;" do you think that the uniform practice was observed in the case of Thomas Clark, who appears to have escaped en route?—I have no recollection of the case of Thomas Clark, but I have no reason to doubt that the question was asked in his case.

1852. Do you think that a pauper, who was willing to be removed from Liverpool, would have taken that extraordinary course of escaping at Manilla Junction en route?—I think it is very likely that he would so if he preferred being at Manilla Junction, or in its immediate neighbourhood, to being at Newport.

1853. Now we will take another case; of Michael Doolan, 11 years resident in England or Wales, who was to be removed to Balinglassa, and I find the statement "escaped at Dublin"?—The remark that I made in the case of Clark would apply equally to that case. I have no knowledge of the individual case, but I can easily conceive that a man willing to be removed to Ireland would prefer being in Dublin rather than in Balinglassa.

1854. I find in some cases "desired to be removed," but I do not find in a single one of those cases of removals from Liverpool, the statement that the man desired to be removed?—It is our general rule to ask them.

1855. I understand that it is your uniform rule, and not merely your general rule?—It is our uniform rule, certainly, of late years.

1856. This report going down to 1878, and, as I understand from you, the uniform practice from 1875 to 1878 was to ask that question?—Yes.

1857. Then, in point of fact, that being the uniform practice I take it that it was not the desire of your Board that any one should be removed without their consent who had had an industrial residence in Liverpool?—As a rule that is their desire.

1858. And that is what you desire to be carried out?—Yes.

1859. Then I take it that, even in the view of Liverpool as a locality, there would be no peculiar hardship if what you say is the desire of the Board was given effect to by law, viz., that if there had been an industrial residence in England no person should be removed without his consent?—We should have no objection to such an alteration in the law if it were surrounded with safeguards against people who might come and say, "I have been living in such and such a place," or if it were made subject to their being obliged to prove the accuracy of their statement.

1860. You do not object to such an alteration of the law as would carry out what you say is the uniform intention of your board in Liverpool?—Certainly not. Here is a case of a man now in our workhouse; he was admitted into our workhouse in July 1878. The man's name is Michael Magennis. This is merely an illustration. I told the officer who has this particular work in his hands to pick me out any cases in which there were paupers now chargeable in our workhouse, or chargeable to us in getting outdoor relief who are removable to Ireland, but whom we had not removed. The statement is, "I was admitted to this workhouse on the 20th July 1878, about six months, from Cheshire, where I was working on a farm two months; he-
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Mr. Martin—continued.

see that I was working at the docks at Liverpool six weeks, living in Portland-street; before that I was in Ireland, in the County Armagh, twelve months; previously in Liverpool, in Cheshire, and other places, harvesting. I was born in the County Armagh." This man said, in reply to the question, that he did not wish to return. He has been 12 years in Liverpool and its neighbourhood. The remark of the officer is that that man is not to go, but there is nothing in law to prevent that man being sent to Ireland to-morrow. He has been backwards and forwards between England and Ireland. In another case this is a statement made by a man in February last: "I was admitted to this workhouse on the 24th December 1878, from St. Anne's-street, where I lived for eight weeks; previously in the country. I was born two miles from Westport, and I do not wish to go back." He has been 35 years in the neighbourhood. The decision that we have come to in that case is that we will not remove him.

1861. In fact he has been 35 years working in Liverpool?—He has been 35 years working in Liverpool and the surrounding places, although he had been only eight weeks resident the last time in the neighbourhood of Liverpool. We do not send him away because he does not wish to go. If the answer is, "I am willing to go," we send him.

1862. In the number that you have given of the poor who might be removed in Liverpool, are there a great many cases of a similar character?—I will not say that there are a great number, but there are many cases.

1863. I think the class of labourers who do most in Liverpool, dock labourers, and men of that class are very subject to removal from place to place so that they do not acquire a settlement of residence under the Act of 1848?—That is so.

1864. In point of fact, as I understand, from the class of labourers that you have mostly to deal with, when docks are stopped at one place they move off to another?—No doubt that is so.

1865. And, in point of fact, it would be a very considerable hardship, in your judgment, if your board did not act as they appear to have done in these cases?—Of course, my general answer to the question is that, if we were to strain the law to the utmost limit, many cases of hardship would arise under it.

1866. To put it in another way; if you were to carry out the law according to the mode in which you are empowered to carry out the law at present, very considerable hardship would ensue?—In many cases there would be considerable hardship.

Mr. Giles.

1867. What is your workhouse test in Liverpool?—The test upon which we rely is that of corn grinding with a hand-mill. We have, for outdoor poor, a stone yard, but inside the workhouse the main test, for able-bodied men, is the turning of a corn-mill, something like a large coffee-mill.

1868. How long do you enforce that test before you would send them back?—We would be guided by circumstances. There are very few able-bodied men that we send back.

1869. I think you said that many of these Irish paupers, on arrival, are so destitute that the first thing they do is to apply for relief at the

Mr. Hagger.

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Mr. Giles—continued.

the workhouse of Liverpool?—I am speaking of past years. Many cases of that sort do occur now.

1870. Have you any idea where they get the funds from to come over?—They are sent over sometimes for charitable purposes. A woman thinks, or hears, that her husband is in Liverpool, and she comes over to seek for him. There have been, in bad times, mendicity societies, and agencies of that kind in Ireland, that have been very active.

1871. You fear that, if the law of removal were altogether abolished, you would be subject to an influx of persons from Ireland?—We say that we are safe if we have the power of sending them back again, and we are unwilling to relinquish that power.

1872. But you admit that, if the law were carried out in its full force, it would occasionally be a very harsh law?—Occasionally.

1873. If the law of settlement were altered so as to give a man a chance of obtaining a settlement in an easier manner than he gets a settlement now, would that, in your opinion, be better than abolishing the law of removal?—I consider that an industrial residence, or even merely an actual residence in a place for three years, is a very easy way of getting a settlement. That is the law. I would extend the area of residence from the parish to the union; and, if there were any recognised area larger than the union, without going to the county, I should be very willing to take that.

Viscount Enslin.

1874. With regard to the effect of the abolition of the law of removal, should you be afraid of a large influx of the vagrant class; I do not mean the labouring poor?—That is a matter that some provision would have to be made against. If the law of settlement and the law of removal were abolished, the only way in which a parish could be protected against such an influx would be by increasing the severity of the test; and, in that case, there would be a danger in many cases, no doubt, of that test being made unduly severe, for the purpose of thinning the number in the workhouses. There is a danger of people picking their workhouse. We have some slight experience of that in Liverpool, and in the neighbouring workhouses. If the paupers think that, in any particular direction, they are more leniently treated in one workhouse than in another, it soon begins to tell upon the number. A very marked instance of that occurred during the recent pressure in Liverpool. There was a period of great distress for a short time, and whilst the number in our stone-yard was not materially increased, the stone-yard in a neighbouring union was overflowing. The men who went to that stone-yard had further to go to their work, and I could only account for it by the fact that the number that that neighbouring union had to deal with was such as to make it impossible for them to maintain the severity of the test. We know that in the case of the Liverpool Workhouse Hospital, a very large number of sick come to us from other places; they come from all south-west Lancashire, for the sake of getting relief there. We have, unfortunately, got the reputation of having a good hospital, and that is one of the inconveniences.

1875. Have you ever considered at all, how

Viscount Enslin—continued.

far it is desirable to give a right of appeal to the Local Government Board in cases of removal; in a case, for instance, where one union considers that great hardship has been inflicted upon a pauper by his being removed?—I should see no objection to it.

1876. Would not that do away, to a very great extent, with the grounds of the complaints of individual hardship?—I believe those cases are very few indeed.

1877. Would they not be met by giving an appeal to the Local Government Board?—If any one can devise means of doing it, I see no objection to such an appeal. The case of hardship does not arise until the thing is actually done. I should see no objection in case it worked very hardly.

1878. It was suggested with regard to the Scotch Board of Supervision?—I see no objection to the Local Government Board having such a power.

1879. With regard to the children being separated from their mother at seven years old, if she marries a second time, can you suggest any remedy for that?—I would extend the age of nurture, and keep the family together until the children were 14 or 16 years old; I would let them follow their mother's settlement in such a case as that. I mention that as being one of the very few cases indeed of hardship that have come under my own notice.

Mr. Herbert.

1880. You say that the views which you have expressed here to-day, are your views with respect to the way in which Liverpool will be affected if the law of removal were abolished altogether?—Yes.

1881. You are perhaps aware that nearly the whole of the clerks in Mr. Case's district are favourable to the abolition of this law?—If I remember rightly, at Southport that question was pointedly put, and there was a resolution which, if it was not carried, was supported by nearly an equal number with the other resolution, and that was that some compensatory provisions should be made at the same time.

1882. Perhaps you are not aware that Mr. Case stated the other day to this Committee, that in 1875, the clerks, representing 48 unions, stated to him that they were favourable to the abolition of the law?—I can only say that the clerk's opinion in all probability is based upon the fact of how his own particular district would be affected by it.

1883. Therefore, I presume, that those clerks might be considered to represent unions, which would not be largely affected, if the law was altered?—That is so.

1884. But you are, perhaps, aware that in Manchester, which would be considerably affected, the guardians have not for many years past removed any Irish paupers, or any paupers?—There is a story to be told in connection with that. If anybody goes to them, they say, "We shall not send you to Ireland," and that is a very good way of getting them down to us, and we must either keep them, or send them to Ireland. Manchester certainly removes English paupers.

1885. I should like to have an explanation of that?—It is very well understood that several unions in Lancashire do not remove Irish poor, and those people who would rather go to Ireland than

Mr. *Hibbert*—continued.

than stop in an English workhouse, and their way to Liverpool.

1886. Do you mean that it is a grievance with the Irish poor that places do not remove them to their own homes?—It is with a great many.

1887. Therefore would it not be better for Liverpool that the law should be abolished?—That would be a relief to some extent, no doubt, in the case of those who come to Liverpool for the express purpose of being removed.

1888. You state that you have removed in the last 10 years, about 100 persons per year, what would be the expense, per annum, to Liverpool of maintaining these persons?—The average cost of maintenance in the workhouse is about 2s. 6d. per head per week.

1889. The 100 are men, women, and children?—Yes; that is the average cost over all for provisions, not including clothing; that would be about 8s. in the year. They would not all be in the workhouse at the same time.

1890. In the case of a large and wealthy parish like Liverpool, is that cost a matter to be taken into account in considering the abolition of a law like this, which affects the whole of the country?—I have said that if we were assured that it would be kept within its present limits, we should not seriously concern ourselves about it.

1891. Is it not a fact that every year the pressure upon Liverpool and other ports, caused by people coming from other countries and from Ireland, is becoming one of less importance?—Yes, it is.

1892. Therefore you may consider that, as wages improve, and as the population of Ireland improves, as it has been improving year by year, the number of Irish poor who would seek relief from you would become smaller?—It might or might not be so.

1893. In what cases is it likely to increase?—A burst child dreads the fire.

1894. Because a famine has occurred once upon a time, you think it is possible that a famine may occur again?—I think it is possible that there may be, from causes that it would be difficult for me to specify, a great influx of Irish-poor.

1895. Is it not a fact, that causes are operating in an entirely different direction in Ireland, and that the Irish population are becoming more upon a level with the English population; are they not receiving much larger wages than they were receiving some 10 or 20 years ago?—I have no knowledge of the state of Ireland in that matter; I can only say, that if we were assured, or if some provision were made by which we should be protected against any greater burden than the state of things during the last five or 10 years has thrown upon us, we should not seriously concern ourselves upon this question, except so far as the case of lunatics is concerned.

1896. Supposing that the law was abolished, do you think that any special protection should be given to places like Liverpool?—Yes; if the law was abolished, I think it would be absolutely necessary.

1897. What kind of protection would you give?—I am not prepared to suggest any. We do get some protection under the present state of the law, and, until some one can suggest an equally good protection for us, we must hold to what we have.

1898. Do you remember a discussion upon 6,107.

Mr. *Hibbert*—continued.

this question taking place at a conference of poor law guardians held a few years ago at Southampton?—Yes.

1899. Some suggestion was made there, that Liverpool, and other places in the position of Liverpool, should receive some compensation, either from a county rate or from a grant?—The charge for cases of this sort should be thrown upon some wider area than a single parish. Take, for instance, the large number of Irish who come into Liverpool, and remain chargeable upon us, who have only been in England a short time before they become chargeable, I say that the single locality of Liverpool should not have to bear the whole of that burden. Take again the cases of lunatics without settlements, foreigners returned from foreign countries, emigrants who have been sent over here from America, and lunatics from India. Now we throw them upon the county at large.

1900. Do you think that because Liverpool, or other parts of that kind would suffer in this way, there should be special provision made for them, considering that they have all the advantages of being sea-ports, and all the wealth that is brought to them in other ways?—An alteration of the law would inflict a fresh burden upon them, and it is against that that we seek to protect ourselves. We may assume that things right themselves under a long continued state of the law, but if by some arbitrary provision you impose, by one stroke, a great burden upon a particular locality, we say that that should be accompanied by some protection or compensation.

1901. You state that you have occasionally, at Liverpool, removed emigrants who have returned to Liverpool, who have been absent a great number of years in America and elsewhere?—Yes.

1902. Is it not a great hardship upon the place to which you send the emigrants, that after they have almost ceased to be members of their own country, you should return them, after they have been labouring for 20 or 30 years in other countries?—I admit that may be considered a hardship upon the locality to which they are sent; but my contention is, that it would be an equal hardship, if Liverpool were compelled to maintain them permanently. They have had no connection with Liverpool before, but the American Government sent them home, because they had fallen chargeable to the public funds there, and they are landed in Liverpool.

1903. With regard to any foreigners who arrive in Liverpool, you have not the power to remove them?—No.

1904. Why should you be more hard upon your own countrymen, than you are upon foreigners?—I do not admit that it is any hardship to send a man who has no connection with Liverpool, to Ireland, with which he has some connection.

1905. Supposing that he does not want to be removed to his own country?—Those cases are very rare; but if a man expressed a very strong disinclination to be sent there we should not remove him.

1906. With respect to the cases of lunatics, I presume that, if the law of removal was abolished, you would still keep some power over the removal of lunatics?—If the law of settlement were abolished, we should be obliged to maintain all that came to us. We can trace the effect

Mr. *Hogger*.

27 June
1879.

Mr. Hagger.

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1879.

Mr. Hilbert—continued.

effect in the case of lunatics, which we are not able to do in the case of the ordinary poor, because I have been able to ascertain how many lunatics of unascertainable settlement are now actually being maintained in the county asylum of Lancaster.

1807. Supposing that the law of removal was abolished, it would not be necessary to change the law and to throw the expense of maintaining lunatics upon the parish or union; it would still remain, in the case of wandering lunatics, upon the country, would it not?—That is one of the compensatory provisions that I have in view, but you cannot abolish the law of settlement, and retain the settlement with reference to lunatics. The first thing that we have to do, before we transfer a lunatic to the county, is to satisfy the county authorities that the lunatic has no settlement.

1808. Is it not the case that when a lunatic is found wandering he becomes chargeable to the county?—To the parish first; and it is only on our proving that he has no settlement in England that the county authorities will accept him. We have to take the initiative. But then if you abolish all questions of settlement, how can you distinguish between one lunatic and another.

1809. Therefore, you think that there should be some special provision made in the case of lunatics?—I think so; had there been no law of settlement in the past, we should, at this moment, be subject to an additional charge of 8,000*l* a year for the maintenance of lunatics of unascertainable settlement, who have no claim upon Liverpool.

1910. Are you aware that, at present, the county is paying about 12,000*l* for wandering lunatics found in different parts of the county of Lancaster?—Of that amount nearly one-half is in respect of lunatics sent from the single parish of Liverpool; and as you, in another capacity may know, the county consider this a grievance.

1911. Supposing that the law of removal was not abolished, are you prepared to support any modification of it?—I have already stated that I should like to see the English law of settlement simplified in some respects.

1912. Would you agree to simplify it in this way; that you would allow a person who had had a residence of one year in any union, to obtain a settlement in that union?—I think it would be a very small limit, a very short period; I think three years is a very reasonable period. You must remember that it is three years of any residence at all, without getting relief; it is not necessarily a residence which is a benefit to the locality.

1913. Does not one of the hardships of the present law arise from the fact that the person may have lived 20 or 30 years in any particular union and obtained a status of irremovability;

Mr. Hilbert—continued.

but having removed from that union to another union, he loses his status of irremovability, and he is liable to be removed to Ireland or to any other place from which he comes?—It is possible that hardship may arise in such a case.

1914. Would it not be a desirable thing that the proper should be put in a position to have retained a settlement in another place where he has passed the greater part of his life?—Of course that is not so now; I would extend the area of residence for the purposes of settlement from the parish to the union, and then if a man lives for three years at any period of his life in a union, he could never be removed to any other union until he had acquired a new settlement.

1915. Therefore you would not allow a settlement to be gained in one year, but in three years; and you would mitigate the difficulty of obtaining it to the extent of changing the area from the parish to the union?—This question of three years' residential settlement is hardly three years old yet; it was in August 1874 that it came into operation, and we have had hardly any experience of what the effect of the three years' residential settlement is yet; it seems to be a very desirable settlement.

1916. Do you think that it has had the effect of mitigating the hardship of the law?—It may have done so.

Mr. Synge.

1917. If you diminished the supply of labour in Liverpool, would you not raise the rate of wages?—I suppose that is a sound doctrine.

1918. Does not Liverpool gain an advantage, then, by an increase of labourers for its docks or for any other purposes?—Those are economical questions upon which I have no special experience. Up to the limits of the requirements of the port that is so; but, if there is a superabundance of labour, I do not know that it is any advantage to the locality.

1919. The more labour you have the lower the wages?—Within certain limits.

1920. That is within the limits that people are capable of working?—It was thought so a little time ago, but very recently some 30,000 labourers struck work in Liverpool rather than admit it.

1921. You say that Liverpool is subject to special disadvantages, and is an exception from all the rest of England; is it not gaining special advantages as a seaport by this influx of labour from time to time?—There is no doubt that Liverpool is dependent almost exclusively upon Ireland for its labour.

1922. And does it not gain special advantages by that influx of Irish labour for its docks and other purposes from time to time?—It would not be so if it had not been for that state of things.

Mr. WILLIAM VALLANCE, called in; and Examined.

Mr.
Vallance.

Chairman.

1923. You are a Clerk to the Whitechapel Guardians, are you not?—I am.

1924. How many years have you held that appointment?—Eleven years.

1925. You are, of course, well acquainted with the law of removal?—I am.

Chairman—continued.

1926. Will you kindly give the population and the rateable value of the Whitechapel Union?—The population is 76,573, and the rateable value is 353,466*l*.

1927. Are there many Irish residents in your union?—Yes, the Irish population ranges probably

Chairman—continued.

ably from 6,000 to 8,000, chiefly of the poorer class.

1828. Have you had many cases of removal?—During the two complete years, 1877 and 1878, since the passing of the Act of 1876, the number of orders of removal made from the Whitechapel Union has been 203.

1829. That is at the rate, so far as the calculation over two years is worth anything, of 100 a year!—Yes; the number actually removed, or adjudicated, has been 235. I have taken those two years, for the reason that they are both subsequent to the passing of the Act of 1876.

1830. Have any complaints been made of the hardship of removal?—I have no recollection of any complaint by or on behalf of a pauper of the hardship of removal from or to the Whitechapel Union; but it is to be said that the guardians endeavour to exercise their power of removal with due regard to circumstances, not hesitating to forego their right of removal if any hardship appears to be involved.

1831. Neither with respect to English nor Irish paupers?—Neither with respect to English nor Irish paupers. There are, however, hardships, more or less possible under the existing law. The principal one is the possible severance of families, where the children are born of two or more marriages of the mother, or where the place of birth of a child is held to be the place of settlement under the last clause of Section 35 of the Act of 1876, and there happen to be two or more children of the same family born in different places. There is also hardship, but to a less extent, in the possible removal of a pauper from a parish or union in which he may have been industrially resident for, say two years (notwithstanding that a residence of one year gives a status of irremovability), by reason of a temporary interruption, as also in the removal of a deserted woman and her family from the parish of her residence for, perhaps, nearly three years, by reason of such desertion, constituting a break within the meaning of the Act.

1832. Have the hardships to which you refer been to any extent alleviated by the Act of 1876?—Very largely so as regards break of residence. Prior to the passing of the Act of 1876 it was possible for a family to have been resident in a parish or union for 40 or 50 years; and then, by reason of a brief interruption of residence, or by the desertion of the head of the family, to have become liable to be removed to a place of which perhaps they may never have heard. This is not so now, since a residence of three years constitutes an actual settlement.

1833. The simple residential settlement has gone some way towards clearing away that evil?—It has.

1834. Do you desire any alteration in the law of removal?—Yes; I have already instanced cases in which hardship is possible; and that occasioned by the severance of families is a very real one. I therefore regard it as of the first importance that the law should be so amended as to secure, under all circumstances, the cohesion of families until the children attain the age of 16 years. In this direction I have drawn five clauses which may probably be suggestive of a remedy.

1835. Will you kindly read those clauses?—
(1) "A wife resident with her husband shall

Chairman—continued.

have and follow the settlement of her said husband. (2) A wife deserted by her husband, or whose husband is absent from her, shall have and follow the settlement (or irremovability) which her husband had at the time of such desertion or commencement of such period of absence, unless and until she shall acquire a settlement by subsequent residence in her own right: provided that if the husband of such wife shall return to cohabit with her she shall thenceforth have and follow the settlement of her said husband. (3) A widow shall have and follow the settlements which her late husband had at the time of his death until she shall acquire another. (4) A legitimate child under the age of 16 years shall (unless married) have and follow successively the settlement of its parents, surviving parent, and step-parent; and shall retain such settlement until it shall acquire another. (5) An illegitimate child under the age of 16 years shall (unless married) have and follow the settlement of its mother or step-father, and shall retain such settlement until it shall acquire another."

1836. Those, in fact, are suggestions on your part, in order to alleviate any hardship which may arise under the present law of derivative settlements?—Yes.

1837. In your opinion, can any modification of the law of settlement, or the law of removal, be made as between unions and parishes in the metropolis?—I think that the law of settlement and law of removal, as between unions and parishes within the metropolitan area, may be abrogated, so far as regards the cases of lunatics in asylums, and paupers maintained in establishments under the management of the Metropolitan Asylums Board. The maintenance of these several classes of paupers being already chargeable to the metropolitan common poor fund, the retention of the power of removal or adjudication is unnecessary.

1838. What objections occur to your mind as to the entire abolition of the law of removal?—My first objection is, that it would occasion an undue pressure of the burden of maintenance upon certain districts. For instance, in the union of Whitechapel we have a mass of pauperism localized by means of charitable refuges and common lodging-houses, the latter containing to a large extent a migratory population of some 5,000 lodgers; there is thus a constant filtration going on of the more helpless and least worthy classes of poor into the workhouse and infirmary; and it would be a grievous hardship that Whitechapel, because it happens to be a lodging-house district, should be compelled to relieve, permanently, all the foreign poor who resort there. Again, I say that the abolition of the law of removal would induce mendicant habits among the poor, and largely tend to foster voluntary and speculative pauperism. The legal right to unconditional relief anywhere upon the mere allegation of destitution would lead to vagrant habits; the specialities of workhouses would become as well known as vagrant wards, and pauperism would largely become a profession. Then I go farther and say, that the abolition of the law of removal would be productive of hardship to many necessitous poor, who having under unavoidable circumstances, become involuntary paupers in a strange town, are desirous to return to the place of their settlement and associations.

Mr.
Folwell.
27 June
1879.

1839. These

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Mr.
Fulmer,
27 June
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Chairman—continued.

1939. Those three are the main objections that occur to you to the abolition of the law of removal?—They are.

1940. Can you suggest any advantages that would accrue from the total abolition of the law of removal?—No advantage occurs to me beyond the saving of expense.

1941. A good deal of time and trouble and expense would, of course, be saved?—Yes.

1942. Have you suggested to the Committee all the alterations that you desire in the law?—No. I am further of opinion that the existing status of irremovability by residence for one year in a union or parish, may, with advantage, be converted into an actual settlement; and where no such settlement can be ascertained, the pauper may be deemed to be settled in the union or parish in which he was born. All other settlements, whether derivative or acquired, should be abolished. Perhaps the Committee will allow me to say that, with regard to the residential settlement created by the Act of 1876, I think that, upon the whole, its operation has been satisfactory. It is at once a simple and reasonable form of settlement, only needing the use of clear language to commend it to general acceptance.

1943. I will now read to you the summary of a suggestion that was made by a witness before this Committee, and which is to be found in Question 62. "Your proposal really amounts to this: first of all the substitution of one year's residence in a union for three years' residence in a parish as a head of settlement; secondly, all heads of settlement other than residence as aforesaid, marriage in the case of a woman, parentage in the case of children under 16, and birth, to be retrospectively and prospectively abolished"; do you concur in that?—Yes.

1944. Is there any other statement that you wish to put before the Committee at this stage of the evidence?—With regard to the suggestion of settlement by residence for one year, I should regard it essential, as between English unions, that an order of removal to the place of settlement by residence should not be made upon the evidence of the pauper, or of an officer or person employed by the board of guardians, unless corroborated. Such corroboration should either be the evidence of some other competent person testifying from his own knowledge, or such documentary evidence as the justices might deem sufficient. At the same time the justices might be empowered to receive, as corroborative evidence, a declaration under the 5th and 6th Will. 4, c. 62.

1945. Is there anything else which you would like to put before us?—There is one other point: that the periods of residence of a wife before and after desertion, of a widow before and after the death of her husband, and of a child before and after attaining the age of 16 years should be added together for the purpose of conferring a settlement by residence. Some such clause appears to me to be necessary for the purpose of removing doubt.

1946. You have had great experience, and we wish to have the benefit of your advice as far as possible; is there anything else which you have to suggest?—Nothing further occurs to me.

Mr. Hilbert.

1947. Have you carried out many removals of

Mr. Hilbert—continued.

late years in your union?—The numbers which I have given for the last two years are about the average of the last 10 years; about 100 a year.

1948. Are many of those Irish cases?—The number actually removed, or being remoted, adjudicated during the years 1877 and 1878, was 183; of those 110 were upon metropolitan unions, 4 upon the county of Middlesex, 50 upon country unions, 7 upon Ireland, and 2 upon Scotland.

1949. You say that you removed seven paupers to Ireland; do you know whether, in any of those cases, they were persons who had been absent a great number of years from Ireland?—I am sorry to say that I have not those particulars with me; but I am able to say that the management of the settlements and removals in Whitechapel being entirely under my direction, the circumstances of each case have all been well considered before an actual removal has taken place. No removal in which there has been any apparent hardship has been effected at all. At the same time there is a larger number who, having been found to be removable to Ireland, have been told after the preliminary examination, that they will have to be removed if they remain chargeable; they have said, and frequently say, "I do not want to be passed," to which we reply, "Then you must cast about and provide for yourself; you cannot remain here unless you can show that there is a prospect of your doing any good for yourself by so remaining." In practice we seldom remove for some two or three months subsequent to the chargeability.

1950. But there have been peculiar cases of hardship in the removal of Irish paupers from metropolitan parishes, have there not?—I believe there have.

1951. They have been reported upon by the Local Government Board?—I believe they have; but I have no distinct recollection of the facts of any case.

1952. Have not some of those cases arisen from the peculiarity of the metropolis, inasmuch as the persons can only obtain a status of irremovability in a parish, and in many instances whole blocks of buildings have been removed, and therefore the people have been compelled to leave their parish, and to go to other parishes, and have so lost their status of irremovability?—I have not met with any cases of that kind in my experience.

1953. Of course, in suggesting the alteration of the present law, by changing the three years' residential settlement to one year, you think that that would mitigate most of the hardships connected with the law?—I do. The hardships have been considerably mitigated by the Act of 1869, since an Irish person now having resided three years in a parish in England, has obtained a settlement to which they can be removed, and which gives a bar to their removal to Ireland.

1954. You, I presume, recommend that your alterations should apply to a residence of one year in a union, and not in a parish?—Certainly, in a union.

Mr. Giller.

1955. I did not quite understand your answer when you said, that you recommended that the time

Mr. Giles—continued.

time before and after desertion should be reckoned in the case of a wife; the time before and after the death of the husband, in the case of a widow; and the settlement of a child under 16 years of age; what did that refer to?—A child may have lived with its parents for six months before having attained the age of 16 years, and it may reside in the same parish or union for six months after having attained the age of 16 years. That child is no longer part of the family; it is no longer a minor in this sense, and therefore a question may and would undoubtedly arise as to whether that child, after six months' residence on its own account, had acquired really a settlement. But now if it is actually provided by law that the residence with the parent before attaining the age of 16 years shall go to make up its 12 months' residence, then it makes it comparatively easy for the child to acquire the settlement.

1856. I do not quite understand how the wife got the settlement before and after desertion; how long do you suggest that she should be in the place?—Twelve months, adding her residence before desertion to her residence after desertion.

1857. Your idea is that if a settlement followed on a twelve-month's residence, that would in a great measure obviate the hardship due to poor removal?—Yes.

Mr. Martin.

1858. Do you know what is the nature of the occupations of the Irish poor in Whitechapel?—They are chiefly casual dock labourers. By "casual" I mean that they are not as a rule regularly employed, but they are men who wait about the dock gates for temporary employment.

1859. I believe that very considerable numbers of Irishmen are employed about the St. Katharine's Docks?—Yes.

1860. What proportion does the rating of the St. Katharine's Docks bear to the rating of the residue of the parish; is it not something over 16,000 l.?—I think it is; but that portion of the St. Katharine's Docks which is situated in the Whitechapel Union is rated at 10,250 l.

1861. Do you not think that it is a considerable advantage that they should have Irish labour there?—It is undoubtedly an advantage that they should have sufficient labour; but I regard it rather as a disadvantage that there should be a surplus of that labour, and I very much fear that the temporary character, and the casual nature of that labour, have tempted many labourers to leave occupations of a more permanent character even in our own country districts for the purpose of obtaining this casual employment during certain days of the week, and giving them more liberty during the remaining days.

1862. Then, in point of fact, you think that it would be rather an advantage that a higher rate of wages should be paid for the labour?—It would be an advantage to the persons who receive those wages, but how far it might induce a larger immigration would be a question to be considered.

1863. You say that the employment is casual; do many of the Irish engaged in that employment go to other places when they are thrown out of work at the St. Katharine's Docks?—Not many, I think.

Mr. Martin—continued.

1864. Then, in point of fact, if they do leave the St. Katharine's Docks and go to another place, is not that a break in the industrial residence?—Yes, if they also leave the parish of their residence, but not otherwise.

1865. And it entitles you to have those labourers removed if you like to put the law in force?—We have the power of removal where they have not lived in the union 12 months continuously.

1866. Then even as to the larger class of labourers employed in the way you speak of at the St. Katharine's Docks, if you avail yourselves of the provisions of the Act you are entitled to have them removed?—Yes, under the circumstances I have already stated.

1867. Do you think that it is fair or right that a man should be placed in that position if he has been labouring at those docks for many years?—If a man has been labouring at the docks for many years, I presume that he has had an opportunity of acquiring either a status of irremovability, or a settlement by residence in the place where he has been resident during that time.

1868. Does it not break the continuity if he removes at any time during the year, and does it not force him to get a new starting point?—Undoubtedly it breaks the continuity; but if a period of three years had been completed before that break, there would have been a settlement.

1869. But in the ordinary occupation of these dock labourers, is it not very much their practice to remove to other places constantly in search of fresh employment, so that they break that continuity?—Undoubtedly it would be so in some cases.

1870. From the nature of the occupations of many of the other Irish, in Whitechapel, is there a risk of their losing their status of irremovability?—No, very little risk. They would yet resort for the most part to those districts where they can get their cheap lodgings.

1871. But is it not a matter of fact that very many of the Irish go at various parts of the year into Kent, and other places from Whitechapel, herring and harvesting, and so on?—Yes, great numbers do.

1872. On every occasion when they go down for those purposes is there not a break in the continuity?—There is, unless by continued renting of an apartment, deposit of goods, or otherwise there should be evidence of an intention to return, in which case the continuity would not be broken.

1873. I believe the St. Katharine's Docks were mainly constructed by Irish labour?—I am unable to say.

1874. Who preceded you as clerk to the Whitechapel Union, was it Mr. Brushfield?—No, it was Mr. Craven, for three months. Previously to that, Mr. George Farr. Mr. Brushfield was chairman of the board for about 37 years.

1875. What, in your judgment, is the great advantage of this power of removal that you have?—The advantages, as I have already stated, are threefold: first of all, the distribution by what may be termed an equitable arrangement of the burden of maintenance; next, the prevention of vagrant habits; and, thirdly, the benefit to the poor to be removed to places with which they have associations from places in which by accidental circumstances

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circumstances they find themselves. With regard to the second, if the poor were enabled, by the state of the law, to apply for relief anywhere, to regard the workhouse as their hotel, to apply for entertainment when and where they pleased, it would, in my opinion, induce vagrant habits.

1876. Let us apply ourselves first of all to the second reason. Your view is that this power which you have of removing tends to check applications for relief?—Yes, it tends to check repeated applications for relief, and it also operates as a test in the workhouse.

1877. Is it the result of your practical experience that it has that effect?—It has that effect to some extent.

1878. Consequently, I take it for granted that you know very many cases where poor persons have endured very considerable privations rather than make applications for relief?—I am not prepared to say that they have endured very great privations in order to avoid removal; but I may say that it has led in many cases to their caring about and finding resources; it has disturbed them from settling down in a workhouse where they would have been likely to settle down. This power of removal as regards other than permanently sick paupers operates upon the lower stratum of the poor, those who are addicted to vagrant habits.

1879. Then you only wish to have this deterrent effect produced upon those who are addicted to vagrant habits; it is only as to vagrants, properly so called, that you wish to have this deterrent effect produced?—It has a deterrent effect in the case of what I may term the able-bodied vagrant class.

1880. It has a deterrent effect in preventing the able-bodied vagrant class coming to the Whitechapel parish, is not that so, and is not that the reason?—It has more or less a deterrent effect.

1881. Do you think that it is a good thing that it should have that deterrent effect in preventing labour going to any parish from any other?—When I speak of deterrent effect, I do not speak of it in regard to the parish, or as deterring a poor person from coming into the parish, but as deterring them from a too frequent application for relief, or from remaining long in the workhouse.

1882. But I understood from you a short time ago that what you desire it to have is a deterrent effect upon vagrants; but you think it has a deterrent effect as against able-bodied labourers?—In addition to the tests and discipline of a well-managed workhouse the operation of the law in the case of able-bodied paupers has unquestionably an additional deterrent effect.

1883. A well-managed workhouse, where relief is properly given, and under proper discipline, has a deterrent effect upon an influx of pauperism?—Yes.

1884. Has not this power of removal a deterrent effect in preventing able-bodied labourers from applying to you for relief, and from coming into the parish?—I am not prepared to say that it has a deterrent effect upon their applications for relief, but it has unquestionably a deterrent effect upon their remaining in the workhouse after receiving the intimation of their liability to removal.

1885. Then, in point of fact, you consider

Mr. Martin—continued.

that the Irish in the parish being subject to this power of removal, it has a deterrent effect upon their applying for relief?—I do not wish to be understood in that way. It has unquestionably a deterrent effect when they are once chargeable; but it is well known amongst the poor that the power of removal on the part of the guardians is a power which is not exercised at 24 hours' notice; it is a power which is exercised after some considerable chargeability; and, therefore, they are aware of the fact of their being able to remain in the workhouse weeks and weeks before steps are actually taken to remove them, and then only in view of possible permanent chargeability.

1886. Am I right in translating that in this way: that the poor submit to the greatest possible privations in order to avoid being subjected to this power of removal?—No; this power of removal in the hands of the guardians in the case of paupers already chargeable undoubtedly has the effect of throwing paupers more or less upon their own resources, if they do not desire to be removed.

1887. Then, has it any effect at all in preventing the influx of vagrants?—Vagrants are specially relieved under the Metropolitan Houseless Poor Acts.

1888. Then this power of removal has no tendency to prevent the influx of vagrants?—No.

1889. So that whatever deterrent effect it has, is a deterrent effect to be exercised upon labourers and men in the ordinary pursuit of industrial occupation?—It rather involves the interpretation to be placed upon the word "vagrant"; I am using the word "vagrant" now in the sense in which it is used in the Metropolitan Houseless Poor Acts. The houseless poor persons who voluntarily or involuntarily apply for relief, and are received into houseless poor wards are in no way affected by the law of removal.

1890. Then so far as those vagrants are concerned it has no deterrent effect upon them?—No.

1891. You mentioned, I think, that there was very considerable reluctance on the part of the poor in your parish with regard to this power of removal being exercised?—There is a reluctance on the part of some.

1892. Is not that a very general reluctance?—It is not a general reluctance, certainly.

1893. On the part of the Irish poor, is there a general desire or wish to be removed or not?—A large portion of them are really apathetic in the matter; they care little where they receive relief, whether in England or in Ireland; they seem to have sunk down into a state of chronic desperation.

1894. Will you tell me how many removals took place last year?—To Ireland four persons were removed.

1895. How many of those four were removed at their own request?—I am not prepared to say.

1896. Cannot you tell me from your recollection?—No.

1897. How many were removed in the previous year?—Three.

1898. How many of those were removed at their own request; were there any?—There were, but I cannot give the numbers.

1899. Would

Mr. Martin—continued.

1999. Would you turn to the year before and tell us how many were removed at their own request?—I have no figures for 1876 before me. I have only the returns for 1877 and 1878.

2000. Is the question asked by the magistrate before the order for removal is made, as to whether the party consents to be thus removed?—The questions which are substantially contained in the deposition are asked by the magistrate or on behalf of the magistrate.

2001. Is there anything contained in that deposition showing that the party consents to be thus removed?—Not that he consents, otherwise than in signing and swearing to the deposition.

2002. They have to sign and swear to the deposition in every case, whether they consent or not?—Certainly; in every case the paper signs the deposition.

2003. Is there a line in the deposition which shows the consent of the party?—Not beyond the implied consent in the words, "Neither I, my said wife, nor any of my said children, are in such a state of health as to be liable to suffer bodily or mental injury by removal from the said Whitechapel Union to the said union in Ireland." That affords an opportunity for the pauper to express any objection that he may have to the removal.

2004. Does it not simply afford him an opportunity of expressing an objection on the ground of health?—I may say that I have a recollection of one case in which the pauper absolutely refused before the magistrate to sign the deposition or to be sworn. In that case, all that was done was, the guardians said, "You must do one of two things: you must either submit to removal to Ireland, or you must discharge yourself"; and the pauper, in that case, preferred the discharge, and there was an end of the matter.

2005. In that case, the removal was not voluntary?—Certainly, it was not voluntary.

2006. Do you recollect any case where, in point of fact, there was a strong objection made by the pauper to being removed?—I have no recollection of any such case. My personal desire has been to avoid anything approaching to hardship in the operation of the law.

2007. Do you recollect the case of a man named William Scott, a couple of years ago, who was removed to the Rathdown Union?—I have no particulars before me, beyond what are contained in the Return furnished to the House of Commons.

2008. You could not tell whether there was not a positive objection on the part of that man to be removed?—No, I have not the case before me.

2009. Will you turn to the next case, of Charles Murphy; was there not an objection on the part of Charles Murphy to be removed to the North Dublin Union?—I have no note of such a fact.

2010. Have you no recollection of these cases at all?—No, I have not.

2011. In what year were those cases?—They would probably be in 1877 or 1878.

2012. There were only four cases, I think, in 1878?—There were four in 1878.

2013. What is the average cost per week of a pauper in your union?—In the workhouse it is 3s. 8½d., and in the infirmary it is 5s. 8½d.

Mr. Hatchinson.

2014. Is that for food alone?—Food, necessities, and clothing.

Mr. Martin.

2015. What is the average cost of removal to Ireland?—The average cost would be about 4l. 10s.

Mr. French.

2016. Do you always send someone to accompany the paupers when you remove them?—Always.

Mr. Mark Stewart.

2017. I suppose you do not remove any pauper unless you feel that it is almost an absolute necessity?—No.

2018. And your main consideration is that if you were obliged to keep them the ultimate cost would be very much heavier on your rates than 4l. 10s.?—Only in such cases are we induced at all to remove.

2019. So that a great many that come in for temporary relief you never think of removing?—Not at all.

2020. Therefore on that account the hardship is very much diminished?—Yes.

2021. You have not many Scotch paupers, apparently?—Very few indeed.

2022. They are under the same law as the Irish paupers, are they not?—Exactly.

2023. Have you often heard it said that it is a matter of great hardship to remove those Irish paupers?—Yes, I have heard it stated many times.

2024. Are you in a position to say what the opinion of your board is on that subject?—I may say that as I was coming to the Committee with a distinct suggestion with regard to residential settlement, I did a few weeks ago inform the guardians that I had arrived at the opinion that residential settlement might be reduced from three years to one, and that I should be disposed, if called upon, to express an opinion in that direction; and the guardians, without exactly affirming any resolution, expressed themselves as entirely satisfied to leave the matter in my hands; therefore I may take it that the guardians of the union of Whitechapel would be of the opinion that I have already expressed.

2025. Was that at a meeting of the guardians which fairly represented the whole number?—Yes.

2026. You mean by the deterrent effect, that, if you had not this law, you would have some difficulty in getting rid of a certain class of paupers who come upon your rates?—There is a certain class of paupers whose chargeability is more or less voluntary. Take the case of an able-bodied woman; you put that woman into the needle-room, and let her do light work, and she will remain; but if you tell her on Monday morning that she is going into the wash-house, she will say, "I am not going into the wash-house, I will take my discharge." That is a deterrent effect. Just in the same way does this law, in cases where the chargeability is more or less voluntary, have a deterrent effect. We say, "You, have been here now, Mary Regan, three weeks; it is quite time you were casting about and seeing what you can do for yourself; you cannot expect the ratepayers to maintain you permanently; you must either look out for yourself, or we must pass you on to Ireland;" and she says, "I do not want

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want to go to Ireland, I will take my discharge." That is the extent to which it is a deterrent.

2027. You would retain the present law of removal, modifying to the extent of having one year's residential settlement instead of three?—Yes; giving the industrial poor the opportunity of acquiring settlement in England by one year's residence.

Mr. Symon.

2028. Do not the St. Katharine's Docks gain by the increase of labour, whether it is temporary or not, because the greater the extent of the labour the lower the wages?—The greater the extent of the labour, of course the lower the wages would be.

2029. Are not the owners of property and employers of labour gainers in that respect?—Yes, but I do not quite see that there is a gain, nevertheless, by a surplus amount of labour.

2030. Of course the wider the market the lower the wages. I do not know what you call a surplus. You would reduce the settlement from three years to one year?—Yes.

2031. That will diminish the power that this law of removal gives you to a certain extent, will it not?—Yes.

2032. Taking the advantage that the labour gives you, and taking the reduction of the power of removal, whatever it is, as to which there are different opinions, and taking the fact that you only send to Ireland four paupers in 12 months, is it worth your while to keep the law so far as the Irish paupers are concerned?—I think so.

2033. Why?—For the reason that the operation of the law is not to be measured by the figures of the actual removals, seeing that the actual removals is the last resort of the guardians.

2034. What is the good of the law except to save the cost to the rates?—The operation of the law of removal in most of the cases would in all probability be to the benefit of the pauper himself.

2035. But if it is to the benefit of the pauper only, and if it is no benefit to the union, why should the union oppose its abolition; if the pauper does not seek for its abolition why does the union, when the union has not the advantage and the pauper has?—The union has the advantage in the actual removal.

2036. I thought you said it was the pauper that had the advantage?—No, I say that in some cases it is clearly to the advantage of the paupers that they should be removed.

2037. In how many cases; in half of them?—Yes, probably in half of them.

2038. Considering that you only send four in a year to Ireland, and considering that in respect of half of that four, which is two, the union gains nothing whatever so far as the rates are concerned, and seeing that the union is a gainer by the reduction of wages, I ask you now what is the advantage, in pounds, shillings, and pence, of keeping the law?—I consider that the power of removal is of use even in the case of the Irish poor. The fact of there being so few removals, simply shows that it is merely as a last resort that the guardians proceed to actual removal; but the power being in their hands, it has enabled them to throw people who are able-bodied more or less on their own resources.

Mr. Symon—continued.

2039. Then you would keep the law upon principle, for its own sake, although you hardly ever use it; is that so?—Although it is only apparently used to that small extent, I yet consider that it is necessary and expedient to retain it.

2040. It is useful for its own sake, and merely to have the power of doing it?—Yes.

2041. Do you not think that in itself it is a harsh and cruel law to send a man, or a woman and her children, 200 or 300 miles away?—It was in many cases before the Act of 1875, but I confess I do not see the great hardship now.

2042. I will not measure the extent or degree of it; but is it not in itself a harsh law?—No, I think not as it at present exists.

2043. To send a person away, whether he likes it or not, 300 or 400 miles, to a place where he may not have been for 50 years; is not that a hardship?—If you send them with their consent, there is no hardship there; and if you send them without their consent, and it is a man or woman of vagrant habits, who has been leading an evil life in the low localities in London, although they may not consent, I do not see that the term "harsh" or "hardship" applies in such a case.

2044. You do not think it is a hardship to send a man away 300 or 400 miles after 50 years' residence, although it is no benefit to the union to keep the law?—I consider that if a pauper has been resident 50 years there is a hardship.

2045. Supposing that he had been 10 years resident, would that be a hardship?—I think they ought to enjoy an immunity from removal if they have been in England 10 years.

2046. Do you not think they ought to enjoy an immunity from removal if they have been in England three years?—No, not unless it has been in one parish or union.

2047. But in your own opinion?—I am giving my opinion.

2048. Is 10 years the lowest limit?—In my opinion it would not be safe to place a lower limit than 10 years, seeing that there is already the ability to acquire a settlement by a shorter residence, and a status of irremovability by a still shorter residence.

2049. Seeing that you pay 4*l.* 10*s.* to send a pauper to Ireland, and that you only send two paupers to Ireland in a year (for we have reduced it to two paupers so far as the advantage to the union is concerned), do you still persevere in saying that it is an advantage to keep the law?—I do.

Mr. Rowley.

2050. Is it not your feeling that the advantage which the union derives from the present power to remove is that able-bodied persons are often induced to leave the union, and to come to be a charge upon the rates in consequence of your having the power to remove them if they refuse?—Yes, that is so.

2051. And that is the reason why you desire to retain the existing law?—It is.

2052. You have spoken about the concentration of charitable agencies in Whitechapel which led the poor to come in great numbers to your parish; will you state to the Committee what these agencies are?—I referred chiefly to common lodging-houses; these lodging-houses contain, I believe,

Mr. Ramsey—continued.

believe, from 5,000 to 6,000 beds, and the poor who inhabit these are partly poor who are employed in or about the locality; but others who are leading a sort of mendicant life, selling small articles in the streets of the City, and the West End and various parts of London, and coming there to lodge right after night. It is through these lodging-houses that we get filtered into our workhouse and our infirmary the lowest strata of the poor.

2053. But in what sense are common lodging-houses charitable agencies?—When I speak of charitable agencies I have in my mind now a refuge somewhat similar to the casual ward. It is a charitable institution in which a person alleging himself or herself to be destitute is admitted for a certain number of nights; they get a ticket, say for five nights, and the ticket is perforated for each night, and they get their lodging and their breakfast. It is really a charitable casual ward, but it is called a refuge.

Mr. Ramsey—continued.

2054. But the persons who administer that charity are, doubtless, careful to investigate the particular cases which receive admittance there?—Yes, probably.

2055. You are not acquainted with the administration?—I am not; but the investigation must necessarily be subsequent to the admission.

2056. Why so?—Because the destination, if destitution at all, has to be dealt with there and then.

2057. But they have no special right of admission to an institution of that kind?—No.

2058. May not the persons who administer the funds that support that institution, in each particular case, and before they give admission to a vagrant or a poor person, consider the whole circumstances, and judge whether they should admit him or not?—Yes, probably.

2059. But you are not acquainted with that?—I am not.

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Mr. JOSEPH BEDFORD, called in; and Examined.

Chairman.

2060. You are Clerk to the Marylebone Board of Guardians, are you not?—I am.

2061. Can you give us the population and the rateable value of that union?—The population in 1871 was 159,354, and the rateable value was £,318,479 l.

2062. How long have you held your present appointment?—Sixteen years.

2063. You have heard Mr. Vallance's evidence, have you not?—Yes.

2064. Do you concur, generally, with these proposals with respect to the alteration that he considers desirable in the existing law of settlement and removal?—I quite concur in the proposal to reduce the heads of settlement to residential and birth settlement, and to do away with all other heads.

2065. Are there any points upon which your experience leads you to differ from Mr. Vallance?—I would retain a three years' residential settlement instead of one year; I would retain the one year's irremovability as it is at present; and I have no objection to the abolition of removals within the metropolitan area.

2066. In fact, you do not go quite so far as Mr. Vallance does in this respect; that, whereas he would be content to accept one year's residence in a union as a settlement, you would retain the settlement, as at present, at three years' residence in the parish, and a status of irremovability after one year's residence in a union?—That is so.

2067. How many persons were removed from the union of St. Marylebone during the two years 1878 and 1879?—Two hundred and ninety-seven. The heads of settlement which those persons had were as follows: a rating settlement, 76 persons; a settlement of service, 5 persons; of apprenticeship, 8, former order, 34; of birth, 89; and of three years' residence, 85. That makes up the number of 297 persons.

2068. Is there anything else that you wish to say to the Committee at this point?—I think not.

2069. Were any of those removals to Ireland?—Yes.

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Mr. SYMON.

2070. How many?—Seventeen persons within the two years ending Midsummer 1879.

2071. How many for each year?—I have not these separately.

2072. That is eight persons a year?—Yes.

2073. Can you give us any information as to the particular cases?—I do not know them.

2074. You do not know how long the persons removed had resided in England?—No; the settlement work is done under my supervision, but it is not done immediately by myself; there is a settlement clerk in my office. I can give you the ages. Of the 17, there were 5 under 18 years of age, 11 were from 16 to 80 years of age, and one was over 60.

2075. Were those under 16 years of age orphans?—No, speaking generally, they would be children removable with their parents.

2076. But were those under 16 orphans?—I believe not.

Mr. HUTCHINSON.

2077. Have you any objection to the abolition of the law of removal?—Yes.

2078. What is your objection?—I take it that the law of removal is a deterrent, and that it prevents persons too readily applying for parochial relief.

2079. Do you think it has that effect in your own union?—I do; it is within my own knowledge that it has.

Mr. MARTIN.

2080. With regard to these cases, have you seen a Return that was made by Order of the House of Commons in 1878?—No, I have not seen it.

2081. Have you any document that would give me the length of residence in England or Wales of the persons removed?—No.

2082. I take it for granted that that Return that was made to the House in 1878 was made under your direction?—Undoubtedly.

2083. And of course whatever is stated in that Return as to the ages of the parties removed, and as to their residence, you ascertained at that time

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Mr. Bedford.

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Mr. Martin—continued.

time from some documents which were before you?—Yes.

2084. Are you opposed to an assimilation of the law in England and Ireland?—I think there should be one uniform law for both countries.

2085. And you would have one uniform law extending to Scotland also?—Yes, undoubtedly.

2086. And you think the only thing that we should try and ascertain is what is the most desirable law for the three countries?—Yes, I would have no distinction whatever.

2087. Is it your opinion that it would not be more desirable for us to revert to the Irish practice of letting a poor person be relieved wherever he became destitute?—I think it would cause more persons to come on the rates than are now on the rates; in other words, that it would increase pauperism.

2088. Is it your opinion that it would have that effect in your particular parish, or that it would have that effect all over the country?—Generally, over the country.

2089. How do you consider that it would have that general effect over the country?—There is an indispension on the part of many of the poor to be removed, and they therefore make greater exertions, and hence they do not become chargeable.

2090. You say there is a considerable reluctance on the part of the poor, so far as your experience goes, to be removed at all?—Yes, undoubtedly.

2091. What do you consider is the reason of this reluctance on the part of the poor to be removed?—It is simply indispension to be interfered with, and to be removed from their surroundings.

2092. In point of fact you consider, so far as your experience goes of these cases of removal, that certain associations have sprung up which render the poor desirous of staying where they are?—Yes.

2093. So that you would not advocate removal in the interest of the poor?—No, certainly not.

2094. It is simply in the interests of the ratepayers?—Yes.

2095. And it is in their interests alone that you would advocate the retention of this law of removal?—Yes.

2096. I think you have already given the length of the practical experience that you have had in these cases so as to enable you to form that opinion?—Sixteen years.

2097. In those cases of removal that have been carried out from Marylebone, from what you have said, I gather that these have been removals contrary to the consent of the people themselves?—Not in all cases.

2098. But in the greater number?—Probably in the greater number, but not in all. There have been instances within my own knowledge of paupers wishing to be removed to Ireland.

2099. Have you any particular recollection of

Mr. Martin—continued.

any of those cases that have occurred of late years if I gave you the name of them?—No.

2100. Is it your experience that the magistrates ask the question before making a removal order, as to whether the pauper desires to be removed or not?—I have never attended before a magistrate, but I should not think they would ask that question. I have never heard of their asking such a question.

2101. And there is nothing in the Act of Parliament requiring them to do so?—Nothing at all.

2102. And no special order has ever been issued by you that such a question should be put?—The only instruction that I have given to my officers was where a person had been absent from Ireland for many years, to mention that to the magistrate, and to leave it to his discretion.

2103. To bring before the magistrate, in fact, all the circumstances of the case?—Yes.

Mr. Giles.

2104. I think I understand from your remarks that, in your opinion, if the gaining of a settlement were made more easy than it is now, there would be less necessity for the law of removal?—I take it that the law of settlement and removal go together.

2105. If a man, after having worked for 20, or 30, or 40 years, has not obtained a settlement anywhere by law of removal, you can send him to his birth settlement; if he could gain a settlement more easily than at present there would be less necessity for the law of removal?—Yes.

2106. What is the average cost per week of a pauper in your union?—That depends upon the meaning of the words "average cost." If you take the mere food, necessities, and clothing, without regard to the officers' wages, expenses of building, and so on, the average cost is under 4s. a week; but I venture to think that the cost should include many of the other things that we not usually included.

2107. That average cost of 4s. is the only cost that falls upon the rates, is it not?—The cost of the buildings and management, in addition to the 4s.

2108. But the actual cost of food and clothing is under 4s. a week?—Yes.

Viscount Eglon.

2109. I understand that you wish to retain the law of removal solely in the interest of the ratepayers?—That is so.

2110. If the law was done away with, it would be impossible to remove any person from one parish or union to another, would it not?—Yes.

2111. Might not that in some cases be very hard on a destitute person?—Yes.

2112. Would you not, therefore, wish in some cases to retain the law of removal?—Yes, in some cases.

Mr. HENRY WHITMORE HIGGINS, called in; and Examined.

Chairman.

Mr. Higgins.

2113. You have for many years been connected with St. Pancras parish, have you not?—Twenty years.

2114. And for the last seven years I un-

Chairman—continued.

derstand you have had the carrying out of the law of removal?—I have, as Assistant Clerk to the overseers and directors of the poor.

2115. Do

Chairman—continued.

2115. Do you hold any Poor Law appointment at this moment?—Not at present.

2116. How long have you left Poor Law work?—About three months.

2117. What is the population of St. Pancras parish according to the census of 1871?—Two hundred and twenty-one thousand four hundred and sixty-five.

2118. What is the rateable value?—£. 1,328,478.

2119. Has the annual poor-rate in St. Pancras for the last three years averaged 165,000 l.?—It has, on an annual average rate of 2 s. 6 d. in the pound.

2120. You have had to deal with a very large number of cases of removal, have you not?—I think I may say that my experience has been as large, if not the largest, of any officer in the Kingdom as regards English poor.

2121. Do you consider the present law of removal beneficial?—I do.

2122. Why so?—It acts as a deterrent to those who do not belong to the working classes. It enables some of the working classes, who but seldom become chargeable, to be occasionally passed to their friends when they desire it. It discourages prostitution to a great extent, and tends to make the poor self-reliant. As regards the working classes, artisans, they seldom become chargeable, but when they do, and are desirous of being passed, so far as St. Pancras is concerned, they always are passed; but in my experience I may say that within the last three years I have not passed a single working man or an industrial labourer to any other parish. As regards prostitution, some 200 cases have come annually under my observation, and those mostly from country districts. These women leave their homes where possibly they have been seduced, and by being returned to their parents are often prevented from continuing a course of infamy. As regards making the poor more self-reliant, removal affects those who, as a rule, may be classed as habitual paupers, and who, although not criminals, frequently develop into that class, and possibly serve as a check to some who are already criminals. It has a tendency, so far as they are concerned, to make them work, occasionally at least. It discourages pauperism only so far as regards the undeserving poor. Other reasons might be assigned, too, in favour of the existing law.

2123. Can you give us any statistics as to the number of removals that took place under your supervision?—For the three years ending the 31st of December 1878, there were 991 orders of removal from St. Pancras.

2124. That is 330 orders in a year?—Yes.

2125. Will you classify those?—Of those 991, 414 were served upon country parishes and unions in England. I mean parishes and unions outside the metropolis.

2126. How many of those 991 were Irish?—Nine were Irish and one Scotch.

Mr. Syme.

2127. Were the remainder all English?—Yes.

Chairman.

2128. All were English except 10?—All were English except 10.

2129. Then what were the 414?—Those were orders made by St. Pancras and served upon parishes.

Chairman—continued.

vicinal unions or parishes. The average for the three years being 330. The total number of orders made from St. Pancras for the three years ending the 31st December 1878, was 991. Of that number 414 were orders made upon provincial parishes and unions, including 10 made upon Ireland and Scotland.

2130. What becomes of the other 577?—The remaining 577 were made upon metropolitan parishes and unions.

Captain Gorry.

2131. Were there any other orders made in those years on the metropolitan districts?—No.

Chairman.

2132. Do you consider that this power of removal has been a great pecuniary advantage to your union?—Undoubtedly.

2133. Can you give us any figure as to the cost of the removals?—Based upon the calculation of a person having once become chargeable, and putting it at a low figure, I should estimate the saving at over 5,000 l. a year.

2134. You consider that by a system of removal the union was saved 5,000 l. a year?—Yes.

2135. What was the cost of those removals?—The total cost of the removals for the three years ending December 1878 was 2,810 l.; that included the journeys in making inquiry into settlements of persons included in the 991 orders, and of many others for whom orders were not made, owing to their having ceased to be chargeable rather than be removed, law costs, salaries of officers, justices' clerks' fees, and every detail connected with the working of the law. But it is important to remark that, as a set-off against that sum, there was about 2,765 l. received by way of maintenance from other parishes in respect of those people removed, thus showing that the working of the law cost the parish a mere nothing.

2136. Then as I understand it, your contention with regard to the condition of the law of removal is, first of all, that for certain reasons it is beneficial to the poor, and secondly, that in certain unions, and notably in the one with which you have been connected, it is very profitable?—That is my opinion.

Mr. Hülbert.

2137. How do you account for the large number of removals to English parishes?—Amongst others from the fact that we have three large railway termini in St. Pancras, the Great Northern, the Midland, and the London and North Western. The railways bring poor persons from country districts to parishes being rapidly covered with a comparatively small class of property, where, after being resident a short time, they become destitute, and are bound to seek either the workhouse or to apply for outdoor relief.

2138. You stated that you consider that the present law helps to prevent prostitution; can you state any case in which prostitutes have actually applied for relief, and you have enabled them to be passed into the country?—Many; and there are several women's homes in St. Pancras founded by charitable persons, and they are drafted occasionally from those homes into the workhouse.

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2139. I suppose

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Mr. Hübner—continued.

2139. I suppose, if the power of removal was taken away, these women would still be drafted to their homes by some voluntary agency?—I think not, because they belong to that class whose parents have no power of furnishing them with the means of returning to their homes, and other voluntary aid seems very much limited for such work.

2140. It is not the power of removal that helps to get them to the country; it is these homes that act in bringing them to a sense of their moral position?—Not exactly; these homes often receive and at once transfer them to the workhouse, without any apparent desire for improvement.

2141. Do you know whether any of those cases that were sent to Ireland or Scotland were cases of people who had been a long while absent from their native country?—I think I may say that they had been absent a very short time in every case. As a matter of fact, they could not have been resident long in St. Pancras.

2142. Might they not have been resident in other parishes in the metropolis?—I think not, judging from the number of the country orders that were made; over 40 per cent. of the entire number.

2143. Has the alteration of the law of 1876, which gives a three years' settlement, had any influence in reducing the number of removals?—No; certainly not.

2144. Do you think that, if that law was altered so as to reduce the period requisite for acquiring a settlement to one year, there would be more removals?—Undoubtedly.

2145. Do you not think there would be fewer?—No.

2146. On what grounds do you think there would be more?—Because the easier you make it to acquire a settlement in respect of residence, the larger number of poor there would be found who had lived in a place one year, and who would be consequently removable.

2147. Is not that an argument in favour of the freedom of labour?—No, I believe not; I think this settlement question does not affect the freedom of labour.

2148. You say that people would move about more easily than they do now if the law of settlement was altered?—Yes, but those people mostly belong to what certainly may not be described as the working class.

2149. You make a distinction between the wandering or vagrant class, and the working class?—Yes, the habitual poor.

2150. Then you are not in favour of any mitigation of the existing law?—Only as regards derivative settlements.

2151. Would you amend the law so as to give a settlement over the metropolis instead of over the parish?—No; I think that if the law of settlement were abolished in the metropolis, it would be productive of enormous evil. London contains a sixth part of the population of the entire kingdom; and inasmuch as the means and facilities of getting to London are so numerous and cheap, persons could live and shift about from one parish to another without any fear of being questioned or being tested in any way as regards bringing them to work even occasionally.

2152. But is it not the case that the system which is now in operation in the metropolis with respect to the vagrant wards is carried out so well

Mr. Hübner—continued.

that a person can scarcely go there several nights together without his being found out?—That would only apply to the particular class who frequent those wards.

2153. That is the most vagrant class, is it not?—I hardly know how to define the term "vagrant." In my rendering, amongst other definitions, I would refer to that class of persons who migrate from workhouses according to caprice, or hide themselves therein from justice or from their relations, and the latter are very numerous.

2154. The classes who habitually attend the vagrant wards?—No doubt that class of persons would be met by the provisions of the Homeless Poor Act.

2155. You know that those provisions were made much more stringent a few years ago?—Yes.

2156. But those are not the working class?—No.

2157. You have put out the working class and you put out this class; what other class have you?—Those who work occasionally, and who supplement their earnings by applying for relief; they are a nondescript sort of poor, and too numerous to be specified off-hand.

Mr. Giles.

2158. I do not quite understand how you can reconcile the fact that there would be mere removals if you reduced the settlement to one year?—A settlement by residence is more easily acquired than any other.

2159. But it cannot be acquired at present under less than three years?—No; but even taking into consideration the short time that the Act of 1876 has been in operation, I find that there are more removals, so far as St. Pancras is concerned, and I think that is fairly to be ascribed to the fact that the three years' residence has given the additional power of making orders. If the residence were reduced to one year, I believe it would be found in many cases that there has been a one year's residence where there has not been two or three.

2160. You gave us, I think, 981 orders of removal; can you tell us how many removals you had in your union during the same time?—Yes; we had 270 orders made upon us, and on an average about 20 per cent. of those were bad. The number of persons removed from St. Pancras was 1,314 in the three years, and the maintenance of 97 lunatics was transferred, and the whole orders (981) named above were submitted to.

Mr. Martin.

2161. Do I rightly understand that you are in favour of reducing the term of residence?—No.

2162. You would still adhere to the three years?—Yes.

2163. Would you insist that there should be three years' continuous residence in the same union or parish?—I think it might be extended to the union instead of the parish, but if it was so extended I am afraid it would create litigation.

2164. Do you think that the power of removal tends to check applications for relief?—No, not in the case of those who are really deserving.

2165. Whom do you mean by "those who are really deserving"?—For instance, a labouring man, whom one may safely say belongs to the working

Mr. Martin—continued.

working class, and who, perhaps, through temporary destitution, is bound to seek some assistance; perhaps his children or his wife may be ill; or he may be thrown out of work for a few weeks; that man has no fear, as a rule, of applying for relief, because he knows if his case is a deserving one, and worthy of consideration, that it will be dealt with in a fair spirit by the guardians, especially in the large towns.

2166. Then, in point of fact, you think that wherever a labouring man becomes destitute he ought, in fairness, to get relief?—Yes, a labouring man, certainly.

2167. And that he ought not to be deterred in any way from fairly seeking for that relief?—Not that class of man.

2168. You think the object of the law should be only to deter the vagrant class from seeking for this relief?—Yes, if you define the word "vagrant" to include the description of the persons to whom I have alluded as forming the very large proportion of paupers.

2169. But you do not think that any just or fair law ought to deter a labourer from seeking relief wherever he was destitute?—I think not, nor do I believe that it does so.

Mr. Mark Stewart.

2170. In what direction would you alter the derivative settlement?—I would carry out the intentions of the Legislature as enunciated in the discussions on the Poor Law Amendment Bill of 1876. There it was held that the children should simply follow the settlement of the father or widowed mother, but in carrying out the Act we have come across certain anomalies. The old law of derivative settlement was judge-made law; this law of derivative settlements is now defined and limited by Act of Parliament. Heretofore all the settlements being made upon the decisions of various judges; it was held that you might go back to the great grandfather, and so on. By the Act of 1876 it was intended, I conceive, that if a person became chargeable, that person, no matter whether he was 5, 15, 25, or 50 years old, should be deemed a child, and should follow his father's settlement, the settlement of the father to be his place of birth; that to give way only to any subsequent settlement which he, the father, might acquire either by apprenticeship, rating, renting, estate, or residence. But unless the father has gained a settlement by rating, renting, estate, residence, or otherwise, it has been held by the court that his place of birth is no settlement for the purposes of this Act, and that, therefore, if you can show the grandfather's birthplace, that settlement supersedes the son's birthplace, and the child chargeable would then go to wherever it was born. A child's settlement may now differ according to whether he is chargeable with his father, or widowed mother, or alone. 1. For instance, say a deserted child John, five years of age, now chargeable to and born in the parish of St. Pancras. He is the son of William, who was born, say, in the parish of Yeovil, and who has acquired no settlement in his own right. William is the son of Samuel, who was born, say, in the parish of Plymouth. 2. Then take William, the father of John, as now chargeable in another parish, say, St. Marylebone. The child's place of settlement under the first quoted instance according to the decision of the Court of Queen's Bench (and this class of settlement frequently

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Mr. Mark Stewart—continued.

arises in practice), would be in the parish of St. Pancras through its own birth; whereas if, as secondly quoted above, the child were chargeable to St. Marylebone parish with its father, he would be deemed to be settled in the parish of Plymouth, as that is his father's (derived) settlement, and descends to him (John) as being part of his father's (William) family then chargeable, the settlement of the head of the family being adjudged. In brief, it is now necessary in many instances to trace, if possible, firstly, the grandfather's place of settlement, in order to arrive at the grandchild's place of settlement, but all this may be obviated by making the statute of 1876 more plain. I take it that if the law of 1876 were amended so as to meet the views laid down and discussed in the House of Commons when the various clauses were being considered, no real hardship could be alleged against any of the laws either of settlement or of removal.

2171. Then do I understand that you would not allow the child to go back beyond its father?—Not beyond its father's birth. For example, in a case tried at quarter sessions, when the point of law was referred to the Court of Queen's Bench, there was a child aged 18 years; the child was born in St. Pancras, the father was born in Deddington; the grandfather had acquired a settlement by serving a public office in the parish of Milton in another union. I made an order upon the parish of Deddington, the father's birthplace holding that for the purposes of this Act that was to be deemed the settlement of the father, and to be the settlement derived by the child. When the order was made and the settlement argued at sessions, they say: "But what was the settlement of this child's father when he was born?" I say, "There is no necessity to go into that; we can find a settlement of the father, and that is his birth settlement. There is no necessity for us to go back to the grandfather's acquiring a settlement by the office; the law prohibits us from going back so far; but for the purposes of this Act we have found a settlement in Deddington, and, therefore, that should be his settlement." The courts say, "No, that birth settlement of the father was swept away by the grandfather of your pauper having acquired a settlement before his son attained the age of 16." "Yes," I say, "that ruling is right enough, so far as the old law is concerned, but where the prohibition is now a matter of enactment, I think you should go to the father's birth without any fear of disputes."

2172. And that is the only change that you propose?—As regards widows, I would make the settlement to be derived from her husband dependent on its being gained during coverture; and that she should not go to the place, say, of her husband's or of her husband's father's birth, but that she should follow her own birth settlement, or any settlement that she might have acquired for herself before marriage. The closest settlement I could get I would make the settlement in every case.

2173. Would that simplify the difficulties of finding settlements?—Except the total abolition of the law, I think nothing could be more plain.

2174. But you have a strong dislike to abolishing the law of settlement, or the law of removal?—Undoubtedly.

2175. You

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2175. You give the evidence that you give individually, as you have left the Poor Law?—Yes, but those were the views that were adopted some three years ago, when the question was mooted in St. Pancras, and I believe they are still held by the present authorities there; I think I may say that.

Mr. Hutchinson.

2176. Your observations have been principally confined to what has taken place in your own union, I suppose?—No; I may say that I have had large experience enabling me to form an opinion from dealing with other parishes and unions.

2177. In the metropolis?—In all parts of the country.

2178. Of your removals one-half are to other parts of the metropolis, are they not?—Yes.

2179. And the other half are into the country?—Yes.

2180. Are they to all parts of the country?—To all parts of the country.

2181. Not to those counties immediately contiguous to London?—No, to all parts of the country.

2182. Are they pretty equally of both sexes?—No, the majority females and deserted families.

2183. Servant girls, I suppose, who have come to London for a brief time, and for various reasons, and then you send them back to the country; is that a large proportion?—There are not a great number of those. The nature of the cases removed, was as follows: Total number of persons removed 1,411. Of those, 726 were workhouse cases; 397 outdoor; 97 lunatic, where the maintenance was transferred by order of the justices; 106 were cases of children taken from schools, and 83 were cases of sickness of a permanent nature, but these were not all removed. In such cases it was laid before the justices that those persons who had possibly come from the country to go into a London hospital for better treatment, or had come to London to stay with their friends to get better medical advice, and who, after their money had been spent, or had been found incurable in the hospital, were transferred to the parish. These cases were brought specially under the notice of the justices, who, acting under the discretion vested in them by statute, say, "We shall suspend the execution of this order until it has been made to appear to us that the person named therein is able to be removed without danger"; and in those 83, a large number of cases of that nature was included.

2184. Does the number of the inmates in your workhouse fluctuate much?—Not greatly. We have about 4,000 admissions a year; but the total poor dwell with averages about 6,500 weekly.

2185. Is that about the number that you have permanently there?—No; I forget the weekly average. I think now the Local Government Board have reduced the number, but it used to be from 1,700 to 1,800.

2186. Is the proportion of the sexes pretty equal?—No; I should think the large majority would be of the female sex, but I would not speak positively.

2187. Of what average age are they?—I cannot say, but varying from 60 down to 30 and 20. In the three years, there were 3,166 removable cases admitted to the workhouse, or which had

Mr. Hutchinson—continued.

outdoor relief given to them for a time. Of these, 1,411 persons were removed, and the remainder gave up the relief, or quitted the workhouse, rather than be removed.

2188. It is clear that the circumstances of your union are entirely exceptional—I think not. If the information were got out in a proper form, I think you would find that this sort of thing prevails more largely than honourable Members are aware of. I am afraid you would receive some startling facts if the information were got at in a professional way; that is to say, got at in a way that is known to those who have the practical working of the law.

2189. It is clear to me, both from my own knowledge and from the evidence which has been brought before us, that the circumstances of your union are very exceptional—I do not know that is so, but it may partly be because we are rather more energetic or desirous of carrying out the law; but I may safely say that in no instance has there been a case of hardship, except it may be on the part of some parish or union of settlement. For instance, a woman came up with her husband in December 1877, from Aylesbury, and he had been resident in Aylesbury all his life. He was induced to leave there to seek work in London, where he got employment on a railway, but unfortunately he met with an accident, which terminated in his death. The woman, by statute, was exempt from removal on account of her widowhood for 12 months. At the expiration of the 12 months, the woman having been chargeable the whole time, the guardians referred the case to me to inquire as to the place of settlement. Of course, that was easily found; no inquiry being necessary. The people were respectable; the man has been a hard working, industrious man; and the woman during her chargeability to the parish, having some three or four children, had proved herself to be a good mother, and an honest, hard-working woman. By industry she had got a little connection together, such as laundry work and so on. The order of removal was served and submitted to. The relieving officer, as frequently happens, brought the case under my notice, and said that it was a case where it would be hardship to remove, and I immediately laid the facts before the guardians, as I invariably do in these cases. They ordered that application should be made to the union of settlement for permission to relieve this poor woman and her children for a while, or until the children should grow up and be able to do for themselves, or until certain of them should grow up, and then, of course, that the relief should be reconsidered. The woman would have to be visited by the relieving officer as a matter of course at certain intervals, to see that she was continuing in the same mode of life and remaining respectable, and so on. After making one application, of which no notice was taken, the guardians again wrote, and then the guardians of the settlement union said that they had made it a hard-and-fast line not to grant any non-resident relief, and that they could not think of breaking through that line. Therefore, that woman must have had her home broken up and be passed, rather than they would give her temporary relief, it being borne in mind that no matter where the poor woman was resident, she was bound to be relieved, inasmuch as her actual means were insufficient. In London, where she had resided for some time, she was enabled

Mr. Hutchinson—continued.

enabled to get her living; but on removal to Aylesbury she and her children would have to be admitted to the workhouse. The cost of relieving in St. Pancras would be perhaps 5s. and five leaves, amounting to about 7s. 6d. per week. The minimum cost of maintenance in the country union workhouse where she was bound to go (because they do not believe in giving outdoor relief there; they say to the widow that they will take two or three of the children, into the workhouse, as the case may be, but will not grant her out-relief). I have no hesitation in saying that the cost of maintaining two children only in the workhouse schools would far exceed the amount that was given to this poor woman by way of outdoor relief in St. Pancras; and which, if given only for a similar time that they would have to keep the children in the country workhouse schools would have been far less expense. They would have also kept the children from the pauper taint, which undoubtedly is acquired when they are once admitted to the workhouse and associate with children of all grades. By granting the application of the St. Pancras guardians the guardians of the settlement union would have enabled this poor woman to get her living honestly and respectably.

Mr. Fenyth.

2190. Was the woman removed or not?—She was removed, I believe, subsequently to my ceasing to hold office.

Mr. Hutchinson.

2191. When you say that they do not believe in outdoor relief, are you speaking specially of Aylesbury?—No, I believe there are many districts where they do not believe in it. They give indoor relief, or what is known as the workhouse test.

Mr. Symes.

2192. That bad case that you have given us now would never arise if this law were abolished, would it?—I think harsher cases would arise; I cannot exactly say what might happen.

2193. The particular case that you have given us could never arise if the law were abolished?—No, not in that way.

2194. With respect to this nice legal question that you have given us about the child, and the father, and the grandfather, and I do not know whether you went back to the great grandfather, that was a very nice case for the lawyers, was it not?—Perhaps so; but this is easily prevented by rendering the Act of 1876 more intelligible.

2195. Would not the abolition of the law of removal put an end to that?—Yes, undoubtedly it would; if there was no law there would be no law expense.

2196. Now let us come to these classes in St. Pancras. St. Pancras seems to be a very peculiar and exceptional parish, so far as the evidence before us goes, because you state that there are only 350 orders of removal on an average in each year; how do you classify them; how many able-bodied labourers are there in that class?—Not one.

2197. How many of the criminal class are there?—I cannot answer that question.

2198. How many of the vagrant class are there?—I must ask you what you mean by the vagrant class.

Mr. Symes—continued.

2199. The habitual poor, not industrial labourers. How many are there of that class living on the rates, not having a year's settlement in the union?—There are over 1,000 removable cases a year in St. Pancras, and they embrace all classes.

2200. For three years it was 991, was it not?—Orders of removal were made in that number of cases, and those orders included 1,411 persons who were actually got rid of.

2201. That was an average of over 500 a year?—Yes, orders, but including over 450 persons.

2202. Can you classify those orders; you told me there was no able-bodied labourers amongst them?—No.

2203. How many of the criminal class did those orders apply to?—I cannot answer that question.

2204. How many of the vagrant class did those orders apply to?—I cannot answer that question offhand.

2205. Supposing that a strict vagrancy law was passed which also affected that criminal class that you referred to; that seems to be so numerous in St. Pancras (I cannot congratulate it upon its morality), would not that render removal altogether unnecessary for the industrial labouring classes?—No, I think not.

2206. Why not?—Because in many instances we get people whom you would scarcely call criminals or vagrants, but who are bound to be maintained, and who do get their living occasionally. These are the class of people I mean as the nondescript class and that are removed. I do not mean to say that in St. Pancras we have a large proportion of thieves and criminals of all classes; I do not suppose there are more there than elsewhere; but I mean that the persons who are included in those orders of removal belong to that class who do not work long together; but who move about, and, but for the law of removal, would very likely be in one workhouse or other in the metropolis or provinces throughout the whole of the year.

2207. If an exceptional law was passed applicable to St. Pancras, would not that render a law of removal unnecessary?—I do not understand what you mean by an exceptional law for St. Pancras.

2208. Supposing that there was a strict vagrancy law passed applying to that very class that you mention as composing a great part of the 991 orders, and applying to the other immoral class that you mentioned, would such a law render it unnecessary to keep a removal law for the whole of England when England does not want it?—No, unless that vagrancy law met all the difficulties which are now met by the law of removal.

2209. Then the removal must be kept for England because St. Pancras wants it?—No, most decidedly not; I do not say so for a moment. What I intend to convey is, that the laws of settlement and removal have been and should be retained as a general protection to the industrious classes, and to prevent persons, who have no claim on a place by honest labour, from obtaining a right to continuous relief therein.

2210. Supposing that it had been proved before us that all the unions in England, with the exception of St. Pancras and one or two more, were

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Mr. Higgins.

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Mr. Symon—continued.

in favour of the abolition of the removal law, would that change your opinion in the least?—Not at all, and I will give you a reason for that. Taking the Return presented to the House of Lords in June 1875, and comparing the work done in St. Pancras with the work done in other parishes and unions, we get at these facts: that St. Pancras deals with more orders of removal than the whole of 33 out of the 52 counties of England and Wales, such 33 counties containing 253 unions, and comprising 6,745 parishes. The 253 clerks of those unions, as a voting power, would of course far outweigh St. Pancras; but I would respectfully submit that that is no criterion that the law is a harsh one, or why their views are more correct than mine. I do not suppose that in many of the country districts they get one removal in a year.

2211. Take Manchester?—Manchester is a large town. I do not refer to large towns. Referring, however, to Manchester, I believe building better classes of property (i.e. warehouses, &c.) in that city has been the means of causing the destruction of that class of property formerly inhabited by the poorest classes, who consequently have had to remove elsewhere, and this has happened, I believe, to a considerable extent. With regard to the evidence that I have heard referred to this morning about the 48 clerks, I have no doubt that they were gentlemen whose experience in the law is limited, and who feel it a hardship to have to work up this law; because my experience has taught me that whenever an order is made upon them, and they do not exactly fall in with the views set forth in the order, they serve grounds of appeal and rush into costs for which there is no necessity. There is a want of desire on the part of country clerks, who, by the way, are mostly solicitors, to work amiable with those of the larger towns. So far as the larger towns are concerned, between one another the question of costs very seldom arises, except it is on a point of law, and then each party agrees to pay their own costs to get a decision.

2212. What were the particulars of these nine Irish removals?—They were all persons desirous of being passed.

2213. What was the longest residence of any of those people in England?—I cannot give that, but the time was very short; certainly not five years I should think; but, in every instance, they were desirous of being passed, and the magistrates before whom I have the honour of appearing and have done for some years, make it an invariable rule to put this question or a question similar: "Do you wish to be removed?" and they call upon me to furnish a medical certificate with regard to the condition of health of all the paupers, who must be present and be seen by the justices before the order is made. The magistrates always put these questions, and should the person say, "No, I do not wish to be passed," they say, "Then we will listen to your reason." If it is an able-bodied man, they will say, "What is the cause of your being in the workhouse?" "Oh, we have no work, sir." "Where did you work last?" As a rule they refuse to answer these questions, but are informed that they must either leave the workhouse and seek work or be removed.

2214. There is no harsh case in any of these nine removals?—Not the slightest.

Mr. Rosney.

2215. You have explained to the Committee that your desire is to have present law of removal retained?—Yes.

2216. You have also stated that the great body of the present removals for whom orders were obtained were persons who could not properly be regarded as able-bodied labourers or fit to earn their wages, by any stated permanent form of industry?—No; the cases admitted to the workhouse week after week are dealt with by the board of guardians. If there is a man with his wife and children, no matter how many, and he is a deservingly and hard-working man, and simply temporarily chargeable, they never think of giving instructions for his removal, they would rather supplement the man's efforts by giving him clothing and so on, thus enabling him to stay until he could pull himself together a bit, and perhaps get on with his work. But out of eight or nine years' experience that I have had of the working of the law in St. Pancras, no case of a labouring man has come under my supervision to be passed. The real labouring man has no fear of being passed; it never enters his thoughts, I believe; if he is temporarily struck down, he knows that by appealing to the guardians, and setting forth his case, if they find that his statements are correct they have no desire to harass him, but rather, on the other hand, to give him a lift to enable him to start again, and thus prevent his becoming an habitual pauper; that is the invariable practice in St. Pancras; no case is removed without its going before or being brought under the notice of the board of guardians. It frequently happens that girls come to London by train, or are brought in, or make an application to the porter at the gate to be admitted, in the palus of labour; they come in many cases direct from country districts, and on inquiry it is found that they have been seduced there; the paterne fathers have, as a rule, afforded them money to get to town, so as to get them out of the way for the time, and send them money with a view of hushing up or hiding the matter. Of these cases we have, on the average, about 200 a year.

2217. Then that constitutes about one-fourth of the whole class for whom orders are obtained?—No. There are about 1,000 removal cases of various kinds in a year. In the 991 orders there were only 1,411 persons removed, although one order embraces the removal of a whole family; so that they were mostly single cases.

2218. A good many of those 1,411 persons may have had casual employment in St. Pancras, may they not?—Yes, but most likely they had only been up from the country a very short time. Then again, there is that class of persons who simply work bit by bit upon whom this law acts, I submit, as a sound test. There are a certain number who are as well known in the metropolis, as certain thieves are to the police, to those who have the working of the law; not to the clerks of guardians only, because, as a rule, it would not come under their immediate notice, but to those officers who have the practical carrying out of the law; in fact, I could myself, to use a vulgar expression, "spot" 20 or 30. On their being brought before me for examination, I should say, "Well, so-and-so, you are in the workhouse again. I shall have to pass you once more." To which the reply often is, "Oh, I am not going to be passed back again, I shall go out and do something."

2219. You consider it a very efficient test in such

Mr. Rawns—continued.

such cases?—Yes; those people hate to go where they are best known.

2228. Therefore you think that it does the individual good, because it frightens them away, and forces them to do something for their own support?—Yes. Then, again, there is another class; those admitted into the sick wards, the infirmaries; they resort to all sorts of devices, and remain chargeable for lengthened periods; and those people would remain much longer chargeable than they do at present but for the fear that they would be sent back to where they are well known, and would be put to work, the authorities where they are known being aware that all this business is merely a sham.

2229. This numerous class adds very little to the supply of labour within St. Pancras, I suppose?—I think it is the greatest fallacy out to say that the law of removal impedes the circulation of labour. I think that if any gentleman here could make himself thoroughly acquainted with the practical working of the law he would very quickly arrive at that conclusion.

2230. And you would therefore contend that in the interests of the poor themselves, as well as in the interests of society at large, the law of removal should be retained?—I do. Of course in the working of the law certain hardships occasionally crop up.

Mr. Forth.

2231. I suppose the law of removal, like every other law, can be either humanely or harshly administered?—Yes; it depends in a great measure upon those upon whom it devolves to carry it out, whether kindness or otherwise is brought into question.

2232. But if humanely administered, as you say it is in St. Pancras, you think that the abolition of the law of removal might unfavourably affect St. Pancras with a body of paupers who would have to be maintained by the parish?—Yes; and not only that, but it would tend to this, I think: it would cause the officers in certain districts to keep pushing those people on, and those officers would vie with one another in making the stay of the people in the workhouse as short as they could, and so driving those people to larger places, where they would undoubtedly be better treated, the dietary being more liberal, and the labour tasks not so rigidly enforced as in country districts.

2233. Do you think that the fact of the existence of the law of removal, no matter how humanely administered, has the effect of deterring persons from coming to St. Pancras who otherwise would come if the law of removal were abolished; if the law of removal were abolished, do you think that more persons would come to St. Pancras than come now?—I think so, undoubtedly, for this reason: I have frequently questioned these men and women, upon their being admitted, as to how it was that they should come direct from Cornwall, or, say, from Nottinghamshire or other country places, and how it was they selected St. Pancras, and invariably I have traced out that they have known somebody else, and who, again, has known somebody else, who has told them about St. Pancras. There is a wonderful communication going on between this class of poor, and I have no hesitation in saying that if this law was abolished, especially as regards the metropolis, not only

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Mr. Forth—continued.

would the rates increase, but pauperism in its worst aspect would assume such a form as would be rather astonishing to honourable Members.

Chairman.

2234. Can you inform the Committee what amount is spent by St. Pancras each year in outdoor relief?—No, I cannot; but I believe about 25,000*l*.

Mr. Mark Stowell.

2235. I understood you to say, that the greater part, or most of the Irish poor who were removed, did not object to their removal?—In every instance, in St. Pancras, they were not forced against their desire.

2236. Does that apply to other removals?—No.

2237. With regard to those removals, are there any special fees given to the clerk of the guardians for removing any pauper?—No; there is an allowance made of so much per day to the removing officer. It forms part and parcel of the duties of the clerk to the guardians to see the laws carried out.

2238. There is no special inducement to him to make those orders?—No; in fact, in some parishes and unions in the metropolis, the Local Government Board decline to give them any compensation for this work specially.

2239. In the parish of St. Pancras, what is the arrangement?—St. Pancras is somewhat peculiarly situated. Until the Act of 1875, it was the duty of the overseers of the poor to carry out this law, it being a single parish under a Local Act; but by the Act of 1875, the Local Government Board have power, when they think it necessary, to confer the power of applying for orders of removal upon the guardians; so that I, who have been acting under the overseers, have lost my appointment, because it is now transferred to the guardians, and it forms part of the duties of their clerk. When I was there, I was in receipt of a salary, and I had one assistant, and the total salaries of the officers was about 360*l*. a year.

2240. Then you get no special remuneration for each pauper?—No.

Mr. French.

2241. You said in answer to the honourable Member for Limerick, that the Irish poor who have been removed from St. Pancras have nearly all been persons who have lived, at the most, for five or six years in the parish; would you be surprised to hear that in a Return furnished to the House of Commons, in 1875, it appears that the terms of residence are 21 years, 30 years, 58 years, 20 years, 4 months; 16 years, 2 months, 2 weeks; and 16 years?—As I have already stated, I only speak as far as my memory serves me, but in neither of those instances was the person forced to go; it was always put to them, "Do you want to go?" And they said, "Yes."

2242. This Return was prepared under your supervision, was it not?—Yes, I believe it was.

2243. And all the figures that are here are correct?—Yes, I believe so. I could not swear positively as to the time they have been absent from Ireland; all I can say is that I believe they have been absent short periods, but I supplement that by saying that in no instance were they passed against their own consent.

2235. WHAT

Mr. CROWTHER SMITH, called in; and Examined.

Mr. Smith.

Chairman.

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2236. WHAT appointment do you hold?—I am Clerk to the Guardians of Southampton.

2237. How long have you been there?—Nineteen years.

2238. Southampton is a very interesting place, as bearing upon our inquiry, because it is a port, and though in a lesser degree, it has a similar interest in the matter of removal to that of the port of Liverpool, will you kindly give us your opinion, after your 19 years' experience, as to what would be the effect at Southampton of the total abolition of the law of removal?—It would certainly be a very disastrous thing to the ratepayers. I have here a return, which shows the number of paupers and lunatics who have been adjudicated during the last three years, and which shows the following figures. From June 1876 to June 1879, there had been removed and adjudicated, lunatics, 65 men, 68 women, and 89 children, making a total of 232. Of that number, 209 were removed to English unions; 18 were removed to Irish unions; one to Scotland; and four to the Channel Islands, making a total of 232. With regard to the port itself, we are peculiarly situated with respect to merchant seamen and distressed seamen, sent home from abroad by consuls. We had during two years 41 British subjects sent home by consuls and others.

2239. What is the law of removal with respect to those persons?—With regard to the Irish, we are bound by the same law as the rest of the country. With regard to the Channel Islands the same provision applies, and we have removed what we can there, and in that time we have only removed four. In respect to Southampton, and ports of that character, I think it will be apparent that if we had no power to remove persons who are sent from all parts of the world to those ports, it would be highly prejudicial to our interests.

2240. You spoke of 41 destitute seamen; did you find a settlement for them, or did you take them into your own workhouse?—I should say that for three-fourths of the 41 settlements were found, and they were removed.

2241. Did you include those 41 destitute seamen in the figures that you gave us of the total number of removals?—Yes, I included them in the 232.

2242. What you wish to put before the Committee is this: that Southampton holds an exceptional position with regard to the law of removal, because it is the point at which persons arrive from all parts of the world?—That is so.

2243. And, therefore, if there was no means of removal from Southampton, they would become a burden upon your own rates?—They would.

2244. Will you look at your figures again, and tell me how many of that class of persons arrive every year?—It would give an average of about 20 in the year.

2245. You have given us the average of three years, I think?—Yes, on the whole number, including English unions and all.

2246. From your experience, do you think that 20 would be about the average, that would be launched upon you from outside, every year?—I think that it is not oversteating it. We get

Chairman—continued.

the number through the Sailors' Home, having been sent home as distressed seamen, and then when they can no longer afford to maintain them, they are sent into the workhouse, and that accounts for our getting that number.

2247. Do you think that they would accept indoor relief if they could not be removed further?—I think not. These distressed seamen are men of independent character, and as soon as they recover health and strength, they very soon try and do for themselves. Whilst they are ill, of course we have no power to remove them; but if they get sufficiently well to be removed, and are not capable of getting their own living, then we remove them.

2248. Would you wish for any alteration of the law of removal?—I can only say, that the opinion of my guardians, speaking on behalf of the ratepayers, is that, supposing the law of removal were abolished, it would affect them and similar places injuriously. I think that it would cost the town, in extra rates, without any exaggeration, 3,000*l.* per annum, supposing that the law of removal were abolished.

2249. Have you ever considered whether, supposing the law was abolished, any plan could be adopted for the protection of Southampton, and ports in a similar position?—The only thing which would suggest itself to my mind would be to look to the Consolidated Fund, or the National Exchequer, for some assistance. I might say, that I have made a return of the cost of carrying on the work during the three years alluded to. It appears that it cost us 1,260*l.*, for which we received 473*l.* back from the union; so that it left a net cost of removal of about 800*l.* in three years.

2250. You would save that amount, of course, if the law of removal were abolished?—Yes; and we should lose about 3,000*l.* a year.

2251. How do you arrive at the 3,000*l.* a year?—I have taken the number during the last three years as a fair average of what the number would be, supposing that you took any period of time. If you get so many remaining chargeable this year, you get so many next year, and if you add them together on a cumulative or compound interest principle, that would be about the average number that had been removed during the three years; and though three years is a short period, I take that as giving a fair mean by which to estimate the probable continual charge.

2252. You take it that the 20 persons coming each year into the union, and becoming chargeable to the union, would be a cumulative number?—Quite so; but in addition to that, I include all other persons who have been removed to other unions. Of course my charge includes all the other paupers who have been removed to English unions.

Mr. Giles.

2253. With regard to that 3,000*l.* a year additional that you estimate would be the cost to Southampton in the event of the abolition of the law of removal, how do you make that out?—The return which I have put in shows that for a period of three years we have absolutely removed 232 persons. I estimate that 230 persons would

Mr. Giles—continued.

be about the average number permanently chargeable to the town over any given number of years.

2254. That is about 70 a year?—Yes; I take that as a ground work as the number which would remain permanently chargeable to the town, supposing that the law of removal were altogether abolished.

2255. You estimate that to be cumulative?—I do.

2256. For how many years would it be cumulative?—I take it as 70 per annum.

2257. But they cannot last for ever, because otherwise you would make that a cumulative sum?—No; I do not mean that it would go on for ever. I take it that one-third of those three years' removals would represent the permanent charge to the town; that is to say, 70 people per annum.

2258. Assuming that it is 5s. per week, which is a large allowance, that would be about 12 l. or 13 l. a year, and 70 persons at 13 l. a year would not be 3,000 l.?—I considered that three years' removals represent the permanent number of paupers chargeable and not the annual charge. The 339 represent the annual charge.

2259. But I think you said that the 70 would be perpetual?—No, I think the 250 would be perpetual. Those removed in the three years, would, I think, give a fair annual estimate.

2260. That is only an estimate of course?—It is only an estimate.

2261. Have you any paupers sent to your union from other unions?—Yes, a few, but very few from English unions. I think, on an average, we get about 10 per annum.

2262. Is there any hardships inflicted upon those paupers who have been removed from Southampton, or is it principally by consent that they are removed?—Two hundred and nine were removed to English unions; only 18 to Irish unions; I think in the times I have mentioned I hardly knew one case. In the case of the removal to one English union the woman said she thought it hard that she should have to go.

2263. The others consented to go?—They did not object to go; I do not know that they consented.

2264. Would you from your experience suggest any alteration in the law of removal short of abolition?—It appears to me that the law as it has been lately established, or amended, has really effected so many improvements that I can hardly see now that there is any case of hardship to be discovered.

2265. You think that the Act of 1876 has effected that improvement which was wanted?—Yes, I think that giving a status of irremovability in one year, and of giving a settlement in three years, have been two very great improvements in the law, and I consider them almost sufficient, so far as my judgment goes.

2266. You would not suggest that the law of settlement should be made more easy than it is now; it requires now three years to gain a settlement?—Yes, I think that it should be in a union instead of a parish; I should concede that point for the sake of simplicity.

2267. But some of the witnesses have suggested that it would be better if the law of settlement were reduced to one year's residence; you do not concur in that suggestion?—That is a matter of opinion, but I think that it would be
Q.107.

Mr. Giles—continued.

anjust to the locality, because that is hardly long enough to give a claim.

2268. If the poor rate were paid out of the Consolidated Fund, there would be no hardship and no difficulty?—No.

Chairman.

2269. Payment out of the Consolidated Fund would be the solution of many of our difficulties?—Yes, no doubt.

Mr. Martin.

2270. You have had only 18 removals to Irish unions, I understand?—We have only had 18 Irish removals in three years.

2271. Were not the greater number of those Irish immigrants persons who had come from abroad to Southampton?—A very large number of them were; seven, I think, came from Havre. They were girls and women, who had been induced to go over there in the expectation of getting some employment. They remained there some time, and then the manufactory failed, and then they had to come back to Southampton.

2272. Were they transferred to Ireland?—Yes, merely passing through the town, not having resided in our place, except in the workhouse, for the purpose of removal.

2273. As I understand, these were cases where they had gone to France for employment, and stopped there some years, and then coming back they were transferred from Southampton to Ireland?—That is so.

2274. Were the other 11 cases cases of persons who had been long residents in England?—I really do not know. Of course, as you are aware, they could not have been long in Southampton, but I must say frankly that I do not know.

2275. Are you in favour of a general assimilation of the law of the United Kingdom in respect to the removal of the poor; would you do away with the law of removal in England?—If I spoke on behalf of my town and board, I should say no.

2276. That is speaking for merely local interests; but in your own view, would it not be a benefit to have one general law for the United Kingdom?—Simplicity is a great advantage, but you may make a thing simple, and yet it may be unjust. It appears to me that it would press hardly on large towns and ports, and that we should have an undue pressure upon us, and I should think an injustice would be created.

2277. Of course you are aware that in Ireland there is the same injustice, to a certain extent, upon the seaports; Dublin, of course, as a seaport town, would be subject to the same injustice, though not probably to the same number of poor chargeable as Southampton?—No; we are a packet port, and being a packet port, we are the principal means of transmitting the foreigners, or destitute British subjects.

2278. But from that fact of being a packet port, you derive considerable advantages, do you not?—That, of course, must be a matter of opinion.

2279. Is the interests of the poor themselves, do you not think that it would be desirable to abolish this law?—I think that you might, as in every other case, find some cases of hardship; but, as a rule, I do not think that it presses unduly upon them. There will be exceptional cases under every law, but in my experience for 19 years, having watched the law with great
care,

Mr. Swick.

27 June
1879.

Mr. Smith.
27 June
1879.

Mr. Martin—continued.

care, I cannot say that the exceptional cases are numerous.

2280. Do you think that a law of poor removal has any deterrent influence on tramps coming to Southampton?—I think not. The fact is that they are a different class outside; they do not fall under the principle of removal.

2281. Then, in point of fact, so far as vagrants are concerned, it has no deterrent effect, in your judgment?—I think not.

2282. Do you think that it has any effect upon labourers in search of employment?—I do not think it has; I do not think that it affects them either way. If they want to go to a locality they go; they do not consider whether they are likely to fall sick or become chargeable to the rates at all.

Mr. Gies.

2283. When you spoke of the abolition of the law of removal pressing unduly harshly upon certain localities, that would be somewhat lessened, would it not, if the area of the different unions were extended?—Certainly.

2284. So that if all England could be a union, it would have the desired effect?—Yes.

2285. When I spoke about the Consolidated Fund, I did not mean that the State were to pay the poor rate, but that the area of the union might be extended?—That would remove any objection.

Mr. Hutchinson.

2286. You have given us certain calculations as to what, in your opinion, would be the effect if the law of removal were altogether abolished; but putting aside those theoretical estimates; supposing that you could be tolerably certain, in your own mind, that the quantity of pauperism would remain much as it is, that your burden would not be aggravated by the abolition of the law of removal, would you think, for the purpose

Mr. Hutchinson—continued.

of assimilating the law throughout the three kingdoms, that under such circumstances it might be advisable to abolish removal?—I should agree with you that if we were not likely to suffer by the abolition of the law, it would be an advantage to abolish it.

2287. Then your opinion as to the non-admissibility of abolishing the law, is based upon the apprehensions of what would happen?—Yes, upon the *f. s. d.* question, upon the financial view of it.

2288. Upon your doctrine of probabilities?—I think certainties. If we cannot remove the paupers, we shall have to maintain them.

Mr. Rensay.

2289. You assume also that your experience is sufficient to enable you to judge that it would throw that permanent burden upon you which you have described to the Committee?—I have given some thought to it, and so have my board, and I think that I have not exaggerated the figures.

2290. If it is proposed that England should form a union, and that there should be no subdivision of England for poor law purposes; you cannot suppose such an extension of the area without assuming a complete change in the law?—Quite so.

2291. And you have no opinion to give us, nor any experience which would guide you in forming an opinion as to what the consequences of such a change of the law would be?—No, I think the responsibility would be thrown upon those who proposed such a change.

Chairman.

2292. Taking your own figure of \$,000 *l.* a year as the cost of abolishing this law of removal, how much in the pound on the rateable value of your union would that be?—That would cost us about 4½ *d.* in the pound per annum.

Tuesday, 1st July 1879.

MEMBERS PRESENT:

Captain Corry.
Viscount Emlyn.
Mr. Forryth.
Mr. French.
Mr. Gilca.
Mr. Herbert.
Mr. Hutchinson.

Mr. Martin.
Sir Arthur Middleton.
Mr. Ramsay.
Mr. Salt.
Mr. Mark Stewart.
Mr. Syden.
Mr. Torr.

THOMAS SALT, Esq., in the Chair.

Mr. DANBY PALMER FRY, called in; and Examined.

Chairman.

Mr. Forryth—continued.

Mr. Fry.

2293. You are Counsel to the Local Government Board?—I am.

2294. It is needless to ask you whether you have been acquainted for many years with the operation of the Poor Law in England?—Yes, for a great many years.

2295. I think you have read the evidence given by Mr. FitzGerald, on the first day of the sitting of this Committee?—Yes, I have done so.

2296. Do you generally agree with that evidence?—As regards the statement of the law of settlement, it seems fairly accurate and complete.

2297. Is there anything that you wish to add to that, or anything that you would think well at this moment to explain to the Committee on the subject of the law of removal?—There are one or two points in Mr. FitzGerald's statement that perhaps require a little qualification, but they are not of much importance. With regard to settlement by estate, in answer to Questions 17, 18, and 19, he speaks of a freehold estate; but it is not necessary that the estate should be freehold; it may be any kind of estate.

Mr. Forryth.

2298. Of any value?—With regard to the value he states that it may be of any value, but the special Act of 9 Geo. I., provided that an estate of less value than 50 l. if purchased, would not give a settlement. As regards any other estate that you can obtain by purchase there is no limit of amount.

2299. Supposing that it is a leasehold of 8 l. a year, would that give a settlement?—Yes.

2300. Will you take any other point that occurs to you in that evidence?—I do not think there is anything else that it is necessary for me to mention.

2301. Mr. FitzGerald stated that the poor in England had no legal right to relief; is that your view?—I think there is perhaps some misunderstanding upon the subject. No individual can bring an action against any parish officer to recover relief, but the statutes impose upon the overseers, and the other local authorities who are

substitutes for them, the duty of giving relief to all destitute persons. The statute of Elizabeth does not contemplate and does not provide for the relief of any class of persons except the impotent poor; the able-bodied poor are not to be relieved, but they are to be set to work; and, therefore, there is no claim on the part of the able-bodied poor for relief under the statute of Elizabeth. The two classes of poor are dealt with throughout the statute in the most distinct manner, and the language of the Act is framed accordingly. The able-bodied poor, those who are able to work, are always spoken of as to be set to work, whereas the word "relieved," is used with reference to the impotent poor, and never with reference to the able-bodied poor. The theory of the framers of the statute of Elizabeth, seems to have been, that those who were able to work, were to be set to work by the overseers, and, in fact, that factories were to be carried on (that is the sum and substance of it) by the overseers, the capital to be supplied by the poor rate.

2302. Is there anything that you would think well to explain to the Committee with regard to the present state of the law of removal?—Perhaps I should say that the principle of irre-movability was introduced for the first time, as regards English paupers, in 1844, by 9 & 10 Vict. c. 65. That Act exempted from removal all persons who had resided for five years in the parish without receiving relief. This term was reduced in 1861 by 24 & 25 Vict. c. 55, a 1, to three years, and the union was substituted for the parish, as the area of residence. In 1866, by 28 & 29 Vict. c. 79, a 8, the term was further reduced to one year; so that now any person who has resided for one year without receiving relief in the union in which he becomes chargeable, is exempt from removal, either to the parish of his settlement or to the country of his birth. The same statute provided against the hardship of removal in two important classes of cases; it exempted from removal widows in the first 12 months of their widowhood, and it also exempted persons suffering from temporary sickness. Then, by a subsequent Act, the

Mr. Fry.

July 1879.

Mr. Forryck—continued.

34 & 35 Vict. c. 55, s. 3, a deserted wife is placed in the same position in this respect as a widow; that is to say, she can obtain irremovability by the fact of desertion.

Mr. Hibbert.

2303. I thought you meant that she could not be removed for 12 months?—Yes, for a year dating, I suppose, from the date of the desertion. Also the wife and children of a person who is irremovable, are likewise irremovable if residing with him. It is expressly provided by the Act of 1846 that the irremovability shall not confer a settlement; but by the Act of 1876, section 34, it is enacted that a settlement shall be gained by residence in a parish for three years in such a way in each year as would confer irremovability.

Chairman.

2304. That is in the parish, and not in the union?—That is in the parish and not in the union, and it is for three years, and not for one year. I may, perhaps, say that it has been supposed that this enactment created residential settlement for the first time, but that is not so. The Act of Charles II, the celebrated Act of 1662, expressly comprises a settlement by sojourning for 40 days. There are five heads of settlement enumerated in the Act of Charles II; settlement as a native, settlement as a householder, settlement as a sojourner, settlement as an apprentice, and settlement as a servant. Those five heads of settlement are enumerated specifically, and one of these classes refers to sojourners; which can only mean ordinary residence without any qualification. Sojourning or residing for 40 days gave a settlement under the Act of Charles II.

2305. To put it in very common language, if a man managed to live in a parish for 40 days without being found out, he could not be removed?—More than that, he gained a settlement; it was not mere irremovability, it was a settlement.

Mr. Symon.

2306. That Act is not now in force, is it?—No, it fell into desuetude very soon after the passing of the Act.

Mr. Forryck.

2307. Has it ever been abolished?—It has never been abolished by statute, but it is a curious thing that 200 years after its falling into desuetude it has been revived.

Mr. Symon.

2308. I suppose you would say that it is repealed by implication?—It is repealed by its having become obsolete, I presume; simply by disuse; it has not been repealed by any statute.

Chairman.

2309. You have brought us down to the Poor Law Amendment Act of 1876; have any difficulties arisen from the operation of the settlement clauses in that Act?—Some difficulties have arisen upon the important sections, which are Sections 34, 35, and 36. Section 36 merely provides for the case of orders of removal which were then pending, and of course no difficulty has arisen upon that. The main difficulties have arisen upon Section 35, but one question has

Chairman—continued.

arisen on Section 34, and only one, so far as I know at present; it is possible that there may be others hereafter, but hitherto, the only question that has arisen is, as to how far the three years' residence contemplated by that section may be retrospective, that is, may have taken place before the passing of the Act. The Queen's Bench Division have decided in the first case, which was the Ipswich case; that where the residence had ceased before the passing of the Act, it would not confer a settlement; but in the other case that have come before them, the Carlisle case, and the Leeds case, they decided that where the residence continued after the passing of the Act, the period before the passing might be reckoned to make up the three years; so that it is not necessary that the whole of the residence should be subsequent to the passing of the Act, but any period before may be added to any period afterwards to make up the three years; but if it had ceased entirely before the Act was passed, then it does not count at all.

2310. Is the law at this time being worked in the manner that you have just described?—So far as I know, it is.

2311. From your experience, do you think it is desirable that any change by legislation should be made in Section 34, or Section 35?—Perhaps I shall come to that point when I have to go through the petitions or memorials presented to the Local Government Board, with regard to the alteration of these sections. Section 35, is the one that has given rise to nearly all the difficulties, but I think, perhaps it would be more convenient if I dealt with it when we are considering the petitions.

2312. I need scarcely ask whether or not many complaints have been made upon these points?—Yes; there have been a great many.

2313. Can you put in any representation or petition that has been made to the Local Government Board on the operation of the 34th and 35th sections of the Poor Law Amendment Act, 1876?—The Board have received memorials from, I believe, about 70 unions upon the subject; they are all of them, or nearly all of them, in the same terms, and in fact, they all adopted a memorial which proceeded in the first instance from the Humbleton Union; I presume that the guardians of the Humbleton Union sent a copy round to all the unions, and sometimes the other unions have forwarded, as in the case which I have before me, a printed copy of that memorial, and sometimes they have adopted it as their own.

2314. In fact the 70 petitions are nearly all in the same form?—They are nearly all in the same terms, and therefore one will be a specimen of the whole.

2315. Will you read that petition?—"To the Local Government Board,—The memorial of the guardians of the poor of the Humbleton Union, in the West Riding of the County of York, sheweth, that your memorialists have lately had their attention especially directed to the unsatisfactory nature of the settlement clauses in the Divided Parishes and Poor Law Amendment Act, 1876, being Sections 34, 35, and 36, which from the vague and uncertain language in which they are expressed are liable to be construed in many different ways, even by the same person. That as a natural sequence they are giving rise to an immense amount of litigation, and whereas a settlement appeal had become a rare event, there

Chairman—continued.

is scarcely a session now without one or more, arising from the different constructions put upon those sections." (I should like to point out that the whole of the objection is not in any way to the substance of the provision, but merely to the language in which it is expressed; there is no objection taken to the substance of the enactment.) "That during the two years they have been in force there have been 10 cases before the Queen's Bench Division of the High Court of Justice, in one or two of which very opposite decisions have been given. That at the West Riding and the Leeds Borough Sessions (held at Leeds during the present month) there have been five appeals, all bearing, more or less, upon the construction to be placed upon those clauses, and when it is considered that each of these appeals costs upon an average more than 60 l., it must be admitted that it is a most lamentable waste of money. That your memorialists respectfully request your honourable Board, as soon as may be after the opening of Parliament, to take the necessary steps for obtaining the repeal of the three sections, and if it is thought advisable to re-enact the provisions contained in them, that it be done in the clearest language possible. In doing so your memorialists would beg to offer for the consideration of the Board, the following suggestions." (These are the points which would indicate what questions have arisen under the Acts.) "First, that it should be clearly expressed whether the residential settlement shall be retrospective or prospective only, or both. Second, that it should be clearly stated, where a wife has resided with her husband (who died before the passing of the Act) for the term of three years in any parish, whether such residence shall confer a settlement? Where the three years' residence of a woman in any parish has been partly before the passing of the Act as a wife, and partly after as widow, whether such residence shall confer a settlement? Where a woman is deserted by her husband, and resides for the term of three years in any parish without her husband returning to cohabit with her, whether such residence shall confer a settlement? And whether in the event of the husband returning to cohabit, such settlement is completely destroyed, and cannot again revive, although the wife may be again deserted, before the expiration of 12 months? Where a child shall be deserted by its parent or parents, or shall live separately from them, and shall reside for three years in any parish, whether such child shall thereby gain a settlement? The word 'child' should be clearly defined. Third, that in order to establish a settlement by three years' residence, as a ground of appeal, the evidence of the pauper shall be corroborated in like manner as is required upon obtaining an order of removal. Fourth, that derivative settlements be more effectually abolished, by enacting that in no case shall a settlement be established anterior to the birth of the 'husband' or 'parent.' In the Sixth Annual Report of your honourable Board, page 46, you say that these sections abolish derivative settlements, but by the first exception, in Section 35, the wife retains her husband's settlement, and the latter part of the section only forbids inquiry into the derivative settlement of the 'parent'; it is therefore found in practice that the settlement of the husband may still be traced back to the utmost limits." There is no doubt that that statement is quite

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correct upon that particular point as regards the construction of Section 35, and it was so intended.

2316. What do you wish to say upon that petition from those unions?—I wish first to point out, as I have already said, that there is no objection here to the substance of the enactment, but that the objection is merely to the language in which it is expressed. There is no doubt that the language might be very much clearer than it is, and so far it would be desirable, if the policy of the enactment is to be adhered to, that it should be cleared up by a more accurate statement.

2317. Assuming that the policy contained in these Sections 34 and 35 of the Act of 1876 is retained, you think it would be desirable to modify them by future legislation, so as to make their intention more clear and definite?—With regard to Section 35, I think so; I am not aware that there is any such reason for dealing with Section 34.

2318. You think that Section 34, both in language and in subsequent practice, has become sufficiently clear and definite?—It will perhaps give rise to one or two questions hereafter, but it will probably be the best way to let those questions arise, and let them be settled by the Queen's Bench Division, rather than attempt to anticipate them by an alteration of the section.

2319. I presume you hold that the constant change of the language of Acts of Parliament rather tends to increase than to diminish litigation?—Yes; it is very likely that if you re-enacted this section, you would only give rise to some other questions.

2320. And in trying to correct one error, we may possibly fall into two or three new ones?—Yes; for instance, in this petition it is said that, "it should be clearly expressed whether the residential settlement shall be retrospective or prospective only, or both." That really has been decided by the Queen's Bench Division since this petition was sent up, in the way that I have stated just now.

2321. And a new section couched in new language might give rise to new questions?—It would be almost certain to do so.

2322. Do you think that any change should be made in the law of settlement and removal?—That, of course, is a question which involves a great deal of consideration. I should only wish to say that the law of irremovability having been, as I have described it for the last 30 years, gradually reducing the period of residence which justifies an exemption from removal, the only course that now seems to be open is either to abolish the law altogether, or else to reduce the term of residence which will give irremovability. It has now been reduced to 12 months, and it might be further reduced to six months, or to three months, or it might be even brought back to the state of things under the Act of Charles II, a sojourning of 40 days. But if it were reduced to six months, or to three months, it would limit the number of cases of removability so much that there would be scarcely any hardship left.

2323. I do not want to press this question, but you are, if I may say so, a valuable witness, would it be agreeable to you to give the Committee your own independent opinion upon the subject?—The law of removal could hardly be entirely abolished without providing some substitute.

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stitute. As regards the interests of the paupers there, I suppose, he no doubt at all that an entire abolition of the law of removal is the one thing wanted, and the best thing to be done; but then there comes in the question of the interests of the ratepayers; and in all the inquiries that have been made by Committees of the House of Commons from 1847 downwards, it has always been manifest that there was a great fear that, if the law of removal were entirely abolished without any substitute, the paupers might choose their own unions and get relief wherever they liked; and not only that, but that by the course of circumstances there would necessarily be a congestion of pauperism in particular localities without any remedy. Of course the power of removal is a safety valve to a certain extent, and a union in which there is a congestion of pauperism can get rid of it to some extent by removing the paupers to their place of settlement.

2324. If the law of removal were abolished have you, in your mind, any means by which these objections could be easily met?—There have been, from time to time, five different substitutes, as it were, proposed for the law of removal as a means of distributing the burden more equally over the unions. The first proposal was that the relief of the poor should be charged upon the Imperial revenue.

2325. That is our old friend the Consolidated Fund?—Yes, that is the first. Of course that would involve many obvious questions. Then the second proposal was that there should be a national rate; that instead of charging it upon the Consolidated Fund to which all sorts of property can contribute, it should be charged upon a national rate which should be confined, as at present, to real property.

Mr. Hilbert.

2326. These proposals have not been made during late years, have they? They are rather ancient, are they not?—They are ancient, but they all arose from the agitation of the question. The third suggestion would be the establishment of a common poor fund in separate counties, or in groups of counties, upon the principle of the metropolitan common poor fund; this would equalise the burden without that destruction of the local interest, which is the objection to the other two proposals. In the metropolis, the common poor fund was established with that view; of course, it is a question of fact whether it has worked in that way. Then the fourth proposal is that there should be adjudication orders, instead of removal orders; that is, to say, an order adjudicating the settlement of a pauper and ordering the settlement union to pay for his relief in the same way as is done with regard to pauper lunatics in asylums. Under the Lunacy Acts, as the Committee are no doubt aware, when a pauper lunatic is in an asylum, his settlement is inquired into, and the justices make an order upon the parish to adjudicate his settlement, and direct the parish, or union, to pay for his maintenance in the asylum. That fourth proposal would extend to all paupers, so that you would establish an universal system of non-resident relief.

Chairman.

2327. That is practically non-resident relief, but without the evils of the system which is com-

Chairman—continued.

monly known to non-resident relief, because it is applied solely to indoor relief, and not to outdoor relief?—I did not know that the suggestion was to confine it to indoor relief. That might, or might not be. It might be extended to all; the substitution of adjudication orders for removal orders might be universal; there is nothing to prevent its being universal; but it would establish all the evils of non-resident relief, whether it was indoor or outdoor. Then the last proposal is, that you should rely upon a rate-in-aid when occasion might require, whenever the congestion of pauperism was too great in a particular place.

Mr. Forsyth.

2328. A rate-in-aid from whom?—Under the statute of Elizabeth from the neighbouring parishes; under that statute it is the parishes in the same hundred, I think; the rate-in-aid being a rate levied from the neighbouring parishes to support the poor of the parish in which the congestion arose.

2329. By the neighbouring parishes, do you mean the co-tenuous parishes?—I believe it is the parishes in the hundred.

Mr. Sykes.

2330. If you have a rate-in-aid now, it should be the neighbouring unions?—Yes, it would not be applicable. I am only speaking of the proposal.

Chairman.

2331. You merely mention the rate-in-aid as the principle that might be applied subject to the details of legislation?—Yes, those are the five proposals which, so far as I know, have been from time to time suggested as substitutes for the law of removal.

2332. In the event of the abolition of the law of removal, there are certain persons with whom it might be difficult to deal, and the five remedies which you say have been proposed, are the following: first of all, a charge upon the Consolidated Fund; secondly, an universal rate upon real property throughout the whole country; thirdly, a common poor fund in counties; fourthly, adjudication orders in lieu of removal orders, or some form of non-resident relief; and fifthly, a rate-in-aid?—Yes, so far as I know, those are all the proposals that have been made.

2333. If you will turn to Question No. 25 of the evidence before this Committee; that question is, "Now, is not the present state of the law the subject of great complaint?" and the answer practically was, that it is the subject of great complaint; do you agree with that?—I agree generally with the answer which was given to that question; as a statement of fact, there can be no doubt that that is really the condition of the statutes, and of the case law.

2334. That the statutes relating to the poor law are confused, and that some simplification and consolidation is very desirable?—It is not stated here that consolidation is desirable; I think it is stated that the law is in great confusion, that it is to be found in upwards of 30 statutes, and 500 or 600 pages of case law; all of which is perfectly true; but I do not see the possibility of consolidating it; it seems to me quite an impracticable thing.

2335. Do you think the law could be simplified?

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filled?—No doubt, but it would be impossible to consolidate in a single Act, the result of the decisions of the courts for the last 200 years; you would have to make new law.

2338. Question No. 67, is this, "You would condense the law of settlement and removal both into one Act, would you not?" And Mr. FitzGerald's answer is, "Yes, that is my proposal." That you think is impossible?—It seems to me to be almost impossible.

Mr. Roanby.

2337. Have the decisions of the courts in these cases been so conflicting, that it would be impossible to embody the law in a single statute?—They have been to some extent conflicting, but they have arisen out of the Acts which have been successively passed at different times during 200 years. Each Act has given rise, as soon as it was passed, to an immense number of cases before the courts, and to condense the result of all these cases into an Act of Parliament would require you to make a very long Act of Parliament indeed, and it would be open to the great difficulty, that whatever draughtsman undertook to do it, would be liable to make mistakes.

2338. Would it not be possible for eminent lawyers to go over these cases and frame provisions which, if embodied in a statute, would carry out the general tenour of those cases?—Of course, it might be possible in a certain sense, but it would be a work of immense labour, and involving a considerable risk when it was done, of not having it done quite correctly. The decisions of the courts themselves are conflicting; the different divisions take different views upon the same subject, and give different decisions.

Mr. Spens.

2339. No possible change of the law that any number of the most eminent men could arrive at, could prevent the courts from differing in opinion, or the same court from giving different opinions, perhaps?—No.

Chairman.

2340. Question No. 62 is this: "I will just sum up to see that we are quite clear in our understanding of your evidence; your proposal really amounts to this, first of all the substitution of one year's residence in a union for three years' residence in a parish as a head of settlement; secondly, all heads of settlement other than residence as aforesaid, marriage in the case of a woman, parentage in the case of children under 16, and birth, to be retrospectively and prospectively abolished;" to which Mr. FitzGerald's answer was: "Yes," do you agree with that proposal?—That is assuming that the law of removal is not entirely abolished. If the law of removal is not entirely abolished, but retained to a certain extent, there does not appear to be any particular objection to a variety of heads of settlement. The proposal is to abolish all heads of primary settlement, except one year's residence in a union, without receiving relief, I presume. The reason why various settlements were introduced is very evident on examination of them; and there is no reason that I can see why they should be abolished if the law of removal remains. I understood Mr. FitzGerald's proposal to be that all the settlements should be abolished, except residential settlement.

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2341. His proposal is given in that question?—Yes, which is practically an abolition of all the heads of settlement, except residential settlement.

2342. There is birth and derivative settlement?—Yes; I referred to primary settlements. The derivative settlements of course would remain necessarily, but the primary settlements that a man gets for himself are those which are specified here, and which evidently arose in this way; that if you went to the birth settlement you might go back a great many years: if a man becomes chargeable when he is 50 years of age, and you remove him to his birth settlement, you may perhaps have to remove him to the other end of the country. Then his apprenticeship was the next period of his life, at which he could gain a settlement, and this would be nearer to the time of relief. Then the renting of a tenement and the holding of an office and estate brought him still nearer to the time at which he would be likely to be receiving relief. It is evident that that is the way in which those respective heads of settlement successively arose, and there does not seem to be any reason why they should be abolished, if the law of removal is in any degree retained.

2343. Assuming that the law of removal is retained, you consider that that proposal of Mr. FitzGerald's is not a bad one?—Yes.

2344. In answer to a question put by the noble Lord at No. 151, Mr. FitzGerald said, "There is no legal right to relief that I am aware of. Practically a right to relief is always recognised; it is not to the best of my knowledge a legal right either by common law or by statute." Is the answer that you have already given upon that point the answer that you wish to stand?—Yes, so far as I have stated it; but I think, perhaps, I might add that this question has reference to settlement also; the right of settlement being regarded as the right to claim relief in a particular place.

2345. Of course, Mr. FitzGerald gave it as a strictly legal and technical view?—Yes; but what I wished to explain was this; that I think the notion of a man's having a right to a settlement did not arise from the statute of Charles II, but it arose from the subsequent statute of William III. The right to settlement was considered to involve the right to relief; the one followed the other; and they seem to me to have arisen historically in this way: that the Act of Charles II was simply a law of removal, and had nothing to do with settlement; although it is usually called the law of settlement, it really neither created a settlement, nor in any way gave one, and it merely provided that the poor should be removed to the place in which they were last legally settled under the heads which I specified. Then it was found that there was no obligation on the other parish to which they were removed to receive them; the Act was obviously defective in that respect, and it was amended by the Act of William III, which expressly provided that the officers of the parish to which the poor person was removed should receive him. The Act merely says "receive," but it seems to have been understood, that that meant also to provide for him and to relieve him as well as to receive him. That imposes an express duty upon the overseers, and indeed renders them liable to a penalty for not discharging their duty.

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If they refuse to receive him, they are liable to a penalty of 5*l*. Therefore the duty of the overseers was clear and express, and it involved, inferentially, the right of the individual to require that duty to be performed. To that extent it seems to me that anyone who is destitute has a legal right to claim relief, it being the legal duty of the overseers to give it.

Mr. Hibbert.

2346. Would not a relieving officer be liable to be tried for manslaughter in case he refused to relieve a destitute person who afterwards died, and it was shown that he did so refuse?—Yes, I believe he would.

Mr. Ramsey.

2347. Is it, in your opinion, competent for the poor law guardians in any union to make a payment to able-bodied persons who are in receipt of low wages, in supplement of those wages?—It is not, where it has been expressly prohibited by the Local Government Board. The Poor Law Commissioners, the Poor Law Board, and the Local Government Board, have issued orders expressly prohibiting that practice; but, unless those orders have been issued, I presume there would be nothing to prevent the guardians doing so.

Chairman.

2348. The practice at the Local Government Board is decidedly to set their faces against relief in aid of wages, is it not?—Yes, strongly.

Mr. Ramsey.

2349. How would you reconcile such a practice with the opinion that you have expressed, that an able-bodied person would not be entitled to be relieved, but only to be set to work?—That is under the statute of Elizabeth. There is an express provision in the Poor Law Amendment Act of 1834, with regard to the able-bodied poor, under which the Local Government Board regulate it. I was speaking then of the statute of Elizabeth exclusively.

2350. Which is the foundation of the Poor Law of England?—It is, no doubt.

2351. And according to the statute of Elizabeth, the able-bodied poor who might be earning wages less than they considered adequate, had no right to be relieved; it was not competent, in short, for the poor law guardians to relieve them; was that so?—I certainly understand that it was the effect of the statute of Elizabeth that the overseers to set them to work, and that they were not to be relieved without work.

2352. But, if the wages that they earned at their work were in the opinion of the guardians insufficient to support the persons, were the guardians entitled to pay them a sum in supplement of those wages?—Not under the statute of Elizabeth. The statute of Elizabeth clearly contemplated that the overseers were to carry on a factory and employ the poor in it, and that the poor were to support themselves in that factory. That was the notion; of course it utterly failed, because it could not be done; it was against the principles of political economy.

2353. Under the Act of 1834, were the able-bodied entitled to obtain payment in supplement of the wages that they were earning?—Perhaps I had better read that particular section; it is

Mr. Ramsey—continued.

Section 52 of the Poor Law Amendment Act, 1834, "And whereas a practice has obtained of giving relief to persons or their families who, at the time of applying for or receiving such relief, were wholly or partially in the employment of individuals, and the relief of the able-bodied and their families is in many places administered in modes productive of evil in other respects. And whereas difficulty may arise in case any immediate and universal remedy is attempted to be applied in the matters aforesaid, be it further enacted that, from and after the passing of this Act, it shall be lawful for the said Commissioners by such rules, orders, or regulations as they may think fit to declare to what extent, and for what period the relief to be given to able-bodied persons or to their families, in any particular parish or union, may be administered out of the workhouse of such parish or union by payments in money, or with food or clothing in kind, or partly in kind, and partly in money, and in what proportions, to what persons or class of persons, at what times and places, on what conditions, and in what manner such outdoor relief may be afforded."

2354. That is a very general authority?—Yes; that was the first provision, so far as I know, distinctly relating to the relief of the able-bodied poor. It gives the Commissioners the power to regulate the relief.

Chairman.

2355. But the Poor Law Commissioners, and, subsequently, the Local Government Board, to the utmost of their power, discourage the giving of relief in aid of wages?—Most certainly.

2356. Are there any other observations or suggestions that you wish to make to the Committee at this point of your evidence?—I am not aware that there is anything further that I should wish to say.

Mr. Hibbert.

2357. With respect to the five proposals which you stated would have been suggested as substitutes, in case the law of removal was abolished, I presume you do not mean to suggest, at the present time, that those are really open for consideration?—I do not know how far that might be. Those are the suggestions which have been made.

2358. If you take the first and second, they are very old-fashioned, and, of course, not worth consideration; with respect to the other three, might they not lead to almost more difficulty and greater expense than even the present state of the law of removal?—Yes, that of course is possible. The adjudication orders would be legally establishing one of the greatest evils at present connected with the administration of relief.

2359. And it would lead to considerable expense, would it not?—It would. The only practical proposal is the establishment of a common poor fund in counties, or groups of counties, analogous to the metropolitan common poor fund.

2360. You state that, in your opinion, the law of removal could not be abolished without a substitute; is that because you think that the abolition would cause an injury to the ratepayer in the country?—I think it is possible that it might do so, and in some places it is almost certain that

Mr. Hilbert—continued.

it would be so; but they would be very few probably.

2361. Are you thinking of the unions at ports like Liverpool and Bristol?—Yes, they would be one class of places, no doubt; there might also be large inland towns in a similar position.

2362. I suppose you know (at least it has been stated here by several witnesses) that in the very large town of Manchester, where there are a great number of Irish residents, they have not carried out any removals for a great number of years past, and that they do not consider it necessary?—Yes, I believe that that is so.

2363. Is it your opinion that the abolition of the law of removal would cause paupers to flock to those populous towns in a way that they do not do at the present time?—I do not think it would have any effect upon the labouring classes generally, but it might influence those classes who, in fact, live upon the poor rates, and who would choose their unions.

2364. Would not its abolition probably lead to a more strict system of administration throughout the country?—Yes, that would, no doubt, be the effect.

2365. Supposing that a place like Liverpool found that they were very much pressed by paupers of the class that you have alluded to, might they not introduce a stricter system, which would be so disagreeable and unpleasant to the idle poor that they might not be likely to come there for the purpose of finding a comfortable home?—Yes; I think it would almost certainly lead to a more uniform administration of relief.

2366. Supposing that some power of removal was retained, would you assent to the proposal to reduce the time for obtaining a residential settlement from three years to one year in the union and not in the parish?—Yes, that I think would be a very desirable amendment.

2367. That would, to a very great extent, I presume, do away with the difficulty of persons from Ireland obtaining a status of irremovability, or a settlement?—It would. At present they obtain their status of irremovability by residence of one year in a union.

2368. But is it not the case that a great number of Irish poor have been removed back to Ireland, after having lived in this country 30 or 40 years, merely because their residence was broken?—Yes.

2369. It is a hardship upon the Irish poor, and upon all poor, in fact, is it not, that after they had given the best years of their life to any work in a particular place, they should be liable, from mere break of residence, to be removed when they become old?—Yes. I am not aware that there is any reason to suppose that the Irish labouring classes are more migratory within England than English labourers.

2370. I do not know whether you are aware that some witnesses have stated that, though they are quite willing to see the power of removal abolished with respect to the English poor, they are not willing to see it abolished with respect to Irish and Scotch poor?—Yes, I believe that has been so; but it is not unlikely that, although the Irish paupers may be really irremovable, the irremovability is not taken notice of. There may have been many removals where the Irish pauper was really irremovable.

2371. You think then that these were illegal removals?—Yes, I believe it might be found that

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such removals have occurred, but I am not prepared to state any particular cases, though I think it is exceedingly likely that the irremovability of Irish paupers has been, to some extent, overlooked, and that cases have occurred of the removal of paupers to Ireland who were really irremovable.

2372. In case the law of removal was abolished, would you retain the law of settlement?—It would fall of itself; it would not be necessary, I think, to abolish it by statute; the settlements would die out.

2373. It has been stated that it would be necessary to retain it, owing to many charities being dependent upon the law of settlement; do you concur in that opinion?—I think it would be necessary to deal with those charities by statute, and to make some provision as to the mode in which they should be distributed, because, if the law of removal were abolished, no further settlements would be obtained.

2374. Supposing that the law of removal were abolished, would you make any difference between a common pauper and a lunatic pauper?—I do not think it would affect lunatic paupers, for this reason, that they are not removed by order of removal; they are simply adjudged by adjudication order.

2375. And that charges the expenses of their maintenance upon the place from whence they come?—Yes.

2376. Would you retain that, supposing that you abolish the law of removal?—It would be better, of course, to make it analogous to the rest of the relief, and to make the maintenance of the pauper lunatic in the asylum chargeable upon the union from which he was sent. There has been a proposal to charge the relief of lunatics upon the county rates in the counties.

2377. Where the lunatics have been found to have been wandering lunatics, their maintenance is chargeable upon the county, I believe?—Yes, where they have no settlement.

2378. Do you know what the Scotch law is with respect to removal?—I do not, except in a general way; I cannot say that I know anything about it in detail.

2379. Would you think it desirable that any alteration which is made in the English law should also be adopted in the Scotch law?—So far as regards English paupers in Scotland, of course it would be necessary, upon the principle of reciprocity, to do so. If you abolished the removal of Scotch paupers from England to Scotland, it would of course be right to abolish the removal of English paupers from Scotland to England.

2380. But that is not the law at present; English paupers in Scotland are treated according to the Scotch law, are they not?—Yes, but they may be removed to England.

2381. They can be removed, unless they have resided for five years in some particular parish; therefore that is quite different from the English law at the present time?—Yes, that is so. How far the circumstances of Scotland may be different from those of England, of course I have no means of judging.

2382. I suppose you are aware that, in Ireland, they have no power of removal at all?—Yes, that is so.

2383. Would it not be desirable that, whatever the law is, it should be the same for all

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Mr. Hibbert—continued.

three countries?—Speaking in a general sense, of course it would be so; but there might be reasons against it. With regard to the treatment of the Scotch poor in Scotland, I can give no opinion, but only as to the removal of the English poor from Scotland, which I think should be put upon the same footing as the removal of the Scotch poor from England.

2384. Do you not think that, if you altered the law and modified it with respect to the English poor who might be in Scotland, the Scotch people, or at least the ratepayers of the country parishes, would rather object to have their own poor treated in a worse manner?—It is possible.

2385. Would you really think that it would be desirable to alter the law at all unless you altered it by abolishing it?—No, I do not think it would be. I think the best step would certainly be entire abolition.

Mr. Giles.

2386. You said that, if the law of removal were abolished, some substitute would be necessary; are you prepared to recommend what that substitute should be?—I think I rather said that a substitute was generally considered to be necessary. If there were any substitute, the establishment of a common poor fund in counties, or in groups of counties, similar to the metropolitan common poor fund, would be the one which seems to me to be the most suitable.

2387. You are getting very near, then, to the second remedy, the national rate?—No, I think not; the common poor fund is very different.

2388. You are getting nearer to it, by making the rate leviable upon the county. Does not the poor rate press with undue hardship upon some poor districts, whilst, in rich neighbourhoods, the rates are very low?—Yes.

2389. Would not a national rate remedy that objection?—The national rate would remedy that objection, no doubt; it would equalise the burden, but it would entirely destroy all the local interest and local administration. The metropolitan common poor fund combines both those objects; it does not destroy the local interest though it tends to equalise the burden.

2390. There are many cases in country parishes where landowners have been unwilling to allow cottages to be built upon their estates for the purpose of keeping down the rates in their own localities; has that been remedied?—I fancy that that has been almost put an end to by the adoption of the system of union chargeability.

2391. But is it not sometimes the case, that labourers working in one particular estate will be driven over the borders of the union into the next union, so that, in the event of their becoming chargeable, they shall not be chargeable to the union to which the particular estate belongs?—Some years ago that was very rife, and great complaints were made about it, and, in fact, it was one of the principal causes of the union chargeability being established; but I have not heard of late of any such cases. I am not aware of the practice now; at any rate, it does not go to any such extent as to call attention to it.

2392. Then you think that, if the law of removal were abolished, a common poor fund might be established?—That seems to me to be the most suitable substitute, if a substitute is needed.

Mr. Giles—continued.

2393. If that were spread over a large county, or even over a small county, all the local management and local interest would be destroyed, would it not?—That is not found to be the case in the metropolis. The system in the metropolis common poor fund is that there are certain classes of expenses which are repaid out of the general fund. The local authorities of each union distribute the relief, and conduct the affairs, and at the end of the year, or half-year, they are repaid certain classes of expenditure.

Mr. Forth.

2394. For the sick and imbecile?—Yes, and the salaries, and many other things.

Mr. Hibbert.

2395. Is it not limited to a given amount per pauper?—Yes, in the workhouse it is 5*d.* per day, but the salaries and many other classes of expenses are repaid.

Mr. Giles.

2396. Then there is a sort of overruling power in this common poor fund over the local distribution of rates?—Yes; the Local Government Board regulates the whole of the expenditure.

Mr. Martin.

2397. I believe I rightly understand from you, that you think that it would be better to abolish the law of removal altogether, in preference to attempting any amendments of the law?—I think it would; but, of course, if the period of residence were reduced to six months, it would be, so far, an alleviation of the hardships of the law which would very likely leave the remaining hardships very limited in extent.

2398. I think I understood from you that you thought the period of residence might be still further reduced, say to a period of 40 days, in analogy to the old statute?—Quite so.

2399. Still, even if it was reduced to that period, would not very serious and difficult questions be likely to arise upon those cases of removal, so that the entire abolition of the law would, I take it, be the more desirable of the two?—Yes, the same questions and the same difficulties would probably arise with regard to the few cases which would still remain, and therefore the entire abolition would, no doubt, be preferable.

2400. What are the ordinary costs incident to these cases of appeal in respect of the poor law removal orders?—I do not know that I could express any opinion upon that point from any official knowledge that I have upon the subject. I do not think that there is any average that could be come to; it varies very much according to the particular circumstances of each case.

2401. May I take it, on a rough estimate, that 6*d.* would be about the ordinary cost?—I dare say it would usually not exceed that amount.

2402. In respect of the removals of the Irish-born poor, have you, of your own knowledge, been aware of many cases of illegality in their removal?—No, I have not of my own knowledge been aware of many of them, though certainly one or two of them have come under my notice, and perhaps more.

2403. Was what you are mentioning in respect of

Mr. Martin—continued.

of these cases that took place derived from any statistics laid before your office?—No, I cannot say that.

2404. From more information which you acquired from others?—Quite so.

2405. In respect to Irish-born lunatic paupers, what is the law at present?—If the lunatic pauper is sent into a county asylum, the law is that he is maintained in the asylum as chargeable to the county rate, and not to the union or the poor rate.

2406. I take it that, so far there is no power of removal under any statutory provision of the lunatic paupers to Ireland; is not that so?—I take it that the honorable Member means, in a case where a pauper lunatic is chargeable to the county. In other cases there is nothing in law to prevent the removal of a lunatic to Ireland that I am aware of.

2407. What statute do you conceive gives power for the removal to Ireland of a lunatic Irish-born pauper who is not chargeable to the county?—He would be removable under the Act which provides for the removal of persons born in Ireland who are chargeable to the poor rate.

2408. That is to say, he would be removable under the 8 & 9 Vict.?—Yes; and the amending statutes, but 8 & 9 Vict. is the principal one.

2409. Would he be removable in case he had not been twelve months resident in England?—Yes, I do not think that there is any other impediment to his removal.

2410. Would you read any section which, in your judgment, gives power for his removal?—"Be it enacted that, if any person born in Scotland or Ireland, not settled in England, becomes chargeable to any parish in England by reason of relief given to himself or herself, or to his wife, or to any legitimate or bastard children, such person, his wife, and any child so chargeable, shall be liable to be removed respectively to Scotland and Ireland," and so forth. He would be chargeable to a parish in England (or a union now); he would not be settled in England, and he would have been born in Ireland. Supposing that he has not resided for one year without relief, he would not be removable; the fact of his lunacy would make no difference.

2411. In the case of an ordinary pauper, who became lunatic, what are the directions of the statute as to the provision to be made for him?—If it is a case proper to be sent to an asylum, the relieving officer is required to take the necessary steps, by obtaining an order of the justices to send the pauper to the asylum. If it is not a case for the asylum, he would probably be relieved in the workhouse, or would receive outdoor relief.

2412. Would you kindly turn to the section of the statute which imposes the duty upon the relieving officer to send the English pauper to the county asylum?—It is Section 67, of 16 & 17 Vict. c. 97.

2413. Does not that section render it incumbent upon the relieving officer, in the case of every dangerous lunatic, to send him to the county asylum?—Yes, certainly.

2414. Therefore, if the lunatic be dangerous, whether he be Irish-born, or have gained a settlement or not, is it not incumbent on the officer, Q107.

Mr. Martin—continued.

under the provisions of that statute, to send the dangerous lunatic at once to the county asylum?—It is so.

2415. Therefore, am I not right in saying that, whether the pauper be Irish-born or not, or whether he be a resident or not, if he be a dangerous lunatic, the duty is cast on the officers under the provisions of that statute to send such dangerous lunatics to the county asylum?—Certainly; no matter what his nationality may be.

2416. Therefore I think that I am right in saying that the answer you have given is only in reference to a lunatic who is not dangerous; but, in the case of every dangerous lunatic, instead of being removed to Ireland, the officer is bound to send him to the county asylum; is not that so?—That is so; but he need not be retained in the asylum; the visiting justices of the asylum may discharge him the next day; and, if he is discharged from the asylum, there would be nothing to prevent his being sent to Ireland.

2417. So far as the poor law officials are concerned, is it not their duty to send that lunatic pauper, being a dangerous lunatic, to the county asylum?—Certainly.

2418. Is there any power on the part of the justices to discharge a dangerous lunatic from the asylum?—Certainly; they have absolute discretion.

2419. Will you turn to the section which you say gives that power?—There is no restriction; they may discharge anybody.

2420. Would you read the section which you say gives power to the visiting justices to discharge a dangerous lunatic?—It is Section 79. "It shall be lawful for any three of the justices of any asylum, by writing under their hands and seals, to order the discharge of any person detained in such asylum, whether such person be recovered or not."

2421. Is there, in that Act, no provision of any safeguard in respect to a dangerous lunatic when he is discharged?—Not that I am aware of.

2422. I believe I could not apply to any gentleman better acquainted with the statute than you are; is there not some provision in the earlier part of the statute providing for an arrangement being made in respect of any dangerous lunatic discharged, unless he has a certificate from a physician, or is it wholly within the discretion of the visiting justices?—So far as my acquaintance with the statute goes, I believe it is absolutely at the discretion of the visiting justices.

2423. Then I take it, from what you have now told us, that it is wholly illegal on the part of the justices to make any order for the removal of a dangerous Irish-born lunatic?—So long as he is in the asylum they certainly could not do so.

2424. Is it not wholly illegal for the justices, in the case of dangerous lunatics, to make any order for their removal to Ireland, from the workhouse?—I am not aware that there is any illegality in it.

2425. You do not consider that there is any illegality when you have just referred us to the provision of the Lunacy Act, which deals with the matter?—The relieving officer is liable to a penalty of 10*l.* if he does not take the steps that are necessary to send the pauper lunatic to the asylum. When the lunatic is in the asylum, the visiting justices may discharge him; when he is outside

Mr. Fry.

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Mr. Marais—continued.

outside the asylum I do not see that there is anything to prevent the justices making an order for his removal to Ireland; but in that order they must state, as the honourable Member is no doubt aware, that it will not be injurious to him, and that he will not be liable to suffer (I think the terms are) either mentally or bodily; they must make that certificate in their order. Now they could not do so with regard to a dangerous lunatic.

2428. Then, in point of fact, you consider that the illegality would arise from this: that the provisions of the statute require a certificate from the medical officer that the individual is in a proper state to be removed, and that certificate could not be given?—It is to be the certificate of the justices, not of the medical officer. That is, so far as I am aware, the only obstacle to the removal of a lunatic to Ireland. The order that the justices have to make for a removal to Ireland is, "We have seen the said [] and are satisfied that he is in such a state of health as not to be liable to either bodily or mental injury by the removal." If the justices can certify that they are satisfied that the lunatic is in such a state that it would not be an injury to him to remove him to Ireland, I must confess I do not see that there is any illegality in their removing him.

2427. I need hardly suggest to you that it would be impossible for a medical man to give that certificate in the case of a dangerous lunatic?—That would be a question in each individual case.

2428. In the case of Irish-born poor, I believe that any break in the continuity of residence destroys the status of irremovability; is not that so?—That is so.

2429. If, as some of the witnesses have told us, in many of the London parishes the Irish poor are of a migratory turn, do you not think that unjust and unreasonable?—If they are more liable to change of residence than the English poor, of course it is a disadvantage to them.

2430. I do not think you were here the other day when some gentleman speaking about the Irish labourers employed at the St. Katherine's Docks, said that they got casual work, and very frequently went down to other places in search of work afterwards; do you not think it unfair and unreasonable that a slight break of that kind should destroy the status of irremovability?—If it is so, the only remedy would be to extend the area of residence.

Mr. Mark Stewart.

2431. What is your opinion as to the deterrent nature of the poor law removal; do you consider that it keeps many off the rates?—I should not imagine that it does in the long run, though it may at first. When paupers apply for relief we know that there are many cases in which, if they are told that they will be removed, they endeavour to get on without it, but they generally come again after a short time.

2432. Then is it beneficial or not to the social well-being of the community and of the ratepayers to have this law of removal?—I do not think it is a proper test of destitution; if that is the object of the question.

2433. Has it the effect of keeping the rates down?—I do not think it has, in the long run, because I do not believe that those people who are really destitute would starve rather than be

Mr. Mark Stewart—continued.

removed. I do not know that any such case has ever come under my notice.

2434. I think you said that the metropolis is, as it were, one union, the rate being equalised over the whole metropolis?—No, that was not exactly my statement; the metropolitan common poor fund does not equalise the entire rate over the whole metropolis; it only raises an equal rate over the whole metropolis for certain classes of expenditure.

2435. And you think that might be applied to counties?—Quite so.

2436. You do not think that it would rather have a tendency to increase the rate than otherwise?—That is a matter of experience. The common poor fund has been in operation now for more than ten years, and I am not aware that it has been found to have that effect in practice.

2437. You are aware that the increase of the rates in the metropolis is very much complained of?—Yes; but that is from other causes, I suppose; I am not aware that there is any large increase in those particular classes of expenditure to which the common poor fund applies, which will account for it. The common poor fund is applied to particular classes of expenditure, and it would be easy to ascertain whether those particular classes of expenditure have shown a tendency to increase during the last 10 years.

2438. In the event of the law of removal being abolished generally, would you make exceptions with regard to the western and northern parts of the kingdom?—It would be quite possible to do so as a matter of legislation, but whether it would be proper to do so as a matter of policy is a question upon which, perhaps, it is hardly within my province to express any opinion.

Sir Arthur Middleton.

2439. What is the date of the Metropolitan Poor Fund Act?—It was passed in 1867, but it did not come into practical operation till some time afterwards.

Mr. Symon.

2440. In the interests of the poor you are decidedly of opinion that the law ought to be abolished?—Certainly.

2441. In the interests of the ratepayers it is a question of choice between alternatives; the reduction of time, the application of substitutes, or the abolition of it altogether?—That is so.

2442. The reduction of time, and the application of those substitutes, would make the grievance so evanescent and small that it might as well be abolished altogether?—I think it is very likely that, if you were to reduce it to three months, you might as well abolish it altogether.

2443. If the whole of England, with the exception of three unions, was in favour of the abolition of the law, should those three unions who complained of the congestion have a right to maintain the law?—If there were only three, or a very small number, of course they should not.

2444. With respect to lunatics, would you tell me clearly what is the power, as between the poor law authorities of the union, and the county lunatic asylum; in what cases have the poor law authorities power to send a lunatic to the county asylum?—The relieving officer is bound to take the pauper before the justices, and the justices are to call in to their assistance a medical practitioner

Mr. Symon—continued.

dear who is to give a certificate. If the medical practitioner refuses to give a certificate that the pauper is a proper case for an asylum, he cannot be sent there. If the medical practitioner gives a certificate that the pauper is a fit case for an asylum, then the justice makes the order.

2445. He makes that order in the case of the Irish lunatic, as well as in the case of the English lunatic, I apprehend?—Quite so; equally so.

2446. When the lunatic gets into the county asylum then it is a question of chargeability?—Yes.

2447. If he has a settlement his support is chargeable upon the settlement union, and if he has not, it is paid out of the county fund?—Yes, quite so.

2448. And that law is as applicable to the Irish lunatic as to the English lunatic?—Yes, except that the Irish lunatic has no settlement, and, therefore, he is chargeable on the county.

2449. If he had a settlement, he would be chargeable upon the settlement union?—Yes.

2450. But the law is as applicable to the Irish lunatic as to the English lunatic?—Quite so, there is no distinction.

Mr. Forryth.

2451. When you talk of the Irish pauper having a settlement, you mean, I presume, a settlement in England?—Yes.

Mr. ANDREW DOYLE, called in; and Examined.

Chairman.

2452. You have been for many years an Inspector of the Local Government Board in England, have you not?—Yes.

2453. You have recently had occasion to examine the poor law system in Ireland, I believe?—To a certain extent. I was engaged upon a Commission in Ireland for nearly two years.

2454. I think you have been, to a certain extent, engaged in poor law work in Canada?—Yes, I was sent to Canada to make inquiry into some matters connected with poor law administration.

2455. I think you have also given some attention to the particular systems of continental countries?—Yes, a good deal.

2456. I believe you gave evidence on the subject of removal before a Parliamentary Committee some years ago?—Yes, before Mr. Baines' Committee upon the subject of poor removal in 1854.

2457. Have you seen any reason to alter the opinion that you gave before that Committee?—None whatever, but I have a good deal to strengthen the opinion that I entertained then.

2458. I think you then expressed yourself as decidedly opposed to the existence of the law of removal?—I did so.

2459. Do you apply that view equally to the case of Scotland, England, and the Channel Islands?—I should apply it to the labouring poor of all parts of this kingdom.

2460. I think you are aware that the subject has been more than once under the consideration of Parliament?—Yes. What with Parliamentary Committees and Parliamentary discussions and Commissions, you might get a cart-load of Blue Books containing the evidence that has

Mr. Forryth—continued.

2461. You do not go to his birth-place in Ireland?—No.

2462. Therefore if he has no settlement in England, the costs fall upon the county?—Yes.

2463. If you take into account the interests of the poor, and the interests of the ratepayers, is it, or is it not, your opinion that the law of removal should be wholly abolished?—Taking them both into account, I think it is advisable that the law should be entirely abolished, but I think, nevertheless, that as regards the ratepayers, it may be found that there is a necessity for a substitute. Of course that is a matter for inquiry.

2464. What substitute, in your opinion, would be a right one?—I think the only practicable one is the county common poor fund.

Mr. Ramsey.

2465. I think you have stated that a common poor fund would remove all the local interest and administration in the relief of the poor?—No, I do not think I said that; I said that the metropolitan common poor fund combined the advantages of equalising the burden without destroying the local interest, and it does so by repaying certain classes of expenditure only.

Chairman—continued.

Mr. Doyle.

2466. Will you kindly refer to the Resolutions that were passed by the Committee of 1847?—They are as follows:—(1.) That the law of settlement and removal is generally productive of hardship to the poor and injurious to the working classes by impeding the free circulation of labour.

(2.) That it is injurious to the employers of labour, and impedes the improvement of agriculture. (3.) That it is injurious to the ratepayers by occasioning expense in litigation and removal of paupers. (4.) That the power of removing destitute poor persons from one parish to another in England and Wales be abolished. These were the recommendations of the Committee.

2467. I think you are aware that those Resolutions were passed by the Committee, but that they were never reported to the House?—That is so.

2468. Who was the Chairman of that Committee?—Mr. Charles Buller.

2469. Then I think there was a Committee that sat in 1854; when did they report?—I am speaking from recollection, but I think that in 1854 the Committee simply reported the evidence, and in the following year they were re-appointed and reported.

2470. I think there was a Committee that reported in 1861, was there not?—Yes.

2471. Did not that Committee recommend that the laws of settlement and removal should receive the early attention of the Legislature?—Yes.

2472. Are you acquainted with the Report of Poor Law Commissioners in 1841, in which Report there is an article on non-resident relief?—Yes; I recollect the passage in the Report very well.

R 3

2473. That

Mr. Doyle.

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Chairman—continued.

2473. That was a very able article upon non-residential relief, and it concluded with some observations about removal, did it not?—Yes; I remember that it was a very full and complete exposition of the evils of giving non-residential relief at that time, to which there was rather a tendency in the unions throughout England.

2474. There was also, I think, in the Ninth Report of the Poor Law Commissioners, a reference to the subject of non-residential relief?—Yes; I think it was referred to in one of the earliest Reports.

2475. In the year 1822, was there not a Bill introduced to abolish the law of removal?—In 1822, there was a Bill introduced, I think, by Mr. Scudlett (afterwards Lord Abinger), with a view, not of abolishing the law of settlement, but of putting an end to the power of removal.

2476. That Bill was discussed in 1822, and there was a division, and the Ayes were 86, and the Noes were 82, so that the Bill was thrown out by a majority of 16; that you are not surprised to hear?—No.

2477. I think you are acquainted with the speech which was made by Lord Henniker in 1875 in the House of Lords?—Yes, I remember Lord Henniker's speech very well.

2478. That speech was with regard to the abolition of removal, and he ended, not by introducing a Bill, but by moving for certain Returns?—Yes.

2479. Then, I think the last step is the Resolution of the 2nd of July 1878, with which we are familiar; will you kindly read the Resolution which was passed in the House on that date?—"That the laws under which the destitute poor receiving relief from the poor rate are subject to removal in England and Scotland in their operation inflict hardship, and require consideration with a view to their amendment."

2480. I ask you these questions, in order to bring before the Committee the fact that this question of the law of removal has been brought under the attention of the Legislature from time to time, and has been the subject of considerable attention and discussion?—There has been no law connected with poor law administration, which has been so much and so fully discussed, it seems to me, as the law of removal in all its bearings, and all its incidence, both upon the ratepayers and upon the poor.

2481. From the year 1857, which was the date of the Committee to which I first referred, to the year 1878, there have been frequent and very important changes in the law, have there not?—That is so.

2482. Therefore, if any step is to be taken, the question appears to be ripe for some definite and decisive solution?—I do not see how any beneficial change can be made now, except by the total abolition of the power of removal.

2483. Can you give the Committee any information as to the opinions on this question of boards of guardians or of others interested in poor law administration?—Immediately before I was examined before the Committee of 1854, my district comprised Staffordshire, Shropshire, Cheshire, and the whole of North Wales, and I took frequent opportunities of consulting boards of guardians upon the subject, and I may say that almost, I think, without exception, all the guardians were either in favour of the complete abolition of the law, or indifferent to it. There

Chairman—continued.

were one or two boards of guardians who, for special reasons, considered it desirable to retain the power of removing Irish poor; but I think the general feeling throughout the district was in favour of the abolition of the power of removal. That was in the year 1854.

2484. Does that expression of opinion apply both to country and to town guardians?—I think so. There was one very remarkable illustration of the strength of the opinion in an urban union; that is the city of Chester. The guardians of the city of Chester passed an unanimous resolution in favour of the abolition of the power of removal, and the chairman of that incorporation afterwards published a pamphlet in favour of the abolition of the law of poor removal, which he terms an alien act against the Irish. It was Mr. Trevor, a man of very considerable influence; I merely mention that as an illustration of the strength of feeling that prevailed at that time in favour of the complete abolition of it with reference to all classes of the law of removal.

2485. What is the date of the pamphlet to which you have referred?—1855.

2486. What would be the largest town in your district at that time?—The largest town affected by the special form of pauperism that was felt to be a grievance, that is to say, Irish pauperism, was Birkenhead. The largest manufacturing town, I think, was probably Wolverhampton. Stockport was not in my district, but nearly the whole of Cheshire was, with the exception of one or two unions.

2487. Have you had any experience of the feeling on this subject in Wales, in such towns as Merthyr Tydfil and Cardiff?—I should not think that in either of those towns there is any feeling in favour of the retention of the power of removal, as it affects either English or Welsh poor. As to Irish poor, I do not think that the desire to remove them prevails in Merthyr Tydfil, or in the whole of that large iron district. The value of Irish labour is, I apprehend, too highly estimated there for them to think of throwing any difficulty in the way of its coming into the district, or of circulating in it.

2488. Do you happen to know what the practice of the guardians in those places is with regard to the removal of Irish poor?—I do not think there is any removal; I cannot remember any cases.

2489. Of course one of the most important places interested in the law of removal would be Liverpool; how would the abolition of removal affect Liverpool?—The case of Liverpool is a very peculiar one. When I was first appointed upon the commission, Liverpool was labouring under what was certainly a very great grievance in 1848, viz., an enormous influx of the very lowest and most miserable class of Irish poor. I believe that the feeling of Liverpool has been ever since and is now influenced very much by the recollection of the difficulty of that time. I do not think that the Liverpool people make sufficient allowance for the change that has taken place in the condition of the Irish poor from that time. In 1845 and 1846, just before the famine year, there was a population in Ireland of between 8,000,000 and 9,000,000. The exact number according to the census of 1841, of the population of Ireland, was 8,175,000; in 1851 there was a diminution to 6,552,000; and in 1871 it had fallen to 5,400,000; showing a reduction,

Chairman—continued.

duction, from the period when Liverpool was under this apprehension, of 2,700,000 people, and that of exactly the class of people who are likely to become chargeable; for, if you look at the Census Return, you will find that the holders of small holdings, of from one to five acres, numbered, in 1841, 310,346; and in 1875, the number was 69,098. That was the class of people who would be likely to come in large numbers. If you take four classes of houses in the census between 1841 and 1871, the first class was, in 1841, 40,000, which has increased to 80,000; and the fourth class has diminished from 491,000 to 136,000. What I would wish to convey to the Committee is, that the Liverpool people and the representatives of opinion in some parts of Scotland, do not make sufficient allowance for the unprecedented change that has taken place in the interval in the condition of the people of Ireland.

Mr. Ramsey.

2490. Are you quite certain about the accuracy of those statistics?—They are taken from the Census Return.

2491. We get, periodically, presented to the House a Return of the number of small holdings in Ireland; is that statement of yours in accordance with that Return?—It is.

Chairman.

2492. I conceive that the gist of your last answer is this: that, whereas certain persons, and notably our friends in Scotland, are in dread of, what we have called an Irish invasion, of persons seeking relief, you contend that the state of Ireland has so changed that such an invasion has become almost impossible?—I am satisfied that there is not the slightest ground for apprehending it; and that conviction is founded, not simply upon these Returns, but upon my own observation in passing through the country during the last two years. I had known Ireland tolerably well 40 years ago, and I revisited it, I may say, for the first time, two years ago, and I could scarcely imagine that I was passing over the same country, the whole character of the population and the aspect of the country have so completely changed; and, from my inquiries amongst the labouring classes as to the rate of wages and as to the condition of the people, I do not think there is any ground for apprehending an incursion of Irish pauperism into either England or Scotland.

2493. Has it ever occurred to you that persons seeking relief have been sent over from Ireland to Liverpool in order to be sent back again?—Certainly; I made inquiry in Birkenhead and Liverpool before I was examined in 1854, and I came across a number of individual cases of people who did not hesitate to tell me that they had been compulsorily removed to Ireland, and they were found in the streets of Liverpool almost the next day, having come back by the return packet, as they said.

2494. We have been told that the cost of passage from Ireland to Liverpool has, on some occasions, been as little as from 3d. to 1s.; what would be the probable charge to the poor rates for a pauper who was sent back from Liverpool to Ireland?—At that time the poor were conveyed from Dublin to Liverpool at a cost of 1s., and sometimes for less; they circulated for a certain

Chairman—continued.

Mr. Doyle.

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time throughout England; they came back to Liverpool for the express purpose of being removed to Ireland, and they were removed back again at a cost of from 10s. to 12s. per head. That was during the period from 1850 to 1856. The fact was stated, and was not questioned at the time, before the Committee of 1854.

2495. Will you state, briefly, your objections to the law of removal?—I have always thought that the law of removal was a law of extreme injustice to the labouring classes, and that it was upon principle indefensible. I do not think there is any right to restrict the market in which a labouring man can dispose of the only commodity that he has to dispose of, which is labour; it is, as it seems to me, no more right to do that than to say to a farmer, "You must not carry the produce of your farm over the borders of your county." I think the law was, in its origin, a gross invasion of the right of the labouring man, and in its operation ever since then it has been an unmitigated evil to the labouring man. Looking at it from the point of view in which it affects the labouring classes of this country, I think it has had a harsh and demoralising effect upon the labouring classes. It has interfered materially with the circulation of labour in the country, and it has very injuriously affected the interests of the ratepayers. Upon those general grounds I have always objected to the existence of a law of removal; and each year's experience that I have had has confirmed the objection that I always had to it.

2496. I wish to ask you to deal with one or two of the objections that have been raised to the proposal that the law should be altogether abolished. First of all it has been said, that if the law of removal were abolished vagrancy would be increased; what do you say to that?—That is an objection that one has frequently heard, but I think that people mistake altogether the character of the labouring classes of this country if they suppose that the mere abolition of the power of removal would convert a labouring population into a vagrant population. That it would lead to a considerable circulation of labour ultimately I have very little doubt; but that is a very different thing from admitting that the population would become vagrant. You have ample security in your vagrant law, and in the test of your workhouse, against any considerable increase of vagrancy in the country; and whenever those vagrancy laws have been put in force in every part of this country they have led uniformly to the diminution, and in some places, if I may use the expression, to the extinction of vagrancy.

2497. Then it has been said that, if the law of removal were abolished, an unfair burden would be thrown upon the large towns, because there is a tendency, on the part of the extremely poor, to congregate in the large towns; what do you say to that objection?—I do not think that that effect would follow, but I am satisfied that every change that has been made, nominally and intentionally, with a view of alleviating the evil of removal, has rather tended to increase it. You began by lengthening the tether, so to speak, of the labouring man, and giving him the union instead of the parish; then you gave union rating and you diminished the term of residence from five years, first to three years and then to one year. The

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tendency of all that legislation is to hold out a direct inducement to labouring people to hold on to a residence in some particular place, in order to acquire the imaginary advantage of irremovability; and, instead of facilitating the dispersion of labour, and allowing these people to seek work wherever they could find it, the tendency of legislation has been rather to congest the population in some particular places.

2498. I may take a third objection; it has been said that a liberal union would attract the paupers, and that those which were extremely strict, and even niggardly, would, to a certain extent, escape; what do you say to that?—I cannot recognise any such distinction as a liberal union and an illiberal union. The object of the constitution of the Poor Law Department, and of the rules and regulations issued by it, is to produce uniformity of administration. If a union thinks fit to be what they call liberal, that is to say lax in their administration, they must pay the penalty of it. But I do not think that unions that have been what are called strict are severe to the poor. I could name a score of unions in which the administration is exceedingly strict, but in which I do not think any person would say that it has been harsh or illiberal to the poor.

2499. Another argument which is often used by some persons is this: that the power of removal operates as a useful test to prevent persons from applying for relief where they dread removal; what do you say to that argument?—That it operates as a test there is no doubt, but that it operates as a useful test I could not admit. No doubt it has a deterring effect, but I think it is a perversion of the object of removal to make use of it for any such purpose. The law of 1854 provided a test of destitution, and I do not think that any board of guardians has a right to impose a stricter or more severe test, least of all the test that is in many cases the severest of all, in addition to what is called the workhouse test. I have never known the workhouse test to fail in producing the effect for which it was designed, where it has been strictly and properly administered. Take the case of Ireland, for instance. There the workhouses are administered with considerable strictness, though not with rigour; and I should say, speaking from recollection, that Ireland is the least prospered country in Europe; it is the country in which the smallest percentage of the population is in receipt of relief; it is a country in which the administration of relief has, in the case of several unions, brought down the pauperism from as much as 6 and 7 and 8 per cent. to less than one-half per cent. on the population. How has that been done? simply by the operation of a workhouse test. That was the effect of it, until a greater laxity was introduced into the administration in some unions; but, in those unions in which the law is strictly observed, that continues to be the result; whilst in the unions which think fit to relax their administration, the pauperism is rising gradually year by year, until it becomes a question with some board of guardians (and I have heard opinions expressed upon it) whether they ought not to seek legislative relief by imposing a restriction upon the giving of outdoor relief at all, except in cases of absolute necessity and sickness.

2500. I will now refer to the fifth objection,

which has been already mentioned; it has been said that if removals were abolished Irish paupers would be sent wholesale into Scotland and England; I presume you would make the same remarks with regard to Glasgow, or Bristol, or Cardiff, which you have already made with regard to Liverpool?—Certainly; I should not have the slightest apprehension of any such result.

2501. And you hold, as I think you have already told us, that the Scotch fear of an Irish invasion is rather a chimera?—I think so.

2502. We have had, on one occasion, an Irish invasion of paupers; that was in the unfortunate famine years; can you tell us anything about the operation of the law of removal in those years?—I recollect the evidence of Mr. Baileys, who was then stipendiary magistrate of Liverpool, and he stated that it would be absolutely impossible to remove the number of Irish that came in then. The law of removal completely broke down, and I think that the more considerate people have held that an emergency of that sort is not an occasion for which you ought to enact a permanent law which will operate to the detriment of the Irish people, or of any other class of people in ordinary times.

2503. I believe evidence was given upon that point before the Committee of 1847?—A good deal of evidence.

2504. In Questions 43 to 72, we should find that point raised?—Yes.

2505. Then you consider that the law of removal practically broke down when it was subjected to the severe test of an invasion?—It was so stated by the witnesses from Liverpool, and I think they were obliged to get a special enactment as a supplement, or as a substitute for the law that broke down.

2506. There is a case that differs somewhat from the case of Liverpool, and Southampton would probably be the best instance of it; that is the case of soldiers, sailors, and foreigners who fall chargeable when they are landed; how would you deal with such a case as that?—I remember to have seen in the workhouse in Liverpool a large number of Finns, I think they were. But those are exceptional cases as to which you could not legislate. It is an element in these ports being what they are, prosperous seaports. Cork is liable to it, Dublin is liable to it, and all sea-ports are liable to it; in fact they must take their chance and accept the good and the evil that arises from such a condition of things as that. If you were to sum up the number of cases of that sort, and the expenditure incurred, I do not think it would very seriously affect the rates of any of these places; and at all events whether it did or not, you ought not to allow it to influence the general question of the abolition of removal as it affects the English blooming classes.

2507. A witness from Southampton told us that if the law of removal were abolished with respect to these persons, it would be done at a cost to their union of no less than 3,000*l.* a year; are you surprised to hear that?—Indeed I am; I cannot imagine how it could cost 3,000*l.*, and if it did, I do not see how you are to remedy it. Supposing that a foreign ship comes into the port of Southampton with a crew of Spaniards or heeled, and they become destitute, have you any power

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power by which you could remove them to Spain? You cannot remove them to Bilbao or to Cadix. What are you to do with them? How on earth would the abolition or the change of the law of removal affect a case of that kind? That is, I apprehend, so far as I collect from your question, the grievance to which it points, and I do not see how they can be relieved from an accident of that sort.

2508. Would it be possible to make the cost of persons in that position chargeable upon the county rate?—Possibly it could not be an inequitable thing to do, to make the cost of people becoming chargeable under such circumstances fall upon a different rate; but it is hardly worth it. I have not sufficient knowledge of the facts connected with such a grievance as that, to be able to suggest a remedy for it. If it was a very serious burden upon the ratepayers of Southampton, or of any other seaport town, I think then it would undoubtedly be a fair argument for the incidence of the tax falling upon a larger community than the immediate town.

2509. Your impression is that the difficulty is not so great as to create exceptional hardship, or to require special legislation?—That is my impression; but it is only my impression, because I am too imperfectly informed upon it to have a definite opinion; and, if the fact were otherwise, I do not think that it could affect, or that it ought to be allowed to affect, in any way the question of the abolition of the law of removal.

2510. I think in cases of shipwreck there is some provision of the law by which the charges of burial may be defrayed by the county instead of by the parish?—Yes, that occurred to me, but I hesitated to put the burial of the poor, who were wrecked in the parish, in the same category with those seeking relief; but a charge of that sort might very fairly be made upon a wider area than the town.

2511. So that we have an analogy in the law for such a safety-valve if it were necessary?—No doubt; but the town ought also to remember that, if they have the accidental burden to bear, they have also the continuous advantage of ships coming in, and bringing prosperity to their community.

2512. Seafarers are apt to spend a good deal of money when they come home, are they not?—Yes.

2513. Take another set of people; there is a great tendency for labourers to flow at certain times into London, for instance, and especially into certain parts of London; do you think that any hardship would be inflicted upon the unions in London, where the poor congregate for lodging, and so forth, if the law of removal were abolished?—It would depend altogether upon the object with which people flock into London. If they flock into London for industrial purposes, London gets the advantage of their labour. If they flock into London for vagrant purposes apply the vagrant law, and you will very soon cure them of that. But I do not see that any special incursion of *bona fide* labour ought ever to be taken into account as an ingredient in forming one's judgment as to the expediency of abolishing the power of removal.

2514. Before we leave with this part of the subject, I must turn to one question about another point; I think it has been said that a

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right of settlement is a right that is valuable to a poor man, and that if you destroy it you destroy something which he values, and which is, at some time or another, of use to him; do you think that the abolition of that right would be a real loss to poor men?—I have never heard of a poor man who valued, or knew anything at all about the right of settlement, except in cases where settlement was connected with the distribution of charities or doles, or something of that sort. There the people speak of their parish, and of having a certain right in their parish; but I do not think that settlement is of any value, or that it is estimated as being of any value by the poor generally.

2515. Of course, we are dealing with settlement merely as giving a claim to poor relief in a certain place; you consider that that kind of settlement is of no value to the poor man?—Not the least in the world. If you substitute for the obligation (for I do not believe that any right of relief exists) of giving relief in the parish of a man's settlement, the obligation to give relief wherever a man becomes destitute, no matter where it may be, you take away from the man something which is of no value to him, and which he does not value in the least, which is called settlement; and you give him that which is of real *bona fide* value to him, viz., the certainty that if he becomes destitute in any place where he brings his labour to market and does not happen to sell it, he will have the right of getting relief in that place.

2516. In fact, by abolishing the law of removal, or I will say the law of settlement, for the purpose of obtaining relief, you give him the right of settlement in 15,000 parishes, which at present he possesses only in one?—Yes, that is so; or in 600 odd unions, as the case may be.

2517. We have spoken of the objections to the abolition of the law of removal; will you tell the Committee what, in your opinion, would be the advantages which would accrue from its abolition?—The first and greatest, and most obvious advantage, it seems to me, is that it would liberate the labour of the country and permit every man to carry his labour to whatever market he thinks fit, and where he thinks he will be able to sell it. That is, I believe, the right of the poor man, of which he was deprived by the Act of Charles II, which imposed this removal in the first instance. Then you get rid of the litigation and the perpetual contests between parish and parish, and union and union; and you establish that which is most for the benefit of the labouring population, and therefore most for the benefit of the whole community.

2518. First of all you would say that you would do away with the restriction, which is radically wrong in principle, in your opinion?—Yes; that is the most obvious advantage of it, I think.

2519. It would lead, would it not, also to the abolition of non-resident relief?—I think that the abolition of the power of removal would lead, necessarily, to the disappearance altogether of non-resident relief. No such form of relief could be known then.

2520. It would probably also lead to a stricter and more equal administration of relief throughout the country?—I think that would necessarily follow, from the interest that the different unions would very soon find that they had in a stricter administration

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administration of relief. If they found that they were liable to have poor coming into them for other purposes than the purposes of labour, they would come to administer the relief more uniformly, and with considerably more strictness, I think.

2521. It would also, I presume, lead to a very considerable saving of expense to the unions?—There can be no doubt of that. The least satisfactory expenditure of unions is the expenditure that is incurred in fighting battles of settlement.

2522. In many cases the system of removal leads to an extravagant waste of time and money in litigation, does it not?—It has ever done so, and it will ever do so; so long as a lawyer is ingenious enough to pick a hole in an Act of Parliament, the law of removal, however you frame it, will be a source of litigation between parishes and unions.

2523. The abolition of the law would, I presume, be a great relief to the statute-book?—It would undoubtedly sweep away a great deal of these laws that encumber the statute-book at present.

2524. Can you tell us of any cases of hardship that have occurred within your knowledge under the operation of the law?—I have met, in the course of my experience, with a great many cases in England, some in Wales, and a considerable number in Ireland.

2525. Would you give us, if it is quite convenient to you, one or two special cases?—I mentioned cases before in England, but special cases I should refer to with some reluctance, and for this reason: that they have almost uniformly led to recriminations and angry discussions, and letters between boards of guardians and parochial officers, and so on; and, except as an illustration of what is a real evil, I should not mention any of these cases. In Ireland I had occasion to attend a board of guardians in Monaghan for the purpose of consulting the guardians upon the expediency of appropriating a portion of their workhouse for the use of lunatics; and, as soon as the ordinary business of relief was gone through, the chairman inquired whether there was any other case, and the reply was: "Oh, yes, there is a man who has been sent over here, and who has been admitted into the workhouse." The chairman said: "Let us hear his story; bring him in;" and a blind man of the name of Patrick Devins was led into the room by his wife. His account was this: he was brought under warrant on the 4th of October from Edinburgh to the Monaghan workhouse; he was embarked in October 1877; he had been for 33 years and five months resident in Scotland; he lost his sight there, and he was brought over with his wife and delivered at the workhouse of the Monaghan union. He might as well have been delivered at any place with which he had not the slightest connection of any description. One of the guardians observed incidentally: "This is rather a hard case;" he turned to me and said: "What do you think of it?" I said, "I hope it is an exceptional case." "Oh, dear no," said he, "we have plenty of them in this country." I went to that board upon that day month, and then there turned up another case of a man named James Sherry, who was sent from West Bromwich. He had been 32 years and three months in England, and during the greater portion of that time he had been working at

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Chance's Works, at Oldbury, close to West Bromwich. He heard somebody say that he was born in Monaghan, and he was brought over and delivered in Monaghan, at the Monaghan Union; having been born in the county of Monaghan, but in another union altogether, he became chargeable to the Monaghan Union. The Monaghan guardians have no redress against that; they cannot remove that man back to England. There was the case of a man in the same union, named McGowan, who was sent to Monaghan in the same way, who was chargeable, not to the union of Monaghan, but to some other place. The clerk at once wrote to the superintendent at Edinburgh (it was a Scotch case), complaining of it, and he received a very courteous answer: "I am in receipt of your letter of the 19th in this case. McGowan declared before the sheriff that his parents told him he was born in the county of Monaghan, but he never heard what part, and he left Ireland when very young. I called the sheriff's attention to the matter at the time, but he said that, under Section 2 of the Act 25 & 26 Vict. c. 113, he thought his only course was to send him to the county town, and, accordingly, he granted a warrant for his removal to the union. We suffer in the same way here. Edinburgh is divided into two parishes, but this being called Edinburgh parish, removals from England are generally made to me. We get all the parties from the county gaol, from the police office, and other central institutions, so that I can sympathize with you, and I fear such burdens are incidental to our position as a central district." They got the sympathy of the Scotch official, which is, of course, valuable as far as it goes, but that is all that they did get. They could not remove the man, and they had no redress. The matter is not in itself of very great importance, except as illustrating what does produce a very bad effect in that country. No person could sit at that board of guardians and bear those two cases without feeling that a case of injustice was created by such cases, for which all the removals from Scotland, in two years, would not compensate. In course of time I heard of a considerable number of other cases, incidentally, but I did not make it my business to inquire into them.

2526. Is there any other case which you wish to mention in detail?—There is one case which is illustrative of a point which I believe has been frequently mentioned before this Committee, that is to say, the sending over Irish paupers from Ireland to England and Scotland. I inquired of many of the poor law officials whether that was so, or not; they told me quite frankly that long ago such things did occasionally happen; that it did not prevail as a practice, but that there were a considerable number of cases in which, from a sense of the injustice of the removals, the poor were sent back again. I remember at Skibbereen making some inquiry as to whether they could remember any cases of that sort, and the reply was: "Oh, well; there is the case of Mary Horrigan." The case is a remarkable one. It is an exceptionally hard case, but it shows the sort of cases that did occur, and that might even now occur under the law of removal. The statement of this poor woman was that she was 27 years in England; was one year old when she left Ireland; had been the wife of Michael Horrigan for the last 10 years; he was a Macine in the

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the Queen's service, and he left his home to serve in the "Satellite" man-of-war in China. Since her marriage she had lived with her husband in Woolwich. He left about seven months since, and up to his departure never received any parish relief. The relieving officer told her she was to come to Ireland, and if she refused he would bring the police. She was taken before a magistrate, who asked her if her children were born in Woolwich; she replied "Yes." On Tuesday the 26th June the officer told her she was to come over to Ireland. She again objected. Her children were at the Military School at Woolwich since her husband left England. She left her home, which she had occupied for 10 years under the same landlord, and in No. 3, Henry-street, Read's-buildings, Woolwich, with the relieving officer. She left her home, furniture, and a nice home, locked the door and gave the key to a person in the street, a friend of hers, to keep for her. She acquainted the commandant, who said, if she was sent over he would see to it. She left her home in consequence of a policeman coming to her. She stated that her husband allowed her 15 s. per month, and that she worked whenever she got employment, and earned about 7 s. 6 d. per week. She received from the parish 2 s. 6 d. and two loaves of bread per week, which she would not require had not her children been so young and prevented her leaving them. She told Mr. Weston, the relieving officer, that she expected five or six pounds from her husband by Monday; that it would come to the baker to whom she owed three pounds; that she would never again seek relief, and that her husband, in six months, would be entitled to his retiring pension. Her husband has four good-conduct stripes, and will be entitled to another on retiring. Her mother resides at Deptford and is a householder, but neither her mother nor any of her family know of her having been sent to Ireland. She further stated that on her arrival in London she objected to go farther, and wished to stop in the lodging-house there, but the relieving officer fetched a policeman and she went. Before she went on board the steam vessel at Bristol, she begged the officer to take her back, and that she would pay all expenses. He refused. She did not know the nature of the document she signed, and cannot read or write. The case excited a good deal of attention at the time, and there was a subscription, and the woman got a free passage back in the steamer. People felt indignant at what they considered to be the hardship of the case, which was mentioned in the reading room at Cork, and the poor woman was returned by means of a subscription to her home. Many cases of that character were mentioned to me as illustrating the circumstances under which the poor were sometimes sent back. I do not see that any blame was to be attached to the officers who undertook the removal; they simply discharged their duty. The evil is in the law.

Mr. Mark Stewart.

2537. When did that case happen?—I think about five years ago.

Chairman.

2538. Does the law of removal obtain in continental countries?—There is no law of removal equivalent to the English law of removal in any continental country that I know of. There is a very strict vagrancy law in most countries.

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Mr. Henney.

2539. Is there in any country a poor law corresponding to the law of England?—Not exactly. There are poor laws in certain states; there is a poor law in Denmark, and in some of the German states. The French poor law is different from ours, but some of the provisions of it a good deal resemble ours, but the Danish poor law runs on all fours, so to speak, with ours.

2540. Then Denmark is the only European state which has a poor law at all corresponding to ours?—In some of the smaller German states they have a poor law very much resembling ours—the poor law system of Elberfeld, for example; and there the system is in some respects a mixture of charity organisation and poor law. It was a very strict application of the poor law system; it was rather like what prevailed in Scotland, and was so highly eulogised by Dr. Chalmers.

2541. It does not at all correspond to the law of England?—With respect to removal it does not. There is no power of removing, but there is a very rigid application of the vagrancy law; the vagrancy law is more strict than it is here.

2542. Nor is the mode of granting relief the same?—No. They have no workhouses, or at least not in the same sense in which we have them.

2543. Can you tell me any country in Europe, except Denmark, in which there is a poor law similar to that of England?—I do not know of any that is exactly similar to that of England, although in some respects many of them resemble it. Almost all European countries have some provision for the relief of the poor that bear, more or less, a resemblance to our system; but I am not aware of any system which is exactly parallel to ours.

Chairman.

2544. Have you any statistics that you wish to put before the Committee?—If there is any question that could be illustrated by figures that occurs to the Committee I should probably be able to furnish figures in illustration of it.

2545. With regard to the difficulties which arose during the Irish famine, which I take to be important, because it was a test of the system in Liverpool when it was most strained, evidence was given before the Committee of 1847 by Mr. Earle, Mr. Rushton, and Mr. Lowndes, I believe?—Mr. Rushton's evidence is perfectly conclusive as to the inefficiency of the law to meet that difficulty. It made a very strong impression upon my mind when I read it at the time. It is perfectly conclusive as to the utter uselessness of a law of removal to cope with such a difficulty as that. The difficulty, in the first place, is very unlikely to arise. There is not the slightest ground for supposing from the condition of Ireland now that within generations such another calamity could befall the people; everything is pointing, and has been for a considerable time, to such a change in the condition of the people of Ireland, as negatives the presumption that any recurrence of such a calamity is likely to take place.

2546. Your contention is, first of all, that the invasion which is dreaded is, from altered circumstances, improbable if not impossible; and that, secondly, if it did arise, experience has shown, as established by the evidence of Mr. Rushton in 1847, that the present law of removal would be insufficient to cope with the difficulty?—Yes, that is quite my view of it.

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2537. Are there any observations that you would like to make to the Committee at this moment?—My view is, and always has been, that the law of removal is an injustice to the poor, and that therefore it ought upon that ground alone to be abolished. The ratepayers' interest I believe, looked at properly, would be promoted by the abolition of it; but as you have gone on from time to time making compromises and endeavouring to mend a bad law, so I suppose people would now recommend some further compromise. It seems difficult to imagine how it could be made, but I remember hearing a suggestion upon that point.

2538. Will you kindly look at Question 62, which contains an important alteration in the law suggested by Mr. Fitzgerald?—“Your proposal really amounts to this, first of all, the substitution of one year's residence in a union for three years' residence in a parish as a head of settlement; secondly, all heads of settlement other than residence as aforesaid, marriage in the case of a woman, parentage in the case of children under 16, and birth, to be retrospectively and prospectively abolished.” I remember that in the Committee of 1854, Mr. Campbell, rector of Liverpool, who might be taken then as representing the opinions of the ratepayers of Liverpool, gave very strong evidence indeed in favour of retaining the power of removal from Liverpool to Ireland; and he was asked, as I am asked now, whether he had any suggestion to make for an alteration; and he read then a paper that was sent to him by the town clerk or vestry clerk of Liverpool, in which he proposed that no actual removal should take place, but that when a person became removable the charge should fall upon some locality to which he would be removable. That was generally the suggestion that he made. That suggestion was subsequently put before the Committee in a more definite form and with much greater authority by Mr. Baron Alderson, who was examined, I think, almost immediately after I was, as a witness before that Committee. He, as a practising barrister at sessions, had probably more experience than most men of the evils arising from removal; and he suggested that the power of removal should be absolutely abolished, and that every pauper who became chargeable should be charged to the settlement of his birth. The difficulty that was suggested was the difficulty which you pointed out at the early part of my examination, viz., the possibility of its leading to non-resident relief. But if the relief recoverable from the union of settlement was simply indoor relief, that objection would be got rid of. Then the compromise reduces itself to this: Abolish the power of removal altogether; let every person who has resided for one year in any union have a settlement in that union, and let the union in which he becomes destitute relieve him; but recover from the union of his settlement the cost of his indoor maintenance. It would be a compromise, and possibly the least objectionable compromise; but it has the defect of recognising the existence of a bad law founded upon a bad principle. It would, however, get rid of that which is the flagrant evil of the law, oppressive to the labouring classes.

2539. I want to see if I have got your idea clear; I take it that what you say is this: that after long experience you are decidedly in favour of the entire abolition of the law of removal applied to England and Scotland?—Yes, to

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the whole kingdom, England, Ireland, and Scotland.

2540. But you say that if after consideration those who have the decision of the matter come to the conclusion that the time has not arrived, or that it is inexpedient to abolish removal altogether, something short of it might be done by the institution of what I will call for the moment a set of chargeability orders, under which a person should not be removed, but the union to which his settlement referred should pay for his indoor maintenance to the union where he was found destitute?—Yes; that is very much the idea. It is simply repeating the suggestion that was made from Liverpool at that time, and that was repeated in a more definite form by Mr. Baron Alderson, and that would have been, I apprehend, a very good compromise at that time. But a compromise deferred for a long time becomes difficult to effect afterwards.

2541. Of course points of detail would arise, but that is the compromise that you throw out as worthy of some consideration?—I think the great merit of it is its simplicity, that a residence for a year gives a settlement; that the union of the settlement is chargeable, and the union relieving recovers from the union of settlement the cost of maintenance in the workhouse only.

2542. And it would meet every case: Irishmen, Scotchmen, sailors, travellers, and inmates?—Except that I do not exactly see how a residential settlement could be created for a sailor, or those casual comers into a port; I think that they must be dealt with, if at all, by some special provision.

Mr. Ransay.

2543. You have not been personally concerned in the administration of the poor law yourself in any case, have you, either as a guardian or otherwise?—For 25 years I have been a poor law inspector, sitting constantly at boards of guardians. In that way I have had probably as much experience as most men in the administration of relief in all its ramifications, so to speak.

2544. You seem to regard the operation of the poor law chiefly with reference to the interests of the poor?—That is and always has been with me the first consideration.

2545. I understood that from your remarks, but what I wish to know is whether you have ever considered whether the poor do derive advantage from the relief that is provided for them by the State?—That is a very wide question. My own opinion is that the less relief is provided from the State the more ultimately it is for the benefit of the poor. But in this country you must, I think, regard a poor law, if you go into an abstract discussion of that sort, partly as a measure of police; if you do not provide legal relief for the destitute, they will probably take it. Nor can the various industries of a country like England be carried on successfully unless the people engaged in labour have something to fall back upon in case of the cessation of that labour in any particular district. It would be impossible to carry on the cotton industry, or the iron industry, or any other industry in this country, or in any other country, I believe, unless you have behind the wages of the people something that they could in emergencies fall back upon. But that is a question that economists have differed a good deal about. I suppose that the Scotch people, generally speaking,

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speaking, have a very strong prejudice, and naturally so, against the poor law. They did very well for many years without such a poor law as we have in England; but I question whether they are not being driven to the adoption of the details of the English poor law system by degrees.

2546. But while you object to the discussion of an abstract subject, do you not regard most of the opinions that you have expressed to the Committee as simply abstract opinions?—I have not the slightest objection to the discussion of abstract opinions in their proper place. Whether the existence of a poor law in a country is beneficial or is not, is a question of extreme interest; but it seems to me, with great respect, rather beside the subject of inquiry before this Committee.

2547. It is not more out of the way of the remit to the Committee than are many of the opinions that you have expressed on purely abstract questions, is it?—I may have inadvertently, but quite unintentionally, fallen into the mistake of giving expression to opinions upon abstract questions.

2548. You have expressed an opinion as to the effect of removal upon freedom of labour; the opinion that you express to the Committee is in direct opposition to that of a witness who appeared before the Committee on a previous day, who states, "I think it the greatest fallacy to say that the law of removal impedes the circulation of labour. I think that if any gentleman would make himself acquainted with the practical working of the law, he would very quickly arrive at that conclusion." Now that exactly places your opinion upon that subject as an abstract opinion?—On the contrary, it is a very definite opinion upon a specific subject, upon which I should prefer the opinion of all the eminent writers upon the subject of poor removal, Adam Smith, Child, Eden, and all the authorities who are likely to influence public opinion. I do not know whose opinion it is that you have quoted. It may perhaps be entitled to a great deal more weight than is that of the writers to whom I have referred.

2549. An opinion as to the effect likely to be produced by any change of the law can only be expressed on abstract grounds; it is only by experience that you can really ascertain what would be the positive change effected?—So be it.

2550. Do you not concur with me in that opinion?—I can scarcely concur with you.

2551. In what respect do you differ?—Speaking of the law of removal, I say that it is a restriction upon the circulation of labour; a poor man has his labour to sell, and he has nothing else to sell. You tell him, "You must sell that labour within a certain market." If you said to a farmer, "You shall not pass the borders of the county to sell your beef or mutton, or any of your farm produce," no person would tolerate such an interference with the distribution of commodities necessary for the well being of the community. It has been over and over again observed, that one of the conclusive proofs of the effect of this restriction is, that you have had at different periods in the history of the labouring classes of this country, wages in one part of England at 6s., 7s., and 8s., while in another part of England they were 15s. and 16s. How

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can you account for that, if it be not that you have shut out the labour that was stagnating at 6s., 7s., and 8s. in one part of England from the market in which it might have been sold for 15s. or 16s.? I cannot understand how any person who looks at the question as it is illustrated in the economical history of this country, can come to any other conclusion.

2552. I confess that I have studied it, it may be very much in vain, but I have not arrived at the conclusion that poor removal does interfere with the freedom of the labourer?—Have you not?

Mr. Symes.

2553. With respect to the question which my honourable friend has put to you as to poor law relief demoralising the recipients of it, it is a general question, and I do not want to follow it in its general and abstract sense at all; but does not the demoralisation caused by the poor law depend altogether, or in a great degree, upon its administration?—A good deal, no doubt; the more strictly a poor law is administered, the less demoralising is likely to be the effect of it.

2554. Is not the law of removal the very cause of loose administration?—It is one cause, undoubtedly.

2555. Does it not produce that very effect which my friend has asked you as to the poor law itself producing?—To a very considerable extent it does so.

2556. Does not that law of removal, when guardians see that they have this great power in their hands, in addition to causing loose administration, also prevent them from applying strictly the laws of vagrancy?—Undoubtedly.

2557. In those two senses this very law of removal instead of being a benefit to the ratepayer is positively injurious to the ratepayer, is it not?—I think that has been very fully established in the evidence that has been given before various Committees.

2558. As to its effect upon the poor, I do not think that any one in the community can have two opinions upon that point; it is quite clear that the law of removal is injurious to the interests of the poor, or the labouring classes, it cannot be beneficial to them; is not that so?—That is quite my opinion of it.

2559. With respect to those evils that were spoken of as objections to the abolition of this law, as to the congestion of population, if there is a particular industry which attracts a congestion of population such as is produced by a seaport like Southampton, would it be fair to the rest of the country that such a congestion should be used as an argument for the continuation of this law?—No, I think it would not.

2560. Take Liverpool, where there is a particular congestion produced by a particular system of dock labour, would it be fair to the rest of the community, that the whole of England wishing to remove this law, should be coerced by Liverpool to keep this law in operation?—I do not think that it would be fair. On the other hand, Liverpool has had a very serious difficulty to contend with, and I think that Liverpool is from every point of view entitled to a very great deal of consideration in the objections which they have made to the abolition of the powers of removal, though I think that in the present condition of the country they exaggerate very much the evil effect

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either that is likely to be produced by the abolition of the law of removal; I think indeed they are taking fright at an imaginary evil.

2561. I suppose that their apprehensions altogether spring from a memory of the past?—Very much so, I think.

2562. And your description of the condition of Ireland, a description which we who know Ireland, can all corroborate, I think ought to free them from any apprehension of that kind?—If I were a ratepayer of Liverpool, it would satisfy me that there was very little ground for apprehending a return of 1847.

2563. With respect to the compromise, a compromise in such a state of things as existed in 1847 may be necessary; but the question having now assumed the small aspect that it has at present, do you think a compromise necessary?—I do not think it either necessary or desirable, but if it was found impracticable to deal with the question otherwise than by a compromise, that strikes me as being the least objectionable compromise that could be made.

2564. But you think that the evil itself is so small that no compromise is necessary?—That is my opinion.

2565. And that the general interests of the community, as well as the general interests of the industrious labourers and paupers themselves, ought to induce people to repeal the law?—I have always entertained that opinion.

Mr. Hutchinson.

2566. You have spoken of the hardships inflicted on an individual by his removal to Ireland, for example, after he has lived a long time in England; and while you prefer an absolute abolition of the law of removal, you think that if he retained you might substitute some arrangement by which the person might remain in England, but his parish in Ireland should be made chargeable for his maintenance?—That is the only suggested compromise that I have ever heard that would, if I may use the expression, hold water.

2567. That is the compromise that commends itself most to your judgment?—It is the one I should rather say that is the least objectionable.

2568. You will admit, of course, that, while by such an arrangement the individual pauper might be relieved from personal hardship, it would leave untouched the pecuniary hardship upon the union to which he is made chargeable?—Whether it was a hardship or not would depend altogether upon the condition; that is to say, if you establish an equitable condition of chargeability, then I should say that the hardship would be almost nominal. At present, or under any form of removal, the union to which the pauper is removable is subject to the hardship of having to pay for his maintenance.

2569. I consider your evidence so valuable, that I want to be clear upon this point: supposing that a man comes, say from Skibbereen, and goes to Liverpool, and stays in Liverpool and Lancashire, and elsewhere in England, 20 years, and that for some reason or other, owing to breaks in his residence, he has no settlement, Skibbereen is ultimately made chargeable for his maintenance; do you not consider that that is a great hardship upon Skibbereen?—It might be a great hardship upon Skibbereen, but it would be

the result of the man being a confirmed vagrant, because according to the very terms of the question, the man has been wandering about for 20 years, without having been 12 months in any union. If you give him a settlement in any union in which he has resided for 12 months that should be the union of his chargeability, whether it be in England or Ireland. If the man had come over from Skibbereen, and had gone into the Ormeskirk Union, and lived in the Ormeskirk Union for one year, and he had gone there seeking work elsewhere, I would make him fall back upon the union in which he had acquired a residential settlement for one year.

2570. Then you do not consider that any principle of justice would be violated by a man being made chargeable to a union out of which he had lived for a considerable portion of his life?—I think that however you deal with it you cannot get rid of a considerable amount of injustice. You get rid of the injustice to the poor, but to the union that is chargeable there is a certain amount of injustice.

2571. You are aware, of course, that the system of non-resident relief is open to very great abuse?—To the very greatest.

2572. One of the great sources of abuse being that one union pays money over the distribution of which it has no oversight, and that it cannot inquire into the individual cases?—That is, no doubt, a strong objection to it, and that is the objection which I should urge most strongly to any compromise; but the objection is a good deal mitigated if the non-resident relief be relief in the workhouse. There is, comparatively speaking, little fear of an abuse of indoor relief. If you confine the non-resident relief to indoor relief, I think there is but little danger of its being abused.

2573. You are aware that, owing to that very abuse, and to some other objection, many unions have absolutely discontinued the payment of non-resident relief?—Yes, but I do not think it is owing to that abuse, because the non-resident relief to which unions very properly object is non-resident relief the form of which is left to the discretion of the board of guardians giving it. I should not leave them any discretion; I should not allow them to recover from the union of chargeability a single penny, except in repayment for indoor relief.

2574. But at any rate the adoption of this compromise of which you speak would be making the practice of non-resident relief the general and almost universal rule, whereas it is now the exception?—It could scarcely be called universal or general when it applied simply to cases that were removable. It is non-resident relief, always taking into account that it is indoor relief.

2575. Then I say that it would make the system general; at any rate it would be, in your judgment, choosing the least among a number of evils?—It is choosing the least amongst a number of evils, but choosing what I consider to be a very great evil.

Mr. Mark Stewart.

2576. Have you had any personal experience of the Scotch Poor Law?—I have not; I know the Scotch Poor Law merely from reading about it.

2577. Have

Mr. Mark Stewart—continued.

2577. Have you ever been in Scotland?—I have not, I am sorry to say.

2578. Then you are unable to speak definitely as to the feeling in Scotland on this question?—I think I can speak pretty positively, from the evidence given before Committees, of the strong feeling of opposition to the abolition of the power of removal that prevails in Scotland.

2579. But you must be aware that the cases of hardship that you have quoted are very exceptional?—I should not be prepared to admit that. I am afraid that if you were to go through a catalogue of cases of removal, no person would say that they were cases of exceptional occurrences.

2580. Then you must be unaware that a great number of the cases of poor law removal from Scotland to Ireland are done with the assent of the parties removed?—Wishing to call things by their right names, I should not call them removals. Compulsion is of the very essence of removal, and if you call removal by assent by its right name, you will call it relief by way of travelling expenses, or some such name as that. It is not removal at all; it is simply a sort of selfish benevolence by which people persuade themselves that they are doing good when they are really doing a great deal of mischief; and I think that no person looking through this list of removals from Scotland can fail to see that it is a catalogue of hardships from beginning to end. In cases where people are removed from Scotland after 20, 30, or 40 years' absence from Ireland, is it possible that those cases can be regarded otherwise than as cases of hardship; and those are a very large proportion if not a majority of the cases in this book.

2581. You said, I think, that you did not consider that the law could be described in any sense as beneficial?—That is my opinion. My opinion is strongly that the law of removal is not beneficial, but that, on the contrary, it has been, from the day it was passed to the present day, a law prejudicial to the interests of the poor.

2582. Do you not consider that a law which deters persons from being almost habitual vagrants in many cases, and which prevents those habits of idleness from being engendered, which foster poor relief wherever they may be found, ought to be retained as it is at present?—That question assumes a good deal. The first part of the question refers to its being a law deterrent in its effect. I say that you have no right to make use of such a law as that simply as a means of deterring people from applying for relief. If you look back to the evidence given before various Committees on this subject, you will find that officers, from Liverpool for example, have come before a Committee and have said: "We require that law to deter people from being chargeable." "Has it had that effect?"—"Yes." "How?"—"We have had so many chargeable before we applied the law. Afterwards we applied the law and we diminished the numbers chargeable by so many." When asked what became of them, the answer given by Mr. Campbell, that rector of Liverpool, before the Committee that sat in 1847, was in so many words, "They become vagrants or thieves." I took the trouble to get from the criminal authorities in Liverpool statistics of it, and I found (I can give you the figures) that in almost the same proportion as you diminished pauperism by the application of

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that law, you increased the criminal statistics of Liverpool by exactly the same sort of crimes that would arise from what is called the deterrent effect of the law of removal. Then if asked whether I should be favourable to the retention of such a law as that, knowing what the effect of it is, I say certainly not.

2583. You appear to base your opinions more especially upon what took place in the years 1854 and 1855, not so very long after the famine in Ireland, rather than upon the present era?—My opinions are based upon facts communicated to the Committee in the last investigation of this subject, of which I have any knowledge, that applied specially to Liverpool.

2584. You assert that not nearly so many persons would probably come over to England and Scotland, were this law now abolished; but would not that class of persons whose immigration the poor law guardians and the parochial boards have the greatest reason to fear, that is, the vagrant class, still continue to come over?—I think not. I am quite of the same opinion as a Scotch witness who was examined before the Committee of 1854. I refer to Mr. Smyth, who was one of the inspectors, and a man of a good deal of experience. He said, "I wish to observe that the vagrancy laws of Scotland are by no means stringent, and if they did that they cannot get a livelihood by industrious labour, there is very little check upon their going about the country begging." The state of the Scotch law at that time was such as to induce the people to do that. Being unable or unwilling to enforce the vagrancy law, the Scotch authorities sought to fall back upon a law which has been found to be most prejudicial to the industry of the country. Mr. James Kirkwood, the inspector of the poor of the parish of Govan, a letter from whom was quoted by Sir John McNeill in his evidence before the Committee of 1854, gives this very remarkable statement: "I consider that the 'doing away with the power of removal will bring over many Irish paupers, and others but one degree removed from pauperism, to become burdens on Scotch parishes. I do not consider, however, that Scotch parishes which either have a poor house, or a right to place paupers in a workhouse, will eventually be heavily burdened in this respect, if the poorhouse test is freely applied; were all outdoor relief refused to the Irish poor, I consider they would prefer receiving indoor relief in their native country, the ties of home and kindred preponderating with them over the better diet of Scotch poorhouses." That is an opinion that I entertain most strongly with reference to the probable incursion of Irish paupers into Scotland or into England.

2585. You are aware that there is sometimes very great difficulty in getting rid of the Irish pauper class; that is to say, that they very often appear to apply for relief when they are not in such want as would justify their having it?—That is perfectly true, and it is more especially true where great facilities for giving relief is afforded. For instance, it has been proved before the Committee, and there is no question of the fact, that a large proportion of the cases of removal from Liverpool are cases of people who go down there for the express purpose of getting sent back to their own country at the public expense; and if they were not sent back from Liverpool at the expense of the parish, they would

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would find some means of getting back themselves, and Liverpool would never be troubled with them.

2588. You are also perhaps aware that it is the general opinion of Scotch inspectors that the Irish poor have to be dealt with in a much more summary manner than the Scotch or English poor?—No one can have read the opinions of the Scotch inspectors given before various Committees without feeling that that is very strongly their opinion.

2587. You spoke about this poor law removal being very prejudicial to the labour market; do you consider that it really enters into the head of any Irish pauper on leaving Ireland; do you not think that the immigration of Irishmen into this country would go on very much in the same way as it does now, whether the law of removal was abolished or not?—When I say that the existence of the law of removal operates to prevent the circulation of labour, I apply my remark not specially with reference to Irish paupers, but I apply it rather more with reference to the English labour market; and I do not think any person who examines the subject, or who has read what has been written upon it, can doubt for a moment that the habits of the English labouring classes have been influenced a good deal by the operation of the power of removal, and that the want of enterprise and a certain stagnation which is to be found amongst the English agricultural labourers, may be traced to the silent operation of such a law as that from its first enactment.

2588. But you must be aware that in Scotland, where the law of settlement is very much stronger, five years' residence being required to obtain a settlement, there is the greatest possible immigration from the rural districts into the towns, and that that is not in any way prejudicial to the circulation and employment of labour?—One is very glad to hear that, but I do not know it of my own knowledge.

2589. But where a man gets the largest prices for his labour, is it not only natural, is it not the case, that he goes to that market, whether there is a law of settlement, or a law of removal, or anything else?—It is perfectly natural, as you say, but it is not the case, as you say; for instance, the same character of labour which was selling for six or eight shillings in Dorsetshire, fetched 14s. or 15s. in Yorkshire and the north. How is it that labour is not brought into that market? Simply because the habits of the people have been so formed or influenced by this law of removal, that they stick to their own locality.

2590. But in Scotland, where you have a law of settlement for five years, that does not happen at all?—I do not know whether that is so; I take it for granted that it is.

Mr. Ramsay.

2591. May it not be the ignorance of the Dorset labourer that makes him remain in his own county, when he could get higher wages elsewhere, quite irrespective of any law?—No, I think it is from the habits of the people. It is very difficult to fix upon particular cases, and to say that such or such a man has not gone from his parish for such and such a reason; but if you find prevailing amongst a large class of people a want of enterprise, and a want of energy to seek for a market for their labour

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elsewhere; if you look into the legislation by which the movements of those people have been controlled, I think it is only fair to attribute that effect to that cause. Such, at least, has been the conclusion at which very eminent writers and talkers, and thinkers, have arrived, and such is the conclusion to which I come from some association with the labouring classes of this country.

Mr. Mark Stewart.

2592. You have suggested one remedy?—Not a remedy. I have repeated a suggestion made by another witness many years ago as the least objectionable arrangement that could be adopted with reference to this subject.

2593. It is admitted to be a hardship that the Irish have not the same advantages as the Scotch and English, of sending back their paupers. Supposing that the law of removal remains, and is extended to Ireland, do you consider that that would, to a considerable extent, obviate the disadvantages under which Ireland now suffers?—I do not; it would be simply a reciprocity of wrong-doing and injustice, and I do not think you mend the matter by enabling the Irish people to inflict a wrong upon Scotchmen, because the Scotch Poor Law inflicts a wrong upon Irishmen.

2594. You assume that it is a wrong?—From my point of view it is.

Mr. French.

2595. As I understand your evidence, it is this, in substance: that you would recommend the assimilation of the English and Scotch law to that which exists in Ireland at present?—That is very much what it amounts to. I think that there should be no removal and no settlement for the purpose of removal. Settlement for the purposes of distribution of certain charities may continue to exist; but settlement as a fulcrum of removal, so to speak, I should not have.

2596. And you would think that the Irish Poor Law is superior to either that in England or in Scotland?—I think it is superior in its principle, and superior in its administration. It is superior for the reason that, I believe, when the Irish Poor Law was passed, the Legislature had a *tabula rasa*; they had a clear field to set upon, and there was a law introduced which some people say was assisted by the calamities of the country; but, be that as it may, there is no doubt that it has wrought an effect that most people look upon as a beneficial effect. It has provided amply for the wants of the people, and it has repressed pauperism.

2597. Have you ever heard any complaints of the want of the power of removal in Ireland, as between one union and another?—I have not sufficient experience to be able to say whether such complaints have been made, or whether grounds for them exist; but it has not fallen in any way to hear any complaint of that description. I should probably have heard of it if it existed. I have frequently talked to guardians and poor law officials and others in Ireland, but I have never heard a complaint made upon that score.

2598. I understand that you have attended the Cork union when you were on this commission?—I saw a good deal of the Cork union, that is to say, I was in Cork a good deal.

2599. Have you been at the meetings of the board?

Mr. French—continued.

board?—I think I was at one meeting of the board. They were courteous enough to allow me to meet the members of the board to discuss the question of appropriating portions of the workhouse to lunatics.

2600. Have you been at any meeting of the board of the Dublin Union?—In the North Dublin Union I think I attended one meeting. I saw a good deal of the officers of the workhouses. I know the Dublin workhouses as well as I know some of the workhouses in my old district.

2601. Those would be the unions which, if the power of removal did any good at all, would be likely to reap the advantage, inasmuch as they belong to large towns?—Yes, I suppose that Dublin and Cork would derive a good deal of benefit, comparatively speaking; but it is to be observed, with reference to that question, and also as illustrating what I took leave to observe just now, that cases were sent over that were really not destitute. A certain number of those cases removed to Dublin, really did not become chargeable after all; they were landed upon the quay, and their object being thus attained they moved off into the interior of the country.

2602. There was no such thing then as dissatisfaction with the want of power in either Dublin or Cork, so far as you are aware?—None whatever. I am quite sure that if it was proposed to-morrow to my union with which I am acquainted in Ireland, to introduce the law of settlement and removal, it would be unanimously rejected by any board of guardians that I have had experience of in Ireland. I cannot of course speak of that with any confidence; but it is an impression that I have derived from intercourse with individual guardians.

2603. And that is because they have had the example of the present Irish poor law?—I think it strikes a good deal from that.

Mr. Martin.

2604. You are probably acquainted with Sir Alfred Power?—I have the honour of knowing Sir Alfred Power slightly, and, of course, I know his official antecedents.

2605. I believe he had nine years' experience in England of the working of the poor law before he was appointed to his position in Ireland?—He was a Poor Law Assistant Commissioner in England before he went to Ireland.

2606. You are probably aware that he was examined before a Committee of this House in 1854?—Yes; I have read his evidence with much interest.

2607. In most of the opinions which you have given with respect to the abolition of the law of removal, and in your objections to it on economic and humane grounds, I believe he entirely coincided with you?—Perfectly, and that gives me much more confidence in my own opinion.

2608. In addition to that I think another witness of no slight importance, the late Mr. Senior, was examined before the Committee in 1856, and I believe he also coincided in the propriety of the abolition of the law of removal?—He did so, but he had no English experience. I think.

2609. In the evidence given before that Committee, in 1854, I believe the same apprehension was attempted to be raised in the minds of the

Mr. Martin—continued.

Committee as has been attempted to be raised by some of the witnesses before the present Committee, about this invasion of Irish paupers?—Yes, it was one of the strongest arguments, if one may so call it, put forward by witnesses before the Committee.

2610. I find that Sir Alfred Power in one of the answers which he gives, No. 793, says: "I do not think we ought to refrain from legislating on the ground of any such apprehension." I believe in addition to the reasons which he then gave for not legislating, there was a special one which you have not mentioned in your evidence, namely, the great increase of workhouse accommodation that has been provided in Ireland since the famine years?—I mentioned that indirectly, when I stated that the pauperism of Ireland had been reduced through the agency of workhouses to the lowest figure known in any country where a poor law exists.

2611. And in point of fact there can be no question that even if such an unexampled event as the famine of 1847 was to occur again, Ireland at the present moment would be far better prepared to meet it from the workhouse accommodation that it has as well as from other causes?—The commission, of which I had the honour of being a member, strongly recommended the appropriation of portions of Irish workhouses for the accommodation of harmless lunatics, and possibly of children, upon the express ground that there was no probability of their ever being required for the purposes of poor law administration. Ireland is considerably overweighted with workhouse accommodation.

2612. I think 25 years ago the Committee were asked to refrain from legislating on this point of removal, on the ground of that apprehension to which I have already referred?—Yes.

2613. And 25 years have passed without there having been the slightest reason to apprehend any such recurrence?—Not only without the slightest reason to apprehend any such recurrence, but, as I have heard, with some slight apprehension upon the part of the employers of Irish labour, that the Irish labour was rather diminishing below the demand for it in England.

2614. Taking Liverpool, for example, could you tell me the number of Irish labourers that are employed at the present moment in Liverpool?—I have no statistics that would show that, but I remember making some calculation, or rather getting some information upon the subject, and I was much surprised to find that the proportion of Irish pauperism to the Irish population was not in excess of the proportion of English pauperism to the English population at the time that I made those inquiries. I do not know how far that would be borne out by the present state of things, but such was alleged to be the case at that time.

2615. There was also a statement made by one of the witnesses here, that the Irish paupers were likely to be attracted by the superior dietary in the English workhouses; from your practical knowledge, do you think that at all likely?—I do not think there is the least ground for supposing that. Formerly, some 25 years ago, the dietary in Irish workhouses was necessarily very low; but the improvement in the dietary of Irish workhouses is very remarkable now; I

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have examined many of the dietary tables, as I went through the workhouses, and I saw the inmates at dinner, and talked to them and so on, and I do not think there is any such difference between the condition of Irish paupers in an Irish workhouse and English paupers in an English workhouse, as would operate to induce the Irish to come over here. That is quite confirmed by the opinion which I took leave to read from the evidence of a Scotch witness, that there are other things besides the mere dietary that operate in inducing them to remain in their own country. There are associations which attach the people to a place; they are amongst their own people, and there are inducements that are infinitely stronger to keep them amongst their own people than to bring them over here. I believe that no Irishman would ever dream of coming over here for the purpose of substituting the dinner of an English workhouse for the dinner of an Irish workhouse.

2615. During your inquiries in Ireland, have you come across any of those cases of which the Irish authorities have complained, in respect to the sending over of dangerous inmates from Scotland?—No, I did not hear of any special case of that kind.

2617. Did you hear of many cases where, in point of fact, paupers had been sent over from Scotland to wrong unions in Ireland?—Yes, I heard of some such cases. One was of a family in which an order of removal had been taken out to send them to Dungannon, and they were brought over and delivered at the workhouse at Dungarvan, and Dungarvan had no means of sending them elsewhere, there being no power of removal.

2618. I believe that was a case from Scotland?—Yes. That case is Monaghan is just such another case; it necessarily is so. The information that an Irish pauper, who has been resident in England or Scotland for 30 or 40 years, can give as to the place of his birth or settlement is altogether insufficient or misleading, and no blame is attributable to either the Scotch or English authorities who fall into the error. Although it may be a grievance, I do not think it is a grievance that justifies blame; it is one of the accidental grievances that are inseparable from a bad law.

2619. Except so far as it may be fairly said to be a grievance upon the place to which the pauper is removed?—Yes, it is a grievance, no doubt, to that extent, but the cases are not very many, I apprehend. It is just one grain in the mass.

2620. I think I may fairly infer that, as the result of your inquiries, you found many cases, even under the existing law, where many parties who had been long resident in England had been removed?—I should say that that is rather the result of other information. We were not specially directed to inquire into that; our inquiry was restricted to other points; and the information that I have upon that is gathered from various sources. I do not suppose that any representative of either union or parochial interests in England or Scotland would deny that the fact is so. I apprehend that it is a fact that may be taken upon the admission of all parties that it is so.

2621. As to this suggested compromise about

Mr. Martin—continued.

chargeability orders, would not any chargeability order leave the matter open for the present litigation and expense?—I must guard myself from being supposed to offer it as a compromise suggested by me. It was a compromise that was suggested by Mr. Baron Alderson at a time when it was infinitely more difficult to get rid of the law than is now; and if at that time it had been adopted, I daresay it would have been found to be satisfactory. At present I think (except in the, I hope, improbable circumstance that a different conclusion would be come to) that it would be a compromise that would get rid of the evil, so far as the poor man was concerned; but it would leave open still the difficulty of controversy between union and main and between county and county. But then from my point of view is a secondary matter. The interest of the poor man is, I think, the first thing that you ought to look at, and that is the thing that has been last thought of. This whole question has been discussed from time to time, as if it were simply a ratepayers' question. You always hear of "the incidence of taxation"; "Is it not an injustice to this union?" Do you not think it will inflict a hardship upon the ratepayers of such and such a union? The hardship inflicted on the labouring classes may have been incidentally mentioned, but it has not been the primary thing thought of in legislation upon the subject.

2622. Then you put it forward simply as the least objectionable of many objectionable suggestions?—Yes, it strikes me as being the least objectionable, but it is only as a last resort that I think it ought to be adopted.

2623. Even viewing it as respects the case of the pauper, would it not occasion peculiar inconvenience to paupers in this way: for instance, if an order of chargeability was made, you would have to provide some machinery by which that should be communicated to the board upon which the man was sought to be made chargeable, the pauper remaining all that time in a state of uncertainty?—No, the pauper is chargeable and he is destitute, he gets his relief; he has nothing more to do with it. You two unions settle the matter of chargeability between you. The pauper is relieved, and so far as he is concerned, the matter is at an end; but the two unions, if they choose to enter into a discussion whether the man is properly chargeable or not, may do so.

2624. Then in point of fact you would let the relief be given to the pauper at once, and let the question of chargeability be contested between the two unions?—Certainly, that is the only merit that the suggestion has; that it relieves the poor man from the uncertainty of getting relief and from the danger of being sent from one union to another.

2625. I believe you heard the evidence given about these removal orders costing some 60*l*. I think a chargeability order we might put down at three times that amount?—I think not. If you run your finger down the list of cases that have been removed, you will at once see that it would be perfectly practicable to fix the chargeability by "Has A. B. resided in such a union for 12 months?" That is a fact that is easily ascertained and ascertained with precision. Mr. Baron Alderson's recommendation was that the union of birth should be taken because it was

Mr. Martin—continued

more simple and more easily ascertained; there could be no question as to where a man was born, or very rarely; and very rarely any question as to the union in which he last resided.

2625. Taking the interesting case about the person who was sent to the wrong place, that would be a question of fact which would probably have to be decided by a jury as well as by a judge?—It was an error arising from the name of the place being almost *idem sonans*; it was not an unusual mistake for a Scotch removal officer to make.

Mr. Giles.

2627. Do I correctly understand, that although you object strongly to the law of removal, you would retain the law of settlement?—Not as a medium of removal, but I should not care to interfere with it at all; my only objection to the law of settlement is, its being made an instrument to assist in the removal of the poor; if it exists for any other purposes, let it exist; if it exists as a means of assisting in the distribution of charitable funds, and there are certain advantages conferred upon people who have settled in some parishes, do not disturb them; but do not let it be made an instrument of removing a man from one parish to another.

2628. But if you abolish the law of removal, of what use will the law of settlement be; because you have not the power to remove a pauper to his settlement, and the very fact of the existence of the law of settlement will only occasion litigation between the two parishes, the place where the pauper is found, and the place where he ought to be?—If you simply have a law that every man shall be relieved in the union in which he becomes destitute, and chargeable to the funds of that union, and that if he has not resided in that union for 12 months, he shall be chargeable to the union in which he has last resided for 12 months, that union is easily ascertained, and the union that relieves would simply send to the union of his chargeability, saying, "A. B. is chargeable in our workhouse to you; he has been here so long, and so long as he is here we will send you a quarterly bill, which you are bound to pay us."

2629. Now you make them pay, but you have not the power to send the paupers there?—Precisely.

2630. I think you told us that many counties of which you have had experience thought the law of removal should be abolished; you mentioned Cheshire, Shropshire, and Staffordshire; of course, that did not include Liverpool?—It did not include Liverpool.

2631. I think Liverpool is the largest community that objects to the law of removal, because they have a dread of being flooded by Irish pauperism; now Manchester has no such dread, and has never removed any poor, I understand. I suppose from that circumstance, that we ought to find that the rates of Liverpool would be very much higher in consequence of the pauperism coming into Liverpool from Ireland; do you know whether that is so?—No; but the Liverpool authorities contend that the pauperism does not come in, but that it is kept out by the existence of this law, and therefore the rates would not be affected, because the pauperism is not affected; they say (I do not know with what truth, but I

Mr. Giles—continued.

differ from them) that the existence of this law is, as it were, a dyke that keeps out the water, and that they are not flooded, because the dyke is there, and that our object is to cut a hole in the dyke and let the water in. I say no, you are mistaken; the water will not come in, or if it does come in, it will flow over a country that needs it, and will be fertilised by it.

2632. You have given us very good reasons why there is not so much dread of that as there was in the year 1847, by the population of Ireland being reduced over 2,000,000?—I do not think that any representative of Liverpool opinion could appreciate the different circumstances of that country, and could understand the improbability of such an incursion unless he was really to go into the country and see and examine it for himself. If he were to take the statistics of the population, to look at the residences of the people, to look at the pauperism, to look at the workhouse accommodation provided, he could give but the one answer to the question, "is it probable, or is it possible, that any considerable number of these people will leave that country without some reasonable ground for believing that they will get labour and the wages of labour in England?"

2633. There is no doubt a strong feeling which influences ignorant poor people against going away from their own home, and their own connections, to a strange land where there is no sympathy with them, and where they are not known?—There is no doubt that that would at present operate upon the great mass of the Irish people who are supposed to be more likely to move than upon probably any other part of the population of this country.

2634. We had a gentleman from Southampton the other day, who gave it as his opinion that in the event of the law of removal being abolished, it would add something like 5,000 £ a year to the cost of the poor rate in Southampton, and that that is partly due to the influx of distressed foreigners and seamen coming there; but at the present time is there any law by which we can send foreigners back to their own homes?—No, I took leave to ask the question, How would the abolition of the law of removal affect that question? you cannot send a Spanish sailor back to Bilbao, or a French sailor back to Bordenax; you may get his consul and say, "Do help us to send this unfortunate fellow back to his native place," and they do it.

2635. It would only affect those who could be removed to English or Irish unions?—That is so.

Mr. Torr.

2636. By the excellent evidence that you have given us, you have conferred a great boon upon the Committee; but still there might be cases where a compromise would be desirable; the abolition of the law of removal could not be carried out in its entirety, could it?—The whole history of removal is a history of compromises, and it is remarkable that, with reference to the compromises of the removal question, I do not think there is a single compromise that has ever been yet made that has not tended to aggravate the evil.

2637. If there is one case in which such an exception might be applicable or necessary more than

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Mr. Dugie.

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Mr. Torr—continued.

then in another, what place would you mention?—I do not know of any particular place; I simply apply it to the kingdom. My primary object is that every labouring man who has nothing but his labour to sell should feel that he can bring that labour with safety to any market.

2638. Mentioning a form of compromise implies that in your mind there are cases where a compromise would be desirable?—A compromise in this case would not be desirable in itself, but a compromise of that character might be a means of reconciling opinion which is at present adverse to the abolition of the law, to the abolition. That is the only ground upon which I should admit the reasonableness of a compromise.

2639. You think that Liverpool would be a place as to which such grounds as those might be stated with force, and which would be entitled to consideration?—It might be possible to make Liverpool so far exceptional as to say that every pauper who became destitute in Liverpool should be relieved in Liverpool, and that instead of removing him, the cost of his maintenance should be repaid by the union in Ireland to which he, under other circumstances, would be removable.

2640. Is there any other town in England where the disproportion between Irish labour and English labour is so great as in Liverpool?—I should think not; I should think that a great part of the industrial results in Liverpool are attributable to the effect of Irish labour.

2641. Do you know the cost of bringing an Irishman to Liverpool?—Formerly an Irishman could get over to Liverpool for a shilling, and I was assured that that very low freight was arrived at upon the assumption that they would get 10 s. and 12 s. for taking him back again.

2642. Are you aware that, at the present moment, a shilling a head is the ordinary summer fare?—I am not at all surprised to hear it. There is a strong competition now between Liverpool and Holyhead, I believe, and very likely Liverpool is running at a cheaper rate.

2643. The competition is between the men and the animals, I think. However, if so, is not that a fair inferential argument at all events that there would be an excess of labour coming from Ireland when they can be brought so cheaply?—No, I do not think so. I think that whether the mere fact that labour could be transferred from Ireland to England at a shilling per man would be taken advantage of or not, would depend very much upon the demand for labour in Ireland. Now the demand for labour in Ireland is gradually rising; I could have no conception till I talked to people in different parts of the country that there had been such an improvement (though there is great room for improvement still) as precludes, I think, the idea of any large mass of labouring people coming over to Liverpool, because they can get over for a shilling a head.

2644. It is the cheap rate that would induce men and women to come over on the mere chance of finding labour, and consequently becoming pauperised when they get there?—This month you will find a large immigration of Irish labour for the hay harvest, and then they will have the corn harvest; then they will have the potato getting, and then their families will come over;

Mr. Torr—continued.

then they will get what they can in potato getting and other employments of that sort, and they will put their money all together, and send it over to Ireland; and then they will go to Liverpool, and they will get sent over by a free passage at 10 s. per head. That is exceedingly agreeable to them and to the boat companies that have the carriage of them; but it is an unfair thing for the Liverpool authorities to point to that and say, that that is an evidence of pauperism. It is the evidence of something totally different from pauperism; it is the evidence of craft and imposition upon the one side, and of great simplicity upon the other.

2645. Have you any evidence to give, from your own personal knowledge, as to men being carried over at a shilling a head, and being taken back for 10 s.?—Yes; it is a subject upon which I made inquiry at the special request of Mr. Baines, who was then President of the Poor Law Board.

2646. When was that?—In 1857; I can refer to my evidence, which is very properly buried in a Blue Book.

2647. But to assert a thing which is so totally opposite to the fact now, is scarcely fair, because men can be taken back to Ireland at a shilling as well as they can be brought over here for a shilling?—I was not aware that that was the fact; then there is but little inducement to them to remain.

Captain Corry.

2648. You mentioned the case of the wife of a marine, who having resided 10 years in Woolwich, was sent to Skibbereen; why was she removable from Woolwich after 10 years' residence there?—I am not sure with reference to the law as to the wife of a soldier; I think that recently there has been some protection given to women under such circumstances; but I believe the law of removal authorised the removal of the wife of a soldier, and it was considered a very great hardship.

Mr. Martin.

2649. I may remark that there is a decision of the Queen's Bench Division here that the service does not count as residence?—Whatever the cause was, the fact is that she was removed; it was some years ago.

Captain Corry.

2650. Then, a woman by residence does not gain irremovability if she is married?—No.

2651. Only through her husband?—Only through her husband.

Mr. Sykes.

2652. To clear up this matter about the effect upon labour, do you think the English labourer a rational being?—I have no doubt whatever that he is.

2653. Do you think that that rational being knows that he has a claim upon the poor rates?—I should think that most of the English labourers know too well that if they become destitute, or even if they can put on the semblance of destitution, they can get relief.

2654. Do you think he knows that if he leaves his place of settlement, and goes to another, he loses

Mr. Symon—continued.

loses his claim upon the first place?—I do not know that they reason absolutely in that way, but I think that the effect has been produced insensibly upon the mind of the labouring population. They have grown up in that habit, and they know, without being able to cite particular cases for it, that there it is. It is a feeling of the labouring classes which has been created by this law of removal.

2635. It does not require a high mental training to know these things, does it?—No, it does not indeed.

Mr. Mark Stessart.

2636. Is it not the fact that education is very much higher in Scotland than in England, and has been for a considerable time?—I have no doubt of the fact that it is so.

2637. Has not that a strong bearing upon the point to which you addressed yourself just now, that the English labourer in Dorsetshire, and these southern counties, fail to remove on account

Mr. Mark Stessart—continued.

of the law of removal?—I have no doubt that the greater amount of instruction and the national character, and the difference between the Scotch peasant and the English peasant of the counties that I spoke of, do operate to a very considerable extent to produce that effect.

2638. You can hardly class the Scotch labourer with the English labourer of the southern counties?—I do not mean to do so in any objectionable way.

Mr. Gills.

2639. In the event of the law of removal being abolished, and one year's settlement being retained, do you not think that the fact of altering the chargeability from one union to another will be a very fertile source of litigation?—It will be a source of litigation to some extent, but I should not anticipate a great deal of litigation. There might no doubt be difficulty in ascertaining the precise facts as to residence.

Mr. Doyle.

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Friday, 4th July 1879.

MEMBERS PRESENT:

Captain Corry.
Mr. Forsyth.
Mr. French.
Mr. Giles.
Mr. Hanbury.
Mr. Hibbert.
Mr. Hutchinson.

Mr. Martin.
Sir Arthur Middleton.
Mr. Ramsay.
Mr. Salt.
Mr. Mark Stewart.
Mr. Synan.
Mr. Torr.

THOMAS SALT, Esq., IN THE CHAIR.

Mr. ZACHARY MYLERS, called in; and Examined.

Mr. Myler.

Mr. Synan.

Mr. Synan—continued.

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2660. You are a Guardian of the Limerick Union, are you not?—Yes.

2661. How long have you been a guardian of that union?—Twenty-six years.

2662. You are also deputy-vice chairman of the union, I believe?—I am.

2663. How long have you been deputy vice-chairman of the union?—I was acting previously to the death of the late deputy vice-chairman, and on his death, eight years ago, I was appointed.

2664. You have been continually acting as guardian at the workhouse?—Yes, every week.

2665. You, in fact, superintend all the admissions of paupers, and you are also ultimately acquainted with the cases in which paupers have been removed from England?—Yes, they come before me.

2666. How many removed paupers have you had since 1870?—Fifty-four.

2667. How many have you had since 1875?—Twenty-seven.

2668. Have the paupers in any of those cases admitted to you that they sought voluntarily for removal orders in England for the purpose of being sent to Ireland at the expense of the rates, or were they nearly all compulsory?—They were nearly all compulsory, except a few. One of them told me that he wanted to see Limerick and how it was getting on, and he went into the union for that purpose; and he wanted to go back again, and I told him we had not the power to send him back.

2669. He thought you had the same power to send him back to England that the English guardians had to send him to you?—Yes, and I told him it was illegal.

2670. But all the other orders except those one or two were compulsory?—Yes.

2671. Will you look at your list of cases and go shortly into the history of each case that I call your attention to; will you first describe to the Committee the case of Mary Ann and Ellen Slattery?—Three sisters, Mary Ann, Margaret, and Ellen Slattery, left Limerick in 1849; Mary

Ann was four years residing in lodgings in Nottingham; she then became deranged and went into the Nottingham Lunatic Asylum and the workhouse, and spent 17 years there. The other sisters remained outside; Ellen and Margaret were over four years residing in Granby-street, Nottingham, previous to Ellen receiving relief there. The house in Granby-street had been furnished out of the joint earnings of the two sisters, and the rent was paid by both. Ellen also became insane, and she went into the union, and both Ellen and Mary Ann were then removed together to Limerick.

2672. Who was in company with them?—A male officer only.

2673. No female officer?—No female officer. On arrival they were both placed in our lunatic ward.

2674. Are any of them there still?—Mary Ann is there still. On my inquiring as to her irremovability, I found that she had been living for four years at least in Granby-street, Nottingham, with the exception of a few days that she came over to Limerick; she took a return ticket to Limerick from Nottingham, spent one day in Limerick, and went back to Nottingham, being altogether seven days absent. I did not think that a break in the residence, and I brought it before our board, who communicated with the Local Government Board of Ireland; and the result was that they recommended an appeal against the removal of that girl, in which appeal we succeeded; we got our costs and the costs of her maintenance in our union. A female officer came over for her, and took her back to Nottingham.

2675. Which of them?—Ellen. That is the only instance, I am told, of a female officer from England being seen in our union for the last 20 years in charge of any pauper in Limerick.

2676. But Mary Ann remained with you in the union?—She remained in the union, in the lunatic department.

2677. Was not she also 17 years in Nottingham?—She was 17 years in the lunatic asylum.

The

Mr. Symes—continued.

The law of Ireland is that residence in a hospital or in an asylum, is residence in the division; I do not know what the law of England is. In Ireland she would be chargeable to Limerick, having spent 17 years in that division.

2678. I suppose you have nothing further to add with respect to that case?—No, in that case we succeeded.

2679. Will you describe now to the Committee the case of Anthony Campbell?—Anthony Campbell told me that his father was a Limerick man, and that his mother came from the county Carlow. She had a shop in London, at Stepney, and they were married there. The father had got hurt whilst working in the Deptford Dock, when under the old company, from whom he had a pension till he died. The father and mother came to Limerick in 1824, to settle some business, and, whilst they were in Limerick, Anthony Campbell was born. The mother and the infant went back to Deptford in either three or four weeks after he was born, and he continued to live in the same house with his father and mother for 18 years. He had three brothers and one sister born in the same house. He then went to South America, where he spent 27 years. He returned to Deptford in February 1879, to look for his family; he found that his sister had gone to Australia, and his parents and brothers were dead. He got ill, and was unable to work, and went to the workhouse hospital for medical treatment. In two weeks after he was brought before the board, on the 7th of March.

2680. Out of the hospital?—Out of the hospital, and he was told that he must go to where he was born. He told them he knew no one in Limerick, having left it when only three weeks old. He was sent to Limerick.

2681. He was sick?—Yes. He was sent to Limerick with two women, one for Cork, and the other for Ferny, accompanied by the removing officer, Baxter, and no female officer. He arrived at Limerick on the 24th of March 1879, and he had at once to go into the hospital; and I produce the certificate of one of the medical officers of his admission to the hospital (producing a certificate). He was confined to bed, and scarcely able to speak. He was two months in hospital, and is now in the infirm ward. He knows no one in Limerick, and, indeed, he knows no one there but the inmates of his own ward. He got no intimation of his removal until the night previous to it, and he was not examined by any doctor in London previously to removal.

2682. But he was taken out of the hospital?—Yes; he was sick going over, as he told me, and he was not examined by a doctor previously to his removal. Here is the warrant of his removal that he handed to me (producing a certificate).

2683. Does that warrant state a falsehood?—“Now,” said I, “how can your statement to me agree with this? It says, ‘and last resided for the space of three years in the parish of the county of the city of Limerick.’” “That was never read to me,” he said. “Are you quite sure?” said I. “Quite sure,” said he. What he told me was, “I was altogether only three weeks at Limerick, and I am ready to swear that before any magistrate.” I said, “Your story does not require that; I will take your word for it.”

2684. You have nothing further to say about
a.107.

Mr. Symes—continued.

that case?—Only that he is a perfect stranger in Limerick, and knows no one.

2685. Will you now concisely describe the case of Mary Doonan?—Mary Doonan was removed on the 14th of September 1871. She was a servant at Dr. Griffin's when she left Limerick; she was 22 years old when she left, and she spent 15 years in service at Nottingham, three years at Kensington, a year-and-a-half at Richmond, and two years at St. James'; and she was at other places in England; but altogether she was 27½ years in England. She went over with her mistress to France, and was 2½ years there. She came back to England when she could leave Paris, after the siege, and she fell ill in London, and she went into the hospital for medical treatment to try and get cured. She was there for six weeks; she was sent from St. George's Hospital to Chelsea, and then she was sent to a place called Petty France, where she was three weeks. She was asked, Would she go to Ireland? and she said she would not go to Ireland. She was very emphatic in that. The morning of the day that she was removed, she was told that she must go to Ireland: and that evening she had to come away, very much against her will, without her box, which contained her clothes and books.

2686. She was not able to carry them?—She was not allowed to visit for them. The box was sent afterwards to her, and she was forced to come. The removing officer brought her to Limerick, and another woman, who was removed to Newcastle, West, another union in the county of Limerick. There was no female officer, and she complained very much of being forced to come against her will; that happened in 1871. She is now in the infirm ward.

2687. Now will you give us concisely the case of James Sullivan, a lunatic?—All that I know about him is that he was removed on the 26th of January 1872, and was sent by the medical officer direct to the lunatic ward.

Mr. Forryth.

2688. Where was he removed from?—I cannot tell you.

2689. From England, at all events?—From England. He arrived on the 26th of January 1872.

Mr. Symes.

2690. Was there an officer with him?—I suppose there was.

2691. Was he a lunatic when he arrived?—He was; but he was considered a harmless lunatic then. On the 12th of June following he became violent, and on a sworn information he was removed to the county lunatic asylum, where he died. That is all I know about him.

2692. Now will you shortly describe the two cases of Michael Myers and John Scully; sick men who died shortly after their arrival?—Michael Myers was admitted on the 17th of September 1875, on a warrant from England, and he died on the 26th of March following. On his arriving at the workhouse he was sick, and was admitted to the hospital. John Scully was 55 years old; he was admitted on the 4th of June 1878 from Liverpool; he was sick on arriving, and he died on the 8th of October following.

2693. I suppose he never left the hospital?—He

Mr. Sykes.

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Mr. Sykes—continued.

He never left the hospital. There was a child died also, when she had not been long sent over.

2694. Do you apply the workhouse test in your workhouse?—Yes; the able-bodied are obliged to break a certain quantity of stones; in fact, we do not allow the able-bodied in if we can help it.

2695. Will you describe to us the diet in your workhouse?—The able-bodied get breakfast and dinner as well. In the hospitals there is no limit whatever: they are under the doctor's orders, and there is no stint.

2696. There is no limit for them?—None whatever.

2697. Then I apprehend that your union, in that respect, may be superior to other unions?—I do not think it is. The Local Government Board require that.

2698. They do not require three meals, do they?—They do; heretofore they used to get brown bread; now they get a better class of bread, wheaten bread.

2699. But they have always three meals?—They have always three meals.

2700. Is there, to your knowledge, any vagrant population coming from another union into your union, either by reason of the better treatment, or by reason of the better hospital accommodation in your union?—I think not; they used to come, but we do not encourage them; we bring them under the knowledge of the constabulary, and that makes them very careful about coming to us.

2701. You threaten to apply the vagrancy laws?—Yes; and we get them examined every morning after they arrive by the constabulary, to see whether they are in the "Hue and Cry," or anything of that kind; and before breakfast they must break a task of stones, and if they do not do that they get nothing.

2702. You are referring now to the able-bodied?—Yes, I am not speaking of the infirm or sick.

2703. With respect to the labouring population in Limerick, what has been the increase of wages in Limerick within the last 50 years?—I remember when wages were from 6 d. to 1 s. a day, and now they get 2 s. and 3 s.; what is commonly called a "handy man" would get 3 s., and a common labourer would get 2 s. wages.

2704. Wages have been doubled then?—Yes, more than doubled.

2705. Have you steamers plying between Limerick and ports in England?—There are steamers every week between Limerick and London, Limerick and Liverpool, and Limerick and Glasgow.

2706. Is there, to your knowledge, any emigration of pauper labourers from your union in Limerick to any part of England?—Not that I am aware of, except for harvest work.

2707. Is there, to your knowledge, any emigration of vagrant paupers from your union to any part of England?—Not to my knowledge, and I think it could not happen without my knowledge.

2708. Are you aware of the vagrancy laws being applied in the unions in your county?—Yes, and through the kingdom. Travelling from one union to another for the purpose of obtaining relief is illegal, and punishable under the Vagrancy Act.

2709. And that, in your opinion, has acted as

Mr. Sykes—continued.

a check?—Yes, the vagrants now are few in comparison with what they were. In the famine times they were very numerous, but now they are not so numerous; it is more for the purpose of seeking employment that they travel now.

2710. You have given us a case where this law of removal was fraudulently used in England for the purpose of sending the pauper to Ireland?—Yes, and I think that has happened more than once. The reason why I mentioned that was this; said I, "What brought you over to Ireland?" "I wanted to see the country, sir," said he. "Well," said I, "You won't find it so easy to go back."

2711. So far, at all events, as Ireland is concerned, and so far as English interests are concerned, do you think the law of removal a necessary law?—I do not think it is beneficial at all. Considering the heavy cost of sending a pauper over to Ireland, and the bad feeling that it creates in the minds of the people of Ireland against the English law, I think it ought to be abolished; I do not think it ought to be allowed to remain at all.

Chairman.

2712. Would it be convenient to you to put in the dietary of your workhouse?—I can get a printed form for you and send it to you.

Mr. Stewart.

2713. With regard to these lunatic poor, there are not very many lunatic poor sent over from Scotland to your union, are there?—There have been some; there have been soldiers sent over from Netley.

2714. Do you happen to know how many there were during the last year ending 3rd July 1877?—The last year, or the year before, I believe there were about two.

2715. Up to that date how many were sent over altogether from Scotland to Ireland in the twelve months?—James Burns was sent over on the 3th July 1876 by warrant from Netley Hospital.

2716. But that is not in Scotland; I asked you as to Scotland; are there any from Scotland?—No, I think not. I think they are principally from Netley. There was Pat Mc'Merry on the 8th of September 1876 removed on a warrant from Haddington, in Scotland.

2717. You do not know the exact number?—No.

2718. Would you be surprised to know that there were only 23 removed from Scotland to Ireland?—I could not tell you. I am speaking only as to the Limerick Union.

Mr. Fernyth.

2719. Has any case occurred in the Limerick Union of a pauper being sent from England or Scotland improperly, in this sense: that the pauper had no settlement at Limerick?—No, they had no settlement; they had become what is called chargeable to the union.

2720. But has any case occurred of a pauper being sent from England or Scotland under the idea that the pauper had a settlement in Limerick when it turned out that the pauper was not born there?—I do not know about that.

2721. Has any such case occurred within your knowledge?—No, we always took it for granted that the warrant sent over was correct until Slattery's

Mr. Forysth—continued.

Slavery's case. We took it that the sworn information was sufficient, and we made no further inquiry.

2729. You always assumed that the pauper was born in Limerick and had a settlement there?—Yes, it having been sworn to.

2730. You say that the law of removal has not been beneficial at all, considering the cost of removal; supposing that a pauper is sent to Limerick from England, the pauper having his

Mr. Forysth—continued.

birthplace in Limerick and a settlement there, who pays the cost of the removal?—The union from which the pauper comes.

2731. Do you not pay it?—No, we pay nothing. I saw by the evidence of the chairman of the Nottingham Union, that it cost them 7 l. 6 s. to remove; that being so it is a very heavy cost.

2732. The cost is paid by the union that removes the pauper?—Yes.

Mr. Mylne.

4 July 1877.

Mr. PETER BEATTIE, called in; and Examined.

Chairman.

2728. THE law of removal in Scotland has been very fully explained to the Committee, so that I will only trouble you with a few questions so as to get in a few words the benefit of your opinion. Will you kindly tell the Committee what Poor Law office you hold?—I am inspector of the Barony parish in Glasgow, which is a very large parish, with a population very much like a union, because there are a number of parishes in it parochially but not for the poor; it is entirely one parish for the poor, although it is divided, otherwise, for ecclesiastical purposes.

2727. What are the population and the rateable value?—The population in 1871 was 232,327, and we compute that the population now will be about 232,000. The last valuation was above 1,800,000 l.; I forget the exact figure.

2728. How many years have you been engaged in Poor Law work?—Thirty-two years.

2729. Do you think it desirable to make any alteration in the law of removal in Scotland?—It is not desirable to touch the law of Scotland at all if it can be avoided.

2730. What would you say would be the effect of the abolition of the law of removal in Scotland?—It would have a very serious effect upon Glasgow in the way of increase of rates. At the present time we relieve a great number of Irish who have no settlement and who are removable, but who are not removed. The total number of persons of that class treated in the poor-house and receiving in-door relief for the last year was 439, entailing an expenditure of an amount of money equal to 909 l. Those were all Irish with no settlement in Scotland, and persons eligible for removal, so far as settlement is concerned. On the out-door roll we had 73 Irish and 120 dependants, the amount of money paid being 153 l. The maintenance of English and Irish lunatics during the year 1876, with the cost and maintenance of their previous chargeability, amounted to 58 l. 15 s. for the English and 1,196 l. for the Irish.

2731. Have you any other statistics that you wish to put before the Committee?—I should wish to put before the Committee the number of removals that we make out of that total chargeability. Our removals to Ireland for the last year were 57 in all, including dependants.

Mr. Rawsay.

2732. Do you know how many families there were?—Thirty-eight families. With regard to previous years, I can go back to 1849, if the Committee desire it. There were 77 in 1859, 0.107.

Mr. Rawsay—continued.

20 in 1870, 29 in 1871, 52 in 1872, 75 in 1873, 48 in 1874, 31 in 1875, 43 in 1876, and 15 in 1877.

Chairman.

2733. It has been suggested to the Committee that if the power of removal were abolished, possibly universally, but certainly in some cases, chargeability orders might be substituted for removal orders; do you think that such a system as that would be feasible?—It would be just as practicable as it is amongst ourselves in Scotland. We practically carry that out between the parishes.

2734. Assuming, for a moment, that the Committee come to the conclusion that it would be desirable to suggest that system for operation in Scotland, you would still, I presume, prefer, to that system, the present law of removal?—No, from my own observation, my own opinion in fact is, that the law of removal, both in Scotland and as regards the Irish, is harsh in its operation.

2735. Then may I take it that you would prefer a system of chargeability orders to the present system of removal orders?—Certainly, but at the same time with this expression of opinion, that we cannot do without some adjustment. The law must remain as it is, unless there is some adjustment made between the two countries.

2736. You mean to say that, if there is no power of removal, there must be a power of obtaining payment for a person who has not got a settlement in Scotland?—I think it is absolutely necessary, unless you intend to do a gross injustice to Glasgow.

2737. Is it because you are afraid of what has been called, in this room, an Irish invasion?—I think it would operate in that way to some extent; but I should feel more than that, that the Irish already amongst us would be more chargeable than they are. The removals that we make are partly with a view of repressing Irish applications of that class, and the consequence of the removal of one or two is, that it prevents the chargeability of the others; and, if you take away the law of removal, we very likely should be flooded to a greater extent than we are at the present moment. Our Irish-born poor are one-third of our total poor. For the month of May 1879 we had, in Glasgow, in the barony parish, 4,391 poor families, comprising 7,307 individuals, and one-third of those were Irish-born people.

2738. Then I understand, from your reply, that you value the power of removal as being a test of pauperism?—Yes.

2739. Would you tell the Committee how, in Scotland,

Mr. Beebie.

4 July 1879.

Chairman—continued.

Scotland, you relieve able-bodied vagrants?—We do not relieve able-bodied vagrants; that is to say, we do not relieve able-bodied males, but able-bodied females we do relieve, and we send them into the poorhouse in all cases.

2740. What becomes of an able-bodied man who is destitute?—Well, I suppose, as far as we know, he finds work in some way or other. Last year, during the destitution, the able-bodied were relieved from a private fund under our supervision.

2741. There is one point with regard to the Scotch law of removal which has not been put quite clearly before the Committee. Is it not a fact that, when a pauper is removable from Scotland to Ireland, or to England, and the place of settlement in Ireland or England is not clearly known or ascertained, there is power of removal to any port, either in England or Ireland, as the case may be?—That is so, but it is so rare a case that it has never occurred in my experience at all.

2742. Would you be surprised to hear that I hold in my hand a complaint on the subject from Poyntz?—I should not be surprised at all. The parish has the power of removing Irish paupers either to the parish of birth, or to the place where they were last resident in Ireland for three years. Sometimes the latter is available, but so far as I can recollect, I think the parish of birth is the place almost invariably taken.

2743. Although the law stands as I describe it, you consider that any case of inconvenience, though it may arise, is exceedingly rare?—I am not aware of any single instance. We send our own officer across with them to the place.

2744. Is there anything else that you would like to say to the Committee at this point of your evidence?—I think I have said all that is necessary for our case.

Mr. Hilbert.

2745. In speaking of your desire to retain the power of removal, you speak merely as it would affect Glasgow, supposing that the law was abolished?—I speak in the interests of Glasgow alone.

2746. Is it not a fact that Glasgow and Edinburgh are the only two places in Scotland which remove any paupers to any extent?—Greenock removes a number, but Glasgow and Edinburgh are practically the largest contributors to removal.

2747. Are you aware that in the year ending May 1878, out of 218 removals made from Scotland to Ireland, 190 were made from the two counties of Lanark and Edinburgh?—I should suppose so.

2748. That leaves a very small number for the other counties?—Yes. The cause of that is the pressure of Irish pauperism being more severe upon Edinburgh and Glasgow. Dundee is another illustration, but I do not think they remove so many.

2749. I do not know whether you have seen the return in the Report of the Board of Supervision for the year 1877-8, which shows that out of 32 counties, 19 did not remove a single pauper during the year?—That may be so. In the inland parishes there are very few Irish; practically, the grievance is felt by Glasgow and by Edinburgh.

Mr. Hilbert—continued.

2750. The grievance as to removal is felt then, as I understand, with respect to the Irish pauper and not with respect to the Scotch pauper?—As to removal between ourselves it is very little exercised. Practically we adjust our accounts with each other.

2751. That is the reason why you do not remove the Scotch paupers?—The reason why we do not remove Scotch paupers is that the parishes to which they belong prefer to pay for the cost of their keep with ourselves. There are exceptions to that however, and, practically, where removal is exercised in the Scotch cases, it is far more harsh in its operation than the Irish removal is, because of the nature of the settlement. Thus, a woman who was born in Scotland, being the widow of a man born in Skye, and having a settlement there, if the Skye parish order her removal, which sometimes does happen, it is a very harsh thing to send a woman who never saw the island to such a place as that.

Mr. Fergus.

2752. You mean that she is sent to her husband's settlement in Skye?—Yes.

Mr. Hilbert.

2753. Would you not desire to see some alteration with respect to the law of removal?—As I have already said, my opinion is that it is a harsh law in its operation, and I think we could dispense with it, so far as the Scotch poor are concerned, altogether.

2754. You said that it was a harsh law so far as regarded Irish poor, did you not?—I did.

2755. But now you say that it is a harsh law so far as regards the Scotch poor?—I do. It is more harsh to the Scotch poor themselves than it is to the Irish poor.

2756. Are you prepared to abolish the power of removal with respect to the Scotch poor?—Yes, I am prepared to dispense with it with respect to the Scotch poor.

2757. But you would leave the law of adjustment very much in its present state with respect to English and Irish poor?—Not entirely, unless the same adjustment was made in their case as in the case of the Scotch poor.

2758. I suppose you are aware that the Scotch law with respect to removal is very much more severe and harsh than the English law?—I cannot speak as to the English law.

2759. Are you aware that, under the English law, a person can obtain a status of irremovability in one year in a union, whereas in Scotland it requires a five years' residence in a parish?—I apprehend that, in England, if they have lived one year in one parish and go into another union for a fortnight, that makes them removable again, so that I think it has not much effect.

2760. But it must be more severe in Scotland if you require five years' residence in one parish before you can obtain a status of irremovability, than in England where, in fact, you require only one year's residence?—I could not speak between the two countries in that way. The Scotch poor must have the same settlement that the Irish have in that way.

2761. Do you not think that it would be very unfair to leave the English and the Irish poor under a more severe law than you have in your own country with respect to your own poor?—I do not think that the Irish are any worse placed than

Mr. *Hibbert*—continued.

than our own poor are; I think they are in a better position than our own poor at present.

2762. But you said that you would be prepared to abolish the law of removal, so far as your poor are concerned?—Yes, and also with regard to the Irish, if you adjust the money consideration with us.

2763. Can you give any reason why, during the last few years, the number of removals from Scotland to Ireland has increased so much?—Not unless it be owing to the increase of pauperism generally in Scotland for the last two years.

2764. In 1875, 143 were removed; in 1877, 168 were removed; and in 1878, 238 were removed; so that there has been a gradually increasing number?—I expect that is in consequence of the destitution experienced during the year which has been heavy. Our out-door poor have cost us nearly 5,000*l.* more during the year.

2765. Owing to the greater amount of pauperism?—Yes, we have had a great deal more pauperism this last year than we have had for the last 10 years.

2766. You stated that the present law is a test of pauperism, and that the removal of one or two persons to Ireland prevents other Irish paupers applying for relief?—That is so.

2767. Have you a strict system of administration in your workhouse?—Yes.

2768. Do you know anything with respect to the administration of the Irish workhouses, or of any of the best English workhouses?—I have been through a great number of both Irish and English workhouses, and I have a general idea as to their administration.

2769. Is your system as strict as the best English and Irish systems?—I think we are as strict and as well disciplined as they are in either England or Ireland.

2770. How does your dietary compare with the English dietary or the Irish dietary?—Our dietary is very much better than the Irish dietary.

2771. Would it be better than the English dietary?—I think it is between the English and the Irish.

2772. Have you had any cases of removal from your parish of Irish paupers, who have been residents for a great number of years in Scotland?—There are a few instances in which we have had cases of that kind where they have been, perhaps, 20 years in Scotland.

2773. Do you not consider that it is a very great hardship if a man has given the best part of his life in labouring in Scotland, that he should, when he breaks down in health, be removed to his own country?—It is no hardship in the Scotch experience, when we recover from the parish. The man does not need to care where he gets his money. But, in being sent back to Ireland, of course a pauper experiences hardship in the case, and I think the Irish should agree to do, as we Scotch parishes do, that is to say, pay for the poor, as we do ourselves.

2774. Would you agree to an alteration of the law of Scotland, so as to allow a person to obtain a settlement after a certain number of years' residence, say a three years' residence, like the law of England at the present time?—I should be very unwilling to see any change in the law of settlement if it could be possibly let alone. We have experienced very much difficulty with 6,107.

Mr. *Hibbert*—continued.

settlement already, and it has now got into a sort of groove, in which it works very well; and the introduction of a new system would throw us back where we were 30 years ago.

2775. Is the pauperism of Scotland increasing?—This last year it has seriously increased.

2776. Is it not the case that Scotland, generally, has been giving much more out-door relief in the last few years than they did formerly?—No, I do not think there is so much difference in that respect. In-door relief and out-door relief stand in much the same relation as they used to do.

2777. You are not prepared to give any figures as to that?—I could give you our own figure, which, of course, is a large thing. In June 1876 I find that we had in the poor-house about 864 persons; and, at the present time we have in the poor-house 1,071 persons; that is an increase of about 200.

2778. Can you give the figures with respect to out-door relief at those two periods?—Three thousand three hundred and fifty-two families was the number of our out-door poor in April 1879, and 3,159 was the number of families in June 1878.

2779. What is your per-centage of out-door pauperism to in-door pauperism?—They stand in about the proportions of one-third and two-thirds, I think.

2780. Can you give the cost?—The cost of the out-door poor for 1878 was 23,465*l.*, and the cost of the in-door poor was about 17,035*l.*

Mr. *Mark Stewart*.

2781. Where did the management fall?—I cannot give it you exactly. The salaries for the in-door officers were 2,407*l.*, and the salaries for the officers outside were 3,401*l.*

Mr. *Hibbert*.

2782. You state that the proportion of out-door poor to in-door poor is about one-third; do you mean that the out-door poor are one-third of the whole?—No; I mean that the in-door poor are one-third of the poor that we are relieving.

2783. Do you know whether that is generally the proportion throughout Scotland?—Not generally throughout Scotland; but in the large and populous parishes I think it is nearly so. There are some parishes in Scotland that have not poor-houses at all.

2784. Supposing that the law of removal was abolished in Scotland, would you think that there should be any compensation of any kind given to places like Glasgow and Edinburgh?—I would not say compensation, I would say a claim.

2785. I do not mean compensation in a money point of view, but do you think that there should be any arrangement in respect of having a certain class of paupers paid for out of some other fund?—Yes, it should be paid out of the Consolidated Fund, or out of the parishes to which the paupers belong. Without that we should feel ourselves in a bad condition.

Mr. *Mark Stewart*.

2786. Would you give the number of families and also the number of persons receiving out-door relief in your parish during the last year?—The number of out-door poor I gave as 3,352 families.

2787. What proportion of those were Irish?—One-

Mr. *Baillie*.

4 July 1879.

Mr. Deasile-

4 July 1879.

Mr. Mark Stewart—continued.

One-third of those were Irish-born people; but, although Irish born, a great number had settled in Glasgow.

2788. Could you suggest any scheme by which the chargeability of the Irish paupers could be placed on a combination poorhouse, that is to say, upon the whole country?—I would suggest that the place to which the removal is at present made in Ireland should be the party to contribute. That seems to me to be the simple cure of the whole thing.

2789. Would you give any appeal to the Board of Supervision, giving at the same time, say 14 days' notice, to the parish of removal in Ireland?—I would give the same method of adjustment that we have as between our parishes in Scotland; that they can resist our claim, or admit our claim, as the case may be.

2790. Would you apprehend any difficulty between the Board of Supervision in Scotland and the Local Government Board in Ireland?—No, I think there would be no difficulty in the two central boards adjusting the matter as a sort of clearing house.

2791. Have you many sailors in Glasgow who are thrown upon the rates?—Not sailors; we often have their families, however.

2792. It has never occurred to your board that it would be desirable to have a rate over the whole of Glasgow to support those persons, rather than a rate upon the individual parishes?—No, in Scotland each parish adjusts its own liability.

2793. There was a suggestion thrown out by one of the witnesses (I think by Mr. Wallace, from Glasgow), that if a person had remained in Scotland 10 years that should exempt him from removability; would you agree to that?—No, I would not agree to that. That would put a strange pauper on a better footing than the Scotch children of the family.

2794. Has it come to your knowledge that a large number of these Irish poor are anxious to be removed, and to have the expenses of their return journey borne by the rates?—I think some of them are anxious to be removed, at all events they never show much reluctance, but the majority of them come back again.

2795. But they are liable to a severe penalty if they do come back, are they not?—If they come back to the parish that removed them, but they may come back to all the 800 parishes in Scotland with impunity.

2796. Then do I rightly understand that you consider that if you abolished the law it would induce mendicant habits, that it would be hard upon the parish where the settlement is claimed and also upon the poor generally?—If you abolished the law of removal without some compensation to the Scotch parishes, it would be a very serious hardship indeed.

2797. In your opinion does that mainly affect a town like Glasgow, and, say the western ports, or would it also affect injuriously the other more central towns in Scotland?—It would affect generally the populous towns in Scotland, such as Dundee, Perth, Edinburgh, and especially Glasgow, more seriously than any.

2798. I understood you to say that you would not object to the law of removal being abolished as between England and Scotland, and in Scotland itself?—Yes, I would like to see the law of removal done away with in both cases.

2799. You would not be afraid of receiving a

Mr. Mark Stewart—continued.

considerable influx of paupers from the rural districts?—No, because we should still have the compensation of charging the parishes.

2800. Of course you would retain the chargeability?—The law of settlement and the claim for relief. The law of removal can be done away with without at all affecting the law of settlement.

2801. But would not that engender considerable hardship on many persons who would be better taken care of amongst their own friends in the rural parts of Scotland?—My experience, as I have already said, is, that in almost all cases the law of removal is a very serious hardship upon the Scotch poor, because, in most instances, where the order of removal is made, it is such that they cannot accept it, and they prefer doing without relief at all. It is made a test, in many cases, but it is not now so much used as it used to be; and the consequence is, that in parishes, such as Barrow for instance, we get from other parishes throughout Scotland, I think, about 5,000 *l.* as a rule each year. In 1878 we got 4,500 *l.*; in 1877 we got 4,700 *l.*; in 1876 we got 4,200 *l.*; in 1875 we got 4,800 *l.*; in 1874 we got 4,900 *l.*; in 1873 we got 4,800 *l.*; in 1872 we got 5,500 *l.*, and so on.

2802. Does the duty now imposed upon the inspectors, to send a statement of monies received to the different boards of Scotland, act as a sufficient check against fraud or embezzlement on their part?—I think if it is properly used it should.

2803. Then does away with the objection to non-resident payments, in a great measure, does it not?—There is no objection to non-resident payments, I think, at all; in fact I think it ought to be the law that wherever a person is destitute he should be relieved, and that the money should be recovered from the parish to which he belongs.

2804. In your opinion, as I understand, the deterrent effect of this law altogether operates beneficially for the poor and for the general well being of the community?—Yes.

Sir Arthur Middleton.

2805. I understand you to say that the poor do not accept removal in Scotland; I did not quite understand that; why do they not accept it?—I think I said that where the order of removal was made it has usually resulted in the pauper desiring to receive relief rather than be removed; but that it is not so often now used as it used to be.

Mr. Symon.

2806. You mean to say that the pauper would sooner give up relief than obey the order?—That is so.

2807. Do you not think that a harsh thing?—Yes; I said so before.

2808. Did you not tell my honourable friend, the Member for Wigton, just now, that this law of removal operated in favour of the pauper?—If you understood me so, I must have made a mistake.

2809. It does not operate in favour of the pauper?—No, it operates in favour of the parish.

2810. Of course we all see that; then, so far as the interests of the labouring poor are concerned, you are in favour of abolishing the law?—Yes.

2811. Yes

Mr. Sykes—continued.

2811. You are also in favour of giving relief to the pauper, wherever he is?—Yes.

2812. Therefore, in your mind, it becomes altogether a matter of chargeability?—It becomes a question between the two communities.

2813. A matter of chargeability?—Yes.

2814. And you are in favour of what is called non-resident relief?—Yes.

2815. You do not think that non-resident relief leads to loose administration?—I do not.

2816. Nor to extravagance?—No.

2817. And you do not agree with any of the witnesses who have been examined before this Committee if they have stated anything of that kind?—I do not think it induces extravagance.

2818. Will you tell me what check a parish, or a union, in which the pauper is not relieved, has upon extravagance?—It has the check of the Central Board.

2819. Where is the Central Board?—The Board of Supervision.

2820. How many miles away is it?—From where?

2821. From the parish where the pauper is?—It depends upon which parish you mean.

2822. How far is it from Glasgow?—It is about 47 miles.

2823. Then you think that the Board of Supervision is a very good check upon a non-resident pauper who is relieved in Glasgow?—I think they could exercise a very efficient check over the whole country and over the officers of the country.

2824. But you are the officer of the parish?—Precisely, but I am the officer of the Central Board as well.

2825. But you are not interested in relieving the ratepayers of the other parish?—I am equally interested in protecting the ratepayers of the other parish as I am in protecting the ratepayers of the Barony parish.

2826. Take a parish in Skye, are you very much interested in keeping down the rates in Skye?—Yes, I am; I take as much interest in the paupers belonging to Skye as I do in the paupers belonging to my own parish.

2827. You think, then, that a strict administration of the poor law in Glasgow with regard to paupers from Skye is as much for the benefit of the ratepayers of Glasgow?—As I understand my duties and my liabilities, my duty is to treat the paupers belonging to another parish in the same way as I treat the paupers belonging to my own parish.

2828. I have not the least doubt that you are a conscientious man. You spoke about the relative merits of the dietaries in Scotland and in Ireland, do you know what the dietary in Ireland is?—I cannot give it you in detail, but I have seen them compared together.

2829. What is your dietary in Glasgow; because, as you have entered into comparisons, we must get the result?—There are three meals a day, breakfast, dinner, and supper.

2830. What bread do they have?—Eight ounces of bread.

2831. Of what class?—Wheaten bread, tea, and oatmeal porridge.

2832. Supposing that we were told by a witness from Ireland, a short time ago, that the Irish dietary was just that very same thing, what would you say to that; in what way is Scotch
O.107.

Mr. Sykes—continued.

bread superior to Irish bread?—Any that I have seen in Ireland was not so good as the Scotch, certainly.

2833. Then they have better white bread in Scotland than in Ireland?—I could not say.

2834. Do you think they have better tea in Scotland than in Ireland?—I am speaking generally, and not in detail.

2835. With regard to the porridge, I have no doubt the Scotch porridge would be superior?—Yes, I think it is.

2836. I do not object to that; you do not seem to agree with the other Scotch witnesses who say a 10 years' residence (and they would not go below 10 years) of a labourer in a country ought to exempt him from the law of removal?—No.

2837. Do you think an Irish labourer in Scotland is any use to Scotland?—I could not answer that question; I have no means of knowing.

2838. But you can give us your opinion?—My opinion is, that the Irish labourer is as valuable to us as he is to his own country, of course.

2839. And as valuable to you as the Scotch labourer?—Yes.

2840. And, therefore, that same labourer being of use to Scotland, would you put any limits at all to his residence in Scotland to save him from the law of removal, which you admit to be a harsh law?—As I have already said, I would like to see the law of removal put aside; but I would not like to see the law of settlement, or adjustment, between parishes put aside.

2841. Then we both agree; I want to see the law of removal done away with?—I want to see the law of removal done away with; but I do not wish the law of settlement disturbed, and it does not require to be disturbed.

2842. You may have settlement for charitable purposes; I do not object to that; we come now to chargeability; you want to have an international law; is that it?—Something very like it; I want adjustment between the two countries.

2843. What I call a treaty between Scotland and Ireland; is that what you want?—What I said was that I would take it either way; that I would either take it out of the Consolidated Fund, or I would take it in the same way as we adjust it between ourselves in parishes.

2844. How do they relieve foreigners in Scotland?—In the same way as we do the Irish; but there are very few of them.

2845. What do you do with regard to their chargeability?—In some cases we get it from the country to which they belong; the German consul, for instance, pays us sometimes.

2846. Then you have a treaty with Germany?—If you call it a treaty.

2847. An understanding?—An understanding.

2848. That is a voluntary understanding?—Yes.

2849. What part of Germany have you that voluntary understanding with?—We have no understanding; it is only when cases arise that we go to the Prussian consul.

2850. It is a matter between the two consuls?—Yes.

2851. Have you any Irish consuls in Glasgow?—No, not in Glasgow.

U 3

2852. I do

Mr. Bant. 4 July 1879.

Mr. Beattie.

Mr. Spence—continued.

4 July 1879.

2852. I do not object to that understanding; that is voluntary charity, is it not?—No, I do not call that charity.

2853. Is not applying to the consul of another country to pay for the poor of the country that he is in charity?—No.

2854. Is it a compulsory law?—No, it is not a compulsory law; but it comes out of the State, I suppose.

2855. Then you will not put any limit of residence in Scotland as a ground for applying this law?—Certainly not.

2856. Not a residence of 40 years?—No.

2857. Nor 50 years?—No.

2858. Nor 70 years?—I would just leave the settlement as it stands now.

2859. Supposing that an Irishman was for 70 years in Scotland he would be just as liable to be removed as the man who had been there seven months?—Not to be removed. I wish the law of chargeability to remain as it is, but I wish the law of removal to be abolished.

2860. But I am talking of the law of removal not being abolished. Supposing that Scotland and Ireland do not agree upon this treaty, will you continue to apply the law of removal after 70 years?—Certainly, if we can get no redress in any other way.

Mr. Mark Stewart.

2861. To clear up one point which my honourable friend suggested that I did not make plain: I asked you in effect, whether you did not think that the present law of removal operated, on the whole, beneficially towards the ratepayers, towards the general interests of the community, and also towards the poor; I want to explain that question with regard to the latter point; does it not induce habits of providence, and also prevent a large number of persons claiming relief, and thereby becoming pauperised; and, also, does it not enable you, occasionally, to remove persons who are anxious to go to their own homes rather than to remain in Glasgow; and, therefore, is it not, in that sense, beneficial to the interests of the poor?—I do not think that in any sense it can be said to be beneficial to the interests of the poor.

Mr. Ramsay.

2862. You have spoken of the payments that you receive from the German consul; do you understand that legal claim against that consul?—No.

2863. Then it is a voluntary act on his part to give back, as a gratuity to the Bazaar Board, the payments that you have made, or the expense that you have incurred in relieving the German poor?—Yes, precisely; there is no claim between the two countries at all.

2864. Has that occurred in the case of any other countries except Germany?—Yes, India; but there is a provision relating to India in the statute; but those cases are very rare.

2865. Are the cases of Germans rare?—Yes.

2866. You have stated that you would approve of the abolition of the power of removal, if the expense of relieving the Irish paupers, who have not a settlement in Scotland, were chargeable against a parish or union in Ireland?—Yes.

2867. Would you think it expedient, if the law of removal were done away as between Scotland and Ireland, that the Scottish paupers should

Mr. Ramsay—continued.

still be chargeable according to the parish of their settlement?—Yes, still in the same way.

2868. You do not consider that the citizens of Glasgow derive so much benefit from the influx of persons who come to work there, and who are employed for many years, as to give those persons a claim against the citizens for relief when they become destitute?—That, I think, is balanced on the other hand by parties who spend their strength and early manhood in rural districts, and come into Glasgow to spend their latter years, and gain a settlement in Glasgow.

2869. But the cases must be very limited in number where they come to reside in the town in their old age?—My experience is that the case which you first put is more limited in number than the case which I put.

2870. You receive less money from rural parishes in Scotland for the relief of persons coming from those parishes, who have not acquired a settlement in Glasgow, than you pay for the relief of those who have a settlement in Glasgow, but who are in the rural districts?—We recover more from other parishes than other parishes recover from us.

2871. Then the state of the law which you desire to maintain must be prejudicial to the rural parishes?—No, I do not think it is at all prejudicial to the rural parishes. I think it is about as fair an adjustment as can be come to. I think just now the law of settlement works well as it stands, and I would be very loth to see it meddled with.

2872. Can you give us the amount that you pay and receive from other parishes?—Yes; we paid them for the following years: 1870, 1,388 £; 1871, 1,630 £; 1873, 1,688 £; 1873, 1,470 £; 1874, 1,323 £; 1876, 1,210 £; 1876, 1,010 £; 1877, 1,314 £; 1878, 1,214 £; and we received from them for the same years, 5,365 £, 5,763 £, 5,503 £, 4,865 £, 4,911 £, 4,878 £, 4,247 £, 4,709 £, 4,304 £.

2873. Then you prefer that the law of settlement should remain in Scotland as it is, although you approve of the total abolition of the law of removal?—I do.

2874. Do you think that you would find the managers of the poor in the rural parishes concurred with you in that opinion?—I do not know, but I am sure it is a growing opinion.

2875. Have you never heard of complaints from the rural parishes (in the same way as the Irish complain) of persons who have long resided in Glasgow and laboured there being sent back, in the evening of their days, to the rural parishes from which they came?—No, I have never heard any complaints of that kind.

Mr. Forsyth.

2876. I suppose there are a great many more Irish paupers in Glasgow whom you might remove than you do remove?—Yes, I have shown that by the number that is chargeable for the year and the few that we remove.

2877. What is the reason that you retain these Irish poor at a cost to yourselves when you might remove them?—It is a matter of feeling to a large extent.

2878. Is it because they have been a long time resident in Glasgow?—No.

2879. Why is it?—We usually remove only those persons that are likely to remain continually, and be long chargeable. The greater number

Mr. Forsyth—continued.

number are on perhaps for a month, or three months, and in cases of that kind, where they are likely to be chargeable for a short time only, we do not remove.

2880. Do you always ask the Irish pauper whether he wishes to be removed, or not?—No, we do not.

2881. Is his consent any ingredient in your determination whether you will remove him or not?—No, it is no consideration. Sometimes they ask to be removed, but it is a very rare occurrence. But whether they ask to be removed, or are removed by warrant, we take out a warrant for the removal.

2882. Some evidence was given, I think, the other day, that the Irish poor in Glasgow were generally asked whether they desired to be removed; that is not your experience?—No.

2883. Then, as I understand, you think there ought to be a law giving you the same power of charging upon the Irish union where the Irish pauper has a settlement, the cost of his maintenance in Glasgow, as you have with regard to the Scotch poor in Scotland?—Precisely; that would be my plan of adjusting the thing.

2884. Supposing that that were done, would you be content with the law of removal as it now stands?—If that were done, the law of removal might stand, leaving it to the Irish to remove if they thought proper; but I would much rather that the law of removal was done away with entirely.

2885. You would do away with it altogether, and have the power of chargeability, as it now exists in Scotland?—Yes.

2886. I think you said that you do not suppose that, in Scotland, these chargeability orders (what we call in England non-resident relief) lead to extravagance or abuse?—I do not think they do.

2887. What is the difference of cost in maintaining a pauper in Glasgow and maintaining a pauper, say, in Skye?—The cost of maintaining a pauper is very much the same, I suppose; but

Mr. Forsyth—continued.

they allow much less out-door relief in Skye than we do in Glasgow.

2888. Then it would cost the Skye ratepayers more to maintain the pauper in Glasgow than to maintain him in Skye?—So it does, but they pay, nevertheless.

2889. That being so, is there not a wish on the part of the Skye guardians to get the pauper back to Skye rather than pay more money in Glasgow?—That is where the hardship sometimes comes in. Where the parish is not so liberal as some of the others they punish the pauper by removing him to a place where he cannot live.

2890. In order to save their rates?—In order to save their rates.

Mr. Hibbert.

2891. In the granting of relief to these cases which do not belong to you do you grant the same amount of relief to an Irish case or to a Skye case that you would to your own pauper?—Precisely the same. In Irish cases, however, we use the poorhouse much more than in other cases.

2892. I am presuming that they had out-door relief; supposing that the system of adjudication orders, or orders charging the relief upon Ireland, or upon England, were put into an Act of Parliament, would you consider that it would be fair to England, or to Ireland, that you should maintain your law in its present state?—I think it would.

2893. You would be able, would you not, to charge an English pauper much more easily to an English union than they would be able to charge a Scotch pauper to one of your parishes?—I do not think it would make much difference, one would be as easy as the other. We have very little to do with England; that is to say, England has very few removals to us and we have very few to them; but with Ireland, we have a great number, and it would be no difficulty at all.

Mr. ARCHIBALD DEMPSTER, called in; and Examined.

Chairman.

2894. Will you tell the Committee what Poor Law appointment you hold?—I am Inspector of Poor for the city parish of Glasgow.

2895. How long have you been engaged in Poor Law work?—I have been engaged as inspector since October 1876. Before that I was inspector's clerk in the same office, from 1869.

2896. Have you the population and the rateable value of the parish of which you are inspector?—In 1871 the population was nearly 182,000, and now we think it is about 175,000. The last gross valuation is 1,232,573 l.; rateable valuation, 974,318 l.

2897. Do you happen to have the figures which give the total number of removals from Scotland to Ireland during the year 1878, or any other recent year?—From May 1878 to May 1879 I removed 101 persons to Ireland.

2898. Do you know what was the total number removed from Scotland?—Three hundred and six for the year ending May 1878.

Mr. Hibbert.

2899. It is 238 persons in the return of the 0.107.

Mr. Hibbert—continued.

board of supervision for 1877; year to May 14, 1878?—Yes. It is from May 1877 to May 1878.

Chairman.

2900. You say that, from May 1878 to May 1879, you removed to Ireland, from your parish, 101 persons?—Yes.

2901. The published figures take the dates from May 1877 to May 1878; can you tell us the total number of removals from Scotland in that year?—I take from the Board of Supervision's published Report the number of 306 removed from Scotland from the year 1877-78, being 258 adult paupers, and 58 dependents.

2902. Can you tell us how many persons you yourself removed to Ireland in the year 1877-78?—Yes, I removed 75 persons to Ireland.

2903. We will assume that there were from 200 to 300 persons removed to Ireland from Scotland in the year ending May 1878; can you tell the Committee from what places those persons were chiefly sent?—From Glasgow, Greenock, Edinburgh, and from other counties in Scotland.

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2904. Possibly

Mr. Dempster.
4 July 1879.

Mr.
Deputie.
4 July 1879

Chairman—continued.

2904. Possibly Dundee?—Yes.

2905. Would it not be nearly correct to say that from Greenock, Glasgow, Edinburgh, and Dundee, about seven-eighths of the total removals from Scotland to Ireland take place?—I should say about three-fourths, at all events.

2906. We have here figures which tell us that, out of 238 removals from Scotland to Ireland, 95 took place from Edinburgh, 94 from Lanark, 16 from Renfrew, and from Banff, 17; what ports would these paupers go from?—From Glasgow or Greenock to Belfast or Londonderry, or other Irish ports.

2907. Taking the figures which I have given you, which show that the vast majority of Irish paupers removed from Scotland to Ireland in 1877, eight went from Banff, Renfrew, Lanark, and Edinburgh, can you tell us what ports they would be sent from?—Glasgow or Greenock.

2908. Would Glasgow and Greenock probably ship the whole of those persons?—I have no doubt that they shipped the whole of them.

2909. Would they ship those on the paupers by rail to Glasgow from Banff.

2910. In fact the shipping of paupers, practically, takes place from Glasgow or Greenock?—Yes.

2911. In that operation do they go through the hands of the poor law authorities in Glasgow or Greenock?—No; not through me at all events.

2912. They are sent down by rail, and shipped direct from the removing parish?—Yes.

2913. Take 100 paupers in your parish, how many of those 100 do you think would receive out-door relief, and how many would receive in-door relief; in other words what is the proportion between out-door relief and in-door relief?—Over one-third in-door, and about two-thirds out-door.

2914. In other words, if we take 100 paupers relieved in your parish, 33 would be receiving in-door relief, and 66 out-door relief?—Yes; we have about 3,500 on the out-door roll, and in poorhouse we have 1,500.

2915. Do you think that that proportion represents, with tolerable accuracy, the proportion which obtains generally in Scotland?—No.

2916. Then how should you answer my question as to what the probable proportion throughout Scotland is?—The number of paupers in Scotland is about 99,000, and there are only about 9,000 receiving poorhouse relief. Of course that is susceptible of explanation in another way, because that 99,000 includes lunatics in asylums, and we do not apply the term "out-door" or "in-door" to that class in a matter of comparison.

Mr. Ramsay.

2917. Do the 9,000 include lunatics?—No.

Mr. Spence.

2918. The 99,000 do?—Yes.

Chairman.

2919. Can you give us the number of lunatic paupers?—Between 7,000 and 8,000.

2920. Dealing with the ordinary pauper cases, you have got 9,000 receiving in-door relief and about 84,000 receiving out-door relief?—Yes. I must explain further that, besides those in

Chairman—continued.

lunatic asylums, there are also children boarded out, who may number between 4,000 and 5,000.

2921. In your 99,000 you have included the children boarded out?—Yes, every pauper is included in those figures.

2922. Have you counted the boarded-out children amongst the out-door, or amongst the in-door?—So far as my own parish is concerned I have excluded them altogether.

2923. But so far as the whole of Scotland goes?—Of course that includes them all.

2924. But the figure of 9,000 that you have given us, has reference to those who are actually in workhouses?—Simply to those who are in workhouses.

Mr. Herbert.

2925. Does it include the boarded-out children?—Yes. The 99,000 do, but not the 9,000.

Chairman.

2926. Can you give us any idea, speaking with sufficient accuracy, of how these proportions would obtain in the town and the country parishes?—There is very much more out-door relief in the country than in towns. Taking Scotland on the whole, after deducting 7,400 for lunatics, and 5,000 for boarded out children, and those in industrial schools, &c., the proportion of poorhouse inmates to those receiving out-door relief appears to be only about 10 per cent.

2927. A good deal of relief is given in Scotland of the class which poor law people in England call non-resident relief; are you aware whether any friends have occurred in the administration of non-resident relief in Scotland?—I am not aware; I have seen a case where a person died, and perhaps the alms might be drawn for a week or two longer, but no longer.

2928. Are you not aware that some great cases of fraud have arisen?—I am not aware.

2929. Is non-resident relief ever given in the case of out-door paupers?—Yes, largely.

2930. I suppose I need scarcely ask you, as a Poor Law administrator, whether there is not much less risk of fraud when non-resident relief is given to in-door paupers than when it is given to out-door paupers?—Of course there is more risk of fraud in the case of out-door paupers.

2931. You have given me a very interesting memorandum, stating your view upon the question of removal; did you hear the examination of the last witness?—Partly so. I should wish to go over that memorandum in detail, if agreeable to the Committee, or I put it in now as a full expression of my views.

2932. Do you generally agree with the view that he expressed on the question of poor law removal?—No, not exactly.

2933. Do you think that any hardship arises from poor removal?—Yes.

2934. Do you agree with the last witness that it would be a convenience to establish chargeability orders instead of removal orders?—No.

2935. How then would you alter the law of removal?—I would let the applicant have an appeal to a central board: in Scotland to the Board of Supervision, and in England to the Local Government Board. When the applicant applies for relief, let him be told that there is such an appeal, and I should require the officials, both in England and Scotland, to prepare the appeal stating the whole circumstances of the

CHS.

Chairman—continued.

case, and if required to send it on to the central board.

2936. Then I may take it that you agree with other witnesses who have suggested that the law of removal except, of course, in a few small details should remain, practically, as it is now in Scotland, but that there should be an absolute power of appeal to the central authority?—That is so.

2937. What is the hardship in the present law?—In sending parties over, who have been in Scotland for many years, against their will; I think those cases ought to be put a stop to.

Mr. Ramsay.

2938. What number of years would you say?—I would not like to say the number; I would leave that to the appeal board.

Chairman.

2939. You would, in fact, make the board the fly-wheel to steady the working of the machinery?—Certainly; and I have no doubt it would work very well.

Mr. Forsyth.

2940. Then you would give the Board of Supervision a right to determine, in each particular case, whether the pauper should be removed or not?—Yes.

2941. Not subject to any fixed law, or rule, but using their discretion in each particular case?—Yes, they should judge each case on its own merits.

2942. Is that with reference principally to the case of the Irish paupers, or are you satisfied with the law of removal as regards the Scotch?—No; we are not satisfied with the Scotch removal law.

2943. Do you think it presses hardly upon the Scotch poor?—Yes, it does, in some cases, although I have come across very few cases of the kind; in fact, during the last two years I have not met with a case of the kind, but I know that such cases do take place.

2944. The hardship of the law in Scotland is very much mitigated, is it not, by what you call the chargeability orders?—There is no doubt that it is mitigated.

2945. If it were not for that, do you think the law would work hardly in Scotland?—Yes, I think it would.

2946. Is it the case with you, that there are a great many Irish paupers in Glasgow whom you might remove, but whom you do not remove?—A great many.

2947. Why do you not remove them when they are chargeable to you?—In our poor-house, daily, we have from 100 to 120 inmates, exclusive of dependants, who have no settlement in Scotland. These are sick people whom we cannot remove; and there are a great many of those too, who have been a long time in Scotland, and we never think of removing them. I should say three-fourths of those 100 to 120 we do not remove upon these two grounds, they are unable to be removed from the state of their health, and others have been long in Scotland.

2948. Do you mean that they have gained a settlement in Scotland?—No settlement in Scotland.

2949. Then you could legally remove them, O.107.

Mr. Forsyth—continued.

could you not?—Yes, if they were really able to go.

2950. In the case of those who are really able to go, is the reason that you do not remove them a feeling of compassion?—It is simply because we think it is a little unfeeling to send them to Ireland.

Mr. Ramsay.

2951. Does the same feeling operate with you in preventing you from sending a person back who has a settlement in a Scottish parish?—Yes; it depends upon where they have to go to.

2952. But do you fail to charge the parish with the expense of a pauper belonging to a Scottish parish who has not acquired a settlement in the city parish?—Of course, if they have a settlement in another Scottish parish, we charge that parish for any advances that we give to them.

2953. But in the case of Irish paupers who have been long resident in Glasgow, you continue to relieve them, from a feeling of humanity?—Yes, certainly.

2954. Therefore an Irish pauper is better treated by you than a Scottish pauper would he?—Yes, to that extent.

2955. As a rule, the relief that you give to persons having a settlement in other parishes in Scotland, is out-door relief?—It is, as a rule; we have generally about 30 inmates belonging to other parishes in the poorhouse who are unable from the state of their health to be removed, and there are about 360 such cases on our roll of out-door relief.

2956. Belonging to other parishes in Scotland?—Yes.

2957. Are these chiefly from rural parishes, or from other populous parishes?—Generally from country parishes all over Scotland, but there are also cases from town parishes.

2958. Do not you regard it as a hardship to the ratepayers of those parishes, that you should have the power of charging those parishes with persons who may have a settlement in those parishes, but who have been working for a long period of years within the city parish, or the Barmy parish?—They are allowed to remain in Glasgow, of course.

2959. They are allowed to remain in Glasgow, but at the expense of the parish in which they have a settlement?—Yes.

2960. Do you not think it a hardship on the ratepayers in the other parishes?—I do not think so.

2961. You do not think it any hardship that the people of Glasgow should receive the benefit of the labour of these people for a long period of their life, and that then you should charge them upon other parishes when they become destitute in your parish?—It is quite a possible thing that those paupers may have resided for a greater length of time in the parish to which they belong than in Glasgow.

2962. However, you would think it equitable that the same considerations that you extend to an Irish pauper should be extended to these Scottish people who have gone in early manhood to the parish of Glasgow, but who have never acquired a settlement in consequence of their migrating from one parish to another?—Yes.

2963. And to that extent, you would not disapprove

Mr. Douglas,
4 July 1879.

Mr. Ramsey—continued.
 Mr. Dempster. approve of doing away with the law of removal?—No.
 4 July 1879.

Mr. Synan.

2964. How is the Irish pauper treated better than the Scotch pauper; they are both kept in Glasgow?—Yes.

2965. And they both get the same food?—Yes.

2966. You answered my honourable friend, that the Irish pauper is better treated than the Scotch pauper, how is he better treated?—I do not know that he is any better treated than the Scotch pauper.

Mr. Ramsey.

2967. But the Irish ratepayers are better treated?—That may be.

Mr. Synan.

2968. You said that this present law of removal to Ireland ought to be put a stop to?—No, I did not say that.

2969. Did you not use those words?—No, what I said was this; that any cases that were considered harsh ought to be put a stop to.

2970. Do you think that the cases of removal to Ireland are generally harsh?—No; very few of them are.

2971. Do you think that the law, so far as the paupers themselves are concerned, is a harsh law?—No, I do not think so, as a rule.

2972. If you do not think it a harsh law, why do you propose to modify it?—It is only in a few cases that I consider it harsh.

2973. What is the harshness of it?—I think it is a little harsh for a man or woman that has been in Scotland, perhaps 30 years or 40 years, to be called upon to go back to Ireland again if they do not want to go.

2974. And that you think ought to be put a stop to?—Yes.

2975. What limit would you suggest?—I would not care to put a limit to it.

2976. What would be your idea of the limit?—I should say after 25 or 30 years.

2977. Another Scotch witness told us that he thought that 10 years would be a fair limit?—I think that is too short a time.

2978. Is not the fact that you have a practice of non-resident relief in Scotland the fact that keeps this law alive in Scotland; supposing that you abolish non-resident relief in Scotland, do you think that the Scotch people would bear the law of removal?—The Scotch law requires modification too.

2979. Supposing that you did away with non-resident relief, do you think that the Scotch law of removal would be allowed to exist?—No, I do not think it would as it now stands.

Mr. Mark Stewart.

2980. In the event of the law of removal being retained, with regard to removals from Scotland to Ireland, would you be disposed to continue that law with regard to the removal of English paupers and also of Scotch paupers from Glasgow?—Yes.

2981. You do not see your way to abolish the law?—No.

2982. You consider that the extra pressure on the rates would be very great?—Yes, I think so.

2983. On the whole, if I understand you rightly, you do not consider that the law exercises a hard pressure on the poor?—I do not

Mr. Mark Stewart—continued.

think so, unless in the exceptional cases that I have already referred to.

2984. And you consider that the deterrent effects of the law are perhaps beneficial to the poor in keeping them from becoming paupers, and also in removing them to their own homes in certain cases?—Yes, I think it has a deterrent effect upon a certain number.

2985. Do you find many who are anxious to go back?—About three-fourths of them wish to go back.

Mr. Horsbary.

2986. Do you remove many paupers to England?—About one-fifth of Irish, I think. We have removed 153 altogether to England since 1864.

2987. You did not tell us, when you were giving an account of your paupers in Scotland, how many children were boarded out?—We have between 300 and 400 boarded out from the city parish.

2988. Do you know how many there are boarded out for all Scotland?—Between 4,000 and 5,000.

2989. I understand you to say that, in what are thought to be hard cases in any parish an appeal should lie to the Board of Supervision?—Yes.

2990. And you would give the Local Government Board, then, of the country from which the pauper was to be removed the power of decision?—Certainly.

2991. You would not give any voice in the matter to the Local Government Board of the country to which the pauper was to be removed, who would be just as much interested?—Certainly not.

2992. They would have as much interest in the matter, would they not?—Yes, they would have more interest, because they would have to keep them as a rule.

2993. Do you think people would like the Board of Supervision in Scotland, or the Local Government Board in England, to interfere in this matter more than they do already, by having this appeal?—Yes, and I think it would work very well.

2994. There is no jealousy of these boards on the part of the local authorities?—No, not at all; we look upon them as very fair and equitable boards to deal with.

Mr. Hibbert.

2995. Were any of the cases that you removed from Glasgow cases of persons who had been living a long time in Scotland?—Yes.

2996. Could you state any of the cases?—There are three or four cases where they have been in Scotland for 30 years or so.

2997. Would you not think that a very great hardship?—In those cases, I do not think it is so very hard, because one woman was a hawker; she had been going constantly round every parish in Scotland, and when she applied for relief first of all, she had been only 15 years in Scotland, and, before that, she was the whole of her time in Ireland.

2998. But even if she had been 15 years in Scotland it would be a hardship, would it not, for her to be removed if she had been able to maintain herself all that time?—A great many of these poor people do not think it a hardship at all to go back to Ireland.

2999. Do

Mr. Hildert—continued.

2999. Do you think the poor people look upon it as an advantage to be able to get home at the expense of the rates?—Certainly.

3000. Is that one of the reasons why you would maintain the law?—Yes.

3001. That is keeping a burden upon the ratepayers of Glasgow, which you might possibly get rid of?—Those poor people wish to get home to their friends.

3002. In the interest of the poor people you think the law of removal is a desirable one?—I think so.

3003. I suppose you are quite aware that a great number of the poor people object to being removed when you do remove them?—Yes, about one-fourth of them, I believe, do not care about going.

3004. You stated that in Scotland, last year there were 8,000 persons who received in-door relief, and 84,000 who received out-door relief; would you be surprised if I told you that, in some of the best-managed unions in England, the proportion is half-and-half, there being as many persons receiving relief within the workhouse as there are outside?—Yes, I quite believe it.

3005. Would you not also come to the conclusion that, with a strict system of administration like that, when you applied the workhouse test to such an extent that 50 per cent. of the persons receiving relief were in the workhouse, and 50 per cent. were outside, even if you abolished the law of removal it would have very little effect?—No.

3006. Do you think that you want any farther protection than good administration if the law of removal is abolished?—We would require a very strict administration.

3007. Would that not be a desirable thing, in other respects, in the interests of the ratepayers also?—Yes, it would be, but we would not be protected unless we had a right or claim against Ireland.

3008. Is it not a fact that, of late years, in Scotland, the amount of pauperism, especially in the case of the out-door poor, has seriously increased?—No.

3009. Do your figures show a different state of things?—I have not got the figures showing the out-door and the in-door relief separately for each year, but the pauperism on the whole has considerably come down, so much so that in 1858 the total numbers were 194,000. In 1868, 133,000; and in 1878, 99,000.

3010. But has not the proportion of out-door relief increased much more than the proportion of in-door relief in Scotland?—The out-door relief has been coming down, but I cannot give you the figures beyond three different years. In 1858, poorhouse inmates were 6,571; out-door relief, 106,911. In 1868, the in-door relief numbers were 8,798; out-door relief, 114,375. In 1878, in-door, 8,761; out-door, 77,000.

Mr. GEORGE GREIG, called in; and Examined.

Chairman.

3022. Will you tell the Committee what appointments you hold in the Poor Law administration?—I am Inspector of the Poor for the city parish of Edinburgh.

3023. What are the population and rateable 9,107.

Mr. Forsyth.

3011. I think you said, in answer to an honourable Member, that if non-resident relief were abolished in Scotland, the law of removal ought to be abolished too?—No; I am for maintaining the law of removal as it is.

3012. But the honourable Member asked you whether, supposing that non-resident relief were abolished, you would in that case retain or abolish the law of removal?—I would keep it as it is.

3013. Of course if non-resident relief were not given, and you had no power of removal, your parish would be burdened with a great many paupers who did not belong to you, and whom you could not remove, and for whose maintenance you would receive no payment?—Yes, that would be so.

3014. Therefore that would be an additional reason for retaining the law of removal?—Yes.

Mr. Syme.

3015. If non-resident relief was illegal in Scotland, could the law of removal be maintained by the people?—Under the present law it could.

3016. Would they allow it to remain on the Statute Book?—I really could not tell that.

3017. How do you reconcile that with your former answer to me?—Perhaps I misunderstood your former question. You say that if the non-resident relief law was abolished, and we had no power of giving non-resident relief, could the law of removal in Scotland be maintained. Certainly it could be so, but it might operate harshly in certain cases, and it might be desirable to modify it if that was to take place.

3018. Could it be maintained?—If the law stands, of course it could be maintained.

3019. But would the law be allowed to stand?—I have no doubt there would be some who would try to modify it.

Mr. Forsyth.

3020. You mean to say, that, if non-resident relief were abolished, people would wish to have the paupers maintained in each parish, and not to remove them at all; would the ratepayers of a parish where there was a large number of paupers, who might be removed if the law of removal were retained, be willing to retain them if non-resident relief were abolished?—Possibly they might if the rates were adjusted over the whole county, but not under present conditions.

Chairman.

3021. Is there anything else that you wish to say to the Committee?—I think it was Mr. Came, who stated that it was mostly old and infirm people who were removed to Ireland. I wish to state that that is not the case from our parish, or in Scotland.

Chairman—continued.

value of the parish?—The population of the parish of Edinburgh was 62,000 in 1871. The rateable value I cannot state.

3024. You have heard the evidence of the last two witnesses?—Yes.

3025. Will

Mr. Greig.

Mr. Greig.

Chairman—continued.

4 July 1879.

3025. Will you kindly tell the Committee whether you agree generally with the evidence that they have given on the subject of removal?—I certainly do not agree with them, in so far as they hold the opinion that the law of removal ought to be abolished. I am of opinion that the law of removal ought not to be abolished.

3026. You are in favour of retaining the law of settlement and removal in Scotland as it stands?—Yes.

3027. I do not bind you, of course, to details in the improvement of the law, in which case any law may be said to be capable of improvement; but, with regard to the general principles and practice of the law of settlement and removal in Scotland, you think, from your experience, that they ought to remain as they now are?—I think so.

3028. We have had a great deal of evidence, and very good evidence, from Scotland, so that we pretty well understand the case now; therefore I only ask you one question; is there anything that you wish to put before the Committee, in addition to what the other witnesses have stated?—I would say that we have removed a considerable number of Irish. We have in Edinburgh a population of Irish, or of descendants of Irish, of about 20,000. I believe that of those between 7,000 and 8,000 have been born in Ireland; so that the Irish population is about one-tenth of the whole. Last year, for example, we had 5,634 applications for relief, and of those there were actually born in Ireland 1,256, which is one-fifth or thereabouts. Then the number of families chargeable to the parish for last year was 2,221, and of those there were 452 born in Ireland, or again about one-fifth of the whole. These are the actual births in Ireland, but, of course, of the remainder, a considerable number are the children of Irish-born parents. In my opinion the law of Scotland, as it at present stands, has some advantages over the law of England, because, when once a man has acquired a settlement by five years' residence, he does not lose it, provided that he returns to the parish in one year out of every subsequent five years; so that if he acquired a settlement by five years' residence 20 years ago, and then became somewhat of a roving character, if he comes back to the parish one year out of every subsequent five years he is irremovable.

3029. Are you aware that, by the Act of 1876, three years' residence confers a settlement in England?—Yes; but if I understand it rightly, he loses it by absence.

3030. It is quite natural that you should not have known it, but it is not so?—I understood that it was one year.

3031. Is there any other point that you wish to put before the Committee?—I would desire to explain that, whilst we have removed a number of Irish who are said to be, and who have been, about 30 or 40 years in Scotland, they really had no habitation during that time. In the Returns which was made to Parliament the other day, I find some parties mentioned as having been 20 years in Scotland. I looked at the case of one or two, and I found that one man came to Scotland for the first time 20 years ago; he has had no fixed residence in Scotland, but has moved from place to place wherever he could get work; the longest period he ever stayed in one place was in Carlisle for six months. He was removed

Chairman—continued.

upon that statement. Another man says: "I am a hawker of cloth, and move from place to place, and have no habitation; I was in Ireland some part of the time." Others have said the same. I do not think I can place my hand upon any one, excepting one man who was removed after being a great many years in Scotland; but the reason was that he finally refused to support him, and the board were of opinion that they were quite able to support him. He was in the poorhouse, and they sent in provisions and tobacco to him, but they would not pay the board anything. The board was very much dissatisfied with that, and ordered his removal. He was removed about three years ago, and he has since returned to Scotland, and his family now support him; so that we gained the object we had in view by removing him. We have removed a large number who have only been a week or a fortnight in Scotland. Those come over labouring under chronic diseases; one came direct from a workhouse in Ireland, and applied for relief. Others had chronic diseases which would lead one to suppose that they had been chargeable as paupers in Ireland before they came, and of course they were removed home. We do not see that there is any great hardship in removing parties to their native places in such circumstances.

Mr. French.

3032. The proportion of Irish to the inhabitants of Edinburgh is very large, is it not?—We have about 20,000 of Irish extraction out of the 200,000 inhabitants. When I spoke of Edinburgh just now, I included both parishes. Edinburgh is divided into two parishes, the city parish, to which I belong, and the parish of St. Cuthbert, and those two give a population of 200,000. Of those, as I say, there are 20,000 Irish, or of Irish extraction; the actual natives of Ireland number from 7,000 to 8,000.

3033. Then the proportion of pauperism amongst those is not very much greater than amongst the Scotch working classes, is it?—It is greater.

3034. I presume that all those Irish in Edinburgh are working men?—Most of them are, of course; but there are a considerable proportion of respectable Irish citizens in Edinburgh now.

3035. But if you take the working classes, the Scotchmen in Edinburgh and the Irish there, the proportion of Irish paupers to the inhabitants is not greater than the proportion of Scotch paupers, is it?—Yes; I have given the number for two parishes; but in dealing with the question of relief, I spoke of the city parish alone.

Mr. Mark Stewart.

3036. Can you say, from your personal knowledge, whether many of the Irish who are removed are willing to be sent back to Ireland?—Not many.

3037. Do many come back?—A few do. They have given me the reason, that they do not wish to go, and the only reason was that they were so badly used in the Irish workhouses; that the dietary was so very low.

3038. If we adopted in Scotland a more stringent system of in-door relief, do you think that that would have any effect upon the Irishmen coming over?—According to their accounts it might, if we adopted the same scale of dietary that they have. One man said to me that he could

Mr. Mark Stewart—continued.

could not live upon the diet of the workhouse in Ireland; that he could only die on it.

3039. So he came over to Scotland to live?—Yes; that is the reason he gave to me. I have been in Ireland myself on various occasions, and I have inquired about the diet, and the accounts I got of it were very much confirmatory of what they stated. It was not exactly the same as was given before the Committee to-day by the witness from Limerick.

3040. In the event of the law of removal being abolished, what do you consider would be the effect in Edinburgh upon the rates?—The effect would be very injurious to us.

3041. Both as regards Irish removals, and as regards English and Scotch removals as well?—Most of those that we have removed have been people who have been employed in various parts of Scotland other than Edinburgh; that is to say, working on railways, working for farmers, or working the country. They come to Edinburgh apparently when they are not fit for further action; in fact our poorhouse has got the name of being the most comfortable house in Scotland; and not only the Irish, but Scotch paupers come to us, and we have to move them home.

3042. That is your own fault; you rather encourage pauperism by that showing?—Some years ago we built a very superior poorhouse, and they appear to like it, and they come even from Wiltshire.

3043. Do the ratepayers approve of that policy?—I cannot say; the parish board think it is right, I presume.

3044. Do you not think it is a great hardship upon the rural districts that men should spend their best days in Edinburgh, and should go to the rural districts as paupers in their old age?—There is an equivalent migration of Edinburgh people to those districts who become paupers, so that the thing equalises itself.

3045. Therefore if the law of removal was abolished, the effect would not be so great in Scotland, according to that argument?—I think it would prove injurious to the towns; the large centres of population would suffer. Therefore we are in favour of an extension of the area of chargeability and rating.

3046. But your opinion is very strong against doing away with the law of removal altogether?—Certainly.

3047. Do you think that, in the event of any modification taking place, an appeal to the Board of Supervision would be generally acceptable?—I do not think that such an appeal would have any material effect; but it might satisfy the minds of parties who thought they had a grievance.

3048. Would it satisfy the minds of individuals who were removable?—I do not think they would think of it.

3049. You do not think the present law has much effect upon them as regards their coming on to the rates?—No.

Mr. Sykes.

3050. Have you heard the evidence about the Irish dietary?—I heard it somewhat indistinctly. So far as I heard it, I did not understand that it was the same as I had heard of in Ireland.

3051. What is your diet?—Porridge and milk in the morning; broth and bread, with beef, for

Mr. Sykes—continued.

dinner; and porridge and milk in the evening, or tea and bread.

3052. Have you bread in the morning?—Rarely.

3053. Have you bread for supper?—Yes.

3054. You have three meals?—We have three meals.

3055. The witness from the Limerick Union stated to-day that they had wheaten bread and milk in the morning, that they had dinner, and that they had supper, making three meals: do you think that is a very bad dietary?—It depends upon how it is made. If the broth is made, for example, without beef, I do not think that is good broth. I hold in my hand the Armagh dietary table, which says that the dinner is to be for one day half-a-pound of bread and a quart of soup, and there is no beef mentioned. I would not like the soup made in that way. Ours is made with beef. Some of these paupers tell me that, in some districts of the south-west, there are only two diets. I never heard any complaint made by any of them against being removed, or very rarely, except upon the question of dietary. This table of the Armagh dietary was obtained some years ago by Dr. Adams, the inspector of the city parish Glasgow, at the time.

3056. Is it a Report to the Local Government Board?—No; I was informed in Ireland that each union was entitled to frame its own diet tables, and did so.

Mr. Franch.

3057. What is the date of that table?—One thousand eight hundred and forty-eight.

Mr. Sykes.

3058. The dietary is now regulated by the Central Board?—I am not aware.

Mr. Ramsay.

3059. What proportion does the Irish population resident in Edinburgh bear to the total population of the city?—About one-tenth.

3060. What proportion does the Irish pauperism of the city bear to the total pauperism?—One-fifth of those born in Ireland.

3061. So that the proportion of pauperism amongst the residents of Irish origin is twice as great as the proportion of pauperism among the remaining population?—Quite so.

3062. You are not in favour of the abolition of the law of removal?—I am not.

3063. But do you not think it is harsh that after people have resided in Edinburgh for a certain number of years, and given their labour for the benefit of the population of Edinburgh, they should be liable to be removed?—No, I think that the present law of removal meets the general case. There may be individual cases of hardship, but of course I suppose that as long as there is poverty there must be hardship, in spite of any law that we can make; and I do not know that being removed to the place of birth is the greatest hardship of a life of poverty.

3064. But there are many cases of Scottish paupers who do not acquire a settlement in Edinburgh, and yet have been many years resident there?—Yes, that is a greater case of hardship, I think, than the cases of Irish removal.

3065. It is a hardship to the poor person, and

Mr. Gray.

4 July 1873.

Mr. Rossy—continued.

it is also a hardship, in your opinion, to the ratepayers of the parish who are burdened with his maintenance?—No, I do not think so.

3066. You do not think that it is any hardship to the parish which has to bear the burden of maintaining a pauper who has given his life of labour for the benefit of the citizens of Edinburgh?—In our law of settlement if a man has done as you say he will have a settlement.

3067. If he had laboured in one parish: but he must have laboured five years in one parish, must he not?—Yes.

3068. That is a very long period for a labouring man to be employed in one parish, is it not?—As I have already stated, I would desire to see the area of chargeability extended. For example, some parishes in Scotland have only a population of 100, and the area of such parishes is very small. I think that if the area were increased a man would have less risk of not acquiring a settlement. I know of some parishes where, if a man removes even from one town to another, he runs a great risk of losing his settlement, or not acquiring one; and if the area were thus increased these cases would not occur.

3069. But you are aware, are you not, that in the majority of parishes in Scotland the area of the parish is very great?—Yes, some of the highland parishes I am aware are very extensive, though very sparsely populated.

3070. Is it not a hardship to the ratepayers of a highland parish that the population should largely migrate to the large centres of population, and yet that you should send them back, because they have not acquired a five years' settlement after they have laboured for many years, for the benefit of the people resident in the large centres of population to which they may have migrated?—That applies to some of them; but then others come and put us to great expense and trouble through the police and otherwise, and are rather injurious than beneficial.

3071. In that case, if it was to be equalised over the whole country, there would be no advantage arising from the law of removal, would there?—If there was a large area of chargeability of course there would be no risk, and no hardship, either to the ratepayer or to the pauper.

3072. What area would you suggest?—I think that the counties would be a very good area.

3073. You think that the rate might be extended advantageously over a whole county?—Certainly.

Mr. Hobbart.

3074. To what rate do you refer?—The whole of the poor rate for the county, with divisions, of course, for purposes of administration.

Chairman.

3075. You apply that opinion to the whole of the expenses of Poor Law administration, and not to any particular branch, such as lunatics, or foreigners cast adrift?—Exactly; to the whole.

Mr. Rossy.

3076. Would you not thereby do away with all local administration and control, and with the inducement to economy?—Quite the opposite; I would increase it: because you would have

Mr. Rossy—continued.

district committees in the country to administer the poor law in each district, subject, of course, to the county administration.

3077. You have no experience of anything of the kind in operation?—No, only the lunatics just now are managed by the county.

3078. You are aware that in Scotland any number of parishes may combine and form a union, and that then it is managed in the same way under the existing law as one parish?—I am.

3079. Have you any reason to suppose that that power of uniting has been taken advantage of in any parish in Scotland?—No; because you never can get two parties to be of the same mind; one thinks that their circumstances are better than their neighbours, and, of course, they will not combine with them.

3080. If the whole of the people in Scotland in that way object to unite with their next neighbours, how do you think they would receive a proposal to extend the area of taxation over the whole country?—I do not know how that might be. Several parties have advocated the view that I now express.

3081. But you never heard of any party or any parish having acted upon it?—No.

Mr. Finlay.

3082. Taking the case of Lanarkshire, in which Glasgow is situated, and where there is, I suppose, a heavy poor rate, would not the rest of Lanarkshire very much object to have the chargeability extended over the whole county?—I should think that Edinburgh and Glasgow and Dundee, and towns like that, would form areas by themselves.

3083. You would not throw them into the county?—No.

3084. Your proposal would only apply to the cases of the smaller parishes, in order to equalise, as far as possible, the burden of the rates upon the different parishes?—Exactly.

3085. You would except the large cities like Glasgow, Edinburgh, Dundee, &c.?—Yes, they are large enough by themselves.

3086. Would you approve of Glasgow and Edinburgh and Dundee, which are divided now into separate parishes, being considered as one parish?—Dundee is one case which is already united; it was united last year.

3087. Take the case of Glasgow and Edinburgh, where there are different parishes in each town: would the area of chargeability embrace the whole of the town, or would you keep them, as they are now, in separate parishes?—I would have the area to embrace the whole town, but on the condition that we should have the rural areas combined as well. I object to the cities being combined if the county districts are not also combined. Some of our friends are exceedingly anxious to get the towns to combine, but they do not wish the county areas to combine. We wish for combination in rural districts as well as combination in urban districts.

3088. You would have a combination of the parishes in Edinburgh and Glasgow and large towns; and you would have a larger area in the county districts?—Quite so.

3089. WHAT

Mr. WILLIAM WILSON, called in; and Examined.

Chairman.

3089. WHAT position do you hold in the administration of the poor law?—I have been a member of the Parochial Board in Glasgow for the last 15 years, and I have been chairman of the Govern Board for seven or eight years; I am connected with the City parish as well as with the Govern parish, so that, in point of fact, being a citizen of Glasgow, I know the parishes very well.

3090. You have heard the evidence of the last witness?—Yes.

3091. Do you concur, generally, in the views that they have expressed?—I do not concur in the views expressed by Mr. Buntie in reference to Irish removals generally. I think that the expressions that he made use of in reference to harshness are scarcely correct. So far as my experience goes, there have been very few cases of harshness, although I should like to see some modification in the law.

3092. Without going at present into details in which, of course, any law may be improved, do you desire any material alteration in the present law of settlement and removal in Scotland?—No, I think not, with this difference; that I think possibly it might be to the advantage, generally, of the pauper, if the internal removal of paupers from the parish to another were abolished, and that if they were allowed to remain where they fall into poverty; that is to say, Scotch poor within our own borders.

3093. In other words you would extend the system of non-resident relief?—Yes.

3094. You have heard the evidence of the previous witnesses; is there anything that you wish to add to the evidence that they have given? There was some statistical information that you wished from one of the witnesses, that I have got here. The gist of it with reference to Irish removal is, that my idea is that if it were abolished, our pauperism in Scotland would be very greatly increased, and great injustice would be done to our ratepayers.

3095. Is there anything else that you wish to say?—With reference to the Irish poor in Glasgow, having a very great acquaintance with them, I have a very deep sympathy with them in many of their social relations, and I should be inclined to give an opinion that the City of Glasgow and the three parishes ought to be as one parish, dealing with the Irish population; in other words, that if they were living in Glasgow, for 10 years within the three parishes of Glasgow, that should give them a residential settlement, as it might be called, in Glasgow, so that they could not be removed without their own consent.

Mr. Ransay.

3096. Would you apply that to Scottish paupers?—I would apply it to Scottish paupers as well. There are one or two cases of hardship in Scottish paupers being removed after a long residence in Glasgow to the place of their birth, which I think very cruel, where they have been ordered by the inspectors of the poor in far distant parishes to come to their birth settlement, after having spent the whole of their days in Glasgow, I think it is very cruel; I think that

they ought to be allowed to remain in Glasgow in point of fact.

3097. Is it not a hardship to the ratepayers of those parishes to be made to support those people in their old age, who have given the labour of their lives to Glasgow?—Yes; but it works both ways, because, as many go out of Glasgow as come into it, and I would have them to remain where they are, at the charge of the parish of their birth.

Mr. Hibbert.

3098. How, in these cases, if you gave a settlement in any of the three parishes in Glasgow, and so prevented the liability to be removed, would you apportion the expense in the case of a pauper applying for relief?—I may state that in Glasgow we have, for the last six or seven years, had a sort of arrangement among ourselves as to the cost of relief as between the parishes. The three inspectors, and the three chairmen, and some of the best members of the board meet together monthly and adjust cases as between themselves, and there is no such thing as litigation now in Glasgow as to settlement; and it is thought by the ratepayers to be a great improvement on the old system of warfare, and I venture to say from experience, that while there may be some cases where a few pounds may be wrong in one parish, a great benefit is done to the whole. I should be inclined to extend the same arrangement to the Irish pauper in Glasgow; he spends his time there for his own benefit, and I dare say for the benefit of the city, going from one part of Glasgow where his labour may take him, but he is still within the area of Glasgow, and he may lose his settlement simply by following his labour. An arrangement might, I think, be made as to adjusting the accounts between the parishes as we do now with reference to our own poor. In further explanation I should add, the Irish in our midst are labouring men and small dealers, of course with many exceptions, and their work shifts about from the city parish to the Barony parish, and to Govern parish, and they require to reside near their places of labour. They might be thus 10 years in Glasgow and not one year in one of the parishes. The parish where they fall into poverty should keep them, and the parishes could make the claims a matter of accounting, as in the case of the Scotch paupers in Glasgow.

3099. In your union do they use the workhouse test in the case of applications for relief?—Yes; they use the workhouse test pretty freely.

3100. What is the proportion between indoor and outdoor poor?—I think that we have about one-third indoor to two-thirds outside, speaking roughly. I may state that the Board of Supervision have been insisting lately upon our applying the workhouse test more than we have done; but we do not find it do in all cases, because, in point of fact, if we apply it with great severity, they get the taint of the poorhouse, and we do not press it.

3101. Your proposal with respect to making a residential settlement over the three parishes of Glasgow, of course is intended to mitigate the severity of the present law?—Yes.

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3102. Your

Mr. Wilson
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Mr. Wilson.

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Mr. Hilbert—continued.

3102. Do you know what the English law of removal is?—I do not know it well.

3103. You are, perhaps, not aware that, in England, a person can obtain a status of irremovability by one year's residence; would you be disposed to alter the Scotch law, so as to bring it down to the English level?—I think it would not do at all.

3104. You are, perhaps, not aware that, in England, even with that law, a great many of the unions and populous places make no use of it?—I think that, generally speaking, it is not made use of, except in some of the large towns where there is a vast immigration of Irish.

3105. Are you aware that in Manchester there is a very large Irish population?—Yes, I should imagine that there was, and in Liverpool especially.

3106. Would you be surprised to learn that the Manchester guardians never make use of the power of removal at all?—I should be surprised to hear it.

3107. You would think, would you not, that Manchester and Glasgow were very much upon an equality as to their position with respect to the Irish poor?—With this difference; that I fancy it used to be the custom, and is now, I daresay, that we had a very large number that come across at very low rates and are landed in Glasgow. The steamboat traffic between Ireland and Glasgow is daily, and the fares are very low. It is not so easy to get to Manchester from Ireland as it is to Glasgow, and I presume we must have far more of the Irish poor in Glasgow than in Manchester.

3108. But you do not find that it is the Irish poor who come over for harvesting who seek relief from you, do you?—We have known them come straight from the steamboat and ask for the Government poorhouse.

3109. That is when they land, before they have been unable to obtain work?—No; the notion was, I think, that they could get outdoor relief in Scotland with greater freedom than they could possibly get it in Ireland.

3110. Have you found it to be the case of late years, that the Irish harvestmen who come over are inclined to seek relief the moment they land?—Their families may, but not so much as formerly.

3111. But they do not bring over their families, do they?—Yes, in many cases they have done so. We have known them, after having been sent back to their own country at their own request, come back by the very next steamer at the cost of somebody interested in their removal. These things are, however, very much altered as far as our parish is concerned, and not so many come over in that way now; I am speaking of a thing that is possibly passed as far as that is concerned.

Mr. Hendry.

3112. But how is it passed in your parish; is it owing to the regulations that you have made in your parish?—No, the removal of the poorhouse to the extreme verge of the parish, three or four miles from the landing place of the steamers, has been one of the causes.

3113. Are there any others?—I do not think that there are so many men coming over in that way; I think things have improved in Ireland since, and we have not so many coming over as

Mr. Hendry—continued.

we had then; I think that is one of the principal reasons.

3114. Is there any other reason besides the two that you have given?—I think not.

Mr. Mark Stewart.

3115. Does the fact of Glasgow being a seaport town affect the rates [unofficially]?—It must affect the rates, of course, especially on account of the very cheap mode of transit from Ireland.

3116. If you had a much more severe test, giving less outdoor relief, and confining your relief almost exclusively, as in Ireland, to the poorhouse, would not that in a great measure prevent a large increment of Irish pauperism?—There is not the least doubt of it; but on all our poor boards in the large towns we have Irish gentlemen who look after, in a very kindly manner, their own countrymen, even if we were inclined to do anything that is harsh, which is not the case, because the Irish are treated just in the same way as our poor are. As I have already stated, we are very unwilling that the poorhouse taint should come upon people who are possibly only temporarily thrown into poverty.

3117. Still, in the event of the law of removal being abolished, you have always that remedy to make use of?—We should be bound to use it as freely as they do in Ireland.

3118. Do you consider that an appeal to the Board of Supervision would mitigate the hardship?—I do not think that it is as good an appeal as might be devised by the wisdom of Parliament. I should make it imperative upon the inspectors of the poor to have schedules prepared, and ask the poor to fill them up in some form, or be bound to fill them up for them; and I think the stipendiary magistrate in Glasgow would be a very good court of appeal, or the local magistrate in other places.

3119. Do you consider that that would ensure more speedy decision?—I think it would; I think it would give every facility that would be desirable.

Mr. Syme.

3120. Do I understand that you recommend a modification of the law in order to mitigate the severity of removal?—Not exactly for that.

3121. Is it not partly for that?—Yes, I think so; I do not think that we have had any cases of great severity.

3122. Do you not propose a modification, with a view to mitigate, partly, the severity of the law?—Certainly.

3123. Does the practice of non-resident relief in Scotland mitigate the severity of the law of removal?—I cannot say that I quite comprehend the question.

3124. I will put it in another way. Supposing that there was a law passed by Scotland (I will give them their own Parliament at Glasgow to pass it in) to prevent your giving non-resident relief, would not that make the law of removal more harsh?—No doubt of it.

3125. Then the practice of non-resident relief does mitigate the severity of the law of removal?—I think there can be no doubt of it.

3126. Do you think that if you abolished by law to-morrow non-resident relief, you could in Scotland maintain the law of removal, that is to say, if you were obliged to remove everybody?—I do

Mr. Symon—continued.

—I do not think that any Government would ever pass a law to oblige us to remove everybody.

3127. Supposing that you take away the law of non-resident relief, you must do either one or the other; supposing that you were bound either to remove them or to provide for and feed them yourselves, do you think that cruelty could be maintained in Scotland?—I do not see the cruelty of the thing at all.

3128. Did you not tell me that it was cruel, even, in some cases, to remove a pauper; is there any case of cruelty in the removal of a pauper 300 or 400 miles?—Not if it were with his own consent.

3129. I am talking of compulsory removals, and not of removals by consent?—I think it would be a hardship, possibly, for the man himself, but it would be a greater hardship for the magistrates to have to keep him.

3130. Supposing that you had a pauper from Skye in Glasgow, and supposing that you were not allowed by law to agree with the union in

Mr. Symon—continued.

Skye, or the parish in Skye, to give non-resident relief, but that you had to send home to Skye every Skye pauper in Glasgow, do you think that the fairness of the law would be allowed by the Scotch people?—I think we should keep them in Glasgow.

Mr. Roanay.

3131. Any opinion that you can offer to the Committee with regard to a law which has never been in operation in Scotland is, of course, a mere hypothesis?—It is but a mere fancy.

3132. It is an abstract opinion on your part, and not derived from experience?—Quite so.

Mr. Mark Stewart.

3133. Are many of the Irish paupers whom you remove willing to go to Ireland?—I believe that three-fourths of all our paupers that go to Ireland go at their own consent, and at their own request.

Mr. ANDREW DOYLE, recalled; and further Examined.

Chairman.

3134. I THINK that, since your former examination, you have come upon a rather curious instance of a number of foreigners being landed at an English port; will you very briefly state it?—I believe that some evidence has been given before the Committee of the assumed hardship that seaports suffer from the landing of foreign sailors and others who become chargeable to the seaport in consequence of destitution. I do not see how the alteration of the law of removal could in any degree affect the condition of these people, or the liability of the unions for their relief. They do not become chargeable in consequence of any defect in the law of removal, nor could the abolition of the law of removal in any degree assist the unions to get rid of them. A case occurred recently in Liverpool. There were some 60 Galician Poles, who were sent over by some emigration agent at Hamburg; they had been sent from Trieste to Hamburg, and from Hamburg they got tickets to Brazil. They were landed from Hamburg in Liverpool, and they found themselves destitute in Liverpool. These poor people, I have been told, took it into their heads that Birkenhead across the river was Brazil, and they wished to be removed there. However, they were sent up to the Brownlow Hill Workhouse, and these 60 people were in the workhouse chargeable to Liverpool. A representation was made by the select vestry of Liverpool to, I think, the Local Government Board; but the matter, at all events, was brought before the Foreign Secretary, and he made a representation to the Austrian Government upon the subject. They declined, in the first instance, to take the responsibility of relieving these people, or of removing them; but, after some considerable hesitation, the Austrian Government, through Count Beust, sent a communication to the Liverpool vestry to the effect

Chairman—continued.

that they did not hold themselves in any degree responsible for the relief, or the removal, of those poor people; that the law was reciprocal; that English sailors, or English subjects, becoming destitute at any Austrian port, or any foreign port, are relieved at the expense of the Government where they become destitute. So that it must be taken that foreigners becoming destitute at Liverpool, or Southampton, or any other English port, would be relieved at the expense of the union in which they became destitute. Therefore, the abolition of the law of removal would not in the least assist these unions, nor has it, as it appears to me, the slightest effect one way or the other upon the question whether the law of removal ought to be abolished or not. Through the intervention, I believe, of the Austrian consul at Liverpool, and simply as an act of kindness, these poor people were sent back by the Austrian Government to Trieste.

3135. There is one other point. When we were talking about the attention which has been recently given to the subject of removal in Parliament, and otherwise, I think we omitted to mention the Bill that was introduced into the House of Lords in 1874?—Yes, there was a Bill introduced. The name on the back of the Bill is Lord Hartismere's. The Bill was a very short and simple one. The Act was to be cited as the "Poor Law Amendment Act." After the passing of this Act no person shall be liable to removal for any purpose connected with the relief of the poor from any parish or place in which, for the time being, he may happen to be. No person shall, by reason of his exemption from liability to removal, acquire any settlement in any parish. Then there was a provision that that should not extend either to Scotland or to Ireland.

Mr. Wilson.

4 July 1879.

Mr. Doyle.

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A P P E N D I X.

Appendix, No. 1.

PAPER handed in by Mr. Fitz-Gerald, 17 June 1879.

TABLE showing the various Heads of SETTLEMENT, their Origin, the Principal Enactments relating to them, and their Existence or Extinction at the present Time.*

Appendix, No. 1.

HEADS OF SETTLEMENT.	Origin.	Enactments relating to it.	Whether or not abolished.
Hiring and service	Statute - -	3 & 4 W. & M. c. 11, s. 7 3 & 4 W. 3, c. 80, s. 4. 4 & 5 W. 4, c. 76, s. 64.	Abolished in 1834.
Serving a parochial office.	ditto - -	3 W. & M. c. 11, s. 6 4 & 5 W. 4, c. 76, s. 64.	- - ditto.
Payment of paro- chial rates.	ditto - -	3 W. & M. c. 11, s. 6 25 G. 3, c. 101, s. 4. 6 G. 4, c. 37.	Virtually repealed since it was re- stricted to pay- ment of rates in respect of a 10d cessment.
Apprenticeship -	ditto - -	3 & 4 W. & M. c. 11, s. 8 23 G. 3, c. 11. 25 G. 3, c. 135, s. 5. 4 & 5 W. 4, c. 76, s. 67.	Abolished as to sea service and the trade of a fish- man in 1834.
Renting a tenement	ditto - -	13 & 14 Ch. 2, c. 14 6 G. 4, c. 37. 1 W. 4, c. 18. 4 & 5 W. 4, c. 76, s. 66.	No.
Residence for three years in parish.	ditto - -	22 & 40 Vict. c. 61, s. 34	No.
Estate - - -	Common Law -	9 G. 2, c. 7, s. 8 4 & 5 W. 4, c. 76, s. 68.	No; restricted in 1729 and 1834.
Birth - - -	Common Law and Statute.	13 G. 2, c. 82 34 G. 3, c. 179. 26 & 40 Vict. c. 61, s. 35.	No.
Percentage - -	Common Law as to legitimate children; Sta- tute as to ille- gitimate chil- dren.	4 & 5 W. 4, c. 76, s. 71 29 & 40 Vict. c. 61, s. 35.	No.
Marriage with refer- ence to the wife.	Common Law -	20 & 40 Vict. c. 61, s. 35	No.

* This Table is compiled on the basis of that prepared by the late Mr. Lush for the Select Committee of the House of Commons which sat in 1847. The early statutes are probably, in the case of apprentices and servants, derogatory of the Common Law.

Appendix, No. 2.

PAPERS handed in by Mr. Henley, 17 June 1879.

Appendix, No. 2. RETURN from the undermentioned UNIONS of the Number of PAUPERS REMOVED during the Year ended 31st December 1874, with REMARKS of the Clerks to the Unions.

UNIONS.	Number of Paupers Removed during Year ended 31st December 1874.		REMARKS OF CLERK TO THE UNION.
	With Order.	Without Order.	
Abingdon - - -	1	-	Advocates abolition of the law. Quotes cases in which non-resident relief has been ordered with the view of obviating the hardship that would be entailed by removal.
Bredfield - - -	10	-	Thinks it desirable to abolish the law of removal entirely.
Cookham - - -	-	1	Thinks that the law of settlement and removal should be entirely abolished.
Eathampstead - -	1	1	
Faringdon - - -	-	5	
Hungerford - - -	5	2	One pauper was removed to the union during this period. Says that in many cases inquiries have been made with a view to removal, which from one cause or another have come to nothing. Advocates the abolition of the law.
Newbury - - -	5	5	Thinks it time that the law of settlement be abrogated.
Reading - - -	13	13	Thinks that the law of removal should not be abolished unless the poor rate is made a national rate.
Wallingford - - -	-	-	Says that in this district the law of removal is considered a very cruel law, and ought to be abolished.
Wantage - - -	-	1	States that in many cases paupers under orders of removal cease to be chargeable before the order expires, and also that after removal they frequently return to where they were removed from.
Windsor - - -	14	-	States that several paupers discharged themselves after they had been examined, rather than they should be removed to their legal settlement.
Wokingham - - -	-	2	Advocates the abolition of the law.
Amersham - - -	-	-	Suggests that if the law of settlement is continued, the same consequence should result to a pauper removed by "compuls" as by justice's order.
Aylesbury - - -	-	5	Coming to the conclusion that where the parties reside, there should they be maintained.
Buckingham - - -	1	4	Suggests that a continuous residence of seven years in any one union should be equivalent to an actual settlement, so that a person moving into another union and falling chargeable within 12 months, should be removable to the union of his acquired settlement. Would not, however, allow removability from the union of original settlement.
Elton - - -	4	0	Suggests that the chargeability of adult persons should be thrown upon the parish in which they fall destitute, unless not having resided there without relief for one year, it can be shown that they have gained a settlement elsewhere, by renting a tenement or otherwise within a limited period of 10 or 20 years.

RETURN from the undersigned Unions of the Number of Paupers Removed, &c.—continued.

Appendix, No. 6.

UNIONS.	Number of Paupers Removed during Year ended 31st December 1874.		REMARKS OF CLERK TO THE UNION.
	With Order.	Without Order.	
Norport Pagell -	-	2	Thinks that when the Union Rating Act came into operation, the law of settlement should have been abolished.
Winslow - - -	-	-	
Wycombe - - -	1	3	There were eight removals to the union; six by order, and two by consent. In one case the removal was not carried out, non-resident relief being granted instead. Does not offer an opinion as to the abolition of the law, but offers suggestions for certain modifications in the present mode of acquiring a status of immovability.
Hinsley - - -	-	7	Would abolish the law of settlement altogether.
Letterworth - -	-	-	A widow and four children were removed to the union by order. A woman was removed to the union by consent, but since returned whence she was removed. Advocates the abolition of the law; but would allow time for adjustment of cases of non-resident relief.
Beauford - - -	37	1	Has no doubt that the law of settlement is gradually wearing itself out, but thinks that its total abolition might have a serious effect upon the Metropolis and large towns.
Staines - - -	3	-	Advocates the abolition of the law.
Uxbridge - - -	7	4	Has for a long time been of opinion that the law of settlement should be abolished as leading to litigation and expense, and benefiting none but the legal gentlemen.
Bradley - - -	8	1	Is of opinion that abolishing the "Union Chargeability Act," the law of settlement should be abolished as far as England is concerned.
Banbury - - -	-	5	
Bicester - - -	-	-	
Chipping Norton -	-	-	
Hedington - - -	-	-	Thinks it desirable to retain the power of removal, chiefly as a means of counteracting any inordinate movement of paupers from neighbouring unions.
Hanley - - -	-	2	
Oxford - - -	1	-	One pauper discharged herself, pending removal, after inquiry.
Thame - - -	-	2	Three paupers were removed to the union during this period. Thinks that removal cases, as a rule, are fairly dealt with. Raises a point for consideration in the event of the law being abolished, viz., that of a wife (a lunatic) placed in an asylum by the union in which the husband has acquired a status of immovability. If the husband leaves the union, the wife, as the law now stands, remains chargeable to it.
Witney - - -	-	3 families	The guardians of this union are unanimously of opinion that the law of settlement and removal should be abolished.
Woodstock - - -	1	-	
Chertsey - - -	-	7	
Dorking - - -	-	-	Nine paupers were removed to the union during this period, viz., four with an order, and five by consent. Advocates the entire abolition of the law. Says that clerks to guardians would, however, be deprived of considerable emolument by the abolition.
Epsom - - -	-	-	

Appendix, No. 2. Returns from the undermentioned Unions of the Number of Paupers Removed, &c.—continued.

UNIONS.	Number of Paupers Removed during Year ended 31st December 1874.		REMARKS OF CLERK TO THE UNION.
	With Order.	Without Order.	
Goldstone - - -	-	18	
Grifford - - -	2	15	
Hambledon - - -	-	1 family.	
Kington - - -	24	2	There were instructions for 74 removals; 24 were actually removed, three died pending inquiries, 16 cannot chargeability, in consequence of inquiries; three orders were commuted to. Says that the guardians are strongly opposed to the abolition of the Union Chargeability Act.
Relgate - - -	33	20	
East Grinstead - -	-	3	Law should be abolished.
Alverstoe - - -	1	-	Thinks the law unnecessary, and that it may with safety be abolished.
Arton - - -	3	4	
Aldershot - - -	-	-	
Birmingham - - -	90	18	Thinks the abolition of the law would be an injustice to large towns.
Covevay - - -	-	-	Would be glad if the law were abolished. Mentions cases in which the provisions of the law have operated as a test.
Foleshill - - -	-	-	Advocates the abolition of the law.
Moriden - - -	-	3	One pauper has been removed, by consent, to the union. Thinks the law operates prejudicially to the interests of the rural unions, and is a cause of hardship to widows and children in towns, when the husband had not acquired a status of freeness.
Nuneaton - - -	-	-	
Rugby - - -	9	1	Two widows, with three or four children respectively, were removed by order; in each case the paupers returned to the union, whence they were removed, and received non-resident relief. There is nothing to justify the continuation of the law for the removal of the poor.
Solihull - - -	1	2	The law might as well be abolished, as far as this union is concerned. Would retain the law in the case of lunatics.
Southam - - -	1	-	
Stamford-on-Avon -	5	2	Would be disadvantageous to the union, in consequence of wayfarers.
Warwick - - -	9	2	Thinks the abolition of the law would lead to those unions in which relief is administered with notorious liberality being inundated with paupers.
King's Norton - -	2	2	Guardians think that it operates prejudicially to the poor and against the paupers, though it may benefit certain unions.
	285	162	

Six against the abolition of the Law, out of 39 replies.

57 Unions.

PARISH OF BIRMINGHAM.

PAUPERS Removed to their respective Parishes during the Year ending June 1879.

NAME.	PAUPERS.			UNION OR PARISH.
	M.	F.	C.	
Ellis Betan - - - - -	-	1	-	Parish of St. Marylebone.
Alfred and Albert Smith - - - - -	-	-	2	Chapaton Union.
Harben Phelps, wife and child - - - - -	1	1	1	Templebury Union.
Sarah Ann Jackson, and child - - - - -	-	1	1	Steele Union.
George Titman - - - - -	-	-	1	Seaton Union.
Maria Tordanson - - - - -	-	1	-	Shardlow Union.
Caroline Homer - - - - -	-	-	1	Cannock Union.
John Knight - - - - -	-	-	1	Droitwich Union.
Sarah Ann Stanton, and three children - - - - -	-	1	3	Kidderminster Union.
Emma Bench - - - - -	-	1	-	King's Norton Union.
Ann Adey, and two children - - - - -	-	1	9	Sheffield Union.
Ann Coulson, and three children - - - - -	-	1	3	Steele Union.
Thomas and Joseph Shakespear - - - - -	-	-	2	Scourcliffe Union.
Elizabeth Hrocha - - - - -	-	1	-	Dudley Union.
James Traveller - - - - -	-	1	-	Chelmsford Union.
Henry Brickley - - - - -	-	1	-	Aston Union.
James Green - - - - -	-	1	-	Newent Union.
Edward Chester - - - - -	-	1	-	Rugby Union.
Maudie Saunders - - - - -	-	1	-	Sheffield Union.
Elizabeth Short, and four children - - - - -	-	1	4	Aston Union.
Ann Bench - - - - -	-	1	-	- ditto.
Emma Mayes, and three children - - - - -	-	1	5	- ditto.
Ann Bookley - - - - -	-	1	-	Wellington Union.
Benjamin Gee, and two others - - - - -	-	-	3	King's Norton Union.
Ellen Shrimpton - - - - -	-	1	-	- ditto.
Levy Brown - - - - -	-	1	-	Birkenhead Union.
Sarah Green - - - - -	-	1	-	Atcham Union.
Daniel Cuzens, wife and child - - - - -	1	1	1	Yarnton Union.
Rosian Stamford, and three children - - - - -	-	1	2	Webom Union.
Harriet Yeck, and three children - - - - -	-	1	3	Northampton Union.
Ann Watson, and three children - - - - -	-	1	2	Solihull Union.
Richard Bulley - - - - -	1	-	-	Ashton-under-Lyne Union.
Phoebe Alice Cowles - - - - -	-	1	-	Cambridge Union.
Sarah Gwineth, and child - - - - -	-	1	1	Monmouth Union.
Thomas Foullet, and four children - - - - -	1	-	4	Aston Union.
Amy Florence Bulley - - - - -	-	1	-	Cannock Union.
Edward Baker - - - - -	1	-	-	Walsh Union.
George Frederick Mather - - - - -	-	1	-	Runcorn Union.
George Munton - - - - -	-	1	-	Hinckley Union.
Charles John Griffiths - - - - -	-	1	-	Warwick Union.
Mary Jane Mapp, and child - - - - -	-	1	1	- ditto.
William Blizard, and wife - - - - -	1	1	-	Alderbury Union.
Ann Billing - - - - -	-	1	-	Macclesfield Union.
James Price - - - - -	1	-	-	Walsh Union.
William Hedaway - - - - -	-	-	1	- ditto.
William Graft - - - - -	1	-	-	Darlington Union.
James Mains - - - - -	-	1	-	Bridgesend Union.
Charlotte Norton - - - - -	-	1	-	Saltbush Union.
Thomas Kemp, and three children - - - - -	1	-	3	Aston Union.
Eliza Blackburn - - - - -	1	-	5	- ditto.
Sarah Davis, and three children - - - - -	-	1	1	- ditto.
Elizabeth Robbins, and child - - - - -	-	1	-	King's Norton Union.
Hannah Bullers - - - - -	-	1	-	Walsh Union.
Allice Milla - - - - -	-	1	-	Kidderminster Union.
Charles James - - - - -	-	1	-	Manchester Union.
John Carline - - - - -	-	1	-	Leicester Union.
Charles Spencer - - - - -	-	1	-	Evenden Union.
Thomas Farley - - - - -	-	1	4	West Bromwich Union.
Elizabeth Paddell, and five children - - - - -	-	1	-	- ditto.
Emily Ellis - - - - -	-	1	-	Wan Union.
Samuel Lead - - - - -	-	1	-	Northampton Union.
Michael Pritchard - - - - -	-	1	2	Bedford Union.
Caroline Evans, and two children - - - - -	-	1	-	Crickheath Union.
John Williams - - - - -	-	1	-	Dudley Union.
John Hancock - - - - -	-	1	1	Kidderminster Union.
Emma Guest, and child - - - - -	-	1	-	Parish of St. Mary, Edlington.
Jane Charlesworth - - - - -	-	1	-	

Appendix, No. 2. PARISH OF BIRMINGHAM.—Paupers Removed to their respective Parishes during 1870—continued.

NAME.	PAUPERS.			UNION OR PARISH.
	M.	F.	C.	
George Neale	1	—	—	Stearbridge Union.
Annie West, and two children	—	1	2	Dursley Union.
Elizabeth Wilkes	—	1	—	Wolverhampton Union.
Annie Walters, and child	—	1	1	King's Norton Union.
Frances Ford	—	1	—	— ditto.
Peter Ashton, and wife	1	1	—	Warrington Union.
Thomas Page	—	—	1	Aston Union.
William Dodd	1	—	—	— ditto.
Jane Petty, and two children	—	1	2	— ditto.
George Jones	1	—	—	Oswestry Incorporation.
William Godfrey, wife and three children	1	1	3	Tonstun Union.
Ann Beasley	—	1	—	Stratford-upon-Avon Union.
Ann Gordon, and three children	—	1	3	Corticle Union.
Buck Long, and seven children	—	1	7	Chipping Norton Union.
Ellen Grobowski, and five children	—	1	5	Newbury Union.
Theophilus Hutton	1	—	—	Evesham Union.
Sally Fletcher, and four children	—	1	4	Dudley Union.
Mary Norris	—	1	—	— ditto.
William Whiteway	1	—	—	Briggsmorth Union.
Mary Ann Eddolls	—	1	—	Cirpsenham Union.
Nancy Richards	—	1	—	Dudley Union.
Fanny Hill, and five children	—	1	5	Lichfield Union.
George Sargeant	1	—	—	Walsall Union.
Elizabeth Letts, and two children	—	1	2	Wolverhampton Union.
Mary Jane Beddard	—	1	—	Mortley Union.
William Barker, wife and seven children	1	1	7	West Bromwich Union.
Henrich Alexander	—	1	—	Whitechapel Union.
Catherine Weldon and child	—	1	1	Middleborough Union.
William Davis	1	—	—	Aston Union.
William Kent	1	—	—	— ditto.
Jane Luenda Vennay	—	1	—	— ditto.
Charles Neale	1	—	—	— ditto.
William L. Howell, wife and three children	1	1	3	— ditto.
Henry Roberts	1	—	—	Banbury Union.
Ellen Lord	—	1	—	Tamworth Union.
Mary Ann Underhill, and two children	—	1	2	Dretnich Union.
Annie Hooper, and four children	—	1	4	Dudley Union.
Ann Morris, and two children	—	1	2	— ditto.
Henry Griffin, wife and child	1	1	1	Cheltenham Union.
Samuel Dew, wife and child	1	1	1	Ledbury Union.
Charles Grevell	1	—	—	Parish of St. Pancras.
George Fincher	1	—	—	— ditto.
Alce Feulkes	—	1	—	Aston Union.
Sellam Lucas, and two others	—	—	2	— ditto.
Thomas Nicholls, and wife	1	1	—	— ditto.
Michael Murray, and wife	1	1	—	— ditto.
Emily Payne	—	—	1	— ditto.
Harriet Ellis, and three children	—	1	3	— ditto.
Mary Adams	—	1	—	King's Norton Union.
John Cotton	1	—	—	Aston Union.
Phoebe Price	—	1	—	Briggsmorth Union.

TOTAL NUMBER REMOVED.

MEN	40
WOMEN	74
CHILDREN	110

GRAND TOTAL - - - 224

Appendix, No 3.

PAPER delivered in by Mr. Campbell, 24 June 1879.

[Case of Pauper not having Wife or Children.]

Appendix, No. 5.

No. 13—4.

UNTO :

* Sheriff or two
Justices.THE PETITION AND COMPLAINT OF INSPECTOR OF THE POOR FOR THE
PARISH OF

Humbly sheweth,

That by statute 8 & 9 Vict. c. 33, intituled "An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland," it is enacted, Sect. 27, "That if any poor person born in England, Ireland, or the Isle of Man, and not having acquired a settlement in any parish or combination in Scotland, shall be in the course of receiving parochial relief in any parish or combination in Scotland, then, and in such case, it shall be lawful for the sheriff or any two justices of the peace of the county in which such parish or any portion thereof is situate, and they are hereby authorised and required, upon complaint made by the inspector of the poor or other officer appointed by the parochial board of such parish or combination, that such poor person has become chargeable to such parish or combination by himself or his family, to cause such person to be brought before them, and to examine such person or any witness, on oath, touching the place of the birth or last legal settlement of such person, and to take such other evidence or other measures as may by them be deemed necessary for ascertaining whether he has gained any settlement in Scotland; and if it shall be found by such sheriff or justices that the person so brought before them was born either in England or Ireland, or the Isle of Man, and has not gained any settlement in Scotland, and has actually become chargeable to the complaining parish or combination by himself or family, then such sheriff or justices shall, and they are hereby empowered, by an order of removal under their hands, which order may be drawn up in the form of the Schedule (A.) hereto annexed, to cause such poor person, his wife, and such of his children as may not have gained a settlement in Scotland, to be removed by sea or land, by and at the expense of the complaining parish, to England or Ireland, or the Isle of Man respectively, according as such poor person shall belong to England, Ireland, or the Isle of Man: Provided always, that no person shall be so removed until there has been obtained a certificate, or seal and concurrence, by a regular medical practitioner acting forth that the health of such person, his wife and children as aforesaid, is such as to admit of such removal: Provided also, that nothing herein contained shall prevent any parochial board or their inspector from making arrangements for the due and proper removal of such poor persons either by land or water, provided the arrangement be made with the consent of such poor persons themselves."

And that, by statute 10 & 11 Vict. c. 33, intituled "An Act to amend the Laws relating to the Removal of Poor Persons from England and Scotland," it is enacted, Sect. 2, "That it shall be lawful for any inspector of the poor or other officer appointed by the Parochial Board of any parish or combination in Scotland, to take and convey before the sheriff or any two justices of the peace of the county in which the parish or combination for which such inspector or officer acts, or any portion thereof is situated, without previous complaint or warrant in that behalf, every poor person who shall be in the course of receiving parochial relief in any parish or combination in Scotland, and who he may have reason to believe is liable to be removed from Scotland, under the secondly recited Act (8 & 9 Vict. c. 33, s. 27); and the sheriff or justices before whom any such person shall be so brought shall make such examination, and proceed in the same manner in all respects, as if such person had been brought before him or them under and in the same manner directed by that Act."

That by the Act 25 & 26 Vict. c. 113, further provision was made in reference to the removal of paupers from Scotland to England and Ireland. By said statute it is provided in Sections first, second, and fourth thereof, as follows, viz:—

"I. No application for a warrant ordering the removal from any place in England to Scotland, or in Scotland to England or Ireland, of any poor person who shall have become chargeable in such place shall be heard and determined in England, except by two or more justices in petty sessions assembled, or by a stipendiary magistrate or metropolitan police magistrate sitting in his court; and in Scotland, except by the sheriff or any two justices of the peace of the county in which the parish is situated to which such poor person may have become chargeable, which justices or magistrate, and sheriff or justices (as the case may be), shall see such poor person, or the person who is the head of the family proposed to be removed, and shall be satisfied that every person who is proposed to be removed by the warrant is in such a state of health as not to be liable to suffer bodily or mental injury by the removal."

* Such

Appendix, No. 3.

"II. Such warrant of removal shall be granted in England only on the application of the relieving officer or other officer of the guardians of the union or parish, and in Scotland only on the application of the inspector of the poor of the parish or combination, or other officer appointed by the Parochial Board of such parish or combination, where such poor person shall have become chargeable, and shall contain the name and reputed age of every person ordered to be removed by virtue of the same, and the name of the place in Scotland or England or Ireland (as the case may be) where the justice or magistrate, or sheriff or justices, shall find such person to have been born, or to have last resided for the space of five years in the case of a poor person to be removed to Scotland, and three years in the case of a poor person to be removed to England or Ireland, and a statement of such examination having been made as to the state of health of every person ordered to be removed as aforesaid; and such warrant shall be addressed to the party applying for the same, and in the case of a removal to Scotland, to the Parochial Board or its species of the poor of the parish or combination to which such poor person is to be removed, and in the case of a removal to England or Ireland (as the case may be), to the guardians of the union or parish to which such person is to be removed, and a copy shall be given by and at the cost of the person applying for such warrant to the person or the head of the family about to be removed by virtue of it: Provided that in the case of any native of England, Ireland, or Scotland, where the justices or magistrates, or sheriff or justices (as the case may be), shall not be able to ascertain, upon the evidence before them, the place of birth or of such continued residence as aforesaid, they shall order the pauper to be removed to the port or union or parish in England or Ireland (as the case may be), or port or parish in Scotland, which shall, in the judgment of such justices or magistrates, or sheriff or justices (as the case as may be), under the circumstances of the case be most expedient.

"IV. Such warrant shall order the removal of the poor person to be made to the place mentioned therein as aforesaid, and shall order the persons charged with the execution thereof to cause such poor person, with his family (if any), to be safely conveyed to such place in England, Ireland, or Scotland (as the case may be), to be delivered, in the case of a removal to Scotland, to the inspector of the poor of the parish or combination, and in case of a removal to England or Ireland, at the workhouse of such place, or of the union or parish containing the port or place nearest to the place mentioned in the warrant as the place of the pauper's ultimate destination."

That now or lately residing at _____ was born in _____,
(or) last resided for three years in _____
That the said _____ has become chargeable to and is in course of receiving parochial relief from the parish of _____
That the said _____ has not acquired a settlement in any parish or combination in Scotland, or, if required, has not retained such settlement. That the said _____ having actually become chargeable to the said parish of _____
it has become necessary to remove the said _____ to _____ where he was born, (or) to _____ where he last resided for the space of three years.

That the reputed age of the said _____ is _____

May it therefore please your _____ to inquire into and consider what is before set forth, to see the said _____, and if being proved in the manner prescribed by the said statutes, that _____ was born in _____ (or) last resided for three years in _____ and has not acquired, or if required, has not retained a settlement in any parish in Scotland, and that the said _____ has actually become chargeable to the said parish of _____ and that the health of the said _____ is such that would not suffer bodily or mental injury by his or her removal, to grant the necessary order for removal to the workhouse at _____ accordingly; or to otherwise in the premises as your _____ may see cause, all in terms of the aforesaid Acts of Parliament.

According to justice, &c.

*To be signed by petitioner.

* After this pauper to meet the circumstances of the birth parish not being known, or of no residence for three years capable of being proved.—See Note at the end of this sheet.

CERTIFICATE by a regular Medical Practitioner.

I HEREBY declare on soul and conscience, that the health of
aforesaid, is such as to admit of removal, as above craved, either by land or water.

Dated _____

Deposition of the said¹
that _____

who, being solemnly sworn, deposes

¹Place and date.

²The pauper.
NOTE.—To be signed by the party and by the sheriff or two justices; and, if other parole evidence is taken, substance to be inserted by the sheriff or justices, and similarly attested.

To Inspector of the Poor for the Parish of
the (Union or Parish) of _____

and to the Guardians of _____

ORDER for REMOVAL to

I,¹ _____, Sheriff of the county of _____, having considered the foregoing petition and certificate, and the depositions of the said _____, and having examined into the state of the health of the said _____, and find that the said² _____ is of the reputed age of _____; find that the said³ _____ was born in _____, (or) that the said _____ last resided for three years in _____; and that the said _____ has become, and is now actually chargeable to the Parochial Board of the parish of _____; and that the said _____ has not acquired and retained a settlement in Scotland; find that the said _____ would not suffer bodily or mental injury by being removed as herein ordered: Therefore, I do hereby order that the said _____ be removed and conveyed to, and delivered safely at, the workhouse at _____, and I do order you, the said inspector of poor, to cause the said persons to be so safely conveyed and delivered, and you, the said guardians of _____, to receive the said persons.

¹Place and date.

²After the sentence if the order be granted by two justices and not by the sheriff.

NOTE.—And "for three years," if any let.

³The pauper.

⁴The pauper.

⁵The pauper.

* This part of the order must be altered if the sheriff or magistrates "shall not be able to ascertain, upon the evidence before them, the place of birth, or such continued residence," in which case, the Statute enacts that the sheriff or magistrates "shall order the pauper to be removed to the poor's union or parish in England or Ireland, as the case may be, which shall, in the judgment" of the sheriff or magistrates, "under the circumstances of the case, be most expedient."

Appendix, No 4.

PAPER handed in by Mr. Burke.

Appendix, No. 4. RETURN of a few Cases illustrative of Hardships to the IRISH POOR in the Operation of the LAW of REMOVAL.

Thomas Galvin - June 1875.	-	A labouring man, aged 55 years, removed from West Derby to Parsonstown Union. He had supported himself for 35 years in England, and having fallen into difficulties was removed after a short period of relief. His connections were altogether with England, and after a brief stay in Parsonstown Workhouse he left it and went back.
Daniel Mc'Mahon 14 Aug. 1875.	-	This man was removed at the age of 73 from Bories, in Dumfriesshire, after an industrial residence of 20 years in Scotland, having been for three weeks in receipt of relief previously to his removal. He is now in Kilmash Workhouse.
Thomas Hunt - Sept. 1875.	-	Removed from Bolton to Parsonstown Union at the age of 65, having lived by his labours in England for 35 or 40 years previously.
Bridget Parker 2 Dec. 1875.	-	This was a washerwoman who had lived in Leeds for several years and supported herself. Being taken ill she applied for relief, and was admitted to Leeds Hospital on the 24th November, and on the 2nd December taken from her bed and hurried, half-dressed, to the police office, where a warrant was obtained for her removal to Ennistymon Union; and in due time arrived in Ireland and was left in Ennis Union, contrary to the terms of the order.
Mary Anne Slattery 7 June 1876.	-	This was a poor lunatic girl, for many years in the asylum and workhouse at Nottingham. Her mother and sisters had been for many years living there by their industry, and after her death the young women continued to earn their livelihood in factories, until one of them, Ellen, became deranged and was admitted to the lunatic asylum and workhouse. From thence the guardians determined to have her removed to her place of birth in Ireland, and took the opportunity of sending Mary Anne with her. Their proceedings as regarded Ellen were contrary to law, and the order of removal was quashed on appeal, and the young woman brought back to Nottingham, but the sister continues still in Limerick Workhouse.
Michael Morisey 12 Sept. 1877.	-	A labourer, aged 66 years, who having been 20 years working in England, got ill and was relieved in Liverpool, from whence he was removed to Nenagh Union to begin life again.
Alice Carton - 19 Nov. 1877.	-	Removed at the reputed age of 105, from Barrow-in-Furness to Armagh.
Patrick Hough 11 Sept. 1878.	-	This was a labouring man, who had been working in Great Britain for nearly 40 years. Having fallen sick at Ayr, he received relief in hospital for a short time, and was removed to Nenagh Workhouse, where he died six months after.
Anthony Campbell - 7 March 1878.	-	Removed from Wapping to Limerick by order, dated as in margin, at the age of 54. His father and mother lived in Steapsy. He was employed in the dockyard, and she kept a chandler's shop. The father being a native of Limerick, used occasionally to visit it, and on one of those occasions his son Anthony was born, and when only a few days old went back with his parents to Steapsy. There he lived for 18 years, when he emigrated with his brother to Buenos Ayres, and remained there until 1879, when he returned to Steapsy, and having applied for relief in February of that year, was removed to the place of his birth, Limerick.
Michael O'Hara 29 May 1879.	-	Removed from Glasgow to Banbridge Union. This man states as follows:— "I offered to leave Glasgow city parish, and not trouble the authorities there again, if they would allow me, as I should not wish to go to Ireland and leave my wife and family behind me." "I also said my son would soon be coming from Edinburgh, and would help me. But they would not listen to my request."

Appendix, No. 5.

PAPER handed in by Mr. Skelton.

LETTER from the Secretary to the Board of Supervision, Edinburgh, to the Secretary to the Local Government Board.

Appendix, No. 5.

Sir,

Board of Supervision, Edinburgh, 8 July 1879.

As it appeared to me on examining Mr. Downing's Return of Poor removed to Ireland (No. 259, 1878), that the inspectors of poor had in most instances, under the head of "Remarks," stated the cause of chargeability only, without stating, as had been done by the Inspector of Dalry, on page 40, how many, if any, of the removals were at the instance of the parties removed, I caused the following letter to be addressed to the inspectors of the ten parishes from which the larger number of removals are stated to have taken place:—

"In reference to the enclosed Return of Removals from your parish, I will thank you to inform me in how many of the cases of removal effected by you, contained in the Return, removal was made by the consent or at the request of the persons removed."

The following is a summary of the answers received from the inspectors of poor:

NAME OF PARISH.	Number of Removals.	OBSERVATIONS OF INSPECTORS.
Edinburgh - - -	133	So far as my memory serves me, none of the Irish removals from this parish were made on the request of the persons removed. A good many were willing to go, or had no objection. Most of these sent by this parish were hawkers travelling from place to place, having no fixed abode or special connection with any place in Scotland.
South Leith - - -	9	All the cases of removal were effected with the parties' consent or request, except two.
St. Cuthbert's Con- struction.	46	According to the best of my recollection, I am justified in stating that nearly a third were removed with their own consent.
Dundee - - -	14	Only one removed at pauper's request. Three were lunatics.
Barony - - -	77	I should say one or two, or at most three in the year, have been removed at their own request.
Glasgow - - -	181	The majority of the persons mentioned in the Return were removed, some at their own request, and the others with their consent. As a rule, the parties are only returned to Ireland, either at their own request, or with their own consent.
Govan Construction -	21	As a rule, we avoid returning any cases where strong ties have been formed in Scotland, and generally, with a few exceptions, the parties have consented to go without any opposition. The largest proportion of our removals has consisted of lunatics, whom we were in a manner forced to remove for want of room in our asylum.
Old Monkland - - -	23	Of removals effected, seven were made with the consent or at the request of the persons removed.
Abbey - - -	17	With the exception of six, the others consented to their removal. Of these six, three were lunatics.
Glasgow - - -	21	Each and all of the cases removed were sent to Ireland at their own request.

You are at liberty to lay this letter before the Committee if you consider that the information which it contains can be competently placed before the Committee in this form.

I am, &c.

John Skelton, Secretary.

Thomas Salt, Esq., M.P.,
Parliamentary Secretary, Local Government Board.

I N D E X.

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I N D E X.

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ABOLITION OF THE LAW OF REMOVAL:

1. *Concurrence of Evidence favourable to Abolition of the Law.*
2. *Evidence Adverse to Abolition.*
3. *Summary by the Committee, and Conclusions arrived at.*

1. *Concurrence of Evidence favourable to Abolition of the Law:*

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2. *English and Scotch Paupers in Ireland.*
3. *Administration in the Absence of Removals.*
4. *Practice in the Removal of Irish Poor from England and Scotland.*
5. *Numbers Removed.*
6. *Occasional Return to England or Scotland soon after Removal.*
7. *Instances of Removal to the wrong Parish.*
8. *Question of an Influx of Irish Poor into England or Scotland, the Law of Removal being Abolished.*

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1. *Immigration of Irish Lower Classes.*
2. *Number of Irish Removals.*
3. *Care taken in carrying out Removals.*
4. *Lanette Poor.*
5. *Question of Exempting Liverpool from a Law for the Abolition of Removal.*
6. *Other Evidence generally on various Points.*

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2. *Number of Irish Removals:*

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Statement as to the law of removal having entirely broken down at Liverpool during the large Irish immigration at the time of the famine; comparatively few removals at that period, *Doyle* 2501-2505. 2536. 2538.

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3. Care taken in carrying out Removals:

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Constant complaints made by the Irish poor law authorities against removals from Liverpool, on the ground of alleged hardship; particular cases cited, witness denying that a single case has been substantiated, *Hagger* 1700-1702, 1731-1746—Great care and leniency in carrying out removals, *ib.* 1702, 1754, 1755—Invariable practice of sending some one in charge of those removed to Ireland, the removals being to the parish of birth, *ib.* 1796-1797, 1822.

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1. *Practice in carrying out Removals; Numbers Removed.*
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4. *Law of Settlement; Modifications proposed.*
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Conclusion that there need be no apprehension whatever of an incursion of Irish pauperism into Glasgow or other Scotch towns, removals being abolished; reference hitherto to the great decrease of population and of labouring poor in Ireland, *Doyle* 2489-2492, 2500, 2501, 2584.—Authority cited as to the efficacy of the workhouse test in Scotland for preventing the incursion of Irish vagrants, *ib.* 2584.

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6. Other Evidence generally :

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1. *Explanations in connection with the existing Law; Simplification required.*
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1. *Explanations in connection with the existing Law; Simplification required:*

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Groundlessness of the objection that the abolition of removal would be followed by a large increase of vagrancy; ample security in the vagrant law and the workhouse test against this evil, Doyle 2496. 2513.

Wallace, William. (Analysis of his Evidence.)—Experience of witness for eleven years as Clerk of the Whitechapel Union, 1823-1825.—Considerable population, and large rental value, of Whitechapel Union, the Irish population being from 6,000 to 8,000; 1826, 1827.—Removal of 203 paupers from the union in the years 1877 and 1878; 1828, 1829.—Absence of complaint as to hardship of removal; lenient exercise of the power of removal in Whitechapel, 1830, 1831.

Several circumstances under which hardships are likely to arise under the law, these being greatly modified by the simple residential settlement under the Act of 1876; 1831-1834.—Special hardship in the severance of families under the law of derivative settlements; clauses suggested for remedying this grievance, 1831, 1834-1836, 1845, 1855-1857.—Extent to which the laws of settlement and removal might be abrogated, as between unions and parishes, in the metropolis, 1837.

Objection, on several grounds, to the entire abolition of the law of removal, 1838, 1839, 1876-1890.—Liability of Whitechapel for the relief of an undue number of the lower class of migratory poor if there were no power of removal; special reference hereon to the large number of common lodging-houses, and to the charitable relief given in a refuge, 1838, 2029-2029.—Tendency of the abolition of the law to induce vagrancy, 1838, 1839, 1875.—Effect of abolition in causing hardship to the unavoidably necessitous poor desirous of being removed to their own parishes, 1838, 1839, 2036, 2037.

Advantage of abolition of removal, in so far only as expense and trouble would be saved, 1840, 1841.—Suggestion that actual settlement be required by one year's residence in a union or parish, all other settlements but birth settlements being abolished, 1841, 1843, 1853, 1854, 2027.—Satisfactory operation of the residential settlement created by the Act of 1876; 1845, 1853.—Conditions as to the removal suggested in connection with settlement by one year's residence, 1844.—Amendments suggested as to the period for conferring settlement in the case of deserted wives and others, 1845, 1855-1857.

Further information relative to Irish and other removals from Whitechapel; due care taken to avoid harsh removals to Ireland, 1847-1854, 1894-2013, 2026.—Value of the power of removal as a test of pauperism, and as a deterrent upon continued chargeability, 1847, 1875-1893, 2026, 2033-2040, 2050, 2051.—Character and value of Irish labour in the union considered in connection with the power of removal, 1828-1873, 2028-2030.

Respects in which the power of removal has a salutary effect in Whitechapel, as regards the vagrant class, 1875, 1878-1890.—Absence of any general reluctance in the lower class of poor to receive relief, 1891-1893.—Belief that witness represents the views of the Whitechapel guardians generally in advocating settlement by one year's residence in a union, 2024, 2025.

Diminished power of removal by conferring settlement by one year's residence in a union; inexpediency of dispensing with the power altogether, 2030-2051.—Doubt as to much hardship under the law since the Act of 1876; 2041-2048.

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Wallace, Andrew. (Analysis of his Evidence.)—Considerable experience of witness as an inspector of the poor in Scotland, chiefly in the Govan Combination, 1825, 1826.—Population of about 240,000 comprised in the Govan Combination, the gross rental being near 1,200,000 £, 1826-1828.

Approval of a modification of the Scotch law of removals, so as to prevent harsh cases of removal, 1829-1834.—Objection to a fundamental alteration of the law, and still more to its total abolition, 1830, 1836 *et seq.*—Check upon harsh removals if there were an appeal to the Board of Supervision before the removal is carried out, 1831, 1833.

Suggestion that irremovability might be conferred by ten years' residence in Scotland without chargeability, provided that there has been residence for three or four years in the parish where chargeability arises, 1831-1833, 1877.—View of the Govan Board, that when Irish paupers are not removed their relief should be paid by the parish of settlement in Ireland or out of the Consolidated Fund, 1833, 1842.

Belief that abolition of removals would have a pauperising effect on Irish poor, and would induce considerable numbers to become chargeable in Scotland where the system of relief is much less strict than in Ireland, 1836, 1837, 1817-1819.—Grounds for the conclusion that abolition of the law of removal would be very prejudicial to Scotch ratepayers,

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paupers, on account chiefly of the great excess of Irish applications for relief, 1037—Deterrent effect of the law in preventing a still larger proportion of Irish applications for relief, 1037—Tendency of excessive pauperism among the Irish in Scotland to influence the Scotch poorer classes in the direction of pauperism, 1038, 1250, 1251.

Particulars as to the number and cost of removals of Irish poor and of English poor from the Govan Combination in each year since 1872-73; 1039—Illustration of the considerate and lenient action of the Govan Board in maintaining a large number of paupers having Irish settlements, 1039, 1070, 1037, 1255, 1257—Belief that in all large parishes in Scotland there are considerable numbers of Irish paupers who for different reasons are not removed, 1039.

Non-objection to an assimilation of the law of removal as between England and Scotland, 1041—Unfairness to Scotland if the law in that country were assimilated to the Irish law, there being hardly any Scotch paupers in Ireland, 10—Information as to the process in Scotland in warrants of removal of Irish paupers, and in carrying out removals; stringent rules laid down, and great care taken, to ensure the comfort of the paupers during the journey, 1042-1044, 1046-1052, 1072, 1073.

Previous notice given to the parish or union in Ireland or England to which removal is to be made; approval of an extension of the notice so as to allow time for objection being raised, 1042, 1154-1200, 1039—Obligation as to sending an officer in charge of the paupers, 1049—Practice in regard to the delivery of the paupers to the charge of the workhouse authorities of the union or parish in Ireland to which they belong; exceptional instances in which they are landed at the nearest port, 1042, 1046-1052.

System in the Govan Combination of not removing all removable Scotch paupers, the expenses being recovered by the relieving parish from the parish to which they belong; large amount received for this class, a large sum being also paid for Govan poor to other parishes, 1053-1059, 1074-1080, 1094, 1095, 1255-1259, 1284-1290—Much less facility in acquiring a status of irremovability in Scotland than in England; decided objection to one year's residence in the parish or union conferring irremovability in Scotland, 1050-1059—Free use made in Liverpool of the power of removal, 1070—Numerous removals of lunatics to Ireland, many of whom come back very speedily; instance of a man removed five times, 1071, 1115, 1235-1251.

Explanations relative to the law of settlement in Scotland, witness suggesting that it be modified by a provision that a person shall not lose his settlement until he has been five years out of the parish where he has acquired it, 1081-1084, 1113—Admission as to the present law of removal operating harshly under certain circumstances, so that an appeal to the Board of Supervision is desirable, 1085-1091—Very few English poor removed from Govan Combination, 1092, 1093, 1099.

Estimate of about one-third of those removed to Ireland as being removed of their own free will; hardship to these if the power of removal were abolished, 1096-1103, 1127—Belief that hardship arises through Scotch poor in Ireland not being removable, 1106, 1107—Examination to the effect that the law of removal in Scotland does not deter bona fide working men from coming from Ireland, but that it has a deterrent effect as regards the vagrant and "loafing" class, 1108-1127, 1152-1188, 1222-1229, 1283.

Further statement as to its being for the benefit of the paupers themselves, in a large class of cases, that they should be removable, 1116-1123—Belief that the law has not a deterrent effect in preventing applications for relief, though it has a deterrent effect in preventing those who are unable or unwilling to work in coming from Ireland, 1124-1127, 1152-1178.

Very exceptional instances of lunatic paupers being handcuffed during the journey to Ireland, 1131-1134—Particulars relative to special cases of lunatics removed from the Govan Combination in recent years; due care taken to prevent inhumanity, 1131, 1135-1147, 1189-1190—Inability of industrial Scotch labourers in Govan parish, as well as of Irish labourers, to be removed long distances; equal hardship in some of the former cases as of the latter, so far as regards the deterrent effect of the law, 1177-1188, 1221-1226.

Character of the investigation to be made by the Board of Supervision in the proposed appeals against harsh removals, 1201-1207—Practice at present as to requiring a medical certificate before removal to Ireland; statement hereon as to paupers with slight heart disease being sometimes removed, 1202-1216—Approval by the Govan board of an appeal to the Board of Supervision in Scotch as well as Irish cases, so as to prevent the occurrence of harsh cases, 1230, 1231, 1234-1237.

Illegality of out-door relief in Scotland to able-bodied paupers in temporary distress, 1233—Explanation with further reference to the practice in Govan parish in giving non-resident relief in many cases, instead of removing the pauper; belief that this system is not attended with much abuse, 1233-1237, 1247-1255, 1258-1261—Witness is not aware of any removal to the wrong parish in Ireland, 1238.

Apprehension lest Glasgow would be still more inundated with Irish vagrants if there were
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were no power of removal, 1839, 1840, 1856—Grounds for stating that witness represents the opinions of the Govan board adverse to irremovability, &c., 1841—Obstacles and objections to Glasgow being made one parish for purposes of settlement and of poor law administration, 1843, 1867-1871—Exception taken to the view that much hardship falls upon rural parishes by the removal thither of labouring poor, after industrial employment in Glasgow for many years, 1844-1845.

Decided objection by Mr. Dempster, inspector of the City parish of Glasgow, to the abolition of the law of removal, 1859—Conclusion as to the board of Basing parish being also adverse to the abolition of the law, 1864—Belief that all the boards in Scotland are unanimously opposed to abolition, 1865, 1866.

Objection not only to removals being abolished, but to settlement being acquired by one year's residence, 1872-1874—Approval of still more stringent regulations, if deemed necessary, for preventing hardship in the practice of removal to Ireland, 1875, 1876—Complication of the law by a proposal that ten years' residence should give a settlement, which could not be lost till another was acquired by five years' residence in some other parish, 1878-1880.

Reference to the out-door relief in Govan parish as being much larger than the in-door relief, 1881, 1882—Estimate of about 3 per cent. on the population as the present proportion of paupers in Scotland, the proportion in Govan parish being somewhat below the average, 1891, 1892.

Walsh, Eliza. Particulars relative to the case of Eliza Walsh, who was removed with three young children from London to Dublin, in October 1856, as deck passengers; hardship and illegality in this case, *Witness* 185-190, 266-269, 273-279.

Warrants or Orders of Removal. Advantage if all applications for removal from Scotland were brought before the sheriff, *Witness* 885—Information as to the process in Scotland in obtaining warrants of removal of Irish paupers, and in carrying out removals; stringent rules laid down, and great care taken to ensure the comfort of the paupers during the journey, *Wallace* 1043-1044, 1046-1051, 1072, 1073—Judicial inquiry in each case in order to prove removability, *ib.* 1042, 1051, 1072, 1073—Form of warrant necessary in the case of removal from Scotland, *Campbell* 1484-1488.

Practice in Marylebone of bringing before the magistrates all the circumstances of each case in applying for an order of removal to Ireland, the removals being for the most part contrary to the consent of the paupers, *Bedford* 2046-2103.

Form of petition by inspectors of the poor for warrant of removal of a pauper not having wife or children, *App.* 177, 178—Form of order for removal, *ib.* 179.

Whitechapel. Considerable population and large rateable value of Whitechapel Union, the Irish population being from 6,000 to 8,000, *Wallace* 1926, 1927—Removal of 203 paupers from the union in the years 1877 and 1878, *ib.* 1928, 1929—Allegation of complaint as to hardship of removal; lenient exercise of the power of removal in Whitechapel, *ib.* 1930, 1931.

Liability of Whitechapel for the relief of an undue number of the lower class of migratory poor if there were no power of removal; special reference hereto to the large number of common lodging-houses and to the charitable relief given in a refuge, *Wallace* 1938, 1939-1950—Belief that witness represents the views of the Whitechapel guardians generally in advocating settlement by one year's residence in a union, *ib.* 1949, 1943-2004, 2025, 2027.

Further information relative to Irish and other removals from Whitechapel; due care taken to avoid harsh removals to Ireland, *Wallace* 1947-1950, 1994-2023, 2026—Character and value of Irish labour in the union considered in connection with the power of removal, *ib.* 1968-1973, 2028-2030—Respects in which the power of removal has a salutary effect as regards the vagrant class, *ib.* 1975, 1978-1990—Average of about 4*l.* 10*s.* as the cost of removal to Ireland, *ib.* 2015.

Wilde, Eleazer. (Analysis of his Evidence.)—Was for eleven years Governor of the Liverpool Workhouse, 1807, 1808—Great fluctuation in the number of inmates in the workhouse in different years; large number of Irish in former years, 1809, 1810—Removal of 1,041 paupers to Ireland in the last ten years, the average cost being from 2*s.* 6*d.* to 3*s.* 6*d.*, 1811-1813—Very few return soon after removal, 1814.

Suggestion that three years' residence in any part of England should confer irremovability; removal of much hardship thereby, 1815-1817—Heavy burden upon Liverpool if there were no power of removal of Irish poor; heavy charge especially for inmates, if not chargeable upon the county, 1818-1832, 1846-1853—Incidence upon Liverpool of all the costs in connection with removals to Ireland, 1829, 1830, 1838-1844.

Practice of removing those only who consent to go or express a wish to that effect, 1835, 1860, 1868, 1869—Doubt as to the power of removal preventing applications for relief,

Willie, Ebenezer. (Analysis of his Evidence.)—continued.

relief, 1648.—Belief that the law has no deterrent effect upon vagrants, 1643-1645
—Frequent applications by Irish for relief in order to be sent home, 1654.

Very low fare for which Irish poor were at one time brought from Dublin to Liverpool; this does not now obtain, 1655-1657.—Information as to the process at Liverpool in obtaining warrants of removal to Ireland; an officer always accompanies the paupers to their destination, 1658-1666.

Wilson, William. (Analysis of his Evidence.)—Long and extensive experience of witness in connection with poor law administration in Glasgow, 3089, 3090.—Very few cases of harsh removal from Glasgow to Ireland, 3091.—Suggestion that residence for ten years within the three parishes of Glasgow as one area, might confer a settlement both on Irish and Scotch poor; mitigation thereby of the severity of the law of removal in some individual cases, 3091, 3095-3098, 3101, 3120-3123.

Contemplated extension of the system of non-resident relief as regards Scotch paupers, 3092, 3093, 3096, 3097.—Great increase of Irish pauperism in Scotland, to the prejudice of Scotch ratepayers, if there were no power of removal, 3094, 3129.—Extent to which the workhouse test is applied in Glasgow; proportion of about one-third in-door-poor, 3099, 3100, 3116.

Decided objection to irremovability being conferred in Scotland by one year's residence, 3102, 3103.—Less necessity in Manchester than in Glasgow for a power to remove Irish paupers, 3104-3107.—Facility in the immigration of Irish poor into Glasgow, 3107-3115.—Increased application of the workhouse test if the Irish were irremovable, 3116, 3117.

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Widdowson, Edmund. (Analysis of his Evidence.)—Considerable experience of witness as an Inspector under the Local Government Board, 393-397.—Decided opinion that the law of removal should be abolished, both in the interests of the pauper and of the administration of the law, 398-401, 404, 424.—Feeling of the majority of guardians in favour of abolition, though in some urban unions it is strongly objected to, 402, 403, 421.—The majority of the speakers at certain poor law conferences have also been favourable to removal, 46.

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Evil of the system of non-resident relief, under the present law, 413.—Sparing as regards litigation, as well as the actual cost of removal, if the poor were irremovable, 414, 415.—Way in which the law of removal operates as a deterrent and a hardship in respect of freedom of labour, 417-420, 425-433, 436, 437.

Desire of many boards of guardians for retention of the power of removal, lest they may lose a power which might some day be useful, 423.—Probable objection on the part of the Bristol guardians to the abolition of the law, 434, 435.

Workhouses. Probability of an improved administration of workhouses if paupers were irremovable, *Henley* 306.—Value of the workhouse test as a check upon applications for relief in order to obtain removal to Ireland; saving of expense as regards the chas if the law of removal were abolished, *Hoggar* 1817-1821, 1827, 1888, 1889, 1887.

Great importance attached to the workhouse test; illustration of its efficacy in Ireland, *Doult* 2495, 2610, 2611.—Increased application of the workhouse test in Scotland if Irish poor were irremovable, *Wilson* 3116, 3117.

See also *Ireland, &c.*, 3. *Administration of Relief. Out-door Relief. Vagrancy.*

