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I.—*Address at the Opening Meeting of the Twenty-fourth Session.*
By the Right Honorable Lord O'Hagan, Lord High Chancellor
of Ireland.

[Read Tuesday, 15th November, 1870]

THE rules of the Statistical Society of Ireland cast on its President, at the close of his term of office, the duty of delivering an address with reference to its aims, constitution, history, progress, or prospects; and I do not feel myself at liberty to evade that duty, although, in the new circumstances which have recently grown around me, I can only hope to discharge it perfunctorily and imperfectly. Very multifarious and onerous occupations have permitted me to give too little attention to your ordinary meetings, and I have no time to prepare anything in the least worthy of this occasion and this presence. But I cannot shrink from endeavouring to express, in brief and simple words, my appreciation of the importance of your Society, and to offer such encouragement, as I can, to honourable and fruitful effort amongst its members, by pointing to its successes in the past and to its capabilities of usefulness in the future. This, at least, I owe you for the real distinction you have conferred by giving me your Presidency. I am proud of that distinction, because it came to me in succession to very eminent persons—the late Archbishop Whately and Judge Longfield—and passes from me to one not less distinguished as an economist than as a jurist and a judge; and because it identifies my name with the annals of a body in many respects unique in Ireland,—devoted with rare intelligence and persistent industry to her practical service,—and entitled to trust and honour for the good it has done in the past, and is destined, I have no doubt, to accomplish hereafter.

For nearly a quarter of a century, the Statistical Society of Ireland has laboured to accomplish for our country what has been, in Eng-

land, the object of the Statistical Society of London, the Political Economy Club, and the Society for the Amendment of the Law : and although the sphere of its action has been comparatively contracted, it has not been, according to its own circumstances and in its own place, an unworthy co-labourer with those bodies in the field of Social Science.

It holds a peculiar position and discharges a peculiar function in relation to Irish affairs. It is non-sectarian, and it is non-political. It aims to combine good men of every creed and party, who have at heart the real interests of their native land, in the prosecution of common purposes and the attainment of common benefits. It strives to foster amongst us a sound public opinion—in which we have been, and are even now, too sadly wanting—by making us understand the true principles of national policy, and appreciate the proper objects of national endeavour. It designs to lift us to the level of the intelligence of the Empire in matters of economic and legislative interest, and to see that Ireland does not lag behind in that march of civil progress which advances so successfully in the sister kingdoms. It asserts for us perfect equality with our fellow-subjects in the enjoyment of all social advantages, and the participation in all salutary reforms ; whilst it warns us of the mischiefs of absolute assimilation in matters which need to be dealt with, according to the special circumstances of the country and the time.

And this is one of the most valuable, and not the least difficult, of the undertakings of such a society in Ireland. We have, at once, to labour that we may keep fairly abreast with the current of Imperial legislation, and to take care that, so far as it is applicable here, it shall be applied with a due consideration of our peculiar wants. Every one who has noted the history of English law—since it took the place of that ancient code which, for so many ages, regulated with wonderful precision and minuteness the details of the social life of Ireland, and which has not yet ceased to operate on the spirit of her people—must know that it has not acted precisely in the same way, in the country which produced and in that which has adopted it. In some of the more important of its departments, Ireland has singularly outrun the sister kingdom, and furnished models for her imitation. So it was in the establishment of our County Courts, very many years before similar tribunals brought justice to men's doors in England ; so it was in our Registry of Deeds, which, with its great advantages, has not even yet found an English counterpart, save in the local arrangements of a few counties : so it has been in our system of Public Prosecution, on the responsibility and under the guidance of the Law Officers of the Crown, the absence of which is still, in my judgment, a great reproach to the criminal justice of England : and so in other cases to which I need not here more particularly advert.

But, whilst we are entitled to credit for many things of this description, on the other hand, England has anticipated us from time to time in beneficial legislative changes ; and this has arisen partly because her social exigencies have sometimes made themselves more

clearly manifest, and more imperative in their requisitions, than ours, and partly because our Irish representatives have, heretofore, had their attention too much engrossed by the internecine strife of party, struggling for large interests and organic changes, and without the ample leisure and the technical training which have been devoted, at least in latter times, by eminent persons in the Upper and Lower House, to the promotion of English and Scotch administrative reforms. The result has been, that such reforms have been sometimes comparatively slow in our regard, and that the duty of keeping Ireland up to the British level in progressive legislation has heretofore been onerous, and too often poorly performed. It will be, I trust, more easily and satisfactorily discharged hereafter; and I rejoice to say, that this Society has done much in past years to take away the reproach of the neglect of it, and, by intelligent appreciation and earnest assertion of our rightful claims, has often aided in securing or precipitating the concession of them by Parliament.

And, in my judgment, whilst you have thus fairly discharged the first duty to which I have pointed, you have been wisely mindful of the second—that of endeavouring to combine full equality of rights and benefits in the acts of the Legislature, with such conditions and modifications as have been suggested by the special circumstances of our country. There is great difficulty as to this duty also—sometimes because of the undistinguishing passion for assimilation which has possessed the minds of able men—sometimes, from the rigidity of theorists and the intolerance of doctrinaires—and, sometimes, from impatience in hurrying to a conclusion reforms too long delayed, which refuses to brook the consideration of the importance of local peculiarities, or the advantage of local adaptations. Nevertheless, it is of the last consequence that these peculiarities should be considered, and these adaptations accomplished.

Each country has its special history—its special traditions—its special necessities. The law of creation, which has forbidden any two things or persons to be precisely alike, is of full force in its application to communities. Each people has its own character and mode of being; and it is worse than idle to attempt to make of one the rule and measure of another. The varieties of individual character give vigour and vitality to our social existence, which would be intolerable if all men were reduced to the level of a dead uniformity; and it is not more desirable that the family of nations should lose the special powers, aptitudes, and graces which distinguish its members, one from another.

The principle is as applicable to the various districts of this great empire as to any other countries in the world; and whilst it is matter of the highest utility and necessity that they should, so far as may be reasonably possible, be governed by the same wise and equal laws, they need to have their differences of condition and of feeling carefully regarded, both in the framing and the execution of those laws, if their operation aim, as it ought, to produce social contentment and joyful obedience.

I think it one of the highest functions of your society, to discern the special circumstances and considerations which require to be

taken into account by those who legislate for Ireland, and to make them understood by intelligent exposition, so that they may be recognised and accepted, as fair guides to statesmanship, by that public opinion of which our Legislature, in the last resort, is only the organ and the instrument.

Summarising, thus, the duties and the purposes to which you may most fitly dedicate your efforts, I think I may confidently say that those duties have been well performed and those purposes effectively advanced. If any one looks through the volumes of your transactions, for two and twenty years, he will find that your society has exercised a constant and wakeful supervision over the social and economic arrangements of the country. It has not been fevered by political excitement; it has never plunged into the Maelstrom of political agitation; but it has steadily striven to apply, for the benefit of Ireland, any newly-acquired information or any sound principle, accepted, perhaps after hot controversy, as no longer debatable. It has watched the progress of events, and adapted its investigations to the requirements of the times. It has continually pointed out defects and errors in existing laws, as they have become apparent to practical observation or speculative inquiry, and suggested the means of supplying or amending them. And, in many recent instances, its labours has not been vain. I shall advert to a few of these, as well because of their great inherent interest, as because they attest the value of your efforts in the past and give you the best encouragement for the future. What you have done you may do again; and you may better the performance. "*Possunt quia posse videntur!*" The sense of power is the assurance of success.

When I last addressed you from this place, as your Vice-President, I thought it right to press on your attention a matter which had often before engaged it—the condition of lunatics in our common gaols. In the year 1838, an English statute forbade the committal of any lunatic, save to the county asylum or some hospital duly licensed for the reception of the insane. This was a most wise and necessary measure, for the confinement of lunatics with criminals was, in every way, impolitic as it was cruel. It made order and regularity in the gaol impossible, increased the miseries of the incurable, and took from those who were not so, the means and the chance of recovery. No reasonable person could doubt, that humanity required a reform of the vicious system which had been pronounced by a Parliamentary Committee, long before the passing of the statute of 1838, "destructive of all possibility of the recovery of the insane, and of the security and comfort of the other prisoners." The mischief lingered long amongst us; but in your society a continual protest was maintained against it, and, happily, it has been taken away by the statute 30 and 31 Vic., c. 118, which requires that dangerous lunatics shall be sent to asylums. The change has been most satisfactory, for I learn from the Judicial Statistics that, whilst the number of lunatics detained in our gaols was on the 31st December, 1867, 331, on 31st December, 1868, it was 51, and on 31st December, 1869, only 5.

That Act was a triumph for reason and humanity: but the delay of its introduction, not less than its happy results, very clearly indicates how desirable it is that such a society as yours should exist to urge, as in this case you urged unceasingly, and at last successfully, the tardy concession of a manifest improvement.

In another matter of the greatest consequence to the poorest and most helpless of our people, the session of Parliament of 1869 produced a measure giving most important sanction and extension to the operation of a reform, which was first forcibly advocated in this place by leading members of your Society. When the Poor-law was introduced into Ireland, and for a very long time afterwards, orphan and deserted children, coming within the sphere of its operation, were maintained and educated in the workhouses, and there was no provision for their residence elsewhere. The results were very lamentable. Such care for their physical comfort and educational training as could be afforded, in those institutions, was often bestowed by benevolent guardians and efficient officers; but, in many cases, that care was wanting, and, even when it was exerted, it failed to preserve its unhappy objects from the demoralizing influences which, unavoidably, worked their degradation.

The atmosphere of the workhouse is, in general, corrupting. Providing some shelter for honest poverty and some solace for unmerited misfortune, it is necessarily open to the profligate and the depraved; and a strictness of classification and a sternness of supervision are needful to keep the young from destructive contact with them, which are not often established, and are always hard to be sustained. The poor children thus come to be polluted by vice in its multifarious forms,—to learn foul language and be prepared for fouler acts. And, even when they are tolerably preserved from this pollution, they are indurated by the want of that culture of the affections which can only be supplied by the relations of family life. Cast adrift by a bitter destiny from all the kindly influences which bind the human being to his fellows, in the opening of his existence, by the interchange of mutual attachment and the reciprocities of home-bred courtesy and service—knowing nothing of that unselfish love of a parent's heart which invokes response in kind from the children who are blessed by it—shut out from the cordial sympathies which grow amongst the members of a household, who have common interests and common aspirations—leading a loveless, joyless, hopeless life, without pleasure in the retrospect or brightness in the future—these poor outcasts become, in multitudes, hardened and self-involved; incapable of generous action and intolerant of legitimate control; inaccessible to genial impulses, ungrateful for benefits and perverse in rejecting friendly and helpful counsel.

One of my dearest friends, a wise and noble-hearted lady, has long laboured, with fruitful devotion, to reform the female convicts of Ireland, and get them back to virtue and to God. Her success has been marvellous. She has proved abundantly the fallacy of the belief—at all events as to our country—that women who sink into

crime are irreclaimable. She has actually reclaimed them in multitudes, and made them useful once more to the society whose laws they had defied; but she has told me, that of all who have come beneath her chastening influence she has found none so intractable, so desperately depraved, as those who have grown to womanhood in a workhouse.

Well, notwithstanding that these things were well-known to be so, by very many sensible and benevolent persons, more than twenty years went by, after the institution of the Irish Poor-law, before their flagrant mischief received check or cure. A whole generation of wretched beings was allowed to rise into existence under the fatal conditions I have imperfectly described, and become curses to themselves and the community, which was often obliged to regard them as amongst the most abandoned and incorrigible of the criminal classes. It is to the high honour of your Society, that in it was made the first informed and continuous assault upon a system so very evil. Paper after paper was read here and published in your transactions—notably in the year 1859, twenty years after the enactment of the original Poor-law; and three years afterwards—in 1862—a statute was passed, permitting the guardians of the poor to place the children consigned to their care in families out of the workhouse. I remember, very well, the passing of this Act, for I was a law officer at the time, and that there was considerable difficulty in settling its provisions. They were, by no means, so large and liberal as they ought to have been; but they were, nevertheless, of infinite service to the children whom they have brought within the pale of human sympathy, and accustomed to the softening and elevating influence of that loving care which will never be denied to the fatherless and the abandoned, in the humblest cottage where “kindly Irish of the Irish” can give them food and shelter.

By the Act of 1869 (32 and 33 Vic., c. 25) the age to which the children may be kept out at nurse is extended to ten years. This is an advance in the right direction, but I doubt whether it goes far enough. Some of those who have taken most interest in the working of the Poor-law think that it does not, and there has always seemed to me to be reason for urging, that such an extension as would probably lead, in many cases, to the lasting employment of the child in useful labour amongst those with whom he may be placed, and his consequent absorption into the healthy and active mass of society and permanent withdrawal from the Union, would be a great blessing to him and a substantial relief to the community. I believe, therefore, that it is worthy of careful consideration whether this reform, which was, to so large an extent, originated and promoted by members of your society, may not be carried further with public advantage? No doubt, there are conflicting considerations which must be taken into account, the value of which I cannot stop to estimate; but I believe it will be found that the period of age may be still further extended with safety; and, at all events, the question is important—whether it may or no?

Perhaps, you may be stimulated to pursue this inquiry, not only by the recollection of what you have achieved already, but by ob-

erving, as is proved by the second volume of the *Seanchus Mor*, which has lately appeared ("The 'Cain' Law of Fosterage," p. 147), that the ancient law of Ireland not only recognised and consecrated the custom of putting children out to nurse, with very careful and precise provisions for their guardianship, but also enlarged the time of their fosterage beyond any period which is now contemplated in relation to the Poor-law. Even yet, as in many other ways, the continuous effect of its ancient institutions on our people, after the lapse of centuries, is seen in this matter, also. The habit of fosterage and the recognition of its peculiar obligations and results have never been wholly lost to us; and we are, on this account, perhaps more qualified to realise the benefits of the legislative changes to which I have been pointing, and may be less apprehensive of any evil from their moderate extension.

At all events, I feel that I have been warranted in congratulating you on the part you have had in saving, heretofore and hereafter, so many of your fellow creatures from the sin and shame which were inevitably incident to the physical and moral education of the poor-house.

In close and happy relation with the matter on which I have last observed, is the introduction of another great social reform which has lately come into operation in Ireland, and of which your society has been amongst the most active and useful promoters.—I refer to the Industrial Schools' Act. The volume of the Judicial Statistics for 1868 gives us some curious information as to the advantage and necessity of this excellent measure. The number of the criminal classes, other than vagrants and tramps, in Ireland, returned as known to the police, is less than half the number in an equal portion of the population of England and Wales, and "this is more remarkable in view of the fact, that the proportion of the police to the population is very much greater in Ireland than in England and Wales, so that the returns in Ireland may be presumed to be more nearly correct, as the means of detection are more abundant."* This is highly satisfactory and very creditable to Ireland; but, on the other hand, "the relative number of vagrants and tramps under sixteen years of age in the two countries, is directly the reverse; the number in Ireland (3,680) being more than double the number (1,464) in an equal portion of the population of England and Wales."† It does not seem easy to account satisfactorily for this condition of things. To some extent, the existence for years past of Industrial Schools in England, to which the little vagrants are drafted with great advantage to themselves, and the want of them in Ireland, may partially explain the difference, in this respect, between the countries.

It was quite time that assimilation should be attained. The evils created by a vagrant population are very serious; and whether we regard our plain duty to the unfortunate children who are cast abroad as waifs and strays on the world, and are entitled to receive from the State that guardianship and guidance which they cannot

* *Criminal and Judicial Statistics, Ireland, 1868*, p. 10. † *Ib.*, p. 10.

give themselves ; or consider the importance of preventing the vagabond from developing into the criminal, preying upon society whilst he is at large, and becoming a burthen to it when it is forced to pay for his punishment,—in either way, morally or socially, for fiscal advantage or for the higher motive of redeeming from bad courses, our brethren of humanity whom untoward circumstances have put in the path of temptation and of vice, we are bound, so far as we can, to withdraw them from that evil path, and to withdraw them promptly, before the tyranny of habit and the domination of unregulated passions have made impossible their abandonment of sin and reconciliation with society.

Our reformatory system has worked extremely well, in the main, and preserved from ruin hundreds of poor creatures who, but for its existence, would have perished miserably, after spending lives of infamy. It is impossible to visit one of the well-ordered institutions which it has created, without a sense of grateful satisfaction that so many brands have been snatched from the burning—that so many hearts have been purified by the hallowed influences of religion and stern, yet kindly, care, which, but for them, would have been hardened in iniquity—that so many hands have been attracted to the pursuits of productive industry, which had been trained to habits of spoliation, and might have wrought deeds of murderous violence. But, pleasant and profitable as these considerations are, in connection with the reform of the youthful criminal, it was surely wrong to spend all our sympathies and employ all our strength for his advantage, whilst multitudes, still unstained by crime, but placed in circumstances almost inevitably tending to steep them in it, were abandoned to their fate. This was felt, long ago, on the continent of Europe. It is very many years since I saw with delight the magnificent establishment at Ruysellayde, which sheltered, and shelters still multitudes of the wandering children of that Belgic kingdom, in this, as in so many other things, a model for nations far larger and more important than itself. Scotland, also, has had her schools of industry for many years, and worked them with eminent success.

I hope and believe, that we shall not fail to avail ourselves wisely of this great agency of social improvement. There has been some difficulty in bringing it into full action ; but I am happy to say, that its value has begun to be appreciated ; and, in various places, preparations has been made for its energetic employment, under the benevolent influence of the excellent Inspector-General, who has fortunately undertaken the administration of the statute. An example had been given, without the help of legislation, years ago, in Killarney, under the auspices of Lady Castlerosse, who, at a cost of more than £2,000, established an industrial institution for poor girls which has been admirably managed and with the happiest consequences. The girls are principally orphans ; they are trained under a competent matron in habits of industry and order ; many of them have become quite qualified to be household servants, skilled in dairy work and laundry work ; and their noble benefactress has provided them good situations in England, France, and elsewhere. This school is now certified under the act, and thirty others have been also cer-

tified through various towns of the south, the north and the west of Ireland, with every prospect of doing most efficient service. The great majority of these are for females, and I understand that, at Cork, at a single meeting, £7,000 was munificently subscribed for such a school and an asylum. Schools for boys are also in progress in Dublin, Belfast, and Galway, and should be rapidly increased. In Limerick, I learn that £1,700 has been already subscribed for the establishment of one of them, with the promise of a very substantial annual endowment from my Right. Hon. friend, Mr. Monsell, who, at the opening of a late session, so well performed the duty of addressing you from this place. It has been proposed to establish Maritime Schools in training ships to be stationed at Kingstown, Cork, Kinsale, Tralee, and Belfast. In Dingle Bay, the harbour of Tralee—a place in which, from old relations and recollections, I have a special interest—there are some of the best dredging grounds in Ireland, and it was designed to make a fish-curing establishment there, and to have much-wanted fish markets opened in connection with it at Tralee and Killarney, the profits of which would greatly aid the school. These ship schools would be useful in many ways. They would give great facilities of wholesome and profitable employment to the boys, and of efficient control and discipline to the managers; they would provide the means of honest livelihood when the children become men; and supply numbers of intelligent and skilled recruits to the navy and the merchant service. At Mettrai and Ruysellayde, full-rigged ships are planted on the grounds of the reformatories, and the boys are taught the art of seamanship as well as they can be, on dry land, with much resulting profit to themselves and the State, in their respective countries. Of course, the actual training on the open sea which washes the Irish coast, would be, in every way, preferable to such a substitution for it on the plains of France and Belgium. I regret much, that these good designs have not yet been carried into action. Difficulties have arisen in connection with some rules of the Admiralty and otherwise, but they are not insuperable, and ought certainly be overcome. I trust we shall soon see industrial training ships in prosperous operation.

It may be gratifying to you to learn how many children have been already drawn from lives of penury and sin by our reformatories and industrial schools. I do not go into detail as to the various institutions, but adding the whole together, I find that they now contain 2,207 inmates.

Is not this matter for high congratulation? How much sin has been prevented, how much morality established, how much happiness secured, amongst the many helpless beings who, but for these institutions, would have lived and died in crime and misery—enemies of God and man! If the saying be as true as it is hackneyed, that he who makes a blade of grass to grow where none grew before is a benefactor to his species, how great should be the honor and the worthy pride of those who have helped in giving so many useful citizens to the State—so many immortal souls to heaven! In the establishment of a new system of social organization, such as I

have been describing, there are often errors of conduct and misconceptions of principle; and such things have not been altogether wanting in connexion with the management of our Industrial Schools. But, every day will tend to correct those errors and rectify those misconceptions. The system is based on the broad and sure foundations of public policy; it is commended by the results of the large experience of many lands; it ought to be especially welcome in a country whose relative criminality is small—whose relative vagrancy is enormous; and I have no doubt that, in spite of some temporary prejudice, and some passing antagonism, it will establish itself with the ultimate approval of all good men, and with abounding advantage to the whole community.

There are other questions of national importance, as to which the labours of your Society have been creative of public interest and conducive to fortunate issues in legislation. I have only time to advert to one more of them—but far the greatest of them all—the question which concerned the land of Ireland. That question has passed from the region of contentious politics; and neither my duty as your president, nor my judicial position, prevents me from saying that nowhere, before it received a legislative solution, did it attract more intelligent attention, or obtain more varied illustration, than from the members of your Society. Your transactions, for the last twenty years, abound with papers which deal with it, in all its relations and in all its phases. They followed the various attempts at its settlement, which were abortively made by successive administrations. They discussed the law of landlord and tenant as it existed, and its needful modifications. They considered the state of Irish agriculture and the means for its improvement. They insisted on the necessity of facilitating and cheapening the transfer of the soil, and making it marketable in reasonable quantities. They investigated the benefits and the dangers of creating a peasant proprietary, and the plans which have been designed for enhancing these benefits and diminishing these dangers. They described the tenant-right custom of Ulster, and considered how far, on what conditions, and in what ways, it might be made to base a tenant-right law for Ireland. They were full of information as to the land systems of France, and Prussia, and America, as the West Indies and Australia, and other countries; and they strove to make that information available for the amelioration of the land system here. They contained the well-considered judgments of some of the ablest of Irishmen on the remedy to be applied to evils, admitted on all hands more or less to need amendment; and, taken altogether, they presented a body of clear thought and exact knowledge on the matter with which they dealt—each with perfect independence of the other, according to the individual views of the several writers—which were often in conflict, but always put forward with clearness and moderation, not easily, I think, to be matched anywhere else.

I am well justified in saying, that the assiduity with which proposals for a land reform were devised and considered in this place, from year to year, the appeals which you made to enlightened opinion in connexion with that reform, and your efforts to give it soundness

and effect, were worthy of all praise, and tended materially to prepare the way for an equitable and generous settlement. The difficulties of that settlement were great, as its importance was incalculable ; and it seems to me that you did much to help the reconciliation of the just and the expedient—to harmonize theoretic speculation with practical possibility—to discover the basis of common interest which so often underlies the clamorous antagonism of struggling classes, and assures at once the maintenance of all true rights and the redress of all real wrongs—and to inculcate the spirit of temperate forbearance and tolerant consideration which, whilst it is entirely compatible with unflinching resolution in a good cause, dignifies its goodness and promotes its triumph, with the highest assurance of permanent advantage and the smallest detriment from temporary strife. It was in this spirit that all just and wise people desired the Land Question of Ireland to be approached and determined. The interests with which it dealt were too momentous to be made the playthings of political faction ;—the problems which it sought to solve required to be approached with unclouded intelligence and judicial calmness, and so they were considered whenever they became the subject of discussion within these walls.

Your labours and labours like to yours, continued throughout a generation, resulted in the Land Act of last session, to which it seems to me useful that I should very briefly advert. The period of heated controversy and party strife has passed away : and we have to deal with an accomplished fact of the largest importance to every class of our community.

"Nulla vestigia retrorsum!" The deed effected cannot be undone : and it behoves us all, whether we liked or disliked the doing of it, to endeavour that its results may yield the largest possible benefit to our country. It has evoked powers and established principles which must influence vitally the fortunes of generations of Irishmen : and the character of their influence, will depend, in a great measure, on the spirit and the purpose with which they may now be launched into action.

So far, its real value and the great issues to which it tends have not been adequately understood by the majority of the people : and it would be very deplorable if the full appreciation of them should be prevented or delayed.

For, putting the matter at the lowest to those who profess to act in the interest of the tenantry, and remembering that constitutional changes are progressive and do not often at once satisfy the ardour of the theorist, it is surely the duty of all good men, even if they do not deem that which has been effected in this matter as thorough as they wished, to see that the Act be not barren of the vast advantages which no one with the most moderate intelligence can doubt its capability of affording to the Irish agriculturist, if only he be induced to understand and utilize its beneficent provisions.

I cannot well conceive a graver social responsibility than that of the man who should strive to make our poor people ignore or contemn, and so unfortunately lapse, an opportunity of prospering in their own land such as was never vouchsafed to them before.

Certainly, if any one has reason to complain, the tenant should not be taught to do so. He gains advantages of the most substantial kind, whilst, in material respects, the position of the landlord is altered,—without his consent, and, as he will often conceive, to his serious disadvantage. His compensation will come from the improved circumstances of a settled state in which his social and proprietary interests will be in a greatly improved condition; but if complaint should be heard from any one, it might be expected more reasonably from him.

For my own part, I am of opinion, that the value of the Irish Land Act can scarcely be over-estimated. Shaped in the struggle of conflicting interests which inevitably compel more or less of compromise; and disfigured, in some particulars, by the obscurity which often affects our legislation from the adoption of amendments, in the progress of a measure, not always lucidly expressed or homogeneous with the other parts of it; that Act appears to me, in the large scope of its conception, the extent of the sphere of its operation, and the magnitude of its probable consequences, to be one of the greatest and the wisest which ever taxed the energies of Parliament. I ventured to describe it, in its passage through the House of Lords, as “a great reversal of the policy of the past”—“a generous endeavour to atone for wrongs inflicted and sufferings endured,” through many miserable centuries, by the Irish nation, and now that it has the force of law, I remain of the opinion I uttered then, and hope earnestly that no groundless distrust, the not unnatural outcome of evil legislation in the past, or unhappy misapprehension of its provisions, may lead our people to forego the blessings it offers for their acceptance.

Of course, I am not here to make a commentary on the statute, but let me state, in half-a-dozen sentences, some of the things which it has certainly achieved.

It has worked, according to Irish ideas and Irish traditions, from the basis of the Ulster customs, and sought to give the entire tenantry of Ireland that substance of estate and security of interest in the soil, which have so largely contributed to the prosperity of the Northern Province, and which would not have been very sure possessions even there, if they had not been legalized by it, and shielded from invasion.

It has reversed the presumption founded on the ancient maxim, “*Cujus est solum ejus est usque ad cælum*”—which so often falsified facts and outraged justice—giving to the owner of the land all the property with which it had been enriched by the toil of the occupier, and denying any recompense for the unwarrantable spoliation.

It has secured to every tenant in the land that compensation for all his real improvements, which, for more than forty years, has been the object of the endeavours of the people of Ireland—always pursued with earnest anxiety, often the prompter of violent agitation, sometimes apparently on the point of attainment, but ever, heretofore, eluding their hopes. Now, they have achieved it; and it is given in a large and liberal spirit, unclogged by the conditions which have so often rendered the partial offer of it, in former measures, practically

useless ; and free from limitations which would make impossible adequate repayment and complete justice.

It were well, if those who have thought fit to assail the Act as worthless to the tenant, could be made to remember that this single portion of it, in the days of Mr. Sharman Crawford—the honest and admirable man whose labours so much conduced remotely to the reform in which we have such reason to rejoice—and in days long after his, would have furnished matter of the greatest thankfulness and the heartiest satisfaction to the tenantry of Ireland. The changes effected by its other provisions were not even the subjects of popular demand or expectation ; yet they are, perhaps, of still higher worth , and the accumulated concessions can only fail to be estimated at their true values whilst they remain unknown.

For this Act gives the tenant-farmer a protection, not in Ulster only, but throughout the country, more ample than, in times gone by, he ever dreamed of possessing. He was at the mercy of his landlord. The notice to quit was, for him, the sword of Damocles which for ever threatened his social existence, and from which he was powerless to escape. The absolute will of the proprietor terminated his tenancy, without condition or restraint , and he was very much in the case of the serfs of France under the old *regime*—“ *a merci et misericorde.*” No doubt, in the vast majority of cases, legal rights were not pressed to an extremity, though, sometimes, political vengeance or personal interest prompted their enforcement. But those legal rights existed, and they might at any time find ruthless exercise. Now, the tenant has a claim against his landlord, merely by reason of the possession of his holding. The power to evict remains , but it is no longer absolute. It is conditional, on payment of compensation, not for improvements only, but for disturbance also ; and a graduated scale, regulated according to the value of the farm, checks the action of the landlord, and secures a substantial property to the tenant, which he must be allowed fully to realize before he can be driven from the land.

In this sense and to this extent, for the first time the peasant becomes really a proprietor ; and the interest so secured to the whole of the Irish tenantry is, potentially, of enormous amount. It will not be enjoyed by them in money value, because they will not suffer the evictions necessitating its payment , but they will have the better profit of it in quiet possession of their little holdings and happy pursuit of their various industries, without fear of confiscation of their improvements, or arbitrary and capricious extrusion from their homes.

Only another word upon this subject, with which I had not meant to deal so largely ; but on which I shall not have spent your time in vain if I have been able to convey, for practical purposes, my own strong sense of the incalculable benefits the agricultural community may reap from an intelligent application of the provisions of the Land Act.

Its second part is designed to aid, as no legislation ever did before, the creation of a small independent proprietary in Ireland. Of the value and necessity of such a proprietary—how it will bridge over the dangerous chasm which yawns between the very rich and the very

poor—how it will consolidate and strengthen the social fabric by graduating the descent from the highest to the lowest, and making all its parts hold together harmoniously and in due proportion—how it will maintain peace and order in the country, by the creation of a body of men having a real interest to guard and a sure prosperity to seek, for themselves and their descendants;—of these things I have spoken to you largely before from this chair; and I have neither time nor inclination to repeat my observations. But it is, in my judgment, one of the noblest designs of this great act of legislation, to help forward the good work which I and others have striven to recommend, with little hope that it would so soon receive such assistance from the State. The Irish tenant who, by toil and thrift, has accumulated a little money, may now look forward, with fair anticipation of bettering his social position, and lifting his family to a higher station in the world. If a property be in the market, and he has a third of the money necessary to purchase it, he can go to the Board of Works, and obtain an advance of the additional two-thirds, which he is permitted to re-pay, on easy terms, in a fixed period of years. Thus, on the one side, the accumulation of the tenant's industry gives a guarantee to the state of his character and good conduct and capacity of effort, whilst he is enabled to exhibit those qualities, in a wider sphere, with advantage to himself and to society, which, but for the aid so afforded him, he could never have obtained. This portion of the Act was received with peculiar approval in both Houses of Parliament, and I most sincerely trust that it may be found to have a wide and ample operation. The savings of the tenant farmers—I believe amongst the most frugal people upon earth—which have been lodged in the various banks to the amount of the larger part of twenty millions, at a very low rate of interest, will now find, by degrees, fruitful and legitimate employment. Heretofore, those hoards have really been a reproach to our social and legislative systems, indicating a want of opportunity for profitable investment, and a want of confidence in the only means of utilizing them afforded to the farming classes, such as existed in old France, when Rousseau tells us, in his "Confessions," the peasants hid their gold in pots beneath the kitchen floors. Hereafter, the small capitalist will find his best bank in the soil, purchasing, as a proprietor, with public assistance when he can, and improving, as a tenant, when he cannot,—with the assurance that, in either case, no man can take from him the fruit of his honest toil.

There are other matters of consequence in the provisions of the Statute, such as the extension of the powers of limited owners, and the division of the burthen of the county-cess between landlord and tenant, to which I might profitably advert if I had time, but what I have said is abundant to justify the statement of my high appreciation of the value of this Act, and my anxious wish that it should be made clearly intelligible to the masses of the people.

The endeavour of all good Irishmen should be to facilitate its proper working, and make the best of it. There is no longer excuse for acrid criticism or captious argument. The act is passed for good or evil,—I believe for great good to all,—and all should combine to

see that it be worked for the general advantage. The landlord and the tenant have a common interest in this—that there should be as little strife and as much mutual concession and mutual kindness as may be possible. The good landlord will not really feel the measure hard upon him, for it requires him to do very much as he has acted hitherto, and as his own kindly instinct and sound judgment would have led him always to behave without any legal pressure. The value to the tenant is, that he has the security of the law for that fair treatment which before was given without a sanction, and might have ceased on the misfortune or the death of the proprietor in whom he had safely trusted for justice and protection.

On the other hand, the landlord who is disposed to be harsh or grasping, will feel the deterrent force of the penalty he may incur for any wrong-doing, and prefer the maintenance of friendly relations with his tenants to an expensive wrangle and a possible defeat, in a court possessing extraordinary powers to effect justice, without much restraint of legal technicality.

The tenant, who is perverse or unreasonable in his claims, will find himself at disadvantage in a bootless struggle, and shrink from entrance on it; and I have much hope, although, before experience, it is hazardous to speak of such a matter, that the good sense of the several classes, acted upon by their good feeling, and kept straight by the danger of the penal consequences of divergence from a perfectly fair course, will very soon make the working of the act facile and kindly, to the avoidance of wanton or vexatious litigation.

In many districts, where the relations of classes are already satisfactory, its operation may scarcely be felt, save in the fortunate consciousness of added security on the part of the occupiers; in others, the restraint on capricious eviction will tend to establish those good relations; and, in all, I think we may fairly look forward to a better era in which there will be a larger sense of reciprocal confidence and respect amongst the various orders of the community, and a greater reverence for the laws which have given such protection to industry and encouragement to progress.

The change may be gradual—it may not be marked by any startling events or any rapid alterations in the character or condition of men. Great results are accomplished calmly, as the light steals forth to wake up slumbering nature, and the dew drops unseen to fertilize the earth. And I hope soon to see this healing statute shedding its blessed influences on a people to whom, I am convinced, if they will only understand and employ the means of prosperity it affords them, it will be the happy harbinger of peace, security and national contentment.

I have said too much on this topic; but I wished to take advantage of the occasion to express my views upon it, in the hope that the expression of them may be of some utility beyond these walls, amongst many of my countrymen who know I would not willingly deceive them.

The matters to which I have so far adverted as illustrations of the value of your past labours, and fit to encourage you in those you may essay hereafter, connect themselves mainly with the de-

partments of your organisation which deal with social science and the amendment of the law. If I had time and could venture to detain you, I would say something of the influence this Society has exerted in creating for Ireland a school of statistics which acknowledges no inferiority to any other in the United Kingdom. It owes its eminence very much to some of your energetic members, of whom, in their presence, I am not at liberty to speak, and especially to one of your Vice-Presidents, Sir Thomas Larcom, whose great proficiency in this department of knowledge, applied effectively and continuously, according to the opportunities afforded him through the various stages of his official career, has left its traces largely amongst us. Our Ordnance Survey, our Agricultural Statistics, our Registrar-General's Reports as to Births and Deaths—the completeness and correctness of our Census, and our Criminal and Judicial Statistics—are all, in my judgment, most creditable to us, presenting a mass of exact and reliable information, the production of a well-ordered system, which will continue its action probably with even more valuable results. We have had some special facilities, through our constabulary force and otherwise, which have been well employed for acquiring a knowledge of the minute details of our agricultural condition and progress, and the effect of the example we have set, in this regard, has been very beneficial in other districts of the Empire.

Our Ordnance Survey is a very remarkable, and, in some respects, a unique achievement of conscientious effort and high intelligence; and the single memoir (of the County of Londonderry) which was published in connection with it, is equally admirable in design and execution. I lament that it was not followed by others, illustrating the history and statistics of our various counties. It was a real wrong to Ireland, that a work of such national importance should have been abandoned at a time when the materials for its completion had been accumulated, and a number of rarely-accomplished men were gathered together by whom those rich materials might have been put to noble uses. The materials still exist, but the men have departed—some to other countries, and the best of them to another world. It is a sad retrospect. It has been an irreparable misfortune. Ireland will not see in this generation, and probably will never see again, within their own peculiar sphere, such workers in her service as George Petrie and Eugene O'Curry and John O'Donovan! I trust that the time may come when the great undertaking which was so auspiciously begun may be carried to completion, even though with inferior help and at sad disadvantage; and I am sure, when the fit occasion may arrive, this society will not fail to assist in making it profitable for so good a purpose. But, even with this shortcoming, the statistical progress of Ireland has been more than satisfactory; and I am warranted in saying that not a little of it is due to your honest and successful endeavours.

So far I have spoken of incidents in your past history, and of accomplished facts of which you have reason to be proud. But that history is not concluded; and I hope you are destined to multiply those facts for the benefit of Ireland. During the

years which have just departed, great political measures have absorbed the thoughts of men, and the study of the economic and social problems legitimately engaging your attention, may have become less attractive from the more engrossing interest of the discussions which those measures have induced. When speculation, long pursued, reduces itself to action—when the statesman begins to evoke from the figures of the statistician and the theorems of the economist, the vital principles which go home to the hearts of nations, and move them to passionate assertion of themselves—they to whom the figures and the theorems are due may admire the brilliant produce of their own patient toil, but necessarily give place, for the time, to those who move in the more stirring sphere of legislative activity. Some of you may have felt the influence of this state of things; and I am not quite sure, from what has been reported to me, that it has not, to some extent, diminished the success and interest of your meetings, but you have great and good work to do, and you must not yield to any passing discouragement. In a land like ours, so full of social anomalies—so backward in many of its social arrangements—so wanting in that organised and potential opinion which Pascal called “the ruler of the world”—needing much light and help in the period of its transition to a better state, which has been ever, for all countries, full of trouble and disorder—in such a land you need not fear the want of ample subjects for earnest thought, and the full reward of success for honourable effort.

Take, for the sake of illustration, three or four of the numerous questions which still await a reasonable settlement. I have said that Ireland may boast that she furnished the model of the County Court of England more than seventy years ago, but the imitation has bettered the original. The Irish Civil County Court is a court of equity for the defendant, but has no general equitable jurisdiction. In England, the County Courts are clothed with such a jurisdiction; and, beyond a doubt, it is most desirable that you should seek assimilation with them in that respect. The County Court was created for the benefit of the comparatively poor; and yet, in very many cases, as of account, and administration, and specific performance, in which it is wholly impossible for such people to invoke the jurisdiction of the Court of Chancery, their access to the Civil Bill judge is wholly useless to them. He has no authority to entertain their claims; and the relief which the rich man could compel, under precisely the same circumstances, is denied to those to whom it is equally due and may be more important. This is a great evil; it pressingly needs redress; and the removal of it will prevent the practical denial of justice in a multitude of cases, and confer real benefit on the humbler classes of the Irish people. Thus, and in other ways, the local administration of justice is capable of great improvement; and beyond it you have a fruitful field of action, which will afford large occasion for useful effort during many a year. The Law of Bankruptcy, to which, I observe, you mean to devote special attention during your present Session; the Law of Lunacy, the Law of Marriage, the Grand Jury System, and the Jury System generally; the application to Ireland of the cheap and facile machinery applied in England for

securing the good government of towns; codification and the revision of the statutes, educational and sanitary reforms—these are some of the subjects which invite attention, and demand to be dealt with. I cannot pause to consider any of them, or others which will suggest themselves to your thoughts. But it is manifest that work of the most important and difficult kind remains to be done, and that you need fear no exhaustion of your opportunities of usefulness.

The settlement of the great questions that have lately engrossed the attention of Parliament, avails the economist and the student of social science in a double fashion. It clears the way for the advancement of administrative reforms, which, however necessary and valuable in themselves, were dwarfed into temporary insignificance by large interests, rousing strong passions and committing great parties to violent encounters for supremacy. And it does more, in teaching the people that, whatever may be the requisitions of public opinion in these countries, they will surely be enforced, even in spite of resistance apparently unconquerable, and difficulty inducing despair of their concession. It proclaims that, within the limits of the constitution, and by legitimate and legal means, all real grievances may find their full redress.

This is the lesson which late events should bring home to the brains and hearts of Irishmen. They have had many sorrows in the past, but they have much ground for thankfulness in the present, and hope in the future. They look abroad and see the world convulsed, its fairest regions devastated, its ancient kingdoms "perplexed with fear of change," the blood of myriads poured out like water, and famine completing the ghastly ruin of the war. And they are permitted to rest in their island home—cultivating the charities of life—pursuing the ways of industry—with complete security for the privileges they enjoy, and the way open before them to attain to any they may still fairly claim. The dire spectacle which horrifies mankind should make us doubly grateful for these advantages, and if we will learn to value what we have, and work honestly and wisely to better it, we shall find in the coming times a contrast and a compensation for the past. Many an obstacle has been taken from our path. Our energies have been relieved of many a palsying influence. Barriers which held us apart from each other have been broken down, and we may hope, at last, to unite in wise and loyal efforts for our national improvement. And when we do, the wistful words of the great poet, applied to his own country, may be found to indicate the truth as to ours—

"O, Ireland! model to thy inward greatness,
Like little body with a mighty soul!
What might'st thou be that honor would thee be,
Were all thy children kind and natural!"

All things which our true honour or interest may dictate, are within our power, and if we will only act with patience and discretion, endeavouring to realize the profit of the changes which have been effected—avoiding wild or wanton courses, which might mar the operation of those changes, and the development of their results—

relying on ourselves, but cultivating the good will and friendly offices of our brethren throughout the empire—and labouring, by the exact fulfilment of duty and practical progress in education, industry and the arts of social life, to lay the sure foundation of a better future,—I am well persuaded that such a future will come to us, and abide with us, and make us a prosperous and happy people. Nearly twenty years ago I concluded an address, on an occasion not unlike the present, to a Northern audience, in words with which I shall venture to end to-night; premising that if the anticipation they conveyed had any ground of probability at that distant time, the events which have intervened make me utter it now with tenfold confidence:

“Dynasties have been exalted and destroyed—empires have risen and decayed—power and riches have passed from land to land in continual alternations of victory and defeat, during the centuries which have seen Ireland always distracted, always weak, always miserable. For her only there was no redemption. To her only hope came not, that came to all. She had no place in the march of nations—no profit from the revolutions of the world. But, even for her, the day-spring has arisen, and she touches the opening of a great career. ‘All estates,’ says Sir Thomas Browne, ‘arise to their zenith and vertical points according to their predestinated periods—for the lives not only of men but of commonwealths, and the whole world, run not upon a helix which shall enlarge it, but on a circle where, arriving to their meridian, they decline in obscurity, and fall under the horizon again.’ So far, this, the common lot, has not been ours. Our rising remains to be accomplished. The shadow of our obscurity has not passed away. But, looking around us and before us, we may rejoice in the hope, that we, too, approach the beginning of our ‘predestinated period.’ And, as we learn that there is more of equality in the conditions of individuals and communities than is at first apparent, when we consider the dealings of Providence with the entire life of the individual, and the many generations which make up the life of the community, we may have humble trust that, in its eternal counsels, there are reserved for Ireland a happiness which may counterbalance her heavy suffering, and a dignity proportionate to her deep humiliation.

“She has the natural freshness, and the unexhausted vigour, and the salient life of a young people, whilst she is permitted to enjoy the benefits of a matured civilization, and boast herself ‘the heir of all the ages,’ the heir of their old experience and their hoarded wisdom. Of a country so gifted, and with such a future, let us think worthily, and act up to the measure of our thoughts. Let us refuse to despair of Ireland any longer; let us have faith in her rising fortune, and advance it with all our strength; let us acknowledge the wickedness of our mad dissensions; let us cherish the spirit of mutual love and trust, and, appreciating the power of honest effort, and the nobleness of self-dependence, let us strive together—each in his own sphere, by work or word—to lift her from her low condition, and build on a solid foundation her new prosperity, in our successful industry, our pure morals, and our enlarged intelligence”