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## STATISTICAL AND SOCIAL INQUIRY SOCIETY OF IRELAND.

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I.—*On Criminal Statistics; especially with reference to Population, Education, and Distress in Ireland.* By Mark S. O'Shaughnessy, Barrister-at-Law.

[Read Wednesday, 18th May, 1864.]

“Jurisprudence,” (said Lord Brougham, upon introducing to the House of Lords his Resolutions on Judicial Statistics,) “is eminently a practical science, and the work of a safe, because a prudent law-giver is, for the most part, of a tentative kind. It behoves him to carry it on with a constant reference to the effects which his measures have produced. He can but dimly see even to the shortest distance before him; therefore he is bound carefully to look behind and on each side, that he may be well assured he has made no mistake, and be full sure of his ground.”\* The argument which the venerable and learned lord thus adduced in favour of a new and more extended system of judicial statistics comes with greater force upon those whom sense of duty towards their kind, but especially towards those of their own country, has drawn together to investigate the various features of social life, to examine into the

\* *Lord Brougham's Acts and Bills.* By Sir JOHN E. EARDLEY-WILMOT. London: Longmans. 1857. Pp 731, 822 In the *Analytical Review*, the learned editor says —“Although the Bill proposed by Lord Brougham has not been accepted by the Government in its fullest and most comprehensive scope and bearing, yet we rejoice to find that the immense importance of the subject has not escaped the reflective and intelligent mind of the Secretary of State for the Home Department. Under his direction a most useful table of Criminal Statistics, relating to Commitment, Trial, Conviction, and Punishment, including other matters within the cognizance of the Home Office, has been compiled and presented to the Legislature. A similar volume is to be annually published, and is intended to comprise, in addition, Civil and Commercial Statistics” (LXXIX.)

The speech referred to will also be found in *Hansard*, vol. cxi. (1856) p. 1674 *et seq.*; see also, vol. cxli., p. 33.

causes of social disorders, and to devise the prudent means of their correction. The work of the statist has rendered this comparatively easy. Since the time when the great law reformer of this age proved to the legislature the absolute necessity to the makers of the laws, of a knowledge of all the facts connected with the execution of the law, and explained distinctly in what tabular forms that knowledge could be obtained best, the wisdom of his words has received a constantly increasing acknowledgment. In this country, especially, the conscientious labours of the distinguished men who preside over the different public departments have made available a body of information, in which can be investigated many features in the relations which population—labour, in its various forms—education, and its results—poverty, its causes and the accidents attending it, bear to crime; and from such investigations conclusions can be drawn which shall be to the lawgiver, in Lord Brougham's words, "as the chart, the compass, and the lead are to the navigator."

In the session of this Society in 1860-61, I availed myself of the admirably arranged returns of the Dublin Metropolitan Police, to bring before the Society some of the aspects of crime in this city, especially in regard to education, and from the facts adduced in the paper then read I pointed out what appeared to me to be the direction which efforts towards the diminution of crime should take. "By resisting the continued influx of country pauperism into the large towns; by exerting actively the legal powers of enforcing sanitary regulations; by discouraging the demoralizing crowding together of the poor in close and filthy city habitations; by insisting upon the constant use of moral agencies in the education of the young, not mere school instruction, but systematic training in daily labour—by efforts tending to such ends (it seemed to me) crime must be diminished and society improved."\* No array of facts, no columns of figures need be marshalled to carry conviction to most minds of these truths. But, baffled at times to find the true causes for the results which statistics seem to present, at fault to know why, with a set of facts of one kind, another set of facts apparently consequent or necessarily co-incident are yet not traceable; baffled, at fault, as to all we would know, through insufficient information or deficient intelligence, yet there never fails to be found enough to keep us in heart for warring on against ignorance and against idleness. Twenty years ago, more than half the eight millions and upwards of people who then formed the population of our country were totally without any literary knowledge. It is not so now. It is sadly true that our population has decreased within that period at the rate of 29 for every hundred; but it is happily true also, that in the same period ignorance too has declined amongst the people of Ireland so as to be now 39 instead of having been at the rate of 53 for every hundred. The one-roomed houses, the mud cabins, which made our people to be pronounced with all the authority of a Royal Commission "the worst-housed in Europe," have all but disappeared. It were well, indeed, if in all else we could follow up these subjects for congratulation, and that, as we recognize the spread of education and the

\* See *Journal*, vol. 3, p. 61.

diminution of misery and the removal of a squalor which disgraces and degrades our common humanity, we could too see labour grow, and that it should not still be a fact that with over 20 millions of acres in this fertile island, no more than about six millions of them (5,704,959) give work to the husbandman.

At the outset of any examination of the criminal statistics of Ireland stands the gratifying fact of the wonderful diminution of crime. In the year 1851 the number of convictions was 14,377, or one in every 453 of the population; in the last year for which the figures have been completed (1862),\* the number of convictions was 3,796, being one in every 1,528 of the population.

Another gratifying fact is to be found in the continual decline between 1855 and 1861 of juvenile prisoners, that is, of persons not exceeding 16 years of age. The decrease in the period is, from 556 boys in 1855 to 143 in 1861, and from 175 girls in the former year to 47 in the latter. In 1862 this number was further reduced to 36, whilst the general increase of crime which occurred in the year in excess of 1861 added but 16 to the aggregate of boy offenders.† In Richmond Bridewell, according to the last (1863) Report of the Board of Superintendence of the city of Dublin prisons, "a juvenile pick-pocket has become a rare case." (P. 12)

Still more gratifying results follow an examination into the nature of the offences which have decreased in Ireland. Of those sent to trial for the more serious offences, including murder, attempts to murder, shooting at, or stabbing, solicitation or conspiracies to murder, manslaughter, setting fire to dwelling-houses, attacking houses, maiming and killing cattle, riots, rescues, assaulting peace officers and perjury, the total was, in 1851, 4,479; in 1861, 1,042.

The particulars bear investigation well. For murder there were sent to trial in 1851, 118 persons; in 1861, but 30: for conspiracy to murder, in 1851, 10; none in 1861: for attacking houses, in 1851, 66 persons; in 1861, but 5: for riot, in 1851, 1,827 persons; 449 in 1861: for rescue, 1,915 in 1851; in 1861, but 224; and in almost every other description of serious offences a marked diminution is to be found.‡

In the committals for trial at assizes and quarter sessions during 1862, there was a very marked increase over the preceding year—an increase of 1080, being in excess of 1860 by 1280. The greatest actual increase was to be found in offences against property, *without* violence; of which class of cases there were 478 more committals in 1862 than in the preceding year, being equal to an increment on the numbers in 1861 of nearly 24 per cent.§ Without forestalling a future portion of this inquiry, it may be sufficient to point attention at once to the fact, that in 1862 distress was so great that 73,719 persons were relieved more than in the previous year, being 132,018

\* *Criminal Tables for the year 1862, Ireland*, (signed) J. Corry Connellan, John Lentsaigne, Inspectors-General of Prisons.

† *Criminal Tables*, p. ix. Upon the subject of juvenile crime, see Appendix C.

‡ *Criminal Tables*, p. v.

§ *Id.*, p. iv.

more than in 1859.\* Not unconnected with this distress, (for in times of pressure robberies from the person may be expected to increase, but, if capable of full investigation, attended most probably with circumstances, in a moral aspect, of a painful kind) is the increase in offences against property *with* violence, amongst males only at the rate of 12.79 per cent., whilst amongst females† it was at the rate of 58.93 per cent. On the other hand, in offences against property without violence, the increase amongst males was at the rate of 31.03 per cent., but amongst females only 12.92 per cent.‡

Although in the aggregate there was an increase also in offences against property, with violence, (72, equal to nearly 20 per cent. increase over the number in 1861), yet the particular crime of taking and holding forcible possession included 83, against 122 in 1861. So, too, in another offence of an agrarian character, assembling armed unlawfully, the returns give but 28, against 76 in the previous year; and for setting fire to dwelling-houses, persons being therein, 16 had been charged during 1861, and but 7 during 1862.

But during the intervening years between 1851 and 1861, the totals have shown much fluctuation. The decrease had gone on from year to year to 1860, when the total number and the proportion to the population fell to a minimum. Of convictions, there was 1 to 2,014 of the population. In the following year, 1861, a considerable increase suddenly occurred, and, although in 1862 there was again an increase over the preceding year, yet the total number was less than in 1857, and the proportion to the population was about the same.§ But coincident with these occurrences

\* See Appendix A.

† The increase of the number of prostitutes in Dublin is another painful circumstance connected apparently with distress, particularly in the year 1862. The Metropolitan Police returns give the numbers as follows (Table, No. xlii., p. 46):—

1862	1,025
1861	922
1860	963
1859	859
1858	704

This subject was adverted to in the paper already mentioned, *Journal*, iii., p. 68.

The returns for England and Wales also show an increase in the same miserable class —

	1861.	1860.	1859	1858.
Under 16 years of age,	1,928	1,873	2,037	1,647
16 years and above,	29,572	28,927	28,743	27,113

But the per-centage to population was more favourable in 1861 (1 in 636.8 than in 1851 (1 in 549.6). In 1861, in the commercial ports, this class numbered 1 in 216 of the population, in the seats of hardware manufacture, 1 in 499; of cotton manufacture, 1 in 541.7; whilst in some of the agricultural counties the proportion was 1 in 1430.7.—*Judicial Statistics*, part 1. (England and Wales), 1861, pp. ix.—xi.

‡ *Criminal Tables*, p. vii.

§ In Scotland also, for twelve years, the annual reports on prisons led to the satisfactory conclusion that crime, so far as it was represented by imprisonment, was each year steadily decreasing. This tendency turned suddenly in the year 1861. The increase has made steady progress during the two ensuing years.

were some others, and the examination of them leads at once to the consideration of the effects of good or bad times on committals to prison.

About the year 1856 this question formed the subject of controversy between, on one side, the author of the remarkable series of reports on Preston Jail, which have exercised much influence on prison discipline in England, the Rev. John Clay, and on the other side of the question one whose memory is honoured in this Society, the late Richard Hussey Walsh. Mr Clay produced figures to show that during years of distress (1847-8) the committals to prisons were very few, whilst during the great prosperity of 1851 the committals had reached their maximum.\* The inference was disputed by Mr. Walsh as based on inconclusive evidence; and from elaborate statistics laid before the British Association in Dublin in 1857, Mr. James Moncreiff Wilson derived the conclusions:—

“That want and privation are fruitful multipliers of all classes of crime, and that to such a parentage we may safely look first when we find a general and marked increase in the crime of a country.

“That although during the years of distress the tendency to every class of crime was greatly increased, it was chiefly offences against property committed without violence which swelled the criminal calendar of Ireland.”†

Now the stringency with which the workhouse test is applied in Ireland, the distasteful nature of that description of relief, and the large proportion which it bears to the total relief given, make the number so relieved in any year an absolute test of the existence of poverty and privation in the country. Nor should this be encumbered with the numbers in receipt of medical poor law aid which have gone on since 1853 in an almost uninterrupted yearly increment as the system came into wider operation, and its value became better known to the population at large.

With regard to the emigration which forms so remarkable a feature in the history of the Irish people, it might be supposed that in a year of prosperity there would be less inducement for the people to quit their homes, and that a year of pressure would increase the desire to seek for better fortunes. But taking the returns which are available, namely, of those who went from Irish ports stating that they did not intend to return, it appears that in 1858 the emigration, which for each of the three preceding years had gone on at the rate of over 90,000, suddenly fell to 64,000. Now in that year the total number on relief (which in 1854 had been 319,616) was as low as 183,056, being a decrease of 7,767 under the preceding year. Never-

(*Twenty-fifth Report on Prisons in Scotland, 1864.*) So, too, in England, the number of apprehensions in 1861 exceeded the number in 1860 by 2,312, or 9·3 per cent. They were 53·5 per cent on the number of crimes, being a higher proportion than in either of the preceding years (*Judicial Statistics, 1861, part i., xii.*)

\* *Reports on County House of Correction at Preston. Preston, 1858, p 93.*

† See *Deductions from the Statistics of Crime for the last twelve years*, by Richard Hussey Walsh, LL.B. (*Journal of this Society. i. 385*), and *Statistics of Crime in Ireland, 1842 to 1856*, by James Moncreiff Wilson, Esq (*Journal, ii. 91.*)

theless, a still further reduction of 23,925, having taken place in the following year, when the number relieved fell to the minimum in the decennial period, the number who emigrated again increased in that year to 80,599; and although the numbers relieved in 1860 exceeded those in the preceding year by 20,383, and that again in 1861 an increase occurred of 37,916, and that also there was again an increase in 1862, namely, 73,719, yet the emigration returns show no corresponding features of increment. In 1860 they mark a fresh impetus given, it may be by the distress of that year, a larger number (84,621) having gone than in the preceding year; yet in 1861 the number decreased by over 20,000 (64,292), and although there was again an increase in 1862 (70,117), yet the figure then reached was below any of the preceding years in the period, 1858 and 1861 excepted.\*

What seems the truth about this continuing emigration of the Irish people? Without presuming to dispute the conclusions of those who can trace the *rise* of this great movement in the action of economic laws, the *continuance* of it seems to depend upon circumstances with which economic laws have little, if, indeed anything, to do. Between May 1st, 1851, and December 31st, 1860, whilst year by year a lesser and a lesser number had recourse to poor law aid, the emigration was going on; 1,174,179 persons (considerably more than one-fifth of the population according to the last census) embarked from Irish ports. "An emigration so vast (say the Census Commissioners, *Report on Ages and Education*, p. 10) as that by which Ireland was drained of the most reproductive part of its people, from 1845 to 1851, could not have failed to draw after it a continuing efflux of the population, even had the ten years which we have just traversed been far more prosperous than they have actually been. This may be affirmed with the greater certainty, when the proverbial strength of family ties amongst the Irish people, and their apparently irresistible tendency to reunite at the earliest opportunity, are taken into account." Tracing upon the illustrative map which the commissioners have appended to their report, some of those districts whose deep shading in that relating to 1841 showed the density of the population, and finding how white and clear of such lines many of them now are, one cannot help thinking that many of our poor countrymen at home, by the shore of Lough Derg or Lough Ree, may find themselves more lonely than they would be away by Champlain, or where once "wild Oswego spread her swamps around;" and that near the

"Glorious woods and teeming soil  
Where the broad Missouri flows,"

are more of kith and kin than remain by the banks of the Suir or Blackwater. It is not to our purpose now to say whether the emigration across the Atlantic will stop when wages here have found an equality with wages there; certain, however, it is, that as an element to fix the periods of pressing necessity in this country emigration returns cannot be safely relied on.

\* Appendix A.

Making a comparison of the numbers relieved with the numbers convicted of crime, what is the result? From 1851 to 1859 a decrease of pauperism and of crime in almost the very same ratio—the one, from 755,347 to 159,131 (4.7 per cent.); the other, from 14,377 to 3,109 (4.5). In 1860 crime again decreased and came to its minimum, since when there has been yearly an increase, as there has also been of the numbers on relief.

Two remarkable circumstances have already been adverted to, namely, indifference to retaining their old homes, as shown by the continuing emigration of the people, and an abandonment of the old policy of "the wild justice of revenge," as shown by the diminution of crime of an agrarian character. Is it to be gathered from these facts that the people have given up the struggle for the land, which being, too, a struggle for existence, was the cause of so much reckless outrage upon law, personal safety, and personal rights? Apart from any reasons arising from old historic causes why the Irish people should have paid little reverence to the constituted authorities, there might, perhaps, have been in their minds distinctions to be drawn as to their duties when justice was to be vindicated, between offences against the person arising from disputes between man and man, and contentions as to personal rights leading to offences against property. In the one case there might have been a readiness to let each party "fight it out;" in the other the love of equal justice might have led to aid being given to a neighbour to recover what was his own, and to punish the thief—a reduction into practice of the distinction that the preservation of life is a natural right, the preservation of property a right of society. Yet it does not appear, on a comparison of Ireland with England and Scotland, that there is more difference in this country than in those between committals and the convictions following them. In 1861 the convictions in offences against the person were to the committals 54 per cent; against property 63; in 1862, 56 per cent. and against property 60. In England a larger proportion of convictions are had: they were in the latter year offences against the person 69 per cent.; against property 77; and in Scotland offences against the person 69; against property 76.

Have the systems of prosecutions anything to do with this? Is it that where there is a public prosecutor representing the crown, he standing indifferent between the crown and the accused, places all the material evidence before the jury, and to them and to the court leaves the issue? As our criminal law is founded upon principles that are permanent, uniform, and universal, so should its administration be free from the impetuous dictates of avarice, ambition, and revenge.\* When, therefore, public wrongs are vindicated as if the acts committed were the violation of private rights, when it is left to the individual injured to obtain redress for that which is indeed a harm to him, but is to the community and the public safety a deeper wrong, it may be doubted whether prosecutions will be pursued in the same temperate spirit; and whether a bitter,

\* *Blackstone*, (by Serjeant Stephen), B. vi. Chap. 1.

acrimonious, revengeful feeling will not direct the proceedings against the accused.\*

Is this then the reason why a greater number of convictions are to be found following committals in Great Britain than in Ireland? Is justice insufficiently administered under the Irish system? I think not. But have we full and precise information? Although the number of committals constitutes a better index than the number of convictions as to the tendency to crime, yet information as to the crimes which never reach a court is absolutely essential to the formation of an estimate touching the real state of crime in the community, and the action of the law in detecting or preventing crimes. If, (as if was observed by the Commissioners on the constabulary force in 1839), our view is confined only to the transactions in the courts of criminal justice, we may be seriously misled in our inferences as may be the community in its feelings; and the legislature and even the dispensers of mercy may be misled, if the calculations founded on judicial proceedings are not corrected by a reference to the actual state of offences in the country. See the value not alone to the legislator, the judicial authorities, and the executive departments of the state, but also to the social reformer in his exertions, to the clergy in their ministrations, of such information as the French tables give. They give a minute account of the causes which are supposed to have operated in producing the offences; as passion, poverty, sordid propensities, irregular habits; which account, if not perhaps absolutely correct in every particular in any one year, yet (as Lord Brougham observes), if we take the average of six or seven years at one period with the like average at a subsequent period, according to all the doctrine of chances, we shall be probably safe in the conclusions we draw from the result of the comparison.

But if the number of committals be as yet in Ireland our best index of existing crime, the number of convictions mark the measure of punishment following it, the vigorous assertion of the law, and the careful prosecution to justice of those who outrage it. If, then, the system of crown prosecutorships in Ireland be costly, it is satisfactory to know that it is effective; for, examining the returns from the assizes and quarter sessions of convicted and not convicted, for 11 years, from 1851 to 1862 inclusive, we find that the total numbers prosecuted to conviction have in some years (as in 1852 and 1854), reached nearly 60 per cent. of the committals, and have never fallen below 53 per cent.†

\* See the opinions on this subject of Lord Brougham, the Right Hon. Joseph Napier, the Solicitor-General for Ireland (Mr. Lawson), and the Right Hon. James Whiteside, M.P., in the discussion on *Public Prosecutors in Prussia*, a paper by Baron Von Holtzendorff, read at the Dublin meeting of the National Association for the promotion of Social Science, 1861. (*Transactions*, p. 242.)

See also *Crime, its Amount, Causes, and Remedies*, by Frederic Hill: London, John Murray, 1853, (pp. 132, 295, 320).

See also on this and the equally important subject, the Payment of Witnesses, *Suggestions for the Suppression of Crime*, by Matthew Devonport Hill. London, Parker, 1857 (pp. 5, 19, et seq.)

† *Criminal Tables*, 1862. p. vi.



We have marked the general improvement in the country with respect to crime; let us now see where this improvement halts. Taking the returns for the past two years, 1861 and 1862, and examining the particular localities where crime is still most to be found, it appears that the following counties reached this bad eminence:—\*

Counties.	Proportionate number of persons sent for trial to population in 1861.
Fermanagh ..	1 in 589
Kildare . . .	" 679
Longford . . .	" 695
Tipperary, (North Riding)	" 700
Mayo . . . . .	" 742
Westmeath . . .	" 865
Queen's . . . . .	" 907
Roscommon ..	" 976
Cork . . . . .	" 991
In 1862.	
Longford . . . . .	1 in 362
Queen's . . . . .	" 461
Leitrim . . . . .	" 642
Mayo . . . . .	" 661
Galway . . . . .	" 682
Kildare . . . . .	" 714
Carlow . . . . .	" 743
Monaghan ...	" 775

It will be seen that four counties keep their places on this black list; namely, Longford, which from being third in 1861 became worst in 1862; Queen's County, which, though seventh before, now is worst of all, Longford excepted; Kildare, which, however, shows signs of improvement; and Mayo. To gain a knowledge of the reasons why such records of crime are to be found in these particular localities, there is need for some such statistics as those indicated by Lord Brougham as already referred to. We turn to the education returns, to try if the ignorance subsisting in these localities afford a clue to the existence of crime. Almost without an exception all Ireland has participated in the spread of education. Of persons 5 years old and upwards, who could neither read nor write, the per centage to the population was, in 1841, 53; in 1851 it had decreased to 47; and in 1861, still further, to 39. Of the counties referred to only three are above this per centage, and indicate a greater degree of ignorance than the population at large; namely, Mayo, 65 per cent.; Galway, 64 per cent.; and Roscommon, 47 per cent. On the other hand, the three most criminal are somewhat below the average of ignorance—Longford has but 37 per cent. of its population in ignorance; Queen's County, but 31, and Kildare, 30. So, too, Carlow is in so high a state as to education that only 29 per cent. are wholly ignorant; and Fermanagh, the worst county in Ireland in 1861, with 1 in 589 of its population criminal, had under 32 per cent. ignorant. Stranger still are the facts shown by the returns as to the counties where the lowest proportionate number with reference to population were committed

\* *Id.* pp. x. -xi.

for trial; for Waterford, wherein there is the greatest immunity from crime, has a far greater proportion of ignorance (59 per cent.) than the average; and Galway, Clare, and Louth, in all of which ignorance prevails, appear in these returns as well as Antrim, Down, and Dublin, where the scale of education amongst the population is very high.\*

Counties	In 1861.	Proportionate number of persons sent to trial to population in 1861.
Waterford		1 in 3003
Antrim	..	" 2745
Londonderry		" 1737
Louth		" 1670
Down		" 1630
Dublin	..	" 1570
Galway		" 1461
	In 1862	
Waterford		1 in 2137
Meath	..	" 1558
Down	...	" 1522
Antrim	..	" 1481
Londonderry	...	" 1395
Dublin		" 1324
Tipperary (South Riding)		" 1178
Clare	..	" 1123
Tipperary (North Riding)		" 1118
Wicklow	..	" 1113

Let us subject to another test this state of crime in some localities and comparative freedom from it in others,—to the test of the industrial employment of the population; can a safe conclusion be drawn from the result? Of 10 counties in the bad list only 3 had over 30 per cent. of their total acreage under crops in 1862, and the extent of cultivation did not in any of these instances reach 40 per cent.; 5 counties had between 20 and 30 per cent.; of two, Galway and Mayo, only about 14 per cent. of the acreage was under cultivation in that year.† On the other hand, of seven counties to be found in the other list, but two—Antrim and Kilkenny—had less than 40 per cent. of the acreage under crops; Wexford and Monaghan had over 40 per cent.; Armagh, Down, and Louth had between 50 and 60 per cent. of the acreage under crops; in all these counties, as has been seen, little crime was to be found.‡ Is it not then a matter suggesting painful fears as to the effect upon the morality of the population, when the agricultural returns proclaim the decadence of agricultural employment? In 1859, of the 20,815,111 acres in Ireland, there were 5,862,605 under crops, in 1862, only 5,751,695; and in 1863, but 5,661,179; in 1859, only 1,437,111 of these were under meadow and clover; in

\* *Report upon Ages and Education*, Table viii., p. 18, and Table xi., p. 21.

† Appendix B.

‡ Some curious facts in connexion with crime in agricultural and manufacturing districts in England will be found in the *Memoir of the Rev. John Clay*, by his Son. Cambridge: MacMillan. 1861. (See ch. viii., p. 516.)

The subject is further discussed in *Crime in England, as developed from 1801 to 1848*, by Thomas Plint. London: Gilpin. 1851 (P. 80.)

1863, there were 1,560,648; in 1859, only 38,726 acres of arable land were uncropped; in 1863, 39,441 were so.\* In no point of view can this tendency be agreeable to any man of patriotic feeling.

Giving full significance to the facts which would make it the interest of the commonweal to promote industry, if only to prevent crime, yet is there nothing which may be done, too, in the hope of raising the educational status of the population above the degradation attaching to ignorance? How stand the criminal classes as to literary knowledge? An examination into the state of education of those committed for trial during the eight years from 1855 to 1862, both inclusive, presents the fact that female offenders are educationally much below males; the highest per centage of the women who could read and write was barely 17 per cent. (in 1860, 17·12), and had been as low as 9·82 per cent. (in 1855); whilst the lowest percentage for men was 20·76 per cent. (in 1855), and did reach (in 1861) 37·13 per cent.† The state of education amongst offenders generally has improved but slightly: in 1855 only 23·14 per cent. could read and write, and 40·73 per cent. were wholly illiterate; in 1862, 32·39 per cent. were wholly illiterate, and only 20·40 per cent. could read and write. To compare this state of education with that of the population in general:—The highest percentages at age-periods of committals to the total committals are to be found between the ages of 16 and 21, which is 18·15 per cent., and between 21 and 30, which is 33·24 per cent.‡ From the Census Report, it appears that in 1861, these periods of life were by no means those which exhibit the largest percentage of ignorance, the periods from 16 to 25 years forming, no doubt, a considerable percentage, viz. 19; but from 26 to 35 years showing only 12 per cent.§

From the many facts brought before you how little has been deduced, save the necessity for fuller, deeper, wider information upon subjects, every new fact concerning which suggests a new source of inquiry! Is it wise to stop short? Do not results lie beneath these investigations worth the labour of searching for? With what purpose is more light desired?—for what ends is it sought? We may find the answer in the words of the great Italian writer who investigated the philosophy of crimes and punishments to the very depths. “It is better to prevent crimes than to punish them. This is the fundamental principle of good legislation; which is the art of conducting men to the *maximum* of happiness and to the *minimum* of misery, if we may apply this mathematical expression to the good and evil of life. . . . Would you prevent crimes? Let liberty be attended with knowledge. . . . Knowledge facilitates the comparison of objects by showing them in different points of view. . . . Men of enlightened understanding must necessarily approve those useful conventions which are the foundations of public safety.” So says Beccaria.

\* *Thom's Directory for 1863*, p. 771; and for 1864, p. 795.

† *Criminal Tables*, pp. vii. viii.

‡ *Id. Ages*, p. viii. in the year 1862. In 1861 the per centages at these periods were respectively 19·30 and 33·10.

§ P. 25, Table xv.

As a population become more capable of the right use of reason and fit for the real enjoyment of liberty, so must the willing observance of the law extend amongst them. They will learn how to recognize not simply whether actions are morally good or bad, but also to consider whether in their consequences they will be useful or pernicious. In the exercise of reason, to acknowledge the sanctions of the law, to discern what it prescribes, what it forbids, and what it permits, the will must be gathering strength to reject what is evil and to attach itself to what is good.\* For the very infamy which follows the charge of having broken the law, the loss of the just esteem of one's fellow-citizens, is the more keenly felt as the consideration of other men is appreciated. Thus does education work upon crime. But in vain will this influence be exerted, if want and misery gnaw away the good which is built up. A rural population decays; the land that rewarded their toil—*gratum opus agricolis*—employs them no more. the civic population swells, the vices of city life pervert them, the passions of crowds excite them, the uncertain alternations of employment and idleness break the even habits of industry, and wealth places before suffering poverty temptations at sight of which virtue and probity fall away.

If the few facts which have been picked out to illustrate the views in this paper have served to impart some information upon the state of crime in this country, and the relations which population, education, and distress bear to it, with how much more authority could results be deduced, did such a body of judicial statistics exist as the wisdom and the humanity of Lord Brougham advocated.

## APPENDIX A.

Year	RELIEF.			Emigra- tion	CONVICTIONS	
	Total relieved in Workhouses and on Out relief during the year.	Increase or Decrease	No. on Medical Relief		Total Number	Proportion to Population.
1851	755,347				14,377	1 in 453
1852	519,775	Decrease 235,572	(Act passed 7th August, 1851)	No Yearly Returns.	10,454	" 626
1853	409,668	do 110,107	690,411	do.	8,714	" 758
1854	319,616	do. 90,052	695,025	do.	7,051	" 920
1855	305,226	do. 14,390	732,563	91,914	5,220	" 1150
1856	217,136	do 88,090	741,237	90,781	4,024	" 1028
1857	190,823	do. 26,313	754,643	95,081	3,925	" 1516
1858	183,056	do 7,767	755,578	64,337	3,350	" 1795
1859	159,131	do. 23,925	776,391	80,599	3,109	" 1930
1860	179,514	Increase 20,383	761,633	84,621	2,979	" 2014
1861	217,430	do 37,916	794,769	64,292	3,271	" 1762
1862†	291,149	do. 73,719	840,179	70,117	3,796	" 1528

\* Batain—" *Philosophie des lois au point de vue Chrétien.*" Paris, Didier, 1860.

† With regard to the exceptional character of the year 1862, Captain Whitty\*

## APPENDIX B.

Counties	Total Acreage.	Acres under Crops, 1862	Per centage cultivated	Rate per cent to Population of persons 5 years old and upwards who could neither read nor write, Census 1861.
Carlow	221,342	82,264	About 37	29
Queen's ..	424,854	145,670	" 34	31
Kildare ...	418,436	133,001	" 31	30
Longford	269,409	82,260	" 30	37
Westmeath .	453,468	120,337	" 26	38
Ferriaragh	457,287	104,744	" 23	32
Roscommon .	607,691	142,900	" 23	47
Mayo	1,363,882	200,399	" 14	65
Galway	1,566,354	237,888	" 14	64
PART II.				
Antrim	761,803	262,171	" 34	19
Kilkenny	509,732	182,756	" 36	36
Wexford	576,588	235,826	" 41	33
Monaghan	319,757	152,711	" 47	35
Louth	201,722	109,998	" 54	45
Down . .	612,495	335,705	" 55	21
Armagh .	328,076	182,020	" 55	34
Average of Ireland,				39

APPENDIX C.—*Juvenile Crime.*

In the paper (*On the Educational and other aspects of the Statistics of Crime in Dublin*) already referred to, I quoted the Report (1853) of the Select Committee on Juvenile Offenders, and adduced some facts to show the advantages likely to follow from the extension to Ireland of the English and Scotch Acts (17 & 18 Vic., cap. 74; 19 & 20 Vic., cap. 28; and 20 & 21 Vic., cap. 48; and now the Act of 1861, 24 and 25 Vic. cap., 113,) by virtue of which the principle of the Reformatory system has been extended to Industrial Schools. The Dublin Metropolitan Police Returns continue to supply evidence in support of these views.

During the year 1861, there were summarily convicted:—

Under 10 years of age	... males	71	... females	50
10 years and under 15	... "	555	... "	86

263 boys and 13 girls appear as *disorderly characters*, together with 10 boys *under 10 years of age* who are also so classed!

(Director of Convict Prisons), reports as follows:—"The increase in the number sentenced to penal servitude in the year 1862, may fairly be attributed to the prevalence of distress in many parts of the country; in corroboration of which it can be stated, from information obtained from official sources, that the numbers confined in the County and City Prisons have also increased in this year, and that there has been a considerable increase in the number of paupers receiving relief throughout Ireland." (*Ninth Report, for year 1862; p. 6.*)

In the year 1862, as may be expected from the facts stated in the paper, these classes appear more unfavourably.

Under 10 years of age ... males 86 ... females 57  
 10 years and under 15 ... „ 700 ... „ 83

364 boys and 24 girls appear as *disorderly characters*, and in addition, 12 boys and one girl *under 10 years!*

If children found about the streets, beggars, vagrants, or without lawful occupation, could be taken up, and placed in certified schools where industrial education would be imparted, whilst (as in the Reformatory Act) parental responsibility would be legally enforced, these returns would not show that the streets of our metropolis are still the feeders of our prisons,—a fact true of every large town.

The remarks of Messrs. J. Corry Connellan and John Lentaigne (Inspectors-General of Prisons), give the weightiest authority to these views:—

“Nearly one-half of the female juveniles committed to our gaols during 1861 were destitute of the first rudiments of education; and the great increase in the number of very young criminals, more especially females during that year, a large portion of whom are orphans, tends to prove that a link is wanting in the social chain of improvement in the country, and that many children, deprived of their natural guardians, enter on a career of vice from the circumstances in which they are placed, at a period of life when a special duty devolves on the State to intervene, and supply the want of parental supervision.” (40th Report, 1861, p. xviii.)

With respect to the increase in 1862 of committals (about 7 per cent. over 1861) the remarks in the 2nd Report of the Inspector of Reformatory Schools in Ireland (Mr. P. J. Murray), will repay perusal. The effect of distress and consequent want of employment upon juvenile crime is fully gone into.

#### APPENDIX D.—*Drunkeness.*

The returns given in Thom's Almanac for 1864, (p. 770), show a yearly decrease in convictions for drunkenness, from 12,404 in 1853, to 7,126 in 1862. The operation of the Licensed Beer Houses' Act in Dublin was a source of increase of persons paying fines, as reported by the Board of Superintendence of City Prisons. Accordingly the Metropolitan Police Returns give the following results as to the numbers taken into custody for drunkenness.

	Total.		Males.		Females.
1861	9,203	...	5,552	...	3,651
1862	11,730	...	7,377	...	4,353