

Mid-Nineteenth Century Landlords and Financial Accountability in Ireland

İrlanda'da 19. Yüzyılın Ortasında Toprak Sahipleri ve Mali Sorumlulukları

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Abstract

In the nineteenth-century, landlords occupied the top of the social hierarchy in Ireland. Historians have proposed two major interpretations of their role. Some historians view them as being responsible for Ireland's economic backwardness since they did not improve their estates. Other historians hold a sympathetic attitude towards them and attempt to focus their study on the difficulties experienced by the land owning class.

The main objective of this article is to examine the degree of the landlords' involvement in local affairs in the 1840s. It could be understood as a contribution to the post-revisionist historiography that departs from the polarisation of Irish history writing. It attempts to examine the way in which the Rate-in-Aid was implemented in order to make the provision of aid to the needy in Ireland a completely local charge. It also examines the implementation of the Encumbered Estates Act which stipulated the sale of the insolvent landlords' properties. Accordingly, it seeks to show that mid-nineteenth century Irish landlords were the scapegoats of the British politicians' ideological agendas.

Keywords: *Rate-in-Aid - Encumbered Estates Act - Irish landlords - Irish poverty - landlords' insolvency.*

Özet

19. yüzyılda toprak sahipleri İrlanda'da toplumsal tabakasının en üst sınıfını oluşturuyorlardı. Tarihçiler onların rolü konusunda iki önemli izah önermişlerdir. Bazı tarihçiler, arazilerini geliştirmedikleri için onları İrlanda'nın iktisadi geriliğinin sorumlusu olarak görmekteyler. Diğer tarihçiler ise onlara karşı daha ılımlı olup toprak sahibi sınıfının karşılaştıkları zorluklara odaklanmışlardır. Bu makalede amaç 1840'lı yıllarda yerel işlerde toprak sahiplerinin müdahalelerinin derecesini incelemektir. Bu çalışma İrlanda tarihçiliğinin kutuplaşmasından ayrı olarak post-revizyonist tarihyazıcılığın katkı sağlamak olarak algılanabilir. Tamamen yerel bir sorumluluk olarak İrlanda'da ihtiyaç için yardım sağlamak amacıyla yapılan yardım oranı şeklini analiz etmek bu çalışmada hedeflenen diğer bir amaçtır. Bu çalışmada iflas etmiş toprak sahiplerinin mülkünün satışının şartlarını belirleyen İpotekli Mülk Yasası'nın ikmali de sorun edilmiştir. Buna göre, bu yazıda 19. yüzyıl İrlanda'daki toprak sahiplerinin, İngiliz siyaset adamlarının ideolojik gündeminin günah keçileri olduğu gösterilmeye çalışılmıştır.

Keywords: *Yardım Oranı, İpotekli Mülk Yasası, İrlandalı toprak sahipleri, fakirlik, toprak sahiplerinin iflası*

In the nineteenth-century, landlords occupied the top of the social hierarchy in Ireland. Regardless of the extent to which they led the rural society, they represented two major categories. There were resident as well as absentee landlords. Contemporaries both in

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Ireland and Britain proved to be critical of the absentee landlords. They regarded the leakage of capital outside Ireland as a factor that contributed to the intensification of the problem of poverty. They argued that the money spent in England by absentee landlords could have been used for the creation of employment in Ireland².

Historians have proposed two major interpretations of the landlords' role in nineteenth-century Ireland. Some historians view the landlords as being responsible for Ireland's economic backwardness since they did not improve their estates. They also stress the idea that most of the landlords in the nineteenth-century only cared about the collection of the rent from their impoverished tenants. Other historians hold a sympathetic attitude towards the Irish landlords and attempt to focus their study on the difficulties experienced by the land owning class. They seek to revise the traditional perception of the Irish past based upon a demonic construction of the landlords' role.

The nineteenth-century historian Canon John O'Rourke holds the landlords responsible for the poverty of the peasants. He explains the Irish economic backwardness by the unwillingness of the landlords to improve both the economic and social status of their tenants. His main conclusion is that the system of landlordism in nineteenth-century Ireland resulted in the exploitation of the country by a land owning class who lived in England³.

This traditional view is echoed in the works of modern historians. Olive Robinson argues that nineteenth-century Irish landlords showed no interest in improving their estates while extracting high rents from their poor tenants. She also stresses their unwillingness to manage their own properties as they left the task of management to middlemen. The latter, however, maximized their profits as they allowed the subdivision of the land into small plots⁴. The same interpretation is provided by the historian Margaret Preston who states that "*Absentee landlords continued to exact ever-higher rents and small to medium farmers used more of what they grew to pay the rent, leaving them increasingly dependent upon the potato for daily sustenance*"⁵. The historian J. C. Beckett indicates that the landlords' reluctance to improve their estates resulted in their insolvency and encouraged politicians to campaign against them:

*...the Irish landlords were, as a body, too poor too incompetent, too selfish, to initiate any general improvement themselves...Those who placed their hopes in a general change in the landlord class demanded that the way they should be opened by the establishment of "free trade in land", that "the principle of commercial freedom" should be fully extended, and the sale of land made as easy as the sale of any other commodity*⁶.

²Cormac O'Grada, *Ireland A New Economic History 1780-1939*, New York: Oxford University Press, 1995, p. 124.

³ Canon John O'Rourke, *The Great Irish Famine*, Dublin: Veritas Publications (first published 1874), 1989, pp.22-23.

⁴ Olive Robinson, "The London Companies and Tenant Right in Nineteenth, Century Ireland", *Agricultural History Review* 18.1, 1970, p.54.

⁵ Margaret Preston, "We cannot but regret the great delay": Reflections on the Writings of the North Dublin Union Guardians during the Famine", in David A. Valone, *Ireland's Great Hunger: Relief, Representation, and Remembrance* Vol 2, USA:University Press of America, 2010, p.22

⁶ J. C. Beckett, *The Making of Modern Ireland 1603-1923*, London: Faber and Faber 1981, p. 352.

The condemnation of the landlords' role provides a nationalist perception of the Irish past. In fact, nationalist historians of nineteenth-century Ireland mainly focus on the way in which the Irish suffered under British rule. They hold both the British government and the landlords guilty for the mass mortality of the Irish people during the Famine years (1845-1850)⁷.

Contrary to Robinson, W.E. Vaughan argues in his book, *Landlords and Tenants in Mid-Victorian Ireland*, that the landlords did not play a central role in the land system. They were rather weakened by the political and economic changes that occurred in Ireland⁸. He also challenges the view that the rents paid by the tenants were high:

Landlords and tenants shared in the prosperity created by the demand for agricultural products in Britain; but tenants did rather better because actual rents lagged behind potential rents. When landlords increased their rents they were taking a share of the prosperity that was created outside Irish agriculture. Far from taking advantage of their tenants' improvements, they did not take anything like a proportionate share of the income created by price increases⁹.

Vaughan's conclusions certainly oppose the traditional view of the landlords and provide a revisionist account of nineteenth-century Ireland. While the nationalist historiography provides a demonic interpretation of the landlords' role, Vaughan concludes that they only shared with their tenants part of the profits generated from the agricultural products.

Though the historian Senia Paseta blames the landlords for their unwillingness to make improvements, she argues that their role could not have been better because of the complicated Irish context. Accordingly, she blames the tenants for preventing change to happen on the land they occupied. She also indicates that if the landlords had succeeded in making significant improvements on their estates, the problems related to the tenants' status would not have ended. She even defends absenteeism:

There was a crucial dearth of investment and modernization of property, but this was difficult for all but large landowners, given the relatively low level of rental return on Irish property. Innovation, improvement, and attempts to curb subdivision were often thwarted by tenants suspicious of new practices, and absenteeism in itself did not guarantee poor land management (in fact, absentees were quite popular in some areas where tenants relished their relative freedom from landlord interference). In addition, Irish land could not hope to employ the whole of the growing population, and industry could not absorb the excess. Rents in fact rose less than agricultural prices down to 1880¹⁰.

⁷ Mohamed Salah Harzallah, "Food Supply and Economic Ideology: Indian Corn Relief during the Second Year of the Great Irish Famine (1847)", *The Historian* 68, 2006, pp. 306-307.

⁸ WE Vaughan, *Landlords and Tenants in Mid-Victorian Ireland*, Oxford: Oxford University Press, 1994, p.218.

⁹ *Ibid*, p.53.

¹⁰ Senia Paseta, *Modern Ireland: A Very Short Introduction*, Oxford: Oxford University Press, 2003, p. 43.

Paseta's views certainly reflect a sympathetic attitude towards the landlords' role. Contrary to the traditional historiography, she indicates that both the tenants and the landlords were equally responsible for Ireland's economic problems.

It is worth noting that the assessment of the landlords' role in Ireland dates back to the 1840s. The radical rebel and political prisoner, John Mitchel, stated that both the landlords and the British government deprived the tenants of their rights. He regarded the tenants as being victims. According to him, the landlords' powerful position resulted in high levels of suffering inflicted upon the tenants:

To many thousands of those peasants the struggle had been more severe than any war; for they were expected to set at naught potent landlords, who had over them and their children power of life and death-with troops of insolent bailiffs, and ejecting attorneys, and the omnipresent police; and they did set them at naught¹¹.

Mitchel's analysis represents a highly emotional interpretation of the events since Mitchel was jailed by the British government during the rebellion of 1848. His views are undoubtedly highly emotive¹².

Moreover, Charles Trevelyan, the undersecretary to the Treasury, showed a highly prejudiced attitude towards the Irish landlords and peasants. He indicated that the landlords were not interested in making improvements on their estates. Rather, they were mainly interested in maximising their income from the rent:

The embarrassed and improvident landlord, and the leaseholder whose only object it was to make the most of his short tenure, equally found their account in this state of things, and the result in both cases was, that the farms were covered with hovels and miserable cottiers, in order, through them, to create profit-rents...The subsistence of the tenant was at the minimum; the rent was at the maximum ; and the interval between the ignorant excitable peasantry and the proprietor in chief, was filled only by the middleman, whose business it was to exact rents and not to employ labourers¹³.

Trevelyan's attitude towards the Irish reflects the way in which the English perceived the Irish economy and social conditions as being inferior to the English ones. In fact, Trevelyan and the English politicians of the time sought to introduce radical reforms in the Irish economy and society.

While most historians ascribe Ireland's economic ills in the nineteenth-century to the landlords, Christine Kinealy has identified another group to blame for the indifference to the wretched situation of the tenants. In her book, *The Great Irish Famine: Impact, Ideology and Rebellion*, she states that though Irish farmers made large profits from the sale of agricultural products to England, the landlords were singled out as being cruel:

¹¹John Mitchel, *The Last Conquest of Ireland (Perhaps)*, Glasgow: Washbourne, 1860, p. 60.

¹² Mohamed Salah Harzallah, "The English Hegemonic Order and Irish Nationalism in the Nineteenth-century", *Journal of History and Diplomatic Studies* 6, 2009, p.163.

¹³ Charles Trevelyan, *The Irish Crisis*, London: Longman, Brown, Green & Longmans, 1848, pp. 22-23.

The British government and Irish landlords have traditionally been the villains of the Famine narrative, whilst Irish farmers, who sold their grain and cattle for export and received massive financial returns, have been ignored or exonerated¹⁴.

Kinealy's assessment certainly defies the traditional nationalist-revisionist debate over the subject of the landlords. She also provides new grounds for examining the tenant-landlord relationship.

The main objective of this article is to examine the degree of the landlords' involvement in local affairs in the 1840s. It could be understood as a contribution to the post-revisionist historiography that departs from the polarisation of Irish history writing. It mainly relies upon a number of primary sources to assess the way in which the landlords financially contributed to the support of the poverty-stricken western unions. It attempts to examine the way in which the Rate-in-Aid was implemented in order to make the provision of aid to the needy in Ireland a completely local charge. It also examines the implementation of the Encumbered Estates Act which stipulated the sale of the insolvent landlords' properties. Accordingly, it seeks to show that mid-nineteenth century Irish landlords were the scapegoats of the British politicians' ideological agendas.

The Tax of Poverty: The Rate-in-Aid Act

In the month of February 1849, the British Prime Minister, Lord John Russell, suggested the introduction of a new scheme for the relief of destitution in Ireland. It was a national rate to be paid by all the Poor Law Unions throughout Ireland in order to provide sufficient funds for the alleviation of destitution in the distressed unions. Most of these unions were located in Connaught which proved to be the most affected province. Because the collection of rates was very difficult due to the impoverished state of many unions, the government made an advance of £50,000 from the Treasury. Despite Charles Wood's¹⁵ and Lord John Russell's hardened attitude towards the Irish paupers, they found it necessary that a minimum amount of money should be advanced in aid to the distressed unions before the Rate-in-Aid came into full operation. Being fully aware of the deteriorated state of the western unions, Wood indicated to Russell that £50,000 was the minimum required for providing an urgent assistance to the paupers¹⁶. The government's decision was met by the opposition of a number of influential members in the British House of Commons. Most of the British MPs urged the government to stop spending money on Irish destitution. Despite the pressure upon his government, Russell rejected the idea that the sum advanced should be the last financial assistance provided to the Irish people¹⁷.

Though Russell resisted the opposition to the provision of a financial aid to Ireland, the Irish Members did not support him. To a large extent, the attitude of the Irish Members of Parliament contributed to the framing of the predominant view that Ireland should be self-supporting. Indeed, their political action during the debate over the funding of relief, proved to

¹⁴ Christine Kinealy, *The Great Irish Famine: Impact, Ideology and Rebellion*, New York: Palgrave, 2002, p. 24.

¹⁵ Charles Wood was the Chancellor of the Exchequer.

¹⁶ Hansard's Parliamentary Debates, Third Series, Vol 103, 12 February 1849, p. 165; Ibid, 2 March 1849, p. 110.

¹⁷ Ibid.

be utterly ineffective¹⁸. On the other hand, the amount of money advanced by the government was by no means sufficient to provide an effectual form of public charity.

The Rate-in-Aid, which came into effect on 24 May 1849, was to operate temporarily till 31 December 1850. The first section of the Act empowered the Poor Law Commissioners to have a complete control over the funding of relief in the western districts. If the entire sums collected proved to be insufficient to defray the expenditure of relief, the Commissioners would still be permitted to supply the necessary funds from another levy of a rate:

The Poor Law Commissioners, with the approval of the lord lieutenant, may during each of the years ending the 31st December 1849 and 1850, from time to time declare the amount they deem necessary for the above purposes, and may assess the same upon the several unions in proportion to the annual value of the property in each rateable to the relief of the poor; but the sum levied in any union in either of the two years is not to exceed 6d. in the pound on such annual value¹⁹.

The mode of financing relief was certainly detrimental to the energetic landlords who improved the living conditions of the paupers living in their districts. It also excluded the interference of the Treasury to provide financial aids. Though the policy of a minimum interference²⁰, adopted in the previous year, proved to be utterly inadequate, the leading officials of the government continued to favour a cheap form of public charity. In fact, the Rate-in-Aid seemed to be based upon a principle of non-interference.

The reaction of both the Irish and British Members to the mode of financing the relief measures in the west seemed to limit Russell's popularity. To the Irish Members, Russell introduced an unjust system of taxation that impoverished the rate-payers in the rich districts and favoured less financial engagement on the part of the government. To some English Members, Russell encouraged drains upon the Imperial Treasury since he refused that the sum of £50,000 would constitute the last amount sanctioned.

Despite the divisions in his cabinet and the opposition in Parliament, Russell succeeded in introducing a national rate in aid of the distressed unions. He employed a special tactic in order to destabilise the opposition to his scheme. He argued that England paid more taxes than Ireland. While the English paid a wide range of taxes like the land tax, the income tax and other taxes, the Irish were exempt from those taxes. Therefore, Russell suggested that Ireland should start paying taxes notably the income tax²¹. Russell's suggestion made the Irish Members change their opinion about the Rate-in-Aid. The adoption of a temporary system of taxation appeared to be better than the introduction of the income tax. The Rate-in-Aid would certainly limit the tax-payers role in Ireland to the funding of the relief measures in the distressed unions while the income tax would require the payment of a permanent amount of money to the government.

Critics of the Rate-in-Aid in the Parliament

¹⁸Lord Beaumont, Hansard's Parliamentary Debates, Third Series, Vol 105, 11 May 1849, pp. 278-79.

¹⁹Section 1 of the Rate-in-Aid; quoted in George Nicholls, *A History of the Irish Poor Law*, London: Knight, 1856, p. 355.

²⁰ See for example Mohamed Salah Harzallah, "The Great Irish Famine: Public Works Relief during the Liberal Administration", *Nordic Irish Studies* 8, 2009, pp. 83-96.

²¹Hansard's Parliamentary Debates, Third Series, Vol 103, 2 March 1849, p. 110.

Sharman Crawford, the Radical MP for Rochdale, rejected the Rate-in-Aid on the ground that it violated the principles of the Act of Union which was “*framed on the principle of combined responsibility*”²². He viewed the new system of financing relief as a violation of the principle that Ireland constituted an integral part of the United Kingdom. He also attributed the injustice and the unconstitutionality of the Rate-in-Aid to the fact that the revenues of Ireland were deposited in the Imperial Treasury. He therefore argued that the Treasury was constitutionally answerable for the support of the Irish paupers. In addition to that, he indicated that the Rate-in-Aid worked as a disincentive to hard work since it represented a punitive measure that penalised the energetic landlords in Ulster and Leinster²³. He indicated that Ireland’s debts increased from £28,000,000 in 1801 to £130,000,000 in 1847²⁴.

J.B. Walsh, a British Member of Parliament for Radnorshire, also criticised the Rate-in-Aid on the ground that it violated the principles of the Act of Union. He observed that the proposed system of taxation deprived Ireland of being an integral part of the United Kingdom. He remarked that the new legislation, which made the destitution in Ireland a local problem, strengthened the claims of the group of opposition to the Union. He also argued that the new method of funding the Poor Law reflected the short-sighted policy of the government:

*It was passed in the utter ignorance of the circumstances of Ireland, and with the erroneous idea that England would derive a benefit by throwing upon the Irish the duty of maintaining their own poor*²⁵.

Walsh’s opposition to the government’s measure reflected both a support of the Act of Union and a strong conviction that the Irish resources were too limited to mitigate Irish destitution.

John O’Connell, the head of the repeal party and the Member of Parliament for Limerick City, highly criticised the objection to the advancement of money for the support of destitution in Ireland. He accused the English Members of Parliament of being reluctant to save human life in Ireland. More importantly, he defended the Irish advocates of more grants for the alleviation of destitution. He mainly objected to the fact that Irish Members were considered as “beggars” in the Parliament of the United Kingdom. Accordingly, he called for the repeal of the Act of Union and condemned the way in which the government responded to the Famine²⁶:

*We are not beggars- give us back our Parliament- gives us back that parliament which you deprived us of by fraud, by violence, by cruelty, by corruption, by perpetration of every crime of which one nation can be guilty towards another-gives us back the management of our own resources, and we will support all our own establishments, as in truth we do even now-but give us back our Parliament, and we shall neither ask for nor receive any aid further from you*²⁷.

²²Hansard’s Parliamentary Debates, Third Series, Vol 105, 1 March 1849, p .48-50.

²³Ibid.

²⁴Hansard’s Parliamentary Debates, Third Series, Vol 105, 1 March 1849, p .49-50.

²⁵Hansard’s Parliamentary Debates, Third Series, Vol. 104, 30 April 1849, p. 974.

²⁶ The Great Irish Famine broke out in 1845 and extended over six consecutive years.

²⁷John O’Connell, Hansard’s Parliamentary Debates, Third Series, Vol. 103, 2 March 1849, pp. 128-129.

However, John O'Connell did not propose any plan for the amendment of the Poor Law. He regarded the latter as an inadequate form of relief²⁸. Undoubtedly, one of the major weaknesses of O'Connell's opposition to the Rate-in-Aid was the lack of a practical plan for the alleviation of destitution. A further difficulty to O'Connell's opposition was the fact that the repeal movement was too weak to influence the government's policies²⁹. In point of fact, he failed to revive the Repeal Association campaign in October 1849.

The Whig Member of Parliament for Carlow Borough, John Sadleir, remarked that the Rate-in-Aid was contrary to the principles of self-reliance and industry advocated by the policy-makers of the Poor Law. He also considered its implementation as detrimental to the creation of useful employment on the ground that the resources of the self-supporting landlords would be diminished³⁰. Sadleir's attitude reflected the opposition of the Liberal Members of Parliament in Ireland to the government's emphasis on the question of local responsibility. Sadleir's dissatisfaction with the Russell's policy in Ireland brought him closer to the Repeal Party. Indeed, he became a Repeal Member of Parliament after the Famine³¹.

The religious authority also joined the group of opposition to the new mode of taxation. The Protestant Archbishop of Dublin, Richard Whately, disapproved of the introduction of the Rate-in-Aid. He also appeared to be highly critical of the previous policies adopted to alleviate destitution in Ireland. He blamed the increasing destitution on the lack of an adequate system of public charity. Instead of helping the really destitute, the policy of the government, he argued, reduced the middle class of the Irish society to extreme poverty:

The effect of the law was to reduce the middling and struggling classes to abject poverty. Their cattle and stock were distrained for rates to support pauperism, and then they became paupers themselves. He knew, himself, the case of a gentleman who had a large estate lying waste and profitless. The tenants all emigrated to America with the rent, and everything they could scrape together, and the owner of the land could not even let the land as pasture for cattle, lest the stock should be seized for payment of poor-rates. Such was the position of this gentleman, who was now dependent upon private charity for support³².

Whately's objection to the Rate-in-Aid was on the ground that it imposed a tax on the industrious portion of the society. He apprehended that the new mode of taxation, which worked as a penalty on hard work, would result in further impoverishment of the middle class rather than provide an effectual mode of relief³³. His attitude was largely influenced by his background. He had a long experience in the provision of relief to the destitute people³⁴. He had been the head of the commission which was established in 1833 to carry out an inquiry into the state of Irish destitution. His opposition to Russell's scheme of a system of national taxation was coherent with his previous views relative to the situation in Ireland. Contrary to Russell, he believed that an interventionist policy was required in order to improve the situation of the people in Ireland. While he had urged the British government of the 1830s to

²⁸Ibid, p. 131.

²⁹ Mohamed Salah Harzallah, "The English Hegemonic Order and Irish Nationalism in the Nineteenth-century", op.cit., pp.159-174.

³⁰Hansard's Parliamentary Debates, Third Series, Vol. 104, 20 April 1849, p. 542.

³¹After being the Liberal MP for Carlow (1847-53) he became the Repeal MP for Sligo between 1853 and 1856.

³²Hansard's Parliamentary Debates, Third Series, Vol. 105, 11 May 1849, p. 277.

³³Ibid

³⁴He spent 18 years dealing with various forms of public charity.

spend considerable sums of money in order to fund a scheme of assisted emigration and bring waste land into cultivation, Russell had objected to the recommendations of Whately's commission³⁵.

Members of the Tory party, who represented the group of opposition to the Whigs, objected to the Rate-in-Aid on different grounds. The most outspoken opposition to Russell's suggestion was the one of the Tory MP for County Down Viscount Castlereagh. Contrary to the claim of the government relative to the question of taxation in both Ireland and England, he argued that Ireland was over-taxed. He observed that the total taxation in England represented about 3s. in the pound while an examination of the Irish returns revealed that Ireland paid a tax of 8s. 4d. in the pound³⁶.

The Tory MP for Potarlinton Colonel Dunne believed that the operation of the Rate-in-Aid would not be successful since the resources of the Irish landlords were too limited to meet the current demand for assistance. He considered all the United Kingdom answerable to the problem of destitution in Ireland. He attributed the responsibility of the British government back to the repeal of the Corn Laws³⁷ which affected Irish agriculture. The removal of the taxes imposed upon the foreign corn, he argued, was detrimental to the Irish agricultural produce. Accordingly, the provision of assistance to the Irish paupers was both the responsibility of the Irish rate-payers and the government³⁸:

Though the aim of the major officials of relief was to introduce change in the cultivation of land through the attraction of capital, the policy adopted in the year 1849 seemed to oppose this principle. The fact that the funding of the relief measures was made the responsibility of the rich districts certainly discouraged foreign investors from buying land in Ireland. This question was raised in the House of Lords by Lord Beaumont who argued that the Rate-in-Aid penalised the capitalists who invested in Ireland "*When they adopted a national rate, what did they do with the capitalist who invested his money in land in Ireland?*"³⁹.

Other Members observed that the Rate-in-Aid opposed the very principles for which it was introduced. Unlike Russell's government, they argued that the scheme would increase the number of destitute people rather provide an effectual form of public charity. While the defenders of the Rate-in-Aid argued that the new mode of taxation would work as an incentive

³⁵ The Commission recommended different measures to improve the economic situation including the creation of employment in road construction, a scheme of government assisted emigration, the reclamation of waste land, land drainage and the provision of agricultural education to the peasants.

³⁶ He based his argument upon a comparative examination of both the English and the Irish returns. The English tax comprised the church rates and highway rates (2s. in the pound), the income tax (7d. in the pound) and the assessed taxes (5d.). The Irish tax comprised the poor-rates (£1,855,841), the county-cess rates (£1,142,302), repayment of relief advances for ten years (£272,821), repayment of advances (£953,355) which made a total of £ 4,224,319. Castlereagh calculated the total of the Irish taxes in relation to the rateable property in Ireland valued at £13,187,420 and concluded that the Irish paid about 8s. 4d. in the pound.

³⁷ The Corn Laws imposed heavy duties on the imported grain to the United Kingdom. Faced with the serious shortage of food when the Famine broke out in 1845, Sir Robert Peel suggested that the Corn Laws should be suspended temporarily or removed in order to encourage the foreign importations of food. However, Peel's suggestion was met by the opposition of both the majority of his party members and the members of opposition. In spite of that, he repealed the laws in June 1846 and fell from office.

³⁸ Hansard's Parliamentary Debates, Third Series, Vol. 104, 30 April 1849, p. 997.

³⁹ Hansard's Parliamentary Debates, Third Series, Vol 105, 11 May 1849, p. 283.

to self-reliance, the Earl of Roden, one of the influential Protestant landlords in Ulster, indicated in the House of Lords that the policy of the government would impoverish the self-supporting unions. He was mostly concerned with the way in which the mode of taxation would result in a gradual decrease of the resources of the rich unions “*We must expect that its pressure must increase in a rapidly accelerating ratio, as class after class is dragged down to pauperism*”⁴⁰.

The select committee of the Lords strongly objected to the fact that the rich districts had to pay a tax for the support of the western districts. The committee also argued that the Rate-in-Aid would contribute to the impoverishment of Ulster and Leinster rather than to finding a solution to the problem of destitution in Ireland. Despite the vehemence of their objection to the Rate-in-Aid, they supported the idea that an income tax should be introduced in Ireland. The latter was seen as the only safe means to repay the money advanced for Irish distress⁴¹. The attitude of the Lords certainly represented a defence of their interests in Ireland. Indeed, about a quarter of the members in the House had landed interests in Ireland notably in Ulster⁴².

Lord Monteagle, a long-standing critic of the government’s response to the Famine, believed that the Rate-in-Aid would represent an obstacle to the operation of the Poor Law⁴³. Though he suggested that certain changes were necessary in the Poor Law, he questioned the efficiency of a system exclusively based upon local resources. He was critical of the way in which relief policy-makers arbitrarily threw the burden of financing the relief measures upon the impoverished rate-payers in Ireland. He described the mode of financing the Poor Law as both “*illusory and deceptive*”⁴⁴. In order to show the ineffectiveness of the Rate-in-Aid, he presented to the House of Lords the accounts of eight distressed unions in the west of Ireland. The accounts showed that all the funds that could be raised under the new system of taxation were insufficient to meet the demands for assistance in the eight distressed unions. Monteagle therefore concluded that the Rate-in-Aid was framed on a fallacious principle and that its operation would result in disastrous consequences:

*Here the Bill may be justified as founded on a mistake, or on an excusable delusion, in Ireland it will be considered a downright fraud, and will be treated as such. It will be stated that under colour of giving relief, Parliament were making themselves responsible for protracted suffering, and a more cruel agony*⁴⁵.

Lord Monteagle also argued that the levy of the Rate-in-Aid would cause a serious administrative problem. The introduction of the new mode of taxation signified that two rates had to be collected over a period of two years. He drew the conclusion that the introduction of the Rate-in-Aid would be counterproductive to the administrative machinery of the relief

⁴⁰Ibid, p. 272.

⁴¹Third Report of the Select Committee of the House of Lords on the operation of the Irish Poor Law, House of Commons of Papers, 16, part 1, 1849 (148), p. 927.

⁴²Grant James, *The Great Famine and the Poor Law in Ulster: The Rate-in-Aid issue of 1849*, *Irish Historical Studies* Vol. 17, May 1990, p. 42.

⁴³Lord Monteagle, Hansard’s Parliamentary Debates, Third Series, Vol 99, 30 May 1848, p. 83.

⁴⁴Hansard’s Parliamentary Debates, Third Series, Vol 105, 11 May 1849, p. 311.

⁴⁵ Ibid, p. 312.

measures on the ground that the rate-payers were not able to pay two rates⁴⁶. He therefore argued that the introduction of the Rate-in-Aid would provide a rationale to a serious opposition to the payment of rates in Ireland⁴⁷.

Relief Administrators oppose the Rate-in-Aid

The Rate-in-Aid scheme resulted in a storm of resentment from the local administrators of relief in all the Poor Law Unions in Ulster. The Guardians held several meetings and sent numerous petitions to the government. In the Belfast Union, they described the proposal as oppressive and unjust. The Guardians of Antrim Union also remarked that Russell's suggestion was arbitrary. They observed that the new mode of financing relief was but a mode of impoverishing the Poor Law Unions in Ulster. The reaction of Ballymena Union was to petition both Houses of Parliament⁴⁸. The largest public meeting, which was attended by about four thousand persons, was organised by the Guardians of Lurgan Union. One of the Guardians, John McCarten, addressed a speech in which he clearly demonstrated his opposition to the scheme. He indicated that it was the duty of the Guardians "to let the government know they would not submit to such a tax"⁴⁹. He also observed that the new form of taxation violated the principles of the constitution since it oppressed the industrious people living in Ulster. The adoption of the Rate-in-Aid, he argued, would affect not only the landlords but also "the farmer, the labourer and the weaver"⁵⁰. Furthermore, the Lisnaskea Guardians, in County Fermanagh, argued that the new mode of taxation would encourage more objections to the payment of the rates in the most distressed districts. They also indicated that the industrious ratepayers in the north should not be taxed for "the lazy, vicious and indolent population of the south and west of the kingdom who neither fear God, honour the queen nor respect the laws of the land"⁵¹.

Not only was there an opposition to the Rate-in-Aid in all the Poor Law Unions in Ulster but also in the central administration of relief in Dublin. The Chief Poor Law Commissioner, Edward Twisleton, strongly opposed the adoption of a rate imposed upon the rich districts for the support of the destitution in the west. He condemned the government's financial retrenchment in Ireland:

I wish to leave distinctly in record that, from want of sufficient food, many persons in these unions are at present dying or wasting away; and, at the same time, it is quite possible for this country to prevent the occurrence there of any death from starvation, by the advance of a few hundred pounds, say a small part of the expense of the Coffre War⁵².

⁴⁶ The provisions of the Irish Poor Law of 1838 stipulated that landlords had to pay the poor rates in order to alleviate the destitution of the paupers in their localities.

⁴⁷ Hansard's Parliamentary Debates, Third Series, Vol 105, 11 May 1849, p. 15.

⁴⁸ *Northern Whig*, 24 February 1849.

⁴⁹ *Ibid*, 3 March 1849.

⁵⁰ *Ibid*.

⁵¹ John Cunningham, *The Famine in County Fermanagh*, in Christine Kinealy and Trevor Parkhill, *The Famine in Ulster*, Belfast: Ulster Historical Foundation, 1997, p. 141.

⁵² Evidence of Edward Twisleton, Select Committee on the Irish Poor Law, 16, 1849, p.717.

The position of the British government certainly marked the triumph of ideological concerns over the necessity to provide an effectual form of relief. Though the alleviation of destitution in the western districts could be carried out with a relatively small amount of money, as it was argued by Twisleton, the government still favoured inaction.

It is important to mention that the Rate-in-Aid intensified the conflict between Twisleton and Trevelyan. While Twisleton advocated a financial aid from the Imperial Treasury to the distressed unions, Trevelyan proved to be among the staunchest supporters of the Rate-in-Aid⁵³. The conflict, however, resulted in Twisleton's resignation and he was replaced by Alfred Power⁵⁴. Overall, Twisleton's opposition to the government's policy in Ireland had started in the year 1846. From the very start of the Famine, he appeared to be at odds with the principles upon which the policy-makers acted. He had condemned "*the rigid attention to the principles of competition in trade*" and "*the abstract doctrines of political economy*"⁵⁵. In the House of Lords, he had strongly objected to the introduction of a system of outdoor relief in the form of labour to the able-bodied paupers⁵⁶. To a large extent, Twisleton's decision derived from his unionist ideas. He did not share the views of many politicians of the Whig party who maintained that Ireland should belong to the United Kingdom without receiving extensive assistance from the Imperial Treasury. He argued that the Irish and the English should be treated on equal grounds since they belonged to the same kingdom⁵⁷.

George Nicholls, the English Poor Law commissioner who introduced the Irish Poor Law Act in 1838, also objected to the introduction of the Rate-in-Aid. He observed that an effectual form of relief could not be implemented unless an external assistance was provided. In point of fact, his criticism reflected his fixed opinion about the limited potentials of the Irish Poor Law to meet the demands for relief in case of a famine. He emphasised the fact the Irish rate-payers were by no means able to fund the alleviation of destitution because of the failure of the potato crop for a fourth consecutive year. He also condemned the short-sightedness of the government's officials and considered the Act as simply a result of the predominant feeling of alarm⁵⁸. Nicholls blamed the short-sighted policy of relief on the officials' limited knowledge of the real situation in Ireland. Though he supported the idea that Ireland should be self-supporting, he indicated that the decision of the government was not made in a suitable time. The unprecedented failure of the potato crop, he observed, made the alleviation of the Irish destitution an imperial duty rather than a local problem⁵⁹.

Despite the vehement opposition of many unions to Russell's measure, the campaign against the Rate-in-Aid was not successful. There was abundant evidence that the local administrators of the Poor Law failed to attract large numbers of people to their meetings⁶⁰. A public meeting in County Down was reported to be badly attended. The meetings were even marked by the absenteeism of the influential persons. The Marquis of Downshire, for example,

⁵³*Northern Whig*, 22 March 1849.

⁵⁴Second Annual Report of the Commissioners for the administration of the Laws for Relief of the Poor in Ireland, House of Commons Papers, vol 25, 1849, p. 19.

⁵⁵John Prest, *Lord John Russell*, Bristol: Macmillan, 1972, p. 246.

⁵⁶*Northern Whig*, 22 March 1849.

⁵⁷Fifth Report of the Select Committee of the House of Lords on the operation of the Irish Poor Law, House of Commons Papers, 15, part I, 1849 (148), p. 325.

⁵⁸George Nicholls, *A History of the Irish Poor Law*, op. cit., p. 358.

⁵⁹*Ibid*, p.357.

⁶⁰*Dublin Evening Post*, 13 March 1849.

did not attend a meeting at Lisburn where he had been expected to take the chair⁶¹. By the end of May, the opponents of the Rate-in-Aid became conscious of the fact that their action had been inefficient. One of the local administrators of the Poor Law blamed the failure of the campaign against Russell's proposal on the lack of organisation:

If the council given on a former occasion had been attended to, if they had formed a league against this bill, having for its leaders the head of society, placed intermediately between the legislative and the people...the measure would never have passed⁶².

Though the lack of a well-organised political action had certainly contributed to the failure of the opponents of the Rate-in-Aid, the proposal that an income tax might be adopted in Ireland must have worked as a disincentive to a further opposition. The introduction of the Act was also facilitated by the fact that the Irish Members were not only disorganised in their action but also proposed no real substitute for the Rate-in-Aid. Their action seemed to be restricted to a mere condemnation of the government's scheme.

The Advocates of the Rate-in-Aid

Though the Rate-in-Aid provoked a strenuous opposition of the major administrators of the Poor Law, Alfred Power, the Assistant Commissioner, did not share the views of his colleagues. In point of fact, he supported Russell's scheme on the ground that the current relief measure did not relieve destitution effectively. It is important to mention that he did not provide any specific reason for the advantages of the Rate-in-Aid⁶³. Accordingly, Power's attitude showed his intention to use the degradation of Twisleton's relation with the Whig government in order to reach a higher position in the administration of relief. An examination of his previous attitude relative to the introduction of the most controversial relief measure, the Gregory Clause, also reveals that he did not share Twisleton's views. While he supported the system of evictions, Twisleton opposed it on the ground that it was detrimental to the tenants⁶⁴.

Like Russell, George Grey⁶⁵ opposed the reaction of Ulster rate-payers on the ground that all the provinces of Ireland did not pay any assessed tax or the income tax. He answered the assertion, made by a meeting in County Tyrone, that England needed Irish labourers in normal times. He indicated that a large number of Irish paupers received assistance in London, Glasgow, Liverpool and Edinburgh⁶⁶.

The Liberal Member of Parliament for Mallow, D. J. Norreys, supported the idea that destitution in Ireland should be exclusively funded from Irish resources. He advocated a system based upon a principle of an unlimited taxation of the rich districts for the support of the distressed areas. He believed that the assistance of the Irish paupers should primarily derive from the Poor Law Unions which were not badly affected by the Famine. His argument seemed to be based upon a principle of common responsibility towards the escalating

⁶¹Ibid, 3 March 1849.

⁶²Ibid. 24 May 1849.

⁶³ Grant James, *The Great Famine and the poor law in Ulster: the rate-in-aid issue*, op. cit., p.41.

⁶⁴*Dublin Evening Post*, 15 January 1848.

⁶⁵He was the Home Secretary.

⁶⁶Grant James, *The Great Famine and the poor law in Ulster: the rate-in-aid issue*, op. cit., p. 38.

destitution “And he founded his suggestion upon the general principle that no portion of Ireland was legally or morally responsible for its pauperism”⁶⁷. More specifically the responsibility of funding the relief measures was to be confined to only some parts of Ireland. He defined his ideal of an Irish Poor Law in terms of a nationally-shared burden ensuring equilibrium between the destitution of some areas and the wealth of others⁶⁸.

The ideas of the Repeal Member of Parliament for Cork City, William Fagan, were even less convincing to the group of opposition to the Rate-in-Aid. Although he was an advocate of the fact that the Imperial Treasury should defray the expenditure upon the alleviation of destitution in Ireland, he suggested that the Rate-in-Aid should be introduced. His attitude showed that there was a division in the Repeal party over the issue of relief in Ireland. Contrary to John O’Connell who opposed the new mode of taxation, he supported the Rate-in-Aid on the ground that a large number of paupers in Cork needed an urgent assistance. He also indicated that the local rate-payers had not sufficient resources to meet the demands for assistance. Additionally, he regarded the opposition to the Rate-in-Aid as an index of a total indifference to the situation of the paupers “*The lives of the starving they had passed over altogether unnoticed*”⁶⁹. It was a fundamental concern to Fagan that a national system of taxation should be introduced instead of the income tax⁷⁰. Though he supported the introduction of the Rate-in-Aid, he criticised the way in which the Whig administration tackled the problem of destitution in Ireland⁷¹.

The fourth year of the Famine was undoubtedly marked by the hostility of British public opinion to any remedial measure funded from the Imperial Treasury. The Famine, which had been regarded as an imperial calamity, was viewed in the year 1849 as a local problem in Ireland. Accordingly, public opinion as well as many politicians pressed upon the government to compel the Irish property owners in Ireland to fund the relief measures⁷². The expenditure upon the Irish distress, being about ten million pounds, alarmed the British public who objected to further financial assistance to Ireland. The funding of relief was viewed in the *Times* as “*a duty imposed on the proprietors and occupiers of the soil*” dictated by “*nature, British usage, and common sense*”⁷³.

In addition, the absence of Irish schemes of relief not only resulted in the imposition of the views of British politicians but also gave the Whig administration an opportunity to meet the criticism of the British public. Accordingly, the Whig policy insisted on the idea that the cost of the mitigation of the Famine should fall completely on the Irish resources. The Irish opposition to the new mode of taxation had also been weakened by the divisions among the Members of Parliament. Indeed, during the second reading of the Bill, 15 Irish Members of the 105 representatives of Ireland voted for its introduction⁷⁴.

The Provision of Aid to the Western Unions

⁶⁷Hansard’s Parliamentary Debates, Third Series, Vol 104, 3 April 1849, p. 253.

⁶⁸Ibid.

⁶⁹Hansard’s Parliamentary Debates, Third Series, Vol 103, 26 March 1849, p. 1338.

⁷⁰Ibid.

⁷¹Ibid, p. 1337.

⁷²George Nicholls, *A History of the Irish Poor Law*, op. cit., pp. 366-67.

⁷³*Times*, 4 January 1849.

⁷⁴Ibid, p.304.

The lengthy debate over the funding of relief seemed to intensify the crisis. While there was an ideological battle fought in Parliament between the hard-liners and those who favoured a financial aid from the Treasury, a great number of people in Ireland notably in the western districts were deprived of the necessary means of their sustenance:

The earlier months of the year 1849 were marked by a greater degree of suffering on the part of the population of the western and southern districts, than any period since the fatal season of 1846-7. Exhaustion of resources, by the long continuance of adverse circumstances, caused a large accession to the ranks of the destitute. Clothing had been worn out or parted with to provide food, or seed ...⁷⁵.

The absence of a suitable machinery of relief undoubtedly affected the destitute people who had already lost the minimum required for their survival. The situation in the beginning of the year 1849 deteriorated since the funding of relief had to be exclusively from local resources. The persistence of destitution in the beginning of the fourth year of the Famine reflected the failure of the government's agencies of relief to operate effectively.

It is worth noting that the discontinuation of the activities of the charitable associations notably the British Association transferred the responsibility of supporting the destitute people to the limited local resources. In a number of unions, which had been almost completely dependent upon private charity⁷⁶, the government's interference proved to be essential. The relief provided, under the advances of the Treasury, did not provide an effectual assistance as it had been the case a year before. Furthermore, the scope of the Treasury's action did not cover all the unions in urgent need for assistance "*There is a further class of Unions, the financial affairs of which are in a state of much embarrassment, but which have not as yet received assistance*"⁷⁷.

The increase in the number of people affected by contagious disease represented a further burden on the already limited funds of the localities⁷⁸. The local administrators of relief had to use part of the relief funds for the support of the patients. As a result of the quick spread of diseases combined with the government's emphasis on minimum interference, the situation deteriorated dramatically. The Poor Law Commissioners complained about the fact that the funds of the localities were too limited to provide assistance to both the patients and the destitute people⁷⁹.

Additionally, many local administrators of relief objected to the provision of assistance to the fever and cholera patients along with relief recipients. In Galway, for example, a Vice-Guardian removed from the fever hospital all the patients except an old

⁷⁵Second Annual Report of the Commissioners for the administration of the Laws for Relief of the Poor in Ireland, House of Commons Papers, vol 25, 14 July 1849, p. 10.

⁷⁶These unions were Gentlies, Bantry, Cahereiveen, Dingle, Ennistymon, Kenmare, Kilrush, Scariff, Ballina, Ballinrobe, Boyle, Carrick-on-Shannon, Castlebar, Caslerea, Galway, Gort, Mohill, Roscommon, Sligo, Swineford, Tuam and Westport.

⁷⁷Second Annual Report of the Commissioners for the administration of the Laws for Relief of the Poor in Ireland, House of Commons Papers, vol 25, 14 July 1849, p. 16.

⁷⁸For more details about the deadly nature of the diseases see Mohamed Salah Harzallah, "The Medical Profession and Epidemics in Ireland", *History Studies* Vol 2/2, 2010, pp. 189-205.

⁷⁹Joseph Robin, *The Miasma Epidemic and Panic in Nineteenth Century Ireland*, Dublin: Institute of Public Administration, 1995, p. 139.

woman. As a result of that, many of the patients died⁸⁰. Some medical officers also cooperated with the Guardians to discharge patients from the fever hospitals. The medical officer in Limerick reported that the patients in Cappamore temporary hospital were not genuinely sick. He alleged that all what they needed was food. However, an inquiry into the situation made by an impartial medical officer showed that the health of some patients deteriorated considerably due to the fact that they were discharged from the hospital⁸¹.

Even when the Rate-in-Aid was implemented, many Poor Law unions faced the same problem relative to the funding of relief. The funds raised under the provisions of the act proved to be insufficient to meet the demands for assistance. In order to remedy the situation, the Treasury made advances on the security of the poor rates. In so doing, Trevelyan ensured that all the expenditure upon relief would fall completely upon the Irish rate-payers even when they did not have the means to support the people. It is important to mention that the funds received from other sources than the poor rates were very limited. The situation made the major officials of the Poor Law apprehensive about the operation of public charity⁸².

The Chancellor of the Exchequer appeared to be aware of the inefficiency of the system of financing the relief operations. Despite the fact that he was an advocate of a policy of non-interference, he pressed upon the House of Commons in the month of July 1849 to sanction an advance of money for the provision of relief in the western districts. He observed that the minimum amount of money needed for the support of the paupers in the western districts was estimated to be £15,000 weekly. He also suggested that a sum of £150,000 should be sanctioned in aid of the twenty three bankrupt unions in the west. He favoured a policy of a financial interference in the distressed districts on the ground that the collection of the rates had been enforced to the most possible extent⁸³.

An examination of the sums collected and spent upon the relief operations provides us with a good understanding of the extent to which the Irish were self-supporting. By June 1849, the sums collected were £1,333,200 and those spent upon the operation of the Poor Law were £1,572,810⁸⁴ which signified that about £239,610 was received from other sources than the poor-rates. From this limited data, two main conclusions could be drawn. First, the contribution of the Treasury to the Irish relief was very limited compared with the sums spent from the local resources. This certainly marked the success of the government in implementing a policy of financial retrenchment. Second, the Irish landowners, who had often been blamed for their inaction, contributed effectively to the funding of relief operations in the year 1849.

It is worth emphasising that the operation of the Poor Law under the provisions of the Rate-in-Aid proved to be totally ineffective. Though many Members of Parliament predicted during the early debates that the policy adopted to relieve destitution would be detrimental to both the paupers and the rate-payers, in the month of July the Members of Parliament unanimously agreed that the government's policy failed to achieve the major goals for which it was altered. They became conscious of the fact that the eradication of destitution and the implementation of habits of industry and hard work were far-fetched ideals if Ireland had to rely only upon its resources. The limited results, achieved under the system of a national

⁸⁰Ibid,p. 131.

⁸¹Ibid.

⁸²Hansard's Parliamentary Debates, Third Series, Vol 105,1 June 1849, p. 16.

⁸³Ibid, 12 July, 1849.

⁸⁴Ibid, p. 17.

system of taxation strengthened the attack against Russell's government. One of the outspoken critics of the Poor Law was the Member of Parliament for Cookermouth, Edward Horsman. Though he belonged to the Whig party, he strongly questioned the honesty of the government while dealing with the problem of destitution in Ireland. He concentrated his attack on two issues: the heavy taxation imposed upon Ireland and the persistence of destitution in many unions. These were undoubtedly two arguments that stressed the inadequacy of the policy adopted by the government. Indeed, Horsman observed the "*Pauperism increased as the means of supporting it diminished; and the evils of famine perpetuated themselves in new and aggravated forms*"⁸⁵. Horsman's attitude reflected a clear division within the Whig party over the issue of Famine relief. It showed that the Whig politicians held different views relative to the degree of the government's involvement in the financing of relief schemes.

Though the system of relief adopted to relieve the destitution was often described as demoralising to the people, Russell did not leave the attack on his policy unanswered. He argued that the scope of the government's action within Ireland was misunderstood. Despite the fact that the opponents of the government regarded the operation of public charity as a complete failure, Russell indicated that the system of relief preserved the life of thousands of people:

*I have heard it said that the aid we have given first by the assistance of the state- and after by the Poor Law, has demoralised them. Demoralised them, indeed ! Admirable phrase ! admirable phrase on the part of those who wished to pass on the other side of the way, and take no notice. But if we had not taken notice, these people would not indeed have been demoralised, they would have been dead*⁸⁶.

While the critics of Russell judged the role of the government in the support of the destitute people as insufficient, the Prime Minister considered what was done by his government as effective. The conflict, indeed, reflected two different ways of understanding the scope of the government's action. On the one hand, the Whig government, which advocated the principles of political economy, viewed the Famine as mainly the responsibility of the local rate-payers. On the other hand, the critics of the government blamed the deaths from starvation on the commitment of Russell and his government to the principles of political economy. They criticised the ideological background upon which Russell and the major officials of the government acted. The theories of Adam Smith and Ricardo, they argued, were far from the realities of the Irish life:

*Lord John Russell is pre-eminently a cabinet Minister ; he is deeply read in books ; has the whole theory of Adam Smith and Ricardo at his fingers' ends, but knows nothing of human character or of practical everyday life*⁸⁷.

Though the provision of relief to the destitute proved to be a hard task due to the lack of funds, the situation improved in many Poor Law unions. About a thousand inmates left the

⁸⁵Hansard's Parliamentary Debates, Third Series, vol. 107, 23 July 1849, p. 835.

⁸⁶*Dublin Evening Post*, 5 April 1849.

⁸⁷*Northern Whig*, 24 February 1849.

workhouse of Limerick in July 1849. In Tralee Union, the operation of outdoor relief also diminished significantly. The number of outdoor relief receivers decreased from 11,000 to 4,000 persons. Accordingly, the number of staff administering public charity was reduced. Similarly, there was an important reduction in the number of outdoor relief recipients in Castlerea Union⁸⁸. Despite the decrease in the number of people dependent upon public charity, destitution was still severe in Ireland due to the fact that more than a million persons received relief in the summer 1849⁸⁹.

Despite the persistence of destitution in many localities, the British government promptly recollected the money advanced to aid the Irish. Undoubtedly, the principle of self-reliance seemed to be enforced in Ireland:

The sum total of the two Rates-in-Aid imposed, that is to say of 6d. in the pound in 1849, and of 2d. in the pound in 1850, was £421,990 and of this amount £409,468 has already been remitted to the Paymaster of Civil Services, leaving the small balance of £12,522 still to be collected... a considerable sum from the Rate-in-Aid Fund was applied by us in the course of last summer, in relieving the overcrowded workhouses of Unions in the Counties of Clare and Kerry; but recently the approaching exhaustion of that fund has prevented our being able to entertain many pressing applications which we have received for further assistance for this purpose⁹⁰.

The quick refunding of the money showed that British politicians gave priority to the principle of less-intervention dictated by the ideology of political economy. In fact, the latter disregarded any interventionist role in the field of public charity. Nineteenth-century British politicians highly believed in the teachings of Adam Smith, Robert Malthus and Nassau Senior⁹¹.

Indebted Landlords

Apart from being forced to contribute to the funding of relief operations in the western unions, the landlords were also required to pay their debts. When they failed to do so, their properties had to be sold. The Whig administration perceived the Famine as representing a good opportunity to introduce radical changes in the Irish agriculture. Central to the government's policy in Ireland was the replacement of the insolvent landlords by men of capital. The objective was to attract foreign investors especially English capitalists to invest in the land. Government officials sought to restructure the Irish economy through the adoption of new techniques of farming based on capital and consolidated holdings. Though the consolidation of properties was already under way by 1849⁹², the attraction of capital required a new legislation. To this end, the Encumbered Estates Act was introduced to make the sale of the heavily indebted estates legal.

⁸⁸*Dublin Evening Post*, 21 August 1849.

⁸⁹Third Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, House of Commons Papers, 25 May 1850, p. 4.

⁹⁰Fifth Annual Report of the Commissioners for the administration of the Laws for Relief of the Poor in Ireland, House of Commons Papers, vol 23, 1852, p.11.

⁹¹ Mohamed Salah Harzallah, "Food Supply and Economic Ideology: Indian Corn Relief during the Second Year of the Great Irish Famine (1847)", op. cit., pp. 308-312

⁹²A year before, the government introduced the Quarter-Acre Clause in order to consolidate properties.

The landlords' income diminished with the significant decrease of the rent caused by the pauperisation of the tenants on whom they depended. Accordingly, the insolvency of the landlords seemed to offer a good opportunity for the implementation of economic change in Ireland. In April 1849, the Solicitor General presented the Encumbered Estates bill in the House of Commons. He drew the attention to the fact that the success of a policy based on the sale of the encumbered estates depended on the existence of a class of purchasers. He also observed that the failure of the previous legislation relative to the sale of encumbered estates, under the control of the Court of Chancery, was caused by the long and complicated procedures of land registration and transfer of title. In an attempt to introduce a better system, he argued that the government suggested that the sale of estates should be undertaken by a commission instead of the Court of Chancery "*They had decided that it would be best to create a commission to perform, in respect to encumbered estates, the functions now discharged by the Court of Chancery*"⁹³.

Contrary to the previous measures of the government, the operation of the commission was not constrained by long bureaucratic procedures. The commission was allowed to take various independent decisions relative to the sale and the registration of land. Though the Commissioners could work independently of the Court of Chancery and other government bodies, they needed the former to make a legal decision on certain issues "*It would be necessary, for the purpose of adjudication, that the commissioners should have the power to send cases and issues to be tried at law*"⁹⁴.

It is worth noting that the charitable organization the Society of Friends supported the government's measure. Like the British officials, the leaders of this organisation believed that Ireland was capable of progress if insolvent landlords were changed by owners willing to invest in the land. Essentially, they regarded the heavily indebted landlords as completely unable to improve the living conditions of their tenants. Instead of improving farming, insolvent landlords often tended to increase the rents. They were also unable to manage their estates effectively due to the fact that they largely depended on money lenders. Accordingly, the Society of Friends regarded the sale of encumbered estates as an effective means to create employment and relieve the distress of the paupers:

*The present Bill, as amended, will supply a prompt, cheap, and efficacious remedy, in a vast number of cases ...and by giving an impulse to the sale of land, is calculated to create a large number of small proprietors, and thus, whilst removing a vast amount of distress, to increase the advocates of order and good government*⁹⁵.

⁹³ The precedent of the government's scheme was the West India Commission which had inquired into matters relative to encumbered estates. The success of the latter in carrying out its mission encouraged the government to establish a similar commission in Ireland. See, The Solicitor General, Hansard's Parliamentary Debates, Third Series, Vol 104, 26 April 1849, p. 894.

⁹⁴ Ibid, pp. 896-897.

⁹⁵ Society of Friends, *Reasons in Support of the Incumbered Estates (Ireland) Bill, issued by the London Committee of the Society of Friends for the Relief of Irish Distress, in Sixth-month, 1849 in Transactions of the Central Relief Committee of the Society of Friends*, Dublin: Edmund Burke Publisher, 1996 (a reprint of the first edition in 1852), p. 451.

A Member of Parliament supported the bill on the ground that it would limit the paupers' dependence on public charity. William Page Wood, MP for Oxford, used the case of Ballina Union to demonstrate the extent to which the implementation of the sale of encumbered estates could regenerate the economy. He observed that out of the twenty-seven thousand persons who were likely to be relief recipients four thousand were able-bodied. He also indicated that the latter supported about fourteen thousand persons. Accordingly, he concluded that about eighteen thousand persons would be self-supporting if capital existed in Ballina. He stated that an immediate measure should be introduced to attract investment in the land:

*This circumstance was surely sufficient to prove the necessity of something being immediately done, and as rapidly as possible, to liberate the land and place it in the hands of persons of capital, and capable of working it*⁹⁶.

Wood's support of the introduction of the Encumbered Estates Act reflected the influence of ideology on British politicians in the 1840s. His emphasis on the idea that the land should be traded freely shows that he shared with Russell a commitment to the principles of laissez faire. Though some Tory Members of Parliament supported the bill, they suggested some amendments. The Tory MP for Dublin City, Edward Grogan indicated in Parliament that the purchasers should not be subject to excessive poor rates. He regarded the Poor rates as one of the major causes of poverty in Ireland. Accordingly, he urged the government to introduce fundamental changes in the Poor Law:

*...he should impress upon the House that more was necessary, and unless they went to the root of the evil, and altered the poor-law, so as to make the purchasers secure against their property being swalled up by poor-rates, it would be useless to bring lands into the market*⁹⁷.

He also described the appointment of a commission as unconstitutional and counterproductive. Contrary to the government, he argued that the powers of the commissioners represented a threat to all the proprietors in Ireland. He seemed to be apprehensive about the way in which the landowners could be dispossessed of their properties due to the fact that the commissioners could easily launch inquiries and sell the land of the indebted landlords⁹⁸. Despite the fact that Edward Grogan criticised the government's measures, he did not object to its introduction. He mainly insisted on its amendment. The attitude of Grogan shows that both Tory and Whig parties shared a common ground relative to the introduction of radical changes in Ireland.

While there had been a debate over the introduction of a national system of taxation in Ireland, Sir Robert Peel believed that the introduction of change in the system of land ownership was conditional to any economic progress. Though most of the Members of Parliament focussed their discussions upon the benefits and the drawbacks of the Rate-in-Aid, Peel continued to believe in the benefits of a policy based upon a system of free trade. Unlike the repeal of the Corn Laws, which he had undertaken in the year 1846, he suggested free trade in the sale and the purchase of land. He indicated that a commission should be established in

⁹⁶Mr. W. P. Wood, Hansard's Parliamentary Debates, Third Series, Vol 104, 26 April 1849, p. 907.

⁹⁷ Mr. Grogan, Hansard's Parliamentary Debates, Third Series, Vol 105, 11 May 1849, p. 345.

⁹⁸Ibid, 21 May 1849, pp. 766-767.

the distressed unions in order to sell land for the purpose of paying the arrears of the rates. He also suggested that the purchasers should get a parliamentary title protecting their rights:

*Give, therefore, a clear, simple title, which will be safe against the whole world-that is the chief thing. Give to the purchaser an assurance against indefinite charges for poor-rate, as you are about to do; give assistance by advances, also-not to the encumbered proprietor, who really has nothing beyond a nominal interest in the property*⁹⁹.

In case there was an amount of money left after the payment of the rates, Peel suggested that it should be kept under the control of the Account-General of the Court of Chancery. It is important to mention that this court was to play a vital role in ensuring the transfer of land¹⁰⁰. Peel believed that his plan would both attract capital from outside Ireland and result in the modernisation of agriculture in Connaught. In point of fact, the accumulation of the arrears of rates, which had to be paid by the purchasers, was one of the major factors that worked as a disincentive to the transfer of land in the most distressed districts.

The Repeal Member of Parliament for Roscommon Fitzstephen French argued that British prejudice against Ireland largely contributed to the introduction of the bill due to the fact that its provisions represented a direct attack against the landlords. He also rejected the government's proposition on the ground that the sale of the estates would be lower than their real value¹⁰¹. The same idea was echoed in the opposition of J.B. Walsh who was a British MP for Radnorshire. The latter considered the sale of the encumbered estates in Ireland as illegal. Accordingly, he described the government's measure as "*a total sacrifice of the property*"¹⁰². He also indicated that the purchasers could not, under the same circumstances, act better than the old proprietors¹⁰³. He highly criticized the powers of the commission and regarded it as an instrument of oppression exercised over the Irish landlords:

*...it would be composed of men necessarily dependent upon Government, and expectant of their favour; and it was to a fleeting and ephemeral commission of this kind that it was now proposed to give the power of controlling a large portion of the landed property in Ireland*¹⁰⁴.

After a long debate in both Houses of Parliament, the Encumbered Estates Act was passed in July 1849. The new legislation empowered three commissioners to start the sale of the land of insolvent landlords on the application of at least one encumbrancer. The estates the debts of which exceeded half the annual net rent became subject to sale under the provisions of the Encumbered Estates Act. The legislation also empowered the commissioners to grant the purchasers a clear and indefeasible title¹⁰⁵.

⁹⁹ Hansard's Parliamentary Debates, Third Series, Vol 104, 26 April 1849, p. 913.

¹⁰⁰ Hansard's Parliamentary Debates, Third Series, Vol 103, 5 March 1849, pp.179-193

¹⁰¹ Mr F. French, Hansard's Parliamentary Debates, Third Series, Vol 105, 21 May 1849, p. 762.

¹⁰² J.B. Walsh, Hansard's Parliamentary Debates, Third Series, Vol 105, 21 May 1849, p. 763.

¹⁰³ Ibid.

¹⁰⁴ Ibid, p.764.

¹⁰⁵ Ibid.

Though a large number of Irish landlords were insolvent, there were also insolvent landlords in England. A large number of English landlords could have been forced to sell their properties if the Encumbered Estates Act had been extended to England. However, English landlords spent their debts on the improvement of their estates while the Irish landlords often used the borrowed money to maintain a high life style¹⁰⁶. It is worth noting that the operation of the policy of the sale of encumbered estates resulted in the transfer of properties to a large number of new proprietors. Few years after the operation of both the Court of Chancery and the Commission, about five million acres were sold in Ireland. Though the major objective of the government was the attraction of British capital, the results achieved under the operation of the sale of encumbered estates were in contrast with the government's expectations. In point of fact, the vast majority of the new owners were Irish¹⁰⁷. Additionally, the sale of the encumbered estates did not reform the way in which the land was exploited. Though there was a change of ownership, the new proprietors did not reform farming in Ireland. They even proved to be worse than their predecessors. Due to the fact that most of them were speculators, they increased the rents without improving the living conditions of their tenants¹⁰⁸.

Nineteenth-century British politicians perceived the landlords in Ireland as an obstacle to the modernisation of Irish agriculture. Though the Irish context of the 1840s represented an opportunity to introduce radical changes in Ireland, British contemporaries believed that these changes required the elimination of the Irish landlords. Apart from blaming the deteriorated situation on the character of the Irish people themselves, they believed that the consolidation of properties represented a necessary step towards the modernisation of the agricultural sector. Therefore, they insisted on the principle of local responsibility while providing relief to the Irish paupers. Landlords were made accountable for the alleviation of destitution in their localities while being required to pay back their debts in order to maintain their social status. However, the non-payment of rents by the tenants for long periods of time weakened the landlords' financial status. Accordingly, the properties of many of them were sold by the British government under the operation of the Encumbered Estates Act. British politicians seemed to carry out a well-planned strategy of weakening the tenants and the landlords in an attempt to introduce fundamental changes in Ireland. While the Encumbered Estates Act resulted in the sale of the insolvent landlords' properties, a previous legislation, the Quarter-Acre Clause,¹⁰⁹ resulted in the eviction of tenants from the plots of land they occupied. However, the expectations of relief policy-makers did not reflect a deep understanding of the situation in Ireland. In point of fact, local resources proved to be too limited to mitigate destitution and the sale of encumbered properties did not attract English investors.

¹⁰⁶ Cormac O'Grada, *Black '47 And Beyond*, Princeton, New Jersey: Princeton University Press, 1999, pp.129-130.

¹⁰⁷ Christine Kinealy, *This Great Calamity*, Dublin : Gill & Macmillan, 1994, p. 275.

¹⁰⁸ J.C. Beckett, *The Making of Modern Ireland 1603-1923*, op. cit., p. 353.

¹⁰⁹ Hansard's Parliamentary Debates, Third Series, Vol 98, 9 March 1848, p. 338.

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