

OUTLINES OF LOCAL GOVERNMENT

BY
JOHN J. CLARKE, F.S.S.

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LONDON
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1919

OUTLINES OF LOCAL GOVERNMENT

INCLUDING THE
EDUCATION ACT, 1918
AND A CHAPTER ON
SOCIAL SERVICE

BY

JOHN J. CLARKE, F.S.S.

LUNDIE SILVER MEDALLIST FOR CITIZENSHIP; LECTURER IN PUBLIC ADMINISTRATION, LOCAL GOVERNMENT AND CITIZENSHIP FOR THE LIVERPOOL EDUCATION AUTHORITIES; LECTURER TO THE WORKERS' EDUCATIONAL ASSOCIATION AND CO-OPERATIVE UNION; TUTOR TO THE UNIVERSITY EXTENSION BOARD AND RUSKIN COLLEGE, OXFORD

SECOND AND REVISED EDITION

Fernandes P. Cassin

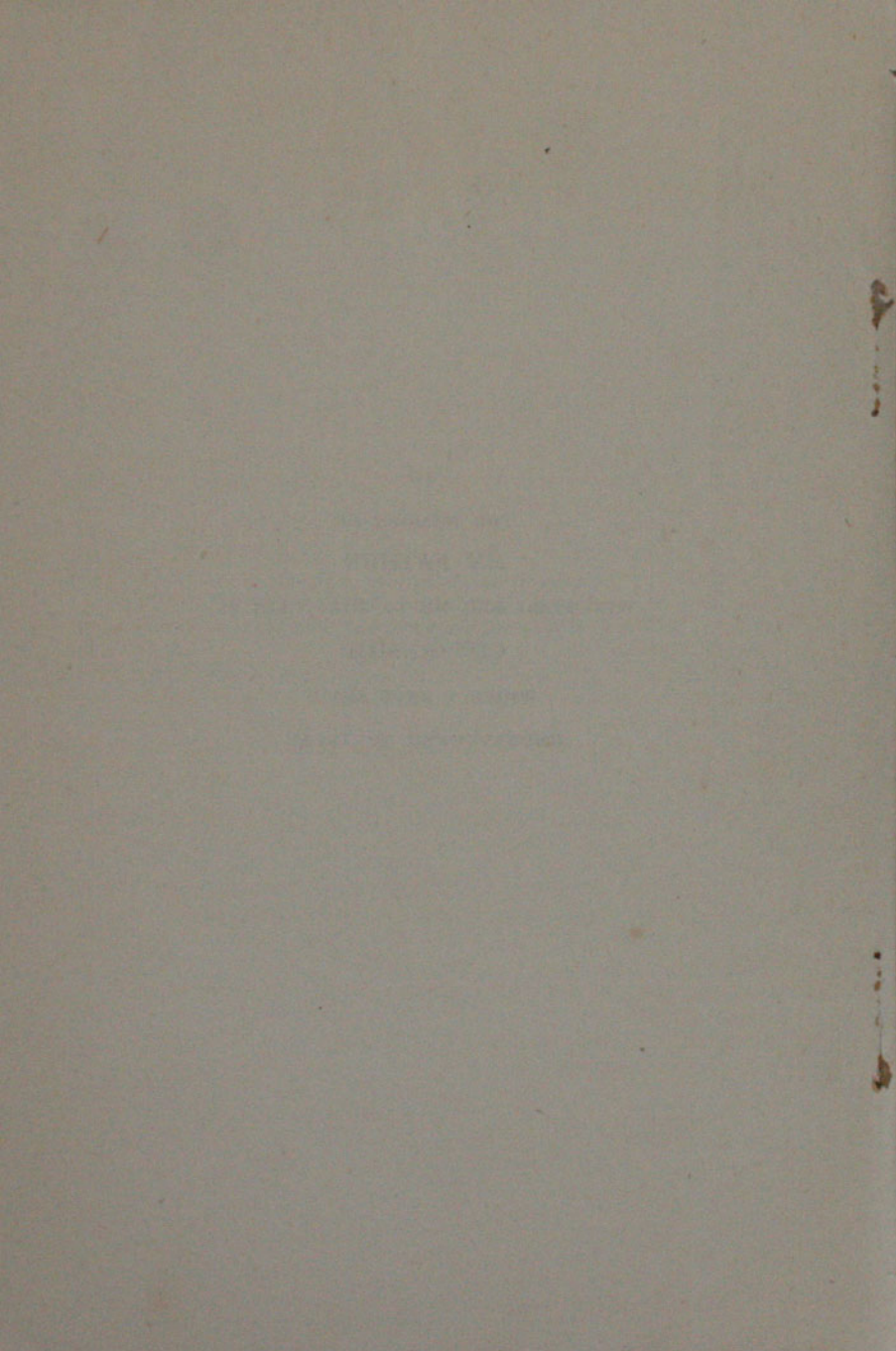
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TO
THE MEMORY OF
MY FATHER
WHO FIRST LED ME TO THAT PATH OF
CITIZENSHIP
WHICH I HAVE SINCE
ENDEAVOURED TO TREAD



AUTHOR'S NOTE

The Outlines of English Local Government was published by the North Western District of the Workers' Educational Association in July, 1916, and is now out of print. It has met with a gratifying reception, and the requests for copies received from officials of local authorities, students and teachers, as well as the general public in this country, the Colonies, India, and the United States, have encouraged the opinion that a further edition, revised and enlarged in book form, would prove acceptable.

This has been made possible by the practical co-operation of the publishers and my friend Mr. E. A. Bryant, of the Liverpool Booksellers Co., Ltd.

No attempt has been made to incorporate the Emergency Legislation, except such as is considered of a permanent character. It is hoped that this edition will prove of value in the work of social reconstruction which lies ahead; that it will be of benefit to the general reader; to students of Local Government and Citizenship in connection with the classes conducted by the Workers' Educational Association, Adult Schools, Local Education Authorities; and to the University Schools of Social Science and kindred bodies.

While the text has been written as far as possible free from legal and technical phraseology in order to make it more acceptable to the general reader, it is believed it will prove of assistance to students preparing for the examinations of the Institute of Municipal Treasurers and Accountants, the National Association of Local Government Officers, the Poor-Law Examinations Board, the Union of Lancashire and Cheshire Institutes, and for the Diplomas in Social Science awarded by Universities and kindred bodies.

The writer is greatly indebted to his friends and former colleagues in the service of the Liverpool Corporation, Captain A. D. Harper, O.B.E., and Mr. P. Taggart, A.S.A.A., for their assistance in preparation for the Press, to Mr. J. E. Pratt, A.C.I.S., for a complete revision of the Bibliography, and to fellow-members of the Citizenship Students Association and the Beechcroft Settlement for various suggestions which have been incorporated in the text.

JOHN J. CLARKE.

The University of Liverpool,
April, 1918.

PREFACE

TO THE SECOND EDITION

THE rapid exhaustion of the edition issued a few months ago has given the opportunity to revise the various chapters, and to include the proposals for a Ministry of Health, Ministry of Ways and Communications, and the Government Housing Bill. At the same time two new chapters dealing with the Education Act, 1918, and opportunities for Social Service have been added. The various proposals contained in the Maternity and Child Welfare Act, 1918, have been incorporated in the chapter on Public Health, and the chapter on Trade Boards has been divided, and the general provisions of the Corn Production Act, 1917, added. The Bibliography has also been enlarged.

I have received many suggestions from academic and other friends in this University and in different parts of the country. In addition to those specially referred to in the preceding page, I desire to express my indebtedness to Mr. F. Hall, Director of Studies, Co-operative Union; Mr. James G. Legge, Director of Education in Liverpool; and Mr. F. G. D'Aeth, Secretary of the Liverpool Council of Voluntary Aid. Mr. Arnold N. Shimmin, of the University of Leeds, has made me valuable suggestions which have been introduced into this edition.

I trust that the new edition will prove even more acceptable to the increasing number of citizens who are considering the present problems of social reconstruction.

JOHN J. CLARKE.

*The University of Liverpool,
March, 1919.*

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OUTLINES OF LOCAL GOVERNMENT

BY JOHN J. CLARKE, F.S.S.

I

FUNCTIONS AND PRINCIPLES

1. LOCAL GOVERNMENT is that part of the government of a nation or state which deals mainly with such matters as concern the inhabitants of a particular district or place, and which it is thought desirable should be administered by local authorities, subordinate to the central government.

The Local bodies so charged with the administration of these functions are, in the main, elective, and are referred to hereafter as Local Authorities.

2. FUNCTIONS—

- (1) Maintenance of a local legislature.
- (2) Care of certain classes of the community.
- (3) Provision of arrangements for public safety.
- (4) Maintenance of works of public convenience and utility.
- (5) Establishment of institutions for the betterment of the community, and for the development of character.
- (6) Management of quasi-commercial undertakings.
- (7) Establishment of schemes for social experiments.
- (8) Control of certain functions of a national character, including pensions, food, and fuel.

The field of local government constitutes a training ground for the national government.

3. PRINCIPLES—

(1) There is no strict line of demarcation between central and local government; the limitations of each being effected by compromise.

(2) Local Government is co-ordinated and centralized by—

(a) The legislature delegating certain functions to the local authorities.

(b) Interpretation by the High Court judicature of the intentions of the legislature.

(c) Control by the Central Departments of the State, as shown in the succeeding chapter.

(3) Central control is exercised by means of—

(a) Inspections of Police and Establishments.

(b) Inquiries relating to Borrowing; Alteration of Boundaries; Complaints of Administration.

(c) Statistics—Financial; Sanitary; Poor; Education; Judicial; Mental Deficiency; Births, Deaths, and Marriages.

(d) Audits of Accounts by District Auditors of the Local Government Board.

(e) Prescription of duties and their enforcement.

(f) Advice is given respecting new powers and duties by means of circulars.

(g) Provisional Orders are issued under enactments.

(h) Local Taxation Grants provide for a minimum of service.

(i) Appointments—Approval of appointments (*e.g.*, Officers of Boards of Guardians).

(j) Bye-laws subject to approval of the Secretary of State or Local Government Board.

(k) The exact relations between central and local government are often in conflict between the out-and-out "local self-government" school and the "centralizers," who wish to smooth out local inequalities by bureaucratic control and an extension of local taxation grants centrally administered.

(4) Duties are restricted by the legislature to certain authorities.

(5) Limitations of powers relating to rating and borrowing.

(6) Each Local Authority, with the exception of the County Council (and County Borough Council) administers, broadly speaking, a unit forming a component part of another authority's area. These authorities are principally—

(a) Parish Meeting or Parish Council.

(b) Urban or Rural District Council.

(c) Borough Council.

(d) County Council.

(e) Board of Guardians.

(f) Burial Boards and Joint Boards.

(g) Overseers of the Poor.

(h) Justices of the Peace have, in addition to their judicial functions, certain duties appertaining to Local Government which are referred to in Chapter VI.

(7) Control exercised over any local authority, either by the central authorities or some other local authority, is in inverse ratio to the powers given.

(8) Limitations as to expenditure are relaxed, particularly in matters of social betterment.

(9) Protection is afforded to the citizen from autocratic authority, and the official is safeguarded in the discharge of his duties.

(10) By the Local Authorities (Admission of the Press to Meetings) Act, 1908, representatives of the press have a right to be present at the meetings of every local authority, unless they are temporarily excluded by resolution of such authority.

(11) Variety in Local Government, enables the local community to shape its affairs better than in the case of a central authority.

(12) The Principle of Proportional Representation on the system of the Single Transferable Vote has been introduced into local government elections in Scotland and Ireland, and will no doubt be extended to England and Wales.

CENTRAL DEPARTMENTS OF THE STATE

THE following are the principal Departments controlling local government.

1. THE PRIVY COUNCIL is a body of nominated persons whose names are approved by the sovereign. Has played a most important part in the administrative development of local government. Recommends the Crown to grant Charters of Incorporation for the creation of new Boroughs. Orders in Council make provision for bringing into operation many new statutes. In 1915 there was established a Committee for the Organization and Development of Scientific and Industrial Research.

2. LOCAL GOVERNMENT BOARD was created in 1871. Functions include Public Assistance, Public Health, Housing and Town Planning, Old Age Pensions, General Administration. Allied to it is the General Register Office, responsible for the registration of Births, Deaths, and Marriages, and preparation of vital statistics. (See Ministry of Health.)

3. BOARD OF EDUCATION was established in its present form in 1899. It is responsible for elementary, secondary, technological, higher and university education and trusts, including medical inspection of school children. (See Ministry of Health.)

4. BOARD OF TRADE is the oldest of the Committees of the Privy Council. Was first established in 1622. Present Department owes its origin to an Order in Council of 1786. It has been reconstituted from time to time, and in 1918 was divided into two main divisions, viz.—

(1) Department of Commerce and Industry, divided into sections, dealing with Commercial relations and treaties; Overseas trade; Industries and manufactures; Industrial property; Industrial power and transport; Statistics.

(2) Department of Public Services Administration, engaged primarily in the work previously performed by the Marine, Railway, Harbour, Companies and Bankruptcy Departments.

5. BOARD OF AGRICULTURE AND FISHERIES was established in its present form in 1889 and its powers extended in 1903. The work of the Board is divided into five divisions, viz., Animals Division; Fisheries Division; Intelligence Division; Land Division, including Small Holdings and Allotments; Statistical, Tithe and Establishment Division.

6. HOME OFFICE was created in 1782. The Home Secretary's duties relating to Local Government include—

(1) Preservation of the King's Peace through magistrates and police.

(2) Relations with other subjects in approval of bye-laws, other than those relating to nuisances, certificates of naturalization, prevention of cruelty to children and animals.

(3) Inspection of institutions, including prisons, reformatory and industrial schools.

(4) Protection of citizens, by administering Factories and Workshops Acts and Mines Regulation Acts.

7. POST OFFICE collects certain local taxation licences for the County Councils, and sells National Insurance Stamps on behalf of the National Health Insurance Commissioners and the Ministry of Labour. It pays also Old Age Pensions, Army and Navy Separation Allowances and Pensions.

8. CHARITY COMMISSIONERS. Established in 1874 "for the better administration of Charitable Trusts in England and Wales." In 1879 the powers previously exercised by the Endowed Schools Commissioners were permanently transferred. By Orders in Council the powers of the Commissioners over all endowments for purely Educational purposes were transferred in 1899 to the Board of Education. Their work has been brought into close relations with the local authorities under the War Charities Act, 1916.

9. NATIONAL HEALTH INSURANCE COMMISSIONERS were established in 1911. There are four Commissions, one each for England, Wales, Scotland, and Ireland. (See Ministry of Health.)

10. THE ROAD BOARD was established by the Development and Road Improvement Funds Acts, 1909 and 1910, for the purpose of improving the facilities for road traffic in the United Kingdom and for the administration of the Road Improvement Grant.

11. THE DEVELOPMENT COMMISSION was established by these above-mentioned Acts to advise the Treasury in the administration of a national fund for the development of agriculture, fisheries, and other analogous economic resources of the United Kingdom.

12. THE BOARD OF CONTROL was created by the Mental Deficiency Act, 1913, for the purpose of administering the Acts relating to lunatics and mental defectives.

13. THE CENTRAL CONTROL BOARD (LIQUOR TRAFFIC) was constituted by Act of Parliament in 1915. The Board was

established primarily as a war measure, but it is believed that its operations may become permanent.

14. **MINISTRY OF MUNITIONS OF WAR** was created in 1915 by the Ministry of War Act with a view to obtaining a greater output in the production of munitions. It has established an extensive system of Welfare Work, which will no doubt form a permanent feature of our social system after the war.

15. **MINISTRY OF PENSIONS** was created by the Ministry of Pensions Act, 1916, to unify the administration of such pensions, grants and allowances relating to the army and naval pensions, other than service pensions.

16. **MINISTRY OF LABOUR** was established in January, 1917, by the New Ministries and Secretaries Act, 1916. There has been transferred to this Department the powers and duties of the Board of Trade under the Conciliation Act, 1896, Labour Exchanges Act, 1909, Trade Boards Act, 1909 and 1918, National Insurance (Unemployment) Acts, 1911 to 1918, and Part I of the Ministry of War Act, 1915.

17. **MINISTRY OF RECONSTRUCTION** was established by the New Ministries Act, 1917, to consider and advise upon the problems arising out of the war, and which may have to be dealt with upon its termination.

THE REPORT OF THE MACHINERY OF GOVERNMENT COMMITTEE of the Ministry of Reconstruction has been issued as a Parliamentary Paper (Cd. 9230). Many of its recommendations are outside the sphere of local government but include suggestions relating to the following, viz.—

18. **MINISTRY OF HEALTH.** The object of the Ministry of Health Bill is to consolidate in one department, and under one Minister—

- (a) All the powers and duties of the Local Government Board.
- (b) All the powers and duties of the Insurance Commissioners and the Welsh Insurance Commissioners.
- (c) All the powers of the Board of Education with respect to attending to the health of expectant mothers and nursing mothers, and of children who have not attained the age of five years and are not in attendance at schools recognized by the Board of Education.
- (d) All the powers of the Privy Council and the Lord President of the Council under the Midwives Acts, 1902 and 1918.
- (e) Such powers of supervising the administration of Part I of the Children Act, 1908 (which relates to infant life protection) as have heretofore been exercised by the Secretary of State.

The Bill also contains powers to bring, at a later date, under the control of the new department, (a) the medical inspection and treatment of children and young persons; (b) the care of sick soldiers (now possessed by the Ministry of Pensions); (c) and the control of lunacy. An important feature of the Ministry will be the establishment of Consultative Councils.

19. MINISTRY OF WAYS AND COMMUNICATIONS. Under the terms of the Bill it is proposed that a Ministry should be set up to co-ordinate all means of transport; to take control of railways, light railways, tramways, waterways, and inland navigation, and to take over the control of electricity. It is also proposed that roads and bridges and vehicular traffic should be included in the Bill.

III

THE PARISH

1. THE PARISH is of Saxon origin. For local government purposes the parish means "a place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed."

The Civil Parish is either rural or urban. Any parish which lies within an urban sanitary district is an Urban Parish, all other parishes are Rural.

There are also Ecclesiastical and Land Tax Parishes, which are not, however, local authorities.

2. THE RURAL CIVIL PARISH is subject to the Local Government Act, 1894, and its amendments. It is governed by a Parish Council or a Parish Meeting.

3. PARISH MEETING is an assembly of Local Government electors. Where no Parish Council is elected the following provisions apply—

(1) Corporate body with perpetual succession, but without common seal.

(2) Meetings—Annual, between 1st March and 1st April, and one other. Other meetings may be called at any time by the Chairman or any six electors.

(3) Duties—

(a) Appointment of Overseer.

(b) Approve disposal of parish property.

(c) Veto stopping or diversion of highway.

(d) All or any powers of a Parish Council.

(4) Officers—A paid clerk may be appointed with the consent of the County Council.

(5) Rates—Cannot directly levy rate. Expenditure limited to proceeds of 6d. rate, *inclusive* of Adoptive Acts, is met by precepts (or orders upon the Overseers), the amounts of which are collected as part of the Poor Rate.

(6) Accounts—Made up yearly to 31st March, and audited by the District Auditor of the Local Government Board.

4. PARISH COUNCIL is elected where population is over 300; if under 300 and over 100, where Parish Meeting so resolves; and if under 100, with the consent of the County Council. The election takes place at the Annual Parish Meeting by show of hands, or by poll, when such is demanded.

(1) Constitution—Five to fifteen members elected for three years by the Local Government electors at Annual Meeting.

Councillors must be Local Government electors or any person, male or female, resident on or before the 25th March of preceding year within the parish or within three miles of the parish. Parishes may be grouped under one Parish Council.

(2) Corporate body with perpetual succession, but without common seal. Chairman may be elected from outside the Council, but must be qualified to be a councillor.

(3) Meetings—Annual on or within seven days of the 15th April and three others. Additional called by Chairman or two Councillors.

(4) Duties—

(a) General—Appoint overseers. Appoint and revoke appointment of assistant overseers. Administer non-ecclesiastical charities. Appeal against valuations and rates. Provide parish room, books, and chest.

(b) Sanitary—May act for Rural District Council. Housing.

(c) Highway—May maintain and repair footpaths. Maintain rights of way. Veto stopping or diversion of highways.

(d) Education—May be Minor Education Authority.

(e) Land—May provide public walks and recreation grounds.

(f) Small Holdings and Allotments—Provide allotments.

(g) May, if approved by Parish Meeting, administer parochial Adoptive Acts (described in Chapter XIII).

(5) Officers are Clerk and Treasurer.

(6) Rates—Cannot directly levy a rate. Expenditure is met by precepts on overseers, is limited to 3d. in the £, or with approval of Parish Meeting, 6d. in the £, *exclusive* of expenditure under the Adoptive Acts.

(7) Loans may be raised, subject to the approval of the Parish Meeting and County Council, not exceeding one-half the assessable value.

(8) Accounts are made up yearly to 31st March, and audited by the District Auditor. (*See* Chapter IX.)

5. THE URBAN PARISH. The Vestry Meeting of the Inhabitants and Ratepayers of the Parish is still held in urban areas where the Urban District Council or Borough Council have not obtained the powers of the Vestry under the Local Government Act, 1894. Its powers include—

(1) Nomination for appointment of overseers.

(2) Appointment and revocation of appointment of assistant overseers.

(3) Approval of expenditure of money for the preparation of Valuation Lists or Supplementary Valuation Lists.

(4) Appointment of Burial Board, where the Burial Acts, 1852 to 1906, have been adopted by the Vestry.

IV

THE DISTRICT

1. THE DISTRICT is the local government unit for sanitary and highway purposes.

Governed by an Urban or a Rural District Council, in accordance with the Local Government Act, 1894. In boroughs the sanitary work is performed by the Borough Council.

2. CONSTITUTION OF DISTRICT COUNCIL.—At least one councillor for each parish of 300 population, elected for three years from 15th April by the Local Government electors. As a rule one-third retire annually.

(1) Councillors must be Local Government electors or resident for at least twelve months in the case of—

(a) Urban District, within the District.

(b) Rural District, within the Union of which the District forms a part.

Women, married or single, are eligible.

A Rural District Councillor is also a member of the Board of Guardians of the Union within which the District is situate.

(2) Council is a corporate body with perpetual succession and a common seal, and may hold land for the purposes of their powers and duties without licence in mortmain.

(3) Chairman may be elected from outside the councillors, and, unless a woman or personally disqualified by any Act, shall be by virtue of his office a Justice of the Peace for the county.

(4) Meetings—As sanitary authority, Council must hold at least twelve monthly meetings.

3. DUTIES may be divided under three heads, viz.—

(1) Common to Urban and Rural District Councils, viz.—

(a) Public Health functions under various enactments.

(b) Highway Powers.

(c) Housing and Town Planning Act.

(d) Power to make Bye-laws.

(e) Power, duties, and liabilities of Justices out of session.

(2) Applicable to Urban District Councils only, viz.—

(a) Certain Public Health functions relating to urban areas, including the issue of Stocks under Part V of the Public Health Acts Amendment Act, 1890.

(b) Minor Education Authority, with power to aid or supply education other than elementary.

(c) Parochial Adoptive Acts as enumerated in Chapter XIII, including provision of allotments.

(d) Trading undertakings.

(e) Where population is 20,000 the District Council is authority under—

(i) Old Age Pensions Acts, 1908 and 1911.

(ii) National Insurance Acts, 1911 to 1918.

(iii) Shops Acts, 1912 and 1913.

(iv) Elementary Education Authority.

(f) Where population is 25,000 it may petition for appointment of Stipendiary Magistrate under the Act of 1863.

(g) Where population is 50,000 it is authority under—

(i) Unemployed Workmen Act, 1905.

(ii) Local Committee under Naval and Military War Pensions, etc., Acts, 1915 to 1917.

(h) Power to apply for Charter of Incorporation.

(3) Applicable to Rural District Councils only, viz.—

(a) Public Health (Water) Act, 1878.

(b) Power of delegation of sanitary duties to Parish Council.

(c) Such urban powers as may be granted under Provisional Order issued by the Local Government Board.

(d) Parish Council, if co-extensive with a parish.

(e) Power to apply to County Council to become an Urban District Council.

4. OFFICERS include—

(1) Medical Officer of Health.	} Appointment of (1) and (2) subject to approval of Local Government Board.
(2) Inspector of Nuisances and	
(3) Surveyor.	

(4) Clerk.	} In urban districts specially appointed, but in rural districts the Clerk and Treasurer of the Board of Guardians acts in that capacity.
(5) Treasurer.	

(6) Collector in urban districts only.

(7) Such others as the Council consider necessary.

5. RATES—

(1) Urban District can levy and collect a General District Rate.

(2) Rural District meets its expenditure by precepts upon Overseers.

This expenditure must be divided into—

(a) General, which benefits the inhabitants generally.

(b) Special, which benefits a particular contributory place.

Any District may levy and collect a Private Improvement Rate.

6. LOANS for sanitary works of a permanent character may be raised, repayable within a period not exceeding sixty years.

7. ACCOUNTS are made up in the case of—

(1) Urban District, yearly to 31st March.

(2) Rural Districts, half-yearly to 31st March and 30th September, and

both are audited by the District Auditor of the Local Government Board.

THE BOROUGH

1. THE BOROUGH is probably the oldest local government authority.

A MUNICIPAL BOROUGH means any place for the time being subject to the Municipal Corporations Act, 1882, and the amending Acts.

2. A borough is governed by a MUNICIPAL CORPORATION, which enjoys perpetual succession and a common seal.

3. CONSTITUTION—

A Municipal Corporation means the body corporate constituted by the incorporation of the inhabitants of a borough, and consists of the Mayor, Aldermen and Burgesses.

(1) Burgess is a person enrolled upon the Local Government register of electors.

(2) Privileges of burgesses include the right to vote at borough, county council, guardian and parliamentary elections.

Duty of burgesses include serving upon juries and holding corporate office.

4. COUNCIL. A Municipal Corporation is capable of acting by a Council, consisting of the Mayor, Aldermen and Councillors.

(1) Councillors are elected by ballot for three years on 1st November by Local Government electors of the borough—

(a) From among themselves; or

(b) from persons possessing property—

(i) where there are four or more wards, valued £1,000 or rated at £30 per annum;

(ii) in other boroughs, valued at £500 or rated at £15 per annum; or

(c) from any person of either sex if that person has resided within the borough during the whole of the twelve months preceding the election.

Number of Councillors is regulated by the charter, but may be amended by the Local Government Board. Usually one councillor retires from each ward each year.

(2) Aldermen are elected by the councillors for six years from among the councillors or persons qualified to be councillors. Election is on the 9th November, one-half retiring every three years. The number is one-third the number of councillors. Their only additional function is to act as returning officers for election of councillors.

(3) Mayor is elected by the councillors and non-retiring aldermen from among the council or from persons so qualified. Election is for one year. The mayor may receive a salary, and may be re-elected.

(4) Meetings held by a Municipal Council include—

(a) Four Quarterly as a Borough Council.

(b) Twelve Monthly as an Urban Sanitary Authority.

(c) Others as summoned by the Mayor, or any five members of the Council.

5. COMMITTEES. The work is principally transacted by Committees, who are mainly appointed from among members of the Council. The acts of every Committee must be submitted to the Council for their approval, with certain exceptions.

6. DUTIES may be divided under heads as those of—

(1) A Borough Council, including the making of Bye-laws for the good rule and government of the borough.

(2) An Urban Sanitary Authority, as described in Chapters X to XII.

(3) Authority under the Adoptive Acts, as described in Chapter XIII.

(4) Trading, as described in Chapter XV.

(5) Authority to undertake additional functions prescribed by general or local Acts of Parliament, *e.g.*, Shops Acts, 1912 and 1913, and the Naval and Military War Pensions, etc., Acts, 1915 to 1917.

7. OFFICERS include—

(1) Town Clerk.

(2) Treasurer.

(3) The usual officers required by an urban sanitary authority. (See Chapter IV.)

(4) Such others as the Council think necessary.

8. RATES—

(1) Borough Rate, to meet deficiency of the Borough Fund together with requirements for education, is usually collected by the Overseers under the precept issued by the Council.

(2) General District Rate is levied and collected by the Council.

(3) Certain boroughs have a Consolidated Rate under special Acts of Parliament.

9. LOANS for borough purposes must be repaid within a period not exceeding thirty years. Other loans as prescribed by the respective enactments. Money may be raised by the issue of Stocks under Part V of the Public Health Acts Amendment Act, 1890, under the Local Loans Act, 1875, and under local Acts.

10. ACCOUNTS. The Treasurer's accounts are made up half-yearly to such date as the Council, with the approval of the

Local Government Board, may decide. Accounts are audited, unless there are provisions to the contrary, by the Borough Auditors, *i.e.*—

(1) Two elective auditors elected by the burgesses on 1st March from among persons qualified to be, but not being, members of the Council.

(2) Mayor's auditor, being a member of the Council nominated by the mayor.

This does not apply to Accounts under the Education Acts and Unemployed Workmen Act, which are audited by the District Auditor.

Some boroughs have a professional auditor in addition to the Borough Auditors, while others have an audit by the District Auditor in lieu thereof.

A full abstract of the accounts must be published yearly.

11. SPECIAL TYPES OF BOROUGHS—

(1) Boroughs possessing Judicial functions, *viz.*—

- (a) Separate Commission of the Peace.
- (b) Stipendiary Magistrate.
- (c) Separate Court of Quarter Sessions.
- (d) Coroner.
- (e) Court of Civil Jurisdiction.

(2) Boroughs possessing special functions according to population, *viz.*—

- (a) 10,000 inhabitants.
 - (i) Authority under Police, Diseases of Animals, Weights and Measures, and Food and Drugs Acts.
 - (ii) Elementary Education Authority.
- (b) 20,000 inhabitants.
 - (i) Local Pension Authority.
 - (ii) Power to apply for a separate Police Force.
- (c) 50,000 inhabitants.
 - (i) County Borough.
 - (ii) Local Education Authority.
 - (iii) Authority under Unemployed Workmen Act.
 - (iv) National Health Insurance Committee.
 - (v) Local Committee under the Naval and Military War Pensions, etc., Acts, 1915 to 1917.
 - (vi) Representatives on Territorial Associations under the Territorial and Reserve Forces Act, 1907.

(3) Counties of Cities and Counties of Towns, being survival of ancient privileges, which include those possessing separate—

- (a) Commission of the Peace.
- (b) Court of Quarter Sessions.

(c) High Sheriff, appointed on 9th November, and acts independently of the High Sheriff for the County.

12. FREEMEN are persons entitled to be admitted in accordance with the Municipal Corporations Acts in respect of birth, servitude, or marriage, and who are admitted by the mayor and enrolled by the town clerk on the Freeman's Roll.

13. HONORARY FREEMEN are persons of distinction who have been admitted under the Act of 1885 to the Freedom of the Borough. They possess no qualifications as burgesses.

VI

THE JUSTICE OF THE PEACE

1. THE OFFICE is one of great antiquity, dating from the time of the origin of the " King's Peace " which he is commissioned to preserve.

2. APPOINTED by the Crown on the nomination of the Lord-Lieutenant in Counties to the Lord Chancellor, who sometimes appoints without such a nomination, and is in no wise bound to follow the recommendation.

In the Counties Palatine the Chancellor of the Duchy recommends and appoints for the Crown.

There have recently been established Local Advisory Committees for the purpose of assisting in these nominations. Certain boroughs possess a separate Commission of the Peace.

Justices are unpaid. Appointment is for life, so long as they retain the necessary qualifications, that is, while acting as such they must reside in or within seven miles or occupy a house or warehouse or other property. Justices may be removed from the Commission by the Crown for good cause shown. A woman cannot be appointed.

3. QUALIFICATIONS. By the Justices of the Peace Act, 1906, all property qualifications were abolished. There are certain *ex-officio* Justices, viz.—

(1) The Mayor of a Borough is a Justice of the Peace for his year of office and for twelve months afterwards.

(2) The Chairman of a Rural or Urban District Council is, unless a woman or personally disqualified, *ex officio* a Justice of the Peace for the county within which his district is situated.

(3) The Chairman of a County Council is, by virtue of his office, a Justice of the Peace for the county.

4. DUTIES. In addition to their judicial functions, Justices have various duties relating to local government, including the following—

(1) Control of persons and of premises licensed for the sale of intoxicating liquor by retail, billiard playing, and—in places where Part IV of the Public Health Acts Amendment Act, 1890, has been adopted by the local authority—music, singing and dancing.

(2) Duties under Cinematograph Act, 1909, and Explosives Act, 1875, where same have been delegated to the Justices.

(3) Registration of clubs in which intoxicating liquor is supplied to members or their guests.

(4) Duties under the Lunacy Acts, 1890 to 1911, and Mental Deficiency Act, 1913.

(5) Duties under Volunteers Act, 1863, Army Act, 1881, and Military Manoeuvres Act, 1897.

(6) Appointment of special constables under the Special Constables Act, 1831.

(7) Appointment of probation officers under the Police Acts.

(8) Revising lists of jurors in counties, and in boroughs not having a separate Court of Quarter Sessions or a Borough Civil Court.

(9) Allowances of rates and exemptions from payment thereof.

(10) Appointment in counties of one-half of the members of the Standing Joint Committee for the control of the county constabulary.

(11) Appointment of Visiting Committee of Prisons and Asylums.

(12) Appointment of Overseers of the Poor in urban districts (including boroughs) where power to do so has not been obtained by the local Council. In such cases the nomination is made by the Vestry Meeting.

5. STIPENDIARY MAGISTRATE may be appointed by the Crown on the recommendation of the Home Secretary upon the petition of the borough. He must be a barrister of not less than seven years' standing. His salary is paid by the borough.

VII

THE COUNTY

1. THE COUNTY was, until 1888, governed by the county magistrates, meeting in Quarter Sessions.

2. THE ADMINISTRATIVE COUNTY means the area for which a County Council is elected, in pursuance of the Local Government Act, 1888, but does not, except where expressly mentioned, include a County Borough.

3. Is governed by a COUNTY COUNCIL, which is a corporate body with perpetual succession and a common seal, and consists of the Chairman, Aldermen and Councillors.

(1) Councillors are elected by ballot every three years by Local Government electors.

(a) Both Local Government electors and Local Government councillors must possess a similar qualification to borough electors and borough councillors. In addition Peers owning property in the county, and ministers of religion are also qualified.

(b) One Councillor is elected for each Electoral Division, and no elector can vote in more than one Division of a County although qualified.

(c) Number of Councillors is regulated by Local Government Board.

(d) Election is on any date between the 1st and 8th March fixed by the Council.

(2) Aldermen are elected by the Councillors for six years from among the Councillors or persons qualified to be Councillors. Election is at the annual meeting, one-half retiring every three years. The number is one-third the number of Councillors.

(3) Election of the Chairman is similar to that of the Mayor of a Borough.

(4) The Council holds, as a rule, only an annual meeting and four quarterly meetings, the first meeting after the election being 15th April.

4. COMMITTEES.—The work is principally transacted by Committees, who merely report their proceedings to the Council. Committees are of two kinds: (1) Ordinary, and (2) Joint.

(1) Ordinary Committees are of two kinds: (a) Statutory, and (b) Standing.

(a) Statutory Committees include—

(i) Finance, under Local Government Act, 1888.

- (ii) Education, under Education Act, 1902.
 - (iii) Distress, under Unemployed Workmen Act, 1905.
 - (iv) Small Holdings, under Small Holdings and Allotments Act, 1908.
 - (v) Local Pensions under the Old Age Pensions Acts, 1908 and 1911.
 - (vi) Public Health and Housing, under the Housing and Town Planning, etc., Act, 1909.
 - (vii) Shops Act, under the Shops Act, 1912 and 1913.
 - (viii) Local, under the Naval and Military War Pensions, etc., Acts, 1915 to 1917.
 - (ix) Maternity and Child Welfare under the Act of 1918.
- (b) Standing Committees depend upon the functions of the Council, but usually include—
- (i) Main Roads and Bridges.
 - (ii) Parliamentary.
 - (iii) Local Government.
 - (iv) Weights and Measures.
 - (v) General Purposes or Executive.

(2) Joint Committees comprise those appointed to administer certain Acts, and include—

- (a) Standing Joint Committee for County Police. (*See Chapter XVI.*)
- (b) Asylums Visiting Committee. (*See Chapter XIX.*)
- (c) Inebriates Act Committee.
- (d) Sea and River Conservancy; and River Pollution.

The County Council appoints representatives upon the County Insurance Committee under the National Insurance (Health) Acts, 1911 to 1918.

5. DUTIES are of two kinds, viz.—

(1) The direct functions, indicated by the names of the Committees given above, may be said to include—

- (a) Sanitary, Housing, and Town Planning.
- (b) Highways and Bridges.
- (c) Police.
- (d) Educational.
- (e) Registration and Licensing.
- (f) Economic and Social, including Unemployed Workmen, Old Age Pensions, National Health Insurance, etc.
- (g) Miscellaneous, including management or assistance of Light Railways, protection of wild birds.

(2) Control extends to all other local authorities in inverse ratio to their powers, and includes the distribution of the sums received from the Exchequer Contribution Account.

6. OFFICERS include those—

(1) Appointed by the Standing Joint Committee—

- (a) Clerk.
- (b) Chief Constable.

(2) Appointed by County Council—

- (a) Treasurer.
- (b) Surveyor.
- (c) Medical Officer of Health.
- (d) Public Analyst.
- (e) Coroner.

(f) Inspectors to comply with requirements of the enactments; and such other officers as the Council think necessary.

7. COUNTY RATE is levied under the County Rates Acts, 1852 to 1866. Obtained by precepts upon Guardians, who obtain the money from Overseers.

8. LOANS for county purposes only are limited to one-tenth the assessable value, and for a period not exceeding thirty years. Other loans as prescribed by the respective enactments.

9. ACCOUNTS are made up yearly to 31st March, and are subject to audit by the District Auditor of the Local Government Board.

VIII

THE OVERSEER OF THE POOR

1. THE OVERSEER OF THE POOR is every authority which makes an assessment for the Poor Rate. The office dates from 1551.

2 APPOINTED yearly in each Parish, as follows—

(1) Rural, by Parish Council or Parish Meeting; or, in case of neglect, by the Board of Guardians.

(2) Urban, by—

(a) Justices on nomination of Vestry, or

(b) Borough or Urban District Council.

This does not apply within the County of London, where by the London Government Act, 1899, the Borough Councils are the Overseers.

3. QUALIFICATIONS. Any "substantial householder," male or female. Office is compulsory and unpaid; but a "discreet person" is usually appointed Assistant Overseer under the control of the Overseer. Salary of assistant is paid out of poor rate.

4. DUTIES include—

(1) Preparation of Poor Rate Valuation List.

(2) Making, levying and collecting Poor Rate.

(3) Assistance to the Registration Officer in the preparation of local government and parliamentary register of electors, list of objections thereto and attendance at revision courts.

(4) Preparation of grand and common jury lists under similar conditions to register of electors.

(5) Relief of the poor in cases of urgent necessity, including certifying pauper lunatics.

(6) Keeping prescribed accounts and submission of same to District Auditor of the Local Government Board.

(7) Miscellaneous, including supervision of the work of the Assistant Overseer.

5. VALUATION LIST is a list of all the rateable hereditaments in the Parish.

(1) Prepared and deposited in same place as rate books.

(2) Appeals against are heard before the Union Assessment Committee, consisting of from six to twelve Guardians of the Poor.

(3) Further appeal lies to Special or Quarter Sessions.

6. THE POOR RATE VALUATION is the basis for—

- (1) General District Rate, Sec. 211 Public Health Act, 1875.
- (2) General Expenses Rate of a Rural District, Sec. 230 Public Health Act, 1875; Sec. 29 Local Government Act, 1894.
- (3) Highway Rate (where levied) Sec. 4 Highway Rate Act, 1882.
- (4) Borough Rate, Sec. 144(5) Municipal Corporations Act, 1882.

7. MAKING AND LEVYING THE POOR RATE, which provides for other services than Poor Relief—

(1) Local Authorities issue precepts on overseers of the various parishes.

(2) Overseers estimate the rate required to produce the amount of the various precepts, together with Overseer's expenses.

(3) Rate is then prepared and allowed by two justices, and levied upon—

(a) Under Poor Relief Act, 1601—every inhabitant, parson, vicar and other, and every occupier of lands, houses, tithes inappropriate, propriations of tithes, coal mines or saleable underwoods.

(b) Under Rating Act, 1874—occupiers of mines of every description not in the 1601 Act; land not subject to rights of common; sporting rights when severed from the occupation of land.

(c) Under Advertising Stations (Rating) Act, 1889—occupiers of advertisement hoardings.

(d) Under Agricultural Rates Act, 1896—agricultural land is assessed at one-half the rateable value. Occupation must be "beneficial."

(4) Exemptions from Rating—

(a) Property occupied by the Crown or used for the purposes of the Crown.

(b) Properties covered by the Scientific Societies Act, 1843.

(c) Sunday Schools and Ragged Schools as defined by the Act of 1869.

(d) Registered places of worship.

(e) Lighthouses, buoys and beacons as defined in Merchant Shipping Act, 1894.

(5) Rate is levied upon occupiers, except—

(a) Tithe Rent charge.

(b) In the case of property of small annual value where the owner is rated on—

(i) Metropolis not exceeding £20.

(ii) Liverpool not exceeding £13.

- (iii) Manchester and Birmingham not exceeding £10.
- (iv) Elsewhere not exceeding £8.
- (c) Sporting Rights when severed from the occupation of the land.
- (d) Certain properties are subject to differential rating.
- (6) Appeal lies to Special or Quarter Sessions.

8. DEFINITIONS—

(1) Gross Estimated Rental is the rent at which the property might reasonably be expected to let from year to year, free of all usual tenant's rates and taxes and tithe commutation rent charge, if any.

(2) Rateable Value or Net Annual Value is the gross estimated rental after deducting therefrom the probable average annual cost of the repairs, insurance, and other expenses, if any, necessary to maintain them in a state to command such rent.

(3) Assessable Value is the Rateable value reduced by an amount equal to one-half of the rateable value of agricultural land.

(4) Rate is a charge, the proceeds of which are applicable to public local purposes and which is leviable on the basis of the assessment in respect of the yearly value of property.

9. ACCOUNTS. The Accounts of the Overseer are made up half-yearly to 31st March and 30th September, and audited by the District Auditor of the Local Government Board.

IX

LOCAL FINANCE—ACCOUNTS AND AUDIT

A. LOCAL TAXATION GRANTS

1. THE system of State subventions was begun in 1834 by means of grants-in-aid from the Consolidated Fund made annually for certain specific purposes.

2. In 1889 the Local Taxation Account was established by the late Viscount (then Mr.) Goschen. Grants-in-aid have been largely superseded by the assignment to local authorities of the proceeds of special taxes.

3. Local Taxation Grants may be classified as follows—

- (1) The Probate Duty Grant.
- (2) The Customs and Excise Duty Grant.
- (3) The Licences Duty Grant.
- (4) The Agricultural Rates Grant.

B. ACCOUNTS

1. SYSTEMS OF ACCOUNTS—

- (1) Accounts are invariably kept on a double-entry system.
- (2) "Receipts and Expenditure" are referred to in—
 - (a) General Orders of the Local Government Board.
 - (b) Public Health Act, 1875.
 - (c) District Auditors Act, 1879.
 - (d) Municipal Corporations Act, 1882.
 - (e) Local Government Act, 1888.
 - (f) Education Act, 1902.
- (3) "Receipts and Payments" are referred to in Local Government Act, 1894.
- (4) "Income and Expenditure" Accounts are usually kept by—

- (a) The larger Boroughs and Urban District Councils.
- (b) The authorities who undertake any form of trading.

The Departmental Committee on Accounts of Local Authorities proposed that this system should be extended to the accounts of all local authorities other than Overseers of the Poor, Parish Councils and Meetings, and Lighting Inspectors.

(5) District Councils and (especially) Boards of Guardians are largely subject to the detailed methods prescribed by the Local Government Board Orders.

2. SEPARATE ACCOUNTS are prepared to show the Income and Expenditure in relation to the main divisions of each authority's activities and administration, *e.g.*—

(1) In respect of services associated with each rate or forming a distinct important activity.

(2) Trading undertakings.

(3) Where Acts of Parliament specifically require such separation, *e.g.*, Education.

3. FORMS OF ACCOUNTS.

The Local Government Board has large powers to prescribe *inter alia* the form of accounts of local authorities subject to audit by the District Auditor (see below), but in this connection the Board has generally prescribed only the form of Financial Statement to be submitted to the Auditors.

4. THE PERIOD AND DATES OF MAKING UP OF ACCOUNTS are as follows—

(1) Parish Meeting: Yearly to 31st March.

(2) Parish Council: Yearly to 31st March.

(3) Rural District Council: Half-yearly to 31st March and 30th September.

(4) Urban District Council: Yearly to 31st March.

(5) Boroughs—

(a) Education and Distress Committee Accounts: Yearly to 31st March.

(b) All other Accounts: Date approved by Local Government Board, generally the 31st March.

(6) County Councils: Yearly to 31st March.

(7) Overseers of the Poor: Half-yearly to 31st March and 30th September.

(8) Joint Boards and Committees (usually): Yearly to 31st March.

(9) Port Sanitary Authorities (usually): Yearly to 31st March.

(10) Boards of Guardians: Half-yearly to 31st March and 30th September.

(11) Visiting Committees of Lunatic Asylums (usually): Yearly to 31st March.

5. INSPECTION OF ACCOUNTS BY RATEPAYERS—

(1) Parish Councils, Urban and Rural District Councils, and other Authorities to whom Section 247 of the Public Health Act, 1875, applies:

Accounts to be deposited seven clear days before audit, and during this time all persons interested may inspect them and take extracts from them without payment.

(2) Parish Meetings, Parish Councils, and Rural District Councils: It is provided by the Local Government Act, 1894, that any parochial elector may, at all reasonable times, without payment, inspect and take extracts from the books, accounts, and documents of the authorities.

(3) Urban District Council Accounts are to be open to inspection during the audit, in accordance with General Order of the 22nd March, 1880.

(4) Borough Councils. Under Section 233 of the Municipal Corporations Act, 1882, a burgess may inspect the minutes of the Council and orders for the payment of money, and may take extracts from them. Ratepayers may also inspect the abstract of the treasurer's accounts and may obtain copies at a reasonable price.

(5) County Councils. The provisions of the Public Health Acts and Municipal Corporations Act as to the inspection of the accounts are generally applicable to County Councils.

(6) Boards of Guardians. The General Order of 14th January, 1867, directs that the half-yearly statement, relief order book, and ledger may be inspected, examined and copied, by any ratepayer or owner of property in the Union.

(7) Overseers of the Poor. The General Order of 14th January, 1867, also directs that the documents and books may be inspected at the time of the audit by any owner of property or ratepayer, who at any reasonable time may inspect the books upon payment of sixpence.

6. PUBLICATION OF ACCOUNTS—

(1) Parish Councils, and Joint Committees of Parish Councils and Parish Meetings, are required to lay before the Parish Meeting a copy of the Financial Statement.

(2) Urban and Rural District Councils are required to publish an abstract of their accounts, after audit, in local newspapers.

(3) Borough Councils are required to print a full abstract of the Treasurer's Accounts annually, after audit.

(4) County Councils generally follow the regulation prescribed for boroughs.

(5) Boards of Guardians are required to send each half-year to the overseers of each parish a "Parochial List and Statement of Account." They are also permitted to print and circulate among the ratepayers, or advertise in the newspapers, the (non-statutory) financial statement.

C. AUDIT

1. THE AUDIT OF LOCAL AUTHORITY ACCOUNTS is performed by—

(1) District Auditors.

(2) Borough Auditors (see "Borough").

(3) Professional Auditors (see "Borough").

(4) Vestry Auditors in the case of some small bodies.

2. THE DISTRICT AUDITOR is "a competent person" appointed by the Local Government Board to an audit district in England

and Wales under the District Auditors Act, 1879. His duty is to ascertain that all sums which ought to be received and all sums which have been actually received are duly accounted for, and everything stated to have been expended has actually been expended, and to determine whether the actual expenditure is truly stated and has been made in conformity to the law."

Salaries are paid by the Treasury, but authorities other than poor law authorities contribute thereto by means of a duty, paid by a stamp on the auditors' certificate of their accounts.

3. PROCEDURE in relation to the audit is as follows—

(1) **Poor Law:** The District Auditor gives the officers of each Parish in the Union fourteen days' notice of the day on which he proposes to hold the audit. Books must be deposited seven clear days, at least, before the day fixed for the audit at some convenient place within each parish, and be open to the inspection of any person liable to be rated to the relief of the poor.

(2) In all other cases, notice is given by the Clerk to the Authority, and need only be seven clear days prior to the audit.

Accounts are submitted in duplicate.

The auditor may summon any person interested before him, and require the production of any necessary documents. Rate-payers have a right to be present, and to object to the passing of any item. There are slight differences in procedure between the two audits, the most important being the power of enforcing an extraordinary audit under the Poor Law after three days' notice.

4. DISALLOWANCE AND SURCHARGE.

The auditor possesses power of disallowance and surcharge.

The Local Authorities Expenses Act, 1887, provides that the District Auditor cannot disallow any expense allowed by the Local Government Board.

Appeal from surcharge lies to the Local Government Board or to the King's Bench Division of the High Court of Justice.

PUBLIC HEALTH

1. EARLY SANITARY LEGISLATION was in the form of local legislation introduced by progressive towns. The Industrial Revolution emphasized the necessity for collective action, with the result that, under the influence of the followers of Jeremy Bentham, certain Model Clauses Acts were passed between 1845 and 1847. The first Public Health Act was passed in 1848. Various Acts were passed from that time until 1875, principally as the result of the experimental private legislation of large towns.

2. THE PUBLIC HEALTH ACT, 1875, is the principal sanitary act. It consists of 11 Parts, 343 Sections and 5 Schedules. The parts are as follows, and are self-explanatory, viz.—

(1) Preliminary.

(2) Authorities for execution of Act.

(3) Sanitary Provisions, including regulations as to sewers and drains; powers for disposing of sewage; privies, waterclosets, scavenging and cleansing; offensive ditches and collections of matter; water supply; regulation of cellar dwellings and lodging houses; nuisances; offensive trade; unsound food; infectious diseases and hospitals; prevention of epidemic diseases; mortuaries, etc.

(4) Local Government Provisions relating to highways and streets; public pleasure grounds, etc.; markets and slaughter-houses; and police regulations.

(5) General Provisions regulating contracts; purchase of land; arbitration; bye-laws; officers; conduct of business of local authorities.

(6) Rating and Borrowing Powers, etc., including the General District Rate; Private Improvement Rate; Highway Rate. Powers of borrowing are limited to a period not exceeding sixty years, and two years assessable value. Audit of Accounts of Local Authorities.

(7) Legal Proceedings, including Prosecution of Offences and Recovery of Penalties, etc.

(8) Alterations of Areas and Union of Districts. Port Sanitary Authority.

(9) Local Government Board, including Inquiries by Board; Provisional Orders by Board; Power of Board to enforce Performance of Duty by Defaulting Local Authority; Power of Board in relation to Local Acts, etc.

(10) Miscellaneous and Temporary Provisions.

(11) Saving Clauses and Repeal of Acts.

3. PORT SANITARY AUTHORITY.

Appointed under the Public Health Act, 1875, by Provisional Order of the Local Government Board. The Order constitutes one or more sanitary authorities the Port Sanitary Authority for the waters of the Port as defined in the Order. The sanitary duties of the Authority may be performed by the authority or delegated to one of the constituent authorities. The expenses are recovered by precepts issued on the respective local authorities.

4. INFECTIOUS DISEASES LEGISLATION—

The Infectious Diseases (Notification) Act, 1889.

The Infectious Diseases (Prevention) Act, 1890.

The Isolation Hospitals Act, 1893.

The Infectious Diseases (Notification) Extension Act, 1890.

The Public Health (Prevention and Treatment of Disease) Act, 1913.

(1) The diseases to which the Acts at present apply include—smallpox, cholera, diphtheria, membranous croup, erysipelas, scarlatina or scarlet fever, typhus, typhoid, enteric, relapsing, continued or puerperal fever.

(2) The Local Government Board may by order extend the Act to other diseases; any local authority may by resolution add other diseases subject to the approval of the Board. For example, under these provisions the Act has been made to apply to plague, pulmonary tuberculosis, ophthalmia neonatorum, and at the request of the Army Council to measles.

5. OTHER ACTS have been passed supplementing and extending the powers of local sanitary authorities, including—

The Sale of Food and Drugs Act, 1875.

The Rivers Pollution Prevention Act, 1876.

The Canal Boats Act, 1877.

The Public Health (Water) Act, 1878.

The Public Health (Interments) Act, 1879.

The Sale of Food and Drugs Act, 1879.

The Canal Boats Act, 1884.

The Public Health (Fruit Pickers' Lodgings) Act, 1882.

The Public Health (Ships) Act, 1885.

The Margarine Act, 1887.

The Sale of Horse Flesh Act, 1889.

The Public Health Acts Amendment Act, 1890.

The Housing of the Working Classes Act, 1890.

The Private Street Works Act, 1892.

The Rivers Pollution Prevention Act, 1893.

The Cleansing of Persons Act, 1897.

The Small Dwellings Acquisition Act, 1899.

The Sale of Food and Drugs Act, 1899.

- The Housing of the Working Classes Act, 1900.
- The Factory and Workshop Act, 1901.
- The Midwives Act, 1902.
- The Housing of the Working Classes Act, 1903.
- The Public Health (Regulations as to Food) Act, 1907.
- The Public Health Acts Amendment Act, 1907.
- The Notification of Births Act, 1907.
- The Housing and Town Planning, etc., Act, 1909.
- The National Insurance Acts, 1911 to 1918.
- The Milk and Dairies Act, 1914.
- The Notification of Births (Extension) Act, 1915.
- The Midwives Act, 1918.

THE MATERNITY AND CHILD WELFARE ACT, 1918, under which every council exercising powers under the Act or the Notification of Births (Extension) Act, 1915, shall establish a Maternity and Child Welfare Committee which may be an existing committee of the Council or a sub-committee of an existing committee. The Council may appoint as members of the committee persons specially qualified by training or experience in subjects relating to health and maternity who are not members of the council, but not less than two-thirds of the members of every committee shall consist of members of the council, and at least two members of every such committee shall be women. The duties shall include those under the Notification of Births Acts, 1907 and 1915, and they may make such arrangements as may be sanctioned by the Local Government Board for attending to the health of expectant mothers and nursing mothers, and of children who have not attained the age of five years and are not being educated in schools recognized by the Board of Education.

6. RATES. There is no statutory limitation to the amount of rates for public health purposes.

7. LOANS. The amount of loans outstanding must not exceed twelve months' assessable value or with the approval of the Local Government Board, after a local inquiry, two years' assessable value.

XI

HIGHWAYS, STREETS, AND BRIDGES

1. THE KING'S HIGHWAY is a perpetual right of passage in the sovereign, for himself and his subjects, over another's land.

The first statute which organized the maintenance of roads, passed in 1555, created the office of Surveyor of Highways and the obligation on the part of the occupying inhabitants to contribute labour and materials to carry out the work.

2. GENERAL HIGHWAY ACT, 1835, was virtually the next act which developed the system of maintenance for each parish, and empowered it to levy a rate. The Act also sanctioned the appointment of a surveyor, who might be a salaried official, for each parish. Experience proved that the unit of the parish was too small, and the Public Health Act, 1848, made the new Local Boards of Health, as the urban sanitary authority, the Surveyor of Highways.

3. THE LOCAL GOVERNMENT ACT, 1894, definitely abolished both the Highway Districts and Highway Parishes, merging them into Rural Sanitary Districts.

4. MAIN ROADS are now maintained by the County Councils under the Local Government Act, 1888, which entitles the Urban District Councils to manage their several lengths of main roads and to be reimbursed the exact cost thereof by the County Councils.

5. SECONDARY ROADS are all other roads which have been adopted and are therefore maintainable by the inhabitants at large. They are administered by the sanitary authorities, including the borough, urban and rural district councils.

6. THE PRIVATE STREET WORKS ACT, 1892, facilitates the method of adoption of private streets.

(1) The Act is adoptive by an urban sanitary authority by resolution passed at a meeting after one calendar month's notice has been given to every member of the authority.

(2) The Act may be extended by the Local Government Board to any rural sanitary district.

(3) Where any street or part of a street is not sewered, levelled, paved, metalled, flagged, channelled, made good, and lighted to the satisfaction of the local authority, the authority may resolve to undertake the work, and the expenses incurred shall be apportioned on the premises fronting, adjoining, or abutting on such street or part of a street.

(4) The surveyor shall prepare—

(a) A specification of the works referred to in the resolution.

(b) An estimate of the probable expenses of the work.

(c) A provisional apportionment of the estimated expenses.

In such apportionment the authority may, if they think just, have regard to the greater or less degree of benefit and the amount of any work already done.

(5) When the works have been completed and the expenses thereof ascertained, the local authority shall make a final apportionment, and any premises included shall remain charged with the sum, together with interest at the rate of 4 per cent. per annum.

7. FOOTPATHS were seldom seen prior to the nineteenth century. By the Local Government Act, 1894, the District Council was made liable for the maintenance of footpaths as well as highways. By the same Act the Parish Council was empowered to undertake the maintenance of any footpath not being by the side of a public road.

8. BRIDGES. The making of bridges was not made part of the common duty of any public authority until 1888, when it was entrusted to the County Council. Prior to this date, however, the law took cognizance of their maintenance in repair. When a bridge had once been erected, it became a matter of obvious public convenience that it should be maintained.

9. FINANCE. The expenses in connection with the construction and maintenance of highways, streets, and bridges are part of the public health charges of the respective local authorities.

10. THE DEVELOPMENT AND ROAD IMPROVEMENT FUNDS ACTS, 1909 AND 1910, are referred to in Chapter II, together with the proposals relating to the Ministry of Ways and Communications.

XII

HOUSING

I. THE PROBLEM is due to—

(1) Past negligence on the part of the legislature, which first approached the subject on national lines in 1851.

(2) Greater philanthropic interest in the welfare of the working classes.

(3) Growth of sanitary knowledge with a recognition of the connection between bad housing and ill-health.

(4) Increased cost of building and amount of rates, together with increased attractiveness of alternative investments, which have checked the supply.

(5) More stringent building regulations with the same result.

(6) A demand by the worker for a higher standard of life.

2. LEGISLATION is now contained in the Housing of the Working Classes Acts, 1890 to 1903, and Part I of the Housing, Town Planning, etc., Act, 1909.

It is remedial, constructive, and preventive.

3. REMEDIAL provisions provide for—

(1) *Improvement Schemes* under Part I of the Act of 1890 for large areas—

(a) Prepared upon representation of the Medical Officer of Health or two magistrates or twelve ratepayers.

(b) Scheme drawn up and advertised and notices served on owners. Must provide for the dispossessed, unless the Local Government Board otherwise decide.

(c) Local Government Board hold a local inquiry and may confirm or modify the scheme, which must then be put into operation by the local authority. The Local Government Board may by order fix the time within which the work is to be done.

(2) *Reconstruction Scheme*—

(a) Prepared upon similar representations under Part II of the Act of 1890 and Part I of the Housing and Town Planning, etc., Act, 1909.

(b) Scheme drawn up and notices served on owners, but need not be advertised.

(c) Inquiry held and similar procedure adopted as in the case of *Improvement Schemes*.

(3) *Houses*—

(a) Any house unfit for human habitation must be closed by a "closing order."

(b) Action may be taken by the Medical Officer of Health or four or more householders. Notice served on owner, who has a right of appeal to the Local Government Board.

(c) After three months, if the owner does not render house fit for habitation, the Council may issue a "demolition order," which must be enforced within six months.

4. CONSTRUCTIVE provisions under Part III of the Act of 1890 and Part I of the Housing and Town Planning, etc., Act, 1909, enable a Council to—

(1) Acquire land by agreement, or compulsorily by means of an order confirmed by the Local Government Board.

(2) Build and manage houses; lay out public streets or contribute towards the cost of same.

(3) Lease the land to any person who will undertake to build the class of house required, subject to the consent of the County Council in rural districts, and of the Local Government Board in urban districts.

5. THE SMALL DWELLINGS ACQUISITION ACT, 1899, may be adopted, whereby the local authority may advance to a ratepayer four-fifths of their valuation of a house to be occupied by the applicant. Value must not exceed £400, and not more than £300 can be advanced. Rate of interest must not exceed one-half per cent. above the rate at which the local authority can borrow from the Public Works Loans Commissioners.

6. PUBLIC UTILITY SOCIETIES. The Housing and Town Planning, etc., Act, 1909, authorizes the Public Works Loans Commissioners to advance, on mortgage, to a public utility society an amount equal to two-thirds of the value of the property. This is a direct encouragement to the Garden City movement.

7. PREVENTIVE provisions provide—

(1) In the Housing and Town Planning, etc., Act, 1909, an implied warranty, on the part of the landlord to a tenant, that the house is reasonably fit for human habitation during tenancy in the case of houses where the rent is not more than—

(a) £40 per annum in London,

(b) £26 per annum in an urban area of 50,000 population,

(c) £16 per annum elsewhere,

unless the letting is on lease for three years or more and the lessee is responsible for repairs.

(2) Local authority to make periodical inspection of their district for the purpose of ascertaining whether any houses are unfit for habitation, and to keep records of such. Where a house is so discovered, then the local authority proceed as described under Clause 3 (3).

(3) Action to be taken against any person or local authority owing to excessive sickness due to bad housing or insanitary conditions in any locality, as provided by the National Insurance Acts, 1911 to 1918.

8. **RATES.** The expenses incurred by a local authority in the execution of the Housing Acts shall be defrayed as general expenses of the council in the execution of the Public Health Acts.

9. **LOANS.** Money borrowed for the purpose of the Housing Acts is not reckoned as part of the debt of the local authority for the purpose of the limitation on borrowing under the Public Health Acts. Repayment may be spread over a period not exceeding eighty years for land and sixty years for buildings.

10. GOVERNMENT PROPOSALS.

(a) Various proposals have been made by Committees appointed by the Ministry of Reconstruction. The details are beyond the scope of this work, but the reader is referred to the following Parliamentary Papers:

(1) Memorandum by the Advisory Housing Panel on the Emergency Problem (Cd. 9087), 1918;

(2) First Interim Report of Women's Housing Sub-Committee (Cd. 9166), 1918;

(3) Report of the Committee on Building Construction (Cd. 9191), 1918;

(4) First and Final Report of the Committee Dealing with the Law and Practice relating to the Acquisition of Land for Public Purposes (Cd. 8998);

(5) Report of the Committee on the Building Industry after the War (Cd. 9197), 1918;

(6) Interim Report on Public Utility Societies (Cd. 9223), 1918;

(7) Report of the Committee on Building Bye-laws (Cd. 9000), 1918.

(8) Final Report of the Women's Housing Sub-Committee (Cd. 9232), 1919.

(b) Any proposals ought now to take into account the redistribution of industry and population which will follow on the development of electric power by super-power stations (as contained in the Board of Trade Report on Electric Power Supply, Cd. 9062, 1918) and new forms of transport with the corresponding effect upon site values and rents as the area of population increases.

11. HOUSING, TOWN PLANNING, ETC. BILL, 1919.

(1) It shall be the duty of every local authority, within three months after the passing of the Act, to prepare a scheme either

solely or jointly, and to carry it out within the time specified in the scheme.

(2) Where the local authority fail to carry out the scheme, the Local Government Board may transfer its powers to the County Council or may themselves carry out the obligation. In either case the expense thereof shall be recoverable from the Local authority.

(3) Where the Local Government Board are satisfied that a local authority ought to prepare an improvement scheme, and the local authority fail within a prescribed time to do so, the Board may authorize the County Council or may themselves carry out the scheme.

(4) Local Government Board may, with the consent of the Treasury, pay out of money provided by Parliament part of the loss on any scheme. Local liability will be limited to a penny rate.

(5) Where compensation is paid for land acquired compulsorily, "the compensation to be paid for the land, including any buildings thereon, shall be the value at the time the valuation is made of the land as a site cleared of buildings."

(6) Power is given to local authorities to acquire land and buildings for various purposes.

(7) Loans may be granted to Public Utility Societies for fifty instead of forty years, up to 75 per cent. of the cost of the schemes.

(8) Local bye-laws which are inconsistent with plans approved by the Board in a housing scheme are not to apply.

(9) Local authorities are given express powers to acquire existing houses and to make any alterations necessary to render them in all respects suitable for working-class dwellings.

(10) For this purpose, local authorities are empowered to vary the terms of a lease which, while not preventing conversion, would render it impossible to effect the structural alterations.

(11) Local authorities are enabled to lease land acquired by them for development by private persons or societies as a building estate.

(12) The limits under the Small Dwellings Acquisition Act, 1899, shall be the market value of houses at £500 (instead of £400), and the amount advanced shall be 85 instead of 80 per cent.

XIII

THE ADOPTIVE ACTS (INCLUDING SMALL HOLDINGS AND ALLOTMENTS ACTS)

1. THE ADOPTIVE ACTS constitute a form of tentative legislation and are examples of permissive Local Government legislation. May be divided into two classes, viz.—

(1) Sanitary Adoptive Acts which may be adopted by the sanitary authorities.

(2) Parochial Adoptive Acts which may be adopted by the Parish Council (with the approval of the Parish Meeting), and by the Urban District Council or Borough Council.

2. SANITARY ADOPTIVE ACTS include—

(1) Public Health Acts Amendment Act, 1890.

Part III only is adoptive by a rural sanitary authority. Parts II to V may be adopted by an urban sanitary authority.

(2) Museum and Gymnasium Act, 1891, gives power to urban sanitary authorities to provide and maintain museums and gymnasia.

(3) Private Street Works Act, 1892, provides facilities for the recovery, from the owner of expenses, of making private streets.

(4) Open Spaces Act, 1906, gives power to local authorities to take over, from Trustees or Corporations (other than municipal corporations) under local acts, Open Spaces and Burial Grounds, including disused Burial Grounds. Local Authorities may acquire and maintain Open Spaces or Burial Grounds and make Bye-laws for the regulation thereof.

(5) Public Health Acts Amendment Act, 1907, is adoptive by either an urban or a rural sanitary authority.

3. PAROCHIAL ADOPTIVE ACTS include—

(1) Lighting and Watching Act, 1833, enables a parish to provide or enter into contracts for the provision of lighting the roads, streets, etc.

(2) Baths and Washhouses Acts, 1846 to 1899, may be adopted upon the requisition of ten electors, for the provision of baths, gymnasia and washhouses.

(3) Burial Acts, 1852 to 1906, provide for the Parish Council to be represented upon the Burial Board. These Acts have been largely superseded by the Public Health Acts (Interments) Act, 1879.

(4) Public Improvement Act, 1860, makes provision for village greens and recreation grounds, etc., limited to an expense equal to a rate of sixpence in the pound.

(5) Public Libraries Acts, 1892 to 1901, provide that any ten electors may demand a poll, upon the result of which, by a bare majority, Reference and Lending Library and Museum may be provided at the maximum expenditure equal to a penny rate.

4. SMALL HOLDINGS AND ALLOTMENTS ACT, 1908—

(1) A Small Holding is one which either exceeds one acre but does not exceed fifty acres in extent, or, where it exceeds the latter area, is not assessed for Income Tax beyond £50. The administration of Small Holdings is under the control of the County Council.

(2) An Allotment may not exceed an area of five acres. May be provided by the council of any borough, urban district or parish. Any six registered parliamentary electors or ratepayers may make representations to the council; and it is the duty of the County Council to ascertain the extent of this demand.

XIV

TOWN PLANNING

1. THE EARLIEST FORM is to be seen in the rectangular streets in Greece and Rome. The system was revived at the time of the Renaissance, followed by the planning of Bath, Edinburgh, and the numerous squares in the West End of London.

2. THE LAW is now contained in the Lands Clauses Consolidation Act, 1845, the Town Improvement Clauses Act, 1847, the Public Health Acts and Part II of the Housing, Town Planning Act, etc., 1909.

3. OBJECT. To ensure, by means of schemes which may be prepared either by local authorities or landowners, that, in future, land in the vicinity of towns shall be developed in such a way as to secure proper sanitary conditions, amenity and convenience in connection with the laying out, either of the land itself, or of any neighbouring land.

4. The Acts may be put into operation by—

(1) All or any of the Landowners, who may formulate a scheme, which, if approved by the Local Government Board, the local authority is compelled to adopt.

(2) The Local Authority, viz., the Council of any borough, urban or rural district, who may prepare a scheme; but before expending public money the sanction of the Local Government Board must be obtained. Joint Committees may be formed for the purpose.

(3) Anyone else, who may make a representation to the Local Government Board that a scheme should be prepared. The Local Government Board may, after public inquiry, make an order accordingly, which is enforced by the local authority. (In practice this has not been done.)

5. AREA OF SCHEME may be—

(1) Any land which is in course of development; or appears likely to be used for building purposes; or for open spaces, roads, streets, parks, pleasure or recreation grounds or incidental works.

(2) Land already built upon, and may provide for demolishing or altering existing buildings.

(3) Land not likely to be built upon, if, in any case, it is so situated that it ought to be included in the scheme.

(4) A local authority may be authorized to prepare a scheme for land within or in the neighbourhood of their area.

6. PROCEDURE for adoption of Scheme—

(1) Owners and occupiers of land included in the scheme must

have notice, and be allowed to inspect a map of the area. Afterwards the local authority must call a meeting of the owners and occupiers for the purpose of explaining the scheme to them.

(2) The scheme must be sanctioned by the Local Government Board, with or without modifications, and advertised in the *London Gazette*, and the Local Government Board must declare in the advertisement their intention to adopt the scheme.

(3) Any person or authority interested may object within twenty-one days from the date of such publication.

(4) If objection is taken, a draft of the Local Government Board Order shall be laid before each House of Parliament for thirty days. If either House presents an address to the Crown against the draft scheme, no further proceedings shall be taken.

(5) A scheme, when approved by the Local Government Board, has the same effect as an Act of Parliament.

(6) A scheme may be varied or revoked. Where a scheme is revoked by an Order of the Local Government Board, any person incurring expenditure in complying with the scheme is entitled to compensation.

(7) If the local authority fail to prepare a scheme, adopt a scheme, or refuse to consent to modifications, the Local Government Board may enforce compliance by writ of mandamus.

7. EXPENSES of Local Authority for the purposes of town planning shall be defrayed as expenses of the authority under the Public Health Acts.

8. LOANS. The provisions of the Public Health Acts in respect of borrowing apply to loans for town planning. Money so borrowed is not to be reckoned as part of the debt of a borough or urban district for purposes of the limitation on borrowing under the Public Health Acts. Repayment may be spread over a period not exceeding eighty years.

9. HOUSING, TOWN PLANNING, ETC. BILL, 1919 provides—

(1) It shall not be necessary for a local authority to obtain the authority of the Local Government Board to prepare and adopt a town-planning scheme. A local authority may by resolution decide—

(a) To prepare a scheme with reference to any land within or in the neighbourhood of their area.

(b) To adopt, with or without any modification, any scheme proposed by all or any of the owners of any land with respect to which the local authority are themselves authorized to prepare a scheme.

(2) Where any local authorities are desirous of acting jointly in the preparation or adoption of a scheme, they may appoint a joint committee for the purpose.

MUNICIPAL TRADING

1. DEFINITION. A term applied to those services for which local authorities make a charge to the persons benefited. Such services are in the nature of trading undertakings. The term "trading undertaking" may be taken to mean gasworks, waterworks, electricity, tramway and light railway undertakings, and any other exceptional undertakings (such as harbours and ferries) which are carried on under local Acts and in respect of which it is requisite to arrive at an accurate statement of profit and loss.

2. Certain other services which are carried on by local authorities under their general statutory powers and which, though not expected to be profitable, might be expected to support themselves independently of the rates, may also be classified under this head. To this class belong housing schemes, carried on under the general law; and all such works as are rechargeable, partly or entirely, to others, as in the case of private street works and improvements.

3. CLASSES OF UNDERTAKINGS—

- (i) (a) A monopoly with a profit, *e.g.*, tramways, markets, electricity and gasworks.
- (b) A monopoly, but no profit, *e.g.*, waterworks, cemeteries.
- (ii) (a) No monopoly, but a profit, *e.g.*, by-products, such as slabs manufactured from clinkers, coke, and tar.
- (b) No monopoly or profit, *e.g.*, baths, housing schemes.

4. CAUSES OF DEVELOPMENT—

- (1) Prevent private exploiting of public monopolies by diverting profits to local use.
- (2) Zeal of permanent officials, who desire the extension of municipal enterprise.
- (3) Increasing tendency for undertakings to combine to the detriment of the public.
- (4) Public desire for a voice in the management of public services.

5. ADVANTAGES CLAIMED by supporters of municipal trading—

- (1) Is in the interest of public health and convenience.
- (2) Reduced prices, and improved services.
- (3) Profits pass to the relief of the rates, and not into the hands of a limited number of shareholders.

6. DISADVANTAGES CLAIMED by opponents of municipal trading—

- (1) Lowers efficiency of local authorities.

- (2) Possibility of corruption.
- (3) Less efficient and more expensive than private enterprise.
- (4) Diminishes competition and checks enterprise; although these may exist among local authorities.
- (5) Increased debt may militate against the general borrowing powers of local government authorities.

7. PRINCIPAL UNDERTAKINGS include—

- (1) Markets; under the Public Health Acts.
- (2) Water; under the Public Health Acts.
- (3) Tramways; under the Tramways Act, 1870.
- (4) Electric Power; under the Electric Lighting Acts, 1882 to 1909.
- (5) Gas Supply; under the Gas and Water Works Facilities Act, 1870.
- (6) Light Railways; under the Light Railways Acts, 1896 to 1912.

Many local authorities have private Acts of Parliament which supplement their powers under the above Acts.

XVI
POLICE

1. THE POLICE means the police force—the body of constables—the primary constitutional force for the protection of individuals in the enjoyment of their legal rights.

2. The office of High Constable was created by the Statute of Winchester, 1285. Petty Constables did not exist until the reign of Edward III. Until 1856 every township maintained its own parish constable.

3. DUTIES include the prevention and detection of crime, the maintenance of good order, inspections under various statutes, and the discharge of miscellaneous duties.

4. POLICE FORCES of England are of three classes—

(1) County Forces.

(2) Borough Forces.

(3) Metropolitan and City of London Forces under the Home Office.

5. COUNTY POLICE are appointed under the Police Act, 1856, and the Local Government Act, 1888. By the latter statute the powers, duties and liabilities of quarter sessions and magistrates out of session, respecting the county police are exercised and discharged through a Standing Joint Committee, consisting of an equal number of justices and of members of the County Council.

6. BOROUGH POLICE are appointed under the Police Acts, 1839 to 1908, and the Municipal Corporations Act, 1882, in boroughs having a population of not less than 10,000. No new borough force can be established where population is less than 20,000.

The Acts are administered by a Watch Committee, consisting of not more than one-third of the members of the Council, together with the Mayor.

7. THE CENTRAL AUTHORITY is in the hands of the Home Secretary, and by the County & Borough Police Act, 1856, power is given to the Crown to appoint inspectors of constabulary for visiting and inquiring into the state and efficiency of the force. Each inspector is required to report generally upon these matters to the Secretary of State. The Police Forces form, for the purposes of inspection, two districts—northern and southern.

8. OFFICERS include—

- | | |
|------------------------------|-----------------|
| (1) Chief or Head Constable. | (4) Sergeants. |
| (2) Superintendents. | (5) Constables. |
| (3) Inspectors. | |

9. SUPERANNUATION.

- (1) After 25 years' service.
 (2) Amount not less than one-half nor more than two-thirds wages.

(3) Gratuities for under 15 years' service; also to widows and children.

(4) Fund provided by

- (a) Deduction of 2½ per cent. from pay,
 (b) Stoppages from and fines upon officers, and some other fines,

(c) Sale of cast-off clothes,

(d) Deficiency from Borough Fund or County Fund.

(5) Police Acts, 1906 and 1908, authorize police authority to

(a) Guarantee pensions to officers who continue in force after completing 25 years' service.

(b) Grant extra pay to such officers during such continuance, such extra pay not to be pensionable nor subject to deductions.

10. EXPENSES. On a certificate from the Home Secretary that an efficient police is established, one-half of the cost of pay and clothing of every force is contributed from the Exchequer Contribution Account. The balance is defrayed, in the case of the Borough, out of the Borough Fund or Watch Rate, and in the County as Special Expenses charge out of the County Fund.

11. SPECIAL CONSTABLES act in cases of emergencies. Where there are no volunteers, the office is, by the Special Constables Act of 1831, compulsory on appointment, by two justices, from among residents in the neighbourhood not exempt from serving as parish constables. A refusal to serve is punishable by a fine of five pounds.

12. PARISH CONSTABLES are appointed under the Parish Constables Act, 1842, from among persons between the ages of 25 and 45, rated to the relief of the poor or to the County Rate, and occupying tenements of an annual yearly value of £4.

XVII

EDUCATION

PART I. EDUCATION ACT, 1902

1. EDUCATION is that function in life which will develop the faculties of the individual in such a way that he will not only be able to fulfil his allotted task as an ordinary tradesman or professional man, but will also become best fitted to serve the community in which he dwells, and to render that service which shall leave the world better than he found it.

2. THE SYSTEM OF EDUCATION in this country is regulated by the Education Acts, 1870 to 1918, and is under the control of the Board of Education.

3. DEFINITIONS—

(1) Elementary education is the education of children up to sixteen or seventeen, within the limits of the Code issued by the Board of Education.

(2) Higher Education means all forms of education other than elementary, viz.—

(a) Technical Education includes instruction in the arts and sciences underlying some trade or profession.

(b) Commercial Education includes instruction in the art of disposing of the products of industry to the best advantage.

(c) Secondary Education includes that class of education which lies between the elementary schools and the universities, whether self-contained or leading to higher teaching.

(d) University Education includes training at a university or university college.

4. LOCAL EDUCATION AUTHORITIES established by Education Act, 1902.

Two classes—

(1) Local Education Authority for higher and elementary education in each County and County Borough, and for the County of London.

(2) Local Education Authority for elementary education in each—

(a) Borough with a population of over 10,000.

(b) Urban District with a population of over 20,000.

Any non-county borough or urban district may supply or aid the supply of education other than elementary.

5. EDUCATION COMMITTEES appointed by Council under a scheme approved by Board of Education, providing for—

- (1) Majority of members to be councillors unless, in the case of a county, the council otherwise determine.
- (2) Co-option by the council, on the nomination or recommendation of other bodies, of persons of experience in education.
- (3) The inclusion of women among the members.

Education Committees have complete control, except in matters of rating and borrowing.

6. MANAGEMENT OF ELEMENTARY SCHOOLS.

Elementary School means a school or department of a school at which elementary education is the principal part of the education there given, and does not include any school or department of a school at which the ordinary payments in respect of the instruction from each scholar exceed ninepence per week.

There are two classes of Elementary Schools, viz.: Provided and Non-Provided.

The Managers are appointed as follows. Where school is—

- (1) Provided by the local education authority—
 - (a) In a county—four by the county council, two by the minor local authority.
 - (b) In a borough or urban district—such number as the council determine.
- (2) Not provided by the local education authority—

Not exceeding four foundation managers, together with—

- (a) In a county—one by the county council, one by the minor local authority.
- (b) In a borough or urban district, two managers appointed by the council.

Minor local authority means council of any borough, urban district, or parish council, or the parish meeting of the area served by the school.

7. FINANCE. Funds are derived from the following sources—

- | | |
|------------------------|--------------------|
| (1) Endowments. | (4) Rates. |
| (2) Fees. | (5) Loans. |
| (3) Government Grants. | (6) Miscellaneous. |

8. RATING—

- (1) Elementary—no statutory limit.
- (2) Higher—
 - (a) County council—the limit of twopence in the pound, or such higher rate as the Local Government Board may approve, was repealed by the Education Act, 1918.
 - (b) County borough—no statutory limit.
 - (c) Non-county borough or urban district—one penny in the pound.

9. **LOANS.** Repayable over a period not exceeding sixty years. Money so borrowed is not to be reckoned as part of the total debt of the county, county borough, borough, or urban district for the purpose of the limitation on borrowing.

10. **ACCOUNTS** are made up yearly to 31st March, and are subject to audit by the District Auditor of the Local Government Board.

PART II. LEGISLATION SINCE 1902

11. EDUCATION (ADMINISTRATIVE PROVISIONS) ACT, 1907.

(1) Local education authority for elementary education have:

(a) Power to provide—

(i) Scholarships or bursaries for scholars from age of twelve.

(ii) Attendance to the health and physical condition of scholars in public elementary schools. According to present arrangements inspection must take place during the first school year, during the year after a child's twelfth birthday, and at some intermediate period.

(iii) Vacation schools, vacation classes, and play centres or other means of recreation for scholars.

(b) Duty to provide for the medical inspection of children.

(2) Registration Council, constituted by the Privy Council, to which is assigned the duty of forming and keeping a register of such teachers who—

(a) Satisfy the conditions of registration established by the Council.

(b) Apply to be registered.

12. **EDUCATION (ADMINISTRATIVE PROVISIONS) NO. 2 ACT, 1911**, provides exemption of school buildings from building bye-laws made by any local sanitary authority, where plans are approved by Board of Education.

13. **MENTAL DEFICIENCY ACT, 1913**, provides that the duties of the local education authority shall include a duty to make arrangements, subject to the approval of the Board of Education—

(1) For ascertaining—

(a) What children over the age of seven within their area are mentally defective.

(b) Which of such children are incapable, by reason of mental defect, of receiving benefit or further benefit from instruction in special schools or classes provided under the Elementary Education (Defective and Epileptic Children) Act, 1899.

(2) For notifying to the local authority under the Act the names and addresses of defective children, who on or before attaining the age of sixteen are about to be withdrawn from a

special school or class and in whose cases the local education authority are of opinion that it would be to their benefit that they should be sent to an institution or placed under guardianship.

14. ELEMENTARY EDUCATION (DEFECTIVE AND EPILEPTIC CHILDREN) ACT, 1914—

(1) Duties of local education authority for the purposes of the Elementary Education (Defective and Epileptic Children) Act, 1899, to include—

(a) making suitable provision either alone or in conjunction with other local education authority for

(b) the education of children belonging to their area whose age exceeds seven years and who are ascertained to be mentally defective within the meaning of the Act of 1899.

(2) Local education authority to consult parents of children, and co-operate as far as possible with other authorities.

(3) Council of urban district or non-county borough may, by agreement, delegate its powers to the county council.

(4) Local education authority may obtain an order, from a court of summary jurisdiction, requiring the child to be sent to a special school.

(5) On child's discharge as no longer defective, certificate of defect to be returned.

15. LOCAL EDUCATION AUTHORITY (MEDICAL TREATMENT) ACT, 1909, empowers the local education authority to recover from parents, summarily as a civil debt, the cost of medical treatment of their children.

16. EDUCATION (PROVISION OF MEALS) ACTS, 1906 AND 1914, administered by local education authority for elementary education.

(1) The local education authority may take steps for provision of meals for children attending their public elementary schools, and for that purpose may—

(a) Associate themselves with a School Canteen Committee.

(b) Provide that Committee, without limit as to expenditure, with land, buildings, furniture, apparatus, and such officers and servants as may be necessary for organization, preparation and service of such meals. Authority cannot purchase food save as hereinafter provided.

(2) Where local education authority resolve that children cannot take advantage of education by lack of food, and ascertain that there is inadequate voluntary provision, they may spend out of the rates such sums as may be necessary to meet the cost of the provision of food. The powers of the local education authority shall be exercisable in respect of children attending

a public elementary school within their area, both on days when the school meets and on other days.

(3) Cost of meals is recoverable from parents as a summary debt.

(4) No teacher required as part of his duties to assist.

17. EDUCATION (CHOICE OF EMPLOYMENT) ACT, 1910. Powers of councils of county, county borough, non-county borough, and urban district for higher education shall include—

(1) Power to make arrangements subject to the approval of the Board of Education; to

(2) Give boys and girls under seventeen years of age assistance with respect to the choice of suitable employment by—

(a) Collecting and communication of information.

(b) Furnishing of advice.

The Education Act, 1918 (Clause 22) substitutes eighteen years for seventeen years.

PART III. EDUCATION ACT, 1918

1. EDUCATION BILL, first introduced in the House of Commons by the Right Hon. H. A. L. Fisher, 10th August, 1917. Certain administrative proposals were strongly opposed and the Bill was withdrawn. It was introduced again on the 14th January, 1918, with important amendments, the outcome of negotiations with Local Authorities. It died with the early close of the Parliamentary session. The third Bill, and present Act, was the outcome of negotiations for the adjustment of difficulties. It was introduced on the 25th February, 1918, passed its second reading 18th March without a division, entered the Committee stage 7th May, and received the Royal Assent, 10th August, 1918.

2. OBJECTS. The fundamental purpose of the new Act is "the progressive development and comprehensive organization of education" available for all persons capable of profiting thereby. Until the passing of the Act our educational system had merely supplemented voluntary effort. The new Act is to establish a system of national education.

3. LOCAL EDUCATION AUTHORITIES within the meaning of the Education Act, 1902, are called upon to discharge certain *duties*, and *powers* are given them to undertake other functions.

4. It is now the DUTY of the local education authority—

(1) TO SUBMIT SCHEMES to the Board of Education showing the mode in which their duties and powers under the Education Acts are to be performed and exercised whether separately or in co-operation with other authorities. (Section 1.)

(2) TO ADAPT THE TEACHING in the higher classes of public elementary schools to the requirements of older children, and

especially to provide practical instruction, and courses of advanced instruction, and to arrange for the transfer of children to higher schools when desirable. (Section 2.)

(3) To RAISE THE AGE of compulsory attendance at elementary schools to fourteen years [Section 8 (1)], such age to be deemed to be attained at the end of the school term [Section 9 (1)], and to admit children only at the commencement of a school term [Section 9 (2)].

(4) To provide PART-TIME CONTINUATION SCHOOLS for young persons up to the age of eighteen, free of fees. Provided that

(a) the obligation shall not, within a period of seven years from the appointed day, apply to young persons between the ages of sixteen and eighteen, nor after that period to any young person who has attained the age of sixteen before the expiration of that period, and

(b) during the like period, if the local education authority so resolve, the number of hours in each year shall be two hundred and eighty instead of three hundred and twenty.
This Section 10 is the heart of the Act.

EXEMPTION from obligation to attend continuation schools is provided for any young person—

(a) who is above the age of fourteen on the appointed day, or
(b) who has satisfactorily completed a course of training for, and is engaged in the sea service in accordance with any national scheme;

(c) who is above the age of sixteen and either

(i) has passed the matriculation examination of a university of the United Kingdom or an examination equivalent thereto; or

(ii) is shown to the satisfaction of the local education authority to have been up to the age of sixteen under suitable and efficient full-time instruction.

THE OBLIGATION TO ATTEND continuation schools shall not apply to any young person who is shown to the satisfaction of the local education authority to be under suitable and efficient

(a) full-time instruction in some other manner;

(b) part-time instruction in some other manner for a number of hours equal to those required for attendance at a continuation school;

(c) where a British University or the Central Welsh Board reports to the Board of Education that a secondary school makes satisfactory provision for the education of the scholars, such a school shall for the purposes of this section be treated as recognized by the Board of Education as efficient.

ATTENDANCE shall not be required on a Sunday or during a

holiday or half-holiday, nor between the hours of seven in the evening and eight in the morning, except in the case of young persons employed at night or otherwise employed at abnormal times.

(5) To ACT AS LOCAL AUTHORITY under the Employment of Children Act, 1903 [Clause 13 (1) (iv)]. A child under the age of twelve shall not be employed, and a child of twelve or upwards shall not be employed on any Sunday for more than two hours, nor on any school day before the close of school hours on that day, nor on any other day before six a.m. or after eight p.m. [Clause 13 (1) (i)]. Section 14 prohibits the employment of children in factories, workshops, mines, and quarries.

(6) To provide for the education of physically defective and epileptic children as soon as the appointed day is fixed. If they cannot do this by means of day schools, they are not to be obliged to provide for the board and lodging of them for seven years (Section 20).

(7) To administer the Education (Choice of Employment) Act, 1910, in respect of young persons up to the age of eighteen years (Section 22).

(8) To APPOINT TEACHERS of special subjects not attached to the staffs of non-provided schools and to direct the admission of any such teachers to the schools (Clause 29).

(9) To include a power to prosecute any person under Section 12 of the Children Act, 1908 (relating to Cruelty), where the person against whom the offence was committed was a child, and pay any expenses incidental to the prosecution (Section 39).

5. POWERS are given to the local education authorities—

(1) To COMBINE voluntarily to form Joint Committees, or Body of Managers, or Federations for carrying out work of common interest. A scheme constituting such shall provide for the appointment of at least two-thirds of the members by councils, and may provide either directly or by co-optation for the inclusion of teachers or other persons of experience in education (Section 6).

(2) To EXTEND THE SCHOOL AGE to fifteen years by bye-laws (Section 8 (2)).

(3) To MAKE A BYE-LAW that parents shall not be required to cause their children to attend school before the age of six years (Section 8 (4)).

(4) To REQUIRE PUPILS of non-provided schools to attend classes in other institutions for the purpose of practical or special instruction or demonstration (Section 8 (6)).

(5) To PROHIBIT OR MODIFY the conditions of employment

of a child when there is reason to believe that those conditions are prejudicial to his health or physical development (Section 15).

(6) TO ESTABLISH HOLIDAY AND SCHOOL CAMPS and other facilities for social and physical instruction for children and young persons, and persons over the age of eighteen attending educational institutions (Section 17).

(7) TO PROVIDE MEDICAL INSPECTION and treatment in secondary and other educational institutions, continuation schools, and schools provided by them as hitherto in public elementary schools. To extend such provisions to any other school or educational institution, whether aided by them or not, if so requested by the management (Section 18).

(8) TO PROVIDE OR AID THE SUPPLY NURSERY SCHOOLS for children over two and under five years of age, and to attend to the health, nourishment, and physical welfare of the children attending them (Section 19).

(9) TO MAKE SUCH ARRANGEMENTS, either of a permanent or temporary character, and including board and lodging for children otherwise unable to receive the benefit of efficient elementary education (Section 21).

(10) TO AID TEACHERS AND STUDENTS to carry on an investigation for the advancement of learning or research in, or in connection with, an educational institution (Section 23).

(11) TO PROVIDE ALLOWANCE for maintenance in connection with any scholarships awarded (Section 24).

(12) TO REQUIRE MANAGERS to admit to non-provided schools teachers of special subjects (Section 29).

6. GENERAL.

(1) LOCAL EDUCATION AUTHORITIES are to avail themselves of the services of private medical practitioners for the medical treatment of children and young persons (Section 25).

(2) THE BOARD OF EDUCATION may, free of cost, inspect and report upon any educational institution if requested by the governing body or headmaster (Section 27).

(3) MANAGERS OF A NON-PROVIDED public elementary school shall give eighteen months' notice to the local education authority of their intention to close the school (Section 30).

(4) A LOCAL EDUCATION AUTHORITY may be authorized to purchase land compulsorily for the purpose of any of their powers or duties under the Education Acts by means of an order confirmed by the Board of Education in accordance with the First Schedule to the Housing, Town Planning, etc., Act, 1909 (Section 34).

(5) A LOCAL EDUCATION AUTHORITY may, with the consent of the Board of Education, provide a public elementary school

outside their area for the use of children within their area (Section 35).

7. FINANCE.

(1) THE LIMIT ON THE AMOUNT to be raised by a county council out of rates for the purpose of education other than elementary shall cease to have effect (Section 7).

(2) NO FEES SHALL BE CHARGED in any public elementary school, except for Meal and Medical Treatment. During a period of five years the Board of Education shall pay to the managers of a school the average yearly sum paid during the five years immediately preceding (Section 26).

The Act retained fees in secondary schools and abolished them in elementary schools, and provided for free education in continuation schools. In other words, it applied the principle that where education was compulsory it was to be given without charge to the parents, but where the parent had an option whether or not to send his child to a particular type of school there he should be at liberty to pay fees.

(3) BOARD OF EDUCATION GRANTS shall not be less than one-half of the net expenditure of the authority recognized by the Board of Education, and if the total sums payable fall short of one-half of that expenditure there shall be paid a deficiency grant equal to the amount of the deficiency (Section 44).

8. EDUCATIONAL TRUSTS.

(1) His Majesty may by Order in Council constitute and incorporate, with power to hold land without license in mortmain, one or more official trustees of educational trust property.

(2) On the constitution of an official trustee or official trustees of educational trust property:

(a) All lands or estates or interests in land then vested in the official trustee of charity lands which are held by him as endowments for solely educational purposes; and

(b) all securities then invested in the official trustees of charitable funds which those trustees certify to be held by them as endowments for solely educational purposes, shall vest in the said official trustee or trustees (Section 45).

XVIII
CHILDREN ACT, 1908

GENERAL DEFINITIONS.

The expression—

- (1) " Child " means a person under the age of fourteen years.
- (2) " Young person " means a person who is fourteen years of age or upwards and under the age of sixteen years.

PART I. INFANT LIFE PROTECTION.

- (1) Local Authority is Board of Guardians.
- (2) Local authority appoint Infant Protection Visitors, and, in addition, or in lieu thereof, may authorize persons, male or female, to exercise the powers voluntarily.
- (3) Persons receiving one or more infants under the age of seven years to nurse for reward are required to give notice to local authority within forty-eight hours.
- (4) Penalty—
 - (a) Imprisonment not exceeding six months, or fine not exceeding £25.
 - (b) Forfeiture of lump sum (if any) paid, or such less sum as court may deem just.
- (5) Such person has no insurable interest in the life of a child under the Assurance Companies Acts.

PART II. PREVENTION OF CRUELTY TO CHILDREN AND YOUNG PERSONS.

(1) Punishment for—

- (a) Cruelty to children and young persons.
 - (b) Suffocation of infants by persons over sixteen years.
 - (c) Other offences in relation to children and young persons, including—
 - (i) Begging.
 - (ii) Exposing children to risk of burning.
 - (iii) Allowing in brothels.
 - (iv) Causing, encouraging or favouring the seduction or prostitution or carnal knowledge of a girl under the age of sixteen years.
- (2) Power conferred on court and constables to—
- (a) Bind over person having custody of young girl.
 - (b) Take offenders into custody.
 - (c) Detain child or young person in place of safety.
 - (d) Dispose of child or young person by order of court.
 - (e) Visit institutions for reception of poor children or young

persons, under order of Secretary of State. Visitors may be voluntary.

(f) Order detention of habitual drunkards.

PART III. JUVENILE SMOKING.

(1) Penalty on selling cigarettes or cigarette paper to a person apparently under the age of sixteen, whether for his own use or not.

(2) Duty of a constable or park-keeper in uniform to seize cigarettes or cigarette paper in the possession of such persons whom he finds smoking, and may have power to search any boy so found smoking.

(3) Court of summary jurisdiction empowered to order automatic machines used for cigarettes to be removed.

PART IV. REFORMATORY AND INDUSTRIAL SCHOOLS.

(1) Definitions—

(a) Certified School means a Reformatory or Industrial School which is certified in accordance with the Children Act, 1908.

(b) Reformatory School means school, for seniors, to which are sent for industrial training youthful offenders, being between the age of twelve and sixteen, convicted of an offence, punishable, in the case of an adult, with penal servitude or imprisonment, and who would have served a term in prison. They are schools in which actual delinquents are lodged, clothed, fed and taught.

(c) Industrial School means a school, for juniors, in which industrial training is provided and children are lodged, clothed, fed and taught up to the age of fourteen, who may not actually have committed an offence, but whose circumstances are such that if left in their surroundings they are likely to join the delinquent population.

(d) Day Industrial and Truant School means a school where the children do not reside, but where they receive one or more meals per day, their elementary education, and a certain amount of industrial training.

The majority of the schools are owned and managed by voluntary bodies.

(2) The responsibility of finding and bringing the children before the courts rests with the local education authority and the police.

(3) Local Authority is—

(a) Local education authority for industrial schools.

(b) Council of a county or county borough for reformatory schools.

(4) Schools are certified by Inspectors appointed by Home Secretary.

(5) Schools are maintained by—

- (a) Treasury Grants in Aid.
- (b) Payments from Local Authority.
- (c) Profits from industrial work.
- (d) Charitable subscriptions and donations.

PART V. JUVENILE OFFENDERS.

(1) The two principles of this part of the Act are—

- (a) Juvenile offenders are distinguished from the adult.
- (b) Parent or guardian is made responsible for the offences of the child.

(2) Provision of—

(a) Juvenile Courts, whereby in cases of charges against or relating to children or young persons, the magistrates sit in a separate room or at a special time. A separate rota of magistrates is recommended by the Home Office.

(b) Places of Detention, provided by every police authority, to which a child or young person may be committed who is

- (i) on remand or committed for trial;
- (ii) sentenced thereto for punishment instead of to prison.

PART VI. MISCELLANEOUS AND GENERAL.

(1) Prohibiting—

(a) Children from being present in court during the trial of other persons.

(b) The purchase of old metal from any person apparently under sixteen years of age.

(c) The taking of pawns from children under fourteen years; in London and Liverpool under sixteen years of age.

(d) The giving of intoxicating liquors (except for medicinal purposes or urgent cause) to children under the age of five years.

(e) Vagrants from preventing children over five years of age receiving education.

(f) Children from being allowed in the bar of licensed premises, except during the hours of closing.

(2) Providing for—

(a) The clearing of a court during children's evidence.

(b) Cleansing of verminous children under order of local education authority.

A DIVISION OF THE HOME OFFICE has been constituted to deal with questions relating to children, particularly reformatory and industrial schools, children's courts, probation officers, cruelty to children, and street trading.

XIX

MENTAL DEFICIENCY

PART I. LUNACY ACTS, 1890 to 1911

CLASSES of persons who come within these Acts include those of unsound mind or mentally infirm.

1. CENTRAL AUTHORITIES include—

- (1) Lord Chancellor, who is responsible for judicial functions.
- (2) Home Secretary, who is responsible to Parliament for the work of the Board of Control.
- (3) Commissioners in Lunacy, now merged in the Board of Control (see below).
- (4) Masters in Lunacy.
- (5) Visitors in Lunacy.

2. LUNATICS are detained in—

- (1) County and borough asylums.
- (2) Registered hospitals receiving lunatics.
- (3) Licensed houses.
- (4) State institutions, viz.—
 - (a) Criminal asylums.
 - (b) Royal Military and Naval hospitals.
- (5) Metropolitan District asylums.
- (6) Workhouses in which there are any lunatics or imbeciles.
- (7) Houses scattered over the country providing for single patients.

3. LOCAL AUTHORITIES are (generally) Council of the County or County Borough, who

- (1) Must provide an asylum or asylums for accommodation of its pauper lunatics.
- (2) May provide accommodation for lunatics of the private class.

4. VISITING OR ASYLUMS COMMITTEE.

- (1) Appointed by local authorities; members of which are Visitors.
- (2) Duties include—
 - (a) Management of asylums.
 - (b) Making rules and regulations for the government of the asylum.
 - (c) Appointing and dismissing officers, including—
 - (i) Chaplain.
 - (ii) Medical Officer.
 - (iii) Superintendent.
 - (iv) Clerk.
 - (v) Treasurer.

5. EXPENSES of local authorities so far as they are not met by the Guardians are, in the case of—

- (1) County Council, met out of the County Fund.
- (2) County Borough Council, met out of the Borough Fund.

An amount is paid out of the Exchequer Contribution Account to the Guardians and to the County or County Borough authority in respect of the maintenance of lunatics.

6. LOANS are subject to the consent of the Local Government Board.

7. ACCOUNTS are, in many cases, made up to the 31st March, and are subject to audit by the District Auditor of the Local Government Board, except in the case of Boroughs.

PART II. MENTAL DEFICIENCY ACT, 1913

Classes of persons who are mentally defective and are defectives within the meaning of this Act include idiots, imbeciles, feeble-minded persons, and moral imbeciles.

1. CENTRAL AUTHORITY—

(1) Board of Control, consisting of not more than fifteen Commissioners.

(a) Not more than twelve Paid Commissioners, at least one being a woman, consisting of—

(i) Four Legal Commissioners, appointed by the Lord Chancellor, being barristers or solicitors of five years' standing.

(ii) Four (at least) Medical Commissioners, being duly qualified medical practitioners of at least five years' standing.

(b) Unpaid Commissioners, appointed by the Secretary of State, at least one being a woman.

(2) The Secretary of State shall appoint one of the Commissioners to be Chairman.

(3) Board of Control is a Corporate Body with perpetual succession and common seal.

2. DUTIES OF CENTRAL AUTHORITY, which may be exercised by an Administrative Committee, include—

(1) Supervision of the administration by the local authorities.

(2) Certification and approval of premises.

(3) Provision and maintenance of State institutions.

(4) Administration of grants provided by Parliament.

(5) Such other powers and duties of the Board as may be assigned, including the preparation of annual and other reports.

3. LOCAL AUTHORITY is Council of the County or County Borough, who are to appoint for the purposes of this Act :

4. THE COMMITTEE FOR THE CARE OF THE MENTALLY DEFECTIVE—

(1) Consisting of—

(a) Members of the Council; and

(b) Poor Law Guardians; or

(c) Other persons having special knowledge and experience with respect to the care, control and treatment of defectives.

(2) Number of members of Committee determined by Council, but

(a) Some shall be women.

(b) The majority shall be members of the Council.

(3) Where a local authority has appointed one or more Visiting or Asylum Committees, then, if the council so determine, the Visiting or Asylum Committee, with the addition of at least two women, shall—

(a) Act as the Committee for the Care of the Mentally Defective; or

(b) Be the members of the Council appointed by the Council to be the members of the Committee for the Care of the Mentally Defective.

(4) Powers of the local authority under the act (except the power of raising a rate or borrowing money) shall stand referred to the Committee.

(5) The Lancashire Asylums Board shall be the local authority for the area of the Board, and the provisions of the Lancashire County (Lunatic Asylums and other Powers) Act, 1891, as to expenses, borrowing, accounts and audit, shall apply accordingly.

(6) Joint Committee or Joint Board may be constituted by the Secretary of State with the approval of the Local Government Board.

5. DUTIES OF LOCAL AUTHORITY—

(1) To ascertain what persons within their area are defective.

(2) To provide suitable supervision for such persons.

(3) Where supervision affords insufficient protection, to send such persons to institutions, or make provision for their guardianship, and to provide suitable and sufficient accommodation for such persons when sent to such institutions.

(4) To maintain, or contribute towards the maintenance of such persons in an institution or approved home, if they think fit.

(5) To provide, if they think fit, for the burial, in case of death, of persons so placed.

(6) To appoint or employ sufficient officers or other persons to assist in the performance of the duties under the Act.

(7) To make to the Board of Control annual or such other reports as are required.

6. EXPENSES OF LOCAL AUTHORITIES in the case of—

(1) County Council, met out of the County Fund.

(2) County Borough Council, met out of the Borough Fund, or Rate, or, if no borough rate is levied, out of a separate rate.

7. LOANS. Money may be borrowed for a period not exceeding sixty years, and the sums so borrowed shall not be reckoned as part of the debt for the purposes of the limitations on borrowing.

8. ACCOUNTS. Separate accounts shall be kept by the local authorities of their receipts and expenditure under the Act.

PUBLIC ASSISTANCE

PART I. POOR LAW

1. THE NECESSITY FOR THE POOR LAW arose as a result of the abolition of the monasteries by Henry VIII, a series of bad harvests, and a debased coinage. The early Poor Law aimed just as much at suppressing vagabondage as at relieving distress. In making provision for the latter, it endeavoured to remove any excuse for the former.

2. ADMINISTRATION is by Boards of Guardians elected for a Poor Law Union. The administration is uniform and the statutes are the least permissive of any Local Government law. It is under the control of the Local Government Board.

3. POOR LAW UNION is any parish or union of parishes for which there is a separate Board of Guardians.

4. BOARD OF GUARDIANS is a corporate body with perpetual succession and a common seal, and consists of a Chairman, Vice-Chairman, and (usually) one Guardian for every parish of 300 inhabitants.

5. GUARDIANS are elected under the Poor Law Acts Amendment Act, 1834, and the Acts amending same, for three years by the local government electors from among their number, or from persons resident for at least twelve months within the Union.

(1) In Rural Parishes are elected as Rural District Councillors, and as such are members of the Board of Guardians for the Union within which their district is situated.

(2) In Urban Parishes are elected as Guardians only.

Boards of Guardians have power to co-opt chairman, deputy-chairman, and not more than two members.

6. DUTIES, which are usually administered by Committees, include—

(1) Poor Relief Acts.

(2) Union Assessment Committee Acts.

(3) Registration of Births, Deaths and Marriages Acts.

(4) Vaccination Acts.

(5) Children Act, 1908 (Part I).

7. PRINCIPLES OF POOR RELIEF under the Poor Relief Act, 1601, and the Poor Law Acts Amendment Act, 1834—

(1) Relief, by the State for its own protection and as a remedy against the evils of destitution.

Destitution implies that a subject is for the time being without material resources directly available and appropriate for satisfying

his physical needs, whether actually existing or likely to arise immediately. By physical needs are meant such needs as must be satisfied in order to maintain life, or in order to obviate, mitigate or remove causes endangering life or likely to endanger life or impair health or bodily fitness for self-support.

(2) Repression, by making the relief repulsive to the moral sense, and severe in the treatment of the idle, immoral, and vicious.

(3) Remedial, in the provision of means to rear, educate and train children who are without proper protection and care.

8. RELIEF IS PROVIDED either by indoor, outdoor, or medical relief.

(1) Indoor or Institutional Relief is maintenance supplied in accordance with the Poor Law Institutions Order, 1913, in an institution such as,

- (a) General Workhouses.
- (b) Workhouse Infirmaries.
- (c) District Sick Asylums.
- (d) Homes for aged poor.
- (e) Casual Wards.
- (f) District or separate Schools.
- (g) Scattered Homes.
- (h) Cottage Homes.
- (i) Boarding out.
- (j) Special or Joint Institutions.

(2) Outdoor Relief or Domiciliary Aliment is maintenance wholly or in part by means of an allowance in accordance with the Relief Regulation Order, 1911.

(3) Medical Relief is all medical and surgical attendance, and all matters and things supplied by or on the recommendation of the medical officer.

9. OFFICERS, who are appointed subject to, and cannot be dismissed without, the approval of the Local Government Board, include—

- (1) Clerk.
- (2) Treasurer.
- (3) Master and Matron of the Workhouse.
- (4) Relieving Officers.
- (5) Medical Officers.
- (6) Such other officers as the Board of Guardians think necessary.

10. EXPENSES are met by precepts upon the overseers of all parishes in the Union and collected as part of the Poor Rate.

11. LOANS are limited to one-quarter, or by order of the Local Government Board, one-half the assessable value of the Union, and are repayable within a period of not exceeding sixty years.

12. ACCOUNTS are made up half-yearly to 31st March and 30th September, and are subject to audit by the District Auditor of the Local Government Board.

PART II. PROPOSALS FOR REFORM OF THE POOR LAWS

1. ROYAL COMMISSION appointed 4th December, 1905, to inquire—

(1) Into the working of the laws relating to the relief of poor persons in the United Kingdom;

(2) Into the various means which have been adopted outside of the Poor Laws for meeting distress arising from want of employment, particularly during periods of severe industrial depression.

Reports issued under date 4th February, 1909.

There were two Reports, viz.—

(1) Majority Report, signed by 14 members.

(2) Minority Report, signed by 4 members.

2. THE CHIEF REASONS FOR REFORM, as stated in the Reports, were—

(1) Pauperism is as rife as it was forty years ago.

(2) Expenditure on Poor Relief has grown out of all proportion with the number relieved.

(3) The calibre and ability of the average guardian is not high enough through lack of interest in elections.

(4) Consequently business is mismanaged, and a great deal of distress is left untouched by the Poor Law.

(5) The Union bears no definite relation to other authorities who now perform functions which overlap the work of the Guardians.

3. UNANIMOUS RECOMMENDATIONS—

(1) Abolition of Boards of Guardians.

(2) Enlargement of the area of administration from the Union to the County and County Borough.

(3) Classified Institutions instead of the General Mixed Workhouse.

(4) Charitable Aid to be organized.

(5) Improved administration of Out Relief.

(6) Old Age Pensions.

(7) Children to be removed from Workhouses.

(8) Labour Exchanges to be established.

(9) State Insurance against Unemployment.

(10) Central Control to be extended and number of higher officials to be increased.

(11) Discontinuance of Unemployed Workmen Act, 1905.

4. MAJORITY RECOMMENDATIONS (not included in above)—

(1) Public Assistance Authorities instead of Boards of Guardians, viz., Committees of County or County Borough for administration purposes.

(2) Public Assistance Committees to be partly nominated by Urban and Rural District Councils and Voluntary Aid Councils to deal with applicants.

(3) Voluntary Aid Councils and Voluntary Aid Committees to act as intermediaries between public assistance and charity.

(4) County and Local Medical Assistance Committees to provide medical relief on a provident basis.

(5) Institutional Treatment to be curative and restorative, with periodical revision of cases.

(6) Outdoor Relief to be adequate to needs, subject to careful supervision and case paper system to be adopted.

(7) Public Assistance Service to be established with qualifying examinations for higher positions.

5. MINORITY RECOMMENDATIONS (not included in above)—

(1) Non-able-bodied to be dealt with by existing committees of the county and county borough councils, viz.—

(a) Education Committee: Children of school age.

(b) Health Committee: Sick and permanently incapacitated; infants under school age; aged needing institutional care.

(c) Asylums Committee: Mentally defective of all grades and ages.

(d) Pensions Committee: Aged to whom pensions are awarded.

These Committees to be supervised by the appropriate Government Departments.

(2) Able-bodied to be dealt with by an authority charged only with this specific duty.

(3) Unemployment to be under the control of a Minister for Labour charged with the duties previously referred to, together with the training of unemployed and control of parliamentary funds for national schemes, including afforestation. (Ministry of Labour created 1917. See Chapter II.)

(4) Registrars of Public Assistance to be appointed for local areas to prevent overlapping.

6. THE LOCAL GOVERNMENT COMMITTEE appointed by the Ministry of Reconstruction, which reported in January, 1918, recommends the abolition of Boards of Guardians and the Poor Law Unions and the transference of the functions of these bodies to the County Councils and County Borough Councils.

UNEMPLOYED WORKMEN ACT, 1905

1. OBJECT. Passed in a period of exceptional distress consequent upon the South African war in order to prevent those who in ordinary times could and would find work from becoming permanent members of the pauper class.
2. CENTRAL AUTHORITY is the Local Government Board.
3. LOCAL AUTHORITIES—
- (1) Metropolis—
- (a) Central Unemployed Body.
- (b) Borough Distress Committees.
- (2) Provinces—
- Distress Committee appointed in—
- (a) Borough or Urban District Council with a population of 50,000.
- (b) Borough or Urban District Council with a population according to the last census of less than 50,000 but not less than 10,000, with the consent of the Local Government Board.
- (c) County or part of county not included may have a committee established by Local Government Board.
- (3) Membership of Provincial Distress Committee consists of—
- (a) Members of county, borough, or urban district council; and
- (b) Members of the boards of guardians of every poor law union wholly or partly within the area; and
- (c) Persons experienced in the relief of distress appointed by the council, not exceeding one-fourth of the total number, one of whom must be a woman.
4. POWERS AND DUTIES OF PROVINCIAL DISTRESS COMMITTEES—
- (1) To make themselves acquainted with the conditions of labour within their area.
- (2) To receive, inquire into, and discriminate between applications made to them from persons unemployed.
- (3) If satisfied that applicant is temporarily unable to obtain work and that case is more suitable of treatment under this Act than under the poor law, then Committee may assist applicant by—
- (a) aiding emigration or removal to another area of applicant and any of his dependents;
- (b) providing or contributing towards the provision of temporary work.

(4) [To establish, take over or assist labour exchanges, and to collect information.] (Abolished by Labour Exchanges Act, 1909.)

(5) With the consent of the Local Government Board, to establish a Farm Colony where expenses may reasonably be expected to be defrayed otherwise than out of contributions by the Council.

(6) With the consent of the Local Government Board, to purchase by agreement or take on lease land for the purposes of the Act.

(7) To accept donations of money or other property for the purpose of the requirements of the Act.

5. OFFICERS may be employed for the efficient exercise of the powers and discharge of the duties of the Committee.

6. EXPENSES of administration are limited to a rate of one halfpenny in the pound, or, with the approval of Local Government Board, one penny in the pound, but the provision of work must be defrayed out of voluntary funds.

7. WORK to which Provincial Distress Committees can contribute, must be provided by a Local Authority or Public Body.

8. LOANS. Money may be borrowed only for the purchase of land, repayable within a period not exceeding sixty years.

9. ACCOUNTS are made up yearly to 31st March, and are subject to audit by the District Auditor of the Local Government Board.

OLD AGE PENSIONS ACTS, 1908 and 1911

1. CENTRAL PENSION AUTHORITY is the Local Government Board.

2. LOCAL PENSION COMMITTEE—

(1) Appointed by the Council of every—

(a) Borough with a population of 20,000.

(b) Urban District with a population of 20,000.

(c) County, excluding the area of such borough or urban district.

(2) Not necessarily members of the council, and women may be members. Number not less than seven or not more than number of members of the council, as decided by them. Quorum not less than three.

(3) Term of office three years, or such less time as the council decide.

(4) Clerk of the Committee to be a fit person appointed by the Committee, to hold office during their pleasure.

3. PENSION OFFICERS—

(1) Appointed by the Treasury.

(2) Supervisors or Officers of Excise, in the service of the Board of Inland Revenue.

4. QUALIFICATIONS FOR PENSION—

(1) Must have attained the age of seventy.

(2) Must be a British subject (or, if the widow, or divorced or deserted wife of an alien, have been a British subject up to the time of her marriage), and have resided within the United Kingdom for previous twenty years.

“Residence” means actual presence for at least twelve years in the aggregate out of the twenty preceding years.

For the purpose of computing the twelve years' residence in the United Kingdom the following are included—

(a) Employment in service of the Crown, or as the wife or servant of a person in any service so remunerated.

(b) Any periods spent in the Channel Islands or the Isle of Man by a person resident in the United Kingdom.

(c) Periods spent abroad while maintaining or assisting dependents in the United Kingdom.

(d) Service on board a vessel registered in the United Kingdom.

(e) Periods of temporary absence not exceeding three months in duration at any one time shall be counted as periods of residence in the United Kingdom if throughout absence home was in the United Kingdom.

(3) Yearly means must not exceed £31 10s.

5. DISQUALIFICATIONS—

(1) While in receipt of poor relief (other than medical relief and certain other kinds of relief excepted under the Acts).

(2) Habitual failure to maintain himself or his legal dependents.

(3) Detention under the Lunacy Acts.

(4) Imprisonment for a term exceeding six weeks without option of a fine within the preceding ten years.

(5) Detention under an Inebriates Act Order within ten years.

6. PROCEDURE—

(1) Form to be obtained from any local Post Office, filled up by claimant and sent to local Pension Officer.

(2) Pension Officer forwards to Local Pension Committee with report.

(3) Clerk to Committee to arrange meeting within seven days, and claim allowed forthwith.

(4) In case of objection, claim adjourned for meeting not more than a month after date of original meeting, and notice sent to claimant.

(5) At adjourned meeting Committee give decision, and send notice to Pension Officer and claimant.

(6) Notice of appeal to Local Government Board within seven days, whose decision is final.

7. AMOUNT OF PENSION.

Where the yearly means of the Pensioner—

	Per Week.
	s. d.
(a) Do not exceed £21	5 0
(b) Exceed £21 but do not exceed £23 12s. 6d.	4 0
(c) Exceed £23 12s. 6d. but do not exceed £26 5s.	3 0
(d) Exceed £26 5s. but do not exceed £28 17s. 6d.	2 0
(e) Exceed £28 17s. 6d. but do not exceed £31 10s.	1 0
(f) Exceed £31 10s.	nil.

Pensions are payable through the Post Office.

8. ADDITIONAL ALLOWANCE.

As from the 10th August, 1917, and during the continuance of the war an additional 2s. 6d. per week became payable to all old age pensioners who are entitled under the Acts to pensions whether at the 5s. or lower rates. The concession applies to pensioners whose means do not exceed the following limits—

(a) In the case of a pensioner who is one of a married couple living together in the same house, £63 a year being the total of means of husband and wife from all sources over and above the old age pension.

(b) In other cases £31 10s. a year over and above old age pension.

9. The sums required for the payment of old-age pensions under these Acts are paid out of moneys provided by Parliament.

XXIII

EMPLOYMENT EXCHANGES (LABOUR EXCHANGES ACT, 1909)

1. OBJECTS—

- (1) Provide a voluntary market for labour.
- (2) Prevent economic waste of time on the part of both employers and workpeople.
- (3) Reduce casual labour and vagrancy.
- (4) Provide statistics relative to the conditions of labour.
- (5) Provide machinery for insurance against unemployment.

2. GUIDING PRINCIPLES—

- (1) National, covering the whole of the United Kingdom, and administered by the Central Government.
- (2) Industrial and not charitable.
- (3) Free and voluntary to both employers and workpeople.
- (4) Impartial as between employers and workpeople.

3. DEFINITIONS—

“Labour Exchange” means any office or place used for the purpose of collecting and furnishing information, either by the keeping of registers or otherwise, respecting employers who desire to engage workpeople, and workpeople who seek engagement or employment.

In October, 1916, it was announced that in future the Labour Exchanges would be termed “Employment Exchanges,” a title which corresponds more accurately to their present functions.

4. ADMINISTERED BY THE MINISTRY OF LABOUR, who may—

- (1) Establish and maintain exchanges in such places as they think fit.
- (2) Assist exchanges maintained by other authorities and persons.
- (3) Co-operate with other authorities and persons.
- (4) Take over employment exchanges by agreement with the authority or person by whom the employment exchange is maintained.
- (5) By such other means as they think fit, collect and furnish information as to employers requiring workpeople and workpeople seeking engagement or employment.
- (6) Establish Advisory Committees consisting of representatives of employers and trade unionists. These have established—
 - (a) Juvenile Employment Committees, which are setting up After-Care Committees.

5. REGULATIONS are made by the Ministry of Labour for—

(1) Management of employment exchanges.

(2) Authorizing advances (on loan) to workpeople travelling to employment to places where employment has been found through exchange.

(3) Providing that no one should be disqualified or prejudiced for refusing to accept employment found through employment exchange where the ground of refusal is—

(a) That a dispute which affects his trade exists, or

(b) That the wages offered are lower than those current in the trade in the district where the employment is found.

Regulations require to be laid before Parliament for forty days.

6. PENALTIES—

Any person knowingly making a false statement or false representation to an officer of an employment exchange, for purpose of obtaining employment or procuring workpeople, is liable in respect of each offence on summary conviction, to a fine not exceeding ten pounds.

7. UNEMPLOYMENT INSURANCE.

The Employment Exchanges are responsible for the administration of the Unemployment Insurance Acts, 1911 to 1918, as described in Chapter XXVI.

8. OFFICERS and servants are appointed by the Ministry of Labour subject to approval of Treasury.

9. EXPENSES incurred by the Ministry of Labour are defrayed out of moneys provided by Parliament.

10. CHOICE OF EMPLOYMENT ACT.

This Act which gives powers to local authorities to make arrangements to give boys and girls assistance with respect to the choice of suitable employment, is referred to in Chapter XVII (Part II).

XXIV

TRADE BOARDS

PART I. TRADE BOARDS ACTS, 1909 to 1918

1. THE FIRST SUGGESTION of Trade Boards is to be found in Mill's principal book on *Political Economy*. They are also referred to in Webb's *History of Trade Unionism*. The first legislation was in the Colony of Victoria on the initiative of Mr. Deakin.

2. OBJECTS—

To remedy existing abuses in regard to sweated industries. Sweating is understood to mean that work is paid for at a rate which, in the conditions under which many of the workpeople do it, yields to them an income which is quite insufficient to enable an adult person to obtain anything like proper food, clothing, and house accommodation.

3. ADMINISTERED by the Ministry of Labour whose officers have power to enter workshops and inspect wages sheets, and have the same power to take and conduct proceedings as is possessed by Factory Inspectors.

4. APPLIES TO ALL WORKERS IN THE FOLLOWING TRADES—

(1) Tailoring—

(a) Ready-made.

(b) Wholesale bespoke.

(c) Any other branch in which the Ministry of Labour consider that the system of manufacture is generally similar to that prevailing in the wholesale trade.

(2) The making of boxes, or parts thereof, made wholly or partially of paper, cardboard, chip or similar material.

(3) Machine-made lace and net-finishing and mending or darning operations of lace-curtain finishing.

(4) Hammered and dollied or tommied chain making.

5. EXTENSION OF ACT. Ministry of Labour may make a Provisional Order applying this Act to any specified trade to which it does not at that time apply, if they are satisfied that—

(1) The rate of wages in any branch of the trade is exceptionally low, as compared with other employments; and

(2) The other circumstances of the trade are such as render the application of this Act to the trade expedient.

In accordance with this provision the Trade Boards Provisional Orders Confirmation Act, 1913, extends the application of this Act to the following trades, viz.—

(1) Sugar Confectionery and Fruit Preserving.

(2) Shirt making.

- (3) Hollow-ware making (including boxes and canisters).
- (4) Linen and Cotton Embroidery.

By the Trades Boards Act, 1918, the Trades Board Act, 1909, shall apply to any other trades to which it has been applied by a provisional order or a special order made under the Act by the Ministry of Labour.

6. SPECIAL ORDER. The Ministry of Labour may make a special order applying the principal Act to any specified trade to which it does not apply. If at any time he is of opinion that the conditions of employment in any trade to which it is applied have so altered as to render the application of the principal Act to the trade unnecessary, he may make a special order withdrawing that trade from the operation of the Act.

7. TRADE BOARDS—

(1) Constituted in accordance with regulations made under these Acts, for any trade to which this Act applies.

(2) Consisting of members—

(a) Appointed by the Ministry of Labour, being less in number than the members representing employers and workers.

(b) Equal number of representatives of employers and workers.

(3) Women are eligible as appointed and representative members.

8. DUTIES OF TRADE BOARDS—

(1) Shall fix a Minimum rate of wages for time work.

(2) May also fix—

(a) General Minimum rate of wages for piece work.

(b) A Minimum time rate to apply in the case of workers employed on piece work.

(c) A minimum rate (whether a time rate or a piece rate) to apply in substitution for a minimum rate which would otherwise be applicable.

(3) To apply same either—

(a) Universally to the trade.

(b) To any special process, or to any class of workers, or to any special area.

(4) May establish District Trade Committees, and refer to them any matter which they think expedient.

(5) To announce to employers the making of an Order affecting their trade and to furnish them with particulars.

9. CONFIRMING ORDER—

(1) Issued by Minister of Labour within one month from the date on which the notification from the Trade Board is received.

(2) Obligatory on all persons employing labour, or employed.

10. PROVISIONAL ORDER or Special Order under the Act of 1918, may be made by the Ministry of Labour providing that this Act shall cease to apply to any trade, if at any time they consider that the conditions of employment in that trade have been so altered as to render the application of this Act unnecessary.

11. OFFICERS are appointed by the Ministry of Labour, and their duties include the investigation of complaints and the securing of the due observance of the Act.

12. PENALTIES—

(1) For not paying minimum rate is, on summary conviction, a fine not exceeding Twenty pounds and Five pounds for each day after conviction.

(2) For refusal to comply with the lawful requirements of officers a fine not exceeding Five pounds in respect of each offence.

(3) For a false list a fine not exceeding Twenty pounds or three months imprisonment with or without hard labour.

(4) By the Trade Boards Act, 1918, an agent of an employer may be proceeded against as if he were the employer.

PART II. CORN PRODUCTION ACT, 1917

1. OBJECTS. Among the objects of the Act is the establishment by the Board of Agriculture and Fisheries of an Agricultural Wages Board for England and Wales for fixing the minimum rates of wages for "workmen" employed in agriculture, that is to say, rates of wages which, in the opinion of the Board, are the lowest which ought to be paid to "workmen" in the district for which the rates are fixed.

2. WORKMEN include boys, women and girls, and employment in agriculture includes work not only on farms, but also on osier land, woodland, orchards, market gardens, and nursery grounds.

3. CONSTITUTION OF THE WAGES BOARD.

Consists of three classes of persons—

(1) Appointed members directly appointed by the Board of Agriculture and Fisheries and not necessarily engaged in agriculture.

(2) Representative Members—

(a) representing employers;

(b) representing workers.

The members representing employers and the members representing workers must be equal in number. Women are eligible as members. The appointed members must not be greater in number than one-quarter of the total number of members of the Wages Board. Number of members fixed by regulation.

4. DUTIES OF THE WAGES BOARD.

(1) Fix minimum rates of wages for time-work for all classes of

workers. In the case of able-bodied men, the rates must be such as will secure wages which in the opinion of the Wages Board are equivalent to a payment for an ordinary day's work at a rate of at least 25s. a week. The age of 18 adopted as the age at which the minimum rate for men becomes payable.

(2) May, if they think it necessary or expedient, also fix minimum rates of wages for piece-work.

(3) These rates, whether time-work or piece-work, may be fixed to apply

(a) Universally to workers employed in agriculture.

(b) Differently for different districts.

(c) For different classes of workers.

(d) For different kinds and conditions of employment.

(4) To define certain payments in kind which may be reckoned in part payment of such wages. The Board have issued an Order defining the particular "benefits and advantages" which may be so reckoned. The Order names the maximum amount (three shillings) which may, under any circumstances, be deducted for the cash wage in respect of a cottage provided by an employer.

5. DISTRICT WAGES COMMITTEES.

Established by Wages Board, who may refer to them any matter which they think expedient.

NATIONAL INSURANCE ACTS, 1911 to 1918

OBJECTS of the Acts are "to provide for insurance against loss of health, and for the prevention and cure of sickness, and for insurance against unemployment, and for purposes incidental thereto."

PART I. HEALTH INSURANCE

1. PRINCIPLES of the Acts—

- (1) Protection of health of individual and community.
- (2) Provision of a weekly sum to safeguard the home during sickness.
- (3) Compulsory and universal in its application to working classes.
- (4) Contributory by employers, workpeople and the State.
- (5) Worked principally through Approved Societies.

2. ADMINISTERED by National Health Insurance Commissioners appointed for each of the four constituent parts of the United Kingdom.

3. INSURED PERSONS—

(1) All persons (subject to certain exceptions) sixteen years of age and upwards employed at a rate of remuneration not exceeding £160 per annum in the United Kingdom under any contract of service or apprenticeship:

- (i) written or oral; whether expressed or implied;
- (ii) whether paid by employer or some other person; and whether under one or more employers;
- (iii) whether paid by time or by the piece, or partly by time and partly by piece, or otherwise; or, except in the case of a contract of apprenticeship, without money payment;
- (iv) employed by manual labour are insurable no matter what their rate of remuneration may be.

(2) Employment under contract as aforesaid as master or member of crew of any ship—

- (i) registered in the United Kingdom; or
- (ii) of any other British ship or vessel of which the owner or managing owner resides or has his principal place of business in the United Kingdom.

(3) Employment as an out-worker, unless excluded by special order.

(4) Employment in plying for hire with any vessel or vehicle, the use of which is obtained from the owner under any contract

of bailment by payment of fixed sum, share of earnings, or otherwise.

(5) Employment under any local or public authority, unless excluded by special order.

4. VOLUNTARY CONTRIBUTORS as from the 1st July, 1918, are all persons—

(a) Who, having been employed within the meaning of Part I of the principal Act and insured as employed contributors for a period of 104 weeks or upwards, have ceased to be employed contributors and who give notice that they desire to become voluntary contributors.

(b) Who were engaged in any excepted employment in respect of whom the Insurance Commissioners are satisfied that in the special circumstances they should be allowed to be voluntary contributors.

(c) Who were insured as voluntary contributors on the 1st January, 1918, or who, having at any previous time been insured as voluntary contributors, ceased to be so insured by reason of becoming employed contributors and were insured persons at that date, and have in either case since that date continued to be insured persons.

5. EXEMPT PERSONS are persons who come within the provisions of the Act but prove that they are either:

(a) in receipt of any pension or income of the annual value of £26 or upwards not dependent upon their personal exertions; or

(b) ordinarily and mainly dependent for their livelihood upon some other person; or

(c) ordinarily and mainly dependent for their livelihood on the earnings derived by them from an occupation which is not employment within the meaning of this part of this Act;

(d) as from the 1st July, 1918, persons intermittently employed.

Certificates of exemption are obtained from the Insurance Commissioners.

6. CONTRIBUTIONS per week—

Employer, 3d. Insured Person: Men, 4d.; Women, 3d.

In the case of an insured person of either sex twenty-one years and over whose remuneration does not include board and lodging by employer, and whose remuneration does not exceed the rate of 2s. 6d. per working day, the following rates apply :

Not exceeding per working day	Employer		Insured Person		Recoverable by Employer from the State
	Men	Women	Men	Women	
s. d.	d.	d.	d.	d.	d.
1 6	7	6	nil	nil	1
2 0	6	5	1	1	1
2 6	4	3	3	3	nil

Contributions of the Voluntary Class as from 1st July, 1918, are at the employed rate.

Contributions cease at seventy years of age. Employer pays for all employees (mentioned in Section 3 above) whether "exempt" persons or not.

Parliament provides two-ninths for men and one-fourth for women of the funds required to administer the benefits under the Acts.

7. BENEFITS are of three classes, viz.: minimum; additional; extended.

(1) Minimum Benefits, viz.—

(a) Medical treatment and attendance, from date of entrance, including the provision of proper and sufficient medicine and such medical and surgical appliances as may be prescribed by regulations of the Commissioners.

(b) Sanatorium treatment, including benefit to dependents of insured persons.

(c) Sickness, as per scale below, commencing on the fourth day.

(d) Disablement, as per scale below.

(e) Maternity payment of thirty shillings to wife or widow.

Sickness and disablement benefit as from 1st July, 1918—

INSURED PERSON who has been insured and has paid contributions for	SICKNESS BENEFIT for twenty-six weeks		DISABLEMENT BENEFIT so long as rendered incapable of work by disease or disablement	
	Men	Women	Men	Women
	s. d.	s. d.	s. d.	s. d.
Over 104 weeks	10 0	7 6	5 0	5 0
Under 104 weeks	6 0	5 0	5 0	4 0

Exempt persons are entitled to medical and sanatorium benefits.

(2) Additional Benefits may be declared by Approved Society

showing a surplus after each quinquennial actuarial valuation, but no provision can be made for death benefits.

(3) Extended Benefits may be declared after the process of the equalization of the contributions of persons entering into insurance one year after commencement of the Act is complete.

8. APPROVED SOCIETIES include any society, organization, or body of persons with at least 5,000 members (societies with less membership may be grouped), approved by Commissioners under following conditions, viz.—

(1) The section of its work which deals with State Insurance cannot distribute any of its surplus funds otherwise than as benefits, whether benefits under this Act or not, among its members.

(2) No profit to be made out of this branch of its business.

(3) Must be mutual so far as this branch of its business is concerned.

(4) Affairs must be subject to absolute control of its members, and no honorary members to have right of voting on questions and matters arising under the Act.

(5) Separate books and accounts to be kept and to be subject to Government audit.

(6) Valuation of assets and liabilities by Government every five years, with right to declare additional benefits.

(7) Must provide security to compensate Government against malversation or mis-appropriation by officials of the society or branch.

9. FUNCTIONS OF APPROVED SOCIETIES include—

(1) Admission or rejection of any insured person or any person entitled to become insured.

(2) Arrange for payment of sickness and disablement benefit direct to members or towards their maintenance in institutions.

(3) Invest one-half of the total reserve fund.

10. INSURANCE COMMITTEE, being a body corporate with perpetual succession and a common seal, elected for the area of every County and County Borough.

(1) District Insurance Committee elected for prescribed areas within the county, and in particular for—

(a) each borough of 10,000 inhabitants;

(b) each urban district of 20,000 inhabitants.

(2) Constitution: minimum 40; maximum 80 members, elected by—

(a) Insured persons and deposit contributors . . . 3/5ths.

(b) County or County Borough (at least two women) 1/5th.

- | | | | |
|-----|--|---|--------|
| (c) | (i) Medical Practitioners 2
(ii) Doctors appointed by Council 1
If total of Committee exceeds 60 2
" is 80 3
(iii) Remainder by Insurance Commissioners,
at least one being a medical practitioner, and two
being women | } | 1/5th. |
|-----|--|---|--------|
- (3) Duties include—
- (a) Administration of medical benefit, including panels of doctors and pharmacists, and fixing income limit for contract.
 - (b) Arrange sanatorium treatment for insured persons and their dependents.
 - (c) Management of affairs of approved grouped societies.
 - (e) Administer funds of Deposit Contributors, and issue regulations respecting payment of their benefits.
 - (f) Collect information and statistics of health of insured persons and make reports and returns, as may be required, by the Commissioners after consultation with the Local Government Board.
 - (g) To demand inquiry by Secretary of State or Local Government Board as to excessive sickness.
 - (h) Arrange lectures and publish information relating to health.
- (4) Finance includes—
- (a) Receipt and disbursement of all funds for Medical and Sanatorium Benefits, and General Purposes.
 - (b) Fund for General Purposes.
 - (c) Administration Funds.

11. ACCOUNTS AND AUDIT. The Accounts of the Approved Societies and Insurance Committees are prescribed in detail and are subject to Audit by Treasury Auditors who have power of surcharge.

12. SPECIAL PROVISIONS are made with respect to naval, military, and air services, mercantile marine, seasonal trades, certificated and other teachers, married women, deposit contributors, etc.

NATIONAL INSURANCE ACTS, 1911 to 1918

PART II. UNEMPLOYMENT

1. ADMINISTERED by the Ministry of Labour through the Employment Exchanges.

2. INSURED PERSONS are any persons (male or female) of the age of sixteen and upwards employed wholly or mainly by way of manual labour who have entered into or work under a contract of service in relation to an insured trade with an employer, whether the contract is expressed or implied, is oral or in writing.

3. INSURED TRADES—

(1) Building.—The construction, alteration, repair, decoration, or demolition of buildings, including the manufacture of any fittings of wood of a kind commonly made in builders' workshops or yards.

(2) Construction of Works.—The construction, reconstruction, or alteration of railroads, docks, harbours, canals, embankments, bridges, piers, or other works of construction.

(3) Shipbuilding.—The construction, alteration, repair, or decoration of ships, boats or other craft by persons not being usually members of a ship's crew, including the manufacture of any fittings of wood of a kind commonly made in a shipbuilding yard.

(4) Mechanical engineering, including the manufacture of ordnance and firearms.

(5) Ironfounding, whether included in the foregoing headings or not.

(6) Construction of Vehicles.—The construction, repair, or decoration of vehicles.

(7) Saw-milling (including machine woodwork), carried on in connection with any other insured trade, or of a kind commonly so carried on.

(8) Saw-milling, whether carried on in connection with any insured trade or not.

The question whether a workman is in an insured trade or not depends entirely upon the nature of the work he is performing, and not upon the business of his employer. Questions arising out of this are finally determined by the umpire appointed under the Act.

4. MUNITION WORKERS—

By the National Insurance (Part II) Munition Workers Act,

1916, the compulsory scheme of unemployment insurance is extended to certain scheduled trades and to all workpeople engaged in munition work.

5. CONTRIBUTIONS—

Length of Service	Workman under 18 years		Workman over 18 years		Parliament provides
	Employer	Workman	Employer	Workman	
Does not exceed one day . . .	1d.	1d.	1d.	1d.	One-third of the total contributions received from employers and workmen during each year
Exceeds one but not two days . . .	1d.	1d.	2d.	2d.	
For every week or part of week exceeding two days . . .	1d.	1d.	2½d.	2½d.	

6. REFUND OF PART OF CONTRIBUTIONS PAID BY EMPLOYER—

Application by employer to Ministry of Labour within two months after the termination of an insurance year, for refund to such employer of the sum of three shillings in respect of each workman, in one of the trades detailed in paragraph 3, in respect of whom he has paid not less than forty-five contributions during the insurance year.

7. BENEFITS.

(1) In respect of each week following the first week of any period of unemployment, seven shillings, or such other rates as may be prescribed either generally or for any particular trade or any branch thereof.

(2) If below the age of seventeen no benefit is payable.

(3) If of the age of seventeen but below the age of eighteen half the rate only is payable.

8. CONDITIONS OF BENEFIT—

(1) Workman proves that not less than ten contributions have been paid by him.

(2) That he has made application for benefit in the prescribed manner (*i.e.*, by presenting his book or card at the Employment Exchange) and proves that since date of application he has been continuously unemployed.

(3) That he is capable of work but unable to obtain suitable employment; and has not exhausted his right to benefit.

9. LIMITATION OF BENEFITS—

(1) Not more than fifteen weeks or such other number of weeks as may be prescribed within any insurance year.

(2) No workman shall receive more benefit than in the proportion of one week's benefit to every five contributions paid by him, or such other proportion as may be prescribed (in accordance with the 1918 Act) either generally or for any particular trade or branch thereof.

(3) Not payable in case of unemployment due to trade dispute.

10. COURTS OF REFEREES—

(1) For the purpose of settling cases of dispute between workmen and officers.

(2) Consist of three persons, one from an employer's panel, one from a workman's panel, and an impartial chairman chosen by the Ministry of Labour.

(3) If Court agree with insurance officer, decision is final. If they disagree, point may be referred to the umpire appointed by the Crown, whose decision will be final.

11. REFUND OF WORKMEN'S CONTRIBUTIONS—

(1) On reaching the age of sixty, or in the event of death after that age, and having paid at least five hundred contributions. (Special provision is made for workmen entering employment when exceeding fifty-five years.)

(2) Workman or his representative may withdraw his own part of the contributions that have been paid in respect of him, with $2\frac{1}{2}$ per cent. interest.

(3) If workman has drawn benefit less than the amount of those contributions, then he draws the balance with interest thereon.

(4) Does not apply to munition workers as defined in paragraph 4.

12. REPAYMENTS TO ASSOCIATIONS. Ministry of Labour may refund under special provisions to any Association of persons which provide for payments to persons whilst unemployed, whether workmen in an insured trade or not, not exceeding one-sixth of the aggregate amount expended during any prescribed period.

13. ARRANGEMENTS WITH ASSOCIATIONS. Ministry of Labour may make arrangements with such Associations to repay, periodically, to the Association the equivalent of such sum which workmen would have received from the Unemployment Fund where such benefit is paid to workmen by the Association.

14. UNEMPLOYMENT FUND established under the control and management of the Government, out of which all payments under the Act are made,

XXVII

LONDON

THE Local Government of London is specially organized as follows—

I.—COUNTY COUNCIL consisting of 118 elected members, two from each of the Parliamentary Divisions, four from the City, and nineteen co-opted aldermen.

Elected practically on the same franchise and for the same terms as the County Councils, described in Chapter VII. The Council has a Chairman, a Vice-Chairman, and a Deputy Chairman. Council meets weekly.

1. DUTIES are somewhat similar to those of a large provincial County Borough, and include—

(1) Maintains the main sewerage system, the fire brigade, the Thames Embankment, bridges (except those of the City Corporation), tunnels and ferries, parks and open spaces.

(2) Administers the whole of the education for the metropolis.

(3) Executes street improvements and administers the Building Acts, and (concurrently with the Metropolitan Borough Councils) of the Housing Acts.

(4) Provides reformatories and lunatic asylums and inebriates' homes.

(5) Controls Metropolitan Councils by approval of bye-laws and loans.

2. COMMITTEES are appointed of a character similar to those described in Chapter VII relating to County Councils.

3. OFFICERS include those appointed by provincial Councils, together with a Comptroller, Valuer, Solicitor, Chief Officer of Public Control Department, Statistical Officer, and Clerk of Asylums Committee.

4. RATES. Obtained by issue of precepts upon the Metropolitan Borough Councils. By an equalization scheme the Council has power to spread rateably over the whole county a certain portion of the amounts expended on sanitary matters by all the London authorities.

5. ACCOUNTS are audited by the District Auditor of the Local Government Board.

II.—METROPOLITAN BOROUGH COUNCILS.

1. There are twenty-eight Metropolitan Borough Councils, constituted by the London Government Act, 1899.

2. COUNCIL consists of Mayor, Aldermen and Councillors.

(1) Councillors in the different boroughs vary in number, and are elected triennially in wards by local government electors.

(2) Aldermen consist of one-sixth the number of Councillors, and are chosen by Councillors for six years, one-half of such Aldermen retiring triennially.

3. MEETINGS are usually held once a month.

4. COMMITTEES.—These are appointed as in provincial councils.

5. DUTIES, in addition to those in provincial boroughs—

(1) Responsible for maintenance of streets and drainage other than main sewers.

(2) Provide libraries, baths and wash-houses, burial grounds, museums, gymnasia and trading undertakings.

(3) Enforce laws against overcrowding, food adulteration, nuisances and insanitary conditions, and (concurrently with the County Council) the Housing Acts.

(4) Prepare valuations for the assessment of rates (as described in section on Overseer of the Poor).

6. OFFICERS are similar to those in provincial boroughs.

7. RATES. Collect the rates for all the other London bodies, which issue precepts on the Borough Councils for their requirements, as well as for themselves.

8. ACCOUNTS are made up annually and audited by the District Auditor of the Local Government Board.

III.—THE CITY CORPORATION is under the control of the Court of Common Council, the Court of Common Hall, and the Court of Aldermen.

1. THE COURT OF COMMON COUNCIL is the main legislative and executive body, and consists of the Lord Mayor, 26 Aldermen, and 206 Common Councillors.

(1) The Common Councillors are chosen annually in different proportions in the twenty-five wards by the City electors, being persons who have a property qualification in the City.

(2) Aldermen are elected for life by each ward, one for each of twenty-four wards. Two wards elect one between them, and the remaining Alderman sits for the nominal Ward of Bridge-Without.

(3) Lord Mayor is chosen annually by the Court of Aldermen.

2. DUTIES of the Court of Common Council include all the powers possessed by the Metropolitan Borough Councils and

(1) Control of own Police Force, which is independent of Home Office control.

- (2) Sanitary authority for the Port of London.
- (3) Maintains the City Bridges, West Ham Park, Epping Forest.
- (4) Jurisdiction over all markets within seven miles of its boundary.
- (5) Provides its own lunatic asylum and reformatory school.
- (6) Administers the extensive trust funds.
- (7) Maintains the Lord Mayor's Court and the City of London Court for civil purposes.
- (8) Criminal jurisdiction is administered in its own Police Courts, held daily at the Guildhall and Mansion House, and presided over by the Lord Mayor and Aldermen sitting in turn.

3. MEETINGS are usually held every week.

4. COMMITTEES are appointed as in the case of Boroughs.

5. THE COURT OF COMMON HALL is an assembly of the Lord Mayor, Sheriffs, Aldermen, and all the "liverymen" members of the City Companies, which are the survivors of the ancient Guilds. Nominates two Aldermen for office of Lord Mayor.

6. THE COURT OF ALDERMEN consists of the Lord Mayor and Aldermen. It is the only surviving example in England of a municipal second chamber. It makes the final selection of the Lord Mayor from the two nominees of the Court of Common Hall, usually the one longest standing who has not already passed the Chair.

IV.—METROPOLITAN ASYLUMS BOARD.

1. CONSISTS of seventy-three members, of whom fifty-five are elected by the Metropolitan Boards of Guardians, and eighteen members are nominated by the Local Government Board. It was established in 1867.

2. DUTIES include maintenance of—

- (1) Isolation hospitals for London for pauper and non-pauper cases alike.
- (2) Sanatoria and hospitals for tuberculous patients whether insured persons under the National Insurance Acts or otherwise.
- (3) Ambulance service for the removal of patients.
- (4) Asylums for mentally defective, as distinct from lunatics.
- (5) Training ship for boys for sea service under Metropolitan Poor Amendment Act, 1867.
- (6) Sick and Convalescent Children of various classes under the poor law.
- (7) Casual poor including the maintenance of the casual wards administered prior to 1st April, 1912, by the separate boards of guardians.

(8) Institutions for parturient women suffering from venereal disease.

(9) Hospitals for treatment of certain cases of ophthalmia neonatorum.

(10) Colony and home for sane epileptics.

V.—METROPOLITAN BOARDS OF GUARDIANS.

There are thirty unions for Poor Law purposes. The Common Poor Fund for the equalization of the rates for the relief of the poor is administered by the Local Government Board.

VI.—METROPOLITAN WATER BOARD.

1. CONSTITUTED under the provisions of the Metropolis Water Act, 1902.

2. BOARD consists of representatives of the local authorities concerned, including—

(1) London County Council, and five other County Councils.

(2) Metropolitan Borough Councils and the City of London.

(3) Boroughs and urban districts served by the Water Board.

3. DUTIES consist in administering the undertakings of the eight Metropolitan Water Companies which were expropriated under the terms of the Act.

VII.—CENTRAL (UNEMPLOYED) BODY.

Constituted under the Unemployed Workmen Act, 1905, for the purpose of administering that Act as dealt with in Chapter XXI.

XXVIII
SCOTLAND

THERE are six classes of Local Authorities in Scotland, viz.—
I.—BURGHS, including—

1. Royal Burghs, created by Royal Charter. They are independent of the County Council.

2. Parliamentary Burghs, which, under the Reform Act of 1832, received the right of sending members to Parliament.

3. Police Burghs consist of towns of 7,000 and upwards, formed under the Police Acts—

(1) THE TOWN COUNCIL consists of the Provost, Bailies, and Councillors. The Provost and Bailies are elected in the usual way, and are afterwards appointed to their respective offices by the Council.

(2) PROVOST, equivalent to the Mayor, holds office for three years.

(3) BAILIES, equivalent to Aldermen, retain office for the same period as originally elected. They are magistrates, and in towns of over 7,000 they constitute the Licensing Bench.

(4) COUNCILLORS are elected every November and hold office for three years, one-third retiring annually.

(5) COMMITTEES are appointed, the Chairmen of which are termed Conveners, except only the Dean of Guild, Chairman of the Dean of Guild Court, by which the Building Acts are administered, which is both a Committee of the Council and an ancient Court of the Realm.

II.—SCHOOL BOARDS, which administer elementary education. There is one for nearly every parish, elected triennially on the cumulative vote system.

III.—PARISH COUNCILS, which administer the Poor Law in urban areas. In the large areas such as Glasgow, Edinburgh, and Govan, they also under the name of the Board are responsible for the well-being of all the lunatics, insane, and feeble-minded persons within their boundaries. In smaller areas and rural districts there is a combination of districts in the county area for this purpose. The Parish Councils are elected in the same way as the Guardians are in England. Fundamentally the English and Scotch Poor Laws are the same, as in practice if a man is destitute he will not long remain able-bodied.

IV.—LANDWARD (RURAL) PARISH COUNCILS, which are general local authorities, including Poor Relief.

V.—COUNTY COUNCILS, elected under the same system as the Town and Parish Council.

VI.—DISTRICT COMMITTEES composed of representatives from the Parish and County Council also exist. Their chief function is the administration of Public Health Acts.

QUALIFICATIONS. The County, Town, and Parish Councils (Qualification) (Scotland) Act, 1914, provides that any person, of either sex, of full age, and not subject to any legal incapacity shall be qualified to be elected a councillor. This qualification being in addition to any other qualification.

DUTIES of the various authorities are very much the same as the analogous authorities in England and Wales.

CENTRAL CONTROL is in the hands of the Secretary for Scotland, the Scottish Local Government Board and the Scottish Education Department.

XXIX
IRELAND

LOCAL Government in Ireland may be divided under five heads, viz.—

I.—URBAN AREAS are under the control of Borough Councils or Commissioners.

II.—RURAL AREAS are under the Rural District Councils. (There are no Parish Councils or Parish Meetings.)

III.—COUNTY COUNCILS, which in addition to their other duties levy on the ratepayers the Poor Rate to meet all the expenses of local government.

IV.—BOARDS OF GUARDIANS, who administer—

(1) Poor Law.

(2) Free Service of Medical Treatment, which is available for paupers and non-paupers.

V.—SCHOOL MANAGERS, who are supervised direct from Dublin.

FRANCHISE is similar to that for Parliament, with the addition of Peers.

Clergymen cannot be elected to any body.

Women, since 1911, are not disqualified by sex or marriage from being Councillors or Aldermen.

FUNCTIONS follow generally on the lines of similar authorities in England and Wales.

CENTRAL CONTROL is in the hands of the Chief Secretary to the Lord-Lieutenant of Ireland. He is assisted by a number of Boards established in Dublin.

SOCIAL SERVICE

1. THE IDEAL OF LIFE should be to make service rather than success the first aim. Service entails sacrifice. Many of our citizens are willing to give of their best and the following brief summary is intended to direct them to the attainment of their object.

2. THE NATIONAL COUNCIL ON SOCIAL SERVICE has for its object the development and co-ordination of social service. The Secretary is Captain L. F. Ellis, D.S.O., M.C., Local Government Board, Whitehall, London, S.W.1. The intention is to form

3. LOCAL REPRESENTATIVE COUNCILS coinciding generally with local government areas, to co-ordinate voluntary and official social work and to promote such new efforts as may seem advisable.

4. HOME OFFICE JUVENILE ORGANIZATIONS COMMITTEE has been established to assist work among juveniles by Local Representative Committees. The Secretary is Mr. E. J. Metters, Home Office, Whitehall, London, S.W.1.

5. SOCIAL SERVICE forms an attractive form of citizenship, and the reader is directed to the preceding chapters for any details which may be required in respect to the subject of interest. It is presumed that the worker does not desire to seek the suffrages of the electors.

	Chapter
(1) Parish Council.—Chairman may be elected from outside	III
(2) District Council. Do. do.	IV
(3) Justice of the Peace.—Appointed by the Crown	VI
(4) Overseers of the Poor.—Appointed by Parish Council or Meeting or Justices	VIII
(5) Public Health.—Maternity and Child Welfare Committee	X
(6) Housing.—Demand for Improvement or Reconstruction Scheme by twelve ratepayers. Report on any house by four or more householders	XII
(7) Adoptive Acts.—Baths and Washhouses Acts and Public Libraries Acts; ten electors may requisition	XIII
Small Holdings and Allotments.—Any six parliamentary electors or ratepayers may make representations	

	Chapter
(8) Town Planning.—Anyone may make representation for a scheme	XIV
(9) Special Constables.—Appointed in emergencies	XVI
(10) Education Committee. Co-option by Council Managers of Elementary Schools. Nomination Choice of Employment.—Membership of Advisory Committee	XVII
(11) Children Act.—Voluntary Infant Life Protection Visitors	XVIII
Visitors to institutions for reception of poor children and young persons	
Management of Reformatory and Industrial and Truant Schools	
Probation officers for juvenile offenders	
(12) Mental Deficiency.—Committee for the Care of the Mentally Defective	XIX
(13) Board of Guardians. — Chairman, deputy-chairman, and two members may be co-opted by the Board	XX
(14) Unemployed Workmen Act.—Membership of Distress Committee	XXI
(15) Old Age Pensions.—Membership of Local Pension Committee	XXII
(16) Employment Exchanges.—Membership of Advisory Committees and After-Care Committees	XXIII
(17) Trade Boards	XXIV
(18) National Health Insurance.—Membership of Insurance Committee	XXV
(19) Unemployment Insurance.—Court of Referees	XXVII
(20) War Charities Committee	XXX
(21) Local Pensions Committee	XXX

6. WAR CHARITIES ACT, 1916.

(1) It shall not be lawful to make any appeal to the public for donations or subscriptions to any war charity unless the charity is registered under this Act.

(2) The registration authority shall be—

(a) As respects the City of London, the Mayor, Aldermen, and Commons of the City of London in common council assembled.

(b) as respects a municipal borough or urban district, the council of the borough or district;

(c) elsewhere, the county council;

and any such council may act through a committee which may

comprise persons (including women) who are not members of the council.

(3) Charities registered under the Act shall—

(a) Be administered by a committee or other body of not less than three persons.

(b) Keep proper books of accounts, audited at such intervals as may be prescribed.

(c) Keep separate account at such bank or banks as may be specified.

(d) Furnish to the registration authority or the Charity Commissioners such particulars as may be required, and keep books of accounts open to inspection.

(4) The Charity Commissioners may make regulations respecting the above matters.

7. NAVAL AND MILITARY WAR PENSIONS, ETC. ACT, 1915.

Amended by the Naval and Military War Pensions, etc., Act, 1916, Naval and Military War Pensions, etc. (Transfer of Powers) Act, 1917, and the Naval and Military War Pensions, etc. (Administrative Expenses) Act, 1917.

(1) *Objects.* For purposes relating to pensions and grants and allowances made in respect of the war to officers and men, their wives, widows, children, and other dependents, and the care of officers and men disabled.

(2) *Local Committees* established for—

(a) Every county and county borough.

(b) Every borough or urban district having a population of not less than fifty thousand, the council of which so desires.

(c) Any other borough or urban district for which the central authority, on the application of the council thereof, considers it desirable.

(d) Any borough or urban district having a population of less than fifty thousand and not less than twenty thousand, the council of which so desires.

(3) *Constitution of Local Committees* under a scheme framed by the council and approved by the central authority, but every such scheme shall provide for the

(a) appointment by the council of at least a majority of the local committee, but the members so appointed need not be members of the council; and

(b) appointment by the local committee from amongst their number of a chairman; and

(c) inclusion of women and representatives of labour among the members of the local committee.

APPENDIX

REPRESENTATION OF THE PEOPLE ACT, 1918

PARLIAMENTARY FRANCHISE: MEN

SECTION 1 provides that a man shall be entitled to be registered as a parliamentary elector for a constituency (other than a university constituency) if he is of full age and not subject to any legal incapacity, and (a) has the requisite residence qualification, or (b) has the requisite business premises qualification.

A man in order to have the requisite residence qualification or business premises qualification for a constituency—

(a) must on the last day of the qualifying period be residing in premises in the constituency, or occupying business premises in the constituency, as the case may be; and

(b) must during the whole of the qualifying period have resided in premises, or occupied business premises, as the case may be, in the constituency, or in another constituency within the same parliamentary borough or parliamentary county, or within a parliamentary borough or parliamentary county contiguous to that borough or county, or separated from that borough or county by water not exceeding at the nearest point six miles in breadth, measured in the case of tidal water from low-water mark.

For the purposes of this sub-section, the administrative county of London shall be treated as a parliamentary borough.

The expression "business premises" in this section means land or other premises of the yearly value of not less than ten pounds occupied for the purpose of the business, profession, or trade of the person to be registered.

Section (2) provides that a man shall be entitled to be registered as a parliamentary elector for a university constituency if he is of full age and not subject to any legal incapacity, and has received a degree (other than an honorary degree) at any university forming, or forming part of, the constituency, or in the case of the Scottish universities is qualified under section 27 of the Representation of the People (Scotland) Act, 1868, or in the case of the University of Dublin has either received a degree (other than an honorary degree) at the university, or has obtained a scholarship or fellowship in the university whether before or after the passing of this Act.

PARLIAMENTARY FRANCHISE: WOMEN

Section 4 (1) provides that a woman shall be entitled to be registered as a parliamentary elector for a constituency (other than a university constituency) if she—

- (a) has attained the age of thirty years; and
- (b) is not subject to any legal incapacity; and

(c) is entitled to be registered as a local government elector in respect of the occupation in that constituency of land or premises (not being a dwelling-house) of a yearly value of not less than five pounds or of a dwelling-house, or is the wife of a husband entitled to be so registered.

Section 4 (2) provides that a woman shall be entitled to be registered as a parliamentary elector for a university constituency if she has attained the age of thirty years and either would be entitled to be so registered if she were a man, or has been admitted to and passed the final examination, and kept under the conditions required of women by the university the period of residence, necessary for a man to obtain a degree at any university forming, or forming part of, a university constituency which did not at the time the examination was passed admit women to degrees.

LOCAL GOVERNMENT ELECTORS

The Act has made a sweeping change in the qualification of electors so far as local government elections and the right to vote at any such elections are concerned, and (by the Sixth Schedule) these are substituted for any reference in any other Act to local government electors, county electors, burgesses, parochial electors, or other persons entitled to vote at a local government election, by whatever name called, and local government electors so registered shall for all purposes, whether statutory or not, be in the same position as any such local government electors, county electors, burgesses, parochial electors, or persons.

LOCAL GOVERNMENT FRANCHISE: MEN

Section 3 provides that a man shall be entitled to be registered as a local government elector for a local government electoral area, if he is of full age and not subject to any legal incapacity, and

(a) is on the last day of the qualifying period occupying as owner or tenant, any land or premises in that area; and

(b) has, during the whole of the qualifying period, so occupied any land or premises in that area, or, if that area is not an administrative county or a county borough any administrative county or county borough in which the area is wholly or partly situate :

Provided that—

(i) for the purposes of this section a man who himself inhabits any dwelling-house, by virtue of any office, service, or employment, shall, if the dwelling-house is not inhabited by the person in whose service he is in such office, service, or employment, be deemed to occupy the dwelling-house as a tenant; and

(ii) for the purpose of this section the word tenant shall include a person who occupies a room or rooms as a lodger only where such room or rooms are let to him in an unfurnished state.

LOCAL GOVERNMENT FRANCHISE: WOMEN

Section 4 (3) provides that a woman shall be entitled to be registered as a local government elector for any local government electoral area—

(a) where she would be entitled to be so registered if she were a man; and

(b) where she is the wife of a man who is entitled to be so registered in respect of premises in which they both reside, and she has attained the age of thirty years and is not subject to any legal incapacity.

For the purpose of this provision, a naval or military voter who is registered in respect of a residence qualification which he would have had but for his service, shall be deemed to be resident in accordance with the qualification.

NAVAL OR MILITARY VOTER

Section 5 provides that a person to whom this section applies (in this Act referred to as "a naval or military voter") shall be entitled to be registered as a parliamentary elector for any constituency for which he would have had the necessary qualification but for the service which brings him within the provisions of this section. . . .

This section applies to any person who is of the age required under this Act in the case of that person and is not subject to any legal incapacity, and who—

(a) is serving on full pay as a member of any of the naval, military, or air forces of the Crown; or

(b) is abroad or afloat in connection with any war in which His Majesty is engaged, and is—

(i) in service of a naval or military character for which payment is made out of moneys provided by Parliament, or (where the person serving was at the commencement of his service resident in the United Kingdom) out of the public funds of any part of His Majesty's Dominions, or in service as a merchant seaman, pilot, or fisherman, including the

master of a merchant ship or fishing boat and an apprentice on such a ship or boat; or

(ii) serving in any work of the British Red Cross Society, or the Order of St. John of Jerusalem in England, or any other body with a similar object; or

(iii) serving in any other work recognized by the Admiralty, Army Council, or Air Council, as work of national importance in connection with the war.

A male naval or military voter who has served or hereafter serves in or in connection with the present war shall, notwithstanding anything in this or any other Act, be entitled to be registered as a parliamentary elector if that voter at the commencement of service has attained, or during service attains, the age of nineteen years, and is otherwise qualified.

THE QUALIFYING PERIOD

The "qualifying period" referred to in the Act is defined by section 6 as a period of six months ending either on the fifteenth day of January, or the fifteenth day of July, including in each case the fifteenth day—

Provided that in the application of this section to a person who is a naval or military voter, or who has been serving as a member of the naval, military, or air forces of the Crown at any time during the said six months and has ceased so to serve, one month shall be substituted for six months as the qualifying period.

QUALIFICATION OF COUNCILLOR

Section 10 provides that a person shall, in addition to and without prejudice to any other qualification, be qualified to be elected a member of the local government authority for any local government electoral area if he is the owner of property held by freehold, copyhold, leasehold or any other tenure within the area of that authority.

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Macmillan (1912). 10s. net.

A thorough investigation of municipal trading, particularly in Great Britain and Germany. Author concludes that municipal trading in itself is undesirable, but that the municipalization of certain industries may be justified.

PORTER, ROBERT P. *The Dangers of Municipal Trading.*

Routledge (1907). 2s. 6d. net.

A vigorous indictment of municipal trading as lowering the standard of municipal government. Full of facts and arguments.

SUTHERS, R. B. *Mind Your Own Business.*

Clarion Press (1905). 2s. 6d.

A popular statement of the arguments for municipal trading with statistics.

SHAW, BERNARD. *The Commonsense of Municipal Trading.*

Fifield (1912). 6d. net.

A very clear presentation of the case for municipal enterprise, including chapters on Housing, Municipal Audit, and Municipal Councillors.

POLICE.

MAITLAND, F. W. *Justice and Police.*

Macmillan (1885). O.P.

The best outline of the subject by one of the most eminent of English jurists.

ALEXANDER, G. GLOVER. *The Administration of Justice in Criminal Matters* (in England and Wales).

Cambridge University Press. 1s. net (War Price, 2s. net).

An excellent outline of criminal justice, from the Police Courts to the House of Lords.

COHEN, HERMAN. *The Spirit of our Laws.*

Sweet & Maxwell, Ltd. (1907). 5s. net.

A popular introduction to the subject of our legal institutions.

EDUCATION, Etc.

CRAIK, SIR HENRY. *The State in its Relation to Education.*

Macmillan: English Citizen Series (1914). 3s. 6d.

A very practical and reliable review of our educational system from its beginnings.

BALFOUR, GRAHAM. *The Educational Systems of Great Britain and Ireland.*

Oxford University Press (1903). 7s. 6d. net.

A comprehensive account of general education in the United Kingdom during the nineteenth century.

CRESSY, EDWARD. *Outline of Industrial History*, with Special Reference to Problems of the Present Day.

Macmillan (1915). 3s. 6d.

This is an attempt to connect more closely the dead past with the living present and is an introduction to the larger histories which trace the growth of our national industry and commerce.

SADLER, M. E. (Ed.). *Moral Instruction and Training in Schools. Report of an International Enquiry.*

Vol. I. *The United Kingdom.* Longmans (1908). 5s. net.

Records the judgments of experienced teachers and others on "the various means by which schools may bear a part in . . . quickening and defining moral ideals, and of strengthening their influence upon individual conduct and upon national life."

MANSBRIDGE, ALBERT. *University Tutorial Classes.*

Longmans (1913). 2s. 6d.

The story of the movement by one who has been at the centre of its wonderful development.

The Education Act, 1918. Summarized and Explained.

National Education Association (1918). 6d. net.

A very useful pamphlet with the operative words and phrases of the main sections given so as to show at a glance the purposes of the Act in its own words, and to serve as a guide to the full text.

BARLOW & HOLLAND. *The Education Act, 1918.*

National Society's Depository (1918). 1s. 6d. net.

Is intended mainly for Managers and Trustees of Denominational Schools, but contains a Summary with Notes explanatory of the Act together with the Text of the Act with Notes.

WORKERS' EDUCATIONAL ASSOCIATION.

The Education Act, 1918. A Summary of some of its Principal Provisions. 2d.

Some Musts and Mays of the Education Act, 1918. 6d. per dozen.

ROWNTREE, ARNOLD S. *The 1918 Education Act Explained.*

The Athenaeum Literature Department (1918). 2d.

The subject is treated under four age groups.

CHILDREN'S ACT.

SAMUELSON, JAS. *The Children of our Slums.*

Liverpool Booksellers Co., and Simpkin Marshall & Co., Ltd. (1911). 1s. net.

Deals with slum children, and the various agencies for their feeding, clothing, and reclamation, with special reference to Liverpool. *Bibliography.*

JONES AND BELLOT. *Law of Children and Young Persons.*

Butterworth (1909). 10s. 6d.

This work is a more technical treatise on the subject, and is of extreme value to officials and others engaged among the adolescent.

GREENWOOD, ARTHUR. *Juvenile Labour Exchanges and After Care.*

King (1911). 1s. net.

Discusses juvenile labour problem, and outlines scheme for its solution by co-ordination and co-operation of education authorities, labour exchanges, and voluntary agencies. *Bibliography.*

PEPLER, DOUGLAS. *The Care Committee, the Child and the Parent.*

Constable (1912). 2s. 6d. net.

Historical account of provision of free meals to poor children, and an able treatment of Care Committees, their future, and the relative spheres of voluntary and official workers.

FREEMAN, ARNOLD. *Boy Life and Labour: the Manufacture of Inefficiency.*

King (1914). 3s. 6d. net.

First-hand investigations into conditions of boy labour in Birmingham. Outlines lives, and influences shaping future, of seventy-one boys, and suggests remedy. *Bibliography.*

KEELING, FREDERIC. *Child Labour in the United Kingdom.*

King. 7s. 6d. net.

An exhaustive treatise on the subject.

BRAY, R. A. *Boy Labour and Apprenticeship.*

Constable (1914). 5s. net.

An excellent work by a well-known social worker and member of the London County Council.

CLARKE, HALL W. *The State and the Child.*

Headley Bros. (1917). 2s. net.

A very valuable book dealing with Juvenile Delinquents, Children's Courts, Reformatory and Industrial Schools, Probation, etc.

MENTAL DEFICIENCY.

WORMALD, JOHN, AND SAMUEL WORMALD. *A Guide to the Mental Deficiency Act, 1913.*

King (1914). 5s. net.

This is a useful exposition of the Act, and is of extreme value to local administrators and social workers.

PUBLIC ASSISTANCE, Etc.

CAUSES OF POVERTY—

ROWNTREE, B. SEEBOHM. *Poverty, A Study of Town Life.*

Nelson (1913). 1s. net (War Price 1s. 3d. net).

A detailed study of social and economic conditions of wage-earning classes of York. Contains a valuable analysis of the immediate causes of poverty.

HOBSON, JOHN A. *Problems of Poverty.*

Methuen (1913). 2s. 6d.

An examination of facts and forces directly bearing upon poverty, e.g., Effect of Machinery, Growth of Large Cities, Sweating, Low-skilled Labour, Condition of Women Workers, and Moral Aspects of Poverty. *Bibliography.*

MONEY, SIR L. G. CHIOZZA. *Riches and Poverty.*

Methuen (1914). 5s. net.

A well-known work, by a statistical expert, on the distribution of wealth, and advocating graduated income and land taxes.

BOOTH, RT. HON. CHARLES. *Life and Labour of the People in London.*

Macmillan (1904). 17 Vols.

This monumental work is the standard. It is a marshalling

of facts drawn up with the assistance of a trained staff, including Miss Beatrice Potter (Mrs. Sidney Webb), and Sir H. Llewellyn Smith.

First Series: *Poverty*. In 4 Vols. Second Series: *Industry*. In 5 Vols. Third Series: *Religious Influences*. In 7 Vols. Final vol.: *Notes on Social Influences and Conclusions*.

ROWNTREE, B. S. (Ed.). *Betting and Gambling: a National Evil*. Macmillan (1906). 6d.

A series of papers on various aspects of the subject, by competent writers, giving considerable information and offering suggestions. *Bibliography*.

BOSANQUET, MRS. BERNARD. *Rich and Poor*. Macmillan (1908). 3s. 6d. net.

A study of a typical East End parish, outlining conditions of social work, and institutions and forces influencing the people's lives.

BELL, LADY. *At the Works*.

Nelson (1911). 1s. net (War Price 1s. 3d. net).

Describes the daily lives of workmen in iron trade at Middlesbrough—their Work, Expenditure, Recreation, Reading, etc.

POOR LAW.

FOWLE, T. W. *The Poor Law*.

Macmillan: English Citizen Series (1906). O.P.

Very reliable. Deals with principles, institutions, history, and administration of the Poor Law.

WEBB, SIDNEY AND BEATRICE. *English Poor Law Policy*.

Longmans (1910). 7s. 6d. net.

A history of the Poor Law from 1834 to the Royal Commission of 1905-9, tracing the gradual development of policy over three-quarters of a century.

DRAGE, GEOFFREY. *The State and the Poor*.

Collins (1914). 1s. net.

A carefully written work by a recognized authority on the English Poor Laws.

Report of the Royal Commission on Poor Law, 1834.

There have been several reprints of this, but probably the best is that issued by P. S. King, price 1s. 8d.

SELLERS, EDITH. *Foreign Solutions of Poor Law Problems*.

Horace Marshall (1908). 2s. 6d.

Shows how problems yet unsolved in England (particularly that of aged poor) have been dealt with on the Continent.

Report of the Royal Commission on Poor Law and Relief of Distress, 1909 (Cd. 4499).

A mine of useful historical and statistical information.

NICHOLLS, SIR GEORGE, AND MACKAY, THOMAS. *A History of the English Poor Law.*

King (1912). 3 Vols. 15s. net.

The standard work on the subject. First two volumes, by Sir George Nicholls, bring the history down to 1853, and the third volume, by Thomas Mackay, brings it up to date.

OLD-AGE PENSIONS.

HOARE, H. J. *Old-Age Pensions.*

King (1915). 3s. 6d. net.

The best work for both students and local officials who are dealing with this subject.

NATIONAL INSURANCE, Etc.

SCHLOSS, D. S. *Insurance against Unemployment.*

King (1909). 3s. 6d. net.

A concise account of what has been done by other nations, and sets forth in detail the foreign legislation on the subject.

BEVERIDGE, W. H. *Unemployment a Problem of Industry.*

Longmans (1908). 9s. net (War Price 9s. 6d. net).

The standard book on the subject. Records principal facts, and analyses causes, of unemployment. Discusses past remedies and principles of future policy. *Bibliography.*

CARR, A. S. COMYNS; GARNETT, W. H. STEWART; AND TAYLOR, J. H., M.B. *National Insurance.* Preface by Rt. Hon. D. Lloyd George.

Macmillan (1912). 15s. net.

The best exposition of the Act. Contains chapters on Position of Employers, Insured Persons, Friendly Societies, Local Authorities, Medical Profession, Finance, and Public Health.

SOCIAL SERVICE.

Information for Voluntary Workers, No. 1, 6d.

National Council on Social Service (1917), 6d. (See page 100)

GENERAL.

MACCUNN, JOHN. *Ethics of Citizenship.*

Maclehose (1907). 3s. 6d.

The object of the book is to connect some of the leading aspects of democratic citizenship with ethical facts and belief. The chapter on "The Rule of the Majority in Politics" is of especial value to the student.

The Industrial Outlook, being Essays in Reconstruction by various writers, edited by H. Sanderson Furniss.

Chatto & Windus (1917). 3s. 6d. net.

The subjects dealt with include Credit and Banking, Rural Problems, Wages, Labour Organization, The State in Relation to Industry, Taxation, etc.

