

PARISH AND DISTRICT COUNCILS:

What they are and what they can do.

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PARISH AND DISTRICT COUNCILS :

What they are and what they can do.

With a Postscript embodying recent alterations in the Law.

THE public affairs of every Parish, Town and Poor Law Union in England and Wales are now managed by Meetings and popularly elected Councils or Boards. Almost all adult men and most women who are householders are electors for these bodies, and are therefore responsible for their doings; and every man and woman and child in the kingdom is to a greater or less degree affected by the manner in which they do their work. This tract does not deal with London* nor with County and Town Councils. It treats of the following local governing bodies created or affected by the Local Government Act of 1894,† namely :

1. Parish Councils, together with Parish Meetings in the larger Parishes.
2. Parish Meetings without Parish Councils in the smaller Parishes.
3. Urban District Councils in smaller towns and thickly populated districts.
4. Rural District Councils, which have control in all places where there are no Town Councils nor Urban District Councils.
5. Boards of Guardians which cover the whole of England and Wales.‡

The powers and duties of these bodies, and the rules governing their election and proceedings, are far from simple, and many people do not yet fully understand them. This tract is intended as an attempt to explain them as clearly as possible to working men and women. But space does not allow everything to be stated as fully as might be desirable, and a large number of details have been put

* For London Local Government see Fabian Tracts No. 61, "The London County Council," *id.*, and No. 100, "Metropolitan Borough Councils," *id.*

† Many handbooks to the Act have been published. Among the cheaper of these may be mentioned the *Practical Guide to the Parish Councils Act* (Ward and Lock), price 1s.; and the *Ready Reference Guide to the Parish Councils Act* (G. Philip and Son), price 6s.; an excellent larger book is *Haddon's Handbook* (Haddon, Best & Co.), price 9s.

‡ This tract does not deal with the Poor Law, but only with the manner of electing Boards of Guardians, and such of their duties as are not connected with the Relief of the Poor. See Fabian Tracts No. 54, "Humanizing of the Poor Law," and No. 127 "Abolition of Poor Law Guardians."

into very few words. If any part of the tract is not clear to any reader, or any point is omitted on which he wants information, he can write to the Secretary of the Fabian Society, 3 Clement's Inn, Strand, London, W.C., who will send him a full and clear answer free of charge.

PART I. METHODS OF ELECTION.

Who are the Electors.

One set of rules decides who can take part in the election of all these bodies, that is to say, who can attend the Parish Meeting, and who may vote for Parish, Urban, and Rural District Councillors and Guardians. The persons who are entitled to vote in these elections are called "Parish Electors"; and they can vote at all of them, and no one else can vote at any of them, or has the right to attend and take part in the Parish Meeting. A Parish Elector is any person, man or woman, married or unmarried, who is on the list of registered voters, either for Parliament or for the County Council; or, in the case of married women, on the special list for the Parish. It makes no difference whether or not a person pays rates, or whether or not he has received poor relief.* Those on the register can vote, and those not on it cannot. A person can be registered as an elector in every parish for which he is qualified; and he can vote at the Parish Meeting and for the Parish Councillors in every such parish. But he can vote only in one ward of any one parish or urban district for Parish Councillors or Urban District Councillors; and only in one parish of any one union for Rural District Councillors and Guardians. In other words, he can vote only once in the election for any one Council.

Who can be Candidates.

Any person who is an elector for any of these bodies may be a candidate for it. And any person, man or woman, married or single, who has resided within the parish or district for twelve months before the date of nomination, may be a candidate. The rules as to residence are as follows:—For Urban District Councils it must be within the Urban District. For Guardians and Rural Districts it must be within the Union of which the Rural District forms the whole or a part. For Parish Councils it must be in the parish or within three miles of its boundary. Residence cannot be exactly defined; this, however, is certain, that any person who has had a bedroom which he generally uses, and always can use, for a year before the date of nomination, is a resident in that place.

Who cannot be Candidates.

No one may be elected a Councillor who is under twenty-one, or who is not a British subject, or who has, within the last year, received poor law relief (even if only medical relief), or who has within the last five years been made bankrupt or imprisoned with hard labor for any crime (mere imprisonment as alternative to a fine

* But of course persons who have received poor relief (other than medical) will be liable to have their names struck off the register at the next revision.

or for non-payment of rates, or of contribution to the Poor Law Guardians, does not disqualify), or who is concerned in any contract with the Council, or who holds any paid office under it. But a person holding a paid office from the Guardians or District Council can be elected a Parish Councillor, or a paid officer of the Parish Council can be elected a Guardian or District Councillor. And a paid officer of the Guardians can be an Urban District Councillor, and *vice versa*.

Moreover, a contract for letting or selling land does not disqualify. Therefore, persons who lease allotments to or hire them from a Council are not disqualified from being members of that Council.

How Candidates can conduct Elections.

There is no limit to the expenses which candidates at these elections may incur for election addresses, meetings, &c. but all such expenses will have to be paid by themselves. Only the official expenses of the election will be paid out of the rates.

In Urban Districts, at elections of Councillors or Guardians, no meetings must on any account be held in public-houses, or Clubs with licences to sell intoxicants, or even in places where refreshments of any sort are sold. A candidate for whom or by whom a meeting is held in such premises can be unseated for illegal practices.

But this rule does not apply to Rural Districts. In elections of Parish or Rural District Councillors, public meetings may be held in any place whatever ; but rooms in licensed premises or places where refreshments are sold must not be hired or used as Committee Rooms.

No money must be spent on hiring carriages or bands, or for flags, ribbons, torches, &c.

Every bill printed must bear the name and address of the printer and publisher.

Polling Agents.

For Parish Council Elections one-third or more of the candidates, but no less number, may appoint one joint polling agent to look after their interests in the polling booth and to prevent fraud. For District Council and Guardians Elections, each candidate, if there are only two, or one-third of them or more if there are more than two, may appoint one agent. He may be paid or unpaid, but, if paid, he cannot vote. A candidate may be appointed polling agent.

Every polling agent must be appointed in writing, and the appointment must be sent to the returning officer two clear days before the poll.

No person may go into the polling place except the Presiding Officer and his clerks, policemen on duty, polling agents, and persons about to vote.

The Use of School Rooms by Candidates.

In Rural Districts, candidates for District or Parish Councils have the right to use for election meetings any schoolroom which receives a Government grant, or any suitable room maintained out of the rates. But it has been held that the Parish Council or Meeting alone can demand the use of schoolrooms for this

purpose. The Parish Meeting in every parish should therefore appoint a small permanent committee with instructions to obtain the use of the schoolroom for any candidate who desires it. It is desirable as a rule to give a week's notice, and meetings can only be held at times which will not interfere with the ordinary use of the school. The persons making use of the rooms must pay the cost of lighting, etc. This right does not belong to Urban Districts unless they have obtained from the Local Government Board the powers of a Parish Council.

Elections at the Parish Meeting.

Parish Councillors are nominated at the Parish Meeting on printed forms supplied by the overseers. Written forms are equally good if correctly made out. Each nomination must be signed by two Parish Electors. The law specially provides that no mistake in spelling or other error of that sort shall make a nomination invalid, provided it is quite clear who is the person nominated, and who nominates him. If the chairman decides that a nomination paper is valid, no one can afterwards object to it. If he wrongly decides that a nomination is invalid, it would be possible, though very expensive, to reverse his decision by an election petition. The nominations must be handed to the chairman, who must read them over in alphabetical order. A person nominated may withdraw at the meeting *before* the voting takes place, but not after it, unless a poll is demanded. Before the voting, any elector can ask questions of the candidates, and all candidates, whether electors or only residents, have a right to be present and to reply to the questions asked, and it is the duty of the chairman to allow time for this to be done. At the meeting the candidates are voted for by show of hands. Candidates, if electors, can vote for themselves, and practically electors can vote for as many candidates as they like; since, although the law says they must not vote for more than the number of Councillors to be elected, it gives the chairman no power to refuse any elector's vote.

Any one* elector, but not a candidate, unless he is an elector, can demand a poll. Candidates can withdraw after a poll is demanded by a formal letter to the Returning Officer, up to six days before the poll. But the nominators of a candidate cannot withdraw him.

Elections by Ballot.

All polls for Parish and District Councillors and Guardians are conducted under nearly the same rules. They are by secret ballot; each elector can give one vote and no more to as many candidates as there are vacancies.

Casual Vacancies.

Vacancies may be caused by a Councillor or Guardian dying, becoming disqualified through receipt of poor relief, bankruptcy, crime, &c. (see page 3), or by failing to attend meetings for six months consecutively (unless prevented by illness or some other

* See note, page 15

reason approved by the Council, or by resignation. A person who ceases to be qualified by ceasing to be a resident or an elector, can remain a Councillor until his term of office expires.

PART II. DESCRIPTION.

The Parish Meeting where there is no Council.

In parishes of less than 300 inhabitants the governing body is usually the Parish Meeting. It must assemble at least twice a year. It must appoint at the annual meeting in March a chairman and two or more overseers, who together form the official body. Other meetings may be called at any time by the chairman or by any six electors. Documents must be signed by the chairman and two parish electors at the meeting. If the chairman be absent, another may be elected, who will, during that meeting, possess all the powers of the chairman. All Parish Meetings in parishes with or without a Council, must be held not earlier than six o'clock in the evening. This rule applies to Parish Meetings only, and not to meetings of any Council.

The Parish Meeting where there is a Council.

This must meet at least once a year, within seven days of March 25th, to receive nominations for the Parish Council, and to elect it unless a poll is demanded.

The chairman of the Parish Council has the right to preside unless he be a candidate for the Council. If nominated as Councillor he must, unless he declines to stand, at once ask the meeting to choose another chairman. In that case, or if the chairman of the Council is absent, the meeting may elect as chairman any parish elector.

The Parish Meeting has many other very important duties. It must consider the accounts of every Parish Charity. It can refuse to pass them, and can appeal to the Charity Commissioners if they are not satisfactory. It must be consulted if the Council propose to spend more than a 3d. rate. No right of way can be stopped without its consent. It has to decide whether the village shall have a recreation ground and free library, lights in the street, and a new burial ground. It should appoint a committee to secure the use of the schoolroom for candidates for the Council, or for meetings to discuss allotments. It can appoint committees, and it can pass resolutions on any subject that concerns the parish or any part of it.

It is the Parliament of the village, which has the right to assemble at any time and to discuss and demand redress of any grievances which the villagers have. It can instruct the Parish Council (that is, its Executive Committee) to take any action which it thinks needful. Whatever the Parish Council can do, the Parish Meeting can discuss.

It can be summoned by demand of any six parish electors, or any two Parish Councillors, or by the chairman. The demand must be written, printed, or otherwise manifolded, and must be signed by the persons demanding the meeting. It must specify the time, place,

and object of the meeting, and must be posted on the church door, and in other conspicuous places in the parish. Seven clear days' notice must generally be given. Large parishes may be divided into wards, and small ones be united into groups; but each ward or each small parish has its own Parish Meeting and elects its own Councillors to sit on the common Parish Council. A ward has not a separate meeting for any purpose except electing Councillors.

The Parish Council.

This Council is elected at or after the Annual Parish Meeting in March or April in every third year from 1904 (that is 1907, 1910, etc.), and holds office for three years. Its first duty is to elect a chairman, who may be one of the members or any other person qualified to be a Parish Councillor for the parish. The chairman in all cases has a second or casting vote. It must also appoint a clerk. If there is a vestry clerk (appointed by the Act of 1850) he remains clerk. Otherwise, the Council may appoint one of its own members without pay. Failing this, the assistant overseer, if there is one, must be paid clerk. Failing either of these, any other person may be appointed, with or without pay. But the Council cannot have two paid officers. The same person must be assistant overseer and paid clerk, except in parishes where there was a vestry clerk and an assistant overseer before 1895. The Council may also appoint as treasurer, without pay, a Councillor or any other person. A Councillor can resign by sending a letter of resignation to the chairman; and there is no fine for so doing. Vacancies in the Council are filled by the Council itself electing a new member. Meetings of the Council are open to the public unless a special resolution to the contrary is passed by the Council.

Other Regulations for all Rural Parishes.

ROOMS.—If there is a room belonging to the parish which can be had free of charge, the meetings are held there. But if not, then a room in an elementary school which receives public money, or in a police station or workhouse or other building maintained out of the rates, may be used free of charge, provided that the ordinary employment of the room is not interfered with. If none of these be available, a room may be hired. The Parish Meeting or Council may only assemble in a room in a public-house when no other room can be obtained free of charge or at a reasonable cost.

These regulations apply to all Parish Meetings, to meetings of the Parish Councils, and to meetings held to consider about allotments. They do not apply to Urban Districts.

POLLS.—A poll may be demanded on any matter on which a vote has been taken at a Parish Meeting, and the demand may be made at any time before the conclusion of the meeting. Five electors, or one-third of the electors present (whichever number is the lesser), or one elector with the consent of the chairman, can demand a poll in the cases just named and for (1) the election of Councillors;

(2) appointment of chairman or of a committee, or various matters connected with a committee; (3) appointment of overseer, and appointment or otherwise of assistant-overseer; (4) appointment of trustees, or beneficiaries of a charity; (5) adoption of free libraries, baths and washhouses, and other Acts; (6) formation and dissolution of a School Board; (7) place and time of Parish Meeting; (8) the incurring of any expense; (9) applications or complaints to County or District Council; (10) and several other matters.

The Urban District Council.

In small towns and thickly populated districts such as the suburbs of large towns, the local governing authority is the newly created Urban District Council. It has powers and duties very similar to those exercised by the Town Council in large towns, except that it does not control the police. In an Urban District there are no Parish Meetings or Councils. The Rural District Council has no control over it, and the Guardians are separately elected. Urban Districts are usually divided into wards, each of which elects a certain number of members. The members are elected to sit for three years, one-third retiring each year; but the County Council may make an order that all the Councillors retire together every third year, if the Urban District Council, by a two-thirds majority of the members voting, applies for it. A chairman must be appointed, who may be elected from outside the Council. A vice-chairman, who must be a Councillor, may also be appointed. The chairman has a second or casting vote, and, unless a woman, is a J.P. by virtue of his office.

A Councillor can resign by sending a letter to the clerk, but he must pay the fine determined upon by the bye-law of the Council, or failing such a bye-law, the sum of £25. A casual vacancy is filled by a fresh election, unless it occurs within six months of a new election coming in ordinary course, in which case it is not filled.

The Rural District Council.

In all parts of the country outside London, except boroughs and Urban Districts, there are Rural District Councils. That is to say, wherever there are Parish Councils or Parish Meetings, there are also Rural District Councils. Each of the parishes in any Poor Law Union, except the parishes in towns or urban districts, send one or more members to its Rural District Council. If there is a contest, the election must be by ballot, and with this election the Parish Meeting has nothing to do. The Councillors sit for three years, and one-third of them retire every year. But the County Council can make an order, if the Rural District Council apply for it, that all the Councillors shall retire together once every three years. And further, when the Board of Guardians in any district has previously sat for three years, and all have retired together, the Rural District Council will continue to do the same. The rules as to chairman, vice-chairman, retirement of Councillors, and casual vacancies are exactly the same as for Urban District Councils.

The Board of Guardians.

Boards of Guardians are elected all over England and Wales. In Rural Districts the Rural District Councillors are also Guardians, and, in Unions where there is no Borough or Urban District, the Rural District Council and the Guardians consist of the same persons sitting for different purposes and under different rules. In Unions which contain Urban Districts or Boroughs, the Board of Guardians consist of the Rural District Councillors elected in the Rural Districts, together with Guardians specially elected in the parishes which are in the Boroughs or Urban Districts.

The rule as to period of office is exactly the same as for Rural District Councillors. (See page 8).

The Board may elect a chairman or vice-chairman, or both, and not more than two other persons from outside their own body. But every person so co-opted must be qualified to be a Guardian in the Union. The chairman has a second or casting vote. Casual vacancies are filled in the same manner as in Urban District Councils.

PART III. POWERS.

Powers of the Parish Meeting where there is no Parish Council.

In parishes where there is no Council, the Parish Meeting possesses very nearly all the powers, duties, and rights of a Parish Council, and it can obtain all of them by application to the County Council.

If the parish has at least one hundred inhabitants, it may apply to the County Council for a Parish Council, and the application must be granted. A parish with less than one hundred inhabitants may also apply, but in this case the County Council is not obliged to grant the application.

It may also apply to be grouped with other parishes and so obtain a Parish Council.

The following are most of the powers and duties which the Meeting of a Parish without a Council does not possess, but which it may gain by obtaining either a Parish Council or the powers of a Parish Council:—

- (1) Power to acquire land, by purchase or gift, for a recreation ground, for a parish hall, for allotments, or any other purpose.
- (2) The powers and duties of overseers and churchwardens in respect of rating appeals, and in respect of providing parish books, chest, &c., and a fire-engine and fire-escape.
- (3) Power to appoint additional trustees to certain charities, except where there is at present only one trustee.

With these exceptions, the whole of the following paragraphs, dealing with Parish Councils, apply also to parishes which have only a Parish Meeting.

The Powers of the Parish Council.

ALLOTMENTS.*

Land for these can be obtained in several ways, which briefly are as follows :

1. HIRING BY AGREEMENT.—

- (a) The Parish Council is sometimes able to come to an agreement with a landowner for a suitable piece of land. This undoubtedly is the best way, because the Parish Council can itself act without obtaining the consent of any other body ; because there is no limit to the amount of land which may be let to one man ; because the land may be hired for any number of years ; and because it is by far the cheapest way in which to get land.
- (b) In case the Parish Council is unwilling to act, it may ask the District Council to do so ; or any six electors in the parish may apply to the District Council over the heads of the Parish Council. The District Council may then hire the land by agreement, but it may not let any allotments larger than an acre. If the District Council refuses to act, the six electors or the Parish Council may appeal to the County Council to do so.

2. COMPULSORY HIRING.—If the landlords and farmers refuse to let land for allotments, they may be made to. The Parish Council cannot itself do this. It can only apply to the County Council, and *if that body is satisfied* that there is a demand for allotments, and that suitable land cannot be obtained at a reasonable rent by agreement, it may hold a public inquiry into the case. After having held the inquiry, the County Council may make an order giving the Parish Council power to hire the required land compulsorily on terms to be fixed by an arbitrator. The arbitrator will be appointed by the Parish Council and the landlord or farmer concerned, if they can agree on one ; and if not, by the Local Government Board. If the County Council refuse to make the order after having held the inquiry, the Parish Council may appeal to the Local Government Board, which may make the order. But unfortunately the County Council is able to stop the whole process by refusing to be "satisfied" at the outset as to the necessity for action at all, and in that case, by a great blot in the Act, there is no appeal.

When land is compulsorily hired, the lease must not be for less than fourteen nor more than thirty-five years. The allotment let to any single individual must not be larger than four acres of pasture, or one acre of arable and three acres of pasture. And if the land taken is permanent pasture, it may not be broken up without the consent of the landlord.

3. BUYING BY AGREEMENT.—In this case it is the District Council which has power to buy land on being asked to do so by the Parish Council or by any six electors in the parish. If it refuse to act, there may be an appeal to the County Council to take action instead. Here a limit of one acre is fixed to the size of the allotments.

* Get Fabian Tract, No. 58, "Allotments and How to Get Them." (See page 16.)

4. **COMPULSORY BUYING.**—Where it is wished to buy land and the owners refuse to sell, the Parish Council, or the six electors, or the District Council may apply to the County Council, which is the only body empowered to buy land compulsorily. There is the same limited power of appeal, if the County Council fail to act, as in the case of compulsory hiring. The one acre limit again applies to land obtained in this way. Land thus obtained by the County Council is handed over to the Parish Council.

The Parish Council has to pay the costs of the arbitration, and other charges for obtaining and managing land, and the rent of the allotments, or the sum charged for turning out animals on the common pasture, must be sufficient to cover all these expenses. The Parish Council has full power to manage allotments, and to let them to any person whatsoever. The County Council, or the District Council with the consent of the County Council, can, on behalf of a parish, hire or buy land for common pasture as well as for allotments.

CHARITIES.

The Parish Council has no control over ecclesiastical charities, which include charities given for sermons or for the benefit of the parson, or buildings used by one religious body, or erected mainly by or at the cost of the members of any particular religious denomination; except that in cases where the overseers used to be trustees, the Council now appoints trustees in their place.

In non-ecclesiastical charities the Parish Council appoints trustees, who hold office for four years, half of them retiring every two years.

The names of the people who receive doles from the charities must be published every year as the Parish Council or Meeting think fit, and all accounts of charities must be laid before the Parish Meeting every year.

The Parish Council may undertake the management of a charity when the trustees transfer it to them of their own free will, and the Charity Commissioners approve.

Any new scheme affecting a charity must be presented to the Parish Council, or to the Parish Meeting where there is no Council, and they may oppose its being carried out.

But none of the provisions with regard to the appointment of trustees apply to any charities founded since 1854, unless the giver is alive and consents. But if the Vestry had the right of appointing trustees, this right now belongs to the Parish Council.

The control of elementary schools is in no way affected by this part of the Act.

No trustee of a charity, his wife, or children may receive any benefit from the charity.

RECREATION GROUND.

Every village in England ought to possess a recreation ground for games of all kinds. But owing to the enclosure of village greens, or the fact that it is nobody's business to get them in good condition and keep them so, a great many villages are without any convenient playground. The Parish Council is able to supply the want. It has power to buy, compulsorily if necessary,* or to hire land for a

* In the same manner as allotments (see page 10).

recreation ground and to make regulations for its use, and if it is proposed to purchase the land, the money may be raised by loan.

WATER SUPPLY, &C.

An unwholesome or insufficient water supply is another very common grievance in villages. It is the duty of the District Council to organize any new supply on a large scale. But the Parish Council may dig wells, put up windmills to pump the water, lay pipes to bring water from a stream up to the houses, and, in fact, make use of any source of water within the parish in whatever way appears best, provided that they interfere with no one's rights, or that the matter can be arranged by agreement.

It has also power to put right any ill-smelling pond or ditch, and to call the attention of the District Council to any unhealthy cottage or other sanitary fault in the parish. If the District Council does not take action, the County Council may be appealed to, and may undertake the work.

ROADS AND FOOTPATHS.

Similarly, if the District Council does not repair the highways, the Parish Council may ask the County Council to do it instead. The Parish Council may also take steps to prevent any stopping of a right of way or enclosure of common or roadside waste ; but when legal proceedings are necessary the District Council must undertake them. The Parish Council has power to buy by agreement any new right of way that would be of advantage to the people. It may also repair footpaths, except those at the side of the roads, and, if the Parish Meeting consents, it may lay out new walks and put seats along them.

THE VILLAGE HALL.

In every parish which can by any means afford it, there should be a hall with a library and reading-room, which should be at once the centre of the village life and interest, a place for all kinds of meetings, and a generally useful means of education. A museum, art gallery, and science and art school may be added. The Parish Meeting must consent to raising the money for such a building, but the Parish Council will have to erect and manage it.*

OTHER POWERS.

In the same manner, the village may be lighted by oil, gas or electricity. Part of a river may be made convenient for a swimming-bath, or a building may be erected for that purpose which could be used in winter as a gymnasium. The Acts for these purposes must be adopted by the Parish Meeting.

EXPENSES.

The expenses of the Parish Council are paid out of the poor-rate, but a separate heading must be made to show how much of the rate is for these expenses. The Parish Council may not spend beyond the amount of a threepenny rate without the consent of the Parish

* The cost will be paid out of the poor-rate, but the Council will have power to borrow for capital outlay. For the library, reading-room, &c., a special vote must be taken and a special rate made under the Public Libraries Act.

Meeting, but with its consent the limit is sixpence in the £. But the cost of lighting the roads, maintaining a library or baths, and one or two other things are not included in this limit. For important undertakings the Parish Council may borrow money with the consent of the Parish Meeting, the County Council, and the Local Government Board, but not any sum exceeding half the rateable value of the parish. The cost of Parish Meetings and elections to the Parish Council must be paid out of the threepenny rate.

Powers of the Rural District Council.

Many of these powers have been referred to in the paragraphs dealing with Parish Councils, especially those connected with allotments, right of way, commons and wayside wastes, and water supply. The two chief concerns of the Council are :

1. THE MANAGEMENT OF HIGHWAYS.

The Council has the control of all the roads, bridges, &c., in the district, except the main roads, which the County Council manages, and it has the power to make new ones. It appoints the surveyor and employs the laborers required to keep the roads in repair.

2. THE CARE OF PUBLIC HEALTH.

This includes an enormous variety of matters of ever-increasing importance. It is the duty of the Council to undertake :

- (a) The drainage of every village and hamlet in the district.
- (b) Scavenging and removal of dust and refuse wherever required.
- (c) Provision of a proper supply of good water.
- (d) Supervision of cellar-dwellings and inspection of lodging-houses.
- (e) The closing of all dwellings unfit for human habitation, and compelling the owners of all insanitary cottages and houses to put and keep them in proper repair.
- (f) Inspection of shops of butchers and others, to prevent the sale of diseased and unwholesome meat and food, and of adulterated milk, food, or drugs.
- (g) The notification of infectious diseases.
- (h) The provision of hospitals and cemeteries.
- (j) The regulation of canal boats.
- (k) The provision (subject to stringent regulations) of cottages with gardens, where needed, or of lodging-houses, under the Housing of the Working Class Act, 1890, Part III.

The Council will also have the duty of licensing gang-masters, pawnbrokers, game-dealers, knackers' yards, and baby-farms, and controlling the sale of petroleum. And it has various powers and duties in regard to the control and regulation of commons.

To carry out these and other duties, the Council must employ a medical officer, and a sufficient staff of sanitary inspectors.

The Council, by a vote, or ratepayers rated to one-tenth of the rateable value of the district, can apply to the Local Government Board for the additional powers possessed by Urban Sanitary Authorities, which will enable it to deal with offensive trades, streets, new buildings, lighting, public pleasure grounds, cabs, and slaughter-houses.

Powers of the Urban District Councils.

These Councils have (1) all the rights and duties of the Rural District Councils except those which are exercised by a Rural District Council in connection with the Parish Councils of its district. As there are no Parish Councils in an Urban District, these precise powers and duties cannot exist.

It is the Sanitary Authority, and therefore exercises all the duties connected with the management of highways, and the care of the Public Health set out on page 13, and further, as an Urban Authority, it already has those powers enumerated on page 13, which a Rural District Council can obtain by application to the Local Government Board. It has nearly all the powers and duties of a Town Council, except the regulation of the police. In an Urban District these powers and duties are usually more important and urgent than in a Rural District, because the population is denser, and often consists almost exclusively of the working class, living in long, dismal streets of small houses.

The Council has all the powers enumerated on pages 10 and 11 which are possessed by Rural District Councils for buying or hiring land for allotments. It can obtain, by application to the Local Government Board, all the other powers of a Parish Council, in particular those relating to charities, to the use of rooms, and to appointment of overseers and assistant overseers. It becomes the authority for all the adoptive Acts, as for instance those for providing Free Libraries, Baths and Washhouses, and for Housing. It has the power, without the restrictions imposed on Rural Districts, to build artisans' dwellings, and provide cottages with half an acre of garden whenever there is a demand for them.

It can obtain powers, by private Acts of Parliament and otherwise, to erect, or buy and to manage gas works, electric light works, water works, tramways, markets, and parks.

Powers of the Board of Guardians.

By far the most important duties and powers of the Board of Guardians are the administration of the Poor Laws and the control of Poor Law relief. This is too large a question to be dealt with in this tract. Information on the subject will be found in Fabian Tract No. 54, "The Humanizing of the Poor Law."

The powers and duties of Guardians which are not directly connected with the relief of the poor can alone be touched upon here. They are as follows :—

(1) To determine the total sum required from each parish for relief of the poor of the Union, to hear and determine appeals against any assessment made by any overseer, and generally to be the Rating Authority.

(2) To register births and deaths.

(3) To enforce the Vaccination Acts.

(4) To appoint overseers where the Parish Authority fails to appoint them for three weeks after April 15th in each year.

(5) To act upon any special powers or duties imposed on them by any Act of Parliament.

POSTSCRIPT.

The earlier pages of this tract have been reprinted (with a few verbal alterations only) from stereo plates, although in a few points the law has been altered since they were written. The corrections and additions are :—

Page 5, line 32. *Demand for a poll.*—By existing rules a poll must be demanded by five electors or one-third of the electors present (whichever number is the lesser), or by one elector with the consent of the chairman.

HOUSING.

Hitherto the Housing of the Working Classes Act, 1890, under which cottages can be built wherever needed, has been of very little use to rural parishes, partly because Parish Councils have had no power to act themselves and partly because Rural District Councils have been hampered by absurd legal conditions which made the building of cottages almost impossible.

By the Amendment Acts passed in 1900 and 1903 these difficulties have been considerably reduced. Much of the old cumbrous procedure is abolished. Rural District Councils have now only to satisfy the County Council that cottages are wanted in any parish, and that they can be built to pay expenses, and the County Council can at once give the necessary permission. In addition to this, a new and most valuable power is given to Parish Councils. If the Rural District Council refuse to attend to resolutions adopted by the Parish Council requesting them to build cottages, the Parish Council can complain to the County Council, and the County Council can then order the cottages to be built. Here, then, is an opportunity for vigorous action. For the first time the right of the Parish Council to take steps for obtaining proper houses for the villagers is recognized by the law. In the past, Rural District Councils might fairly say that Parish Councils had nothing to do with building new cottages. Now it has been made their business, and they should see that it is attended to.

EDUCATION.

The Act of 1902 gave Parish Councils and, where there is no Council, Parish Meetings the right to appoint one of the managers to any public elementary schools in their area, and they can arrange with their County Council for continuation classes in technical education in the schools. Urban District Councils have these and other rights, and when their population exceeds 20,000 they become the Education Authority and have large powers and duties. In view of the probable alteration of the law and the complexity of the subject, full details cannot be given here.

MEALS FOR SCHOOL CHILDREN.

By the Education (Provision of Meals) Act, 1906, the Education Authority (the County or in some cases the Urban District Council) can (1) authorize any committee to provide meals for school children, and may pay for buildings, furniture, apparatus, service, etc., but not for food; (2) where children are underfed the Education Authority may pay for the food. In many parishes there is a great need for hot meals at midday for children coming from a distance, and the parents willingly pay the necessary penny. Parish Councils are the proper bodies to organize such canteens, under the Act, if the County Council consents, or outside it, by voluntary committees, if there is a difficulty in getting legal authority. The Parish Council delegate to the Managing Committee of the Parish School should be instructed by the Council to move in this matter.

NOTE.—Women as well as men are referred to in most places in this tract where the words he, his, him only are used.

Full details of the Housing of the Working Classes Act and the use that has been made of it are given in—

Fabian Tract No. 76, "Houses for the People." A summary of the powers of local authorities under the Housing Acts, 1890-1903, and the use which has been and can be made of them. Revised 1906. 1d.

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