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J. Andrew

June 1979

## ABSTRACT

This thesis represents an attempt to ascertain whether or not there was any increase in efficiency in terms of service provision following the election of the first County Council, compared with when the County was administered by the County Justices. In order to reach any firm conclusions the work necessitated an investigation of how efficiently or otherwise the Justices of the Peace carried out their administrative responsibilities so providing a standard against which the elected County Council could be measured. This involved a review of the major administrative responsibilities of the County Justices. This is followed by a review of how the County Council elected in 1889 carried out its administrative functions, and also includes information on the first election. The major services provided were investigated in some detail and an assessment is then made of how efficiently they carried these functions compared to the County Justices. The next County Council is also investigated as a change in political control occurred following the election of 1892, together with the fact that three years is probably an unrealistic period on which to make an objective judgement. Again the major services provided are reviewed and an assessment made from a comparative point of view, and a conclusion is then made over the whole period.

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## CHAPTER ONE

### General Background

Up to 1888 County Government was in the hands of the Justices of the Peace and even after the passing of the Local Government Act 1888, which relieved them of nearly all their administrative duties, they still took an active part in County Government as a number of them were elected County Councillors, while others became Aldermen on the newly created County Council. The office of Justice of the Peace or 'keepers of the peace' as they were originally known, can be traced back to the 13th Century, when they were appointed by the monarch for most of the counties of England, but not for Durham. In 1327 a statute decreed that 'good and lawful men' should be appointed in every county to keep the peace and in the 1360's they became known as Justices of the Peace. However, the King did not appoint Justices of the Peace for Durham until 1536 as because Durham was a Palatinate the Bishop of Durham issued writs of appointment in his own name. In 1536 however, judicial supremacy in the Palatinate was transferred to the King by Act of Parliament, but in spite of this the Bishop continued to play an important role in the appointment of Justices of the Peace through making recommendations to the Monarch.

When the Justices were first appointed their role was limited to keeping the peace in the county, but from 1348 the scope of their office grew and grew as they were given responsibility for numerous administrative functions. This tremendous increase in their workload was the product of a number of factors, beginning with the Black Death of 1348 which left in its wake serious social and economic

problems which the County Justices were given the unenviable task of resolving at the local level. Then in the 16th Century industrial growth worsened existing social problems, the Enclosure System brought poverty and destitution to the peasants, and when Henry VIII closed down the monasteries a very important source of charity was brought to an abrupt end. Apathy on the part of the Landlords resulted in bridges and highways being neglected, so these too became the responsibility of the Justices. Finally the Industrial Revolution resulted in workers from the rural areas flooding into the towns. The shortage of houses led to overcrowding, insanitary conditions and frequent outbreaks of endemic disease, all of which the Justices had to deal with. Population also increased so adding to their problems. Thus, by the early 19th Century their administrative responsibilities had increased substantially and they had become responsible for virtually every aspect of the social well-being of the areas they administered as well as having control over the parishes. However, not only did their work-load grow but the power they exercised also increased, a point well illustrated by the Webbs when they write "rulers of the English Counties felt themselves at liberty to administer local affairs as they thought fit" and then go on to suggest that the period 1689 to 1835 was a "golden age" for the county magistracy as their domination of local affairs was virtually total.<sup>1</sup>

1. S & B Webb - The Parish & County Government p.309-310.

However, when one considers the rapidly changing social conditions they had to deal with, together with their wide-ranging administrative responsibilities, the extent of discretion available to them was probably unavoidable. The range and volume of their duties touched almost every aspect of County Government including functions now transferred to Central Government Departments. Certain services in the 19th Century were administered by "ad-hoc" boards, such as those for Poor Law in 1834. Health in 1848 and Education in 1870 but even these were under the general control of the Justices.

The breadth and depth of their office required a degree of expertise that few people possessed, and those of the calibre required were often reluctant to take on the office, especially in the urban areas. Obviously they were considerably over-burdened which can be well illustrated by the fact that in 1832 there were only some 5,000 Justices in the whole of England and Wales compared with 3,000 in 1689 when the office was much less arduous and the population much less. As K.B.Smellie points out their position was well summed up by Blackstone in 1765 when he said "such an infinite variety of business has been reaped upon them that few care to undertake and fewer understand the office."<sup>2</sup> So burdensome and time-consuming had the office become that the industrial towns could not attract the landed gentry and squires as Justices of the Peace, in fact many from this social group left the area to avoid having to undertake

2. K.B.Smellie - A History of Local Government - p.16.

the office. The Webbs quote a 19th Century journalist who wrote "gentlemen of any great figure or fortune will not take such drudgery upon themselves."<sup>3</sup> Consequently in the industrial towns the office of Justice of the Peace tended to be undertaken by persons drawn from the self-employed commercial interests, and it is in these areas where the greatest amount of jobbery and corruption appears to have taken place. For example, Burke in 1780 stated "the Justices of Middlesex are generally the scum of the earth, carpenters, bricklayers, shoemakers, some of whom are notoriously men of such infamous character that they are unworthy of any employ whatever, and others so ignorant that they could scarcely write their own names."<sup>4</sup> Like the Select Vestries government in many of the urban areas was riddled with corruption. However, by 1832 the Justices had become "judicial beasts of burden", and this might provide a partial explanation of why some put personal private gain before public welfare, but in the process they undoubtedly tarnished the image of the magistracy in general and subjected them to a great deal of harsh criticism much of which, especially in relation to the county magistrates, was unjustified.

#### The Magistrates of County Durham

With regard to the County Justices of Durham the landed gentry and business interests provided the main source of supply of Justices, a gathering which closely resembled J.S. Mill's description of county administration

3. S. & B. Webb - The Parish & County Government. p.324.  
4. Burke's Speech in Parliamentary History 1780. p.592.

by Justices of the Peace as being "the most aristocratic feature of English Government"<sup>5</sup> and when one looks at some of the names on the commission in the 19th Century it is undoubtedly true, as it included such people as Rowland Burdon, H.T. Salvin, H.E. Surtees, Sir William Eden, Viscount Boyle and the Marquis of Londonderry, who between them owned virtually all the land in the County. Many of these were the people who J.M.Lee described as "social leaders" that is, those who had social standing, sufficient time and money, in general those whom the commission of appointment described as the "most worthy" inhabitants of the county.<sup>6</sup> In fact the County's political history up to 1888 could be written around the activities of the local peerage and the leading landed families, and County Government by country gentlemen was perhaps the purest example of oligarchy to be seen in England, and to some extent it might be suggested that it was virtually inevitable that this small elite group should dominate County Government as local politics were those affairs which concerned their interests as landowners, industrialists and businessmen.

The County Magistrates appeared to be very conscious of the responsibility of their office and to some extent were able to operate a type of closed shop since they were not without influence over new appointments to their ranks and were quite prepared to use their influence against anyone they felt were not worthy of the commission. For

5. J.S.Mill - Considerations on Representative Governments p.126

6. J.M.Lee - Social Leaders and Public Persons p.12-13.

example, when in 1831 the names of three coal-agents were submitted to the Bishop for appointment to the bench, Messrs. Burdle, Moreton and Bell, the Bishop declined to recommend them however, on the grounds that agents, especially in the mining districts were not proper persons to act as Justices of the Peace, and this sentiment was totally endorsed by the sitting Justices.<sup>7</sup> They also appear to have guarded their office jealously. Thus as T. Carpe in his book 'History of Sunderland' published in 1973, points out the alarm expressed among the County Magistrates when Sunderland promoted an Act to secure Municipal Borough Status, which the Justices felt threatened their authority. The House of Lords threw out the first Bill as they viewed it as a move to create a new stronghold for a Whiggish local authority, and while the Lords may have been influenced by the opposition expressed by the County Magistrates there is no evidence to support such a view. In addition to this unlike other parts of the country, the municipal boroughs in particular, there appears to have been no shortage of people willing to take the office on and by 1888 the County Commission contained the names of 230 Justices of the Peace.<sup>8</sup>

Not only did these men for the most part undertake their onerous duties responsibly, a number also displayed a strong social conscience. This point was illustrated by G. Neasham in his book "North County Sketches" (p.56)

7. Quarter Sessions Order Books 1831.

8. County Advertiser - January 1888.

when he said of the county magistrates "they were a painstaking lot of men those magistrates.....it was not unusual to find them carrying out their office by candle-light." The Webbs also recognised the strong sense of social awareness possessed by many magistrates when they described them as "those beneficent magistrates....the country gentlemen awakened to a heightened sense of their responsibility for the social condition of their counties."<sup>9</sup> While these descriptions cannot be applied to the whole of the County Magistracy, those to which it does apply appear to have carried out their office with a devotion which truly deserves the praise which has from time-to-time been lavished upon them. A good example of such praise appeared in an obituary published in the "County Advertiser" 28th May, 1886 on the death of Rowland Burdon J.P., which stated "he was the means of greatly benefiting the town by ever being alive to its interests and faithfully advocating them, his life was one of eminent usefulness and honourable enterprise."

Some of these men not only had a deep concern for the well-being of the community for which they had responsibility but on occasions were quite prepared to use their own money to finance projects to this end. Obviously they benefited financially from the projects they undertook, but to suggest they were motivated for reasons of purely personal financial gain would be to do them an injustice, especially men like

9. S. & B. Webb - The Parish and County Government. p.364.

Burdon, Williamson and the Earl of Durham whose concern for the social well-being of the community is quite evident. They appear to have realised that their own economic well-being depended to a large extent on the social and economic well-being of the community they served and from which they got their workforce; hence the strong social conscience they displayed.

The following are examples of County Justices who displayed evident concern for the well-being of their areas. Firstly, there was Rowland Burdon, J.P. ( 1886) landowner and businessman, resident of Castle Eden, whose concern for the well-being of his area no other local family of significance could rival, hence the lavish obituary. A man with 16 years experience as an M.P., for Newcastle, but as McKenzie and Ross pointed out "did not cut a shining figure as an orator,"<sup>10</sup> which was probably due in part to the fact that his main concern was with furthering the development of County Durham, especially Sunderland and Hartlepool. Burdon wanted the County to thrive both economically and socially, and to this end he devoted most of his energies. For example the great Iron Bridge built at Sunderland was the product of his unsparing efforts as he not only nursed the Bill through Parliament, but also put up £30,000 of the £34,000 required to build it. Although a toll was charged one cannot reasonably claim that Burdon built the bridge merely to further his own business and commercial interests. Obviously these were furthered

10. McKenzie & Ross - Historical, Topographical and Descriptive View of the County Palatine of Durham. p.403.

but possibly more important the bridge he built created Sunderland which thrived economically as with the bridge came industrial growth, employment and prosperity. In addition to this Burden intended to remove the toll when he recouped his initial capital outlay, but the collapse of a banking firm in which he was deeply committed forced him to sell his shares in the bridge, so he was unable to fulfil his intention.

Another positive move he made to further the prosperity of the area was the building of a turnpike road from Stockton to Sunderland, and he also figures prominently in securing improvements to Hartlepool Harbour, both undertakings making a substantial contribution to the economic well-being of the County. In addition to this Burdon was also active in promoting the social well-being of the County. For example, he was the founder member of the Society for Bettering of the Conditions of the Poor, and when Chairman of the County Quarter Sessions he was closely associated with the building of Dryburn Infirmary which later became the County Hospital. He also set up the Castle Eden Friendly Society which was one of the first such organisations in the country, its aim being to help the poor help themselves by providing mutual help in sickness and old-age. Burdon himself calculated the tables for the members and successfully invested the funds. This Society lasted for over 70 years and won him the praise of many of his contemporaries.

Sir Hedworth Williamson, who held the post of Deputy Lieutenant for the County, also figured prominently in promoting the social well-being of the County. The

industrial growth in and around the Sunderland area brought with it quite dramatic rises in population creating serious housing problems which Williamson recognised and led him to take action to deal with it by building 400 two-storey houses for which a relatively low rent was charged. However, more and more houses were required and this resulted in many open spaces and areas of natural beauty surrounding Sunderland being swallowed up to the ever-increasing demand for houses. Williamson viewed this process with dismay and in 1880 he presented Roker Park to the Corporation, an act of private generosity, in order to prevent it experiencing a similar fate to that of other natural beauty spots.

The Earl of Durham, who held the post of Lord Lieutenant of the County, also displayed a strong social conscience. He had extensive interests in mining but always had the interests of his work-force foremost in his thoughts which can be illustrated by the fact that his miners were the first in the County to use safety lamps. He also formed the Lambton Collieries Association which made provision for sick and injured miners, together with paying pensions to men whose working days were over, and the expense involved was met out of his own pocket.

However, not all the county social leaders can be praised in this way as they neglected their duties and appeared to have no concern for the community in general. An example of such an individual was Lord Londonderry who is credited with the building of Seaham Harbour and the town which grew around it. His motives, however, appear to have been purely selfish as he used the harbour to ship the

coal from his mines, but had no regard for the safety or well-being of his labour force, refusing to meet the cost of introducing safety measures in his mines which resulted in numerous deaths. He was despised by his estate workmen and not without good cause as he appears to have had more concern for his animals than for his workmen. For example, the gate to a Deerpark was left open which resulted in the estate workmen having their wages stopped for two days until the person responsible owned up. He refused to pay his debts to local tradesmen, and during a mining strike in 1844 he told the shopkeepers on his estate that if they gave credit to the striking miners he would no longer give them his custom. He neglected his judicial responsibilities and undoubtedly provided the critics of the J.P. system with a good example of why they should be abolished.

With some exceptions the County Magistry appear to have been a conscientious, hard-working group of men who were quite prepared to give their time to carry out their administrative duties responsibly and in some cases their money in an attempt to ensure that the area and community flourished.

CHAPTER TWO

The J.Ps. as Administrators in the 19th Century

The administrative work heaped on the J.Ps. was dealt with at the Court of Quarter Sessions under the heading of County Business. In an attempt to ensure that these responsibilities were transacted efficiently the Quarter Sessions appointed a number of Committees corresponding with the administrative functions for which the Justices had responsibility. The establishment of a comprehensive system of Standing Committees is indicative of the competence of the J.Ps. as administrators as this provided them with the means of carrying out their administrative duties responsibly and effectively. Thus, there existed in the County a well developed Committee system before the advent of directly elected Local Authorities with which the committee system is normally associated. The following committees were set up:-

Prison Visiting Committee - set up in 1819

This committee was composed of three to five Justices who visited the Prison every three months and prepared a report for consideration by Quarter Sessions.

Lunatic Asylum Visitors Committee - set up in 1819

This committee was composed of three to five Justices who had the responsibility of supervising the four Private Asylums in the County.

Police Committee - set up in 1840

Its task was to consider reports presented to the Quarter Sessions by the Chief Constable. These were usually quite brief with the number of arrests, persons charged, offences committed and manpower requirements

being indicated.

County Rate Committee - set up in 1852

The duty of this committee was the determination of the County Rate.

Finance Committee - set up in 1867

The role of this committee was to authorise the payments of accounts and to receive the reports of the Treasurer and Auditors. It was also responsible for the salaries of staff.

Contagious Diseases Committee - set up in 1869

This committee operated through four sub-committees and its function was to order the slaughter of diseased livestock.

Licensing Committee - set up in 1872

This committee was responsible for licensing certain categories of tradesmen, such as slaughter and ale-house keepers.

Industrial Schools Committee - set up in 1875

Their task was to oversee the training of Juveniles sent to the Training Schools by the Magistrates, and can be likened to modern Remand Homes.

Highways and New Bridges Committee - set up in 1878

This committee became necessary when the turnpike roads were disturnpiked after 1870, but before this there were ten ward committees who were responsible for the repair of Bridges and it was the function of the Justices to ensure that highway bridges were kept in a good state of repair, a statutory responsibility placed on them in 1531.

A review of the membership of these committees indicates

that only a small proportion of the commissioned Justices took an active part in their work. For example, in the 18th Century average attendance at Quarter Sessions was twelve out of a commission of forty when County Business was being dealt with, and in the 19th Century the situation appears to have changed little as the same names appear again and again on each committee like those of H.J. Beckwith, R. Burdon, A.D. Shafto, C.F. Surtees, P.S. Wilkinson and a few others. A virtually identical situation existed in Cheshire as J.M. Lee points out. "According to the parliamentary returns of 1853, there were 556 justices in the commission of the peace for Cheshire, but only 176 had taken the oath which qualified them to act. Even fewer would take an active part in political life. The county was governed by the conscientious magistrates who regularly attended one of the fourteen petty sessions into which it was then divided, and by those 'political' families which associated themselves with the work of Quarter Sessions."<sup>1</sup>

To assist the Justices with their administrative duties a small number of salaried officers were appointed so establishing in embryo the professional-amateur relationship which characterises Local Government today. However, it should be pointed out that the paid officers were not professional in the modern sense of the word as in the 18th Century and earlier, they possessed no academic qualifications, but professionally qualified officers began to be appointed in the 19th Century. The earliest known

1. J.M. Lee, Social Leaders and Public Persons - p.16.

appointment was that of the Clerk of the Peace who was appointed by the Bishop in his capacity of 'keeper of the rolls'. This post can be traced back to 1416 and originally his salary came from fees charged for drawing up documents, such as writs and indictments etc., but under the Criminal Justice Administration Act 1851 the position of Clerk of the Peace was made a salaried one. As the administrative work of the Justices increased so did the work of the Clerk, leading to the appointment of a deputy, however the Clerk had to pay his salary. The chief duty of the Clerk was to keep the records of the Justices in Quarter Sessions and to draw up writs, indictments and other documents. Another appointed officer was the Treasurer. During the 16th Century a number of Treasurers were appointed to administer separate funds established by Acts of Parliament, but in 1734 a single County Treasurer was appointed to administer all County Funds. A third paid officer appointed was that of Surveyor of Bridges in 1743, who also acted as surveyor and architect for the building and repair of gaols, court houses and other county buildings. From the early 19th Century his sphere of activity increased quite considerably but he got no additional staff to assist him, all he got was a change in title as he was subsequently referred to as the County Architect and Engineer as well as Surveyor. Inspectors of Weights and Measures were appointed after 1795, but were not professional officers in the sense of being qualified in this area they were merely Parish Constables and later

senior Police Officers given this responsibility, and it was not until the 1880's that qualified Inspectors were appointed. The last professional appointment to be made by the County Justices was that of a County Analyst in 1873 under the Adulteration of Food Act 1872. His function was to analyse such things as water, milk, alcohol, beer, tea, flour etc., sent to him. However, he appears to have had some difficulty getting samples sent to him and in his report of June 1873 he stated "in the greater part of the county the Act appears to be a dead letter for I have no samples to test."<sup>2</sup> In 1877 however, area Inspectors were appointed to obtain samples suspected to be adulterated and send them for analysis. These Inspectors should have been appointed under the Sale of Food and Drugs Act 1875, but the bench, however, appears to have omitted to appoint them, an error or oversight they corrected two years later.

So the County Justices can be credited with the establishment of a system of Standing Committees and professional officers which was closely followed by the directly elected authorities which must have increased their efficiency. Had they met more frequently their expertise and efficiency would have been further increased, but here it must be remembered that they were magistrates first and administrators second and consequently no preference was given to their administrative duties in terms of more frequent meetings, and the travel problem also militated against more frequent meetings but at least

they had the foresight to realise that division of labour and professional assistance would increase their efficiency.

This now brings me to the question of how efficient or otherwise the Justices were in the dispatch of their administrative responsibilities. Remembering it was the bulk of their administrative functions which they lost following the passing of the Local Government Act 1888, it might be suspected that this was done because as administrators they were inefficient. In order to determine whether there is any truth in this suggestion it is necessary to look in some detail the main areas for which had responsibility and from this investigation attempt to reach a conclusion as to how efficiently or otherwise they carried out their administrative responsibilities.

#### The Prison Visiting Committee

This committee was made up of three to five Justices appointed for one year at a time. They visited the Prison every three months and prepared a Report for consideration by the Quarter Sessions. The reports were usually quite lengthy and detailed indicating that their quarterly visits were by no means 'fleeting visits.'

The evidence from their reports<sup>3</sup> would appear to indicate that they carried out this duty quite conscientiously, were sensitive to the needs and conditions of the inmates and usually reacted fairly quickly to meet new needs and requirements as they arose. However, occasionally they slow in instituting changes especially in relation to the

3. Quarter Sessions Order Books - 1819-1888.

confinement of juvenile offenders. This problem was recognised but took a long time to be dealt with adequately probably due to the reluctance of the magistrates to spend county monies. There are numerous examples which can be cited to illustrate the way in which they carried out their duties responsibly and with positive interest, and the following are just a sample of some of them. For example, in the Visiting Magistrates Report 1819 they expressed concern over the fact that there was insufficient work for prisoners serving lengthy sentences with hard labour.<sup>4</sup> This led them to recommend the appointment of a taskmaster and the building of a Treadmill to grind corn and this was quickly implemented. Such a measure might nowadays be interpreted as pure sadism, but bearing in mind the time another and probably more realistic interpretation might be that of the Justices carrying out their office in a responsible way in the light of the opinion of the day, on the grounds that these prisoners had been sentenced to hard labour and and it was their duty to ensure that the sentences of the Court was carried out. They were also strict on offences committed in prison. For example, in October, 1849, the visiting magistrates sentenced a prisoner to be whipped for deliberately breaking his cell window.<sup>5</sup> From this it would appear that the Justices placed a strong emphasis on the deterrent aspect of imprisonment, but at the same time they were concerned with the well-being of prisoners.

4. Quarter Sessions Order Books.

5. Quarter Sessions Order Books.

In 1820, for example, the visiting magistrates found the water supply to a new Block to be inadequate and this they quickly rectified at a cost of £50. Then in their Report of April, 1828, they expressed concern over the fact that because of a shortage of accommodation it was virtually impossible to keep young offenders from the hardened criminals.<sup>6</sup> This they recognised to be an unsatisfactory situation as it militated against reform which they felt should be a purpose of imprisonment, and led them to question the wisdom of prosecuting young offenders for what they described as 'slight offences.' Therefore they recommended a revised scale of costs in an attempt to reduce the number of young offenders being prosecuted and sent to prison. This alarm over the intermingling of young offenders with adult prisoners was re-iterated in the visiting Chaplain's Report of December, 1849.<sup>7</sup> He pointed out that this resulted in a situation where "the young are taught the vices of the old, and many who enter prison as bold boys I fear leave it accomplished thieves." Like the Report of 1828 he felt that separate Blocks were required for Juvenile prisoners, but this did not come about until 1853 when the South Wing of the prison was converted for this purpose. This is one area where the County Magistracy can be criticised for not taking positive action quickly, and the only explanation for this inaction can be the cost involved as when it came to spending rate-payers money their attitude verged on parsimony.

6. Quarter Sessions Order Books.

7. Quarter Sessions Order Books.

In 1835 the Prison Governor submitted a proposal aimed at improving prison discipline by enforcing silence among prisoners, but the Justices decided to postpone this recommendation indefinitely.<sup>8</sup> While no reason was given for this decision it might be suggested that the Justices recognised that the introduction of such a rule would constitute inhuman treatment and would probably be impossible to enforce. Then in 1849 the Visiting Committee were critical of sleeping accommodation which resulted in thirty Sleeping Cells being constructed.<sup>9</sup> In 1851 the Visiting Magistrates expressed concern over children being sent to prison with their mothers and recommended that the Bench should as far as possible prevent what they described as "this evil."<sup>10</sup> In a Report presented in June, 1856 they were critical of punishments which they described as "more than ordinary severity" (no details given) and in the same report they also drew the attention of the Bench to the fact that the health and discipline of both officers and inmates had suffered because of overcrowding in the Prison.<sup>11</sup> This they pointed out made the enforcement of discipline extremely difficult and it also brought the short-term prisoners into regular contact with the habitual prisoners which they considered was far from satisfactory. This led them to recommend that an extension of the prison was essential, which was accepted by the Quarter Sessions Court, which arranged for a new wing was built by the prisoners.

8. Quarter Sessions Order Books.

9. -do-

10. -do-

11. -do-

Thus, the Magistrates appear to have carried out this duty quite responsibly, showing an alertness to the needs of the prisoners and carrying out improvements to the Prison as and when necessary. But on occasions they waited too long before taking remedial action, and as was pointed out earlier this was probably due mainly to the costs involved. They were undoubtedly very cost conscious and were always ready to point out in their reports where they had made savings. For example, the new Sleeping Cells constructed in 1848 were done at a cost of £8 per cell which was well below the national average cost of construction which varied from between £70 to £150 per cell, but when authorising the building of these cells they stipulated they had to be kept to the smallest allowable size with close attention being paid to economic construction in every detail. Neither were they without compassion as in a Report of April, 1850 they recommended Royal clemency and remission of sentence for three prisoners whose health they described as being in 'a precarious condition.' While they felt it their duty to ensure that punishments awarded by the Courts were carried out effectively and they were also strict disciplinarians; they did not view prisoners as animals and so believed that they should not be treated as animals. They recognised that reform should be a purpose of punishment, attempted to ensure that conditions in the prison were at least tolerable and wherever possible attempted to improve them, providing such improvements were not too costly, and did not impose a heavy demand

on the County Rate. It is here that the County Magistrates are open to criticism on the grounds that they did not spend enough money on the Prison, but as some politicians, especially the Radicals, were accusing them of extravagance, together with the fact they were under pressure from County rate-payers to keep the rates down, their rather conservative attitude towards spending, unless absolutely necessary, is at least understandable.

#### Asylum Visitors Committee

The County Asylum was not opened until 1858 and before this the insane were held and treated in private asylums, of which there were four: at Gateshead Fell, Wrekenton, Bensham and Dunston Lodge, which had to accept parish poor patients until the County Asylum was built. These private asylums operated under License granted by the Quarter Sessions following a satisfactory report by the Visiting Committee. Such committees were usually composed of nine Justices, who were appointed by the Bench annually, two Doctors, and a Solicitor appointed to act as Clerk to the Committee, so once again we see the professional-amateur relationship. The asylums were visited every three months and a report submitted for consideration by the Quarter Sessions Court.<sup>12</sup> Visits were usually concerned with the general appearance and cleanliness of the asylums; kitchens were inspected, food sampled and details were given concerning the number of patients.

The reports themselves were not very detailed but do

12. Quarter Sessions Order Books.

appear to suggest that the Justices carried out this administrative duty reasonably efficiently and were quite prepared to voice their criticisms as and when required. For example, in 1819 when they visited the Gateshead Asylum, which was the only one licensed in the County at this time, they found the facilities adequate but considered the Superintendent, Mr. Nicholson, unsatisfactory on the grounds that he had no qualifications whatsoever.<sup>13</sup> Consequently they recommended that the license should be transferred to another person and the Bench should withhold its renewal until satisfied that the person selected as Superintendent could show a certificate of competence issued by a doctor or reputable character and founded on an actual examination, so illustrating clearly the responsible attitude taken by the Justices in this sphere.

A report of the Visiting Committee in 1850 also illustrates the conscientious way they approached this duty when they considered cases of patients put up for discharge by relatives.<sup>14</sup> The report clearly indicates that very careful consideration was given to the cases in question; one person was allowed to go out on a month's trial and four other cases were left to be determined by the Asylum Superintendent. However, perhaps the most revealing example of the diligent way in which they approached their task was the full scale inquiry they conducted following allegations of brutal treatment at Dunston Lodge Asylum. In April, 1853 the Visiting Magistrates were informed of alleged brutality

13. Quarter Sessions Order Books.

14. Quarter Sessions Order Books.

towards Monkhouse Scott, a pauper lunatic who was horsewhipped and then had his two front incisor teeth pulled out. The committee looked into this incident in detail and found that the whipping was carried out following outbursts of physical violence by Scott towards Mr. Wilkinson, the Superintendent, but he denied ordering the teethpulling. The Magistrates then inspected the medical records of Dr. Rowe the Medical Officer, and found a detailed written account of the teethpulling which had been done to prevent Scott from biting people and without the authorisation of the Superintendent. The Committee found Dr. Rowe's action indefensible but were unable to take further action as he had left the area and gone to Scotland. Mr. Wilkinson, the Superintendent, was exonerated and no recommendation was made to withdraw his license. Instead the Committee declared that his asylum was one of the best under their jurisdiction.<sup>15</sup>

In 1858 a County Asylum was built at Sedgfield and was made the responsibility of a Magistrates Visiting Committee composed of between 24 and 35 Justices of the Peace who were required "to report from time to time as may be necessary." This committee, unlike the other visiting committees for the Prison and the Private Asylums, only reported annually either in December or January, but reports indicate that they actually visited the County Asylum much more frequently, as in one report they refer to five occasions during the year when allegations of harsh treatment were brought to their

15. Quarter Sessions Order Books. April 1853.

attention. The reports they prepared were quite lengthy, and were concerned with three main matters, which were the state of the building, the management staff, and accommodation. Throughout all their reports their cost consciousness is apparent and they constantly refer to how economically the Asylum was being run compared with other asylums in the country.

The visiting magistrates were also anxious to ensure that staff of the right calibre were employed as Attendants, that is, those who displayed the qualities of tolerance, understanding and gentleness and they indicated in their reports the value of retaining experienced and efficient staff and to this end recommend that their wages be increased by £1 a year for five years. In their report of December, 1873 they raised attendants' wages from £26 to £32 per year in an attempt to attract staff of the right calibre, with a further addition to wages to be made at the end of the year.<sup>16</sup> However this was rather low pay compared with other forms of employment and again reflects their parsimonious attitude. But despite this the attitude adopted by the Justices indicates the concern they had for the well-being of the patients and they dealt with proven cases of brutal treatment by attendants to patients very severely in the form of instant dismissal and possible prosecution. For example, in 1873 five attendants were ordered to resign because of instances of harsh treatment.<sup>17</sup>

16. Quarter Sessions Order Books  
17. Quarter Sessions Order Books

However, despite the concern they displayed for the well-being of the patients they can be criticised for their excessive concern with economy. For example, in January, 1863 they reported on additional furniture purchased for the Asylum but stated in their report "additions not, however, more than required by the increase in numbers of patients have been made to the furniture," that is, one chair and one bed per patient. Then in 1875 the Commissioners of Lunacy were critical of the fire precautions in relation to a possible roof-fire recommended that either hydrants be installed around the building or a fire-engine be purchased. The Visiting Committee felt that this was unnecessary and said that if a roof-fire occurred, and they felt there was little risk of such a fire, the patients could be taken down the stairs to safety.<sup>18</sup> This it might be suggested was hardly a responsible attitude on their part, but undoubtedly it was the cost involved which deterred them from acting in the report as the estimated cost was £3,000. However, in 1877 these fire precautions were carried out as the Visiting Magistrates realised they were essential due to the increased number of patients in the asylum, at a cost of £4,207 10s 3d., so their delay in fact cost them money.

The Visiting Magistrates Committee to the County Asylum appear to have had an interest in ensuring that patients were cared for in a humane way, that the building was kept clean and hygienic and that living conditions

18. Quarter Sessions Order Books.

for the patients were at least adequate according to the standards of the day and they displayed good sense and competence in the administration of the County Asylum, with the possible exception of their refusal to implement necessary fire precautions quickly.

### Licensing Committee

The County Magistrates were responsible for the control and licensing of many tradesmen and this was regarded as an important duty as it was specifically included in their commission. A statute of 1504 authorised the Justices of the Peace to suppress disorderly alehouses and from 1552 the keepers of alehouses had to enter into a bond before two Justices promising to maintain good order in their houses and not to permit unlawful games.<sup>19</sup> In 1753 an Act of Parliament required alehouse keepers to bind themselves by recognizance each year at special licensing sessions held by the Justices, and applicants not previously licensed had to produce a certificate of good character signed by the Minister and Churchwarden of the Parish. The licensing procedure was simplified by the passing of the Alehouse Act 1828, and under an Act passed in 1830 the Justices lost responsibility for licensing and from this an excise license only was required to sell alcohol, ale and cider. However, the Licensing Act 1869 returned this function to the County Justices.

Unfortunately, however, few licensing records have survived and the only ones available are those of the Licensing Committee established in 1872. This committee

19. S. & B. Webb - The Parish and the County

had a membership of twelve, nine justices and three clergymen.<sup>20</sup> It met annually in October, and its role was to confirm new licenses or certificates granted by the Petty Sessional Divisions in the County, and to act as adjudicators where objections were made to new licenses granted at Petty Sessions. They were quite prepared to withhold licenses if premises were deemed unsatisfactory, until improvements had been made, and occasionally they refused to confirm licenses without giving reasons. Licenses for slaughterhouses were also granted, but these appear to have been granted by the Quarter Sessions Court directly.<sup>21</sup> Meetings of the Licensing Committee appear to have been brief and formal and rather poorly attended as the average attendance was usually three or four.

#### The County Rate

The Justices in Quarter Session were responsible for setting and spending the County Rate, a duty to which they attached great importance probably because they were continually being criticised for extravagance, but this in practice was something they were never guilty of and in fact they frequently displayed a somewhat parsimonious attitude. The rate in the pound was set at each Quarter Session meeting rather than an annual rate being set.

The 19th Century saw a very substantial increase in County expenditure which obviously entailed higher rate poundages. For example, in 1796 county expenditure was £4,300, by 1815 it had risen to £10,500, in 1830 it stood

20. Minutes of Licensing Committee.

21. Minutes of Licensing Committee.

at £13,800, by 1850 it was £17,800 and by 1870 it had reached £33,000. These figures do not include the Police Rate which in 1856 was shown as a separate account. This too rose quite dramatically. For example, in 1840 it was £1,457, by 1856 it was £7,917 and by 1870 it had reached £25,000.<sup>22</sup> This increase in the County expenditure was due to three factors which were outlined in the Report of the Select Committee on County Rates 1834. Firstly, more money was being spent on the construction and repair of Bridges because of increased traffic. Secondly, greater sums were being spent on Prisons in the form of improvements such as additional accommodation and separate cells for male, female and juvenile offenders, which the Radicals in Parliament described as extravagant expenditure. Thirdly, there was the ever-increasing costs of prosecution, for example, between 1854 and 1855 prosecution costs increased by £1,843 in the County.

Although the county magistrates were often accused of extravagance the evidence points to virtually the opposite conclusion, that is, they were really over-cautious, when spending county monies and were always looking for economies. This was confirmed in the Report of the Select Committee on County Rates and Expenditure 1850 (p.30) which stated "Evidence which has been given before this committee has tended to prove that the financial affairs of the Counties have been conducted by the Courts of Quarter Sessions, generally, with proper attention to economy, with just regard to

22. General Account of the Treasurer of the County of Durham.

the public interest and with all the publicity required by law." The County Justices were always ready to point out where economies had been secured and it was not unusual for savings to be made. Amounts carried forward from one year to the next varied from £500 to £2,500, and in the Michaelmas Session no rate was levied.<sup>23</sup>

Numerous examples can be cited to illustrate the conservative attitude which they displayed towards the spending of county money, on occasion verged on penny-pinching or parsimony. For example, although Weights and Measures Inspectors could be appointed this responsibility was given to senior Police Officers as an additional duty for which they were paid a fee. Then in 1828 the Bench set up a Committee of Inquiry whose task was to consider how the costs of prosecution might be reduced or at least prevented from rising further, and their solution was a revised scale of Costs and Allowances.<sup>24</sup> When improvements to the Prison were made inmate labour was used to keep costs as low as possible. Where savings were made the Justices laid great emphasis on them in their reports showing how much more cheaply the work had been done than in other Counties. Similar reports were also made in relation to the County Asylum, and where improvements were carried out they were no more than was absolutely necessary. Then in 1873 the Finance Committee indicated that the Treasurer had not been given a salary increase

23. Finance Committee Minutes.

24. Quarter Sessions Order Books.

for 25 years. Finally there was the example of the Asylum Visitors Committee's reluctance to institute safety precautions recommended by the Commissioners of Lunacy.

This evidence appears to confirm the picture already given of the parsimoniousness of the County Justices. This can be explained on the grounds that the Justices wanted to refute the claims of extravagance levelled against them, especially by the Radicals, while at the same time wanting to avoid any expenditure which might be viewed as excessive or extravagant. They were under pressure from a number of quarters and so were obviously careful not to supply their opponents with additional ammunition to use against them. The attitude which the Durham County Justices displayed towards finance can be summed up by reference to a speech made by the Chairman of the Wiltshire Bench which appeared in 'The Times' 3rd January, 1889 for when speaking on the control of finance he said "...the administration which they exercised was extremely cheap; it could not possibly have been cheaper. They exercised their functions for nothing. They looked after the rates very closely and there was always to be found in every County of England some gentlemen who had a special gift for finance and devoted their abilities and faculties with zeal to looking after the finances of the county. The administration therefore, had been most efficient, and it had been above all suspicion in its integrity."

Assessment of the administrative efficiency of the County Justices.

"It is easy to look back on the 19th Century and be critical. The reformers of these days had good intentions; they had some new ideas. If they did not in fact see far enough, that is a short-coming which perhaps every age (including the present) may in some measure be guilty of." (W.E. Jackson - Local Government in England and Wales. 1963 p.36).

To some extent the same quote could well be applied to the County Justices as the administrators of services, but it must be remembered that the term efficiency is a relative one and so must be considered not only from the point of view of today's standards, but also from the time when they were actually administering services, the 18th and 19th Centuries in particular. The Victorian attitude to efficiency was one which demanded that the services provided should be sound but cheap, and as Roach points out was one "which placed great emphasis on economy in public expenditure."<sup>25</sup> Linked with this was the philosophy of 'laissez-faire', a belief in a free competitive economy and a strong conviction that governments should interfere as little as possible in the life of the individual. This attitude was very visible in a number of statutes passed in the 19th Century. For example the Poor Law Amendment Act 1834, which introduced the principle of 'less eligibility', under which it was decided that the condition of a person in the Workhouse should be less

25. J. Roach - Social Reform in England 1780-1880 p.214.

desirable than that of the poorest paid worker. This system replaced the Speenhamland system and was without doubt a more punitive measure, but was one which reflected the State's emphasis on economy. The Public Health Act 1848, was the result of a belief that there was a connection between sickness and the amount of poor relief that was paid. This led Edwin Chadwick to argue that the amount spent on poor relief could be reduced if sickness was prevented. Education policy also reflected this attitude of economy. Roach points out that the Education Department's objective "was to work the system as efficiently and economically as possible." He then goes on to quote R. Lingen, the Secretary of the Committee of Council for Education, who saw his job as being "to stem the growth of a system of subsidies and control the expansionist tendencies of inspectorate and educational public."<sup>26</sup> The terms of reference of the Newcastle Commission on Elementary Education also illustrated the Victorian attitude to economy as its task was to consider "what measures, if any, are required for the extension of sound and cheap elementary instruction to all classes of the people."<sup>27</sup> The report of this commission led to the introduction into education of 'payment by results' in 1862. Robert Lowe, the Vice-President of the Committee of Council, summed up the Victorian attitude to efficiency when he pointed out to Parliament that if payment by results did not promote efficiency it would at least be cheap.<sup>28</sup>

26. J. Roach - Social Reform in England 1780-1880. p.215.

27. Lawson and Silver - A Social History of Education in England. p.288

28. W.H.G. Armytage - Four Hundred Years of English Education. p.125

It is against this background that the efficiency of the County Magistrates must be measured. From today's standards the County Justices would undoubtedly be described as inefficient administrators as they were somewhat slow on occasions in dealing with problems, conservative in their attitudes and so cautious with regard to the spending of public money that their attitude verged on parsimony. However, when one considers the size of their workload, which they undertook on a purely unpaid basis; the fact that they were virtually starved of professional and administrative staff compared with modern standards and finally the Victorian emphasis on economy, could anything but inefficiency by today's standards really be expected? Linked with this was the fact that the communications system in this period were by today's standards extremely primitive which must have contributed directly to their slowness, as must the limited transport facilities of the time which were confined to horse and carriage. From this it is possible to visualise the Local Justices riding around the countryside on horseback to see that roads and bridges were in a good state of repair, or a group of Magistrates being taken by carriage to carry out an inspection of the Asylum at Gateshead, an inevitably slow and time consuming procedure. Furthermore, the County Magistracy, because they were drawn largely from the land-owning, industrial and business sections of society, had other responsibilities and interests in relation to their estates and businesses which must have obviously imposed quite severe limits on the time they could give to their administrative functions.

Thus, with these points in mind, while the Justices might be considered inefficient by today's standards they were undoubtedly quite capable administrators by the standards of their own time. They carried out their office responsibly and appeared to have an interest in the well being of the community. They established methods for dealing with their administrative responsibilities which are still being used today, such as, the appointment of salaried officers to provide them with expert advice and the establishment of a system of Standing Committees. Those Magistrates who undertook these administrative duties, which were undoubtedly time-consuming, did so assiduously and the Visiting Magistrates to the Prison and Asylum in particular appear to have had a genuine interest in this area of their work. Furthermore there is no evidence of dishonesty or corruption, and the way they spent the County Rate can only be described as "wisely, thoughtfully and economically." The County Justices appear to have interpreted efficiency in terms of keeping the Rates as low as possible and as many of them were the County's principal rate-payers their attitude is quite understandable. However, despite the conservative attitude they displayed as regards to finance, services were not neglected or allowed to deteriorate. They could have quite easily neglected their administrative responsibilities on the grounds that their judicial, commercial and business interests left them with no time to deal with administrative matters. Some of the County Justices did adopt such an

attitude, but others accepted this increased workload and carried out their administrative responsibilities to the best of their ability. Thus, taking all these points into consideration it must be concluded that the County Justices were quite efficient and competent administrators.

CHAPTER THREE

(a) Why 1888?

In view of the fact that local self-government in the form of directly elected councils had been granted to the Municipal Boroughs in 1835 one might wonder why it took over fifty years to extend this principle to the Counties. One possible explanation might have been that County Government by the Justices in Quarter Session had been carried quite efficiently, and they were generally honest and sincere with a genuine interest in the well-being of the community they served. This was a very different situation to that which prevailed in a number of urban areas prior to the passing of the Municipal Corporations Act 1835, and so it may be suggested that reform in the Counties was by no means such a pressing problem. In addition to this by adopting new methods of administration through Standing Committees and salaried officers the Magistrates were proving themselves able to undertake and modernise the management of such services as prisons and asylums etc., thus probably reducing the demand for a new administrative authority. Furthermore, if the acid test of time is any criterion of good government it is virtually beyond doubt that the Justices of the Peace carried out their county business with considerable ability and devotion for some five centuries.

Another possible explanation as to why the principles laid down in the 1835 Act were not extended to the Counties lies in the influence they, the County Justices, were able to exercise in Parliament and thereby successfully thwart attempts to remove them from office, as can be well

illustrated by Joseph Hume's unsuccessful attempts to establish elected County Councils in the 1830's.

But this should not be taken to indicate that the County Justices were without opposition. Indeed the Local Government Act of 1888 was the culmination of over fifty years effort to remove the landed gentry from their position of power. The attack against the Magistrates began in the 18th Century, gathered increased momentum by 1830 and from 1830 onwards numerous attempts were made to oust the County Justices. There were various proposals for the creation of new administrative authorities for the Counties, together with some individual experiments for a solution.<sup>1</sup>

For example, there was an Act in 1771 which incorporated the thirty parishes of the Isle of Wight, together with the rather short-lived Devonshire experiment which set up a system of county insurance. These proposals could conceivably have resulted in representative government being established in the counties by the early 19th Century, but this did not take place. Instead an alternative solution was adopted for Poor Law administration, that of a union of parishes under the control of the Poor Law Guardians so excluding the possibility of the county becoming the area of administration for this function, which was probably the most important of local government at this time,

However, the somewhat strange aspect of the attacks against the County Justices was that they were not based

1. B. Keith-Lucas, The English Local Government Franchise.

upon allegations of widespread corruption as was found among some of the urban benches. Nor is there any evidence, especially in the County of Durham, to suggest that the Justices pursued their office for their own material ends or that they had lost the trust and confidence of the community they governed as many of the Borough Magistrates had done. While a number of explanations have been put forward to account for the opposition to rule by the County Justices in reality they represented a demand for local self-government by directly elected assemblies of ratepayers as of right.

(b) Causes of the re-action against the County Justices.

A number of explanations have been put forward to account for the eventual removal of the Justices' administrative responsibilities. For example, one theory put forward suggests that it was the Justices of the Peace who created opposition to themselves through deliberately abusing their powers in order to protect their own vested interests. An example of this was the stern way in which they dealt with offences against the Game Laws by imposing sentences ranging from imprisonment with hard labour to transportation, and by such actions it was suggested that they showed themselves to be grossly partial, selfishly biased and swayed by considerations of their own class interests.<sup>2</sup> However, an Act passed in 1827 brought to an end some of the worst aspects and features of the Game Laws and so this cannot really provide a satisfactory explanation. The closure of public footpaths

2. S. & B. Webb - The Parish and County Government. p.597

is another area where they were said to have sacrificed their claim to impartiality.<sup>3</sup> Under an Act passed in 1815 any two Justices could close a public footpath. While this might provide a partial explanation for the opposition to the County Justices undue importance should not be attached to it as all they were doing was protecting private property, which is probably done with greater zeal today than in the 19th Century.

A more plausible explanation for the opposition to the County Justices lies in the total control they exercised over the raising and spending of the County Rate, which undoubtedly supplied their opponents with ammunition to be used against them. The county rate was set at the Quarter Sessions but was not subject to the approval of the representatives of the Parishes, and the expenditure of this money was subject to little or no control by the community. Even the audit was carried out by the Justices. As the burden of rates grew heavier so did the demand for a share in County Government, especially from the farmers, and as Keith-Lucas points out, from this claim was born a movement which grew into a clamour for elected County Boards, their battlecry being "no taxation without representation." (The English Local Government Franchise. - p.91).

In the early 1830's the County Rate rose at a quite alarming pace due largely to increasing costs of prison maintenance, increasing costs of criminal prosecutions

3. S. & B. Webb - The Parish and County Government. p.599.

and more money being spent on road and bridge repairs because of increased traffic. This led to storms of protest, and from the 1830's onwards it was quite common for the parishes to present petitions to the Quarter Sessions complaining about the rate increases and asking for reductions to be made. Although no such reductions were made the Justices did make attempts to educate the rate-payers as to the reasons for the increased rates, but no matter how reasonable such explanations might have been they did not satisfy the demands of those paying rates as they wanted positive involvement in how the County Rate was raised and spent, and this could only be achieved through directly elected County Councils. Radical politicians fanned the already raging fires by accusing the Justices of extravagance, but in reality nothing could be further from the truth. As shown above (Chapter Two), in regard to the spending of the County Rate the Justices were positively parsimonious and could in fact be criticised for not spending more money on certain services.

A final contributory factor to their removal from administrative office was the fact that the Justices were a non-elected body who represented basically only one class, that of the landed gentry and business men. This situation, however, was the product of their office which was the administration of justice which meant they had to be appointed to office by a higher authority and not by popular election. The fact that no-one else was available was probably the main reason

why they became burdened with so many administrative duties, which they accepted and carried out to the best of their ability, but the burden of their office became so great that they must have found it extremely difficult to devote sufficient time to the ever-increasing demands for improved social conditions.

Thus, a number of explanations can be put forward to explain the reaction against the County Justices resulting in the removal of the great majority of their administrative functions under the Local Government Act 1888. Some are obviously more important than others but can be summed up by suggesting that the 1888 Act gave recognition to the demand for local self-government as a right. This Act gave recognition to the growing belief that local government was an integral element of democracy, that rate-payers should be allowed a voice in government and be free to manage their own purely local affairs.

(a) Attempts at Reform.

Such a situation was bound to produce criticism, especially in view of the fact that municipal government had been placed in the hands of directly elected assemblies, which inevitably produced demands for local self-government in the Counties. Such a demand was made by J.S. Mill in his book 'Considerations on Representative Government.' He was highly critical of the system of county government by Justices of the Peace, whom he likened to Feudal Lords, as they were self-appointed and accountable to no-one which is the very antithesis of representative

government. The need for directly elected County Councils also had positive support among a number of prominent radical M.P.s throughout the 19th Century such as Joseph Hume, Joseph Chamberlain and J.G. Dodson. Hume, a leader of the radical wing of the Liberals, was firmly convinced that locally raised finances should be under the control of directly elected councils, and to this end in May 1836 he tried to introduce a Bill to establish elected County Councils. While he got some support from the Whigs his Bill was bitterly opposed by the Conservative Opposition, who suggested that his reasons for introducing such a Bill cast an imputation on the County Justices which they did not deserve and that there was no evidence of misappropriation of County Funds, and consequently his first attempt failed. However, undeterred he tried again the following month, June 1836, but on this occasion he based his argument not on finance but on the precedent created by the reform of municipal government, that is, equality with the Boroughs. This time he was granted leave to introduce his Bill. However, its provisions were interpreted as revolutionary and it sent a shiver through the county gentlemen at Westminster, resulting in its defeat at the Second Reading. The following session Hume again attempted to introduce his Bill, but met with no more success than on previous occasions.

After this numerous attempts were made by private members to persuade the Commons to accept the principle of popular control over county finances but all failed. However, the demand for reform by rate-payers seeking

a voice in local administration was growing louder and louder, and it was not based on the need to control local expenditure, but on the need for local self-government for its own sake. This movement had the positive support of Joseph Chamberlain who later became the leader of the Liberal Unionists, and it was also supported by J.G. Dodson, the President of the Local Government Board, who in a letter to Gladstone dated 23rd November 1881 suggested that if the Liberal Party was to secure support in the Counties it was necessary to extend to them the right of self-government. The Conservatives, however, who were in office at the time adopted a more cautious approach, and although they introduced two Bills in 1878 and 1879 to create County Boards they were only half-hearted attempts and were allowed to die quickly. However, when Salisbury became Prime Minister his hand was forced by the need to retain the support of Churchill's Tory Democrats and Chamberlain's Liberal Unionists, and on the 19th March, 1888 the details of a Bill giving local self-government to the Counties was announced.

Thus, this Act was not the result of spontaneous demand, neither was it sudden in origin, it was as Gladstone described "the product of the inevitability of gradualness." Neither was it revolutionary in conception as was suggested in a number of Liberal reviews, it merely extended to the Counties the principle of direct elections. The movement to reform

county government by replacing the County Justices with directly elected County Councils made virtually no progress until the passing of two Acts of Parliament, the Ballot Act 1872 and the Reform Act, 1884, and neither of these were directly concerned with local government, but with the electoral franchise. The Ballot Act, 1872 provided for secret voting so enabling the county voters to disregard the wishes of their employers. The Reform Act, 1884 extended the franchise to agricultural workers so giving them equality, in terms of voting rights, with the skilled workers in the towns. This latter Act in particular made elected County Councils virtually inevitable for as K.B. Smellie points out "When in 1884, the agricultural workers were given the right to vote for Parliament, he could no longer be denied some control in local government."<sup>4</sup> Four years after the passing of this Act the Government passed the Local Government Act, 1888 so extending local self-government to the counties. However, while this Act increased the size of the electorate by about two million voters the new county franchise was limited to the 'ten pound occupiers' which meant that there were still quite large sections of the rural communities who were unable to vote in the elections of 1888.

(d) Reaction to the proposed Act.

When the Government announced its intention to introduce legislation to establish directly elected

4. K.B. Smellie - A History of Local Government. p.23.

County Councils the Bill was generally well received in Parliament and only one member spoke against it, a Major Rosch M.P., who condemned it as being "absolutely unworkable and thoroughly valueless."<sup>5</sup> The Bill did, however, cause alarm to be expressed in some London Papers who viewed it as providing the means whereby Radical or even Socialist Government could be established in the counties. An article in The Times on the 19th March 1888 illustrated this alarmist attitude. It began by expressing a hope that the landed gentry would make themselves available for election to the new County Councils, but went on to say: "if they throw up the game as hopeless they will allow the labourers to be led away by demagogues and quacks."<sup>6</sup> However, shortly before the actual elections the fears they expressed earlier had almost totally disappeared as from the early nominations received it had become quite clear that a substantial number of the landed gentry had put themselves forward for the forthcoming elections, and in The Times leader article on 14th January, 1889 it stated "By this time it is tolerably certain that country gentlemen will secure sufficient representation upon the new County Councils."

The local press, with the exception of the Durham Chronicle, generally welcomed the Act and in an article published on 23rd March, 1889 the County Advertiser praised both Ritchie and the Conservative Government

5. The Times, March 1888.

6. The Times, March 1888.

by stating:- "The Conservative Government has again shown that it trusts the good sense and practical moderation of the people in a manner, and to an extent, which had never characterised a so-called Liberal ministry." But the same article also suggested that the new authority might be prone to extravagance as the School Boards were, and it also expressed doubts about the wisdom of the measure concerned with including the Boroughs in the county area, a concern which was also shared by the County Justices. The Northern Echo, unlike Fleet Street, never had any doubts that the landed gentry would be well represented on the new County Councils and in a rebuff to the alarm expressed by the Fleet Street press stated: "Of course they will, how could it ever be otherwise.... there could never have been any doubt as to English country gentlemen manning the new institution. There was never any doubt beyond a radius ten miles from Fleet Street."<sup>7</sup> Here it might be suggested that because of the strength of deference in voting behaviour at this time the landed gentry, if they were prepared to stand for election, could really do nothing other than succeed in the elections. As stated earlier only the Durham Chronicle, which was the Liberal opponent of the Conservative County Advertiser, was against the Bill. In an article of 11th May 1888 it suggested that the chances of the working classes obtaining representation on the new County Council in anything approaching

7. Northern Echo. March 1888.

substantial numbers was slim, and in a leader article on 4th January 1889 described the Act as "An Act for legalising and cementing local influence which now exists and are not legalised, and for extending the powers of the Magistrates." It then went on to suggest that this situation could only be avoided if the Liberals contested the majority of the seats and got the support of the working class.

With regard to the reaction of the County Justices to the Bill, like the County Advertiser, they generally welcomed it but with some reservations. These were expressed by J.L. Wharton, the Chairman of the County Bench, at a meeting on 6th April, 1888. He suggested that the Bill would incur additional expense as three electoral registers would be required, and he was also critical of the expense of triennial elections and advocated five yearly elections thereby saving money, while at the same time enabling those elected to become more knowledgeable. He also expressed a great deal of concern over the proposal for joint responsibility of the Police, and suggested that this function should be left with the existing machinery, that is, the Chief Constable and Police Committee, but that the Accounts for their administration should be made available to the Finance Committee of the new County Council. He pointed out that the County had a good police force with a high morale and a change could have nothing more than a harmful effect, and expressed a hope that the Police Clause in the Act would be amended accordingly,

a hope, however, which Parliament refused to realise. Finally, he referred to the phrase in the Bill regarding the Chairman of the new County Council and in doing so clearly indicated his own feelings, and those of his colleagues on the Bench, regarding the controlling influence on the new County Councils when he said that this phrase should be amended to read "that the Chairman of the County Council should be an active Magistrate of some years standing."<sup>8</sup> This statement by the Chairman of the County Bench was fully supported by his fellow Magistrates and a resolution to this end was sent to the Local Government Board by the County Bench and similar petitions were sent by other Benches throughout the country. There was little doubt that the County Magistrates wanted to control the County Council and at a meeting of the Justices on 2nd May, 1888 there was a very lengthy discussion over the inclusion of the Boroughs of South Shields, Gateshead and Stockton in the geographical boundaries of the new authority. This perturbed the County Justices as their inclusion would enable the urban areas to dominate the rural areas as there would be forty six urban seats compared with only thirty one rural seats.<sup>9</sup> If these boroughs were excluded however, the rural areas would probably have a majority of three seats, and so they recommended that the Boroughs in question be made Counties as of right as they had populations of over

8. County Advertiser April 1888

9. Quarter Sessions Order Books

50,000 inhabitants. They also passed resolutions in favour of giving the franchise to absentee landlords; and of leaving the control of the Police entirely in their hands on the grounds that the administration of the Police was bound up with the judicial functions of the Justices. It would thus be injurious and wrong if they were separated and joint committees in any case rarely acted harmoniously.<sup>10</sup> Obviously the County Justices were reluctant to release the grip they had on power and at this meeting the first electioneering took place when the Chairman expressed a hope that the major property owners in the county, together with men of good business habits would offer themselves for election to the new County Council in order to ensure that the affairs of the County would be in the hands of the most capable.<sup>11</sup>

Thus, the Bill appears to have been received with somewhat surprising calmness by the County Justices and the local press, with the exception of the Durham Chronicle. This can be explained on the grounds that the Bill had been expected for some time, and that the County Justices fully expected to keep their controlling influence on the new administrative authorities, a point well made by the Chairman of the Worcestershire Bench in a statement reported in The Times on 3rd April, 1888 when he suggested that through the Police Committee: "The Court of Quarter Session would still exercise, to say

10. Quarter Sessions Order Books

11. County Advertiser May 1888.

the least, very large influence on county administration and might well under certain circumstances exercise predominating influence." While he did not expand on this statement it might be suggested that such control would be forthcoming if enough Magistrates stood for election to the new County Councils.

CHAPTER FOUR.

The First Election

(a) The Electoral Arrangements

The County was divided into 72 electoral divisions each returning one County Councillor. The Municipal Boroughs of Stockton, Darlington, the two Hartlepoons, Durham City and Jarrow contained a total of 18 electoral divisions and the remainder of the County area was divided into 54 divisions. The areas constituting these 54 divisions were determined by a committee of Quarter Sessions set up on the 5th July, 1888 and in order to ensure that the whole County had representation on the committee it was decided that it should be composed of one representative from each Petty Sessional Division. This committee determined that the Urban areas would have 18 seats, areas which were to a large extent urban would have 10 seats, and the remaining 26 seats would be allocated to the rural areas.<sup>1</sup>

The allocation itself was done scrupulously with no signs of partiality, and was based on ensuring approximately equal populations in each division. For example, the 18 municipal seats, which constituted 25% of the total, contained 27% of the electorate; the 28 urban seats which constituted 39% of the total contained 38% of the electorate and the 26 rural seats constituted 36% of the total and 35% of the electorate.<sup>2</sup> With regard to the rural seats as S. Drummond pointed

1. County Advertiser August 1888.
2. Public Administration, Summer 1962 - The Election of the first Durham County Council. p.144

out in the Public Administration, Summer 1962, as these covered a relatively large geographical area and contained 35% of the electorate they were to some extent under-represented and the committee would have been quite justified in giving these areas a somewhat larger proportion of the seats. However, this argument cannot really be accepted and all that can be really said is that the Councillors in the rural areas would find it more difficult to meet their constituents regularly. The average population of each division was 9,500.

Thus the County Justices made no attempt to secure any advantage for themselves through the drawing up of the electoral divisions as they were drawn up around natural communities. However, it might be suggested that in reality they needed no advantage which could be obtained through gerrymandering as they were well-known and well-respected in the area and their administrative experience they could lay claim to would also without doubt strengthen their chances of election at the polls. But in addition to this was the fact that the electoral divisions were subject to approval by the Local Government Board which must have acted as a deterrent against any possible gerrymandering.

(b) The Parties and the Candidates.

The election was contested by three main groups, the Conservatives, the Liberals and the Durham Miners Association. The Conservative Party, while being strongly represented at the election were rather loosely organised. Those candidates who declared themselves as Conservatives

appear to have fought the election under this party banner for reasons of social and occupational background rather than being party activists. In other words they were conservatives with a small 'c' rather than a large 'C'. The Liberal Party on the other hand appears to have been much better organised and made an attempt to co-ordinate the campaigns of its candidates with those of the D.M.A. candidates. However, no academic study of the Liberal Party organisation in the 19th Century has been carried out, and no records of this period appear to have been traced, and so it is not possible to give any information on their organisation in County Durham. The Durham Miners Association represented 'Labour' in the elections. However, this should not be confused with the Labour Party (which was not formed until some 30 years later) as the term 'Labour' in the 1889 election was used to denote the working class candidates.

The election attracted 118 candidates who were drawn from virtually every section of the community, and included three Peers and two Members of Parliament. The landed and independent gentry contested twenty six divisions and taking into account the fact that they represented only a small minority of the community they were very well represented in the elections. Included in this group were twenty one Magistrates who had the vital qualification of administrative experience to offer to the electorate and this factor undoubtedly played a major role in giving them complete success at the polls. The Colliery Owners, Managers and Engineers

were also well represented as between them they contested twenty three seats. A number of local tradesmen in the county were also keen to secure election to the new authority as they contested twenty three constituencies. Their motive for seeking election may well have been concerned with the rates issue, for being substantial rate-payers they would want to keep the rates down. The local industrialists and Managers contested fourteen seats, Trade Union officials and working men eleven seats, the profession, such as Solicitors and Doctors contested six seats, the Clergy contested four seats and the remaining six candidates could not be classified under any group or profession.<sup>3</sup>

Of all the groups contesting the election one might have expected manual workers to have contested many more seats on the new Council. The membership of the Durham Miners Association in the County was over 48,500 and in some divisions D.M.A. membership was strong enough to secure the election of their candidates had they been forthcoming, so presenting a paradox which is somewhat difficult to explain. However, it must be remembered that 'Labour' was by no means organised for the election in 1888, and it was not until some 30 years later that the Labour Party emerged as a major political force. Apathy cannot be used to explain why they contested so few seats as the

3. County Advertiser December, 1888.

very large turnout at the election shows that the voters were clearly interested in the new institution. A partial explanation might lie in the fact that the working classes may have felt that they were not equipped by of education, experience or expertise to share in the government of the County, a point which the County Advertiser regularly brought to the attention of its readers. Linked with this it might also be suggested that working people simply felt it was not their place to contest seats as deference towards the upper classes was very strong at this particular period and this was clearly demonstrated at the polls. Finally it might also be suggested that their reluctance to contest seats is explicable in terms of a realisation on the part of the manual workers that it would be futile to oppose the gentry and businessmen, who tended to be both well-known and well-respected. In addition to this many had considerable administrative experience. The manual workers may well have concluded that the election of the social leaders was virtually automatic, a fact borne out by the election results. A more determined effort to organise 'Labour' was made in 1892, but not with a great deal of success.

(c) Issues the election was fought on.

The issues debated during the election campaign could be divided into two main categories. The first may be described as the "County issues" in that they were raised in most election addresses in the contested divisions and were concerned with the 'drink question' and that of the 'democratic' control of the County Council.

The drink issue revolved around the licensing clauses of the 1888 Act, which despite the fact they had been withdrawn at the Committee Stage still aroused a great deal of suspicion as it was generally felt that they would be re-introduced at a later stage, and that the County Council would be entrusted with full jurisdiction over public houses. Under the heading of 'drink' the questions debated were those of Sunday closing, the veto of licences and compensation payments to Publicans. On this issue the parties to the contest could be divided into two distinct groups, the Liberal-Temperance alliance who were advocating Sunday closing, and the landed gentry and the Brewers supporting Sunday opening. This proved to be a very sensitive issue and was the subject of a number of bitter debates, especially at Hartlepool North East where one of the candidates, Colonel Cameron, was the owner of the local brewery. The drink question put some of the candidates in something of a dilemma as when questioned in depth on this issue they attempted to avoid giving a straight 'yes' or 'no' answer, saying instead they would abide by the wishes of the majority.

The second county issue was concerned with the selection of the County Aldermen and the control of the Police. The Liberals and the Durham Miners Association strongly advocated that the Aldermen, an office by no means welcomed by many, should be chosen from among the duly elected County Councillors only, while the Conservatives campaigned that the Aldermen

should be selected from outside the elected Council. The argument advanced by the Liberal/D.M.A. alliance appeared to be that all members of the County Council should in the first instance be elected and in this way prevent the abuse of the office and in this way ensure that the concept of democracy was preserved. The Conservatives on the other hand gave no reason for the stand they took on this issue, but it might be suggested that they saw it as a means by which they could bolster their members in the Council Chamber, or avoid a series of immediate by-elections, and so save money. At election meetings it was an issue over which very heated exchanges took place and at the Lanchester division the Conservative candidate was faced with quite hostile questioning on the selection of Aldermen and control of the Police and was really struggling to give satisfactory answers to questions put to him. His plight was recognised by the Chairman who rather hurriedly closed the meeting.<sup>4</sup>

Over the question of the control of the Police, which was already settled by the 1888 Act, both parties to the dispute, the Magistrates on the one hand and the Liberal/D.M.A. alliance on the other, were largely against the idea of control through a Joint-Committee, the former wanted complete control of the Police, while the latter wanted control of the Police to be vested solely in the County Council. The Magistrates argued that their record in relation to the administration of the Police

4. Durham Chronicle January 1889.

was good and justified them retaining complete control of the Police, while the Liberals argued that the interests of democracy would only be served if the Police were under the control of the County's directly elected representatives.<sup>5</sup> However, no move was made to petition Parliament to amend this part of the Act to give the County Council control over the police.

The second category of issues raised at campaign meetings was much more 'local' in character. For example, at the Chester-le-Street division the water supply was the major issue. The candidates went to great lengths to point out what action had been taken to deal with the inadequate water supply and all promised that if elected they would ensure that this matter would be dealt with as a matter of urgency. In areas like West Hartlepool, Spennymoor and Consett the question of Home Rule for Ireland assumed an importance not to be found in other districts, and the reason for this was that these areas contained fairly substantial numbers of Irish immigrant workers. The question of the closing of footpaths was raised in some divisions, and closures were described as "selfish acts" on the part of land-owners by a number of Liberal candidates.<sup>6</sup> The Public Health Act of 1875 was also mentioned, but despite its importance it did not prove to be an emotional issue, and all candidates really said was that they press for a more effective implementation of the provisions of the

5. Durham Chronicle December 1888  
6. Durham Chronicle January 1889

Act, especially in relation to insanitary housing conditions and the supply of drinking water. The question of finance was also touched upon by a number of the candidates and all promised that if elected they would guard against extravagance in order to ensure that the rates would be kept as low as possible. As many of the candidates paid substantial amounts of rates it was not really surprising that this sort of promise was made and a review of the first three years of the County Council indicates that to a large extent this promise was fulfilled, but only at the expense of any real improvements to the services provided.

(d) Electioneering and Party Contests

After the announcement of the Local Government Bill the County was by no means overcome with election fever, but as the election drew nearer the local Party organisations began to campaign in earnest, despite the hope expressed by some of the participants that party politics would be kept out of the election. Some of the candidates did little or nothing in the way of canvassing, while others, both Conservative and Liberal made the election a party political conflict and canvassed regularly and vigorously in every part of the districts they were contesting.

The Chairman of the County Bench had, after the announcement of the Local Government Bill, intimated to his fellow Justices that they should make themselves available for election to the new County Council, but it was not until the Quarter Sessions meeting on 5th July, 1888

that really active electioneering began. At this meeting the Chairman, J.L. Wharton, asked his colleagues on the Bench to put aside any feelings of distaste that they may have towards electioneering in order to ensure that the affairs of the County were in the hands of the best men available, that is, the County Justices.<sup>7</sup> He placed great emphasis on the first election which he suggested would set the tone of future elections, in that, when the rate-payers realised that they had the best men available to administer the new authority they would keep them there. He then went on to suggest that it would not be necessary to canvass the electorate as the nomination of Justices would be sufficient to ensure their election, and in this respect he was proved right for at the election twenty one Magistrates were returned unopposed, so indicating the high esteem they were held in throughout the County, especially when considering that of the remaining candidates who contested seats only eleven were returned unopposed.<sup>8</sup> However, despite being unopposed a number of the County Justices did in fact carry out an election campaign. They addressed a number of election meetings and their speeches were largely confined to control of the Police and the selection of Aldermen, rather than the policies they would be pursuing when in office.

They were as stated above strongly in favour of Aldermen being drawn from outside the elected County Council.<sup>9</sup>

- 7. Quarter Sessions Order Books - July 1888
- 8. County Advertiser - January 1889
- 9. Durham Chronicle - January 1889

The Liberals on the other hand were campaigning on party political grounds from a very early stage, and were firmly committed to return as many Liberal and Working Men Councillors as possible. They campaigned very actively in those areas where the Liberals were strongly organised or where their allies, the Durham Miners Association, were powerful. At the Miners Gala in July 1888, the Liberal M.P. for North West Durham, Atherly Jones, urged the miners to use their great organisation to ensure the representation of labour in the district, but this was not to be as they contested only eleven divisions<sup>10</sup>. It was in the Eastern and Northern electoral divisions of the County that the working class candidates campaigned most vigorously, the principal speakers of the group being J. Wilson, W.H. Patterson and L. Trotter all of whom were full-time union officers. However, it was by no means an intelligently organised campaign as in many areas where D.M.A. membership was quite large the seats were not contested, whereas they contested other seats where their membership was considerably weaker, such as the Greatham district which contained only 500 union members, many of whom were not eligible to vote, as they were not 'ten pound occupiers'. Then in the Brandon division they put up two candidates a classic example of the right hand not knowing what the left hand was doing, but in order to avoid splitting the vote one of the candidates W.H. Patterson, withdrew his nomination and contested the Willington Division.<sup>11</sup> One possible explanation as to

10. Durham Chronicle July 1888  
11. Durham Chronicle January 1888

why so few divisions were contested by working class candidates was that candidates simply did not appear in some areas, and where they did contest seats instead of planning in advance what candidates would contest which divisions personal initiative or preference on the part of the working class candidates appears to have been the determining factor.

At West Auckland there was another clash when a working class candidate opposed a Liberal candidate, their supposed political ally. Only one working class candidate had the great fortune of being elected unopposed. He was W. Robinson, a miner, who contested the Sherburn seat, whose two opponents withdrew their nominations the day before the election. The County Advertiser described the incident as the "Sherburn Fiasco" and expressed what can only be described as disgust over the fact that the electors of this division had been denied an election due to the withdrawal of the two gentlemen candidates.<sup>12</sup> No explanation was given for their withdrawal but it might be suggested that because of the popularity of Robinson in the division his opponents realised that he would win the election and so withdrew in order to save themselves the embarrassment of being defeated by a miner.

However, the fact that a division contained a large number of miners was no guarantee that if a

working class candidate contested the division he would automatically be elected. This point was well illustrated by the defeat of W.H. Patterson who was generally considered to have the best chance of election of all the working class candidates, as a D.M.A. Union leader he was both well known and well respected in the area. Patterson was defeated by a very popular Grocer in the area. In addition to supporting its own candidates the Durham Miners Association also canvassed on behalf of a number of Liberal candidates, and the liaison between the D.M.A. and the local Liberal Party was much more effective than that between the D.M.A. and other associated unions. For example, in the Witton-le-Wear division the Liberal candidate was a share-holder in the local colliery at which there had been a recent industrial dispute. The miners at this colliery were very embittered towards the Owners and so because of his share-holding in the mine the Liberal candidate withdrew, obviously realising that this would go against him at the polls. The D.M.A. put another candidate in his place and he was elected.<sup>13</sup> The Leaders of the D.M.A. also made themselves available to chair and speak at the election meetings of Liberal candidates. Although this was never publically stated the D.M.A. must have been extremely disappointed by the fact that so few of their members contested seats. The Local Government Act 1888 had presented the working class

13. Durham Chronicle . December 1888

with their first real opportunity to participate in the government of the County, but they made very little immediate use of it. Poor education, lack of experience, and deference might provide a partial explanation for their absence from the list of candidates, but the real reason for their absence might lie in the fact that they realised they were simply not equipped to participate in county government.

The support and backing of the local Colliery Owners also appears to have been a very important asset as at the nomination meetings this point, where applicable, was always brought to the attention of the meeting. For example, at the Trimdon division nomination meeting the Chairman stated that the candidate being proposed "had been approved by the owner of the colliery"<sup>14</sup> so clearly indicating the very influential position held by the Colliery Owners in the local communities, and declarations of the type mentioned above seem to have had a strong influence on voting behaviour. At the nomination meeting in the Easington Division, W.O. Wood, the local colliery manager, was nominated by the local union representatives and along with the miners in the division they pledged to give his candidate full backing and support.<sup>15</sup>

Candidates in their election addresses placed great emphasis on experience and expertise and the Justices of the Peace who were contesting seats really hammered home

14. County Advertiser      December 1888  
15. County Advertiser      January 1889

this point and suggested that this put them in an advantageous position which few, if any, other candidates could lay claim to. For example, G.G. Taylor-Smith J.P., the candidate for Castleside suggested in an address to his electors that the County Council would simply be carrying out the duties formerly dealt with by the Quarter Sessions and that as a County Magistrate he had considerable experience in these matters. A similar claim was made by the Rev. A.D. Shafto and a number of other Justices of the Peace who were contesting seats. But this experience was by no means a formula for automatic election as the Rev. Shafto found out, as he was quite decisively beaten at the poll. Wealth also appears to have played a role in the adoption of candidates since if they were prepared to meet their own election expenses this put them in an advantageous position compared with other persons seeking nomination. This was well illustrated at the nomination meeting for the Esh Division where Lieutenant-Colonel Leadbitter-Smith, who agreed to pay his own election expenses, was opposed by Mr. E. Forster, a cokeman, for the Conservative Party candidature. The Chairman of the meeting first remarked that as a cokeman Forster might not be preferred by the entire party or the local electorate because of his working class background. He then asked who would pay his election expenses, but got no really satisfactory answer to this question.<sup>16</sup> The Chairman had by these

two remarks virtually ensured that Leadbitter-Smith got the party nomination and when the vote was taken Forster got only two votes, those of his proposer and seconder.

Fierce campaigns were carried out in a number of divisions especially in the boroughs of Stockton and the Hartlepoons. The candidates contesting these seats thoroughly canvassed the electorate and it was not unusual for them to address up to three meetings in one evening.<sup>17</sup> The local party organisations were also very active and in the contest in West Hartlepool North East was probably the most hard fought division in the County, and was described by the Northern Echo as "Church Toryism and beer-swilling combined in a fierce opposition to non-conformist principles, Home Rule and Temperance."<sup>18</sup> Herrington Division was also the scene of a fierce campaign between J. Wilson, a union official, and Captain Beckwith a local landowner, as were Chester-le-Street, Bishopwearmouth, Ryton and Washington. These seats were contested by working class candidates, who with the assistance of the local Liberal Party carried out a strong campaign in these divisions, so forcing the local Conservative Party to do likewise. However, in a number of divisions very little canvassing took place. For example, at Coundon Sir W. Eden refused to carry out any sort of campaign whatever. Moreover the few election addresses given by his opponent, a local grocer, were not

17. Durham Chronicle January 1889

18. Public Administration Summer 1962

political and it would appear they had reached a gentlemen's agreement on the subject of canvassing.

Thus, despite the hope expressed by the County Advertiser and a number of the candidates that party politics would be kept out of the election most of the contested seats were fought on party political lines. In a number of divisions the landed gentry and businessmen were faced with strong opposition from local Tradesmen and Working Class candidates, and because of this they had the local party machine canvassing hard for them as a number of them had realised their election to the County Council was by no means guaranteed, as the defeat of Sir William Eden, Captain Beckwith and the Rev. A.D. Shafto well illustrated.

(e) The Local Press

The local Press were very active from the view point of electioneering and campaigning. The County Advertiser was the Conservative Party's principal propaganda medium, and the Durham Chronicle actively advocated the Liberal Party and Working Class interests.

The County Advertiser, while sympathising with the view that party politics should be kept out of the election, suggested that it would in fact be fought on party political lines and that the Conservative candidates should declare themselves as such.<sup>19</sup> However, this only occurred in the Stockton divisions where the candidates fought the election under the Conservative and Liberal banners.

The Advertiser took every opportunity to further the interests of the Conservative candidates by indicating to its readers how admirably well qualified they were for public office. For example, on the 26th October, 1888 it announced with pleasure that "many men of high standing and undoubted ability intend to seek election on the County Council." Social standing was regarded as important for as J.M. Lee points out "After the middle of the nineteenth century all thinking about the means of securing sufficiently able candidates for public service as elected members of a local authority was dominated by the conception of the generous benefactor, who not only provides gifts from his own pocket, but also devotes a considerable amount of his time and energy to public life. This urban ideal ran parallel with the even older tradition of the countryside - 'noblesse oblige' - the work of the independent country gentleman."<sup>20</sup> This represents the Victorian ideal of public service by the gentleman amateur. However, Lee then goes on to question this, "The principle of social standing as the sole criterion for public service ran the risk of being debased by the indifference of the newly arrived or being neglected through the carelessness of the older established families."<sup>21</sup> Such neglect did occur in Durham as the number of meetings attended by some members, the landed gentry in particular, was very low. (See Chapter 6). Many of the candidates in the D.C.C. elections 1889 had little or no administrative experience or expertise, and

20. J.M. Lee - Social Leaders and Public Persons. p.12.

21. J.M. Lee - Social Leaders and Public Persons. p.41.

had not displayed an interest in local affairs which led the Durham Chronicle to ask why they had so suddenly become interested in County administration. One possible reason was that as most of them paid substantial amounts of rates they were anxious to keep County expenditure as low as possible which in turn would keep down the rates they paid.

In an article published on the 11th January, 1889, the Advertiser outlined the sort of qualifications candidates should have to occupy seats on the County Council. The article began by suggesting that a seat on the Village School Board, a position occupied by a number of the Working Men and Tradesmen candidates, by no means qualified such candidates for a seat on the County Council. (However, it might be pointed out that many of the Conservative candidates did not even have this sort of experience). The article then went on to suggest that these candidates were to a large extent ill-equipped to serve as they had little or no idea of how to deal with finance and their style of writing was nothing short of disgraceful. But what it failed to say was these candidates had in fact served their areas in a voluntary capacity and had a definite interest in local affairs which might be regarded as the main qualification electors should be looking for in candidates.

The article suggested that what was required were men of experience and integrity in the transaction of public business. Quite obviously, as far as the County

Advertiser was concerned it was the Magistrates, landed gentry and coal owners whom the electorate should be supporting, despite the fact that the two latter groups had little or no experience in the transaction of public business to offer. In a report of an election meeting held at Castleside it was stated that this was the type of candidate the County wanted and quoted the Chairman of the meeting who said "...he should be a man of undoubted honour, whose vote and interest could not be purchaseable. He should be above jobbery and no carpet bagger."<sup>22</sup> Thus as far as the County Advertiser was concerned social standing was in effect the ultimate qualification for election to the new County Council, and an interest in the well-being of the local community was of secondary importance. While the County Magistrates and a small minority of the gentry, who contested seats in the election, displayed the qualities of local interest and social standing, this was certainly not the case with the majority of the candidates. The assumption appeared to be that birth and position in society automatically guaranteed honesty and a genuine interest in the well-being of the community yet many of the candidates at the election could not by any stretch of the imagination meet the latter criterion in particular as until the announcement of the Local Government Bill they had taken no active part in local affairs.

The County Advertiser was also not averse to drawing its readers' attention to the failings or short-comings of any of the opposition candidates. For example, it

suggested that J. Wilson, a full-time union member and officer of the Durham Miners Association, had failed as an M.P., and would also probably fail as a County Councillor. It did not elaborate on this point but it can only be assumed that as he had lost the Houghton constituency in the previous General Election he had failed to impress the electorate in his role as an M.P., and would probably do the same as a County Councillor if elected. It also reported with relish those divisions where a working man or local Trade Union official nominated a member of the landed gentry or a coal owner as happened at the Easington Division.

Thus the County Advertiser did its utmost to ensure that the County establishment did well in the elections and in the process placed much more emphasis on social background and the candidates' position in society rather than on the issues they should be promoting if elected, such as improving social conditions and generally enriching the quality of life for the community. Most of the candidates said they would look after their electors' interests but in general this meant keeping the rates as low as possible rather than improving social conditions etc. Thus, the County Advertiser's interest lay more in who was elected than what they intended to do if elected.

The Durham Chronicle, the Liberal opponent of the County Advertiser, was also very active in the two months preceeding the election, but unlike the Advertiser it placed strong emphasis on the need to secure the services of persons whose interests were

those of the people and who were themselves working class, and made every effort to goad the electorate into action. For example, in their leading article of 9th November, 1888 it drew its readers' attention to the importance of the election, urged them to take an interest in it and emphasised that they should secure the services of people they could trust to represent their interests well on the County Council. It suggested it was essential that the working class be represented, but by their own representatives and not someone else claiming to represent them. Quite clearly the Chronicle felt that many of the candidates in the election did not have the interests of the working classes uppermost in their minds. It was very suspicious of these candidates and said of them "it would be unwise and unsafe to put the destiny of the County in their hands as they were only interested in one side of the problems." On the 4th January, 1889 in a leading article entitled "Durham County Council, What shall it be?", it issued a warning note by suggesting that the 1888 Act would extend the powers of the Magistrates and make it harder for the reformers to get things done, and because of this it was essential to get candidates who were in touch with the needs of the community and not to vote for those they could not trust to further their welfare. It warned of the danger of returning a local House of Lords and to avoid this suggested to its readers that if no popular candidate was standing in their division they should vote for businessmen of

popular sympathies, possibly because these candidates would have a greater understanding and awareness of the needs of the community at large.

The Chronicle did all within its power to get the electorate to support what it described as the "popular candidates" and expressed its disappointment when so few came forward and in its leader article following the election said "...the new localisation of the House of Lords is now in our midst." The article went on to suggest that the workers had betrayed their own class by not supporting their own candidates, and went on to suggest that they would not get more representation until "the workers learn to take a practical interest in their own affairs, until they strike against intimidation, until they regard their friends with less suspicion than they do their foes."<sup>23</sup> However, what the Durham Chronicle appears to have forgotten is that this was the first local election in which many of the voters had participated. While they knew something about and probably trusted the County Magistrates and to some extent the local businessmen, the working class candidates were by comparison something of an unknown quantity. This may have resulted in sections of the community questioning their ability to administer the affairs of the County competently and hence their reluctance to support their candidature at the polls. The intimidation the article hinted at might also go somewhere to explaining why many voted the way they

23. Durham Chronicle February. 1889.

did, in that, some of the candidates were local employers, such as, Colliery Owners and Managers, and the local Landowners and some electors might have felt that unless they supported their candidature they may have lost their jobs, despite the existence of the secret ballot. Local Tradesmen candidates may also have benefitted from the fear among the local electorate that if they did not support them much needed credit facilities may have been ended.

Thus, both local weeklies, the County Advertiser and the Durham Chronicle, were very active in campaigning for their respective candidates, each snapping at the heels of the other and scoring as many political points as possible. But it was the County Advertiser who had the last laugh as it was the Conservatives who held the reins of power on the new authority, but as the Chronicle said very early in the campaign nothing else could really be expected.

(f) Polling Day.

The election took place on Thursday, 24th January 1889 and in the two weeks preceding the election the canvassing of voters reached a peak especially in the closely contested districts. It was not unusual for the candidates fighting these seats to address three or four meetings in one week. In an attempt to ensure as high a poll as possible every effort was made to ensure that those eligible did in fact vote. For example, in a number of colliery districts shifts were re-arranged and Murton Colliery was closed for the day. The party

workers were out in force, and in the Chester-le-Street division the Conservatives were reported to have made extensive use of carriages to ferry electors to and from the polling booths.<sup>24</sup>

Throughout the county a holiday atmosphere existed and to some extent the occasion was accorded the importance of a General Election, as the size of the turnout well illustrated. However, the occasion was somewhat marred by the sudden death of one of the candidates, E.L. Pease, who was contesting one of the Darlington Divisions. His death occurred while voting was actually taking place and resulted in polling being stopped. A very large poll was recorded, the average vote for the contested seats being 81.3% and in the hard fought districts the average vote was 90%, and even at Coundon where the electorate did not have their appetite whetted by anything resembling a campaign the poll was still slightly over 68%. So quite clearly the size of the poll indicated that the electorate were taking a keen interest in the new County Council.

(g) The Results of the Election

When the results were declared they confirmed the view expressed in the Northern Echo that the middle and upper classes would hold a controlling influence on the County Council, but this was something which anyone who had taken an interest in the election would have expected. The candidates elected were three Peers, two M.P's., six

Colliery Owners, two Landowners, one Clergyman, one Shipowner, eight Mining Engineers, seven Professional Gentlemen, one Manufacturer, eleven Private Gentlemen, one Merchant, three Tradesmen, five Workingmen and twenty one Magistrates.<sup>25</sup> The results clearly show how much easier it was for the Magistrates to secure election than the other groups contesting the election, and their experience in dealing with public business was probably the major factor in their success at the polls. The coal-owning interests in the County were also very well represented, as were the landed and independent gentlemen. The working men and Trade Union candidates fared rather poorly compared with the upper and middle classes, but in view of the fact that this was first election and taking into account the competition they were faced with, together with the degree of deference towards the upper class which existed at this time, it might be suggested that they did quite well and probably better than some of their opponents expected, with the possible exception of the defeat of W.H. Patterson, the Secretary of the Durham Miners Association.

The County Advertiser described the result as a check on the aspirations of the Durham Miners Association and its bete noire John Wilson in particular, as he only scraped in by eleven votes.<sup>26</sup> It then went on to suggest that the electorate had clearly indicated that there was

25. County Advertiser February 1889  
26. County Advertiser February 1889

no place for working men in County Government, and that it would be some time before they again contested County Council elections. But here again the County Advertiser was guilty of exaggeration as the group it was chastising only put eleven candidates into the field and had five returned to office and this hardly constitutes a vote of no confidence which the Advertiser alleged had occurred. In fact three years later the County Advertiser had to eat its words as the Liberal/Durham Miners Association were to gain control of the Council, a controlling position which it never lost, and when the Labour Party replaced the Liberal Party as the other major political force its controlling influence over the Council grew from strength to strength until in the mid 1950's and early 1960's they had enough Councillors returned unopposed to ensure a majority on the Council.

With regard to the political balance of the new County Council the Conservative and Unionists had thirty six seats, the Liberals and Working Men had thirty seats and the remaining six seats were held by Independents. So the Conservatives had a slight majority which they increased through the selection of Aldermen as six of the ten chosen from outside the Council were Conservatives, and then after the following by-elections to fill vacancies the Conservatives and Unionists eventually secured a majority of ten. The possibility of a Radical takeover of the new County Councils forecast by the London Press was well off the

mark and in reality there was a continuation of government by the County Justices and Landed Gentry with a sprinkling of Working Class representatives. Thus the "quiet revolution" predicted by the County Advertiser had in fact taken place. Thus the scene was set for the new County Council to begin its work.

CHAPTER FIVE

The New County Council 1889-1892

(a) The Early Skirmishes

The first meeting of the Provisional County Council was held on the 7th February, 1889 and it got off to a very lively start over the election of the provisional Chairman, as allegations of collusion were made over the appointment. John Wilson, the Treasurer of the Durham Miners Association, nominated Theodore Fry M.P. the Marquis of Londonderry then nominated John Wharton, Conservative M.P., and former Chairman of the Quarter Sessions Bench. Londonderry said that Wharton should be given the unanimous backing of the meeting as his twenty years experience as a Justice of the Peace made him eminently qualified for the post. He then played his trump card and it was this which led to the allegation of collusion. He referred to a letter which he had received from his friend and colleague the President of the Local Government Board and went on to read part of it out to the meeting; the President wrote "...he was very glad to hear there was a possibility of Mr. Wharton being appointed Chairman of Durham County Council. Mr. Wharton took so intelligent an interest in the matter (the 1888 Act) and showed such a thorough knowledge in it, he felt sure no one could be appointed Chairman more likely to be service in the County, or more capable of dealing with the many complicated questions likely to arise than Mr. Wharton."<sup>1</sup> In the face of such pressure Fry withdrew his nomination and in a short statement implied that had

1. County Advertiser February 1889.

he been aware of the contents of the letter he would not have allowed his nomination to go forward. Wilson then immediately made his allegation of collusion, and without doubt this had occurred. He then registered a protest to the effect that under no circumstances should such an issue be settled without discussion, Needless to say Wharton was elected the provisional Chairman and the Conservatives had struck the first blow in the battle for total control of the new County Council, but at the same time John Wilson, Trade Unionist and political reformer, had made it abundantly clear that he would fight them all the way.

The next item on the Agenda was the selection of the County Aldermen. Again Wilson was up on his feet stating that before nominations were taken the meeting must first decide whether the Aldermen should be selected from inside the Council Chamber entirely or from outside the Council. In reply it was pointed out that under the provisions of the Local Government Act 1888 Aldermen could be appointed from either inside or outside the Council and led to the Chairman expressing a view that such a resolution was contrary to the spirit of the Act. This reasoning is dubious as under the provisions of the 1888 Act it was left to the discretion of the Council to determine the manner of selection of the Aldermen and all Wilson wanted to do was standardise the procedure. Wilson obviously wanted to keep the Aldermanic posts inside the Council as he had recognised that the Conservatives would use outside

appointments to strengthen their somewhat shaky majority. However, despite the ruling given by the Chairman Wilson proposed, and had seconded, a resolution to the effect that in accordance with the principle of direct representation the Aldermen should be selected from the Councillors as they had been elected by the people. His resolution however, was defeated by an 'overwhelming majority'.<sup>2</sup> The Conservatives appear to have voted en-block against the resolution, but a substantial number of Liberals also appear to have voted with them. Thus, from the first vote taken it would appear that party conflict was not going to be an absolutely decisive factor as regards voting in the Council Chamber. But at the same time Conservatives showed that they were likely to be a more cohesive group than the Liberals. This point was well illustrated when nominations were taken from Aldermen. Councillor Furnes referred to a list of gentlemen considered eligible for the position of Aldermen, and asked if nominations could go beyond the list. The existence of such a list was adamantly denied by the Chairman, but Councillor Furnes was just as adamant pointing out that he had seen members looking at such a list and here he got support from other members of the Council. The Chairman ruled that anyone eligible could be nominated, but obviously the Conservatives

2. County Advertiser February 1889.

had already decided on their nominations and had circulated their names among their supporters in order to ensure their election to the Aldermanic Bench.

A large number of nominations were put forward ranging from Peers of the Realm to local Tradesmen, and of the twenty four subsequently elected to the office of Alderman ten were from outside the Council, six of these being Conservatives. Thus, by voting out Wilson's resolution the Conservatives were able to transform their rather slender majority into a much more comfortable working majority. At the same time the groups represented on the Council were also increased as two tenant farmers were elected Alderman and no tenant farmer had won seats in the direct elections. The by-elections to fill the vacancies were held on Thursday, 21st February. The Conservatives did very little canvassing, but the Liberals were very active, and the Durham Miners Association had some compensation for the defeat of W.H. Patterson at the first election, as he was returned unopposed at the by-election.

The next meeting of the County Council took place on 8th March, 1889 when the Council formally assumed executive power. There were three items on the Agenda, and these were appointment of a Chairman, the appointment of a Vice-Chairman, and the appointment of the Standing Committees.<sup>3</sup> The Provisional Chairman, John Wharton, was elected unopposed. Two nominations were received for the Vice-Chairmanship, those of the Rev. A.D. Shafto and Alderman Pease, but Shafto withdrew and so the Conservatives now

occupied both the top posts on the County Council. The next business dealt with was the appointment of members to the various Standing Committees. The Standing Joint Committee for the Police was the first Committee considered and a motion was put forward and seconded that it should contain laymen as well as Justices of the Peace on the grounds that the latter group were already represented by the Quarter Sessions members. A Committee of nine members was also set up to draw up the Standing Orders of the new County Council. The Standing Committees which were set up were a Finance Committee; a County Rate basis Committee; (and the members of this committee would also serve on a joint committee), the County Borough Assessment Committee, an Industrial Schools Committee, a Medical Officers Reports Committee, the Asylum Visitors Committee, a Works Committee, and an Executive Committee under the provision of the Contagious Diseases Acts 1878 and 1886.<sup>4</sup> The membership of these committees was determined by a Committee of Selection composed of eighteen members, with the Chairman and Vice-Chairman of the County Council as ex-officio members. In accordance with a resolution passed it had to ensure that every member of the County Council was on at least one committee. Whether or not this resolution was a sign that some members did not trust the Conservative majority is very much an open question, but the election of the Chairman and Aldermen might well have planted the seeds of suspicion in the minds of some of the members.

4. County Council Minute      March 1889

However, the Committee appears to have heeded the resolution for when the membership of the committees was announced no criticism ensued. In addition to this if members found themselves on a committee they did not particularly like they could arrange exchanges between themselves provided they informed the Clerk of the Council.

So it would appear that every effort was made to ensure that there were no signs of partiality over the membership of committees, and this might well have been due in part to the ever watchful eyes of Wilson and Patterson who would have readily made political capital out of any attempt to exclude certain members from committees. In addition to this the fact that a number of Magistrates were represented on the Committee would probably have militated against abuse for Party advantage. However, an allegation of such abuse was made in November 1890 when the Technical Education Committee was set up. W.H. Patterson suggested that the working classes were not sufficiently well represented on this important committee and he duly moved the addition of Councillors Palmer and Robinson to represent the working class on this committee and their nominations were accepted.<sup>5</sup>

The question of the powers of the committees also provided a very lively discussion. It began with the powers of the Asylum Visitors Committee, which when under the control of the Justices in Quarter Session could spend up to £400 per year and make salary increases which did not

5. Durham Chronicle November 1890.

require the prior approval of the Quarter Sessions. Alderman Pease suggested that no committee should have powers and said that the minutes of all committees should be brought before the Council for confirmation. He then put forward a resolution that any expenditure in excess of £50 should be submitted to the Finance Committee which in turn should submit recommendations to the Council. This resolution was strongly criticised on the grounds that it would make it impossible for the Committee responsible to run the Asylum efficiently, but when the resolution was voted on it was carried by a substantial majority.<sup>6</sup> Thus the concern that the County Justices had exhibited over the spending of the county rates had manifested itself again in the new County Council at a very early stage. Quite obviously the new authority was going to keep a tight grip on the purse-strings, but remembering that the prevention of extravagance was one of the main promises made by most of the candidates, together with the fact that a number of the members paid considerable sums in rates such an attitude is hardly surprising.

(b) The County Council at Work

As mentioned earlier initially seven Standing Committees were set up each being appointed for one year. In July 1889 the number of Committees was increased with the appointment of a Railway Rates Committee, a Tees Pollution Committee and a Wear Pollution Committee. Then in November the number was

further increased with the appointment of a Weights and Measures Acts Committee and a Technical Education Committee. Thus, within the space of some four months the work of the County Council had been increased quite significantly, and they were all new areas of responsibility in which members, including the County Magistrates had no specific administrative experience.

The relationship between the Council, the County Asylum Committee and the Standing Joint Committee was by no means a good one and it probably adversely affected the work of these committees. However, it should be pointed out that the Standing Joint Committee for Police was not in fact a Committee of the Council, as under the 1888 Act it enjoyed an independent existence. In terms of powers it was completely autonomous and its finance was met by precept on the County Council. It was this latter point which members of the County Council were resentful over. A great deal of bitterness was generated between the members of these bodies and the County Council especially over the powers they exercised. The factor responsible for generating the bitterness was that they could enter into expenditure without the approval of the Council or its Finance Committee and this was resented by many members of the Council. They argued that all expenditure should be under the control of the County Council and they considered that giving these bodies the power to enter into expenditure without their approval was in fact usurping the powers of the Council. This led to the Council proposing a resolution that all expenditure over £50 should be subject to the

approval of the County Council. This attitude was probably the product of the fact that some members paid large sums in rates. However, the Clerk of the Council pointed out that in accordance with a Circular from the Local Government Board the Council could not in fact exercise such a control over the County Asylum Committee.<sup>7</sup> This led to the suggestion that an amendment to the Act should be sought and this resulted in heated exchanges between members of the Asylum Committee and other Council members. The members of the Asylum Committee regarded the amendment as a personal insult and very forcibly pointed out that they were also members of the Council and if they were extravagant they could be removed from the Committee when its membership was re-appointed. They then went on to suggest that such action would not be necessary as the Committee would always act in the ratepayers interests. The subsequent action, or what would be more accurately described as inaction, of the Asylum Committee bears witness to their refusal to spend money when it was really required, which brought them very severe criticism from the Lunacy Commissioners in 1890.

This conflict between the Council and the Asylum Committee continued right up until its dissolution in March 1892, and the degree of bitterness which existed was well illustrated by the Rev. A.D. Shafto in January 1891 when he said "the committee of visitors loved to be independent and it did not like to be under the

7. County Council Minutes April 1889

control of anybody whenever they spent their money, but when a difficulty arose they liked to fall back upon someone else, so as to take the responsibility off their own shoulders."<sup>8</sup> The difficulty which Alderman Shafto was referring to was the problem the Asylum Committee was having with Sunderland Borough Council over the boarding of pauper lunatics.

An identical situation existed between the Council and the Standing Joint Committee for the Police, and this was despite the fact that only four of the twenty four members of this Committee were not Council members. At a County Council meeting in July 1890 the expenditure of this committee provided the setting for yet another debate, the essence of which was that the Standing Joint Committee spent quite considerable sums of money, but it was not subject to public control as its expenditure was not subject to approval by the County Council. It was moved that a petition should be sent to Parliament asking for the Local Government Act 1888 to be amended and to give the County Council the degree of control it wanted and this was submitted in November, 1890 but it did not get the approval of the Local Government Board.

Quite obviously a number of members of the Council were against the principle of delegation of powers and their reason for adopting such an attitude was clearly that it prevented them from exercising total control over expenditure. Money became the yardstick against which every proposal was measured. Long periods were spent

discussing trifling sums of money, expenditure was deferred until the last possible moment and the result of this situation was that services were not improved significantly and as regards the County Asylum neglect occurred and the service undoubtedly deteriorated compared with its administration by the County Justices. The first three years of the County Council could be well summed up as productive of a lot of words but not really a great deal of action.

The professional staff employed by the County Council were virtually identical to those employed by the County Justices, and when it came to increasing the number of staff or giving salary increases to existing staff the Council reacted in such a way as almost to give the impression that they were bankrupt. For example, the position of the County Surveyor illustrates well the parsimonious attitude adopted by the Council. The Surveyor's workload had increased quite substantially and so he was asked by the Council to give up his private practice, from which he derived £300 per year. To compensate him the Council gave him a salary increase of £200 a year, but refused to appoint another Road Surveyor as his assistant, despite having recognised that his workload had in fact increased. It was only after repeated requests by the County Surveyor that an Assistant Surveyor was appointed.<sup>9</sup> Another example was that of the Inspectors of Weights and Measures. Their role became increasingly more burdensome and complex, requiring a fair degree of expertise to carry the duty out efficiently, but in spite of this the

County still used unqualified part-timers in the form of Police Officers, and it was not until 1891 that a Chief Inspector and two other Inspectors of Weights and Measures were appointed when the authority was forced to do so by law. In addition to this on a number of occasions between 1889 and 1892 resolutions were moved that the authority should appoint a County Medical Officer of Health. On each occasion however, it was defeated largely on the grounds that there was no need for such an appointment as there had been no outbreaks of epidemics, and the District Medical Officers, who were local Doctors, were quite satisfactory. Therefore there was no need to go to the expense of making an appointment, Thus, the new authority failed to surround themselves with professional and administrative expertise and were open to the criticism that they did not appoint enough paid staff in view of the increased responsibilities they had placed upon them. In their election addresses many candidates promised a more effective implementation of the Public Health Acts, but their reluctance to appoint a County Medical Officer of Health would make it difficult, if not impossible, to fulfill this promise.

A review of the activities of the Council and its major committees indicates, with one or two exceptions, that little if any progress was made with regard to improving the quality of the services provided. Had the talk been matched with action, together with a more liberal attitude towards the spending of money they would have undoubtedly done better in terms of improving the quality of service to the community. The Council

meeting kept an ever watchful eye over the activities of its committees and never missed an opportunity to make savings. For example, in June 1889 the County Council received a circular asking them to subscribe to a fund to assist the unemployed to emigrate to the Colonies. The reply to this request was a very firm no and a speech by Lord Ravensworth, which was supported by the vast majority of the Council, well summed up its attitude to the spending of public money.

Lord Ravensworth said...."I do not believe that there was a single honest workman, if he wanted work, could not get it."<sup>10</sup> Only the Rev. A.D. Shafto supported the Circular and he suggested that in future such business should be taken at the end of the meeting and not at the beginning so that those interested in it might discuss it in some detail, the inference being that the circular had been rushed through without adequate consideration. A great deal of time was spent on the discussion of financial matters yet none of the Standing Committees could be considered guilty of extravagance. Members of the Finance Committee were accused of interference, and while accepting that financial control was its basic function its actions often amounted to penny-pinching. In order to assess whether or not the elected Councillors were more efficient than their predecessors, the County Justices, it is necessary to examine the work of each Committee.

County Asylum Committee

This was a major responsibility of the County Council, but it was one area of service which actually deteriorated compared with its administration by the County Justices, as the Asylum was visited less frequently and the condition of the building was allowed to deteriorate. When the County Lunatic Asylum Committee first met in March 1889 their responsibility for the efficient administration of the Asylum was discussed in detail, and it was decided that the Committee should in fact operate through three sub-committees for Bills, Building and the Farm.<sup>11</sup> They considered this arrangement would enable them to exercise more effective control over the management, while at the same time increasing their own expertise. Thus the initial outward signs all seemed to promise greater efficiency as regards the administration of the Asylum. Their reports to the Council gave the impression that they were carrying out their duties quite responsibly and efficiently. For example, they carried out a number of initial improvements such as new gas lighting, the building of a new Observation Ward, and generally gave the impression that all was well with the Asylum. They did however, express concern over the shortage of accommodation, which was due largely to the fact that the County Asylum was, by agreement, providing accommodation for the pauper lunatics of Sunderland, South Shields and Gateshead. The Asylum Committee wanted to free themselves of this responsibility as quickly as possible as the overcrowding meant that the Committee had

to board out county patients in neighbouring asylums at a total cost of £200 per year. Very lengthy discussions took place between the Asylum Committee and the Boroughs concerned, but it took three years before this problem was finally resolved.

This outward appearance of efficiency however, was shattered by a Report of the Lunacy Commissioners published in February 1890, which spelt out in no uncertain terms just how inefficiently the Asylum was being administered. The Report stated that the Asylum was overcrowded and that patients complained of infrequent visits which prevented them from making their complaints known. The report stated that a new Laundry was required, the linoleum and carpets in many parts of the building were worn out, and there were windows with broken glass in them thereby encouraging attempted suicides. The Report went on to say that the Asylum was rather dirty, that no Isolation Ward had been built for the treatment of infectious diseases despite repeated requests that such a Ward was necessary, and that there was a shortage of medical equipment.<sup>12</sup> This was the most critical report the Lunacy Commissioners had ever produced in relation to the County Asylum and was a clear indictment against the Committee. Quite obviously not enough money had been spent to keep the Asylum in a reasonable state of repair, let alone make improvements. When the Council considered the Report it was pointed out that "every sentence of the Report bristled with accusations and gave the impression that the Committee

were not doing their duty."<sup>13</sup> The Asylum Committee were asked to prepare a report for discussion at the next meeting of the County Council. When they reported back to the Council the Committee stated that they visited the Asylum every two months, which was less frequent than the County Justices, and as far as possible they gave every patient full opportunity to complain, and then went on to point out that members of the Asylum Committee had to face the ratepayers and so were very careful in their expenditure. The Committee had in essence pleaded guilty to the charges levelled against them and defended their actions on the grounds of economy. While the County Justices could not be accused of extravagance neither could they be charged with neglect.

But even after such a damning Report the Committee was by no means spurred into action, as there was no evidence of immediate improvements being made, in fact their attitude towards repairs and improvements was to a large extent unchanged. This was well illustrated in their report on 24th April, 1891 which stated "the provision of new Washhouses and Laundry is now indispensibly necessary"<sup>14</sup> so implying that this expenditure had been left until the last possible moment. The provision of a new Laundry had in fact been recommended by the Lunacy Commissioners some fourteen months previously. However, when the Chairman of the Asylum Committee brought this to the attention of the Council the whole tone of his report was apologetic because of the expense involved.

13. County Council Minutes February 1890  
14. Minutes of Asylum Committee April 1891

So here we have an example of a service which clearly deteriorated when taken over by the new County Council. A number of explanations can be put forward to account for this. First of all the Committee did not visit the Asylum frequently enough compared with the County Justices. Secondly, they spent too much time trying to resolve the dispute with the County Boroughs over the boarding of their patients, rather than ensuring the well-being of the patients in the Asylum. Finally the dispute between the Council and the Committee over the question of powers also appears to have had an adverse effect on its work as it might be suggested that in order to avoid the accusation of extravagance they were excessively parsimonious. The fact of having both the Finance Committee and the Council constantly looking over their shoulder must have had an inhibiting influence on the Asylum Committee, so encouraging its members to take every opportunity to make savings wherever possible, often at the expense of essential improvements. The atmosphere which the Asylum Committee was working under was by no means conducive to efficiency and might well have encouraged an apathetic attitude on the part of members.

#### The Works Committee

This Committee had responsibility for the supervision of building, repair and maintenance of roads, bridges, police stations etc., but excluding the main roads as these did not become a County responsibility until 1891. This Committee appears to have carried its responsibilities

with a great amount of zeal and enthusiasm, and expenditure on roads and bridges quadrupled from £4,000 to £18,000 per year. This Committee had the services of a very competent County Surveyor and Architect, whose detailed reports were of great assistance to the Committee as they set out not only where and why improvements were necessary, but also the advantages to be gained from such improvements. In addition to this, as business and commercial interests were quite well represented on this committee and the Council, improvements to roads and bridges were obviously to their advantage. This factor might partially explain the very substantial increase in expenditure on this service compared to other services.

During the three years under review this committee kept the roads and bridges in a good state of repair, built seven new bridges and undertook the maintenance of sixty miles of main roads on an experimental basis before assuming responsibility for all main roads from the Highway Districts.<sup>15</sup> It should be pointed out however, that the Works Committee was by no means lavish with expenditure and wherever possible attempted to save money. For example, when considering tenders for renovation to be carried out at Police Stations they always asked for savings to be made and this was usually secured by reducing the extent of the renovations. But by and large the Committee was usually

15. Minutes of Works Committee

willing to accept the County Surveyors' Reports and purchase equipment required to keep the roads and bridges in a good state of repair. The only criticism which can be levelled against this committee was that it was rather slow carrying out the work, but bearing in mind the general attitude of the Council to the spending of public money slowness was to be expected. For example, in May 1889 the residents of Blackhall Mill sent a petition to the Council asking for a bridge to be built across the Derwent in order to end the daily danger of fording the river, especially when it was in flood.<sup>16</sup> However, it was another two years before work on the new bridge was undertaken.

As stated previously a considerable amount of business was transacted by this committee. However, it might be suggested that because of the commercial interests of a number of members of the Council this service was given a high degree of priority compared with other services and the fact that the committee gave roads and bridges more favourable treatment than other building activities such as Police Stations may be taken to indicate that their motives were not purely confined to the public benefit and that vested interest also had its part to play in the works undertaken.

#### Industrial Schools Committee

The County's Industrial School was at Earls House and it provided accommodation for approximately forty boys. The Committee visited the school quite regularly usually once a month, and the members appear to have

taken an active interest in the well-being of the boys in the school. They attempted to ensure that the boys were well looked after, that they were adequately fed and that they were given some training in such skills as carpentry, masonry and horticulture.

Unfortunately the reports of this committee were very brief and not a great deal of detail was included in them, but the committee appears to have been quite ready to carry out improvements where necessary, which where appropriate were carried out by the boys themselves. The School was regularly visited by His Majesty's Inspectors and the school was never given an adverse report, in fact the reports were just the opposite and such phrases as "noteworthy improvements had been made" and "the building was in a good state of repair and very clean" were usually repeated in the Inspectors reports.<sup>17</sup> The fact that there were very few boys who absconded from the school also speaks well of the way it was administered and managed. So here we have an area of service where the new County Council carried out its responsibility with a considerable degree of competence.

#### Technical Education Committee

This committee was set up in November 1889 to administer an initial Central Government grant of £11,000 for the purpose of providing technical education in the County. The importance of this service was immediately recognised by the members of the Council and the competition to obtain membership on this committee was

very keen. But the fear that the grant might be abused was expressed by Alderman Bell when he moved that the grant must be used for the purpose for which it was given and "not frittered away by merely lessening the rates."<sup>18</sup> and he got very considerable support for his resolution. The members of the Council were extremely concerned to ensure that each major industry in the County, such as agriculture, mining and various trades were catered for in terms of courses provided and instructed the committee accordingly.

The Technical Education Committee considered in depth the question of allocating the money and there were some very lively discussions between the business interests represented on the Committee and the working class members on the Council, the latter group wanting to ensure that the grant was equally divided between the various trades and skills and not confined to agriculture. In an attempt to ensure that the money was fairly allocated the Committee tried to ascertain the educational needs of the different parts of the County, and it also co-operated very closely with Durham University's Department of Science on the types of Courses which could and should be provided.

After considering the question of the allocation of the grant for over one year the Committee finally got down to the establishment of Courses in agriculture, horticulture, masonry and other craft skills. Extensive use was made of the staff of the Department of Science as well as other local teachers, and then in January 1892 an Organising

Secretary was appointed, who in essence was the County's first Director of Education.<sup>19</sup> His task was to advise the Technical Education Committee on the type of Courses to be provided, to arrange suitable venues for the Courses and to ensure that the Courses were adequately staffed. Then in March 1892 a Cook Instructress was appointed so making provision for the training of some of the County's female population.

In relation to Technical Education the County Council, and the Technical Education Committee in particular, were to be commended over the way in which they dealt with an entirely new service. Its thoroughness and impartiality won it the praise of the local Press, and the only possible criticism which might be levelled against it was that it was rather slow in getting the service into operation, however, as the authority was venturing into entirely new territory the caution it displayed was probably justified. It might be suggested that the enthusiasm displayed by the Committee was due to the fact that the money they were spending was not raised from the rates and it was an activity which might enable them to impress their electorates, especially considering that the elections were getting quite close. While there might be some truth in this suggestion, the work put into this area of service by committee members would appear to indicate genuine interest rather than electioneering.

#### The Standing Joint Committee for the Police

This body was composed of twenty four members, twelve County Councillors and twelve County Justices. It met

quarterly, but had many special meetings between the quarterly meetings. When the Local Government Act 1888 was going through Parliament the clause regarding the control of the Police was the subject of lengthy discussion, both inside and outside Parliament, and it was also one of the main election issues of the first County Council elections. It was generally felt that the division of responsibility for the Police would create friction and lead to irresolution in times of trouble. Most of the members of Durham County Council felt that the Police should be under the control of the duly elected assembly, the Magistrates on the other hand felt that they should have sole responsibility for the Police.

With regard to the County it was the question of the control of expenditure which was main cause of friction between the Joint Committee and the County Council. This led to attempts being made to limit the expenditure of the Standing Joint Committee, but under the provisions of the Local Government Act 1888 this was not possible. However, as twenty one of the twenty four members of the Joint Committee were also elected County Councillors it was unlikely that extravagance would occur, and in fact it did not. The Standing Joint Committee appears to have worked quite well, but despite this the County Council members still expressed concern over its activities and the question of its powers was frequently raised at Council meetings.

The business dealt with by the Joint Committee centred around the Chief Constable's Report and Circulars received from the central government. The Committee was generally prepared to accept and act upon the advice of the Chief Constable in order to ensure that the force was efficient as regards manpower and equipment. For example, it usually approved the action of the Chief Constable in making additional appointments of constables to fill vacancies, and it readily agreed to the installation of telephone lines between the main stations at a cost of £200, on the grounds that this would aid both the prevention and detection of crime.<sup>20</sup> However, at the same time the committee was always prepared to save money wherever it could. For example, in January 1890 in a very lengthy report the Chief Constable expressed concern over the ever-increasing extraneous duties being carried out by the Police in connection with Weights and Measures, Food and Drugs, Explosives and Contagious Diseases, which he suggested was interfering with their work as Police Officers. Consequent upon this the Chief Constable asked that the force be relieved of these duties,<sup>21</sup> but the only concession the committee granted him was to relieve the police of their heavy work in relation to Mines and Iron Works. However, after another plea from the Chief Constable they finally lost responsibility for Weights and Measures and Food and Drugs in December, 1890.<sup>22</sup> Here it is questionable as to whether the Joint Committee should not have acted more speedily in relieving the Police of

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| 20. | Joint Committee Minutes | June 1889     |
| 21. | Joint Committee Minutes | January 1890  |
| 22. | Joint Committee Minutes | December 1890 |

these extra duties, but there was no evidence to suggest escalating crime rates and this fact might well have prompted the Committee to delay in relieving the Police of these duties.

Another example of the Committee's cost consciousness was the fact that the salaries of the Police were lower than those of most other forces in the country, a point which the Joint Committee took some pleasure in reporting to the County Council, and even after giving constables an increase of 2/11d. a week this was still the case. In November 1891 another attempt was made to save money by making fifty years service the minimum period before a Constable could retire and receive full superannuation without a medical certificate, but this motion was defeated on the grounds that such a measure could have an adverse effect on recruitment. Then in July 1892 the Chief Constable stated that the Force was under-strength and asked for an additional fifty officers to be appointed. This, the Chief Constable pointed out would give a ratio of one constable to every 1,247 inhabitants, and which if approved would still be higher than that of many other County Forces.<sup>23</sup> It took the Joint Committee some ten months to give a decision and it finally approved thirty one additional appointments.

So once again the reluctance of the authority to spend money was clearly illustrated by the Standing Joint Committee, and it is doubtful whether a Police Force which was under-manned by the standards of the day could have been operating as efficiently as if it had

been at full strength, but if crime rates were any real guide then County Police Force was operating quite efficiently, as its recorded crime rate was no better or worse than most other Police forces, but would probably have been better had more generous manning levels been maintained. The conflict between the Finance Committee and the Standing Joint Committee might provide a partial explanation of its reluctance to spend the money required to secure efficient manning levels. The Joint Committee was in an identical situation to the Asylum Committee and so probably adopted a line of least resistance as the Asylum Committee did and deliberately kept expenditure down to a minimum in order to avoid conflict with the County Council and its Finance Committee. Thus, while the Standing Joint Committee made a number of improvements they were by no means innovatory, but bearing in mind the fact that 88% of the members of this committee were also members of the County Council whose main concern was with keeping the rates down, together with the fact that the question of its relation to the Council was a sensitive one, changes of an innovatory nature could hardly be expected.

#### Finance Committee

This committee displayed all the characteristics of a modern Finance Committee, those of caution, questioning, pruning and deferring of expenditure. It kept a very tight hold on the County purse-strings, being ever-alert to every opportunity where savings could be made, and from this point of view it undoubtedly

carried out its function well. However, it can be criticised for being rather over-cautious and this inevitably cost the authority money in the long run, in that, it would defer expenditure until the last possible moment and then when it finally approved the expenditure the costs involved were invariably higher than the original estimate, as occurred with the new Laundry at the County Asylum.

Its influence over the other spending committees was quite evident, which might well account for the reluctance of these committees to spend the monies they should have been spending, the Asylum and Standing Joint Committees in particular. It spent a considerable amount of time contesting the right of these two committees to enter into expenditure without its approval, and barely a meeting went by when the question of 'democratic control' was not discussed. This eventually angered a number of members of the Council who suggested it should mind its own business, in reply it would argue that finance was its business and would continue to fight for control of the spending of the two committees in question.

#### Medical Officers Reports Committee

Under the Public Health Act 1872 the County was divided into urban and rural sanitary districts. In the County there were forty six sanitary authorities who were responsible for the health of their inhabitants. Each sanitary district appointed a Doctor who reported to the sanitary authority on the general health of the community, and once a year each sanitary district had to

prepare a report for consideration by the County Council's Medical Officers Reports Committee. The basic task of this committee was to ensure that the provisions of the Public Health act 1875 were in fact being carried out effectively and where this was not being done report the matter to the Local Government Board.

Although the County Council had the power to appoint a County Medical Officer of Health during the first three years the Council refused to make such an appointment despite repeated calls from a number of Councillors that such an appointment should be made. The reason given was basically that as there had been no outbreaks of epidemics such an appointment was not necessary.<sup>24</sup> When the Medical Officers Reports Committee met for the first time in July 1889 the members admitted that they could not deal satisfactorily with the reports from the district Medical Officers without some professional assistance because of their length and detail.<sup>25</sup> This led the committee to appoint the Medical Officer of Newcastle, for a fee of £52, to prepare a synopsis of the reports for consideration by the committee. His report clearly indicated that public health was not being accorded the importance that it should have been, and indicated five main areas where health and sanitary were not being met. Firstly, in many district drainage systems were very poor and in the Middleton Ward this had resulted in an outbreak of Scarlet Fever and a fairly

24. County Council Minutes 1889  
25. County Council Minutes July 1889

high mortality rate. In most cases a lack of funds was given as the reason for the poor drainage. Secondly, in general there was insufficient accommodation for infectious diseases and little was done as regards isolation or disinfection where such cases occurred. Thirdly, the notification of infectious diseases was not being enforced. Fourthly, midden systems in a number of areas were too close to houses and were not being emptied for anything up to six weeks, and this resulted in outbreaks of diarrhoea and enteric fever. Finally, infant mortality rates in some of the sanitary districts were much higher than the average for the rest of the country.<sup>26</sup> For example at Shildon there were 197 deaths under one year of age per 1,000 births compared with a mean rate of 162 for a large English town.

This report shocked a large number of Councillors, who clearly had no idea of just how bad conditions were in some areas. One or two Councillors representing those districts which were severely criticised in the Report denied that conditions were as bad as the Report suggested, while others stated they would take action to remedy the defects outlined in the Report. This apparent lack of knowledge of these poor conditions suggest that a number of the Councillors must have never really toured their Wards or talked to their constituents, or that they were aware of the conditions but simply took no action to rectify them. It also illustrates the rather hollowness of the promise made at election speeches to ensure that good public health standards were maintained, and this in turn

may go some way to explaining why the turnout at the election of 1892 was smaller than at the 1889 election.

This led Alderman Pease to move that the County Council appoint a County Medical Officer of Health on the grounds that the County required an independent Medical Officer to ensure the obligations placed on districts were carried out. He suggested that the district Medical Officers were not always independent and so did not always fully report the conditions they saw. Although he did not say so directly he was undoubtedly implying that some of the Medical Officers were under the control of local vested interests. But once again this motion was rejected mainly on the grounds of cost. It was stated that Dr. Armstrong, the Medical Officer of Health of Newcastle, had done a good job and consequently "it would be a great mistake to have an ornamental head at one thousand pounds a year to do nothing."<sup>27</sup> Obviously the County Council intended to use the services of Dr. Armstrong in the future as he represented a cheaper alternative to appointing its own Medical Officer of Health. However if what Alderman Pease had implied was in fact the true position the suggestion that the appointment of a County Medical Officer would be wasteful expenditure cannot be taken seriously and leaves some members of the County Council open to the suspicion of collusion. Even if the allegation was unfounded the County Council is still open to criticism as a County Medical Officer would at least ensure that the

County was properly examined and the necessary action taken to remedy the worst of the public health hazards which existed.

#### Tees and Wear Pollution Committees

The task of these committees was to ensure that the rivers in question were kept free from harmful pollutants. When they were set up they called for a survey of the entire rivers, which was carried out by the County Engineer and the Police. The Engineer then prepared a very comprehensive report which showed where the rivers were being polluted, and as regards the Wear the report indicated that it was being polluted at forty five different places by companies, local authorities and individuals. Those responsible for polluting the river were given two months to discontinue and the Police inspected the river to ensure that the Councils instructions had been carried out. Where their instructions were ignored the Council was quite prepared to take legal action, especially in the flagrant cases of pollution which constituted a health hazard.

These committees worked hard to keep the rivers as free from harmful pollutants as possible. Occasionally however, its efforts were thwarted by the fact that if it took legal action to prevent pollution it would in the process create unemployment as the companies involved would be forced to close.

This must have made it difficult for the Committee and the Council to take the sort of action required to deal with the problem of pollution, and where this

problem arose the committee appears to have turned a blind eye in the activities of the companies involved.

Assessment of the new County Council

The Local Government Act 1888 separated responsibility for administrative and judicial functions, the former being made mainly the responsibility of the newly elected County Councils and the latter remaining with the County Magistrates. As a result of this increased efficiency in terms of improved standards of services was probably expected, but this was not to be the case. To some extent this might well have been the result of the fact that there was an overlap of personnel, in that the County Justices were well represented on the new County Council and they brought with them the Victorian traditions of caution, economy and a desire to keep the rates as low as possible. Because of their administrative experience they would have had some influence on the rest of the elected members. Consequently the new authority by no means distinguished itself in terms of increasing either the quality or quantity of services. They displayed the same parsimonious attitude as the County Justices, if anything to a greater degree. In some areas of service the Council did a reasonable job, especially in relation to Roads and Bridges, Technical Education and Industrial Schools. But in other areas its record was anything but praiseworthy, as the administration of the County Asylum and Public Health well illustrate.

The explanation for its poor record in these areas of service seems to be the reluctance of the Committees to spend money on the services for which they had responsibility. While cost consciousness on the part of

any committee is a quality to be admired the actions of a number of committees verged on 'penny-pinching' which led to certain services deteriorating, while others stagnated. This situation was probably the result of the fact that efficiency was measured in terms of keeping the rates as low as possible. In addition to this as many of the members of the County Council were Landowners, Businessmen and Tradesmen who between them paid quite substantial amounts of rates it was in their interests to restrict expenditure, and it might be suggested that no real progress would be made as long as this type of vested interest controlled power on the County Council, and to this end the solution lay in the hands of the electorate. The committee failed to provide themselves with the professional expertise they needed, and it was not until 1892 that any real progress was made in this sphere, with the appointment of an Organiser for Technical Education and an Engineer, but the Councils refusal to appoint a Medical Officer of Health for reasons of cost was indicative of the parsimonious attitude adopted by the County Council.

As regards whether or not the new County Council was more or less efficient than the County Justices is very much an open question. An assessment of the two appeared in a leader's article in the Durham Chronicle on the 29th January 1892 and it stated "It is still debatable whether the work of the Council is as well or better performed by the County Council compared with the Court of Quarter Session." It might be suggested that the Durham Chronicle had in fact given the County Council the benefit of the

doubt certainly existed. Considering that the new County Council had more time to deal with the functions it had responsibility for than the Justices had, as the County Council had no responsibility for Judicial issues it should have done a better job than it actually did. But here again the fact that personnel overlapped meant that old attitudes were perpetuated. Thus, from a comparative point of view it would appear that in the first three years the County Council was not as efficient as the County Justices were, but as the great majority of the members were new to the work of the authority and as many of the functions they were responsible for were also new slow progress was probably inevitable, but Public Health and the County Asylum were not new areas of service, and it was in these areas where deterioration in standards occurred and no reasonable excuse can be put forward to explain this situation, other than apathy, and this was a charge which could never be levelled against the County Justices.

CHAPTER SIX

The Change of Control

The Election of 1892

(a) The Electioning

Although the election was not until the 18th March, 1892, electioneering began in January of that year and once again the Liberals were first into the field. On the 15th January a joint meeting was held between the Durham County Liberal Federation and the Durham Miners Association, the object of which was to draw up a co-ordinated election programme.<sup>1</sup> The meeting called for a much more determined effort at the forthcoming elections and resolved that the Liberals of the County should return men really representative of the interests of the electors. It expressed the view that the County Council should have full control over County Expenditure, together with the complete control of the Police and control over the appointment the dismissal of all Officers, plus the settlement of their salaries and duties. So once again the Liberals, as at the first election, were strongly emphasising the need for 'democratic control' within the Council Chamber. The programme also called for the abolition of the Standing Joint Committee and the creation of Parish Councils. At this Joint Meeting an Executive Committee of six was set up to control and monitor campaign arrangements in an attempt to ensure united and effective action.

The Liberal/D.M.A. alliance was obviously going to make a determined effort to secure political control of

1. Durham Chronicle      January 1892

the County Council and in a manifesto issued to the electorate they outlined their programme and added the following statement: "The County Council should consist of men who will zealously carry out measures for the reform of the abuses, and for bettering the condition of the people, especially those in the villages. Many reforms as to houses, conveniences, roads and paths, lighting, water etc., are needed, and it is manifest that these will be most effectively carried out if the members are men who immediately live among the people, and whose direct interest it is to have these reforms effected, and not by men whose interest it may be to retard and prevent them."<sup>2</sup> This manifesto was the first printed document to be circulated among the electorate and its message to the electorate was loud and clear, stating that only with a Liberal Council would real progress be forthcoming. Both the Liberal Party and the Durham Chronicle were forecasting that the majority of the seats would be contested, but when the nominations were closed both were wrong as thirty four seats were uncontested, which was two more than in the first election. The Durham Chronicle expressed disappointment that only thirty eight seats would be contested, and suggested that the reason for this was that an agreement had been reached between some of the candidates not to contest seats so avoiding the County the expense of an election in them.<sup>3</sup> There is no documentary evidence to support this suggestion, but there

2. Durham Chronicle January 1892

3. Durham Chronicle March 1892

but there must have been some truth in it otherwise one would have expected the Liberals to have contested every seat in view of what they stated in their election manifesto.

The Conservative County Advertiser was, compared with the Durham Chronicle, for some reason very subdued as regards campaigning. Apart from reporting election addresses the only real attempt it made at electioneering was to support the statement the Chairman of the County Council that the new Council had done quite a good job during its first three years, a point of view which was debatable to say the least. After having played such a prominent role during the first election its relative inaction at the 1892 election is somewhat difficult to explain. One possible explanation might be that despite its statement that the new authority had done quite a good job it recognised that it had not done enough and so its limited campaigning was in fact a type of protest. Another possible explanation might lie in the fact that the County Advertiser realised that the Liberal/Labour alliance would in fact win the election and gain control of the Council and so was not prepared to campaign for a lost cause. It made no attempt to come to the aid of Conservative candidates whose attendance record at Council and Committee meetings was severely criticised by the Durham Chronicle and Liberal candidates in general. In February 1892 a list was published, at the request of the Council, giving details of the possible and actual

attendance of meetings by every member of the County Council.<sup>4</sup> A number of members, especially the landed gentry, had extremely poor attendance records. For example, the attendance of the Earl of Durham was 7.7%, that of the Marquis of Londonderry 11.3%, and J.L. Wharton, the Chairman of the County Council, attended only 17.1% of the meetings. In Wharton's case he could offer the excuse that his Parliamentary duties prohibited him attending more meetings, but the others could not. The record of attendance of a number of other members was by no means a good one averaging out at approximately 40%. These attendance figures were referred to regularly by the Liberal and Labour candidates, who argued that such poor attendance figures clearly indicated that such members had no interest in the work of the Council or the community they served, and urged the electorate to support those candidates whose interests were those of the community. No attempt was made by either the candidates mentioned or by the County Advertiser to defend themselves, probably because no reasonable explanation could be given.

(b) The Candidates

The thirty eight contested divisions attracted eighty candidates of whom twenty were Labour candidates and so the manual class was much better represented than at the first election. The Liberal and Labour candidates campaigned energetically and it was not

unusual for them to address up to six election meetings a week. Their campaigns were much better organised and co-ordinated than at the first election but a slip up occurred at the Middleton-in-Teesdale Division, where an inspection of the electoral register revealed that Mr. Davies, the Labour candidate, was not on the register so invalidating his candidature.<sup>5</sup> The candidates were supported usually by a small campaign committee who were very active as regards canvassing the electorate. As previously stated, thirty four divisions were uncontested and thirty two of them returned the retiring member. Fourteen of these were Magistrates, illustrating once again the high prestige still accorded to the County Justices. The Durham Miners Association also had three of its candidates returned unopposed. So at the second election there were more uncontested seats, fewer candidates and less electioneering by the Conservative Press than at the first election, indicating a clear dampening of enthusiasm and interest in Local Government.

(c) The Issues

The main issue on which the election was fought was that of improved sanitary conditions. Until the report prepared by Dr. Armstrong, the Medical Officer of Health for Newcastle, many members of the council were unaware of just how bad sanitary conditions in the County were. Consequently in virtually every election address the candidates promised that if elected they would press for a much more effective implementation of the Public

Health Act and so ensure improved sanitary conditions of houses, improvements to drainage systems and the more regular emptying of middens. Technical Education also figured prominently in election addresses. The candidates pointed out the importance of this service to the community at large and all promised they would do everything within their power to ensure that their constituency got its fair share of the money and Courses available as such instruction could go some way to reducing unemployment. Technical Education also provided a number of the candidates with ammunition to use against their opponents as occurred at the Sedgefield and Shildon Divisions. In these divisions it was forcibly pointed out to the electors by the Liberals that their existing Councillors had made no attempt to ensure they got Courses provided in their areas and consequently they accused them of not having the interests of their constituents at heart. The personal record of Councillors, in terms of their interests and attendance at meetings, was also an election issue. The Liberal and Labour candidates suggested that the interests of the Landed Gentry were not those of the electorate and their attendance record clearly illustrated this. A number of Liberal candidates accused the sitting Councillors of neglecting their constituents on the grounds that they had never been around their constituency and treated their office as a sinecure.<sup>6</sup> This occurred at the Sedgefield Division,

6. Durham Chronicle February 1892

which was one of the most hard fought divisions in the County. This seat was contested for the Liberals by S. Storey M.P., and he charged the sitting Councillor with not having enough regard for his duties as a Councillor or giving enough time to them, nor had he made himself available to the electorate regularly enough. In reply to this Marshall said that it was not the practice of the County Councillors to hold meetings to address electors and to do so would have been a breach of custom.<sup>7</sup> This was the first piece of evidence to indicate the type of informal practices developed by Councillors. It would appear to suggest that Councillors felt they were the best judge of what was good for the community, and so there was no need to consult or communicate with them between elections. This somewhat high handed attitude might well have been the product of the 'establishment' represented on the County Council. A letter in the Durham Chronicle from a member of the electorate of the Lambton Division, which was the first recorded evidence of local reaction regarding the performance of a Councillor in office, stated that the Conservatives were totally unfitted for a seat on the County Council and went on to describe the last Council as a "stagnant Tory Council with a stagnant Tory Aldermanic Bench."<sup>8</sup>

The record of the County Council was also touched upon by some of the candidates. S. Storey M.P., the Liberal candidate contesting the Sedgefield Division

7. County Advertiser February 1892  
8. Durham Chronicle February 1892

was without doubt the most volatile critic of what he described as the "none achievements" of the Council. He accused the Council of doing nothing else but talking, rather than actually getting down to improving the well being of the community, especially in the area of Public Health.<sup>9</sup> He also went to great lengths to draw the electorate's attention to the poor attendance record of a number of the existing Conservative Councillors. However, this provided his opponent with a weapon to use against him, as he pointed out that because Storey was an M.P., the time he would be able to devote to the County Council would probably be minimal. However, despite carrying out an intensive election campaign he was defeated at the elections but he did find a place on the County Council as he elected to the Aldermanic Bench. The final issue of the election was the drink question. However, in contrast with the last election it was of only minimal in terms of importance as only the South East Durham Temperance Amalgamated Political Union was really active on this issue.<sup>10</sup> They circulated candidates in the South East Divisions asking them if they would support Sunday closing, the direct veto and oppose the payment of compensation to publicans refused a licence.

Thus the election issues at the second election were much more 'local' in character. However, in general the campaigns were much quieter in that in

9. Durham Chronicle February 1892  
10. Durham Advertiser February 1892

many Divisions election meetings were rather poorly attended and they lacked the 'fire' which characterised the first election. In fact only three Divisions were bitterly contested, those of Sedgefield, Brandon and Lambton.

(d) The Election

Thirty eight of the seventy two seats were contested, but with a few exceptions not a great deal of enthusiasm was displayed by the electorate, and the holiday atmosphere which accompanied the first election was not to be found at the election of 1892. No special arrangements such as re-arranging shifts or closing collieries were made. The poll itself was satisfactory, but by no means as heavy as the first election as in the thirtyeight contested Divisions 48,648 voted out of an electorate of 64,619. This represented a turnout of 75.2% compared with 81.3% at the first election. In some Divisions the turnout was very low compared with the previous election. For example, in the Hebburn Division only 591 electors voted, which was 43% compared with a 70% turnout at the first election, and in the Lanchester Division only 50% of those eligible to vote participated in the election compared with 72% in the election of 1889. So even with a larger electorate a degree of apathy towards Local Government elections had come to show itself and it was a factor which was to grow further at successive elections.

With more working class candidates contesting seats than in the previous election a much higher

turnout might well have been expected. Why this did not occur is a matter of some interest. A number of possible explanations can be put forward. For example, one explanation might be that the novelty of the first election had by 1892 worn off, and electors did not attach the same degree of importance to local elections as they did to national elections and in consequence stayed at home rather than turn out to vote. Another possible explanation is that the electorate were quite satisfied with the performance of the County Council in its first three years of office, or the opposite, that is, they were dissatisfied and registered their protest by not voting in the election. Finally there was the fact that the local Press, the County Advertiser in particular, were relatively quiet and so the electorate was not spurred into action as an atmosphere of election fever was not generated by this section of the local Press.

(e) The Results

The result was a very good one for the Liberal and Labour candidates as they won twenty one of the seats in the contested divisions, and had twenty members returned unopposed. When the Aldermanic Bench was selected and the resultant casual vacancies filled the Liberal/Labour alliance had a majority of twenty three over the Conservatives. The final composition of the Council was as follows: fifty three Liberal and Labour Councillors, thirty Conservatives, nine Unionists and four Independents.

So the political control of the Council had changed, with the Liberal/Labour alliance now firmly holding the reins of power. This change of control brought cries of delight from the Durham Chronicle, but not a murmur from the County Advertiser.

CHAPTER SEVEN

The Liberal Council at Work

The first meeting of the newly elected County Council was held on the 16th March, 1892 and the appointment of the Chairman of the County Council was the first business to be dealt with. Two nominations were put forward, those of W.H. Wharton M.P., who was the previous Chairman, and T. Fry M.P. In an attempt to secure Fry's election as Chairman the Liberal Councillors pointed out that Wharton's record of attendance at meetings was by no means a good one. Unfortunately however, this argument backfired on them as the Conservatives immediately pointed out that as Fry was also an M.P., his parliamentary commitments would probably result in him being unable to attend many meetings. When the vote was taken Wharton was re-elected Chairman, narrowly defeating Fry by 48 votes to 38.<sup>1</sup> This result appears to be an unexpected one, in that, as the Liberals had a controlling majority on the Council one would have expected them to elect one of their members as Chairman. The explanation for this paradox would appear to be that a number of Liberals had voted for Wharton, and so as during the first three years of the County Council the early evidence suggested that party politics was not going to determine voting behaviour in the Council Chamber. The absence of party politics in the conduct of business was further illustrated at the Council meeting in March 1894. At

1. County Advertiser January 1892

At this meeting the Chairmanship changed and Alderman Storey of the Liberal Party, became Chairman. In his inaugural speech he pointed out that while party politics had entered into the elections it had not entered the Council Chamber, and he hoped this situation would continue as their role was to serve the public and not their party. This hope was endorsed by the other members of the Council.

The next item of business dealt with was the number of Standing Committees to be appointed. At this point a number of Councillors stated that because of the demands which committee attendance placed on their time the number of committees should be kept as small as possible. To achieve this it was moved that Committees working in related spheres of activity should be merged. It was pointed out that this move would not only save time but would also improve co-ordination. Thus, at a very early stage the Council appear to have set themselves the goal of increasing efficiency. This motion was carried and it was decided that a new Health Committee would be responsible for all matters relating to Public Health and would absorb the Tees and Wear Pollution Committees and the Medical Officers Reports Committees. In addition to this responsibility for Weights and Measures was transferred to the Finance Committee, Eight Standing Committees were therefore appointed and these were the Sedgefield Asylum Committee, the Earls House Industrial School Committee, the Finance Committee, the Education Committee, the Health Committee, the Parliamentary Proceedings

Committee, the Works Committee and the Executive Committee.<sup>2</sup>

As occurred at the first County Council the membership of Committees was determined by a Committee of Selection. This committee reported on the 27th April 1892 and a very lively discussion followed its recommendations.<sup>3</sup> Its first recommendation was that membership of committees should be kept to twenty four as far as was possible, in an attempt to ensure that the committees did not become unwieldy and so prevent the full discussion of business. This was accepted without discussion. It was the second recommendation, that no member should be placed on more than two committees, that led to some rather heated exchanges. The Liberals put forward a resolution that there should be no limit on the number of committees that a councillor should be permitted to serve on if he so desired. This was opposed mainly by a small number of Conservative Councillors who argued that seats on committees should be divided out equally and fairly. While the Conservatives did not openly accuse the Liberals of political manipulation of committees the general tone of the discussion suggested that the Conservatives suspected that the Liberals were trying to secure political control of all the committees. The Conservatives suspected that the Liberals had realised that because of business and other interests many of the Conservatives would only be able to serve on a maximum of two committees. The basis of the Liberals' argument was that if members had the time and were prepared to serve

2. County Advertiser      March 1892  
3. Durham Chronicle      May 1892

on more than two committees they should not be denied the opportunity of doing so, on the grounds that this indicated a genuine interest in the well-being of the County. The Conservatives were not prepared to accept these arguments but never got down to giving specific reasons why, other than the argument of fairness. Rather surprisingly however, no vote was taken on this issue and instead a compromise was reached whereby members could arrange with each other to exchange places on committees, but membership was restricted to two committees. This in effect represented a victory for the Conservatives and again illustrated the very limited role party politics was playing in the Council Chamber.

In order to determine whether or not any significant increase in efficiency occurred in terms of improving and extending the services provided it is necessary to review the activities of the major Standing Committees.

#### The Sedgefield Asylum Committee

The first business dealt with by this committee was the consideration of the report of the Report of the Lunacy Commissioners, which again was highly critical of the management of the Asylum.<sup>4</sup> The Report expressed concern over the fact that the Asylum Superintendent was living 2½ miles away, as his house was being used to accommodate patients, and the Commissioners felt that this could have an adverse effect on the patients' well-being. They also pointed out that the Asylum was still

grossly over-crowded and because of this the County Council should give urgent consideration to the building of a new Asylum, rather than extend on the existing site. Finally, the report stated that no new Laundry had been built, despite repeated recommendations by the Lunacy Commissioners that one was required, neither had work been commenced on the Laboratory, nor had the surgical equipment required been purchased. The Council accepted the report and agreed with the Commissioners that the Asylum was overcrowded and a new house was required for the Asylum Superintendent. However, the Chairman of the Asylum Committee, Alderman Dale, pointed out that the overcrowding was likely to continue until Sunderland completed the building of their Asylum. He also pointed out that as the maintenance costs of the Asylum were increasing (£32,000 in 1892) needs would have to be met on a priority basis, and this would inevitably retard the rate of improvements. So despite two adverse reports from the Lunacy Commissioners it appeared that cautiousness and economy were still going to be the committee's guiding principles.

This was clearly illustrated at the next meeting of the County Council in July when members of the Asylum Committee were asked what progress had been made regarding the Superintendent's house.<sup>5</sup> The reply was 'none' and this led the Council to instruct the Asylum Committee to deal with this issue as a matter of urgency. Thus after a rather lengthy period of relative

lethargy and apathy there was some evidence that the Council were beginning to adopt a somewhat more responsible attitude to their responsibilities. The Asylum Committee carried out the Council's instructions and at the Council's November meeting they asked the Council to approve an estimate of £3,000 for the Superintendent's new house. This met with fierce opposition in the Council Chamber, and the matter was referred back to the Asylum Committee with an instruction for them to reduce the estimate. This is one occasion when it is possible to agree with the County Council as £3,000 in the 1890's appears to be an excessive amount to spend on a house. No details were given regarding the design or facilities etc., but it must have been quite luxurious for that amount of money and when one considers the neglect of Asylum facilities which had occurred the contrast is marked. When the Committee reported back to the Council the estimate for the Superintendent's house had been reduced to £2,489 and this was accepted by the Council. The cost-consciousness of the Asylum Committee was also well illustrated when at the November County Council meeting they recommended to the Council that extra accommodation was required and this would cost £2,000. The Chairman of the Asylum Committee stated that "only dire necessity had compelled them to do this and they were sorry to have to continually be asking for money."<sup>6</sup> This sort of attitude leads one to suspect that the Committee did not have its priorities right.

However, despite the apparent continued parsimonious attitude by the Committee it appears that a considerable amount of work must have been carried out in order to bring the Asylum at least up to reasonable standards as the Lunacy Commissioners' Report in 1893 was quite a favourable one compared with its two previous reports. It pointed out that the Asylum was in a relatively good state of repair, it was clean and they had received no complaints from the patients.<sup>7</sup> The report did however point out that the Asylum was still overcrowded and they felt that the proposed building of two new blocks would not prove adequate. In an attempt to deal with the problem of overcrowding and at the same time save the Council money the Asylum Committee approached the Local Boards of Guardians to see if what the committee described as 'harmless patients' could be accommodated in their Workhouses. However, the Boards of Guardians refused to accept them on the grounds that they did not have either the facilities or staff to deal with them. So while the Committee was still attempting to save money wherever it could it was at the same time attempting to ensure that necessary improvements were carried out when required. New accommodation blocks were under course of construction, a new Laundry and Gas Works had been built, together with a new house for the Superintendent and these works totalled over £5,200. In addition to this the Medical Superintendent had

7. County Advertiser July 1893

pointed out that there was evidence to indicate that patients could be helped by properly organised classes in basic skills. The Committee received his report sympathetically and asked him to report on the type of classes which would help patients, together with the costs involved.

The question of the overcrowded conditions of the Asylum always figured prominently in the reports of the Visiting Committee and they clearly indicated an ever-growing concern on the part of the Committee for the well-being of the patients. For example, in April 1894 the Chairman of the Asylum Committee pointed out to the Council that the resources for dealing with the insane were inadequate and recommended that the Council give urgent consideration to the building of a new Asylum in the northern part of the County.<sup>8</sup> He pointed out to the County Council that it was not in the best interests of the patients to house them in a huge building. The Lunacy Commissioners had made this very point in their November Report. He went to say that the need for a new Asylum had been recommended by the Visiting Magistrates in 1887, but their advice had been ignored and now the County's insane were scattered all over the country in buildings which were by no means entirely satisfactory. The estimated cost of a new Asylum was put between £100,000 and £150,000. This led to discussion as to whether the County should undertake such an expensive project. It was argued

that there was plenty of land on the existing site of the Asylum and so any extra accommodation required could be provided by building new blocks which would be much less expensive than building an entirely new Asylum. In reply to this the Chairman of the Asylum Committee said that the Lunacy Commissioners had made it quite clear that they would not be prepared to sanction further extensions on the existing site. He went on to state that the Council had delayed long enough over this question, that the Asylum Committee were unanimous in recommending the building of a new Asylum and he urged the Council to accept their report. However, the cost of a new Asylum proved crucial and in order to avoid making a decision the County Council decided to set up a special committee to consider what was the best course of action to take and included in their brief a request to approach again the Local Boards of Guardians to see if they would take in the Asylum 'harmless' patients. So despite the appeal by the Asylum Committee the pursuit for economy once again prevailed and another urgent matter was deferred to a later date.

Thus, three years of Liberal control of the County Council had led to some improvements in the management of the County Asylum. After an initial critical report by the Lunacy Commissioners the Council appears to have adopted a more responsible attitude and took steps to improve facilities at the Asylum. But all that can really be said was that the Asylum was back to

the standard set by the Visiting Magistrates and that the management was sound and cheap, but nothing more.

The Earls House Industrial School Committee.

The first meeting of this committee was also opened with the report of the H.M.I. for Industrial Schools.<sup>9</sup> Like his previous reports this one was also full of praise, he stated "My visit has gratified me. The School makes good progress year by year, and is carefully and judiciously managed." The report also stated that the staff of the school were to be praised, but the Council were somewhat reluctant to recognise this when it came to dealing with recommendations from the School Committee to increase staff wages. For example, the committee recommended that the wages of the Laundress be increased by 6/8d per month.<sup>10</sup> The reported discussion on this issue indicates that a considerable amount of time was spent on it. Members of the committee were asked if they had taken account of the perquisites of this post, such as free board and lodgings, and whether she was doing any more work. Eventually, however, they agreed to the increase in salary, and then passed virtually without discussion the spending of £355 for the purchase of two cottages to provide extra accommodation for the boys in the school.

The reports to the Council by the School Committee repeatedly emphasised how well the School was being managed, together with its excellent record in rehabilitating young offenders. This led to the suggestion that the County should establish a similar school for girls, and this

9. County Advertiser April 1892  
10. County Advertiser July 1892

resulted in a rather curious comment by one member that similar schools for girls would serve no real purpose as "once a girl had left the straight and narrow she was ruined for life."<sup>11</sup> However, the committee said they would give the matter serious consideration and report back to the Council at a later date.

In July 1893 the School had its first ever outbreak of contagious disease when two boys contracted typhoid, and it illustrated clearly that the pursuit for economy can have unfortunate side effects. When this outbreak occurred the School Committee brought in the North Eastern Sanitary Association in an attempt to ascertain the cause. Their report stated that the Schools drainage system was inadequate and needed to be improved at an estimated cost of £800. When drawing the attention of the Council to this matter the Chairman of the Earls House School Committee urged the Council to act quickly and pleaded with them not to put money before the health of the boys, but unfortunately this is exactly what did happen. Some of the members said such an amount of expenditure was extravagant and as one member put it "it represented £400 per case,"<sup>12</sup> as only two boys were affected by the outbreak. Other members were somewhat annoyed over the fact that the School Committee had not sought the advice of either the Medical Officer of Health or the County Surveyor, and it was decided that the advice of these two should be ascertained before any expenditure

11. County Advertiser. November 1892  
12. County Advertiser July 1893

was authorised. The report of the Surveyor and the Medical Officer of Health confirmed that improvements to the Schools sanitary system were required at an estimated cost of £525. So the Council had saved itself £275 but at a cost, as during the time it took to get the report the Council required another five boys had contracted typhoid, two of whom died.<sup>13</sup> The Council accepted the report and said that the repairs and improvements were to be carried out immediately, and trained nurses were brought in to nurse the sick boys. Nothing was said about the deaths that had occurred but the sense of urgency attached to the improvements suggests that the Councillors had some responsibility as their desire to make economies had been indirectly responsible for the deaths which had occurred. At the next meeting of the County Council the School Committee reported that the new drainage system had been completed and the health of the boys had improved considerably.

The annual report of the H.M.I. on the School was again a good one and it concluded by saying that "the School was generally in a thorough state of efficiency, and was well and judiciously managed."<sup>14</sup> The Report of the School's Superintendent drew the attention of the Council to the very excellent job the School was doing in relation to the rehabilitation of young offenders. The Superintendent stated that he and members of his staff had visited as many discharged boys as was possible during the year and they found that of those they visited

13. County Advertiser } November 1893  
14. County Advertiser } December 1893

86 were in full-time employment, 14 had no work but had kept themselves out of trouble and only one boy had been imprisoned following his discharge from the School.<sup>15</sup>

Thus, with the exception of the outbreak of typhoid due to an inadequate drainage system the management of the School had been very sound. There is no evidence of neglect on the part of the School Committee, neither is there any evidence of brutality or inhumane treatment, and the fact that only one boy had been jailed following discharge from the School speaks well of the instruction given in the School.

#### The Education Committee

This was an area of service in which both the Council and the Education Committee displayed a very active interest. The reports of this Committee was always quite lengthy and detailed, and members of the Council were keen to obtain membership on this Committee; during 1892/3 several Councillors asked if they could serve on it. The range of courses provided was increased slightly and existing courses expanded, mining and dairy farming courses in particular. The County Council made grants to the Municipal and Urban Authorities in the County to provide accommodation for courses in technical instruction, and the Organising Secretary's Staff was increased. The County Council undoubtedly attached a high degree of importance to this service and expressed

a high degree of importance to this service and expressed grave concern over the proposed Local Taxation (Customs and Excise) Bill. This if passed would enable the Municipal Boroughs to get a direct share of the grant paid to the County Council for Technical Education. Such legislation the Council felt would be prejudicial to the quality of the service provided and so decided to petition against the Bill.<sup>16</sup>

In July 1892 the Education Committee presented to the Council details of a comprehensive scheme of Technical Education for the County.<sup>17</sup> This scheme made provision for increasing the number of county day scholarships, increased financial assistance to secondary schools to provide technical instruction, evening continuation classes, financial assistance to travelling teachers and lecturers, apparatus and equipment, courses for teachers in elementary schools and the strengthening of the Committee links with Durham College of Science. The Committee pointed out that they had been working on this scheme for a considerable period of time and had 'waited and watched' the experiences of other Counties providing Technical Education before submitting the scheme to the Council. The scheme was quite enthusiastically received and it was quite clear that the majority of the members of the Council were keen to see growth in this area of service. Money was made available, though not lavishly, and the expenditure of this committee was rarely, if ever, challenged. Thirty two day scholarships were made available, twenty four for boys and eight for girls.

16. County Advertiser      April 1892  
17. County Advertiser      July 1892

The University of Durham was asked to set the scholarship papers. A grant of £500 was given to Durham College of Science so they could employ a lecturer in veterinary anatomy and farm hygiene, together with giving a series of lectures and practical demonstrations.<sup>18</sup>

A report to the Council by the Organising Secretary indicated that Technical Education had been quite enthusiastically received in the County and the aggregate attendance at courses was 15,574 students. In addition the courses for teachers in elementary schools had attracted approximately 600 teachers. However, the rate of development of this service was not as rapid as some members of the Council would have liked. For example, Alderman Dale, commenting on the Organising Secretary's report, said "it was really a record of very useful, but not very ambitious work."<sup>19</sup> Unfortunately he did not expand on this statement, but it does illustrate the somewhat tardy and cautious approach adopted by the committees and this was obviously something which some members wanted to change. However, there were other members who questioned the whole concept of technical education by asking whether money was being spent wisely. They suggested that money was being made available too freely and asked was this area of service worth all the attention it was being given. So once again the Victorian attitude towards economy is well illustrated. The Organising Secretary answered this criticism by referring to comments made by some of the country's

18. County Advertiser July 1892  
19. County Advertiser November 1892

leading industrialists on the subject of technical education who clearly considered it a worthwhile undertaking and that it was an investment which should be encouraged.

Further expansion occurred in the sphere of technical education as the number of day scholarships was increased to forty eight, the number of full-time staff were increased and by July 1893 there were fifty one centres in the County providing over 250 courses in various disciplines. All the classes were very well subscribed in terms of student numbers. More and more students were entering for examinations and in order to greater efficiency in the teaching of evening classes it was moved that full-time Inspectors should be appointed. When asked to contribute £500 to help Durham College of Science to equip a new block the Council agreed to do so without discussion, and in view of the hours of discussion which had been devoted to trifling sums of money its rather liberal attitude appears to indicate a genuine interest in this area of service.

In January 1894 the Council approved the appointment of four General Inspectors and twenty four Special Inspectors, one or more for each type of course provided.<sup>20</sup> For inspection purposes the County was divided into four districts and their first report indicated that in general teaching standards were good, the students enthusiastic and the buildings being used were quite adequate. In all good work was being done.<sup>21</sup> Because of the health problems which existed in the County, the Education Committee decided

20. County Advertiser January 1894  
21. County Advertiser April 1894

to put on a series of courses concerned with Health in the Home, and they got the unanimous support of the County Council. So there is some evidence of attempts to co-ordinate the activities of the various committees. However, the Education Committee suffered a setback in relation to the evening continuation classes which were aimed at giving adults instruction in the basic skills of reading, writing and arithmetic. The problem here was that these courses could not be financed out of the technical education grant as they were concerned with elementary education, and the Council were afraid that if they financed these courses out of the grant the District Auditor would surcharge the amounts involved against the Council. Durham College of Science urged the Council to provide such courses and even said that they were prepared to pay any surcharge imposed for the first year. But once again caution prevailed as the Council said it was not prepared to continue these courses until they got permission from the Education Department to finance them out of the Technical Education grant.

The developments in technical education owed a great deal to the hard work of Mr. Robson, the Organising Secretary, and both the Education Committee and the County Council continually praised his efforts. But when the Education Committee recommended that his salary be increased from £300 to £400 per annum the Council's attitude changed. It was pointed out to the

Council that his salary was less than that paid to similar office holders in other counties, but in spite of this the Council turned down his first application, although it was approved at the next meeting of the Council.

The Education Committee had in general done a good job. This was a service which must have taken a great deal of organising to ensure that as wide a range as possible of skills and activities were catered for. By 1895 courses of instruction were being provided in art, building construction, chemistry, engineering, geology, hygiene, languages, manual training, mining, plumbing, agriculture, cookery, woodwork and dairy farming. The Council were spending over £13,000 per year on technical education and while this might appear to be a substantial sum by the standards of the time, by 1895 the Council had a surplus of approximately £30,000 unspent out of the Technical Education grant and the Council decided to invest this in Consols. Had the County Council spent the whole of the technical education grant on the service for which it had been given the service could really have been expanded quickly. The only real criticism which could be levelled against the committee was that it was probably a little over-cautious and was prepared to take only small steps forward rather than making the great leap.

#### The Health Committee

This committee made it its first duty to appoint a County Medical Officer of Health, a much overdue

appointment. From the outset the indications were that the County Council were going to devote much more time and effort to eradicating the major health hazards which existed within the County. In his first report to the Council the Medical Officer of Health outlined what could only be described as appalling conditions in a number of villages,<sup>22</sup> and many of the Local Sanitary Authorities were clearly neglecting their responsibilities. His report stated that a large number of houses were in a very insanitary condition, drainage systems were inadequate and conveniences in many villages were also in a very poor condition. The report sited eleven houses at Pity Me where the drains actually ran into the houses. The result of these conditions was higher than average death rates. For example, the national death rate from contagious diseases was 229 per million, but the county death rate was 565 per million (Newcastle Chronicle - January 1895). In his report the County Medical Officer also expressed concern over the number of uncertified deaths in the County. This he said was the result of unqualified men practising in the Districts. This led to a resolution being put that the names of these people and the Districts they were practising in should be obtained and brought to the attention of the Council, but it did not get a seconder and so failed. The Chairman of the Health Committee also drew the attention of the County Council to the fact that its efforts to improve sanitary conditions were being thwarted by lack of action on the

part of the Local Sanitary Authorities. He pointed out that his committee had repeatedly asked a number of Sanitary Authorities to do something about the dreadful conditions which existed, they always promised that something would be done but nothing ever was, and in some Districts representations made to the Committee had been met with 'contemptuous silence.'<sup>23</sup> Both the Health Committee and the County Council complained that they did not have enough powers to deal with the health problems which existed and so petitioned Parliament for the powers it felt were necessary.

Dr. Hill, the County Medical Officer was without doubt clearly dedicated to improving health standards in the County. He visited the Local Sanitary Authorities regularly to see for himself exactly what health and living conditions were like. His reports which he presented to the County Council were both lengthy and detailed and in them he vividly depicted the appalling conditions which existed. His concern was shared by the majority of the Council members. For example, Alderman Shafto when describing the conditions which existed in Wingate and Wheatley Hill said "neglect here had been almost criminal."<sup>24</sup> Insanitary housing conditions were to be found in virtually every Sanitary District, and when Dr. Hill drew attention to them he obviously embarrassed both

23. County Advertiser July 1892  
24. County Advertiser January 1893

Councillors and Aldermen from these Districts who charged him with gross over-exaggeration. These charges resulted in the Council setting up a small special committee to investigate his report in respect of the health conditions at Ryhope to see if his report was in fact correct. When it reported the committee said that Dr. Hill had in no way exaggerated the situation at Ryhope. Dr. Hill expressed concern over the fact that his recommendations to a number of Sanitary Authorities were being ignored, and in his report to the County Council in July 1893 he stated "some local sanitary authorities treated the recommendations of the medical officer with some degree of contempt." For example, in two successive reports to Durham Rural Sanitary Authority he pointed out that the drainage to eleven houses at Pity Me was totally inadequate but nothing had been done to remedy the defect. Following this disclosure the County Council agreed to issue closure orders against these houses.<sup>25</sup> However, when they were issued they were challenged by the Sanitary Authority who argued that the County Council did not have the power to issue such orders, but as Mr. Swiney, the Clerk of the Council, pointed out they did have this power. So while the County Council was committed to improving the general sanitary conditions of the County they clearly had a fight on their hands as the local sanitary authorities were resisting the pressure

which the County Council was applying.

However, this was a battle that the County Council was determined to win and the continued pressure by Dr. Hill through adverse reports and the issue of closure notices by the County Council was beginning to have some success in getting some of the local sanitary authorities to fulfil their responsibilities under the Housing of the Working Classes Act 1890, especially in relation to dealing with unfit houses. But as members of the Health Committee recognised a great deal still needed to be done in the area of public health. Many members of the County Council obviously had no idea of the deplorable conditions which existed in some areas and the reports of the County Medical Officer had shocked them into taking action to deal with the problems. There is also further evidence that members of the Council were not visiting their areas, but in spite of the adverse reports there is no evidence to suggest that members paid more attention to this function. In an attempt to coerce the Sanitary Districts into action copies of the Medical Officer's reports were sent to those Districts where insanitary conditions prevailed and members of the County Council pressed for the issue of closure orders where necessary. In spite of this, however, some Districts were still proving a problem. For example, Byers Green refused to adopt the Infectious Diseases (Notification) Act, and had an outbreak of diphtheria which resulted in a large number of deaths, which according to Dr. Hill

would have been avoided had they implemented this Act.

Members of the Council continually complained about their lack of powers, but in spite of this they did make some progress. For example, between 1892 and 1895 the Medical Officer of Health reported to the Council 143 villages and towns in which the overall sanitary conditions were poor. As a result of pressure from the County Council considerable improvements were made in 86 of them in terms of improved drainage, water supply and conveniences. However, both the Health Committee and the County Council admitted that a great deal was yet to be accomplished, especially in the sphere of unfit housing. Under the provisions of the Housing of the Working Classes Act 1890 the powers of the County Council could only be described as feeble. For example, they could only act when a local sanitary authority had neglected their duty following a second request from the County Medical Officer to close unfit houses. This meant it could take nine months for the Council to get a closure order from the Magistrates. However, the concern shown by the Council to this area of service can well be illustrated by the following statistics. During 1895 620 houses had orders issued against them, of which 347 had been made sanitary, 87 were being made sanitary, 184 had been closed and only 2 had nothing done to remedy the defects. In addition to this between 1892 and 1895 the sanitary conditions of some 4,000 houses had been improved.

The Health Committee had also been quite active in dealing with the pollution of the Tees and Wear. In order to obtain an accurate picture of the extent of pollution the Council appointed a Sanitary Inspector who assisted and was under the control of the County's Medical Officer. Where cases of pollution were reported to it the Council acted quickly and was quite prepared to take legal proceedings against anyone who would not comply with its instruction. For example, it took legal proceedings against Durham Corporation for tipping refuse and other matter into the Wear.

Thus, bearing in mind the constraints that the Health Committee was working under its record of achievements in terms of improving the general health conditions of the County was quite reasonable.

#### The Works Committee.

This committee took up from where its predecessor had left off and continued to do a good job in terms of keeping the roads, footpaths and bridges in a good state of repair. The main roads however, were the responsibility of the Highway Districts, which carried out the necessary work and billed the County Council for the costs involved. The amounts the Districts were charging initially proved to be a source of constant conflict, and this resulted in the County Council taking the matter to the Local Government Board for a decision. The Board stated that the amounts that the Highway Districts were charging were correct and fair, and consequently the Council never

took this course of action again.<sup>26</sup>

The Works Committee appears to have carried out its responsibilities in a thorough and workmanlike manner. Where repairs were required they were carried out quickly and the County Surveyors report in April 1894 stated that the main roads were in an excellent state of repair and in his opinion were as good, if not better, than main roads in other neighbouring counties.<sup>27</sup> Twelve new bridges had been built and all the roads in the County were in a good state of repair. The Council were quite prepared to approve the monies needed to carry out repairs and purchase the necessary equipment, and by 1895 the County Council were spending approximately £22,500 on this area of service compared with approximately £9,000 in 1888.

#### Finance Committee

This committee followed on from where its predecessor had left off, and displayed the same characteristics of caution, being ever alert to where economies could be made and generally keeping a watchful eye over the activities of the other spending committees, and from this point of view it carried out its functions well. By 1895 it was able to boast that it had kept the county rate lower than the County Justices had. For example, in 1888 the rate was 4d. in the pound and in 1895 it was  $3\frac{1}{10}$ th d. in the £.<sup>28</sup> Increases in central government grants had helped the Finance Committee to

26. County Advertiser July 1892  
27. County Advertiser July 1894

keep the rate in the £ down, but the Council still gave itself a pat on the back.

The Parliamentary Proceedings Committee

Very little information is available on the work of this committee, but that which is available indicates that its main concern was the siting of Polling Booths, and it also dealt with legislation relating to the Registration of Electors and the setting up of Parish Councils and Meetings.

Standing Joint Committee for Police

No reports were made to the County Council by this body and unfortunately the minutes of this Committee are not available. The only information available is the annual reports of H.M. Inspectors of Constabulary which, while being rather brief, do give some information on the work of the Standing Joint Committee. The minutes of the Finance Committee contains the odd reference to the Standing Joint Committee, but merely repeat the criticism made in 1889, that is, the Council had to meet the expense of this body but had no control over it, and this was the bitter pill they simply could not swallow.

The Reports of H.M. Inspectors of Constabulary indicate that the police throughout the County were being quite efficiently managed, but between 1892 and 1895 each of their annual reports pointed out that the force was too small for the size of the population. For example, in their report of 1895 they stated that the ratio of constables to population was 1.1,293 while national average for counties was 1.1,148 and they

recommended that "a large increase to the force ought not be deferred." However, crime rates in the County were no worse than those of other counties and this might well account for the undermanning. Their reports indicated that stations, sub-stations and lock-ups were in a fairly reasonable condition, and so it would appear that the Standing Joint Committee was doing a reasonably good job by the standards of the day.

Assessment of the Liberal Council 1892 to 1895

The change of political control of the Council did bring some slight improvements in the services provided, but there is no real evidence to prove that this was due to the fact the Liberals held the balance of power and were more progressive than their predecessors. In fact the evidence indicates that party politics occupied no place in the conduct of business. Perhaps the most distinguishing feature between the first two councils was in the sphere of Public Health. This service was neglected by the first County Council, whereas the second did all within its powers to rectify the situation. Technical Education made some progress, but the very substantial under-spending of the grant given for this service implies that while the service appeared to be sound it was by no means as good as it might have been had the full grant been spent on it. After much prodding by the Lunacy Commissioners the County Asylum appears to have been brought up on a reasonable standard, but the

Council was still not prepared to undertake the expenditure necessary to deal with the problem of over-crowding, and without this expenditure it was always possible that the Asylum would deteriorate simply because of the gross over-crowding. The Works Committee like its predecessor did a good job in keeping roads and footpaths in a good state of repair.

However, with the exception of Public Health there was no real significant increase in the quality of the services provided. There were some slight improvements but as Alderman Dale said of Technical Education the Council and its committees had been in no sense of the word ambitious.

CONCLUSION

Until 1889 the Justices of the Peace were responsible for the administration of the County, and a review of how they carried out their tasks indicates that they were quite capable administrators according to the standards of the day. Considering the size of their workload which encompassed both administrative and judicial responsibilities, a number of them showed a devotion which can only be admired. They attempted to ensure that the services for which they were responsible were sound, while at the same time ensuring that economy was secured when and wherever possible. Their activities were governed by the Victorian attitude to efficiency which was that services should be sound and cheap. However, despite their somewhat parsimonious attitude they were competent and conscientious administrators.

Following the passing of the Local Government Act, 1888 the County Justices were relieved of the majority of their administrative functions and these became the responsibility of the directly elected County Council. This represented a type of division of labour and because of specialisation increased efficiency in terms of service provision might well have been expected. However, a review of the three years work of the first County Council indicates that this was not the case. There was no real marked increase in the quality of

the services provided and in some of the services there is strong evidence and deterioration in the quality of services. The lack of increased efficiency might be explained in terms of overlap of personnel on the new County Council. For example, the County Justices were well represented on the County Council and they brought with them the traditions of cautiousness, parsimony and a desire to keep the rates as low as possible. Consequently the money needed to be spent to ensure increased efficiency in service provision was not spent. Linked with this was the Victorian attitude to efficiency which inferred that services should be sound and cheap, which implied that services should meet minimal standards and no more. Finally, the County Council itself was a new organisation. Many of the elected Councillors and Aldermen who were not magistrates had little or no administrative experience and so had to spend a great deal of time simply 'getting to know the ropes.' Under such conditions increased efficiency could hardly be expected. However, with regard to the neglect of services acceptable or reasonable explanations are somewhat more difficult to find. Public Health was one neglected area of service. Here it might be suggested that as the Urban and Rural Sanitary Authorities were the bodies largely responsible for this service the County Council had simply let them get on with it as the Councils powers were very limited. Another possible explanation is that members of the County

Council did not go around their constituents to see for themselves exactly what conditions were like, and there is some evidence to support this explanation. The County Asylum was also allowed to deteriorate as was clearly indicated in the reports of the Lunacy Commissioners, and no really acceptable explanation can be given to account for this, apart from indifference and apathy. The Durham Chronicle in 1892 said that whether the new County Council was more efficient than the County Justices was very much an open question, which in essence gave the County Council the benefit of the doubt. However, the evidence appears to indicate that the Chronicle was too generous, as overall the elected County Council during its first three years had not been as efficient as the County Justices.

The election of 1892 produced a change in the political composition of the County Council, as the Liberal/D.M.A. alliance held the majority of seats. A review of the services provided indicates that compared with the first County Council there was a slight improvement in all the services provided it was in the sphere of Public Health that the Council directed most of its energies and despite only having limited powers to deal with the health hazards which existed quite significant progress was made. Technical Education was also expanded. The range of courses available was increased and a full-time Inspectorate was appointed. The Asylum Committee appeared to have made some attempt to ensure that the County Asylum met the minimal standards laid down by the Lunacy Commissioners,

and there is some evidence that the members of this committee would have liked to have done more than this. However, cost-consciousness on the part of the majority of members on the County Council proved to be a stumbling block they could not overcome. In respect of the other services for which the County Council had responsibility the picture was basically that of sound and cheap administration with only slight improvements being made.

Thus, the years 1892 and 1895 did witness some slight improvement in the quality of services provided. However, whether this was due to change in political control of the Council it is doubtful to say the least, as party politics was by no means a dominant factor in the decision making process, and in fact was noticeable by its absence. A more probable explanation for this slight improvement was that members of the County Council had become more accustomed to the work of the Council and by 1892 they now knew 'their way around'. They had become more knowledgeable of the services they had responsibility for, their own expertise had been increased and so they had a background on which to build. In this task they had the assistance of three very competent paid officers, namely, the Medical Officer of Health, the Organising Secretary for Technical Education and the County Surveyor each of whom played an important role in developing services.

Thus, by 1895 there had been some increase in the quality and efficiency of services provided, but nothing which could really be described as significant in comparison to the services provided prior to 1888 by the County Justices. This in itself speaks highly of the County Justices and begs the questions were the standards set by the Magistrates too high for their successors to meet, or were their successors, the elected Councillors and Aldermen, less interested in or less conscious of their responsibilities. The answer to the first question is no, while administration by the County Justices was sound it was also cheap. With regard to the second question posed the answer yes might be given for the period 1888 to 1892, but after 1892 a much more responsible attitude was adopted. Thus in conclusion it can be said that the administration of Durham County by a directly elected assembly in the period under review resulted in only a very slight improvement in the standard and quality of the services provided.

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