

**INTERNATIONAL HEALTH
EXHIBITION, LONDON, 1884.
LEGAL
OBLIGATIONS IN RELATION TO
THE DWELLINGS OF THE POOR**

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HARRY DUFF & ARTHUR COHEN

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LEGAL OBLIGATIONS /
IN RELATION TO THE
DWELLINGS OF THE POOR.

BY

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WITH A PREFACE BY

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PREFACE.

I HAVE been asked to write a few words by way of preface to a book, the object of which is to state the existing law relating to the dwellings of the poor. I think my friend Mr. Duff has succeeded in accomplishing a task which is not without difficulties, in giving an exposition of that law which is at once clear, accurate and popular. It seems to me to suggest a few obvious observations—observations accentuated by some experience among the poorest houses of the borough which I represent in Parliament.

In the first place it proves that, so far as the structure and condition of the houses of our poor are concerned, the evils, which have been described in language so powerful and graphic, and which undoubtedly exist, might all be removed by the exercise of legislative provisions which at this moment are contained in the statute book. Many of these evils and defects have been allowed to continue because the local authorities do not perform their statutory obligations; almost all of them exist because the local authorities do not exercise the powers which they are authorised to put in force. Indeed, it is extremely difficult, if it is possible, to detect a single blot in the social condition—so far as their dwellings are concerned—of our poor, for which there does not now exist a statutory remedy.

There are formidable obstacles, no doubt, which hinder the exercise of the powers given by statute. Their exercise would require a large expenditure of money on the part of

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the local authorities, and these bodies are reluctant to impose the burden on the ratepayers. Landlords, who in many important cases make default in performing their obligations, exercise an unhealthy influence; and the inspectors, whose duty it is to inform the authorities of the evils which exist in their district, are too dependent upon the countenance of those authorities. Above all, it should be well borne in mind that the local authorities represent only separate districts; that improvement in one district is apt to mean deterioration in another, inasmuch as it occasions migration from one locality to another. This seems to point to the necessity of creating some central authority (as regards the Metropolis) which should organise and superintend improvements, with power to indicate, in some systematic method, the course which should be adopted for effecting them, and at the same time equitably to distribute the burden of paying for them. It seems to me that this view cannot be too strongly insisted upon; an area is cleared in the City, for example; good houses are built in the place of dilapidated dwellings; the value of land is much increased; but the consequence is, that the poor are driven out from the City into other parts of London, and that the evils which are removed from one district are reproduced in another. It is true that there are enactments intended to provide for the construction of dwellings in the place of those which are demolished, but experience has proved that those enactments are inadequate for the objects which they propose to effect.

There is also one important fact to which I desire very earnestly to direct attention. I have found, in visiting the dwellings of the poorest people, that there are a great many who have lived for several years in the same rooms, who often gain their livelihood by carrying on some small trade or business in them, who have gained credit among the tradespeople in the neighbourhood, and who thus have

acquired what may fairly be considered as a goodwill in the house they occupy. If they are suddenly deprived of their dwellings, they are deprived of their means of livelihood; and many a so-called improvement has driven honest and hard-working families into the workhouse. In attempting to effect improvements, it is therefore most important not to work injustice. When the ruinous and dilapidated building has been removed, and in its place a sanitary and well-constructed house has been erected, then, to use the well-known phrase of Bastiat, what is seen is the commodious dwelling, what is not seen is the misery of those who have been driven out into still more wretched habitations, or into the workhouse.

I wish to confine my observations to the Metropolis, as my experience has been limited to it. The reasons why poor people crowd from the country to this city depend partly upon causes connected with the laws relating to land, and partly upon other questions which it would not be useful to discuss on the present occasion; but, as regards the Metropolis itself, the few observations I have made seem to lead to the following conclusions:—

1. Some central authority ought to be established whose duty it should be to secure the due performance by the several local authorities of the duties imposed on them by statute, and the due exercise of the powers with which the Legislature has entrusted them, and to distribute equitably over the whole Metropolis the burden of the expenditure which would be the consequence of it. It should be the duty, also, of this central authority carefully to provide that, at the same time as areas were being cleared by the removal of insanitary houses, proper dwellings should be constructed for the accommodation of the poor thereby necessarily dislodged.

2. The inspectors whose duty it is to report to the local authorities should not be dependent on them. At the

present moment a vast deal of work which ought to be done by the inspectors and local authorities, and which ought to be done systematically and methodically, is done by volunteers. There is ample scope for the exercise of wholesome and beneficial influence by men and women who take an active interest in the improvement of the condition of the poor ; but it is because the inspectors and local authorities do not perform their duties that a great deal of power is wasted. A great many of the existing evils are due to the poor themselves, or to causes which can only be removed or alleviated by charity ; in such cases the efforts of volunteers are invaluable, and are the more appreciated because gratuitous. But work which ought to be done systematically and methodically ought not to be precarious, and should be done as the Legislature intended, namely, by the inspectors and local authorities under the existing provision of the law.

3. The case of common lodging-houses has proved that most useful work can be done by official supervision in conjunction with judicious regulations ; and it is no exaggeration to say that whereas many years ago the common lodging-houses were the source of physical and moral disease until disciplined and organised by bye-laws, they may now, as regards decency, cleanliness, and health, be considered model lodging-houses. The Local Government Board has recently given the local authorities of the Metropolis power to make bye-laws for the regulation of lodging-houses which do not fall within the category of common lodging houses, and there is therefore no reason why what is said of common lodging-houses should not be now said truly of others. So far as law can prevent it, immorality, overcrowding, disease, should now be prevented. It should be the duty of a central authority to see that bye-laws are judiciously framed and energetically enforced, for bye-laws are better not made than made and disregarded. If this

course were adopted, it might and would, no doubt, impose at first considerable expenditure upon particular districts ; but, as I have said before, this should be distributed equitably over the whole metropolis ; and there is no doubt that ultimately it would prove productive no less of economy to the whole city than of real benefit and advantage to the poor.

There are, no doubt, evils which no laws relating to the habitations of the poor can cure ; none the less, I hope and believe that this little book will do something to convince the public that it is not impossible, that even it is not difficult, for the Legislature to provide means to secure the due exercise of those powers which it has already called into existence, and which, if duly exercised, are almost co-extensive with the evils which result from the deplorable condition of the dwellings in which so many of our poor live.

ARTHUR COHEN.