# LOCAL GOVERNMENT LAW AND LEGISLATION FOR THE YEAR ENDED 30TH SEPTEMBER 1900

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649638420

Local Government Law and Legislation for the Year Ended 30th September 1900 by W. H. Dumsday

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd. Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com



# LOCAL GOVERNMENT LAW AND LEGISLATION FOR THE YEAR ENDED 30TH SEPTEMBER 1900

Trieste

# LOCAL GOVERNMENT 7

For the Year ended 30th SEPTEMBER,

## 1900.

CONTAINING :

THE STATUTES OF THE SESSION ANNOTATED AND EXPLAINED; DIGEST OF ALL CASES DECIDED IN THE COURTS; AND THE CIRCULARS, ORDERS, AND OTHER OFFICIAL INFORMATION RELATING TO THE JURISDICTION OF LOCAL AUTHORITIES ISSUED DURING THE YEAR.

ARRANGED AND BDITED

W. H. DUMSDAY,

Of Gray's Inn, Barrister-at-Law.

Author of "HADDEN'S LOCAL GOVERNMENT ACTS, 1894-97" (4th Edition), and "HADDEN'S OVERSEER'S HANDBOOK" (2nd Edition),

P

LONDON : HADDEN, BEST & CO., 5. WEST HARDING STREET, FETTER LANE, E.C., Local Covernment Publishers.

1900.



S. 🔹 S.

32

LONDON ; HADDEN, BEST & CO.," PHINTERS, 5, WEST HARDING STREET, FETTER LANE, E.C.

1.452

53

.

÷

873 31

33

#### PREFACE.

In deference to the wishes of numerous subscribers to the first volume of this annual series, an index has been furnished to the present volume. At the same time the general alphabetical arrangement of the subject matter has been retained as in itself affording a ready means of reference which has met with much appreciation.

November, 1900.

#### W. H. D.

764894

#### PREFACE TO FIRST ANNUAL VOLUME.

New legislation and the reported decisions of the Courts, continually render the most comprehensive text books on local government out of date and deficient in some particulars.

Until the gap is filled by new works or editions or by some other means, members and officers of local authorities necessarily experience difficulty in keeping in touch with the law and in grappling with the problems which invariably press for solution when changes take place in the law relating to local government. It is true that legislation of a novel character when of sufficient importance is generally followed at no great length of time by explanatory treatises, but this is seldom so in the case of less important statutes. These may not be dealt with at all, or even if they amend previous Acts, may often have to wait a somewhat prolonged period before their provisions are incorporated in new editions of standard works. The results of cases decided in the Courts since the publication of any particular text book can only be gathered by a close search in digests and various current reports dealing with every branch of the law which are not in every instance readily accessible. Busy men have long felt the need of a handy year book which would meet their difficulty and practically form a supplement bringing up to date all other text books.

The present work, which is intended to be the first of a series to be issued at the close of each parliamentary and legal year, has been prepared for the express purpose of bringing together in a convenient form the legislation and cases of the year which affect the powers and duties of county, borough, district and parish councils, and boards of guardians. The text of the Acts of the year is fully annotated and explained, and so much of any previous legislation is reprinted as may be necessary to elucidate the new enactments. Each Act is followed by the Official Circulars, Orders, or other information which bear upon its provisions. Miscellaneous Orders, Circulars, and other official

4

#### PREFACE.

information issued by Government departments in relation to matters not arising out of Acts of the year, are collected together in a separate Part of the book. The Digest of all cases decided and reported during the year contains full references to the recognised reports, and the notes have been carefully framed to show clearly the point raised and decided by each case. A list of Public Bills stating briefly their subject matter and the progress which they made, will it is hoped complete the usefulness of the book as a ready work of reference for those who are interested in the progress of local government.

Acts and other matters relating exclusively to the administrative county of London in which special enactments as to local government are in force, have generally not been included in the work; but notes of cases relating to those enactments which throw any light upon similar provisions in force in the provinces will be found among the cases noted in the Digest.

Each Part has, so far as the subject matter permits, been arranged alphabetically; a general Table of Contents is inserted at the commencement of the book to further facilitate reference.

November, 1899.

W. H. D

iv

### CONTENTS.

いたままた 二二

ł

## PART I.

PAGE

BLIC GENERAL ACTS of 1900, annotated and explained together with the Official Orders, Regulations, Circulars, and other Information relating therets	PAGE
	4
Ancient Monuments Protection Act, 1900	3
dated 31st August, 1900	7
Burial Act, 1900	8
Census (Great Britain) Act, 1900	21
County Councils (Elections) Act Amendment Act, 1900	26
Circular, extract from-County Councils-Local Government Board, dated 31st August, 1900	27
District Councillors and Guardians (Term of Office) Act, 1900	- 82
Circular, extract from-County Councils-Local Government Board,	<b>2</b> 8
dated 31st August, 1900	29
Electoral Disabilities (Military Service) Removal Act, 1900	31
Elementary Education Act, 1900	33
Circular, extract from-Urban District Councils-Local Government	33
Board, dated 3rd September, 1890 Circular, extract from—Guardians—Local Government Board, dated	38
3rd September, 1900	39
Expiring Laws Continuance Act, 1900	39
Housing of the Working Classes Act, 1900	42
Circular-Town Councils and Urhan District Councils-Local Govern-	10284 10284
ment Board, Dated 29th August, 1900 Circular-Rural District Councils-Local Government Board, dated	47
29th August, 1900	49
Members of Local Authorities Relief Act, 1900	51
Military Lands Act, 1600	52
Circular, extract from -County Councils-Local Government Board,	1032
Bolice Decemints (Allowances) Act. sace	56
	57
Poor Removal Act, 1900	60
3rd September, 1900	61
1847 65 51 Ch	

#### CONTENTS.

## PART II.

- C

-

EST of CASES				and re	porte	d in	the	
year ended 30th S	September	1900	÷	000			•••	6
Table of References	and Abbrevi	ations		<b>57</b> )				6
	CAS	ES CI	TED.					
Adamson v. Miller				01400				6
Armstrong v. London						<u>.</u>		10
Attorney-General v.				1.0				7
	Bedwellty G						(foot	
	Brighton and							2
	Dan				,			1
	Hanwell Un			will.				5
	Higgins ; as							
	Hughes .						***	2
	London Cou	nty Cou	ncil (No.	1)	· · · ·		•••	2
10. <u>44</u> 11			(No.		•••		•••	D
,, D.	London and	North W	Vectern R	ailway (	ampar		A	
91 D.	Warwicks	hire Com	niv Coun	ail ail			- 18 Martin	19
	Margate Pic				***			
** **	Merthyr Tyo	Hel Com	diane	oprieros		127		1
	Tyne Impro	uni Guar	Commirci		- * -			
	Waring ; ex				And an of	·		
<i>μ</i> , Ψ,	maning ; ex	baute De	adheid K	ulai Dis	MINCL C	Jouncu		6
Bailey v. Isle of That	net Lught Ra	ilways (	Company	1.00	342		100	12
Banks v. Wooler					100			I
Barnacle v. Clark					<u>.</u>			
Barnett v. Eccles Co.						2.63		- 8
Baron v. Portslade-b					***	·		1
Batt v. Mattinson								1
Beardeley v. Walton				***				-î
Beaumont v. Bowers								
Bennett v Harding								
" Tyler								1
Bideford Rector and	Churchward				barte	200		- 6
Bishop p. Wandswor								1
Bostock v. Ramsey								4,
Boston Borough Elec								
Boustead v. Horrock	아이아이아 아이는 몸 가지 않아?							
Bradfield Rural Dist							***	
Bramley Guardians :								1
Briarley v. Harper		C.C.C. 200 200 77.1				•••		1
Brown and Co., Ld.		am Unic		ment Co				
Burton v St. Giles'								
						**		
Bushell v. Creer			• ••••		***			
Calne Guardians v. S	St. Mary Isli	ington G	uardians	04900	***	0.000		- 10
Camberwell Assessm								I
Cambridge Guardian								15
Cannan v. Earl of A				044000				1
Carter v. St. Mary I								1
Cartwright v. Sculco								1
Cavill v. Amos							•••	

vi

#### CONTENTS.

1.1									
							13		
15			-	THE R L LOUIS					
			CO	TENT	3.				
City of London	Guardiana	v. Be	41			1000		$\sim 10^{10}$	
Cornford v. Car	iton Bank	, Ld.							
Craig v. Nichola			***	***	***	÷	***		
Cross v. West I Crystal Palace (						***	***		
22.									
Dalton Oversee Railway Co			nion A	.ssessme					
Daventry Rural	District (	ouncil	v. Pe	urker					
Davis v. Woodi	field		1.1.1			2000		1000	200
Druce (William	), decease	d, Re	***						
Eastwood Bros.	. Ld., v. 1	Honle	v Urba	an Distr	ict Co	uncil	1255		
Eley v. Durant									
Epsom Urban I		uncil a			unty (	Council			
Everleigh v. Ma	airs		•••	20	••			110	***
Farnham Flint,							14.64		
Fernley v. Lime	chouse Dis	strict I	Board	of Worl	CS .				
Fielden v. Morl	ley Corpor	ation	***	••			***.		1.99
Goldberg and S	ion, Ld., 1	. Live	rpool	Corpor	stion	***		***	
Gordon v. Nash				***			0.775		
Greenwell ø. H Greenwich Guas		ondo	Tueti		••	•••	••		
			383						
Hampton Urba		Counc		outhwa	rk and	l Vauxh	all W	ater Co	h
Hayley v. Tayle Henderson v. M	or		when I	District	Com	-a '''			
Hendon Guardi							ernme		rd
	District C			(1997) - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997	+-+				
		ounces	er mit						
Hickman v. Ma	aiscy	++-					1.22	322	
Hickman v. Ma	aiscy	++-							••••
Hickman v. Ma Hilton v. Hopw Hornsey Urban	aiscy vood District (	 Council	 I v. Gl	over		•••• •••	1.22		
Hickman v. Ma	aiscy wood District C caford Urb	 Council an Di	v. Gl	 lover Council	 	 			
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati	aisey vood District C eaford Urb ion v Oldh	 Council an Di am, A	strict (	 lover Council and Hy	  de El	ectric I		 ay, Ld.	
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plyn	aiscy vood District C eaford Urb ion v Oldh npton St.	 Council an Di am, A Mary	strict ( shion Rural	over Council and Hy District	de El	ectric T	  'ramw		
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment	aisey wood District ( eaford Urb ion v Oldh npton St. c of Preve t Committ	 Council oan Di am, A Mary 1 ntive 1 ce	strict ( shion Rural	over Council and Hy District	de El	ectric T	  'ramw		
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend	aisey wood District C eaford Urb ion v Oldh npton St. c of Preve t Committ derson	 Council oan Di am, A Mary 1 ntive 1 ce	strict ( shton Rural Medic	 Council and Hy District ine p. 5	de El Cour St. Go	ectric T seil corge's,	ramw Hans	ay, Ld.	  uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Sc Hyde Corporati Jackson v. Plyn Jenner Institute Assessment Jobson v. Hend Jones v. Short	aisey vood District C eaford Urb ion v Oldh npton St. e of Preve t Committ lerson 	 Council an Di am, A Mary ntive 1 ee	l v. Gl strict ( shton Rural Medic	District ine p. f	de El Cour St. Ge	ectric T tecil torge's,	ramw Hans	ay, Ld.	  uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do	aisey vood District C eaford Urb ion v Oldh npton St. c of Preve t Committ lerson  ock Comp	 Council an Di am, A Mary 1 ntive 1 ee  any v.	l v. Gl strict ( shton Rural Medic  De G	District ine p. 5	de El Cour St. Go	ectric T neil corge's,	 ramw Hans 	ay, Ld.	 uare, 
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se	aisey wood 1 District O eaford Urb ion v Oldh npton St. e of Preve t Committ derson  ock Comp ons, Ld. v	 Council an Di am, A Mary ntive 1 ntive 1 ee  any v. . Bolto	I v. Gl strict ( shton Rural Medic  De G on Cor	over Council and Hy District ine p. 5  rey poratio	 de El Cour St. Ge 	ectric T neil corge's,	ramw Hans	ay, Ld.	 uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plyn Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl	aisey wood District O eaford Urt ion v Oldh npton St. e of Preve t Committ derson  ock Comp ons, Ld. v lums Boar	 Council an Di am, A Mary ntive 1 ee  any v.  Bolto d v. M	I v. Gl strict ( shton Rural Medic  De G De Con	in over Council and Hy District ine p. 5  rey poration ster Co	de El Cour St. Go 	ectric T teil corge's,	ramw Hans	 ay, Ld.   	uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plyn Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl Lanc v. Rendal	aiscy wood 1 District O eaford Urb ion v Oldh npton St. c of Preve t Committ lerson  ock Comp ons, Ld. v lums Boar II	Council an Di am, A Mary 1 ntive 1 ce  any v. . Bolto d v. M	Liv. Gl strict ( shion Rural Medic  De G on Cor Ianche	over Council and Hy District ine p. 5  rey poratio	de El Cour St. Go  	ectric I neil corge's,   ion	ramw Hans		
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn De Knowles and Se Lancashire Asyl Lanc v. Rendal Lascelles v. Sw	aiscy wood i District ( eaford Urt ion v Oldh npton St. e of Preve t Committ lerson  ock Comp ons, Ld. v lums Boar il Schr	Council an Di am, A Mary 1 ntive 1 ee  Bolto d v. M  rol Bo	I v. Gl strict ( shion Rural Medic  De G on Cor Ianche ard	intervention Council and Hy District inter p. 5  rey poration ster Co	de El Cour St. Go  n rporal	ectric 1 acil corge's,	ramw Hans	 ay, Ld.   	uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plyn Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl Lanc v. Rendal	aiscy wood i District ( eaford Urt ion v Oldh npton St. e of Preve t Committ lerson  ock Comp ons, Ld. v lums Boar il anses Scho an Distric	Council an Di am, A Mary 1 ntive 1 ee  Bolto d v. M  rol Bo	L. Gl strict ( shion Rural Medic  De G on Cor lanche ard acil v.	intervention Council and Hy District inter p. 5  rey poration ster Co	de El Cour St. Go  n rporal	ectric I neil corge's,   ion	ramw Hans	ay, Ld.	uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl Lanc v. Rendal Lascelles v. Swo Uandudno Urb Logsdon v. Boo	aiscy wood i District C eaford Urt ion v Oldh npton St. e of Preve t Committ lerson  ock Comp ons, Ld. v lums Boar il ansca Schwan Distric oth tter	Council an Di am, A Mary 1 ntive 1 ee  . Bolto d v. M  sol Bo t Coun 	I v. Gl strict ( shion Rural Medic  De G on Cor lanche  ard ucil v.	inter of the second sec	rde El Cour St. Go  n rporal	ectric 1 neil corge's,   	Hans	ay, Ld.	uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl Lase v. Rendal Lascelles v. Sw Llandudno Urb Logsdon v. Boo v. Trol London (City o)	aiscy wood i District ( eaford Urt ion v Oldh npton St. e of Preve t Committ lerson  ock Comp ons, Ld. v lums Boar il anses Scho an Distric oth tter f) Guardia	Council oan Di am, A Mary 1 ntive 1 ce any v. Bolto d v. M  vol Bo t Coun  ns v. I	I v. Gl strict ( shion Rural Medic  De G on Cor lanche ard cil v.  Bell	rey poration ster Co inter p. 5 inter p. 5 i	de El Cour St. Go  rporal	ion	ram w Hans	ay, Ld.	uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl Lane v. Rendal Lascelles v. Sw Llandudno Urb Logsdon v. Boo v. Trot London (City o) London County	aiscy wood i District ( caford Urt ion v Oldh npton St. c of Preve t Committ lerson  ock Comp ons, Ld. v lums Boar il ansea Sch an Distric oth tter f) Guardia Council v	Any v. Any v. Bolto d v. M Col Bo t Coun Sol Bo t Coun Sol Bo t Coun Sol Bo	I v. Gl strict ( shion Rural Medic  De G on Cor lanche ard ucil v.  Bell ford (I	rey poration ster Council and Hy District ine p. 5  poration ster Co  Hughes  Duke of	rde El Cour St. Go  rporal	incil corge's, incil corge's, incin	Hans	ay, Ld.	uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl Lane v. Rendal Lascelles v. Sw Llandsdno Urb Logsdon v. Boo " v. Trol London (City o) London County "	aiscy wood i District ( caford Urt ion v Oldh npton St. e of Preve t Committ lerson  ock Comp ons, Ld. v lums Boar il tter f) Guardia ' Council v ', *	 Council aan Di aan, A Mary 1 ntive 1 ce  . Bolto d v. M         	I v. Gl strict ( shion Rural Medic De G on Cor Ianche  ard ard v Sell ( Cch	rey poration ster Co inter p. 5 inter poration ster Co inter Hughes inter Duke of)	rde El Courr St. Gou rporal	ectric T neil corge's,        	ram w Hans	ay, Ld.	uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plym Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl Lane v. Rendal Lascelles v. Sw Llandwdno Urb Logsdon v. Boo " v. Troi London (City o) London County "	aiscy wood i District ( eaford Urt ion v Oldh npton St. c of Preve t Committ lerson  ock Comp ons, Ld. v lums Boar il ock Comp ons, Ld. v lums Boar il anses Sch an Distric oth tter f) Guardia Council z ,, a , v	 Councill san Di am, A Mary 1 ntive 1 ce   any v.   bolt d v. M    bolt d v. M         	iv. Gl strict ( shion Rural Medic De G on Cor lanche ard ceil v. Sell ford (I cch wis, ra l	rey poration ster Council and Hy District ine p. 5  poration ster Co  Hughes  Duke of pratice arbitrs	rde El Cour St. Cour n rporal	ectric I neil corge's,  ion  etween	ramw	aty, Ld.	uare,
Hickman v. Ma Hilton v. Hopw Hornsey Urban Hutchings v. Se Hyde Corporati Jackson v. Plyn Jenner Institute Assessment Jobson v. Hend Jones v. Short King's Lynn Do Knowles and Se Lancashire Asyl Lane v. Rendal Lascelles v. Sw Llandwino Urb Logsdon v. Boo " v. Troi London (City of London County " " London School	aiscy wood I District ( eaford Urb ion v Oldh npton St. of Preve t Committ herson  ock Comp ons, Ld. v hums Boar II f) Guardia ', v E Council v ', v Board v Board v	 Journell Joan Di Joan Di Joan Di Joan	 strict ( sshion Rural Medic  De G Don Cor Ianche  Bord (I cch wis, ra Medic ( r 	rey poration ster Council and Hy District ine p. 5  poration ster Co  Hughes  Duke of pratice arbitrs	rde El Cour St. Cour n rporal	ectric I neil corge's,  ion  etween	ramw	aty, Ld.	uare,