Rücken were last year successfully brought under its operations, and as its provisions are better understood, I am confident they will be more generally applied. I do not see any very important distinction between the deepening of a lengthened river course and the construction of a tramway or a railway extension, as far as parliamentary powers are concerned. I have been one of those who confidently asserted many years ago, as I do now, that railways should, in the advance of civilization and scientific improvement, be regarded as nothing more than common highways, differing from them only in cost and carefulness of construction, and the exclusive purposes to which their peculiar characteristics require them to be applied. For these peculiar features the legislature can easily provide, and I hope in our time to see their civilizing influences more easily attainable by the removal of those barriers which now render their adoption so costly and so difficult, and that this desirable result will be attained by the total abolition of the present tedious and expensive ordeal of Private Bill Legislation.

The limits which the rules of this Society, and regard for the feelings of my auditory, impose upon me, have prevented me from going at greater length into this branch of the subject, but I hope I have not trespassed too much on your patience, in attracting your attention to a subject which I feel to be one of the greatest possible importance to this part of the United Kingdom.

VI.—Should the Local Government Acts be extended to Ireland?—By John Hancock, Esq., J.P.

[Read Tuesday, 16th February, 1869]

In September, 1867, at the request of the Council of the National Association for the Promotion of Social Science, I read a paper at the Belfast Congress in answer to the question, “Should the Local Government Acts be extended to Ireland?” which was printed in the Transactions of the year; and at the same meeting a valuable paper was read by Mr. Anderson on Irish Municipal Government, calling attention to the defective provisions of the Towns Improvement (Ireland) Act, 1854; stating that the Act and its incorporations now embrace more than 900 sections, and recommending consolidation; and suggesting that these towns should be exempt from county cess, and bound to keep their streets in order at their own expense. In the discussion which followed this paper, Mr. Millar, who had been chairman of the Lisburn Town Commissioners, recommended that the towns under the old Paving Act of 1829 should now be compelled to adopt the act of 1854, so that there might be in Ireland a uniform system of municipal administration; and Mr. S. M. Greer recommended that there should be some more efficient means of settling the area of towns under the act.

The section of Economy and Trade at Belfast, under the presidency of Sir Robert Kane, unanimously adopted the following reso-
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solutions, viz.:—"That it be recommended to the council—1st. That
the powers of the Local Government Acts now in operation in Eng-
land ought to be extended to Ireland. 2nd. That it is most desir-
able that the Local Government and Public Health Acts should be
amended and consolidated by one act applicable to both countries."
Two years' volumes of statute law have been issued since I read my
paper, and I propose now to call your attention to such acts as bear
on the question already proposed.

In June, 1867 (30 Vic. c. 28), we have the Labouring Classes
Dwelling Houses Act, 1867, amending the act of the previous year
as to England and Ireland, and extending to Scotland the provisions
of the act of 1851, which had been granted to Ireland in the pre-
vious year, and had been sixteen years in force in England.

The Sewage Utilization Act, 1867 (30 and 31 Vic., c. 113), faci-
litates the distribution of sewage matter over land, and otherwise
amends the law relating to sewage authorities under the act of 1865,
and confers additional powers on local authorities.

The Justice of Peace Act, 1867 (30 and 31 Vic., c. 115), removes
the disqualification from justices acting in cases in which they may
happen to be remotely interested as ratepayers.

The year 1868 opens with the Industrial Schools Act (31 Vic.,
c. 25), extending to Ireland, with modifications, the beneficial Eng-
lish Act of 1866; and this is followed by the important act, 31 and
32 Vic., c. 97, called the Lunatic Asylums (Ireland) Accounts Audit
Act, which came into operation on the 1st January last.

The present lunatic asylums in Ireland were established under the
provisions of an act of Parliament passed in 1821 (1 and 2 Geo. IV.
c. 2>, and the accounts have hitherto been submitted to a London
audit board. The vouchers and documents had to be regularly
transmitted to London, and endless correspondence took place on
the most trifling accounts; but now the new improved system of
audit which has worked so well in poor law matters is introduced,
under which the governors of each asylum must prepare, before the
25th of March in each year, accounts up to and ending the 31st
December previously, and send them, with full statistical returns of
all kinds, to the Asylum Inspectors in Dublin Castle. Twelve days
notice of audit is given, during seven of which all accounts are open
to public and local inspection in the board room of each asylum.
The auditor is empowered to summon witnesses, examine accounts,
and charge personally against any governor or officer any sum of
money improperly paid, and to summon such person before the
magistrates in default of payment. Within fourteen days after
audit, the auditor is to deliver a copy of his report to the secretary
of the grand jury and governors of the asylum, who are bound to
publish the same in a newspaper circulating in the district.

Can anything be fairer or better than this? A local audit after
public notice by an experienced independent public officer, not con-
ected with the locality, and armed with full authority to send for
persons and papers, and an appeal from his decision to two local
magistrates in open court. Nothing so effectually stops illegal and
irregular payments as making the governors who sign the checks
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Extension to Ireland.

personally and summarily answerable for such payments. This sys-
tem of audit, now extended to the asylum expenditure of £100,000 a
year, has worked well for years in the Poor Law expenditure of £600,000 a year, and there is no difficulty then in at once extend-
ing it by law to the town rates of Ireland, amounting to about half
the above-named sums.

In 1866 we had the great Public Health or Sanitary Acts, applic-
ablc to the three kingdoms, and I was in hopes that exceptional
legislation on that point at least was at an end; but nearly the last
act of the last session of Parliament is one to amend the sanitary
act of 1866 in several important and valuable particulars applicable
to this country, yet section 2 of 31 and 32 Vic., c. 115, enacts that
this act shall not extend to Scotland and Ireland.

I cannot close this examination of the laws for the past two years
without calling your attention to a very important act passed for
England alone in June, 1867 (30 and 31 Vic., c. 35), entitled an
act to remove some defects in the Criminal Law. This act recites
amongst other things, that complaint is frequently made by persons
charged with indictable offences, upon their trial, that they are un-
able, by reason of poverty, to call witnesses on their own behalf,
and that injustice is thereby occasioned to them, and it is expedient
to remove, so far as practicable, all just ground for such complaint,
and enact—That in all cases of any person charged with any indict-
able offence, the justice shall demand and require of the accused per-
son whether he desires to call any witness, and if so, the justice is
bound to take the deposition of such witness in the same manner as
if he were for the prosecution, and bind him by recognizance to at-
tend the trial. These depositions are to be returned along with the
other papers, and can be read on the trial in favor of the prisoner, in
the event of the death of the witness, or “in case he is so ill as not
to be able to travel” to the place of trial. Power is given to the court
to award expenses to such witnesses, in the case of poor prisoners, out
of the same fund as is charged with the expenses of the prosecution.

Another valuable clause provides for the case of a witness for either
side who is dangerously ill, and has not made a deposition. A ma-
gistrate may, after notice to both sides, take the deposition at his
house, and require the presence of the accused on the occasion, no
matter by what authority he be detained in gaol, and such deposition,
sO taken, is available in the event of the death or continued
illness of the witness. Justice for Ireland demands that the same
measure of freedom and support should be given to the poor Irish
prisoner in this country as in the sister island.

I will take the liberty therefore of making four suggestions to
this meeting:—1st. That there should be a complete assimilation,
when possible, of all laws between the two countries affecting the
general interest of the people. 2nd. That the Poor Law Audit sys-
tem should be extended to town rates. 3rd. That the Local Go-
vernment Acts in both countries should be consolidated and code-
fied. 4th. That when local information is wanted, for instance in
reference to boundaries, &c. the English system should be adopted
of Parliament acting upon the report of the Irish Chief Secretary.