APPENDIX I

THE HISTORY OF THE MUNICIPAL FRANCHISE[1]

Amongst the many articles that celebrated the centenary of local government, no mention was made of the development through the century of the municipal franchise. Yet, it also had a history not without interest.

The authors of the 1835 Municipal Corporations Act intended the franchise to be wider than that of the parliamentary franchise of 1832, but it was not until 1869 that this result was finally achieved.

In order to qualify for the parliamentary franchise, a man over twenty-one years of age had to occupy premises of the clear annual value of not less than £10 for twelve months before the last day of July, to have been rated to the Poor Rate for the same period, to have paid the rates up to April 6th, and to have resided within the borough, or within seven miles of it, for six months before July.[2]

In order to qualify for the municipal franchise, a man over twenty-one had to occupy premises for three years before August in any year, and to have been an inhabitant householder within the borough or seven miles of it, for the same time. He must have been rated in respect of his premises for the time of his occupation, that is three years, and have paid the rates for two and a half years.[3]

When the two franchises are compared, the municipal appears to be wider because there is no mention of a property qualification, but, as will be seen later, it actually enfranchised fewer people.

Two years before municipal reform in England, the Scottish Burgh Act[4] had reformed the Corporations of that country and the parliamentary franchise of the £10 householder had been adopted for the new municipalities, but the Government was anxious to explain to the House of Commons that the English municipal franchise was to be wider. In the House of Commons Lord John Russell said:[5] "It must have occurred to everyone who wishes that there should be a uniform franchise in corporations that the present parliamentary franchise of the £10 householder might be taken as the constituency in corporations . . . but it would expose that franchise to danger. It has produced a class of constituency which from property and intelligence is fit to be entrusted

[1] Reprinted by permission from *The Journal of Public Administration*, October 1936.
[2] 2 Will. IV, c. 45.
[3] 5 & 6 Will. IV, c. 76.
[4] 3 & 4 Will. IV, c. 77.
[5] *Hansard*, June 5, 1835

with the responsible duty of electing members to Parliament, and I think if we were to say that no others but those who possess that qualification should vote for corporations, we should arouse a feeling of enmity and jealousy against them as monopolizing all rights and powers to the exclusion of others that were as well entitled as themselves. In the next place, I think, we should consider those whom I may call the permanent ratepayers, the inhabitants of the town, as perfectly fit and qualified to choose persons to represent them in its common council and government." He went on to say that the lower class ratepayers were more open to bribery as concerns parliamentary elections, but, "I do not think that the same thing can be said when you place before them the propriety of choosing their own neighbours, perhaps their next-door neighbours, as persons fit to have a voice in the government of their own town." It will be remembered that the Bill, as introduced, had no property qualification for councillors, but that it was inserted later by the House of Lords. He then added another and a more conclusive reason. "These ratepayers do contribute and directly contribute to the expenses of the town," and, "those who contribute their money should have a voice in the election of persons by whom the money is spent." Justifying the condition of two and a half years' payment of rates, he said, "that it is but proper to have the permanent ratepayers of the town as the persons to elect the Council which is to have the government of the town yet, at the same time, it seems to be necessary to take some form of caution that they are neither persons who are occasionally suffering under that pressure of distress which obliges them to receive parochial relief, nor persons unable regularly or for a length of time to pay their rates."[1] Later in the discussion he refused to accept an amendment to extend the scope of the franchise by adding "Tenement" after "House, Warehouse, Counting-house and Shop," as, he said, "it would admit every place that was rated even at the lowest possible amount, and thereby entrust the franchise to a class of persons who might not exercise it in the manner contemplated in the Bill."[2]

When the Scottish Burgh Act was going through Parliament only two years before, the Government had laid stress upon the necessity for a uniform franchise for municipal and parliamentary electors, and had therefore resisted any amendments to reduce the qualification below £10 householders. The Lord Advocate argued in this connection that if the £5 householders were allowed to vote for the municipal boroughs, they would soon claim to vote for M.P.s, and he knew not on what principle the legislature could refuse them.[3] In the same year, 1833, Lord

[1] *Hansard*, June 5, 1835.
[2] *Hansard*, June 26, 1833.
[3] *Hansard*, June 22, 1835.

Brougham's abortive Bill to confer municipal government on thirty towns which had been given members of Parliament by the Reform Act, proposed that the franchise should be the same as the Parliamentary. It is not clear what happened in the intervening two years to make the Government give, what was popularly called "household suffrage," and which was meant to be an extended franchise, to municipal electors. Joseph Parkes, the Birmingham solicitor, who had been secretary of the Royal Commission on Municipal Corporations and who had much to do with the drafting of the Bill, writing to Lord Durham, said: "I was till twelve last night at Blackburne's chambers on our Corporation Report in which, *entre nous*, we shall distinctly recommend the new Durham suffrage for indeed we could get no sufficient electoral body by any other standard. But we have got to get over some of the Commissioners. All the strong heads and good principles are agreed—but we have a posse of Lord Brougham's men and weaker vessels who will not hold out." After he had succeeded in persuading the majority of the Commissioners, the Cabinet was a more difficult problem; "they swore in my presence that they would never agree to household franchise, but Ellice and I convinced Lord Melbourne and he converted them." This success was a great surprise to Parkes. "I never thought when we began with the Cabinet that we should spoon them with it. But it stays on their stomachs up to to-day; and tonics I hope will keep it down till the Bill is fairly launched in the House of Commons. Once there we are safe as a united party—come what may." Later he wrote, "However it is a smasher—a grand point to get household suffrage, and a thorough purge of the existing Corporations."[1]

Francis Place, the radical tailor of Charing Cross, ran a weekly paper called *The Municipal Corporations Reformer* for a few months whilst the Bill was going through Parliament. In it he wrote that Lord John Russell had brought to the support of the new municipal franchise the immutable principle that representation should be co-extensive with taxation. Place objected to the "vexatious and useless ratepaying clause which cannot fail of producing extensive litigation and disfranchisement. Three years rating and payment for two years and a half are utterly unjustified by principle and precedent, and we should be dishonest commentators on the municipal Bill if we did not denounce this constantly extending invasion of popular rights in subservience to the Upper House." This must have referred to discussions in the Cabinet, for the House of Lords curiously enough made no attempt to alter the franchise. However, in the same number of his paper he said that the Bill was "a legislative proposition more perfect in principle and more extensive in its transfer

[1] *Joseph Parkes of Birmingham*, by Jesse Buckley, pp. 120–22

and new distribution of political power than even the Reform Bill of 1831." And when the Bill went to the House of Lords, he wrote: "This great measure of social regeneration has, in all its principles, passed unscathed through the Committee of the House of Commons." It is clear, therefore, that he as well as Joseph Parkes thought that the municipal franchise would be considerably larger than the parliamentary franchise of 1832. This view was shared in the country, for at a meeting in Liverpool in support of the Bill, Mr. W. Rathbone said,[1] "It gives you all but universal suffrage." Other speakers added, "They say the franchise is too extensive, they see or affect to see a danger in allowing the 'mob,' as they call the people, to have a voice in municipal or political affairs." No serious objection to the scope of the franchise was made in the House of Commons. Peel recognized in all his speeches that the franchise was much wider than the parliamentary franchise, and Lord Lyndhurst, who fought bitterly many of the provisions of the Bill in the House of Lords, surprisingly said,[2] "that it was not his intention, nor he believed the intention of the noble Lords round him, to make any objection to the burgess qualification proposed by this Bill." This might, in view of his insistence upon a property qualification for councillors and life aldermen, have made the Radicals suspect that the franchise was not actually so democratic as it seemed to be, and in the earlier stages of the discussion in the Lower House Mr. Roebuck asked a very pertinent question. He said: "In a great many places persons are not rated who live in houses rated under £10 per annum. I wish to understand from the noble Lord what arrangements he meant to make with regard to persons of this description?" Lord John Russell's reply is stated by one reporter to have been "wholly inaudible,"[3] although *Hansard* reports him as making a reply that still did not clear up the position. "Compounding" proved to be the chief reason why the franchise in practice was different from the franchise in theory.

The Bill was passed, burgess lists made out, and the result was very different from what had been expected. From an official return made in 1836,[4] the local electorate in most towns was shown to be smaller than the parliamentary electorate. In a hundred and seventy-eight municipal boroughs there were 124,000 municipal voters, whereas in the hundred and twenty-six of them which were also parliamentary boroughs, there were 147,000 parliamentary voters.

The following figures give the comparison between the parliamentary

[1] *Municipal Corporations Reformer*, June 20, 1835.
[2] *Hansard* (House of Lords), August 14, 1835.
[3] *Municipal Corporations Reformer*, June 13, 1835.
[4] *Return to the House of Commons of Persons Qualified to Vote for Members of Parliament and Councillors*, 1836.

and the municipal electors for the five large towns which were incorporated at various dates from 1835 to 1843:—

Town.	*Parliamentary.*	*Municipal.*	*Population.*
[1]Birmingham, 1838	7,309 (1832)	5,023	180,000
[2]Leeds, 1835	5,052	6,762	120,000
[3]Liverpool, 1835	11,283 7,655 (incl. 3,628 freemen)	5,838	185,000
[4]Manchester, 1838	11,185	9,118	200,000 (estimated)
[5]Sheffield, 1843	4,060	5,584	110,891

In three out of the five towns the municipal list was less than the parliamentary by about 2,000 voters; only the two Yorkshire towns had more municipal than parliamentary voters. This result seems to need explanation, for, with the exception of Creevey, who wrote in 1836, "There was never such a coup as this municipal reform has turned out to be. It marshals all the middle classes in all the towns of England in the ranks of Reform, aye and gives them monstrous powers too,"[6] no other contemporary writer, except Harriet Martineau, and no politician, radical or chartist, seems to have realized the situation or made any protest. Three years later even, in 1838, when Richard Cobden was leading the movement for a charter for Manchester, he said,[7] at a public meeting, "Every householder for three years paying however small an amount of rate is a member of the body corporate and has an equal vote for the election of council men, aldermen and mayor. I am aware that misrepresentations have gone abroad, but I pledge my word of honour that, by this Act, every individual, however low his assessment, shall have one vote." Referring to the election by the council of aldermen and mayor, he said, "Can there be anything more democratic or republican than that? It is universal suffrage; annual parliaments, and vote by ticket, if not vote by ballot." Later he referred to "the poor artisan who walks there (i.e. to the polling booth) perhaps slipshod and aproned from his garret or cellar."[8] Cobden, as we know from a letter to Mr. Tait of Edinburgh,[9] was doing his best, although without success, to win over

[1] Letter from Town Clerk.
[2] *English Municipal Institutions*, by Somers Vine.
[3] *English Municipal Institutions*, by Somers Vine.
[4] *Parliamentary and Burgess Lists*, Manchester Reference Library.
[5] Letter from Town Clerk.
[6] *The Creevey Papers*, edited by H. Maxwell, p. 650.
[7] *Manchester Guardian*, February 10, 1838.
[8] *Cobden as a Citizen*, by W. E. A. Axon, p. 35.
[9] *Life of Richard Cobden*, by Lord Morley, abridged edition, p. 63.

the Radicals of Manchester in the fight for the charter, but he would hardly have intentionally misrepresented the facts. Three years after the passing of the Act, therefore, this misunderstanding about the franchise was possible, and many historians have, even up to the present day, perpetuated the fallacy that the 1835 franchise was more democratic than that of 1832. The two notable exceptions are the Sidney Webbs[1] and the J. L. Hammonds,[2] both of whom realized, from a study of the figures, that the electorate proved to be a middle-class one. Redlich and Hirst, however, say:[3] "This Council was to be elected, according to the provisions of the Bill, by the equal and direct vote of the local ratepayers. . . . The municipal franchise was thus framed on a principle much more democratic than the parliamentary, for it gave the right to vote to all ratepayers who had resided in the town for three years." Professor Trevelyan in his *British History of the Nineteenth Century*, speaking of the Scottish Burghs Act, 1833, under which, as we have seen, the municipal franchise was that of the £10 householder, and explaining that Scotland insisted upon Corporation reform sooner than the sister country, says: "For this reason the new municipal electorate in England, by waiting two years longer, obtained the more democratic franchise of all who paid rates." And the author of an article in *The Times* in July of last year, describing the Municipal Corporations Act, wrote, "There was to be a single type of town council elected by all male ratepayers of three years' standing who resided within seven miles of the borough."

The mistake of those authorities seems to have arisen from the fact that, as there was no property qualification mentioned in the Act, and as the intention of its sponsors was clear, they did not find out what actually happened when the burgess lists were made out.

When we try to explain the result, we find that there were two reasons, unsuspected by the authors of the Act, for the difference in the electors' lists.

In the first place the parliamentary voter only had to occupy for twelve months instead of three years, and to have paid rates for six months instead of two and a half years. At this period there was a considerable movement of population, and Irish immigration in the north, although not so great as during the next decade, was continuous. But the long period of occupancy and ratepaying affected the middle as well as the working class. In the return of parliamentary and municipal voters made in 1836, to which reference has already been made, the Town Clerk of Richmond said that one reason why the number of municipal voters was less than that of the parliamentary in his borough was "requiring as

[1] *The Manor and the Borough*, p. 749. [2] *The Age of the Chartists*, pp. 51, 52.
[3] *English Local Government*, vol. i, p. 124.

a qualification the elector to be an inhabitant householder, three years' occupation previous to the registration and the payment of all rates to the relief of the poor during that time by which many of the best inhabitants are not only deprived of their franchise of burgess but are also rendered ineligible to hold office which they are otherwise well qualified to fill."

The second, and by far the more important, reason for the failure of the Municipal Act to enfranchise more people than the Reform Act, was the system of compounding for rates of houses between £20 and £6 rental which had first been introduced by an Act of 1819.[1] The reason for this provision was, that the payment of poor rates was often evaded by people living in houses let in lodgings or separate apartments because they were poor and did not stay long in one place. It was found that owners of that class of property often charged higher rents because their tenants could avoid payment of rates. The Act was permissive, that is to say it only came into operation where the vestry adopted it. When they did so decide, the owners of houses, apartments and dwellings which were let at rents of not less than £6 nor more than £20 for a term that was less than three months, were to be rated instead of the occupiers. In consideration of this arrangement they were to be allowed a deduction of not more than one half of the rates. A return made many years later showed that this Act had only been adopted in one or more parishes in seventeen parliamentary boroughs. The fact that it had not generally been adopted throughout the kingdom may account for there being no mention, apart from Mr. Roebuck's question, of its possible effect upon the franchise in the discussions in Parliament over the Municipal Corporations Act, and the Government may have thought that Section XI of that Act would deal adequately with the exceptional cases. This section gave an occupier the right to claim to be rated in respect of his premises whether or not the landlord was liable, and, if he paid the rate, his name was to be put on the rate book. But what Parliament does not seem to have realized was, that although the 1819 Act under which alone compounding agreements could be legally enforced, had not been universally adopted, there had grown up as a result of the Act a widespread custom of voluntary agreements between overseers and those landlords who, in return for a reduction, were ready to be responsible for the payment of rates on their property. Later these non-legal agreements caused difficulties to the overseers, but at this time they were numerous, although unequal in operation. In the same street one landlord might "compound" and others not, and the amount of the reduction allowed also varied.

The right to claim to be rated and thus to get on the burgess list would

[1] 59 Geo. III, c. 12.

of course, be known to very few, and would involve so much trouble and publicity that no one could have imagined that it would be widely exercised. There are few records of the revision courts of that time, but twenty-five years later a Manchester solicitor giving evidence before a Select Committee of the House of Lords,[1] stated that out of 33,000 assessments at £10 and under, in that city, only 200 occupiers claimed to be put on the municipal list.

Although there was no uniform practice, it is probable that overseers were not accustomed to put the names of compounded tenants on the various local voting lists. In 1834 the Churchwardens of Manchester consulted their legal adviser as to the effect of compounding on the respective rights of owners and tenants to vote at vestry meetings. He ruled against both, on the ground that as there was no legal compounding agreement, the owners were not the parties rated, and because the overseers had accepted a sum less than the whole rate the tenants, who were in law the parties rated, could not be held to have paid the whole rate! In his opinion the payment of the whole rate was implied. It will be remembered that Section IX of the Municipal Corporations Act said that no person who had occupied for the necessary time should be enrolled "unless he shall have been rated . . . to all rates for the relief of the poor, which he shall have paid." This would probably have been interpreted by those who were accustomed to exclude compounded tenants as additional justification for it, whether or not that had been the intention of Parliament. If only Lord John Russell's reply to Mr. Roebuck had been audible much later litigation and legislation might have been avoided. But this reason alone would not account for the exclusion of so many ratepayers because, at this date, compounding was not legal for houses below £6, probably owing to the opposition of landlords, who would wish to keep as many of their lowest rented houses as possible practically immune from rates. It seems never, however, to have been the custom to put this type of tenant on any voting list except in those corporations where he could qualify as a freeman. Even when he had fulfilled the condition of three years' occupancy and had paid rates, and kept free from Poor Law relief, he would hardly have been considered worthy of a vote. It was probably occupiers of this kind of property that Lord John Russell had in mind when he refused the amendment which by adding "tenement" to the list of qualifying premises would, he said, "entrust the franchise to a class of persons who might not exercise it in the manner contemplated by the Bill."

In order to get some idea of the number of ratepayers who were

[1] Report of Committee of House of Lords on the Probable Increase of Electors if Reduction of Franchise Made, 1860, p. 195, Sudlow's Evidence.

excluded by compounding agreements and by custom we may look at the township of Manchester, the largest of the five townships that made up the municipal borough of that name. In 1838, there were 34,000 assessments, of which only 9,000 were over £10. There were, however, only 6,600 municipal voters, but although compounding was not by any means general there were hardly any tenants below £10 on the list.

The procedure with regard to compounded tenants was not, however, universal. In some parts of the country it was held that so long as somebody paid the rates, the occupier had the right to vote, and in 1837 the issue was raised in the Courts.[1] At Bridgnorth, seventy men had been put on the burgess roll by the overseers, but the mayor, on revision, had them struck out as "none of the several parties had paid their respective rates themselves, but that the same had been paid for them by third parties." It was contended before the High Court that these rates had been paid by persons belonging to a political party in the borough and, it was believed, for political purposes. Evidence was given that many of the people had been unable to pay their rates themselves when called upon to do so during the three years, and also that many of them did not know that their rates had been paid. The Lord Chief Justice, in upholding the mayor's ruling, said: "We ought to promulgate our opinion on this subject without delay. If the practice described were to prevail, there would be great danger of the most enormous bribery. The statute, in requiring that the rates shall have been paid, contemplates some payment by the party's own act." It seems curious that he made no distinction between payment of rates by an outside person, and payment by the landlord under a compounding agreement. Whether this decision in 1837 was given much publicity, or whether, in most parts of the country, direct payment of rates had been assumed necessary for the burgess qualification, the question was not finally settled until 1878.[2]

In 1850, the Act[3] for better assessing and collecting the Poor Rates and Highway Rates in respect of small tenements extended compounding to houses under £6 as it had been found "expensive, difficult and frequently impracticable" to collect the Poor Rates from such property. But a special clause, alien to the general purpose of the Bill was introduced during its passage through Parliament, which said that where the owner instead of the occupier was rated, and the owner had paid the rates, the occupier was to be entitled to all municipal privileges under the 1835 Act to which he would have been entitled if he had himself been rated and had paid the rates. This therefore secured the municipal vote to the lowest ratepayer if he had occupied premises for three years. This Act,

[1] *Reg. v. Mayor of Bridgnorth*, Revised Reports, vol. 50, p. 334.
[2] 41 & 42 Vic., c. 26.
[3] 13 & 14 Vic., c. 99.

which was permissive, was adopted in more than 5,000 parishes.[1] But the attitude of the overseers in Manchester may not have been unusual. They were told by their clerk that if they adopted it 10,000 tenants living in houses under £6 rental would be added to the burgess list. This would outnumber the existing voters which were 8,000, and it would be very unfair to the compounded tenants between £6 and £20 who were not on the list. As there were 19,000 assessments below £6, it was calculated that more than half these tenants would qualify on occupation. The overseers decided that, as by compounding voluntarily and by ordinary methods they were able to collect more than half of the rates from this class of property, they would prefer to go on as before rather than face the "serious results which are likely to arise in all corporate towns from such a class of voters."[2]

Nine years later a Select Committee of the House of Lords inquired into the operation of this Act. They reported that it had made a great change in the 1835 system for, according to them, the Municipal Corporations Act intended the direct payment of rates by the householder himself to be a necessary condition of obtaining the vote. They found that the Small Tenements Act, as it was called, had been useful in collecting rates, but had caused a serious deterioration in the character of the electorate. It had admitted the lowest grade of voters, Irish immigrants, who were open to bribery by drink and breakfasts, and it had introduced bribed canvassers.[3]

A ridiculous position had now arisen. Tenants of compounded houses below £6 in the 5,000 parishes which had adopted the Small Tenements Act, were expressly entitled to the municipal vote, whereas those occupying houses between £6 and £20 whether compounded for by legal agreement or by voluntary arrangement, were usually omitted from the burgess list. In 1858, therefore, an Act to amend the municipal franchise in certain cases[4] was passed. This said that those tenants who were compounded for under the 1819 Act, i.e. those occupying houses between £6 and £20 were also to have the municipal franchise. Even now the question was not yet settled. Manchester, for instance, had never adopted —legally—either the 1819 Act or the 1850 Act, and so the 1858 Act was taken not to apply to voluntary compounding! There may have been other places that were equally determined to keep the franchise as high as possible, and they were successful for another eleven years.

In 1869, two Acts were passed which affected the municipal franchise. The Act[5] to shorten the term of residence as a qualification for the

[1] *Poor Rate Assessment and Collection Act*, 1869, by Hugh Owen, Junior.
[2] *Churchwardens and Overseers Board Book*, January 3, 1851.
[3] British Parliamentary Papers, 1859.
[4] 21 & 22 Vic. c. 43.
[5] 32 and 33 Vic., c. 55.

municipal franchise reduced the period of occupancy from three years to one year, thus making it the same as the parliamentary qualification. This Act also gave the municipal vote to single or widowed women, if they fulfilled the necessary qualifications. The other Act[1] to amend the law with respect to Rating of Occupiers of short terms and the making and collecting of the Poor Rate, re-introduced compounding, which had been abolished in 1867. The upper limits were fixed at £20 for London, £13 for Liverpool, £10 in Manchester, and £8 for the rest of the country and there was no lower limit. For the first time the overseers were instructed, whether or not the rate was compounded for, to enter the occupier's name in the rate book and, "such occupier shall be deemed to be duly rated for any qualification or franchise as aforesaid." This meant that, for the first time the period of occupation of any tenant was known and all doubts and difficulties connected with the compounded tenant should have disappeared. It was in 1867, it will be remembered, that the £10 qualification for a parliamentary vote was abolished by Disraeli's government, and male household suffrage instituted. In 1870, therefore, the two franchises were brought together and there was an excess of municipal over parliamentary voters for the first time owing to the inclusion of women. But there seems to have been still uncertainty about the compounded tenant, and in the case of both the parliamentary and the municipal franchise, they were often deprived of their votes. In 1878 a Parliamentary and Municipal Registration Act[2] was therefore passed in order to remove all doubts about both franchises. The Municipal Corporations Act of 1882[3] consolidated all the previous Acts, and no change was made in the conditions of the franchise until 1918,[4] when the qualifications were made of six months' occupancy as owner or tenant of land or premises within the area. This was reduced to three months in 1926.[5] Married women were enfranchised on their husbands' qualifications for premises in which they both reside. Now once more the municipal franchise is narrower than the parliamentary, for that has become complete adult suffrage.

In view of the many vicissitudes through which the municipal franchise has passed during the century, it is interesting to speculate upon the intentions of the government in 1835 when they settled the qualifications in that Act. Evidently the franchise was meant to be wider than the existing parliamentary franchise, but how much wider is not clear. Adult suffrage, which was one of the points of the Chartist agitation of that time, was held in horror by the Whigs, and "household suffrage" is the term

[1] 32 & 33 Vic., c. 41.
[2] 45 & 46 Vic., c. 50.
[3] 16 & 17 Geo. V, c. 9.
[4] 41 and 42 Vic., c. 26.
[5] 7 & 8 Geo. V, c. 64 (Rep. of People Act).

used in connection with the Municipal Corporations Act. Was this meant to differ from adult suffrage merely by reason of the long period of occupation and of rate-paying? Did Lord John Russell think that this alone would ensure the electors being the "permanent ratepayers," or had he some lower limit in mind? His refusal to accept the amendment to add "Tenement" to "House, Warehouse, Counting-house and Shop," as a description of the premises to be occupied, suggests that he had in his mind a "class of persons" whom he wished to exclude. There is no definition of "Tenement" that would confine it to the poorest type of house, and many separate cottages were rated below £6, but it is perhaps significant that although the 1819 Act refers to "houses, apartments and dwellings" between £20 and £6 rental, the 1850 Act which extended compounding below £6 was called the "Act for better assessing and collecting Poor Rates and Highway Rates in respect of small Tenements." The term was therefore probably connected with houses let in single rooms to the poorest families in any town. Lord John Russell never intended these people, even if they had occupied and paid rates for the requisite period and kept clear of the Poor Law, to have votes for the Town Council, so we may infer that those that he meant to enfranchise were the occupiers of premises between £10 and £6 rental.

It still remains to explain the failure of the Act to effect this result. Although Lord John Russell by referring to the new electors as people "who contribute and directly contribute to the rates," may have meant to exclude compounded tenants, neither he, nor Joseph Parkes, who was so elated at the prospect of the new franchise, can have had any idea of the extent of compounding by voluntary agreements, if not by legal ones, nor of the general attitude of overseers to the composition of voting lists.

When the Act was passed, the question of who should be put on the burgess list of each town rested with the overseers. Registration was in its infancy, and it was many years before even parliamentary lists, which were everywhere considered of much greater importance than municipal lists, were complete. Apart from those towns in which the Freeman had the right of voting for a Member of Parliament, overseers would be inclined to think that as £10 had been fixed as the lowest qualification for a parliamentary vote, the House of Commons had intended that as the limit for the municipal vote as well. In the large towns the vestry meetings and the public meetings which passed the Constables' Accounts were usually attended by small numbers of the "respectable inhabitants," as the minutes record, and the various bodies of Police and Improvement Commissioners that had sprung up during the eighteenth and nineteenth centuries had, by 1835, usually come to be elected on a property qualification. Overseers were not accustomed to think of the ordinary working

man as one who should be given a vote and, where there was no compounding agreement little attempt was made even to collect rates from houses below £10. In some towns, as in Manchester, houses at £4 10s. od. rental and less were exempted by law from the Police Rate,[1] and the Poor Law Commissioners reported in 1834 that, throughout the country many of the poorer working-class houses were, in fact, exempt from the Poor Rate because of the difficulty of collection. Even in those areas where this was not the case, and where compounding agreements were voluntarily made for property below the legal limit of £6 as well as up to £20, the overseers would have no way of checking the names and periods of occupation of the tenants. This would have meant much labour and would hardly have been undertaken without much pressure. Burgess lists were probably made up from lists that each collector brought in from his district. He would, from memory, write up the names of those who had occupied for the necessary three years and paid rates for two and a half, the compounded tenants he would only know through the landlord as representing so many houses and so much money, and those who were living in houses under £10 and were not compounded for, he would not consider as possible voters, because they were not parliamentary voters. The opinion of the Manchester overseers, when they had to decide whether or not to adopt the Act of 1850 by which compounded tenants below £6 would be given a vote, was probably typical of the general attitude fifteen years earlier to the ordinary working man, and to the danger of enfranchising such a "class of voters." What, however, is clear, is that there was no uniformity of practice in making up burgess lists. The Return of 1836 giving the number of parliamentary and municipal electors for England and Wales shows that, although for the country as a whole, there were fewer municipal than parliamentary voters, this did not apply to every place. A detailed analysis of the two lists with the rate books would be necessary in order to find out how the differences arose.

The fact emerges, however, that owing to a desire for the better collection of rates, the intention of the government to enfranchise ratepayers somewhat below the £10 qualification substantially failed. Nothing was done about it until 1850 when, almost inadvertently, the Small Tenements Act enfranchised the poorest class of occupier, namely those below £6 rental. The other compounded tenants, those between £6 and £20, had to wait until 1858 for the same rights, and neither of these classes, nor those who were under voluntary agreements like the occupiers in Manchester, were really secure until the Act of 1869 insisted upon the names of the occupiers being entered in the rate book in all cases.

[1] 32 Geo III, c. 69.

Whatever may have been the explanation of the administrative failure to implement the franchise sections of the 1835 Act, it is curious that there was no contemporary protest when the result became known. Why did not Joseph Parkes, in whose own town of Birmingham[1] no one below a £10 householder was put on the burgess list, realize that something had gone wrong? When Cobden, who was an Alderman of Manchester, found that the municipal voters of that town only numbered 9,000 against 11,000 parliamentary, and that not one occupant of a cellar or garret was on the list, why did he do nothing? And why did not Francis Place and the Radicals in Parliament, when the Return of 1836 was presented, call for an inquiry? The only explanation seems to be that once the Act was passed very little further interest was taken in municipal affairs by Members of Parliament. The government, after its burst of democratic fervour soon returned to the safety of the middle-class vote, and when it introduced the Irish Corporations Bill of 1839 the franchise was found to be the parliamentary one of the £10 householder. In vain the Irish members fought for the English municipal franchise.[2] Increasing fear of the Chartists, who were becoming more violent in their demands, may also have frightened those who had worked for the wider municipal franchise, and the thought of trusting the police forces to the control of a large and untried electorate, may have kept them from raising the question.

The Chartists themselves, whose programme included adult suffrage and who might have been expected to take up the question, were not interested in municipal government, and in many cases were actively hostile to the demand for a charter for those towns that were not incorporated under the Act. They were entirely occupied with the reform of Parliament, and it is perhaps hardly surprising that they should have seen no further than their contemporaries into the future possibilities of local government. Most of the larger industrial towns were not incorporated until several years after 1835, and even those that gained their charter in 1838, i.e. Manchester, Birmingham and Bolton, had bodies of Improvement Commissioners that were not absorbed by the Councils until later. These bodies still carried on much of the local government work of the time, with the exception of the control of the Police, which was automatically transferred to the new Corporations. The Surveyors of Highways were also a separate body, and so, of course, was the Poor Law, upon which the Chartists in so far as they took any interest in local government, directed their attention. Throughout the century the fight for popular rights centred round the parliamentary franchise, and the municipal

[1] *History of the Corporation of Birmingham*, by Bunce, vol. i, p 295.
[2] *Hansard*, June 28, July 4, 1839.

franchise which was launched on a more democratic basis than the parliamentary, was actually beaten in the race towards household suffrage by the latter, by two years.

It is usual to criticize the new town councils on the ground that, until recently, they neglected the interests of the working classes and spent the rates largely on those services that were demanded by the middle classes. There are certainly grounds for such criticism, but when we realize that the franchise until 1869 was a middle-class franchise, that it was four years after the grant of household suffrage that vote by ballot was introduced, and that it was not until 1882, that the property qualification for councillors was abolished, we can hardly be surprised if the outlook of the councils was a middle-class one. In fact, it is more surprising that, in the early 'forties, Manchester, supposed to be the home of *laissez-faire*, took wide powers under private Acts to "interfere" with the rights of property by insisting upon certain sanitary regulations in the building of houses, and restrictions on the hours of opening of public houses and the sale of spirits to young people. In an article on Local Legislation,[1] Dr. Gibbon says: "It is noteworthy that Manchester, though incorporated as late as 1838, obtained by a local Act of 1844 one of the earliest municipal sanitary codes, which was largely followed by the General Act of 1848. Manchester also, by an Act of 1845, was one of the first places to be empowered to acquire property for sanitary improvements, a power now made general."

[1] Journal of Public Administration, July 1925.

TABLE I.—MANCHESTER—ESTIMATED POPULATION. ANNUAL RATES O SPECIFIED CAUSES, AND (c) INFANTILE MORTALITIES; ALS DEATHS IN PUBLIC INSTITUTIONS; ALSO QUINQUENNIAL AVERAGE

	Year	Estimated Population (Mean)	Marriage Rate per 1,000 persons living	Annual Rates per 1,000 persons living					
				Births	Deaths (all causes)	Smallpox	Measles	Scarlet Fever	Diphtheria
Quinquennial Average	1871–1875	477,344	24·6	38·9	28·3	0·26	0·64	1·08	0 08
	1876–1880	509,802	18·6	38·7	26·2	0·24	0·53	1·07	0·13
	1881–1885	542,746	17·9	35·1	23·6	0·04	0·71	0·48	0·10
	1886–1890	575,630	16·6	33·4	24·6	0·02	0·83	0·50	0 32
	1891–1895	517,801	16·9	33 2	23·6	0·03	0·62	0·26	0·27
	1896–1900	539,599	18·2	32·5	22 7	—	0·89	0·20	0·13
	1901–1905	554,355	17·4	30 9	20 1	0·01	0·55	0·19	0·22
	1906–1910	660,049	17·0	28 1	17·7	—	0·54	0·16	0·17
	1911–1915	731,677	17 6	24·8	16·4	—	0·50	0·12	0·14
	1916–1920	770,330	16·7	19·2	14·1	—	0·24	0 04	0·08
	1921–1925	751,288	16·8	20·6	13·9	—	0 25	0·06	0·10
	1926–1930	759,570	17·3	17·4	13·8	—	0 18	0·02	0·11
	1931–1935	771,182	16·8	15·0	13·1	—	0·11	0 02	0·10
	1932	768,745	16·0	15·4	13·0	—	0·16	0·02	0·11
	1933	771,165	16·7	14·4	13·4	—	0·06	0·02	0·11
	1934	773,593	17·9	14·8	12·2	—	0·13	0·02	0·11
	1935	776,028	17·2	14·5	12 9	—	0·13	0·02	0·07
	[1]1936	759,058	17·7	14·7	13·5	—	0·16	0·01	0·12

The populations and rates prior to 1891 are those for the Unions of Manchesta "Manchester" The City was extended to include Moss Side and Withington April 1931.

of Marriages, Births and Deaths, etc.

MARRIAGES, BIRTHS, AND DEATHS (*a*) FROM ALL CAUSES, (*b*) FROM THE PERCENTAGES TO TOTAL DEATHS OF INQUEST CASES AND OF 1871–1936

Annual Rates per 1,000 persons living						Percentage to Total Deaths		Infantile Mortality	Year
Whooping Cough	Typhus Fever	Enteric Fever	Simple Continued Fever	Diarrhœal Diseases	Violence	Inquest Cases	Deaths in Public Institutions		
0·78	0·14	0·43	0·21	1·95	0 94	7·2	13 4	198	1871–1875
0·84	0 08	0·29	0·11	1·26	0·89	7·5	14·3	172	1876–1880
0·68	0·05	0·20	0 03	0 99	0·72	7·0	15·9	175	1881–1885
0·54	0·02	0·30	0 01	1·08	0·78	6·9	17 7	183	1886–1890
0·64	0·00	0·24	0·01	1·19	0·77	7·1	19·2	186	1891–1895
0·53	0·00	0·18	0·01	1·69	0·73	7·1	20 2	192	1896–1900
0·41	0·00	0·13	0·00	1·15	0·72	7·1	24 4	173	1901–1905
0·37	0·00	0 10	0 00	0·76	0·68	7·4	27·3	147	1906-1910
0·25	—	0 05	—	0·84	0·67	7·9	30·8	133	1911–1915
0·21	—	0·02	0·00	0·30	0·49	6 4	32·3	105	1916–1920
0·20	—	0·01	—	0·33	0·44	5·7	37·8	95	1921–1925
0·14	—	0·01	—	0·24	0·46	4·8	42·9	88	1926–1930
0·08	—	0·00	—	0·15	0·46	5·0	48·5	77	1931–1935
0·10	—	0·01	—	0·15	0·52	5·7	47·6	85	1932
0·06	—	0·00	—	0·13	0·46	5·0	47·8	75	1933
0·05	—	0·00	—	0·17	0·42	4·9	49·1	69	1934
0·06	—	0·00	—	0·11	0·42	4·6	51·2	71	1935
0·06	—	0·00	—	0·09	0·46	4·7	52·2	77	1936

Choulton, and Prestwich, which have been taken as approximately representing November 1904, Gorton and Levenshulme in November 1909, and Wythenshawe,

Table II.

Manchester—Annual Rates of Mortality from certain causes of Death.

Year	Annual Rates per 1,000 persons living										Rates per 1,000 Births	
	Cancer	Tubercular Diseases of Respiratory System	Phthisis	Other Tubercular Diseases	Diseases of Nervous System	Diseases of Heart and Blood Vessels	Diseases of Respiratory System	Diseases of Digestive System	Diseases of Urinary System	Diseases of Generative System	Puerperal Fever	Childbirth
1881–1885	0 50	0 35	2 42	0·57	3·28	1·37	5·41	1·23	0·48	0 08	3 03	1·99
1886–1890	0 64	0 36	2 24	0·59	3·09	1·73	5·76	1·23	0 61	0 08	3 22	2·13
1891–1895	0 62	0 22	2 09	0·75	1 74	2·53	5 56	1·07	0·52	0 07	2 75	3 42
1896–1900	0 73	0·19	2·04	0·63	1·32	2 52	5 03	1·24	0 49	0 09	1·55	1·51
1901–1905	0·80	0 16	1·94	0·55	1 17	2·56	4 29	0 95	0 49	0·08	1·21	1·76
1906–1910	0·88	0·14	1·65	0·45	0·95	2·56	3·75	0 84	0 54	0·07	1·28	1·49
1911–1915	1 01	0·12	1 59	0·38	0·79	2 34	3 45	0 68	0·56	0·09	1·24	2·14
1916–1920	1·08	0 09	1·39	0 28	0·54	2 27	2 98	0 51	0·47	0 06	1·58	1·82
1921–1925	1 34	0 06	1 26	0·24	0·51	2·58	3·03	0·47	0 46	0·07	1·54	2·04
1926–1930	1·45	0 03	1·16	0 19	0·48	3·05	2 66	0 45	0·50	0·07	1·74	2 80
1931–1935	1·61	0·02	1·00	0·13	0·41	3·68	1 95	0·46	0 48	0 05	[1]1·47	[1]2·40
1932	1·64	0·02	1·00	0·15	0·43	3·62	1·98	0 46	0 49	0·02	1 45	2·02
1933	1·52	0·02	1·00	0·13	0 41	3·90	1 97	0·47	0·50	0 07	1·45	3·42
1934	1·60	0·02	0·97	0·14	0·37	3·77	1 47	0·45	0 47	0·06	1·25	3·00
1935	1 68	0 02	0 92	0 10	0·41	3·62	1 73	0 48	0 44	0·04	2 03	1·61
1936	1·62	0·02	0·87	0 12	0·39	4·10	1·83	0 50	0·49	0·07	1 69	3·29

See footnotes to Table I.

[1] From the Year 1931 the Maternal Mortality rates are calculated on per 1,000 births (Live and Stillbirths).

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