

Sanitary Amendment Act, 1864 : report of the Medical Officer of Health on his third presentment to the grand jury.

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"SANITARY AMENDMENT ACT, 1864." 7



REPORT

OF THE

MEDICAL OFFICER OF HEALTH

ON HIS

THIRD PRESENTMENT

TO THE

GRAND JURY.

B. G. Trench

LIVERPOOL:

PRINTED BY HEWSON & PROCTER, LEATHER LANE, DALE ST.

1865.



REPORT

MEDICAL OFFICER OF HEALTH

WINDHURST

GRAND JURY

LIVERPOOL

PRINTED BY NEWSON & PROBERT, LANE, LANE, & CO.

1861

REPORT ON THE THIRD PRESENTMENT.

The Medical Officer has the honor to place before the Health Committee a copy of what will form his third Presentment to the Grand Jury, under the provisions of the Sanitary Amendment Act, 1864.

It comprehends proposed structural alterations in 189 courts, situate in St. Andrew-street, Dansie-street, Vauxhall-road, Oriel-street, Saltney-street, Addison-street, Fontenoy-street, Hodson-street, Duckworth-street, Marybone, Bispham-street, Harrison-street, Sawneypope-street, Chishenhale-street, Wigan-street, Paul-street, Upper Milk-street, Leeds-street, Northampton-street, Westmoreland-street, Brick-street, Norfolk-street, St. James'-street, Dryden-street, Grenville-street North, Vernon-street, Mann-street, Beaufort-street, Bartlem-street, Edward-street, and North-street, and will involve the destruction or alteration of 226 houses. All these several streets not only stood very high in the death registry of fever during its epidemic prevalence last year, but are also distinguished by the overcrowding of houses on superficial area, the consequent want of adequate thorough ventilation and the other physical causes of disease which it was the object of the act to ameliorate or remove. In the case however of St. Andrew-street there is an exceptional sanitary evil to which the Medical Officer begs respectfully to invite the attention of the Committee.

It is the proximity of the public abattoir.

In the following remarks, he is desirous that it shall not for one moment be supposed that he has drawn up an indictment against the administration of that establishment, or against the management of the private slaughter houses licensed by the Council in the Borough. On the contrary, he willingly bears his official

testimony to the cleanliness and careful superintendence with which, as a rule, these places are conducted. His objections to their being erected in populous or inhabited districts are not based on the existence of any merely local peculiarities of structure, or of any faults arising from individual negligence, or of any accidents which may prove to be rare and due to removable causes, but are founded on the broad incontestable fact that in all slaughter houses, however well conducted, there arise, from the blood and offal, nauseous and offensive vapours or gases which pollute the air of the neighbourhood. No one can enter the courts of Trowbridge and St. Andrew streets, which abut on the walls of the abattoir, without perceiving the faint sickly smell of such emanations; but during the summer months, under the influence of moist heat and thundry weather, the effluvium has occasionally been injuriously perceived by passengers in those streets, and complaints and remonstrances against it have been sent to the office of the Medical Officer and to the Health Committee. There can however be no doubt that the erection of a public abattoir was a right step in the progress of sanitary improvement. It diminished the amount of slaughtering in private establishments and thereby lessened the inconvenience of driving cattle through all parts of the town. It enabled the meat traffic to be subjected to more stringent official inspection, and by offering facilities to the small butchers helped to check trade combinations and to equalize prices. Hence we find that Mr. Samuel Holmes, with vivid recollections of pre-existing nuisances, declared in 1851, before a select Parliamentary Committee that the "public advantage resulting from the establishment is universally admitted." And had the then Council, when partially carrying out in 1835 the provisions of an act obtained for Liverpool as far back as 1785, only taken the precaution to arrange that a public abattoir should for ever be separate and apart from all human habitations, the advantage to the community would have been permanent and any subsequent interference unnecessary. It is because of this neglect or oversight, that the Medical Officer is desirous that a plan to establish a suitable abattoir outside the town—such a plan, as he understands, was some years since advocated by Mr. Robertson Gladstone—should again receive the attention of the

Committee. Mr. Samuel Holmes, in his evidence before referred to, says, "I am exceedingly anxious to see the period when our cattle will all be slaughtered in the country districts and not in the large towns, and when the railways will bring the meat to us." "I think," he adds, "the period is fast approaching when the public voice will be lifted up against slaughtering cattle in towns."

Science has already spoken clearly on this subject, and in France, authority has given practical completeness to the conclusions of sanitary experience. It was in the year 1810 that the Emperor Napoleon, moved thereto by a report of the Institute and by complaints of citizens, especially of physicians, issued his celebrated decree of the 15th October, regulating the position and management of all industrial establishments under three heads or classes, according to the extent of their danger, inconvenience, or insalubrity. The first class comprised all those which ought not, on any account, to be carried on in towns; the second, those which, though not absolutely forbidden, ought only to be sanctioned in the certainty that the processes are conducted so as not to be injurious or inconvenient to the neighbourhood; the third, those which may be placed in any part of the city, but should always remain under the surveillance of Police Inspectors. In the foremost rank of the first class, were placed abattoirs, slaughter-houses, knackers' yards, and the various businesses concerned with the use of the flesh, blood, skins, and viscera of animals. The Emperor also during the same year ordained that all private slaughter-houses in the city of Paris should be closed, and public abattoirs constructed by the municipality outside the barriers.

The wars of the empire at that time prevented much being then done, but towards 1818 five abattoirs were erected, viz., the Abattoir de Montmartre, de Menilmontant, de Villjuif, de Grenelle, and de Roule. Although these are at some distance from the cattle market of Sceaux and Poissy, and a mile and a quarter from the Parisian shops, there are no complaints made by the butchers on account of the distance, and the whole arrangements are justly regarded by the citizens as honourably distinctive of their advanced civilization.

Objections have, by some, been taken to the cost of such

establishments which is estimated to have been near twenty millions of francs (£800,000); and it is true that for many years they did not yield a proportionate income; but since 1851 their yearly revenue is said to amount to one million francs (£40,000), equal to five per cent. on the first cost. Two other objections are made to the extension of such a grand scheme to English towns:—firstly, that the butchers of Paris are a close corporation or guild, limited in numbers, restricted by qualifications, and subject to ordinances and rules which are incompatible with our habits and customs; secondly, that the interference with the right of an individual to employ his land and capital, and to conduct his business in his own way, is a restriction on the freedom of trade, which would not be tolerated in England. It would be sufficient answer to state that private interests must, according to the doctrine of every school of political economy, be subject to the requirements of the public good; and that the "*summum bonum*" of the commonwealth is the health and security of the people. But we find that the scheme almost in its entirety is at present in operation in Edinburgh,—the city of Dugald Stewart,—the capital of a nation the most jealous of individual rights and liberty in the whole world.

In the year 1781—the 22nd of George III—the municipality of Edinburgh obtained an act for "Preventing the slaughtering of cattle within the city, and for removing nuisances and annoyances therefrom." The object was to remove slaughter-houses erected on the North Loch under the sanction of an ordinance of the parliament of Scotland in 1621; the said North Loch having been drained and become situated almost in the centre of the town. It would, however, seem that the municipality of Edinburgh had not only been unable or unwilling to obey the provisions of the act of George III, but had allowed the slaughter-houses to be considerably enlarged to the manifest injury and annoyance of the burghers. Things continued in this state until the Edinburgh and Glasgow Railway Company required and bought up the side of the North Loch for the purposes of their traffic arrangements. Then in 1850 an act called "The Edinburgh slaughter-houses' act" was obtained, under the provisions of which an excellent and complete abattoir has been

erected at Fountain Bridge, a suburb of the city. It occupies an area of $4\frac{1}{4}$ acres, surrounded by a screen-wall with entrance gates on each side in the Egyptian style of architecture. Behind the screen-wall is a large open area, from which access is given to all the different buildings connected with the establishment. In addition to the slaughtering booths, there is large accommodation for triperies, pig slaughter-houses, tallow weighing, and all the other necessities of the trade. No sooner was this, in many respects, model structure completed than, without any compensation to their owners, the whole private slaughter-houses were directed to be closed, and the Magistrates, in the interests of public decency, ordered that all meat carried through the city in carts should be covered with a suitable cloth.

During the last year the municipality of Belfast have been taking measures to follow in the footsteps of Paris and Edinburgh, and a deputation for the purposes of inquiry have visited and inspected the establishment of Fountain Bridge. The Medical Officer of Health regretted that Liverpool, though generally foremost in the advance of sanitary improvement, held out no inducement to attract the attention of the Belfast deputation; but is, in respect of abattoirs, lamentably behind the spirit of the age. This retardation is not due to the absence of legal powers; for ability of progress is by statute in the hands of the Council.

In the year 1785 the corporation of Liverpool obtained an act of parliament, empowering them to purchase land, within the limits of the borough, for the erection of slaughter houses thereon, and either to build such places themselves, or let the land for that purpose to other persons. The act directed that after the slaughter houses should be erected no beast or cattle should be killed or dressed within the town elsewhere than in such buildings. The means were thus complete and thorough for the prevention of any sanitary evil from this cause; but the Corporation being either unwilling or unable to carry out the provisions of this act, and apparently accepting the existence of private slaughter houses as an unavoidable necessity, obtained in 1820 legislative authority to regulate the government of such places. It was not until 1835 that the Corporation took any

effectual steps to carry out the first act, in respect of the erection of a public abattoir; but in that year they entered into the following arrangements with Mr. Etches :—first, Etches to purchase the unexpired lease of a certain land for £6213. 11s. 3d., and to erect at his own expense, according to plans and elevations approved by the Council, good and sufficient slaughter houses; second, in consideration of Etches relinquishing a slip of land, to be added as an improvement to the original quantity, and also in consideration of the expense incurred by the purchase and on the buildings, the Council to grant a renewed lease for 75 years, at a nominal rent, without fine or premium. The act of lease also contained certain provisos and covenants, referring to conditions under which the Council might reclaim the premises, or assume the residue of the term of lease; but a succinct reference to them is not necessary for the purpose of our history. There was, however, one covenant which bound the Council that “if in any year during the term, any of the slaughter houses should be unlet, and, in consequence thereof, the rental should fail to produce an income equal to $6\frac{1}{2}$ per cent on the money spent by Etches in establishing the slaughter houses (the expenditure not exceeding £17,000), the Corporation should supply the deficiency, so as to make it up to $6\frac{1}{2}$ per cent”. Mr. Etches completed the buildings, but the project was not so successful as he had expected, and he was obliged to borrow a sum of £12,000 on mortgage. This charge, combined with deficient rents, compelled him to ask the Corporation to perform their covenant, securing him $6\frac{1}{2}$ per cent. A long negociation ensued. Etches stated his claim at £890 per annum, less any rents he had been paid, the outlay on the buildings having been £13,000. The following arrangements were ultimately effected between the Corporation and Etches :—First, that Messrs. Chaddock & Co., representing the Butchers’ Company, should take the slaughter-houses for the residue of the term :—Secondly, that Etches should accept and be content with their responsibility to the extent of £650 per annum, and should only look to the Corporation for £240 per year, making the £890 :—Thirdly, that Etches should undertake to pay a mortgage of £12,000 with which he had charged the property, and that the loss of rent already accrued should be

settled and taken at £1,125 11s. 0d, to be paid by the Corporation.

Deeds were executed giving effect to the arrangement between the parties. Of these it is only necessary to refer to the clauses covenanting, firstly, that Chaddock & Co. might not let the premises so as to produce more than £975 per annum until further land and buildings should be added, as thereafter mentioned, and that if Chaddock & Co. should extend the slaughter-houses and premises (such further buildings to cost in erection at least £1,000) then when finished, Chaddock & Co. were to be allowed to charge $8\frac{1}{2}$ per cent for every £100 expended in purchasing such land or erecting such extended buildings, and also for every sum exceeding £1,000 expended on the premises demised or upon such further land and buildings, in substantial improvements over and above; and after allowing for what would be necessary to keep the premises in repair, in addition to the said sum of £975 as a maximum yearly rent:—Secondly, that if the Corporation should sell or let to any other person than Chaddock & Co. any land or buildings so as thereby to confer upon such persons the like extensive privileges as are provided for by the Act of 1785, then an equivalent proportion of their land and buildings should, if required by Chaddock & Co., be released from the covenants of their lease and the same should and might be used for any other purpose as Chaddock & Co., might think right:—Thirdly, that the interests and rights of private butchers, licensed by the Council, and the power of the Council to regulate such licenses should be unaffected thereby:—Fourthly, that it shall be lawful for the Corporation to obtain and use similar powers to those contained in the first named Act and such other powers as Parliament shall grant, and also to procure the same Act, if deemed necessary, to be confirmed and the provisions thereof to be extended to the enlarged boundaries of the Borough, without opposition from Etches or Chaddock & Co.

It is unnecessary to particularise the nature and substance of deeds referring to certain additions of land and other arrangements; for these in no way affect the principle of the contract existing between the Corporation and their lessees. This contract, as will be seen by the above abridgement of facts, reserves

to the Council the power of giving completeness to the intentions of the Act of 1785; for it provides that if at any time they should wish to have the residue of the 75 years term assigned to them (except the tallow melting rooms and cellars), and gave Etches their bond for an annuity of £890 for the residue of the term, he is bound to assign to them the premises and slaughter-houses and also every piece of land which had been demised by the Corporation for enlarging the slaughter-houses.

Messrs. Chaddock & Co. in taking the place of Etches assumed the covenants as respects the relation of the lessee to the Corporation, but if the Corporation now require possession of the land and buildings, and assume the extensive privileges of the Act of 1785 they will in addition to the annual sum of £890 for the agreed on term, and in addition to the sum required for the tallow melting rooms and cellars, have to compensate Chaddock & Co. for their extra expenditure on land and premises at the rate of $8\frac{1}{2}$ per cent as agreed in the covenants.

The great increase however of the population of the Borough, and the vast extension of buildings, render it desirable, on sanitary grounds, that if possible, the expectation expressed by Mr. Samuel Holmes should be realized and fresh powers obtained to erect a public abattoir at some convenient distance from the town. The evidence given by butchers before the Smithfield Parliamentary Committee dwelt very strongly on the desirableness of having the live and dead markets close together. This could be attained by erecting an abattoir on that part of the Newsham House Estate near the cattle market, at the Old Swan; and the locality would have the further advantage of being contiguous to a Railway, by means of which the carcasses could be brought quickly and inexpensively to town. The Medical Officer is informed that a plan of this kind was some years since suggested and illustrated by the Borough Engineer. It would have advantages of position far better than any of the abattoirs of Paris or of Edinburgh.

The number of butchers in Liverpool—including under that term the fleshers or dealers in meat—amount, as far as could be ascertained by the Medical Officer, to 642. Of these, 47 have their

own private slaughter-houses, in which 158 butchers have also license or permission to slay. About 50 butchers on the average constantly use the public abattoir, but all occasionally go there for carcasses and quarters. In respect to the probable revenue from a single public abattoir, it would appear that, calculated by the schedule of prices imposed by law on Etches and Chaddock & Co., the charges on cattle and beasts slaughtered last year in the whole Borough would have amounted to £8,569. But an establishment possessing the necessary conveniences for tallow melting, tripe making, and all other trades connected with the residue of the meat market, would not only enable the Health Committee to banish from populous districts a great number of nuisances injurious to health, but would also materially augment the revenue.

W. TRENCH,

MEDICAL OFFICER OF HEALTH.

