

Proceedings of the committee in respect to clauses in "The Manchester Corporation's Waterworks Bill, 1858" intended to discountenance the use of water-closets / Manchester and Salford Sanitary Association.

Contributors

Manchester and Salford Sanitary Association.

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MANCHESTER AND SALFORD SANITARY
ASSOCIATION.

PROCEEDINGS OF THE COMMITTEE

IN RESPECT TO CLAUSES IN

“THE MANCHESTER CORPORATION
WATERWORKS BILL, 1858,”


INTENDED TO

DISCOURTENANCE THE USE OF WATER-CLOSETS.

MANCHESTER:

CAVE & SEVER, PRINTERS, PALATINE BUILDINGS, HUNT'S BANK.

1858.



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PROCEEDINGS, &c.

The Corporate Authorities of Manchester, by their several Waterworks Acts, have no right to charge for the water supplied to a water-closet in any dwelling-house, for which the "domestic water-rate, or rent," however small in amount, is charged.

The use of water for a water-closet is one of the "domestic purposes" for which the water may be lawfully applied.

By the Manchester Corporation Waterworks Bill, 1858, recently introduced to amend and alter "The Manchester Corporation Waterworks Act, 1847, and the several other Acts in relation thereto subsequently passed," the Municipal Authorities sought to obtain new powers to levy a rate in respect to water-closets, which, in the opinion of the Committee of the Manchester and Salford Sanitary Association, would have been unjust in operation,—prohibitory of the use of water-closets in a vast number of houses in this city and neighbourhood,—and unfairly, because indirectly and covertly, obtaining, by a private measure, the decision of Parliament against the sanitary importance of the water-closet system.

The proposal in the Bill was to charge 10s. as an extra rate for every water-closet in a dwelling-house, in addition to the amount of the domestic water-rate or rent; but it

was subsequently proposed to charge 10s. per annum for the first water-closet, and 4s. per annum for each additional water-closet in any dwelling-house; with a *proviso* that no charge should be made for the first or single water-closet in any case where the water rate or rental should exceed 15s. per annum.

The Town Council of Salford were on the alert to oppose these provisions, and a clause was conceded to them, providing expressly that "nothing in this Act contained shall extend or apply to the borough of Salford or any part thereof."

The people of Manchester, and the other townships which the Corporation have the privilege of supplying, were however to be subjected to a rate from which their neighbours of Salford were to be exempted.

The Committee of the Manchester and Salford Sanitary Association resolved to oppose the proceedings of the Corporate authorities of Manchester in this matter, believing the powers sought to be obtained could only be prejudicial to the cause of sanitary improvement; and in that opposition they have been successful. The Select Committee of the House of Commons, before whom, by deputation, they appeared, have removed the obnoxious provisions from the Bill, and provided—

1. That *no rate whatever* shall be charged for one water-closet in any dwelling-house, be "the domestic water rate or rent" large or small.

2. That if more than one water-closet be introduced, the rate for every water-closet beyond the first shall be only *four shillings* a-year.

3. That except for expenses necessarily incurred, no charge shall be made for the junction of a drain from a water-closet or soil-pan with a sewer.

The importance of the subjects which have now occupied

the attention of the Committee, and the satisfactory result of their exertions, render it desirable they should lay before the members of the Association as complete an account as possible of the course they have pursued.

At the commencement of the present year the Committee, according to their usual custom, appointed a Sub-Committee to report on the Bills laid before Parliament by the General Board of Health and the Local Corporation, so far as such Bills might affect sanitary arrangements.

When the Sub-Committee reported on the Corporation Waterworks Amendment Bill, they drew attention to the objectionable character of clause III., which was as follows:—

“III. In addition to ‘The Domestic Water-rate,’ or the rent for the supply of water for domestic purposes, which the Corporation may levy and demand under the first recited Act (*The Manchester Corporation Waterworks Act, 1847*), the Corporation may demand for every water-closet in any dwelling-house, or shop, or building used as a dwelling-house, and supplied with water by them, the further sum of *ten* shillings, and such additional sum may be levied and recovered by the Corporation in the same manner as ‘the Domestic Water-rate,’ or rent for the supply of water for domestic purposes, is by the recited Acts, or any of them, leviable or recoverable.”

The Committee concurred in the views expressed by their Sub-Committee, and determined upon taking steps to endeavour to obtain a modification of the clause.

The opposition to a private Bill in Parliament being an expensive proceeding, and not strictly within the province of the Association; and previous experience,—particularly in the case of the night-soil depôt in Water-street, the Oxford Road Tunnel, and the sewer rivers of Manchester,—having led them to expect very little satisfaction from communicating directly with the Corporate authorities, either by deputation or memorial, in relation to a Bill

before Parliament, they deemed it advisable to act independently of any such communication.

Their first determination was to address, through their Chairman, a letter to the Secretary of the General Board of Health, of which the following is a copy:—

“ Manchester and Salford Sanitary Association,

“ 4, York Chambers, King-street,

“ April 12th, 1858.

“ Sir,—I am requested by the Committee of the above Association to ask you to draw the attention of the General Board of Health, at the earliest possible opportunity, to a provision in the 3rd clause of the Manchester Corporation Waterworks Amendment Bill, now before Parliament.

“ It is intended, by that clause, to impose a rate of *ten shillings* per annum on every water-closet, *in addition* to the ordinary rate or rent which the Waterworks Committee are authorised to charge. There can be no doubt that the imposition of such a charge will act as a considerable impediment to the use of water-closets, and, if sanctioned by the Legislature, will not only be prejudicial to their introduction, but be regarded as indicating public preference for privies and ashpits.

“ It has been alleged that financial considerations have induced the recourse to this specific charge; in relation to which our committee would observe, that had a charge been proposed for water-closets when two or more were introduced, always excepting the first, there might be some appearance of equity; or had the Corporate authorities proposed to limit such exception to houses on which the domestic rate amounts to 10s., and to raise the rate to that amount where it happens to be less, there would be no reason to complain.

“ But since it is now decided to tax every water-closet, irrespective of the domestic rate already paid, our Committee venture to hope, that as the discouragement of the water-closet system, and the perpetuation of open privies and ashpits, is opposed to the views of the

General Board of Health, the Board will take the clause referred to into serious consideration, and, if they see fit, authorise through their President such representation to be made to Parliament as may secure a modification of the proposed charges. Apologising for giving you this trouble,

“ I remain, sir,

“ Your faithful servant,

(Signed) “ C. RICHSON, Chairman.

“ The Secretary of the General Board of Health,
London.”

In the course of the morning on which the foregoing letter was received by the Secretary of the Board of Health and laid before the President, a deputation from the Town Council of Manchester, consisting of Alderman Sir E. Armitage, Alderman Shuttleworth, and Alderman Pilling, accompanied by the Town Clerk, had an interview with the President on the subject of the Bill.

The letter was read in the presence of the deputation.

On the next day the following reply was sent to the Committee:—

“ The General Board of Health, Whitehall, S.W.,

“ April 14th, 1858.

“ Sir,—I am directed by the President of the General Board of Health to acknowledge the receipt of your letter of the 12th instant, with reference to a provision in the third clause of the Manchester Corporation Waterworks Amendment Bill.

“ I am to state in reply that the President of the General Board of Health does not feel that he would be justified in setting himself in opposition to the Corporation of Manchester on the question between the use of water-closets, and that of privies and ashpits, under the particular circumstances of that populous town.

“ I am, sir,

“ Your obedient servant,

(Signed) “ T. TAYLOR, Secretary.

“ C. Richson, Esq., 4, York Chambers,

“ King-street, Manchester.”

On the receipt of this letter, which seems to imply that the question was rather one for the people of Manchester than the General Board of Health, the Committee thought it right to draw public attention to the objectionable features of the clause in question, and for this purpose authorised the Sub-Committee to take such steps as they thought advisable on the subject.

The Sub-Committee determined on addressing the following letter to the local newspapers:—

“The Manchester Corporation Waterworks Amendment Bill,
Clause III.

“*To the Editor,*—

“Sir,—It is very desirable that the attention of the public of Manchester and Salford should be directed to the nature and consequences of the 3rd clause of the above Bill now before Parliament.

“The following is the clause *in extenso*:—

“In addition to ‘the domestic water-rate,’ or the rent for the supply of water for domestic purposes, which the Corporation may lay and demand under the said first recited Act, the Corporation may demand for every water-closet in any dwelling-house or shop, or building used as a dwelling-house, supplied with water by them, the further sum of ten shillings; and such additional sum may be levied and recovered by the Corporation in the same manner as ‘the domestic water-rate,’ or rent for the supply of water for domestic purposes, is, by the said recited Acts or any of them, leviable or recoverable.”

“It is only so far as it interferes with an important sanitary principle,—a principle strictly in consonance with the views of the General Board of Health,—that the Manchester and Salford Sanitary Association can concern itself about the obnoxious clause.

“On the 12th instant, in accordance with the resolution of the Committee, the Rev. Canon Richson, as chairman, addressed a letter to the Secretary of the General Board of Health; the following extract from which expresses the opinion of the Association on the subject involved:—

“ ‘There can be no doubt that the imposition of such a charge (10s. on every water-closet) will act as a considerable impediment to the use of water-closets, and, if sanctioned by the Legislature, will not only be prejudicial to their introduction, but will be regarded as indicating public preference for privies and ashpits.’

“ There still remains, however, an effect of this clause beyond the sphere of operation of the Sanitary Association, viz., the additional charge over and above any domestic water-rate at present paid, and to impose which, power is now sought to be obtained.

“ To point out this ought to secure for it the full consideration and speedy action of those whom it most concerns,—the rate-payers of the districts supplied by the Manchester Waterworks.

“ The method by which the endeavour to acquire powers seriously affecting the health and purse of a large community has been made, is highly objectionable, and should for the future ensure a strict watch over the Parliamentary proceedings of the Corporation.

“ Your obedient servants,

(Signed)

“ GEORGE BOWRING,

“ FRANCIS H. WALMSLEY,

} Hon. Secs.

“ Manchester and Salford Sanitary Association,
“ 4, York Chambers, King-street, April 23rd, 1858.”

In reply to this letter, the Town Clerk addressed the following to the *Manchester Guardian* :—

“ Manchester Corporation Waterworks Amendment Bill,
Clause III.

“ *To the Editor of the Manchester Guardian.*

“ Sir,—Will you oblige me by inserting a few lines to correct the misapprehension which the letter in this day’s *Guardian*, signed ‘George Bowring and Francis H. Walmsley, Hon. Secretaries of the Manchester and Salford Sanitary Association’ is calculated, if not intended, to produce, as to the objects sought to be attained by the Waterworks Bill now before Parliament?

“ Being of opinion that the introduction of water-closets into low-rented and necessarily small and confined tenements is, upon

sanitary as well as other grounds, undesirable, the Corporation propose, by the 3rd clause of the Bill as altered, to obtain power to charge 10s. per annum for the first water-closet, and 4s. per annum for each additional water-closet, in any dwelling-house, with a proviso that no charge whatever for the first or single water-closet shall be made in any case where the water-rate or rental shall exceed 15s. per annum.

“In case the letter referred to has been authorised by the Sanitary Association, I may be permitted to express my surprise and regret that the Committee have not deemed it more desirable to communicate to the Corporation the objections entertained to the proposed provisions, than by the insertion of letters in the newspapers, to endeavour to create needless alarm and unnecessary opposition.

“I am, sir,

“Yours most obediently,

(Signed) JOSEPH HERON, Town Clerk.

“Town Hall, King-street, April 26th, 1858.”

In this reply, it deserves notice that the Town Clerk makes no allusion whatever to clause III. as printed in the Bill, and which was the subject of objection on the part of the Committee; but only to another clause not inserted, and which, until the appearance of this letter, was unknown to either the Committee or the public.

The letter which follows, although *not published with the knowledge or authority of the Committee*, is here introduced as necessary to explain allusions in the latter portions of this statement:—

“*To the Editor of the Manchester Guardian.*”

“Sir,—I shall be obliged by your insertion of the following reply to the letter in to-day’s *Guardian*, bearing the signature of the Town Clerk of Manchester.

“The Town Clerk, by the construction of his letter, would make it appear that the letter of the secretaries of the Sanitary Association

was directed against the third clause of the proposed Bill 'as altered' and 'with a proviso.'

"The Town Clerk knows extremely well that such was not the case, and he estimates very lightly the intellectual capacity of your readers by supposing them likely to fall into such an error. Our remarks were directed against the third clause as quoted by us, and as it stood in the proposed Bill. That we did not object to the modifications as given by the Town Clerk will plainly appear from two circumstances: first, that at the date of our letter they were unknown in Manchester; and secondly, that they bear so strong a resemblance to suggestions emanating from the Association to which we are secretaries, that to have protested against them would have been a piece of absurdity. The resemblance will appear by comparing the second sentence of the Town Clerk's letter with the following extract from Canon Richson's letter to the General Board of Health, dated April 12th:—

"It has been alleged that financial considerations have induced the recourse to this specific charge (10s. on each water-closet). In relation to which our Committee would observe, that had a charge been proposed for water-closets when two or more are introduced, always excepting the first, there might be some appearance of equity; or had the Corporate authorities proposed to limit such exception to houses on which the domestic rate amounts to 10s., and to raise the rate to that amount where it happened to be less, there would be no reason to complain.'

"Possibly the modifications of clause III. may owe their existence in part to the exertions of the Sanitary Association. One thing is quite certain, that the Committee of the Sanitary Association are quite as well pleased to hear of the modifications as the Town Clerk is to tell of them.

"The Town Clerk must not allow himself to be too much shocked at my presumption if I express my preference for the mature and careful opinion of scientific sanitary reformers, on the subject of water-closets, rather than for that of the Corporation of Manchester, even though its value be enhanced by his own.

"To prevent the recurrence of surprise and regret to the Town Clerk, I may state that as I have not had time to confer with any

member of the Sanitary Committee, and my co-secretary is out of town, I am entirely responsible for this letter.

“I am, sir,

“Your obedient servant,

“(Signed) FRANCIS H. WALMSLEY.”

About this period the Committee of the Association learnt that after the opposition of the Salford Corporation had been withdrawn, and the Bill become an unopposed Bill, it went in the ordinary course before the Chairman of Committees of the House of Commons (Mr. Fitzroy), and that that gentleman declined to take the responsibility of sanctioning the proposed clause, and decided that the Bill must be treated as an opposed Bill, and be referred to a Select Committee.

Hitherto the Committee of the Sanitary Association had been induced to regard the question before them as mainly involving financial considerations of importance to the Corporation for the sustentation of their works; and therefore had shewn a reluctance to interfere in the matter, except so far as to protect the poor man from a prohibitory rate or rent, if he wished to have a water-closet introduced into his house. Accordingly, in the letter of the Chairman, they had stated their opinion, that, under a financial necessity, a fixed rate, say of 10s. including the charge for the water-closet, might be admissible; but now, when there appeared not only an excessive minimum proposed, but also that such excessive minimum was inserted because the introduction of water-closets into low rented tenements is, in the opinion of the Corporation, “undesirable upon sanitary grounds,” they felt the position of the question greatly altered. Observing, moreover, considerable ambiguity in the clause as described by the Town Clerk, the Committee were anxious to obtain clearer information, and accordingly the following letter was addressed to the Town Clerk:—

Letter of the Chairman of the Committee to the Town Clerk.

“ Manchester and Salford Sanitary Association,
“ 4, York Chambers, May 8th, 1858.

“ My dear Sir,—Will you kindly inform our Committee whether in the amended clause of ‘the Waterworks Amendment Bill,’ it is intended to charge 10s. per annum *extra* for a water-closet, under all circumstances where the water-rate is under 15s.; or whether it is intended, where the rate does not reach that amount, to raise it to 15s. in case a water-closet is introduced.

“ As the Committee meet on Monday evening, I shall be obliged if you favour me with a reply by that time.

“ Very faithfully yours,

(Signed) “ C. RICHSON.

“ The Town Clerk, Manchester.”

Reply of the Town Clerk to the Chairman of the Committee.

“ Town Hall, May 8th, 1858.

“ My dear Sir,—In reply to your note of this date, I have to state that it is intended by the clause as altered and to be proposed to the Committee to which the Waterworks Bill is referred, to make all parties residing in any house, for the supply of water to which for domestic purposes the rate shall not amount to upwards of 15s. per annum, to be liable to a payment of 10s. per annum for a water-closet if introduced—the object being *not to encourage* but *discountenance* the use of water-closets in low rated tenements. In replying to yours I may be permitted to express my satisfaction at having discovered, by hearing your letter (which it appears was some time ago addressed to Mr. Adderley) read when a deputation from the Corporation had an interview with that gentleman for the purpose of explaining fully to him the nature of the Bill, as also from the letters addressed by your Hon. Secretaries to the Editor of the *Manchester Guardian*, that the object and the only object *ever* sought to be obtained by the Corporation is approved by your Association.

“ I am, my dear Sir,

“ Yours truly,

“ JOS. HERON, Town Clerk.

“ To the Rev. Canon Richson.”

Reply of the Chairman to the foregoing Letter of the Town Clerk.

“ Manchester and Salford Sanitary Association,
“ York Chambers, May 10th, 1858.

“ My dear Sir,—You must not interpret the letters written under the authority of our Committee to approve the object of discountenancing water-closets in all houses rated under an amount which will produce a water-rate of 15s. per annum.

“ Most truly yours,

(Signed) “ C. RICHSON.

“ The Town Clerk of Manchester.”

The letter of the Town Clerk to the Chairman changed the whole course of the proceedings on the part of the Corporation. To charge an extra rate of 10s. per annum for the introduction of a water-closet, in every case, where the rate does not amount to upwards of 15s. per annum; so that the water-closet in a house, rated at 15s. 6d. per annum, should be without extra charge, while the house, perhaps next adjoining, rated at 15s. per annum, should be rated at 10s. additional (that is, 25s. per annum) if a water-closet were introduced, appeared to the Committee an injustice of the most unjustifiable character. Moreover, the real question at issue was now more clearly seen to be not one of finance, but whether, under the authority of Parliament, the Corporation should be empowered to *discountenance* the use of water-closets in houses not rated at above £30. a-year. The Town Clerk, it will also be observed, expressed himself as under the impression that *this* object was approved by the Association. Under these circumstances the Committee felt it due to the Association and to themselves to adopt every means in their power not only to prevent the accomplishment of an object so undesirable in itself, but still further to prevent its being done with their apparent sanction.

Knowing that it was too late to deposit a Petition which would entitle them to appear by counsel against the Bill,

they determined on the following general Petition to the House of Commons, and sent up a deputation to represent, if possible, their views to the Committee of the House appointed to consider the Bill:—

“To the Honourable the Commons of the United Kingdom in Parliament assembled.

“The humble petition of the undersigned Members of the Committee of the Manchester and Salford Sanitary Association

“SHEWETH,

“That your petitioners are informed that various Local Bills are now pending in your Honourable House, some of the provisions of which are calculated, in the opinion of your petitioners, to inflict serious public injury.

“That your petitioners particularly allude to the proposal to make special and exorbitant charges for the supply of water for the use of water-closets.

“That by the ‘Waterworks Clauses Consolidation Act, 1848,’ no special charge is authorised for water-closets, but the same is included in the charge for domestic supply, and therefore the authority of Parliament is needed in every case to enable the parties to make any special charge.

“That the consumption of water for water-closets cannot exceed one-fourth that used for other domestic purposes in a cottage dwelling.

“That, in the opinion of your petitioners, if the charge authorised by Parliament in the case of houses having water-closets is to be higher than that for similar houses not having such closets, such additional charge ought to bear the same proportion to the quantity of water consumed in such closets as for other domestic purposes.

“That the authority to charge a much higher and special rate for water-closets attached to cottage houses, must necessarily become in their case absolutely prohibitory, and the exercise of such an authority could only be detrimental to the interests and well-being of the poor.

“That, in the opinion of your petitioners, such a proceeding is exceedingly objectionable, and calculated greatly to retard sanitary

improvements in large towns, and ought not to receive the sanction of the Legislature.

That your Petitioners therefore pray your Honourable House not to sanction in any Bill submitted for consideration a higher rate of charge for water used for the supply of water-closets than for that used for other domestic purposes.

“ And your petitioners will ever pray, &c.

“ Signed by

“ C. RICHSON, M.A., Canon of Manchester, *Chairman*.

THOMAS TURNER, F.R.C.S.

G. V. VERNON.

R. ANGUS SMITH, Ph. D., F.R.S.

J. CURTIS.

GEORGE BOWRING, M.R.C.S.

W. JACKSON.

ISAAC HOLDEN, sen.

G. D. SYERS.

ISAAC HOLDEN, jun.

W. H. SHAW.

WILLIAM ROYSTON.

C. E. CAWLEY, M.In.C.E.

J. N. POCKLINGTON, M.A.

JAMES DUNN.

T. R. BENTLY, M.A.

JOHN KING.”

WILLIAM JONES WILLIAMS.

Called upon, unexpectedly, to vindicate their views and contend for a principle, where they had supposed it necessary only to counteract an exorbitant demand, and required to do this within two days of the very day on which the Parliamentary Committee was appointed to meet, the Committee had but little time to organize an opposition to so powerful an adversary as the representatives of the Manchester Corporation. The petition upon which they had agreed could be delayed only to obtain the signatures of such of their members as were most readily accessible; and moreover, this Petition, and the following Memorial subsequently received from the Medical Officers of Unions, were the only expressions of public opinion which they had time to collect. The Memorial of the Medical Officers is, however, one of considerable importance, inasmuch as it expresses a practical opinion in respect to open middens and ashpits, to which the public will do well to give heed:—

Memorial of the Medical Officers of Unions to the Committee of the Manchester and Salford Sanitary Association.

“To the Committee of the Manchester and Salford Sanitary
“ Association.

“ May 15th, 1858.

“ We, the undersigned, being Medical Officers of the respective Unions to which our names are attached, certify, from our own knowledge and experience, that the open ashpits and middens connected with privies in the low and crowded neighbourhoods, with which we are connected, have, from their malarious influence, been the frequent occasion of fevers and the pabulum of epidemics.

(Signed by)

“ J. HATTON, M.R.C.S., L.S.A., Chorlton Union.
W. B. MIDWOOD, M.R.C.S., L.S.A., Chorlton Union.
G. GREAVES, M.R.C.S., L.S.A., Chorlton Union.
W. B. STOTT, M.R.C.S., L.S.A., Manchester Township.
J. TEALE, M.R.C.S., L.S.A., Salford Union.
E. MANLEY, M.B., M.R.C.S., L.S.A., Manchester Township.
E. THOMAS, M.R.C.S., L.S.A., Manchester Township.
J. O. FLETCHER, M.R.C.S., L.S.A., Manchester Township.
C. S. BOMPAS, M.R.C.S., L.S.A., Manchester Township.
T. W. DYSON, M.R.C.S., L.S.A., Manchester Township.
T. F. BROWNBILL, M.R.C.S., L.S.A., Salford Union.
M. O. LARMUTH, M.R.C.S., L.S.A., Salford Union.”

The deputation appointed to proceed to London were—
C. E. Cawley, Esq., W. H. Shaw, Esq., and the Rev. T. R. Bently. These gentlemen coöperated with Mr. E. Chadwick, Mr. Rawlinson, and Mr. P. H. Holland, whom the Committee had decided to call. The proceedings before the Committee of the House of Commons are detailed in the following Report of the deputation :—

“ *To the Committee of the Manchester and Salford Sanitary Association.*

“ Report of the deputation appointed to watch the proceedings of the Corporation of Manchester in relation to the Bill

introduced by them in the present Session of Parliament, intituled 'The Manchester Corporation Waterworks Amendment Bill,' particularly in reference to the third clause in the said Bill.

"The deputation, on their arrival in London on the evening of Tuesday the 11th May, found that the Bill had been referred to a Select Committee of the House of Commons as 'a private opposed Bill,' and that the Committee would meet at one o'clock on the following day.

"The Petition with which the deputation were intrusted was delivered to Mr. Massey, M.P. for Salford, who kindly took charge of it; and as will subsequently appear, it was referred to the Committee on the Bill.

"The Committee met at one o'clock on Wednesday May 12th, and after Mr. Pritt, the Parliamentary Agent, had stated the bearing and objects of the Bill, Mr. Heron, the Town Clerk, was examined.

"The gist of Mr. Heron's examination was to prove—That the Waterworks had been very costly in construction—that they were not a paying concern—and that great difficulty was experienced in supplying all parties with the water they required;—that much loss was experienced from a waste of the water, and that the waste of water would be enormously increased if water-closets were used, instead of privies, in the 60,000 small houses which existed in Manchester. That the emptying of the ashpits and middens was undertaken by the Corporation, and that no inconvenience or annoyance was occasioned to the occupants of the houses by this process. Mr. Heron stated that, in his opinion, the middens and ashpits, as at present constructed, were more likely to conduce to the sanitary condition of the town than a more extensive use of water-closets, which would be the means of fouling the rivers to a still greater extent than at present. He complained of the condition of the rivers, and observed, that the use of water-closets had largely contributed to their present offensive state. On cross-examination by the Chairman of the Committee (the Honorable W. F. Cowper), he admitted that the houses and yards are drained, and that the sewage matter passing through those drains ultimately enters the rivers. He submitted that the use of water-closets in the smaller class of houses

would tend very materially to a large waste of water, which the Corporation could not afford to lose, and stated that he did not think that water-closets could be so constructed as to prevent a waste of water, if placed in the hands of the poorer classes.

“ In reply to a question from the Chairman, he stated that he could not remember that any complaints had been made to the Corporation by the *Manchester and Salford Sanitary Association*, in reference to open middens and ashpits; and that he believed no complaints, or very few, had been made by the owners and occupiers, either in regard to delay in emptying the middens, or of any nuisance arising from their contents. He stated that he should not be surprised if testimony were offered that these middens, with their contents, were noxious, but in his judgment such an opinion would be incorrect.

“ Mr. Heron also said that the Chairman having alluded to the Manchester and Salford Sanitary Association, he might take the opportunity of observing, that the Association and the Corporation were agreed upon the principles of the Bill, and that the clauses as amended were approved of by the former. In support of this, he alluded to the Chairman's letter to the General Board of Health, and to the published correspondence of the Secretaries and himself in the *Manchester Guardian*. He read the first letter of the Secretaries, his own reply, and the rejoinder of Mr. Walmsley, omitting, however, the last clause, in which Mr. Walmsley stated that he took the responsibility of that letter on himself. Mr. Heron stated, in reply to a further question from the Chairman, that there could be no doubt that Mr. Walmsley and the Manchester and Salford Sanitary Association understood that the first closet was to be charged, as he had explained this in a letter to Canon Richson, dated 8th May, 1858. He said that Mr. Walmsley's letter (which he mentioned was only signed by one secretary) actually claimed the credit of the improved clauses for the Manchester and Salford Sanitary Association. Mr. Heron also stated, as to the nightsoil depôt in Water-street, that although it had been complained of some time ago, there had been no recent complaints, and that the Report of the Inspector sent down by Government at the time of the complaints mentioned, was highly gratifying to the Corporation. That they did

all they could to get the soil removed away at once; that the cost of removing nightsoil and ashes was upwards of £16,000. per annum; and that the Corporation receives for the material about £9,000., leaving a deficit of upwards of £7,000. Mr. Heron also stated that if a large increase of water-closets took place, it would become requisite to improve the state of the rivers, and that this could not be done except at an enormous cost, which he did not think any corporation would voluntarily undertake.

“Mr. Bateman, C.E., was next examined, and his examination was continued on the following day. He corroborated most of Mr. Heron's statements as to the construction and state of the privies and ashpits in Manchester, the large quantity of water used in water-closets, and particularly alluded to the case of Glasgow, where the consumption of water is very large. He also quoted from the Report on the Causes of Cholera in Newcastle, to which he was himself a party, and instanced two blocks of houses near each other, the houses in one of which blocks were fitted with water-closets, those in the other block having privies; the cases of cholera were numerous in the houses having water-closets, and very few in the other. When asked, however, by the Chairman whether those who had made the report had ascertained how far the cases of cholera were traceable to other causes, he at once admitted that he did not think either the privies or the water-closets had much to do with the matter. He gave further details of the expenditure in the construction and maintenance of the waterworks, the capacity of the reservoirs, and the probable yield of water per annum, which he stated would ultimately be 20 or 22,000,000 gallons per day. He also explained, that at present, owing to the imperfect state of the reservoirs, the works will not afford more than half the contemplated supply; that several years must elapse before, under favourable circumstances, the reservoirs can be made watertight. He further confirmed the statement as to the noxious state of the rivers, and expressed his conviction that it was impossible to deodorise sewage and apply it to agricultural purposes in any way which would be remunerative, and especially instanced the works at Leicester, where he said he had seen immense quantities of the deodorised material lying in the yard because the farmers would not buy it. He admitted that the sewage

might be carried away without its entering the rivers, by intercepting sewers, but the cost would be enormous. In reply to the Chairman, he said he had not considered what that cost would be, but that a system of new sewers could not be less than £1. per head of the population.

“On Thursday, after Mr. Bateman had concluded his evidence, Mr. Hawksley, C.E., was examined, and his evidence was continued on Friday.

“Mr. Hawksley expressed himself very strongly of opinion that the consumption of water by water-closets in low-rented dwellings was very great indeed, and referred to the experience at Nottingham, Rugby, and Hitchin, in support of his views; that it was impossible, by any contrivance, to prevent waste, because the class of people inhabiting such dwellings were continually putting improper things into the soil pans, and then using immense quantities of water to cleanse them. He estimated that each cottage would consume 50 or 60 gallons per day for a water-closet, or 18,250 to 21,900 gallons per annum, and that this ought to be charged at 6d. or 8d. per 1,000 gallons; that in the best constructed water-closets the consumption is not less than 6 gallons per head per day. He said he was not opposed to water-closets in suitable houses. He also spoke of the rivers as being infinitely worse than the Thames in London, and that it would be highly improper to add to the sewage conveyed into them. In reply to the Chairman, he stated that no doubt intercepting sewers might be constructed, but that the cost would be great; he should think not less than £100,000.

“At the close of the proceedings on Thursday the 13th instant, the Chairman announced that the Committee had before them a petition from the Sanitary Association, the prayer of which he read, and stated that although, being informal, the petition could not be referred to them by the House in the regular way, yet, as the Committee intended to call evidence, they would be happy to hear anyone representing the Association.

“On the following morning (Friday) Mr. Cawley informed the Committee that he attended on behalf of the Association, and would be glad to afford the Committee any evidence in his power, and to submit himself to the cross-examination of the Town Clerk.

“ Dr. Gregson Harrison was examined on behalf of the Corporation. He stated that the rivers of Manchester are calculated very considerably to injure Manchester, and that in his opinion the introduction of water-closets into cottage houses would greatly increase the evil.

“ Mr. Alderman Pilling was then called, and he stated that great improvements had been carried out by the Corporation; that every house had a separate privy, with one ashpit to two cottages; that these ashpits do not communicate with the drains; that the houses and yards are properly drained, and that no nuisance arises from the middens and ashpits. That there is not one cesspool in Manchester. He stated further that the cost of the waterworks was £1,250,000., and would probably amount to £1,500,000. by the time all was completed. In respect to the present supply he stated that the total quantity sent to the town is only from 10,000,000 to 11,000,000 gallons per diem. That of this, 2,000,000. gallons go to supply Salford, Altrincham, and the other out districts, and 3,000,000 for trade purposes, leaving only 5,000,000 to 6,000,000 gallons per day for the domestic supply of the city. That at present there are no less than 5,900 dwellings which only pay 1s. per annum each for an unlimited supply of water. That the mill-owners on the Etherow are taking legal proceedings to compel the Corporation to send down the full quantity named in the Act of Parliament, and that the state of the works is matter of the greatest anxiety to the Corporation, lest the supply should prove inadequate, and therefore they are anxious to prevent the introduction of water-closets into cottages, and particularly into cellars. That the soil-pans in the city jail have been the source of great trouble; that in the new addition to the building the Inspector of Jails has not required them to be provided, and that the Corporation are providing a new machine as a substitute, which is to be removed from the cells each day; but this plan remains to be tried.

“ After Mr. Wallworth had been called to prove that no complaints had been made about the ashpits or nightsoil depôt, this concluded the case for the Corporation, and the Committee adjourned to Monday the 17th, at twelve o'clock.

“ On Monday, Mr. Rawlinson, C.E., Mr. Cawley, C.E., Mr. P. H. Holland, Mr. E. Chadwick, and the Rev. T. R. Bently, M.A., were called and examined by the Committee.

“ Mr. Rawlinson, who was first called, gave some facts as to the use of soil-pans and water-closets, denying emphatically the statements as to the great waste of water. He stated that such was the benefit found to arise from their use, that in Lambeth alone 400 soil-pans are made and sold weekly, and in the kingdom not less than 7,000 per week. He stated that he knew Manchester well, having reported to the General Board of Health on most of the adjoining townships—that the rivers are very bad, but that the sewage might be carried away below the City, and then deodorised in the manner suggested in the Report of the Royal Commissioners on the treatment of Sewage, just issued.

“ Mr. Cawley, on behalf of the Association, explained that the Association petitioned in consequence of finding that the Town Clerk was under a misapprehension as to their views, and read the letter of that gentleman to Canon Richson, as also the last sentence of Mr. Walmsley's letter, which the Town Clerk had omitted to read. He stated that he considered the proposed minimum charge for water for general domestic purposes only reasonable, but reminded the Committee that this itself was a large increase on the charge on small tenements, which had now the right to use the water for water-closets for 1s. to 1s. 6d. per annum. He contended that if the introduction of water-closets were not beneficial to the occupier, the Corporation need be under no apprehension, as it is not probable that the owners will introduce them until compelled by the pressure of their tenantry; that if the drainage is in a proper state, waste of water is not likely to occur; that the Corporation throw obstacles in the way of their introduction by refusing to permit their being connected with the sewers, and that the existing ashpits and privies are not in such a delightful condition as the evidence for the promoters might lead the Committee to suppose; and he expressed his conviction that Mr. Pilling could not intend his description to apply to all the ashpits, but only to those recently erected. In support of this view, Mr. Cawley produced a certificate which he had that morning received, signed by twelve of the Medical Officers of the Unions within Manchester and Salford, testifying to the disease and sickness resulting from the present system. He further stated that the Association considered that the Corporation had no right to plead

deficiency of water, whilst they were not only supplying for trade purposes, but places which had no claim upon them. That the rivers are in such a state that some means ought to be taken to improve them—that the greatest injury which they cause arises from the Medlock supplying the Bridgewater Canal—that this ought and can be remedied. That the sewage might be carried away by intercepting sewers along the banks of the rivers, as suggested by Mr. Rawlinson, to a point below the city, or it might be treated chemically at several points within the city, and the purified water then allowed to flow into the rivers; but that even if nothing be done to the rivers, the injury arising from the increase of sewage matter flowing into them would be less than that caused by the ashpits and privies—that the Corporation of Salford have no power to charge for water-closets in dwelling-houses, and that Manchester ought not to have such power.

“ In cross-examination the Town Clerk endeavoured to shew that the sentence in the letter read to Mr. Adderley, quoted by Mr. Walmsley, justified him in considering that the Association approved of the principle he contended for.

“ Mr. Cawley pointed out the difference between the two, and read the greater portion of the letter referred to; the principle of the Association being that water-closets ought not to be discouraged, that of the Town Clerk being that they ought to be discountenanced in low-class tenements.

“ The Town Clerk also endeavoured to draw from Mr. Cawley a disapproval of more sewage entering the rivers—the Medlock especially, but Mr. Cawley said he considered it the duty of the Corporation properly to sewer the town, and that until other sewers were provided it must run into the Medlock, which was a less evil than leaving the sewers imperfect. He also said that he did not blame the Corporation for not rushing at once into a large scheme for deodorising, as additional information was being daily obtained, but he did blame them for not more fully investigating the subject. He also remarked that it was unfair to quote Leicester as evidence against the use of chemical means, as that was a case which would never be repeated. There a Company had been formed to carry out a particular patent, under the impression that the produce would be a

very valuable manure, and they had therefore invested a very large capital in expensive machinery, and the produce not proving of the value anticipated, of course the result, in a pecuniary point, was a failure.

“The evidence of Mr. Holland and Mr. Chadwick, who had been connected with the General Board of Health, and who are more or less acquainted with Manchester, went to shew that the introduction of water-closets has been attended with most beneficial effects in other towns, and that there is no such large consumption or waste of water where proper arrangements are made; that as to the rivers Medlock and Irk, the sewage ought to be diverted from them and carried away by intercepting sewers. That an increase of sewage matter in the rivers in Manchester would be less injurious than the continuance of the present system of privies and ashpits. That Mr. Hawksley’s evidence *on a former occasion was directly contrary to that given by him on this inquiry.*

“The Reverend Mr. Bently gave evidence as to the state of the cottages under the existing arrangements, and produced a copy of a Memorial to the Secretary of State for the Home Department presented, some time ago, on the injurious character of the depôt in Water-street, in evident contradiction of Mr. Wallworth’s statement. He also gave evidence to the following effect:—

“That being the incumbent of St. Matthew’s, Manchester, he was well acquainted with the Deansgate district, where he has been constantly engaged for upwards of seventeen years in visiting his sick and other parishioners. That he had attended many death-beds where the disease had been apparently produced or aggravated by foul smells. That he had been often most seriously annoyed by the middens and ashpits. That he did not profess to have any special medical knowledge, but readily believed that those persons are correct who attribute a large proportion of the excessive deaths to them. That the nightsoil heap at the end of Water-street is a great nuisance, and has been much complained of. That he was obliged, on behalf of his parishioners and of owners of property, to memorialize the Secretary of State for the Home Department for protection against it, in the year 1854. That the large nightsoil depôt covers altogether about three acres, and that there are many houses

close by, and at no great distance. That he was sure a *sewage* tank at Throstle Nest, or other convenient locality, would be less annoying. That he has been informed, and believes that sewage, however foul, may be entirely deprived of smell, and rendered innocuous. That he felt it his duty to offer his testimony against a prohibitory charge upon water-closets.'

"On Tuesday morning the Committee recalled Mr. Alderman Pilling, and requested him to explain the regulations of the Corporation, as to the introduction of water-closets, when he produced the printed regulations, one of which is, 'That water-closets will only be allowed under special arrangements with the Committee, and the owners or occupiers agreeing with the Waterworks Committee for water for the purpose of cleansing the pipes; also defraying one-half of the cost of removing the ashes.'

"The Town Clerk was requested by the Committee to point out the clause in the Act of Parliament authorising this regulation, which he was not able to do.

"The Town Clerk, in conclusion, addressed the Committee, expressing himself very strongly that it would have been well for the country if Mr. Chadwick's theories had not been listened to by the Legislature to the extent they have, and contending that the evidence he had given was, facts against theory, and that there were theorists in Manchester as elsewhere;—that the Corporation had expended an enormous sum on their Waterworks, which were at present a loss to them of £27,000. per annum, and that their only object was to protect the ratepayers. As to the rivers, he characterized Mr. Cawley's suggestions as absurd, but said in the next breath that he did know what else could be done with them; but that the cost involved would, he should think, prevent any Corporation voluntarily undertaking it.

"After this, the Committee came to the unanimous decision, that the Corporation should be permitted to charge a minimum rate of five shillings for each dwelling-house where the rate on the assessment amounted to less than that sum; that they should not be permitted to make any charge for *one water-closet* in *each* dwelling, but that where more than one is erected, they may charge four shillings each for *all excepting the first*.

“ In order that care might be taken in framing the clauses in accordance with the decision of the Committee, they adjourned to Thursday afternoon, when they added the following proviso :— ‘ Provided that the Corporation shall not be entitled to make any charge in respect to the junction with a sewer of a drain from a water-closet, or soil-pan in a privy, beyond the expense necessarily incurred in the making of such junction.’ ”

“ It will thus be seen that the Corporation have not only been defeated on this most important question, but have drawn upon themselves a positive enactment to prevent their doing that which they have heretofore assumed a right to do.

“ In conclusion, the deputation would record their obligations to Mr. Massey, M.P., for his valuable aid, and their deep sense of the interest taken in the question, and in the welfare of the people of Manchester, by the gentlemen who were called by the Committee, namely, Messrs. Chadwick, Holland, and Rawlinson.

“ C. E. CAWLEY.

“ W. H. SHAW.

“ T. R. BENTLY, M.A.

“ May 25th, 1858.”

In concluding their observations, the Committee cannot omit to express their astonishment that the Town Clerk should state, in evidence, that he could not remember any complaints made by the Association against middens and ash-pits, as such complaints were, by the direction of the Committee, addressed for a considerable period to himself; and as to the obliviousness of Mr. Wallworth respecting complaints against the night-soil depôt, the protests of the Committee against that public nuisance are a matter of notoriety.

The Committee feel, that in the course they have pursued, they have discharged a public duty of special importance to the community; and that however long the settlement of the question of properly removing the sewage of Manchester may be delayed, one difficulty in the way has now

been prevented, viz., the power to enforce a prohibitory tax on water-closets under the sanction of the Legislature.

The Committee are under great obligations to the deputation who undertook the advocacy of their cause in London, and especially to Mr. Cawley. They also feel bound to acknowledge, with special thanks, the valuable assistance rendered by Mr. Massey, M.P. for Salford, and the kind and important coöperation rendered by Mr. E. Chadwick, Mr. Rawlinson, and Mr. P. H. Holland.