the rarest cases accompanied by unpleasant results; and there is no doubt about its power of conferring immunity upon such of the lower animals as are susceptible to cholera. It has been performed on man now a considerable number of times, and a virulent culture of cholera has hitherto always been withstood M. Haffkine is at the present time in India, testing its value in the home of cholera. Its actual worth cannot as yet be decided with certainty; nevertheless, it seems probable that it will prove to be successful.

May we not then, in conclusion, confidently trust that ere-long the disease will be intercepted in its home, where its endemic prevalence has so long proved a destroying scourge, and earnestly pray that by careful inspection and isolation its epidemic prevalence in our own land may be permanently avoided?

E. Symes Thompson.
Walter S. Lazarus-Barlow.

Art. VI.—THE LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.

THE ANALYSIS OF THOSE CLAUSES WHICH AFFECT THE CHURCH OF ENGLAND, WITH SUGGESTIONS AS TO THE BEST MEANS OF SAFEGUARDING CHURCH PROPERTY WHICH OTHERWISE WOULD BE TRANSFERRED TO PARISH COUNCILS.

THE Local Government Bill, prepared and brought in by Mr. H. H. Fowler, Mr. Secretary Asquith, Mr. Arthur Dyke-Acland, Mr. Shaw-Lefevre, and Sir W. Foster, and ordered by the House of Commons to be printed, March 21, 1893; consists of five parts, viz.:

I. Parish Meetings and Parish Councils.
II. Guardians and District Councils.
III. Areas and Boundaries.
IV. Supplemental (Elections and Parish Meetings, Parish and District Councils, and Miscellaneous).
V. Transitory Provisions.

Those parts which chiefly concern Churchmen are Parts I. and IV. In Part I., under the constitution of Parish Meetings and Parish Councils, it is set forth:

I. There shall be a Parish Meeting for every Rural Parish, and there shall be a Parish Council for every Rural Parish which has a population of 300 or upwards.
II. For the purposes of this Act every Parish in A RURAL SANITARY DISTRICT shall be a RURAL PARISH.

But there is no definition in the Bill of a RURAL SANITARY DISTRICT! The definition is in the Public Health Act of 1875 (38 and 39 Vic., c. 55, s. 5, 6, 7).

In section 5 it is enacted that, for the purposes of this Act, England, with the exception of the Metropolis, shall consist of districts, to be called respectively:

Urban Sanitary Districts, and
Rural Sanitary Districts.

In order to ascertain what constitutes a Rural Sanitary District, it is needful to explain the definition of an Urban Sanitary District with its authority. In the sixth section it is thus tabulated:

URBAN SANITARY DISTRICT.	URBAN AUTHORITY.
Borough, constituted either before or after the passing of this Act.	Mayor, Aldermen, and Burgesses acting in Council.
Improvement Act district constituted as such before the passing of this Act, having no part of its area situated within a Borough or Local Government District	The Improvement Commissioners.
Local Government District constituted either before or after this Act, having no part of its area situated within a Borough, and not coincident in area wih a Borough or Improvement District.	The Local Board.

The seventh section sets forth that the area of any union, which is not coincident in area with an Urban District, nor wholly included in an Urban District, with the exception of those portions (if any) of the area which are included in any Urban District, shall be a *Rural Sanitary District*, and the Guardians of the Union shall form the Rural Authority of such district.

Therefore a Rural Sanitary District is one which is *not* a Borough, or an Improvement Act District, or a Local Government District, controlled respectively by the Mayor, Aldermen, and Burgesses in Council, the Improvement Commissioners and the Local Board, but is a district of which the *Guardians of the Union* in which it is included are *the Rural Authority*.

In Part I. of the Bill it is set forth in (3), that if a parish is partly within and partly without a Rural District, each part shall, under the Bill, be a *separate* parish.

In (4), if a rural parish has a less population than 300, it shall be grouped for the purposes of this Act with some other parish, and each group shall be a *separate* parish.

In Part IV., c. 42, s. 1, it is ordered that where a parish is divided, or united, or grouped with another parish, each new parish or group so formed shall bear such name as the Order directs. In (11), where a parish is divided by this Act, each parish so formed shall bear such name as the County Council directs.

Therefore the Bill proposes that power should be given to *change the names* of districts or parishes. This power, when exercised, will probably lead to serious complications with regard to the original designations of parishes, and their association with parish churches.

The *constitution* of the Parish Council is set forth thus:

3. (1) The Parish Council shall consist of a Chairman and Councillors.
   (4) The Parish Councillors shall be *elected* by the Parochial Electors.
   (7) At the Annual Meeting the Parish Council shall *elect a Chairman.*

Therefore the incumbent will not be a member of the Parish Council unless he be elected, and if elected a member he *may not be elected chairman.*

The meetings of the Parish Council may be held in (Clause 4, s. 1) the schoolhouse of any elementary school receiving a Parliamentary grant. The parochial electors and Parish Council are entitled to use the same, free of charge, at all reasonable times. Therefore the elections and meetings may be held by right in Church schools.

Under Clause 6, s. 1 (*b*)—

> The powers, duties, and liabilities of Churchwardens are to terminate, except so far as they relate to the affairs of the Church and Ecclesiastical Charities. They will have control of Churchyards now open; but the closed Churchyards will be under the control of the Parish Council.

Therefore churchwardens will cease to be *parochial officers*, and will only represent the parish church. Can they, therefore, be elected by the parish? The Bill is silent!

By Clause 6 the Parish Council will *provide parish books;* and under Clause 16, s. 6, all documents originally required to be deposited with the parish clerk, shall be deposited with the clerk or chairman of the Parish Council.

But no definition is given in the Bill of *parish books!* It may, however, be assumed that they do not include registers of baptisms, marriages, and burials, as these are kept, under 58 Geo. III., c. 146, s. 3, in the custody of the officiating minister of every parish. And the Bill in the second schedule

(page 41), in which there is a list of enactments to be repealed, does not include this enactment.

In Clause 5, s. 2, it is set forth—

> That the legal interest in all property vested either in the Overseers, or the Overseers and Churchwardens, other than property connected with the affairs of the Church, shall vest in the Parish Council.

Therefore churchwardens will cease to be trustees of all parochial charities and other parochial property, with the exception of those charities and properties which are ecclesiastical or are connected with the affairs of the Church.

This phrase—affairs of the Church—occurs again and again in the Bill, but it is nowhere defined!

An elementary school, built, supported, and controlled by churchmen, if vested in churchwardens, is not apparently viewed under the Bill as property belonging to the affairs of the Church! If the school is vested in the churchwardens, their place will be taken by the Parish Council; or if the school is vested in the incumbent and churchwardens, the Parish Council will supersede the churchwardens. But in either case, by the vote *of the majority* the school *could* be transferred to a School Board!

It is almost incomprehensible that parish halls should be in danger of alienation, but it has been admitted by the President of the Local Government Board, in a correspondence, that under the Bill as it at present stands, parish halls will pass to the control of Parish Councils, *unless* they are vested in trustees for spiritual and other purposes connected with the parish church. And, therefore, under the Bill parish halls which are not so vested are not viewed as property belonging to the affairs of the Church, but the public property of the whole parish, although they were built by Churchmen for Church purposes!

Under Clause 8, s. 11—

> The Parish Council may sell, exchange, or let any land or buildings vested in the Council; but this power shall not be exercised in the case of property which has been acquired at the expense of any rate, or is applied at the passing of this Act in aid of any rate.

Therefore the lands or buildings which may be sold, exchanged, or let, are those which have been transferred to the Parish Councils under this Bill. And therefore it is possible for a Parish Council to sell, exchange, or let, for example, a parish hall, which originally was vested in churchwardens.

Under Clause 13, s. (3), it is set forth that—

> Where the Vestry of a Rural Parish are entitled, under the trusts of a Charity, other than an Ecclesiastical

Charity, to appoint any trustees or beneficiaries, the appointment shall be made by the Parish Council.

Therefore under the Bill the trust of a charity, other than an ecclesiastical charity, will be over-ridden.

In Clause 58 an ecclesiastical charity is defined as a charity, the income of which is either wholly or partly applicable for any spiritual purpose which is now a legal purpose. But although so much depends on the meaning of the words—a spiritual purpose which is now a legal purpose—they are not defined in the Bill!

From time immemorial Churchmen have believed that property vested in the incumbent and churchwardens has been invariably *vested for Church purposes.*

But under the Bill it is considered that all property so vested is *public property,* unless it is *specified* that it is for an ecclesiastical purpose, as the principle of the Bill, is that the incumbent and churchwardens represent not only Churchmen, but all other parishioners in their parish.

If, therefore, Churchmen have under a *misconception* vested property in the incumbent and churchwardens, without specifying that it is for spiritual or other purposes in connection with the parish church, there can be no doubt that it is their duty so forthwith, in every case in which it is legally possible, to revest the property that it may not be diverted from the purpose for which it was intended.

In very many cases it may be possible for the donor or his representatives to sign a supplemental deed, with the consents of the incumbent and churchwardens, giving them power to appoint new trustees, or jointly to make a new conveyance under the existing Mortmain Act to named trustees, with power to appoint new trustees, with the clause that the property is for *spiritual and other* purposes in *connection with the Church of England,* under the control of the incumbent for the time being of the Church specified, or, if needful, of the Bishop of the diocese.

If Church property has been vested in the incumbent and churchwardens as *individuals*—that is, by name—then if they have died, under the Conveyancing and Law of Property Act of 1881 (44 and 45 Vict., c. 41, s. 31) the personal representative of the last surviving trustee may by writing appoint a new trustee or new trustees. Or if all the trustees have not died, then, under the same section, the *continuing* trustee may by writing appoint a new trustee or new trustees.

It has been found on inquiry that there are buildings and other property given by Churchmen for Church purposes which have not been legally vested. Therefore it is imperative that, without delay, they should by Deed of Conveyance,

under the existing Mortmain Act, be vested in individuals as trustees with *power* to appoint new trustees, for spiritual and other purposes in connection with the Church of England under the control of the incumbent for the time being of the Church specified, or, if needful, of the Bishop of the diocese.

In order to obtain united action, it seems desirable that the incumbents in each Rural Deanery in England and Wales, acting under legal advice, should revest the Church property of their respective parishes which may be imperilled by the Bill, except, of course, in those cases in which revestments are legally impossible. Or each Rural Deanery in a diocese could elect its representatives to appoint, in council, diocesan trustees, who, under 35 and 36 Vict., c. 24, could probably be constituted a corporate body to hold and convey the Church property of the diocese.

It is also important that in the House of Commons amendments should be pressed to obtain, if possible, just definitions of the "affairs of the Church," "spiritual purposes," "ecclesiastical and parochial charities," in order that Church property, given by Churchmen for Church purposes, cannot be alienated or endangered.

A. J. GLENDINNING NASH.
J. J. GLENDINNING NASH.

ART. VII.—MITRES.

IT has been remarked by one of the most eminent of living naturalists that in a barbarous condition of human society it is the male who chiefly adorns himself; as social life improves, or arrives at its middle condition, both sexes alike are splendid in their apparel; but that when civilization has advanced to the reasonable and reflective stage, the male divests himself of ornaments and colours, and leaves them to the female, who considers them the natural and fitting accompaniments of the beauty to which she always desires to lay claim.

In the time of the Apostles Roman and Greek civilization were far advanced, and the costume of men was extremely simple. In the early Church the ministers of the assemblies wore merely the dress of ordinary life, and no doubt the soberest and most decent that they could command. It was only as civilization began to decline and fashions to change that reverence began to be paid to the obsolete costumes which the clergy, by force of habit and by aversion to change, continued to wear. As the intellectual elevation of the days of