

ORIGINAL

BUREAU OF MILITARY HISTORY 1913-21

BURO STAIRÉ MILEATA 1913-21

No. W.S. 449

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BUREAU OF MILITARY HISTORY, 1913-21.

STATEMENT BY WITNESS

DOCUMENT NO. W.S.449.....

Witness

Liam T. Cosgrave,
Beechpark, Templeogue,
Co. Dublin.

Identity

Minister for Local Government
in Dail Eireann Cabinet, 1919.

See also W.S. 268.

Subject

Local Government Administration
in Ireland 1918-1920.

Conditions, if any, stipulated by Witness

Nil

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Form B.S.M. 2.

BY
MR. WILLIAM T. COSGRAVE, BEECHPARK, TEMPLEOGUE, DUBLIN.

Local Government in Ireland was capably administered by the various representative local authorities, the most important of which were rate levying authorities, viz: Co. Borough and Co. Councils. These bodies exercised their functions, or most of them, quite independently. They were not subject to supervision save in respect of minor services under the public health statutes and in respect of others towards which the government gave grants or made contributions. Even in these cases care was taken by the Local Government Board to avoid friction and to have harmonious relations with public bodies.

At the head of the Local Board sat the Chief Secretary for Ireland in his office as President, but the immediate control was in the hands of the Vice-Presidents, some two or three members of the "Board", a large staff comprising engineers, doctors, auditors, lawyers and some 250 civil servants. The staff was not confined to Irishmen - Scotland, England and Wales contributed to the mobilisation. From this set-up it can be understood that everything had to be done or was required to be done according to law, and many laws regulated many local authorities in Ireland. Local Government headquarters had full and detailed information regarding every phase of the activities of public bodies. This is not surprising, as there was an efficient staff of inspectors, professional and lay; accounts were audited regularly and there were extensive reports of proceedings at meetings of local bodies.

Local Government officials were authorised to hold sworn inquiries into applications by local authorities to borrow money, to undertake public works such as housing, drainage, waterworks, etc. Objections could be made by ratepayers and others at these inquiries on various grounds.

Local Government inspectors also held sworn inquiries into complaints made by officials of the Local Government Board or other persons. At most, if not all, of these sworn inquiries, parties could be legally represented.

Minutes of the proceedings at meetings of Boards of Guardians and Rural District Council had to be forwarded after each meeting to the L.G.B. Practically every appointment made by these bodies required sanction from the L.G.B., failing such sanction, salaries paid in such cases would be surcharged. This meant that the public representatives signing the cheques for these payments had to lodge to the credit of the local authority the amount of the salary so surcharged.

Sinn Fein candidates had a sweeping victory at the Parliamentary General Election of 1918, and, to counteract a Sinn Fein victory at the Local Government Election in 1920, the British government passed a statute imposing the proportional representation system in Irish local elections. But legislation was out of date in dealing with public opinion in Ireland at this time. Sinn Fein control of local authorities was complete directly the Local Government Elections took place. For two decades local authorities had administered such different public services as provided roads, water, lighting, sewage disposal, poor relief, dispensaries, hospitals, housing, public health services efficiently, conforming to the limitations imposed by law, and the official mind in the Custom House. Events were now shaping themselves, providing the same services, but dispensing with the limitations imposed by law and the British official mind - where these were repugnant - to the newly established Irish authority - Dáil Éireann.

A commission of inquiry into local government was set up by Dáil Éireann on 29th June 1920, under the following resolution: "that a commission of experts be set up to inquire into the possibility of carrying on local administration without financial aid from the English government, to report as to reforms and economies in local administration and particularly in the Poor Law System that would enable councils to meet altered financial conditions if it is decided to break with the English Local Government Board. That this commission report not later than the 1st day of September 1920, and that, pending consideration of its report, no action be taken by public bodies except such as the Minister for Local Government may authorise" - page 185, Dáil Éireann - Miontuairisc, An Cead Dala, Minutes of Proceedings 1919-21.

A reference was made to the report of the Commission by the Minister for Local Government at the meeting of Dáil Éireann, 6th August 1920, and it is recorded that the report was adopted, pages 203, 4 and 5, Minutes of Proceedings, Dáil Éireann, 1919-21.

This reference to the Commission's report would appear to have been made so that the proposals could form the subject of consideration by the General Council of County Councils on the following Thursday, 12th August, 1920.

Arthur Griffith had frequently laid stress on the potentialities of the General Council of County Councils in the event of a national conflict with the British government - that struggle was now imminent. For eighteen months now the Royal Irish Constabulary had been challenged by the Irish Volunteers and had been so hard pressed that

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a military addition had been made to the "Force" in the unusual uniform of a dark tunic and a khaki trousers. Some of these recruits had courage - most of them were bullies, and none of them had any morals. A further addition had been made by the British government to the police and military in the shape of a body called "Auxiliaries". They were called "Aussies". Among other sources combed to recruit these two forces were English gaols. These two bodies had one attribute in common; they had no discipline; they murdered; they burned; they looted and they were drunken.

Formal adoption by Dáil Éireann on 17.9.1920, of a series of recommendations made by the Minister for Local Government gave parliamentary sanction for the final break with the Local Government Board (British). Much of the size of the problem could be understood from the number and variety of the recommendations; many of them had to do with finance, or, in effect, how to carry on the public services on a cash shortage of a million pounds in a year.

Government grants and other payments made to local authorities were estimated at about one eighth of the total expenditure. This may have been a conservative estimate - very probably based on the net sum accruing to Local Government - that is, the amount after deduction of payment on foot of loans by local authorities to the different British government offices, which were considerable. That is briefly the meaning of the cash shortage of £1,000,000 per annum, and it follows that drastic cuts and economies had to be effected.

A still greater problem was unfolded by the precipitate action of the British government in undermining the local

government code by a new statute. Hitherto no money levied in rates for a particular purpose or a particular service could be spent on any other purpose or service than that for which it was levied. A new amendment in the law, late in 1920, gave authority to a person having secured a decree from the Courts under the Criminal and Malicious Injury Acts to present the decree to the Treasurer of a rate levying local authority and at once the Treasurer had to pay out to the holder of the decree the full amount so awarded. If the total funds to the credit of the local authority were insufficient, the decree remained absorbing all credits lodged until the whole sum was paid. Had this amending statute been implemented, all local services throughout the country would have had to be discontinued. So far as the British government was concerned, this was total war.

Reference has been made to local authorities and rate-levying local authorities. Funds were provided by rate-levying authorities for such local authorities as were dependent on them. Dublin Corporation struck such sums in rates as the Grangegorman and Portrane Mental Hospitals required for the maintenance and treatment of the citizens of Dublin who were in these institutions. Money for the administration of the Poor Laws was levied by rate-raising local bodies and supplied by them in turn for Poor Law Boards of Guardians, to spend on hospitals, dispensaries and relief of the poor, either in institutions or in the home.

For the purpose of rate-levying, it may be stated that a ratepayer had but a twelve months life, and upon this fact the fabric of municipal finance may be said to be based. That it was a good system may be admitted; that it was fair must be conceded. Each year had to bear its own burden - one year with another - no more and no less, and it follows that public representatives, if they erred at all, and they

did very slightly - it was to raise less money than more money than was required - for public services. Rising costs, increases in wages and a lag in maintenance and repairs during the war had been responsible for higher rates; in these circumstances, a deficit was more likely at the end of the financial year than a surplus. Obviously, there was no provision to meet any criminal and malicious injury decree, and if any such decree was met by the Treasurer, some public service would suffer.

Matters had reached a strange pass, when money collected to relieve the poor, the afflicted and the sick was by British law to be seized and employed to compensate the families of police officers or policemen, etc. No Englishman with any self-respect could defend this legislation, and its introduction at the moment when British Civil and Military authority was being challenged, presented an up-to-date example of mal-administration, bad law and the worst government.

Alternative treasurers to the banks had to be found and were quickly forthcoming, usually through the chairman of the Co. Council. Rate collectors were directed, or persuaded to lodge their collections with the newly authorised treasurers. Inspectors, lay and professional, from the Dáil Éireann Local Government Department, journeyed through the country, calling at local authorities offices and on officials advising or directing action to be taken and approving of action taken as the case required. This inspectorial staff received instructions from the Minister - and/or substitute Minister - or on some occasions from the Chief Inspector. Each month a meeting took place of the Inspectors and the two Ministers. Drastic economies had to be undertaken arising out of which the opportunity was taken of bringing to an end, or starting to bring to an end, the

workhouse system, which for 80 years had been a blot on the country. For 80 long years this poor law system had been in operation, degrading, pauperising and depressing the unfortunate people whose poverty and sickness condemned them to it.

Few of the Inspectors had previous knowledge of local administration, but they were intelligent, hardworking and patriotic. They did not spare themselves or their friends to make good. Serious risks had to be undertaken by these officials, one of whom was taken as a hostage by Black and Tans while he was in custody as a suspect.

Excellent communication by letter was kept up between the L.G. Department and local bodies and public representatives throughout the country by means of "covering addresses". These were residences and shops where the owners or principal employees undertook to receive letters for the Department which were collected by trustworthy persons or by a messenger. A few public representatives and officials knew of the Local Government Department offices which were ultimately at Wicklow St. - originally at 6 Harcourt St. - then for some twelve months at 18 Clare St., for a short period at the Co. Council offices, Parnell Square, and finally Wicklow St. During the occupation by the Department of Local Government of all these offices, in only one case was there a raid by Crown forces, which occurred in the Dublin Co. Council Offices, Parnell Square. It was fortunate that the Minister was not present as he was fairly wellknown and would have been identified.

Although the disposal, as directed by the Dáil Department of Local Government, of the monies collected in rates was illegal according to the British Local Government code in Ireland the expenditure was in accordance with local government regulations. On one occasion the chairman of an important Co. Council walked freely through the city of Dublin with £50,000 on his person.

Local government was administered with efficiency and economically during the difficult and trying Black and Tan period. An estimate of the general strain on public representatives and local authorities may be gauged from the list of casualties. Two Lord Mayors of Cork were done to death, one outside his own home; one Mayor of Limerick, two members of the Limerick Corporation and the chairman of the Limerick Co. Council. Coroners' juries took a strong line on these and other murders by Crown forces, bringing in verdicts of murder against Ministers of the Crown.

Verdicts of this kind were popular with the British government when, during the Great War, they were brought against the German Emperor.

To save Ministers of the Crown and Crown servants, such condemnations, a statute was enacted giving power to a British agent to dispense with inquests in this country and, thereafter, no inquests were held which might discredit British authority.

Scarcely a local authority had not one or more of its members under arrest, even dispensary doctors were amongst those under lock and key, and the Lord Mayor elect of Dublin was under arrest at the time of his election.

British prestige was the most powerful asset of British authority in Ireland. British supporters were never tired of saying "She was never beaten". Police, courts, civil servants and some local authority officials had their national pride, if they had any, discounted by this complex. But doubts began to affect them as the struggle proceeded and they accepted the new situation, if not with grace, with a growing conviction. Most clashes which had taken place during the preceding century between the governing British and the governed Irish had been defensive - on the Irish side. An alternative national government was a new departure, and there were no textbooks in the British Library dispensing advice on such a problem.

At the date of the Truce sixty-five persons comprised the staff of the Local Government Department of Dáil Éireann - just one quarter of the number of officials in the British Local Government Board. Throughout the country local administration was in fairly good shape.

British Ministers of State confessed in London - after the Truce - that the fatal blow to British authority in Ireland was the loss of civil control, which, they conceded in the case of local government, was complete and effective.

W. J. Cosgrave
14. 11. 50.

Witness -

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W. J. Cosgrave
Colonel.
14/11/50

Note No. 1.

As Minister for Local Government under Dáil Éireann it was my duty to carry out the policy laid down and directed by formal resolution adopted on 17.9.1920. This may be briefly described as an order to afford such assistance, advice and direction to local authorities throughout the country as the circumstances of the time required, and, in particular, to ignore communications, directions and orders of the British Local Government Board. This policy was gradually but generally accepted by all local authorities - excepting those of the six north eastern counties. One of the first conflicts between the Local Government Board (British) and a local authority arose on the question of audit. An auditor had a legal right to all books and accounts, and such other documents as he considered essential in the examination of accounts and payments to complete the audit.

In the latter part of 1920, the customary demand came from the auditor to the Dublin Corporation for the production of the books and accounts. As these books and documents were not forthcoming, the auditors applied to the courts - citing the Lord Mayor, Aldermen and burgesses, and secured an order directing the production of the necessary books and information. Non-compliance with the Court decree rendered all those concerned liable to immediate arrest for contempt of court.

I was at the time Chairman of the Estates and Finance Committee, and it became necessary to take such action as would exempt the Lord Mayor from arrest. Accordingly, on the Friday preceding the Monday on which discovery of the books and accounts fell to be made, I instructed Mr. Eyre, the City Treasurer and responsible officer, to collect all books and accounts necessary to the audit, and store them in the auditor's room ready for his use

and inspection on the next following Monday. These instructions were carried out as directed. On the following day, Saturday, a raid was made on the auditor's office by Volunteer forces under the command of Joe McGrath and all books and accounts were removed. Counsel for the Corporation was now in a position to tell the Court that the Corporation had taken all necessary steps to facilitate the audit but that, owing to circumstances over which the Corporation had no control, the books and documents were no longer available. .

N. J. Cosgrave
18 July 1951.

Witness:

J. V. Joyce
Colonel

18th July 1951

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