



Local Government Act 1888

1888 CHAPTER 41

PART I

COUNTY COUNCILS.

Constitution of County Council.

1 Establishment of county council.

A council shall be established in every administrative county as defined by this Act, and be entrusted with the management of the administrative and financial business of that county, and shall consist of the chairman, aldermen, and councillors.

2 Composition and election of council and position of chairman.

- (1) The council of a county and the members thereof shall be constituted and elected and conduct their proceedings in like manner, and be in the like position in all respects, as the council of a borough divided into wards, subject nevertheless to the provisions of this Act, and in particular to the following provisions, that is to say :—
- (2) As respects the aldermen or councillors—
 - (a) clerks in holy orders and other ministers of religion shall not be disqualified for being elected and being aldermen or councillors;
 - (b) a person shall be qualified to be an alderman or councillor who, though not qualified in manner provided by the Municipal Corporations Act, 1882, as applied by this Act, is a peer owning property in the county, or is registered as a parliamentary voter in respect of the ownership of property of whatsoever tenure situate in the county ;
 - (c) the aldermen shall be called county aldermen, and the councillors shall be called county councillors; and a county alderman shall not, as such, vote in the election of a county alderman ;
 - (d) the county councillors shall be elected for a term of three years, and shall then retire together, and their places shall be filled by a new election; and

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- (e) the divisions of the county for the purpose of the election of county councillors, shall be called electoral divisions and not wards, and one county councillor only shall be elected for each electoral division :
- (3) As respects the number of the county councillors, and the boundaries of the electoral divisions in every county—
- (a) the number of the county councillors, and their apportionment between each of the boroughs which have sufficient population to return one councillor and the rest of the county, shall be such as the Local Government Board may determine ; and
 - (b) any borough returning one councillor only shall be an electoral division; and
 - (c) in the rest of the county the electoral divisions shall be such as in the case" of a borough returning more than one councillor the council of the borough, and in the rest of the county the quarter sessions for the county, may determine, subject in either case to the directions enacted by this Act ; and in the case of elections after the first, to any alterations made, in accordance with the said directions, in manner in this Act mentioned:
- (4) As respects the electors of the county councillors—
- the persons entitled to vote at their election shall be, in a borough, the burgesses enrolled in pursuance of the Municipal Corporations Act, 1882, and the Acts amending the same, and elsewhere the persons registered as county electors under the County Electors Act, 1888 :
- (5) As respects the chairman of the county council—
- (a.) he shall be called chairman instead of mayor; and
 - (b) he shall, by virtue of his office, be a justice of the peace for the county; but before acting as such justice he shall, if he has not already done so, take the oaths required by law to be taken by a justice of the peace other than the oath respecting the qualification by estate.
- (6) The county council may from time to time appoint a member of the council to be vice-chairman, to hold office during the term of office of the chairman, and, subject to any rules made from time to time by the county council, anything authorised or required to be done by, to, or before the chairman may be done by, to, or before such vice-chairman.