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HOUSE OF COMMONS.

Monday, 1st April, 1901.

MR. SPEAKER'S INDISPOSITION.

The House being met, the Clerk Assistant at the Table informed the House of the unavoidable absence of Mr. Speaker, owing to indisposition;

Whereupon the Chairman of Ways and Means came to the Table, and after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

TOOK THE OATH.

Two other Members took and subscribed the Oath.

PRIVATE BILL BUSINESS.

PRIVATE BILLS [Lords].

Mr. DEPUTY SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the Bills comprised in the List reported by the Chairman of Ways and Means as intended to originate in the House of Lords, the Standing Orders have been complied with in the following case, viz.:

Finchley and Hendon Tramways.

PROVISIONAL ORDER BILLS (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH).

Mr. DEPUTY SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.:

Drainage and Improvement of Lands (Ireland) Provisional Order Bill.

Ordered, That the Bill be read a second time to-morrow.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH).

Mr. DEPUTY SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz.:

Henry Diaper and Company (Delivery Warrants) Bill [Lords].

Ordered, That the Bill be read a second time.

WOLVERHAMPTON AND CANNOCK CHASE RAILWAY BILL.

As amended, considered; to be read the third time.

GREAT CENTRAL RAILWAY BILL.

Read a second time, and committed.

METROPOLITAN RAILWAY BILL. (BY ORDER.)

Read a second time, and committed.

LONDON UNDERGROUND RAILWAYS.

Lords Message [26th March], as to the appointment of a Joint Committee on London Underground Railways, considered.

Resolved, That this House doth agree with the Lords in the said Resolution.:(The Chairman of Ways and Means.)

MORTON CARR DRAINAGE BILL.

Order [27th March] that the Second Reading of the Morton Carr Drainage Bill be deferred till Friday, 19th April, read, and discharged; Bill withdrawn.;(Mr. Caldwell.)

METROPOLITAN POLICE PROVISIONAL ORDER BILL.

THAMES AND SEVERN PROVISIONAL ORDER BILL.

Read the third time, and passed.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 1).

Bill to confirm a Provisional Order of the Local Government Board for Ireland relating to the county and urban district of Carlow, ordered to be brought in by Mr. Attorney General for Ireland and Mr. Wyndham.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 1) BILL.

"To confirm a Provisional Order of the Local Government Board for Ireland relating to the county and urban district of Carlow," presented accordingly, and read the first time; to be referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 136.]

RAILWAY, ETC., BILLS.

Copy ordered, "of Report by the Board of Trade upon all the Railway, Canal, Tramway, Harbour and Tidal Waters, Electricity, Gas, and Water Bills, and Provisional Orders of Session 1901.";(Mr. Gerald Balfour.)

COLWYN BAY AND COLWYN URBAN DISTRICT GAS BILL.

PETERSFIELD AND SELSEY GAS BILL.

Reported, with Amendments; Reports to lie upon the Table, and to be printed.

PRIVATE BILLS (GROUP C).

Mr. Harwood reported from the Committee on Group C of Private Bills, That, for the convenience of parties, the Committee had adjourned till Tuesday, 23rd April, at Three of the clock.

Report to lie upon the Table.

PETITIONS.

AGRICULTURAL RATES ACT, 1896.

Petition from Runcorn, in favour of re-enactment; to lie upon the Table.

CHURCH DISCIPLINE.

Petitions for alteration of Law, from Deptford and Worthing; to lie upon the Table.

COAL MINES (EMPLOYMENT) BILL.

Petitions in favour, from Oxenford; Elphingstone; Ormiston; Stanley Main; Bowers (No. 1); Kippax; Wheldale; Lofthouse; Snydale (No. 2); Junction; Silkstone Altofts; Emley; Stourton Grange; Haigh Moor; Gawber; Mitchell's Main; Monckton Main; Houghton Main; Wombwell Main; Manvers (No. 2); Oaklands; Allhallows; Low Stubbin (No. 1); and Tibsholf Collieries; to lie upon the Table.

ELEMENTARY EDUCATION (HIGHER GRADE AND EVENING CONTINUATION SCHOOLS).

Petition from Pembrey, for alteration of Law; to lie upon the Table.

INDAPUR TALUKA OF THE POONA DISTRICT; REVISION SURVEY SETTLEMENT.

Petition from inhabitants of Indapur Taluka, for inquiry into their condition, and into the Revision Survey Settlement of their district; to lie upon the Table.

LOCAL AUTHORITIES OFFICERS' SUPERANNUATION BILL.

Petitions in favour, from Bangor; Durham; Hampton Wick; and Barton upon Irwell; to lie upon the Table.

MINES (EIGHT HOURS) BILL.

Petitions in favour, from Oxenford; Elphingstone; Ormiston; Snydale; Bowers (No. 1); Kippax; Wheldale; Lofthouse; Rothwell; Ardwarke Main; Junction; Snydale (No. 2); Silkstone, Altofts; Emley; Stourton Grange; Haigh Moor; Houghton Main; Wombwell Main; Monckton Main; Mitchell's Main; Low Stubbin (No. 1); Tibshelf; Manners (No. 2); and Oakland's Collieries; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN BILL.

Petitions in favour, from Carnoustie; Leicester; Maryport; Wrenthorpe; Islington; Barnes; Selkirk; Appledore; Lancashire and Cheshire; Longsight; and Llanfyllin; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petitions in favour, from Garvald; Helmsdale; Lethnot; Monifieth (two); Broughty Ferry; Strathmartine; Maxwell; Mearns; Stornoway; Stirling; Edderton; Galashiels (six); Westerkirk; Maybole; Latheron; Meldrum; Fraserburgh; Selkirk; Grahamston; Selkirk (two); and Paisley; to lie upon the Table.

RETURNS, REPORTS, ETC.

MARRIAGES, BIRTHS, AND DEATHS (ENGLAND).

Copy presented, of General Abstract of Marriages, Births, and Deaths registered in England in the year 1900 [by Command]; to lie, upon the Table.

DISEASES OF ANIMALS ACTS, 1894 AND 1896.

Copy presented, of an Order dated 25th March, 1901, prohibiting the landing of animals from the Republic of Chile [by Act]; to lie upon the Table.

BRITISH MUSEUM.

Return presented, relative thereto [ordered 8th March]; Mr. John Morley]; to lie upon the Table, and to be printed. [No. 113.]

SUPERANNUATIONS.

Copy presented, of Treasury Minute, dated 22nd March, 1901, declaring that for the due and efficient discharge of the duties of the office of Junior Inspector, attached to the Elementary Branch of the Board of Education, professional or other peculiar qualifications not ordinarily to be acquired in the public service are required [by Act]; to lie upon the Table.

EAST INDIA (LOANS RAISED IN ENGLAND).

Copy presented, of Return of all Loans raised in England, chargeable on the Revenues of India, outstanding at the commencement of the half-year ending on the 31st March, 1901 [by Act]; to lie upon the Table, and to be printed. [No.

114.]

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.

Name of Local Authority.

Act of Parliament or Provisional Order.

Area of supply.

Loans

Total capital expended at end of year.

Receipts during year.

Expenditure on maintenance during year.

Gross profit or loss before providing for interest and sinking fund, &c.

Sinking fund.

Reserve fund.

Net profit or loss after providing for interest, sinking fund, &c.

Percentage of net profit or loss on total capital expenditure.

Price per Board of Trade unit.

Amount of energy generated and sold.

Amount authorised.

Amount borrowed.

Amount repaid.

Public lighting.

Sale of energy, and other receipts.

Profit.

Loss.

Provided during year.

Total at end of year.

Provided during year.

Total at end of year.

Profit.

Loss.

Profit.

Loss.

Authorised

Charged.

Generated (units).

Sold (units).

;(Mr. Bartley).

SOUTH AFRICA.

Copy presented, of letter from Commandant Louis Botha to Lord Kitchener, dated 13th February, 1901 [by Command]; to lie upon the Table.

Copy presented, of further correspondence relating to affairs in South Africa [by Command]; to lie upon the Table.

NATIONAL GALLERY (PURCHASE OF ADJACENT LAND) BILL.

Ordered, That the Examiners of Petitions for Private Bills do examine the National Gallery (Purchase of Adjacent Land) Bill, with respect to compliance with the Standing Orders relative to Private Bills.:(Mr. Akers Douglas.)

LIGHT RAILWAYS ACT, 1896.

Return ordered, "showing the number of applications for Orders, and the number of Orders which have been passed by the Light Railway Commissioners, and confirmed by the Board of Trade, in each year since the passing of the Light Railways Act, 1896; and also the number and amount of the loans which the Treasury has agreed to advance in each year under Section 4, and of the special advances under Section

5.":(Mr. Bill.)

ELECTRIC SUPPLY UNDERTAKINGS (LOCAL AUTHORITIES).

Return ordered, "relating to authorised Electricity Supply Undertakings in the United Kingdom belonging to Local Authorities for the year 1899, in the following form::

ELECTRIC SUPPLY UNDERTAKINGS (COMPANIES).

Return ordered, "relating to authorised Electricity Supply Undertakings in

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.

Name of Company.

Act of Parliament of Provisional Order.

Area of Supply.

Total capital authorised at end of year.

Total capital called up at end of year.

Total borrowing powers.

Total loan capital borrowed at end of year.

Total capital expended at end of year.

Receipts during year.

Expenditure on maintenance during year.

Reserve fund.

Depreciation fund.

Net profit or loss for year.
Price per Board of Trade unit.
Amount of energy and sold.
Dividend on ordinary shares during year.
Public lighting.
Sale of energy, and other receipts.
Provided during year, and interest.
Total at end of year.
Provided during year, and interest.
Total at end of year.

Profit.

Loss.

Authorised.

Charged.

Un generated.

Units sold.

;(Mr. Bartley.)

NAVY AND MARINES.

Return ordered, "of numbers of Commissioned Officers, Subordinate and Warrant Officers, Petty Officers, Men, and Boys of the Executive Branch, Engineer Branch, and other Branches of the Royal Navy, borne on the first day of April, Executive Branch.

Engineer Branch.

Other Branches.

Royal Marines.

Grant Total

Commissioned Officers.

Subordinate and Warrant Officers, including Master's Assistants and Cadets.

Petty Officers.

Men.

Total.

Commissioned Officers.

Subordinate Officers, i.e., Engineer Students.

Warrant Officers.

Chief and other Engine Room artificers.

Stokers.

Total.

Commissioned Officers.

Subordinate and Warrant Officers, i.e., clerks, assistant clerks, and carpenters.

Petty Officers.

Men.

Kroomen.

Total.

Commissioned Officers.

Warrant Officers.

Non-Commissioned Officers.

Men.

Total.

Petty Officers.

Men.

;(Sir John Colomb.)

the United Kingdom belonging to Companies for the year 1899, in the following form::

1900, excluding Pensioners and Reserves; and a similar Return of the numbers of the Commissioned, Warrant, and Non-commissioned Officers and Men of the Royal Marine Forces, in the same form as that of Parliamentary Paper, No. 288, of Session 1898::

GOVERNMENT DEPARTMENTS SECURITIES.

Return ordered, "of the amounts of British Government Securities held by the several Government Departments

£;2¾ per Cent. Consols.

£;2¾ per Cents. (1905).

£;2½ per Cents.

Local Loans £;3 per Cent. Stock.

Guaranteed Land Stock.

War Stock and Bonds.

Other Securities.

Annuities for terms of years.

Local Loans Bonds.

Exchequer Bonds and Treasury Bills.

;(Mr. Austen Chamberlain.)

Return presented accordingly; to lie upon the Table, and to be printed. [No; 115.]

QUESTIONS.

SOUTH AFRICA;JAMESON RAID;CHARTERED COMPANY'S POSITION.

MR. ALFRED DAVIES (Carmarthen, Boroughs): I beg to ask the Secretary of State for the Colonies if he can now inform the House what action he intends taking against the Chartered Company in respect of the claim of the late Transvaal Government for the Jameson Raid.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.):

His Majesty's Government have taken legal opinion and have been advised that the right to exact reparation for any damage caused to the South African Republic by the raid has not passed to His Majesty's Government as the result of the conquest and annexation of the State; and that there is no legal liability on the part of the Chartered Company to pay to His Majesty's Government, as representing the Government of the late South African Republic, any compensation in respect of the raid. In view of this opinion His Majesty's (Government are not aware of any steps

and other Public Offices on the 31st day of March, 1901, specifying whether held in England or Ireland (in continuation of Parliamentary Paper, No. 189, of Session 1900)::

that can be taken by them in respect of the claim of the late Transvaal Government.

MR. PATRICK O'BRIEN (Kilkenny): Is not one leading member of the Chartered Company the son-in-law of His Majesty?

MR. ALFRED DAVIES: Did not the Chartered Company say that they were prepared to pay for the Jameson Raid?

MR. J. CHAMBERLAIN: I should be sorry to answer the question in quite such general terms; but the Chartered Company did undertake that if the claim of the South African Republic were submitted to arbitration they would be content to accept the award, subject, of course, to a fair reference.

MR. ALFRED DAVIES: Finally, Sir, cannot the right hon. Gentleman give us a little more information to satisfy our minds that there is no claim?

MR. J. CHAMBERLAIN: No, Sir; I have given the legal opinion which the Government have received, and I cannot go beyond that.

MR. FLYNN (Cork, N.): Does the Chartered Company escape all liability in this matter?

[No answer was returned.]

SWAZILAND; MILITARY MOVEMENTS.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Secretary of State for the Colonies whether a Boer commando is now threatening Swaziland, and whether His Majesty's Government will afford military support to the Swazis in resisting invasion.

MR. J. CHAMBERLAIN: In answer to the first question I have to say that I am not aware that this is the case, but replying to the second, I may say that the question of any movement of troops must rest with Lord Kitchener.

SWAZILAND; PROPOSED BRITISH PROTECTORATE.

SIR E. ASHMEAD-BARTLETT: I beg to ask the Secretary of State for the Colonies whether His Majesty's Government have decided to accept the petition of the Swazi Queen Regent and Council for the protection of the British Government.

MR. J. CHAMBERLAIN: Sir Alfred Milner has been asked to inform the Swazi Queen that the Swazis should keep quiet as long as the war lasts and behave peacefully, and that at the end of the war it will be remembered that they desire to live under British protection.

SIR E. ASHMEAD-BARTLETT: Is that answer to be taken as a promise to take the Swazis under protection?

MR. J. CHAMBERLAIN: The words have been carefully chosen, and I cannot add to them.

NETHERLANDS RAILWAY COMPANY.

MR. ALFRED DAVIES: I beg to ask the Secretary of State for the Colonies if he can now state to the House the attitude of the British Government towards the Netherlands Railway Company in respect of their railways in the Transvaal Colony.

MR. J. CHAMBERLAIN: I have nothing at present to add to my reply to the hon. Member of the 25th of February, and no statement can be made till the Concessions Commission have reported.

† See Debates, Vol. lxxxix., page 1018.

IMPERIAL YEOMANRY; RECRUITS FOR SOUTH AFRICAN CONSTABULARY.
SIR SAMUEL SCOTT (Marylebone, W.): I beg to ask the Secretary of State for the Colonies whether his attention has been called to the fact that a number of men belonging to the Imperial Yeomanry were asked in June or beginning of July last, and on many occasions since, to volunteer for service in the South African Constabulary, and that these men were accepted for service, but not allowed to join owing to the exigencies of the war; whether, seeing that the troopers of the South African Constabulary are divided into first, second, and third class troopers, can he say into which class the members of the Imperial Yeomanry will be enrolled when allowed by the Commander-in-Chief in South Africa to join, and whether such members of the Imperial Yeomanry as have been promoted to non-commissioned rank will be allowed to retain their rank on joining the South African Constabulary; and whether the service of these men as Imperial Yeomanry will count from the date of their volunteering for the South African Constabulary towards their pension at the end of their service.

MR. J. CHAMBERLAIN: I have no information on the subject referred to in the first part of the hon. Member's question, but I will inquire. The classification of men who join the South African Constabulary is a matter for the Inspector General, with whose discretion it is not desirable to interfere. As the Constabulary is enlisted for short periods only, it is not proposed to grant superannuation allowances to men who have served in the force.

PEACE NEGOTIATIONS WITH GENERAL BOTHA.

MR. PIRIE (Aberdeen, N.): I beg to ask the Secretary of State for War whether the text of the letter from Commandant Botha to Lord Kitchener, which has been telegraphed for, has now reached this country, and if it can be laid upon the Table of the House; and whether Lord Kitchener has been asked if he can give fuller information than is at present in the possession of this House of the reasons to which General

Botha alluded as not surprising to Lord Kitchener of the Boer non-acceptance of terms; and, if so, what is the information received, or, if this request has not been made to Lord Kitchener, if His Majesty's Government will make it.

THE SECRETARY OF STATE FOR WAR (Mr. BRODRICK, Surrey, Guildford): I can lay the original letter, which has now been received. I am awaiting a despatch from Lord Kitchener as to the second part of the question. He will no doubt give us what information is in his power.

MR. PIRIE: Were any instructions sent by the Government to Lord Kitchener as guidance on the salient points of the negotiations before the interview between Lord Kitchener and General Botha took place?

MR. BRODRICK: No definite instructions were sent before the original interview.

LORD KITCHENER'S APPEAL FOR COMFORTS FOR THE TROOPS.

MR. CHAPLIN, (Lincolnshire, Sleaford): I beg to ask my right hon. friend the Secretary of State for War a question of which I have given him private notice, in reference to Lord Kitchener's appeal for comforts for the troops in South Africa, and I am sorry that I omitted by mishap to put it on the Paper. It is whether the Government cannot make distinction between articles of clothing which are needed for the health and comfort of the troops and the other articles

designated in Lord Kitchener's appeal, and which are more in the nature of luxuries, and whether the Government can undertake to provide the required articles of clothing themselves as early as possible.

MR. BRODRICK: I am obliged to my hon. friend for giving me the opportunity of clearing up some misconceptions which have arisen as to the recent demand for comforts and other articles for the troops in South Africa. On 3rd March, in consequence of many inquiries from friends and relatives of soldiers, I telegraphed to Lord Kitchener asking whether winter comforts would be acceptable, and he replied on the 17th that they would now be gladly received. It seems

to have been inferred from the public notice that His Majesty's Government did not recognise the duty of providing the troops with warm clothing. This is an entire error. The Government undertake to provide and to maintain for the troops the following articles of warm clothing without expense to the man when they need replacement:;Two serge suits, two flannel shirts, two pairs woollen drawers, two flannel body belts, one woollen cardigan or jersey, one greatcoat or cloak, two pairs socks, one knitted woollen cap, two pairs of puttees; also, at discretion of the General Officer Commanding, one coat termed "warm British." The following articles were in store in South Africa or on the sea (apart from supplies to troops going out) on February 10th:;Greatcoats, 35,500; serge trousers, 111,000; jerseys and cardigans, 243,000; flannel shirts, 86,000; woollen and cotton drawers, 111,000; flannel belts, 191,000; woollen caps, 121,000; pairs of socks, 591,000; puttees, pairs, 378,000. Shipped since:;30,000 greatcoats; 30,000 jerseys and cardigans; 80,000 flannel shirts; 64,000 woollen and cotton drawers; 65,000 pairs of socks. The House will, I think, agree that, while the Government are fully prepared to maintain their own issues of warm clothing, there can be no objection to private individuals who desire to put extras or luxuries at the disposal of different regiments being encouraged to do so. Whatever may be the regulations, such generous gifts are always appreciated. I have no doubt, owing to the vast field of the operations, cases of hardship occur owing to the difficulty of transit, but we will do all we can to avoid it.

FIELD ALLOWANCES.

MR. HERBERT LEWIS (Flint Boroughs): I beg to ask the Secretary of State for War whether the amount of the field allowance granted to British troops serving in South Africa was doubled when they passed from British territory into the enemy's country; and whether, having regard to the arduous services rendered by them and the hardships they endured, the troops besieged in Ladysmith and Mafeking will be granted field allowance at the higher rate for the period of the siege.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Lord STANLEY, Lancashire, Westthoughton): I think the hon. Member's question is intended to refer, not to the field allowance, which is not affected by place, but to the allowance granted in view of the high price of provisions in South Africa. This was given at the rate of 1s. 6d. a day up to the 31st March, 1900;except in Zululand, where the rate was 3s. From the 1st April, 1900, the 3s. rate was made universal

throughout South Africa. I do not think that it would be possible to concede the higher rate at an earlier date to the troops serving in particular places.

IMPERIAL YEOMANRY OFFICERS;HONORARY RANK.

MR. THOMAS DEWAR (Tower Hamlets, St. George's): I beg to ask the Secretary of State for War whether, in view of the fact that the officers of the City Imperial Volunteers have been permitted to retain their Army rank, the same privilege will be allowed to Imperial Yeomanry Officers.

LORD STANLEY: Yes, Sir; they will have the same honorary rank.

ARMY REORGANISATION.

CAPTAIN NORTON (Newington, W.): May I ask the First Lord of the Treasury if he can now redeem his promise with reference to placing us in possession of the Resolution on Army Reorganisation before Easter?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I hope to lay it on the Table before the night is out.

OFFICERS' PENSIONS.

MR. LLOYD MORGAN (Carmarthenshire, W.): I beg to ask the Secretary of State for War whether officers who have retired from the Army with a gratuity before having completed fifteen years of service, and have since, in accordance with the Army Regulations, been on active service with Militia Regiments in South Africa, will be allowed to count such service towards the completion of their fifteen years service; if so, whether, in the event of their repaying the gratuity received, they will be entitled to receive a pension at the usual rates in

lieu of such gratuity, and whether interest upon the gratuity repaid will be payable.

LORD STANLEY: The reply to the question is in the affirmative, but each case must be considered on its merits as to the exact amount to which an officer will be entitled.

PENSIONS;CASE OF PRIVATE WOOLLEY.

MR. LEVY (Leicestershire, Loughborough): I beg to ask the Financial Secretary to the War Office, having regard to the fact that the Paymaster General has stated that since the commencement of the South African Campaign the Commissioners of Chelsea Hospital have in nearly every case granted the maximum pension of half a crown per day to soldiers wounded or broken by disease, whether he will recommend further consideration of the case of Private Woolley, of Leicester, who has been certified by the Army medical authorities to be quite helpless, and hopelessly broken, but is allowed one shilling per day on which to maintain a wife and family.

LORD STANLEY: No, Sir. This is not a case which deserves reconsideration. As I previously informed the hon. Member, this man's breakdown of health has been influenced by his own misconduct. He was addicted to drink and reported for other offences with the Colours, and while in the Reserve was three times convicted by the Civil power for drunkenness and assault.

THIRD BATTALION GORDON HIGHLANDERS.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary of State for War, in view of the fact that the 3rd battalion of the Gordon Highlanders, which

has been embodied since 6th December, 1899, signified in August, through the General Officer Commanding, its wish to be disembodied, whether he will reconsider his decision to retain the services of this battalion for the present.

LORD STANLEY: This battalion stated that they wished to be disembodied, but that if they were put into barracks they would prefer to remain embodied. They were accordingly put into barracks and there is no present intention of disembodimenting them.

RETURN OF TROOPS FROM THE FRONT; SCOTTISH YEOMANRY.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary of State for War if he will state whether arrangements have yet been made for the return of the Scottish Yeomanry to this country; and if not, can he say when they are likely to be relieved.

LORD STANLEY: I am not yet in a position to say when these men will be relieved.

MR. WEIR: The same answer has been given several times.

FOURTH LEINSTER REGIMENT.

*MR. DELANY (Queen's County, Ossory): I beg to ask the Secretary of State for War whether he can inform the House when the 4th Leinster Regiment, stationed at Dover, will be disembodied.

LORD STANLEY: I am afraid I am not in a position at present to say when this battalion will be disembodied.

PERIOD OF TRAINING IN THE RANKS.

SIR JOHN COLOMB (Great Yarmouth): I beg to ask the Secretary of State for War if he will state what is the official estimate of time necessary, reckoning from date of enlistment, to fully train a held artillery gunner and driver, a cavalry trooper, and an infantry private respectively.

MR. BRODRICK: All estimates as to the period of training depend upon the conditions and the station. I do not think any advantage would be gained by laying down hard-and-fast rules.

SIR JOHN COLOMB asked if there were no means of estimating the length of time required to train soldiers.

MR. BRODRICK: We have estimates, but they vary with circumstances.

AGES OF RECRUITS.

MR. PIRIE: I beg to ask the Secretary of State for War, with reference to ascertaining the correct ages of recruits and the evils of the existing system, if he will state in what respect the oath of allegiance taken by the recruit on attestation is an oath as to correctness of his age, and if he will consider the advisability of altering the oath so as to make it refer more directly to this point, and at the same time include among punishable offences any false statements of age on his part; can he state why more care is not exercised by the Army medical officers in their duty in this respect, and whether in future neglect as to this on their part will be dealt with more severely; and who was the medical officer responsible for the enlisting as a full-grown private soldier of George H. Over, who was only fourteen years old; and whether the officer has been reprimanded.

LORD STANLEY: The oath of allegiance has nothing whatever to do with the matter.

On attestation the soldier signs his name to a declaration that his answers to various questions are true, amongst which is a question as to age. I am advised that a conviction for making a false statement as to age cannot be obtained. There is no reason to suppose that medical officers are careless on the point of age, and in this particular case the officer does not appear to have been to blame, as the recruit was well grown.

MR. PIRIE: Can the noble Lord explain his statement in answer to another question that the age given by a recruit on oath was held to be true age for reckoning army service? The noble lord distinctly said that, and;

*MR. DEPUTY SPEAKER: The hon. Member is not entitled to argue the answer.

MR. PIRIE: I will put a question down for to-morrow.

NAVAL MOBILISATION.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Secretary to the Admiralty whether the Board of Admiralty have considered the expediency of ordering at some future time an unexpected mobilisation of certain portions of the fleet.

*THE SECRETARY TO THE ADMIRALTY (Mr. ARNOLD-FORSTER, Belfast, W.): The question of mobilising a portion of the Fleet has been considered, but it has hitherto been the opinion of the Admiralty that to mobilise a portion of the Fleet only would be undesirable, and that, if it were accomplished, the results would be misleading.

SECOND CLASS NAVAL RESERVE;PENSION CLAIMS.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary to the Admiralty if the Government will take into favourable consideration the claims of 2nd Class Naval Reserve men who have served for long periods to a certain amount of pension.

*MR. ARNOLD-FORSTER: There is no intention of putting the 2nd Class Reserve men of the old system on an equality with the first-class men as regards pension; but under the rules established in 1897 any men in the former class who are under thirty-two years of age and will qualify for promotion to the higher class by volunteering for naval training may earn a pension at the age of sixty.

CANTON OPERATIONS OF 1857–8;DISTRIBUTION OF BOOTY.

MR. MAJENDIE (Portsmouth): I beg to ask the Secretary to the Admiralty if he can state the nature and description of the various properties called the Canton Booty, captured at Canton by the officers, crews, and Marines of Her late Majesty's vessels during the China War of 1857 and 1858; how much of the proceeds or value of the same, amounting to £;28,848 2s. 7d., has been paid to such officers, crews, and Marines; what part of the sum of £;28,848 2s.

7d. represents the value of treasure captured in Commander Yeh's palace on the 28th–29th December, 1857; the total number of persons entitled to share in the above sum; what was the share of the same receivable by the officer then in command of Her late Majesty's Fleet, and by an able-bodied seaman, and by a private of the Royal Marine Light Infantry, respectively, under the rules then in force; and will he give the numbers and dates of the official correspondence on the subject from December, 1857, to 1863, and state whether there is any reference therein to a fund called the Seymour Fund.

*MR. ARNOLD-FORSTER: The booty was seized in the Imperial Treasury, in the Yamen where Yeh was taken, and in the Government magazines. It consisted of Sycee silver and gold, lead and brass guns, and sulphur and saltpetre. Of the net proceeds of the sale of the above the amount awarded to the Navy was £;28,848 2s. 7d.; the amount paid, £;27,707 9s.

4d.; balance remaining, £;1,140 13s. 3d. There is nothing in the report of sale to show how much of the above sum represents the value of the booty captured in the Yamen. The total number of persons entitled to share in the award was 5,139; the shares of the ranks specified in the question being: Naval commander-in-chief, £;1,142 8s.; able seaman, £;2 14s. 1d.; private Royal Marines, £;2 14s. 1d. With regard to the question in the last paragraph, there is no reference in the correspondence to any "Seymour Fund"; the Papers on the subject of the booty can be inspected at the Admiralty if desired.

INDIAN STAFF CORPS; PROMOTION

SIR SEYMOUR KING (Hull, Central): I beg to ask the Secretary of State for India whether his attention has been called to the number of petitions from officers of the Indian Staff Corps which have been presented to this House, referring to the disadvantage to which such officers are subjected by being constantly superseded by their juniors in the British Army, and praying for an acceleration of promotion which may tend to reduce the grievance; and seeing that Lord Roberts, when Commander-in-Chief in India, recognised that there was a grievance and suggested a remedy, whether an effort will be now made to readjust the rules for staff corps promotion.

*COLONEL MILWARD (Warwickshire, Stratford-on-Avon): I beg to ask the Secretary of State for India whether his attention has been drawn to the 600 petitions presented to the House of Commons from officers of the Indian Staff Corps praying for an accelerated promotion; and whether, considering that the present conditions were fixed thirty or forty years ago, that promotion is now slower in the Indian Staff Corps than in the British Army, and that officers in the Staff Corps are in con-

sequence superseded upon active service upon the frontier by their juniors in the British Army, he will accede to the prayer of the petitioners.

THE SECRETARY OF STATE FOR INDIA (Lord G. HAMILTON, Middlesex, Ealing): I stated last December in this House that the matter to which this question refers was under consideration in India, and that some months must elapse before any decision could be arrived at. To this I am afraid I can add nothing at present.

INDIAN CENSUS.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Secretary of State for India whether the Census Returns relating to the famine districts in India have yet been completed; and, if so, whether they show a decrease as compared with the Returns for the same districts in the census of ten years ago; and if he can inform the House of the amount of the decrease in British territory and the Native States respectively, and how far that decrease is to be attributed to the prevalence of plague and famine.

LORD G. HAMILTON: The preliminary information about the census which I have received by telegraph from India is not sufficient to enable me to give any

answer as to the effects of plague and famine. In the British Provinces, taken as a whole, there is an increase of nearly ten millions; in the Native States there is a decrease of about three millions since 1891.

PUBLIC WORKS DEPARTMENT; CIVIL ENGINEERS' MEMORIALS.

SIR SEYMOUR KING: I beg to ask the Secretary of State for India whether he will now lay upon the Table the Government of India's Despatch No. 10, P.W., dated 30th March, 1899, covering memorials from Mr. A. S. Russell and others.

LORD G. HAMILTON: My hon. friend put a similar question to me with regard to this letter from India on the 8th May of last year.* I then stated that a correspondence on the subject to which it referred was proceeding, and that I was

* See Debates [Fourth Series], Vol. lxxxii., page 1093.

unable to fix any date for the publication of Papers. I am afraid I can as yet add nothing to my former reply.

INDIAN COUNTERVAILING DUTIES ON IMPORTED BOUNTY-FED SUGAR.

MR. LAWRENCE (Liverpool, Abercromby): I beg to ask the Secretary of State for India whether he has any further information to give the House as to the results which have accrued from the operation of the countervailing duties imposed in India in March, 1899, on imports on bounty-fed sugar; and whether he has any statistics showing increase in cultivation or refining of sugar.

LORD G. HAMILTON: The countervailing duties have been so lately introduced, and recent seasons have been so abnormal, that it is impossible to give any trustworthy account of the effect of this measure upon sugar production in India. So far there has been no increase in cultivation or in the refining of sugar in India.

ASHANTI; DESERTIONS FROM THE WEST AFRICAN REGIMENT AT COOMASSIE.

MR. LOUGH (Islington, W.): I beg to ask the Secretary of State for the Colonies whether he has any information to give the House with respect to the desertion of men of the West African Regiment from Coomassie; how many soldiers remain there, and whether he anticipates any disturbance.

MR. J. CHAMBERLAIN: Between 400 and 500 men of the West African Regiment, which is a regiment raised in Sierra Leone and employed temporarily during the disturbance in Ashanti, deserted from Coomassie and proceeded to Cape Coast. The Governor reports that they have done no damage, and that he is sending them to Sierra Leone. They were to have been sent back in January to Sierra Leone, but the half battalion of the Central African Regiment by which they were to have been relieved was detained at the Gambia. The operations on the Gambia have now been finished, and the Central African Regiment is proceeding to the Gold Coast. Coomassie is garrisoned by the Gold Coast Constabulary, but the exact strength of the garrison is not known. I have not heard of any disturbance among the tribes round Coomassie.

MR. HERBERT LEWIS: Is there any allegation of a grievance on the part of the men who mutinied?

MR. J. CHAMBERLAIN: Certainly. The grievance of the men of the West African Regiment is that they were not sent home to Sierra Leone at the time at which it

was understood they were to be released, and the reason they were not released is that the outbreak of disturbances on the Gambia, in which the French and ourselves were concerned, kept back a regiment there.

SUGAR BOUNTIES;BRUSSELS CONFERENCE.

MR. BILL (Staffordshire, Leek): I beg to ask the Under Secretary of State for Foreign Affairs whether he can state how soon the Conference of Brussels regarding the Sugar Bounties is likely to reassemble, and what is the present condition of the negotiations on the matter.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Viscount CRANBORNE, Rochester): As the House was informed on the 21st of February last, in reply to a question by the hon. Member for the Stratford upon Avon Division of Warwickshire, suggestions have been received from the Belgian Government for the reassembling of the Brussels Conference. His Majesty's Government have informed the Belgian Government that they are prepared discuss the question again, and have asked for certain preliminary explanations. We are not in a position to make any further statement upon the subject at present.

FOREIGN SHIPPING BOUNTIES.

MR. LAWRENCE: I beg to ask the Under Secretary of State for Foreign Affairs whether his Department have any detailed information as to the bounties or subsidies paid by the German and French Governments to the chief shipping lines; and, if not, whether he will obtain the same and permit a Return to be printed.

*VISCOUNT CRANBORNE: Yes; information is being collected as regards France, Germany, and other countries. As soon as it is complete, Papers will be presented to Parliament.

CUSTOMS TARIFFS;PREFERENTIAL TREATMENT OF EMPIRE PRODUCTS.

SIR HOWARD VINCENT (Sheffield, Central): I beg to ask Mr. Chancellor of the Exchequer if he is aware that, of the oversea goods brought into the markets of the United Kingdom, only six per cent. are charged a toll or duty on behalf of the public revenue, and that these latter, amounting to £;32,000,000 in 1890, paid a duty of 80 per cent., one-half being raised on articles of food not producible in Great Britain and Ireland, and paying 47 per cent. ad valorem duty, and the remainder on tobacco, paying 253 per cent. ad valorem; and whether in the coming Budget he will endeavour to readjust this inequality, and to enlarge the area of indirect taxation, giving a preference to Empire products, and admitting breadstuffs and raw materials free.

THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): I cannot go into the details stated in the first paragraph of the question, though I do not think the figures are calculated on an accurate basis. But there is no doubt that the principle of our Customs tariff is to levy considerable duties on a few articles of large consumption. As to the second paragraph, I can only ask my hon. friend to wait for the Budget. But he knows that on some essential points I am unable to agree with him.

TREASURY BILLS.

MR. THOMAS BAYLEY (Derbyshire, Chesterfield): I beg to ask Mr. Chancellor of the Exchequer if he can state what proportions of the sum of £;21,330,000 raised upon Treasury Bills at six, nine, and twelve months respectively have been

borrowed at and above four per cent. interest.

SIR M. HICKS BEACH: The amounts borrowed at an average rate of 4 per cent. or upwards were

£;1,000,000 in six months bills, £;2,000,000 in nine months bills, and

£;2,000,000 in twelve months bills.

MR. THOMAS BAYLEY: Will the right hon. Gentleman allow country banks to tender in the future?

SIR M. HICKS BEACH: They are quite capable of tendering now, Sir.

REVENUE RECEIPTS;ERRONEOUS ESTIMATE IN THE TIMES.

MR. BARTLEY (Islington, N.): May I ask the Chancellor of the Exchequer whether his attention has been directed to a statement in The Times of to-day as to the very excessive amount of the receipts this year as compared with his Estimates, and whether the statement is correct.

SIR M. HICKS BEACH: My attention has been drawn to the statement, but I am sorry to say I must dissipate an agreeable illusion. The fact is, the author of it has included the sum of more than £;9,600,000 paid to the Local Taxation Account in the receipts paid to the Exchequer. So far from the receipts paid to the Exchequer showing a surplus of twelve and a half millions, they show a surplus of about £;2,800,000 above my Budget Estimate. I am afraid a good deal of it is due to anticipatory payments to Excise and Customs duties.

HIGHLAND RAILWAY;MIXED TRAINS.

MR. WEIR: I beg to ask the President of the Board of Trade if he will request the Highland Railway Company to assure him that all cattle wagons attached to passenger trains running between Muir of Ord and Avoch during the month of October last were fitted with a continuous vacuum brake pipe in conformity with the requirements of the Board of Trade; and having regard to the fact that passenger trains were run on the mornings of Monday the 15th October and Tuesday the 16th October between Muir of Ord and Avoch to which a cattle wagon not fitted with a continuous brake was attached during part of the journey, will inquiry be made with a view to ascertain whether the Highland Railway Company now take steps to ensure that no cattle wagon unprovided with a continuous brake shall be attached to passenger trains.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. GERALD BALFOUR, Leeds, Central): No, Sir, I do not propose to ask the Highland Railway Company for a general assurance to the effect referred to in the first paragraph of the question.

With regard to the second paragraph, I venture to think that the hon. Member has not appreciated the effect of the Board of Trade regulations on the subject.

They do not go so far as to absolutely prohibit the company from attaching such a cattle wagon to a passenger train.

MR. WEIR: But I saw these wagons myself. Will not the right hon. Gentleman make further inquiry?

MR. GERALD BALFOUR: I have inquired. The Board of Trade regulations do not require that vehicles in mixed trains should be provided with a continuous brake.

MISSING BRITISH SAILING VESSELS

MR. ALLEN (Gloucestershire, Stroud): I beg to ask the President of the Board of

Trade whether he can state how many British sailing vessels left foreign ports in ballast during 1900 which have not since been heard of; what was their aggregate tonnage; and what was the aggregate number of officers and men carried by them.

MR. GERALD BALFOUR: Seven British sailing vessels which left foreign ports in ballast during 1900 have not since been heard of. Their aggregate net tonnage was 12,434 tons, and the aggregate number of officers and men carried by them was approximately 188.

ALIEN IMMIGRATION.

MR. THOMAS DEWAR: I beg to ask the Secretary of State for the Home Department if he can give the number of aliens entered at the port of London from the 1st January to the 28th February, 1901; how many of these aliens are now settled in the East End of London; and how the figures for the period stated compare with the figures for the same period in the years 1900 and 1899.

MR. GERALD BALFOUR: This question should have been addressed to me. The answer to the first paragraph is 3,410. The second can be answered approximately only by deducting the numbers of alien seamen; namely, 429; and the number of aliens reported to be on their way to places outside the United Kingdom; namely, 800, leaving 2,181. But it is impossible to say how many of these settled in the East of London or whether a considerable number of those who were reported to be on the move did not eventually remain here. The corresponding figures for 1900 are 3,140 and 2,362; and for 1899, 2,596 and 1,780.

SIR HOWARD VINCENT: May I ask the right hon. Gentleman when he proposes to fulfil the promise of his predecessor to introduce legislation on the subject?

MR. GERALD BALFOUR: I have already told my hon. friend that I do not propose to introduce legislation this year.

SIR HOWARD VINCENT: Then I shall continue to call attention to this matter.

ALIEN OVERCROWDING IN EAST LONDON.

SIR HOWARD VINCENT: I beg to ask the Secretary of State for the Home Department if his attention has been called to an inquiry recently undertaken on behalf of the Toynbee trustees into the effect of alien immigration in the East End of London, and to the report made by their Commissioners to the effect that considerable areas in St. George's-in-the-East and other adjacent districts are being denuded of Gentile population, the properties sold, and the old tenants replaced by immigrants paying abnormally high rents, and defraying the expense by taking in an improper number of lodgers; and, in such case, what steps His Majesty's Government propose to take in the matter, bearing in mind their announced desire to deal with the better housing of the working classes.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. RITCHIE, Croydon): I have no wish to minimise the nature of the serious problem indicated in the question; but if by an improper number of lodgers my hon. and gallant friend means such a number as creates overcrowding, the local authority has full power to deal with the question under

the existing law.

PRISON CHAPLAINS' SALARIES.

MR. O'DOWD (Sligo, S.): I beg to ask the Secretary of State for the Home Department will he explain on what grounds a salary of £;450 per annum is paid to a Church of England prison chaplain, whilst the highest a Roman Catholic priest engaged in the same service can receive is £;300, although in some of the largest prisons in England the Roman Catholic Chaplains have most work to do, having in some cases to take sole charge of the education of prisoners; and, whether, in view of these facts, he will undertake to have Roman Catholic chaplains' salaries adjusted on the same basis as the salaries of the Church of England chaplains.

*MR. RITCHIE: The maximum salary of a Roman Catholic priest is £;300 a year, while that of a Church of England chaplain is £;450 a year. This was settled many years ago on the report of the Commission of 1881, on the ground that the prison chaplain's duties are prescribed by rule and include responsibility for secular instruction in the prison. I am not aware that there has been any dissatisfaction felt or expressed at the arrangement, which has worked apparently without friction for many years, and I am not prepared to take any steps to alter it.

INSPECTORS OF NUISANCES.

MR. STRACHEY (Somersetshire, S.): I beg to ask the President of the Local Government Board whether, in the appointment of an inspector of nuisances for a rural district, it is within the power of the Local Government Board to refuse to sanction an appointment which in itself complies with all statutory requirements and the published regulations of the Local Government Board because the individual appointed belongs to a certain trade or profession, such as that of licensed victualler, house agent, or rent collector; and, whether, if the Board has this power, and have in force a rule or practice to reject members of the trades or professions above-named, steps will be taken to notify local authorities thereof, in order that they may avoid making an appointment which they may find it necessary to withdraw.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. WALTER LONG, Bristol, S.): As regards cases where a portion of the salary of the inspector of nuisances is to be repaid by the county council, the answer to the first part of the question is in the affirmative. The number of instances in which it has been proposed to make appointments of inspectors of nuisances from the classes referred to is very small, and I do not think it necessary to take the steps suggested by the hon. Member.

DOG MUZZLING ORDER IN CARMARTHENSHIRE.

MR. LLOYD MORGAN: I beg to ask the President of the Board of Agriculture whether he will state the number of times the muzzling order has been in force in the county of Carmarthen during the last six years; and whether he will give the dates when the respective orders were made and withdrawn, and the reason why the order on each occasion was made.

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. HANBURY,

Preston): The answer to the first paragraph is three, but in no case did the order extend to the whole county. The first order lasted from 26th July, 1897, to 10th May, 1898. It was made owing to two outbreaks of rabies near Pontardulais on the borders of Carmarthenshire. The second from 29th August, 1899, to 10th May, 1900. It was imposed on account of four cases of rabies on the borders of Carmarthen and Glamorganshire. The third dates from 5th October, 1900, and is still in force. Twelve cases of rabies have occurred in the scheduled district, nine of them being in Carmarthenshire. Within the last few days another suspected case has been reported.

LONDON TELEGRAPHISTS; PROMOTION.

CAPTAIN NORTON: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he can state the number of telegraphists in London now in receipt of £;160 per annum, also the number promoted from the £;160 scale to the £;190 scale during last year; and whether he will consider the advisability of completing the abolition of classification in the London telegraph service by allowing all telegraphists of good conduct and efficiency to proceed to the maximum of £;190 per annum.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. AUSTEN CHAMBERLAIN, Worcestershire, E.): The number of telegraphists at the Central Telegraph Office in London now in receipt of £;160 per annum is 353. The number promoted during last year was thirteen. The abolition of classification in the London telegraph service was completed by the amalgamation of the first and second classes of telegraphists, under the recommendation of the Tweedmouth Committee, and the Postmaster General does not propose to disturb the arrangement. It was the opinion of the Committee that the class of overseers and senior telegraphists which has a maximum of £;190 a year should be maintained as a separate class.

CAPTAIN NORTON: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether, seeing that from 1882 to 1892 the Civil Service Commissioners issued notices to intending candidates for the position of telegraphists in London to the effect that they would have a prospect of rising to £;190 per annum, the maximum salary of a London telegraphist having now been fixed at £;160 per annum, it taking twenty years before this sum is received, the Postmaster General will consider the desirability of taking steps to enable all those men who entered under the terms offered by the Civil Service Commissioners, namely, £;190 per annum, an opportunity of receiving that salary.

MR. AUSTEN CHAMBERLAIN: The prospect of telegraphists at the Central Telegraph Office in London of rising to £;190 has been in no way altered or diminished. Promotion to the class of overseers and senior telegraphists; formerly styled "senior telegraphists"; which has the scale of £;160 by £;8 to £;190 a year; has always been subject to the occurrence of vacancies on that class, and the Postmaster General does not propose to alter the rule in this respect.

BONDED WAREHOUSES.

MR. FLAVIN (Kerry, N.): I beg to ask the Secretary to the Treasury whether there is an intention to extend the hours during which bonded warehouses may be kept

open free of charge; how long the present hours have been in force; and what reason there is for extension, and whether complaints have been received by the Board of Customs from warehouse keepers; and whether when the officers of Customs were informed, as candidates, of their hours on warehousing duty, that those hours were subject to such alteration as the Board and Treasury may from time to time direct; and, if not, whether adequate compensation will be given for any detriment that the officers may suffer under any such new arrangements.

MR. AUSTEN CHAMBERLAIN: No change has been sanctioned, but the matter is under consideration.

MR. FLAVIN: Can the hon. Gentleman say when the information will be forthcoming?

MR. AUSTEN CHAMBERLAIN: I hope soon after Easter.

BOARD SCHOOL SITES IN EAST LONDON;REHOUSING.

MR. THOMAS DEWAR: I beg to ask the Vice-President of the Committee of Council on Education, having regard to the fact that Mr. Wylie, who attended at the Limehouse Town Hall on Friday, 15th March, on behalf of the Board of Education, as to the eligibility of Blakesley Street site for the erection thereon of a Board School in the Tower Hamlets School Board Division, Block H, was offered an alternative vacant site in the same Block, and was assured on behalf of the Stepney Borough Council that, if the London School Board would exercise its responsibilities for rehousing by taking a larger number than twenty houses in any slum property, the Borough Council would willingly co-operate with the School Board in any rehousing scheme, whether the Council will recommend the Education Department to vote the Blakesley Street scheme, which proposes to dishouse 120 people in the most congested and populous district of East London, and to accept either of the alternative suggestions offered.

THE VICE-PRESIDENT OF THE BOARD OF EDUCATION (Sir J. GORST, Cambridge University): The Board of Education do not consider either of the alternative sites suggested suitable for a school, and they see no reason for striking the Blakesley Street site out of the Bill to be submitted to Parliament.

GLASGOW SMALL-POX EPIDEMIC;POORHOUSE REMOVALS.

MR. J. F. X. O'BRIEN (Cork): I beg to ask the Lord Advocate, seeing that poor persons entering Glasgow poorhouses, and not having acquired a settlement in the city, continued to be removed to poorhouses in their parish or settlement, and that such a course may be calculated to spread the outbreak of small pox, whether all such removals will be forbidden by the Local Government Board until the disease has been stamped out in Glasgow.

*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): The Local Government Board have no power to forbid such removals, but they are aware that the Parish Councils of Glasgow and Govan adopt every necessary precaution in the interests of public health before any removal takes place. There are fortunately now no cases of smallpox in the three poorhouses in Glasgow.

EXPENDITURE ON VACCINATION IN GLASGOW.

MR. THOMAS BAYLEY: I beg to ask the Lord Advocate if he will furnish a Return showing the amount of money spent by the Corporation of Glasgow in vaccination and re-vaccination from the 1st of January, 1892, to the present time.

*MR. A. GRAHAM MURRAY: The question of furnishing the Return desired by the hon. Member is being considered by the Local Government Board for Scotland, and if the hon. Member will renew his question after the Easter recess I shall be in a position to give him a definite reply.

AVOCH HARBOUR.

MR. WEIR: I beg to ask the Lord Advocate if he will state with whom the Fishery Board have been in negotiation in regard to Avoch Harbour, and when; will he explain the nature of the negotiations and say at what stage they had arrived when they were arrested; and will he explain the nature of the technical legal questions which are alleged to have been raised in regard to ownership of the harbour, and how any such questions warranted the Board in discontinuing negotiations; and is he now in a position to state the name of the owner of the harbour.

*MR. A. GRAHAM MURRAY: I am informed by the Fishery Board that they were in negotiation with the Reverend Alfred Philip, when the hon. Member, on the 15th December last, raised the question as to whether the Board could take any action, the Provisional Order of 1894 having lapsed. It also appears that in subsequent letters to the Board the hon. Member questioned the action of Mr. Philip in the matter and the responsibility of Mr. Fletcher as to the upkeep of the harbour. It is the opinion of the Fishery Board that, if the question as to ownership had not been so persistently raised by the hon. Member, their negotiations would probably have been completed by this date. I could not properly give any determination of the question of ownership which might rest on legal considerations, and therefore I am not able to answer the last paragraph.

MR. WEIR: Is it not the duty of the Scotch Office to discover who is the owner of this harbour?

*MR. A. GRAHAM MURRAY: No, Sir, neither is it my duty to give opinions on legal questions of this nature.

KING'S BENCH DIVISIONAL COURT ARREARS.

MAJOR RASCH (Essex, Chelmsford): I beg to ask Mr. Attorney General whether his attention has been called to the fact that the Divisional Court of King's Bench has not sat for two terms, and what steps will be taken in the interests of suitors to prevent the continuance of this delay.

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): The question of my hon. and gallant friend must have been put under some misapprehension. The Divisional Court of the King's Bench has sat during both these sittings, but it is the fact that owing to the illness of judges, and the hearing of election petitions, the sittings have not been quite as frequent as usual, and it has not been possible to make the ordinary progress with certain parts of the business which come before that Court. The matter is receiving the careful attention of the Lord Chief Justice and the judges.

MAJOR RASCH: Is the hon. and gallant Gentleman aware that no Committee sat for the hearing of cases in the Special Paper in either the Michaelmas or Hilary terms?

SIR ROBERT FINLAY: It may be so. I believe that that is the part of the business which has been delayed.

SNEEM PIER, KERRY.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now state what arrangements have been come to with reference to the erection of a goods store on Sneem Pier, county Kerry, and whether the Congested Districts Board and other parties interested have succeeded in obtaining the withdrawal of the opposition on the part of the landlord.

THE CHIEF SECRETARY FOR IRELAND (Mr. WYNDHAM, Dover): The owners, in September last, stated it was their intention to build a store on land adjoining the quay. They have not offered any opposition in the matter to the Congested Districts Board.

CARLOW; LABOURERS' COTTAGES SCHEME INQUIRY.

MR. JAMES O'CONNOR (Wicklow, W.): On behalf of the hon. Member for Carlow, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that public notice was given of the intention to hold a Local Government-Board inquiry, under the Labourers Cottages (Ireland) Act, in Carlow workhouse on 25th March instant; and that the persons interested attended at the hour notified, but that it was not till

4.10 p.m. that they were informed by telegraph that the inspector appointed by the Local Government Board to hold the inquiry was unable to attend; can he explain why prior notice was not given of the inspector's inability to attend, which would have saved public inconvenience; and can he say on what day the proposed inquiry will be now held.

MR. WYNDHAM: The inspector's inability to attend was due to his sudden illness, and the notice given was the earliest that could be given under the circumstances. The inquiry will be held on or about the 17th April; due notice will be given when the date has been fixed.

BUNDORRAGHA (MAYO) FISHERIES.

DR. AMBROSE (Mayo, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the fishermen of the village of Bundorragha, situate on the county Mayo side of Killery Bay, are hampered in their endeavours to earn a livelihood owing to the want of a proper landing pier on which to land their fish; and would he use his influence with the Congested Districts Board with a view to inducing that body to build a pier suitable to the requirements of the case.

MR. WYNDHAM: The district referred to is not within the area scheduled as congested, and the Congested Districts Board is precluded, therefore, from entertaining the proposal in question.

IRISH LOCAL GOVERNMENT OFFICIALS AND PARLIAMENTARY ELECTIONS.

MR. DUFFY (Galway, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is permissible, according to instructions issued by the Local Government Board, that medical officers and relieving officers should act as personating agents for candidates at Parliamentary elections.

MR. WYNDHAM: The Board has not issued any instructions on the subject. But it has been stated, when its advice has been sought, that a paid officer should not, in its opinion, interfere in elections beyond exercising his right to vote.

SLIGO LAND COMMISSION.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the proceedings at the sitting of the Land Commission in Sligo on 27th instant, when the list contained over 160 cases of appeal from the sub-commissioners and the county court judges; is he aware that Mr. Commissioner O'Brien commented adversely on the court valuers' practice of varying the acreable value by paltry sums as one which encouraged appeals from the sub-commissioners' decisions; and, seeing that over 18,000 appeals, mostly by the landlords on the question of acreable value, are now awaiting the decision of the chief Land Commission, whether the Government intend by legislation or otherwise to deal with the increasing number of appeals in the Irish Land Courts.

MR. WYNDHAM: There were 65 cases heard by the Commissioners at their recent sitting in Sligo; the remaining cases were either settled or withdrawn. I have no information as to the second paragraph. The number of appeals outstanding is 12,500, not 18,000. In reply to the last query, I cannot add anything to the statements which have already been made by Government in regard to land legislation.

MR. FLYNN: Has not the right hon. Gentleman's attention been called to the very remarkable declaration of Commissioner O'Brien as to the frequency of these appeals?

MR. WYNDHAM: It would not be proper on my part to comment on decisions given in the Court of Appeal.

INSTRUCTOR'S HOUSE AT CARRICK, CO. DONEGAL.

MR. O'DOHERTY (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland under what heading does the expenditure for the building of the instructor's house at Carrick, county Donegal, come, and why does this item not appear amongst the expenditure, as given in their published reports, of the Congested Districts Board in the years the work was carried out; what was the initial cost of this house, and what has it cost since its erection for repairs; will he cause inquiry to be made as to local feeling on the subject; will he state if he has received any report from the Board's engineers as to whether the building can with the present expenditure be made habitable; and what is the term of the lease obtained by the lessees for the ground upon which it is built, and what is the annual rent payable therefor.

MR. WYNDHAM: The expenditure has been included, with various other items, under the heading

"Agricultural Grants." The initial cost of the building was £;600; a further sum of £;150 is being expended on additions and alterations. I shall be happy to receive any representations from the locality on the subject. The answer to the third paragraph is in the affirmative. The term of the lease is 99 years, and the annual rent of the site £;3 2s. 6d.

MR. O'DOHERTY: When was the house built; was it recently?

MR. WYNDHAM: I have not that information.

IRISH NATIONAL SCHOOLS; INSTRUCTION IN IRISH HISTORY.

MR. THOMAS O'DONNELL (Kerry, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Irish history is allowed to be taught in Irish National schools, and whether, if so, the managers and teachers will be allowed to select the class books on the subject which they consider most suitable.

MR. WYNDHAM: Irish history, in conjunction with English history, may be taught in Irish National schools. Managers and teachers are allowed to select the class books on the subject from the list of books sanctioned by the Commissioners of National Education for use in Irish National schools.

MAINTENANCE OF CRIMINAL LUNATICS IN IRELAND.

MR. GILHOOLY (Cork County, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether effect is given in Ireland to the provisions of 47 and 48 Vic., c. 64, s. 10, that all expenses of criminal lunatics (including housing) in the United Kingdom ought to be paid by the Imperial Treasury.

MR. WYNDHAM: If the hon. Member will refer to Section 18 of the Act he will see that Section 10 does not apply to Ireland.

GRANT IN AID OF IRISH LUNATIC ASYLUMS.

MR. GILHOOLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state when the amount certified by the auditor as being due to the Cork District Lunatic Asylum for the quarter ended 31st March, 1899, will be paid.

The following questions also appeared on the Paper::

MR. GILHOOLY: To ask the Chief Secretary to the Lord Lieutenant of Ireland whether any moneys have been paid out of the Local Taxation (Ireland) Account for the maintenance of lunatic asylums for the year 1898; and whether, seeing that the Local Taxation (Ireland) Account did not come into force until the 1st of April, 1899, moneys which became due in 1898 were properly paid; and if not, will the Local Taxation (Ireland) Account be recouped from the Imperial Treasury.

MR. COGAN (Wicklow, E.): To ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the capitation grant paid to the lunatic asylums in Ireland in the year 1899 was on account of maintenance for the year 1898, and that the grants were paid out of the Local Taxation (Ireland) Account established by the Local Government Act, 1898, commencing on the 1st of April, 1899; whether any payments could have been made out of this fund for any service prior to the latter date; and if these grants were so irregularly paid, what steps were taken to recoup the Local Taxation (Ireland) Account.

MR. WYNDHAM: I will reply at the same time to the three questions on this subject. Government contributions to lunatic asylums in Ireland are, and have been, paid in or about the month of June in each year. This arrangement was not altered by the Local Government Act of 1898, and every asylum has since that Act, as before it, received in June a contribution calculated upon twelve months expenditure. The Act provided that the twelve months upon which the contribution was calculated should be the preceding financial year, instead of the preceding calendar year. The effect of this change was slightly to increase the amount of the first Government contribution. The Local Taxation Account, however, as stated by my right hon.

friend the late Secretary to the Treasury on 30th April, 1900, became liable for payments calculated from 1st January, 1808, whereas its income was calculated only from 1st April, 1898. It was, therefore, repaid the difference by the Supplementary Estimate of July last.

IRISH LOCAL GOVERNMENT BOARD; MEDICAL INSPECTORS.

DR. AMBROSE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, on 1st February, 1901, a medical man was appointed as Inspector to the Local Government Board of Ireland who had never served in Ireland either as a dispensary or workhouse medical officer, although the chief duties of a medical inspector are to inspect the dispensaries within his district and to ascertain the manner in which the Medical Charities (Ireland) Acts are Administered in such dispensary districts; and can he say why one of the 890 medical men in the Irish Poor Law medical service was not appointed to the vacancy which was filled up by the appointment in February last of Dr. Brandon M'Carthy of Huddersfield.

MR. WYNDHAM: The facts are stated with substantial accuracy in the first paragraph. The gentleman in question is an Irishman, with Irish diplomas, and is a Roman Catholic. I do not think it would be fair to exclude Irishmen from the public service in Ireland merely because they have been temporarily employed in England.

DR. AMBROSE: Why exclude Irishmen? Was not one of the 890 gentlemen in the Irish medical service qualified?

MR. WYNDHAM: The appointment was given to a gentleman who, in our opinion, had a paramount claim to it.

IRISH COUNTY COUNCIL SECRETARIES.

MR. CULLINAN (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a regular standard of examination has been decided on by the Local Government Board of Ireland for gentlemen appointed to the position of secretaries to county councils; and, if so, will he state what that standard is; and whether councils which prior to the decision of the Court of Appeal in the Wexford case entered into agreements with officials under a misconception of their legal status will be permitted to reopen and reconsider such cases.

MR. WYNDHAM: A person to be eligible for this position must be over twenty-one years of age, and must possess the qualifications prescribed by the General Order of 11th December, 1899. In the absence of these qualifications he is required to

undergo an examination in English composition, elementary arithmetic, handwriting, the Local Government Act, and Orders and Accounts. In reply to the second paragraph, I can only suggest again that we should await the result of the Wexford Inquiry.

MR. CULLINAN: Is there no fixed standard? That is the point of my question.

MR. WYNDHAM: I have given the hon. Gentleman the syllabus of the subjects candidates are required to pass.

MR. O'DOHERTY: Will the right hon. Gentleman take steps to see that these examinations are conducted by men properly qualified for the duty?

MR. WYNDHAM: I will look into the matter to see if there is any doubt on that point.

IRISH LOCAL GOVERNMENT FINANCES.

MR. GILHOOLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, seeing that by a recent order from the Local Government Board for Ireland boards of guardians and district councils are forbidden to discharge their liabilities except on the monthly finance days, he will, where his rule is a hardship on artisans and small traders, allow a discretionary power to the said Boards to make payments.

MR. WYNDHAM: The Local Government Board will authorise any board of guardians, upon application, to pay wages to tradesmen and others weekly from the petty cash account where the amount due is under, say, £3.

IRISH TEACHERS' SALARIES.

MR. THOMAS O'DONNELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the intention of the Irish Education Board not to take into account, in calculating the consolidated incomes of teachers in future, the money earned from instruction given in school farms, in some cases amounting to over £20 per annum for each teacher; and, if so, whether such exclusion is in accordance with the promise made that teachers having vested interests would not suffer any pecuniary loss from the introduction of the new system.

MR. WYNDHAM: This question will come before the Commissioners to-morrow. The hon. Member has been so informed, and told that a reply will be sent to him by letter.

LORD VENTRY'S ESTATE, KERRY.

MR. THOMAS O'DONNELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the number of future tenants in the estate of Lord Ventry, in Kerry; and how have those future tenancies been created.

MR. WYNDHAM: The Government has no information as to the relative position of tenants on this estate.

MR. FLAVIN: Are not tenants in possession totally debarred from the benefits of this land legislation?

MR. WYNDHAM: I think the hon. Member is well acquainted with the law.

MR. FLAVIN: Well I know that there are large numbers in that position.

TECHNICAL AND AGRICULTURAL EDUCATION IN THE TOBERCURRY UNION.

MR. O'DOWD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a resolution unanimously adopted by the Tobercurry (County Sligo) Board of Guardians at their meeting on 25th instant, wherein it is stated that the Department of Agriculture and Technical Instruction in Ireland refuse to give any portion of their grant to that union; whether he can explain why the Agricultural Department arrived at this decision, seeing that a portion of Tobercurry Union is scheduled under the Congested Districts Board and that the ratepayers contribute towards technical and agricultural education in the county Sligo; and whether, under these circumstances, he will see that Tobercurry Union gets its share of this grant.

MR. WYNDHAM: The Department has received this resolution. Owing to the

desirability of not requiring certain county councils to raise rates for the purposes of the Act of 1899, it was suggested that the county councils might omit from the live stock schemes for 1901 rural districts wholly or largely congested. The Tobercurry district belongs to this latter category, and the Live Stock Committee of the Sligo County Council accordingly decided to omit it from the live stock schemes for this year. The non-congested portions of rural districts thus omitted, however, will not be precluded from obtaining the benefits of the Act in respect of other schemes, as the Department will take into consideration the special circumstances under which the local contribution of such districts has been affected by the foregoing arrangement.

IRISH EMIGRATION STATISTICS.

DR. AMBROSE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the number of emigrants who left Ireland from 1886 to 1900, inclusive, dividing them into those under fifteen years of age, those between fifteen and thirty-five years, and those over thirty-five years.

MR. WYNDHAM: The number of emigrants from Ireland in the period of fifteen years between 1886 and 1900 inclusive was 790,058. Of these, 72,217 were under fifteen years of age, 647,234 were between the ages of fifteen and thirty-five, 69,824 were thirty-five and upwards, and there were 783 whose ages were not specified.

LAND PURCHASE IN QUEEN'S COUNTY.

*MR. DELANY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can inform the House what was the total proportionate amount of the grants under the Land Purchase Acts allocated to Queen's County; how much of that grant has been utilised; and what sum is at present available for the purposes of land purchase in the county.

MR. WYNDHAM: The amount of stock available under the Land Purchase Acts for advances in Queen's County was estimated in 1891 at £;421,625. The amount advanced up to 31st December, 1900, was £;261,216, leaving £;160,409 available for advances since that date. The estimate made in 1891 was only approximate.

LOCAL TAXATION (IRELAND) ACCOUNT.

MR. JAMES O'CONNOR: On behalf of the hon. Member for Carlow, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland will he state what have been the receipts from the local licence duties and the amount of grant-in-aid paid out of Local Taxation Ireland Account for years ended 31st March, 1900 and 1901 respectively; and if, as suggested in a recent circular letter addressed by the Local Government Board to county councils in Ireland, provision be made for the support of the 4,000 imbeciles at present lodged in Irish workhouses by a grant-in-aid of 2s. per week, can he state what steps he proposes to take to prevent an additional burden on the ratepayers.

MR. WYNDHAM: This question refers, presumably, to the receipts and payments under Section 58 of the Local Government Act, 1898. In the year 1899–1900 the amount paid into the Local Taxation Account, as the equivalent of the proceeds of local taxation licences, amounted to £;205,832, and the Account also received the sum of £;79,000. The payments out of the Account amounted to

£251,528. In the year 1900–1901 (which is not yet completed) the Account has received under the; former head the sum of £208,086, together with the sum of

£79,000, and the Supplementary Vote of £37,030 taken in July last, The payments to date amount to £219,215; further payments amounting to £49,619 are about to be made. In answer to the last query the Local Government Board does not consider that any action which may be taken in pursuance of its circular in respect of the maintenance of chronic lunatics will have the effect of depleting the Local Taxation Account.

STRABANE LABOURERS' COTTAGES

MR. M'FADDEN (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the proceedings in connection with the schemes for erection of labourers' cottages for Strabane Rural Districts, No. 1 and No. 2, and to the delay respecting the latter scheme; and, having regard to the fact that the Local Government Board Inquiry relating to both schemes was held on the same day, and that there were legal proceedings relating to the taking of the lands for the cottages for scheme in District No.

1 which might tend to delay the scheme, while there were no legal proceedings in case of scheme for District No. 2, can he explain why the cottages in the former case are in course of erection, whilst the initial steps have only been taken regarding the acquiring of the land for the sites in cases of District No. 2.

MR. WYNDHAM: Both schemes were, as stated, dealt with at the same inquiry. The Provisional Order in respect of the No. 1 Rural District was issued on the 29th May, 1900, but that, in respect of No. 2 Rural District was not made until the 18th February last, This very great delay arose from proposals made at the inquiry that the sites of certain cottages should be changed, and the Board could not include the new sites in its Order until it was furnished with the consent in writing of the persons interested.

AGRICULTURAL AND TECHNICAL INSTRUCTION (IRELAND) ACT.

MR. HAYDEN (Roscommon, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and,

if so, what steps have been taken by the Irish Agricultural Board to carry out Sections 17 and 30 of the Agricultural and Technical Instruction Act; and whether the Board applied to the Treasury for funds for the purpose; and, if so, with what result.

MR. WYNDHAM: I answered a question on Tuesday last† with reference to Section 17 of the Act. Section 30 deals with a large number of subjects, and it would not be practicable to state the action taken, or proposed to be taken, by the Department under that Section within the limits of a reply to a question. I am unable to answer the second paragraph.

CASTLECOMER COAL MINES.

MR. O'MARA (Kilkenny, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will recommend that financial aid, either by grant or loan or guarantee of interest of capital, be given to the proposed railway from the coal mines of Castlecomer, county Kilkenny, to the town of Callan, and thence via the

slate quarries to Carrick-on-Suir.

MR. WYNDHAM: The funds placed at the disposal of the Board of Works for grants or guarantees to railway schemes are already hypothecated. Loans can be made in respect of schemes satisfying the requirements of the Act 1 and 2 William IV., cap. 33.

DUNGANNON DISTURBANCES.

MR. DOOGAN (Tyrone, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a copy of resolutions passed by the Roman Catholics of Dungannon at a public meeting, protesting against the attack on Roman Catholics by Orangemen on 11th October last, against the arrangements by the police, and demanding an inquiry; whether, seeing that it is a rule of the local authorities that when a Nationalist meeting is taking place in Dungannon or neighbourhood the Orangemen are precluded from drumming in the thoroughfares, can he explain why they were allowed to drum in the public square on 11th October,

† See preceding volume, page 1371.

when a Nationalist meeting was being held at St. Mary's Hall, and a number of persons would have to pass; can he state how many policemen were on duty on that night in Dungannon; how many were injured; what compensation they were awarded, and from what area it is to be levied; and can he state the number and names of those prosecuted for stone-throwing, and why no punishment was inflicted; and whether the demand for further inquiry will be acceded to.

MR. WYNDHAM: A memorial was received to the effect stated in the first paragraph. The memorialists were invited to submit to the Inspector-General any complaints of neglect of duty or breach of discipline on the part of the police. So far, however, they have not done so. I am not aware of the existence of the rule referred to in the second paragraph; but I am informed that on the occasion mentioned the Nationalist party, marched through the Orange quarter of the town, accompanied by bands, torches and fireworks, and that missiles were thrown, by persons in that party, breaking a valuable plate-glass window in the house of Mr. Knox, who subsequently recovered £15 compensation. The constabulary, numbering seventy-five, took up a position between the hostile crowds. Five constables were injured, one seriously, He has been awarded £300 compensation, to be levied off the county at large. Eighteen persons; nine belonging to each party; were summoned at the suit of the Urban District Council for riotous behaviour. Two of the cases were dismissed on their merits. The solicitor for the defence raised an objection to the form of the summons, and the objection being upheld, the other sixteen cases were dismissed without prejudice. Fresh summonses were then issued, and again dismissed without prejudice. The Urban Council then decided not to proceed further with the cases.

MR. FLAVIN: Do such disturbances occur in the south of Ireland, where the Catholic population is over 90 per cent.?

MR. CULLINAN: The right hon. Gentleman said nine were summoned on each side;

*MR. DEPUTY SPEAKER: The hon. Member is not entitled to argue the question.

MR. CULLINAN: Why was not a larger number prosecuted on the really offending side?

MR. WYNDHAM: I have given all the information I have.

MR. CULLINAN: Is the plan to be adopted that no matter which side is innocent an equal number shall be prosecuted on each side?

MR. WYNDHAM: No, Sir.

MR. DOOGAN: Were any members of the Catholic party identified as having thrown stones, and were not the Orangemen identified as having been guilty of that?

MR. WYNDHAM: I cannot add to the very full answer I have already given.

MONAGHAN QUARTER SESSIONS; SPIRIT LICENCE TO MR. LESLIE.

MR. FLYNN: I beg to ask Mr. Attorney General for Ireland whether his attention has been called to the proceedings at the Monaghan Quarter Sessions on the 26th instant, at which Mr. W. K. Leslie, agent of the Earl of Dartrey, applied for a licence for promises in the townland of Drumgoole; can he state if these are the same premises respecting which an application for licence was refused at a petty sessions court, and such refusal confirmed subsequently by the Court of King's Bench; is he aware that the county court judge and forty magistrates constituted the court of quarter sessions; and can he state how many of these magistrates were entitled under the terms of their appointment to sit at Monaghan Sessions as being the district for which they were appointee justices of the peace.

THE ATTORNEY GENERAL FOR IRELAND (Mr. ATKINSON, Londonderry, N.): The reply to the question in the first paragraph is in the affirmative. The former application to the justices was for a transfer of the old licence; the latter for the grant of a new licence. The application to the King's Bench Division was for a certiorari to quash the order of the magistrates on the ground that it was made without jurisdiction, and the only question decided by that court was that the justices had jurisdiction to make the order, but no opinion was expressed upon the justice or propriety of their decisions on the facts. The undertaking required from magistrates to act within particular districts applies to petty, not quarter sessions, and has no application to these proceedings.

MR. FLYNN: Is it not most unusual and irregular for magistrates to adjudicate outside their own district?

MR. ATKINSON: There was nothing irregular in this case.

AN HON. MEMBER: Is this the Mr. Leslie who for months has been carrying on a shebeen with the consent of Dublin Castle?

[No answer was returned.]

MR. O'DOHERTY: Will the right hon. Gentleman give the Members for Ireland some assurance that such a gross injustice shall not;

*MR. DEPUTY SPEAKER: Order, order!

MR. FLYNN: Will the attention of the Lord Chamberlain be drawn to the fact that forty magistrates came over from England to adjudicate in this case?

MR. O'DOHERTY: Are these magistrates allowed to adjudicate all over Ireland?

[No answer was returned.]

IRISH LAND JUDGES' COURT.

MR. FFRENCH (Wexford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. Justice Loss has commented adversely on the delay of the proceedings of the Land Judges' Court in Ireland,

in reference to sales of estates in that court; that most of the estates in the Land Judges' Court have been there for over ten and some over twenty years; and that a list of rentals, that is, a list showing the tenants on the estate, takes four or five years to make out in that court; and whether, with a view to expedite sales, he will lay a Return upon the Table of the House showing the number of estates in the Land Judges

Court at present, and the dates at which they were put into that court, and the number of sales that have taken place in that court for each of the last ten years, and the prices obtained for each, also the number of estates that have been taken out of the Land Judges' Court within the last two years.

MR. ATKINSON: Mr. Justice Ross has commented on the delay in carrying out sales in his court, and loses no opportunity of urging on solicitors who have carriage of the proceedings the necessity for expedition. The judge has never found fault with the officials of the court. It is not correct to assume that most of the cases have been in court for over ten or twenty years, nor is there any foundation for the statement that the preparation of a rental takes four or five years. The preparation of a Return such as suggested in the second paragraph would throw upon the department of the Land Judge an amount of labour which would not be commensurate with the results to be attained, and the Government are not prepared to consent to the Return.

MR. FLAVIN: Did not Judge Ross find fault with the receivers as well as the solicitors?

MR. ATKINSON: I am not aware of it.

DISQUALIFIED IRISH DISTRICT COUNCILLORS.

MR. CULLINAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the decision given in the then Queen's Bench to the effect that the action of the Local Government Board in disqualifying occupants of labourers cottages from being district councillors was illegal, he will have steps taken to remove the co-opted member from those councils on which they now act, and have qualified members restored to their rightful positions.

MR. ATKINSON: The Local Government Board has been advised that occupants of labourers' cottages who acquiesced in the view of the law that they were disqualified for being rural district councillors and in the action of district councils in declaring their offices vacant and co-opting other persons in their stead, and who failed to take steps to have the question settled by the High Court, have now no right to oust the councillors co-opted in their place. It is open to the rural district councils, if they wish, to choose any such disqualified councillors to fill the next vacancies on the councils.

MR. CULLINAN: Is it not a fact that the district council was compelled by the Local Government Board to disqualify these men and co-opt others in their place? Why should the responsibility, then, be put on its shoulders?

MR. WYNDHAM: That is not my reading of the matter. As I understand it, a new view of the law was laid down by the recent decision in the King's Bench. It is impossible to re-open what took place before that decision was given.

MR. CULLINAN: But as these district councillors were illegally removed by the order of the Local Government Board, were not their successors illegally co-

opted?

MR. PATRICK O'BRIEN: Is it not a fair inference to draw from what has occurred that the district councils should never acquiesce in the legal views of the Irish Local Government Board?

[No answer was returned.]

SCOTCH EDUCATION DEPARTMENT; RECOGNITION OF IRISH CERTIFICATES.

MR. DOOGAN: I beg to ask the Lord Advocate whether he is aware that the Boards of Education in Ireland and England recognise the Scotch qualification of teachers, that the English Code now recognises the Irish certificate, but that the Scotch Code, whilst acknowledging the English certificate, refuses to attach any value to the certificate issued by the Commissioners of National Education in Ireland; and whether he will take steps to have, recognition of Irish, certificates in Scotland.

*MR. A. GRAHAM MURRAY: As at present advised, the Scotch Education Department sees no sufficient ground for any alteration of the existing practice with respect to Irish certificates.

IRISH LIGHTS BOARD.

MR. JAMES O'CONNOR: I beg to ask the President of the Board of Trade whether, in view of the dissatisfaction which prevails in mercantile and shipping circles in Ireland with regard to the Irish Lights Board, he would consider the desirability of appointing a Select Committee to inquire into the constitution of the Board, with the object of putting it upon a more representative basis.

MR. GERALD BALFOUR: No, Sir. Until the effect of the appointment of the Advisory Committee is more fully known, it does not appear to me to be necessary to institute a special inquiry into the question referred to.

CORK POST OFFICE; MISSING MONEY ORDER.

MR. FLYNN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether his attention has been called to the case of a letter enclosing a money order value 50s., sent from Bo'ness, in Scotland, addressed to Cork but not delivered to the addressee; is he aware that the addressee applied to the Cork Post Office concerning the non-delivery of the letter, giving particulars, and was subsequently informed that the money order had been paid at the Cork office, bearing the forged signature of said payee; can he explain why payment of the amount of the money order abstracted has been refused, in view of the fact that the letter was never delivered to the residence of addressee; and have other complaints of a similar character been made with regard to the non-delivery of money orders, and will inquiries be made by the postal authorities.

MR. AUSTEN CHAMBERLAIN: The case has been carefully inquired into; but as the money order was sent in an unregistered letter it has not been possible to ascertain whether or not the letter was delivered as addressed, and in such circumstances no claim to compensation for the loss can be entertained. The person to whom the money order was paid has not been identified, and when a money order, by whomsoever presented, has once been paid, the Postmaster General is not liable to any further claim. This is the only case of fraudulent negotiation of a money order sent by post which has occurred in the Cork district

during the past twelve months.?

MR. FLYNN: If it can be proved that the letter was never delivered, will the Postmaster General take further steps in the matter?

MR. AUSTEN CHAMBERLAIN: I think as it was not a registered letter the Postmaster General will not admit liability. But perhaps the hon. Member will put down another question, as I would prefer to obtain the Postmaster General's views on the point.

IRISH SUB-POSTMASTERS; REMUNERATION GRIEVANCES.

MR. O'DOHERTY: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether complaints have been received from or on behalf of sub-masters in Ireland with reference to their remuneration; whether he is aware that the hours of duty of these officials range from thirteen to fourteen hours daily on week-days, and two to three hours on Sundays, while their total salary averages less than £70 per annum, out of which has to be provided an office, clerical assistance, light, and fuel, and that this was admitted as an injustice by the Tweedmouth Committee; can he state the average emoluments of a sub-postmaster in England; and will steps be taken to place Irish sub-postmasters in as good a position as that held by English officials.

MR. AUSTEN CHAMBERLAIN: No general complaint has been received from or on behalf of sub-postmasters in Ireland with reference to their remuneration. The Postmaster General is aware that the hours during which sub-offices are open for post office business are generally thirteen a day; namely, from 7 a.m. to 8 p.m., but, of course, the personal attendance of sub-postmasters is not required during the whole of that period. The duties are shared by the sub-postmaster and his assistants, who are often also employed in the sub-master's private business. The hon. Member appears to be under a misapprehension as to the finding of the Tweedmouth Committee respecting the remuneration of sub-postmasters. The Committee reported that the advantages of holding a sub-office are considerable, and that they could not recommend any general increase of remuneration. They did, however, recommend that the Post Office should fully consider the various items on which a sub-postmaster's salary is based, so as to ensure the sufficiency of his emoluments at every point; and this has been done, with the result that increased pay was given on certain items; notably Sunday work; at an additional expense of nearly £30,000. The average emoluments of a sub-postmaster in England cannot be stated. There are some 15,000 such officers. Irish sub-postmasters are paid on a common scale with sub-postmasters in the rest of the United Kingdom, and are in all respects in as good a position as English sub-postmasters.

MR. O'DOHERTY: Am I to understand that Irish sub-postmasters are paid extra for Sunday work?

MR. AUSTEN CHAMBERLAIN: I am told they are paid on the same scale as English sub-postmasters. If the hon. Member wishes further information I must ask for notice.

MR. O'DOHERTY: But what I want to get at is, have their salaries been increased for Sunday work?

MR. AUSTEN CHAMBERLAIN: I understand that to be so, but I cannot give the rates

of increase. As a result of the Tweedmouth Committee's Report increased pay was given them on several items, and notably on Sunday work.

LONDONDERRY POSTMASTERSHIP.

MR. O'DOHERTY: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he can state the date of the retirement of the last Postmaster of Londonderry; why the vacancy thus caused has not been advertised in the Postal Weekly Circular in the usual manner; whether the vacancy has yet been filled; and, if not, what is the cause of the delay in appointing a new Postmaster.

MR. AUSTEN CHAMBERLAIN: The date of the retirement of the late Postmaster of Londonderry is

11th February, 1901. It is not the practice of the Department to advertise all vacancies for

Postmasters in the Weekly Circular, and it was not considered necessary to do so in the case of Londonderry. The vacancy has been filled by the appointment of Mr. A. Fraser, Postmaster of Douglas, Isle of Man, and there was no unnecessary delay in making the appointment.

POYNTZPASS POSTAL ARRANGEMENTS.

MR. JOHN CAMPBELL (Armagh, S.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that, though the first mail from Newry is due in Poyntzpass, county Armagh, at 7.30 a.m., and the second at 8 a.m., the letters are not delivered till about 8.30 or sometimes 9 o'clock, so that business people have frequently to send to the post office for their letters; and whether he will see that letters are delivered more regularly and expeditiously.

MR. AUSTEN CHAMBERLAIN: The first mail is due at Poyntzpass by mail car from Newry at 7.30 a.m., the second mail is due at Poyntzpass by train at about 8 a.m., and the delivery of letters should commence at about 8.20 a.m. The circumstances do not appear to justify two separate deliveries, but every effort will be made to have the letters delivered as expeditiously as possible.

EDUCATION ACT (AMENDMENT) BILL.

MR. EMMOTT (Oldham): I beg to ask the first Lord of the Treasury whether it is still the intention of His Majesty's Government to introduce the Bill for the amendment of the Law relating to Education, which was promised in the King's Speech; and, in that case, whether he can promise that it shall be introduced before Whitsuntide.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E:) I hope the Government Bill for the amendment of the Law relating to Education will be introduced before Easter, but I cannot pledge myself with regard to the date.

EDUCATION CODE; HIGHER ELEMENTARY MINUTE.

DR. MACNAMARA (Camberwell, N.): I beg to ask the First Lord of the Treasury whether, in view of the ruling of the Speaker on 28th March, 1899, that the thirty days should run from the date at which the Code was actually available to Members, it was in order to fix the date for the coming into operation of the Education Code, 1901, at one month

from 28th March, seeing that the Code was not at that date available for Members and is not yet in their hands; and whether, in view of the extreme importance of the document, he will give an opportunity for the discussion of the Code and Minute with regard to higher education before they will be put into operation.

MR. A. J. BALFOUR: As I understand the first part of the question, it is one on a point of order and should be addressed to the Chair. With regard to the last part, I may remind the hon. Member that there have been two debates on the subject; one on the King's Speech this year, and one last year.

DR. MACNAMARA: will it be possible to secure that the Code does not come into operation for thirty days after it is available to Members? It is not yet in their hands.

MR. A. J. BALFOUR: Perhaps the hon. Gentleman will give notice of that question to the Vice-President of the Hoard of Education.

DEPARTMENTAL COMMITTEE ON MILK STANDARDS.

MR. STRACHEY: I beg to ask the First Lord of the Treasury whether he can say what opportunity there will be for the House to consider the Report and recommendations of the Departmental Committee of the Board of Agriculture, in reference to fixing standards for milk, cream, and separated milk before they are adopted.

MR. A. J. BALFOUR: I understand that the Departmental Committee reported about a fortnight ago, and that my right hon. friend at the head of the Board of Agriculture proposes to give a reasonable time for representation to be made by those interested as to the mode in which that Report should be dealt with. I do not think that an opportunity could or ought to be given to the House for dealing with a matter within the discretion of the Department and vested in them by statute.

MR. STRACHEY: Will the right hon. Gentleman endeavour to arrange that the Vote for the Board of Agriculture shall not be guillotined, so that the House may have an opportunity of expressing an opinion on the subject?

MR. A. J. BALFOUR: I cannot give an undertaking to that effect, although, of course, I am ready with regard to this as to other Votes to consult the general wish and convenience of the House.

PRIVILEGE;"STRANGERS PRESENT";VACATION OF OFFICES ON DEMISE OF THE CROWN.

MR. LABOUCHERE (Northampton): I desire to call attention to a matter of privilege affecting most seriously the dignity and proceedings of the House. I spy strangers within the Bar. I believe there are several strangers within the Bar, but the particular stranger I have now in my mind is the right hon.

Gentleman the First Lord of the Treasury. By a Statute of Queen Anne any one appointed a Minister of the Crown vacates his seat by the appointment. I read in the London Gazette of 25th January the following;

"This day the Right Hon. Arthur James Balfour was by His Majesty's commands sworn First Lord of the Treasury."

The right hon. Gentleman was reappointed, but surely a reappointment necessarily is an appointment? That, at any rate, is the contention which is held by a very large number of Members of this House, and I believe that it is a correct contention. Under the circumstances, I ask whether the Deputy Speaker sees his

way to direct the right hon. Gentleman the First Lord of the Treasury to retire from this Chamber, or whether, if he thinks his authority does not stretch to that point, as a matter of privilege I have a right to move that the right hon. Gentleman be invited to withdraw from the House.

*MR. DEPUTY SPEAKER: I understand the hon. Member for Northampton takes exception to the presence here of the First Lord of the Treasury on the ground that he accepted an appointment in the month of January, and that thereby he vacated his seat. I cannot decide whether the hon. Member for Northampton is correct in that surmise or not, but anyhow it seems to me that he cannot be serious in asking me to look upon the First Lord of the Treasury as a stranger here. If there is anything in the point it ought to have been raised on the first appearance of the First Lord of the Treasury, and this is not the first appearance the First Lord has made in the House this session. If the hon. Member seeks to raise the question as a matter of privilege, I think he will also be aware that it is the essence of privilege that the motion should be brought in at once; as soon as the wrongdoing takes place. In this case notice, if taken at all, should have been taken at the commencement of the session. I think the hon. Member for Northampton is too late.

MR. LABOUCHERE: I wish to ask you, Mr. Deputy Speaker, this question. Supposing that a Member taking the Chiltern Hundreds was in the habit of strolling into the House after he had accepted it. Suppose no one knew him by sight; would that gentleman secure the right to come into the House? I have had brought quite recently to my notice the fact that day after day the right hon. Gentleman the First Lord of the Treasury has occupied a most prominent place in a most prominent part of the House. This is a very serious matter if the right hon. Gentleman has no right to sit here. I would therefore ask you, Mr. Deputy Speaker, whether a Member has waived his privilege by not calling attention to the presence of a stranger before; whether the offence is not a continuous one; and whether it is not open at any time to any Member to call attention to the fact of a stranger being present? Further, Mr. Deputy Speaker, if you consider you have no right to order him to withdraw, I ask whether the matter cannot be brought before the House? I would remind you that Mr. Bradlaugh was frequently invited to leave the House; force being used on one occasion; and whenever he appeared in the House some hon. Gentleman got up; I am not quite certain that the right hon. Gentleman, the First Lord of the Treasury, was not one of them; to call attention to his presence.

*MR. DEPUTY SPEAKER: The case which the hon. Member for Northampton has just put makes the case perfectly clear. He said that whenever Mr. Bradlaugh appeared in the House notice was immediately taken of the fact. That really is the point. The moment the First Lord of the Treasury appeared in the House the hon. Member for Northampton, with his usual vigilance, ought to have taken notice of his presence.

MR. BRYN ROBERTS (Carnarvonshire, Eifion): I want to ask whether the offence, if there be one, is not a continuing one, and whether it is not repeated every time the right hon. Gentleman enters the House?

*MR. DEPUTY SPEAKER: That is a matter for the courts of law to decide.

MR. EDMUND ROBERTSON (Dundee): Supposing the contention of the hon. Member for Northampton, that the right hon. Gentleman has accepted office, is well founded, I would ask you how that matter could be called attention to in this House, if not by the House?

*MR. DEPUTY SPEAKER: In the same manner as in the case of Mr. Bradlaugh. Proceedings were taken in the courts of law against that gentleman. I think there was also another hon. Member against whom similar proceedings were taken; Dr. Clark.

SITTINGS OF THE HOUSE.

Motion made, and Question proposed, "That this House do meet to-morrow at two of the clock.";(Mr. A. J. Balfour.)

MR. JOHN REDMOND (Waterford): I do not object; but I think there should be a clear understanding as to what the business is to be. I think that the only Government business on the Paper should be the motion for the adjournment for the holidays. If that were so, no one would have any objection, and the result of that state of things would be that hon. Gentlemen could discuss various questions in which they are interested.

MR. A. J. BALFOUR: Assuming that the Second Reading of the Army (Annual) Bill is not agreed to to-night I shall have to put it down as the first Order of the day on to-morrow's Paper, and the motion for the adjournment for the holidays would come next. On that motion almost any question may be raised which hon. Gentlemen desire to discuss. Some hon. Gentlemen, I believe wish to raise a question in regard to the Board of Trade. At nine o'clock to-morrow evening the House will meet for private Members' business.

MR. JOHN REDMOND: I would ask another question, which is quite germane to this particular motion; what business does the right hon. Gentleman propose to take to-night?

MR. A. J. BALFOUR: I do not think anything beyond Report of Supply.

MR. GAINES (Cornwall, Camborne): Do I understand that the Government will make a House to-morrow evening?

[No answer was returned.]

Question put, and agreed to.

NEW BILLS.

LIGHT RAILWAYS.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. GERALD BALFOUR, Leeds, Central): I beg to ask for leave to bring in a Bill to continue and amend the Light Railways Act, 1896. The present Act will lapse on December 31st of the present year, and the Bill proposes that the powers of the Commissioners should be prolonged for a further period of five years, namely, until 31st December, 1906. The Bill also proposes sundry Amendments in the Act of 1896. Under that Act there is power to raise the salary of one of the Commissioners only. It provides that a salary not exceeding £1,000 a year might be paid to another Commissioner, who must be a barrister of not less than seven years' standing. It is the intention that the salary of the Secretary to the Commission should be increased, and that he should devote his entire time to the work. Changes are also made in regard to advances of money under the principal Act. The Treasury had power to advance

money either by way of ordinary loan or by way of a special advance for the purpose of benefiting agriculture, fishing, or some other definite industry. The total amount which might be advanced under the Act of 1896 was £;1,000,000, and of this the amount available for special advances was limited to £;250,000. The Bill does not propose to alter the total amount available for advances, but to increase the sum available for special advances to £;750,000. Up to the present time no money has been applied for by way of ordinary loan, but by way of special advances promises have been made to the extent of about £;200,000. The Bill is quite short, but it is very desirable that it should be passed, otherwise the operations of the Light Railways Act of 1896, which has been extremely beneficial, will necessarily be brought to a close. I beg to move.

MR. BRYCE (Aberdeen, S.): As the right hon. Gentleman has said, a Bill of this kind is absolutely necessary, and therefore I have no objection to offer to its being introduced. The points to which he has called attention will be discussed on the Second Reading, and it is hardly necessary that I should go fully into them now. But I take the opportunity of saying that it would be convenient, at the Second Reading, or as soon after as possible, if the right hon. Gentleman could give us a Return of all the moneys that have already been advanced.

MR. GERALD BALFOUR: I have already undertaken that such a Return will be prepared.

MR. BRYCE: As to the question of special grants as distinct from ordinary loans, I think experience has shown that the course the right hon. Gentleman proposes to take is called for. I would like to suggest, further, that, as the Bill will include a great many points of detail not mentioned by the right hon. Gentleman, some of which are subjects of difficulty, judging from what I know of the difficulty of working the present Act, I think it is desirable that a considerable interval should be allowed to elapse between the printing of the Bill and the taking of the Second Reading. As we will not be back till the 18th, I do not think the right hon. Gentleman should take the Second Reading within a fortnight or three weeks from that date, because it is desirable that the provisions should become thoroughly known. Subject to that, and perfect freedom when details are considered, I have no objection to offer to the introduction of the Bill.

Bill to continue and amend the Light Railways Act, 1896, ordered to be brought in by Mr. Gerald Balfour, Mr. Chancellor of the Exchequer, Mr. Hanbury, and The Lord Advocate.

LIGHT RAILWAYS BILL.

"To continue and amend The Light Railways Act, 1896," presented, and read the first time; to be read a second time upon Thursday, 18th April, and to be printed. [Bill 137.]

FISHERIES (IRELAND).

THE CHIEF SECRETARY FOR IRELAND (Mr. WYNDHAM, Dover): I beg to ask for leave to introduce a Bill to amend the Steam Trawling (Ireland) Act, 1889.

MR. JOHN REDMOND: I do not want to detain the right hon. Gentleman or to discuss

this Bill, because I have had the opportunity of learning the right hon. Gentleman's views on the subject. I have risen for the purpose of expressing the hope that he will give the House some assurance that on some stage of the Bill, by preference the Committee stage, we will have some moderate opportunity of discussion. The principle of the Bill we are all in favour of, and we are anxious to see it passed; but we are not quite so unanimous in favour of all its details. I do not think that a long period will be required, but we cannot take the responsibility of allowing it to pass without any discussion.

MR. WYNDHAM: I am well aware that the hon. Gentleman is in favour of the Bill, and also that amendments are desired on two or three subsidiary points. Although I cannot promise Government time, I think it would be reasonable that half an hour or three-quarters of an hour should be obtained at the Committee stage, and I should join the hon. Member in the request that there should be a limited discussion upon the details in Committee.

MR. JOHN REDMOND: On that understanding I do not make any objection; but if the understanding falls through, I must reserve my right to oppose the Bill at the Second Reading stage.

MR. WYNDHAM: That would be our common misfortune.

Bill to amend the Steam Trawling (Ireland) Act, 1889, ordered to be brought in by Mr. Wyndham and Mr. Attorney General for Ireland.

FISHERIES (IRELAND) BILL.

"To amend the Steam Trawling (Ireland) Act, 1889," presented, and read the first time; to be read a second time upon Thursday, 18th April, and to be printed.

[Bill 138.]

DUBLIN CORPORATION.

Bill to amend sections twenty-three and twenty-six of the Dublin Corporation Act, 1900, ordered to be brought in by Mr. Wyndham and Mr. Attorney General for Ireland.

DUBLIN CORPORATION BILL.

"To amend sections twenty-three and twenty-six of the Dublin Corporation Act, 1900," presented, and read the first time; to be read a second time upon Thursday, 18th April, and to be printed [Bill 139.]

DEMISE OF THE CROWN BILL.

[SECOND READING.]

Order for Second Reading, read.

MR. LABOUCHERE (Northampton): Upon a point of order, Sir. I observe that this Bill seriously affects the interest of certain Members of this House, and under those circumstances I would ask you whether you would not ask them to withdraw while this Bill is under discussion.

*MR. DEPUTY SPEAKER: I think the hon. Gentleman is in error. It is only customary to ask hon. Members to withdraw when there is a motion under discussion affecting their conduct.

MR. LABOUCHERE: I would point out that the introduction of this Bill does seriously affect their conduct, because so far as I can see it is an act of grace to relieve them of certain penalties which they have incurred owing to their conduct.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. RITCHIE, Croydon): I have it in command from His Majesty the King, to state that he has placed his interests as affected by this Bill at the disposal of Parliament.

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): I have not very much to add to what I said when I asked leave to introduce this Bill, but as the matter is somewhat technical and many hon. Gentlemen were not present when I introduced it, it might perhaps be convenient if I stated the nature of this Bill again. The nature of this Bill is to render the reappointment to offices under the Crown unnecessary in consequence of the demise of the Crown of this country. The contract of service is always put an end to by the death of the master, and it has been held that this, of course, does not in the slightest degree touch the prerogative of the Crown to dismiss the servants of the Crown at pleasure. According to the doctrine of the common law, if a servant were engaged for a year and the master happened to die in the middle of the year, the servant could get no wages at all, because he had contracted to serve for a year and the master had died before the year was completed. That principle, whatever its merits might be, has been applied by the common law to the case of the servants of the Crown. It has been applied in the case of those who are appointed more or less directly by the Crown, and it would apply in the case of those who were appointed by such a great officer as the Viceroy of Ireland, who is the representative of the Crown. It has, of course, never been applied to the great mass of the civil servants in this country, because, although they hold office under the Crown, they are not appointed directly by the Crown, and it has never been suggested that they should vacate their offices on the death of the Sovereign. It has never been suggested that commissions in the Navy were affected by the demise of the Crown, because they have always been made out by the Lords of the Admiralty, and therefore officers in the Navy continue to hold their appointments despite the demise of the Crown. But commissions in the Army, which are made out by the Sovereign, have to be renewed, and an Act was passed in 1837 to provide that it should not be necessary that within six months after the demise of the Crown every commission held by an officer in the Army should be vacated. A rule of this kind is one which is obviously one that is calculated to produce a very great deal of inconvenience, and if the successor happened to be abroad at the time of the demise of the Crown the inconvenience would be very much aggravated. The whole body politic would be in a sort of suspended animation until appointments were made and it was revived. In 1707 the Legislature, having regard to the inconvenience in which the provisions of the common law would result, knowing that the successor of Anne would be the Elector of Hanover, and that in all probability he would be out of England at the time of the demise of the Crown, provided by statute that all offices under the Crown should continue to be held for six months after the demise of the Crown, so that they might be continued on until the King came and terminated them, either by dismissing the officers, or continuing them in office; and in 1830 in the case of the colonies the period was extended to eighteen months. These two statutes are still in force. To give an illustration familiar to most hon. Members of the House, the

justices of the peace hold office from the Crown. They hold a commission from the Sovereign for the purposes of keeping the peace and administering justice, to a certain extent. That commission would have lapsed by the demise of the Crown, but the effect of the Act is to continue them in office for six months, during which time they may or may not take the oath of allegiance to the new Sovereign, but at the end of the six months it would be necessary for the justices of the peace to be reappointed, or their commissions would lapse. They might be reappointed either by special or general commission, whichever His Majesty thought fit to have recourse to, and upon the reappointment the justice of the peace would have to take the oath of allegiance before he could perform the duties

of his new commission. In the same way, on the demise of the Crown Ministers remain in office for six months under the statute of Anne, and may properly take the oath of allegiance to the existing Sovereign. Before or on the expiration of the six months it is necessary that Ministers should be reappointed, and the mode of reappointment varies according to the nature of the offices; sometimes by patent, sometimes by handing over the seals of office and receiving them back from the new Sovereign.

All this necessity for reappointment on the demise of the Crown is really a relic of bygone days, when constitutional government, as we now understand it, had not been evolved in this country. The modern conception, of course, is that the Ministers of the Crown hold office as the servants of the Sovereign and of the State, and it would be somewhat remarkable if the old doctrine of law were to operate to the general inconvenience. In the days when this rule was established Parliament itself was at once dissolved by the demise of the Crown, the functions of all Ministers ceased, because they were regarded as being the personal servants of the Sovereign who had died, and the very judges were regarded as holding office at the will of the Crown, and ceased to be judges.

This rule, inconvenient as it was, still exists both in regard to appointments at home, appointments in India and the colonies, and appointments under the Crown of this country abroad. In the case of appointments in the United Kingdom it applied not only to Ministers but to justices of the peace, lords lieutenant, sheriffs, and other officers. The many questions which have been asked in this House upon this subject during the last two weeks are quite enough to show the inconvenience of the rule as applied to lords lieutenant, sheriffs, and other officers. In India and the colonies it would apply, not to mention other officials, to governors general and governors; but in the case of the colonies the inconvenience of the rule is to a considerable extent mitigated by the prolongation of the tenure of office for six or eighteen months respectively. But the rule applies to offices held out of the British dominions as well, and the

case of our great protectorates deserves particular consideration. Technically, the protectorates, for this purpose, are not regarded as being part of the British dominions. They are ours, but for this purpose they are not so regarded; and the result is that the common law rule applies without any qualification at all, and consequently every officer would go out of office, and it was felt that

if that rule were acted on it was calculated to lead to the most absurd and monstrous results; the entire paralysis of all government in the places which really wanted steady and continuous government. But of course, it is not observed in practice; the officers go on and take the risk of what they do not being ratified. The object of this Bill is to bring the law into harmony with commonsense. Seeing that neither at home nor abroad are any reappointments necessary in consequence of the demise of the Crown, there is no reason at all for keeping up an obsolete rule of this kind. The measure we propose, will not in the slightest degree trench on the prerogatives of the Crown. I do not know whether there are any objections to the measure upon its merits.

MR. LABOUCHERE: Will the right hon. Gentleman explain Paragraph 1 in Clause 1?

SIR ROBERT FINLAY: What is it? I regret that I have not the Bill before me at the moment.

MR. LABOUCHERE: "The Act shall take effect as from the demise of the Crown."

SIR ROBERT FINLAY: That means that the Bill is to apply and will apply as from the death of Her late Majesty, and will have the effect of obviating the necessity for reappointments in the case of any offices, whether in the United Kingdom, the colonies, India, or foreign parts, including protectorates. I hope I have now made it clear to the hon. Gentleman, who, I think, had he considered the matter, would have been able to satisfy himself. I have observed that the explanation which I gave when moving for leave to introduce the Bill as to its effect in removing the liability of

Ministers who hold offices in this House has caused quite a flutter of excitement in some bosoms. A suggestion has been made as to the possibility of Ministers being made liable to penalties. That very estimable class of people, at present among the unemployed, "common informers," would in that case have a splendid career before them. They would find in some scores of divisions I do not know how many Ministers, and if every Minister were liable for a penalty of £500 for every division, there would for them, if I may make use of a phrase of Dr. Johnson's, "potentialities of wealth beyond the dreams of avarice."

MR. LABOUCHERE: Hear, hear

SIR ROBERT FINLAY: That is a picture which seems to commend itself particularly to the imagination of the hon. Member for Northampton.

MR. LABOUCHERE: Perhaps the right hon. Gentleman will allow me to remind him that the Treasury would get half, and I was looking at it from the point of view of the taxpayer.

SIR ROBERT FINLAY: The hon. Member for Northampton is always in the field first if anything of a sporting character comes before the House, and though the hon. Gentleman's motives were of a sporting character, I am almost sorry to hear that there is a greater motive. I am afraid that when the other day the Chancellor of the Exchequer held out no hope of any increase to the revenue from this source it was like a douche of cold water to some hon. Gentlemen. It is always painful to have to throw cold water upon dreamers of that sort, and to awaken to the facts those who have been indulging in those golden dreams. I am afraid that anything I have to say will not prove at all encouraging to any gentlemen who

may have thought of acting on the hints thrown out. The first consideration I have to suggest for the attention of any enterprising gentleman who may have thought of bringing such actions as have been suggested is whether the clause with regard to penalties has any application whatever to the clause which requires re-election. I think that anyone who reads these sections with attention will see good reason to suppose that the clause as to penalties will only apply to the case of those totally disabled and disqualified by the Statute of Anne. The words are not applicable to the present case. If the hon. and learned Gentleman who may be interested in this matter will look at the statute passed with reference to the same matter as it affects appointments held in Ireland, he will find that it is perfectly clear on the reading of that section that the penalty section has no application whatever to the present case. The Act relating to Ireland is as clear as can be on the subject; that the penalties do not apply in the case of those who are eligible for appointments. A question might come up in the House itself as to whether a particular Member had ceased to hold his seat by reason of being reappointed in consequence of the demise of the Crown. Reappointment would become necessary at the end of six months, and the question might then emerge when the reappointment had taken place.

It may be for the convenience of the House if I explain very concisely what the precise nature of this matter is. In 1867, in the Representation of the People Act, it was provided that with regard to a large number of Ministerial appointments the exchange of one of those appointments for another should not necessitate any vacation of the seat. That is to say, in the case of the law officers, for instance, if an hon. and learned Member were promoted from the post of one law officer to that of the other, that was to fall within the schedule, and no re-election was to be required. The suggestion has been made that a reappointment to the same office comes within the meaning and intention of the statute, and that re-election would be necessary, and as the suggestion has been, seriously entertained I will deal with it. Such a suggestion amounts to this, that if all the Ministers chose to engage in a game of "general post," and took each other's offices, then no re-election need take place, but if Ministers were reappointed direct to others they had held up to the moment of the demise of the Crown then they would require to be re-elected. If that were the law it would be absolutely preposterous, and no words would be too strong to describe its absurdity.

In the course of the many questions asked last week we were told that this was a great constitutional question. I have the greatest respect for the ingenuity of hon. Gentlemen who take that view, but I venture to say that to talk of this as a great constitutional question shows an absence of sense of proportion, and I submit with "bated breath," in presence of a good many of my fellow countrymen, that it shows a little lack of humour. If this is a great constitutional question, in the name of common sense where would a small constitutional question be found? There is absolutely nothing in the point of law unless the reappointment to the same office was acceptance of office within the 26th section of the statute of Anne, and if not the whole point crumbles away.

Authority is not altogether wanting on this question, for in 1809 there arose the question in reference to the appointment of Mr. Perceval as First Lord of the Treasury. He had been before Chancellor of the Exchequer, being as such a Commissioner of the Treasury. He was made First Lord of the Treasury, with, of course, an increase of salary. The question arose whether he had vacated his seat by the acceptance of that appointment. Both the Lord Chancellor and Mr. Speaker Abbot; one of the most distinguished occupants of the Speaker's Chair; agreed that the seat was not vacated, and Mr. Abbot, in his letter, declared "that to accept the same office under a new commission has never in practice been held to vacate a seat." I have verified the reference given in "May's Parliamentary Practice" from Walpole's "Life of Perceval," and the letter may be read there by any hon. and learned Gentleman. It seems perfectly clear that reappointment does not come within the meaning of the statute and the mischief at which the Act was levelled. I suppose the intention of the section was that if a Member took office under the Crown after his election, then his constituents should have the opportunity of expressing their opinion upon his action. But there was no application of the statute to the case of a Member who held office when he was elected and who before six months elapsed was reappointed to the office he held when elected as a Member. I do not think that any Member of the House will contend that such a case is within the mischief at which the Act of Anne was directed. If the matter came before the House for decision in any form I do not doubt that a large proportion of the House would vote, in accordance with the dictum of Speaker Abbot, and with sense and reason, that re-election was not necessary. That certainly is the view I take. I do not wish to dogmatise on the point, because I know it is one on which opinions may differ, but for what my opinion is worth I give it to the House. I think that that would represent not only the spirit but the letter of the statute. I have tried to explain the nature of this measure. I submit to the House that the Bill is useful and will obviate a great many troublesome questions which might arise in the United Kingdom and in the colonies, while it will do a great deal more than prevent inconveniences in the case of protectorates, where indeed it is almost a necessity. The Bill will dissipate possible doubts of a technical character, to solve which would involve considerations and subtleties which may appeal to the minds of some, but which I believe the House will regard as having little weight. I move that the Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. O'DOHERTY (Donegal, N.): I, rise to move that

this Bill be read a second time this day six months. I regret that the Attorney General in asking leave to introduce this Bill did not make a statement similar to that to which we have now listened.

SIR ROBERT FINLAY: The hon. Gentleman will see from the report that I made a similar statement.

MR. O'DOHERTY: I had to look at the report in The Times, as I could not get the official report. The report there is quite different from the statement he has made to-day in asking the House to pass the Second Reading of the measure. If

the constitutional law of this country is as laid down by the hon. Gentleman, what is the object of the Government in introducing this Bill? There is absolutely no necessity whatever for the Bill if the hon. Gentleman, as a lawyer, believes what he has stated in the House just now. I have looked into the question, and as one who has studied a little law some years ago, I, myself, am indebted to the hon. Gentleman for the opportunity he has given me of reading up and refreshing my memory upon this question of constitutional law. The hon. Gentleman in introducing the Bill laid particular stress upon Sub-section 1 of Section I. of the Bill, and although attention was called to the fact by the junior Member for Northampton that there was such a thing as Sub-section 2 in the Bill as introduced, he passed that over and hardly referred to it at all. I think hon. Members will agree with me that the first section of the Bill revolutionises the constitutional government of this House and of the country. Thinking, as I do, that the will of the people should be supreme even above the will or wish of the Sovereign, I am satisfied that if the Bill contained only that sub-section, we would take no exception whatever to it. That sub-section is a step in the right direction, and I trust the hon. and learned Gentleman will ultimately carry it much further. The majority of this House, as representing the majority of the nation, no matter how the majority may have been obtained, should have an absolute right to name its own Ministers of the Crown, without the veto of His Majesty.

The sub-section to which I take exception is Sub-section 2, which provides that this Act shall take effect from the last demise of the Crown. Before considering the full effect and meaning of that sub-section, I wish to state the law as I read it on this vexed question. The first statute dealing with the matter is 6 Anne, c. 41, Section 8 of which enacts that;

"if the office or place of Lord Chancellor or any other office of the Crown becomes void by reason of the demise or death of her present Majesty, her heirs or successors, queens or kings, of this realm, the office shall not become void for six months next after such death or demise."

and then come some remarkable words, which to my mind have a great bearing on the question under discussion;

"Unless the Minister is sooner removed or discharged by the next in succession as aforesaid."

Section 25 of the same Act enacts that if;

"any person being chosen a Member of the House of Commons, shall accept of any office

of profit from the Crown during such time as he shall continue a Member, his election shall be and is hereby declared to be void, and a new writ shall issue for a new election as if such person so accepting was naturally dead."

Therefore, if we apply that Act to the right hon. Gentlemen opposite; I submit this in all sincerity; the occupants of the front Treasury Bench are not duly there, and this Chamber has been turned into a cemetery. If on the question of privilege you had been asked to remove those men as legally and politically dead, you should at once have called in the constabulary and ordered the carcasses to be removed. Section 28 of the same Act declares that the penalty

shall be £;500 for each time such a Member sits or votes in this House. That Act is still in force, and it is the law of the land to-day so far as it relates to Ministers holding office on the demise of the Crown.

Let us consider the position which the present Ministers occupy. By Section 8 of the Statute of Anne the right hon. Gentlemen were, on the death of Her late Majesty, to remain in office for six months "unless sooner removed or discharged" by His Majesty King Edward VII. The only meaning to be placed upon those words is that His Majesty might have continued the Ministers of the late Sovereign for a space of six months without appointing any new Ministers to replace them, and at the end of six months reappointed those Ministers to their respective offices. According to

41 Geo. III., cap. 52, the moment a Member of this House was appointed to any office under the Crown he was bound to seek re-election, and the Act also provided that if any Member accepted an office subject to the approbation of the Lord Lieutenant or the Lords Justices of Ireland his seat became vacant. But this was not the course of procedure adopted by the right hon. Gentlemen opposite. The moment Her late Majesty died the present Sovereign reappointed all the old Ministers, and the appointments were duly gazetted. I submit that by the reappointment of those gentlemen His Majesty, to quote the words of the Statute of Anne, "removed and discharged" the old Ministers from the offices held by them under Her late Majesty. If the law had been properly administered the Speaker, immediately the appointments appeared in the London Gazette, should have issued his writs for new elections. That not having been done, the right hon. Gentlemen have, to my mind, incurred the penalty of £;500 every time they have walked through the division lobby, or taken their seats in the House. It is a pity that those penalties are not levied, because they would amount to enormous sums, and would, perhaps, prevent the Chancellor of the Exchequer imposing the rumoured tax on sugar.

There is one other Act which throws a great deal of light upon this question, namely, 54 Geo. III., cap. 16. That Act recited in detail the section I have already referred to, and also that;

"grave doubts have arisen as to whether Ministers in Ireland who are Members of the House of Commons should not have to seek re-election on a succeeding Lord Lieutenant coming over to Ireland."

To remove those doubts that Act was passed and did away with the necessity of any officer of the Crown holding office under the Lord Lieutenant or Lords Justices of Ireland seeking re-election on their reappointment to such office.

What was the position in which the present Ministers found themselves on the demise of the Crown? A general election had just been fought; and fought on as false an issue as was ever placed before the electorate of Great Britain. The party opposite found themselves once more in office, with an enormous majority. A short time afterwards the Queen died. The electorate discovered that the statement that the war was over was false, and right hon. Gentlemen opposite did not care to adopt the procedure laid down in the Statute of Anne, to continue in office for six months, and then, on their reappointment by the King, seek re-election, knowing that they could not again treat the electorate as before, and

that they probably would not retain their seats. They therefore got His Majesty to reappoint them immediately, trusting to their large majority to carry such an Act of Indemnity; as the present Bill really is; relating back to the demise of the late Sovereign. I trust I have put clearly before the House my view of the present state of the law on this matter. With all due respect to Mr. Deputy Speaker, I submit that the provisions of 31 and 32 Vict., cap. 110, should have been put in force the moment

the present appointments of the Ministers appeared in the London Gazette. That not having been done, we find ourselves with the Treasury Bench filled; in the language of the statute; with "naturally dead" men, who, to save themselves from the enormous penalties incurred by their unconstitutional action, produce this Bill as an Act of Indemnity for their past offences. We take exception to the fact that the hon. and learned Gentleman did not call a spade a spade, and frankly state to the House that he and his colleagues had broken the law in this respect, and that it was necessary for them to get a Bill passed as an Act of Indemnity. Notwithstanding what fell from the lips of the hon. and learned Gentleman the Attorney-General, I consider that this is one of the most unconstitutional acts ever submitted by a Minister of the Crown to the British House of Commons. I appeal to hon. Members of this House to cast all questions of party to the wind, and stand up for the constitutional traditions of this House and of this kingdom by voting against this Act, and thereby teach Ministers that when they dare to tamper with the constitution of the British Empire the House of Commons will not tolerate it. I have great pleasure in moving that this Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."; (Mr. O'Doherty.)

Question proposed, "That the word 'now' stand part of the Question."

MR. EDMUND ROBERTSON (Dundee): The Attorney General in moving the Second Reading of this Bill, deprecated the notion that it had any constitutional importance. I should have thought that the elaborate speech he himself made; and it was a very lucid speech; dissipated any notion that this Bill was not of any constitutional importance. This Bill affects the relation of the King to all persons holding office under the Crown. I wish we had had before us more clearly the Message from the King which was read by the Home Secretary to the effect that he renounced his interest in the patronage affected by this Bill. I imagine that "patronage" was used by a slip instead of "prerogative," and that alone gives the Bill some constitutional importance. It also affects the relations between this House and a most important section of the House; namely, the Ministers of the day, and it touches many important statutes, the difficulty of the interpretation of which is admitted. These facts justify us in holding that this is a Bill of some considerable constitutional importance. The Attorney General's speech is perfectly clear, and, to a large extent, convincing, and it is much to be regretted that through some inexplicable accident the similar speech which he made on the introduction of the Bill did not appear in any newspaper in the country, and, so far as I know, will not appear in the official reports. This Bill is intended to deal with two

separate and distinct difficulties. The Attorney General has told us that the common law still prevails as to all offices under the Crown held outside the dominions of the Kingdom, including the Protectorates, but he does not tell us whether that included the Ambassadors.

SIR ROBERT FINLAY: It does.

MR. EDMUND ROBERTSON: That is again of portentous constitutional importance. On the merits of that proposal or against it I have nothing to say, but the hon. Member who has just sat down has put his finger on the main blot of this Bill; namely, its retrospective character. Treating it now in connection with the offices of the Crown held abroad, I ask the hon. and learned Gentleman why it has been necessary to make this Bill retrospective? He has told us that the common law prevails as to these great and important officers, and that the effect of the common law is to paralyse all these offices. Before this Bill can even go into Committee, three months will have elapsed since the demise of the Crown, and am I to be told that these offices have not been filled up and will not be filled up? Has His Majesty's Government on account of this paralysis refrained from reappointing all this time, all these important officers, including Ambassadors? This is a most astounding story if it is true. I did not think that the "new diplomacy" had gone so far.

The second difficulty which this Bill is intended to meet is that connected with the vacation of seats by Ministers of the Crown. The first thing the House has got to ascertain about that is what is the law, and about that opinions may no doubt be divided. What are the facts? It is on questions of fact that we must concentrate our attention. It appears to me pretty clear that under the provisions of the 6th of Anne, Ministers reappointed either within or after the expiration of six months must seek re-election, but I admit that that is an arguable point. The Attorney General has referred to 41 George III., chapter 52, as if it related to offices in Ireland only.

SIR ROBERT FINLAY: It refers to Members of the Parliament of the United Kingdom, but it was passed with special reference to offices in Ireland.

MR. EDMUND ROBERTSON: I contend that it was passed exactly as the 6th of Anne was passed, and numerous clauses in the Act dealt with seats in Great Britain as well as in Ireland, Section 9 declares;

"That if any Member of the House of Commons shall accept any office of profit whatever immediately and directly from the Crown of the United Kingdom, or from the Lord Lieutenant of Ireland, then his seat shall become vacant and a writ shall issue that he may be re-elected."

I believe that that is the law which governs this case. A later Act, which recites this section, declares that the rule of the vacation of seats is no longer to apply to an appointment made by successive Lords Lieutenant of Ireland, but it contains no similar provision in regard to appointments by the Sovereign. The inference I draw is that it was the intention of Parliament not to give that relief to successive appointments by the Sovereign. If there is a casus omissus, it is a case of deliberate omission in order to retain the vacation of seats on the reappointment of Ministers at the demise of the Crown. The hon. and learned Gentleman has quoted for the first time a dictum of Mr.

Speaker Abbot that, where a Chancellor of the Exchequer adds to that office the office of First Lord of the Treasury, a new writ need not issue. That is not a conclusive and authoritative decision. When Mr. Gladstone added the office of Chancellor of the Exchequer to that of First Lord of the Treasury the gravest doubts were known to be entertained by the law

officers, but before the matter could be decided Mr. Gladstone dissolved Parliament, and the question has remained undecided ever since.

Coming to the facts, my complaint about this Bill is that we have been kept in the dark about it. This House ought to be possessed of all information, not only in regard to law but with regard to the facts. This innocent looking Bill really contains a great deal of matter which the House must discuss. What are the facts as to the present Ministers of the Crown? I hold that the House has a right to be informed what is the

status of right hon. and hon. Gentlemen opposite. They may either be holding over under the statute of Anne or they may be acting as Ministers by direct appointment from the Crown. "Under which king, Bezonian?" Are Ministers now holding office by direct commission from King Edward VII., or are they the Ministers appointed by the late Queen Victoria, holding office by statutory title? Surely we have a right to know that before this Bill is given a Second Reading. There was one expression which fell from the Attorney General upon which I should like to have some explanation. He left it in doubt whether he considers what took place in regard to the First Lord of the Treasury as an acceptance of office or not. The case of the First Lord of the Treasury has been referred to, but that is the case with nearly all his colleagues. We were told by the Attorney General that on the 24th of January the First Lord of the Treasury took the oath of allegiance and the official oath.

SIR ROBERT FINLAY: I never said that.

MR. EDMUND ROBERTSON: The question was put by myself on this Bill across the Table, and he alluded to the oath taken on the demise of the late Queen. I asked what the oath was, and he said it was the oath of allegiance and the oath of office. Why were the First Lord of the Treasury and his colleagues sworn in their respective offices on 24th January? I submit that that was done in compliance with the Act 31 and 32 Vict., c. 72, which defines the oath of allegiance, and specifies the manner in which it is to be taken and the persons who are to take it.

That Act provides that the Oath of Allegiance and the Official Oath should be tendered to and taken by each officer as soon as might be after the acceptance of office under the Crown. Is it conceivable that right hon. Gentlemen opposite went through a ceremony which they knew to be perfectly futile? Were they playing a merely useless and unnecessary part, or were they fulfilling a statutory duty? In a later section of the Act of

1868 it is declared that no person shall be compelled in respect of the same appointment to the same office to make oath more than once. I contend that the facts constitute a proved case of acceptance of office. What we want to get at is whether the Ministers who took the oath on

24th January did so in compliance with the section which had been referred to.

If that is so, it is an acceptance of office since their election, and therefore the Ministers have vacated their seats in this House. Whether they have accumulated penalties or not is a matter to which I have given no attention. We are dealing now with Ministers of the Crown, and is this the reason why this Bill is made retrospective? If, on the other hand, Ministers are holding over on statutory terms, they are asking the House to relieve them of the necessity of seeking re-election. The law requiring the re-election of Ministers I hold to be absurd, but why do not the Government bring in a comprehensive Bill repealing the old law? That would have been statesmanlike.

MR. A. J. BALFOUR: That would be a very good Bill.

MR. EDMUND ROBERTSON: Then why not do it now?

MR. A. J. BALFOUR: Hear, hear

MR. EDMUND ROBERTSON: Instead of that they have brought in a privilege for themselves. I understand the rule to be, whenever any question of law or fact arises in connection with the vacating of seats, that a Committee should be appointed to deal with it. I do not know why that should not be done now. I am certain that before the Bill passes through Committee important Amendments will be necessary. I will not indicate them now, but they are many. I will only say this one word more in conclusion. I agree with what the hon. Member who has just spoken has said in regard to the manner in which this Bill has been introduced to the House. I think the House has not been treated with the respect and confidence to which it is entitled, and I am not sure that a very respectful attitude has been maintained towards the Crown. While not opposing the Bill. I content myself by declaring that its further passage will require the most anxious consideration, and that many Amendments will be necessary before it takes its place upon the Statute-book.

*SIR WILLIAM ANSON (Oxford University): I entirely agree with the hon. Member for Dundee in his desire to see the law altered generally in regard to the vacation of seats, but I would remind him that this Bill deals merely incidentally with the vacating of seats, and is mainly concerned with the effect of the demise of the Crown upon the holding of offices under the Crown. Therefore it could hardly have been possible to introduce a general provision of that kind into this Bill. There is, however, a point on which I differ from the hon. Member, and that is as to the effect of the Act of 41 Geo. III., c. 52. I understand that it is the Act of Anne which is the law under which the Ministers of the Crown are holding office now, and under this Act holders of office are continued for six months; at the end of this period they need reappointment. The Act of Geo. III. was passed after the Union with Ireland, and provides that no person who was incapable of sitting in the Parliament of Great Britain or in the Parliament of Ireland should be capable of sitting in the Parliament of the United Kingdom. Then the Act proceeded to distinguish offices of profit, which became necessary, when you came to take over the Irish Government under the Act of Union, for there were offices held under the Crown directly, and there were offices held indirectly under the Crown under the Lord Lieutenant, acting as Viceroy or agent of the Crown. The Act provided that whether held directly under the Crown, or indirectly from the Lord Lieutenant, those offices when accepted

should be followed by the vacating of seats in this House. That is the explanation of the Act 54 Geo. III., c. 16, to which the hon. Member for Dundee attaches so much importance. Ministers who held office under the Lord Lieutenant were under some disadvantage as compared with those who held office under the Crown. In the first place, when the Lord Lieutenant changed, they were not the servants of the new Lord Lieutenant. They did not enjoy the six months grace which the holders of office under the Crown enjoyed; and as, happily for the kingdom, the Lord Lieutenant changed more frequently than the Sovereign, they were frequently liable to vacate their seats, and it was necessary to do something to remedy this condition of things. That, I think, is the history of the distinction, to which so much weight has been given, between offices held under the Lord Lieutenant and offices held under the Crown. It was, as the preamble of the Act 54 Geo. III., c. 16, said, to "remove doubts," and not to make the distinction suggested by the hon. and learned Gentleman opposite. But it did not affect the law as to offices held directly of the Crown; for the Act 41 Geo. III., c. 52 left the Act of Anne wholly untouched.

Then we come back to what constitutes acceptance of office. I am quite prepared to grant to the hon. and learned Gentleman opposite that, where a Member of the House of Commons has no office, was out of office, and was appointed to an office under the Crown, a mere notification of willingness to accept amounts to acceptance, and involves the necessity for re-election. But, in the case of Ministers who are holding office, they are in office, are continued in office by the Act of Anne, and how can they accept what they have already got? The hon. and learned Gentleman said the House ought to be told whether, in the case of the First Lord of the Treasury, the patent had been made out, and whether the seals had been handed back and restored to the Secretaries of State. I think that if these things had taken place the London Gazette would certainly have informed him of the matters as to which he had inquired, and, as it has not informed him, I think the

hon. Member should assume that they have not taken place. I do not think it can be seriously contended that the taking of the oath of office means the acceptance of office. I should say that the taking of the official oath is a necessary incident to the appointment, but does not in itself constitute the acceptance of office, because the office has been accepted a long time before. Members of this House took the oath of allegiance to King Edward on the demise of the Crown, but it is not pretended that they received a fresh mandate from their constituents, or that their relations with their constituencies were in any way affected by this formality. I cannot help thinking that these great constitutional matters which have been laid before the House are somewhat illusory. The hon. and learned Gentleman has, I think, attached too much importance to the retrospective clause, on the assumption that it is meant to protect Ministers from some direful penalties that they have incurred, and has overlooked the fact that the clauses relate to cases of office held outside the King's dominions, and so not covered by the Act of Anne. I cannot think that the small boon which will be conferred upon the present Ministers of the Crown by

saving them from the need of re-election next June is a substantial reason for rejecting the measure.

MR. LABOUCHERE: In looking at this Bill, I am reminded that twenty years ago it was said of my hon. colleague the late Mr. Bradlaugh that Northampton was deprived of a share of its representation in this House because hon. Gentlemen on the opposite side of the House who were then in Parliament held that Mr. Bradlaugh could not, *fas aut nefas*, sit in the House. I object to the Bill being made retrospective. There are two points on which the hon. and learned Attorney General admits that it is retrospective, the first being that in respect to fines. No doubt, in the present disturbed condition of the finances of the country, it would be a good thing if the Chancellor of the Exchequer could pick up some unconsidered trifles of revenue, and I see no particular reason why, if these haphazard Ministerialists have rendered themselves liable to pay the Treasury considerable sums of money, they should be relieved from that responsibility. As a matter of fact, the Ministers of the Crown during the great war with France subscribed the greater part of their salaries to the public, exchequer. I have not heard that the present Ministers are doing the same thing. Possibly this may be a convenient way of doing so. I do not wish to push this question of fines too far. If Ministers had come frankly forward and said: "We made a mistake, and are exceedingly sorry; we have rendered ourselves liable to heavy fines, and we ask the House to forgive us," we on this side of the House would have taken a favourable view of their demand, and would have been ready to forgive them. But they do not do so; and the Attorney General comes forward and says he does not consider they are liable to any fines. Now, I believe the Attorney General to be a highly honourable and upright man, and not willingly biassed either for or against himself; but I would point out that upon this matter of fines the men on the front bench are the men in the dock and not on the bench. After all, the Attorney General is human, and it is only the natural thing; although I do not intend for a moment to say that he would; that, when he is asked whether he and his friends should pay a sum of £100,000 to the Treasury, he should be a little biassed in his view of the law. I confess that I should myself, in similar circumstances, be equally biassed. But Ministers, instead of coming forward in this humble and contrite spirit before the House, come with a Bill by which they indirectly and insidiously try to get rid of their liability, implying at the same time that there is no such liability. Why on earth is this proviso inserted in the Bill, that "it shall have effect from the last demise of the Crown," if it is not to cover Ministers? Are they ready to agree to the Bill being passed without it? I do not believe they are; but I should have another objection to it if they were. Let them frankly come forward and ask for a remission of the fines, and, so far as I am concerned, I shall be ready to remit them. I am not a lawyer. The hon. Gentleman who has just sat down is not only an eminent lawyer but an eminent professor. In both capacities he spoke to the House. He professed the law, and what does the right hon. Gentleman say? He said:

"How can anybody"; in connection with this question of liability and fines; "accept an office which he has already got?" I can reply to that: "How can

anybody be reappointed who is already appointed?" We on this side of the House, and even some on the other side, do not understand that doctrine. If you are appointed to a place you do not require to be reappointed. The Attorney General told us that you became appointed to a place by a seal or by an official oath, and the hon. and learned Member for the University of Oxford told us that it was by a sort of oath of allegiance; but the right hon. Gentleman forgets that Ministers had already taken the oath of allegiance in this House. Would that oath not have been taken if they had not been reappointed to their offices? Nobody can doubt that when a man is reappointed to an office he is appointed to that office, and if there is any liability in connection with that appointment he incurs that liability.

But there is something far more important than the fines. Even the Attorney General is inclined to agree with us that Ministers have vacated their seats owing to their having accepted these appointments. But this House has always been an elective body. Assuming that our contention is right, these gentlemen would remain in this House without being elected by anyone. Let me ask what it is that they demand? Is it that they claim for a majority of this House to co-opt a certain number of Members of their own party; men whom they please; to be Members of this House? It may be that they co-opt the Ministers; but they may co-opt the man in the street, or any one else; I stand to the doctrine that the only entrance to this House is the elective entrance. If Members have vacated their seats by some act of their own, or by the operation of the law, you cannot give them a seat in this House by any act of the House itself. They have to go back to their constituents, and have to be re-elected. That has been the law from time immemorial up till now. I do not think that a single case can be cited in which this system of insinuation or co-option of Members has been adopted by this House in regard to any Member. I do consider this a very serious question. I am not

going into the whole question of the late General Election; but as a matter of fact that election was taken under most disadvantageous circumstances in regard to hon. Gentlemen on this side of the House. But if you add co-option; as you have got it in this Bill; I ask where is the franchise and where are the electors? They all disappear. It is one thing if the Attorney General or the First Lord of the Treasury fairly tell us that they have incurred these fines, and ask to be forgiven them; but if the Bill is to retain this proviso which gives the House the right to pass over the electors, and to choose Members by co-option, I cannot vote for it. As far as the future is concerned I rather agree that the Bill is a good one; but I strongly urge on this House that it should not take upon itself this right of co-option, which it has no power to do as an elected House.

MR. WALLACE (Perth): I do not rise to take any part in the general discussion of the Bill, but I want to ask my hon. and learned friend the Attorney General one question. So far as the general object of the Bill is concerned the whole House is practically agreed. I am quite sure we all think that in regard to future appointments of Ministers it is most advisable that there should not be the necessity of re-election; but what I want to ask my hon. and learned friend is:

Does he think that the Bill carries out the very object he seeks for? We are told this Bill is intended to indemnify certain Ministers of the Crown, if it be the fact that they have been reappointed and have incurred penalties. I do not say myself that that is the intention, but the result of the passing of the Bill will be to relieve them of the penalties they are said to have incurred. I ask my hon. and learned friend to look at his own Bill, and try to find anything in it to relieve Ministers who have been re-appointed, and who have incurred penalties, or to prevent those penalties being exacted from them. The only Clause which could affect that is Clause 2, which says, "This Act shall take effect as from the last demise of the Crown." That is to say, that by the passing of the Act those Ministers who have already been appointed shall not find it necessary to be re-appointed. But, if Ministers have been re-appointed, if they have incurred penalties for illegally sitting and voting in this House, there is nothing in the Bill to prevent an informer from suing these Ministers and obtaining the penalties. I know that my hon. and learned friend says that they have not incurred penalties, that they have not been re-appointed; but if they have not been re-appointed, and have not incurred penalties, the retrospective clause is absolutely unnecessary. My hon. friend and a very large number of those associated with him are of opinion that, in fact, these Ministers have been re-appointed, and that they have incurred penalties. Supposing that opinion is sound, what is there in the Bill to take away the penalties?

THE SOLICITOR GENERAL (Sir EDWARD CARSON, Dublin University): The question put by the hon. and learned Gentleman who has just addressed the House really more concerns us than himself.

MR. WALLACE: My interest is for the honour of the whole House.

SIR EDWARD CARSON: Certainly. It is pleasant to find an hon. Member on the other side of the House, unlike some of those who preceded him, extremely anxious that, if Ministers have incurred these penalties, they should not have to pay them. The hon. Gentleman asked if we had considered the Bill. Well, Mr. Deputy Speaker, we have considered the Bill. No doubt an argument may be made; it has been made by several hon. Members; that Ministers were reappointed, and had incurred penalties by sitting and voting in the House. All I can say is that we are perfectly satisfied with the Bill, in the first place, and that no fines have been incurred at all. In the second place, we are satisfied that if fines or penalties have been incurred, this Bill relieves Ministers from those fines and penalties. If it be so, if we are satisfied of that, I think my hon. and learned friend may also be perfectly satisfied. The way the Bill would operate would be this. On the death of the Sovereign no re-election would be necessary, whether the appointment then made was a new appointment or a reappointment. As regards some of the observations made by hon. Members, I would like to remind the House that no evidence has been brought forward to show that any Minister has incurred any penalty. The argument that because a Minister has taken the oath of allegiance or the oath of office to the King, on the demise of the late Sovereign, that is a new appointment, is an absolutely absurd one. As regards the second proviso, which is most objected to, it has

already been pointed out that that has been put into the Bill mainly with reference to protectorates and other portions of His Majesty's dominions which existing legislation does not provide for. No one who has spoken has pointed out any inconvenience that would result from the Bill. In fact, everyone, except an hon. Member from Ireland, has been in favour of the principle of the Bill. The Bill is one of very great convenience when you come to consider the large number of questions that may arise as to officers under the Crown who would require new commissions and new patents according to existing law. On the other hand, the House is almost unanimous on the absurdity of the present law in regard to re-election. I would remind hon. Members that the Bill, in that respect, affects not merely Ministers of the Crown, but many other Members of this House. Take the case of recorders. Is it to be said that a recorder, holding an office from the Crown; and an office very poorly paid; must within six months of the demise of the Crown go back to his constituents for re-election? I have no doubt many other questions might arise as to what really is an office under the Crown. The truth is that the Bill will be a very great relief, and will put an end to much inconvenience in regard to difficulties which have arisen on the demise of the Crown; difficulties which did not exist formerly under an entirely different state of facts. That being so, I appeal to the House without further delay to allow the Second Reading of the Bill. No doubt small questions of details may arise, but those can be settled in Committee.

*MR. LAWSON WALTON (Leeds, S.): I had not intended to intervene in this debate until the speech of the right hon. and learned Solicitor General, but he has so entirely closed his eyes to the views which have been generally indicated that I think the House should have an opportunity of considering the real position in which this Bill stands before asking us to give it a Second Reading. No question has been raised in regard to the operation of those provisions of the Bill having reference to the future; but a very serious question has been raised by several hon. Members with reference to the retrospective character of some of these provisions. My right hon. and learned friend says that the position in which Ministers are placed was never contemplated when this Bill was drafted, because it was perfectly clear to them that no penalties had been incurred. But he is also prepared to argue that the Bill is so fortunately drawn that, if penalties have been incurred, it is quite sufficient to give these right hon. Gentlemen a complete answer to any claim to exact a penalty. I congratulate my right hon. friend and his colleagues upon having accidentally framed a Bill to deal with an emergency which they never contemplated.

Now, I beg to call attention to an argument which I submit refutes entirely the contention of my right hon. and learned friend the Solicitor General. It is not really open to serious controversy that there has been by every Minister of the Crown who has been sworn into his present office a taking of place within the meaning of the statute of Anne. It is conceded that the Ministers of the Crown are the servants of the Sovereign. They are appointed by the Sovereign and dismissed by the Sovereign, and the right hon. Gentleman has admitted that in common law the demise of the Crown puts an end to their office. That being so,

every Minister of the Crown ceased to occupy the position of servant of the Crown on the death of Her late Majesty, and, quite apart from the statute, it would have been necessary for new appointments to be made by His Majesty upon succeeding to the Throne. Now, how far does this statute come into play? There is one section in the statute of Anne which extends for a period of six months from the death of the Sovereign all appointments which the Sovereign made, and, as the right hon. Gentleman pointed out, it was to meet the probable absence of George III. from the kingdom on the demise of the Crown that the statute was passed. By reason of that statute, some time during six months after the demise of the Crown reappoint-

ments must take place. The Ministers must derive their authority to act by means of a new appointment from the new Sovereign who at present rules the realm. I put it to the right hon. Gentleman the Solicitor General, is it seriously contended that when Her Majesty's Ministers were sworn into their present offices two days after the death of Her late Majesty they went through a ceremony which was of no importance? Is it seriously contended that the oaths were taken and gazetted and the filling of the offices gazetted without its being in any way necessary under the statute? It was a step they were bound to take, and they took it at the earliest possible moment. Either they elected to enter into the service of the present Sovereign when their oaths were taken or they intended at the end of six months to repeat the ceremony over again, and, therefore, it was either an acceptance of office under the statute of Anne or it was an idle ceremony which has to be repeated. It is not open to doubt what the object was with which these oaths were taken. There was no obligation to gazette the mere subscription of the oath of allegiance, but there was an obligation to gazette the oath of allegiance and office, and it was intended to be formally recorded, and it was intended to show that they derived the same appointment from the Sovereign which they had held under his predecessor. In the Gazette of January 25th there is this entry;

"This day the Right Hon. Arthur James Balfour was by His Majesty's commands sworn First Lord of the Treasury."

If that is not taking office from His Majesty with His Majesty's consent, I am at a loss to understand how office can be taken. If that is so, what is the position of the Ministers of the Crown who are also Members of this House? They are clearly within the exact language of the section. If any of them are actually Members of this House, and have accepted an office of profit under the Crown, and their acceptance operates, their seats are vacated as if they had died. They are under the obligation to consider themselves dead. It is open to their constituents to re-elect them, and their duty undoubtedly is to seek re-election.

SIR ROBERT FINLAY: Not if they are dead.

*MR. LAWSON WALTON: Constructively dead;politically dead;and they can be politically resuscitated by re-election. That is our point. I quite agree that the matter is by no means perfectly clear, and if the Solicitor General had not been so confident about it I should not have thought it worth while to discuss the subject. The Attorney General admitted that the matter was involved and

obscure, and that it was doubtful what the obligation is. But there is a later statute; 21st and 22nd of Victoria; which contemplates the case of an appointment being made during the recess, when the House is not sitting. If the House was sitting the House would be the proper authority to decide, but during the recess, and these appointments were made when the House was not sitting, there is a provision that the person who accepts the appointment is to give notice to the Speaker, who can, if he thinks the matter clear, at once issue a writ; but if he thinks it doubtful he can refuse to issue the writ, and leave Parliament to deal with the difficulty. I submit that the duty of His Majesty's Ministers was to notify the Speaker, and then when the House met we should have had to consider, not whether we should grant an indemnity in this matter, because that we should have been quite prepared to do, but the far more important question of whether these Ministers should or should not take the views of their constituencies upon their taking office. I think that is a most important point, and involves a most important popular right. I think their constituencies are entitled to say whether or not in their opinion those representing them should accept office, and I should be very sorry to see that popular right abolished. It is important in regard to the particular case to consider whether Ministers should not undergo re-election, and there are strong grounds why we regard the re-election as politically desirable. The only method by which a constituency may express its opinion directly on the issue involved in a particular appointment is by the re-election or the non-re-election of the Minister appointed, and when we recollect how the conduct of Ministers has been criticised by their own supporters upon the reconstruction of the Cabinet, it would be most instructive to have the opinion of

the constituencies upon the matter. So far the retroactive action of this Bill is concerned, it was obviously introduced to save the Ministers from a difficulty into which they involved themselves owing to their own want of foresight. I think the result of the Bill will be that Ministers will be saved the obvious duty of submitting themselves for re-election, and before the House is asked to assent to a measure of that kind they ought fully to understand what is the nature of the concession which they are invited to grant.

*MR. JAMES LOWTHER (Kent, Thanet): I must express my surprise at the line adopted by the hon. and learned Gentleman who has just sat down I understand the hon. and learned Gentleman to say that an illegal act has been committed by Ministers, and if that is so, the question is obviously one for a court of law. As I understand what he just said, the hon. and learned Gentleman says the Ministers in question ought to have come down to the House at the beginning of the session and asked the House whether they should submit themselves for re-election or not. A more unconstitutional course I never heard suggested in this House.

*MR. LAWSON WALTON: You will find it in the special Act I quoted.

*MR. JAMES LOWTHER: I remember a case of this kind; the case of Mr. Gladstone in 1873. I was one of the Members who took it upon themselves; I took it upon myself to acquaint the Speaker with the fact that the right hon. William Ewart

Gladstone had since his election as the Member for Greenwich accepted two patent offices, which I named. The view held by Lord Cairns, given to me privately, was that the best thing would be to allow matters to work out for themselves, and to let the Government as best they could get out of the mess in which they were placed; but I, on the contrary, though I own it was presumptuous in a young Member, as I then was, to set up my own opinion against such high authority, said that as soon as the House assembled it was my intention to call the Speaker's attention to the presence of a distinguished stranger on the floor of the House, and to ask him to direct him to withdraw while the matter was being discussed. The reason I took that course was that I strongly objected to this obsolete system of re-election. It seems not only to fetter the choice of the Crown, but it is extremely inconvenient to the course of public business. But that is not before the House now. I wished to draw attention to the inconvenience of the practice, and I thought perhaps a Prime Minister being fined £500 for every division which he had taken part in, or, at any rate, being obliged to leave the House to avoid penalties, would be the best way to afford an object lesson which might lead to the whole system in question being reconsidered. Although this Bill does not go far enough in my opinion, it might be subjected to alteration in Committee. Why does not this Bill deal with the anomalous situation which will be created if a demise of the Crown takes place when a General Election is in full swing? Legal minds are greatly exercised as to what would happen if a demise of the Crown took place while the country was waiting for the latest of the elections to be concluded in Orkney and Shetland, for instance, or in fact at any moment before the date fixed in the Proclamation of Dissolution for the meeting of the new Parliament. There is not a word about that. Any Bill entitled the Demise of the Crown Bill ought to comprehend all these questions. Do I understand the Attorney General to give the opinion that I am right in saying that if the demise of the Crown occurred while a General Election was in progress all the elections would have to take place again?

SIR ROBERT FINLAY: Yes.

*MR. JAMES LOWTHER: That is the thing which the House thought to get rid of by the Reform Bill of 1867. That is a very serious thing, and I think this Bill does not go far enough if it perpetuates such a condition of affairs, and will therefore require to be amended.

MR. BROADHURST (Leicester) asked, if no illegality had been committed and no penalty incurred, why should the time of the House be occupied in passing a Bill which was not necessary? Both the law officers of the Crown had said there was nothing in the Bill, and if that were so there could be no object in introducing it. To his mind the arguments of the hon. and learned Gentlemen conclusively showed that there had been illegalities committed. The Government for the last two or three years had been carried on in a slipshod, haphazard manner, which constituted a real danger to the State. Only the other day, when introducing a most revolutionary measure to alter the proceedings of the House, the right hon. Gentleman the Leader of the House had forgotten that there was an Opposition. He had previously, when taking

office on the demise of the Crown, forgotten the law, and now the Government in the middle of the session came down with a Bill to give relief to the right hon. Gentleman and his colleagues in the Ministry for the fines which they had incurred. Much might be said as to the necessity of abolishing re-election upon taking office under the Crown, but such a matter ought not to be raised in this way. This was an indemnification Bill, and the House ought therefore to hesitate before passing it. The absent-mindedness of the Government had become proverbial, and he should vote against the Bill.

MR. PARKER SMITH (Lanarkshire, Partick) thought that the true criticism of the Bill had been uttered by the right hon. Member for Thanet. The Bill did not go far enough. Other matters more nearly concerning the House than those which were embodied in the Bill had been left out of it. If the demise of the Crown took place after Parliament had been elected, but before it was constituted, hon. Members would be in a precarious condition. It was a great pity that the Government in this Bill had not provided for all the contingencies which might arise in the future.

*MR. BLAKE (Longford, S.) said the hon. Member must recollect that the promoters of the Bill looked at the matter from the point of view of their own interests; those who opposed it looked at it from the point of view of the public interest. He was old enough to believe that there was much virtue in the old doctrine of the vacation of seats on appointments to office. It was a great safeguard, and he believed that a constituency ought to have a right of judgment when a man chosen as an

independent member so far altered his position as to take paid office. It was a deterrent in cases of Members elected professing one political faith afterwards accepting office under the Crown at the hands of Ministers belonging to the opposite party. But the circumstance that a new Monarch had succeeded to the throne was no reason for making a change in the general politics of the country or the relation of the constituency to its Member, nor was it on principle a reason why a Member holding office on accepting re-appointment should be required to go to the constituency for re-election. But the law was otherwise. He agreed with those who said that if in this case penalties had been incurred the House would have no difficulty in saying that they had been incurred by a slip on the part of Ministers, and that they ought to be indemnified. There had been a general misconception on this subject, and those who were vigilant on the Opposition side of the House did not raise the question. But as to the seats, it was a serious thing to say that a man should be elected to Parliament otherwise than by the voice of the constituency. It must be remembered that Ministers, if the Bill was necessary, had actually vacated their seats, and were not members of the House at all now. This was a Bill to turn them into members by legislation. Members of Parliament ought all to entertain great jealousy with reference to the methods by which a man might enter and remain in this House. He was sorry Ministers had brought forward the Bill in its present form. They were told this was to be mainly a financial session. This was the only Bill, apart from money Bills, which the Government were pressing to a Second Reading before Easter. Credit was taken for the circumstance that there was to be no

Ministerial legislation. Yet there were pressing matters in which the people of this country were interested. There was the oath connected with the Accession, which had shocked the feelings of majorities and minorities alike. There was the Bill prohibiting the sale of drink to young children. There were other pressing questions. But these measures Ministers did not help forward. As the debate had proceeded he was reminded

of the lines of a scion of a high Tory family, himself a Tory politician;

"Let laws and learning, art and commerce die

But spare, oh spare our old nobility."

So he might say to-night;

Let Kings curse Catholics, children drink and die,

But save, oh save our hybrid Ministry.

Now the Attorney General was careful; he only said he did not think there were penalties, and that he did not think the seats were affected. He also thought that there was nothing in the taking of the oath of office again. What the hon. and learned Gentleman ought to tell them plainly was whether those who had been reappointed Ministers held their seats or not. Plain men, inside and outside the House, would believe after the speech of the Attorney General that it was not necessary to go over this farrago of statutes or to enter into an ingenious discussion of all these clauses to find out whether the seats were vacated or not. To him it seemed clear that Ministers had accepted office under the King, and so vacated their seats, and that they felt this to be the case. Hence this Bill. If not, let Ministers rely on the law as it is, so far as their own seats were concerned. He should be willing to waive penalties. But there was so much mischief in retrospective laws, especially retrospective laws by which they proposed to make men Members of this House otherwise than by election by free constituencies, that, except under pressure of obvious and inexorable necessity, the House ought not to agree to such a step. If Ministers wanted to make the House of Commons a machine for the creation of Members of Parliament, let them put it plain and straight on the Statute-book. If they were not affected, if they were members still, they did not want the Bill; if they were affected and had vacated their seats, let them say so, and take the consequences honestly.

MR. POWER (Waterford, E.): I quite agree with the remarks that have fallen from my hon. and learned friend, and I think we on these benches have reason to complain of the way in which this Bill has been put before Parliament. In the first instance, I think it is a Bill involving great constitutional changes, and ought

never to have been introduced in a speech under the ten minutes limit. The Bill curtails some of the privileges of the House. I know that this ten minute rule was brought forward mainly in regard to Irish measures, and that it worked very injuriously as far as we are concerned. The hon. and learned Gentleman the Member for Oxford University alluded earlier in the afternoon to some remarks that fell from the hon. Member for North Donegal, and said the speech was more remarkable for the vigour of its language than its lucidity. I think we on these benches may return the compliment. At any rate, so far as his speech was concerned it did not leave us very much wiser than we were. With regard to the

manner in which this Bill was introduced, the hon. and learned Attorney General spoke so that we could not hear what he said.

SIR ROBERT FINLAY: That is not my fault.

MR. POWER: I imagined it was. I do not think there was much discussion going on at the time. I think if he inquires, the hon. and learned Gentleman will find that his remarks did not reach the press gallery, and they were not reported in any portion of the press I have had the advantage of seeing. It should not have been introduced under the ten minutes limit rule. We take exception to the Second Reading of the Bill being put down on a date just on the eve of the House adjourning for the holidays, for recollect this is a matter in which Ireland is very largely interested. It may not appear to be so, but so it is. I have heard remarks from both sides of the House that this system of re-election

AYES.

Acland-Hood, Capt. Sir Alex. F.

Bignold, Arthur

Cecil, Lord Hugh (Greenwich)

Anson, Sir William Reynell

Bigwood, James

Chamberlain, Rt. Hon. J. (Birm.)

Archdale, Edward Mervyn

Bill, Charles

Chamberlain, J. Austen (Worc'r)

Arkwright, John Stanhope

Blundell, Colonel Henry

Chaplin, Rt. Hon. Henry

Arnold-Forster, Hugh O.

Bond, Edward

Chapman, Edward

Ashmead-Bartlett, Sir Ellis

Bowles, Capt. H. F. (Middlesex)

Clare, Octavius Leigh

Atkinson, Rt. Hon. John

Brodrick, Rt. Hon. St. John

Cochrane, Hon. Thos. H. A. E.

Bagot, Capt. Josceline Fitz Roy

Brookfield, Col. Montagu

Cohen, Benjamin Louis

Bailey, James (Walworth)

Brown, Alex. H. (Shropshire)

Collings, Rt. Hon. Jesse

Baird, John George Alexander

Bull, William James

Corbett, A. Cameron (Glasgow)

Baldwin, Alfred

Bullard, Sir Harry

Corbett, T. L. (Down, North)

Balfour, Rt. Hon. A. J. (Manch'r
Butcher, John George
Cox, Irwin Edw. Bainbridge
Balfour, Rt Hn Gerald W (Leeds
Carson, Rt Hon. Sir Edw. H.
Cranborne, Viscount
Bartley, George C. T.
Cautley, Henry Strother
Dalrymple, Sir Charles
Bathurst, Hon. Allen B.
Cavendish, R. F. (N. Lancs.)
Davies, Sir H. D. (Chatham)
Beach, Rt. Hn. Sir M. H. (Bristol
Cavendish, V. C. W. (Derbyshire
Dewar, T. R. (Tr'H'mlets, S Geo.
Bhownaggee, Sir M. M.
Cecil, Evelyn (Aston Manor)
Dixon-Hartland, Sir Fd. Dixon

should be abolished because it means nothing. We in Ireland would be very sorry to see that system abolished, and for very potent reasons. If you go back in the history of your own country you will find that in former times no person holding a position under the Crown could hold a seat in Parliament, so great was the corruption. That was altered later on, and a salutary rule was introduced that if a Member should take office it was necessary to seek re-election and have his conduct ratified by the electors who sent him there previously. The Government two or three years ago deviated from this course with respect to an Irish office, and I do not think their action in that matter reflected credit on them. I think their action then proved the wisdom of the rule that people who have been appointed to office should seek re-election. They appointed Mr. Plunkett to a certain office, and brought in a clause in the Bill by which it was unnecessary for that Gentleman to appeal to his constituents. He got his position without appealing to them, and the first time the constituency of South Dublin had an opportunity of airing their views on this and other matters they put him aside and sent another able representative to these benches. However it may work in English public life, certainly the system has not worked well in Dublin, and it would be objectionable if this safeguard were removed. For these reasons we are opposed to the Bill, and I know that if it had been put down earlier you would have had more Irish Members taking part in the debate.

Question put.

The House divided::Ayes, 180; Noes, 82. [Division List No. 117.]

Dorington, Sir John Edward
Lambton, Hon. Frederick Wm.
Price, Robert John
Douglas, Rt. Hon. A. Akers-
Lawrence, William F.
Purvis, Robert

Duke, Henry Edward
Lawson, John Grant
Pym, C. Guy
Durning-Lawrence, Sir Edwin
Lee, A. H. (Hants, Fareham)
Dyke, Rt. Hn. Sir William Hart
Legge, Col. Hon. Heneage
Quilter, Sir Cuthbert
Leveson-Gower, Frederick N. S.
Randles, John S.
Emmott, Alfred
Lockwood, Lieut.-Col. A. R.
Ratcliffe, R. F.
Long, Rt Hn Walter (Bristol, S.)
Remnant, James Farquharson
Fellowes, Hon. Ailwyn Edw.
Lowe, Francis William
Richards, Henry Charles
Fielden, Edward Brocklehurst
Lowther, Rt Hon. James (Kent)
Ridley, Hn. M. W. (Stalybridge)
Finlay, Sir Robert Bannatyne
Loyd, Archie Kirkman
Rigg, Richard
Fitzroy, Hon. Edward A.
Lucas, Col. Francis (Lowestoft)
Ritchie, Rt. Hn. Chas. Thomson
Flannery, Sir Fortescue
Lucas, R. J. (Portsmouth)
Robertson, Herbert (Hackney)
Lyttelton, Hon. Alfred
Rolleston, Sir John F. L.
Godson, Sir Augustus Frederick
Gordon, Hn. J E (Elgin, & Nairn)
Maconochie, A. W.
Sackville, Col. S. G. Stopford-
Gorst, Rt. Hon. Sir John Eldon
M'Arthur, Charles (Liverpool)
Sassoon, Sir Edward Albert
Goschen, Hon. George Joachim
Majendie, James A. H.
Sharpe, Wm. Edw. T.
Goulding, Edward Alfred
Malcolm, Ian
Shaw, Thomas (Hawick B.)
Graham, Henry Robert

Manners, Lord Cecil
Shaw-Stewart, M. H. (Renfrew
Grant, Corrie
Massey-Mainwaring, Hn. W. F.
Smith, H C (North'mb, Tyneside
Gray, Ernest (West Ham)
Maxwell, Rt Hn Sir H E (Wigt'n
Smith, James Parker (Lanarks.
Greene, Sir E W (B'ry S Edm'nds
Middlemore, John Throgm'rton
Spear, John Ward
Greene, Henry D. (Shrewsbury)
Molesworth, Sir Lewis
Stanley, Lord (Lancs.)
Greville, Hon. Ronald
Montagu, G. (Huntingdon)
Stirling-Maxwell, Sir John M.
Groves, James Grimble
Montagu, Hon. J. S. (Hants.)
Strutt, Hn. Charles Hedley
More, R. Jasper (Shropshire)
Sturt, Hon. Humphry Napier
Hain, Edward
Morgan, David J. (W'lth' mst'w
Thornton, Percy M.
Hall, Edward Marshall
Morris, Hon. Martin Henry F.
Tomlinson, Wm. Edw. Murray
Hanbury, Rt. Hon. Robert Wm.
Morton, Arthur H. A. (Deptford
Trevelyan, Charles Philips
Harris, F. Leverton (Tynem'th)
Mount, William Arthur
Hay, Hon. Claude George
Muntz, Philip A.
Valentia, Viscount
Heath, James (Staffords, N.W.)
Murray, Rt Hn A. Graham (Bute
Wallace, Robert
Heaton, John Henniker
Murray, Col. Wyndham (Bath
Warr, Augustus Frederick
Higginbottom, S. W.
Welby, Lt-Col. A. C. E. (Taunt'n
Hoare, Ed. Brodie (Hampstead
Newdigate, Francis Alexander

Williams, Colonel R. (Dorset)
Hobhouse, Henry (Somerset, E.
Newnes, Sir George
Wilson, A. Stanley (York, E. R.)
Hope, J F (Sheffield, Brightside)
Nicol, Donald Ninian
Wilson, John (Glasgow)
Hornby, Sir William Henry
Wilson-Todd, Wm. H. (Yorks.)
Houldsworth, Sir Wm. Henry
O'Neill, Hon. Robert Torrens
Wodehouse, Rt. Hn E. R. (Bath)
Hozier, Hon. James Henry Cecil
Wolff, Gustav Wilhelm
Palmer, Walter (Salisbury)
Wortley, Rt. Hn. C. B. Stuart-
Jeffreys, Arthur Frederick
Parker, Gilbert
Wyndham, Rt. Hon. George
Parkes, Ebenezer
Kenyon, Hn. G. T. (Denbigh)
Pemberton, John S. G.
Young, Commander (Berks, E.)
Kenyon-Slaney, Col. W (Salop)
Platt-Higgins, Frederick
Keswick, William
Plummer, Walter R.
TELLERS FOR THE AYES;
King, Sir Henry Seymour
Powell, Sir Francis Sharp
Mr. Anstruther and Mr. Hayes Fisher.
Knowles, Lees
Pretymann, Ernest George
NOES.
Abraham, William (Cork, N.E.
Cullinan, J.
Horniman, Frederick John
Allen, Charles P (Glouc., Stroud
Dalziel, James Henry
Jacoby, James Alfred
Ambrose, Robert
Davies, Alfred (Carmarthen)
Jones, William (Carnarvonsh.
Bayley, Thomas (Derbyshire)
Delaney, William
Joyce, Michael

Bell, Richard
Dilke, Rt. Hon. Sir Charles
Layland-Barratt, Francis
Blake, Edward
Doogan, P. C.
Leamy, Edmund
Boland, John
Dully, William J.
Levy, Maurice
Bolton, Thomas Dolling
Dunn, Sir William
Lloyd-George, David
Broadhurst, Henry
Ffrench, Peter
Lundon, W.
Burke, E. Haviland-
Flavin, Michael Joseph
MacDonnell, Dr. Mark A.
Caine, William Sproston
Flynn, James Christopher
Macnamara, Dr. Thomas J.
Caldwell, James
Gilhooly, James
M'Killop, W. (Sligo, North)
Campbell, John (Armagh, S.)
Goddard, Daniel Ford
Mooney, John J.
Cawley, Frederick
Griffith, Ellis J.
Murphy, J.
Cogan, Denis J.
Harmsworth, R. Leicester
Nannetti, Joseph P.
Condon, Thomas Joseph
Hayden, John Patrick
Nolan, Joseph (Louth, South)
Craig, Robert Hunter
Hobhouse, C. E. H. (Bristol, E.
Norton, Capt. Cecil William
Cremer, William Randal
Holland, William Henry
O'Brien, James F. X. (Cork
O'Brien, Kendal (Tipp'rarr M'd
Reckitt, Harold James
Warner, Thomas Courtenay T.
O'Brien, Patrick (Kilkenny)

Reddy, M.
Weir, James Galloway
O'Connor, Jas. (Wicklow, W.
Redmond, John E. (Waterford)
White, Patrick (Meath, North)
O'Connor, T. P. (Liverpool)
Redmond, William (Clare)
Whittaker, Thomas Palmer
O'Dowd, John
Roberts, John Bryn (Eifion)
Wilson, Fred. W. (Norfolk, Mid
O' Kelly, James (Roscommon N.
Roe, Sir Thomas
Yoxall, James Henry
O'Malley, William
Schwann, Charles E.
Philipps, John Wynford
Shipman, Dr. John G.
TELLERS FOR THE NOES;
Pickard, Benjamin
Sullivan, Donal
Mr. O'Doherty and Mr. Labouchere.
Power, Patrick Joseph
Thomas, David A. (Merthyr)
Rea, Russell
Ure, Alexander

MR. BROADHURST: I notice that the right hon. Gentleman Mr. Arthur Balfour and other Gentlemen on the Treasury Bench voted in the late division, and I want to know what are my privileges with regard to the appointment of a Committee of Inquiry into the legality of their votes or otherwise.

*MR. DEPUTY SPEAKER: That matter cannot be raised now. It would not be possible at this stage for the hon. Member to move for a Committee of Inquiry.

MR. BROADHURST: Would it be in order for me to move that the votes so recorded be disallowed?

*MR. DEPUTY SPEAKER: I do not think that motion would come within the rules of the House.

The question that the Bill be now read a second time was put from the Chair and declared carried by the Deputy Speaker, amid cries of "The Noes have it" from the Nationalist Members.

MR. JOHN REDMOND (Waterford): Perhaps, Sir, you will allow me, on a point of order, to call your attention to the fact, which was manifest to everybody in the House, that a large number of Members challenged a division. I myself was not in my place, but I was standing just by your chair, and I distinctly heard plenty of Members challenge a division.

*MR. DEPUTY SPEAKER: The House had just decided the question.

MR. JOHN REDMOND: The challenge I heard was a challenge each time you put the

question.

*MR. DEPUTY SPEAKER: The House had just decided that the Bill should be now read a second time.

MR. JOHN REDMOND: But a division was challenged.

*MR. DEPUTY SPEAKER: The question "That the word 'now' stand part of the question was decided.

MR. JOHN REDMOND: The House had just voted on the question "That the word 'now' stand part of the question." You proceeded then to put the question with the word "now" in it; that is, "That the Bill be now read a second time"; and that question was challenged.

*MR. DEPUTY SPEAKER: I did not understand the hon. Members meant to challenge the question.

SEVERAL NATIONALIST MEMBERS: Certainly.

*MR. DEPUTY SPEAKER: That question has generally been taken as a formal motion, but if hon. Members insist upon their right I will repeat the question.

SEVERAL NATIONALIST MEMBERS: Certainly.

Main Question put.

The House divided:;Ayes, 155; Noes, 72. (Division List No. 118.)

AYES.

Acland-Hood, Capt. Sir Alex. F.

Gordon, Hn. J. E. (Elgin & Nairn

Nicol, Donald Ninian

Allen, Chas. P. (Glouc., Stroud)

Gorst, Rt. Hon. Sir John E.

Norman, Henry

Anson, Sir William Reynell

Goulding, Edward Alfred

Archdale, Edward Mervyn

Graham, Henry Robert

O'Neill, Hon. Robert Torrens

Arnold-Foster, Hugh O.

Gray, Ernest (West Ham)

Palmer, Walter (Salisbury)

Ashmead-Bartlett, Sir Ellis

Greene, Sir E W (Bry S Edm'nds

Parker, Gilbert

Atkinson, Rt. Hon. John

Greene, Hy. D. (Shrewsbury)

Parkes, Ebenezer

Greville, Hon. Ronald

Pemberton, John S.

Bailey, James (Walworth)

Groves, James Grimble

Platt-Higgins, Frederick

Baird, John George Alexander

Plummer, Walter R.

Baldwin, Alfred
Hain, Edward
Powell, Sir Francis Sharp
Balfour, Rt. Hon. A. J. (Manch'r
Hall, Edward Marshall
Pretymann, Ernest George
Balfour, Rt Hon Gerald W (Leeds
Hanbury, Rt. Hon. Robert Wm.
Purvis, Robert
Bathurst, Hon. Allen Benjamin
Harris, F. L. (Tynemouth)
Pym, C. Guy
Beach, Rt Hn. Sir M. H. (Bristol)
Hay, Hon. Claude George
Bhownaggree, Sir M. M.
Heath, J. (Staffords, N.W.)
Randles, John S.
Bigwood, James
Henderson, Alexander
Ratcliffe, R. F.
Blundell, Colonel Henry
Higginbottom, S. W.
Remnant, James Farquharson
Bond, Edward
Hoare, Ed. Brodie (Hampstead)
Richards, Henry Charles
Bowles, Capt. H. F. (Middlesex
Hobhouse, H. (Somerset, E.)
Ridley, Hon. M. W. (Stalybridge
Brodrick, Rt. Hon. St. John
Hope, J. F. (Sheffield, Brightsd.
Rigg, Richard
Brookfield, Colonel Montagu
Hornby, Sir William Henry
Ritchie, Rt Hon Chas. Thomson
Bull, William James
Houldsworth, Sir William H.
Robertson, Herbert (Hackney)
Bullard, Sir Harry
Roe, Sir Thomas
Butcher, John George
Royds, Clement Molyneux
Kenyon, Hon. G. T. (Denbigh
Carson, Rt. Hon. Sir Edw. H.
Kenyon-Slaney, Col. W. (Salop)
Sackville, Col. S. G. Stopford-

Cautley, Henry Strother
Keswick, William
Sassoon, Sir Edward Albert
Cavendish, R. F. (N. Lancs.)
King, Sir Henry Seymour
Sharpe, William Edward T.
Cavendish, V. C. W. (Derbysh.)
Knowles, Lees
Shaw, Thomas (Hawick B.)
Cecil, Evelyn (A ton Manor)
Shaw-Stewart, M. H. (Renfrew)
Cecil, Lord Hugh (Greenwich)
Smith, H C (Northumb, Tynesd.
Chamberlain, Rt. Hon. J. (Birm.
Lawson, John Grant
Spear, John Ward
Chamberlain, J. Austen (Wore.
Layland-Barratt, Francis
Stanley, Lord (Lancs.)
Chapman, Edward
Lee, A. H. (Hants., Fareham)
Stirling-Maxwell, Sir John M.
Clare, Octavius Leigh
Legge, Col. Hon. Heneage
Strutt, Hon. Charles Hedley
Cohen, Benjamin Louis
Leveson-Gower, Fredk. N. S.
Sturt, Hon. Humphry Napier
Collings, Rt. Hon. Jesse
Levy, Maurice
Corbett, A. Cameron (Glasgow)
Long, Rt. Hn. W. (Bristol, S.)
Talbot, Lord E. (Chichester)
Corbett, T. L. (Down, North)
Lowe, Francis William
Thornton, Percy M.
Cox, Irwin Edward Bainbridge
Lowther, Rt. Hon. J. (Kent)
Tomlinson, Wm. Edw. Murray
Cranborne, Viscount
Loyd, Archie Kirkman
Trevelyan, Charles Philips
Lucas, R. J. (Portsmouth)
Davies, Sir Horatio D. (Chath'm
Lyttlelton, Hon Alfred
Valentia, Viscount

Dewar, T. R. (T'rH'mlets, S Geo.
Wallace, Robert
Dorington, Sir John Edward
Maconochie, A. W.
Warr, Augustus Frederick
Douglas, Rt. Hon. A. Akers-
M'Arthur, Charles (Liverpool)
Williams, Colonel R. (Dorset)
Duke, Henry Edward
Malcolm, Ian Manners, Lord Cecil
Wilson, John (Glasgow)
Durning-Lawrence, Sir Edwin
Massey-Mainwaring, Hn. W. F.
Wilson-Todd, Wm. H. (Yorks.)
Middlemore, J. Throgmorton
Wodehouse, Rt. Hn. E. R. (Bath
Emmott, Alfred
Montagu, G. (Huntingdon)
Wolff, Gustav Wilhelm
Fellowes, Hon. Ailwyn Edw.
More, Robert J. (Shropshire)
Wortley, Rt. Hn. C. B. Stuart-
Fielden, Edward Brocklehurst
Morgan, David J (Walth'mstow
Wyndham, Rt. Hon. George
Finlay, Sir Robert Bannatyne
Morton, A. H. A. (Deptford)
Young, Commander (Berks, E.)
Fitzroy, Hon. Edward A.
Mount, William Arthur
Flannery, Sir Fortescue
Muntz, Philip A.
TELLERS FOR THE AYES;
Murray, Rt. Hon A. G. (Bute)
Mr. Anstruther and Mr. Hayes Fisher.
Godson, Sir Augustus F.
Murray, Col. Wyndham (Bath)
NOES.
Abraham, Wm. (Cork, N. E.)
Burke, E. Haviland-
Cremer, William Randal
Ambrose, Robert
Cullinan, J.
Caine, William Sproston
Bayley, Thomas (Derbyshire)
Caldwell, James

Davies, Alfred (Carmarthen)
Blake, Edward
Campbell, John (Armagh, S.)
Delany, William
Boland, John
Cawley, Frederick
Dilke, Rt. Hon. Sir Charles
Bolton, Thomas Dolling
Cogan, Denis J.
Doogan, P. C.
Broadhurst, Henry
Condon, Thomas Joseph
Duffy, William J.
Dunn, Sir William
Macnamara, Dr. Thomas J.
Reddy, M.
M'Killop, W. (Sligo, North)
Redmond, John E. (Waterford)
Ffrench, Peter
Mooney, John J.
Redmond, William (Clare)
Flavin, Michael Joseph
Morton, Edw. J. C. (Devonport)
Roberts, John Bryn (Eifion)
Flynn, James Christopher
Murphy, J.
Schwann, Charles E.
Gilhooly, James
Nannetti, Joseph P.
Shipman, Dr. John G.
Goddard, Daniel Ford
Nolan, Joseph (Louth, South)
Sullivan, Donal
Griffith, Ellis J.
Norton, Capt. Cecil William
Thomas, David A. (Merthyr)
Harmsworth, R. Leicester
Hayden, John Patrick
O'Brien, James F. X. (Cork)
Ure, Alexander
Hobhouse, C. E. H. (Bristol, E.)
O'Brien, K. (Tipperary, Mid)
Holland, William Henry
O'Connor, James (Wicklow, W.)
Weir, James Galloway
Horniman, Frederick John

O'Connor, T. P. (Liverpool)
White, Patrick (Meath, North)
O'Dowd, John
Whittaker, Thomas Palmer
Jones, William (Carnarvonsh.
O'Kelly, James (Roscommon, N
Wilson, Fred. W. (Norfolk, Mid).

Joyce, Michael

O'Mall'ey, William

Yoxall, James Henry

Leamy, Edmund

Lloyd-George, David

Philipps, John Wynford

TELLERS FOR THE NOES;

Lundon, W.

Pickard, Benjamin

Mr. Patrick O'Brien and Mr. O'Doherty

Power, Petrick Joseph

MacDonnell, Dr. Mark A.

Reckitt, Harold James

Bill read a second time and committed for Thursday, 18th April.

ARMY (ANNUAL) BILL.

[SECOND READING.]

Order for Second Reading read.

Motion made, and Resolution proposed, "That the Bill be now read a second time."

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): There is a new clause in this Bill which raises a question that ought, perhaps, to be mentioned on the Second Reading of the measure with a view to eliciting from the Government their intentions, and calling upon the Secretary of State to make, before we reach that clause in Committee, a statement of those intentions; if such a statement cannot be made here to-night. The House may remember that when attention has been called during the present and the last session to certain surrenders in South Africa, and to inquiries which have been held into those matters, Members on each side of the House have spoken in favour of assimilating the procedure in the Army to that in the Navy, and, roughly speaking, laying down the principle that in all cases of surrender there should be a trial by court-martial, just as in the Navy there is a trial by court-martial in every case in which a ship is lost. There have been pointed out by the Government obvious reasons which make it difficult or impossible to follow exactly in Army matters the procedure in the Navy, but I understand the First Lord of the Treasury, in an answer which he gave, promised consideration of how far the practice in the Army might be modified in this respect. The only change made in the Bill before us is to insert a new subsection;

"Rules as to procedure.; All Courts of Inquiry may provide for evidence being taken on oath";

and other words to the same effect.

The first question I should like to ask the Government is whether they are under the impression that those words apply to the courts as to which there has been most doubt and difference of opinion, which have been held during the present war. My own impression is that this legislation will not apply to courts of that description, and I will very briefly explain why I hold that view. The Army Act, which is amended and, as it were, brought into force for the year by this Bill, gives the King and the Secretary of State for War the power to make provisions in respect to the assembly and procedure of courts of inquiry, and this new clause extends that power in a particular point. It might at first sight be supposed that it dealt with what have been called "Courts of Inquiry" held during the present war, but I do not think it does, and I am prepared to assert that it would not apply to the courts which have attracted most public attention. In the latest edition of the Queen's Regulations; or, as I suppose we must now call them, the "King's Regulations"; there are the rules laid down under the powers given by the Army Act. These rules deal with certain courts of inquiry which have been held in some cases during the present war. There are three kinds described: Courts of inquiry into cases of deserters, courts of inquiry into loss of stores, and a class of courts of inquiry which has attracted some attention in connection with recent unfortunate events in South Africa. By paragraph 537 of the King's Regulations;

"a court of inquiry may be assembled by any officer in command to assist him in arriving at a correct conclusion upon any subject on which it may be expedient for him to be thoroughly informed."

Such a court of inquiry is one which must be held under the King's Regulations in certain cases; the cases which I have named, and also in the case of the recovery of persons who have been taken prisoner by the enemy. That court; "may be required to give an opinion on any point not involving the conduct of any officer or soldier."

The object of these courts in the cases of prisoners recovered is stated in paragraph 544;

"In order to prevent any officer or soldier who may have been taken prisoner of war through his own neglect or misconduct from obtaining any advantage under the Royal Warrant for pay, etc., a court of inquiry is, as soon as possible after his return, to be assembled by the general officer commanding to investigate the circumstances in which the capture took place. (and to) record an opinion as to whether the officer or soldier was taken prisoner by reason of the chances of war, or through neglect or misconduct on his own part. The proceedings will be forwarded to the War Office."

To those courts of inquiry the change will undoubtedly apply. Many such courts have been held in South Africa. In some cases, however, statutory courts have been held on officers upon whose cases non-statutory courts had previously been held, and to those non-statutory courts the change will not apply. The courts are what are known as prerogative courts of inquiry, and in the great authority on this subject, "Military and Martial Law," by Clode, in the chapter on "Courts of Inquiry," it is perfectly clearly laid down that there are these

two classes of courts; prerogative and statutory. The principle which Clode lays down is that;

"the Army can only be governed by absolute power being vested in the Crown; which, when occasion requires it, must be exercised summarily, and, may be, silently, against the status of officers and soldiers. Instant dismissal of individuals, or prompt disbandment of regiments without cause assigned, is an exercise of power which must be lodged somewhere, and by our Constitution it is confided to the Crown as the supreme power in the State. Out of this may arise; upon occasions felt by a conscientious Minister; the necessity of previous confidential inquiry before this power of annihilation is exercised, etc."

Then he goes on;

"As the criminal law of the Army can only be put in force against an inferior by a superior officer, cases may arise in which the facts are not so patent, or the source of information so impartial, as to satisfy the latter officer that justice demands a court-martial trial upon the accused."

That is to say, these prerogative courts are considered by Clode to be the proper means of proceeding when the General Officer Commanding-in-Chief requires the advice of officers who have time to look into the facts as to whether he shall take what Clode calls "steps of annihilation"; that is, whether he shall recommend that the services of an officer be dispensed with, or that he be placed on half-pay, or whether he shall order a court-martial. In these cases the inquiry is to advise the General Officer Commanding, and any steps which are taken are taken not by the court of inquiry, but by the General Officer Commanding or the Secretary of State. These courts are unsworn to secrecy; they are not required to arraign the supposed culprit before them; they may take any course they may deem best

suited to obtain information on which higher authority can safely act;

"Their finding is, in fact, advice and information confidentially given to the Crown or general officer. The ultimate use which is to be made of information thus obtained involves very different considerations. Before anyone is prejudiced by the results it would appear desirable, if not demanded by justice, that the substance of the charge be communicated, and an opportunity of explanations be afforded to him." (Clode, p.

199.)

I am quite prepared to believe that in many cases which may happen in war it is necessary to take immediate or summary steps, and I should support the military authorities or the Secretary of State in taking those steps, but before the House agrees to this change of law in connection with these courts it ought clearly to understand that the courts of inquiry in connection with which the most doubtful points have arisen in the present war are courts which will not be affected by the statutory change.

I have referred already to not the definite promise, but the suggestion thrown out by the Government that they may be prepared to change in some degree the King's Regulations upon this subject. The country has undoubtedly been profoundly moved by many acts showing lack of discipline as well as lack of training, incompetence, and a lack of military virtues in isolated cases during

the present war. I think it is generally desired that all those cases of surrender should be investigated rapidly and completely. As to whether it is possible to apply courts-martial to all such cases, as many Members of the House appeared to wish in the course of a recent debate, I am quite prepared to learn from the Government that there are great differences between land and sea warfare, and it may be very difficult indeed to lay down the absolute principle that there shall be a court-martial in every case. Possibly it will be proposed to extend the principle of courts-martial to cover a larger number of cases than at present. If the Government wished to make a new crime of any kind, if the present definitions of misconduct are not sufficient, it would be necessary, of course, to deal with the matter, as far as courts-martial are concerned, by statute, because the military offences are specified in the present law. If that catalogue of offences is not accurate or complete, amendments ought undoubtedly to be introduced into this Bill in Committee to make it accurate and complete. In the catalogue of military offences the very first is one which I confess I think requires some modification. That offence is described in these words;

"Shamefully abandon or deliver up any garrison, fortress, post, or guard committed to his charge,"

and the word "shamefully" again occurs in the course of the paragraph. It is a very difficult offence to prove against a British officer that he has shamefully abandoned a place committed to his charge, but there are cases in which undoubtedly the abandonment or the surrender of a post falls short of what any man would like to call a "shameful" abandonment, and yet ought to be visited by military punishment, and, I think, followed by court-martial. Certainly, in my opinion, the first paragraph requires amending by the omission of the word "shamefully," as the word renders a conviction most difficult, but there are general words in the military offences which, I confess, without straining them, seem to me to cover most of the cases which we think ought to be the subject of a regular inquiry. A paragraph says;

"Knowingly does any act calculated to imperil the success of His Majesty's forces or any part thereof."

In the four cases of the surrender of isolated posts in the present war which have been alleged to have compromised the success of the main body I should have thought that those words were sufficient, and that those surrenders might have been dealt with by court-martial under paragraph 6, without the amendment of paragraph 1 by the omission of the word "shamefully." The other day we pressed one particular case in which the Secretary of State for War, in reference to a despatch laid upon the Table giving the finding of the inquiry into the Lindley case of Colonel Spragge, was asked, not unnaturally, I think, for the names of those who had compromised the success of the main party by showing the white flag alluded to in the despatch. I should imagine that, under paragraph 6, those who did so might be tried by court-martial.

But whether the existing list of military offences is sufficient or not, I think it is necessary to call the attention of the House to the fact that we require

some further redemption of the virtual promise of the Government than is contained in this proposal giving power to administer the oath. The most difficult cases to deal with are cases, not of the commission of a military crime, but of incompetency. It is constantly necessary in war to remove men who, although very likely competent at one time, have ceased to be competent, or who, while competent in an inferior post, are not competent in a superior post to which they have gradually, by time, risen. Such cases are very difficult to deal with, because of the impossibility of describing the fault as a military crime. In the case of a loss of a ship in the Navy the circumstances are investigated as a matter of course, and trial by court-martial is not supposed to reflect in any way upon the personal character of the officer subjected to the charge. In the case of the Army there must undoubtedly be the power of summary dismissal for incompetency, if for no other fault, and I am quite willing to support the Secretary of State in exercising that power, even though it involves that which to lawyers may seem hardship. But I cannot help feeling that in some cases in South Africa the very fact that the law is not at all clear has led to a great deal of doubt and difference of opinion and difficulty on the part of many in supporting the War Office and the Commander-in-Chief in a course in which I personally think they ought to be supported. A writer who has considered these subjects as thoroughly as any man in the country has pointed out most clearly how necessary it is to remove for incompetence. He has pointed out that; "in a battalion, though it would be too much to say that the Commanding Officer is everything, it is the simple truth that everything depends upon him. His capacity is the limit beyond which progress is impossible. If he is incompetent the battalion is blighted, and there is no cure short of his removal."

That I fully admit, but the difficulty of removing without an inquiry, or the difficulty in some cases of holding an inquiry, or the question of the persons of whom the court of inquiry shall consist, it is not now the time for this House to consider in connection with the Bill before us. I think it would have been better for the Government frankly to tell the House that they would have to improve and amend the King's Regulations, to issue a new edition corrected by the lessons of the South African War. I am sure that any new version of the King's Regulations approved by Lord Roberts and the present military authorities would command the confidence of the House and the country. That there is confusion, and that a certain amount of discontent is produced by the confusion, I do not think anybody will deny; and although I am far from saying that in all cases you ought to hear an accused man in his own defence, although I fully admit it may be necessary not to do so, although I know the difficulties involved by the fact that an inquiry may compromise another man who has not been tried at all, yet I cannot but feel that the present necessity of holding two courts in the case of the same man, as has occurred in some instances, is a most painful one. It has been thought necessary in the present war to hold a prerogative court of inquiry upon a man, and, having placed him on half pay or declared that the Sovereign had no further need of his services as a result of the first inquiry, you have had, after his recovery from captivity, to hold a second or statutory court of

inquiry into the same case. If the two courts had been the one a strong and the other a weak court, or if the two courts had taken different views, see what an opportunity would have been afforded for complaint in regard to the treatment of the officer concerned. Personally I think it would, be better to have only one court of inquiry, and to make all courts of inquiry of the nature of the present prerogative court. Where you depart from that you should have a court-martial and resort to courts-martial rather more freely than you do at present. Whatever may be the views of the Government, I ask them, as soon as they can, to take us into their confidence, and I should say that this little clause deals with the matter unsatisfac-

torily unless they are prepared to announce a large Amendment of the King's Regulations at the same time.

Attention called to the fact that forty Members were not present. House counted, and forty Members being found present;

*MR. URE (Linlithgowshire): I wish to direct the attention of the House to an Amendment of the Annual Army Bill, which is being proposed for the first time. The Secretary of State for War apparently desires that the procedure of courts of inquiry should be altered, or rather their powers enlarged, so as to give them liberty to take evidence on oath. Now, what is the reason for that change, made so late in the day? Courts of inquiry have been held from time immemorial without any inconvenience having been felt about their inability to take evidence on oath. I have had considerable experience of evidence taken not only on oath, but without oath; and I think the feeling of all those who have had similar experience is, that you do not really reach the truth with greater certainty because a witness has been put on oath than when his evidence is taken without it. Of course it is always difficult to ascertain the truth on a matter of fact, but that is not because witnesses are deliberately and willingly telling what is not true; but rather because their views of what has taken place are coloured by the impression of the moment, by conversations which have passed between them and those connected with the incident between the time when the incident occurred and the time when they were put in the witness box. Really there is not so much difficulty in getting men to tell the truth as in getting them to divest themselves of prejudiced feeling and passion. My hon. and learned friend the Lord Advocate knows very well that, whether witnesses are on oath or not, they are very inaccurate in giving evidence on matters of fact which occurred at a period distant from the date of inquiry; and when we have had opportunity of dispensing with the oath, we have both been in the habit of using the liberty. It is perfectly true that some inconvenience has occasionally arisen

when gentlemen from distant parts of the Western Hebrides have claimed the privilege of being examined through an interpreter, and in that way have sometimes succeeded in soncealing the truth rather than in elucidating the facts of the case. Except in these rare and somewhat exceptional circumstances, the Lord Advocate will agree with me, that we do not attach any more importance to the statement of a man who has taken the oath than to the statement of a man who has not taken the oath. I shall, of course, be told that it is impossible to

prosecute for perjury unless witnesses are put on oath. I agree; but really that is a weapon which we all know is very rarely put in force, because it is exceedingly difficult to prove perjury. As far as my reading and observation are concerned, England is not in any different position from Scotland in that regard. The right hon. Baronet who preceded me in this debate says that the real difficulty in these courts of inquiry is to ascertain the truth on questions of competency or incompetency. Well, questions of competency or incompetency are always necessarily a matter of opinion, and, therefore, on such questions it is immaterial whether you put a man on oath or not in order to get from him his genuine views on the matter. You often say to a man that all you desire is to get from him his opinion on a certain state of facts that may have passed under his observation. Under these circumstances we are entitled to ask the Secretary of State for War what has occurred to lead him to propose this material change in the procedure of courts of inquiry. Personally, I am very much averse to an oath being introduced in inquiries of this kind. I am told that men do not attach the same weight and importance to an oath as they did in early times; and much more is that the case where the English form of procedure is adopted, and where the oath is taken in a very perfunctory fashion, very different, indeed from that in Scotland where there is much greater solemnity connected with the administration of the oath. But even in Scotland that greater solemnity does not seem to impress witnesses so much now as it did formerly. I have no doubt that the right hon. Gentleman will be ready to give us his reasons for making this material change in the procedure of the courts of inquiry.

*COLONEL BLUNDELL (Lancashire, Ince): In old days when a prisoner of war returned to his regiment he was necessarily tried for desertion. This exposed the circumstances of his capture. Now the circumstances are very different. In the South African War a large number of prisoners had been taken, and I can quite conceive that the most convenient way to deal with them would be to bring them before a court of inquiry, and to put the witnesses on oath. I maintain that the oath is administered in the Army in a very different manner from what it is in the civil courts, and undoubtedly soldiers do attach more solemnity and value to the oath than civilians. The right hon. Baronet the Member for Forest of Dean spoke about the surrenders in South Africa, and referred to the word "shameful" in the Mutiny Act. If the commander of a fortress surrendered it without sustaining an attack upon the breach the surrender was regarded as shameful. I do not know that any precise line can be drawn as to whether these surrenders on hill-tops in South Africa are or are not shameful. I would hesitate very much to express any strong opinion on the subject until I have heard the views of officers who have served in that country. My impression is, that in these days of magazine rifles the strain on the nerves of soldiers is much greater than at any former period; and we should know the views of soldiers who have been through the campaign before we can express an opinion on the matter of any real value. In regard to general inquiries into the conduct of officers, I should advise the Secretary for War to be very careful. War is very far from being an exact science; and I think it is very desirable to leave it

entirely in the hands of the Commander-in-Chief to hold or to avoid these inquiries which so many people are anxious to bring about. I feel assured that they may do our Army immense harm and a great deal of injustice to many officers.

CAPTAIN NORTON (Newington, W.): I do not desire to detain the House at any length, because my right hon. friend the Member for the Forest of Dean has dealt with the question exhaustively and in a very lucid way. But in regard to these courts of inquiry, those of us who have had experience of them know that in ninety-nine cases out of a hundred they are held with reference to the loss of equipment, or stores, or matters of comparatively small importance. In those cases there is no necessity for an oath; in fact, an oath may complicate proceedings and prevent those engaged in the court of inquiry from ascertaining the truth. There is much in what the hon. and gallant Member said with reference to soldiers and the oath. I admit that more importance is attached to the oath by soldiers than by civilians. The part which is of importance now is that these courts of inquiry are about to be employed for the purpose of eliciting information with reference to matters of supreme moment to individuals and to the country at large, and as to matters that affect the discipline of the Army. My right hon. friend referred to what Clode says on the matter, namely, that to enable an officer who holds a court of inquiry to take evidence on oath gives him the opportunity of gaining full possession of all the points in the case. Now, I should suggest that a distinction should be drawn between courts of inquiry for the purpose of investigating the loss of stores and equipment, or minor matters, and those courts which are held for the purpose of ascertaining whether an officer, non-commissioned officer, or man has properly performed his duty. The question which was raised with reference to the word "shameful" in the Army Act leads me to say that it would be advisable, seeing the number of cases that are likely to occur in South Africa, if the Secretary of State for War were to take some steps to alter the Act so that he might be able more effectually to deal with that question. I come now to the point as to whether it would not be advisable to have more courts-martial. Of course, prerogative courts we must always have; but I would ask whether it would not be advisable to so alter the King's Regulations that there would be power, in the event of certain facts being brought to the knowledge of the officer commanding, to call a court-martial rather than a court of inquiry. There is always a difference between naval and military matters; but there are some cases where nearly the same circumstances may occur to a military officer as to the naval officer of a ship; as, for instance, when an entire unit, or company, or troop of cavalry is taken captive without any great show of fight. If the Secretary for War can see his way to promise such an alteration in the King's Regulations as would enable these cases to be investigated by a court of inquiry, or, if necessary, by the court-martial. I feel certain it would give great satisfaction throughout the Service.

THE SECRETARY OF STATE FOR WAR (Mr. BRODRICK, Surrey, Guildford): The point raised by the right hon. Gentleman is undoubtedly a novel one. This change in the Army (Annual) Bill has been introduced, not merely from a desire which I

really have to improve the Procedure, but also to meet to some extent views which have been expressed in the House. I do not think it needs great deliberation to discover the necessity for the change. There are two classes of inquiry in the Army; one inquiry is by courts-martial and the other by courts of inquiry. The inquiry by courts-martial has not been very frequently in practice in the British Army, and it has often been very difficult to frame a charge which would come under the various heads of the Army Act. The theory in regard to courts-martial in the Army has been opposed to that held in the Navy.

*SIR CHARLES DILKE: Hear, hear. That is perfectly true.

MR. BRODRICK: In dealing with this court-martial question I would like to see that done away with. I think that an inquiry on oath, and to some extent of a public nature, is very often advantageous to the officer; it must tend either to convict him or to clear him; and there are a large number of cases in which it is desirable, in the public interest, that the officer should be brought before a court-martial and given a complete acquittal or should be convicted. But, undoubtedly, the present courts of inquiry require strengthening.

The right hon. Gentleman has made various observations with regard to the distinction between the various courts of inquiry now held, but what is really important is to consider in what circumstances the courts of inquiry would be improved by the present Bill. Under Clause 52 of the Army Act you have courts of inquiry which deal simply with cases of absence without leave or desertion, with regard to which witnesses can be put upon oath. But in much more important cases brought before courts of inquiry the witnesses cannot be put upon oath, and the Government desire that they should be put upon oath whenever it seems to the Commander-in-Chief that it is absolutely necessary and will add to the force of the inquiry. I think it is desirable from two points of view. First of all, it makes the witnesses much more careful about what they say, and, secondly, it gives much more importance to the finding of the court, or that of the Commander-in-Chief. At present you must have a court of inquiry for the purpose of elucidating the facts. But, as the right hon. Gentleman has pointed out, there is often great difficulty in holding the courts. That is so, and I am bound to say that, as between courts-martial and courts of inquiry, cases may occur in which it is necessary to exercise authority without either a court-martial or a court of inquiry. In cases of that kind, in which the conduct of an officer was such that the Commander-in-Chief was satisfied that he could not employ him again in the field, the military authorities should have power to dispense with the officer's services. I am sure the House will support me when I say that the life of every soldier is absolutely at the mercy of the officer under whom he is placed, and it is necessary that the military authorities should have full power in this respect. Where you can form courts of inquiry in these cases, I think it is very desirable that in the great majority of instances the Commander-in-Chief should put the witnesses on oath. I do not like the plan of holding two inquiries; but, of course, there are cases in which at a court of inquiry held on one officer *prima facie* evidence is produced in regard to another officer who might have been taken prisoner and, therefore, was not available at the time. In these circumstances it may be

necessary to hold a second court of inquiry, subject to the reservation which I have made; the right of the military authorities to decline to continue to employ an officer in whom they have lost confidence. One point seems quite clear, and that is the desirability of making these courts of inquiry of a more, formal character. Each successive speaker has dwelt on the necessity of giving an officer a fair trial. But it may not be possible in every case to frame a charge on which the finding of a court-martial can be based. Take the case of a charge of "shamefully abandoning or delivering up a garrison." Those words may either be strengthened or weakened. There may be also cases which do not come under Sub-section 6 of the clause, more especially cases in which officers have raised the white flag. My own feeling is that whether an officer is justified or not in raising the white flag, he should not be deemed guilty of cowardice and brought to a court-martial, if, finding himself in a desperate situation with his force terribly reduced, he finds it necessary to surrender, after earning praise for the gallantry of his defence.

SIR CHARLES DILKE: Hear, hear.

MR. BRODRICK: I do not think it ought to be considered a reproach to an officer that in circumstances of surrender of that kind he has been brought to a court-martial. I will take care to make the inquiry more formal, to avoid a multiplication of inquiries, and to give to each officer the fullest opportunity possible of being heard in his own defence. I will just add one word as to the length of time that should elapse before the inquiry is held. I think in many cases it would be the most humane and considerate course to hold the inquiry as soon as possible rather than to allow an officer to remain for many months under the suggestions that are made in the case of surrenders which cannot often be disproved. I am against keeping officers for any lengthened period in a condition of suspended animation, and therefore I think the inquiries should be made as quickly as possible; and I say so the more because when an officer is dealt with after a long period of suspended animation, it might inflict far greater injury on him in his social position. I hope the House will now give a Second Reading to the Bill. I believe the clauses in the Bill are admirably calculated to carry out the intentions expressed by the Government in deference to the opinions expressed on both sides of the House, and will produce a better administration of the military law.

SIR WALTER FOSTER (Derbyshire, Ilkeston) desired to elicit some statement with regard to the King's Regulations in reference to persons being taken prisoners of war. As the regulations now stood, there must be two inquiries, and some alterations would have to be made in order to obtain a single inquiry. He hoped the right hon. Gentleman would be able to give some reassurance upon that point. He quite agreed that all these matters were more necessary now than in times past, and of necessity there would be an increase in the number of inquiries. The power the right hon. Gentleman took under the clause of the new Act, would be, useful in shortening the period of suspended animation to which the right hon. Gentleman referred, although the process might not be so simple as it at first appeared, because there would

still be two classes of inquiry. He thought the House ought to have some assurance as to whether he intended to alter the King's Regulations.

MR. BRODRICK: Yes, certainly. The Regulations will be altered in accordance with the views I have expressed.

MR. COURTENAY WARNER (Staffordshire, Lichfield) said that in the opinion of a great many Members it would be better to substitute, courts-martial for the courts of inquiry, because in that case the officer had an opportunity of presenting his case to the court; whereas in a court of inquiry there was no safeguard that a man might not be convicted of making a mistake, or of a dereliction of duty, and have his whole career ruined without having an opportunity of defending himself, or answering the charge against him in any way. It had always been the practice in the Navy to hold courts-martial, and he thought as a general rule the same practice should be adopted in the Army, although, no doubt, in some cases a court of inquiry was necessary. It was often said that every officer had a right to demand a court-martial, but that was only partially true; in many cases there was that right, but in many there was not. If an officer was dismissed the Army for neglect of duty after the holding of a court of inquiry, he had no power to demand a court-martial. He hoped the promise to alter the King's Regulations would be carried out on a somewhat wider scale than the mere making of the courts of inquiry courts where evidence could be taken.

Question put, and agreed to.

Bill read a second time, and committed for Thursday, 18th April.

ISOLATION HOSPITALS BILL.

[SECOND READING.]

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*MR. CHARLES HOBHOUSE (Bristol E.) said there were one or two points to which he desired to draw the attention of the President of the Local Government Board. He did not complain of the Bill itself, which was a very useful measure, but there seemed to be a tendency in its provisions to confer on the Local Government Board an undue and, as he ventured to think, an unnecessary power of interference with the discretion of county councils with regard to isolation hospitals. Under the original Act of 1893 county councils could create an isolation hospital district, and large numbers had been created, and hospitals built either by means of a subsidy from the county council or with the assistance of local rates, and under the Act of 1893, unless exception was taken to the action of the county council by the local authority, no interference by the Local Government Board was possible; but by the new Act, where county councils took over from some other local authority a hospital for dealing with infectious diseases, the Local Government Board could step in and interfere with the action of the county council. Again, where the building itself and the site were obtained out of the annual rates, the Local Government Board could not interfere with the action of the county council; but where the site was provided and the hospital built out of loans, the Local Government Board could hold an inquiry and oppose the scheme if it

thought fit; but in the case where the hospital was built out of the rates all interference was prevented. If this Bill was allowed to become law that would no longer be the case, as the Local Government Board under Clause 2 would have authority to interfere with the action of the county council in that respect. It might be said that these were very small matters, but he felt that they might only be the prelude to greater demands of a more onerous character. Another point he desired to draw attention to was that what was possible under the present Act was not to be permitted under the revised Act in the future. There ought to be fuller explanation of the reasons why the county councils were to be so cramped in their operations. There had been no complaint from local authorities that the county councils had unjustly abused the freedom of the Act of 1893. The action of the county councils with regard to isolation hospitals had been first to create a hospital district and its committee, and then to erect the hospital for the district, and so with regard to transference a new building would be acquired from the local authority directly by the hospital committee. In practice it was the hospital committee which acquired the site and rated the district, and the committee was as corporate a body as the county council itself, and the case might very well be remitted to the committee direct, instead of being transferred to the county council. Why not also put into the Bill a power by which the hospital committee could rent from the local authority suitable temporary premises during the time the permanent building was being erected? He also

called attention to the ambiguity of the phrasing of some portions of the Bill.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. WALTER LONG, Bristol, S.): I quite recognise the courteous spirit in which the hon. Gentleman has criticised this measure, although I disagree with him in every particular. The hon. Gentleman complains of the powers we have taken under Clause 4; all we do by Clause 4 is to obtain power to amend the claim of any local authority. The hon. Gentleman is mistaken if he thinks this is an attempt on the part of the Local Government Board to extend their powers. We are bringing in the Bill at the request of the county councils in order to remove the difficulties under which they labour. There is no desire on the part of the Department to extend their control over the local authorities, and still less over the county councils. On the contrary the sole object of this Bill is to enable the county councils to do, in regard to local bodies who have exercised the powers under the Act of 1875, precisely the same thing as they are able to do in regard to local authorities under the Act of 1893. I think the hon. Member in his criticism of Sub-section 4 of Clause 1 overlooked the principal Act under which hospital committees are created; that is to say, under the Act of 1893 hospital committees can be constituted to which control of these hospitals can be given. I do not think that any alarm is felt in regard to the extended control of the Local Government Board over the county councils. At all events this Bill as originally introduced in this House was a private Bill, and it has only been slightly altered. Its object is to enable county councils to do work in the direction of providing isolation hospitals which they cannot do at the present time. On the subject of hospitals for infectious diseases. I know that some people think they

are not altogether desirable, but in my opinion there is nothing more desirable than that local authorities should have every facility for the provision of hospitals where infectious diseases can be suitably supervised. Under the Act of 1875 it is impossible for local authorities to transfer them to the county councils or to receive relief in respect of their maintenance. Under the Act of 1893 if they have provided these hospitals the county councils can contribute towards their maintenance, and I agree with the County Councils Association that it is very hard that local authorities who have done the work under the Act of 1875 should be in a worse position than those who have done the work under the Act of 1893, and the present Bill will enable them, without any undue restrictions, to treat the local authorities who have provided these hospitals under the Act of 1875 in the same way as they treat them under the Act of 1893. The Bill is promoted really in the interest of the local authorities, and it is heartily supported by the County Councils Association. I hope the House will pass the Bill.

SIR WALTER FOSTER: I think the object of this Bill is very good, and it is one that becomes increasingly important as our population increases. The fact is these isolation hospitals become more and more necessary as the population grows denser. The means of communication have become vastly easier, and the possibility of the spread of infectious diseases thereby is multiplied a hundred-fold. It is necessary, therefore, in all these districts under the county councils that there should be powers to create isolation hospitals. That is. I think everybody will admit, almost a truism in the interest of public health. The history of this Hospitals Bill is a little peculiar. I remember the introduction of it, and in 1893 I had several conversations about it. The Bill was passed in a form which has proved to be a little unworkable. One of the great difficulties has been where a local authority had under the Act of 1875 established a hospital for this purpose, maintained it, and done its duty in that respect, that local authority had no chance of coming under the Isolation Hospitals Act, but was subject to this injustice that, although paying for its own hospital, it was liable to be rated by the Isolation Hospitals Committee for supporting other hospitals. Thus a district which had done its duty itself was penalised by having to support the hospital in a neighbouring district. That caused a good deal of dissatisfaction and difficulty in carrying out the Act of 1893, and that is one of the chief difficulties this Bill seeks to remove. By removing difficulties we hope the Bill will add to the number of isolation hospitals in different parts of the country; but while I wish the Bill all success, I am bound to say that there has been, but may be again in this House, some opposition to it from some of the non-county boroughs. They look with some jealousy on the Bill, and think that the powers transferred to the County Councils may be in some way injurious to them. We may have in the course of the Committee stage to consider not only the Amendments my hon. friend has very well put before the House, but we may have to consider other Amendments which strike more seriously at the Bill as now drawn. I think myself the criticisms of the Bill have some substance in them in several particulars. It is a pity, I think, that in a Bill of this kind, which has now

the authority of the Local Government Board, means were not taken to give more authority to the county councils. I myself view with some apprehension the tendency that exists everywhere to give more and more work to the Local Government Board. The Local Government Board has already more work than it can do, and I do not like these appeals and references and methods of tying up local authorities at every step in their work by references to the Local Government Board, and the necessity of requiring the sanction of that board to be given to such a small affair as the taking over of a small hospital of a rural district.

I think all these matters ought to

be settled more and more by the county councils, for they are as competent to settle them as the Local Government Board. If we delegate more and more power to the local authorities we shall relieve the Local Government Board of an immense amount of detail work it could well do without, increase the strength and dignity of the local governing bodies in the counties, and get the business done with much greater expedition than at present. I think my hon. friend the Member for East Bristol made a useful suggestion when he said that it would be better that the county council in creating its district committees should form its district before taking over the hospital, because very often the taking over of the hospital in the first instance may create good deal of friction and jealousy. If you form your district and get the hospital in it willingly, then I think you will have less friction in carrying out the work effectively throughout. My hon. friend has expressed a fear with reference to Clause 5, which may have a good deal of substance in it. I know that the urban districts would not like to be under the control of the rural districts. The parish councils are in many cases good governing bodies, of stronger energy and more activity than the rural district councils, and I should like to see them also in this Bill rather strengthened than subordinated to the councils of the rural districts in which they exist. These are points which can well be discussed in Committee, and I think the Bill will make an Act which at present is comparatively inoperative, more useful. I hope the House will give the measure a Second Reading.

SIR FRANCIS POWELL (Wigan said he had taken considerable interest in what was understood as the original Act. Some of the matters in the present Bill would be most conveniently disposed of at the Committee stage. He had been largely responsible in connection with education in boarding schools. One of his great difficulties in the management of these schools was the prevalence of infectious diseases. He had the honour to be on the governing body of a school which was now almost incapacitated by an attack of infantile disease; of measles. He believed that the same had been the case a few months since at the great school of Eton. This question did not affect one class of the community only, but all classes. He believed many of these diseases might be almost extinguished by proper precautions and by isolation, and he welcomed every well-considered proposal for the mitigation of this great evil; he might venture to describe it as a scourge. He hoped that without further delay, at this stage at least, the Bill would receive the full sanction of the House.

*MR. BILL (Staffordshire, Leek) said that in his own county of Staffordshire, as

far back as 1893, they had desired to divide the county into districts, but had found that, owing to the absence of the powers proposed to be given by this Bill, they were unable to take over the existing hospitals. They had been anxious to bring into one comprehensive scheme the hospitals already established by the Act of 1875, but had been unable to do so, and therefore his noble friend Lord Lichfield, in the other House, had brought forward a Bill to carry out that purpose. Now the Government had made it their own, and he hoped there was a good chance that the matter would be satisfactorily carried out. He would make this one appeal to the Government, that the Bill should be sent to a Grand Committee, so that it might be expeditiously dealt with and then brought on for Third Reading. It was a most useful measure, and would be most satisfactory to the county council of Staffordshire; the body that first started the matter.

MR. THOMAS BAYLEY (Derbyshire. Chesterfield) asked for an explanation of the provisions of Clause 5. He said there were in the counties a considerable number of boroughs which had already provided isolation hospitals, and were anxious to make terms with the counties with the view to the hospitals being managed by joint boards.

MR. GRANT LAWSON (Yorkshire, N. R., Thirsk) said Clause 5 had simply been inserted to obviate a difficulty which had arisen in connection with the operation of the law as provided by previous Acts.

SIR JOHN DORINGTON (Gloucestershire, Tewkesbury) said that as the public desire for isolation hospitals had grown it was found impossible to make use of those, which were established in advance of public opinion. That was the main cause of this Bill. It enabled these hospitals to be transferred on fair and equitable terms.

MR. TOMLINSON (Preston) said he was glad the Bill made an attempt to meet the difficulty with respect to rating. He hoped the Local Government Board would see their way to develop this system and deal fairly with the rating of all districts.

Question put, and agreed to.

Bill read a second time, and committed to the Standing Committee on Law, etc.

SUPPLY [29TH MARCH].

Resolutions reported.

NAVY ESTIMATES, 1901–2.

1. "That a sum, not exceeding £1,023,100, be granted to His Majesty, to defray the Expense of Works, Buildings, and Repairs, at Home and Abroad, including the cost of Superintendence. Purchase of Sites, Grants in Aid, and other charges connected therewith, which will come in course of payment during the year ending on the 31st day of March. 1902."

2. "That a sum, not exceeding £359,500, be granted to His Majesty, to defray the Expense of various Miscellaneous Effective Services, which will come in course of payment during the year ending on the 31st day of March. 1902."

3. "That a sum, not exceeding £790,900, be granted to His Majesty, to defray the Expense of Half Pay, Reserved, and Retired Pay, to Officers of the Navy and Marines, which will come in course of payment during the year ending on the 31st day of March, 1902."

4. "That a sum, not exceeding £340,000, be granted to His Majesty, to defray the Expense of Civil Pensions and Gratuities, which will come in course of payment during the year ending on the 31st day of March, 1902."
5. "That a sum, not exceeding £219,000, be granted to His Majesty, to defray the Expense of Medical Services, including the cost of Medical Establishments at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March, 1902."
6. "That a sum not exceeding, £16,200 be granted to His Majesty, to defray the Expense of Martial Law, including the cost of Naval Prisons at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March, 1902."
7. "That a sum, not exceeding £100,600, be granted to His Majesty, to defray the Expense of Educational Services, which will come in course of payment during the year ending on the 31st day of March, 1902."
8. "That a sum, not exceeding £65,800, be granted to His Majesty, to defray the Expenses of Scientific Services, which will come in course of payment during the year ending on the 31st day of March, 1902."

ARMY ESTIMATES, 1901–2.

9. "That a sum, not exceeding £119,200, be granted to His Majesty, to defray the Charge for Establishments for Military Education, which will come in course of payment during the year ending on the 31st day of March, 1902."
10. "That a sum, not exceeding £218,200, be granted to His Majesty, to defray the Charge for Sundry Miscellaneous Effective Services, which will come in course of payment during the year ending on the 31st day of March, 1902."
11. "That a sum, not exceeding £1,485,000, be granted to His Majesty, to defray the Charge for Chelsea and Kilmainham Hospitals, and the In-Pensioners thereof; of Out-Pensions; of the Maintenance of Lunatics for whom Pensions are not drawn; and of Gratuities awarded in Commutation and in lieu of Pensions, of Rewards for Meritorious Services; of Victoria Cross Pensions; and of Pensions, etc., to the Widows and Children of Warrant Officers, Non-Commissioned Officers, and Men, etc., which will come in course of payment during the year ending on the 31st day of March, 1902."
12. "That a sum, not exceeding £188,500, be granted to His Majesty, to defray the Charge for Superannuation, Compensation, and Compassionate Allowances and Gratuities, which will come in course of payment during the year ending on the 31st day of March, 1902."

Resolutions agreed to.

CREMATION BILL [Lords].

[SECOND READING.]

Order for Second Reading read.

SIR WALTER FOSTER: This is a Bill which has already passed through another place. It is purely permissive in its character, and I believe there is no objection on the part of the Home Office to its being passed into law. The measure proposes to give to the burial authority the power to erect a crematorium for the use of the locality. In certain places they have this power under local Acts, and in some cases individuals have obtained the power. This

Bill simply gives permission to local authorities when there is a demand for this method of disposing of the dead to erect suitable apparatus for the purpose. It also gives the public the further advantage that any such crematorium should be erected only with the sanction of the Local Government Board to the plans, while the general arrangements and regulations have to be approved by the Home Office. Every precaution will, therefore, be taken that the thing is done decently and in order. Certain powers are given as to fees, and certain penalties are imposed as to false declarations or certificates of an improper character. I need hardly say that there is on the part of sanitary authorities a very strong desire that this permissive power should be given to local authorities, especially in large and populous districts, where in many cases this method would be more sanitary than the present old-fashioned style of burial. The Bill carries with it no power to interfere with the customs of any locality, but it gives the locality, if it desires it, the opportunity of adopting a more scientific, and in some respects a more healthy, method of disposing of the dead. On sanitary grounds, as a measure likely to be of benefit to the public health, and also as one which is carefully safeguarded, I beg to move that this Bill be now read a second time. Motion made, and Question proposed, "That the Bill be now read a second time." MR. TOMLINSON complained that the Bill had come on very unexpectedly, and Members had not had an opportunity of studying its provisions. It had been stated that the Home Office approved generally of the principle. If that was so, the House was entitled to hear the views of the Home Secretary upon the Bill, as to how far it would be effectual in its purpose, and generally as to its desirability. A few years ago such a Bill would have met with a great deal of hostile criticism. Public opinion had no doubt very much changed, but there were still a large number of people who retained a considerable amount of aversion to cremation. A Bill dealing with so important a matter as the disposal of the dead ought to be very carefully considered, and he hoped an assurance would be given that the prejudices of those opposed to cremation were to be properly dealt with.

MR. RITCHIE: The House is not now engaged upon the consideration of the details of this Bill, but so far as the principle is concerned the Home Office, generally speaking, raise no objection. Although the Bill has undoubtedly come on unexpectedly, I do not think that is a sufficient reason why, if the general principle of the Bill is one which should be approved, the Second Reading should not be assented to. There is no doubt that at one time, and not very long ago, cremation was looked upon with a considerable amount of suspicion, not only with regard to the process itself, but also as to whether proper precautions were taken against an abuse of what might otherwise be a sound and proper principle. On the general question no doubt public opinion has considerably advanced of late years, and I do not think the House will require me to go beyond the general principle to-night. The provisions of the Bill will have to be very carefully looked into in Committee, in order to see that proper safeguards against abuse are provided. With that reservation, I do not propose to offer any opposition to the Second Reading.

MR. BANBURY (Camberwell) thought that although the object of the Bill was in many ways a good one, it was open to many objections. Many crimes had been discovered by reason of the fact that buried bodies could be exhumed and post-mortem examinations take place. Under the Bill the sanction of the Local Government Board was required, but no mention was made of the precautions against abuse which the Local Government Board would enforce. The House ought to have some idea as to what was in the minds of the promoters of the measure in that respect.

SIR WALTER FOSTER pointed out that the Local Government Board would have control only of the plans; the arrangements as to rules, regulations, and precautions would be under the control of the Home Office.

MR. BANBURY could not see why two Departments should be concerned, and in Committee he would certainly move that one or the other, he did not mind which, should be omitted. Sub-section 2 of Clause 5 showed that the promoters were really rather afraid of the step they were taking, because it contemplated not only people doing that which they ought not to do in burning privately human remains, but also that they would make false declarations and representations. If the Second Reading of the Bill was assented to it was absolutely necessary that measures should be taken in Committee to provide that the whole framework of the Bill should be thoroughly considered, and that the operation of the measure should come under one office only.

Question put, and agreed to; Bill read a second time.

SIR WALTER FOSTER moved that the Bill should go to the Grand Committee on Law. He had no doubt that by that Committee the points referred to by previous speakers would receive careful attention.

Motion made, and Question proposed, "That the Bill be committed to the Standing Committee on Law, etc."; (Sir Walter Foster.)

MR. JEFFREYS (Hampshire, N.) objected to the proposal, and expressed the hope that the Bill would be considered in Committee of the Whole House. The hon. Member now proposed that the Bill should be sent to a Grand Committee, but if it were sent upstairs the result would be that it would have precedence over every other private Member's Bill passed during the session. That would be an unfair advantage. Several other useful measures had passed their Second Reading, and they would have to take their chance in Committee of the Whole House. It was said that the present Bill was non-contentious. If that were so, and the hon. Gentleman put it down for Committee of the Whole House, it would no doubt pass.

MR. BANBURY said he did not quite agree with his hon. friend, because he was opposed to some of the measures which his hon. friend wished to have precedence. Therefore he would be rather inclined to support the motion of the hon.

Gentleman. He was, however, of opinion that the Bill, having come on unexpectedly, ought not to be sent to a Grand Committee. There were many clauses in it which, although apparently non-contentious, required a great deal of investigation, and he thought, therefore, it ought to be dealt with in Committee of

the Whole House. Although he was not anxious to give his hon. friend any advantage with regard to the other measures to which he had referred, still,

under the circumstances, he considered that the Bill should remain in Committee of the Whole House.

MR. HENRY HOBHOUSE (Somersetshire, E.) said he had a great sympathy with his hon. friend the Member for Basingstoke in the painful position in which he found himself, but would however, support the motion that the Bill be sent to a Grand Committee, because in his opinion it was impossible to get any private Member's Bill through which had to be discussed in detail in the House itself, He thought it should be the rule, and not the exception, that private Members' Bills should be sent to a Grand Committee as a matter of course. In that way the details of the measures would be carefully considered. At present hon. Members had to choose between two alternatives, one to pass a Bill without proper criticism, and the other to subject it to such minute criticism as to prevent it becoming law. He hoped the present Bill would be carefully considered by a Grand Committee.

MR. TOMLINSON said he hoped the Bill would be referred to a Committee of the Whole House. They should endeavour to ascertain whether the Bill was one which, when Grand Committees were set up, it was the intention of Parliament to refer to them. He did not suppose that even the hon. Gentleman opposite would suggest that the Bill should be sent to the Grand Committee on Trade. There was no element in the Bill which would justify that, except that cemeteries were sometimes owned by trading companies. But the Bill was too serious a matter to be dealt with in that way. He was in the House when the Standing Committees were set up, and the idea then was that Bills having reference to the Board of Trade should be sent to the Grand Committee on Trade, and that Bills affecting changes in the law should be sent to the Grand Committee on Law. It was quite evident that the Bill concerned two different Departments. There was no technical question involved, and he thought the House itself ought to lay down the regulations which would govern such an important development. On grounds of principle the Bill should not be sent to a Grand Committee.

COLONEL KENYON-SLANEY (Shropshire, Newport) said he was perfectly prepared to agree to the principle of the Bill, but he was not prepared to permit it to be passed without full discussion in the House. The measure contained several points of considerable importance, and it manifestly took the House by surprise. As an instance of that he would refer to the attitude of the Home Secretary. He had never seen a right hon. Gentleman who had a fence to jump he was so little acquainted with. The right hon. Gentleman had had no chance of making himself acquainted with the Bill, and he manifestly was not prepared to discuss its details, He would remind the House that this would be the first Bill sent to a Grand Committee during the session, and that it would take precedence therefore of all the other Bills which the House had discussed at considerable length. He would join in an appeal to the hon. Gentleman not to press his accidental Parliamentary advantage, but to allow the Bill to be considered in Committee of the Whole House.

MR. SETON-KARR (St. Helens) said he would not have intervened in the debate were it not for a remark which fell from his hon. friend the Member for East

Somerset. His hon. friend advocated that the Bill should be sent to a Grand Committee. He thought the Bill did not come within the category of Bills which ought to be sent upstairs. As far as he understood the principle on which Bills were sent to a Grand Committee, it was that only Bills were sent which had been fully debated in the House, and regarding which only questions of detail remained to be decided. He thought that a Bill could be sent upstairs with safety after having been fully discussed in the House. The Bill under consideration had, however, not been fully discussed. It came before the House as a surprise, and he, therefore, entirely disagreed with his hon. friend the Member for East Somerset, and hoped the Bill would be referred to a Committee of the Whole House.

Question put.

The House divided:;Ayes, 137; Noes, 102. (Division List No. 119.)

AYES.

Allen, Charles P (Glouc., Stroud

Digby, John K. D. Wingfield-

Nannetti, Joseph P.

Ambrose, Robert

Doogan, P. C.

Newdigate, Francis Alexander

Anstruther, H. T.

Douglas, Rt. Hon. A. Akers-

Nolan, Joseph (Louth, South)

Arnold-Forster, Hush O.

Dunn, Sir William

O'Brien, James F. X. (Cork)

Ashmead-Bartlett, Sir Ellis

Durning-Lawrence, Sir Edwin

O'Brien, Kendal (Tipper'ry Mid

Ashton, Thomas Gair

Emmott, Alfred

O'Brien, Patrick (Kilkenny)

Asquith, Rt. Hn Herbert Henry

Ffrench, Peter

O'Connor, James (Wicklow W.

Atkinson, Rt. Hon. John

Fielden, Edw. Brocklehurst

O'Dowd, John

Baird, John George Alexander

Flavin, Michael Joseph

O'Kelly, James (Roscommon, N

Balfour, Rt. Hn. A. J. (Manch'r)

Flynn, James Christopher

O'Mara, James

Balfour, Rt Hn Gerald W (Leeds

Fuller, J. M. F.

Parkes, Ebenezer
Bayley, Thomas (Derbyshire)
Gilhooly, James
Platt-Higgins, Frederick
Beach, Rt. Hon Sir M H (Bristol)
Goddard, Daniel Ford
Powell, Sir Francis Sharpe
Bell, Richard
Gordon, Maj Evans- (T'rH'ml'ts
Power, Patrick Joseph
Bigwood, James
Gorst, Rt. Hn. Sir John Eldon
Price, Robert John
Bill, Charles
Goschen, Hon. George Joachim
Purvis, Robert
Boland, John
Graham, Henry Robert
Rea, Russell
Bolton, Thomas Dolling
Griffith, Ellis J.
Reddy, M.
Bond, Edward
Guthrie, Walter Murray
Redmond, John E. (Waterford)
Broadhurst, Henry
Hain, Edward
Redmond, William (Clare)
Brodrick, Rt, Hon. St. John
Hayden, John Patrick
Ritchie, Rt. Hon. Chas. T.
Bull, William James
Hayne, Rt. Hn. Charles Seale-
Roberts, John Bryn (Eifion)
Burke, E. Haviland-
Heath, James (Staffords, N.W.
Robertson, Herbert (Hackney)
Buxton, Sydney Charles
Helme, Norval Watson
Roe, Sir Thomas
Caldwell, James
Hobhouse, C. E. H. (Bristol, E.)
Royds, Clement Molyneux
Campbell, John (Armagh, S.)
Holland, William Henry
Sassoon, Sir Edward Albert

Causton, Richard Knight
Horniman, Frederick John
Shaw, Thomas (Hawick B.)
Cautley, Henry Strother
Jones, Wm. (Carnarvonshire)
Shaw-Stewart, M. H. (Renfrew
Cavendish, R. F. (N. Lancs.)
Joyce, Michael
Shipman, Dr. John G.
Cawley, Frederick
Lambton, Hn. Fredk. William
Smith, James Parker (Lanarks
Cecil, Evelyn (Aston Manor)
Leamy, Edmund
Soames, Arthur Wellesley
Cecil, Lord Hugh (Greenwich)
Legge, Col. Hon. Heneage
Spencer, Rt. Hn. C. R. (N'thants
Chamberlain Rt. Hon J. (Birm.
Leveson-Gower, Frederick N. S.
Sullivan, Donal
Chamberlain, J. Austen (Worc'r
Levy, Maurice
Thomas, Alfred (Glamorgan, E.
Clare, Octavius Leigh
Lucas, Col. Francis (Lowestoft)
Thomas, David A. (Merthyr)
Cogan, Denis J.
Lundon, W.
Vincent, Col. Sir C. E. H. (Shef'd
Collings, Rt. Hon. Jesse
M'Arthur, William (Cornwall)
Warner, Thomas Courtenay T.
Colomb, Sir John Charles Ready
M'Killop, W. (Sligo, North)
Welby, Sir Chas. G. E. (Notts.)
Corbett, A. Cameron (Glasgow)
Majendie, James A. H.
Whit'e, Patrick (Meath, North)
Craig, Robert Hunter
Malcolm, Ian
Wilson, Fred W. (Norfolk, Mid.
Cranborne, Viscount
Manners, Lord Cecil
Wodehouse, Hn Armine (Essex
Cremer, William Randal

Markham, Arthur Basil
Wyndham, Rt. Hn. George
Cullinan, J.
Moon, Edward Robt. Pacy
Yoxall, James Henry
Dalrymple, Sir Charles
Mooney, John J.
Davies, Alfred (Carmarthen)
Morris Hon Martin Henry F.
TELLERS FOR THE AYES;
Davies, M. Vaughan- (Cardigan
Mount, William Arthur
Sir Walter Foster and Mr. Henry Hobhouse.
Delany, William
Murray, Col. Wyndham (Bath)
NOES.
Abraham, William (Cork, N.E.
Dyke, Rt. Hon. Sir William H.
Howard, Capt. J. (Faversham)
Acland-Hood, Capt. Sir Alex. F.
Fellowes, Hon. Ailwyn Edward
Kimber, Henry
Arehdale, Edward Mervyn
Finlay, Sir Robert Bannatyne
Knowles, Lees
Arkwright, John Stanhope
Fisher, William Hayes
Lawrence, William F.
Banbury, Frederick George
Fitzroy, Hon. Edward Algernon
Lawson, John Grant
Bathurst, Hon. Allen Benjamin
Fletcher, Sir Henry
Lee, Arthur H. (Hants, Farch'm
Bignold, Arthur
Flower, Ernest
Leigh-Bennett, Henry Currie
Blundell, Colonel Henry
Godson, Sir Augustus Frederick
Long, Rt. Hn Walter (Bristol, S)
Boscawen, Arthur Griffith-
Gordon, Hn J. E. (Elgin & Nairn)
Lowe, Francis William
Butcher, John George
Greene, Sir E W (B'ry S Edm'nd)
Loyd, Archie Kirkman

Cavendish, V. C. W. (Derbysh.)
Greene, H. D. (Shrewsbury)
Lucas, Reginald J. (Portsmouth)
Chapman, Edward
Grenfell, William Henry
Macartney, Rt Hn W. G. Ellison
Cochrane, Hon. Thos. H. A. E.
Gretton, John
Maconochie, A. W.
Compton, Lord Alwyne
Greville, Hon. Ronald
M'Arthur, Charles (Liverpool)
Condon, Thomas Joseph
Groves, James Grimble
Massey-Mainwaring, Hn. W. F.
Cook, Sir Frederick Lucas
Hanbury, Rt. Hn. Rbt. Wm.
Molesworth, Sir Lewis
Corbett, T. L. (Down, North)
Harris, F. Leverton (Tynem'th.
Montagu, G. (Huntingdon)
Cox, Irwin Edward Bainbridge
Hay, Hon. Claude George
More, Robt. Jasper (Shropshire)
Dewar, T. R. (T'rH'ml'ts, S. Geo.
Henderson, Alexander
Morgan, Dav. J. (Walthamst'w
Dimsdale, Sir Joseph Cockfield
Higginbottom, S. W.
Morton, Arthur H. A. (Deptford
Dorington, Sir John Edward
Hope, J. F. (Sheffi'ld, Brightside
Murphy, J.
Dully, William J.
Houldsworth, Sir Wm. Henry
Murray, Rt. Hn. A. G. (Bute)
Nicholson, William Graham
Rigg, Richard
Valentia, Viscount
Nicol, Donald Ninian
Roberts, John H. (Denbighs.)
Warde, Lt.-Col. C. E.
O'Malley, William
Rolleston, Sir John F. L.
Wason, John C. (Orkney)
O'Neill, Hon. Robert Torrens

Sackville, Col. S. G. Stopford-
Whittaker, Thomas Palmer
Pemberton, John S. G.
Seely, Chas. Hilton (Lincoln
Williams, Colonel R. (Dorset)
Pilkington, Richard
Seton-Karr, Henry
Willox, Sir John Archibald
Plummer, Walter R.
Skewes-Cox, Thomas
Wilson, A. Stanley (York, E. R.)
Pretymann, Ernest George
Smith, H C (North'mb Tyneside
Wilson-Todd, Wm. H. (Yorks.)
Randles, John S.
Spear, John Ward
Wodehouse, Rt. Hon. E. R (Bath)
Ratcliffe, R. F.
Stanley, Lord (Lancs.)
Young, Commander (Berks, E.
Remnant, James Farquharson
Sturt, Hon. Humphry Napier
TELLERS FOR THE NOES;
Richards, Henry Charles
Thornton, Percy M.
Mr. Jeffreys and Col. Kenyon-Slaney.
Ridley, Hon. M. W (Stalybridge
Tomlinson, Wm. Edw. Murray

Bill committed to the Standing Committee on Law, etc.

PARLIAMENTARY ELECTIONS (MARINERS' VOTES) BILL.

[SECOND READING.]

Order for Second Reading read.

SIR JOHN COLOMB (Great Yarmouth) in moving the Second Reading of this Bill said it had been before the House for several sessions, and he did not therefore think it necessary to occupy the time of the House in explaining it.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. BANBURY said he was sorry his hon. and gallant friend did not explain the Bill the Bill was a franchise Bill and a Bill of very great importance, which ought not to be dismissed with two or three minutes conversation. Of course, every hon. Member sympathised very much with the men who served their country in the Royal Navy, with men in the mercantile marine and with fishermen, and, when it was proposed to give them the right to exercise the franchise, everyone was delighted. But the question arose whether, in bringing forward a measure which might be just and right as far as seamen were concerned, it might not be doing an injustice to other people. It could not be contended that seamen were the only persons who were debarred by their profession or occupation from exercising

the franchise at present. His hon. and gallant friend was himself a gallant seaman, and no doubt possessed the gallantry which most seamen had, but on the present

occasion he allowed his heart to run away with his judgment. The proper course for his hon. and gallant friend would be not

to proceed with the Second Reading of the Bill, but to endeavour to induce the Government to introduce a Bill which would have for its object to give

facilities to exercise the franchise to every person who by his occupation was unable to record his vote at present, He appealed also for another class,

namely, the soldier. Soldiers did their duty gallantly, and why should they be deprived of exercising the franchise? Did hon. Members object to soldiers

exercising the franchise? He did not desire to detain the House, but he wished to point out that piecemeal legislation of this kind was not always right. It

was very easy to introduce a Bill and to take credit for it, but what hon.

Members should consider was the effect of the measure if it were passed. He should like for a moment to refer to Clause 3, which ran thus;

"The voting paper shall be signed by the voter himself in the presence of a person by law authorised to administer oaths (in this Act called

'the commissioner'), but the commissioner shall have no right to inspect any part of the voting paper, except the part containing the voter's

signature. As soon as the voting paper is signed it shall be folded up by the voter and placed in a sealed envelope or otherwise made secure from inspection."

That seemed to him a clumsy way of proceeding. Then who was the voter to mark the paper for? Supposing a seaman was going on a voyage, and that an election

was to occur in five or six weeks, how was he to know who the candidates would be, and even if he did know the candidates who were to be nominated, how was he

to know for which of them to vote? Again, he did not see anything in the Bill as to how long before an election the Act would have effect. Was it to be six weeks

or two months? He regretted his hon. and gallant friend made such an extremely short speech, because there were many points in the Bill which required

explanation. There was nothing so far as he

could see in the Bill to show when a voter might begin to mark the paper. There were the names of several hon. Members on the hack of the Bill, and he hoped

that they would give the explanation that was required. In passing a franchise Bill the House ought really to know what it was doing, and he hoped some

explanation of the Bill would be given.

MR. SETON-KARR said he should like to draw the attention of the House to the fact that it was asked to pass a great deal of ill-considered legislation that

evening. The Bills which were now being discussed had been preceded by a large number of Government measures, and an ordinary Member of the House looking at

the Orders of the Day would not suppose for a moment that any of the Bills the House had been discussing could come on. He confessed he was unable to

understand why the Government should have dropped so much of their business, and allowed those Bills to be discussed.

MR. JOHN REDMOND (Waterford): The hon. Gentleman cannot have been in the House at question time, because the First Lord of the Treasury then announced that the

Government did not intend to go beyond Report of Supply.

MR. SETON-KARR said he was in the House during a part of question time, but did not hear the statement referred to. At any rate, it was very short notice to give, and the fact remained that the Bills they were now discussing had come forward very unexpectedly. The main argument in favour of the Bill before the House was that it had been introduced by his hon. and gallant friend the Member for Great Yarmouth. That fact stood, no doubt, for its respectability, but he would point out to the House that his hon. and gallant friend did not condescend to utter a single word of explanation, having moved the Second Reading in a formal and perfunctory way. The Bill was a fair enough Bill, but some of its clauses required explanation, and before the House was asked to express an opinion on it some hon. Member whose name was on the back of the Bill should explain it. He hoped the House would hear something more about the Bill. He should also like to have an explanation

from the Government as to why the Trout Fisheries Bill had been dropped.

*MR. DEPUTY SPEAKER: The hon. Member is not entitled to refer to that.

MR. SETON KARR said he would obey the ruling of the Chair, and in conclusion expressed the hope that the Bill before the House would be further explained.

MR. PARKER SMITH said he was surprised that his hon. friend the Member for Rotherhithe, whose name was on the back of the Bill, was not in his place to explain such a long-expected and eagerly-awaited measure. He was also surprised that His Majesty's Government had not given the House their views on the measure. He considered it would be practically impossible to decide such a measure without having a clear and full explanation of the views of His Majesty's Government, dealing as it did with the franchise, of which the House of Commons had always been extremely jealous. Many points contained in the Bill had been mentioned by his hon. friends, but they had not yet been answered. Hon. Members sympathised, no doubt, with the desire of sailors to make their voice heard at the polls, but there were many other classes of His Majesty's subjects who were equally deserving as sailors in the Navy or the Mercantile Marine or fishermen, but who were not in a position to vote. How was the House going to draw a distinction between, for instance, men in the Naval Brigade in South Africa and the soldiers serving beside them? It would be a very serious danger to the discipline of His Majesty's forces if sailors could taunt soldiers with being superior because they had been able to sign voting papers long before they knew what the issues at an election would be, or perhaps the character of the candidates, or had any idea of how the successful candidate would act in Parliament. That might be a sound principle, but, at any rate, it was a principle that had not yet been acknowledged, and if the House were to accept it at all, he thought it should be carried a great deal further. He did not think it should be limited to sailors only. It would be convenient to many others. Many persons were now called upon to travel 500 miles to record their votes, Why should they not be able to record their votes in a manner similar to that provided in the Bill? Supposing a voter in London had also a vote in Scotland; why should he be put to the trouble of travelling 500 miles to vote? Why should he not be allowed to put his voting paper into an envelope and send

it down? He did not know whether the principle of the Bill was going to be accepted. He was quite sure it ought not to be accepted without further explanation from the supporters of the Bill, and more especially an explanation from the Government. His hon. and gallant friend the Member for Great Yarmouth introduced the Bill with great brevity, but he did not know whether it was fair to measure his hon. and gallant friend's sense of the gravity of the Bill, as compared with other questions in which he was interested, by the relative length of his speech in introducing the Bill, and the length of the speeches he delivered on other subjects. He did not think it was fair that such an important question should be brought before the House without being adequately explained. MR. TOMLINSON said he agreed with his hon. friend who had just sat down that more light should be thrown on the Bill. The measure was one of
AYES.

Abraham, William (Cork, N. E.
Corbett, T. L. (Down, North)
Helme, Norval Watson
Acland-Hood Capt. Sir Alex. F
Craig, Robert Hunter
Henderson, Alexander
Allen, Charles P (Glouc., Stroud
Cullinan, J.
Higginbottom, S. W.
Ambrose, Robert
Dalrymple, Sir Charles
Holland, William Henry
Anstruther, H. T.
Dalziel, James Henry
Hope, J. F. (Sheffield Brights'de
Archdale, Edward Mervyn
Davies, Alfred (Carmarthen)
Horniman, F'rederick John
Ashmead-Bartlett, Sir Ellis
Delany, William
Howard, Capt. J (Kent Faversh.
Atkinson, Rt. Hon. John
Dewar, T. R (T'rH'mlets, S. Geo.
Jones, Wm. (Carnarvonshire)
Bayley, Thomas (Derbyshire)
Dimsdale, Sir Joseph Cockfield
Joyce, Michael
Boll, Richard
Doogan, P. C.
Kimber, Henry
Bignold, Arthur
Duffy, William J.
Knowles, Lees

Bill, Charles
Fellowes, Hon. Ailwyn Edward
Lambton, Hn. Fredk. William
Boland, John
Ffrench, Peter
Lawson, John Grant
Boscawen, Arthur Griffith-
Fisher, William Hayes
Lee, Arthur H. (Hants Fareham
Broadhurst, Henry
Fitzroy, Hon Edward Algernon
Legge, Col. Hon. Heneage
Bull, William James
Flavin, Michael Joseph
Leigh-Bennett, Henry Currie
Butcher, John George
Fuller, J. M. F.
Leveson-Gower, Fredk N. S.
Caldwell, James
Goddard, Daniel Ford
Levy, Maurice
Cautley, Henry Strother
Gordon, Hn J. E. (Elgin & Nairn)
Lowe, Francis William
Cavendish, R. F. (N. Lancs.)
Gordon, Maj Evans- (T'rH'ml'ts
Loyd, Archie Kirkman
Cavendish, V. C. W (Derbyshire
Graham, Henry Robert
Lucas, Col. Francis (Lowestoft
Cecil, Evelyn (Aston Manor)
Gray, Ernest (West Ham)
Lucas, Reginad J. (Portsmouth)
Cecil, Lord Hugh (Greenwich)
Greene, Sir E W (B'ry S Edm'nds
Lundon, W.
Chapman, Edward
Gretton, John
Macartney, Rt Hn W. G. Ellison
Cochrane, Hon. Thos. H. A. E.
Griffith, Ellis J.
MacDonnell, Dr. Mark A.
Cogan, Denis J.
Groves, Janie Grimble
Macnamara, Dr. Thomas J.
Condon, Thomas Joseph

Hanbury, Rt. Hon. Robert W.
Maconochie, A. W.
Cook, Sir Frederick Lucas
Harris, F. Leverton (Tynem'th)
M'Arthur, Charles (Liverpool
Corbett, A. Cameron (Glasg'w
Hay, Hon. Claude George
M'Killop, W. (Sligo, North)

very great importance. It made a very great change in the present system of recording votes, and the House had had really no explanation of its provisions from any of its supporters. He himself was very much in favour of anything which would give the persons concerned an opportunity of recording their votes, and he thought that every effort should be made to secure that result. But was there any practical machinery in the Bill to effect that object? That was what the supporters of the Bill should have explained to the House. After the experience the House had had with reference to franchise Bills it had a right to demand to know the views of the Government. As there was no sign of any representative of the Government intending to address the House, he would move, "That the debate be now adjourned."

*MR. DEPUTY SPEAKER, being of opinion that the motion was an abuse of the rules of the House, declined to propose the Question thereupon to the House.

Question put, "That the Bill be now read a second time."

The House divided:;Ayes, 150; Noes, 47. (Division List No. 120.)

Majendie, James A. H.
Penn, John
Soames, Arthur Wellesley
Malcolm, Ian
Plummer, Walter R.
Spear, John Ward
Manners, Lord Cecil
Pretymann, Ernest George
Sturt, Hon. Humphry Napier
Markham, Arthur Basil
Randles, John S.
Talbot, Lord E. (Chichester)
Massey-Mainwaring, Hn. W. F.
Ratcliffe, R. F.
Thomas, David A. (Merthyr)
Montagu, G. (Huntingdon)
Reddy, M.
Thornton, Percy M.
Moon, Edward Robert Pacy
Redmond, William (Clare)
Tomlinson, Wm. Edw. Murray
Mooney, John J.
Remnant, James Farquharson

Valentia, Viscount
Morgan, David J. (Waltham'w)
Richards, Henry Charles
Warde, Lieut.-Col. C. E.
Morris, Hon. Martin Henry F.
Rigg, Richard
Warner, Thomas Courtenay T.
Morton, A. H. A. (Deptford)
Roberts, John H. (Denbighs.)
Warr, Augustus Frederick
Mount, William Arthur
Robertson, Herbert (Hackney
Wason, John C. (Orkney)
Murphy, J.
Roe, Sir Thomas
White, Patrick (Meath, N.)
Nannetti, Joseph P.
Rolleston, Sir John F. L.
Willox, Sir John Archibald
Newdigate, Francis Alexander
Royds, Clement Molyneux
Wilson, A. S. (York, E. R.)
Nicholson, William Graham
Sackville, Col. S. G. Stopford-
Wilson, F. W. (Norfolk, Mid.
Nicol, Donald Ninian
Seely, Charles Hilton (Lincoln
Wodehouse, Hon. A. (Essex)
Nolan, Joseph (Louth, South)
Seton-Karr, Henry
Wyndham, Rt. Hon. George
O'Connor, Jas. (Wicklow, W.
Shaw-Stewart, M. H. (Renfrew
Young, Commander (Berks, E.
O'Kelly, Jas. (Roscommon, N.
Shipman, Dr. John G.
TELLERS FOR THE AYES;
O'Malley, William
Skewes-Cox, Thomas
Sir John Colomb and Mr. Price.
Pemberton, John S. G.
Smith, H C (North'mb, Tyneside
NOES.
Anson, Sir William Reynell
Godson, Sir Augustus Fredk.
Purvis, Robert

Arkwright, John Stanhope
Goschen, Hn. Geo. Joachim
Ridley, Hn. M. W. Stalybridge)
Ashton, Thomas Gair
Greene, Henry D. (Shrewsbury
Ritchie, Rt. Fin. (Chas. Thomson
Bagot, Capt. Josceline Fitzroy
Grenfell, William Henry
Roberts, John Bryn (Eifion)
Balfour, Rt Hon. G. W. (Leeds
Greville, Hon. Ronald
Stanley, Lord (Lancs.)
Bathurst, Hon. Allen Benjamin
Guthrie, Walter Murray
Sullivan, Donal
Blundell, Colonel Henry
Houldsworth, Sir Wm. Henry
Trevelyan, Charles Philips
Bond, Edward
Jefferys, Arthur Frederick
Vincent, Col. Sir C E H (Sheffield
Bullard, Sir Harry
Kenyon-Slaney, Col. W. (Salop
Welby, Sir C. G. E. (Notts)
Chamberlain, J. A. (Worc'r)
Lyttelton, Hon. Alfred
Whittaker, Thomas Palmer
Collings, Rt. Hon. Jesse
Middlemore, J. Throgmorton
Williams, Colonel R. (Dorset)
Compton, Lord Alwyne
More, Rbt. Jas. (Shropshire)
Wilson-Todd, Wm. H. (Yorks.)
Cremer William Randal
Murray, Rt Hn A Graham (Bute
Wodehouse, Rt. Hn. E R. (Bath)
Digby, John K. D. Wingfield-
Murray, Col. Wyndham (Bath)
Dunn, Sir William
O'Neill, Hon. Robert. Torrens
TELLERS FOR THE NOES;
Durning-Lawrence, Sir Edwin
Platt Higgins Frederick
Mr. Banbury and Mr. Parker Smith.
Fletcher, Sir Henry
Powell, Sir Francis Sharp

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to the Standing Committee on Law, etc."; (Sir John Colomb.)

MR. JEFFREYS said he would again protest against a Bill which had come before the House by accident, and which had not been adequately discussed, being sent to a Grand Committee. The majority of the Members of the House had had no opportunity of examining the provisions of the proposed measure, and he could only say that it was an abuse of the forms of the House to send such a Bill upstairs. The Grand Committees were principally intended for measures that had been thoroughly discussed on their Second Reading. The measure before the House was of great importance and ought to be thoroughly discussed, and he protested against the forms of the House being abused by sending a Bill under such circumstances to the Grand Committee on Law.

*MR. RITCHIE: I hope the House will not send this Bill to a Grand Committee. It is quite true, as my hon. friend has just said, that this Bill is of very considerable importance. I do not propose to discuss any of its provisions, but I may be allowed to point out that it is a Bill which does undoubtedly belong to the category of Reform Bills, because it practically enfranchises; not so many people as some would imagine; but still a certain number of persons, while it leaves alone a very large number of persons who are equally entitled to the franchise. The Bill has not been adequately discussed on Second Reading, and I think it would be rather a blow at the principle of sending Bills to the Grand Committees, if a Bill of this great importance, after having been spoken to for an exceedingly short time, should be taken out of the hands of the House. I am quite sure the House would do wrong by sending a Bill which has not been at all adequately discussed to a Grand Committee, and I hope therefore it will not consent to the motion.

AYES.

Abraham, William (Cork, N. E.)

Gretton, John

Murphy, J.

Allen, Chas. P. (Glouc., Stroud)

Griffith, Ellis J.

Murray, Charles J. (Coventry)

Ambrose, Robert

Harris, F. Leverton (Tynem'uth)

Nicol, Donald Ninian

Anstruther, H. T.

Hay, Hon. Claude George

Nolan, Joseph (Louth, South)

Archdale, Edward Mervyn

Hayden, John Patrick

O'Brien, Kendal (Tipper'ry Mid)

Ashmead-Bartlett, Sir Ellis

Helme, Norval Watson

O'Brien, Patrick (Kilkenny)

Bayley, Thomas (Derbyshire)
Higginbottom, S. W.
O'Malley, William
Boland, John
Horniman, Frederick John
Randles, John S.
Broadhurst, Henry
Jones, William (Carnarvonsh.
Ready, M.
Bull, William James
Joyce, Michael
Redmond, William (Clare)
Burke, E. Haviland-
Lee, Arthur H (Hants., Fareh'm
Roe, Sir Thomas
Caldwell, James
Leveson-Gower, Fred. N. S.
Sackville, Col. S. G. Stopford-
Cogan, Denis J.
Levy, Maurice
Shaw-Stewart, M. H. (Renfrew
Condon, Thomas Joseph
Lough, Thomas
Shipman, Dr. John G.
Corbett, A. Cameron (Glasgow)
Lucas, Col. Francis (Lowestoft
Smith, H C (North'mb. Tyneside
Corbett, T. L. (Down, North)
Lundon, W.
Thomas, David Alfred (Merthyr
Craig, Robert Hunter
Macartney, Rt Hn. W. G. Ellis'n
Vincent, Col. Sir C E H (Sheffield
Cullinan, J
MacDonnell, Dr. Mark A.
Warner, Thomas Courtenay T.
Delany, William
Maconochie, A. W.
Wason, John Cathcart (Orkney
Doogan, P. C.
M'Arthur, Charles (Liverpool)
White, Patrick (Meath, North)
Duffy, William J.
M'Killop, W. (Sligo, North)
Willox, Sir John Archibald
Ffrench, Peter

Majendie, James A. H.
Wodehouse, Hn. Armine (Essex
Flavin, Michael Joseph
Markham, Arthur Basil
Young, Commander (Berks, E.)
Fuller, J. M. F.
Massey-Mainwaring, Hn. W. F.
TELLERS FOR THE AYES;
Gordon, Maj. E.- (T'wer H'ml'ts
Morgan, Dav. J (Walthamstow
Sir John Colomb and Mr. Price.
Gray, Ernest (West Ham)
Morris, Hon. Martin Henry F.
NOES.
Acland-Hood, Capt. Sir Alex. F.
Gordon, Hn. J. E. (Elgin & Nairn
Platt-Higgins, Frederick
Anson, Sir William Reynell
Goschen, Hon. George Joachim
Powell, Sir Francis Sharp
Arkwright, John Stanhope
Greene, Sir E W (B'ry S Edm'nds
Pretymann, Ernest George
Atkinson, Rt. Hon. John
Greene, Henry D. (Shrewsbury)
Purvis, Robert
Bagot, Capt. Josceline Fitz Roy
Grenfell, William Henry
Ratcliffe, R. F.
Balfour, Rt. Hn. G. W. (Leeds)
Greville, Hon. Ronald
Richards, Henry Charles
Banbury, Frederick George
Groves, James Grimble
Ridley, Hn. M. W. (Stalybridge
Bathurst, Hon. Allen B.
Guthrie Walter Murray
Rigg, Richard
Bignold, Arthur
Hayne, Rt. Hn. Charles Seale-
Ritchie, Rt. Hn. Chas. Thomson
Blundell, Colonel Henry
Henderson, Alexander
Roberts, John Bryn (Eifion)
Bond, Edward
Hope, J. F (Sheffield, Brightside

Roberts, John H. (Denbighs.)
Boscawen, Arthur Griffith-
Houldsworth, Sir Wm. Henry
Robertson, Herbert (Hackney)
Bullard, Sir Harry
Howard, Capt J (Kent, Faversham)
Rolleston, Sir John F. L.
Butcher, John George
Kenyon-Slaney, Col. W. (Salop)
Seely, Charles Hilton (Lincoln)
Cautley, Henry Strother
Knowles, Lees
Smith, James Parker (Lanarks.
Cavendish, V C W (Derbyshire)
Lambton, Hon. Frederick Wm.
Soames, Arthur Wellesley
Cecil, Evelyn (Aston Manor)
Lawson, John Grant
Spear, John Ward
Cecil, Lord Hugh (Greenwich)
Legge, Col. Hon. Heneage
Stanley, Lord (Lancs.)
Chamberlain, J Austen (Worc'r
Leigh-Bennett, Henry Currie
Sturt, Hon. Humphry Napier
Chapman, Edward
Lowe, Francis William
Sullivan, Donal
Collings, Rt. Hon. Jesse
Loyd, Archie Kirkman
Talbot, Lord E. (Chichester)
Cremer, William Randal
Lucas, Reginald J. (Portsmouth)
Thornton, Percy M.
Dalrymple, Sir Charles
Lyttelton, Hon. Alfred
Tomlinson, Wm. Edw. Murray
Davies, Alfred (Carmarthen)
Malcolm, Ian
Trevelyan, Charles Philips
Digby, John K. D. Wingfield-
Manners, Lord Cecil
Valentia, Viscount
Dimsdale, Sir Joseph Cockfield
Molesworth, Sir Lewis
Warde, Lt.-Col. C. E.

Dunn, Sir William
Montagu, G. (Huntingdon)
Welby, Sir C. G. E. (Notts.)
Durning-Lawrence, Sir Edwin
Moon, Edward Robert Pacy
Whittaker, Thomas Palmer
Fellowes, Hon. Ailwyn Edward
More, Robt. Jasper (Shropshire)
Williams, Colonel R. (Dorset)
Finlay, Sir Robert Bannatyne
Morton, Arthur H. A (Deptford)
Wilson, A. Stanley (York, E.R.)
Fisher, William Hayes
Murray, Rt Hn A Graham (Bute)
Wodehouse, Rt. Hn. E. R. (Bath)
Fitzroy, Hon. Edwd. Algernon
Murray, Col. Wyndham (Bath)
Wyndham, Rt. Hon. George
Fletcher, Sir Henry
Nicholson, William Graham
Foster, Sir Walter (Derby Co.)
O'Neill, Hon. Robert Torrens
TELLERS FOR THE NOES;
Goddard, Daniel Ford
Pemberton, John S. G.
Mr. Jeffreys and Lord Alwyne Compton.
Godson, Sir Augustus Frederick
Penn, John

Bill committed to a Committee of the Whole House for Thursday, 18th April.

Question put.

The House divided::Ayes, 75; Noes, 104. (Division List No. 121.)

House adjourned at five minutes after Twelve of the clock.