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HOUSE OF COMMONS.

Wednesday, 24th April, 1901.

PRIVATE BILL BUSINESS.

FOLKESTONE CORPORATION BILL [Lords.].

NEWCASTLE-UPON-TYNE AND GATES-HEAD GAS BILL [Lords.].

Read a second time, and committed.

PETITIONS.

AGRICULTURAL RATES ACT, 1896.

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

COAL.

Petition from Cardiff, against proposed Customs Export Duty; to lie upon the Table.

COAL MINES (EMPLOYMENT) BILL.

Petitions in favour, from Nunnery (No. 1); Treeton; Poynton; Waverley; Park Lane; Ashton Moss; Bagworth; Oakwell; Cardenden; Halbeath and Kingseat; Balgonie; Westfield; Lump-hinnans; Lassodie; Windygates; Rosebank; Methilhill; West Wemyss; Crossgates; Kelty; Lochore; Donibristle; Ashton Field; Trencherbone; Mosley Common; Ayr; Walkden and Swinton; Ellesmere; Wheat Sheaf (No. 1); Linsayshaw; and Burnley Collieries; to lie upon the Table.

ELEMENTARY EDUCATION (HIGHER GRADE AND EVENING CONTINUATION SCHOOLS).

Petitions for alteration of Law, from Burnley; and Grimsby; to lie upon the Table.

ISOLATION HOSPITALS BILL.

Petition from the Sanitary Institute, in favour; to lie upon the Table.

LOCAL AUTHORITIES OFFICERS' SUPERANNUATION BILL.

Petitions in favour, from Brighton and Preston; Oldham; and Hastings; to lie upon the Table.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

Petitions against; from Lley; West Retford; Lewisham (two); Lee (three); Blackheath; Swaffham (two); and Oban; to lie upon the Table.

MINES (EIGHT HOURS) BILL.

Petitions in favour from Onllwyn; Trencherbone; International; Ashton Field; Manor Pit; Kearsley; Mosley Common; Ayr; Walkden and Swinton; Lennytham; Wheatsheaf; Pendlebury; Wheat Sheaf (No. 1); Ellesmere; Bank Hall; and Burney Collieries; to lie upon the Table.

PARLIAMENTARY FRANCHISE.

Petition of Royal, Parliamentary, and Police Burghs of Scotland, for extension to women; to lie upon the Table.

POLICE SUPERANNUATION (SCOTLAND) BILL.

Petition from Perth, against; to lie upon the Table.

RIVERS POLLUTION PREVENTION BILL.

Petition of Sanitary Institute, in favour; to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour, from Bedminster; Grampound Road; Dudley; and Paignton; to

lie upon the Table.

#### SALE OF INTOXICATING LIQUORS TO CHILDREN BILL.

Petitions against, from Chesham (two); Gainsborough; Forest of Dean; Ryhope Colliery; Buxton; Preston; and Ashton under Lyne; to lie upon the Table.

Petitions in favour, from Goole; Swinton; Nunhead; Small Heath; Glossop; Whaley Bridge; Furness Vale; Birch Vale; Thornsett; New Mills; Chorley; Barton upon Irwell; Brighton (thirteen); Hove; Preston Park; Llantrissant; Fleetwood; Ellesmere; Little Hulton; Ilfracombe; Dunfermline; Islington; Edinburgh; Saint Pancras; and Heywood; to lie upon the Table.

#### SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petitions in favour, from Falkirk; Greenock; Carlukc; Cromarty; East Kilbride; Barvas; Hamilton; Kirk-wall; King Edward; Auchterless; and Ardnarnwigham; to lie upon the Table.

#### SOVEREIGN'S OATH ON ACCESSION BILL.

Petition from Alloa, against; to lie upon the Table.

#### RETURNS, REPORTS, ETC.

#### LAND LAW (IRELAND) ACT, 1887 (EVICTION NOTICES).

Copy presented, of Return of Eviction Notices filed during the quarter ended 31st March, 1901 [by Command]; to lie upon the Table.

#### PUBLIC INCOME AND EXPENDITURE.

Account presented, of the Gross Public Income and Expenditure in the year ended 31st March, 1901, together with the Balances in the Exchequer at the commencement and at the termination of the year, and the Amounts received into or issued from the Exchequer in respect of Funded and Unfunded Debt created or redeemed in the said year [by Act]; to lie upon the Table, and to be printed.

[No. 134.]

#### PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Controverted elections (further return).; Copy of Minutes of Evidence and Judgment in the Monmouth Election Trial [ordered 22nd February]; Mr. Attorney General].

#### SALE OF INTOXIGANTS (REFUSAL OF LICENCES).

Order [22nd April] for an Address for a Return relative thereto read, and discharged; and instead thereof;

Intoxicating Liquors Licences Refused.; Address for "Return of the Number of Victuallers' Beerhouse, and other Licences for the sale of Intoxicating Liquors, the Renewal of which has been refused, in the year 1900, by the Justices of the Peace in each Licensing District in England and Wales, showing in each case the ground of such refusal, especially when such ground was in any instance that the Licence was not required; and showing also the Result of Appeal, if any (in continuation of Parliamentary Paper. No. 335, of Session 1899)."; (Mr. Tomkinson.)

#### MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

#### [SECOND READING]

Order for Second Reading read.

\*SIR BRAMPTON GURDON (Norfolk, N.): In asking the House to read this Bill a second time it will not be necessary for me to make a very long statement,

because similar measures have been frequently debated both in this House and in another place, and very often passed, although, unfortunately, not simultaneously in both Houses. I also feel myself somewhat in the same position as Mr. Bright, when he made the only speech he ever delivered in this House in support of the proposal, stating that though he had frequently voted for it he had never before spoken in favour of it, because he had never heard any arguments against it which required answering. I am very sorry that the course of obstruction, which is the only thing we have to fear, should have begun so early, and I cannot help feeling that it was hardly generous on the part of the noble Lord to try to stop the consideration of the Bill by a count.

Although hon. Members are probably well acquainted with the measure, it will be as well, perhaps, to give a short history of the question. Without going back to the Levitical time, I may point out that up to the time of Henry VIII. marriage within certain degrees of affinity was prohibited by the Church, but dispensations were granted by the authority of the Pope. In the reign of Henry VIII. the first Act on the subject was passed; namely, 32 Henry VIII., cap. 38. That measure was passed, as Bills on this subject always have been passed, not for the good of the country, or on religious or social grounds, but simply for personal reasons. By this Bill it was enacted that;

"All and every such marriages, as within the Church of England shall be contracted between lawful persons, as by this Act we declare all persons to be lawful that be not prohibited by God's law to marry, shall be by authority of these present deemed, judged, and taken to be lawful, good, just, and indisputable.&#x2026;. And that no reservation or prohibition, God's law except, shall trouble or impeach any marriage without the Levitical degrees."

After this time marriages within prohibited degrees were only voidable, and validity could not be questioned, if the marriages were not pronounced null and void by a competent ecclesiastical tribunal during the lifetime of both parties.

This state of the law continued until 1835, when Lord Lyndhurst's Act was passed, and passed under circumstances upon which we cannot look back without shame. It was passed in the same way as the Act of Henry VIII., for purely personal reasons, and the object of the Bill was contained in the first clause; namely;

"All marriages which shall have been celebrated before the passing of this Act between persons being within the prohibited degrees of affinity shall not hereafter be annulled from that cause by any sentence of the Ecclesiastical Courts."

The object of the Act was to make a particular prohibited marriage lawful. A further proviso was that;

"Nothing hereinbefore enacted shall affect marriages between persons being within the prohibited degrees of consanguinity."

So that the difference between affinity and consanguinity was recognised by that measure. There was a certain amount of opposition to the Bill passing into law, in order to get rid of which a concession was made declaring future marriages void. That clause was struck out in the Commons, but re-inserted in the Lords.

The measure came back to this House late in the session, and hon. Members know what occurs under such circumstances. The Bill was passed with an undertaking that the limitation should be removed in the succeeding year. That promise has never been fulfilled. The limitation was;

"That all marriages which shall hereafter be celebrated between persons within the prohibited degrees of consanguinity or affinity shall be absolutely null and void to all intents and purposes whatsoever."

That Act did not extend to Scotland, and I believe that even to this day the law in Scotland is uncertain.

But what are these prohibited degrees? They are decided simply by a table issued in 1563 by Archbishop Parker, who issued it first in his own diocese, and recommended, I believe, that it should be pasted on church doors throughout the country. That table was never confirmed by the

Synod of the Church, and it never had the authority of Parliament. It was, I believe, in opposition to the opinions of a much greater ecclesiastic than Archbishop Parker, namely, Bishop Jewell, and has simply been added to the Prayer-book, just as an advertisement is added to the flyleaf of any book.

Moreover, you will not find that table of prohibited degrees in the authoritative copy of the Prayer-book which is preserved at Lambeth Palace. Since Lord Lyndhurst's Act was passed there have been incessant efforts to obtain a settlement. The Bill has been passed six times in this House, and once in the House of Lords. The first Bill was introduced in 1841, and since then the proposal has met with varying success, but I think I may say that, while the feeling of the country has always been in favour of the Bill, the feeling in the two Houses of Parliament has become gradually more and more in favour of it. When the Bill was presented in 1879, a petition, signed by a great many farmers in the county of Buckinghamshire, was presented by the late Lord Beaconsfield, while a still more numerous signed petition was presented by the Prince of Wales, who, as he presented it, stated his firm conviction that the Bill, if passed, would be for the advantage of the community at large. The feeling in favour of the Bill grew year by year in the House of Lords; the body which had hitherto been

the chief obstacle to its becoming law. In 1882 it was rejected by four only, there being a majority of lay peers in its favour. In 1883 it was read a second time by seven votes, and defeated by only five votes on the Third Reading. The Bill has been passed several times in this House, but the fortune of the ballot has prevented it being introduced since 1891. In 1890 it was read a second time by 222 against 155, and, in the following year, by 202 against 155. The whole of a day was subsequently spent in divisions on Amendments, all of which were defeated by large majorities, but, owing to persistent obstruction, the Bill had to be withdrawn. Hon. Members may remember that in 1896 the Bill was brought forward in the House of Lords, where it was read a second time by 142 to 113, a third time by 142 to 104, and passed, but, of course, it was blocked when it came to this House.

I come now to the Amendment of the hon. Member for West Bradford which proposes the appointment of a Royal Commission. This House and the country are sick of

Royal Commissions, and I believe they are sick of the obstruction of this Bill by dilatory motions. I am sure the House will not assent to the putting off of this subject once more by the appointment of a roving Commission to inquire into the question of the marriage laws as it affects the United Kingdom and the self-governing dependencies of the Crown. We have all the knowledge we can possibly want on the subject. I would like to refer hon. Members to the Report of the Royal Commission of 1847, which was presided over by Bishop Lonsdale. The Commission went very thoroughly into the subject, and the Report contained very instructive and overwhelming evidence in favour of this proposal. Among other circumstances I may point out that inquiries were made in certain selected districts to ascertain the proportion of marriages, and it was found that out of 1,364 prohibited marriages nine-tenths were with the deceased wife's sister. That, I think, disposes of the Amendment of the noble Lord the Member for Greenwich;

"That it be an instruction to the Committee that they have power to extend the Bill to the legalising of marriage with a deceased wife's daughter and a deceased wife niece";

because it shows there is no great necessity for that legislation. But the fact of the noble Lord desiring to move that Amendment shows his sincerity in opposing the Bill. The Report also says that eighty-eight such marriages had been prevented, and out of those eighty-eight there were thirty-two cases in which the parties who were prevented from marrying lived together. That is one of the very great evils of the present state of the law, that it permits an immoral man, under the pretence of marriage, to live with his deceased wife's sister and to desert her whenever he thinks fit. The conclusion of the Commission was that;

"On a review of the subject in all these different bearings and effects, we are constrained not only to express our belief that the Act of William IV. has failed to attain its object, but also to express our doubt whether any measure of a prohibitory character would be effective. These marriages take place when a concurrence of circumstances give rise to mutual attachment: they are not dependent on legislation."

The Commissioners add;

"We are not inclined to think that such attachments would be extensively increased in number were the law to permit them."

I think the House will agree that it is not necessary to appoint a second Royal Commission to go over ground which has been so thoroughly gone over before. I would also remind the House that these marriages; I will not go so far as the noble Lord who introduced the Bill in the House of Lords in 1896, who said that they were only prohibited by one single tribe in Borneo, and that a cannibal tribe, but I will say they are permitted by dispensation or otherwise in nearly all Continental States. The Roman Catholic view is that there is no Biblical prohibition of these marriages, and they grant dispensations on the ground that where the Church forbids the Church can permit. I believe I am right in saying that the Jewish community so highly approve of these marriages, and so strong is

their conviction of their advantage, that it is their practice to allow a man to contract a marriage with his deceased wife's sister at an earlier date than he would be permitted to marry another woman.

Practically all our responsible colonies have adopted this law, with the assent of the Crown, and I believe Newfoundland is waiting to be incorporated with Canada, where these marriages are permitted. In the United States they are universally permitted.

With regard to this particular Bill, I think the House will agree that we were wise in adopting the form in which it passed the House of Lords in 1896. That is the very mildest form in which the Bill could be presented.

Conciliation has been pushed to an extreme. There are many points in regard to which hon. Members who support the Bill wish it were made stronger, but I hope they will agree with me that the advantage of getting the principle of the Bill passed is so strong that it is desirable to accept its present form. I wish to point out that we are not going to adopt the Mosaic law in its extreme severity; we are not going to make these marriages compulsory. It seems almost unnecessary to say that, but the arguments against the Bill appear generally to be directed to that point. I remember reading an article by a Member of this House, the late Mr. Beresford Hope, whose articles were always interesting and worth reading, in which the whole of the argument was really based upon the idea that, if the old law was once abrogated, these marriages would be absolutely compulsory. I would also point out that while the law is retrospective in that the children of past marriages will not be bastards, we carefully preserve vested interests. Anybody who is entitled to any light or privilege under the present law will have his vested interest preserved.

There are two points in regard to which I confess I am sorry we have had to give way, but I think it is necessary. I do not think anybody would wish that a clergyman should be compelled to celebrate these marriages against his conviction. But we go further than that. The bishops have represented that while one clergyman might celebrate these marriages another might refuse, and it would introduce a great element of confusion and want of discipline into a Church which already is not very remarkable for its discipline. The grievance on this point, however, is not a

very great one, because if anybody desires to be married according to the rites of the Church of England, and a clergyman is willing to perform the ceremony, it only entails a very short visit to the Registrar to make that marriage legal and valid. I have never myself been able to see why marriages should be put on a different footing from births and deaths. You must register a birth, whatever baptismal service may afterwards be performed, and you must register a death, whatever religious service may be performed over the grave. Therefore I do not think it is a very great grievance that you should be obliged to register your marriage, although a subsequent rite may be performed in a church. There is another point which is felt in my own country to be a strong grievance. It is very sad that the Sacrament has often been refused to those who have married a deceased wife's sister. We provide that no clergyman should be liable to any pains or penalties for withholding the rights and privileges of Church

membership. I am very sorry that it should be so, but if hon. Members think of the meaning of the institution of the Holy Communion, and remember that the whole idea of it is brotherly love and amity, that they are told by the rubrics of the Church that all quarrels must be put aside and all injustices compensated before coming to that table, I think they will agree that if a clergyman was compelled to take part in the service against his will it would hardly be carrying out the great principle and idea of that rite.

Perhaps I ought to anticipate some of the objections urged against the Bill. One which I have always considered very disingenuous and unfair is that if marriage with a deceased wife's sister were permitted it would be impossible for a woman to live with her brother-in-law to take care of his children. Hon. Members who bring forward that argument know perfectly well that in the present state of society, unless persons are of very advanced age, that is not possible at present. If a young woman went to live with her brother-in-law she would not be received in society. ["Oh."] I can mention instances. I remember a case in which a Bishop of the Church of England, who voted against

this Bill, was concerned. His gardener's wife died, and her sister came to keep house for him, and look after his large family. After about three weeks the Bishop sent for him and said: "Of course, I quite understand that in your first grief you naturally looked to your sister-in-law to come and help you, but, although I have nothing to say against your morals, and have full belief in your being a good man, it will be a public scandal if you go on living with this woman," and he told him that either his sister-in-law must leave the house or he must leave his service. There was also

the case of an officer at Woolwich whose wife died, leaving him with a large family. His sister-in-law came to look after them in the married quarters they had hitherto occupied, while he himself went to the single quarters. Even then the sister-in-law was not received, and the colonel of the regiment refused to acknowledge or to call upon her. With actual marriages the feeling is the other way. I have never known, except in the case of a few very illiberal people, any real objection to those who have married their deceased wife's sister. Another anomaly of the law is that the Chancellor of the Exchequer does not recognise relations of affinity. Therefore, if a man has married his deceased wife's sister and dies, leaving her the whole of his property, she has to pay as a stranger in blood. The law considers her relationship to her brother-in-law so near that it will not permit her to marry him, and at the same time it charges her 10 per cent. upon any property that he may leave her because there is no relationship whatsoever existing between them. I shall therefore claim the support of the Chancellor of the Exchequer for this Bill.

I speak on this matter on behalf of the country, and I hope of the whole Empire, but more especially on behalf of my own constituency. There is a very widespread feeling throughout all Norfolk in favour of this Bill, and I believe that that feeling is not confined to any particular district, but is general throughout the country. I believe that if it were possible for a general election to be fought on this question alone not a single borough or county would return a Member opposed to such marriages. I see the noble Lord the Member for Greenwich

has placed

upon the Paper the motion, "That the Bill be read a second time this day six months." I thank him for the moderation of his proposal. When I saw the motion, having regard to the previous proposal of the noble Lord, I thought the words "six months" had some reference to the term of imprisonment to which he proposed I should be sentenced. I am aware of the strength of the noble Lord's following. He has behind him the whole strength of the English Church Union, and he may perhaps be supported by some of those whom he wished recently to imprison. [Several NATIONALIST MEMBERS: No.] I am very glad to hear it. But I wish to call attention to the fact that it is only one section of the Church of England who are against this Bill. A very large number are strongly in its favour. This is not in any way a party question, as is shown not only by the fact that I shall, I believe, get the support of a majority of Members on both sides of the House, but also by the unanimous action of the colonies. I may say here that I regret I was obliged to select this Bill in preference to the Colonial Marriages Bill, because this is a grievance which has been going on for a very long time. But this Bill will cover the Colonial Marriages Bill if it is passed. That measure has three times passed the House of Lords, but been blocked in this House. On this matter of colonial marriages I would quote the words of Sir Frederick Pollock;

"It seems to me an extraordinary anomaly and injustice that marriages which are valid in every self-governing British colony, under Acts approved by the Crown, should still be considered invalid, or be liable to have their validity disputed for any purpose, when the parties or their children come to the mother country, which they regard as home."

A very interesting circumstance is that in 1876 a very large and influential deputation, which was received by Lord Carnarvon, the then Secretary of State for the Colonies, pointed out the position of those who had been married in the colonies; that they had contracted marriages according to the usage of the colonies, under a law which Her Majesty had in an express manner approved, the moment they put foot on English ground they were declared to be living in adultery and their children proclaimed

bastards. That is a state of law which the House can hardly wish to continue.

Only last year an application was made to the Prime Minister to receive a deputation on this subject. He stated that he made it a rule not to interfere in questions affecting marriage with a deceased wife's sister, and therefore refused to receive the deputation. I regret that he did that, because I consider it is the principal duty of the Government not only to govern this country, but to look to the interests of the colonies. We hear a great deal about Imperialism nowadays. I claim to be an Imperialist in the true sense of the word, for I believe that the true policy of Imperialism is to knit together the Empire by similar laws, customs, and institutions, and to give a just and impartial consideration to the wishes of our countrymen beyond the seas. I have heard it said that this is only a small matter. But the sum of the happiness of this life is made up of small matters, and this Bill; though it may not affect the rich, because they can go abroad to some colony or country in which the iniquitous law



which we are trying to alter does not prevail, and live there in happiness; affects the poor in their homes which they cannot leave, and deprives them of the happiness which would ensue if this proposal were sanctioned. I hope, if I may use the words of Mr. Bright, that this House will declare with no uncertain voice that;

"the common liberty of men and women in the chief concern of their lives should not be interfered with by a law of Parliament which has no foundation in nature, and which, while it pretends to the sanction of Revelation, is in reality quite contrary to its dictates."

I would make one final appeal to the opponents of the Bill. The opposition comes avowedly from one section of the Church. I would ask those hon. Members whether they think the course they are following will make that Church more attractive or popular. We have done our best to meet our opponents; we have shown every consideration for their feelings; we have pushed conciliation to its utmost limit. Do they not see that it is unjust and tyrannical to try to force their own ecclesiastical views upon those who do not agree with them, and to join in upholding a prohibition which is almost unanimously considered as unjustifiable and which inflicts a very cruel hardship upon a large number of people? I beg to move.

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

MR. GRIFFITH-BOSCAWEN (Kent, Tunbridge Wells): I rise for the purpose of asking the House to reject this Bill. In doing so, like the hon. Member opposite, I shall be going over old ground and using old arguments, but at all events those arguments have proved effective up to the present time, and, in the absence of any new argument on the other side, I hope they will prove effective either here or in another place in stopping the Bill on this occasion. The hon. Member has treated the matter very lightly, and as a matter of mere convenience and expediency. Those of us who oppose the measure regard it far more seriously. We consider that the Bill proposes to alter altogether the universal law of Christian marriage which has prevailed from the earliest times. We are asked to alter what we believe has been laid down by clear Divine command. The hon. Member says the opposition comes from one section of one Church, and asks whether we think in opposing this Bill we are making that Church attractive to the people. I have never heard a more extraordinary argument. As if our duty as Churchmen was to make our Church attractive to the people; I do not believe there is any Church which would base its views upon so important a matter as marriage on a question of mere temporary expediency and popularity. We are also asked to introduce a change which will break down a custom which, notwithstanding the statement of the hon. Member, prevails very largely among the people, of a sister of a deceased wife coming to look after the children of her sister after her death, and living with the husband without any scandal or reproach. I was astonished to hear the hon. Member say there was any scandal or reproach attaching to it. I have never heard of such being the case; while, on the other hand, I can give endless instances in which the exact opposite is the fact. If you pass this Bill, the condition of affairs which is so advantageous to the

children; that of being brought up by the one who is nearest in kin to their deceased mother; will disappear altogether. Women will certainly not be able to enter into such a position if the idea that they are no longer sisters, but mere strangers, and therefore marriageable, once becomes law. The House is asked to make this very serious change, but not to go into the whole matter; to introduce a perfectly illogical, one-sided, and unfair exception: to legislate for one particular example, but not to touch the question of the deceased husband's brother, or a niece, or any other of the alterations in the table of prohibited degrees which might be suggested. If this thing is to be dealt with at all, it must be dealt with on a clear and logical basis. To ask us to make this alteration, which introduces an inequality between the sexes which does not at present exist, is a very strong order unless its promoters can point to some real and great demand on the part of a large section of the people. I have been a Member of this House for nine years, and have fought several elections, but I have never heard this question brought forward at an election meeting or come across any demand for such a change in the law. When we are told that this is a measure which the poor earnestly desire, my reply is that, by the ordinary constitutional methods, the poor people of the country never make that desire known. So far from this being a poor man's Bill, my view is that it is merely a measure brought forward in the interests of certain rich and influential people, who have themselves broken the law, and want to be "white-washed."

The hon. Member who moved this Bill referred to the Royal Commission of 1817. That Commission investigated the number of these so-called marriages which had taken place since the passing of the Lyndhurst Act. There were altogether 1,648, of which forty were among the poorer classes, and 1,608 among the richer classes. If you are going to alter the law at all you must look at the beginning and see whence this law came. Without wishing to argue in this House the question of the terms of the prohibition in the eighteenth chapter of Leviticus, may I say that the origin of the law, as clearly and logically expressed there, is that the husband and wife are one flesh, and that, as they are of one flesh, as we are expressly told, a man or a woman may not marry his or her near of kin, he or she must not marry either their own near of kin or the near of kin of the husband or wife. For that reason it clearly follows, because the deceased wife's sister is the near of kin of the wife, that a man may not marry his deceased wife's sister. It is argued that this particular degree is not prohibited in so many words in that chapter. I admit it. But there are thirteen prohibitions which have always been regarded as examples, and of those no less than seven are prohibitions of affinity, and only six of consanguinity. Although a man is not expressly forbidden to marry his deceased wife's sister, the exact converse is prohibited, and a wife may not marry her deceased husband's brother. Surely the one thing follows from the other, and, as Bishop Jewel once said;

"Albeit I be not forbidden by plain words to marry my wife's sister, yet I am forbidden to do so by other words, which, by exposition, are plain enough; for when God commands me that I should not marry my brother's wife it follows directly that I may not marry my wife's sister, for between one man and two

sisters and one woman and two brothers is a like analogy and proportion."

I do not want to argue the interpretation of the verse or to go into details; suffice it for me to say that from the earliest times, among the Jews, among early Romans in the early Church, the idea that the husband and wife are one flesh has been at the very root of the matter. The idea has been prevalent not only among Christian nations, but it was the law in ancient Rome in Pagan times. Gibbon, the great historian, has written these words about it;

"The profane law-givers of Rome were never tempted by interest or superstition to multiply the forbidden degrees; but they inflexibly condemned the marriage of sisters or brothers, hesitated whether first cousins should be touched by the same interdict, revered the parental character of aunts and uncles, and treated affinity and adoption as a just imitation of the ties of blood."

That was the law in even pagan Rome. From the very earliest times in the Christian Church the same law has prevailed. We have been told that there is no evidence of it in the Christian Church

before the fourth century. That may be true, but the evidence we have is sufficient to prove that it always existed in the early Church, because the first evidence is that of Bishop Basil, who wrote in the fourth century, "We know of no such marriages: they are incestuous; they do not exist." Coming down to more recent times, the law has always prevailed in the Eastern Church, and prevails now. In Western Christianity it prevailed always, until a dispensation was first given in the Middle Ages by Pope Alexander. Since then dispensations have been given by the Romish Church, but what are these dispensations? They are dispensations, not only in the case of marriage with a deceased wife's sister, but in the case of all or a great many of the other prohibited degrees, including some of consanguinity. Dispensations have been given even in the case of a man marrying his own niece. But that does not prove that the Church of Borne permits these marriages. On the contrary, if a dispensation is required, the dispensation itself is the proof of the law.

Let us turn to the Church of England. The Church of England, following the universal practice of the Western Church, has always prohibited these marriages, and so much so (as apparently some doubt has been raised) that in the Canon;which, with all deference to the hon. Member, was passed by Convocation in 1571, the same Convocation which drew up the Thirty-nine Articles, and gave its sanction to the table of prohibited degrees there is this passage (I am reading the English translation);

"All marriages which have anywhere been contracted within the degrees of consanguinity or affinity prohibited in the 18th chapter of Leviticus should be dissolved by the authority of the Bishop, but especially if anyone after the death of his first wife should have married her sister; for this degree by the common consent and judgment of all learned men is held to be prohibited in Leviticus."

Therefore, so far as the Church of England goes, there can be no more doubt than there is in the case of the Eastern Church or the Church of Rome. I am therefore justified in saying that what the hon. Member asks us to do so lightly, and as a matter of mere expediency, is to alter the custom which has lain at the root of

the idea of Christian marriage from the very earliest time.

What argument does the hon. Member bring forward in support of this change? He says that apparently it was the law in England down to 1835. Once more we have the Lyndhurst Act brought up and misunderstood. The Lyndhurst Act simply provided that marriages which had been voidable up to that time should in future be void ipso facto. Why had they been voidable? Because they really were void, and a certain process had to be gone through to make them legal from the civil point of view. The Lyndhurst Act did not alter the actual law; it merely altered the machinery of the law. I said that no new arguments had been brought forward in favour of the Bill, but there is one. We are told that the Treasury had settled the whole question, because if a deceased wife's sister inherits any money from the husband of the deceased wife she has to pay the full 10 per cent. duty, the Treasury not regarding affinity as being the same thing as consanguinity. The Treasury has a hand in most things, but I never knew before that it settled the law of marriage. Then we have the argument from the colonies. We are told that the colonies are almost unanimously in favour of this measure, and that because there is an Imperial spirit abroad; we are glad to recognise an Imperialist spirit on the benches opposite; we must follow the example of the colonies in this matter. But are we in this matter to follow their law? It is a very good thing that we should support the colonies in all Imperial matters, but when we give the colonies self-government it is one thing to say "We won't legislate for you; you must legislate for yourselves," and it is quite another thing to say that we in future should be legislated for by the colonies, for that is what you are asking. You are asking that, because the colonies have this law of their own on a matter which has led to some unpleasantness in this country, therefore we should adopt their law. I do not think that the colonies really desire that we should alter our law to please them. Certainly they have never said so. I know, of course, that the Colonial Marriages Bill has been brought in by people who wish to use it mainly lever to change the law at home. I know that Lord Strathcona and other eminent colonists have spoken

strongly on this matter; but, on the other hand, at the Colonial Conference some years ago, out of twenty-one colonial representatives only six urged that we should alter the law in this country. Sir Alexander Campbell, one of the representatives of Canada, the colony to which Lord Strathcona belongs, used these words;

"They had altered this law to suit their own position, and were quite willing that the people of England should retain theirs."

This shows that a large number of colonists quite see that they cannot expect to force our hands in this matter. But we are told that a slur is cast on them when they come to this country, that their wives are not recognised in society, and that their children are not recognised as legitimate. I can hardly believe that this is the case. An hon. Member told us that a friend of his had married his deceased wife's sister somewhere in Norfolk, and that they were now living in Norfolk. If that is the case, I think that the colonists who do the same thing in the colonies, and who come to live in Norfolk, or any other county, will be

received equally in good society. The late Lord Cairns, who I suppose would be regarded by most Members as a great authority on this point, held the view that a marriage with a deceased wife's sister contracted in the colony by a man domiciled in the colony should be perfectly legal in this country. If that is so I think this colonial grievance disappears, and we see that the real object of the Colonial Marriages Bill is to enable English people who are domiciled in England to go to the colonies and marry there, so that their marriage may be good when they come back to England.

I would venture to put before the House one or two other objections which come from a study of the law of marriage and the law of divorce in the colonies, and in some other countries which have adopted this change of the law. In the colonies, and also in America, they have done the thing logically. They have practically said in every colony, and in nearly every State in America, that there should be no prohibition in regard to the relations of affinity and consanguinity, and the result is that in those countries they have broken down altogether the idea of oneness of flesh between the husband and the wife. They have reduced marriage to being a mere civil contract, undertaken very often for mere, I might say, temporary expediency. The colony of Victoria has lately passed a new Divorce Act which allows the greatest amount of laxity, so much so that a woman may get divorce on the ground that a man has deserted her, that he has been frequently drunk, or that he has been in prison three years. In other words, the whole idea of oneness disappears, and marriage becomes a mere temporary contract voidable for a great variety of reasons. Take again the state of affairs in America. In the State of Kansas there is one divorce to every twelve marriages celebrated in the year; in Colorado one divorce for every five marriages celebrated; and in San Francisco one divorce for every three marriages celebrated. Now I ask, are we prepared to tamper with our marriage law, when we have awful examples like those before us of what it leads to? I have not said very much about the social order of matters in this connection, but I do most emphatically say that the protection which is now afforded to children by the sister of the deceased wife would be lacking after that change. The women of this country as a whole are almost unanimously opposed to this measure. I received this morning, and I daresay some other Members received, a protest from some of those ladies who have taken a lead in the improvement of the social and educational position of women, and who have done an immense amount of good in this country. They protest most seriously and emphatically against, firstly, all the inequality that would be produced in the sexes if this Bill passed, and secondly against doing away with the great position of utility and social comfort which many of them have been able to occupy in the way of looking after a sister's children after her death. The Church of England is almost unanimously opposed to the Bill. [An HON. MEMBER: No.] There may be individual exceptions. I believe the bulk of the people are absolutely indifferent about it, and we are asked to pass the Bill for the benefit of a few law breakers. I ask the House at all events, in view of the serious importance of the subject, to pause before it passes the Bill, to pause before it proceeds to tamper with

that which has been held to be most sacred, and that which has led to our social purity, namely, the ancient law of marriage.

\*MR. SHARPE (Kensington, N.): I rise, Sir, to second the motion of my hon. friend the Member for the Tunbridge Division that this Bill be read a second time this day six months. He has dealt so fully with the religious arguments; biblical and ecclesiastical; that I shall confine myself to the practical questions: (1) What are we asked by this Bill to do? (2) Is it worth the risk to make the change proposed?

(1) We are asked to repeal a custom of universal Christendom handed down to us from primitive ages anterior to the severance of East and West, adhered to unfalteringly by all the churches of the orthodox communion, and still the rule of the Latin Church, though, as a Protestant, I regret that it has been often broken by the grant of Papal dispensations in individual cases to allow of marriage with, a deceased wife's sister and other more distressing marriages; as, for instance, in the case of a member of a Royal House some years ago, the marriage of an uncle with a niece; Such dispensations began under the infamous Pope Alexander VI. But the exception proves the rule. In the English Church we have the canons of 1571 and the table in our Book of Common Prayer, the table of prohibited marriages. The Established Church of Scotland and the Disestablished Church of Ireland are equally opposed to the innovation.

(2) The risk we shall run is the abolition of all prohibitions in the table, for where can you stop? A man may marry his wife's sister; then why should not a woman marry her husband's brother?

Further, we shall establish a cleavage between the law of the Church and the law of the State, and the friction consequent thereon must be very dangerous. It is a great fallacy to say that if the demand made by a few, a comparatively few, law-breakers were acceded to, no injury would be inflicted upon anyone. On the contrary, as was pointed out by Mr. Gladstone in his great speech of 1855; a storehouse of all the learning on the

subject; for every man who would wish to marry his wife's sister, there would be thousands of women injured in being deprived of the comfort of their sisters being received in their husbands' houses, to comfort and help in times of trouble, sickness, and death. As regards the flippant question who could be better entrusted with the orphans of a lost wife than her surviving sister, it was well replied by Lord Brougham,

"She will not prove to be the better aunt by becoming a stepmother."

Lastly, we have the colonial argument. Because we have had the Royal assent given to such marriages in some Australian colonies, therefore we ought to legalise them here. I cannot see the force of this argument. I yield to none in my admiration for the loyalty shown the mother country by our colonies in our time of distress during the war, but I consider it preposterous to propose to repay it by altering our law of inheritance. We have allowed those colonies complete legislative freedom to settle their own affairs as they like, but I can see no reason why they should be allowed to dictate outlaws to us. The risk may be too much for an old community, which may be escaped by the greater buoyancy of a young State as of a young person. There is a remarkable precedent for refusing

to alter our law for such reasons: one 666 years old, in the reign of Henry III. When it was proposed in 1235 by certain Norman ecclesiastics to alter another part of our law of inheritance in order to make it conform to that of the continental provinces then subject to our King, the reply of Parliament after full consideration was, that they were unwilling to alter the laws of England, which were in use and approved; an answer in historic words, which will be, I trust, repeated on this occasion by the Commons of England with regard to this Bill.

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. Griffith-Boscawen.

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

\*MR. MELLOR (Yorkshire, W.R., Sowerby) said the hon. Member for Tunbridge Wells had quoted the custom of the Romans, but he did not know whether the hon. Member meant that we should adopt all the customs of the Romans. He was astonished to hear the remarks he made about them. He should like to point out with regard to the Romans, that in the very passage he quoted the law was laid down clearly that affinity and adoption were to be treated as consanguinity. Did he mean to suggest that, in the present day, after all these centuries, we should regard adoption and affinity in the same way as consanguinity? Really, he thought his hon. friend might have considered that since the time of the Romans a great Dispensation had come, and, indeed, that it might be admitted that Christianity had altered in many respects in favour of humanity the customs that prevailed among the Romans with regard to the law of marriage. His hon. friend wished to quote the Jews. He was astonished to hear him quoting the Jews, because that matter was dealt with by the hon. Gentleman who moved the Bill. It was notorious that the Jewish people were to a man in favour of this Bill, and he hoped before the debate closed that they would hear some Member of the House who belonged to that community on the subject, so that there should be a distinct answer given to the suggestion of his hon. friend that, according to Jewish law, such marriages were forbidden. The hon. Member for Tunbridge Wells wished to argue that these marriages were forbidden according to Scripture. He doubted whether that House was the proper place in which to discuss the meaning of Scripture, but he knew that when a Bill was brought in by Lord Lyndhurst to make these marriages valid, the Bishops assented to it. Was it to be supposed that if the Bishops thought there was anything inconsistent with Scripture in the proposal they would have assented to the Bill? The Pope, too, had been in the habit of granting dispensations to enable people to contract such marriages. Was it to be suggested that the Pope would have done that if he had thought they were forbidden by Scripture? He was not there to defend all the dispensations of the Pope, but he thought he might safely and assuredly argue that there could be nothing inconsistent with such marriages in Scripture when the Pope had given dispensations. So much for the religious argument. Let them look at it a little further. For a long time these marriages were not void. Down to 1835 these marriages were voidable only, not void; and they were voidable only on one set of conditions. Some relation interested in the marriage had to bring a suit in an

ecclesiastical court to make the marriage void, and it could only be voided if he was successful. The result was that in every case a suit was so instituted and dropped, and the marriage became actually valid, as no other suit could be instituted. The great majority of those who opposed the Bill belonged to the party which was striving to revive in this country the claims of the sacerdotalists. They would to-morrow abolish the Divorce Court, which had done so much to alleviate misery; they would then attack the present law of civil marriage, and hand back the whole control of marriage to the priests, thereby destroying the great liberty that had been gained, and reverting to the perilous state of things which existed in the darkest ages of this country. The opinion of Lord Cairns with regard to this matter had been quoted. He should like to ask whether those who were quoting Lord Cairns now would quote his opinion and authority upon other ecclesiastical discussions that were likely to arise in this House. He should be delighted to have Lord Cairns quoted with approval in regard to certain other matters. If they followed his opinions they would have a very different state of discipline in the Church from that which they had now. It was suggested that these marriages would make a great difference in the social condition of the people. His hon. friend had asked, "Who has ever been asked a question about this Bill at an election?" Well, he had. He was a Yorkshire Member, and he could only say he believed that if the West Riding were polled to-morrow there would be more than two to one in favour of the Bill. His experience since he had been a Yorkshire Member had convinced him that this Bill was thoroughly desired throughout the country. Considering the claims put forward by the sacerdotal party, it was important that the Bill should no longer be regarded as a small matter. He hoped the result of the Bill would be to show that the great majority of the people of this country were in favour of remedying a cruel injustice, and to restore; for that was what it came to; the law to its former condition. In speaking in this House on this Bill, John Bright said that much as mankind had suffered by cruel war at the hands of soldiers, he doubted whether mankind had ever suffered as much at the hands of soldiers as at the hands of priests. He hoped that a great majority for this Bill would at all events for a time check the progress of the sacerdotalists throughout the country.

MR. VICARY GIBBS (Hertfordshire, St. Albans): The right hon. Gentleman who has just spoken has twitted my hon. friend with having quoted Lord Cairns, and asked whether he would also quote Lord Cairns on other ecclesiastical topics. My answer to that is that Lord Cairns's opinion on Church matters was not quoted, but his opinion on the law of the land was quoted. He swept away and disposed of the difficulty suggested by the hon. Member who moved the measure that people coining over to this country who had been legally married in their own domicile abroad would be treated as living in concubinage in this country. My hon. friend said he had a distinguished friend, but unfortunately a law-breaking friend, who had married his wife's niece, and yet he was visited by all the distinguished, respectable, and law-abiding people of Norfolk. I do not know whether his distinguished friend will thank him for advertising this fact. The hon. Gentleman and his measure are going to do nothing whatever for him. They are



going to leave his children illegitimate, and leave him to be looked upon by the country as living in concubinage. We look upon marriage as a sacred institution, which should be viewed altogether differently from an ordinary contract of sale or purchase. [Opposition cries of "Hear, hear."] I am glad for once to find myself in sympathy with hon. Members opposite. The supporters of this measure say that there is a large demand for it, and the right hon. Gentleman who spoke last was very indignant at the statement made by my hon. friend that this question was hardly ever referred to at the elections. He told us that during his political career only one person at one meeting ever asked him a question upon this subject. Nobody in my constituency, either on the platform, in private, or in public, has ever mentioned the subject to me, and that does not look as though there was such a burning demand for this reform as has been described.

As I have already shown, if there is no more sanctity in the marriage contract than in any other contract, then the whole doctrine disappears, and you ought to be allowed to marry any relation of your wife, and you ought to be able to marry even her daughter. I say that such a proposition is not only grossly illogical, but grossly disgusting. To say that there is any analogy between the particular occasions alluded to which justifies us as a general rule in allowing this thing by law, I must frankly say is a pure absurdity. Both the hon. Members who have addressed the House, and the right hon. Gentleman who followed them, have endeavoured to tar those of us who disapprove of this measure with the sacerdotal brush. They seem to think that there is something discreditable in the fact that we are deeply interested in the Church to which we belong in regard to this question. I do not believe hon. Members opposite have any such ignoble feelings as that they would not wish to see us loyal members of our Church. As a churchman; not as a high churchman or a sacerdotalist, but simply as a member of the English Church; I object to a law for which I believe there is no general demand being introduced which will tend to separate further the law of the Church from the law of the land. You will say that this has been already done by the Divorce Court, but so far as the divorce laws have tended to separate the law of the Church from the law of the land, so far I believe those Acts have been a great misfortune in this country. We should endeavour to keep within the law as laid down in the Gospel. This measure is a deliberate attempt to run counter to the law of our Church. The hon. Member practically says to us "We have drawn up such a liberal Bill, and we have treated you so well, and so nicely met all your objections, that I think you might let the thing go through." He says that these people married by the registrar are not allowed to be married in church, and that our priests, who, according to the right hon. Gentleman, inflict so much injury on the country, are not to be punished if they refuse them the sacred rites of our Church and the Holy Communion. Does that tend to make for peace? You do not see that, in your efforts to assist those who have broken the law, and in your energy to look after law breakers, you are going to raise strife in every parish in the country. In this way you think that you are doing good work for the country. It is almost incredible to conceive that men can really believe that they are doing

good by promoting measures of this kind, and then trying to stuff down our throats the argument that we are narrow, prejudiced, and bigoted sacerdotalists because we try to stop our country being severely injured. Why is this to be done? It is to be done because somebody wants it. Somebody has broken the law, and therefore he would like to have the law altered to suit his case. Many years ago the Mormon sect was popularised by the fact that it held out to its members a right to marry as many women as they liked. If hon. Members opposite found as a consequence that bigamy was spreading in this country, would they not come down to this House and protest against it? With regard to the marriage laws in the Colonies, however much we may sympathise with the colonists. I ask is it reasonable that we should allow them to tamper with institutions and laws which we in England regard as sacred? Is it not a sufficient amount of liberty or Home Rule for us to allow our colonies to make their own laws, and to say that we will consent to any reasonable proposals which they make in the interests of their country, without asking us to put an end practically to a law simply because it has been broken by certain persons?

We know that this measure is supported by one or two rich men who have broken the law themselves. We know that the machinery of this agitation is still being kept up by a few rich men who run

the show in London. We know that the thing is fictitious, and the people themselves do not care for it at all. The mass of the people are not slow nowadays to make known their views to their representatives in Parliament, and we have constantly to go to them and keep in touch with their views. It is in our own interests to find out what they require, otherwise we should soon lose our seats. It is our business to try and find out what our constituents are thinking and feeling, and I know that, as far as my own constituency is concerned, if there was any sort of feeling upon this subject they would not be so shy as not to tell me quickly what they thought about it. I think the hon.

Member who first spoke said that it was a very dishonest argument to say that, whereas a married wife's sister could now come and live with her and assist her in the discharge of the household duties, she could not do so after this Bill was passed. I think I am justified in saying that if you break one article of affinity you break into it all. If you break down the doctrine of affinity, the woman becomes a perfect stranger in every respect, and I think that matter has been completely dealt with. I thank the House for allowing me to speak at such length upon this question, and I shall heartily record my vote against this measure.

MR. J. P. FARRELL (Longford, N.) said he had not intended to take part in the debate, but in the last two or three days he had received a large number of communications on the subject of the effect the Bill, if passed, would have on the general marriage laws of the country, and these had strongly confirmed him in his opposition to the Bill. He could not congratulate the promoters of the measure on the advocacy they had received, and certainly from a Catholic point of view the speech of the right hon. Gentleman the Member for the Sowerby Division was eminently calculated to influence votes against the Bill and to increase the opposition to this attempt to tamper with the marriage laws. In

insulting and uncalled-for terms the right hon. Gentleman denounced what he was pleased to call "sacerdotalism," leaving wholly out of view the belief that certainly was in the mind of every Irish Catholic that marriage is a sacred sacramental rite, and a function which it was the duty of the clerical body to protect. It was a rite which should never be interfered with by the law of the land. The interference with marriage as a solemn religious ceremony by the divorce law had done much to promote immorality and to destroy what might be called the very foundations of society. Day after day our great newspapers were filled with disgusting details of scandals in all grades of life. That was one effect of the attempt to abrogate the law laid down by our Divine Redeemer, that no man should seek to put asunder those whom God had joined together. In America the facilities offered for divorce were a scandal to a Christian people. Marriage was the basis and foundation of civilised society, and the ultimate result of depriving it of its religious character would be disastrous.

They heard of influences behind this Bill, and on one occasion he listened to a debate in the House of Lords, when the present King and his son and many of the highest in the land attended to support this most objectionable measure. It was stated in that debate, and not denied, that it was solely in the interest of a few people that this change in Christian law was attempted. He was glad that the proposal to make this serious change in the Christian law was then defeated, and he hoped the present effort would meet with a like fate. There could be no greater misfortune to domestic homes than that this Bill should pass. It would set up discord, it would lead the wife to distrust her sister. Such a proposal had no sanction in Scripture or in any covenant of the Church, and the mere fact of a Papal dispensation having been given under special circumstances established the fact that the Roman Catholic Church did not approve of these marriages. He did not believe there was any wide desire for such a Bill, and felt confident that 99 per cent. of the women of Ireland were opposed to it. He had received five telegrams from Dublin asking him to support the Bill. They were handed in at St. Stephen's Green at the same time, and he intended to institute an inquiry as to whether they were not all sent by the same person. It seemed to him that the attempt of the House of Commons to legislate on this subject was an attempt to introduce one of the doctrines of the French Revolution into our legislation; namely, free trade in marriage. He agreed with the last speaker as to the necessity of protecting affinity, and recognising it in connection with the marriage law. He believed there was in the breast of all of them a natural repugnance to this measure, the principle embodied in which was an outrage, and the giving effect to it would be deeply resented. He hoped hon. Members would therefore reject a Bill which had for its object the loosening of the most sacred ties that bound society together.

MR. CATHCART WASON (Orkney and Shetland) said the hon. Member who moved the rejection of the Bill made one great blunder. He did not make his speech; full as it was of learning and research; at the proper time. It should have been delivered thirty years ago, when the Colonial Marriages Act was first passed. It was now utterly out of date and entirely uncalled for. It had been said that

there was no colonial demand for this Bill, whereas as a matter of fact the colonies had shown the utmost desire for it to be passed into law. That desire had been made known through the voices of their accredited representatives, who were almost in the position of ambassadors. The colonies had likewise petitioned the Government in favour of the Bill. In what other way could they give expression to their desire? They were absolutely and entirely in favour of the Bill. They felt very strongly and bitterly upon the subject, and it was utterly impossible for the Government of the day to ignore its responsibility in connection with this matter, and say it was not going to take its stand on one side or the other. The whole responsibility rested entirely with the Government, and must not be handed over to private Members sitting on the other side of the House. They demanded, that this Bill should be carried into law, not only in justice to themselves and to their colonies, but in justice to their whole womanhood through the British Empire. Not long before her late Majesty gave her consent to the measure, that is to say the Colonial Marriages Act, in 1871, the colonies were treated something like the Uitlanders had been treated; with supreme indifference; and the one object of British statesmen was to get rid of them at any price. ["No, no."] The then Government of the day; he passed no reflection upon either party; treated with absolute indifference and were careless about our great colonial empire. He did not complain of the British statesmen, as they simply reflected British public opinion. They practically said, "Go where you please as long as you do not bother us. We do not care how many wives you have so long as you do not trouble us." The bone of self-government was thrown to them in a spirit of contemptuous indifference, just as a bone was thrown over to a hungry dog, to get rid of them, and avoid troublesome and difficult questions as well as to shirk our responsibilities. But it had not done so in any way. The day was past for the utterly absurd and ridiculous distinctions which were formerly drawn between public opinion in the colonies and in the mother country. Many persons who were long past middle age hoped to live to see the colonies and the mother country as united as Kent was to Sussex. At the time her late Majesty gave her consent to the Colonial Marriages Bill a voyage from Australia to the mother country was a matter of months; now it was a matter of weeks. Then a voyage to Canada was a question of weeks, whereas it was now a question of days. These things had brought the colonies into close alliance with the mother country. We had to recognise this fact; that nothing in nature ever stood still, we were either going forwards or backwards, and the tie which united the mother country with her colonial dependencies was;

\*MR. SPEAKER: Order, order; The hon. Member is now entering on the general discussion of a subject which is very remote.

MR. CATHCART WASON apologised for having transgressed the rules of debate. What he wished to show was that the tie between the mother country and the colonies would probably be much weakened if in the consideration of this question regard was not had for the opinion of the self-governing colonies. So far as colonial opinion was concerned it was absolutely unanimous in favour of the Bill, and he believed, too, that the whole womanhood of this country was in

favour of the measure. America had set a noble example in the emancipation of women. In days gone by mankind generally had a very small opinion of the virtue of women, and hedged them round about by all sorts of impossible restrictions. But very different views now prevailed, and he hoped, therefore, that this Bill would be passed by an overwhelming majority. This was more than a national question, it was a question of the Empire; it was a question uniting the colonies with the mother country in one indissoluble bond. It was one of those small things which went to make the happiness and greatness of a people, and would go a long way towards more firmly cementing the friendly relations between this country and the colonies. While cooling his heels at St. Martin's-le-Grand the other day he noticed a place called "Little Britain," and, on inquiry, found that it was bounded on one side by a hospital and on the other by a churchyard. He could only hope that if we were to have in our midst a party of "Little Britishers," they would not land their country in a similar position to Little Britain; half way between disease and death.

\*EARL PERCY (Kensington, S.): One aspect of this debate which strikes me is its air of unreality. Not only is it academic, but every one knows that if the Bill is read a second time it can hardly be passed this session. It is also unreal because the opponents of the measure are placed under a great disability. Whatever the nominal grounds adduced for the opposition, the real grounds are religious; and religious arguments are those which the House is least competent to consider and most reluctant to discuss. I am not going to discuss the theological part of the question. But I do think that those who say that the Bill does not conflict

with religious argument might at least study what that argument is. I cannot imagine how any hon. Member can seriously say he is not going to press the Bill to the same length as the Jewish Levitical law, "which made these marriages compulsory." Are hon. Members aware that even if these marriages are not forbidden by Levitical law, they are, at any rate, discouraged. The marriages that were made compulsory were marriages, not between a man and his deceased wife's sister, but between a man and his deceased brother's wife, and then only when the deceased brother had left no children. Is it not absurd to suggest that we should pass a Bill to enable a man to marry his deceased wife's sister when there are children, because the Jewish law provides that a man shall be obliged to marry his deceased brother's wife when there are no children? I do not know whether we are to take the speeches delivered this afternoon in favour of the Bill as presenting the case for it in the best possible light. I do not think I ever heard a more revolutionary measure proposed on such unsubstantial and contradictory grounds. On the one hand, it is said that the Bill will merely remove a hardship which is severely felt, and in the same breath, that it will bring the law into accordance with public feeling. But it is ridiculous to minimise the importance, or to deny the revolutionary character, of a measure which sweeps away the basis on which the law of marriage has rested ever since this country became a nation, and which suggests no rational alternative. That is the real crux of the question we have to consider. According to the religious view marriage rests on the clear principle that a man may not marry any relation

of his wife whom he may not marry if that same person were his own relation by blood. That view has received the universal assent of all sections of the Christian Church for at least fifteen centuries, since the foundation of Christianity, and it is based on the whole teaching of the Scripture. We are told now that we are not to consider ourselves bound by any regulations which do not justify themselves on logical and scientific grounds. But what is the logical and scientific principle on which the marriage law of the future is to be based? Are you going to boldly sweep away all prohibitions against marriages within the degrees of affinity? If not, why not? Wherever the line is attempted to be drawn, it cannot be drawn at marriage with a deceased wife's sister. When the Bill was first introduced fifty years ago marriage with a deceased wife's niece was included; and though that provision is now omitted, clearly if one marriage is to be legitimate, a fortiori the other is equally so. Abroad there are very few countries which have sanctioned marriage with a deceased wife's sister without also sanctioning marriage with a deceased husband's brother. In Germany marriage between uncle and niece is permitted; and in some States of America they see no objection to a man marrying his deceased father's wife. We all know that these marriages would be regarded with loathing and detestation by the vast majority of the people of this country; and is it fair to ask the House to pass a law on the ground that other nations have passed it, and yet to pretend that we should be able to draw an arbitrary distinction which other nations have found it impossible to draw? This is, I say, a leap in the dark; and what necessity has been shown for it? In whose interests is it to be taken? What is the evidence of any real wide-spread demand for the change? What proof is there of any wide-spread violation of the existing law? If the whole country were boating at the doors of the House in favour of the measure, I should still vote against it; but where is the evidence of the general demand? We know hon.

Members have been approached by their constituents, and that some of them, who are in favour of the Bill personally, have absented themselves because they do not wish to give a vote contrary to the views of their constituents. For the last fifty years the measure has wandered from one House to the other in Protean shapes, and although in this House it has been passed by diminishing majorities, it has invariably; with one exception; been defeated and rejected by the House of Lords, and without a single protest from the public. What evidence is there of a wide-spread violation of the existing law? The marvel is, not that some people among the working classes have married their deceased wives' sisters, but that the custom has not become almost universal, when year after year responsible legislators hold out the hope that such marriages can be contracted with impunity. We know that as a fact cases of incest of all kinds do occur among the poorer classes. [Cries of "Withdraw."]

MR. DILLON (Mayo, E.): Shame; I protest against that.

\*MR. SPEAKER: No hon. Member has a right to get up and interrupt an hon. Member who is in possession of the House in order to make a protest.

MR. DILLON: I ask you, Sir, whether an hon. Member has a right to apply the disgraceful term and epithet of incest to men as honourable as himself.

MR. SWIFT MACNEILL (Donegal, S.): To the poorer classes.

\*MR. SPEAKER: It is not a question of order that the hon. Member does not agree with what the noble Lord says.

COLONEL NOLAN (Galway, N.): Might not the noble Lord be requested to reconsider his words? He has made an imputation against the great bulk of our constituents.

\*EARL PERCY: The intervention of hon. Members is unnecessary. I am not expressing my own opinion as to whether these unions are incestuous. It is the expression used in the existing law of England. These cases of irregular union, of course, occur among the poorer classes of the community, and among the richer classes quite as much. Indeed the latter form the great bulk of the cases. We know from the evidence laid before the Commission in 1847 that of 1,048 such marriages in the course of a year, three-fourths were contracted not by the poorer but by the wealthy classes. I say, therefore, that this Bill is not only based on no principle, but that it is not justified either by the evidence of a widespread violation of the existing law, or a general demand for a change.

I ask the House to consider in whose interest we are asked to legislate.

It can only be in the interests of two classes; either the persons who have already contracted or intend to contract these marriages in the future, or else in the interests of their unfortunate offspring. We have already had sufficient evidence in connection with other kinds of legislation of the pernicious effect of sanctioning the principle that the violation of an existing law ought to be a sufficient justification for altering it. I will confine myself to showing that even if this Bill is passed it will not protect the interests of the people to whom I have referred, and, therefore, it is not only iniquitous in my view, but it is also a sham. Let us take the case of the children first. I do not really know why the children of a marriage with a deceased wife's sister should, in the abstract, be regarded as having any more claim to our sympathy than the children of any other illegitimate union. But I admit that there is a certain appearance of cogency derived from the fact that these unions have been legalised and allowed in the colonies, and that it does seem rather hard that if the children of these marriages come over to this country they are not to be regarded as having the full rights of children who are recognised as legitimate. That is a very unsound and, in my opinion, a very dangerous argument. It is unsound because there is no more reason why we should follow the example of the colonies, who have far less experience than we have in matters of this kind, than that they should follow ours. I think, if example is to be followed, it is the business of the colonies to follow ours. Let me point out that if the colonies vitally feel this great distinction in the marriage laws they have a very simple remedy. They have only to bring in a Bill reverting to the old and sound principle of the marriage law, and containing a retrospective clause safeguarding the interests of the people who have been misled in this matter. But all of us know that this argument, derived from the colonies, is really as hollow as the argument about a general demand for this Bill in the country, because this Bill does not apply to the colonies only, and even if it did it would not safeguard the rights of children of these marriages, for the simple reason that the promoters have inserted a clause in the Bill limiting its

retrospective action as regards rights to property. Therefore, if we revolutionise the whole of our social system at home, we will not have even the shadowy consolation of removing from our colonies a grievance of which they have a right to complain.

Now I pass to the case of the parents. They may be said to have some ground at present to complain of two grievances. One is that they are under a social stigma in consequence of having contracted these marriages, and the other is that in cases of desertion or ill-treatment the law does not offer them any chance of redress. Take the case of social stigma. How will it be removed? This Bill provides that these marriages are to be considered legal if performed in the presence of a civil registrar, but it does not repeal the section of the divorce laws which brands these unions as incestuous. What will be the result? Either public opinion in this country will continue to coincide with that of the authors of the divorce laws, or else it will veer round and coincide with the opinion of Parliament, and adultery with a wife's sister during the wife's lifetime will be regarded as no worse than any other form of adultery. You cannot have it both ways. Either human law in matters of this kind is based on human instinct, or human instinct is based on human law. If the prevailing sentiment of the community has created the present law, then clearly the whole case of the supporters of this measure must fall to the ground if they cannot show that that sentiment has undergone a profound or radical alteration. But if, on the other hand, it is the law which has created popular sentiment in this matter, then we ought to be very careful how we change that law, unless we provide some other principle which will be recognised as equally binding on the moral sense of the community. Now let me say a word with regard to cases of ill-treatment and desertion. So far from affording any relief in these cases, the promoters of the Bill have turned it into a Bill for the protection of bigamy. They have introduced a section which practically provides that if a man has married his deceased wife's sister and subsequently deserted her for another he shall be able to repudiate that marriage, and in that case the deceased wife's sister would be left with the brand of a cast-off mistress, whereas her rival who is living in open immorality would be granted the full protection of the law. The practical effect of the passage of this Bill will be that it will encourage every scoundrel who has married his deceased wife's sister and then become tired of her to repudiate her before the knot is finally and irrevocably tied.

That brings me to one of the most sinister features of this attempt to tamper with the marriage laws. Let us put aside altogether for a moment the question of the views and the doctrines of the Christian Church. Let us assume our right to disregard them, as we long ago disregarded them, when we set up the divorce laws in this country. Take Christianity on a different footing. Even those who have never recognised it as anything else than a mere temporary phase in the great evolutionary current of human thought and ethics have never denied its splendid claim to have raised the status of women to a perfect equality with that of man. And it is to be reserved to this age; the age of emancipation of women; to devise this first insult, to thrust her down from that position of equality, to enact



that what is perfectly legitimate for a man should be considered a crime in the case of a woman; and that although a man may marry his deceased wife's sister, a woman may not marry her deceased husband's brother. We are now asked to pass this change, which, whether it be good or bad, will vitally affect the life and happiness of every woman married and unmarried in this country, without asking the opinion of women or allowing them to be heard in a House in which they are not represented. No one is a stronger opponent than I am of the proposal to grant the parliamentary suffrage to women, but if we pass such a proposal as this, then the demand for the enfranchisement of women becomes absolutely unanswerable, and I hope hon. Gentlemen who desire that will at any rate be consistent on the present

occasion, and that they will not vote for the Second Reading of this Bill until at all events women have been heard on the subject. There is another section of this House to whom I should like to appeal if I may, and which has been conspicuous in late years. I mean the so-called Protestant party. They profess, no doubt quite sincerely, devotion to the principles of the Reformation, they denounce certain practices in the Church as lawlessness, and whether I agree with their methods or not I have a large degree of sympathy with their objects. Are they going to be consistent? Are they going to take their stand on the side of the clergy, and protest against the lawlessness of the State? One of the greatest protests of the Reformers was a protest against the claim of the Pope to grant a dispensation for marriages of this kind. The Roman Catholic Church is still consistent. It has never altered its dogma and doctrine on this matter, and whether we agree with the doctrine of dispensation or not the Roman Catholic Church affords a splendid example, which might be well taken to heart by the Protestants of this country. I do not know whether I need emphasise the opinion of the Roman Catholic Church on this occasion, but in 1882 Cardinal Manning wrote his own opinion on this subject at very great length. He said that the law of the Roman Catholic Church forbade marriage with a deceased wife's sister, that dispensations were only granted for grave reasons, and that the alteration of the law would have the effect of throwing open to everybody that which was now confined to a few cases. Roman Catholics are faithful to their own doctrine, in spite of the fact that that faithfulness does inflict very serious hardship on the children of the marriages which the Pope has permitted. Roman Catholics are consistent. What about Protestants? If this Bill is passed we cannot blame the clergy of the Established Church for their lawlessness, for we will have proved ourselves quite as disloyal as they are to the principles of the Reformation. Surely we may well ask ourselves which is the party whose practices are more fraught with danger and ruin to the State; those who burn incense and carry lights

in procession, or those who lend the weight of their authority to the fatal doctrine that you need no greater safeguard for the sanctity of social life than the passing opinion of a fluctuating parliamentary majority. If this Bill is passed it must create a cleavage in English society such as has never yet existed, and must bring the State into open conflict with the Church. Let no member of the Established Church think that this Bill can be passed and at the

same time the connection between the Church and the State be maintained. Let no one suppose that we are going to allow the clergy of the Established Church to denounce as notorious evil liver people whom the State regards as lawful and legitimately married, and perpetuate a state of things under which two sets of persons may be found in adjacent parishes both of them having committed precisely the same act, one with complete immunity, and the other refused all right of participation in the most sacred offices of their religion.

There is a feeling of liberalism abroad which asks why people should not be allowed to do what they like, even if they cause offence or scandal to others. If this Bill be passed it will cause more than offence and scandal, and in this case the offenders will be in a minority, and the offended will be the majority. There is also a spirit of weariness at seeing this subject dragged up session after session, and a desire to vote upon it, and have done with it once for all. We are not going to have done with this question by taking our stand on a principle which no one can define or defend, and which hon. Gentlemen who now advocate this Bill will be the very first to attack as soon as it suits their own political convenience. Lastly, I come to the case of the colonies. We are told we ought to pass this Bill because it will remove a grievance from our colonies, who have done so much for us, and that we ought not to perpetuate ill feeling between the mother country and the colonies. We are told that in this matter we stand absolutely alone. Yes, Sir, we do, and I say frankly I think it is "a splendid isolation." It is not the only respect in which we stand alone. We also stand alone as being the greatest, wealthiest, and most powerful Empire the world

has ever seen, I certainly am not going to say that there is no connection between the two. Whether there is or not, I think Englishmen are Englishmen all the world over, and I am certain that the colonies will not think one whit the worse of us if we refuse to compromise our conscientious convictions. On the contrary, I say they will admire us more if we insist on our right to claim that in questions of this kind no considerations of self-interest, no motives of political expediency have ever induced us, in the words of Tennyson;

"To sacrifice the truth to serve the hour,  
Or palter with eternal God for power."

\*SIR HENRY FOWLER (Wolverhampton, E.): The noble Lord has in his powerful and eloquent speech suggested that this debate was unreal, but he has redeemed it from that imputation. He at all events has made it a real debate. He has unfolded to us new views of constitutional government; he has given this Bill an application which even its most devoted adherents did not believe it possessed; and he has laid down doctrines as absolutely inconsistent with the principles of Great Britain as a great constitutional nation as I have ever heard in the House of Commons. He has made not only a real, but an unreal speech. What has been unreal has been the manner in which he entirely ignored the history of this legislation. He talked about our being in a position of "splendid isolation," but he did not tell us how we came into that position. He left it to be inferred that our Legislature, actuated by the highest religious motives, has during a

long succession of centuries enacted a series of laws for the purity of marriage, and that any departure from the august traditions of that legislation would involve the terrible consequences he so eloquently described. I am not going into the details of the Bill. I shall defend it exactly on the principle laid down by the noble Lord himself. This Bill is not dictated by political expediency or by party motives, and I venture to think that when a division on it is taken a very large number of hon. Members who share the noble Lord's political opinions will be found voting in favour of it.

I am going to tell the House the story of the Bill, as this is a new Parliament, and as it has been conspicuously ignored in this debate, I am sure the noble Lord, to whom I will not impute ignorance on any subject on which he speaks, must know that story. Prior to 1835 the law of this country with reference to these marriages was very clear and very simple. I am not going to give it in my own words, as my claim might be disputed by legal disputants in this House. I am going to quote the statement of the Royal Commission, which consisted of most eminent men including great judges, both legal and ecclesiastical, which investigated this question in 1847. The House will know that a Royal Commission in those days was not composed, as it is now, of contending disputants, who make the Commission the scene of a small Parliamentary debate. It was composed of five or six or seven men of independent and judicial minds, and their decisions had a weight which the decision of a Royal Commission does not now carry. That Commission was presided over by a bishop of great learning and impartiality; I mean Dr. Lonsdale, the then Bishop of Lichfield; and with him were associated Mr. Justice Vaughan Williams, Dr. Lushington, a distinguished ecclesiastical judge; Mr. Stuart Wortley, at one time Solicitor General, afterwards Recorder of London, and a distinguished member of this House; and Sir Arthur Blake, who was, so to speak, the lay member of the Commission. The House will be of opinion that the findings of a Commission of that character can be relied upon. The Commission found that for centuries certain marriages within certain degrees of affinity were prohibited by the Church, but that by the authority of the Pope dispensations were granted. They found that after the marriage of Henry VIII. and Catharine had been pronounced null and void, the ecclesiastical courts dealt with these marriages by pronouncing them null and void. In the reign of James I. the civil courts interfered and prohibited the ecclesiastical courts from pronouncing them null and void when either party was dead. After that decision these marriages were regarded as voidable, but if they were not pronounced void during the lifetime of both parties, then their validity could not afterwards be questioned, nor the legitimacy of the children impeached. That pronouncement entirely sweeps away the ground from the argument that these marriages are immoral or wrong, or that, to employ the word used, no doubt unintentionally, by the noble Lord, they were "incestuous," because an incestuous marriage could not be voidable only, it must be absolutely void ab initio.

This state of the law continued until 1835, when it was altered by what is known as Lord Lyndhurst's Act. What is the story of that Act? The head of a certain noble house in this country; I am sure the noble lord will be aware of the truth

of what I am about to say; married two sisters. By the first sister he had no son, and by the second sister he had a son. Of course the legal minds of the day were brought to bear on the possibilities of the case. If the son's legitimacy were impugned in the lifetime of the father and the mother, the ecclesiastical courts would have pronounced the marriage null and void, the son would have been declared illegitimate, and the descent of that noble title would have gone in another direction. In addition to their high position, the parties were the near relatives of perhaps the greatest subject of the Crown, who had already been Prime Minister. Lord Lyndhurst was approached, and he introduced a Bill towards the close of 1835 which would have dealt with this ease. That Bill had a very singular history, not only in its introduction, but also in its alteration. Lord Lyndhurst, in introducing the Bill in the House of Lords, pointed out the danger of marriages being voidable during so long a period as the lifetime of the parties. What he proposed to enact was that no proceedings should be taken to render such marriages already contracted void unless they were taken within six months after the passing of the Act, and that with regard to marriages contracted after the passing of the Act, no steps should be instituted in the ecclesiastical courts to render them void except within two years after the marriage. The House will again see that there was no question of dealing with anything that was immorally

wrong. Surely, if such marriages were of the nature which the noble Lord so eloquently denounced, there could be no justification for the limitations of the proceedings which were proposed. Hansard was not so accurate in those days as it is now.\* I tried to trace the story of the Bill through Hansard, but I failed.

The Bill was not introduced until June, and came down to this House in August. At that time there were two very astute members of the Episcopal Bench in the House of Lords; the Bishop of London and the Bishop of Exeter; and of course a Bill of that kind would be a difficult Bill to pass in face of the opposition of the Bishops. I do not say that any bargain was made between so great a Chancellor as Lord Lyndhurst and two such eminent Prelates as the Bishops of London and Exeter; but at all events a curious arrangement was undoubtedly evolved by some mind or other, by which it was agreed that if all the marriages of which we are speaking which had been contracted in the past were made valid, all such marriages in the future would be prohibited, and so the Bill came down to this House. The Liberal party in the House of Commons protested against the second clause of the Bill. They said that they were quite willing to accept the first clause to render valid marriages which had been already contracted, but objected to the second clause which invalidated such marriages in the future. The House had a division, and the Liberal party was in a majority, and the second clause was struck out of the Bill. Sir William Follett, who had charge of the Bill, at once stated that he would not be responsible for it any further if the Amendment was maintained, and it was evident that the House of Lords had consented to the Bill legalising these marriages in the past on condition that such marriages should not be valid in the future. I make these statements on the authority of my late venerable colleague in the representation of Wolverhampton, who was a Member of the House at that time, and also on the authority of a

\* Mr. Gladstone stated, more than once, that Barrow's Mirror of Parliament gave for the period it covered (1828&#x2013;41) fuller and more accurate reports than Hansard.;[ED.]

distinguished Member of the House, who as a connection of the parties was intimately acquainted with all the facts. At that time several Members of this House had either contracted marriages with their deceased wives' sisters or were connected with persons who had contracted such marriages, and they took the very reasonable ground that it would be very hard to throw out a Bill which would make their marriages absolutely valid. Great influence was used on all sides of the House to get the opposition to the second clause withdrawn, and on the 24th August the Solicitor General moved to restore that clause. The clause was restored, and the Bill was passed. Gentlemen who had taken an active part in getting that clause struck out pledged themselves to use every effort in an early session of Parliament in order to have the law reformed. Will the noble Lord in face of a story like that contend for the justice, the sanctity of legislation which was not party legislation, but personal legislation, intended for the benefit of one noble family, and by which a great and serious change was made in the law of this country, which has inflicted injury and wrong upon a large section of His Majesty's subjects? That is the state of things which we are now endeavouring to put right.

The noble Lord says that there is no public feeling about this Bill, and that it has been brought on spasmodically. Since 1835 the question has been brought again and again and again before the House. It has been rejected thirteen times in the House of Lords. After the election of 1880 the sense of the House was taken on it, and a resolution was carried in its favour by a majority of 238 to 127. After the General Election of 1886, when the Liberal party was broken up, and when party ties to a certain extent were altogether swept away, it was thought advisable to take the opinion of the new House, elected on new conditions, on it. The Second Reading of the Bill was carried in 1888 by a majority of 239 to 182, and in

1890 by 222 to 155. As I have said, the Bill was rejected thirteen times in the House of Lords before 1896, but by decreasing majorities. The House of Lords, which of course would be susceptible to

the influence to which the noble Lord alluded, however, carried this Bill in 1896 by a majority of 142 against 10. In that vote there were nineteen bishops, and it will be seen that the large majority of the temporal Peers were in favour of the Bill. The House of Lords has also passed the Colonial Marriage Bill, which was so ruthlessly denounced this afternoon. I have told the House the story of this controversy so far as Parliament is concerned. I will now return to the findings of the Royal Commission on the merits of the case. They found that these marriages were permitted in nearly every Protestant and continental State, and that although the Roman Catholic Church prohibited them as a matter of discipline, that the prohibition might be and was dispensed by the Pope, and others authorised by him, the prohibition taking place on the principle that it was the Church, and not the law of God, which imposed the prohibition, and therefore that the Church could, for fitting reasons, dispense with it. The

noble Lord quoted a declaration by Cardinal Manning against these marriages, but he did not quote Cardinal Newman, who said;

"If he looked upon this question as one affecting the rich, he should perhaps think the marriages inexpedient; but if in the interests of the poor, he thought they were expedient."

That was the opinion of Cardinal Newman, and no man will say that Cardinal Newman ever paltered with what he believed to be the divine law.

EARL PERCY: I do not think he stated that these marriages should be legalised by the State.

\*SIR HENRY FOWLER: I have quoted the words of Cardinal Newman, and the noble Earl may put any construction he likes on them. But I will quote a greater authority on Roman canon law than either Cardinal Manning or Cardinal Newman, and that is Cardinal Wiseman. He was examined before the Royal Commission of 1847, and he was asked;

"Taking the question with reference to Scripture, is such a marriage [the marriage of a man with two sisters in succession] held by your Church as prohibited?"

"Certainly not; it is considered as a matter of ecclesiastical legislation."

In another question he was asked;

"Then the Commissioners are to understand that in your Church the general prohibition of these marriages is a matter of discipline, and permission to contract such marriages is granted, or not, according to what you may think most advantageous and proper?"

"Certainly."

"With respect to marriages of this description, do you find amongst Catholics that persons contracting such marriages are received with the same kindness and good feeling as persons who have contracted ordinary marriages?"

"With a dispensation, perfectly so. It is not thought in any way disgraceful or improper the moment that the Church has given permission."

The whole tenour of Cardinal Wiseman's evidence is that in the case for which we are pleading, especially where there are children, dispensations were granted over and over again. That, then, is the view of Roman Catholics so far as their Church is concerned. I observe that the noble Lord and other Members who oppose the Second Reading of this Bill ignore all Christian opinion outside the Church of England.

EARL PERCY: I mentioned the Church of Scotland and the Confession of Faith.

\*SIR HENRY FOWLER: The Confession of Faith prohibits marriages with Papists and infidels. The noble Lord must know that two of the most distinguished divines that ever adorned the Church of Scotland; Dr. Chalmers and Dr. Norman Macleod; were both in favour of these marriages. Does the noble Lord include the English Nonconformists in the Church of Christ?

EARL PERCY: Certainly.

\*SIR HENRY FOWLER: Then, I say that they are practically unanimous in their views upon the subject, and are not in agreement with the noble Lord as to the true construction of Holy Scripture on this question. Then there is the American Church and the Churches of our own great colonies. America, may be a new

country, and our Australian colonies may be, as they have been described, ignorant, wayward, and youthful; but, at all events, they have sound scholarship and profound piety, and there again they are practically unanimous on this subject. In fact, the whole Protestant world outside one section of the Church of England is in favour of the lawfulness of these marriages. We heard it stated in the course of the debate that practically the Church of England was at one against these marriages. But how many bishops and archbishops and how many of the clergymen intimately acquainted with the deeds of the poor have expressed themselves in favour of them? What did Mr. Gladstone say with reference to the subject in 1869? He said; "When I consider the weight of testimony given by ministers of religion; among the most respected of their several communions; men among the Roman Catholics, the Nonconformists, the Established Church, High Church, and Low Church, including such a man as Dr. Hook, who might, perhaps, be described as the first parish minister of his day; when I consider the pressure of the motives which have induced so many persons who have had practical experience of the consequences pronounced by the present state of the law to support the proposed change, I do not shrink from the responsibility it would entail."

One word more. The Commission found that these marriages were legal in the United States, and quoted from Mr. Justice Story's "Conflict of Laws," in which he said;

"In many, and indeed in most of the American States, marriages between a man and the sister of his former deceased wife are not only deemed in a civil sense lawful, but are deemed in a moral, religious, and a Christian sense lawful and exceedingly praiseworthy."

But in Mr. Justice Story's letter to the Commission he says;

"Nothing is more common in almost all the States of American than second marriages of this sort; and so far from being doubtful as to their moral tendency, they are amongst us deemed the very best sort of marriages. In my whole life I never heard the slightest suggestion against them founded on moral or domestic considerations."

I suppose that all will consent that Mr. Justice Story was one of the most eminent men who ever sat on the judicial bench. But we are told that the Jews are against these marriages. If the Jewish community hold the interpretation of Leviticus placed upon it by the noble Lord it would be a very strong authority for that view. But the Royal Commission had the evidence of the Chief Rabbi, Dr. Adler, and he said that;

"the marriage of a widower with the sister of his deceased wife is not only not considered

as prohibited, but it is distinctly understood to be permitted, and on this point neither the Divine Law nor the Rabbis nor historical Judaism leave room for the least doubt."

He further said that;

"these marriages were considered proper, and even laudable, and that, when there are children, the usual time for remaining in widowhood is abbreviated in such cases."

Let me call the attention of the House to the final findings of the Royal Commission. They find that;

"these marriages are contracted by many persons of unimpeachable character and religious habits."

Further they find that;

"the feeling against these marriages is in a great measure founded rather on a vague and uninformed assumption that they are prohibited by God's Word than on a mature examination either of the Scriptures or the law of the Church. Among the poorer classes in a great majority of cases where the sister of the deceased wife becomes an inmate of the house the end is marriage or concubinage. When a poor man with a family has the misfortune to lose his wife some assistance for his domestic concerns become indispensable, assistance for which he cannot afford to pay and which must be rendered immediately. All circumstances and all feelings point to the sister of the dead wife, and when once she becomes a permanent inmate the result is inevitable."

EARL PERCY: Hear, hear.

\*SIR HENRY FOWLER: The noble Lord is quite within his right to dissent, but his opinion is not that of a large number of rectors and vicars of parishes where the poor prevail both in London and elsewhere. I am not going to put the matter entirely on the condition in society of those contracting these marriages. What I want to point out is this, that you have no right by a majority to found legislation of this character on the interpretation put upon one verse of Leviticus by one particular set of divines. This is a question which should be left to individual conscience. All the arguments against this Bill seem to be founded on the theory of compulsion, that we are going to pass a law to compel every man to marry his deceased wife's sister. Why should you interfere with the individual conscience? I would be no party to inflicting upon the clergy of the Church of England the injustice of compelling them to celebrate marriages which they believe to be forbidden. But are

members of the community who do not accept the doctrines of these clergy to be compelled to accept a prohibition which they believe to be unauthorised? The noble Lord tells us that if the whole nation were knocking at the door of Parliament and asking for this one thing he would advocate the rejection of it. There is no infallibility in human judgment. The noble Lord appears to think there is; but I have not been able to find it in any monarchy or Republican legislature, not even in the House of Lords. So long as the constitution of the country is government of the nation through its representatives in Parliament, we must take that for better or for worse. And so long as the majority of this House is loyally adherent to constitutional government, we are bound to accept its decision.

Before I sit down I must say one word on a question which has occupied a good deal of attention, and that is the position of our colonies with reference to this subject. The noble Lord said "What have they ever done to show that they care about it? The whole agitation has been engineered here." I have a document signed by the present Prime Minister of the new Federation of Australia, Mr. Barton, by Mr. Deakin, Mr. Fyshe, Mr. Kingston, and by nearly all the members of



the Commonwealth Cabinet. In that document they say, "In the agreement of the undersigned it is very desirable that the Colonial Marriages Act should be passed with the least possible delay." I am astonished at the noble Lord's statement as to the laws sanctioning these marriages. I take the South Australian Marriage Act. It says;

"Whereas doubts having arisen as to the validity of the marriage of a man with the sister of his deceased wife, it is expedient to remove these doubts."

It is the same in Victoria, in Tasmania, in New South Wales, and in Queensland. I would be the last man to undervalue the Imperial spirit so far as our colonies are concerned. We are ready enough to avail ourselves of the assistance of our colonies when they show their loyalty. It must be remembered that the marriage law of the colonies is not a matter for themselves exclusively. Every law sanctioning these marriages passed by any Colonial Parliament was passed by the consent and with the authority

of the British Crown. Mr. Gladstone, Lord Beaconsfield, Lord Salisbury advised Her Majesty to assent to these measures. It is monstrous to tell the people of this country that though laws sanctioned by the Sovereign, under the advice of the most eminent ministers of the Crown, might make these marriages legal, they are morally wrong. Mr. Speaker, there cannot be two standards of morality in the British Empire. What is morally wrong in London must be morally wrong in Sydney and Toronto. We are asked what is the hardship from which our colonial fellow subjects suffer? In the first place, when they come to their old home you give their wives the status of concubines, and you brand their children with the stigma of bastardy. The noble Lord shakes his head. Let me put this case. A younger son of a great family emigrates to Australia, where he becomes domiciled. He marries, loses his wife, and marries his deceased wife's sister, and that marriage is legal. They have a son, and in the course of time that son becomes heir to the estates and title which belongs to the head of that great house. But he cannot succeed. There is no question about the law. So far as real property is concerned; it may be different to personal property; the head of that noble house would be regarded as a bastard.

I will not further trespass on the time of the House in discussing the general trend of this measure. I believe it will be a great boon to a section of the community, possibly a small section, and I believe that it will also be a boon to a large section of the poorer classes of this country, who have no alternative but to live in sin because they cannot contract these marriages. I say that in justice to the widespread opinion that prevails in this country and throughout the whole of the British Empire, this House is not entitled, at the instigation of a minority, to use and abuse the forms of the House in order to prevent the repeal of a law which was enacted for the benefit of. I might almost say, an individual family, and which is upheld by the authority of a section which is not entitled to enforce its opinions, however conscientiously held, against the deliberate judgment of the nation.

LORD HUGH CECIL (Greenwich) said he felt a difficulty in intervening in the debate after a speech of so much ability, eloquence, and passion as that just delivered by the right hon. Gentleman the Member for East Wolverhampton. He made

no claim to be an antagonist of the right hon. Gentleman, but failing any other Member, he craved the indulgence of the House for a few minutes. The right hon. Gentleman had given them a most, interesting historical survey of this subject, and had given them an account of Lord Lyndhurst's Act, which quite confirmed the opinion he had always held, that politics were in a very disreputable condition in the early part of last century, and that the Church of England was not altogether free from a contaminating atmosphere. But the right hon. Gentleman was too good a historian not to know that many of the best reforms in history had been associated with disreputable circumstances. The Habeas Corpus Act was passed for the protection of a not very creditable personage. The freedom of the press was due to a disreputable intrigue against the censor of that day. The law of marriage must not be judged on anything but its merits.

He knew that a distinction was drawn between consanguinity and affinity. He himself did not approve of the old ecclesiastical system by which a marriage had to be challenged in order to be made invalid. The right hon. Gentleman's argument went a good deal further than he was aware. Lord Lyndhurst's Act dealt, not with the deceased wife's sister, but with the whole question of consanguinity. No distinction was made which had not previously existed in ecclesiastical law. Under the old ecclesiastical system marriages were, as Lord Brougham said, only voidable because they were void. It would have been foreign to the whole ecclesiastical idea that a marriage could be made void if it were not inherently void, and Lord Lyndhurst's Act, however disreputable its origin, merely put into a more reasonable form what had always been the law of Christendom from the earliest date.

He passed to the suggestion that the adoption by the colonies of Bills of this kind was an argument in favour of our welcoming a similar Bill. The right hon. Gentleman said we were bound by the assent given by the Crown to these Bills under the advice of Imperial Ministers, but he overlooked the fact that if we denied to the colonies every Act of a colonial Legislature which we thought objectionable we should destroy their right of self-government. The idea of that right was quite consistent with the possibility of its misuse. What was claimed by the right hon. Gentleman was that because a colony had injudiciously abused the right of self-government, we should cease to assert our right of self-government. Was this House and the House of Lords;the Parliament of the United Kingdom;not to make the same claim in behalf of our own local affairs? The right hon. Gentleman had said what was morally right in Melbourne could not but be morally right in London, but that argument might be used for the introduction of Mohammedan polygamy in England, and, on the other hand, was it supposed that we could put down polygamy in India? Of course, the Government of a great Empire must constantly submit to very serious breaches of the moral law, in order to carry out the constitutional ideal of government. Then there was the Roman Catholic argument. He confessed he was annoyed at hon. and right hon. Gentlemen in this House quoting the Roman Catholic Church in support of this question. But even in making these quotations they had misapprehended their force. When these hon. Gentlemen said that the Roman Catholic Church did not teach that these unions were not against Divine law, they misrepresented the position of that

Church. The true state of the case was that the Church of Rome did not admit that the law of the Church was not Divine. On the contrary, the Roman Church claimed that the Church, under the direction of the Pope, was a Divine authority, and, therefore, that that authority, in that very high sense, might relax laws which it would be presumptuous for a State to relax. They knew that the Roman Church was against this Bill,

and had opposed it as definitely and clearly as did the Church of England. Then there was the philanthropic argument; the argument of the poor man who found no one in the world fit to marry except his sister-in-law. That was a shallow and a hollow argument. He knew a man, who belonged to the lower middle class, whose sister-in-law had charge of his children, and he had lived with her for fifteen years without scandal and without imputation. That man told him he dreaded the passage of this Bill, because he knew that it would then be necessary for him to marry his sister-in-law in order to avoid scandal. There was not the slightest sign from the beginning of the whole discussion that any great body of the working classes cared two straws about this matter. That very day the right hon. Gentleman had been very angry with him for calling attention to the fact that there were scarcely forty Members present. Was that likely to happen when a great reform was demanded by the mass of the people? Everybody knew that the marrow of this agitation was to be found among a certain number of a particular class of wealthy people who had broken the law and wished to have their characters whitewashed by Act of Parliament.

He opposed this Bill on the grounds of expediency, and in the last analysis the grounds of expediency would be found to coincide with the grounds of morality. But he did not wish to conceal that the true ground of his opposition to this Bill was that it violated the Christian law of marriage. On what did that law rest? It rested upon the word of the Gospel. The Christian law of marriage, like many other parts of Christian doctrine, was partially revealed in the Old Testament; and it was completed, fulfilled, and developed in the New Testament. It was fulfilled and developed by the laying down of a great principle into that symmetrical and consistent system of law which the Church had for fifteen centuries unvaryingly maintained. That great principle was that the union between man and wife was as close as possible, that it transcended human reason, that it was of such a close and mysterious character that it could not be dissolved, and could not be repeated

during the lifetime of the parties with another person. That principle also prohibited marriage with the relations of both parties to a certain degree. That great principle was laid down in the words, "these twain are become one clay." It was upon those words that the Church proceeded to build up her system of Christian law. If we rejected that system we must reject those parts of it relating to affinity, the principle of in-dissolubility of marriage, and even the principle of monogamy. For example, how difficult it would otherwise be to show that polygamy was against the Divine law. Polygamy was not expressly prohibited in the New Testament, but the prohibition arose out of only a reference to "one wife" by St. Paul. Apart from this fundamental principle,

there was no logical foundation for these restrictions. For example, they could not reasonably deny that a man might marry his deceased wife's daughter; which, by the way, had already been admitted by a colonial Legislature; or his deceased wife's niece. He wished the right hon. Gentleman would explain the distinction between a deceased wife's sister and a deceased wife's niece.

\*SIR HENRY FOWLER: I said the Act did not affect a deceased wife's daughter. I do recognise a distinction.

LORD HUGH CECIL said that the supporters of this Bill were distinctly not logical; they did not say that all the deceased wife's relations were eligible persons to marry. Therefore, they did not go the whole length of their argument. Their logical system was to set up one exception among the degrees of affinity, but on no principle whatever. He and those who agreed with him maintained that the Christian law of marriage was a Divine law, and it was an argument in favour of that view that it was a consistent law, based on broad principle. No such claim could be put forward by the promoters of the Bill. Their law was merely regulated by considerations of expediency. There was really no reason why they should not extend the scheme of the Bill. It might be said that there were social arguments in favour of polygamy of a most important character; and if once they admitted that, the whole marriage law was open to revision. There was no reason whatever why they should not admit a Bill to a Second Reading permitting the marriage of more than one wife.

Now, let him observe that the Christian law of marriage did not rest merely on its divine origin, but rested its claim also on its extraordinary success. He would have liked to quote from the "History of European Morals," by his right hon. and learned friend the Member for Dublin University, in which the author pointed out that, of all the benefits which Christianity had conferred on the world, the best was the degree to which it had raised the position of women. Therefore, the Christian law of marriage had been most successful in its influence upon society; step by step, it had lifted humanity to a higher and a purer level. When a systematic system of law, which depended on fixed principles, was under discussion, was not that a claim worthy of consideration?; a claim that it had been of infinite value for the progress of the human race. There were two principles on which man should be considered in relation to the law of marriage. They might say that man was an animal, whose marital position was to be regulated according to the physiological principles of the stud-farm. Or they might say that man was an immortal being, that the circumstances which surround him were profoundly mysterious, that the body was the meeting place between the spirit and matter, and that the laws directing these were in a large measure beyond the capacity of human comprehension. Therefore they should be guided by a law which had been eminently successful, and which had been laid down by Divine authority. He took his stand on the position that the Christian law of marriage was founded on the principles of the Christian Church. The promoters of the Bill took one out of thirty prohibited degrees, and said they would allow marriage within that degree, but by doing so they destroyed the logical basis of marriage. Why was that alteration to be made

from considerations of colonial expediency or to favour the poor? This was a moral question, but, said the promoters of the Bill, "These unions do not seem shocking to us; to our

moral sense there is nothing wrong in them." In effect, they declared that their moral sense was a complete answer to the whole Christian tradition.

\*SIR HENRY FOWLER: Your interpretation of Christian tradition.

LORD HUGH CECIL said that that was a very familiar position in all the disputes about private judgment. They invented an unsystematic Christian law of marriage; a law resting on no logical principle; and said that that was more likely to be the proper interpretation of Scripture than that which the Church had given for so many ages. Was that reasonable? How were they to accept these home-made Papal Chairs, and bow down to them as being infallible? The question was not between reason and authority. The question was between authority and authority; between the Church, whose tenets had come down to us with the sanction of saints and divines, and the respectable Gentlemen whose names were on the back of the Bill. He should be sorry to see this House departing from the principle which was associated with its most glorious traditions, the principle of adhering to the law of the Christian Church. In all the discussions in this House which had been fraught with issues of the utmost importance to the fate of the nation an appeal had constantly been made to the ecclesiastical and divine law; an appeal which had been listened to with effect and followed. He hoped the House would not depart from that great tradition. He hoped they would not set aside the great mass of the Christian traditions of the Christian Church in this matter, and regard the law of marriage in the same way as would the manager of the stud farm. He ventured to appeal to hon. Members whether in a matter of this fundamental character they would do well in supporting, on an occasion of this kind, and only after a few hours debate, a Bill brought in by hon. Gentlemen with only the authority of private Members. There was no law which so touched the future of the race as the marriage law; no other law which so immediately and directly affected the welfare of the race, and yet that was the law which might be altered by a chance vote of Parliament, and which was not safeguarded by the Constitution. He believed that was an error, and he maintained that this marriage law should be deemed to be a fundamental law not to be lightly altered or changed. Ever since this nation had existed, from Celtic times to the present, our country had been guided by the Christian law of marriage, and now, on a Wednesday after-noon, after only four hours debate, they were invited to overthrow that splendid tradition of moral progress. The Christian law of marriage had built a causeway across the morass of Eastern shame and lust, on which the race had paced onwards, slowly, between enlightenment and Empire, and now they were asked to set up something new in its place; Now they were going to tear down what angels had built up, so that they might walk between grossness and utility. He was persuaded that the House ought to think well before they adopted this Bill. They ought to reflect deeply and search their consciences and hearts as to whether they believed it to be in accordance with the divine will. And if they did so he was persuaded they would come to the conclusion that no act would be more dangerous to the civil

prosperity of the country or more subversive of the future greatness of our race, than to repeal or tamper with that great fundamental and civilising law, the ancient Christian law of marriage.

MR. SEELY (Lincoln): I congratulate the noble Lord on having, in a speech hostile to the Bill, avoided what I cannot help thinking is a great mistake; the use of strong language against those who are in favour of it. I think the noble Lord has been far wiser than those who preceded him in their opposition to this measure, in not imputing evil to those who differed from him. I would not at this hour of the afternoon detain the House at any length, mainly because the speech of the right hon. Gentleman the Member for East Wolverhampton has been absolutely conclusive in its history and reasoning. There is one thing which I commend to the noble Lord and those who spoke with him. They object to this Bill mainly because they think there is a risk of there being some weakening in the general law and feeling with regard to marriage in this country. That is the real objection, and that is why they have used the strong language which we have heard to-day with regard to a measure which is really only for the purpose of altering the state of the law on a Wednesday afternoon in April back to what it was before it was altered late in the month of August seventy years ago. I wish hon. Members to reflect upon that.

Now, it is the case that in some portions of the world, in some countries connected with us, there has been a weakening of the marriage laws, and therefore we cannot say that it is impossible that some agitation of the kind might at some period rise up in this country upon the question which we are discussing to-day. There is absolute unanimity in this country with regard to the existing marriage laws. There is no desire to in any way weaken them, to in any way increase the risk of or the facilities for divorce or anything of that kind; but do not those who are opposing this measure think it is a mistake to keep in existence any real grievance which may exist against the existing marriage laws? So long as this grievance is kept in existence, so long will there be found a number of persons who think that such an alteration in the marriage laws is required; but once this great difficulty is put right, then there will be no personal feeling of any kind whatever, or any attack upon the laws of marriage of this country; and for that reason, in addition to the main reasons given by the right hon. Member for East Wolverhampton, and many other speakers to-day, I ask this House to pass this measure, and pass it by a good majority, so that we may put an end to all controversy with regard to the marriage laws of the country for the future. Those who profess to any acquaintance with the marriage laws of this country will agree with what has been stated by the right hon. Gentleman the Member for East Wolverhampton, that there is a demand for the alteration proposed. You cannot have such a demand upon this as you would have upon a great constitutional change, because the number who desire to take advantage of the change is small, and men do not talk upon subjects of this kind openly in the market-place.

There is no real objection, I think, to the change in the mind of anybody. One argument against it is that it would interfere with the relations between a man and his wife's sisters. But how can that be, when at the present time we are

told a large number of these marriages do take place? One hon. Member mentioned 1,000 instances in thirteen years. That number is sufficient to make it known that there is no real difficulty in marrying one's deceased wife's sister. I have known cases where men who were not living in great houses containing many rooms have not been able to have their deceased wife's sister to take care of their children in consequence of want of accommodation. I hope the House will not be led away by the eloquence of the noble Lord the Member for South Kensington, who has the usual confidence of youth in his opinions. I could not help thinking, when he told us that he represented the opinion of all the married women in England, that as time goes on, and he obtains a more intimate knowledge of the opinions of married ladies, he will not be able to speak with such absolute confidence. I hope this measure will be passed to day by a large majority, and that it will have a happy issue in another place, and that it will put an end once and for all to the only grievance; to the only thing that could ever arise to cause any re-opening of the marriage laws of this country, which in my opinion would be a serious misfortune.

SIR JAMES FERGUSON (Manchester, N.E.), who spoke amid cries of "Divide," said he should not have intervened in the debate had not frequent reference been made to the fact that such a change had been made in the marriage laws of the colonies as was contemplated by this measure, and it had been argued from that that this country ought now to change its laws to suit those of our colonies. He was Governor of South Australia, which was the first colony to make such a change in the law, when the first Act was passed, and it was perfectly notorious when that measure was promoted in the South Australian Parliament, that it was got up from home, and supported by funds from home in the interests of certain people who had contracted illegal marriages in this country, and who, not being able to get a law in this country to suit their condition, thought that if such a change was made in the colonies it must necessarily operate here. They operated first in South Australia because the colony was known to be heterogeneous with regard to religion, and the Parliament there very impatient of any restrictions of laws founded upon ecclesiastical rules, and that therefore it was only necessary to tell them that the main objection to its being passed here was the fundamental law of the Church of England to make them say, "We have no Established Church here." Both parties in the House were responsible for this change in the colonies, such laws having been sanctioned under Lord Salisbury as well as other Ministers, but it was under the administration of the Colonial Office by Lord Kimberley, who was himself in favour of such a change, that the South Australian Act was passed. It naturally followed that, when the law was changed in South Australia, when other self-governing colonies passed similar Acts consent was not to be withheld. But he did not think the responsibility of giving consent in those cases was in the same degree as the responsibility of the Colonial Secretary who gave consent to the original measure. He did not think, however, that these marriages had become more prevalent in the Australian colonies in consequence of the passing of these Acts. In South Australia, for years after the Act was sanctioned, it became the

practice of people in the other colonies who desired such marriages to resort to South Australia to avail themselves of the law, but even then there was only one clergyman of the Church of England who would solemnise such marriages, and he was not very much respected; and when he (Sir J. Fergusson) visited South Australia five years ago, he was informed that there was not a minister of the Church of England who would solemnise such marriages, and that the Presbyterians were just as strong in their objections. It was no proof that such marriages would be acceptable to the community to say that in some localities such unions had been frequent, because that with equal truth might be said of connexions of a still more objectionable character. No doubt in certain classes of society where respectability had been cast aside a certain amount of irregular marriages would always take place.

The line of argument upon this question, not for the first time, had been on the general grounds of Christian principles, and it would be deplorable if that were to be lost sight of, because it would certainly be a very serious danger to the morality of the country if we were to lose sight of the peculiarly sacred character of Christian marriage. He had no desire to go over the ground which had been taken by other speakers; his only desire was to draw attention to the considerations which he thought ought to be regarded when such a serious change in the law was contemplated. What would be the effect upon society, where the wife's sister was naturally regarded as the most proper guardian and protector of her sister's children in case of the wife's death? In all sections of society the wife's nearest relations occupied a position in the family closely resembling those of the blood relations of the husband. The husband's sister of course lived on most intimate terms with the family; so did the wife's. Without the slightest breath of scandal the husband lived on closely intimate terms with them. And in those cases the sister could come into the house and take the place which the wife occupied in her lifetime. During her sister's life she had been accustomed to that place, and upon her death the sister was its natural possessor. If this Bill passed, and upon the removal of the wife the sister could marry the husband, all these brotherly familiarities by the husband would be impossible; they would cause jealousy and suspicion, which would break up hundreds and thousands of homes. It would not be possible for the wife's sister to come and reside in a house as one of the family where she was likely to form these ties. He had known cases in humble houses where, the wife having been removed by death, the sister had come and taken charge of the children, and had lived there for years; and when the natural grief had passed away, the man had married, and the deceased wife's sister had gone back to her home. Such a thing would be impossible if the wife's sister was to be as open to the husband's addresses as any other woman. Those were considerations which could not be ignored; they were matters which were in the minds of everybody, and would have to be referred to over and over again if a change like this in the law was going to be made.

CAPTAIN JESSEL (St. Pancras, S.) said there was one point he desired to urge in defence of the motion. Having had charge of the colonial Bill dealing with this subject he would venture to remind the House that the whole of the



evidence in favour of that Bill came from the colonies. All the self-governing colonies unanimously demanded that the Bill should be passed. That showed that the Bill originated in the colonies, and brought the House face to face with the colonial view of this matter. Almost the whole world was in favour of the principles of the Bill. In America, France, and all the great continental countries, there was a demand for the change asked for by this Bill. England was the only country where marriage with the deceased wife's sister was not lawful. Except in the Church of England the feeling was in favour of the change. The wishes of the Church of England had been consulted in the Bill by the provision that no clergyman of that Church should be compelled to solemnise such a marriage. It appeared to him somewhat hard upon those who did not belong to the Established Church that they should not be accorded the privileges allowed by other countries. This matter had occupied the attention of the public for the last sixty years; it had been repeatedly passed through the House of Commons and the House of Lords, and he hoped on this occasion the Bill would be passed by a large majority.

MR. FLOWER (Bradford, W.), who spoke amid repeated interruption and cries of "Divide," was understood to say that the whole of the speeches addressed to the House upon this subject seemed to suggest that there was an air of unreality in the proceedings. He could not help thinking that that air of unreality had been created by the reluctance of the House to grapple with what was the real question which underlay the proposals of this Bill, and every other Bill which dealt with the marriage laws of the country. What he would have liked to hear was an expression of opinion from the Government Benches. A Bill which dealt with the marriage laws of the country was dealing with a matter of transcendental importance, and it was to be deplored that there had been no expression of opinion from those responsible for the government of the country upon such an important; such a vital topic. He would have liked to hear from a responsible Minister that the Government realised the serious character of the legislation proposed to the House this afternoon. They could not have given better proof of their appreciation of its importance, than by expressing their determination to ascertain precisely the difficulties that might arise through a change in the marriage law of the Empire. Speaker after speaker had referred to the colonies in their remarks, but when one came to consider the marriage laws of the Empire, there was not merely the fact that there were striking and curious differences between the marriage laws of this country and our self-governing colonies; there was also the fact that there were perhaps more striking and more curious differences between the marriage laws of the different parts of the United Kingdom itself. There were striking differences in the marriage laws of Scotland as contrasted with those of England, and also in the marriage laws of Ireland as contrasted with those of Scotland and England. All these subjects needed inquiry. The Royal Commission of 1868, in the words of Mr. Boyd Kinnear, reported that;

"A good marriage law should embrace the maximum of simplicity and the maximum of certainty, simply because it affects almost every class and every person, the most humble and illiterate as well as the most exalted and learned; because it

affects the contracts and social relations the most important that can arise between human beings; because it affects the foundation of society and influences the fate of innumerable individuals."

He regretted that the Government had not met the proposal for the second reading by announcing that they would appoint a Royal Commission on this subject. This Bill, if it passed, would only add to the existing confusion, In 1887 there was a conference of representatives of the colonies on the subject, and of the twenty-one who were present only six failed to recognise the unfairness of asking Great Britain to change, her laws of inheritance to suit the convenience of the colonies. The representatives of Canada, Newfoundland, New Zealand, Western Australia, and the Cape deprecated anything of the kind. The hon. Member was about to proceed with his speech, when.

SIR BRAMPTON GURDON rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

AYES.

Acland-Hood, Capt. Sir Alex. F.

Dilke, Rt. Hon. Sir Charles

King, Sir Henry Seymour

Agg-Gardner, James Tynte

Dillon, John

Kinloch, Sir John Geo. Smyth

Agnew, Sir Andrew Noel

Doogan, P. C.

Kitson, Sir James

Allan, William (Gateshead)

Dorington, Sir John Edward

Labouchere, Henry

Ambrose, Robert

Doughty, George

Lambert, George

Anstruther, H. T.

Douglas, Rt. Hon. A. Akers-

Lambton, Hon. Frederick Wm.

Archdale, Edward Mervyn

Doxford, Sir William Theodore

Langley, Batty

Arrol, Sir William

Duncan, J. Hastings

Law, Andrew Bonar

Ashmead-Bartlett, Sir Ellis

Dunn, Sir William

Layland-Barratt, Francis

Ashton, Thomas Gair

Edwards, Frank

Leigh, Sir Joseph

Asquith, Rt. Hon. Herbert Hy.  
Elliot, Hon. A. Ralph Douglas  
Leng, Sir John  
Atherley-Jones, L.  
Ellis, John Edward  
Leveson-Gower, Frederick N. S.  
Austin, Sir John  
Emmott, Alfred  
Levy, Maurice  
Bagot, Capt. Josceline Fitz Roy  
Evans, Samuel T. (Glamorgan)  
Lewis, John Herbert  
Bailey, James (Walworth)  
Faber, George Denison  
Lloyd-George, David  
Bain, Col. James Robert  
Fellowes, Hon. Ailwyn Edw.  
Lonsdale, John Brownlee  
Balfour, Capt. C. B. (Hornsey)  
Fenwick, Charles  
Lough, Thomas  
Banbury, Frederick George  
Field, William  
Lowther, C. (Cumb., Eskdale)  
Barry, E. (Cork, S.)  
Fisher, William Hayes  
Loyd, Archie Kirkman  
Bayley, Thomas (Derbyshire)  
Fison, Frederick William  
Macdonald, John Gumming  
Beach, Rt. Hon. W.W.B. (Hants)  
Fitzmaurice, Lord Edmond  
MacDonnell, Dr. Mark A.  
Beaumont, Wentworth C. B.  
Flannery, Sir Fortescue  
MacIver, David (Liverpool)  
Bell, Richard  
Flavin, Michael Joseph  
Maconochie, A. W.  
Bhownaggee, Sir M. M.  
Flynn, James Christopher  
M'Arthur, Charles (Liverpool)  
Bigwood, James  
Foster, Sir Walter (Derby Co.)  
M'Calmont, Col. J. (Antrim, E.)  
Bill, Charles

Fowler, Rt. Hon. Sir Henry  
M'Cann, James  
Black, Alexander William  
Furness, Sir Christopher  
M'Crae, George  
Boland, John  
Galloway, William Johnson  
M'Govern, T.  
Boutnois, Edmund  
Goddard, Daniel Ford  
M' Iver, Sir Lewis (Edinb'rgh W  
Bousfield, William Robert  
Graham, Henry Robert  
M'Kenna, Reginald  
Bowles, T Gibson (King's Lynn)  
Grant, Corrie  
M'Killop, James (Stirlingshire)  
Brand, Hon. Arthur G.  
Green, Walford D. (Wednesbury  
M'Laren, Charles Benjamin  
Brodrick, Rt. Hon. St. John  
Greene, W. Raymond- (Cambs.)  
Mansfield, Horace Rendall  
Brown, Alex. H. (Shropshire)  
Grey, Sir Edward (Berwick)  
Maple, Sir John Blundell  
Burns, John  
Griffith, Ellis J.  
Mappin, Sir Frederick Thorpe  
Burt, Thomas  
Guest, Hon. Ivor Churchill  
Markham, Arthur Basil  
Buxton, Sydney Charles  
Guthrie, Walter Murray  
Massey-Mainwaring, Hn. W. F.  
Caldwell, James  
Hain, Edward  
Maxwell, Rt. Hn Sir H. E (Wigt'n  
Cameron, Robert  
Haldane, Richard Burdon  
Mellor, Rt. Hon. John William  
Campbell, Rt. Hn J.A (Glasgow)  
Hall, Edward Marshall  
Melville, Beresford Valentine  
Carvill, Patrick G. Hamilton  
Hambro, Charles Erie

Mitchell, William  
Causton, Richard Knight  
Hamilton, Marq. of (L'nd'nd'y)  
Molesworth, Sir Lewis  
Cavendish, R. F. (N. Lanes.)  
Hammond, John  
Mooney, John J.  
Cavendish, V. C. W. (Derbyshire  
Hare, Thomas Leigh  
Morgan, J. Lloyd (Carmarthen)  
Cawley, Frederick  
Harmsworth, R. Leicester  
Morley, Rt. Hn John (Montrose  
Cayzer, Sir Charles William  
Harwood, George  
Morton, Edw. J. C. (Devonport)  
Chamberlain, Rt. Hn. J. (Birm.)  
Hatch, Ernest Fredk. Geo.  
Moss, Samuel  
Chamberlain, J. Austen (Worcr  
Hayden, John Patrick  
Moulton, John Fletcher  
Channing, Francis Allston  
Hayne, Rt. Hon. Charles Seale-  
Murphy, J.  
Chapman, Edward  
Hayter, Rt. Hn. Sir A. D.  
Murray, Col. Wyndham (Bath)  
Charrington, Spencer  
Helder, Augustus  
Nannetti, Joseph P.  
Clare, Octavius Leigh  
Helme, Norval Watson  
Newnes, Sir George  
Coddington, Sir William  
Henderson, Alexander  
Nicol, Donald Ninian  
Cohen, Benjamin Louis  
Hobhouse, Henry (Somerset, E.  
Nolan, Col. John P. (Galway, N.  
Collings, Rt. Hon. Jesse  
Holland, William Henry  
Norman, Henry  
Colston, Chas. E. H. Athole  
Hope, John Deans (Fife, West)  
Norton, Capt. Cecil William

Colville, John  
Hornby, Sir William Henry  
Nussey, Thomas Willans  
Compton, Lord Alwyne  
Horniman, Frederick John  
O'Brien, K. (Tipperary, Mid)  
Corbett, A. Cameron (Glasgow)  
Hudson, George Bickersteth  
O'Brien, Patrick (Kilkenny)  
Cox, Irwin Edward Bainbridge  
Hughes, Colonel Edwin  
O'Connor, James (Wicklow, W)  
Craig, Robert Hunter  
Humphreys-Owen, Arthur C.  
O'Donnell, John (Mayo, S.)  
Cremer, William Randal  
Hutton, Alfred E. (Morley)  
O'Donnell, T. (Kerry, W.)  
Crombie, John William  
Jacoby, James Alfred  
O'Dowd, John  
Daly, James  
Jessel, Capt. Herb. Merton  
O'Kelly, Conor (Mayo, N.)  
Dalziel, James Henry  
Johnston, William (Belfast)  
O'Malley, William  
Davies, Alfred (Carmarthen)  
Joicey, Sir James  
Orr-Ewing, Charles Lindsay  
Davies, M. Vaughnan- (Cardigan)  
Jones, William (Carnarvonsh)  
O'Shaughnessy, P. J.  
Delany, William  
Jordon, Jeremiah  
Palmer, Sir Charles M (Durham)  
Denny, Colonel  
Kearley, Hudson E.  
Partington, Oswald  
Dewar, John A. (Inverness-sh.  
Kenyon-Slaney, Col. W (Salop)  
Paulton, James Mellor  
The House divided:;Ayes, 290; Noes, 106. (Division List No. 139.)  
Pease, Sir Joseph W. (Durham)  
Sadler, Col. Samuel Alexander  
Walton, Joseph (Barnsley)

Peel, Hn. Wm. Rbt. Wellesley  
Samuel, S. M. (Whitechapel)  
Warner, Thomas Courtenay T.  
Pemberton, John S. G.  
Sandys, Lt.-Col. Thos. Myles  
Wason, Eugene (Clackmannan)  
Perks, Robert William  
Scott, Chas. Prestwich (Leigh)  
White, George (Norfolk)  
Philipps, John Wynford  
Scott, Sir S. (Marylebone, W.)  
White, Patrick (Meath, North  
Price, Robert John  
Shaw-Stewart, M. H. (Renfrew)  
Whiteley, George (York, W. R.)  
Priestley, Arthur  
Sinclair, Capt. J. (Forfarshire)  
Whiteley, H. (Ashton-u.-Lyne)  
Pryce-Jones, Lt.-Col. Edward  
Smith, Abel H. (Hertford, East)  
Whitley, J. H. (Halifax)  
Pym, C. Guy  
Smith, Samuel (Flint)  
Whittaker, Thomas Palmer  
Quilter, Sir Cuthbert  
Soames, Arthur Wellesley  
Williams, Rt. Hn J Powell- (Birm  
Rankin, Sir James  
Soares, Ernest J.  
Willox, Sir John Archibald  
Rea, Russell  
Spear, John Ward  
Wilson, Fred. W. (Norfolk, Mid)  
Reckitt, Harold James  
Spencer, Rt. Hn. C. R. (N'rth'nts  
Wilson, John (Durham, Mid)  
Redmond, John E. (Waterford)  
Stevenson, Francis S.  
Wilson, John (Falkirk)  
Redmond, William (Clare)  
Stone, Sir Benjamin  
Wilson, J. W. (Worcestersh., N.  
Reed, Sir Edw. James (Cardiff)  
Sullivan, Donal  
Wodehouse, Rt. Hn E. R. (Bath)  
Reid, Sir R. Threshie (Dumfries)

Taylor, Theodore Cooke  
Wolff, Gustav Wilhelm  
Rickett, J. Compton  
Tennant, Harold John  
Woodhouse, Sir J. T. (Hnd'rsf'd)  
Ridley, Hn. M. W. (Stalybridge  
Thomas, Abel (Carmarthen, E.  
Wrightson, Sir Thomas  
Rigg, Richard  
Thomas, Alfred (Glamorgan, E.  
Wylie, Alexander  
Robinson, Brooke  
Thomas, F. Freeman- (Hastings  
Wyndham-Quin, Maj. W. H.  
Robson, William Snowdon  
Thompson, E. C. (Monaghan, N.  
Young, Samuel (Cavan, East)  
Roe, Sir Thomas  
Thornton, Percy M.  
Younger, William  
Rolleston, Sir John F. L.  
Tomkinson, James  
Yoxall, James Henry  
Ropner, Col. Robert  
Trevelyan, Charles Philips  
Rothschild, Hon. Lionel Walter  
Ure, Alexander  
TELLERS FOR THE AYES;  
Royds, Clement Molyneux  
Wallace, Robert  
Sir Brampton Gurdon and  
Russell, T. W.  
Walton, John Lawson (Leeds, S.  
Mr. Cathcart Wason.  
NOES.  
Abraham, Win. (Cork. N. E.)  
Gibbs, Hon. Vicary (St. Albans)  
Myers, William Henry  
Allsopp, Hon. George  
Godson, Sir Augustus Fredk.  
Newdigate, Francis Alexander  
Baird, John George Alexander  
Gordon, Hn. J. E. (Elgin & Nairn  
Nolan, Joseph (Louth. South)  
Baldwin, Alfred  
Gorst, Rt. Hon. Sir John Eldon



O'Brien, P. J. (Tipperary, N.)  
Bartley, George C. T.  
Goulding, Edward Alfred  
O'Shee, James John  
Bathurst, Hon. Allen Benjamin  
Greville, Hon. Ronald  
Palmer, Walter (Salisbury)  
Beach, Rt. Hn. Sir M. H. (Bristol  
Groves, James Grimble  
Percy, Earl  
Blundell, Col. Henry  
Gunter, Colonel  
Pierpoint, Robert  
Bolton, Thomas Dolling  
Halsey, Thomas Frederick  
Pilkington, Richard  
Boyle, James  
Hardie, J Keir (Merthyr Tydvil)  
Plummer, Walter R.  
Brigg, John  
Haslam, Sir Alfred S.  
Powell, Sir Francis Sharp  
Bull, William James  
Heaton, John Henniker  
Power, Patrick Joseph  
Campbell, John (Armagh, S.)  
Hoare, Sir Samuel (Norwich)  
Remnant, James Farquharson  
Carson, Rt. Hon. Sir Edw. H.  
Hope, J.F. (Sheffield, Brightsd.  
Richards, Henry Charles  
Cecil, Evelyn (Aston Manor)  
Howard, John (Kent, Faversh.)  
Robertson, Herbert (Hackney)  
Cecil, Lord Hugh (Greenwich)  
Howard, J. (Midd., Tottenham)  
Round, James  
Cogan, Denis J.  
Hutton, John (Yorks, N. R.)  
Sackville, Col. S. C. Stopford-  
Coghill, Douglas Harry  
John-tone, Heywood (Sussex)  
Seton-Karr, Henry  
Condon, Thomas Joseph  
Joyce, Michael  
Sharpe, William Edward T.

Cranborne, Viscount  
Kennaway, Rt. Hon. Sir John H.  
Sinclair, Louis (Romford)  
Crean, Eugene  
Kennedy, Patrick James  
Smith, Hon. W. E. D. (Strand)  
Cullinan, J.  
Kenyon, Hon. G. T. (Denbigh)  
Stanley, Hn. Arthur (Ormskirk)  
Dalrymple, Sir Charles  
Legge, Col. Hon. Heneage  
Stanley, Lord (Lancs.)  
Dewar T. R. (T'rH'mlts, S. Geo.  
Leigh-Bennett, Henry Currie  
Stroyan, John  
Dickson-Poynder, Sir John P.  
Leighton, Stanley  
Talbot, Lord E. (Chichester)  
Dimsdale, Sir Joseph Cockfield  
Llewellyn, Evan Henry  
Talbot, Rt. Hn. J. G. (Oxf'd Uni.  
Disraeli, Coningsby Ralph  
Long, Rt. Hn. W. (Bristol, S.)  
Tomlinson, Wm. Edw. Murray  
Dixon Hartland, Sir Fred. D.  
Lucas, R. J. (Portsmouth)  
Tufnell, Lieut.-Col. Edward  
Esmonde, Sir Thomas  
Lundon, W.  
Tully, Jasper  
Farrell, James Patrick  
Malcolm, Ian  
Welby, Lt.-Col. A C E. (Taunton)  
Fergusson, Rt. Hn. Sir J. (Manc'r  
Milward, Colonel Victor  
Wharton, Rt. Hon. John L.  
Finlay, Sir Robert Bannatyne  
Minch, Matthew  
Whitmore, Charles Algernon  
FitzGerald, Sir Robert Penrose-  
Montagu, G. (Huntingdon)  
Flower, Ernest  
Moon, Edward Robert Pacy  
TELLERS FOR THE NOES;  
Forster, Henry William  
More, Robt. Jasper (Shropshire)

Mr. Griffith-Boscawen and  
Garlit, William

Morris, Hon. Martin Henry F.  
Sir Mark Stewart.

Gibbs, Hn. A. G. H. (City of Ldn)  
Murnaghan, George

Question put accordingly, "That the word 'now' stand part of the Question."  
The House divided:;Ayes, 279; Noes, 122. (Division List No. 140.)

AYES.

Agg-Gardner, James Tynte  
Emmott, Alfred

Lockwood, Lieut.-Col. A. R.  
Agnew, Sir Andrew Noel

Evans, Samuel T. (Glamorgan)  
Lonsdale, John Brownlee

Allan, William (Gateshead)  
Faber, George Denison

Lough, Thomas  
Ambrose, Robert

Fenwick, Charles  
Lowther, C. (Cumb., Eskdale)

Archdale, Edward Mervyn  
Field, William

Macdona, John Cumming  
Arrol, Sir William

Fison, Frederick William  
MacDonnell, Dr. Mark A.

Ashton, Thomas Gair  
Fitzmaurice, Lord Edmond

Naclver, David (Liverpool)  
Asquith, Rt. Hn. Herbert Henry

Flannery, Sir Fortescue  
Maconochie, A. W.

Atherley-Jones, L.  
Flavin, Michael Joseph

M'Arthur, Charles (Liverpool)  
Austin, Sir John

Flynn, James Christopher  
M'Crae, George

Bagot, Capt. Josceline FitzRoy  
Foster, Sir Walter (Derby Co.)

M'Dermott, Patrick  
Bailey, James (Walworth)

Furness, Sir Christopher  
M'Govern, T.

Bain, Colonel James Robert

Galloway, William Johnson  
M'Iver, Sir L. (Edinburgh, W.)  
Balfour, Capt. C. B. (Hornsey)  
Goddard, Daniel Ford  
M'Kenna, Reginald  
Banbury, Frederick George  
Graham, Henry Robert  
M'Killop, Jas. (Stirlingshire)  
Bayley, Thomas (Derbyshire)  
Grant, Corrie  
M'Laren, Charles Benjamin  
Beaumont, Wentworth C. B.  
Green, Walford D (Wednesbury  
Mansfield, Horace Rendall  
Bell, Richard  
Grey, Sir Edward (Berwick)  
Mappin, Sir Frederick Thorpe  
Bhownaggree, Sir M. M.  
Groves, James Grimble  
Markham, Arthur Basil  
Bigwood, James  
Guest, Hn. Ivor Churchill  
Massey-Mainwaring, Hn. W. F.  
Black, Alexander William  
Guthrie, Walter Murray  
Maxwell, Rt. Hn Sir H. E (Wigt'n  
Boland, John  
Hain, Edward  
Mellor, Rt. Hon. John Wm.  
Boulnois, Edmund  
Haldane, Richard Bunion  
Melville, Beresford Valentine  
Bousfield, William Robert  
Hall Edward Marshall  
Minch, Matthew  
Bowles, T. Gibson (King's Lynn  
Hambro, Charles Eric  
Mitchell, William  
Boyle, James  
Hamilton, Marq of L'nd'nderry  
Molesworth, Sir Lewis  
Brand, Hon. Arthur G.  
Hammond, John  
Mooney, John J.  
Brigg, John  
Hardie, J Keir (Merthyr Tydvil

Morgan, J. L. (Carmarthen)  
Brown, Alexander H. (Shropsh.  
Hare, Thomas Leigh  
Morley, Rt. Hn. J. (Montrose  
Burke, E. Haviland-  
Harmsworth, R. Leicester  
Morton, Edw. J. C. (Devonport  
Burns, John  
Harrington, Timothy  
Moss, Samuel  
Burt, Thomas  
Harwood, George  
Moulton, John Fletcher  
Butcher, John George  
Hatch, Ernest Frederick Geo.  
Murphy, J.  
Buxton, Sydney Charles  
Hayden, John Patrick  
Nannetti, Joseph P.  
Cameron, Robert  
Hayne, Rt. Hon. Charles Seale-  
Newnes, Sir George  
Carvill, Patrick Geo. Hamilton  
Hayter, Rt. Hon. Sir Arthur D.  
Nolan, Col. J. P. (Galway, N.)  
Causton, Richard Knight  
Helder, Augustus  
Nolan, Joseph (Louth, South)  
Cavendish, R. F. (N. Lancs.)  
Helme, Norval Watson  
Norman, Henry  
Cavendish, V. C. W. (Derbysh.)  
Henderson, Alexander  
Norton, Capt. Cecil William  
Cawley, Frederick  
Hobhouse, Henry (Somerset, E.  
Nussey, Thomas Willans  
Cayzer, Sir Charles William  
Holland, William Henry  
O'Brien, Patrick (Kilkenny)  
Chamberlain, Rt. Hon. J. (Birm.  
Hope, John Deans (Fife, West)  
O'Connor, Jas. (Wicklow, W.  
Chamberlain, J. Austen (Wore.  
Hornby, Sir William Henry  
O'Connor, T. P. (Liverpool)

Channing, Francis Allston  
Horniman, Frederick John  
O'Donnell, John (Mayo, S.)  
Clare, Octavins Leigh  
Howard, John (Kent, Faversh.)  
O'Donnell. T. (Kerry, W.)  
Coddington, Sir William  
Hudson, George Bickersteth  
O'Dowd, John  
Cohen, Benjamin Louis  
Hughes, Colonel Edwin  
O'Kelly, Conor (Mayo, N.)  
Collings, Rt. Hon. Jesse  
Humphreys-Owen, Arthur C.  
O'Malley, William  
Colville, John  
Hutton, Alfred E. (Morley)  
Orr Ewing, Charles Lindsay  
Compton, Lord Alwyne  
Jacoby, James Alfred  
O'Shaughnessy, P. J.  
Corbett, A. Cameron (Glasgow)  
Jessel, Captain Herbert Merton  
Palmer, Sir C. M. (Durham)  
Cox, Irwin Edward Bainbridge  
Johnston, William (Belfast)  
Parker, Gilbert  
Craig, Robert Hunter  
Joicey, Sir James  
Partington, Oswald  
Cromer, William Randal  
Jones, William (Carnarvonsh.)  
Paulton, James Mellor  
Crombie, John William  
Jordan, Jeremiah  
Pease, Sir Joseph W. (Durham)  
Cullinan, J.  
Kearley, Hudson E.  
Peel, Hn Wm. Robert Wellesley  
Daly, James  
Kennedy, Patrick James  
Pemberton, John S. G.  
Dalziel, James Henry  
Kenyon-Slaney, Col. W. (Salop)  
Perks, Robert William  
Davies, Alfred (Carmarthen)

Kinloch, Sir. John George Smyth  
Philipps, John Wynford  
Davies, M. Vaughan- (Cardigan  
Kitson, Sir James  
Price, Robert John  
Delany, William  
Labouchere, Henry  
Priestley, Arthur  
Denny, Colonel  
Lambert, George  
Pryce-Jones, Lt.-Col. Edward  
Dewar, John A. (Inverness-sh.  
Lambton, Hon. Frederick W.  
Pym, C. Guy  
Dilke, Rt. Hn. Sir Charles  
Langley, Batty  
Quilter, Sir Cuthbert  
Dillon, John  
Law, Andrew Bonar  
Rea, Russell  
Doughty, George  
Layland-Barratt, Francis  
Reckitt, Harold James  
Doxford, Sir William Theodore  
Leigh, Sir Joseph  
Redmond, John E. (Waterford)  
Duncan, J. Hastings  
Leng, Sir John  
Redmond, William (Clare)  
Dunn, Sir William  
Leveson-Gower, Fredk. N. S.  
Reed, Sir Edw. James (Cardiff)  
Edwards, Frank  
Levy, Maurice  
Reid, Sir R. Threshie (Dumfries  
Elliot, Hon. A. Ralph Douglas  
Lewis, John Herbert  
Rickett, J. Compton  
Ellis, John Edward  
Lloyd-George, David  
Ridley, Hon. M. W. (Stalybridge  
Rigg, Richard  
Stevenson, Francis S.  
Whitley, J. H. (Halifax)  
Robinson, Brooke  
Stone, Sir Benjamin

Whittaker, Thomas Palmer  
Robson, William Snowdon  
Sullivan, Donal  
Williams, Rt. Hn. J Powell- (Birm  
Roe, Sir Thomas  
Taylor, Theodore Cooke  
Willox, Sir John Archibald  
Rolleston, Sir John F. L.  
Tennant, Hareld John  
Wilson, Fred W. (Norfolk, Mid)  
Ropner, Colonel Robert  
Thomas, Abel (Carmarthen, E.  
Wilson, John (Durham, Mid)  
Rothschild, Hon. Lionel Walter  
Thomas, Alfred (Glamorgan, E.  
Wilson, John (Falkirk)  
Royds, Clement Molyneux  
Thomas, F. Freeman- (Hastings  
Wilson, J. W. (Worcestersh. N.  
Russell, T. W.  
Thompson, E. C. (Monaghan, N.  
Wodehouse, Rt. Hn. E. R. (Bath  
Sadler, Col. Samuel Alexander  
Thornton, Percy M.  
Wolff, Gustav Wilhelm  
Samuel, S. M. (Whitechapel)  
Tomkinson, James  
Woodhouse, Sir J. T. (H'dd'rsfd  
Sandys, Lt.-Col. Thos. Myles  
Trevelyan, Charles Philips  
Wrightson, Sir Thomas  
Scott, Chas. Prestwich (Leigh)  
Ure, Alexander  
Wylie, Alexander  
Scott, Sir S. (Marylebone, W.)  
Wallace, Robert  
Wyndham-Quin, Major W.H.  
Shaw-Stewart M. H. (Renfrew)  
Walton, John Lawson (Leeds, S.  
Young, Samuel (Cavan, Fast)  
Sinclair, Capt. John (Forfarsh'e  
Walton, Joseph (Barnsley)  
Younger, William  
Smith, Samuel (Flint)  
Warner, Thomas Courtenay T.  
Yoxall, James Henry



Soames, Arthur Wellesley  
Wason, Eugene (Clackmannan  
Soares, Ernest J.  
White, George (Norfolk)  
TELLERS FOR THE AYES.;  
Spear, John Ward  
White, Patrick (Meath, North)  
Sir Brampton Gurdon and  
Spencer, Rt. Hn. C R. (Northants  
Whiteley, George (York, W.R.)  
Mr. Cathcart Wason.  
Stanley, Lord (Lancs.)  
Whiteley, H. (Ashton-u-Lyne  
NOES.  
Abraham, Wm. (Cork, N. E.)  
Fellowes, Hon. Ailwyn Edw.  
More, R. Jasper (Shropshire)  
Acland-Hood, Capt. Sir Alex. F.  
Fergusson, Rt. Hn. Sir. J. (Manc'r  
Morris, Hon. Martin Henry F.  
Allsopp, Hon. George  
Finlay, Sir Robert Bannatyne  
Murnaghan, George  
Anstruther, H. T.  
Fisher, William Hayes  
Murray, Col. Wyndham (Bath)  
Ashmead-Bartlett, Sir Ellis  
FitzGerald, Sir Robert Penrose-  
Myers, William Henry  
Baird, John George Alexander  
Flower, Ernest  
Newdigate, Francis Alexander  
Baldwin, Alfred  
Forster, Henry William  
Nicol, Donald Ninian  
Barry, E. (Cork, S.)  
Garfit, William  
O'Brien, Kendal (Tipper'ry Mid  
Bartley, George C. T.  
Gibbs, Hn A. G. H. (City of Lond.  
O'Brien, P. J. (Tipperary, N.)  
Bathurst, Hon. Allen Benjamin  
Gibbs, Hon. Vicary (St. Albans  
O'Shee, James John  
Beach, Rt. Hn. Sir M. H. (Bristol)  
Godson, Sir Augustus Fred.

Palmer, Walter (Salisbury)  
Beach, Rt. Hn W. W. B. (Hants.)  
Gordon, Hn. J. E. (Elgin & Nairn)  
Percy, Earl  
Bill, Charles  
Gorst, Rt. Hon. Sir John E.  
Pierpoint, Robert  
Blundell, Col. Hemy  
Greville, Hon. Ronald  
Pilkington, Richard  
Bolton, Thomas Dulling  
Gunter, Colonel  
Plummer, Walter R.  
Brodrick, Rt. Hon. St. John  
Halsey, Thomas Frederick  
Powell, Sir Francis Sharp  
Bull, William James  
Haslam, Sir Alfred S.  
Power, Patrick Joseph  
Caldwell, James  
Heaton, John Henniker  
Rankin, Sir James  
Campbell, Rt. Hn. J.A. (Gl'sg'w  
Hoare, Sir Samuel (Norwich)  
Remnant, James Farquharson  
Campbell, John (Armagh, S.)  
Hope, J. F. (Shef'ld, Brightside  
Richards, Henry Charles  
Carson, Rt. Hon. Sir Edw. H.  
Howard, J. (Midd., Tottenham  
Robertson, Herbert (Hackney)  
Cecil, Evelyn (Aston Manor)  
Hutton, John (Yorks., N.R.)  
Round, James  
Cecil, Lord Hugh (Greenwich)  
Johnstone, Heywood (Sussex)  
Sackville, Col. S. G. Stopford-  
Chapman, Edward  
Joyce, Michael  
Seton-Karr, Henry  
Charrington, Spencer  
Kennaway, Rt. Hon. Sir J. H.  
Sharpe, Wm. Edw. T.  
Cogan, Denis J.  
Kenyon, Hon. G. T. (Denbigh  
Sinclair, Louis (Romford)

Coghill, Douglas Harry  
King, Sir Henry Seymour  
Smith, Abel H. (Hertford, East)  
Colston, Chas. Edw. H. Athole  
Legge, Col. Hon. Heneage  
Smith, Hon. W. F. D. (Strand)  
Condon, Thomas Joseph  
Leigh-Bennett, Henry Currie  
Stanley, Hon. A. (Ormskirk)  
Cranborne, Viscount  
Leighton, Stanley  
Talbot, Lord E. (Chichester)  
Crean, Eugene  
Llewellyn, Evan Henry  
Talbot, Rt. Hn. J. G. (Oxf'd Univ)  
Cubitt, Hon. Henry  
Long, Rt. Hn Walter (Bristol, S.)  
Tomlinson, Wm. Edw. Murray  
Dalrymple, Sir Charles  
Loyd, Archie Kirkman  
Tufnell, Lieut.-Col. Edward  
Dewar, T. R (T'rH'ml'ts, S. Geo.  
Lucas, R. J. (Portsmouth)  
Tully, Jasper  
Dickson-Poynder, Sir John P.  
Lundon, W.  
Warde, Colonel C. E.  
Dimsdale, Sir Joseph Cockfield  
M'Calmont, Col. J. (Antrim, N.  
Welby, Lt. Col. A. C. E. (Tauntn  
Disraeli, Coningsby Ralph  
M'Cann, James  
Wharton, Rt. Hn. J. Lloyd  
Dixon-Hartland, Sir Fred. D.  
Malcolm, Ian  
Whitmore, Chas. Algernon  
Doogan, P. C.  
Maple, Sir John Blundell  
Dorington, Sir John Edward  
Milward, Colonel Victor  
TELLERS FOR THE NOES;  
Douglas, Rt. Hon. A. Akers-  
Montagu, G. (Huntingdon)  
Mr. Griffith-Boscawen and  
Farrell, James Patrick  
Moon, Edward Robert Pacy

Sir Mark Stewart.

Main Question put, and agreed to.

Bill read a second time, and committed for To-morrow.

It being Six of the clock, MR. SPEAKER adjourned the House without Question put.

Adjourned at Six of the Clock.

HOUSE OF COMMONS.

Thursday, 25th April, 1901.

PRIVATE BILL BUSINESS.

GREAT EASTERN' RAILWAY BILL [BY ORDER.]

As amended, considered.

MR. KEIR HARDIE (Merthyr Tydvil) moved the rejection of Clause 27, which proposed to give the Great Eastern Railway Company power to contribute to the funds of a benefit society, ostensibly for the benefit of its workpeople. On the Second Reading of the Bill\* a long discussion took place upon the clause, and he need therefore now only summarise the objections entertained to it by working men, and especially by those who were members of trade unions, who objected to being compelled to contribute to a fund over which they had practically no control. This particular fund came under that description. Great benefit societies; such as the Foresters, the Oddfellows, and the Rechabites; had been brought into being by the working men of this country to enable them to tide over times of sickness or accident. In connection with many trade unions there were similar funds, and he had therefore to submit that there was no sufficient reason why the Great Eastern, or any other railway company, should make special provision for its workpeople in that respect. There were, however, particular reasons why the House ought to reject this clause. The provident fund managed by the Great Eastern Railway Company had been in existence since 1851. In 1888 the fund was found to be insolvent. The members agreed to contribute an additional penny per week, and the company undertook to pay a subsidy of £;2,500 a year towards the fund. In 1894 the insolvency had increased, and the deficit had risen to £;24,000. In 1898 it had increased to £;36,000, and an actuarial valuation for the present year put it as high as £;50,000. The members of the society had raised their contribution, and the directors of the company had agreed to pay another

\* See Debates, Vol. xc., page 1523.

£;500 a year, but he understood that they had not paid a single penny. The directors had, in fact, made themselves responsible for a yearly contribution of £;3,000, but his information was that they had not so far paid a single penny, and that if they had carried out their undertaking the society at the present moment would have been £;30,000 better off. With regard to the existing society, membership was

compulsory in certain grades of the service, and there was the further objection that if a man were dismissed, or left to improve his position, the service of the company, he lost all the money he had contributed to the society. One effect of the compulsory membership was that a man in receipt of the wage of 15s. or 16s. weekly, having to pay 11d. per week to the fund of the society, could not afford to keep up his membership of any outside organisation.

Now he came to this particular clause. It would be observed that the Great Eastern Railway asked power to contribute to the funds of the society, composed exclusively of their workpeople. What did that mean? It meant that a man who for years had served the company well and faithfully, and who, perhaps, for ten or twenty years had contributed to the fund of the society, would, if dismissed for some trifling offence, lose the whole of his contributions, and at the same time would be too old to join any other society. That was a most dangerous position in which to place a body of working men. But there was a still more serious objection to the clause. It would be found on examination that the contribution to the funds was only to be given on the condition that the funds were not used to pay workmen who were off work in consequence of any injuries received in the course of their employment. Thus a workman injured at his work, who would under the common law be entitled to sue for and receive compensation, was made to choose between the compensation to which he was entitled under the Act and the benefit he had contributed for in the case of the society. It was only reasonable to assume that in nine cases out of ten the workman, under the circumstances, would elect to take the benefit under the fund, and so he would relieve the

Great Eastern Railway Company of the responsibility which Parliament had put upon it to give compensation to its injured workmen. Surely it was most unjust to force them into such a position. He came next to what was, perhaps, the most serious blot upon the clause. There were certain words which provided that the company should make its contributions on such terms and conditions, and subject to such restrictions and reservations, as it might think expedient. On the face of it that appeared reasonable in an ordinary case, but what did it mean in this case? It meant that the Great Eastern Company would have the power to say before it contributed to the funds of the society that the men should be precluded from taking part in any public work. One employee of the company had been dismissed for allowing himself to be elected a member of the Poplar Borough Council, and other employees had been dismissed for signing a memorial in connection with the School Board. The employees could not afford to have a company doing things of this kind. The employees were bound down strictly enough in all conscience to the rules of the company. He held in his hand the book of rules issued by the company to their employees; a book containing 200 rules which were most strict; and he desired to know whether the promoters of the Bill, who had agreed to insert a clause in it that membership of the provident societies which had been established or authorised by the company should not be compulsory; were prepared to delete Rule 8 in the book of rules. By that rule employees of the company were required to join any society that might be established in accordance with the regulations of the company. If the promoters were not prepared to delete that rule, then there would be a conflict of authority between the Bill it was proposed to pass on the one hand, and the rules of the company on the other. He hoped, in the interests of the freedom of the employees, of thrift among work-people, and of encouraging working men to take an active interest in their own affairs and thereby becoming better citizens and better workmen, the House would reject Clause 27. He begged to move.

\*MR. BELL (Derby) said he thought he had made perfectly clear on the last occasion his position with regard to the Bill, and he now rose to second the Amendment of the hon. Member for Merthyr Tydvil, as he thought the proposal of the hon. Member was by far the simplest method of dealing with the Amendments contained in the Paper. The company appeared to seek power from this House to enable them to subscribe as it were to a new society yet to be formed. The objection raised by the railway men to any such proposal was that the company sought to become hon. members of such a society subject to such conditions and reservations as they deemed might be expedient. There was no objection to the Great Eastern Railway Company becoming hon. members of any society they pleased; most hon. Members of this House were hon. members of some society or other in their own constituency, but they sought no special conditions; and the opposition was only directed to preventing the company making any special conditions for themselves. He had received appeals from all parts of the Great Eastern system to use his influence to get this clause deleted. The company had in one of the clauses of the Bill which they agreed to accept before the Committee said that no scheme with regard to a benevolent fund should come into operation until it had received the sanction and come under the operation of the Friendly Societies Acts. They now proposed to vary and amend that in such a manner as to enable them to evade that obligation.

As an experienced railway man, who had joined these societies and left money in them when he left the companies, he could speak with authority upon this matter, and he asked the House, by the urgent request of the Great Eastern Railway men, to delete Clause 27, and thus prevent the men of the company being interfered with simply because they were not members of the society. The Chairman of Committees had stated that a clause or paragraph to deal with this might be inserted before the Bill went into Committee, but it appeared that it was to be inserted in such a way as to be of no value to the men who were opposing the measure, as although it was

not obligatory for the employees to become members of the society, it was practically compulsory for candidates for employment to join it. The experience of the employees of the Great Eastern Railway fund was such that they did not want any more societies of the kind forced upon them. In order to save the time of the House, he thought it a very reasonable request to make that until such time as the directors and employees had agreed amongst themselves as to the nature of the society, and as to a form of rule that would be suitable to both parties, this clause should be deleted. If that were done, and the company came to the House next year for powers, he would support the compromise as strongly as he had opposed this clause.

Amendment proposed;

"In page 25, to leave out Clause 27."; (Mr. Keir Hardie.)

Question proposed, "That the words of the clause to the word 'not,' in line 13, stand part of the Bill."

MR. PENN (Lewisham) said that when the Bill was before the House last month this question had been thrashed out at very considerable length. A feeling was then strongly expressed that there should be no compulsion on the servants of the

company to join the fund constituted by this clause. The company agreed that the words which were in the Lancashire and Yorkshire Act of 1897 should be inserted in the Bill, in order to make the understanding perfectly clear. These words were. "It shall not be compulsory upon any servant of the company to become a member of the society." The company thought that that would amply safeguard the employees of the Great Eastern Railway, and he was perfectly convinced that it did so. He therefore could not understand how opposition could be offered to this clause after the meeting they had had, and after this agreement had been come to.

MR. KEIR HARDIE said he had not been consulted, and had been a party to no agreement; nor had he been aware that any agreement had been come to.

MR. PENN said he was put in a somewhat difficult position, because he really did not know exactly how many of the employees of the Great Eastern Railway were represented by the hon. Member for Merthyr Tydvil, nor did he know for how many employees the hon. Member for Derby spoke.

\*MR. BELL: For several thousands.

MR. PENN said that there were tens of thousands in the employment of the company, a very large number of whom were perfectly satisfied with their conditions of service, and it was scarcely possible for one man to represent all the interests of

the employees. The hon. Member for Merthyr Tydvil had said that if a member of the provident fund left the employment of the company all the money which he had paid into the fund would be for ever lost to him. But Rule 35 of the Great Eastern provident fund made it absolutely clear that any member leaving the society, except for some criminal offence, should be entitled to take away with him all contributions he had made.

\*MR. BELL said he understood the hon. Member to say on the last occasion that no rules had been drafted for the new society.

MR. PENN said he was only endeavouring to put right that which had been advanced by the hon. Member for Merthyr Tydvil, and which, if uncontradicted, would be a great stigma and slur on the Great Eastern Railway. The men were entitled to take away their contributions if they left the service of the company.

MR. KEIR HARDIE: Subject to what deductions?

MR. PENN said there was a very small deduction for the risk incurred while the men were members of the society, and that was a perfectly fair rule. Another point the hon. Member had made was that the company had promised to make a certain payment to the society, but had not done so in fact. Well, the money was credited to the fund

under a sealed agreement with the members of the fund, and if any occasion arose it would be a first charge on the company's resources. He should object to the omission of the clause.

\*MR. CORRIE GRANT (Warwickshire, Rugby) wished to ask the hon. Gentleman whether the company would withdraw Rule 8, under which a servant was required to join any society the company might establish.

MR. PENN said that that rule did not affect the proposed society at all.

\*MR. CORRIE GRANT pointed out that, while the regulations were handed to all the

men in the employment of the company, and to the men who wanted to join the company, the Acts of Parliament which regulated the proceedings of the company were not so easy to obtain; and railway porters at 12s. or 15s. a week had no means of knowing what was in those Acts. Would the company undertake to alter Rule 8, which made it compulsory on servants to join any fund?

\*SIR JOSEPH PEASE (Durham, Barnard Castle) said he had come down to the House in order to support the Chairman of Ways and Means in the kind assistance he was pleased to give to the promoters of the Bill and those opposed to the original clause. He thought the words proposed to be introduced through the kind aid of the Chairman of Ways and Means were satisfactory. But the hon. Member for Merthyr had pointed out a very different case; the obligatory rule, No. 8, which seemed to have been long in existence, and which took him, as a railway man, a good deal by surprise. That rule said that if a benefit society was established by the company, the servants were required to join it in accordance with the regulations. Now, in his opinion, these societies must not be compulsory. If they were to work at all they must work with the full approval, and with the help of the men themselves. He used "help" advisedly, for the men and representatives of the company should work together for the benefit of both parties. They should not have a clash of interests. Therefore, it was not unreasonable to ask whether, if this Bill were passed, this rule would be taken out of the regulations. It seemed to him to be a very arbitrary rule, and one which the Great Eastern Company would, in these modern days, never think of acting upon. If the Bill were passed as amended, and if this rule were altered, then everything would have been gained which the men could fairly ask.

MAJOR RASCH (Essex, Chelmsford) said he would take advantage, in the agricultural interest, of the opportunity of calling the attention of the House to the differential rates demanded by the Great Eastern Railway Company.

\*MR. SPEAKER: Order, order; That would not be relevant.

MR. PENNANT (Berwickshire) said that if the Amendment suggested by the Chairman of Ways and Means were carried, and Rule 8 were left intact, the company would have a stultifying code. He wanted to know if the clause covered new as well as existing servants of the company.

MR. BARTLEY (Islington, N.) thought they were in some confusion on this matter. The last debate on the question was whether the rule should be made compulsory or not. He was not a shareholder in the company, and had no interest in the matter except as a scheme for promoting thrift. This clause was to enable the railway

company to contribute, which it was very willing to do, to practically a new fund, established to confer various benefits on the employees. It appeared that the old fund had some rules which seemed to have been of a somewhat drastic character, but this Act, with the clause inserted by agreement, would override the old rules. [Cries of "No."] He thought there could be no question about it. If an Act of Parliament said categorically that the railway company was not to compel its servants to join a certain society, then that abrogated the old rules.



MR. SYDNEY BUXTON (Tower Hamlets, Poplar) said he was in some difficulty about this matter. When the Bill was introduced and the subject first debated, the Great Eastern Railway Company ought to have been the first to acknowledge that this provident fund should not be compulsory on their servants. That, however, they did not do, having thoroughly misapprehended the feeling of the House; and they only consented to make the scheme non-compulsory because they realised they would lose their Bill altogether unless they did so. But he had grave suspicion in regard to what the Great Eastern Company had in their mind on this matter. Into the hands of every servant of the company was placed a copy of the rules and regulations of the company. No. 8 of these rules said that any fund of this sort either in the past or the future should necessarily be compulsory on the servants of the company. The hon. Gentleman the Member for Lewisham had been asked twice over by different hon. Members whether the company intended to adhere to the rule or not, but he had given no reply. They wanted to know, moreover, whether the clause in the present Bill would override the rule. Unless the hon. Gentleman gave a distinct assurance that the company were going to act in spirit and in letter up to the opinion and desire of the House, and to the terms of this clause, and also that Rule 8 should be withdrawn, he certainly should vote against the clause under discussion.

MR. FIELD (Dublin, St. Patrick) appealed to the hon. Member for Lewisham to promise to withdraw Rule 8, against which the men were unanimous. A good and constant railway service could never be carried on unless the men were entirely contented with the rules by which they were governed.

COLONEL LOCKWOOD (Essex, Epping) said the hon. Member for Merthyr Tydvil was under a misapprehension when he said that when a man left the service of the Great Eastern Railway he forfeited the benefits of the society. Rule 35 distinctly stated that any member of the society quitting the company's service could still remain a member of the society provided he continued to pay into it.

The hon. Member for Poplar was not quite fair in his remarks about the Great Eastern Railway Company. There was nothing to justify him in saying that the company wished to evade their responsibilities. He was light in stating that they intended fully and honourably to carry out in spirit and in letter the obligations they had undertaken to this House. He understood that the hon. Member for Lewisham had assented to that. [Cries of "No."] Then he gave that assurance now.

MR. PENN said it might save the time of the House if he stated that the company were prepared to make an alteration in the particular regulation under discussion so as to remove obligation from any servant to join the society.

CAPTAIN NORTON (Newington, W.) said that before going to the vote this should be made perfectly clear. It was said that this was introduced in the interest of the employees. As a matter of fact, they knew that the employees were distinctly against it. Now, the hon. Member said he would alter the new conditions under which the men joined the society, but the men objected to be bound by any conditions for joining the society. This particular clause struck at all friendly societies throughout the country. It damaged those societies in the interest of the railway companies, in order to place the men definitely in the

power of their employers. This section did not apply to the new rules. The funds which were supplied by the men were invested in the company. In other words, the profits from the savings of the men, instead of going into the pockets of the men, went into the pockets of the shareholders. Then, again, it was stated that a man who cleared out of the company might continue to be a member of the society, so that he suffered no damage; but that provision did not meet the objections of the men. He hoped that all those who had the interests of the men at heart would vote for the deletion of the section.

Question put.

The House divided::Ayes, 213; Noes, 138. (Division List No. 141.)

AYES.

Acland-Hood, Capt. Sir A. F.

Garfit, William

Murray, Rt. Hn A Graham (Bute

Agg-Gardner, James Tynte

Gibbs, Hn. A. G. H (City of Lond

Myers, William Henry

Agnew, Sir Andrew Noel

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

Nicholson, William Graham

Allsopp, Hon. George

Gordon, Maj Evans- (T'rH'lets

Nicol, Donald Ninian

Anstruther, H. T.

Gore, Hon. F. S. Ormsby-

Orr-Ewing, Charles Lindsay

Archdale, Edward Mervyn

Gorst, Rt. Hon. Sir John Eldon

Palmer, Sir Charles M (Durham

Arkwright, John Stanhope

Goulding, Edward Alfred

Palmer, Walter (Salisbury)

Arnold-Forster, Hugh O.

Grant, Corrie

Parker, Gilbert

Ashmead-Bartlett, Sir Ellis

Gray, Ernest (West Ham)

Partington, Oswald

Ashtin, Thomas Gair

Greene, W. Raymond (Cambs

Pease, Sir Joseph W. (Durham)

Atkinson, Rt. Hon. John

Grenfell, William Henry

Pemberton, John S. G.

Bagot, Capt. Josceline Fitzroy

Gretton, John

Penn, John  
Bain, Colonel James Robert  
Greville, Hon. Ronald  
Percy, Earl  
Baird, John George Alexander  
Grey, Sir Edward (Berwick)  
Pierpoint, Robert  
Baldwin, Alfred  
Groves, James Grimble  
Plummer, Walter R.  
Balfour, Rt. Hn. A. J. (Manch'r)  
Gunter, Colonel  
Purvis, Robert  
Balfour, Rt Hn Gerald W (Leeds  
Gurdon, Sir W. Brampton  
Quilter, Sir Cuthbert  
Bartley, George C. T.  
Guthrie, Walter Murray  
Rankin, Sir James  
Bathurst, Hon. Allen Benjamin  
Hain, Edward  
Rasch, Major Frederic Carne  
Beach, Rt Hn. Sir M. H. (Bristol)  
Halsey, Thomas Frederick  
Ratcliffe, R. F.  
Beach, Rt Hon W. W. B. (Hants.  
Hamilton, Rt Hn Lord G. (Mid'x  
Reid, James Greenock)  
Bhownaggee, Sir M. M.  
Hanbury, Rt. Hon. Robert Wm.  
Remnant, James Farquharson  
Bill, Charles  
Harris, F. L. (Tynemouth)  
Rentoul, James Alexander  
Blundell, Col. Henry  
Haslam, Sir Alfred S.  
Renwick, George  
Boscawen, Arthur Griffith-  
Haslett, Sir James Horner  
Ridley, Hon. M. W (Stalybridge  
Brand, Hon. Arthur G.  
Helder, Augustus  
Robertson, Herbert Hackney  
Brassey, Albert  
Helme, Norval Watson  
Rolleston, Sir John F. L.

Brookfield, Col. Montagu  
Henderson, Alexander  
Ropner, Colonel Robert  
Brymer, William Ernest  
Hickman, Sir Alfred  
Rothschild, Hn. Lionel Walter  
Bull, William James  
Hoare, Ed. Brodie (Hampstead  
Round, James  
Bullard, Sir Harry  
Hobhouse, Henry (Somerset, E.  
Royds, Clement Molyneux  
Campbell, Rt Hn. J. A (Glasgow  
Horner, Frederick William  
Russell, T. W.  
Carlile, William Walter  
Houldsworth, Sir Wm. Henry  
Rutherford, John  
Carson, Rt. Hn. Sir Edw. H.  
Hozier, Hon. James Henry Cecil  
Sackville, Col. S. G. Stopford-  
Cavendish, R. E. (N. Lancs.)  
Hudson, George Bickersteth  
Sassoon, Sir Edward Albert  
Cavendish, V. C. W. (Derbysh.)  
Johnston, William (Belfast)  
Scott, Sir S. (Marylebone, W.)  
Cayzer, Sir Charles William  
Johnstone, Heywood (Sussex)  
Sharpe, Wm. Edward T.  
Cecil, Evelyn (Aston Manor)  
Kenyon, Hon. Geo. T. (Denbigh  
Shaw-Stewart, M. H. (Renfrew  
Cecil, Lord Hugh (Greenwich)  
Kimber, Henry  
Simeon, Sir Barrington  
Chamberlain, Rt. Hon. J. (Birm.  
King, Sir Henry Seymour  
Sinclair, Louis (Romford)  
Chaplin, Rt. Hon. Henry  
Kitson, Sir James  
Smith, Abel H. (Hertford, E.)  
Chapman, Edward  
Knowles, Lees  
Smith, H. C. (North, Tyneside)  
Charrington, Spencer

Law, Andrew Bonar  
Smith, James Parker (Lanarks.  
Churchill, Winston Spencer  
Lawson, John Grant  
Smith, Hn. W. F. D. (Strand)  
Coddington, Sir William  
Layland-Barratt, Francis  
Spear, John Ward  
Cohen, Benjamin Louis  
Lee, A. H. (Hants, Fareham)  
Stanley, Lord (Lancs.)  
Collings, Rt. Hon. Jesse  
Leveson-Gower, Frederick N. S  
Stone, Sir Benjamin  
Colston, Chas. Edw. H. Athole  
Llewellyn, Evan Henry  
Stroyan, John  
Corbett, T. L. (Down, North)  
Lockwood, Lt.-Col. A. R.  
Taylor, Theodore Cooke  
Cripps, Charles Alfred  
Long, Col. Charles W (Evesham  
Thomas, F. Freeman- (Hastings  
Cubitt, Hon. Henry  
Long, Rt. Hn. W. (Bristol, S.)  
Tomlinson, Wm. Edw. Murray  
Cust, Henry John C.  
Lonsdale, John Brownlee  
Valentia, Viscount  
Dalkeith, Earl of  
Lowther, Rt Hn J W (Cum., Pen.  
Walrond, Rt. Hn. Sir Wm. H.  
Dalrymple, Sir Charles  
Loyd, Archie Kirkman  
Warr, Augustus Frederick  
Denny, Colonel  
Lucas, Col. Francis (Lowestoft)  
Wason, John Cathcart (Orkney  
Dewar, John A. (Inverness-sh.  
Macartney, Rt. Hn. W. G. E.  
Welby, Lt-Col. A. C. E. (Tauntn  
Dewar, T. R. (T'rH'mlets, S Geo.  
Macdona, John Cumming  
Wharton, Rt. Hn. John Lloyd  
Digby, John K. D. Wingfield-  
M'Calmont, Col. J. (Antrim, E.

Willox, Sir John Archibald  
Dimsdale, Sir Joseph Cockfield  
M'Iver, Sir L. (Edinburgh, W.)  
Wilson, John (Falkirk)  
Doughty, George  
Majendie, James A. H.  
Wilson, John (Glasgow)  
Douglas, Rt. Hn. A. Akers-  
Malcolm, Ian  
Wilson-Todd, Wm. H. (Yorks  
Durning-Lawrence, Sir Edwin  
Manners, Lord Cecil  
Wolff, Gustav Wilhelm  
Dyke, Rt. Hn. Sir Wm Hart  
Mappin, Sir Frederick Thorpe  
Wrightson, Sir Thomas  
Egerton, Hon. A. de Tatton  
Maxwell, W. J. H. (Dumfriessh.  
Wyndham, Rt. Hon. George  
Elliot, Hn. A. Ralph Douglas  
Mellor, Rt. Hon. John William  
Wyndham-Quin, Major W. H.  
Farquharson, Dr. Robert  
Middlemore, John Throgmor'n  
Young, Commander (Berks, E.  
Fellowes, Hn. Ailwyn Edward  
Mitchell, William  
Younger, William  
Fergusson, Rt Hn Sir J (Manch'r  
Montagu, G. (Huntingdon)  
Finlay, Sir Robt. Bannatyne  
Moon, Edward Robert Pacy  
TELLERS FOR THE AYES;  
Fisher, William Hayes  
More, Robt. Jasper (Shropshire)  
Mr. Boulnois and Mr. Banbury.  
Fison, Frederick William  
Morris, Hon. Martin Henry F.  
FitzGerald, Sir Robt. Penrose-  
Mount, William Arthur  
Flower, Ernest  
Mowbray, Sir Robert Gray C.  
NOES.  
Abraham, Wm. (Cork, N. E.)  
Harwood, George  
O'Donnell, T. (Kerry, W.)

Allan, William (Gateshead)  
Hay, Hon. Claude George  
O'Dowd, John  
Allen, Chas. P. (Glouc., Stroud)  
Hayden, John Patrick  
O'Kelly, Conor (Mayo, N.)  
Austin, Sir John  
Hayne, Rt. Hon. Chas. Seale-  
O'Malley, William  
Barry, E. (Cork, S.)  
Hayter, Rt. Hn. Sir Arthur D.  
O'Mara, James  
Bayley, Thomas (Derbyshire)  
Hemphill, Rt. Hon. Chas. H.  
O'Shaughnessy, P. J.  
Beaumont, Wentworth C. B.  
Hobhouse, C. E. H. (Bristol, E.)  
Paulton, James Mellor  
Bell, Richard  
Holland, William Henry  
Philipps, John Wynford  
Black, Alexander William  
Hope, John Deans (Fife, West)  
Power, Patrick Joseph  
Blake, Edward  
Horniman, Frederick John  
Priestley, Arthur  
Boland, John  
Hutton, Alfred E. (Morley)  
Reckitt, Harold James  
Brigg, John  
Jacoby, James Alfred  
Reddy, M.  
Broadhurst, Henry  
Jones, Wm. (Carnarvonshire)  
Redmond, John E. (Waterford)  
Brunner, Sir John Tomlinson  
Jordan, Jeremiah  
Redmond, William (Clare)  
Burt, Thomas  
Joyce, Michael  
Reed, Sir Edw. James (Cardiff)  
Caine, William Sproston  
Kearley, Hudson E.  
Rickett, J. Compton  
Caldwell, James

Kennedy, Patrick James  
Rigg, Richard  
Campbell, John (Armagh, S.)  
Kinloch, Sir John George Smyth  
Roe, Sir Thomas  
Carvill, Patrick Geo. Hamilton  
Labouchere, Henry  
Rollit, Sir Albert Kaye  
Channing, Francis Allston  
Lambert, George  
Samuel, S. M. (Whitechapel)  
Cogan, Denis J.  
Langley, Batty  
Shipman, Dr. John G.  
Colville, John  
Leamy, Edmund  
Soares, Ernest J.  
Crean, Eugene  
Leng, Sir John  
Sullivan, Donal  
Cremer, William Randal  
Lewis, John Herbert  
Thomas, Alfred (Glamorgan, E.  
Crombie, John William  
Loyd-George, David  
Thomas, David Alfred (Merty'r  
Cullinan, J.  
Lundon, W.  
Thompson, E. C. (Monaghan, N.  
Daly, James  
MacDonnell, Dr. Mark A.  
Tomkinson, James  
Davies, Alfred (Carmarthen)  
MacNeill, John Gordon Swift  
Tully, Jasper  
Delany, William  
M'Cann, James  
Wallace, Robert  
Dilke, Rt. Hon. Sir Charles  
M'Crae, George  
Walton, Joseph (Barnsley)  
Dillon, John  
Mansfield, Horace Rendall  
Warner, Thomas Courtenay T.  
Doogan, P. C.  
Markham, Arthur Basil



Wason, Eugene (Clackmannan  
Duffy, William J.  
Melville, Beresford Valentine  
Weir, James Galloway  
Dunn, Sir William  
Mooney, John J.  
White, George (Norfolk)  
Edwards, Frank  
Morgan, J. Lloyd (Carmarthen  
White, Patrick (Meath, North)  
Esmonde, Sir Thomas  
Morton, Edw. J. C. (Devonport)  
Whiteley, George (York, W.R.)  
Farrell, James Patrick  
Murnaghan, George  
Whitley, J. H. Halifax)  
Fenwick, Charles  
Murphy, J.  
Williams, Osmond (Merioneth)  
Field, William  
Nannetti, Joseph P.  
Wilson, Fred. W. (Norfolk, Mid  
Fitzmaurice, Lord Edmond  
Newnes, Sir George  
Wilson, John (Durham, Mid.)  
Flannery, Sir Fortescue  
Nolan, Col. J. P. (Galway, N.  
Woodhouse, Sir J. T. (Hudders'd  
Flavin, Michael Joseph  
Nolan, Joseph (Louth, South)  
Young, Samuel (Cavan, East)  
Flynn, James Christopher  
Norman, Henry  
Foster, Sir Walter (Derby Co.)  
Nussey, Thomas Willans  
TELLERS FOR THE NOES;  
Fuller, J. M. F.  
O'Brien, James F. X. (Cork)  
Mr. Keir Hardie and Captain Norton.  
Furness, Sir Christopher  
O'Brien, Kendal (Tipperary Md  
Goddard, Daniel Ford  
O'Brien, Patrick (Kilkenny)  
Hammond, John  
O'Brien, P. J. (Tipperary, N.)  
MR. GRAY (West Ham, N.) pointed out that Clause 27 gave power to the directors

of the company to subsidise the men's provident fund, provided always that certain benefits were excluded. He thought it very desirable that the directors should be able to make their contribution to the fund, even though the fund had a wider basis than was at first anticipated. The promoters of the Bill had no objection to the Amendment he had placed on the Paper, and he moved accordingly. MR. PENN formally seconded.

Amendment proposed.

"In Clause 27, page 25, line 13, after 'sickness,' leave out 'not arising from injuries

in respect of which such members are entitled to compensation from the company by statute or common law, or under the Great Eastern Railway Accident Fund Scheme.'";(Mr. Gray.)

Amendment agreed to.

\*MR. BELL said that as the House had decided against deleting the clause in order that the company and the workpeople might come to terms, he desired to move, for the reasons he had already explained, the omission of the words from "section," in line 24, to "to," in line 25, so that if the company, under the powers conferred by the Bill, were honest in their intention, and had no other purpose than to be honorary members of the society, they would be allowed to subscribe without making terms, conditions, or reservations as they thought proper, or in any way having a veto on the acts of the men in the management of the society.

Amendment proposed;

"Clause 27, page 25, line 24, to leave out from the word 'section' to the word 'to' in line 25.";(Mr. Bell.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

AYES.

Acland-Hood, Capt. Sir Alex. F.

Dalkeith, Earl of

King, Sir Henry Seymour

Agg-Gardner, James Tynte

Dalrymple, Sir Charles

Kitson, Sir James

Agnew, Sir Andrew Noel

Denny, Colonel

Knowles, Lees

Allsopp, Hon. George

Dewar, T. R. (T'rH'mlets, S. Geo.

Law, Andrew Bonar

Anstruther, H. T.

Digby, John K. D. Wingfield-

Lawson, John Grant

Archdale, Edward Mervyn

Dimsdale, Sir Joseph Cockfield

Lee, A. H. (Hants., Fareham)

Arkwright, John Stanhope  
Doughty, George  
Leighton, Stanley  
Arnold-Forster, Hugh O.  
Douglas, Rt. Hon. A. Akers-  
Leveson-Gower, Frederick N. S.  
Ashmead-Bartlett, Sir Ellis  
Doxford, Sir William Theodore  
Llewellyn, Evan Henry  
Ashton, Thomas Gair  
Durning-Lawrence, Sir Edwin  
Lockwood, Lt.-Col. A. R.  
Atkinson, Rt. Hon. John  
Dyke, Rt. Hon. Sir Wm. Hart  
Long, Col. Charles W (Evesham  
Bagot, Capt. Josceline Fitz Roy  
Elliot, Hon. A. Ralph D.  
Long, Rt. Hn. Walter (Bristol, S.  
Bain, Colonel James Robert  
Fellowes, Hon. Ailwyn Edw.  
Lonsdale, John Brownlee  
Baird, John George Alexander  
Fergusson, Rt Hn. Sir J. (Manc'r  
Lowther, Rt. Hn J W (Cum., Pen  
Baldwin, Alfred  
Finlay, Sir Robert Bannatyne  
Loyd, Archie Kirkman  
Balfour, Capt. C. B. (Hornsey)  
Fisher, William Hayes  
Lucas, Col. Francis (Lowestoft)  
Balfour, Rt Hn Gerald W. (Leeds  
Fison, Frederick William  
Lucas, Reginald J. (Portsmouth  
Bartley, George C. T.  
FitzGerald, Sir Robert Penrose-  
Macartney, Rt. Hn. W. G. E.  
Bathurst, Hon. Allen B.  
Garfit, William  
Macdona, John Gumming  
Beach, Rt. Hn. Sir M. H. (Bristol  
Gibbs, Hon. A G H (City of Lond.  
Maclver, David (Liverpool)  
Beach, Rt. Hn. W. W. B. (Hants  
Gordon, Hn. J. E. (Elgin & Nairn  
Maconochie, A. W.  
Bill, Charles

Gore, Hon. E. S. Ormsby-  
M'Arthur, Charles (Liverpool)  
Blundell, Colonel Henry  
Goulding, Edward Alfred  
M'Calmont, Col. J. (Antrim, E.)  
Bond, Edward  
Greene, W. Raymond- (Cambs.)  
M'Iver, Sir Lewis (Edinburgh W  
Boscawen, Arthur Griffith-  
Grenfell, William Henry  
Majendie, James A. H.  
Brassey, Albert  
Grey, Sir Edward (Berwick)  
Malcolm, Ian  
Brookfield, Col. Montagu  
Groves, James Grimble  
Manners, Lord Cecil  
Brymer, William Ernest  
Guest, Hon. Ivor Churchill  
Mappin, Sir Frederick Thorpe  
Bull, William James  
Gunter, Colonel  
Maxwell, W. J. H. (Dumfriessh.  
Bullard, Sir Harry  
Hain, Edward  
Mellor, Rt. Hon. John William  
Campbell, Rt. Hn. J. A. (Gl'sg'w  
Halsey, Thomas Frederick  
Middlemore, John Throgm'rton  
Carlile, William Walter  
Hamilton, Rt Hn Lord G. (Mid'x  
Mitchell, William  
Carson, Rt. Hon. Sir Edw. H.  
Hamilton, Marq. of (Lond'nd'ry  
Montagu, G. (Huntingdon)  
Cavendish, R. E. (N. Lancs.)  
Hanbury, Rt. Hn. Robert Wm.  
Moon, Edward Robert Pacy  
Cavendish, V. C. W. (Derbysh.)  
Harris, Frederick Leverton  
More, Robt. Jasper (Shropshire  
Cayzer, Sir Charles William  
Haslam, Sir Alfred S.  
Morris, Hon. Martin Henry F.  
Cecil, Evelyn (Aston Manor)  
Haslett, Sir James Horner

Morton, Arthur H. A. (Deptford  
Cecil, Lord Hugh (Greenwich)  
Helder, Augustus  
Mount, William Arthur  
Chamberlain, Rt. Hn. J. (Birm.  
Henderson, Alexander  
Mowbray, Sir Robert Gray C.  
Chamberlain, J Austen (Worc'r  
Hickman, Sir Alfred  
Murray, Rt Hn A. Graham Bute  
Chaplin, Rt. Hon. Henry  
Hoare, Edw. Brodie (Hampst'd)  
Murray, Charles J. (Coventry)  
Chapman, Edward  
Hobhouse, H. (Somerset, E.)  
Myers, William Henry  
Charrington, Spencer  
Horner, Frederick William  
Nicholson, William Graham  
Churchill, Winston Spencer  
Houldsworth, Sir Wm. Henry  
Nicol, Donald Ninian  
Coddington, Sir William  
Hozier, Hon. James Henry Cecil  
Palmer, Walter (Salisbury)  
Cohen, Benjamin Louis  
Hudson, George Bickersteth  
Parker, Gilbert  
Collings, Rt. Hon. Jesse  
Hutton, John (York, N. R.)  
Penn, John  
Corbett, T. L. (Down, North)  
Johnston, William (Belfast)  
Percy, Earl  
Cox, Irwin Edward Bainbridge  
Johnstone, Heywood (Sussex)  
Pierpoint, Robert  
Cripps, Charles Alfred  
Kenyon, Hon. Geo. T. (Denbigh  
Plummer, Walter R.  
Cubitt, Hon. Henry  
Kenyon-Slaney, Col. W. Salop.  
Purvis, Robert  
Cust, Henry John C.  
Kimber, Henry  
Quilter, Sir Cuthbert

MR. PENN, in opposing the Amendment, said that, as the promoters of the Bill were asking for sanction to make a payment towards the fund to be set up under Clause 27, it was only right that the directors should have a certain voice in the management of the fund. No serious objection could possibly be taken to the words of the clause, and therefore he could not agree that they should be deleted.

Question put.

The House divided:;Ayes, 204; Noes, 179. (Division List No. 142.)

Rankin, Sir James

Sharpe, William Edward T.

Warr, Augustus Frederick

Rasch, Major Frederic Carne

Shaw-Stewart, M. H. (Renfrew

Wason, John C. (Orkney)

Ratcliffe, R. F.

Simeon, Sir Barrington

Welby, Lt.-Col. A. C E (Taunt'n

Reid, James (Greenock)

Sinclair, Louis (Romford)

Wharton, Rt. Hon. John Lloyd

Remnant, James Farquharson

Smith, Abel H. (Hertford, East)

Willox, Sir John Archibald

Rentoul, James Alexander

Smith, H C (North'um. Tynes'de

Wilson, John (Falkirk)

Renwick, George

Smith, James Parker (Lanarks)

Wilson, John (Glasgow)

Ridley, Hn. M. W. (Stalybridge

Spear, John Ward

Wilson-Todd, Wm. H. (Yorks.)

Robertson, Herbert (Hackney)

Stanley, Lord (Lancs.)

Wodehouse, Rt. Hn. E. R. (Bath

Rolleston, Sir John F. L.

Stewart, Sir Mark J. M'Taggart

Wolff, Gustav Wilhelm

Rothschild, Hon. Lionel Walter

Stone, Sir Benjamin

Wrightson, Sir Thomas

Round, James

Stroyan, John

Wyndham-Quin, Major W. H.

Royds, Clement Molyneux

Talbot, Rt. Hn. J. G (Oxf'd Univ.

Young, Commander (Berks, E.)  
Rutherford, John  
Tomlinson, Wm. Edw. Murray  
Younger, William  
Sackville, Col. S. G. Stopford-  
Tufnell, Lieut.-Col. Edward  
TELLERS FOR THE AYES;  
Sassoon, Sir Edward Albert  
Valentia, Viscount  
Mr. Boulnois and Mr. Banbury.  
Scott, Sir S. (Marylebone, W.)  
Walrond, Rt. Hon. Sir William H  
NOES.  
Abraham, Wm. (Cork, N. E.)  
Flynn, James Christopher  
Morton, Edw. J. C. (Devonport)  
Allan, William (Gateshead)  
Foster, Sir Walter (Derby Co.)  
Moss, Samuel  
Allen, Chas. P. (Glouc., Stroud)  
Fuller, J. M. F.  
Murnaghan, George  
Asquith, Rt. Hon. Herbert H.  
Furness, Sir Christopher  
Murphy, J.  
Austin, Sir John  
Gladstone, Rt. Hon. H. John  
Nannetti, Joseph P.  
Barry, E. (Cork, S.)  
Gordon, Maj Evans- (T'rH'ml'ts  
Newnes, Sir George  
Bayley, Thomas (Derbyshire)  
Grant, Corrie  
Nolan, Col. J. P (Galway, N.)  
Beaumont, Wentworth C. B.  
Gray, Ernest (West Ham)  
Nolan, Joseph (Louth, South)  
Bhownaggee, Sir M. M.  
Gretton, John  
Norman, Henry  
Black, Alexander William  
Greville, Hon. Ronald  
Norton, Capt. Cecil William  
Blake, Edward  
Gurdon, Sir W. Brampton  
Nussey, Thomas Willans

Boland, John  
Guthrie, Walter Murray  
O'Brien, James F. X. (Cork)  
Brand, Hon. Arthur G.  
Hammond, John  
O'Brien, K. (Tipperary, Mid)  
Brigg, John  
Hardie, J. K. (Merthyr Tydvil  
O'Brien, Patrick (Kilkenny)  
Broadhurst, Henry  
Harmsworth, R. Leicester  
O'Brien, P. J. (Tipperary, N.)  
Brunner, Sir John Tomlinson  
Harwood, George  
O'Donnell, T. (Kerry, W.)  
Burt, Thomas  
Hay, Hon. Claude George  
O'Dowd, John  
Buxton, Sydney Charles  
Hayden, John Patrick  
O'Kelly, Conor (Mayo, N.)  
Caine, William Sproston  
Hayne, Rt. Hn. Charles Seale-  
O'Malley, William  
Caldwell, James  
Hayter, Rt. Hon. Sir Arthur D.  
O'Mara, James  
Campbell, John (Armagh, S.)  
Helme, Norval Watson  
Orr-Ewing, Charles Lindsay  
Campbell-Bannerman, Sir H.  
Hemphill, Rt. Hon. Chas. H.  
O'Shaughnessy, P. J.  
Carvill, Patrick Geo. Hamilton  
Hobhouse, C. E. H. (Bristol, E.)  
Palmer, Sir Chas. M. (Durham  
Channing, Francis Allston  
Holland, William Henry  
Palmer, George W. (Reading)  
Cogan, Denis J.  
Hope, J. F. (Sheffi'ld, Brightside  
Partington, Oswald  
Colville, John  
Hope, John Deans (Fife, West)  
Paulton, James Mellor  
Crean, Eugene



Horniman, Frederick John  
Pease, Sir Joseph W. (Durham)  
Cremer, William Randal  
Hutton, Alfred E. (Morley)  
Pemberton, John S. G.  
Crombie, John William  
Jacoby, James Alfred  
Philipps, John Wynford  
Cullinan, J.  
Joicey, Sir James  
Power, Patrick Joseph  
Daly, James  
Jones, William (Carnarvons.)  
Price, Robert John  
Dalziel, James Henry  
Jordan, Jeremiah  
Priestley, Arthur  
Davies, Alfred (Carmarthen)  
Joyce, Michael  
Reckitt, Harold James  
Delany, William  
Kearley, Hudson E.  
Reddy, M.  
Dewar, John A. (Inverness-sh.)  
Kennedy, Patrick James  
Redmond, John E. (Waterford)  
Dilke, Rt. Hon. Sir Charles  
Kinloch, Sir John George Smyth  
Redmond, William (Clare)  
Dillon John  
Lambert, George  
Rickett, J. Compton  
Doogan, P. C.  
Langley, Batty  
Rigg, Richard  
Duffy, William J.  
Layland-Barratt, Francis  
Roe, Sir Thomas  
Duncan, J. Hastings  
Leamy, Edmund  
Rollit, Sir Albert Kaye  
Dunn, Sir William  
Leng, Sir John  
Samuel, S. M. (Whitechapel)  
Edwards, Frank  
Lewis, John Herbert

Schwann, Charles E.  
Emmott, Alfred  
Lloyd-George, David  
Shipman, Dr. John G.  
Esmonde, Sir Thomas  
Lough, Thomas  
Sinclair, Capt. J. (Forfarshire)  
Evans, Sir F. H. (Maidstone)  
Lundon, W.  
Soares, Ernest J.  
Evans, S. T. (Glamorgan)  
MacDonnell, Dr. Mark A.  
Stevenson, Francis S.  
Farquharson, Dr. Robert  
MacNeill, John Gordon Swift  
Strachey, Edward  
Farrell, James Patrick  
M'Crae, George  
Sullivan, Donal  
Fenwick, Charles  
M'Laren, Charles Benjamin  
Taylor, Theodore Cooke  
Field, William  
Mansfield, Horace Rendall  
Tennant, Harold John  
Fitzmaurice, Lord Edmond  
Markham, Arthur Basil  
Thomas, Alfred (Glamorgan, E.  
Flannery, Sir Fortescue  
Melville, Beresford Valentine  
Thomas, David Alfred (Merth'r  
Flavin, Michael Joseph  
Mooney, John J.  
Thomas, F. Freeman- (Hastings  
Flower, Ernest  
Morgan, J. Lloyd (Carmarthen)  
Thompson, E. C. (Monaghan, N.  
Tomkinson, James  
Weir, James Galloway  
Wilson, John (Durham, Mid  
Trevelyan, Charles Philips  
White, George (Norfolk)  
Woodhouse, Sir J. T. (Huddersf'd  
Tritton, Charles Ernest  
White, Patrick (Meath, North)  
Young, Samuel (Cavan, East)

Tully, Jasper  
Whiteley, G. (York, W. R.)  
Ure, Alexander  
Whitley, J. H. (Halifax)  
TELLERS FOR THE NOES;  
Wallace, Robert  
Williams, Osmond (Merioneth)  
Mr. Bell and Mr. Goddard.  
Wason, Eugene (Clackmannan  
Wilson, F. W. (Norfolk, Mid)  
Another Amendment made.

LORD EDMOND FITZMAURICE (Wiltshire, Cricklade): I rise to move an Amendment which is not on the Paper, but I need not take up more than a few moments in explaining the point. The hon. Member in charge of the Bill stated in a most fair and honourable manner that the Great Eastern Railway Company would be willing to alter their rules in this respect. No doubt it was felt that an undertaking of that kind was given in a perfectly honourable spirit, but the matter was rather vague, and it is desirable to put it on record. It seems to me that up to a certain point we might obtain a Parliamentary record by inserting on page 26, Clause 27, in Sub-section 0, the words "notwithstanding anything contained in any rule of a railway company." Although it is perfectly true that you cannot expect working men to know the contents of the complicated sections of an Act of Parliament, so far as an Act can bring it to their notice the insertion of these words would carry out that intention as far as possible. I have no hesitation in moving this Amendment, and I sincerely hope that the hon. Member opposite in charge of the Bill, who I think is very anxious to meet us in a conciliatory spirit, will agree to accept these words.

Amendment proposed;

"In page 26, Clause 27, Sub-section D, to insert the words 'notwithstanding anything contained in any rule of a railway company.'";(Lord Edmond Fitzmaurice.)

Question proposed, "That those words be there inserted."

THE PRESIDENT OF THE BOARD OF TRADE (Mr. GERALD BALFOUR, Leeds, Central): I think my hon. friend the Member for Lewisham might accept this Amendment.

Amendment agreed to.

\*MR. BELL said that the clause as it stood at present only applied to servants already in the employment of the company. It would be seen that, by rule 8, servants pledged themselves to become members of the society appointed by the company, and the alteration which he asked the Committee to adopt was intended to prevent the men being compelled to join the society. With the view, therefore, of protecting those who might in the future obtain employment under the company he begged to move his Amendment.

Amendment proposed;

"In page 26, Clause 27, line 5, to leave out Sub-section D, and insert the words, 'Membership in the society shall not be made a condition of employment by the company, nor shall any discrimination be made against employees who do not

join,' instead thereof.";(Mr. Bell.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. PENN said he did not feel justified in accepting this Amendment. The form of words in the Clause had worked smoothly and given great satisfaction since 1897 in two railway Acts now running, and he failed to see any improvement in the words suggested by the hon. Member for Derby. The second part of the Amendment provided;

"Nor shall any discrimination be made against employees who do not join."

He was a little at sea as to what that meant, and he was afraid it would only lead to trouble and cause confusion and litigation between employer and employed.

MR. GRAY said there was one point in the Bill on which he should like to be quite clear, and that was with regard to the application of the clause as it now stood. He was disposed to think that the clause as it now stood would apply to those already in the service

only; but it would not prevent the company saying to new applicants: Will you join the fund? taking one man who consented, and rejecting another who refused.

He had no doubt that the Bill before them was intended to cover such a case as that, but it was doubtful indeed whether it was covered. It was not open for him to move an Amendment, as there was now one before the House. He recommended that the hon. Member for Derby might secure the incorporation of the first half of his Amendment without any injury. He was told that the directors had no idea whatever of applying such a test to applicants for employment, and, if that was so, why should they object to the introduction of words to make that clear to everyone who sought employment?

THE CHAIRMAN OF WAYS AND MEANS (Mr. J. W. LOWTHER, Cumberland, Penrith) said he was rather astonished at the action the hon. Member for Derby had taken. The words the hon. Member now sought to be struck out were put in after he had seen and considered them, and with his full approval. Under these circumstances it seemed somewhat peculiar that he should now seek to strike out these words.

\*MR. BELL said he should like to put himself right on that matter. He thought he distinctly suggested to the right hon. Gentleman, to the hon. Member for Lewisham, and to the general manager of the company, two or three days after the last debate on the question, that something should be brought within the company's rules and regulations that this should not apply to new candidates for employment in the service of the company. Nothing was definitely promised, and he was not satisfied with the words after he saw them in print. He now found that the words would only apply to those already in the company's service; still, there were rules of the company which would give a preference to those who would agree to join the society on applying for occupation. It was to meet that case that he moved the Amendment.

MR. KEIR HARDIE said that, after what they had just heard from the right hon. Gentleman the Chairman of Committees, he was glad that his hon. friend the Member for Derby had freed himself from the imputation of bad faith. The hon. Member agreed to accept a certain compromise provided the clause was retained in

the Bill. He did not see the form of words proposed to be embodied.

MR. J. W. LOWTHER: I beg pardon. The form of words was shown to the hon. Member in print.

\*MR. BELL: Subject to the alteration of the rules of the company.

MR. J. W. LOWTHER: There was no condition attached whatever.

MR. KEIR HARDIE said he wished to point out that this Amendment consisted of two parts, and the second part was an important one, namely, that no discrimination should be made against employees who did not join the society. He was exceedingly astonished to hear the Member for North-West Ham speak in opposition to this clause. As a trade unionist the hon. Member ought to be aware that one of the greatest difficulties in the way of organisation was the fear of punishment being meted out to employees who did or did not perform some act they were asked to do. It would be easy for the directors to refuse promotion to an employee who did not join the society. As was well known, most employees were entitled to an advance of wages periodically. It would be an easy matter to hold back an advance of wages to an employee who did not join the society. There would be nothing in the rules or the clause to prevent that being done unless the Amendment were accepted. He hoped that the hon. Member for Lewisham, who had gone so far, would not stop at going one step further, so as to make it clear to the employees that no compulsion or pressure, direct or indirect, would be brought to bear upon them to join the society, and that they would not be punished in any way if they refused to join.

MR. TAYLOR (Lancashire, Radcliffe) appealed to the hon. Member for Lewisham to allow this Amendment to pass. The company either meant to discriminate between the men or they did not. If the latter part of the Amendment was not adopted suspicion would be created against the directorate of which he thought they were not worthy. Why not adopt the Amendment? It would  
AYES.

Acland-Hood, Capt. Sir Alex. F.

Elliot, Hon. A. Ralph Douglas

Macdonald, John Cumming

Agg-Gardner, James Tynte

Farquharson, Dr. Robert

MacIver, David (Liverpool)

Agnew, Sir Andrew Noel

Fellowes, Hon. Ailwyn Edw.

Maconochie, A. W.

Allsopp, Hon. George

Fergusson, Rt. Hon. Sir J. (Manc'r)

M'Arthur, Charles (Liverp'l)

Anstruther, H. T.

Finlay, Sir Robert Bannatyne

M'Calmont, Col. J. (Antrim, E.)

Archdale, Edward Mervyn

Fisher, William Hayes

M'Iver, Sir L. (Edinburgh, W.)

Arkwright, John Stanhope  
Fison, Frederick William  
M'Killop, James (Stirlingshire  
Arnold-Forster, Hugh O.  
FitzGerald, Sir Robt. Penrose-  
Majendie, James A. H.  
Ashmead-Bartlett, Sir Ellis  
Garfit, William  
Malcolm, Ian  
Atkinson, Rt. Hon. John  
Gibbs, Hn. A.G. H. (Cityo'Lond.  
Manners, Lord Cecil  
Bain, Col. James Robert  
Gibbs, Hon. Vicary (St. Albans  
Maple, Sir John Blundell  
Baird, John George Alexander  
Gordon, Hn. J. E (Elgin & Nairn.  
Mappin, Sir Frederick Thorpe  
Baldwin, Alfred  
Gore, Hon. F. S. Ormsby-  
Martin, Richard Biddulph  
Balfour, Capt. C. B. (Hornsey  
Goulding, Edward Alfred  
Maxwell, W. J. H. (Dumfriessh.  
Balfour, Rt. Hon. Gerald W (Leeds  
Grant, Corrie  
Middlemore, John T.  
Bartley, George C. T.  
Greene, W. Raymond (Cambs.)  
Milton, Viscount  
Bathurst, Hon. Allen Benjamin  
Grenfell, William Henry  
Mitchell, William  
Beach, Rt. Hn. Sir M. H. (Bristol  
Gretton, John  
Montagu, G. (Huntingdon)  
Beach, Rt. Hon. W. W. B. (Hants.  
Groves, James Grimble  
Montagu, Hon. J. Scott (Hants.  
Bill, Charles  
Guest, Hon. Ivor Churchill  
Moon, Edward Robert Pacy  
Blundell, Col. Henry  
Gunter, Colonel  
More, Robt. Jas. (Shropshire)  
Bond, Edward

Hain, Edward  
Morris, Hon. Martin Henry F.  
Boscawen, Arthur Griffith-  
Halsey, Thomas Frederick  
Mowbray, Sir Robt. Gray C.  
Brand, Hon. Arthur G.  
Hamilton, Rt Hn L'd G. (Midd'x  
Murray, Rt. Hn. A. G. (Bute)  
Brassey, Albert  
Hanbury, Rt. Hon. Robert Wm.  
Murray, Charles J. (Coventry)  
Brookfield, Colonel Montagu  
Harris, Frederick Leverton  
Myers, William Henry  
Brown, Alexander H. (Shropsh.  
Haslam, Sir Alfred S.  
Nicholson, William Graham  
Brymer, William Ernest  
Haslett, Sir James Horner  
Nicol, Donald Ninian  
Bull, William James  
Heaton, John Henniker  
Orr-Ewing, Charles Lindsay  
Bullard, Sir Harry  
Helder, Augustus  
Palmer, Walter (Salisbury)  
Campbell, Rt. Hn. J. A (Glasgow  
Henderson, Alexander  
Parker, Gilbert  
Carlile, William Walter  
Hickman, Sir Alfred  
Pease, Sir Joseph W. (Durham)  
Carson, Rt. Hon. Sir Edw. H.  
Higginbottom, S. W.  
Pemberton, John S. G.  
Cavendish, R. F. (N. Lancs.)  
Hoare, Ed. Brodie (Hampstead)  
Penn, John  
Cavendish, V. C. W. (Derbysh.  
Hobhouse, Hy. (Somerset, E.)  
Percy, Earl  
Cayzer, Sir Charles William  
Horner, Frederick William  
Pierpoint, Robert  
Cecil, Evelyn (Aston Manor)  
Houldsworth, Sir William H.

Pilkington, Richard  
Cecil, Lord Hugh (Greenwich)  
Howard, J. (Midd., Tottenham)  
Plummer, Walter R.  
Chamberlain, Rt. Hon. J. (Birm.)  
Hozier, Hon. James Henry C.  
Powell, Sir Francis Sharpe  
Chamberlain, J. A. (Worc'r.)  
Hudson, George Bickersteth  
Purvis, Robert  
Chaplin, Rt. Hon. Henry  
Hutton, John (Yorks, N. R.)  
Quilter, Sir Cuthbert  
Chapman, Edward  
Johnston, William (Belfast)  
Rankin, Sir James  
Charrington, Spencer  
Johnstone, Heywood (Sussex)  
Rasch, Major Frederic Carne  
Churchill, Winston Spencer  
Kenyon, Hon. G. T. (Denbigh)  
Ratcliffe, R. F.  
Cochrane, Hon. T. H. A. E.  
Kenyon-Slaney, Col. W. (Salop.)  
Reid, James (Greenock)  
Coddington, Sir William  
Kimber, Henry  
Remnant, James Farquharson  
Cohen, Benjamin Louis  
King, Sir Henry Seymour  
Rentoul, James Alexander  
Collings, Rt. Hon. Jesse  
Kitson, Sir James  
Ridley, Hon M. W. (Stalybridge)  
Colston, Chas. Edw. H. Athole  
Knowles, Lees  
Ritchie, Rt Hon Chas. Thomson  
Corbett, T. L. (Down, North)  
Law, Andrew Bonar  
Robertson, Herbert (Hackney)  
Cripps, Charles Alfred  
Lawson, John Grant  
Rolleston, Sir John F. L.  
Cubitt, Hon. Henry  
Lee, A. H. (Hants., Fareham)  
Rothschild, Hon. Lionel Walter



Cust, Henry John C.  
 Leigh-Bennett, Henry Currie  
 Round, James  
 Dalkeith, Earl of  
 Leveson-Gower, Fredk. N. S.  
 Royds, Clement Molyneux  
 Denny, Colonel  
 Llewellyn, Evan Henry  
 Rutherford, John  
 Dewar, T. R. (T'rH'ml'ts, S. Geo.  
 Lockwood, Lt.-Col. A. R.  
 Sackville, Col. S. G. Stopford-)  
 Digby, John K. D. Wingfield-  
 Long, Col. C. W. (Evesham)  
 Sassoon, Sir Edward Albert  
 Dimdale, Sir Joseph Cockfield  
 Long, Rt. Hn. W. (Bristol, S.)  
 Scott, Sir S. (Marylebone, W.  
 Dixon-Hartland, Sir F. Dixon  
 Lonsdale, John Brownlee  
 Seton-Karr, Henry  
 Doughty, George  
 Lowther, Rt Hn J W (Cum. Penr  
 Sharpe, William Edward T.  
 Douglas, Rt. Hon. A. Akers-  
 Loyd, Archie Kirkman  
 Shaw-Stewart, M H. (Renfrew  
 Doxford, Sir William Theodore  
 Lucas, Col. F (Lowestoft)  
 Simeon, Sir Harrington  
 Dyke, Rt. Hon. Sir Wm. Hart  
 Lucas, Reginald J. (Portsm'th)  
 Sinclair, Lousis (Romford)  
 Egerton, Hon. A. de Tatton  
 Macartney, Rt. Hn W. G. E.  
 Smith, H. C (North'mb. Tynes'e  
 give them credit for what they meant to do.  
 Question put.  
 The House divided::Ayes, 225: Noes, 177. (Division List No. 143.)  
 Smith, James Parker (Lanarks.  
 Valentia, Viscount  
 Wilson, John (Glasgow)  
 Smith, Hon. W. F. D. (Strand)  
 Vincent, Col. Sir C E H (Sheffield  
 Wilson-Todd, W. H. (Yorks.)  
 Spear, John Ward

Walrond Rt. Hn. Sir William H  
Wodehouse, Rt. Hn. E. R. (Bath  
Stanley, Lord (Lancs.)  
Warr, Augustus Frederick  
Wolff, Gustav Wilhelm  
Stewart, Sir M. J. M'Taggart  
Wason, John Cathcart (Orkney  
Wrightson, Sir Thomas  
Stirling-Maxwell, Sir John M.  
Welby, Lt.-Col. A. C E (Taunton  
Wylie, Alexander  
Stone, Sir Benjamin  
Welby, Sir Charles G. E. (Notts.  
Wyndham-Quin, Major W. H.  
Stroyan, John  
Wharton, Rt Hon. John Lloyd  
Young, Commander (Berks, E.  
Sturt, Hon. Humphry Napier  
Whitmore, Charles Algernon  
Younger, William  
Talbot, Rt. Hn. J G (Ox'f'd Univ.  
Willox, Sir John Archibald  
TELLERS FOR THE AYES;  
Tomlinson, William Edw. M.  
Wilson, A. Stanley (York, E. R.  
Mr. Boulnois and Mr. Banbury.  
Tufnell, Lieut.-Col. Edward  
Wilson, John (Falkirk)  
NOES.  
Abraham, William (Cork, N. E.  
Greville, Hon. Ronald  
O'Connor, T. P. (Liverpool)  
Allan, William (Gateshead)  
Gurdon, Sir W. Brampton  
O'Donnell, T. (Kerry, W.)  
Allen, Chas. P. (Glouc., Stroud  
Guthrie, Walter Murray  
O'Dowd, John  
Atherley-Jones, L.  
Hammond, John  
O'Kelly, Conor (Mayo, N.)  
Austin, Sir John  
Hardie, J. Keir (Merthyr Tydv'l  
O'Malley, William  
Barry, E. (Cork, S.)  
Harmsworth, R. Leicester

O'Mara, James  
Bayley, Thomas (Derbyshire)  
Harwood, George  
O'Shaughnessy, P. J.  
Beaumont, Wentworth, C. B.  
Hay, Hon. Claude George  
Palmer, Sir Charles M. (Durham  
Bhownaggee, Sir M. M.  
Hayden, John Patrick  
Palmer, George Wm. (Reading)  
Black, Alexander William  
Hayne, Rt. Hn. Charles Seale-  
Partington, Oswald  
Blake, Edward  
Hayter, Rt. Hon. Sir Arthur D.  
Paulton, James Mellor  
Boland, John  
Helme, Norval Watson  
Philipps, John Wynford  
Brigg, John  
Hemphill, Rt. Hon. Chas. H.  
Power, Patrick Joseph  
Broadhurst, Henry  
Hobhouse, C. E. H. (Bristol, E.)  
Price, Robert John  
Brunner, Sir John T.  
Hope, J. D. (Fife, West)  
Priestley, Arthur  
Burke, E. Haviland-  
Horniman, Frederick John  
Reckitt, Harold James  
Burt, Thomas  
Hutton, Alfred E. (Morley)  
Reddy, M.  
Buxton, Sydney Charles  
Jacoby, James Alfred  
Redmond, John E. (Waterford)  
Caine, William Sproston  
Jones, Wm. (Carnarvonshire)  
Redmond, William (Clare)  
Caldwell, James  
Jordan, Jeremiah  
Reid, Sir R. Threshie (Dumfries  
Campbell, John (Armagh, S.)  
Joyce, Michael  
Rickett, J. Compton

Campbell-Bannerman, Sir H.  
Kearley, Hudson E.  
Rigg, Richard  
Causton, Richard Knight  
Kennedy, Patrick James  
Robertson, Edmund (Dundee)  
Channing, Francis Allston  
Kinloch, Sir John George Smyth  
Roe, Sir Thomas  
Cogan, Denis J.  
Labouchere, Henry  
Rollit, Sir Albert Kaye  
Colville, John  
Lambert, George  
Russell, T. W.  
Crean, Eugene  
Langley, Batty  
Samuel, S. M. (Whitechapel)  
Cremer, William Randal  
Layland-Barratt, Francis  
Schwann, Charles E.  
Crombie, John William  
Leamy, Edmund  
Shipman, Dr. John G.  
Cullinan, J.  
Leng, Sir John  
Sinclair, Capt. John (Forfarsh.)  
Dalrymple, Sir Charles  
Lewis, John Herbert  
Smith, Samuel (Flint)  
Daly, James  
Lloyd-George, David  
Soares, Ernest J.  
Dalziel, James Henry  
Lough, Thomas  
Spencer, Rt Hn. C. R (Northants  
Davies, Alfred (Carmarthen)  
Lundon, W.  
Stevenson, Francis S.  
Delaney, William  
MacDonnell, Dr. Mark A.  
Strachey, Edward  
Dewar, J. A. (Inverness-shire)  
MacNeill, John Gordon Swift  
Sullivan, Donal  
Dilke, Rt. Hon. Sir Charles

M'Crae, George  
Taylor, Theodore Cooke  
Dillon, John  
M'Laren, Charles Benjamin  
Tennant, Harold John  
Doogan, P. C.  
Mansfield, Horace Rendall  
Thomas, David A. (Merthyr)  
Duffy, William J.  
Markham, Arthur Basil  
Thomas, F. Freeman (Hastings)  
Duncan, J. Hastings  
Mellor, Rt. Hon. John William  
Thompson, E. C. (Monaghan, N.  
Dunn, Sir William  
Melville, Beresford Valentine  
Tomkinson, James  
Edwards, Frank  
Mooney, John J.  
Treveln, Philya Charlesips  
Emmott, Alfred  
Morgan, J. Lloyd (Carmarthen)  
Tully, Jasper  
Esmonde, Sir Thomas  
Morton, Arthur H. A. (Deptford  
Ure, Alexander  
Evans, Sir Francis H. (Maidst.  
Morton, Edw. J. C (Devonport)  
Wallace, Robert  
Evans, Samuel T. (Glamorgan)  
Moss, Samuel  
Walton, Joseph (Barnsley)  
Farrell, James Patrick  
Murnaghan, George  
Warner, Thomas Courtenay T  
Fenwick, Charles  
Murphy, J.  
Wason, Eugene (Clackmannan  
Field, William  
Nannetti, Joseph P.  
Weir, James Galloway  
Fitzmaurice, Lord Edmond  
Newnes, Sir George  
White, George (Norfolk)  
Flannery, Sir Fortescue  
Nolan, Col. John P. (Galway, N.

White, Patrick (Meath, North)  
Flavin, Michael Joseph  
Nolan, Joseph (Louth, South)  
Whiteley, George (York, W. R.)  
Flower, Ernest  
Norman, Henry  
Whitley, J. H. (Halifax)  
Flynn, James Christopher  
Norton, Capt. Cecil William  
Whittaker, Thomas Palmer  
Foster, Sir Walter (Derby Co.)  
Nussey, Thomas Willans  
Wilson, Fred. W. (Norfolk, Mid  
Fuller, J. M. F.  
O'Brien, James F. X. (Cork  
Young, Samuel (Cavan, East)  
Gladstone, Rt. Hon. Herb. John  
O'Brien, Kendal (Tipper'ry Mid  
TELLERS FOR THE NOES; Mr. Bell and Mr. John Wilson (Durham).  
Goddard, Daniel Ford  
O'Brien, Patrick (Kilkenny)  
Gray, Ernest (West Ham)  
O'Brien, P. J. (Tipperary, N.)

Bill to be read the third time.

PRIVATE BILLS (PETITION FOR ADDITIONAL PROVISION) (STANDING ORDERS NOT COMPLIED WITH).

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the Petition for additional Provision in the following Bill, the Standing Orders have not been complied with, viz.;;  
Dorking Gas Bill.

Ordered, That the Report be referred to the Select Committee on Standing Orders.

LONG EATON GAS BILL.

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

PUBLIC PETITIONS COMMITTEE.

Fourth Report brought up, and read; to lie upon the Table and to be printed.

WELLS CORPORATION WATER BILL.

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

WELLS WATER BILL.

Reported [Parties do not proceed]; Report to lie upon the Table.

CARDIFF CORPORATION BILL

TENDRING HUNDRED WATER BILL.

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

THAMES DEEP WATER DOCK BILL.

Reported, with Amendments; Report to lie upon the Table.

GLASGOW AND RENFREW DISTRICT RAILWAY TRANSFER BILL.

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

#### GATESHEAD AND DISTRICT TRAMWAYS BILL.

Reported, without Amendment; Report to lie upon the Table, and to be printed.

#### HENRY DIAPER AND COMPANY (DELIVERY WARRANTS) BILL [Lords].

Reported, without Amendment; Report to lie upon the Table.

Bill to be read the third time.

#### DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) PROVISIONAL ORDER BILL

Reported, without Amendment [Provisional Order confirmed]; Report to lie upon the Table.

Bill to be read the third time to-morrow.

#### PRIVATE BILLS (GROUP A).

Mr. HARGREAVES BROWN reported from the Committee on Group A of Private Bills,

That the parties promoting the London County Council

(Spitalfields Market) Bill had stated that the evidence of Mr. John Collins was essential to their case; and it having been proved that his attendance could not be procured without the intervention of the House, he had been instructed to move that the said Mr. John Collins do attend the said Committee this day.

Ordered, That Mr. John Collins do attend the Committee on Group A of Private Bills this day.

#### LEATHERHEAD GAS BILL.

#### PETERSFIELD AND SELSEY GAS BILL.

Read the third time, and passed.

#### BARRY RAILWAY BILL

"To extend the time for the completion of certain railways of the Barry Railway Company," read the first time; and referred to the Examiners of Petitions for Private Bills.

#### MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to dissolve the Omagh Gas Company; and to incorporate and confer powers on a new Company." Omagh Gas Bill [Lords].

Also a Bill, intituled, "An Act to alter and amend certain provisions of the Deed of Constitution of the Bristol, Clifton, and West of England Zoological Society; and for other purposes." Bristol, Clifton, and West of England Zoological Society Bill [Lords].

Also a Bill, intituled, "An Act to make further provisions with reference to and to confer further powers on the undertakers of the Aire and Calder Navigation; to amend the Acts relating to their undertaking; and for other purposes." Aire and Calder Navigation Bill [Lords].

Also a Bill, intituled, "An Act to constitute and incorporate a joint water board for the urban districts of Aspatria and Holme Cultram, in the county of Cumberland, and to authorise such joint water board to construct works and to supply water to those and adjacent districts; and for other purposes." Aspatria, Silloth, and District Water Bill [Lords].

Also a Bill, intituled, "An Act for incorporating and conferring powers upon the Alfreton Gas Company; and for other purposes." Alfreton Gas Bill [Lords].

And also a Bill, intituled, "An Act for incorporating and conferring powers upon

the Shields Bridge Company; and for other purposes." Shields Bridge Bill [Lords].

OMAGH GAS BILL [Lords].

BRISTOL, CLIFTON, AND WEST OF ENGLAND ZOOLOGICAL SOCIETY BILL [Lords].

AIRE AND CALDER NAVIGATION BILL [Lords].

ASPATRIA, SILLOTH, AND DISTRICT WATER BILL [Lords].

ALFRETON GAS BILL [Lords.]

SHIELDS BRIDGE BILLS [Lords].

Read the first time, and referred to the Examiners of Petitions for Private Bills.

NEWRY PORT AND HARBOUR TRUST BILL.

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

PRIVATE BILLS (GROUP H).

MR. Arthur Elliot reported from the Committee on Group H of Private Bills; That, to meet the convenience of parties, the Committee had adjourned till Monday next, at half-past Eleven of the clock; Report to lie upon the Table.

PRIVATE BILLS (GROUP G).

Sir James Woodhouse reported from the Committee on Group G of Private Bills; That, for the convenience of parties, the Committee had adjourned till Tuesday next, at Eleven of the clock; Report to lie upon the Table.

NORTH BRITISH RAILWAY (SUBSTITUTED BILL).

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

PETITIONS.

BURIAL PLACE (EXEMPTION FROM RATES) (SCOTLAND) BILL.

Petition from Paisley in favour; to lie upon the Table.

COAL.

Petition from Newport (Monmouthshire), against proposed Customs Export Duty; to lie upon the Table.

COAL MINES (EMPLOYMENT) BILL.

Petitions in favour, from Bretton; Stanhope Silkstone; Barrow Hemmings; Carlton Main; Darfield Main; Gorton Wood; New Oaks; and Agecroft (No. 3) Collieries: to lie upon the Table.

ELEMENTARY EDUCATION (HIGHER GRADE AND EVENING CONTINUATION SCHOOLS).

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

ELEMENTARY EDUCATION (NEW CODE OF REGULATIONS FOR DAY SCHOOLS).

Petition from Leicester, for alteration of Article 101 (g); to lie upon the Table.

GUN LICENCE DUTY.

Petition from Birmingham, for exemption of members of Civilian Rifle Clubs; to lie upon the Table.

LOCAL AUTHORITIES OFFICERS' SUPERANNUATION BILL.

Petitions in favour, from Barking; Barry; and London (two); to lie upon the table.

LOCAL GOVERNMENT (SCOTLAND) ACT (1894) AMENDMENT BILL.

Petition from Paisley, against; to lie upon the Table.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.



Petitions against; from Cirencester and Sydenham; to lie upon the Table.

#### MINES (EIGHT HOURS) BILL.

Petitions in favour, from Great Mountain; Park; Trimsaran; Pantycelyn; Pentremawr; Caerbryn; Pontyberem; Fence; Darfield Main; Barrow Hemmings; Bretton; New Oaks; Gorton Wood; Stanhope Silkstone; Carlton Main; Ty Trist (No. 1); Tillery; Pochin (No. 1); Arral; Arral Greffin; White Rose; Whitworth Pit; Whitworth Drift; Agrecroft (No. 3); Rose Heyworth; Coalbrook Vale; Celyner; and Cwmtillery Collieries; to lie upon the Table.

#### SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petition from Seghill, in favour; to lie upon the Table.

#### SALE OF INTOXICATING LIQUORS (SCOTLAND) BILL.

Petition from Forres, for alteration; to lie upon the Table.

#### SALE OF INTOXICATING LIQUORS TO CHILDREN BILL.

Petitions against, from Aberdare (three); Biggleswade; Gainsborough; Peterborough; and Bridgwater; to lie upon the Table.

#### SALE OF INTOXICATING LIQUORS TO CHILDREN BILL.

Petitions in favour, from Goole; Newton Heath; Penarth (three); Barry (four); Cadoxton; Sheffield (two); Scarborough (five); Willenhall (thirteen); Hanley; British Temperance League; Sandwich; Rawmarsh; Leicester; and Cupar Angus; to lie upon the Table.

#### SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petitions in favour, from Drainie; Montrose; Golspie; and Paisley; to lie upon the Table.

#### SOVEREIGN'S OATH ON ACCESSION BILL.

Petitions against, from Bo'ness and Dysart; to lie upon the Table.

#### RETURNS, REPORTS, ETC.

#### WESTERN AUSTRALIA (CONSTITUTION ACT AMENDMENT ACT, 1900, No. V.)

Paper [presented 18th April] to be printed. [No. 135.]

#### QUEENSLAND (THE PARLIAMENT OF THE COMMONWEALTH ELECTIONS ACT AND THE ELECTION ACTS 1885&#x2013;1898 AMENDMENT ACT, 1890).

Paper [presented 18th April] to be printed. [No. 136.]

#### ARMY (MEDICAL DEPARTMENT).

Copy presented, of Report for the year 1899, Vol. XLI. [by Command]; to lie upon the Table.

#### ARMY.

Copy presented, of Report by Major General Sir H. E. Colvile, K.C.M.G., C.B., on the operations of the Ninth Division at Paardeberg [by Command]; to lie upon the Table.

#### TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 2577 and 2578 [by Command]; to lie upon the Table.

#### POOR RELIEF (ENGLAND AND WALES).

Copy ordered, "of Statement of the Amount expended by Boards of Guardians for In-maintenance and Out-door Relief in England and Wales during the half-year ended Lady Day, 1901."

"And, similar Statement for the half-year ending Michaelmas, 1901."; (Mr. Grant

Lawson.)

ULTIMUS H&#x00C6;RES (SCOTLAND) (ACCOUNT AND LIST OF ESTATES).

Return ordered, "of Abstract Account of the Receipts and Payments of the King's and Lord Treasurer's Remembrancer in Scotland in the year ended the 31st day of December, 1900, in the administration of Estates and Treasure Trove on behalf of the Crown."

"And, of Alphabetical List of Estates which fell to the Crown as Ultimus H&#x00E6;res in Scotland administered by the King's and Lord Treasurer's Remembrancer in the same year.";(Mr. Austen Chamberlain.)

QUESTIONS.

SOUTH AFRICA;ADMINISTRATION OF NATIVE AFFAIRS IN ANNEXED REPUBLICS.

\*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Secretary of State for the Colonies whether any steps have yet been taken, or are immediately to be taken, in reference to native affairs at Pretoria or Johannesburg; whether he has before him any report on the native reserves and locations in the Transvaal and Orange Colonies; whether he can yet state what measures His Majesty's Government intend to take to fulfil their pledge as to the welfare of the natives; and whether Parliament will be given an opportunity of discussing the measures proposed to be taken for the welfare of the natives in the annexed territories before such measures are finally adopted.

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

The only step which has been taken in this direction up to the present time is the appointment as native commissioner of Sir Godfrey Lagden, who displayed exceptional ability in the management of the natives of Basutoland before and during the war. As regards the administration of native affairs, any steps which have been taken, or may be taken in the early future, will be of a purely provisional character.

BRITISH INDIAN SUBJECTS IN NATAL.

MR. CAINE (Cornwall, Camborne): I beg to ask the Secretary of State for the Colonies whether he is aware that numbers of European refugees have been permitted to return from Natal to the Transvaal and open their shops there, but that no permits have been granted to refugees being Indian British subjects; and whether he will make inquiry as to the reasons for this difference in the treatment of traders, and give such instructions as may be required.

MR. J. CHAMBERLAIN: I am awaiting a reply to a telegraphic inquiry which I have addressed to Sir Alfred Milner on the subject at the request of the hon. Member for North-East Bethnal Green.

JAMESON RAID;POSITION OF CHARTERED COMPANY.

MR. BLACK (Banffshire): I beg to ask the Secretary of State for the Colonies whether the debtors in debts due to the late Transvaal Government other than the Chartered Company are to be exempted from payment thereof; if they are not to be exempted, what is the distinction in Principle drawn between the claim against the Chartered Company and that against any other debtor; if they are to be exempted, is there any precedent known to him or to his advisers for such exemption; and, if such precedent exists, will he give it.

MR. J. CHAMBERLAIN: There is no intention of exempting debtors from the payment of debts due to the Transvaal Government which are legally enforceable. The claim of the South African Republic against the Chartered Company was not an acknowledged debt, and there is no parallel between the cases stated.

MR. BLACK: In every case in which the debt is disputed will it be forgiven?

[No answer was returned.]

\*MR. ALFRED DAVIES (Carmarthen Borough): Will the right hon. Gentleman appoint a day for me to call upon him and inspect all the Papers in connection with the Jameson Raid, in order;

MR. SPEAKER: Order, order.

PLAGUE AT CAPE TOWN.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Secretary of State for the Colonies whether he is aware that the bubonic plague now raging in Cape Town and its vicinity has assumed serious proportions; whether the statistics published of those who had taken this disease and of those to whom it has proved fatal are confined to cases in Cape Town itself; and whether he can state the numbers in Cape Colony who have been affected with and who have succumbed to this disease; and whether he will include the total number of the sufferers from this disease and the deaths caused by it in the published weekly returns.

MR. J. CHAMBERLAIN: The publication of statistics is a question within the province of the Government of the Cape Colony, but I am asking the Cape Government if they will supply in the weekly bulletin the additional information as to the total numbers of those affected by and of the deaths from the disease which the hon. Member desires.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for the Colonies whether his attention has been called to the fact that the German authorities have already taken action to prevent the infection from bubonic plague now raging in Cape Colony reaching German ports; and whether any steps have been taken to prevent infection reaching this country in ships bound to this country from South Africa; and, if not, whether any such precautionary measure is contemplated.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. WALTER LONG, Bristol, S.): My right hon. friend has asked me to reply to this question. I am aware of the action taken by the German Government. Arrangements are made by the sanitary authorities at the ports in this country for the examination of all vessels coming from places affected with plague, and for taking such action as may be necessary for dealing with persons or things on board from which danger of infection is apprehended. Special memoranda prepared by the medical officer of the Local Government Board with respect to plague have been issued to the local authorities, and such further advice and instructions as may from time to time be found requisite will be issued to them. Where exceptional circumstances render it expedient, it is my practice to send a medical inspector to confer with the port authorities and their officers.

BOER PRISONERS; INTERNMENT IN INDIA.

MR. SCHWANN (Manchester, N.): I beg to ask the Secretary of State for India whether he has taken measures to secure that none of the charges consequent upon

the detention of Boer prisoners in India, for example, the salaries of persons employed in their supervision, shall be charged on the revenues of India.

THE SECRETARY OF STATE FOR INDIA (Lord G. HAMILTON, Middlesex, Ealing): The Government of India have been instructed that "all cost will be borne by Imperial Government." I have not considered it necessary to give more detailed instructions.

#### BEER RATIONS FOR RETURNING SOLDIERS.

\*SIR CUTHBERT QUILTER (Suffolk, Sudbury): I beg to ask the Secretary of State for War whether the military authorities have arranged to supply beer rations in place of rum to soldiers en route to or from foreign stations; whether a contract has recently been completed for a quantity of ale for the troops returning from South Africa; and, if so, whether he will state to what firm or firms the supply has been entrusted; and what precautions have been adopted to ensure that the liquor be brewed from barley-malt, and hops only.

THE SECRETARY TO THE ADMIRALTY (Mr. ARNOLD-FORSTER, Belfast, W.): A contract has been made for beer for issue to troops returning from South Africa in lieu of a ration of rum, upon a requisition received from the War Office, for 7,000 hogsheads of bitter beer of a certain strength, without any stipulation as to the ingredients. Offers were requested from ten of the principal brewers, eight tenders being received. Of the total quantity of

7,000 hogsheads, 6,200 were ordered from Ind, Coope and Company, Limited, of Burton, who stated, in explanation of their quotation, that they would supply best Burton brewed beers manufactured from the finest malt and hops free from all chemicals and deleterious ingredients. The remaining 800 hogsheads were ordered from Watney, Combe, Reid and Company, Limited. No stipulation was considered necessary in view of the standing of the firm. The breweries are to be visited by the Inspector of Victualling Stores, who will examine the beer.

\*SIR CUTHBERT QUILTER: Is it not the case that, until quite recently, tender forms for the supply of beer for the troops stipulated that it should be brewed from barley-malt and hops only?

MR. ARNOLD-FORSTER: I cannot answer that question without notice.

#### WAR EXPENDITURE;DETAILS.

COLONEL NOLAN (Galway, N.): I beg to ask the Secretary of State for War if he will now give a few heads of the £;140,000,000 Bill presented by Mr. Chancellor of the Exchequer for the South African War; and if he will inform the House how many millions have been spent on shipping; on animals; on food; on forage; on officers' pay; on soldiers' pay; on auxiliaries' pay; on arms and ammunition; on vehicles, engines, railways, and tools; and on tentage and camp equipage respectively.

THE SECRETARY OF STATE FOR WAR (Mr. BRODRICK, Surrey, Guildford): The figures are as follows for the services named;

Total Estimated Millions.

Total Spent Millions.

Shipping

22&#x00BE;

14&#x00BC;

Animals

11

8

Food

20&#x00BC;

12&#x00BC;

Forage

11&#x00BD;

6&#x00BC;

Officers' Pay

2

1&#x00BC;

Soldiers' Pay

10

5&#x00BC;

Auxiliaries' Pay

13&#x00BE;

8

Arms and Ammunition

7&#x00BC;

5&#x00BC;

Vehicles, Railways, & c.

6

3&#x00BC;

Tentage and Camp Equipage

2&#x00BC;

1

Total

106&#x00BE;

64&#x00BE;

MR. FLAVIN (Kerry, N.): Can the right hon. Gentleman say how much of the money was spent in the United Kingdom among the people who have to find it?

MR. BRODRICK: I am afraid I cannot.

BOER REFUGEE CAMPS.

MR. OSMOND-WILLIAMS (Merionethshire): I beg to ask the Secretary of State for War whether his attention has been called to the Report of Dr. M'Kensie (brother of the Military Governor), and of Dr. Johnston, to the treatment of the women and children at the Boer refugee camp at Johannesburg, saying that the food there was unfit for human consumption, and the death rate among these women and children unusually high; and whether he proposes taking any steps to better their condition.

\*MR. BRODRICK: I am aware of the Report mentioned. As regards the food, there were complaints at first, but the food was identically the same as that supplied to our own soldiers, and at the time, owing to the state of the railway lines, some hardship was unavoidable. The food has been for some time wholesome and sufficient. As regards the death rate, it is not the fact that it was abnormally

high; figures have been telegraphed for, but from the information at present at my disposal it would appear that much of the sickness among the refugees had arisen before their arrival in camp, and further, that their health was steadily improving owing to the steps taken by the authorities with a competent medical staff.

#### MEMBERS OF PARLIAMENT ON ACTIVE SERVICE.

MR. TULLY (Leitrim, S.): I beg to ask the Secretary of State for War whether he can state when he will be able to grant the Return asked for as to the Members of both Houses of Parliament who volunteered for active service in South Africa.

\*MR. BRODRICK: This Return involves reference to South Africa, and as no public purpose would be served by it, I am not prepared to burden overworked officers in South Africa with preparing the statistics in question.

MR. TULLY: Would the right hon. Gentleman grant the Return if I omitted the column as to wounds and casualties?

MR. BRODRICK: No, Sir.

#### PUBLICATION OF DESPATCHES.

MR. YOUNGER (Lincolnshire, Stamford): I beg to ask the Secretary of State for War if he can state when the despatches from the General Officer Commanding the 8th Division, South African Field Force, will be made public.

\*MR. BRODRICK: It is not proposed to publish any further despatches for operations prior to the 29th November, 1900.

#### PEACE NEGOTIATIONS WITH GENERAL BOTHA.

MR. BLACK: I beg to ask the Secretary of State for War whether he will now lay upon the Table the written despatch from Lord Kitchener giving his account of his conversation with General Botha upon 28th February last; and whether the Government has received a copy or abstract of General Botha's despatch to his own superiors giving his account of the same interview, or of that commenting upon the subsequent written communication sent him by Lord Kitchener.

\*MR. BRODRICK: We have received no copy of General Botha's despatch to his superiors, and it is not proposed to lay any further Papers on the subject.

MR. BLACK: The right hon. Gentleman has not replied to the first part of my question.

MR. BRODRICK: I do not think we can lay anything on the Table which has not been laid.

MR. BLACK: Is there anything in the despatch beyond what was published in the telegraphic communication?

MR. BRODRICK: As far as I know, the Papers which have been laid on the Table give all the information.

#### TRANSVAAL WAR SUPPLIES.

MR. DILLON (Mayo, E.): I beg to ask the Secretary of State for War whether all the documents and papers relating to the armaments of the Transvaal Republic, the guns and ammunition ordered and delivered, and the dates when purchased, were found by the British Military authorities in the Boer Government offices on the occupation of Pretoria; and whether, among such papers, there are documents relating to the purchase of automatic guns, rifles, and ammunition from firms in

England; and whether he will consent to publish such documents for the information of the House and the public.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Lord STANLEY, Lancashire, Westthoughton): It is not possible to say whether all the documents and papers referred to were found, but considerable information was gained from the records in the Government

offices. The orders for war material were to a large extent executed through agents, and therefore the records did not show from what firms the consignments had been obtained in the first instance. I do not therefore consider it would be expedient to publish information obtained from such meagre sources.

MR. DILLON: Will the Government undertake to inquire into this matter and let the British public know whence these arms and guns came?

LORD STANLEY: I cannot add to my answer, which I have endeavoured to make as full as possible.

MR. DILLON: I shall put a further question.

MILITARY COURTS OF INQUIRY.

COLONEL WELBY (Taunton): I beg to ask the Secretary of State for War whether evidence taken on oath before a court of inquiry will be valid documentary evidence that can be produced at a court-martial without the witness being present.

MR. BRODRICK: No, Sir. The witness will have to give his evidence over again under oath, as is the practice in ordinary civil courts.

COLONEL WELBY: But if the witnesses cannot be produced, will the documentary evidence be accepted?

\*MR. BRODRICK: The procedure will be the same as in civil courts.

COLONIAL EXPENDITURE ON THE WAR.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for War whether he can state what is the total amount that the colonies of Canada, Australia, New Zealand, Cape Colony, and Natal have respectively expended on the contingents which have been engaged in military operations in South Africa; what is the number of men

that have been supplied by each colony; and what is the total cost to the Imperial Treasury in connection with these contingents respectively.

MR. BRODRICK: I have no knowledge of the amounts expended by the colonies on their contingents, and it would require much calculation to give any estimate of the amount expended by the Imperial Treasury on these services. The numbers of the contingents were presented to the House as a Parliamentary Paper on the 18th March.

AUSTRALIAN TROOPERS;ALLEGED DISTURBANCES IN CAPE TOWN.

MR. TULLY: I beg to ask the Secretary of State for War whether he is aware that on the 28th March last a number of Australian troopers, who had been recently prisoners in the hands of the Boers, and were returning to Australia, attacked the offices of the South African newspaper and several private residences in Cape Town, using sticks and revolvers; and whether it is the intention of His Majesty's Government to hold any inquiry into this matter, and to provide compensation for the aggrieved individuals.

MR. BRODRICK: Nothing is known of this.

CANADIAN CONTINGENT FOR SOUTH AFRICAN CONSTABULARY; RAID ON OTTAWA HOTEL.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for the Colonies whether he has any information that the Canadian contingent enlisted for the South African Constabulary during their stay at Ottawa, on the eve of their departure for South Africa, made on the 26th March last a raid on the bar of the Cecil Hotel, Ottawa; whether he is aware that the proprietor of the Cecil Hotel and the members of his family were seized and thrown into the street, and the orders of Lieutenant Colonel Steele, the Commanding Officer of the South African Constabulary, wholly disregarded, and whether the men, or any of them who took part in this riot, have been punished.

MR. J. CHAMBERLAIN: I have seen a newspaper report from which it appears that there was some disturbance at the Hotel Cecil, Ottawa, and that the member of the South African Constabulary who created the disturbance has been dismissed from the ranks. I have no official information on the subject.

RETURN OF TROOPS; IMPERIAL YEOMANRY.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for War whether, before Lord Roberts left Johannesburg, the hon. Member for the Macclesfield Division, of the Imperial Yeomanry, was sent to Lord Roberts on behalf of the officers and men to induce Lord Roberts to fix a date for the return of the corps, but failed to obtain an interview with the Commander-in-Chief; and that on being referred to Lord Kitchener, he asked why the Imperial Yeomanry had been detained in South Africa, while the Household Corps and the 10th Hussars were allowed to return home, and asked, further, for a definition of the legal position of the Imperial Yeomanry, and that a day for their return should be named, but was informed by Lord Kitchener that the Imperial Yeomanry should remain as long as their services were required; and whether, having regard to the discontent which is alleged to prevail among the Imperial Yeomanry, he will now define the legal position of this corps and the terms under which it consented to go on active service, and will name a definite day for their return.

MR. BRODRICK: Nothing is known of the interviews alluded to in the first paragraph. I am well aware of the natural desire of many members of the Imperial Yeomanry to return home, but they are willing loyally to abide by their terms of enlistment. Every consideration will be given to them which is possible, but as to the date of their return I have nothing to add to my reply of the 22nd instant.

MR. SWIFT MACNEILL: Will the hon. Gentleman inquire whether this interview took place as stated in the public press some weeks ago?

\*MR. BRODRICK: I have said we have no official knowledge.

MR. SWIFT MACNEILL: No official knowledge, or no knowledge at all?

[No answer was returned.]

MR. SWIFT MACNEILL: I press for an answer.

See page 898.

MR. SPEAKER: The hon. Member has no right to cross-examine a Minister.

IMPERIAL YEOMANRY; ALLEGED ILL-TREATMENT OF EX-PRIVATE LEE AT NETLEY HOSPITAL.



MR. J. P. FARRELL (Longford, N.): I beg to ask the Secretary of State for War whether he is aware that on the night of the 31st March last Private Michael Lee, late of the Imperial Yeomanry, who is at present confined to bed in Netley Hospital, suffering from fits, the result of injuries received in South Africa, was beaten by the night student in charge of his ward while suffering from a fit; and that this young student had given orders not to be disturbed whether any of those in his care were ill or not, and on being called by the nurse to see Lee, who was ill, said that when he had done with him the patient would have few fits, and thereupon proceeded to beat him in such a manner that his face was almost unrecognisable for days after; can he state whether any inquiry was held into this case; and what was the name of and the punishment awarded to this student.

\*MR. BRODRICK: A court of inquiry was ordered to sit yesterday and report on the matter.

MR. J. P. FARRELL: When will its report be received?

\*MR. BRODRICK: I cannot say.

MR. J. P. FARRELL: I will repeat the question this day week.

SOLDIERS' PAY;ALLOTMENTS TO WIVES.

MR. CAINE: I beg to ask the Secretary of State for War if his attention has been called to the failure of the military authorities in South Africa to report home the allotment of pay to their wives in this country by Private W. J. Maukee, No. 25,330, enlisted 21st December, 1900, for the M. S. Hospital. Woodstock; Private John Stapleton, No. 29,204, Salisbury G. M. Company, Johannesburg; Private Albert Ivey, No. 25,347, Cape Medical Staff Corps, Middelburg, with a number of other cases; and whether any action has been taken to remedy the matter.

LORD STANLEY: The only case of which I am aware is that to which the hon. Member specially drew my attention. A telegram has been sent to the general officer commanding the lines of communication to expedite the remittances.

MR. CAINE: Has no reply been received?

LORD STANLEY: No, Sir.

MR. CAINE: Is the noble Lord aware that he gave me an exactly similar answer three weeks ago?

LORD STANLEY: Yes, and I am sorry to say the same state of affairs exist now as then. We have got no reply to our telegram.

MR. SWIFT MACNEILL: Did you pay for a reply?

[No answer was returned.]

MR. CAINE: I beg to ask the Secretary of State for War if he is aware that Trooper J. Kerr, who enlisted in the Sharpshooters 28th January, attached to the 23rd Battalion Imperial Yeomanry, sailed for South Africa, 28th March, as Acting Provost Sergeant, leaving 14s. per week out of his pay of 5s. per diem for his wife, residing at 2, Temperley Road, Balham; that up to date Mrs. Kerr has received nothing, and is unable to obtain any reply to her repeated applications, although from the date of her husband's enlistment she has received the monthly Government allowance of 1s. 1d. per day payable monthly for herself and child; and can he say why Mrs. Kerr has not received any reply to her application for back pay, and to whom she, and others in similar position,

ought to apply for redress.

LORD STANLEY: The trooper in question, appears to have gone abroad without making a formal allotment to his wife. Evidence of his intention has now been obtained and the payments sanctioned. Any similar applications should be addressed to the Station Paymaster at Hounslow.

#### DECEASED SOLDIERS' EFFECTS.

SIR JAMES FERGUSSON (Manchester, N.E.): I beg to ask the Secretary of State for War whether he is aware that delay takes place in distributing the effects of soldiers dying in South Africa, and in the payment to their next of kin of the war grant of £5 due to their next of kin in case of death on active service, from which no deduction can be made on any account; whether the delay is due to the inexperience of the staff of clerks employed on these accounts; and whether a settlement could be accelerated by the adjustment being made by the quartermaster and colour sergeants at the regimental depots.

LORD STANLEY: The delay in distributing the estates of soldiers dying in South Africa arises entirely from the exigencies of active service in a country 6,000 miles away, where regimental office work is only carried on under the greatest difficulty. To transfer the work from the large War Office staff, which has now got it thoroughly up to date, to the depot staff, which is absolutely inexperienced in the work, would have the effect of indefinitely delaying the distribution. I may add that the war gratuity is as much a portion of the estate as any other asset, and is subject to the same statutory obligations, but it has recently been decided to issue it without waiting for the report of the estate provided the legal claim of the applicant is satisfactorily proved.

#### VOLUNTEER UNIFORMS.

LIEUT.-COLONEL PRYCE-JONES (Montgomery Boroughs): I beg to ask the Secretary of State for War, seeing that there are several Volunteer corps which must be re-clothed before their annual camp this year, and that it is therefore imperative that orders for their clothing should be placed in the hands of contractors without delay, and also that a new pattern uniform is still under consideration, can these corps now order their clothing without waiting indefinitely for the sealed pattern, or are they to invest in uniforms which will be obsolete in a few months, as one of these two courses must evidently be adopted unless the new pattern is now sealed.

MR. BRODRICK: Volunteer commanding officers wishing for authority to change the uniform of their corps or adopt a working dress have but to comply with the Volunteer regulations and make application for Permission to do so, forwarding at the same time the pattern of articles proposed. The sealed patterns for the Regulars do not govern the uniform of Volunteer corps.

#### VOLUNTEER OFFICERS AND JURY SERVICE.

LIEUT.-COLONEL PRYCE-JONES: I beg to ask the Secretary of State for War whether he can see his way to recommend that officers of Volunteers shall be exempted from service on juries.

LORD STANLEY: This question has been thoroughly considered on several occasions, and it is not found possible to grant the exemption.

#### VOLUNTEER ESTABLISHMENT STATISTICS.

LIEUTENANT-COLONEL PRYCE-JONES: I beg to ask the Secretary of State for War if he can explain why the information given regarding the detail of the establishments of Volunteer Corps in Army Estimates for previous years, as well as for the year ending 31st March, 1901, namely, Appendix 10 (Vote 5), pages 191 to 201, has not been given in Army Estimates for the current year, ending 31st March, 1902; and whether it is intended to give such information, and, if so, when.

LORD STANLEY: The time given for the preparation of the Estimates this year was so short that it was not possible to compile this Appendix. The details will be published later.

#### 5TH BATTALION ROYAL INNISKILLING FUSILIERS.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for War whether he is aware that the

5th Battalion Royal Inniskilling Fusiliers, who have been in England for more than eleven months, and are now stationed at Dover, are anxious to be disembodied, and whether the date for the disembodiment of this Militia Regiment can now be fixed; and whether, in the interval which may elapse before its disembodiment, the regiment can be removed from England to Ballyshannon, Enniskillen, or Londonderry.

LORD STANLEY: No, Sir. I am not aware that this battalion wishes to be disembodied, nor can I fix at present any date for such disembodiment. It is not proposed to move the battalion from its present station.

#### FORT BROCKHURST; CASE OF PRIVATE BOWLES.

MR. HAY (Shoreditch, Hoxton): I beg to ask the Secretary of State for War whether he is aware that the medical officer inspecting invalids at Fort Brockhurst recommended No. 4,740, Private C. Bowles, 7th Rifle Brigade, on 7th November, 1900, for an ordinary furlough without a medical examination, thereby causing him to be disembodied as a militia reservist under Army Order 232 (5), and preventing him from obtaining a pension for his service in South Africa, and that but for other assistance he would have been left a hopeless cripple, with an invalid wife and two children dependent upon him, with no future but the workhouse; whether he will give the report by the medical officer to the officer who granted the furlough of Private Bowles; and whether he will state what measures he has taken to prevent such procedure by medical officers inspecting invalids from South Africa.

LORD STANLEY: The facts are not as stated in the question. This man was invalided home for rheumatism, and on arrival at Southampton was examined by a medical officer and passed fit for duty. The man himself acknowledged that he stated to this officer that he was quite well. He was accordingly allowed to go on furlough. Since that time he had a relapse, but failed to report himself, as he should have done, to the military authorities. The Secretary of Lloyd's Patriotic Fund, to whom he applied for help, reported the case to the authorities. A medical officer was at once sent to treat him; his disembodiment was cancelled, and he was considered as on sick furlough, pending the decision of the Chelsea Commissioners on his case. The only person to blame in this

matter is Private Bowles. I am unaware of any cases similar to that now referred to by the hon. Member.

CASE OF PRIVATE THOMAS RYAN.

MR. J. P. FARRELL: I beg to ask the Secretary of State for War is he aware that Private Thomas Ryan, a soldier who served throughout the whole South African campaign, was for the offence of drunkenness on the 28th January last sentenced by a district court-martial to three years penal servitude; that on the night of his alleged offence Ryan was wet to the skin, and had been exposed for several days to constant and severe wettings; whether any previous conviction had been reported against him; where he is now imprisoned; and will he recommend the Commander-in-Chief to reconsider the sentence with a view to some remission.

LORD STANLEY: Private Thomas Ryan was found, when he should have been on sentry, hopelessly, intoxicated. This offence on active service is, as the hon. Member will admit, one of extreme gravity. His offence, however, will, like those of all other soldiers committed on active service, be duly considered, and the award, if necessary, revised by the Commander-in-Chief.

MR. J. P. FARRELL: Was not this unfortunate soldier suffering from hunger and the effects of the campaign generally?

LORD STANLEY: My information is that he was suffering from drink.

MARK IV. BULLETS.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary of State for War, in view of the fact that the 50,000,000 defective Mark IV. bullets were made to specification, will he state the contract price paid to the contractors.

LORD STANLEY: I have nothing to add to the reply I gave to the hon. Member's question on the 18th instant.\*

MR. WEIR: But this question has never been asked before.

LORD STANLEY: I think the hon. Member will find it has been.

MR. WEIR: I shall take the earliest opportunity of calling attention to the manner in which dust is being thrown into the eyes of the public.

IMPERIAL YEOMANRY;TITLE.

COLONEL WELBY: I beg to ask the Secretary of State for War whether

\* See page 602.

he will insert in his resolution on Army Organisation the title "Imperial" before "Yeomanry," to afford opportunity of discussing the appropriateness of that title for a force enlisted for the local defence of the United Kingdom, and not for Imperial, purposes.

MR. BRODRICK: The resolution is intended to provide opportunity for discussion of the numbers, cost, and organisation of the forces proposed, and I hardly think it would be desirable to divert attention from these important questions by amending the resolution so as to make occasion for a debate on the title proposed for the Yeomanry.

COLONEL WELBY: Then are we to understand that the title of "Yeomanry" is not important?

\*MR. BRODRICK: I did not say that. I only suggested that there were other

matters of greater importance.

#### ROYAL IRISH REGIMENT.

MR. PATRICK O'BRIEN (Kilkenny): I beg to ask the Secretary of State for War whether he is aware of the dissatisfaction existing in the Royal Irish Regiment, stationed at Aldershot, embodied since 14th May 1900, at not being yet disbanded or allowed to return to their homes on unlimited working furlough as other Militia regiments were allowed after six months service; and whether he can say when this regiment will be disbanded or allowed unlimited working furlough.

LORD STANLEY: I am not aware of any such dissatisfaction. No date can be given at present for the disembodiment of this regiment. The question of extended furlough rests entirely with the commanding officer, to whom general instructions have been issued, and who alone can decide, with a view to the efficiency of his regiment, how many men he can spare at a particular time.

MR. PATRICK O'BRIEN: Is the noble Lord aware that this regiment refused to volunteer for service in South Africa, because they did not desire to fight against the Boers, and the men are under the impression that they are being punished for that refusal?

LORD STANLEY: I am not.

MR. PATRICK O'BRIEN: I am, for a large number of them are my constituents.

#### IRISH GUARDS; FORAGE CAP.

DR. THOMPSON (Monaghan, N.): I beg to ask the Secretary of State for War if his attention has been directed to the unpopularity of the undress forage cap supplied to the Irish Guards, and if he will order that this regiment be supplied with a cap similar to the Coldstream or Grenadier Guards, having round it a distinctive green band; and if it is the intention of the Government to move the Irish Guards to Dublin.

LORD STANLEY: No complaints have been received as regards the new pattern of Guards' cap, which will not be confined to the Irish Guards, but which it is proposed to issue to the Brigade. There is no immediate intention of moving the Irish Guards to Dublin, but their connection with Ireland will naturally weigh in deciding their station.

#### MILITIA EMBODIMENTS AND DISEMBODIMENTS.

MR. COURTENAY WARNER (Staffordshire, Lichfield): I beg to ask the Secretary of State for War if in future he can arrange to give Militia battalions more notice of embodiment or disembodiment than they have had hitherto.

LORD STANLEY: Every consideration is already given to this matter, but I must inform the hon. Member that many commanding officers complained that too long notice was given of embodiment. As regards disembodiment, it would appear inexpedient to retain the troops in order to give a longer notice.

#### MILITIA OFFICERS' GRATUITY.

MR. COURTENAY WARNER: I beg to ask the Secretary of State for War if Militia officers who have served for over a year on army pay are entitled to the £100 gratuity even if their battalions are still embodied.

LORD STANLEY: The matter is under consideration.

#### ROYAL GARRISON REGIMENTS; SEPARATION ALLOWANCES.

MR. COURTENAY WARNER: I beg to ask the Secretary of State for War whether he can state what allowances are to be given to married men in the Royal Garrison regiments for their wives and children, and how many wives and children there are to be provided for belonging to the 1st battalion of Royal Garrison Regiment formed.

LORD STANLEY: The women will either be with their husbands, if the accommodation be sufficient, or will be granted the usual separation allowances. I do not know as yet for how many provision must be made.

MR. COURTENAY WARNER: Can the noble Lord give a rough answer to the last part of my question?

LORD STANLEY: I am afraid I cannot.

OFFICIAL LANGUAGE IN THE MALTESE COURTS.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for the Colonies whether he is aware that his direction, dated 13th March, 1899, to the Governor of Malta to proclaim the substitution of the English for the Italian language in Malta in all legal proceedings, has created discontent among the population, and has been the subject of protest by the elected members of the Council of Government of Malta to the Governor against this substitution of the English for the Italian language; what reply did he give on his visit to Malta last November to the deputation of the representatives of the Maltese people who waited on him for the purpose of urging on Her late Majesty's Government the inadvisability of the enforcement of the English language on the inhabitants of Malta; and whether, having regard to the opposition offered to the intended substitution of English for Italian in Malta in the proceedings of the courts of justice, which began twenty years ago, and to the fact that the Italian language has been the educational language of the Maltese for the last nine centuries, and that the use of the language by its user in the Proclamations of the Governors and the command of William IV. when granting a commission for the codification of the Maltese laws that the Italian language should be the authorised text of the code, His Majesty's Government will refrain from the enforcement in Malta of the English in substitution for the Italian language.

MR. J. CHAMBERLAIN: The hon. Member's question does not correctly state the facts, which I have already explained in my answer to previous questions on the 7th and 10th December last. I have no reason to believe that any discontent exists among the population of Malta, and by the last return I find that the parents of the children in the elementary schools of Malta have to the extent of 98 or 99 per cent. elected for English in preference to Italian. As I have already stated, the subject to which the hon. Member refers was not mentioned at my interview with the elected members in Malta. I see no reason to modify the position which His Majesty's Government have adopted.

MR. POWER (Waterford, E.): When will the correspondence be laid on the Table?

MR. J. CHAMBERLAIN: I hope very shortly; it is being prepared.

MAURITIUS JUDICIAL VACANCY.

MR. BOLAND (Kerry, S.): I beg to ask the Secretary of State for the Colonies whether, in filling up the vacancy on the judicial bench of Mauritius caused by

the death of Mr. Justice Smith, regard will be paid to the necessity of appointing a judge who has a competent knowledge of the French language, in view of the fact that French is the recognised language of that colony.

MR. J. CHAMBERLAIN: A knowledge of French is always regarded as an important qualification for appointment to the bench of the Supreme Court of Mauritius.

INDIA;ETAH MURDERS;COMMUTATION OF DEATH SENTENCES.

MR. CAINE: I beg to ask the Secretary of State for India if his attention has been called to a sentence of death

&#x2020; See Debates, Vol. lxxxviii., pages 203 and 345.

which has recently been passed upon seventeen men by the justices of the North West Provinces for the murder of two persons living in the Etah district, against which appeal was taken to the judges of the High Court, with the result that the sentence of death has been confirmed in the case of sixteen of the convicted men, one sentence being commuted to penal servitude for life; if so, has the Viceroy revised the sentences in any way with a view to abating the number of persons to be executed.

LORD G. HAMILTON: I learn from the Government of India that in the case referred to sixteen persons were originally condemned to death by the sessions court, and the sentence was confirmed in the case of all sixteen by the High Court of the North-West Provinces. The sentence of death has, however, been commuted by the lieutenant governor to one of transportation for life in the case of twelve out of the sixteen. No appeal has been preferred to the Viceroy in the case.

COOPER'S HILL COLLEGE.

MR. WALTER PALMER (Salisbury): I beg to ask the Secretary of State for India if he will inform the House whether the new members of the Board of Visitors of Cooper's Hill Engineering College have yet been appointed by the universities of Oxford, Cambridge, and London, and whether the committee of the Board of Visitors, including the three new visitors, will forthwith inquire into and report upon the working, discipline, and constitution of the college, and the relations of the visitors, president, and teaching staff; and whether he can assure the House that the report of their inquiry will be laid before the House, and an opportunity given for discussion during the present session.

LORD G. HAMILTON: The universities of Oxford, Cambridge, and London have been requested to nominate representatives to the Board of Visitors of the Royal Indian Engineering College, and as soon as these nominations are made I shall ask the Board of Visitors to appoint a committee for the purpose mentioned in the question. I should

have no objection to publishing their report, but I cannot now undertake that a day shall be set apart for its discussion.

CHINA-RUSSIA AND MANCHURIA.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether any representations have been made by His Majesty's Government to Russia in reference to the occupation of Manchuria, in view of China's refusal to sign the agreement with Russia.

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Viscount CRANBORNE,

Rochester): No such representations have been made.

#### BRITISH OCCUPATION OF EGYPT.

MR. WILLIAM REDMOND: I beg to ask the Under Secretary of State for Foreign Affairs if His Majesty's Government can name a date upon which evacuation of Egypt by the British Forces will be carried out.

\*VISCOUNT CRANBORNE: No, Sir.

#### TREATMENT OF IMPRISONED DERVISH LEADERS.

MR. WILLIAM REDMOND: I beg to ask the Under Secretary of State for Foreign Affairs if he can state whether the Dervish leaders Mahmoud and Osman Digna are still detained as prisoners, and, if so, where they are, and what treatment is accorded to them.

\* VISCOUNT CRANBORNE: Mahmoud and Osman Digna, together with other Dervish leaders and their families, are interned as prisoners of war at Rosetta. They do not undergo hard labour, and are considerably treated. The prisoners are visited monthly by a British officer. Good care is taken of the women and children, and educational instruction is given to the latter.

MR. DILLON: May I ask why these men are still being detained, a year and a half after the close of the war?

[No answer was returned.]

MR. DILLON: Is the silence rule in operation again?

#### WAIMA INCIDENT.

MR. BILL (Staffordshire, Leek): I beg to ask the Under Secretary of State for Foreign Affairs what is the present condition of the negotiations with the French Government respecting the Waima affair; and whether he can now state when the arbitration proceedings are likely to be commenced.

\*VISCOUNT CRANBORNE: The Arbitration Convention dealing with the Waima and Sergent Malamine cases has been signed, and will be submitted by the French Government for legislative sanction when the French Chambers reassemble about the middle of next month. The Convention provides that the ratifications shall be exchanged as soon as possible.

#### EXPORT COAL DUTY; AMERICAN AND CANADIAN TRADE.

MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask the President of the Board of Trade if he can state the quantity of coal exported in 1900 from the United States of America and Canada; and whether the United States Government imposes any duty on coal exported to British possessions.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. GERALD BALFOUR, Leeds, Central): The quantity of coal exported in 1900 from the United States of America was 5,422,493 tons. There is no export duty on United States coal exported to British possessions.

#### FALLING COAL PRICES AND FREIGHTS.

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer whether in his inquiries into the rates of outward freights on coal, and the effect of higher freights and coal prices in stimulating trade, he noted the fall that had occurred in freights from Cardiff, and in the f.o.b. prices of coal last month as compared with similar freights and prices a year ago; if, before framing his Budget proposals, his attention had been drawn to the reduction of half a



million tons in the export of coal in March as compared with the corresponding month last year, and that this reduction of 12 per cent. in volume had been accompanied by a reduction of 20 per cent. in value; and whether commercial experts in his Department attribute, this decrease in trade to the lower prices charged foreign buyers of coal, or attribute the lower prices to a lessened demand for coal from abroad.

THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): My attention has been drawn to the fall in prices and freights in 1901 as compared with 1900.

It may be presumed that the decrease in the export of coal, which I believe amounted to 9 per cent. in the first three months of the year, is attributable to a lessened demand for it. It is no matter of surprise that a period of extraordinary activity and inflated prices, like 1900, should be followed by a quiet year, and I framed my estimate of the yield of duty accordingly.

MR. D. A. THOMAS: The figures for March are correct, are they not?

SIR M. HICKS BEACH: I do not say that.

MR. D. A. THOMAS: You do not say that they are incorrect.

AMERICAN COAL EXPORTS.

MR. D. A. THOMAS: I beg to ask the President of the Board of Trade if he can state the quantities of coal exported from the United States of America to European countries, and separately to South America, in the years 1890, 1899, and 1900 respectively, and will he give the percentages of the increases or decreases shown.

MR. GERALD BALFOUR: The quantities of coal (domestic produce) exported from the United States to European countries in the years named were 138,080 tons in 1890, 35,322 tons in 1899, and 635,237 tons in 1900. The corresponding quantities exported to South America were 49,355 tons, 88,733 tons, and 214,126 tons respectively. Taking the amounts exported in 1890 to Europe as 100, the amount for 1899 was 26, and for 1900, 460. The corresponding figures for export to South America are 100, 180, and 434. The figures for 1890 refer to the year ending 30th June, those for 1899 and 1900 to the calendar years.

INCIDENCE OF NEW COAL DUTY.

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer whether, under the operation of the new coal duty, British coal supplied to a British vessel for ship's use by a British subject in the British possession of Malta will be liable to the duty, and similar coal supplied for a similar purpose, to a foreign vessel, by a foreign subject, at Cardiff or Newport, will be free of duty.

SIR M. HICKS BEACH: The answer is, Yes. We do not differentiate between British and foreign vessels, and Cardiff would gain by foreign vessels coaling there.

COAL TRADE WITH THE WEST INDIES.

MR. D. A. THOMAS: I beg to ask the President of the Board of Trade if he can give the quantities of coal exported last year from this country and the United States of America, respectively, to the British and Foreign West Indies.

MR. GERALD BALFOUR: The quantity of coal exported from the United Kingdom in 1900 to the British West Indies (including Bermuda) was 62,884 tons, and the quantity exported to the Foreign West Indies was 26,367 tons. The quantity

exported from the United States to the West Indies and Bermuda was 760,879 tons. Separate figures for the United States exports to the British and Foreign West Indies are not available.

#### BUNKER COAL.

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer if he can state approximately what proportion of coal exported abroad from this country, and upon which the duty will be charged, is consumed by British vessels and British subjects; and whether it is proposed to place any limitation on the quantity of coal that may be supplied at one time to a foreign vessel for bunkers free of duty.

SIR M. HICKS BEACH: I cannot give any estimate such as is asked for in the first paragraph of the question. The regulations concerning the shipment of bunker coal on vessels proceeding abroad, whether British or foreign owned, provide that the quantity allowed be calculated on the daily consumption and length of voyage in each case.

#### RETURNS OF BUNKER COAL.

\*SIR JOSEPH PEASE (Durham, Barnard Castle): I beg to ask the President of the Board of Trade, in reference to Return No. 119, 2nd April, 1901, whether in Table C, folio 21, the Return of coal shipped for ships' use on foreign voyages, during the years 1899 and 1900, amounted to 12,226,801 tons in 1899, and 11,752,316 tons in 1900, are coals in addition to the coals named in Return B, folio 20, for those years, namely. 41,180,300 tons in 1899, and 44,089,197 tons in 1900, or are coals already included in those Returns.

MR. GERALD BALFOUR: Coal shipped for ships' use on foreign voyages is not included in the Return of coal exported.

#### SOUTH WALES PATENT FUEL AND COKE INDUSTRIES.

MR. D. A. THOMAS: I beg to ask the President of the Board of Trade if he can state approximately how many workmen are employed at Cardiff, Newport, Swansea, and elsewhere in this country in the manufacture of coal into patent fuel and coke which is afterwards exported abroad, and upon which the new coal duty will be imposed.

MR. GERALD BALFOUR: It is not possible to give the information desired.

#### COAL CONSUMPTION IN PIG IRON PRODUCTION.

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer whether he has formed any estimate of the quantity of coal consumed in the production of pig iron afterwards exported abroad and used as the raw material in the manufacture of articles imported into the United Kingdom and sold in competition with articles made in Sheffield and other centres of British industry; and whether he has considered the advisability of imposing a tax on coal so used and virtually exported.

SIR M. HICKS BEACH: The quantity of pig iron of British make exported in 1900 was 1,427,525 tons. I have no knowledge as to the quantity of coal consumed in its production, or as to the proportion of such iron re-imported into this country in a manufactured form. I do not propose to impose a tax on coal so used.

#### DURATION OF COAL SUPPLY

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer whether he has in his Department any information as to the duration of our supplies of coal suitable for export purposes; and if so, will he lay it upon the Table of the House.

SIR M. HICKS BEACH: The duration of our supplies of coal suitable for export purposes depends on the duration of our coal supply; a matter of purely hypothetical opinion. I have no information on the subject, beyond what is open to the hon. Member.

#### CLOSING OF SOUTH WALES COLLIERIES.

MR. D. A. THOMAS: I beg to ask the Secretary of State for the Home Department whether he is aware that a number of the smaller collieries in South Wales have been closed owing to the unprofitable nature of the coal trade at present; and if he can state the number of workmen that have been thrown out of employment in consequence, and the further number that may be thrown out when notices now pending expire.

\*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. RITCHIE, Croydon): I am informed by the Inspector of Mines for the South Wales District that the number of collieries which have been closed or are about to be closed is nine. The total number of persons employed at the collieries last year was 781.

#### DEARNESS AND SCARCITY OF COAL.

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer whether any Parliamentary or departmental inquiry has taken place into the coal question since the Report of the Select Committee of the House of Commons appointed in 1873 to inquire into the then dearness and scarcity of coal; and whether, before formulating his Budget proposals, he had read the condemnation by the Select Committee of 1873 of the idea of an export duty on coal.

SIR M. HICKS BEACH: In answer to paragraph one, I have to reply no, so far as I am aware. In reply to paragraph two I have to say I was acquainted with the opinion expressed by the Select Committee, and noticed some of their arguments. But that opinion referred to proposals for imposing such a duty as would practically prevent the export of coal.

MR. D. A. THOMAS: But is the right hon. Gentleman aware there were special objections in the case of coal which did not apply to other articles?

SIR M. HICKS BEACH: That was the view of the Committee.

#### ALLEGED DISCOVERY OF GOLD AT LEITH

MR. JOHN WILSON (Falkirk): I beg to ask Mr. Chancellor of the Exchequer if he is aware that a discovery of gold-bearing strata has been made at Leith, and that the Crown authorities have intimated their claim to the gold; and will he send Sir David Barbour to report thereon, and delay the imposition of the coal export duty of 1s. per ton until he has found time to report thereon.

SIR M. HICKS BEACH: I am afraid I cannot see the connection between the discovery of gold at Leith, the coal duty, and Sir David Barbour.

MR. JOHN WILSON: The point is in the suggestion that you need not ruin the export coal trade.

#### THE NEW SUGAR DUTY

MR. CAUSTON (Southwark, W.): I beg to ask Mr. Chancellor of the Exchequer whether he can state what steps are being taken to secure to the exporters of confectionery the drawback on goods despatched since the passing of the Budget resolution on sugar.

SIR M. HICKS BEACH: The Finance Act will include provision of a drawback of the duty paid by the exporter on the sugar used in his exports. Such, however, will not come into effect for some

time, because the stock of duty-free sugar must be exhausted first. I expect shortly to receive a deputation of the trade on the subject.

MR. KEARLEY (Devonport): What is to happen, meanwhile, to export confectioners who have not laid in a supply of duty-free sugar?

SIR M. HICKS BEACH: There has been a very considerable amount of duty-free sugar imported in anticipation of the Budget, much more than the usual supply.

#### IMPORTED HONEY AND THE SUGAR DUTY.

MR. KEARLEY: I beg to ask Mr. Chancellor of the Exchequer whether it is proposed to charge the sugar duty upon imported honey which consists to the extent of four-fifths of its weight of invert and cane sugar; if so, how he proposes to levy an equivalent duty upon honey produced in this country.

SIR M. HICKS BEACH: No duty is charged on importations of pure honey, but if mixed with sugar it will be liable to the proportionate sugar duty.

#### PRESERVED FRUITS AND THE DUTY.

MR. KEARLEY: I beg to ask Mr. Chancellor of the Exchequer whether he is aware that the Customs are assessing and charging the full sugar duty upon the gross bulk weight of fruits preserved in syrup on the assumption that the whole weight of the article is due to nothing but sugar, whereas the percentage present rarely exceeds ten per cent.

SIR M. HICKS BEACH: Directions have already been issued to confine the assessment of duty to the quantity of sugar used in manufacturing the articles. Pending analysis the importer can obtain delivery of the goods on deposit of an amount sufficient to cover the probable duty.

MR. KEARLEY: I beg to ask Mr. Chancellor of the Exchequer whether, in assessing the duty on articles preserved with sugar, any steps are being taken by the Customs to distinguish between the added sugar and that natural to the article, and by what tests will such differentiation be made.

SIR M. HICKS BEACH: The Customs are taking steps to distinguish between natural and added sugar, and to confine the duty-charge to the latter. The distinction is arrived at by chemical analysis.

#### CONDENSED MILK AND THE DUTY.

MR. KEARLEY: I beg to ask Mr. Chancellor of the Exchequer whether, in assessing the duty on condensed milk, any allowance is being made for the milk sugar naturally present in milk; if so, what is the amount; whether he is aware that there are brands of condensed milk imported in which there is no added sugar; and whether the policy at present in practiced by the Customs of levying the

full sugar duty on the bulk weight of condensed milk irrespective of the, sugar therein contained will be applied to condensed milk of this description.

SIR M. HICKS BEACH: Allowance will be made for the natural milk sugar, the amount of which in any particular case will depend on the character of the milk, If no sugar be added, the condensed milk will be free of duty.

DRAWBACK ON BRITISH REFINED SUGAR.

SIR JOSEPH DIMSDALE (London): I beg to ask Mr. Chancellor of the Exchequer whether he is prepared to make a provision for a drawback to be given upon British refined sugar exported from

England to places abroad, in view of the fact that the export trade will be injuriously affected if such a drawback is not allowed.

SIR M. HICKS BEACH: Yes, Sir.

NEW ISSUE OF CONSOLS.

\*MR. STUART SAMUEL (Tower Hamlets, Whitechapel): I beg to ask Mr. Chancellor of the Exchequer if he will take steps to secure facilities from the Bank of England so that it may consent to advance money upon the security of the part paid scrip of the new issue of Consols.

SIR M. HICKS BEACH: This is not a matter in my control, but I am informed by the Bank of England that they will advance money upon the security of the partly paid scrip of the new issue of consols on their usual terms.

OXFORD CEMETERIES; MARTIN'S ACT.

\*SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the Secretary of State for the Home Department whether cemeteries, as, for example, the three new cemeteries at Oxford, which were provided under Martin's Act, and which have been used for several years without having been consecrated, in whole or part, are outside the purview of the Burial Act, 1900, with reference to consecration.

\*MR. RITCHIE: The answer is in the negative.

\*SIR WALTER FOSTER: Then has the right hon. Gentleman changed his opinion in the last few days, for he told me that all cases approved prior to the passing of the Act did not come under the new Act.

\*MR. RITCHIE: That is a totally different question.

\*SIR WALTER FOSTER: When cemeteries were approved under the old Burial Act, will they remain under that Act and not be affected by the new Act? Will cemeteries under Martin's Act come under the new Act with regard to consecration only?

\*MR. RITCHIE: The question is simply whether, where they were established under Martin's Act, they are outside the purview of the Act of 1900 as regards consecration. I am advised that under the new Act it is quite sufficient that a desire from the locality should be expressed for the consecration of some part of a cemetery of this kind, and the Home Office will take steps to see whether an Order to give effect to the desire should be made.

CHILD HAWKERS; LICENCES.

MR. CRAWFORD SMITH (Northumberland, Tyneside): I beg to ask the Secretary of State for the Home Department

whether the Government will extend to the rest of England the system of licensing children selling in our streets, provided for by the Liverpool

Corporation Act, 1898, and experimentally put into force with such satisfactory

results in Liverpool in 1899.

MR. RITCHIE: The subject of street trading by children comes within the inquiry now being conducted by a Joint Committee of the Home Office, the Board of Education, and the Board of Trade. I must wait for the Report of the Committee before I can be in a position to answer my hon. friend.

FISHING BOATS; DAY SIGNALS.

MR. CROMBIE (Kincardineshire): I beg to ask the President of the Board of Trade whether he is aware of the fact that while a steam-line fishing boat displays certain lights at night to distinguish it from a steam trawler, during the daytime there is nothing to show this distinction, and that, in consequence, trawlers frequently fail to recognise that these boats are steam-liners till they have approached so near as to damage the lines; and whether he will make it a rule for a steam-liner during the day-time to display a black ball on the foremast, or some other distinctive sign.

MR. GERALD BALFOUR: Yes, Sir; I am aware that under the present regulations there is no provision for a day signal for fishing-boats, but the revised rules prepared by the Rule of the Road Committee, which are now under the consideration of foreign Governments, provide for such a signal. In the event of the adoption of this signal, it will be possible, under the rule providing for it, to meet the point to which the hon. Member refers, if the trade desire it; and the matter shall be borne in mind.

POULTON-LE-FYLDE BOILER EXPLOSION.

SIR WILLIAM HOULDSWORTH (Manchester, N.W.): I beg to ask the President of the Board of Trade whether he can explain why no order for the payment of costs or expenses by the owner was made in the case of a boiler explosion at Poulton-le-Fylde on 27th

September last, upon which a preliminary inquiry was held (No. 1260), and the Report of which stated that the owner appeared to have been reckless in his management of the boiler, and that, notwithstanding he had been told by two firms of boiler-makers that it was worn out and unrepairable, he continued to work it for two years and a half under conditions which the Board of Trade engineer pronounced as little short of criminal.

MR. GERALD BALFOUR: No order for the payment of costs or expenses was made in the case to which my hon. friend refers, because it was not thought necessary to order a formal investigation by the only court that could make such an order.

The owner was no doubt reckless, but he was in a very small way of business, and only he and his son attended to the boiler. Fortunately, neither was injured, and, as there was no obscurity as to the cause of the explosion, and it would probably have been difficult to recover any considerable pecuniary penalty, the preliminary inquiry that has been held, and the publication of the facts, meet, I think, the requirements of the case.

SIR WILLIAM HOULDSWORTH: Is not the right hon. Gentleman aware that costs were imposed by the preliminary inquiry?

MR. GERALD BALFOUR: No; I understand that costs are only imposed by a court of formal inquiry.

METROPOLITAN POOR LAW SCHOOLS.

MR. FLOWER (Bradford, W.): I beg to ask the President of the Local Government Board whether the department has sanctioned the erection of additional buildings at the schools for poor law children at Hanwell, Ashford, Forest Gate, Brentwood, Southall, and other metropolitan poor law schools; and, if so, what sums have been expended on the five schools mentioned respectively; and what is the total sum expended on additional buildings to the existing metropolitan pauper schools (excluding Hornchurch and Banstead) since April, 1896.

MR. WALTER LONG: Since April, 1896, the following expenditure has been sanctioned in connection with additions to the schools mentioned in the first paragraph of the question:;Brentwood, £;5,417; Forest Gate, £;984; Southall, £;12,180; Hanwell, £;5,489. No expenditure has been sanctioned in respect of additions to the Ashford schools since the date referred to. The total expenditure sanctioned since April, 1896, in respect of additions to the metropolitan poor law schools is about £;48,000; but no expenditure has been sanctioned for the purpose of increasing the number of children to be accommodated in any of the large schools.

#### PAUPER CHILDREN'S VILLAGES.

MR. FLOWER: I beg to ask the President of the Local Government Board whether he has sanctioned the erection of pauper children's villages at Slifford by the Stepney Board of Guardians, at Sidcup by the Greenwich Board, at Bostal Heath by the Woolwich Board, as Shenfield by the Poplar Board, at Shirley by the St. Olave's Board, at Pornteland by the Newcastle Board, at Kenyon Junction by the Salford Board, at Shotley Bridge by the Gateshead Board, at Wavertree by the Liverpool Select Vestry; and, if so, what expenditure the Board has sanctioned on these villages respectively.

MR. WALTER LONG: The Local Government Board have agreed to the erection of Cottage homes at the nine places mentioned in the question. The total amount of the expenditure sanctioned for this purpose is £;449,391. I will furnish my hon. friend with a statement showing the sum sanctioned in respect of each case.

#### POOR LAW CHILDREN IN METROPOLITAN WORKHOUSES AND INFIRMARIES.

MR. TREVELYAN (Yorkshire, W.R., Elland): I beg to ask the President of the Local Government Board whether he can state how many poor law children were in the infirmaries and workhouses of the Metropolis at the date when the last Returns were made up.

MR. WALTER LONG: According to the latest Returns the numbers are as follows:;infirmaries, 1,693; workhouses, 1,448. Of these, however, 532 and 508 respectively are infants under two years of age.

#### TUBERCULOSIS REGULATIONS.

MR. FIELD (Dublin, St. Patrick): I beg to ask the President of the Local Government Board whether his attention has been drawn to the regulations as to tuberculosis issued by the Local Government Board in March, 1899; and whether he will make it obligatory that all medical officers of health, part of whose salary is paid by money furnished by Parliament, shall act in accordance with those regulations as to meat from animals which have suffered from localised tuberculosis.

MR. WALTER LONG: As I stated in my reply to a previous question by the hon.

Member, the Local Government Board have not prescribed regulations on the subject referred to. I pointed out then that the Royal Commission on Tuberculosis laid down certain principles which, in their opinion, should be observed in the inspection of tuberculous carcasses of cattle, and that the Board in March, 1899, drew the attention of sanitary authorities to the matter, and stated that the authorities should direct those of their officers who were employed as meat inspectors to act in accordance with the principles laid down by the Commission. It does not appear to me that I can take further action on this point at the present time.

MR. FIELD: Will the right hon. Gentleman take further steps so as to secure that the recommendations of the Commission are acted upon?

MR. WALTER LONG: I cannot take any further action at present.

MR. FIELD: Then are the recommendations to remain a dead letter?

\*MR. SPEAKER: Order, order&#x0021;

POOR LAW OFFICERS' SUPERANNUATION.

MR. TULLY: I beg to ask the President of the Local Government Board whether he can state the total amount of the contributions paid by the officers under the Poor Law Officers' Superannuation Act, 1896, for the year ended Michaelmas, 1897.

MR. WALTER LONG: The amount of the contributions paid by officers under the Poor Law Officers' Superannuation Act, 1896, during the year ended at Lady Day, 1898, was £47,465. I cannot give the particulars in respect of the year ended at Michaelmas, 1897.

GLANDERS OUTBREAK AT GLASGOW.

MR. WILLIAM M'KILLOP (Sligo, N.): I beg to ask the President of the Board of Agriculture whether Major Tennant, Under Secretary to the Department, who received the deputation from Glasgow recently, on the question of the methods of dealing with outbreaks of glanders, is a qualified veterinary surgeon.

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. HANBURY, Preston): The question of glanders was by no means the main subject which the deputation was intended to deal with, and that question was, in fact, only introduced incidentally, after the principal subjects had been discussed. Even then most of the points raised were not such as to require the presence of a veterinary expert. Our principal veterinary officer was, however, consulted by the deputation on any point where expert knowledge was required.

POST OFFICE PENSION CALCULATIONS.

MR. DALY (Monaghan, S.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he will state the manner in which the total service and emoluments of a postal official seeking retirement are computed by the Treasury; is any allowance made in respect of the number of hours overtime performed and for the value of the same; and, if not, will he state the reason.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. AUSTEN CHAMBERLAIN, Worcestershire, E.): The pension is calculated on all service

[which fulfils the conditions of the Superannuation Acts, and is based on the permanent salary and emoluments of the office at the date of retirement, or, in



some cases, on an average of the preceding three years. Overtime, except in very rare instances, does not fulfil these conditions, and is therefore not counted in the calculation of pension.

#### HOLYHEAD AND KINGSTOWN PACKET POSTAL STAFF.

MR. FIELD: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that for eleven years no sorting clerk has been promoted from the Holyhead and Kingstown packet; that some, of the senior men have, refused promotion as affecting their superannuation allowance; that the remainder of the packet staff have during that period been passed over; and that in answer to a paper submitted in 1899, the Controller wrote that the applicants' cases had been considered, and that their supervising officers, who were aware of their capabilities, could not recommend any of them; whether he is aware that in the previous year the senior supervising officer recommended some officers for promotion, notwithstanding which junior men were, promoted, one of whom some time, previously had been removed from the packet for incompetence; and whether, having regard to the stagnation of promotion from the packet service, he can say what steps he proposes to take in this matter.

MR. AUSTEN CHAMBERLAIN: It is not the fact that for eleven years past no sorting clerk actually employed on the, Holyhead and Kingstown Packet duty has been promoted. One sorting clerk was so promoted in 1894. Certain of the senior men so employed have expressed their unwillingness to leave the packet duty, in order that their qualifications for promotion might be properly tested, not because their superannuation allowance would thereby be affected, but because their allowance for packet duty is so lucrative that promotion would not carry with it any immediate benefit. In certain promotions made during the past few years a number of officers employed in the packets were passed over because they were, not considered to be the, fittest persons to perform the duties of the posts to be filled. It is the case that in 1898 the senior assistant superintendent on the packet service, recommended that three of the officers working on that duty should be tested in other duties, to see whether they were fit for promotion. But of these three officers one was unwilling to undergo the test, and the qualifications of the other two were not such as to bring them into comparison with the, officers actually promoted. One of the officers promoted in 1899 had been tried on packet duty, but was found unfitted by reason of his age. He was, however, certified to be an exceptionally good officer as regards the general duties of the sorting office, and to be the best qualified for promotion. The claims of men working in the packet service are always considered with those of others, and they have the same chances of promotion.

#### POST OFFICE; APPEAL REGULATIONS.

MR. HAY: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, will he explain why a supervisory official at the post office in Gracechurch Street refused to forward a properly worded appeal from a telegraphist to the Controller; and whether the Postmaster General will investigate the circumstances, with a view to granting facilities to the staff to appeal to the higher officials upon questions which may adversely affect

them.

MR. AUSTEN CHAMBERLAIN: The telegraphist in question was cautioned for carelessness, and appealed against the view taken of the case. The appeal was duly put forward and considered by the Controller, who declined to vary the decision. The telegraphist then put in a further appeal, which was returned to him for further reconsideration, as it included matter which was not relevant; but he was told at the time that he might forward it direct, which, however, he did not do. The Postmaster General is satisfied that both the telegraphist in question and the rest of the staff have ample facilities for appealing in any case in which they consider themselves aggrieved.

#### POSTAL GRIEVANCES; REFUSAL OF FRESH INQUIRY.

MR. THOMAS BAYLEY (Derbyshire, Chesterfield): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether his attention has been called to the discontent existing among postal and telegraph employees with reference to their conditions of service; whether he is aware that at conferences and public meetings resolutions have been passed asking for the appointment of a Committee of Members of Parliament to inquire into the nature of the alleged grievances; and whether the Postmaster General will consider the advisability of recommending that a Committee composed of Members of this House be appointed to investigate and report.

MR. AUSTEN CHAMBERLAIN: The answer to the first two paragraphs of the hon. Member's question is in the affirmative. It is, however, only five years since the conditions of employment of Post Office servants were exhaustively investigated by a Committee, of which Lord Tweedmouth was chairman. All the recommendations of that Committee were accepted by the Government, and have been carried out at a very heavy cost to the taxpayer, amounting in the present year to upwards of £500,000. No new circumstances have arisen which were not before that Committee; and the Postmaster General is not prepared to recommend another similar inquiry, causing as it would great disturbance of ordinary business, and keeping the staff in a state of unrest which is detrimental to efficiency.

#### MALLAIG AND STORNOWAY MAIL STEAMER SERVICE.

MR. WEIR: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he will state the result of the experimental mail steamer service between Mallaig and Stornoway, and will he say when tenders will be invited for the service.

MR. AUSTEN CHAMBERLAIN: The service has only been in operation since the 1st instant, and there has not been time to form an opinion on its advantages.

MR. WEIR: How much more time does the hon. Gentleman want?

MR. AUSTEN CHAMBERLAIN: I am not prepared to fix any time.

#### THE POST OFFICE LONDON TELEPHONE SYSTEM.

MR. BARTLEY (Islington, N.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he can state when the Post Office telephone system in London will be ready to arrange for the reception of subscribers.

MR. AUSTEN CHAMBERLAIN: It is hoped that it will be possible to connect the

premises of subscribers with some of the principal Exchanges in about five or six months time if no further delay occurs owing to the difficulty of carrying out

structural alterations in buildings in which other Post Office work is being carried on.

#### LAND TAX COMMISSIONERS MEETINGS

MR. HERBERT LEWIS (Flint Boroughs): I beg to ask Mr. Chancellor of the Exchequer whether, having regard to the fact that Commissioners of Land Tax are only summoned to meetings of the commissioners by notices published in the official Gazette, and seeing that Land Tax Commissioners cannot know the time and place of meeting without putting themselves to the trouble and expense of buying and reading the official Gazette, instructions will be given to the clerks to the Commissioners of Land Tax to summon the commissioners by notice sent by post to each commissioner, in accordance with the usual practice adopted by other public bodies.

MR. AUSTEN CHAMBERLAIN: The hon. Member is presumably referring to the meetings of Land Tax Commissioners convened from time to time by the Board of Inland Revenue, under Section 4 of the Act, 5 and 6 Vict., Cap. 35, for the purpose of appointing commissioners for the general purposes of income tax. The convenience of the commissioners is always consulted by the Board before appointing the time and place of meeting; and when the notice is published in the Gazette a notification of the fact, and a copy of the Gazette, are invariably sent to the clerk to the commissioners, with a request that he will take the necessary steps to ensure a sufficient attendance on the occasion. The Board think that the clerk may be safely left to use his own discretion as to what steps are actually necessary to this end.

MR. HERBERT LEWIS: Is the hon. Gentleman aware that, as a matter of fact, no notice is sent to the commissioners?

MR. AUSTEN CHAMBERLAIN: The number of commissioners is very large, and if notice were sent to each one it would cause great delay. If the hon. Member has any suggestion to communicate to me I shall be happy to receive it.

#### CUSTOMS ASSISTANTS' GRIEVANCES.

MR. THOMAS DEWAR (Tower Hamlets, St. George's): I beg to ask the Secretary to the Treasury if he will state what steps have been taken to remedy the alleged grievances of the assistants of Customs which were inquired into by the Secretary to the Treasury last year.

MR. AUSTEN CHAMBERLAIN: I will ask the hon. Member to refer to a reply which I gave on this subject on the 15th ultimo to the hon. Member for South Londonderry.\*

#### SCOTTISH SHERIFFS' SALARIES.

MR. WEIR: I beg to ask the Secretary to the Treasury if he is now in a position to state whether a decision has been arrived at in regard to the question of increasing the salaries of sheriffs

\* See preceding volume, page 83.

in Scotland; and, if not, can he state when a decision may be expected.

MR. AUSTEN CHAMBERLAIN: The Board of Treasury is in communication with the

Secretary for Scotland on the subject, and is not yet in a position to announce a decision.

#### VENTILATION OF PARLIAMENTARY DIVISION LOBBIES.

MR. WEIR: I beg to ask the First Commissioner of Works, in, view of the satisfactory result obtained by the adoption of a fan in the division lobbies, will he consider the expediency of adopting a similar method for the better ventilation of the ladies gallery.

THE FIRST COMMISSIONER OF WORKS (Mr. AKERS DOUGLAS, Kent, St. Augustine's): I will gladly consider this proposition, though I must point out to the hon.

Member that there are many difficulties in the way, and that the same conditions do not apply.

#### SCHOOL ATTENDANCE REGULATIONS.

MR. RUTHERFORD (Lancashire, Darwen): I beg to ask the Vice-President of the Committee of Council on Education whether he can say what is the minimum number of attendances a child has to make before being employed full time in a factory or workshop, and whether the provisions of the Elementary Education Act, 1900, are retrospective regarding an attendance qualification for full time employment.

THE VICE-PRESIDENT OF THE BOARD OF EDUCATION (Sir J. GORST, Cambridge University): The Board of Education are advised that, since the 8th August, 1900, no child can obtain full-time exemption from school on an attendance qualification, unless such child has obtained a certificate that it has made 350 attendances, after reaching the age of five years, in not more than two schools during each year for five years, whether consecutive or not.

MR. RUTHERFORD: Can the right hon. Gentleman answer the second paragraph?

SIR J. GORST: I do not know what the hon. Member means by the word "retrospective." I have given the effect of it.

#### SCOTTISH CONGESTED DISTRICTS BOARD.

MR. WEIR: I beg to ask the Lord Advocate if he will grant the Return relative to the Congested Districts Board (Scotland), notice of which stands on to-day's Paper.&#x2020;

\*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): The whole essential information regarding the schemes of migration undertaken by the Congested Districts Board is given in their third annual Report. In these circumstances the Secretary for Scotland cannot see his way to order the preparation of a detailed Return.

MR. WEIR: In view of the fact that the information is not stated accurately in the Report, is the right hon. Gentleman aware that his reply will necessitate at least a hundred questions being put on the Paper?

\*MR. SPEAKER: Order, order&#x0021;

#### GLASGOW SMALL-POX EPIDEMIC.

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 1st January, 1892, to the present time.

\*MR. A. GRAHAM MURRAY: The Return cannot be given for the exact period mentioned, but if the hon. Member

&#x2020; The following is the Return referred to; Congested Districts Board (Scotland); Return showing the names of the districts and counties in which the Congested Districts Board have endeavoured to secure land for the settlement of the people; the names of the owners of such lands; the cases in which the Board have succeeded; the number of acres applied for and the number secured; the terms and conditions under which the respective lands have been acquired by the Board; the terms and conditions under which they have been apportioned to the people; the acreage and rent of each holding, with the name of the tenant. will move for a Return of the expenditure by the Corporation of Glasgow in connection with vaccination and re-vaccination in each year from 1st June, 1891, to 31st May, 1900, the Secretary for Scotland will grant it as an unopposed Return.

#### EAST KERRY MOVING BOG.

MR. MURPHY (Kerry, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the amount spent in the congested districts in East Kerry for the last three years, and the population and area of these districts; whether he is aware that the moving bog at Gneeveguilla is in the centre of a congested district, and that this bog was the source of a disaster a few years ago by breaking its banks, sweeping away a house and its inmates and a number of live stock, and causing other loss in the locality; whether he has information showing that this disaster was primarily due to the fact that the landlord of the district never made any effort to effect a proper outlet for the surplus water in the bog; and whether, seeing that no effort has been made ever since the disaster to prevent a similar recurrence, the Congested Districts Board will inquire into the matter with the view of doing what may be necessary in the direction indicated.

THE CHIEF SECRETARY FOR IRELAND (Mr. WYNDHAM, Dover): It is not possible to state with accuracy the total expenditure of the Board in a congested districts county, since actual expense under a general agricultural scheme cannot well be assessed on a local area. The expenditure on other projects in Kerry amounts to £26,476. The area of the county is 661,040 acres, and its population 86,981. I cannot give the figures for the Parliamentary divisions of the county. I have no information as to the third paragraph; I am, however, making inquiries into the matter.

MR. FLYNN (Cork, N.): Over what period of time has the expenditure been spread?

MR. WYNDHAM: Since the establishment of the Board.

#### BUTTER SUBSTITUTES; DUBLIN PROSECUTION.

MR. ARCHDALE (Fermanagh, V.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, as President of the Department of Agriculture for Ireland, whether his attention has been called to the case, this week, where a company called the Danish and Irish Creamery Company, of Lower Camden Street, Dublin, were convicted and fined for having sold a 56 lb. box of margarine to a country shopkeeper as butter; and whether that margarine was imported or made in Ireland.

MR. WYNDHAM: The margarine was manufactured, I am informed, in Ireland.

#### LABOURERS' COTTAGES IN ENNIS.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state what is the reason of the delay upon the part of the Local Government Board in sanctioning the scheme of the Ennis Urban Council for the erection of labourers' cottages in Ennis.

MR. WYNDHAM: The plans and specifications submitted to the Board were so irregular and defective that it was found necessary to return them to the district council. The amended plans have not yet been furnished.

#### EDUCATION OF BLIND, DEAF, AND DUMB IN IRELAND.

MR. FIELD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will introduce legislation to carry out the recommendations of the Royal Commission of 1885 regarding the blind, the deaf, and the dumb, respecting the application of the Compulsory Education Act, which has not been carried into effect in Ireland; and whether he will consider the advisability of introducing direct State aid, upon the Continental system, in preference to the voluntary system which is in force in the three kingdoms.

MR. WYNDHAM: The Royal Commission reported in 1889. The question of providing State aid towards the

education of these afflicted classes deserves, and will receive, consideration but I cannot undertake to introduce legislation during this session.

#### AGRICULTURAL AND TECHNICAL EDUCATION IN COUNTY MONAGHAN.

MR. DALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the Department of Agriculture sent a representative months ago to advise with the County Committee of Monaghan how advantage might be taken of the Agricultural and Technical Acts, and that one of the points agreed upon was the appointment of a lecturer to instruct the people of that county in the treatment of experimental plots devoted to agriculture; and whether he can explain why no such lecturer has been provided for county Monaghan, although the spring is now nearly over.

MR. WYNDHAM: Each of the rural districts in Monaghan has submitted a scheme to the county council containing proposals in regard to agricultural instruction, and as soon as the county council have had time to co-ordinate these schemes and to submit one scheme for the entire county, the department will authorise the County Committee to appoint a suitable instructor.

#### ROYAL UNIVERSITY OF IRELAND EXAMINATION CERTIFICATES.

SIR THOMAS ESMONDE (Wexford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that it is a rule of the Royal University of Ireland that students who have passed examinations under the University can only receive one certificate of their having done so; and whether he will give directions that when the original certificate has been lost the secretaries shall issue a duplicate if required for any particular purpose.

MR. WYNDHAM: I am informed that the Senate is, for obvious reasons, unwilling to issue a second certificate unless satisfied that the original has been destroyed. But, when the circumstances warrant it, a letter is issued embodying the substance of the certificate.

#### ROYAL IRISH CONSTABULARY; CONSTABLE BLACK'S ORPHANS.

MR. M'GOVERN (Cavan, W.): I beg to ask the Chief Secretary to the Lord

Lieutenant of Ireland whether he is aware that Henry Black, who died some time ago, near Killeshandra, in the county Cavan, served for over thirty years in the Royal Irish Constabulary, and contributed to the Constabulary Force Fund for a period of over forty-six years, in order that his wife and children should be entitled to a gratuity upon his death; that Black's wife died a short time before himself; and that, at the time of Black's death, he left three children, aged nine, eleven, and thirteen years respectively, totally unprovided for; and can he state on what grounds, seeing that these children are destitute, was an application to the Constabulary authorities for a gratuity for them out of the Constabulary Force Fund refused.

MR. WYNDHAM: The contributions of the deceased constable to the fund were made on the

express condition (common to all such contributions) that grants would be payable to such children only as were born while he was serving in the force. This being so, the Inspector General is precluded, by the rules governing the fund, from making a grant to the three children in question.

CARRICK-ON-SHANNON WATERWORKS.

MR. TULLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Local Government Board originally fixed as the area of charge for the Carrick-on-Shannon Waterworks, the Townparks of Carrick-on-Shannon; whether he can state for how many years this arrangement continued, and was it changed as the result of any local inquiry or any local representations; and whether, as the Carrick-on-Shannon No. 1 District Council have always protested against this change, and are still anxious that the original arrangement should stand, the Local Government Board will still oppose the unanimous wishes of the elected

representatives of the people in making the expenses a Townpark charge under the Local Government (Ireland) Act.

1900.

MR. WYNDHAM: The original Order was made on 28th August, 1888. The extending Order of the

15th May, 1899, was confirmed by the Public Works Loans Act of that year. The Board are not aware of any exceptional circumstances in the case of Carrick-on-Shannon, which would warrant a departure from the general policy which it has been found necessary to adopt in regard to the chargeability of these sanitary expenses. If, however, any very special circumstances are brought to my notice I will be prepared to consider them.

MR. J. P. FARRELL: Is not this change in chargeability causing great friction between the urban and rural district authorities? Will the right hon. Gentleman inquire into such cases;

\*MR. SPEAKER: Order, order; The hon. Member is now putting a general question.

OMAGH RURAL DISTRICT RATES.

MR. MURNAGHAN (Tyrone, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that local rates in the Omagh rural district have risen from 2s. 11d. in the pound in the standard year to 4s. 3d.

in the pound in the present year; an increase of 35 per cent.; and that the occupier has to pay the whole of the increase; and, in view of the fact that these rates are a burden on the farmers and small shopkeepers, who compose the ratepaying class in Tyrone, will he take care that no further burden be imposed, should the Poor Law Officers' Superannuation (Ireland) Bill be passed into law. I beg also to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will inform himself, by the aid of a competent actuary, as to the probable effects on local rates in Ireland in case the Poor Law Officers' Superannuation (Ireland) Bill were passed into law; and will he give to the House the information so obtained during the discussion on the Bill, and before the Vote is taken on the Second Reading.

MR. WYNDHAM: The reasons for the increase in the rates were referred to in my answer of the

14th March. I submit that a Committee upstairs will be better able than I could be to examine the actuary whom I am prepared to place at its disposal, and to direct his researches in every pertinent direction. The attitude of the House towards the Bill would be guided, no doubt, by the results of that inquiry, and I may add that I should not support the Third Reading if the risk of any material increase to the rates were revealed.

MR. TULLY: Did not a similar Act put a quarter of a million on to the English rates?

[No answer was returned.]

LOUGH NEAGH FLOODS.

MR. MURNAGHAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to a resolution passed by the Guardians of the Lurgan Union, requesting the Government to take steps to have the periodical flooding of lands round Lough Neagh abated; as the loss of crop in this district is great, besides the health of the inhabitants living in flooded areas is seriously endangered; and will he consider the matter with a view to the removal of this danger to the health and property of the district.

MR. WYNDHAM: This proposal would entail legislation and a large grant of public money. It cannot, accordingly, be entertained.

MORTALITY AMONG CALVES IN IRELAND.

MR. DILLON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Department of Agriculture, before securing the services of a bacteriologist from France, conducted any inquiry into the question of

See Debates, Vol. xc., page 1593.  
the cause of the alleged increased mortality among calves; and whether farmers in the districts affected had been invited to give evidence of the subject; and, if so, where the Reports of such inquiries can be seen.

MR. WYNDHAM: Before securing the services of Professeur Nocard the Limerick County Council, at the request of the Department, convened a conference of farmers from Cork, Tipperary, Kerry, Clare, and Limerick, to give evidence as to the extent and cause of disease. The conference was held at Limerick on the 8th December, and an account of the proceedings was published in the local press. No official report has been published, but I have called for a newspaper report,



and will send it to the hon. Member when I receive it.

MR. DILLON: But was any evidence taken at the inquiry?

MR. WYNDHAM: I understand that the Department felt, after the information they obtained at the conference, that the next proper step was to call in an expert.

MR. DILLON: Then I take it no inquiry was held?

MR. WYNDHAM: I gather that is so.

ARMAGH MAGISTRACY.

MR. JOHN CAMPBELL (Armagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the number of Roman Catholic and of non-Catholic magistrates in the petty sessions districts of Tynan and Middletown, county Armagh; the numbers, ranks, and religious denomination of the members of the Constabulary in the above districts; and what proportion Roman Catholics bear to the rest of the population in the above districts.

MR. WYNDHAM: The number of justices attending these two petty sessions is seven, all of whom are Protestants, There are ten policemen in the districts; one sergeant and four constables are

Roman Catholics, and one sergeant and four constables Protestants. I have no official information on the last query.

STEAM TRAWLING (IRELAND) BILL.

MR. POWER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state when he proposes to take the Second Reading of the Bill introduced by him dealing with the question of steam-trawling off the Irish coasts; and if he will put it down at a time when an adequate discussion can be taken.

MR. WYNDHAM: I understand that the First Lord is about to make a statement in reference to future business, and I would ask the hon. Member to await that statement.

IRISH RAILWAYS; STATE PURCHASE; GERMAN STATE RAILWAYS.

MR. FIELD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the German State railways realised a profit of £23,200,000 last year; and whether he will consider what modifications can be introduced respecting the existing railway system of Ireland, with a view to decrease taxation and increase facilities for goods and passengers.

MR. WYNDHAM: I have no information as to the net receipts of the German State railways later than for the year ending 31st March, 1899. In that year the net receipts amounted to £36,230,000.

OMAGH QUARTER SESSIONS; CASE OF GEORGE FEATHERS.

\*MR. HEMPHILL (Tyrone, N.): I beg to ask Mr. Attorney General for Ireland whether his attention has been called to the case of George Feathers, a labourer, who was tried at the last October quarter sessions at Omagh, when the jury disagreed and the accused was allowed to stand out on bail until the spring assizes of this year, when he was again placed on his trial before Lord Justice Holmes and the jury again disagreed, on which occasion his Lordship is reported to have suggested that it was not a case for a further trial, and he was again let out on bail; and whether, as the accused is poor and has already incurred the expense of two trials, having been defended

by professional gentlemen on both occasions, he would be pleased to direct a nolle prosequi to be entered.

THE ATTORNEY GENERAL FOR IRELAND (Mr. ATKINSON, Londonderry, N.): My right hon. friend is under a misconception. Lord Justice Holmes's remarks applied to a second trial at the same assizes. I cannot at this period give the undertaking asked for, but if on further examination I consider the case one in which a jury might fairly disagree the Crown will not proceed further.

DUBLIN POST OFFICE; TELEPHONE OPERATORS' WAGE GRIEVANCES.

MR. NANNETTI (Dublin, College Green): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he is aware that the telephone operators who were transferred as switching operators from the National Telephone Company, Dublin, to the post office in May, 1897, at the wages of 12s. and 11s. per week, have received but two increments since that time; namely, 1s. per week in 1897 and 1s. per week in 1898; and that, in addition to the work of switching, they have had since their transfer to perform telegraph and other duties; and, seeing that they have been continually informed that their application for increase of wages is under consideration, whether a decision will soon be arrived at.

MR. AUSTEN CHAMBERLAIN: Yes, Sir; the circumstances are well known to the Postmaster General. The general question of the pay of telephone operators is still under consideration, but it is hoped that a decision may be arrived at shortly.

MR. NANNETTI: Cannot this case be dealt with at once?

MR. AUSTEN CHAMBERLAIN: Individual cases will be dealt with as soon as the general scheme has been decided upon.

MR. NANNETTI: Is it not a fact that although these young ladies, since their transfer to the post office, have had extra work put upon them, their wages have not been increased? I will put another question down about this.

ARMAGH POSTAL OFFICIALS.

MR. JOHN CAMPBELL: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he can state the numbers, ranks, religious denominations, and salaries of the post office officials in the districts of Tynan and Middletown, county Armagh, and also the proportion which Roman Catholics bear to the remainder of the population in these districts.

MR. AUSTEN CHAMBERLAIN: The Postmaster General will ascertain and furnish the hon. Member with the numbers, ranks, and salaries of the post office officials in question. He does not, however, know anything as to the number of Roman Catholics in the districts named, and cannot undertake to make any inquiry on the subject.

MR. JOHN CAMPBELL: Am I right in saying there is not a single Roman Catholic among the officials?

MR. AUSTEN CHAMBERLAIN: Neither I nor the Postmaster General have any knowledge of the religious belief of any of the officials.

MR. JOHN CAMPBELL: But surely it would be possible to ascertain?

MR. AUSTEN CHAMBERLAIN: We do not think it would be proper to do so.

ROYAL COMMISSION ON IRISH UNIVERSITIES.

MR. WILLIAM JOHNSTON (Belfast, S.): I beg to ask the First Lord of the Treasury whether he has received a resolution passed by the Belfast Methodist Council, representing all the Methodist churches of Belfast, expressing the opinion of the council concerning the constitution of the proposed Royal Commission on the university question;

whether the Government will favourably consider the suggestion that the Commission shall be composed of skilled educationalists who have not publicly taken part in supporting or opposing the establishment of a State-aided denominational university for Ireland; and whether care will be taken that no person connected with any educational institution in Ireland will be appointed on the Royal Commission.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Yes, Sir; I have received the resolution referred to, but I cannot at the present time make any statement as to the constitution of the Committee.

LONDON LOCAL GOVERNMENT; EQUALISATION OF RATES.

CAPTAIN NORTON (Newington, W.): I beg to ask the First Lord of the Treasury whether, seeing that at the time of the passage of the London Government Bill he gave a pledge that nothing would be done to alter the equalisation of rates throughout the metropolis, and seeing that within the boroughs of Woolwich, Finsbury, and Southwark the incidence of the rates is now altered, he will take such steps as will cause these boroughs to act up to the pledge given.

MR. A. J. BALFOUR: A clause was inserted for the purpose of making it clear that nothing in the Act would affect the equalisation of rates. I am not quite sure what is the grievance referred to by the hon. Gentleman, but if he will communicate with the President of the Local Governemnt Board we may be able to satisfy him.

ROAD LABOUR IN IRELAND.

MR. O'SHAUGHNESSY (Limerick, W.): I beg to ask the First Lord of the Treasury if he will state what opportunities there are for Members of the House to discuss the Provisional Order legalising the system of direct labour on the roads in Ireland before it becomes law, if found unsatisfactory.

MR. A. J. BALFOUR: A Provisional Order, before it comes into force, must be in the shape of a Bill which can be discussed on the Second Reading in Committee on the Report stage (if any), and on the Third Reading.

CROFTERS' ACT (1886) AMENDMENT.

MR. WEIR: I beg to ask the First Lord of the Treasury, in view of the general desire in the Highland crofting counties for the extension of the Crofters' Act, 1886, to leaseholders under £30, will he state whether the Government propose to introduce legislation on the subject this session.

MR. A. J. BALFOUR: No, Sir, we have no such intention.

MR. WEIR: The right hon. Gentleman gave the same answer six years ago.  
SCOTTISH COURT.

MR. THOMAS DEWAR: I beg to ask the First Lord of the Treasury whether he can inform the House whether His Majesty the King proposes at an early date to hold a Court in the Scottish Capital.

MR. A. J. BALFOUR: We have had no intimation of any such intention.

## MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

LORD HUGH CECIL (Greenwich): I beg to ask you, Mr. Speaker, if the Instruction standing in my name on the Marriage with a Deceased Wife's Sister Bill is in order?

\*MR. SPEAKER: I must respectfully decline to answer the question until the proper time arrives.

## LOCAL TAXATION COMMISSION REPORT.

MR. LAMBERT (Devonshire, South Molton): I beg to ask the First Lord of the Treasury if, having regard to the fact that the Royal Commission on Local Taxation was appointed five years ago, and that the Agricultural Rates Act is to be renewed this year, he will suggest to the Commission the desirability of an early Report, so that it may be in the hands of Members before the debate on the renewal of the Rating Bill.

MR. A. J. BALFOUR: I understand that the Commission are pressing on with the work, but as they are not a subordinate branch of the Government we have no power of control over their proceedings in any way.

SIR HENRY FOWLER (Wolverhampton, E.): Is it not the case that the Commissioners closed the taking of evidence in November, 1899, and that this Report was promised before any proposal should be made for the renewal of the Agricultural Rating Act?

MR. A. J. BALFOUR: I am not aware of that promise.

## BUSINESS OF THE HOUSE.

MR. COURTENAY WARNER: I beg to ask the First Lord of the Treasury if he will give the House some idea as to when the new Army proposals are to be discussed.

MAJOR RASCH (Essex, Chelmsford): May I at the same time ask the First Lord of the Treasury if he can now without inconvenience state approximately the date of the debate on the resolution of the Secretary of State for War.

MR. A. J. BALFOUR: I am very reluctant to give what is called an approximate statement as to the business of the House, for I find that forecasts are apt to be interpreted as special pledges; and I hope that on the present occasion nothing that I say will be taken as a pledge. Our present view is this; that we should finish the proceedings on the Budget resolution and read the Budget Bill a first time. [Cries of "When?"] As soon as we can. Unfortunately it does not rest with me to settle the length of the debate. We propose that the next business should be the Civil List resolution and the reading of the Civil List Bill a first time; that we then proceed with the Army resolution, and then go to the Second Reading of the Finance Bill. I ought to add that, of course, nothing I have said, it must be understood, will preclude us from using any part of a broken day for other Government business.

## SUSPENSION OF THE TWELVE O'CLOCK RULE.

MR. WINSTON CHURCHILL (Oldham): Does the First Lord, in view of the motion he has on the Paper for the suspension of the Twelve o'Clock Rule, intend to have a late sitting to-night?

MR. A. J. BALFOUR: No, Sir. My object in putting the resolution down is in order to prevent the automatic action of the rule preventing the termination

AYES.

Acland-Hood, Capt. Sir Alex F.  
Collings, Rt. Hon. Jesse  
Helder, Augustus  
Agg-Gardner, James Tynte  
Colston, Chas. Edw. H. Athole  
Henderson, Alexander  
Agnew, Sir Andrew Noel  
Cook, Sir Frederick Lucas  
Hermon-Hodge, Robert Trotter  
Allsopp, Hon. George  
Corbett, T. L. (Down, North)  
Hickman, Sir Alfred  
Archdale, Edward Mervyn  
Cranborne, Viscount  
Higginbottom, S. W.  
Arkwright, John Stanhope  
Cripps, Charles Alfred  
Hoare, Edw. B. (Hampstead)  
Arnold-Forster, Hugh O.  
Cubitt, Hon. Henry  
Hobhouse, Henry (Somerset, E.  
Ashmead-Bartlett, Sir Ellis  
Dalkeith, Earl of  
Hope, J F. (Sheffield, Brightside  
Atkinson, Rt. Hon. John  
Dalrymple, Sir Charles  
Horner, Frederick William  
Austin, Sir John  
Denny, Colonel  
Houldsworth, Sir Wm. Henry  
Bagot, Capt. Josceline FitzRoy  
Dickson-Poynder, Sir John P  
Howard, John (Kent, Faversh.  
Bain, Colonel James Robert  
Digby, John K. D. Wingfield-  
Howard, J. (Midd., Tottenham)  
Baird, John George Alexander  
Dimsdale, Sir Joseph Cockfield  
Hozier, Hon. James Henry C.  
Baldwin, Alfred  
Dorington, Sir John Edward  
Hudson, George Bickersteth  
Balfour, Rt. Hon. A. J. (Manch'r  
Douglas, lit. Hon. A. Akers-  
Hutton, John (Yorks., N. R.)  
Balfour, Rt Hn Gerald W (Leeds

Doxford, Sir William T.  
Jessel, Capt. Herbert Merton  
Banbury, Frederick George  
Duke, Henry Edward  
Johnston, William (Belfast)  
Bartley, George C. T.  
Durning-Lawrence, Sir Edwin  
Johnstone, Heywood (Sussex)  
Bathurst, Hon. Allen Benjamin  
Dyke, lit. Hon. Sir Wm. H.  
Kenyon, Hon. G. T. (Denbigh  
Beach, Rt. Hn. Sir. M H (Bristol)  
Egerton, Hon. A. de Tatton  
Kenyon-Slaney, Col. W. (Salop  
Bhownaggree, Sir M. M.  
Elliot, Hon. A. Ralph Douglas  
Keswick, William  
Bigwood, James  
Faber, George Denison  
Kimber, Henry  
Bill, Charles  
Fellowes, Hon. Ailwyn Edw.  
Knowles, Lees  
Blundell, Colonel Henry  
Fergusson, Rt. Hn. Sir J. (Manc.  
Law, Andrew Bonar  
Boscawen, Arthur Griffith-  
Finlay, Sir Robert Bannatyne  
Lawrence, William E.  
Bowles, T. Gibson (King's Lynn  
Fisher, William Hayes  
Lawson, John Grant  
Brassey, Albert  
FitzGerald, Sir Robt. Penrose-  
Lee, Arthur H (Hants, Fareham  
Brodrick, Rt. Hon. St. John  
Flannery, Sir Fortescue  
Leveson-Gower, Fredk. N. S.  
Brookfield, Colonel Montagu  
Flower, Ernest  
Llewellyn, Evan Henry  
Brown, Alexander H. (Shropsh.  
Forster, Henry William  
Loder, Gerald Walter Erskine  
Brymer, William Ernest  
Garfit, William

Long, Col. C. W. (Evesham)  
Bull, William James  
Gibbs, Hn A G H. (City of London  
Long, Rt Hn. Walter (Bristol, S.  
Bullard, Sir Harry  
Gibbs, Hon. Vicary (St. Albans)  
Lonsdale, John Brownlee  
Butcher, John George  
Godson, Sir Augustus Frederick  
Lowther, C. (Cumb., Eskdale)  
Campbell, Rt. Hn. J A (Glasgow  
Gordon, Hn. J. E. (Elgin & Nairn  
Loyd, Archie Kirkman  
Carlile, William Walter  
Gordon, Maj Evans- (T'rH'ml'ts  
Lucas, Col. F. (Lowestoft)  
Carson, lit. Hon. Sir Edw. H.  
Gorst, Rt. Hon. Sir John Eldon  
Macartney, Rt Hn W. G. Ellison  
Cautley, Henry Strother  
Goulding, Edward Alfred  
MacIver, David (Liverpool)  
Cavendish, R. F. (N. Lanes.)  
Gray, Ernest (West Ham)  
M'Arthur, Chas. (Liverpool)  
Cavendish, V. C. W (Derbyshire  
Green, Walford D. (Wednesb'y  
M'Calmont, Col. J. (Antrim, E.  
Cayzer, Sir Charles William  
Gretton, John  
M'Iver, Sir L. (Edinburgh, W.  
Cecil, Evelyn (Aston Manor)  
Greville, Hon. Ronald  
M'Killop, Jas. (Stirlingshire)  
Cecil, Lord Hugh (Greenwich)  
Groves, James Grimble  
Malcolm, Ian  
Chamberlain, Rt. Hon. J (Birm.  
Gunter, Colonel  
Maple, Sir John Blundell  
Chamberlain, J Austen (Worc'r  
Hain, Edward  
Martin, Richard Biddulph  
Chaplin, Rt. Hon. Henry  
Hall, Edward Marshall  
Maxwell, W. J. H. (Dumfriessh.

Chapman, Edward  
Hambro, Charles Erie  
Melville, Beresford Valentine  
Charrington, Spencer  
Hamilton, Rt Hn Lord G (Middx  
Middlemore, John Throgm'rt'n  
Churchill, Winston Spencer  
Hanbury, Rt. Hon. Robt. W.  
Milton, Viscount  
Cochrane, Hon. Thos. H. A. E.  
Harris, Frederick Leverton  
Mitchell, William  
Coddington, Sir William  
Hay, Hon. Claude George  
Montagu, G. (Huntingdon)  
Cohen, Benjamin Louis  
Heaton, John Henniker  
Moon, Edward Robert Pacy

of a debate which may be nearly concluded at the hour of midnight.

SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

Motion made, and Question put, "That the proceedings of the Committee of Ways and Means, if the Committee be sitting at Twelve o'clock this night, be not interrupted under the Standing Order, Sittings of the House."; (Mr. A. J. Belfour.)

The House divided::Ayes, 245 Noes, 177. (Division List No. 144).

More, Robt. Jasper (Shropshire)  
Ritchie, Rt. Hn. C. Thomson  
Tufnell, Lieut.-Col. Edward  
Morgan, David J (Walthamst'w  
Robertson, Herbert (Hackney)  
Valentia, Viscount  
Morris, Hon. Martin Henry F  
Ropner, Colonel Robert  
Vincent, Col. Sir C. E. H (Sheffi'd  
Morrison, James Archibald  
Round, James  
Vincent, Sir Edgar (Exeter)  
Morton, Arthur H. A. (Deptford  
Royds, Clemant Molyneux  
Wanklyn, James Leslie  
Mount, William Arthur  
Russell, T. W.  
Warde, Colonel C. E.  
Mowbray, Sir Robert Gray C.  
Rutherford, John  
Warr, Augustus Frederick



Murray, Rt Hn A Graham (Bute  
Sackville, Col. S. G. Stopford-  
Welby, Lt. Col. A. C. E. (Taunt'n  
Murray, Charles J. (Coventry)  
Sadler, Col. Samuel Alexander  
Welby, Sir C. G. E. (Notts.)  
Myers, William Henry  
Samuel, S. M. (Whitechapel)  
Wharton, Rt. Hn. John Lloyd  
Nicholson, William Graham  
Sassoon, Sir Edward Albert  
Whiteley, H (Asht'n-und-Lyne  
Nicol, Donald Ninian  
Scott, Sir S. (Marylebone, W.)  
Whitmore, Charles Algernon  
Orr-Ewing, Charles Lindsay  
Sharpe, William Edward T.  
Willox, Sir John Archibald  
Palmer, Walter (Salisbury)  
Shaw-Stewart, M. H. (Renfrew  
Wilson, A. S. (York, E. R.)  
Peel, Hn. Wm Robert Wellesley  
Sinclair, Louis (Romford)  
Wilson, John (Falkirk)  
Pemberton, John S. G.  
Smith, Abel H. (Hertford, E.)  
Wilson-Todd, Wm. H. (Yorks.)  
Penn, John  
Smith, H. C. (N'rth'b., Tyneside  
Wodehouse, Rt Hn. E. R. (Bath)  
Percy, Earl  
Smith, James Parker (Lanarks.  
Wolff, Gustav Wilhelm  
Pierpoint, Robert  
Smith, Hon. W. F. D. (Strand)  
Wortley, Rt. Hn. C. B. Stuart-  
Pilkington, Richard  
Spear, John Ward  
Wrightson, Sir Thomas  
Plummer, Walter R.  
Stanley, Lord (Lancs.)  
Wylie, Alexander  
Powell, Sir Francis Sharp  
Stewart, Sir M. J. M'Taggart  
Wyndham, Rt. Hn. George  
Purvis, Robert

Stirling-Maxwell, Sir John M.  
Wyndham-Quin, Major W. H.  
Quilter, Sir Cuthbert  
Stone, Sir Benjamin  
Yerburgh, Robert Armstrong  
Rankin, Sir James  
Stroyan, John  
Young, Commander (Berks, E.)  
Rasch, Major Frederic Carne  
Strutt, Hon. Charles Hedley  
Younger, William  
Ratcliffe, R. F.  
Sturt, Hon. Humphry Napier  
Remnant, James Farquharson  
Talbot, Rt Hn. J. G. (Oxf'd Univ.  
TELLERS FOR THE AYES;  
Rentoul, James Alexander  
Thornton, Percy M.  
Sir William Walrond and Mr. Anstruther.  
Renwick, George  
Tomlinson, Wm. E. Murray  
Ridley, Hon. M. W (Stalybridge  
Tritton, Charles Ernest  
NOES.  
Abraham, William (Cork, N. E.  
Dillon, John  
Joyce, Michael  
Abraham, William (Rhondda)  
Doogan, P. C.  
Kearley, Hudson E  
Allan, William (Gateshead)  
Duffy, Wm. J.  
Kennedy, Patrick James  
Allen, Chas. P. (Glouc., Stroud)  
Duncan, J. Hastings  
Kinloch, Sir John George Smyth  
Ambrose, Robert  
Dunn, Sir William  
Kitson, Sir James  
Ashton, Thomas Gair  
Edwards, Frank  
Lambert, George  
Ascquith, Rt Hn. Herbert Henry  
Emmott, Alfred  
Langley, Batty  
Barry, E. (Cork, S.)

Esmonde, Sir Thomas  
Layland-Barratt, Francis  
Bayley, Thomas (Derbyshire)  
Evans, Sir Francis H (Maidstone)  
Leamy, Edmund  
Beaumont, Wentworth C. B.  
Evans, Samuel T. (Glamorgan)  
Long, Sir John  
Bell, Richard  
Farquharson, Dr. Robert  
Lewis, John Herbert  
Black, Alexander William  
Farrell, James Patrick  
Lloyd-George, David  
Blake, Edward  
Fenwick, Charles  
Lough, Thomas  
Boland, John  
Fitzmaurice, Lord Edmond  
Lundon, W.  
Bolton, Thomas Dolling  
Flavin, Michael Joseph  
MacDonnell, Dr. Mark A.  
Brigg, John  
Flynn, James Christopher  
MacNeill, John Gordon Swift  
Broadhurst, Henry  
Foster, Sir Walter (Derby Co.)  
M'Arthur, Wm. (Cornwall)  
Burke, E. Haviland-  
Fowler, Rt. Hon. Sir Henry  
M'Crae, George  
Burt, Thomas  
Gilhooly, James  
M'Dermott, Patrick  
Buxton, Sydney Charles  
Gladstone, Rt. Hn Herbert John  
M'Kenna, Reginald  
Caldwell, James  
Goddard, Daniel Ford  
M'Laren, Charles Benjamin  
Campbell, John (Armagh, S.)  
Grey, Sir Edward (Berwick)  
Mansfield, Horace Kendall  
Campbell-Bannerman, Sir H.  
Haldane, Richard Burdon

Markham, Arthur Basil  
Causton, Richard Knight  
Hammond, John  
Mather, William  
Cawley, Frederick  
Harmsworth, R. Leicester  
Minch, Matthew  
Cogan, Denis J.  
Harwood, George  
Mooney, John J.  
Colville, John  
Hayden, John Patrick  
Morgan, J. Lloyd (Carmarthen)  
Condon, Thomas Joseph  
Hayne, Rt. Hn. Chas. Seale-  
Morley, Rt. Hn. John (Montrose  
Craig, Robert Hunter  
Hayter, Rt. Hon. Sir Arthur D.  
Morton, Edw. J. C. (Devonport)  
Crean, Eugene  
Helme, Norval Watson  
Moss, Samuel  
Cremer, William Randal  
Hemphill, Rt. Hn. Charles H.  
Moulton, John Fletcher  
Crombie, John William  
Hobhouse, C. E. H. (Bristol, E.)  
Murnaghan, George  
Cullinan, J.  
Holland, William Henry  
Murphy, J.  
Daly, James  
Hope, John Deans (Fife, West)  
Nannetti, Joseph P.  
Dalziel, James Henry  
Horniman, Frederick John  
Nolan, Col. John P. (Galway, N.  
Davies, Alfred (Carmarthen)  
Hutton, Alfred E. (Morley)  
Nolan, Joseph (Louth, South)  
Davies, M. Vaughan- (Cardigan  
Jacoby, James Alfred  
Norman, Henry  
Delany, William  
Joicey, Sir James  
Norton, Capt. Cecil William

Dewar, John A. (Invernes-sh.)  
Jones, William (Carnarvonsh.)  
Nussey, Thomas Willans  
Dilke, Rt. Hon. Sir Charles  
Jordan, Jeremiah  
O'Brien, James F. X. (Cork)  
O'Brien, K. (Tipperary, Mid)  
Redmond, William (Clare)  
Tomkinson, James  
O'Brien, Patrick (Kilkenny)  
Reid, Sir R. Threshie (Dumfries  
Trevelyan, Charles Philips  
O'Brien, P. J. (Tipperary, N.)  
Rickett, J. Compton  
Tully, Jasper  
O'Connor, T. P. (Liverpool)  
Rigg, Richard  
Ure, Alexander  
O'Donnell, T. (Kerry, W.)  
Robson, William Snowdon  
Wallace, Robert  
O'Dowd, John  
Roche, John  
Walton, Joseph (Barnsley)  
O'Kelly, Conor (Mayo, N.)  
Schwann, Charles E.  
Warner, Thomas Courtenay T.  
O'Mara, James  
Sinclair, Capt. J. (Forfarshire  
Wason, Eugene (Clackmannan  
O'Shaughnessy, P. J.  
Smith, Samuel (Flint)  
Weir, James Galloway  
Palmer, George Wm. (Reading  
Soares, Ernest J.  
White, George (Norfolk)  
Partington, Oswald  
Spencer, Rt Hn. C. R. (Northnts.  
White, Patrick (Meath, North)  
Pease, Sir Joseph W. (Durham)  
Strachey, Edward  
Whiteley, George (York, W.R.)  
Philipps, John Wynford  
Sullivan, Donal  
Whitley, J. H. (Halifax)  
Power, Patrick Joseph

Taylor, Theodore Cooke  
Williams, Osmond (Merioneth)  
Price, Robert John  
Tennant, Harold John  
Wilson, John (Durham, Mid.)  
Priestley, Arthur  
Thomas, Abel (Carmarthen, E.)  
Woodhouse, Sir J. T. (Huddersf'd  
Rea, Russell  
Thomas, Alfred (Glamorgan, E.  
Young, Samuel (Cavan, East)  
Reckitt, Harold James  
Thomas, Dav. Alfred (Merthyr  
TELLERS FOR THE NOES;  
Reddy, M.  
Thomas, J. A. (Glam., Gower)  
Mr. Charming and Mr. Caine.  
Redmond, John E. (Waterford  
Thompson, E. C (Monaghan, N.  
ARMY (ANNUAL) BILL.

[THIRD READING.]

Order for Third Reading read.

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

MR. DILLON (Mayo, E.): I desire, if I am in order, to move the following

Amendment: "That this House declines to read the Army (Annual) Bill a third time, until it has received an assurance that the practice of looting while on active service will be more strictly dealt with."

\*MR. SPEAKER: That will not be in order. It does not arise out of the Army (Annual) Bill, as the actual conduct of troops in war is not a matter that can be discussed on that Bill.

MR. DILLON: Of course, I bow to your ruling, Mr. Speaker, but I should like to ask, on a point of order, whether I should be out of order in debating the subject which I desire to raise on the Third Reading of this Bill. I wish to know whether I would not be in order in referring to the administration of that part of the Army (Annual) Bill which deals with this offence of looting.

\*MR. SPEAKER: That is obviously an Amendment with the view of discussing the conduct of troops in looting. That would be out of order. It is quite obvious that it would be out of order to introduce that subject now.

MR. DILLON: Yes, Sir, I accepted your ruling with regard to the Amendment. What I propose to ask now is whether I should not be in order in examining the Army Bill as to whether it has been effectual in dealing with the question of looting. It appears to me that inasmuch as the Army (Annual) Bill is the only machinery by which the Army is kept together, and is the Bill under which all discipline is maintained, I should be in order in discussing whether the Bill in its present shape has been successful in dealing with this most important particular.

\*MR. SPEAKER: That is practically the same question over again. The hon. Member may point out that the Army (Annual) Bill should be differently worded, but he cannot proceed to discuss the action of the troops or of the administration. He may point out particular clauses to which he takes objection.

MR. CALDWELL (Lanarkshire, Mid) thought this was the time to bring before the Government the necessity for the consolidation of the Army Acts. In 1879 there was the Discipline Act, which was amended in the two following years, and in 1881 a Liberal Government brought in a Consolidation Act for the purpose of consolidating the Amendments. Since then there had been Amendments to the Army Act of 1881 every year, and anyone wanting to know the state of the law at the present moment with regard to the Army had not only to take up the Act of 1881, but to go through every Army (Annual) Act since then, before the law could be possibly understood. It was quite true there was power given to reprint the Act with Amendments, but the Act was not reprinted and put upon the Statute-book by Parliament. It was reprinted, he supposed, by the officials of the War Office. He was not astonished that the hon. Member for West Waterford the other evening was not able to find a particular section to which the Secretary of State for War was referring in the Army Act of 1881, although the words were to be found in the Act as reprinted. The Government of course reprinted the Act in the manual for the Army, and, so far as the Army were concerned, they had all they wanted; but there were other people in the country who were interested in the Army Act besides officers. There were the general public and Members of this House. How did the matter stand at present? The last reprint placed in the library only brought the law down to 1893, and anyone wanting to know the existing state of the law must either obtain the manual prepared by the War Office or must follow the statutes from 1893 to the present. He had brought this matter forward before, and had received admissions that the time had come for consolidation, and every year increased that necessity. Surely after an Act of Parliament had been in operation for twenty years, in every one of which it had been amended, it was time to have a Consolidation Act. What was the difficulty? The Army Act of 1881 consisted of 193 clauses and five schedules. How long did it take to pass the House of Commons in 1881? There were only two short speeches on the Second Reading, the Bill was considered in Committee and reported without amendment, and the Third Reading was passed on the same day. In the House of Lords it passed through all its stages in one day. There had been many innovations since the new procedure; there had been Workshops Acts consolidation and Public Health Acts consolidation, and wherever there was any amended Bill, as in the case of the Army Bill, the same precedent could be followed as in 1881. The Bill could be amended and produced in the House with its Amendments, and then it could be given out to a draughtsman who would carry out the effect of the law; and where there was no alteration in the law upon the Statute-book, a Bill could be passed through the House without trouble. It was a fallacy to suppose that, because there was a subsequent Act changing the words of a section, it was therefore a complete Act of Parliament. It was nothing of the kind, because everybody knew perfectly well that it was almost impossible to make any

alteration in an Act of Parliament without affecting other matters more or less remote from the subject referred to. That was what was discovered in 1881, when it was found necessary, by the addition of some verbal alterations, to give effect to certain clauses which had been altered. It was not right that a matter affecting such an important subject as the Army Bill, where there were other interests besides the officers' to be considered, that the House should be dependent upon the official copy of the Act which was put into the library. If it were gone over by a draughtsman there would be found to be many slight alterations necessary, which, however, would not involve any discussion in the House. As it was, they had now on the Paper a makeshift amending Bill, which would have to be followed by a Consolidation Bill which would pass the House if brought forward without a single observation being made upon it. He was not regarding the present Bill from the point of view of amending it, but he thought the time had arrived when a Consolidation Act should be brought in, and he hoped the right hon. Gentleman the Secretary of State for War, who had shown great courage in the matter of Army reform, would see his way to commence his reforms by a reform of the Army Act.

MR. COURTENAY WARNER (Staffordshire, Lichfield) said he was sorry he could not support the hon. Member for Mid Lanark to the extent of asking for a Consolidation Act in the present year. He did not think it would be possible to obtain it before next year. He was sorry that something more had not been done in regard to holding courts-martial upon officers who had been unfortunate, and had had to surrender, or who had lost their regiments through accident, as was done in the

Navy in the case of an officer who had lost his ship. It was a great pity some system was not projected for the purpose. He had risen to inquire what had been the precise result of the discussions that had taken place in reference to the courts of inquiry with regard to the alterations to be made this year and the new additions proposed by the right hon. Gentleman the Secretary of State for War. He did not understand how they would affect all courts of inquiry, or whether some of the courts of inquiry had been practically illegal, or whether they were justified in giving

"findings" as well as the mere report of evidence. He would like to hear the right hon. Gentleman upon those points.

\*THE SECRETARY OF STATE FOR WAR (Mr. BRODRICK, Surrey, Guildford) said he certainly was not disposed, and could hardly be expected, to take up time in rediscussing the subject

AYES.

Acland-Hood, Capt. Sir Alex. F.

Butcher, John George

Dewar, John A. (Inverness-sh.)

Agg-Gardner, James Tynte

Buxton, Sydney Charles

Dickson-Poynder, Sir John P.

Allen, Charles P. (Glouc. Stroud

Caldwell, James



Digby, John K. D. Wingfield-  
Archdale, Edward Mervyn  
Campbell-Bannerman, Sir H.  
Dilke, Rt. Hon. Sir Charles  
Arkwright, John Stanhope  
Carson, Rt. Hn. Sir Edw. H.  
Dimsdale, Sir Joseph Cockfield  
Arnold-Forster, Hugh O.  
Causton, Richard Knight  
Dorington, Sir John Edward  
Ashmead-Bartlett, Sir Ellis  
Cautley, Henry Strother  
Douglas, Rt. Hon. A. Akers-  
Ashton, Thomas Gair  
Cavendish, R. F. (N. Lancs.)  
Doxford, Sir William Theodore  
Asquith, Rt. Hon. Herbert H.  
Cavendish, V. C. W. (Derbysh.)  
Duke, Henry Edward  
Atkinson, Rt. Hon. John  
Cawley, Frederick  
Duncan, J. Hastings  
Austin, Sir John  
Cayzer, Sir Charles William  
Dunn, Sir William  
Bagot, Capt. Josceline FitzRoy  
Cecil, Evelyn (Aston Manor)  
Dyke, Rt Hon. Sir William Hart  
Bailey, James (Walworth)  
Cecil, Lord Hugh (Greenwich)  
Egerton, Hon. A. de Tatton  
Bain, Colonel James Robert  
Chamberlain, Rt. Hn. J. (Birm.)  
Elliot, Hon. A. Ralph Douglas  
Baird, John George Alex.  
Chamberlain, J. Austen (Worc.)  
Emmott, Alfred  
Baldwin, Alfred  
Channing, Francis Allston  
Evans, Sir Francis H (Maidstone)  
Balfour, Rt. Hn. A. J. (Manch'r)  
Chapman, Edward  
Faber, George Denison  
Balfour, Rt. Hn. G. W. (Leeds)  
Charrington, Spencer  
Farquharson, Dr. Robert

Banbury, Frederick George  
Churchill, Winston Spencer  
Fellowes, Hon. Ailwyn Edward  
Barry, Sir Francis T. (Windsor)  
Clare, Octavius Leigh  
Fenwick, Charles  
Bartley, George C. T.  
Cochrane, Hon. Thos. H. A. E.  
Fergusson, Rt. Hn. Sir J (Manc'r  
Bathurst, Hon. Allen Benjamin  
Cohen, Benjamin Louis  
Finch, George H.  
Beach, Rt. Hn. Sir M. H. (Bristol  
Collings, Rt. Hon. Jesse  
Finlay, Sir Robert Bannatyne  
Beaumont, Wentworth C. B.  
Colston, Chas. Edw. H. Athole  
Fisher, William Hayes  
Bhownaggee, Sir M. M.  
Colville, John  
FitzGerald, Sir Robert Penrose-  
Bill, Charles  
Compton, Lord Alwyne  
Fitzmaurice, Lord Edmond  
Black, Alexander William  
Cook, Sir Frederick Lucas  
Flannery, Sir Fortescue  
Blundell, Colonel Henry  
Corbett, A. Cameron (Glasgow)  
Flower, Ernest  
Bolton, Thomas Dolling  
Corbett, T. L. (Down, North)  
Forster, Henry William  
Boscawen, Arthur Griffith-  
Craig, Robert Hunter  
Foster, Sir Walter (Derby Co.  
Bowles, T. Gibson (King's Lynn  
Cranborne, Viscount  
Fuller, J. M. F.  
Brassey, Albert  
Cripps, Charles Alfred  
Furness, Sir Christopher  
Brigg, John  
Crombie, John William  
Garfit, William  
Brodrick, Rt. Hon. St. John

Cubitt, Hon. Henry  
Gibbs, Hn. A. G. H. (City of London)  
Brookfield, Col. Montagu  
Cust, Henry John C.  
Gladstone, Rt. Hon. Herbert J.  
Brunner, Sir John Tomlinson  
Dalkeith, Earl of  
Goddard, Daniel Ford  
Brymer, William Ernest  
Dalrymple, Sir Charles  
Godson, Sir Augustus Frederick  
Bull, William James  
Dalziel, James Henry  
Gordon, Hn. J. E. (Elgin & Nairn)  
Billiard, Sir Harry  
Davies, Alfred (Carmarthen)  
Gordon, Maj Evans- (T'RH'ml'ts)  
Burt, Thomas  
Davies, M. Vaughan- (Cardigan)  
Gorst, Rt. Hon. Sir John Eldon

of courts of inquiry for the benefit of the hon. Member, who did not happen to be present in the small hours of Tuesday morning. As regards the question raised by the hon. Member for Mid Lanark, the speech of the hon. Gentleman was almost as hardy an annual as the Army Bill itself, but he did not think there was any valid grievance. At the instance of the right hon. Member for Stirling the Act was reprinted in 1893, and a copy of that reprint was in the library, but he was prepared to give a pledge that it should be reprinted again with any Amendments which had been made in the interval. Unless there were any serious changes made in the Army Act he could not pledge the Government to bring in a Consolidation Bill.

Question put.

The House divided:;Ayes, 325; Noes, 67. (Division List No. 145.)

Goulding, Edward Alfred  
M'Calmont, Col. J. (Antrim, E.  
Sassoon, Sir Edward Albert  
Gray, Ernest (West Ham)  
M'Crae, George  
Sharpe, William Edward T.  
Greville, Hon. Ronald  
M'Iver, Sir L. (Edinburgh, AY.  
Shaw-Stewart, M. H. (Renfrew)  
Grey, Sir Edward (Berwick)  
M'Killop, James (Stirlingshire)  
Simeon, Sir Harrington  
Groves, James Grimble  
Malcolm, Ian

Sinclair, Capt John (Forfarshire  
Hain, Edward  
Mansfield, Horace Rendall  
Smith, Abel H. (Hertford, East)  
Haldane, Richard Burdon  
Maple, Sir John Blundell  
Smith, H. C (N'th'mb., Tyneside  
Hamilton, Rt Hn L'd G. (Midd'x  
Markham, Arthur Basil  
Smith, James P. (Lanarks.)  
Hamilton, Marq. of (L'nd'derry  
Martin, Richard Biddulph  
Smith, Samuel (Flint)  
Hanbury, Rt. Hon. Robert Wm.  
Maxwell, W. J. H. (Dumfriessh.  
Spear, John Ward  
Harcourt, Rt. Hon. Sir William  
Mellor, Rt. Hon. John Wm.  
Spencer, Rt. Hn. C. R. (North'ts  
Harmsworth, B. Leicester  
Melville, Beresford Valentine  
Stanley, Lord (Lancs.)  
Harris, Frederick Leverton  
Middlemore, John. T.  
Stewart, Sir Mark J. M'Taggart  
Harwood, George  
Mitchell, William  
Stone, Sir Benjamin  
Haslett, Sir James Horner  
Montagu, G. (Huntingdon)  
Strachey, Edward  
Hay, Hon. Claude George  
More, Robt. Jasper (Shropsh.)  
Stroyan, John  
Hayne, Rt. Hon. Charles Seale-  
Morgan, D. J. (Walthamstow  
Strutt, Hon. Charles Hedley  
Hayter, Rt. Hon. Sir Arthur D.  
Morgan, J. L. (Carmarthen)  
Sturt, Hon. Humphry Napier  
Helder, Augustus  
Morley, Rt. Hon. J. (Montrose  
Talbot, Rt. Hn. J. G. (Oxf'd Uni.  
Helme, Norval Watson  
Morris, Hon. Martin Henry F.  
Taylor, Theodore Cooke

Henderson, Alexander  
Morrison, James Archibald  
Tennant, Harold John  
Hermon-Hodge, Robt. Trotter  
Morton, Arthur H. A. (Deptford  
Thomas, A. (Carmarthen, F.)  
Higginbottom, S. W.  
Moss, Samuel  
Thomas, A. (Glamorgan, E.)  
Hoare, Edw. Brodie (Hampst'd  
Moulton, John Fletcher  
Thomas, David A. (Merthyr)  
Hoare, Sir Samuel (Norwich)  
Mount, William Arthur  
Thomas, F. Freeman- (Hastings  
Hobhouse, C. E. H. (Bristol, E.)  
Mowbray, Sir Robert Gray C.  
Thomas, J. A. (Gl'm'rgan, G'w'r  
Holland, William Henry  
Murray, Rt Hn A Graham (Bute  
Thornton, Percy M.  
Hope, J. F. (Sheff'ld, Brightside  
Murray, Charles J. (Coventry)  
Tomkinson, James  
Horniman, Frederick John  
Myers, William Henry  
Tomlinson, Wm. Edw. Murray  
Houldsworth, Sir Wm. Henry  
Nicol, Donald Ninian  
Trevelyan, Charles Philips  
Hozier, Hon. James Henry C.  
Norman, Henry  
Tritton, Charles Ernest  
Hudson, George Bickersteth  
Orr-Ewing, Charles Lindsay  
Tufnell, Lieut.-Col. Edward  
Hutton, Alfred E. (Morley)  
Palmer, George Wm. (Reading)  
Ure, Alexander  
Jacoby, James Alfred  
Palmer, Walter (Salisbury)  
Valentia, Viscount  
Johnston, William (Belfast)  
Partington, Oswald  
Vincent, Col Sir C E H (Sheffield)  
Johnstone, Heywood (Sussex)

Peel, Hn. Wm. Robt. Wellesley  
Vincent, Sir Edgar (Exeter)  
Joicey, Sir James  
Pemberton, John S. G.  
Wallace, Robert  
Jones, William (Carnarvonsh.  
Percy, Earl  
Wanklyn, James Leslie  
Kearley, Hudson E.  
Philipps, John Wynford  
Warde, Col. C. E.  
Kenyon, Hon. G. T. (Denbigh  
Pierpoint, Robert  
Warner, Thomas C. T.  
Kenyon-Slaney, Col. W. (Salop  
Pilkington, Richard  
Warr, Augustus Frederick  
Keswick, William  
Plummer, Walter R.  
Wason, E. (Clackmannan)  
Kimber, Henry  
Price, Robert John  
Weir, James Galloway  
King, Sir Henry Seymour  
Priestley, Arthur  
Welby, Lt-Col A. C. E. (Taunt'  
Kinloch, Sir John George S.  
Purvis Robert  
Welby, Sir C. G. E. (Notts.)  
Knowles, Lees  
Quilter, Sir Cuthbert  
Wharton, Rt. Hon. John L.  
Lambert, George  
Rankin, Sir James  
White, George (Norfolk)  
Langley, Batty  
Rasch, Major Frederic Carne  
White, Luke (York, E. B.)  
Law, Andrew Bonar  
Ratcliffe, R. F.  
Whiteley, H (Asht'n-und-Lyne  
Lawrence, William F.  
Rea, Russell  
Whitley, J. H. (Halifax)  
Lawson, John Grant  
Reckitt, Harold James

Williams, O. (Merioneth)  
Layland-Barratt, Francis  
Reid, James (Greenock)  
Wilson, A. S. (York, E. R.)  
Lee, Arthur H (Hants. Fareham  
Reid, Sir R. Threshie (Dumfries  
Wilson, F. W. (Norfolk, Mid)  
Leng, Sir John  
Rentoul, James Alexander  
Wilson, John (Durham, Mid)  
Leveson-Gower, Frederick N. S.  
Renwick, George  
Wilson, John (Falkirk)  
Llewellyn, Evan Henry  
Rickett, J. Compton  
Wilson-Todd, Wm. H. (Yorks.)  
Lockwood, Lt.-Col. A. R.  
Ridley, Hn. M. W. (Stalybridge  
Wodehouse, Rt. Hn. E. R. (Bath  
Loder, Gerald Walter Erskine  
Rigg, Richard  
Woodhouse, Sir J. T. (Huddersf'd  
Long, Rt. Hon. W. (Bristol, S.  
Ritchie, Rt. Hn. Chas. Thomson  
Wortley, Rt. Hon. C. B. Stuart-  
Lonsdale, John Brownlee  
Robertson, Herbert (Hackney)  
Wrightson, Sir Thomas  
Lough, Thomas  
Roe, Sir Thomas  
Wylie, Alexander  
Lowther, C. (Cumb., Eskdale)  
Rolleston, Sir John F. L.  
Wyndham, Rt. Hon. George  
Lowther, Rt Hn J W (Cum. Penr.  
Ropner, Colonel Robert  
Wyndham-Quin, Maj. W. H.  
Loyd, Archie Kirkman  
Round, James  
Yerburgh, Robert Armstrong  
Lyttelton, Hon. Alfred  
Royds, Clement Molyneux  
Young, Commander (Berks, E.)  
Macdona, John Cumming  
Russell, T. W.  
MacIver, David (Liverpool)

Rutherford, John  
TELLERS FOR THE AYES;  
Maconochie, A. W.  
Sackville, Col. S. G. Stopford-  
Sir William Walrond and Mr. Anstruther.  
M'Arthur, Charles (Liverpool)  
Sadler, Col. Samuel Alexander  
M'Arthur, William (Cornwall  
Samuel, Harry S. (Limehouse)  
NOES.  
Abraham, William (Cork, N.E.  
Ambrose, Robert  
Bell, Richard  
Abraham, William (Rhondda  
Atherley-Jones, L.  
Blake, Edward  
Allan, William (Gateshead)  
Barry, E. (Cork, S.)  
Boland, John  
Broadhurst, Henry  
Jameson, Major J. Eustace  
O'Dowd, John  
Burke, E. Haviland  
Jordan, Jeremiah  
O'Kelly, Conor (Mayo, N.)  
Campbell, John (Armagh S.)  
Joyce, Michael  
O'Mara, James  
Cogan, Denis J.  
Kennedy, Patrick James  
O'Shaughnessy, P. J.  
Condon, Thomas Joseph  
Leamy, Edmund  
Power, Patrick Joseph  
Crean, Eugene  
Lundon, W.  
Reddy, M.  
Cremer, William Randal  
MacDonnell, Dr. Mark A.  
Redmond, John E. (Waterford)  
Cullinan, J.  
MacNeill, John Gordon Swift  
Redmond, William (Clare)  
Daly, James  
M'Dermott, Patrick  
Roche, John



Delany, William  
Minch, Matthew  
Schwann, Charles E.  
Dillon, John  
Mooney, John J.  
Sullivan, Donal  
Doogan, P. C.  
Morton, Edw. J. C. (Devonport)  
Thompson E C. (Monaghan, N.  
Duffy, William J.  
Murnaghan, George  
Tully, Jasper  
Farrell, James Patrick  
Murphy, J.  
White, Patrick (Meath, North)  
Flavin, Michael Joseph  
Nannetti, Joseph P.  
Whiteley, George (York, W.R.)  
Flynn, James Christopher  
Nolan, Joseph (Louth, South)  
Young, Samuel (Cavan, East)  
Gilhooly, James  
O'Brien, James F. X. (Cork)  
Hammond, John  
O'Brien, Kendal (Tipper'ry M'd  
TELLERS FOR THE NOES;  
Hardie, J. Keir (Merthyr Tydvil  
O'Brien, P. J. (Tipperary, N.)  
Sir Thomas Esmonde and Mr. Patrick O'Brien.  
Hayden, John Patrick  
O'Connor, T. P. (Liverpool)  
Hope, John Deans (Fife, West  
O'Donnell, T. (Kerry, W.)  
Bill read the third time, and passed.

#### WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

#### TEA.

1. Motion made, and question proposed, "That the Customs duty now charged on tea shall continue to be charged until the first day of August, nineteen hundred and two, that is to say, Tea the pound 6d."; (Mr. Chancellor of the Exchequer.)

\*SIR SEYMOUR KING (Hull, Central) said he desired to say a few words with reference to the duty and its incidence. He was speaking on behalf of an industry in which thirty millions of British money were invested, which had caused jungles to be turned into smiling tea-gardens, and which had given

employment to hundreds of thousands of persons. The industry was, by the admission of the Chancellor of the Exchequer himself, doing extremely badly. There were forty-five companies registered in London, with a capital of £9,000,000, or nearly one-third of the total amount invested in the tea trade. In 1897 he found that capital was worth £12,000,000, to-day it was worth less than £7,500,000. Seventy per cent. of the companies engaged in the tea industry were paying no dividend. The result was that large numbers of these concerns had to go to the wall, and that there was a great loss of employment among the coolies.

The Committee would doubtless be told that the present state of the industry was largely due to over-production. There had undoubtedly been a too rapid development of tea-gardens, but in imposing so high a tax upon tea the Government was rather straining its prerogative, and using its giant strength recklessly like a giant. If India were a self-governing colony it would be impossible to impose such taxation, as she would very soon retaliate on cotton or steel goods. No one apparently would stand up for India. There was in the House an Indian Minister, who admirably governed that Empire, but he was perhaps too much a British Minister to stand up for purely Indian interests. That the planters had been quite ready to do their duty by the Empire would be acknowledged when the Committee remembered the brilliant services rendered in South Africa by Lumsden's Horse, a body of men raised and paid for by the planters. They did not mind bearing their share, but they did object to paying the whole of the tax, as they were practically doing. The greater proportion, if not the whole, of the twopence had fallen on the producer, as the retailer was at present selling tea at nearly the same price as before the duty was imposed. The duty was out of all proportion to the cost price of article taxed, and had been most unfairly levied on tea, as compared with similar drinks, such as cocoa and coffee. Cocoa, with a wholesale price of 6d., was taxed only 1d., and coffee, with a wholesale price of 8d., also paid 1d.; but tea, with an average wholesale price of 6d., was taxed at 6d., or 100 per cent. In 1881 the average price of tea was 1s. 5d., with a duty of 6d., or 35 per cent. of the cost price. In 1891 the average cost was 7d., with a duty of 4d., or 38 per cent. In 1901 the average price was 7d., and, for the last two months, 6d., with a duty of 6d., or 100 per cent. Millions of pounds of tea were sold at 3d., 3½d., and 4d. per pound, so that the duty on that was no less than 150 per cent. All Members professed great devotion to temperance, but that devotion was hardly proved by putting a tax of 100 per cent. on the chief temperance drink. While quite agreeing that the large class of the community who did not pay income tax, or consume alcohol, or smoke tobacco, should contribute towards the war expenses, he could not understand why tea alone should bear the burden. Why should coffee and cocoa, of which there was a largely increasing consumption, be exempted from the increase of taxation? In 1899 the value of the Indian tea imported was £4,467,000, and the duty paid £2,270,000, or, roughly, 50 per cent. In 1901, the value of the crop, although a much larger one, was only £4,025,000, or £450,000 less, and yet the duty charged was £3,450,000. Tea, which was one of

the few luxuries of the labouring classes, bore as heavy a burden of taxation as 100 per cent., while wine was taxed only to the extent of 30 per cent. Heavy duties, however, defeated their own object. In America the imposition of a tea duty of 10 cents, or 5d., caused a fall in the consumption from 113,000,000 pounds to 70,000,000 pounds. But in Australia, where the duty ranged from 1d. to 3d. per pound, the consumption per head was 7½ pounds, or 25 per cent. more than in this country. It could not be suggested that 150 per cent. was a fair duty to be put upon an article of such large and universal consumption. The only real satisfaction the tea planters had was that the Chancellor of the Exchequer would not be able to extract from their pockets any income tax. It was cold comfort, but, at any rate, the result of the duty had been to leave them without any profits to pay income tax upon. It was utterly unscientific finance to tax an article out of existence, but that was the fate threatening the tea industry. He, however, admitted the difficulty of making a reduction, at any rate, this year, and he was not going to move one; but he could not let the imposition of the tax again this year pass without protest. As President of the Indian Tea Association in London, he represented an absolutely united industry, with £30,000,000 behind it, and he hoped the Chancellor of the Exchequer would at the earliest possible moment once more reduce the tea duty to its proper level of 40 per cent.

MR. HERBERT LEWIS (Flint Boroughs) moved the omission of the words "first day of August," in order to insert "sixth day of March." The resolution passed in 1899 provided that a duty of 4d. should be charged from 1st August, 1899, until 1st August, 1900. In 1900, by the corresponding resolution, the duty was raised to 6d., and made payable from 6th March, 1900, until 1st August, 1901, the effect being that the increased duty was levied for not twelve, but seventeen months. The object of the proposed Amendment was to make the duty in its present form cease on 6th March next. He believed the House would wish to have an opportunity of considering an alteration of the tea duty at the earliest possible moment, and that was the reason for the Amendment. He agreed with much that had been said by the hon. Member for Central Hull. The tax upon tea was unfair upon both producer and consumer. The case of the producer was very serious in India and Ceylon. Several years ago, when he visited Ceylon, the coffee plantations had been practically ruined, and it was the exception to find a coffee planter who had not been or was not bankrupt. Bankruptcy was so common in the Island that it was considered to be no disgrace, and people joked and gossiped about their various positions in the bankruptcy court as though it was the most natural thing imaginable to be in that position. That was about seventeen years ago, and since then a new industry; the tea industry; had been started, and everyone with the interest of the Island at heart had observed with delight how that industry had grown and flourished. There was no portion of the Empire which gave less trouble than Ceylon; in fact, when he was there the whole Island was held by a brass band. He therefore ventured to put in a plea for the

Island, and also on behalf of the consumer, who undoubtedly paid a very large share of the tax, whatever might be the indirect effect upon the planter. With regard to India, that was a country which had over and over again been treated very shabbily in regard to a great many matters, such for instance as the Soudan Expedition. A large number of Members on the Government side of the House considered that, with regard to the Soudan Expedition, India was treated very shabbily indeed by this country, and only their loyalty to the Government prevented their going into the Lobby against the proposal when the question was raised by the right hon. Gentleman the Member for Montrose. In the interests of the consumer at home, and also having regard to the great dependency of India and Ceylon, he hoped that, if the Chancellor of the Exchequer was not willing to give way this year, some alteration would be made in the tax as early as possible next year, and with that object in view he moved the Amendment.

Amendment proposed;

"In line 2, to leave out the words 'first day of August, and insert the words 'sixth day of March.'";(Mr. Herbert Lewis.)

Question proposed, "That the words proposed to be left out stand part of the clause."

\*THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.) said that as an Amendment had been moved, he must confine himself to the question of date.

The hon. Member began by stating that in 1899, August was named as the date of the expiring of the tax. The reason for that was obvious. It was necessary to allow sufficient time after the ordinary period of the year at which the Budget was introduced to prevent the clearing of tea in the expectation of an alteration in the duty. It was absolutely necessary, in the interests of the revenue, with regard to such articles as tea, which could be cleared in anticipation of an increased duty, or held back in anticipation of a decreased duty, that a considerable number of months should be named beyond the date at which the duty might be altered by the Budget of the year, so as to avoid that sort of thing. Last year, as the hon. Member had said, March 6th was adopted, but that was because, for obvious reasons, the Budget was introduced at a very early date. It was not likely that the Budget would again be brought in so early in the year, and therefore he must adhere to the month of August.

MR. HERBERT LEWIS readily responded to the appeal of the Chancellor of the Exchequer. The arguments adduced by the right hon. Gentleman in favour of adhering to the date named in the resolution were such that could hardly be controverted, and he therefore begged leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. BROADHURST (Leicester) reminded the Committee that in the Budget debate last year he complained of the inequality and injustice of the system of levying the tax on tea, and suggested that if possible tea should be taxed on value instead of on weight. The Chancellor of the Exchequer admitted that there was some cause for complaint, and promised to investigate the matter between then and the next Budget night, and see if anything could be done in the matter. He now desired to ask whether the necessary inquiries had been made as to the feasibility of the

suggestion. The point was very obvious. The labourer with 12s. a week paid just as much duty per pound on the commonest tea as the rich man with an income of £;10,000 a year paid per pound on the best tea, and that was surely most unfair. If the right hon. Gentleman had been too busy during the past year to pay any attention to the matter, would he renew his pledge to consider it? The hon. Member also desired to join in the protest against the tax altogether. While only £;1,250,000 was raised on wine, consumed by the rich, nearly £;4,000,000 was raised on tea, which was an article consumed by the poor. The question should certainly be taken seriously in hand, and the skill of finance applied to relieve the burden from the poor, and to place it more on the shoulders of the rich.

MR. WILLIAM REDMOND (Clare, E), In moving to reduce the tea duty from

6d. to 4d. per lb., said that, hard as was the case of India, that of Ireland in regard to the tea duty was harder. From time to time the Chancellor of the Exchequer had stated that he would never consent to make any difference in matters of taxation between Ireland and Great Britain, but, unless he was determined rigidly to adhere to that decision, there could not be a better case for making such a difference between the two countries than that to be found in the matter of the tax upon tea. An enormous amount was paid by way of this tax in Ireland, and the fact that tea was consumed there to a much greater extent than in England proved at once that the tax fell with greater severity upon the Irish than upon the English taxpayers.

The latest figures obtainable showed that, whereas the average consumption of tea in Great Britain was 5½ lbs. per head of the population, in Ireland it was 6½ lbs. One might almost say, therefore, that tea was the national drink of Ireland. Would-be facetious Members sometimes pointed out that the Irish people drank too much alcohol, but anybody who studied the figures would find that the percentage of alcohol consumed in Ireland was much less than the percentage in England or Scotland. But if it was desirable to promote the cause of temperance the last thing that should be done was to make tea dearer. Tea was an article of diet which was necessary for the people, and from the temperance point of view he believed that, if Parliament continued to make tea dearer, the Irish consumer, who was used to taking tea with his principal meals, would in all probability in the end be driven to take alcoholic drinks instead. Before 1817 the tax upon tea in Great Britain was four or five times as much as in Ireland, but then the tax was equalised in the two countries, and the Irish people had suffered accordingly ever since. According to the figures of the hon. Member for West Islington, the taxation of Ireland had grown from £;7,500,000, in 1893, to

£;8,600,000, in 1900, a rise of £;1,100,000, but in the same way that taxation had gone up regularly year by year the population had regularly gone down, so that while in 1893 the population stood at 4,600,000 it was now 4,500,000, a decrease of 100,000. The census returns would doubtless prove that, as the population had enormously decreased, the taxation per head had increased. That was a most extraordinary state of affairs,

and one peculiar to Ireland. Certainly, it was one which should cause the Chancellor of the Exchequer to inquire whether it was not possible in some way so to treat Ireland in the matter of taxation that this extraordinary state of affairs should be discontinued. Last year the Chancellor of the Exchequer, when he proposed to put an extra 2d. on tea, justified it by saying that the prosperity of Ireland was largely increasing, and he referred to various matters in order to prove that statement. He mentioned savings banks deposits, railway rates, and various other things, to show that the Irish people were prosperous and well able to bear the burden of taxation. The right hon. Gentleman then pointed out in a triumphant way that emigration was on the decrease, and he stated that in 1898 the number of people who emigrated from Ireland was

32,000, or 10,000 less than the year before. He had looked into the figures, and he found that, whereas 23,000 people emigrated in 1898, in 1899 the total was 42,000, and in 1900 no less than 48,000 people left Ireland. It would be seen, therefore, that there had been, since the year referred to by the Chancellor of the Exchequer, not a decrease but an increase in the number of people who had year by year left the country. That being so, the prosperity spoken of could not be a reality, because it was impossible for this flow of emigration to gather volume and become greater every year if there existed in Ireland amongst the masses of the people the opportunity of living in comfort and prosperity at home in their own country.

Under those circumstances he proposed that the tax should be left as it was before. In the year 1898&#x2013;99 £;564,000 was paid in taxation upon tea by Ireland. He found that in the year 1899&#x2013;90 no less than £;648,000 was paid by way of taxation in Ireland on tea. What the figures for last year were they were quite in ignorance of, and he thought it was a most inconvenient and improper thing that when they were called upon each year at this period to consider fresh taxation they had not got at their disposal the figures in regard to what these taxes had realised during the past year. He was aware that there were no fresh proposals in reference to the tax on tea this year, but he refused to consent this year to renew the 50 per cent. tax which was put upon tea last year, until he knew what the tax realised last year in Ireland. Before they were asked to consent to put 6d. upon tea they ought, in common fairness and honesty, to be told by the Chancellor of the Exchequer how much this additional tax yielded in Ireland last year. He did not know when the figures in reference to the amount realised during the financial year ending March last would be given, but as far as he understood the matter those figures never were available until August, when the session was almost over, and when it was impossible to make use of them. All they were able to do at present was to make some sort of estimate. Taking the basis of last year, he arrived at the conclusion that the addition of 2d. per lb. on tea would realise at least £;325,000, and if they added to that the sum of £;648,000, which was the amount raised by the tea duty before the extra tax was imposed, they would find that Ireland last year contributed by way of taxation on tea a sum not very far short of £;1,000,000 sterling.

\*SIR M. HICKS BEACH: I will try to have these figures presented earlier next year, for that would certainly be an advantage. As far as I can tell;and I would remind hon. Members that the last year's receipts have been much upset by forestalments;the total amount received last year on tea was £;6,250,000, and the Irish share of that would be £;875,000.

MR. WILLIAM REDMOND said he estimated that it would be over £;900,000, and that sum was not far off a million pounds. The figures given by the Chancellor of the Exchequer were no doubt correct, and they showed an increase of considerably over £;250,000 at the very least upon the amount paid by Ireland before the extra 2d. was put upon tea last year. In all seriousness, this was a matter upon which they really had a grievance that would be recognised by everybody who inquired into the circumstances. He found that throughout the length and breadth of his own constituency, comprising between 12,000 and 13,000 electors, tea was the one article of diet above all others which was more largely and regularly used than any single thing which the people put into their mouths. They took tea with their breakfast and at their evening meal, and if they were working in the fields tea was often brought to them in cans;in fact they never took anything else as a rule to drink. Of course the people who went to fairs and markets from time to time often had a drink of whisky, and small blame to them; but tea, which was one of the principal articles of consumption by the poor people of Ireland, had been singled out by the Government for extra taxation. He was not in favour of placing an additional tax on alcoholic beverages, although he was as much in favour of temperance as any other section of hon. Members of the House. He thought alcoholic beverages had been taxed to the utmost extent in Ireland. But although he objected to additional taxation upon alcoholic beverages he thought the Government should have found some means of raising taxation without putting a fresh burden upon the necessities of life. They knew why an additional 2d. was put upon tea. For the same reason sugar and coal had been taxed this year and the income tax had been raised. This additional burden had been placed upon the people of Ireland, because they had to contribute towards the monstrous state of affairs existing in South Africa at the present time. He did not propose to go into that question now, but he held that the Irish people ought to be exempted from the slightest taxation which had been necessitated by the war. If there was one part of the country where the war had been denounced more than any other it was in Ireland, where they considered that it had been not only most disastrous to the credit of this country, but also unprofitable in every other way. The Chancellor of the Exchequer admitted the other night that the people of this country would have to pay for the war, and pay the full cost, and nothing was more striking and straightforward than his statement that it was nonsense and humbug to lead people to believe that the Transvaal would be able to bear any portion worth mentioning of the cost of the war. That statement meant that the war would have to be paid for out of the hard-earned money of the taxpayer of England, Scotland, Ireland, and Wales. The people of England allowed this war to be brought about, and they applauded it from the

commencement. They rended the air with shouts of satisfaction at every fresh expense incurred, and at every fresh detachment of troops which were marched through the streets with bands playing. He thought that if the people of England were polled now they would be sorry that they did that. They were now beginning to realise that the game was not worth the candle, and that it would have been better for the security and the prosperity of the Empire if the Boers had been left in their own country, and if the resources of this country had been devoted to the safeguarding the British Empire as it stood instead of endeavouring to increase it by conquest. The hon. Member for Oldham stated that every lump of sugar put into her tea by an old woman would be firing a shot at Kruger, but he did know whether that statement would be sufficient to arouse the enthusiasm of the women at Oldham. When the British workman was informed by his wife that she had to pay more for her sugar and he had to fork out more money, he would commence to realise that all this jingo bluster and brag could not be none for nothing, that the day of reckoning had arrived, that the spree was over, and the taxpayer was beginning to find that the wine was bad and he had got a headache. The taxpayers of Ireland ought not be called upon to bear a farthing of the cost of this war, as they had hated it from the beginning and they hated it now. He proposed this Amendment upon two grounds. In the first place he thought that any additional taxation upon Ireland on account of this war was unfair and unnecessary, and in the second place he objected to it on the ground that Ireland was already overtaxed for Imperial matters. He moved his Amendment in order to reduce the tax to what it was before last year, on the ground that in this special article of tea Ireland was particularly injured, while they objected to any taxation in any shape or form for the purposes of this war. They considered that if they must be taxed it was an outrage to take the principal article of consumption in the country, and strike a blow at the cause of temperance by putting a tax upon the principal beverage of the people.

Amendment proposed;

"In line 4, to leave out the word 'sixpence,' and insert the word 'fourpence.'";(Mr. William Redmond.)

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

\*MR. LOUGH (Islington, W.) thought his hon. friend who had just sat down had put the matter before the Committee very cogently. He had proposed a clean reduction of the tax to its old figure, and if there was to be any reduction that would be the most logical way of meeting the matter. He believed that any attempt to graduate the tea tax would be a failure, and it would be unworkable and would not have the effect which some hon. Members thought it would. Supposing that facilities were given by this House for the free importation and distribution of the commonest kind of tea. You would not do the agricultural labourer any good at all. Common tea was not economical for it was the dearest that the labourer could possibly have, and if this House would take means to prevent the labourer getting common tea and ensure that he should obtain only a good quality in tea and other articles of food it would do him more good than taking means to facilitate the distribution of what was bad. If the tax on tea was graduated as



was proposed to be done in regard to sugar the inevitable effect would be to put a premium on the lowest quality, which would beat down the higher qualities in order that the article might come in at the lowest rate allowed by the scale. If any reduction in the duty on tea took place it ought to be an all round reduction such as the hon. Member for East Clare had proposed. He hoped that this matter would be carefully considered by the Government. This review of the tea tax was the first opportunity the Committee had of considering the effect of the additions made to taxation last year on the various articles upon which the rates had been increased. With regard to spirits, the right hon. Gentleman said they had reached the top

limit; but his estimate with regard to wine had not been realised. For the first time he said his beer estimate had not been realised.

Then the Chancellor of the Exchequer came to tea, and he admitted that although the tax had produced as much as he expected a most disastrous blow had been struck at business by the tax. This raised a question of the greatest economic magnitude which the Committee ought to consider. This was the first increase which had taken place in the tax on tea since that article had begun to be grown so largely in British Colonies. The tremendous growth of the tea industry was one of the most astonishing movements which had taken place in British colonies during the last thirty years. For the first time the House was taking a new step, and it was no light thing when they had reduced the tax to a low level suddenly to increase it. It was very important to look at the effect produced by this tax, for it was such that it ought to make the Government pause before they made such experiments. He would compare the article of tea with sugar. We got 84 per cent. of all the tea used in this country from the colonies, and only 16 per cent. from foreign countries. On the other hand, we got 94 per cent. of our sugar from foreign countries and only 6 per cent. from the colonies. The tea so largely consumed by our people was for the most part produced in India and Ceylon, and undoubtedly the increase in the tax which was made last year had struck a disastrous blow to the industry. The hon. Member opposite had stated that the whole of this tax would fall upon the producer, but he did not think it would. The consumption of tea had been checked, which had caused prices to fall, and thereby the produce had been hit. The consumer also had suffered; if there had been over-production, as the Chancellor of the Exchequer had stated, the consumer would have got the benefit, but he had not got it, because he had to pay considerably more for his tea. Before the tax was raised tea had been sold at 1s. per pound, but now it was not retailed at less than 1s. 2d., and it would be of great benefit if the extra 2d. were taken off. Therefore the consumer paid the increase. The Chancellor of the Exchequer contrasted the position now with what it was at the time of the war with France between 1814 and 1815. It was an extraordinary thing to say, when they remembered how the well-being of the people had increased since that period, that the finding of a great sum of money unexpectedly and for a new purpose might impose almost greater burdens on the people now than it did ninety or one hundred years ago. Although wealth had increased it was invested in great enterprises, and it was not easy suddenly to withdraw the money from those enterprises in order to apply

it to any other purpose. Therefore it would be well if the expenditure of the country could be so restricted that the gradual growth of taxation would meet the requirements of the country without putting on new taxes. It would be a great benefit now if the 2d. put upon tea could be withdrawn, and if his hon. friend pressed this motion to a division he should vote with him, because it was a most important question.

When they came to the case of Ireland, certainly his hon. friend had submitted to the House one or two important facts which ought to be carefully considered. There was no way they could hit Ireland worse than by raising the tax on tea or tobacco. Perhaps tea was the most important article of necessity for the Irish people, and nearly £;900,000 had been paid by this poor small island last year on this one article. He wished to put one point to the hon. Gentleman who was representing the Chancellor of the Exchequer at that moment. If he might make a suggestion to the Irish Members, he would advise them not to allow the further stages of this Budget to be taken until the figures with regard to the taxation of Ireland for the year ending the 31st of March last were placed before the House. The Government did not intend to put them before the House at the time when they would be the most use. The Chancellor of the Exchequer had given them one figure in regard to the tea duty, and there could be no difficulty in supplying the others because the figures must be known to the Treasury. The gross amount realised by all the taxes of the United Kingdom had been quoted, and if that was known then the amount that had come from Ireland was known and the Irish Members ought to wake up the Treasury upon this question.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. AUSTEN CHAMBERLAIN, Worcestershire, E.): I will make inquiries as to the Return, for there is no desire whatever to keep back this information.

\*MR. LOUGH said he was an old hand at this game, for he had tried to get the figures every year for six years. He had written to the Treasury for them but the result was that the House never got them until August. He thought he had satisfied the House that the figures were in existence, and they could easily be laid before the House prior to proceeding with the later stages of the Budget. He thought there was much in the condition of Ireland to make this House pause before it piled upon Ireland such heavy burdens of taxation. The House took most curious action with regard to Ireland in this matter. The House got from Ireland most interesting Returns as to pauperism, emigration, and so forth, but no attention whatever was paid to them. He was told that 48,000 people emigrated from Ireland last year. An Irish Member who recently addressed the Dublin Chamber of Commerce made an interesting calculation regarding what that meant in money. The average age of these emigrants was 22 years. Assuming that each had cost £;5 per annum to bring up, Ireland was a loser by £;110 for each one of these 48,000 emigrants. They were lost to the country at the time that they had become producers, and might do something to repay to the country the expenditure that had been made upon them. Thus, he proved that Ireland had to pay the terrible price of £;5,000,000 in one year for this stream of emigration from the country. This

House was doing nothing all the time to help the country, but rather putting increased taxation on it. There was a great article of food in Ireland which was not taxed. He meant the potato. The annual Return given to the House with regard to the potato crop in Ireland showed the alarming fact that last year it decreased 33 per cent.; 900,000 tons of potatoes all over the country. Taking it at £3 per ton this would mean a loss of £2,750,000. This House paid no attention to these extraordinary events with which the poor people of Ireland had to deal. The hon. Member for East Clare put the cost Ireland would have to pay for the war at £2,500,000. No other British dependency paid a penny. Canada had been as much in favour of the war as England or Scotland, but would Canada contribute anything? Not a shilling. Canada sent soldiers, but the Canadians got 5s. per day, while the Irish soldiers got fifteen pence. There was an example of the inequality with which Ireland was treated as compared with other parts of the Empire. With these facts before the minds of the Irish people at all times, was it to be wondered that the representatives of Ireland pressed their claims with such vehemence? The Chancellor of the Exchequer in his Budget statement drew a comparison between what the people of England had to pay this year for this great war and what they had to pay in 1814–15. In 1815 we had the advantage of knowing what Great Britain and Ireland paid respectively. Great Britain paid that year £78,000,000 with a population of 14,000,000. The population of Great Britain had gone up to 36,000,000, so that if she paid the same amount now per head as in 1815 she should pay £195,000,000; but she was only asked to pay £140,000,000, or 25 per cent. less, notwithstanding the great increase in wealth per head of the population, than she paid in the year of Waterloo, and the year before it. What did Ireland pay? Ireland had a population of 6,250,000 then, and paid £6,500,000 altogether, and that was a terrible burden on her. If she paid this year the same proportion according to population as in 1815 she would pay only £5,000,000, but if she paid the same proportion according to population as Great Britain was paying, she would only pay £4,000,000. But she was asked to pay £10,250,000. This single illustration indicated the eighty years financial ill-treatment of Ireland. During that period the contribution of the British per head had decreased 25 per cent., but the contribution of Ireland had been more than doubled. That was the great history of injustice his hon. friends from Ireland were constantly preaching in this House. He thought they ought to get a careful reply from the Government whether nothing could be done with regard to the important matter of the tea duty.

MR. J. P. FARRELL (Longford, N.): It would be difficult to make out a stronger case than the hon. Member for East Clare has made for the reduction of the duty on tea. The extraordinary Budget introduced to the House is probably one of the most unpopular that has ever been submitted. The proposal has been made by the Chancellor of the Exchequer to add for an indefinite period at least £11,000,000 to the permanent taxation of the country. I dare say that when the time comes other demands will be made to the House to provide for the abnormal expenditure in consequence of the South African war. Above all other parts of the Empire Ireland should most certainly escape any increase of taxation in

connection with the war, because on every possible occasion, both inside and outside the House, the people of Ireland, through their elected representatives, have taken every opportunity to protest against the war. Although they have dissociated themselves in every possible way from it, a tremendous increase of taxation has been brought about, and the Irish people are now compelled to pay the piper, although they did not call the tune. They have to assist in finding vast sums of money, not to speak of other sacrifices which have been made, for carrying on all this insane policy in South Africa. My hon. friend very properly laid great stress upon that injustice. I do not expect that anything I can say will change the mind of the Chancellor of the Exchequer, because, of course, one of the difficulties under which we labour is that no matter what case we make out for the redress of Irish grievances, we are told that practically we must abide by the results of a partnership to which our forefathers certainly were not parties, and which, if we could by any possible means, we would most certainly shake off.

Now the Chancellor of the Exchequer proposes to renew the tea tax of 6d. per pound. It is perhaps remarkable that it was Mr. Gladstone in 1861 who first fixed the duty on tea at 6d. per pound. This country has progressed very much since then, but now, forty years after that, we find the same proposal made with regard to this most used article of diet. That does not show to my mind that the Chancellor of the Exchequer is acting on progressive lines with regard to the article which has the greatest consumption in the country. In 1898, when the Chancellor of the Exchequer had a comparatively large surplus, the tea tax was reduced to 4d. per pound, and he also reduced the tobacco tax the same year. The right hon. Gentleman has since then changed his policy, and placed the tea tax again on the people. I agree with my hon. friend that the tax on tea presses on the poor in Ireland in a very peculiar way. Tea is universally used in Ireland, and I am sorry to say in this connection that I fear we are made to pay in another way in Ireland besides taxation. It is a lamentable fact that lunacy in Ireland is largely on the increase. I have acted magisterially in a great number of cases in my own county in which unfortunate persons have had to be committed to asylums, and over and over again medical testimony has been produced that the persons to be committed had largely used tea of an inferior quality. Now, one of the results of keeping up the high tax on tea is that you compel the poorer classes to make use of tea of an inferior quality. I

know that some hon. Gentlemen will not agree with that portion of my argument. Some may say that the question of taxation does not enter into the intrinsic value of tea or of its quality as it might appear to do. But I find that we have thrown on to the Irish market very large quantities of inferior rubbish, gathered from London warehouses, which is sold retail at from 1s. 2d. to 1s. 6d. per pound. This tea being offered to the poor Irish people under exceptional circumstances, they buy large quantities of it and use it, not immoderately, but largely. It so happens that being so very poor they mostly live on a vegetable diet, mostly potatoes, and if on the top of that they take this trashy tea, it is easy to understand, and it is not to be wondered at, that that is the cause

of the increase of lunacy in our country. The Chancellor of the Exchequer told us just now that nearly a million of money had been extracted from Ireland during the past year for this tea duty.

That came upon me as a great surprise. I certainly did not think that so large a sum as £;875,000 could possibly be collected from our country for this simple article of tea. The right hon. Gentleman introduced his Budget in a perfectly frank;almost brutally frank;manner. While the tea duty might be a perfectly legitimate imposition as regards England, it is not so to a poor country like Ireland, which has protested against the war from the very beginning; and the Irish Members are bound to protest against this impost, and to take every opportunity the rules of the House afford them to try and induce the Government to change their mind in regard to the taxation of tea. I would have been in favour of the hon. Member for East Clare moving to exempt Ireland from this tax altogether. I think that would have been the fairest way. The right hon.

Gentleman told us that in four years the tax on tea had jumped up in Ireland from £;490,000 to £;875,000. That is an alarming statement;an increase of almost 100 per cent.;and is a sufficient justification for any action we may take in opposing this resolution. It has been said, very properly, that the imposition of this large tax on tea in Ireland is a discouragement to temperance. I am glad to see two distinguished advocates of temperance on the other side of the House, and I am sure they will agree with me that there is nothing that contributes so much to temperance as to encourage the use of tea.

MR. WILLIAM JOHNSTON (Belfast, S.): Will the hon. Gentleman agree to an increased tax on whisky?

MR. J. P. FARRELL: I am not interested in the whisky trade in the slightest degree.

MR. WILLIAM JOHNSTON: I did not desire to make any personal reflection and if I have hurt the hon. Gentleman, I beg pardon.

MR. J. P. FARRELL: I can assure the hon. Gentleman that I am as strong a teetotaler as he is. The hon. Member for East Clare, in moving this Amendment, pointed out very truly that the poor peasantry in Ireland rarely go to the market towns;only once a week or once a fortnight. They may then take some refreshment, because they may have come long distances, and may not have had much food, and they do sometimes transgress the rules of temperance; but I do not think complaint can be made against them about their conduct in their own houses or on their small farms. I have seen them in their homes and at work in their fields, and the beverage which they take is tea. The right hon. Gentleman could not confer a much greater favour upon those who wish to see the cause of temperance progress than if he could see his way to accept the Amendment of the hon. Member for East Clare, But the Amendment proceeds on the higher ground of the financial relations between the two countries. In Ireland taxation goes up and population goes down. We cannot believe that it is a good thing to see a country's population going down. For every individual who goes out of the country the country loses a wealth-producing unit, whether the circumstances of the country are good or bad. I have seen it stated that every adult who lauds in a new country means for that

country an increase of national wealth of £;200 a year. Our people are going steadily away from Ireland, and leaving those behind them to bear a heavier share of the increasing burdens, and I do not know how those who remain will be able to endure it at all, because of the fiscal relations which exist between the two countries. The right hon. Gentleman has been perfectly frank with this House as to the means by which he intends to meet his great responsibilities, but if he could see his way to differentiate between England and Ireland on this matter, it would be only a matter of £;200,000 or less. We are entitled to it, because we have been no parties to the cause of your expenditure, and it would afford a substantial relief to the poorest class of our people I know the difficulties of the right hon. Gentleman, and that he has had to suffer in his own person, it may be said, for the sins of others, and that he has to pay the bill which others have created, I do hope that this Amendment, proposed in all seriousness and moderation, will receive consideration. If the right hon. Gentleman can meet us on this point, we are not so much interested in the coal duty, and might be able to see our way to help him in that other point. And if he does so, he would establish upon the Irish Members, and the people of Ireland generally, a claim to more credit than perhaps he will get from his own friends behind him.

\*SIR MANCHERJEE BHIOWNAGGREE (Bethnal Green, N.E.) said he was sorry that this truly Imperial question had been reduced to the lower plane of an Irish question. Still, he believed that the remarks of hon. Gentlemen below the gangway opposite had proved two things which should make anyone rejoice who had the good of the people at heart; first, that there was a very large consumption of tea in Ireland, and, second, that whereas two years ago the hon. Member for East Mayo denounced the consumption of tea as a poisonous beverage compared with whisky; [Cries from the Irish Benches of "No, no."] He was speaking from personal recollection, and the hon. Member for East Mayo; who, he was sorry, was not present; said he was in favour of Irish whisky in preference to tea. These were two salient facts elicited in the discussion that night. Taking back the question to the common sense tone given to the discussion by the hon. Member for Hull, he wished in a few words to support the case he had made out for an abatement of the duty on a future occasion. Two years ago the Chancellor of the Exchequer could have reduced the duty, but this was not an occasion when he could be expected to do so. They might, however, advance arguments so that whenever it was possible the right hon. Gentleman might be induced to take advantage of the first opportunity to reduce the duty and give an indulgence to a commodity of vast consumption here, and thereby also encourage one of the few remaining large industries of India. His hon. friend had spoken on behalf of the planters, and shown that the tea industry was in a parlous condition. He could speak on behalf of the working class community whom he represented in the House, as well as for large classes of Indian labourers engaged in tea-growing. It was truly both an English and an Indian question, and one on which the Chancellor of the Exchequer should bestow as much attention as he could. India, as everyone knew, had suffered from famine during the last three or four years, from natural causes, beyond human control; [An HON. MEMBER on the Irish Benches: Prom British

government.] He absolutely denied any sense in that interruption. He did believe they were natural causes, and that the British Government had done everything in its power to meet and redress the sufferings of the people. On account of causes beyond human control, India had suffered immensely, and he was sure the Chancellor of the Exchequer, as a member of a Government which was inspired by a high sense of Imperialism, would not have retained the present high duty on tea if he could have helped it, but would have done all in his power to encourage an industry which supported a large portion of the population of India. The hon. Member for Hull had advocated the case of the Indian tea-planters on strong grounds. He approached the question more particularly from the point of view of the Indian labourer, millions of whom were dependent on the industry. Their very bread depended upon it, and anything that could be done to promote and develop that industry should, in the interests of the Indian labourer, have the indulgence of the Chancellor of the Exchequer. He was exceedingly pleased to hear the right hon. Gentleman in his opening statement say that he would not think of increasing the duty on tea. The right hon. Gentleman admitted that the duty had reached a point at which it could not be further enhanced, and he gave, as was the general belief, a promise that in future years, when his financial needs were not so great as at present, he would seriously do what lay in him to reduce that duty. He trusted that the right hon. Gentleman would that night strengthen that belief by repeating his assurance. He could assure the right hon. Gentleman that he or his hon. friend the Member for Hull had no desire to go into the same lobby with the mover of the Amendment. The resolution before the Committee was one of purely Imperial wants, and should be considered and decided upon sound financial grounds. It was idle to expect that any sensible man would go into the lobby with hon. Members who wanted to reduce existing duties at the present moment when unusually large financial provision had to be made. But, at the proper time, justice should be done to a great industry of immense importance to the people of India, and which provided a necessary article of food for the people of this country. He believed that this was a health and temperance, besides being an economic question, for if tea could be had at cheaper rates than now, it would help the temperance cause and the working man's household. He could say from his own experience that it was harder in this country to get a cup of good tea than a glass of beer at railway stations and elsewhere. Tea should be freely placed at the disposal of the consumers who were at present induced for want of a good cup of tea to take to alcoholic drinks. He saw the hon. Member for East Mayo now present, and he would therefore repeat what he had said at the commencement of his speech that a couple of years ago that hon. Gentleman had declared that tea was an unhealthy and poisonous drink as compared with Irish whisky.

MR. DILLON (Mayo, E.): Yes, I recollect the occasion very well. What I said was that excessive tea-drinking was extremely unhealthy.

\*SIR MANCHERJEE BHOWNAGGREE: Yes, but the hon. Gentleman did not say that excessive whisky drinking was unhealthy.

MR. DILLON: I was speaking of tea, and not of whisky.

\*SIR MANCHERJEE BHOWNAGGREE: Yes, but you brought in the whisky. I distinctly remember that you brought in the whisky. I confess I was staggered, as I gave credit to the hon. Gentleman for being a strong believer in what he asserts, and for the moment I accepted his statement, however strange it might be. But I am greatly rejoiced to-night to hear a different version from the Irish Benches and so much said in praise of tea. All things considered, let us return to plain common sense on this question. We are not going into the lobby with the Irish Members, and I shall vote for the right hon. Gentleman's resolution in the firm belief and hope that in another year he will reduce the duty on tea.

MR. HERBERT LEWIS said that the hon. Member for North-East Bethnal Green would have shown both courage and consistency if, on this occasion, he had gone into the lobby to which his convictions would have carried him. Some years ago hon.

Gentlemen who

now sat on the Government side of the House, raised this question in the most extreme and effective form in which it possibly could be raised. Colonel Brookfield moved a resolution that this House was unwilling to sanction a Bill which involved the continuance for another year of the tax upon tea. The hon. Member was not only willing to move an Amendment to a resolution of this kind, but was perfectly prepared to throw out the Finance Bill altogether unless the tax upon tea were abolished altogether. And a very large number of hon. Gentleman; indeed the whole of the Conservative and Unionist party; voted, he believed, with that hon. Member. He would venture to suggest to the hon. Gentleman that this was an occasion on which he could exercise the virtue of consistency. The hon. Gentleman said that the difficulties of the Chancellor of the Exchequer were considerable this year, but that when better times came and when the Budget showed a surplus, he hoped the tea duties would be reduced. He wondered whether that time would ever come? Should they ever see it; any of them at present in the House? He would remind the House that at the time when there was a surplus he had brought forward a motion of this kind, and the right hon. Gentleman the Chancellor of the Exchequer might then have afforded to give way and made the concession. But the right hon. Gentleman had allowed that golden opportunity to pass by, and now they saw the poorer classes in this country, and the tea industry of India and Ceylon, burdened with a tax which amounted to 100 per cent. of the value of the article which the latter produced. Between 80 and 90 per cent. of the tea imports to this country came from India and Ceylon, and therefore he appealed on behalf of that great industry in India and Ceylon, as well as in behalf of the poor consumers of their tea in this country. There was a time when the poor consumer had the sympathy and attention of hon. Gentlemen opposite. He recollected the time when the hon. Member for North Islington gave the House some very interesting calculations which showed that the man who earned £1 a week paid 1s. 6d. in tea duty, the man who earned £2 a week paid 1s. 2d., the man who earned £3 paid 1s. 2d., the man whose income was £10,000 a year paid 10d., and the man whose income was between £10,000 and £100,000 paid between 6d. and 7d. He admitted that the proportions since then had changed, but only to a very slight degree. There was another view that ought not to be disregarded, namely, the view of the working classes, who had been



penalised in the past and were still penalised very largely in regard to taxation as compared with other classes of the community. He challenged the Chancellor of the Exchequer, who knew more about public finance than anyone in the House, to get up and say that the working men of this country in proportion to their income did not contribute a larger share to the State than any other class. If inquiry were made it would be found that they contributed a very much larger share, and hon. Gentlemen who had moved for the total abolition of the tax upon tea had done so upon that ground, he and those who thought with him were of opinion that at the present time, although the circumstances in which the light hon. Gentleman found himself were different from those of other years, they were justified in pressing for a reduction of 2d. in the pound. The right hon. Gentleman might reply that the fiscal obligations of the year were such that he could not give way upon this point, but if that reply were made, he would ask were there not certain doles and sops that had been given during the past few years to favoured classes and interests; to those whom the right hon. Gentleman the Secretary of State for India described as the "friends" of himself and his party. If those were now taken away, and instead of them a reduction of 2d. granted on an article of large and necessary consumption by the poor, he thought that would be a graceful act on the part of the right hon. Gentleman. MAJOR RASCH (Essex, Chelmsford) thought the remarks as to doles and sops must have been directed to the agricultural grant, and therefore he thought it was only right that he should say a few words upon this subject. There was no doubt that tea-planters and merchants had in times gone by been making very considerable profits, whereas the people in the agricultural districts had to eke out a precarious existence by growing wheat at 40s. and selling it at 30s. Yet they made no complaint to the Chancellor or anybody else. Whenever an agricultural Member ventured to talk about finance, hon. Members generally thought he was going to advocate protection. He could, however, indicate certain sources of revenue by which the right hon. Gentleman could close the mouths of hon. Gentlemen with reference to tea, and also give some help to the agricultural interest. The agricultural interest were altruistic first and agricultural afterwards. What they desired was the greatest good of the greatest number. Nothing would induce him to put his hand on the ark of the covenant, or suggest a duty on wheat, or a registration duty on corn, any more than he would talk scandal about Queen Elizabeth or talk disrespectfully about the equator. But there were, for example, £90,000,000 worth of foreign manufactured goods which came into this country every year, one of which was called flour, which would bear a 2s. duty.

\*THE CHAIRMAN: Order, order; The hon. Gentleman is now travelling rather wide of the resolution before the Committee.

MAJOR RASCH said under these circumstances he should not pursue the subject further, but would reserve his observations until a more favourable opportunity arose. He would be glad to see the duties on tea, sugar, and coal doubled, in order to get a reduction of the general taxation of the country.

MR. FLYNN (Cork, N.E.) said although the reduction of the duty upon tea was of very little consequence to the rich man, owing to the small quantity of tea

which he used, it was very material to the poor, and when the constituents of the hon. Gentleman heard that he advocated doubling the tax they would be very much dissatisfied with the action of their representative. The hon. and gallant Member was like other hon. Gentlemen who sat on his side of the House; although they frequently made speeches in favour of Amendments moved by the other side they were very seldom found voting in the same lobby. Some extraordinary figures had been put forward with regard to this tax. It seemed that Ireland paid no less than £900,000 in respect to the tax upon tea, and he thought the Chancellor of the Exchequer, having regard to the poverty of that country, would be doing a gracious thing if he accepted the Amendment proposed and reduced the duty.

\*SIR M. HICKS BEACH: My hon. friend the Member for Central Hull and the hon. Member for West Islington have approached this matter from the point of view of India and Ceylon, but I hope I have shown that I have not been wanting in sympathy with the tea interest there in what I have already said with reference to this subject. I am quite aware that the tea interest is a most important one, and that at present it is in anything but a satisfactory position; but I rather attribute that state of things to over-production than to increased taxation. My hon. friend compared the taxation of tea at 6d. per lb. with the taxation of cocoa and coffee, and he suggested that the tax on cocoa and coffee ought to be raised. But I would remind my hon. friend that when the taxation of tea was 6d. in the lb. the taxation of coffee and cocoa was the same as now, and that when the tax on tea was lowered, cocoa and coffee remained as they were. My hon. friend said that in his opinion the increased duty last year had been paid, not by the consumer in this country, but by the producer, and that the price of tea has not been increased on account of excessive production. I think there is a good deal of truth in those statements. I do not say that the extra duty of 2d. imposed last year has not been to some extent an increase of burden on Ireland, but my belief is that, owing to the reduced cost of the article, apart from the duty, although those who live in Ireland have had to bear a larger amount of the total sum raised from tea than before, they have had more tea for it. The increase of duty, therefore, has not been, to the full extent represented by hon. Members, a loss to Ireland. I confess that although I sympathise with the great industry of India and Ceylon, yet I think in dealing with this question we must first consider the interests of our own taxpayers. If I could reduce the tea duty I should be glad to do so, but to talk of a reduction this year is, to my mind, simply impossible. It has been suggested by hon. Gentlemen below the gangway that if we chose to abolish what are called doles; in other words, the grant under the Agricultural Rating Act to English tenant-farmers; we might devote the money to reduce the duty on tea. I think hon. Members opposite were a little ungrateful in this matter. That grant was made the reason, and I think a sound one, for giving them, under the Irish Local Government Act, a very large grant from the Imperial Exchequer for Ireland.

MR. WILLIAM REDMOND: That was for the landlords chiefly.

\*SIR M. HICKS BEACH: No, No. Although I may not discuss the question now, I may make this one allusion to that fact, that the grant under the Agricultural

Rating Act for England, was the beginning of that additional grant for Irish purposes from the Exchequer. I think hon. Members from Ireland have also rather forgotten what I am attempting to do this year. I have, been obliged to suggest to Parliament the raising of a very considerable sum by additional taxation. I do not know whether they have ever given me credit for having some regard to the views of Irish Members on this matter, for some recollection that Ireland is a poor country compared with Great Britain, and some desire to do what is possible without entirely dislocating our system of taxation to be lenient to the Irish taxpayer. What have I done? Here again I can only allude to the matter without discussing it. In the scheme of taxation I have suggested I have included a tax not one penny of which can fall on Ireland; namely, the coal duty. What was my reward? Not only has there not been the faintest allusion to the exemption, but when the resolution was proposed imposing that duty, to a man hon. Members from Ireland were against it. Why?

MR. WILLIAM REDMOND: Because it will raise the price of coal.

\*SIR M. HICKS BEACH: I have heard many objections to the duty, but I have not yet heard that it will raise the price of coal. But of course I must not elaborate that argument. My only reason for alluding to it at all was that I am anxious that hon. Members from Ireland should see that in my own proposals about taxation I am endeavouring not to impose upon them more burdens than is absolutely necessary, and that I have regard to the poverty of Ireland in the proposals which I make. I do not know that there is anything else to which I ought to allude except the point raised by the hon. Member for Leicester. In the course of the debate on this question last year, the hon. Member for Leicester suggested that an ad valorem duty would be much fairer to the poorer classes. The hon. Member for West Islington has answered the hon. Member for Leicester. He knows a good deal of the trade, and he knows very well; probably much better than I do; that more than half a century ago ad valorem duties on tea existed, and they were found to be such a nuisance, owing to the constant friction and quarrels between the Crown authorities on the one side and the merchants on the other, that they were abolished by unanimous consent. The hon. Member for Leicester has always advocated advanced opinions, but in this matter he is somewhat retrograde, for whatever the House of Commons may do with respect to taxation, I do not think it will revert to an ad valorem duty on tea again.

MR. HERBERT LEWIS: Not even on sugar either. The right hon. Gentleman's argument is just as applicable to sugar as to tea.

\*SIR M. HICKS BEACH: The duty on sugar is not an ad valorem duty. It is a duty of 4s. per cwt. on crystallisable sugar, whether that quantity of crystallisable sugar be contained in 1 cwt. of refined sugar, or in 2 cwt. of the lowest class of raw sugar, and that is the reason of our proposals with regard to sugar. I hope I have not by my remarks invited the Committee to discuss a matter which is beyond the scope of the resolution before it, and I trust that hon. Members, however in favour of a reduction of this duty they may be, will remember that the financial conditions of this year make the imposition of a sixpenny duty even more necessary than last year, and that, therefore, they will not support the Amendment moved by the hon. Member for East

Clare.

MR. DILLON said he wished to allude to the points as regards Irish taxation which had been raised by the Chancellor of the Exchequer. He desired to say, as an Irish Nationalist Member, that the right hon. Gentleman was wrong in supposing that there was any man on those benches who had not appreciated the efforts he had made on one or two occasions to recognise the grievances of Ireland in regard to taxation. He, himself, had not forgotten the concession made in the tobacco tax, in deference to the protests made from the Irish Benches, and he recognised now in the coal duties an attempt to deal justly with Ireland, for undoubtedly the duty on exported coal was a duty calculated, so far as it went, to lighten the burden on Ireland; and if it were true that Irish Members opposed the coal duty, and would continue to oppose it, they did so, not because they regard it as unfair to Ireland, but because they had resisted, and intended to resist, all supply and taxes for carrying on a war they looked upon as iniquitous. That was the ground, and the only ground, on which he and his colleagues had opposed the coal duty. With regard to what the Chancellor of the Exchequer said about the agricultural grant, he desired to point out that though that grant was a large sum given to Ireland it was given in a most wasteful way, and one of the reasons why he objected to the general policy of the grant was that once a grant of that character was made it could not be revoked. He admitted that under the agricultural grant Ireland did better than England, but the Government so altered the distribution of the grant as regards Ireland, that out of the £728,000 allocated to that country about £500,000 went into the pockets of the Irish landlords, and so was lost for ever to the taxpayers of this country.

He desired to refer to a most shocking attack made on him personally by the hon. Member for Bethnal Green, who

declared that in this House he heard him (Mr. Dillon) some years ago advocating the copious use, of Irish whisky, and saying it was more wholesome than tea. It was the first time he had been accused of preferring Irish whisky to tea. What he did say was that he preferred to see the tobacco tax reduced, because, first, it would relieve the taxpayers more, and, secondly, the excessive consumption of tea by the poorer classes was, in his judgment, an evil, for he believed it was detrimental to health. During this debate he had been anxious to raise his voice in support of the good old Liberal ideal of a free breakfast table. Nothing had surprised him more, and the surprise grew as the years rolled by, than the change that had come over the spirit of this House in respect to that ideal. When he first entered this House the great ideals of the Liberal party were peace, retrenchment, and economy, and at that time when a Minister dared to propose increased taxation he was sure to meet with the strongest opposition, even from his own supporters in the House. Not only had the ideal of the free breakfast table been forgotten, but economy also had been banished to be replaced by Imperialism. We were told the other day by the Member for Oldham that the English people might console themselves for the sugar tax by remembering that every lump of sugar they put into their tea was a shot fired at old Kruger; but he thought the taxpayers of England would soon tire of that

amusement. Some hon. Members on the opposite side of the House deplored the tea tax, but said they recognised that it was now impossible to remove it, though they hoped there might be a prospect of doing so in the future. He would like to know how this prospect could arise with the ever-increasing, ever-swelling expenditure. This question was important, because Ireland was bound to these taxes as permanent, and this permanent taxation was entirely due to the disgusting, demoralising, and ruinous policy of Imperialism. When he first protested against this policy his voice was as the voice of one crying in the wilderness, but now he found that others outside those benches shared his views, and were alarmed by the enormous growth of the expenditure. He saw them walking about the lobbies with their pockets filled with letters and telegrams from their constituents clamouring against the increased income tax, the new sugar tax, and the coal duty. A patriotic poet wrote a poem some time ago, the refrain of which, "Pay, pay, pay;" might well be plastered on the walls of this House. He held that as these taxes were permanent there should be some reasonable justification for them. And what was the justification put forward by the Chancellor of the Exchequer? In the speech he delivered when introducing the Budget, he said he believed that, as the working men of England were in favour of the war, they would not be unwilling to share in the burden of it. Was it true to say that the working men of England could be held to be responsible for the war? A large number of them were misled and deluded by the corrupt press of England, and we all knew how that press was influenced by the Stock Exchange and the wealthier classes. It was not true that the working classes were responsible for the war. In the Amendment he moved in the House in October, 1899, protesting against the war, he had the support of nearly the whole of the Labour Members. Since that time we had had the horrible scenes in the city arising out of the Mafeking relief and the return of the C.I.V.

\*THE CHAIRMAN: Order, order; The hon. Gentleman is travelling rather wide of the resolution.

MR. DILLON maintained that those ought to pay for the war who made the war, and substantially speaking the people responsible were the payers of the income tax, and especially the larger payers. The Chancellor of the Exchequer and his supporters had always asked; "If you object to our proposals, what is your alternative?" That question left the Irish Members untouched, because they had opposed the war from the beginning, and it was a grossly unjust thing to inflict any portion of the cost of this war on the people of Ireland, seeing that five-sixths of them had opposed it. But if he were asked his alternative, it would be to put the income tax up to 1s. 6d., and let the shipowners and mineowners and others who had made millions

out of the war pay for it. Besides, that would really be the wiser course. In connection with this, the Irish Members were entitled to quarrel with the position of the Chancellor. This tax was really a war tax; a tax necessitated by the enormous yearly growth of the expenditure of this country. What was the hon. Gentleman's attitude with regard to the expenditure? For four years the House had been listening to him in emphatic tones condemning the extravagance of the

Government, and we heard the same thing a few days ago. On 16th May last; he drew an appalling picture of the steady annual increase. He pointed out the increase of £4,000,000 on the previous year, and said it was a real danger, which had gone on in spite of the efforts of himself and others. Well, he was a member of the Government, and responsible for what the Government did, especially for the finances. What, then, were they to think if the right hon. Gentleman were to go down to the country and condemn the finances of the Government to which he belonged?

\*SIR M. HICKS BEACH: No.

MR. DILLON: Yes. Did he not say it was a danger to the country and was increasing in spite of his efforts? Was it not the business of the Chancellor of the Exchequer to see that some proper system of finance was followed? On what principle could the right hon. Gentleman remain a member of a Government which was increasing the annual expenditure to such an extent that he felt it his duty to go down to the country and say what he did say? The country was entitled to expect that in this Budget there should be some appearance of the influence of his views. It was mocking the country. If the finance of the Government was right, the right hon. Gentleman had no right to condemn it.

\*SIR M. HICKS BEACH: The hon. Member does not know, though I think hon. Members will do me the justice to believe that what I say to this House and in the country I say to my colleagues. I have never denied, and I

&#x2020; Speech at Bristol.

never should deny, my full responsibility or the expense incurred, but I do feel it my duty whenever I find a proper opportunity to point out to everyone; to the country at large; the danger of a great increase of expenditure.

MR. DILLON said his point was that if the Chancellor of the Exchequer, having year after year pointed out to the country and the House; he was not finding fault; on the contrary, many on that side of the House admired his courage; that this great growth of the ordinary national expenditure was a great danger, and found that his opinion was not followed, he was bound to do something more than that. But a strange development was taking place under their very eyes, and he would have to ask if this question, like the Catholic University question, was to be treated as an open question. The Leader of the House declared that he was in favour of the Catholic University, but said that it must be treated as an open question; a doctrine that was perfectly novel. It appeared to him that a like attitude had been arrived at with regard to this question of the financial policy of the country; in other words, that the responsibility of Ministers no longer existed. It appeared to him a most amazing and extraordinary doctrine, and it bore directly on the present tax, because he maintained that they were now engaged in considering a permanent tax. Hon. Gentlemen opposite talked about the opportunity which would arise in future years for reconsidering taxation, but if the present principle which governed finance were adhered to they would have to look forward, not to a reduction, but to an increase of taxation. He thought they had a right to complain, and to complain most bitterly, of the deception which had been practised on the House from the outset of the war with regard to the financial obligations to which they were being pledged. The

taxation they were now considering was part of the whole system, and could not be considered apart from it, because were it not for the burden which had sprung directly from the war they might possibly have hoped for a reduction of taxation. But the House was being led on by a system of delusion into a swamp, in which they would soon find themselves up to their necks, and from which they would find it impossible to extricate themselves. Some of his hon. friends and himself had raised their voices in warning against the result which would follow from the outrageous policy of the Government with regard to finance, but they were laughed at, and the House persisted in taking a roseate view of the situation. One of the points regarding which they had specially complained was the persistent statement of the Chancellor of the Exchequer that the greater part of the cost of the war would be recovered from the Transvaal.

\*THE CHAIRMAN: That subject cannot be relevant to the question of the tea tax.

MR. DILLON said that it would appear to be relevant if he were heard to the end.

[An. HON. MEMBER: Order, order&#x0021;] Hon. Members who had just entered the House and knew nothing about the rules were always ready to call an hon. Member to order, who had at least had some experience. He was quite prepared to submit to the ruling of the Chair, but not to amateurs. To his mind, the gravity of the situation was that such was the financial condition of the country that they had no chance of reducing the tea duty unless the Committee decided to adopt the course he had suggested. It was impossible for him to argue the question of the tea duty properly without some reference to the general financial position. They were asked how they proposed to reduce the tea duty in view of the necessities of the war, and they would have to meet that by making some alternative proposal, and by generally discussing the way in which the country had been brought into its present condition. What he was about to say might perhaps be more-relevant to the loan resolution.

\*THE CHAIRMAN; That was the occasion on which the matter was discussed before, and on the Report stage of that resolution or on the Bill itself would be the proper time to raise the subject.

MR. DILLON said he would have an opportunity on the Report stage of the loan resolution to say what he had intended to say. He would only add that it was customary in dealing with Budget resolutions to discuss their general bearing. He would, however, accept the ruling of the Chair, and postpone the discussion.

MR. JOHN WILSON (Durham, Mid) said he rose merely for the purpose of asking the Chancellor of the Exchequer for a further explanation of one sentence he made use of when he spoke last. Before doing so he wished to identify himself with the remarks of the hon. Member for East Mayo. The Labour Members in the House of Commons,

eight in number at least, were entirely against the war from its very inception. Their objection was strong, and was gathering strength. The Chancellor of the Exchequer prided himself on the fact that he was imposing a duty which pressed equally on all classes. He demurred entirely to that proposition. Equality was a relative term, and 2d. per pound on tea, in the case of two families, one having only an income of 10s. or 12s. a week, the other with an income of as many

pounds a day as the other had shillings, would not be an equal tax, simply because a larger proportion of the burden would be borne by the poorer family. He decidedly objected to any indirect duties whatever being placed on the necessities consumed by the working man and his family. The remark to which he specially desired to call attention was that none of the coal duty would fall on Ireland. The Chancellor of the Exchequer congratulated himself on the statement, and tried to conciliate the Irish Members by it. He did not represent any constituency in Ireland, but he was bound to say that he represented many thousands of Irishmen. He would ask the Chancellor of the Exchequer a question which might be considered hypothetical, but which would be found not to be hypothetical before the discussion on the coal duty was finished. The coalfields of the North of England, and especially of Durham;

\*THE CHAIRMAN: I am afraid the hon. Member is about to discuss the coal tax.

MR. JOHN WILSON: It is with reference to the statement of the Chancellor of the Exchequer.

\*THE CHAIRMAN: The Chancellor of the Exchequer said what he did in reply to an observation from the other side of the House, and I cannot allow the discussion to continue.

\*SIR M. HICKS BEACH: If it will satisfy the hon. Member. I will be happy to withdraw what I said.

MR. JOHN WILSON: I do not wish the right hon. Gentleman to withdraw his statement. I want merely to nail it to the counter if I can, as it will form a very important part of the objection of the working man to this coal duty.

\*THE CHAIRMAN: I cannot permit a discussion on the coal tax. If the hon. Member will turn his attention to the question of tea he can discuss that.

MR. JOHN WILSON: The Chancellor of the Exchequer was not called to order. He suggested;

\*THE CHAIRMAN: I have already pointed out to the hon. Member that what the Chancellor of the Exchequer said was said in reply to an observation from the other side of the House. Obviously I could not prevent the Chancellor of the Exchequer from making that reply, but I cannot permit the discussion to continue.

MR. JOHN WILSON: I was going to show the Chancellor of the Exchequer;

\*THE CHAIRMAN: I cannot permit the discussion now. The hon. Member will have a further opportunity.

MR. CAINE (Cornwall, Camborne) said he desired to make it clear, while admitting that revenue must be raised in some way or other, why he objected to the particular form of raising it which was proposed. As long as the Government persisted in their determination to renew the various doles to which objection had already been taken, he would oppose every other form of taxation until that particular form was removed. If

the doles which were now given were brought back into the Treasury there would be an available revenue of two or three millions sterling, but as long as they remained as they were he would be bound to oppose every other form of taxation. He had some experience of the lives of the poor in London and other cities. The poor bought tea in small quantities; in one-ounce, two-ounce, or four-ounce



packets, and in every instance the paper was invariably weighed with the tea, and the poor paid the same duty on the paper as they did on the tea. In a shop in South London there was being sold tea at 1d. per ounce. Tea cost about 4d. per pound; the 6d. duty was added, and it was then sold at 14d. or 15d. per lb., and a far larger profit was obtained on the duty than on the tea itself. The objectionable feature of indirect taxation on articles of daily consumption was that profit was got on the duty as well as on the article itself. There was another reason why the tea duty was objectionable. When it was put on very strong protests were made by various classes of the community, which he thought demanded more consideration than had been given to them. The persons who took capital and enterprise into India and Ceylon developed the great tea industry, and an enormous amount of money was brought into the pockets of the tea planters in those dependencies. The price of Indian tea had fallen about 1&#x00BD;d. per pound in consequence of the imposition of the duty, and the depression which at present prevailed in the tea districts in India and Ceylon was largely due to that fall in price. The tea industry had been the greatest possible boon to the coolies and farm labourers in the tea districts. It was of far greater advantage than any other industry employing Indian labour, and if for no other reason than because hundreds and thousands of Indian peasants were employed on tea plantations, the duty on that article should be taken off. Tea was the one great luxury of the poor. It was the luxury they valued more than anything else. People talked about the drinking habits of the working classes, but if anyone went to a group of workmen employed away from home he would find six of their dinner cans containing tea to one containing beer. Therefore the tax manifestly pressed very hardly on the poor, and their case ought to meet with more sympathy from the Chancellor of the Exchequer. Hon. Members had no right to object to any particular form of taxation unless they were prepared to suggest an alternative. The alternative he would suggest was that the grants that had been given to agriculture in various forms should be removed. When the Agricultural Rating Act came up for revision, if the Chancellor of the Exchequer would take the bull by the horns and drop the Act he would be able to reduce the tea duty by 2d. and earn the gratitude of the country.

MR. WILLIAM REDMOND said that when he moved his Amendment he asked the Chancellor of the Exchequer if he would be good enough to make arrangements that in future, when they were discussing the Budget resolutions, figures with reference to the previous year should be laid before the House, so that hon. Members might be better able to judge of the proposals of the Government. The right hon. Gentleman was good enough to say that he thought the request a reasonable one. It would be satisfactory if the right hon. Gentleman would go a little further, and give a promise that before the Second Reading of the Finance Bill a Return, dealing with, at least, Ireland should be placed in the hands of Members. Before the tea tax was finally passed Members should be in a position thoroughly to understand how much this additional tax realised in Ireland. The Chancellor of the Exchequer had stated that he estimated £;875,000 were raised last year in Ireland from tea. No doubt those figures were accurate.

\*SIR M. HICKS BEACH pointed out that the sum he gave was not the actual, but an estimated amount, and therefore he could not guarantee its accuracy.

MR. WILLIAM REDMOND said that made it all the more necessary that his demand should be acceded to, as Members were entitled to have figures showing exactly how this tax had operated during the year. He therefore desired to press two points upon the Chancellor of the Exchequer; first, that for the future arrangements should be made by which before the Budget discussion the figures up to 31st March each year should be in the hands of Members, and secondly, and particularly, that he would, if possible, by a little extra labour on the part of the officials, enable the Irish Members before the Second Reading of the Finance Bill to know exactly how this tax had affected their constituents.

\*SIR M. HICKS BEACH was understood to say that he had already promised to do what he could to supply the figures asked for, but he reminded hon. Members that the tea and other duties would be before the House after the Second Reading of the Bill. It had also to be remembered that these Returns must give the same information from one year to another, in order to give the necessary comparisons. It was desirable that the figures given for last year should be absolutely accurate and not merely estimated, so that Members should be in possession of the actual facts.

MR. LOUGH urged that it would be better to have a bad return than no return at all. A really practical discussion of Irish finance could not be had without these figures. The figures of a year ago could be given, but of what interest were they in regard to these taxes? The Chancellor of the Exchequer had admitted that an extra £,900,000 was put on Ireland last year. That was the most serious thing in regard to taxation which had happened to Ireland since 1801; and yet, when hon. Members asked to know the facts and figures before discussing proposals to impose a further large sum, there was a difficulty about getting such a statement. If the right hon. Gentleman would supply the information before the Committee stage commenced, it would go a long way towards serving the purpose. Even though some slight estimate had to be made to get the return through, the figures would be quite near enough.

Question put.

The Committee divided:; Ayes, 221; Noes, 140. (Division List No. 146.)

AYES.

Acland-Hood, Capt. Sir A. F.

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

Myers, William Henry

Agg-Gardner, James Tynte

Gordon, Maj Ev'ns- (T'rH'mlets

Nicholson, William Graham

Agnew, Sir Andrew Noel

Gorst, Rt. Hon. Sir John Eldon

Nicol, Donald Ninian

Allhusen, Augustus Henry E.

Goschen, Hon. George Joachim

Norman, Henry

Archdale Edward Mervyn  
Goulding, Edward Alfred  
Nussey, Thomas Willans  
Arkwright, John Stanhope  
Green, Walford D (Wednesbury  
Orr-Ewing, Charles Lindsay  
Arnold-Forster, Hugh O.  
Greene, Henry D. (Shrewsbury)  
Palmer, Walter (Salisbury)  
Atkinson, Rt. Hon. John  
Greene, W. Raymond- (Cambs.  
Parkes, Ebenezer  
Austin, Sir John  
Gretton, John  
Pemberton, John S. G.  
Bailey, James (Walworth)  
Grey, Sir Edward (Berwick)  
Percy, Earl  
Bain, Colonel James Robert  
Groves, James Grimble  
Pierpoint, Robert  
Balfour, Rt. Hn. A. J. (Manc'r  
Guest, Hon. Ivor Churchill  
Plummer, Walter R.  
Balfour, Rt. Hn. G. W. (Leeds)  
Gurdon, Sir W. Brampton  
Powell, Sir Francis Shaip  
Banbury, Frederick George  
Hain, Edward  
Purvis, Robert  
Barry, Sir F. T. (Windsor)  
Hall, Edward Marshall  
Randles, John S.  
Bartley, George C. T.  
Hamilton, Rt Hn Lord G (Mid'x  
Rankin, Sir James  
Bathurst, Hon. Allen B.  
Hamilton, Marq of (L'nd'nderry  
Rasch, Major Frederic Carne  
Beach, Rt. Hn. Sir M. H. (Bristol  
Hanbury, Rt. Hn. Robert Wm.  
Ratcliffe, R. F.  
Bentinck, Lord Henry C.  
Harris, Frederick Leverton  
Reid, James (Greenock)  
Bhownaggee, Sir M. M.

Heath, James (Staffords, N.W.  
Remnant, James Farquharson  
Bigwood, James  
Holder, Augustus  
Rentoul, James Alexander  
Bill, Charles  
Hermon-Hodge, Robt. Trotter  
Renwick, George  
Blundell, Colonel Henry  
Higginbottom, S. W.  
Rickett, J. Compton  
Bousfield, William Robert  
Hoare, Edw Brodie (Hampstead  
Ridley, Hn. M. W. (Stalybridge  
Bowles, T. Gibson (King's Lynn  
Hope, J. F (Sheffield, Brightside  
Rolleston, Sir John F. L.  
Brassey, Albert  
Houldsworth, Sir Wm. Henry  
Ropner, Colonel Robert  
Brodrick, Rt. Hn. St. John  
Howard, John (Kent, Faversh.  
Round, James  
Bronkfield, Colonel Montagu  
Hudson, George Bickersteth  
Royds, Clement Molyneux  
Bullard, Sir Harry  
Jessel, Capt. Herbert Merton  
Russell, T. W.  
Butcher, John George  
Johnston, William (Belfast)  
Sackville, Col. S. G. Stopford-  
Carson, Rt. Hon. Sir Edw. H.  
Johnstone, Heywood (Sussex)  
Sadler, Col. Samuel Alexander  
Cautley, Henry Strother  
Kenyon, Hon. Geo. T. (Denbigh  
Samuel, Harry S. (Limehouse)  
Cavendish, R. F. (N. Lancs.)  
Kenyon-Slaney, Col, W. (Salop  
Scott, Sir S. (Marylebone, W.)  
Cavendish, V. C. W. (Derbysh.)  
Keswick, William  
Seton-Karr, Henry  
Cayzer, Sir Charles William  
King, Sir Henry Seymour

Shaw-Stewart, M. H. (Renfrew)  
Cecil, Evelyn, (Aston Manor)  
Knowles, Lees  
Simeon, Sir Harrington  
Cecil, Lord Hugh (Greenwich)  
Law, Andrew Bonar  
Skewes-Cox, Thomas  
Chamberlain, Rt. Hon. J. (Birm.)  
Lawrence, William F.  
Smith, Abel H. (Hertford, East)  
Chamberlain, J. A. (Worc'r)  
Lawson, John Grant  
Smith, James Parker (Lanarks.  
Charrington, Spencer  
Lee, Arthur H (Hants. Fareham  
Smith, Samuel (Flint)  
Churchill, Winston Spencer  
Legge, Col. Hon. Heneage  
Smith, Hon. W. E. D. (Strand)  
Clare, Octavius Leigh  
Leveson-Gower, Frederick N. S  
Spear, John Ward  
Cochrane, Hon. Thos. H. A. E.  
Lockwood, Lt.-Col. A. R.  
Stanley, Lord (Lancs.)  
Cohen, Benjamin Louis  
Loder, Gerald Walter Erskine  
Stewart, Sir Mark J. M'Taggart  
Collings, Rt. Hon. Jesse  
Long, Col. Charles W (Evesham  
Strutt, Hon. Charles Hedley  
Cook, Sir Frederick Lucas  
Long, Rt. Hn. Walter (Bristol, S  
Sturt, Hon. Humphry Napier  
Corbett, A. Cameron (Glasgow)  
Lowe, Francis William  
Thomas, David Alfred (Merth'r'  
Corbett, T. L. (Down, North)  
Lowther, C. (Cumb, Eskdale)  
Thornton, Percy M.  
Cranborne, Viscount  
Loyd, Archie Kirkman  
Tollemache, Henry James  
Cripps, Charles Alfred  
Lucas, Col. Francis (Lowestoft)  
Tomlinson, Wm. Edw. Murray

Cubitt, Hon. Henry  
Lucas, Reginald J. (Portsmouth  
Tritton, Charles Ernest  
Dalkeith, Earl of  
Macdonald, John Cumming  
Valentia, Viscount  
Dalrymple, Sir Charles  
MacIver, David (Liverpool)  
Warde, Colonel C. E.  
Davies, Sir Horatio D. (Chatham  
Maconochie, A. W.  
Wason, John Cathcart (Orkney  
Dickinson, Robert Edmond  
M'Arthur, Charles (Liverpool)  
Webb, Colonel William George  
Dickson-Poynder, Sir John P.  
M'Calmont, Col. J. (Antrim, E.)  
Welby, Sir Charles G. E. (Notts.  
Digby, John K. D. Wingfield-  
M'Killop, James (Stirlingshire)  
Whiteley, H. (Ashton-u.-Lyne)  
Dimsdale, Sir Joseph Cockfield  
Majendie, James A. H.  
Whitmore, Charles Algernon  
Doughty, George  
Malcolm, Ian  
Wilcox, Sir John Archibald  
Douglas, Rt. Hon. A. Akers-  
Martin, Richard Biddulph  
Wilson, A. Stanley (York, E. R.)  
Doxford, Sir William Theodore  
Maxwell, Rt. Hon. Sir H E (Wigt'n  
Wilson, John (Falkirk)  
Durning-Lawrence, Sir Edwin  
Maxwell, W J H (Dumfriesshire  
Wilson, John (Glasgow)  
Dyke, Rt. Hon. Sir William Hart  
Melville, Beresford Valentine  
Wilson, J. W. (Worcestersh. N.  
Egerton, Hon. A. de Tatton  
Middlemore, John T.  
Wilson-Todd, Wm. H. (Yorks.)  
Elliot, Hon. A. Ralph Douglas  
Milton, Viscount  
Wodehouse, Rt. Hon. E. E (Bath)  
Fellowes, Hon. Ailwyn Edward

Molesworth, Sir Lewis  
Wrightson, Sir Thomas  
Fergusson, Rt. Hon. Sir J (Manc'r  
Montagu, G. (Huntingdon)  
Wylie, Alexander  
Finch, George H.  
More, Robt Jasper (Shropshire)  
Wyndham, Rt. Hon. George  
Finlay, Sir Robert Bannatyne  
Morley, Rt. Hon. John (Montrose  
Yerburgh, Robert Armstrong  
Fisher, William Hayes  
Morrison, James Archibald  
Young, Commander (Berks, E.)  
FitzGerald, Sir Robert Penrose-  
Morton, Arthur H A. (Deptford  
Younger, William  
Flower, Ernest  
Mount, William Arthur  
Forster, Henry William  
Mowbray, Sir Robert Gray C.  
TELLERS FOR THE AYES;  
Garfit, William  
Murray, Rt Hn A Graham (Bnte  
Sir William Walrond and Mr. Anstruther.  
Godson, Sir Augustus Frederick  
Murray, Col. Wyndham (Bath)  
NOES.  
Abraham, William (Cork N.E.  
Gilhooly, James  
O'Kelly, Conor (Mayo, N.)  
Allen, Chas. P. (Glouc., Stroud  
Goddard, Daniel Ford  
O'Mara, James  
Ambrose, Robert  
Hammond, John  
O'Shaughnessy, P. J.  
Atherley-Jones, L.  
Hardie, J. K. (Merthyr Tydvil  
Partington, Oswald  
Barry, E. (Cork, S.)  
Harmsworth, R. Leicester  
Power, Patrick Joseph  
Bayley, Thomas (Derbyshire)  
Hayden, John Patrick  
Priestley, Arthur

Bell, Richard  
Hayne, Rt. Hon. Chas. Seale-  
Rea, Russell  
Black, Alexander William  
Hayter, Rt. Hon. Sir A. D.  
Reckitt, Harold James  
Blake, Edward  
Helme, Norval Watson  
Reddy, M.  
Boland, John  
Hemphill, Rt Hon. Chas. H.  
Redmond, J. E. (Waterford)  
Bolton, Thomas Dolling  
Hobhouse, C. E. H. (Bristol, E.  
Redmond, William (Clare)  
Boyle James  
Holland, William Henry  
Reid, Sir R. T. (Dumfriessh.)  
Brigg, John  
Hope, John Deans (Fife, W.)  
Rigg, Richard  
Broadhurst, Henry  
Jacoby, James Alfred  
Roberts, John H. (Denbighs.)  
Burke, E. Haviland-  
Jameson, Major J. Eustace  
Roche, John  
Burt, Thomas  
Jones, William (Carnarvonsh.  
Roe, Sir Thomas  
Caine William Sproston  
Jordan, Jeremiah  
Samuel, S. M. (Whitechapel)  
Caldwell, James  
Joyce, Michael  
Shipman, Dr. John G.  
Campbell, John (Armagh, S.)  
Kearley, Hudson E.  
Soames, Arthur Wellesley  
Causton, Richard Knight  
Kennedy, Patrick James  
Soares, Ernest J.  
Cawley, Frederick  
Kinloch, Sir John George S.  
Spencer, Rt Hn C R (Northants.  
Channing, Francis Allston



Lambert, George  
Stevenson, Francis S.  
Cogan, Denis J.  
Langley, Batty  
Sullivan, Donal  
Colville, John  
Layland Barratt, Francis  
Taylor, Theodore Cooke  
Craig, Robert Hunter  
Leamy, Edmund  
Thomas, A. (Glamorgan, E.)  
Crean, Eugene  
Lewis, John Herbert  
Thomas, F. Freeman- (Hastings  
Cremer, William Randal  
Lough, Thomas  
Thomas, J A (Glamorgan, Gow'r  
Crombie, John William  
Lundon, W.  
Thompson, E. C. (Monaghan, N.  
Cullinan, J.  
MacDonnell, Dr. Mark A.  
Tomkinson, James  
Daly, James  
Macnamara, Dr. Thomas J.  
Trevelyan, Charles Philips  
Dalziel, James Henry  
M'Cann, James  
Tully, Jasper  
Davies, Alfred (Carmarthen)  
M'Crae, George  
Walton, Joseph (Barnsley)  
Davies, M. Vaughan- (Cardigan  
M'Dermott, Patrick  
Wason, Eugene (Clackmannan  
Delany, William  
Mansfield, Horace Rendall  
Weir, James Galloway  
Dewar, John A. (Inverness-sh.  
Markham, Arthur Basil  
White, George (Norfolk)  
Dillon, John  
Mooney, John J.  
White, Luke (York, E. R.)  
Doogan, P. C.  
Morton, Edw. J. C. (Devonport)

White, Patrick (Meath, North)  
Duffy, William J.  
Moss, Samuel  
Whiteley, George (York, W.R.)  
Duncan, J. Hastings  
Murnaghan, George  
Whitley, J. H. (Halifax)  
Edwards, Frank  
Murphy, J  
Whittaker, Thomas Palmer  
Evans, Sir F. H. (Maidstone)  
Nannetti, Joseph P.  
Williams, Osmond (Merioneth)  
Evans, Samuel T. (Glamorgan  
Nolan, Col. John P. (Galway, N.  
Wilson, John (Durham, Mid.)  
Farquharson, Dr. Robert  
Nolan, Joseph (Louth, South)  
Woodhouse, Sir J. T. (Huddersf'd  
Farrell, James Patrick  
O'Brien, Kendal (T'pper'ry Mid  
Young, Samuel (Cavan, East)  
Field, William  
O'Brien, P. J. (Tipperary, N.  
Flavin, Michael Joseph  
O'Connor, T. P. (Liverpool)  
TELLERS FOR THE NOES;  
Flynn, James Christopher  
O'Donnell, T. (Kerry, W.)  
Sir Thomas Esmonde and Mr. Patrick O'Brien.  
Fuller, J. M. F.  
O'Dowd, John  
Original Question put.  
AYES.  
Acland-Hood, Capt. Sir Alex. F.  
Blundell, Colonel Henry  
Cochrane, Hon. Thos. H. A. E.  
Agg-Gardner, James Tynte  
Bond, Edward  
Cohen, Benjamin Louis  
Agnew, Sir Andrew Noel  
Bousfield, William Robert  
Collings, Rt. Hon. Jesse  
Allhusen, Augustus Henry E.  
Bowles, T. Gibson (King's Lynn  
Compton, Lord Alwyne

Archdale, Edward Mervyn  
Brassey, Albert  
Cook, Sir Frederick Lucas  
Arkwright, John Stanhope  
Brodrick, Rt. Hon. St. John  
Corbett, T. L. (Down, North)  
Arnold-Forster, Hugh O.  
Brookfield, Colonel Montagu  
Cranborne, Viscount  
Atkinson, Rt. Hon. John  
Bullard, Sir Harry  
Cripps, Charles Alfred  
Austin, Sir John  
Butcher, John George  
Cubitt, Hon. Henry  
Bailey, James (Walworth)  
Carson, Rt. Hon. Sir Edw. H.  
Dalkeith, Earl of  
Bain, Col. James Robert  
Cautley, Henry Strother  
Dalrymple, Sir Charles  
Balfour, Rt. Hon. A. J. (Manch'r)  
Cavendish, R. F. (N. Lancs.)  
Davies, Sir Horatio D (Chatham  
Balfour, Rt Hn Gerald W (Leeds  
Cavendish, V. C. W (Derbyshire  
Dickinson, Robert Edmond  
Banbury, Frederick George  
Cayzer, Sir Charles William  
Dickson-Poynder, Sir John P.  
Barry, Sir Francis T. (Windsor)  
Cecil, Evelyn (Aston Manor)  
Digby, John K. D. Wingfield-  
Bartley, George C. T.  
Cecil, Lord Hugh (Greenwichr  
Dimsdale, Sir Joseph Cockfield  
Bathurst, Hon. Allen Benjamin  
Chamberlain, Rt. Hn. J. (Birm.)  
Doughty, George  
Beach, Rt. Hn. Sir M. H. (Bristol  
Chamberlain, J Austen (Worc')  
Douglas, Rt. Hon. A. Akers-  
Bentinck, Lord Henry C.  
Charrington, Spencer Spencer  
Doxford, Sir William Theodore  
Bhownaggee, Sir M. M.

Churchill, Winston Leigh  
Duncan, J. Hastings  
Bill, Charles  
Clare, Octavius Leigh  
Durning-Lawrence, Sir Edwin  
The Committee divided::Ayes, 221; Noes, 130. (Division List No. 147.)  
Dyke, Rt. Hn. Sir William Hart  
Lee, A. H. (Hants., Fareham)  
Remnant, James Farquharson  
Egerton, Hon. A. de Tatton  
Legge, Col. Hon. Heneage  
Rentoul, James Alexander  
Elliot, Hon. A. Ralph Douglas  
Leveson-Gower, Fredk. N. S.  
Renwick, George  
Fellowes, Hon. Ailwyn Edward  
Lockwood, Lt.-Col. A. R.  
Rickett, J. Compton  
Fergusson, Rt Hn. Sir J. (Manc'r  
Loder, Gerald Walter Erskine  
Ridley, Hn. M. W. (Stalybridge-  
Finch, George H.  
Long, Col. Chas. W. (Evesham  
Rolleston, Sir John F. L.  
Finlay, Sir Robert Bannatyne  
Long, Rt. Hn. W. (Bristol, S.  
Ropner, Colonel Robert  
Fisher, William Hayes  
Lowe, Francis William  
Round, James  
FitzGerald, Sir Robert Penrose-  
Lowther, C. (Cumb., Eskdale  
Royds, Clement Molyneux  
Flower, Ernest  
Loyd, Archie Kirkman  
Russell, T. W.  
Forster, Henry William  
Lucas, Col. Francis (Lowestoft  
Sackville, Col. S. G. Stopford-  
Gibbs, Hn A. G. H (City of Lond.  
Lucas, R. J. (Portsmouth)  
Sadler, Col. Samuel Alexander  
Godson, Sir Augustus Frederick  
Macdona, John Cumming  
Scott, Sir S. (Marylebone, W.  
Gordon, Hn. J. E. (Elgin & Nairn

MacIver, David (Liverpool)  
Seton-Karr, Henry  
Gordon, Maj Evans- (T'rHmlets  
Maconochie, A. W.  
Shaw-Stewart, M. H. (Renfrew)  
Gorst, Rt. Hon. Sir John Eldon  
M'Arthur, Charles (Liverpool)  
Simeon, Sir Harrington  
Goschen, Hon. George Joachim  
M'Calmont, Col. J. (Antrim, E.)  
Skewes-Cox, Thomas  
Goulding, Edward Alfred  
M'Killop, James (Stirlingshire  
Smith, Abel H. (Hertford, East)  
Green, Walford D (Wednesbury  
Majendie, James A. H.  
Smith, James Parker (Lanarks.  
Greene, Henry D. (Shrewsbury)  
Malcolm, Ian  
Smith, Samuel (Flint)  
Greene, W. Raymond- (Cambs.  
Martin, Richard Biddulph  
Smith, Hon. W. F. D. (Strand)  
Gretton, John  
Maxwell, Rt Hn Sir H. E (Wigt'n  
Spear, John Ward  
Groves, James Grimble  
Maxwell, W. J. H. (Dumfries.  
Stanley, Hn. Arthur (Ormskirk  
Guest, Hon. Ivor Churchill  
Melville, Beresford Valentine  
Stanley, Lord (Lancs.)  
Gurdon, Sir W. Brampton  
Middlemore, John T.  
Stewart, Sir Mark J. M'Taggart  
Hain, Edward  
Milton, Viscount  
Strutt, Hon. Charles Hedley  
Haldane, Richard Burdon  
Molesworth, Sir Lewis  
Sturt, Hon. Humphry Napier  
Hall, Edward Marshall  
Montagu, G. (Huntingdon)  
Thomas, David Alfred (Merth'r  
Hambro, Charles Eric  
More, Robt. J. (Shropshire)

Thornton, Percy M.  
Hamilton, Rt. Hon. Ld. G (Midd'x  
Morley, Rt. Hon. J. (Montrose  
Tollemache, Henry James  
Hamilton, Marq of (L'donderry  
Morrison, James Archibald  
Tomlinson, Wm. Edw. Murray  
Hanbury, Rt. Hon. Robert Wm.  
Morton, A. H. A. (Deptford)  
Valentia, Viscount  
Harris, Frederick Leverton  
Mount, William Arthur  
Warde, Colonel C. E.  
Heath, James (Staffords, N.W.)  
Mowbray, Sir Robert Gray C.  
Wason, John Cathcart (Orkney  
Helder, Augustus  
Murray, Rt. Hon. A. G. (Bute  
Webb, Colonel William George  
Henderson, Alexander  
Murray, Col. Wyndham (Bath  
Whiteley, H. (Ashton-u.-Lyne)  
Hermon-Hodge, Robert Trotter  
Nicholson, William Graham  
Whitmore, Charles Algernon  
Higginbottom, S. W.  
Nicol, Donald Ninian  
Willox, Sir John Archibald  
Hoare, Edw. B. (Hampstead)  
Norman, Henry  
Wilson, A. Stanley (York, E. R.)  
Hoare, Sir Samuel (Norwich)  
Nussey, Thomas Willans  
Wilson, John (Falkirk)  
Hope, J. F. (Sheffi'ld, Brightside  
Orr-Ewing, Charles Lindsay  
Wilson, John (Glasgow)  
Houldsworth, Sir Wm. Henry  
Palmer, Walter (Salisbury)  
Wilson, J. W. (Worcestersh. N.  
Howard, John (Kent, Faversh.  
Parkes, Ebenezer  
Wilson-Todd, Wm. H. (Yorks.)  
Jessel, Capt. Herbert Merton  
Pemberton, John S. G.  
Wodehouse, Rt. Hon. E. R. (Bath

Johnston, William (Belfast)  
Percy, Earl  
Wortley, Rt. Hon. C. B. Stuart-  
Johnstone, Heywood (Sussex)  
Pierpoint, Robert  
Wrightson, Sir Thomas  
Kenyon, Hon. Geo. T. (Denbigh  
Plummer, Walter R.  
Wylie, Alexander  
Kenyon-Slaney, Col. W. (Salop.  
Powell, Sir Francis Sharp  
Wyndham, Rt. Hon. George  
Keswick, William  
Purvis, Robert  
Young, Commander (Berks, E.)  
King, Sir Henry Seymour  
Randles, John S.  
Younger, William  
Knowles, Lees  
Rankin, Sir James  
Law, Andrew Bonar  
Rasch, Major Frederic Carne  
TELLERS FOR THE AYES;  
Lawrence, William F.  
Ratcliffe, R. F.  
Sir William Walrond and Mr. Anstruther.  
Lawson, John Grant  
Reid, James (Greenock)  
NOES.  
Abraham, William (Cork, N. E.  
Craig, Robert Hunter  
Flynn, James Christopher  
Allen, Charles P. (Glouc. Stroud  
Crean, Eugene  
Fuller, J. M. F.  
Ambrose, Robert  
Cremer, William Randal  
Gilhooly, James  
Atherley-Jones, L.  
Crombie, John William  
Goddard, Daniel Ford  
Barry, E. (Cork, S.)  
Cullinan, J.  
Hammond, John  
Bell, Richard  
Daly, James

Hardie, J. K. (Merthyr Tydvil)  
Black, Alexander William  
Dalziel, James Henry  
Harmsworth, R. Leicester  
Blake, Edward  
Davies, Alfred (Carmarthen)  
Hayden, John Patrick  
Boland, John  
Davies, M. Vaughan- (Cardigan  
Helme, Norval Watson  
Bolton, Thomas Dolling  
Delany, William  
Hemphill, Rt. Hn. Charles H.  
Boyle, James  
Dewar, John A. (Inverness-sh.)  
Hobhouse, C. E. H. (Bristol, E.)  
Brigg, John  
Dillon, John  
Holland, William Henry  
Burke, E. Haviland-  
Doogan, P. C.  
Hope, John Deans (Fife, West)  
Caine, William Sproston  
Duffy, William J.  
Jacoby, James Alfred  
Caldwell, James  
Edwards, Frank  
Jameson, Major J. Eustace  
Campbell, John (Armagh, S.)  
Evans, Sir Francis H (Maidstone  
Jones, Wm. (Carnarvonshire)-  
Cawley, Frederick  
Evans, Samuel T. (Glamorgan)  
Jordan, Jeremiah  
Channing, Francis Allston  
Farrell, James Patrick  
Joyce, Michael  
Cogan, Denis J.  
Field, William  
Kearley, Hudson E.  
Colville, John  
Flavin, Michael Joseph  
Kennedy, Patrick James  
Kinloch, Sir John George S.  
O'Donnell, T. (Kerry, W.)  
Taylor, Theodore Cooke



Lambert, George  
O'Dowd, John  
Thomas, Alfred (Glamorgan, E.  
Langley, Batty  
O'Kelly, Conor (Mayo, N.)  
Thomas, F. Freeman- (Hastings  
Layland-Barratt, Francis  
O'Mara, James  
Thomas, J A (Glamorgan, Gow'r  
Leamy, Edmund  
O'Shaughnessy, P. J.  
Thompson, E. C. (Monaghan, N.  
Lewis, John Herbert  
Partington, Oswald  
Tomkinson, James  
Lough, Thomas  
Power, Patrick Joseph  
Tully, Jasper  
Lundon, W.  
Price, Robert John  
Ure, Alexander  
MacDonnell, Dr. Mark A.  
Priestley, Arthur  
Walton, Joseph (Barnsley)  
M'Crae, George  
Rea, Russell  
Weir, James Galloway  
M'Dermott, Patrick  
Reckitt, Harold James  
White, George (Norfolk)  
Mansfield, Horace Rendall  
Reddy, M.  
White, Luke (York, E. R.)  
Markham, Arthur Basil  
Redmond, John E. (Waterford)  
White, Patrick (Meath, North)  
Mooney, John J.  
Redmond, William (Clare)  
Whiteley, Geooge (York, W. R.)  
Morton, E. J. C. (Devonport)  
Reid, Sir R. Threshie (Dumfries  
Whitley, J. H. (Halifax)  
Moss, Samuel  
Rigg, Richard  
Whittaker, Thomas Palmer  
Moulton, John Fletcher

Roberts, John H. (Denbighs.)  
Williams, Osmond (Merioneth)  
Murnaghan, George  
Roche, John  
Wilson, John (Durham, Mid)  
Murphy, J.  
Roe, Sir Thomas  
Woodhouse, Sir J. T. (Hudd'fi'ld  
Nannetti, Joseph P.  
Samuel, S. M. (Whitechapel)  
Young, Samuel (Cavan, East)  
Nolan, Col. J. P. (Galway, N.)  
Shipman, Dr. John G.  
Nolan, Joseph (Louth, South)  
Soames, Arthur Wellesley  
TELLERS FOR THE NOES;  
O'Brien, K. (Tipperary Mid)  
Soares, Ernest J.  
Sir Thomas Esmonde and Mr. Patrick O'Brien.  
O'Brien, P. J. (Tipperary, N.)  
Spencer, Rt Hn C. R. (Northants  
O'Connor, T. P. (Liverpool)  
Sullivan, Donal

Resolved, "That the Customs duty now charged on tea shall continue to be charged until the first day of August nineteen hundred and two, that is to say, Tea, the pound sixpence."

#### CONTINUANCE OF ADDITIONAL DUTIES OF CUSTOMS.

2. Motion made, and Question proposed, "That the additional duties of customs on tobacco, beer, and spirits imposed by sections two, three, four, and five of the Finance Act, 1900 (including any increased duties imposed by section five of that Act), shall continue to be charged until the first day of August nineteen hundred and two.";(Mr. Chancellor of the Exchequer.)

MR. DALY (Monaghan, S.) asked if he would be in order in moving a reduction of these duties.

\*THE CHAIRMAN: If the hon. Gentleman will bring up the form of his Amendment I will decide upon it.

MR. WILLIAM REDMOND contended that the increase put upon tobacco last year should be removed, and that the tax should remain as it was before. He always objected to increases in the duties on these articles because they did not fall proportionately upon the different classes of the community. He thought the extra tax imposed upon imported cigars was altogether too little, and the tax upon ordinary tobacco was a great deal too much. He had not the slightest objection to putting as heavy a tax as they pleased on expensive imported cigars, but he strongly objected to an additional tax being put upon the ordinary tobacco

so much used by the masses of the people. It appeared to him that in this matter

the Government were acting in accordance with the general policy which they had laid down of making the taxation fall as heavily as possible upon the poorer members of the community and as little as possible upon the richer classes. When he stated last year that a man who could afford to pay 1s., 1s. 6d., or 2s. 6d., for a cigar, which lasted him perhaps for five or ten minutes, should be called upon to pay a much heavier tax, he was jeered at by hon. Members opposite, and he was told that it was a monstrous thing to say that gentlemen paid 1s. or 2s. for a cigar. He had taken the trouble to inquire into the matter. As a member of the Kitchen Committee he had ascertained that the most popular cigar in that House was a 1s. cigar. If they were to impose taxation in order to meet the expenses of the South African war, it should be made to fall upon the gentlemen who could afford to pay 1s., or 1s. 6d., or 2s. for a cigar, and not upon the tobacco used by the working men of the country. He proposed to add at the end of the resolution the following words: "Except that Ireland be exempted from the tax upon tobacco." He thought he was perfectly justified in doing that, because they ought to take every opportunity afforded them of protesting against any imposition of taxation to meet the expenses of the war. He protested against any taxation being put on Ireland for this war, and had he not taken the course which he had pursued upon this resolution he would not have been doing his duty. It appeared to him a most outrageous thing that the Irish people should have to pay more for their tobacco because the Government thought fit to go to war, and plunge the Empire into the disaster and sacrifice which it had made during the last year and a half. It would have been some consolation perhaps if, in reimposing this duty upon tobacco, the Government could say that they had brought the war to a conclusion, that they were in smooth water, and in sight of the day when the tax would be taken off. Nothing of that kind could be put forward at the present time, and they were in a great deal worse position in South Africa now than at the commencement of the war. The hon. Member for Oldham would be able to tell his constituents that every time they smoked a half-ounce of tobacco they would be firing a shot at Mr. Kruger. After reading that speech he came to the conclusion never to take a lump of sugar again, and he would have resolved as long as this additional tax was put upon tobacco to abstain from tobacco also, but he felt that he should not have been equal to it. In October, 1899, he protested against this war, and upon every occasion since he had opposed the fresh taxation which was necessary to carry on the war. Therefore, in moving the resolution to exempt Ireland from this tax, he was only following out consistently the course which he had commenced at the beginning of the war. Amendment proposed;

"At the end of the Question, to add the words 'except that Ireland be exempted from the tax on tobacco.'";(Mr. William Redmond.)

Question proposed, "That those words be there added."

MR. DALY thought that after the able manner in which his hon. friend had placed this question before the House the right hon. Gentleman would have no difficulty in accepting this Amendment. He thought his hon. friend had made out a very strong case for increasing the tax on cigars used by the swells. He wished to remind the Committee that the Local Government Board in Ireland were now

compelling the boards of guardians to allow tobacco to the inmates, and Ireland would be affected to a considerable extent if the increase in the duty on tobacco was persisted in. He was sure there was no hon. Member on the Opposition side of the House who would have the slightest objection to whatever tax the right hon. Gentleman put upon fancy tobacco and cigars. He respectfully asked the Chancellor of the Exchequer to accept the Amendment which had been so ably proposed by the Member for East Clare. MR. FIELD (Dublin, St. Patrick) said it appeared to him that the House was entitled to more information with regard to the way the resolutions had been brought forward. They were simply put from the Chair, and Members were not afforded any opportunity of considering them beforehand, and preparing Amendments. He trusted that some arrangement would be come to by which Members would have an opportunity of considering what Amendments they wished to bring forward. As far as Ireland was concerned he wished to protest against any increase of taxation of any kind upon any pretext whatsoever. Ireland was already overtaxed, and they had already given very good reasons why tins tax should be reduced. He entirely agreed with what the hon. Member for East Clare had said. If any change should be made, he would suggest that the tax on cigars should be increased, and the tax on tobacco decreased. The system of taxation which prevailed in this country was mainly to put taxes on the articles most used by the poor, and decrease the taxes on the articles used by the rich. The Irish people did not desire to contribute anything in support of a war to which they were entirely opposed, and he believed that the burden of taxation about to be imposed by this Budget to meet the expenditure of the war was almost more than the people of the three kingdoms could bear. He thought that it would not be difficult to get a large number of people in Ireland to strike against the payment of Imperial taxation, which was about the only way in which they could bring home to this House the hardship of the grievance which they felt in Ireland.

\*SIR M. HICKS BEACH: As far as I understand the arguments of hon. Members opposite, there are two points taken by them; first, that cigars are not sufficiently taxed; and, secondly, that raw tobacco is taxed too highly. I will remind hon. Gentlemen that two years ago I reduced the duty on raw tobacco by 6d., while I did not reduce the duty on cigars; and when last year the duty on tobacco was increased by 4d. I put 6d. upon the duty on cigars. Therefore pro tanto cigars are more highly taxed in comparison with tobacco than they formerly were. But the objection of hon. Gentlemen goes further. The hon. Gentleman who has just sat down has stated his objection to perpetuating the existing taxation in Ireland. It is practically impossible to accede to the wishes of hon. Gentlemen in that respect. We could not have two rates of duty on tobacco in England and Ireland without having separate Customs Houses, and it would involve a total change in our fiscal system. I think that in the end that would be far worse to Ireland than an increase of taxation. I hope we shall now divide upon the motion.

AYES.

Abraham, William (Cork, N.E.

Hayden, John Patrick  
O'Dowd, John  
Ambrose, Robert  
Hope, John Deans (Fife, West)  
O'Kelly, Conor (Mayo N.)  
Barry, E. (Cork, S.)  
Jameson, Mayor J. Eustace  
O'Mara, James  
Boland, John  
Jordan, Jeremiah  
O'Shaughnessy, P. J.  
Boyle, James  
Joyce, Michael  
Power, Patrick Joseph  
Burke, E. Haviland-  
Kennedy, Patrick James  
Reddy, M.  
Campbell, John (Armagh, S.)  
Leamy, Edmund  
Redmond, John E. (Waterford)  
Cogan, Denis J.  
Lundon, W.  
Redmond, William (Clare)  
Crean, Eugene  
MacDonnell, Dr. Mark A.  
Roche, John  
Cullinan, J.  
M'Dermott, Patrick  
Sullivan, Donal  
Daly, James  
Mooney, John J.  
Taylor, Theodore Cooke  
Delany, William  
Morton, Edw. J. C. (Devonport)  
Thompson, E C (Monaghan, N.)  
Doogan, P. C.  
Murnaghan, George  
Tully, Jasper  
Duffy, William J.  
Murphy, J.  
Ure, Alexander  
Farrell, James Patrick  
Nannetti, Joseph P.  
White, Patrick (Meath, North)  
Field, William  
Nolan, Col. John P. (Galway, N.)

Young, Samuel (Cavan, East)  
Flavin, Michael Joseph  
Nolan, Joseph (Louth, South)  
Flynn, James Christopher  
O'Brien, Kendal (T'pp'rary Mid  
TELLERS FOR THE AYES;  
Gilhooly, James  
O'Brien, P. J. (Tipperary, N.)  
Sir Thomas Esmonde and Mr. Patrick O'Brien.  
Hammond, John  
O'Donnell, T. (Kerry, W.)  
NOES.  
Acland-Hood, Capt. Sir Alex. F  
Bousfield, William Robert  
Corbett, T. L. (Down, North)  
Agg-Gardner, James Tynte  
Bowles, T. Gibson (King's Lynn  
Craig, Robert Hunter  
Agnew, Sir Andrew Noel  
Brassey, Albert  
Cranborne, Viscount  
Allen, Charles P (Glouc., Stroud  
Brigg, John  
Cremer, William Randal  
Allhusen, Augustus H. Eden  
Broadhurst, Henry  
Crombie, John William  
Archdale, Edward Mervyn  
Brodrick, Rt. Hon. St. John  
Dalkeith, Earl of  
Arkwright, John Stanhope  
Brookfield, Colonel Montagu  
Dalrymple, Sir Charles  
Arnold-Forster, Hugh O.  
Bullard, Sir Harry  
Davies, Sir Horatio D (Chatham  
Asquith, Rt Hn. Herbert Henry  
Butcher, John George  
Dewar, John A. (Inverness-sh.  
Atherley-Jones, L.  
Caldwell, James  
Dickinson, Robert Edmond  
Atkinson, Rt. Hon. John  
Cautley, Henry Strother  
Dickson-Poynder, Sir John P.  
Bain, Colonel James Robert

Cavendish, R. F. (N. Lancs.)  
Digby, John K. D. Wingfield-  
Balfour, Rt. Hon. A. J. (Manch'r  
Cavendish, V. C. W. (Derbys.  
Dimsdale, Sir Joseph Cockfield  
Balfour, Rt Hn Gerald W (Leeds  
Cawley, Frederick  
Doughty, George  
Banbury, Frederick George  
Cayzer, Sir Charles William  
Douglas, Rt. Hon. A. Akers-  
Barry, Sir Francis T. (Windsor)  
Cecil, Evelyn (Aston Manor)  
Doxford, Sir William Theodore  
Bartley, George C. T.  
Cecil, Lord Hugh (Greenwich)  
Duncan, J. Hastings  
Bathurst, Hon. Allen Benjamin  
Chamberlain, Rt. Hon. J. (Birm.  
Durning-Lawrence, Sir Edwin  
Beach, Rt. Hn. Sir M. H. (Bristol  
Chamberlain, J. Austen (Worc'r  
Dyke, Rt. Hn. Sir William Hart  
Beaumont, Wentworth C. B.  
Channing, Francis Allston  
Edwards, Frank  
Bell, Richard  
Charrington, Spencer  
Egerton, Hon. A. de Tatton  
Bentinck, Lord Henry C.  
Churchill, Winston Spencer  
Fellowes, Hon. Ailwyn Edward  
Bhownaggee, Sir M. M.  
Cochrane, Hon. Thos. H. A. E.  
Fergusson, Rt. Hn. Sir J (Manc'r  
Bill, Charles  
Cohen, Benjamin Louis  
Finch, George H.  
Black, Alexander William  
Collings, Rt. Hon. Jesse  
Finlay, Sir Robert Bannatyne  
Blundell, Colonel Henry  
Colville, John  
Firbank, Joseph Thomas  
Bolton, Thomas Dolling  
Compton, Lord Alwyne

Fisher, William Hayes

Bond, Edward

Corbett, A. Cameron (Glasgow)

Forster, Henry William

MR. WILLIAM REDMOND said that the right hon. Gentleman, when this matter was being discussed last year, was good enough to hold out to them the hope that he would take steps to remove the restrictions prohibiting the growing of tobacco in Ireland. He wished to ask whether that statement held good now, and whether the experiments in the growing of tobacco in Ireland, which were being made by the new Board of Agriculture, were likely to be successful.

\*SIR M. HICKS BEACH: If recommendations are made to me by the Board of Agriculture in Ireland, and if it can be done without dislocating the system, I will favourably consider the matter.

Question put.

The Committee, divided::Ayes. 56; Noes, 278. (Division List No. 148.)

Fuller, J. M. F.

Loyd, Archie Kirkman

Royds, Clement Molyneux

Gibbs, Hn. A. G. H (City of Lond.

Lucas, Col. Francis (Lowestoft

Russell, T. W.

Gladstone, Rt. Hn Herbert John

Lucas, Reginald J. (Portsm'th

Sackville, Col. S. G. Stopford-

Goddard, Daniel Ford

Macdona, John Cumming

Sadler, Col. Samuel Alexander

Godson, Sir Augustus Fredk.

MacIver, David (Liverpool)

Samuel, S. M. (Whitechapel)

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

Maconochie, A. W.

Scott, Sir S (Marylebone, W.)

Gordon, Maj Evans- (T'rH'ml's

M'Arthur, Charles (Liverpool)

Seton-Karr, Henry

Gorst, Rt. Hon. Sir John Eldon

M'Arthur, William (Cornwall

Shaw-Stewart, M. H. (Renfrew)

Goschen, Hon. George Joachim

M'Calmont, Col. J. (Antrim, E.

Shipman, Dr. John G.

Goulding, Edward Alfred

M'Crae, George

Simeon, Sir Harrington

Green, Walford D. (Wednesb'ry



M'Killop, James (Stirlingshire  
Sinclair, Capt. John (Forfarsh.  
Greene, Henry D. (Shrewsbury)  
Majendie, James A. H.  
Skewes-Cox, Thomas  
Greene, W. Raymond- (Cambs.  
Malcolm, Ian  
Smith, Abel H. (Hertford, East)  
Gretton, John  
Mansfield, Horace Rendall  
Smith, James Parker (Lanarks.  
Greville, Hon. Ronald  
Makham, Arthur Basil  
Smith, Samuel (Flint)  
Grey, Sir Edward (Berwick)  
Martin, Richard Biddulph  
Smith, Hon. W. F D. (Strand)  
Groves, James Grimble  
Maxwell, W. J. H. (Dumfriessh.  
Soames, Arthur Wellesley  
Guest, Hon. Ivor Churchill  
Melville, Beresford Valentine  
Soares, Ernest J.  
Gurdon, Sir W. Brampton  
Middlemore, John T.  
Spear, John Ward  
Hain, Edward  
Milton, Viscount  
Spencer, Rt Hn C R. (Northants)  
Haldane, Richard Burdon  
Molesworth, Sir Lewis  
Stanley, Hn. Arthur (Ormskirk  
Hambro, Charles Eric  
Montagu, G. (Huntingdon)  
Stanley, Lord (Lancs.)  
Hamilton, Rt Hn Lord G. (Mid'x  
Montagu, Hon. J. S. (Hants.)  
Stewart, Sir Mark J. M'Taggart  
Hamilton, Marq. of (L'donderry  
More, Robt. Jasper (Shropsh.  
Strachey, Edward  
Hanbury, Rt. Hon. Robert Wm.  
Morgan, D. J. (Walthamstow)  
Strutt, Hon. Charles Hedley  
Harmsworth, R. Leicester  
Morris, Hon. Martin Henry F.

Sturt, Hon. Humphry Napier  
Harris, Frederick Leverton  
Morrison, James Archibald  
Talbot, Rt. Hn. J. G. (O'xf'd Univ  
Haslam, Sir Alfred S.  
Morton, A. H. A. (Deptford)  
Thomas, David Alfred (Merth'r  
Hay, Hon. Claude George  
Moss, Samuel  
Thomas, F Freeman- (Hastings  
Hayne, Rt. Hon. Charles Seale-  
Mount, William Arthur  
Thomas, J A (Glamorg'n, Gow'r  
Hayter, Rt. Hon. Sir Arthur D.  
Mowbray, Sir Robert Gray C.  
Thornton, Percy M.  
Heath, James (Staffords., N.W.  
Murray, Rt Hn A Graham (Bute  
Tollemache, Henry James  
Helder, Augustus  
Nicholson, William Graham  
Tomkinson, James  
Helme, Norval Watson  
Nicol, Bonald Ninian  
Tomlinson, Wm. Edw. Murray  
Hermon-Hodge, Robert T.  
Norman, Henry  
Trevelyan, Charles Philips  
Higginbottom, S. W.  
Nussey, Thomas Willans  
Valentia, Vicount  
Hoare, Sir Samuel (Norwich)  
Orr-Ewing, Charles Lindsay  
Vincent, Sir Edgar (Exeter)  
Hobhouse, C. E. H. (Bristol, E.  
Palmer, Walter (Salisbury)  
Walton, Joseph (Barnsley)  
Hope, J. F. (Sheffield, Brights'de  
Parkes, Ebenezer  
Warde, Colonel C. E.  
Houldsworth, Sir Wm. Henry  
Partington, Oswald  
Wason, John Cathcart (Orkney  
Howard, J. (Kent, Faversham  
Peel, Hn. Wm. Robt. Wellesley  
Webb, Colonel Willam George

Jessel, Capt. Herbert Merton  
Pemberton, John S. G.  
White, George (Norfolk)  
Johnston, William (Belfast)  
Pierpoint Robert  
White, Luke (York, E. R.)  
Johnstone, Heywood (Sussex)  
Plummer, Walter R.  
Whiteley, H. (Ashton-u.-Lyne)  
Jones, Wm. (Carnarvonshire)  
Powell, Sir Francis Sharp  
Whitley, J. H. (Halifax)  
Kearley, Hudson E.  
Price, Robert John  
Whitmore, Charles Algernon  
Kenyon, Hon. G. T. (Denbigh)  
Priestley, Arthur  
Whittaker, Thomas Palmer  
Kenyon-Slaney, Col. W. (Salop.  
Purvis, Robert  
Williams, Osmond (Merioneth)  
Keswick, William  
Randles, John S.  
Willox, Sir John Archibald  
King, Sir Henry Seymour  
Rankin, Sir James  
Wilson, A. Stanley (York, E. R.)  
Knowles, Lees  
Rasch, Major Frederic Carne  
Wilson, John (Durham, Mid)  
Lambert, George  
Ratcliffe, R. F.  
Wilson, John (Falkirk)  
Langley, Batty  
Reckitt, Harold James  
Wilson, John (Glasgow)  
Law, Andrew Bonar  
Reid, James (Greenock)  
Wodehouse, Rt. Hon. E. R (Bath  
Lawrence, William F.  
Remnant, James Farquharson  
Woodhouse, Sir J. T. (Hudd'sfi'd  
Lawson, John Grant  
Rentoul, James Alexander  
Wortley, Rt. Hon. C. B. Stuart-  
Layland-Barratt, Francis

Richards, Henry Charles  
Wrightson, Sir Thomas  
Lee, A H. (Hants., Fareham)  
Rickett, J. Compton  
Wylie, Alexander  
Legge, Col. Hon. Heneage  
Ridley, Hon. M. W (Stalybridge)  
Wyndham, Rt. Hon. George  
Leigh-Bennett, Henry Currie  
Rigg, Richard  
Young, Commander (Berks, E.)  
Leveson-Gower, Frederick N. S.  
Roberts, John H. (Denbighs.)  
Younger, William  
Lockwood, Lt.-Col. A. R.  
Robertson, Herbert (Hackney)  
Loder, Gerald Walter Erskine  
Roe, Sir Thomas  
TELLERS FOR THE NOES;  
Long, Rt. Hon. W. (Bristol, S.  
Rolleston, Sir John F. L.  
Sir William Walrond and Mr. Anstruther.  
Lowe, Francis William  
Ropner, Colonel Robert  
Lowther, C. (Cumb., Eskdale)  
Round, James

Original Question again proposed.

MAJOR JAMESON (Clare, W.) said his hon. friend had spoken of some of the taxation not being according to the spirit of the constitution. He was going to say a few words on a spirit that was ruinous to the constitution. He had on former occasions called the attention of the Chancellor of the Exchequer to the huge amount of spirits that were brought into this country year by year. He had shown the right hon. Gentleman how they were manufactured; he had even shown him the patents for producing spirits which were most deleterious to the health of the people. They were imported year by year in increasing quantities. The figures for the last three years for which he had been able to obtain statistics were: 1898, 1,611,060 gallons; 1897, 1,679,831 gallons; and 1896, 1,609,428 gallons. As a matter of fact, he believed that of the whole 1,679,831 gallons only 8,000 were made into methylated spirits. The remainder went into consumption as Scotch and Irish whisky. It was putting a premium on fraud to allow that spirit to come into this country. He had written to the right hon. Gentleman asking him to allow a different coloured permit to be given, so that the Government might be able to trace how this spirit was used; but the right hon. Gentleman did not see it in the same way. Perhaps he thought that probably it would reduce the sale of that spirit, and that the

taxes would suffer. He was perfectly sure there would be an enormous reduction in the death rate if that spirit was not allowed to be sold. He hoped the Chancellor of the Exchequer would give some indication that he would put a prohibitive tax on this spirit, a great part of which was made in Germany out of shavings and sawdust, with the help of sulphuric acid. Even for the benefit of taxation he would decline to allow the health of the country to be ruined by allowing that spirit to be put into circulation. A spirit not quite so bad as this, but still not good, was made in Scotland from molasses, which was to be charged the additional sugar duty. Therefore the foreign spirit would be more favoured than the Scotch spirit, and the right hon. Gentleman would be knocking an industry out in this country in favour of the Germans, the Danish, the Swedes, and the Russians. He asked the Chancellor of the Exchequer to put an extra tax on this foreign spirit, and the similar spirit made from molasses would not be interfered with. Look how the Germans taxed all foreign wines and spirits; four times the amount that we did. It was far better that the tax should come out of the pockets of foreigners than out of our own. He really hoped the Chancellor of the Exchequer would take those two points into his serious consideration.

\*SIR M. HICKS BEACH: The hon. Member has communicated with me on this subject several times. I may mention

that I do not think that his estimate of the amount of foreign spirit mixed with our home production in the way he describes is correct. The amount imported is small compared with the total amount of spirits produced in this country, and is used, not for the purposes of methylated spirit, but in various manufactures. Besides, if the mixture takes place at all, it takes place out of bond, where the Inland Revenue cannot follow it. What the hon. Member desires is that this spirit coming from abroad should be more heavily taxed. This resolution taxes it more heavily than before. The hon. Member says that the duty on molasses will interfere with the home manufacture. I think he is mistaken. The molasses will be sent in bond to the distillers, and will not pay duty, and the distillers will be no more heavily taxed than at present. I have been in communication with them, and I have no doubt we will be able to make arrangements which will be entirely satisfactory as to their position in the future.

MAJOR JAMESON said that the right hon. Gentleman insisted that there was not a large quantity of the foreign spirit brought into consumption, that the Excise could not account for it, and that it was not mixed in bond. He maintained that the mixing was done in bond, and what was not used for mixing with whisky was used for fortifying wine. If the light hon. Gentleman said he was wrong, why did he not grant a different coloured permit, so that they might be able to know how that foreign spirit was used, and where it was used. He was sure the Chancellor of the Exchequer was anxious that this fraud should not be perpetrated; and if he gave a different coloured permit, the right hon. Gentleman would be able to prove that he was wrong, or to prove that more than three-fourths of that large amount of foreign spirit went into consumption. (Laughter.) It might not matter to those hon. Gentlemen who laughed, who probably drank it, but they would,

before long, be paying death duties.

\*SIR M. HICKS BEACH: If the hon. and gallant Member can prove to me that a different coloured permit will enable us to trace this deleterious spirit better than we can at present, then I quite agree that it should be given. But he has not been able to prove that yet.

However, I shall be glad to receive any further information on the subject.

MAJOR JAMESON thanked the right hon. Gentleman for his courtesy.

MR. FLYNN said if the right hon. Gentleman made inquiry he would find that large quantities of this spirit came from Hamburg, and could be traced to Scotland and Ireland, where it was mixed with Highland malt whisky and Irish whisky, and afterwards exported as pure Highland and Irish whisky. There could be no doubt that a large amount of the deplorable intoxication which followed the use of this so-called malt whisky was owing to the large importation of this deleterious spirit. It was made from potatoes, damaged grain, rice, and other inferior products, and the result was that it was most injurious to the health of those who consumed it. He would remind the right hon. Gentleman of the fact that four or five years ago a report was issued by the whisky trade in Belfast in which it was pointed out that a sum of close upon a million sterling was paid on imported spirit. What did that mean? It meant that a vast portion of it was mixed with some kind of homo spirits in Belfast and neighbourhood. Some of it was sold in Ireland, but the rest was exported to this country, and sold by the retailers as Irish whisky, and that was a grievance to the Irish distillers. It was deadly in its effects in this country. A large amount of the intoxication and semi-lunacy in this country was owing to the free manner in which Irish whisky was mixed with this foreign, spirit. He hoped the right hon. Gentleman would instruct the Customs and Excise to look into the matter, and formulate a scheme which would have the effect of modifying the deplorable results which, from every point of view, followed the consumption of these mixtures.

Question put, and agreed to.

Resolved, That the additional duties of Customs on tobacco, beer, and spirits imposed by sections two, three, four and five of the Finance Act, 1900 (including any increased duties imposed by Section 5 of that Act), shall continue to be charged until the first day of August, nineteen hundred and two.  
CONTINUANCE OF ADDITIONAL DUTY OF EXCISE ON BEER.

3. Motion made, and Amendment proposed;"That the additional duties of Excise on beer imposed by Section 6 of the Finance Act, 1900, shall continue to be charged until the first day of August nineteen hundred and two.";(Mr. Chancellor of the Exchequer.)

MR. JOHN REDMOND (Waterford) said there was no disposition on the Irish Benches to raise any opposition, from a purely Irish point of view, to the increased duty on beer. But there was one resolution which affected Ireland, which they desired seriously to discuss, and that was the tax on spirits. The addition to that tax last year amounted to something like a million, and the Chancellor of the Exchequer said that it was a temporary impost, and would, only last one year. It was now proposed to renew the whisky tax, which hon. Members from Ireland believed pressed unfairly on that country, and he would suggest that the

discussion on the tax should be postponed until Monday, and that the remaining resolutions should be passed to-night.

\*SIR M. HICKS BEACH said that that was a fair proposal on the part of the hon. Member. If the Committee would be good enough to pass the other resolutions he thought the spirit resolution might be postponed until Monday.

Question put, and agreed to.

GLUCOSE AND SACCHARIN (EXCISE).

4. Resolved, "That there shall be charged on and after the first day of July, nineteen hundred and one, on glucose and saccharin (including substances of a like nature or use). Excise duties equivalent to the Customs duties charged on those articles.

And that there shall be charged, on and after the same date, on a licence to be taken out annually by the manufacturer of glucose, invert sugar, or saccharin, an Excise duty of one pound.";(Mr. Chancellor of the Exchequer.)

AMENDMENT OF LAW.

5. Resolved, "That it is expedient to prolong the term of certain annuities and to amend the law relating to the National Debt, the Customs, and the Inland Revenue.";(Mr. Chancellor of the Exchequer.)

Resolutions to be reported upon Monday next; Committee to sit again this day.

Adjourned at twenty minutes before One of the clock.

HOUSE OF COMMONS.

Friday, 26th April, 1901.

PRIVATE BILL BUSINESS.

LONDON COUNTY COUNCIL (MONEY) BILL (STANDING ORDERS APPLICABLE THERETO COM WITH).

Mr. 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.;

London County Council (Money) Bill.

Ordered, That the Bill be read a second time.

COLWYN BAY AND COLWYN URBAN DISTRICT GAS BILL.

Read the third time, and passed.

ARLESEY GAS BILL [Lords].

LONDON AND INDIA DOCKS (NEW WORKS) BILL.

Read a second time, and committed.

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) PROVISIONAL ORDER BILL.

Read the third time, and passed.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to incorporate and confer powers for the supply of water upon the Oakham Water Company." Oakham Water Bill [Lords].

And also a Bill, intituled, "An Act to empower the Urban District Council of King's Norton and Northfield to con-

struct tramways and to make provision in regard to tramways in and in the neighbourhood of the said district; and for other purposes." King's Norton and

Northfield Urban District Tramways Bill [Lords].

OAKHAM WATER BILL [Lords].

KING'S NORTON AND NORTHFIELD URBAN DISTRICT TRAMWAYS BILL [Lords].

Read the first time, and referred to the Examiners of Petitions for Private Bills.

PETITIONS.

CHURCH DISCIPLINE.

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

COAL.

Petition from Hartlepool, against proposed Customs Export Duty; to lie upon the Table.

COAL MINES (EMPLOYMENT) BILL.

Petitions in favour, from Woolley and Wharnccliffe Woodmoor Collieries; to lie upon the Table.

ELEMENTARY EDUCATION (HIGHER GRADE AND EVENING CONTINUATION SCHOOLS).

Petitions for alteration of Law, from Mold and Macclesfield; to lie upon the Table.

LOCAL AUTHORITIES OFFICERS' SUPERANNUATION BILL.

Petitions in favour, from Guisborough (two); Chiswick; Marston Sicca; Wallingford; Stratford-on-Avon; Crow-marsh, and Brentford; to lie upon the Table.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

Petitions against, from Stockton-on-Tees, and Tamworth; to lie upon the Table.

MINES (EIGHT HOURS) BILL.

Petitions in favour, from Hendre-forgan; Dunvant; Wharnccliffe Wood-moor; and Woolley Collieries; to lie upon the Table.

ROMAN CATHOLIC UNIVERSITY IN IRELAND.

Petitions against establishment, from Stirling; Paisley; Perth; and Greenock; to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour, from Salisbury (two); Trunch; Hexham; Peterborough (two); Sutton; and Queensbury; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN BILL.

Petitions against, from Wakefield; Gloucester; Shrewsbury; Warrington; and North-West Wilts; to lie upon the Table.

Petitions in favour, from Nottingham; Dartmouth (two); Sheffield (two); Hornsey; Birmingham; Gainsborough; Glasgow (two); Hamilton; St. Asaph; West Tanfield; and Barnsley; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petition from Hawick, against; to lie upon the Table.

Petitions in favour, from Lecroft; Urr; Dundee; Kirkcudbright; Kilninian and Kilmore; Falkirk; Garmouth; and Forres; to lie upon the Table.

SOVEREIGN'S OATH ON ACCESSION BILL.

Petitions against, from Whitley Bay; Akeley; and Alderford; to lie upon the Table.

TROUT FISHING ANNUAL CLOSE TIME (SCOTLAND) BILL.

Petition from Dundee, in favour; to lie upon the Table.



## RETURNS, REPORTS, ETC.

### ULTIMUS H&#x00C6;RES (SCOTLAND) (ACCOUNT AND LIST OF ESTATES).

Return presented, relative thereto [ordered 25th April; Mr. Austen Chamberlain]; to lie upon the Table, and to be printed. [No. 137.]

### BANKRUPTCY ACT, 1883 (PROCEEDINGS).

Account presented, showing the Receipts and Expenditure on account of Bankruptcy Proceedings during the year ended 31st March 1901 [by Act]; to lie upon the Table, and to be printed. [No. 138.]

### PUBLIC ACCOUNTS AND CHARGES ACT, 1891.

Copy presented, of Treasury Minute, dated 22nd April. 1901, under The Public Accounts and Charges Act, 1891, directing that the Fees and other Cash Receipts which have hitherto been paid into the Exchequer as extra Receipts, in connection with the Vote for the Secretary for Scotland's Office, shall, as from the 1st April, 1901, be treated as appropriations in aid of the money provided by Parliament under that Vote [by Act]; to lie upon the Table.

### POOR RELIEF (ENGLAND AND WALES).

Return presented, relative thereto [ordered 25th April; Mr. Grant Lawson]; to lie upon the Table, and to be printed. [No. 139.]

### EDUCATION (SCOTLAND).

Copy presented, of Return showing the expenditure from the Grant for Public Education in Scotland in the year 1900 upon Annual Grants to State-aided Schools; the number of Schools; and the results of Inspection and Examination during the year ended 30th September 1900 [by Command]; to lie upon the Table.

### PRISONS (SCOTLAND).

Copy presented, of Twenty-third Annual Report of the Prison Commissioners for Scotland, being the Sixty-second Annual Report on Prisons in Scotland, 1900 [by Command]; to lie upon the Table.

### EDUCATION (SCOTLAND) (CONTINUATION CLASSES).

Copy presented, of (1) Code of Regulations for Continuation Classes providing further instruction for those who have left school; (2) Memorandum on the Code of Regulations for Continuation Classes [by Command]; to lie upon the Table.

### LOCAL AUTHORITIES IN SCOTLAND (TECHNICAL EDUCATION).

Return presented, relative thereto [ordered 19th June 1900; The Lord Advocate]; to lie upon the Table, and to be printed. [No. 140.]

### BOARD OF EDUCATION (GENERAL REPORTS).

Copy presented, of General Report for the year 1900 by the Chief Inspectors of the Eastern Division, North-Eastern Division, South-Western Division, and the North Central Division [by Command]; to lie upon the Table.

### BOARD OF EDUCATION (TRAINING COLLEGES).

Copy presented, of Reports relating to Training Colleges for the year 1900 [by Command]; to lie upon the Table.

### BOARD OF EDUCATION (PUBLIC ELEMENTARY SCHOOLS, ETC.).

Copy presented, of Statistics of Public Elementary-Schools, Evening Continuation Schools, and Certified Efficient Schools for the year ended

31st August, 1900 [by Command]; to lie upon the Table.

IRISH LAND COMMISSION (PROCEEDINGS).

Copy presented, of Return of Proceedings during the month of December 1900 [by Command]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 2579 to 2582 [by Command]; to lie upon the Table.

NEW WRIT.

MONMOUTH BOROUGHES.

Ordered, That Mr. Speaker do issue his warrant to the Clerk of the Crown to make out a new Writ for the electing of a Member to serve in this present Parliament for the Monmouth Boroughs, in the room of Frederick Rutherfoord Harris, esquire, whose election has been declared void.;(Sir William Walrond).

QUESTIONS.

SOUTH AFRICA-CIVIL ADMINISTRATION OF THE ANNEXED REPUBLICS.

MR. BLACK (Banffshire): I beg to ask the Secretary of State for the Colonies whether he expects to be able to set on foot a scheme of civil administration in, the Transvaal and Orange River Colonies during Sir Alfred Milner's absence from South Africa, and can he state who will take Sir Alfred's place during his absence.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.): It is not proposed to inaugurate a full scheme of civil administration in Sir Alfred Milner's absence, which is expected to be of short duration, but the work of organising the several departments will proceed as far as possible on the lines which he has been, laying down. Lord Kitchener will take Sir Alfred Milner's place in virtue of the terms of the Commissions published in the last South African Bluebook, Cd. 547, pp. 6 and 7.

JAMESON RAID;POSITION OF CHARTERED COMPANY.

MR. BLACK: I beg to ask the Secretary of State for the Colonies whether he will undertake not to say or do anything gratuitously which might prejudice the claim of the late Transvaal Government against the Chartered Company being recovered and applied in liquidation of the debts of the Transvaal Government when a change in His Majesty's Advisers takes place.

MR. J. CHAMBERLAIN: I am not aware of anything which I can say or do, either gratuitously or otherwise, which would interfere with the action of any succeeding Government in this matter.

MR. ALFRED DAVIES (Carmarthen Boroughs): I beg to ask the Secretary of State for the Colonies if he will give facilities for the examination at the Colonial Office of all Papers connected with the Jameson Raid bearing upon the claim of the late Transvaal Government, in view of the probability of a tender being made, as suggested, for any rights the British Government may have against the Chartered Company.

MR. J. CHAMBERLAIN: All the material Papers on this subject have been published, and will be found in the Parliamentary Paper, C 9,343.

MR. ALFRED DAVIES: Will the right hon. Gentleman give me access to the necessary special Papers in order that I may not buy a pig in a poke?

MR. J. CHAMBERLAIN: I do not know what would be necessary for the hon. Member.  
BOER PRISONERS-INTERMENT IN INDIA-PROPOSED INTERMENT IN IRELAND.

MR. DILLON (Mayo, E.): I beg to ask the Secretary of State for the Colonies whether his attention has been drawn to the fact that Ahmednagar, the place to which 500 Boer prisoners have recently been sent, is unhealthy and in every respect unsuitable as a place of imprisonment for men coming from such a climate as that of South Africa; and whether he will consider the desirability of transferring these prisoners to some more suitable place, and whether he will consider the desirability of sending Boer prisoners in the future to Ireland.

The following questions also appeared on the Paper::

MR. FLYNN (Cork, N.): To ask the Secretary of State for the Colonies whether a batch of Boer prisoners of about 500 has been deported to Ahmednagar, in the Bombay Presidency; and, if so, having regard to the heat of this locality and to its scanty water supply, will the Government consider the propriety of removing these prisoners of war to some less unhealthy place.

MR. HAVILAND BURKE (King's County, Tullamore): To ask the Secretary of State for War whether he is aware of the arrival of 500 Boer prisoners of war at Bombay, and their despatch to Ahmednagar; and, seeing that the Ahmednagar district was last year so famine stricken that one in every four of the population was on Government relief, and was also subject to a water famine, and that these conditions still to some extent prevail in the district, which is liable to cholera, plague, and other

Oriental diseases, whether he will consider the advisability of interning these prisoners of war in a more suitable district.

MR. SCHWANN (Manchester, N.): To ask the Secretary of State for India whether he will make inquiry as to the suitability of the climate of Ahmednagar, in India to which place the first batch of Boer prisoners are said to have been consigned, at this season and during the summer months, for men not acclimatised to the heat of the district indicated, in order to prevent undue suffering and perhaps undue mortality.

THE SECRETARY OF STATE FOR INDIA (Lord G. HAMILTON, Middlesex, Ealing): The Viceroy of India undertook, after consultation with the local authorities, to send the Boer prisoners to suitable places, and Ahmednagar has been selected as one of them. A British regiment is permanently quartered there, and I never before heard that the place is considered to be unhealthy.

MR. DILLON: I should like to ask the Colonial Secretary to answer the second paragraph of my question.

MR. J. CHAMBERLAIN: I have nothing to do with the disposition of the prisoners.

MR. DILLON: Will the right hon. Gentleman say who is in control of that matter?

MR. J. CHAMBERLAIN: The Secretary of State for War.

MR. DILLON: I will put the question to him to-morrow.

Sir H. DE VILLIERS' LETTERS

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Secretary of State for the Colonies whether the right hon. Sir H. De Villiers. Chief Justice of Cape Colony, alone consented to the publication in a Blue book of his letters written before the outbreak of the Transvaal War; if at the same time the Colonial

Secretary would publish the correspondence of the Chief Justice with Sir Alfred Milner; if

that condition was made by the Chief Justice, can he explain why it was neglected by the Colonial Secretary, and will he now publish the correspondence referred to between Sir J. H. De Villiers and Sir Alfred Milner.

MR. J. CHAMBERLAIN: Sir J. H. De Villiers made no such condition, and I do not propose to lay any further Papers on the subject.

MR. SWIFT MACNEILL: Did he make any statement that he wished his correspondence with Sir Alfred Milner to be published also? Did he, or did he not?

MR. J. CHAMBERLAIN: The hon. Member asks one question in definite terms, and places it on the Paper. When I give him an answer, he asks a totally different question. Let the hon. Member put his question on the Paper.

MR. SWIFT MACNEILL: I will do so for Monday.

TROOPS IN SOUTH AFRICA; STATISTICAL RETURN.

SIR WILLIAM HARCOURT (Monmouthshire, W.): I beg to ask the Secretary of State for War whether he will lay upon the Table a further Return, in continuation of the former Return, as to the number of troops now under arms in South Africa, with the other particulars as to the troops invalided, returned, wounded, dead, and in hospital.

THE SECRETARY OF STATE FOR WAR (Mr. BRODRICK, Surrey, Guildford): Yes, Sir. FARMS BURNED BY BOERS.

MR. DILLON: I beg to ask the Secretary of State for War whether he has yet received the information as to the number of farms burned by the Boers in Cape Colony for which he promised to cable.

MR. BRODRICK: Yes, Sir; it is now being printed.

LINDLEY DISASTER; GENERAL COLVILE AND COLONEL SPRAGGE.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for War whether there is any, and if so, what, explanation

of the circumstance that Lord Roberts's published despatch giving an account of the capture of the Irish Yeomanry at Lindley under Colonel Spragge does not allude to General Colvile's responsibility or culpability for that disaster.

MR. BRODRICK: It is not always of advantage to the public service for a commander to publish in despatches his views upon the conduct of his subordinate generals. Such questions are usually dealt with by a separate communication, for the information of the authorities at home.

SANNA'S POST DISASTER.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for War whether he can explain why has the report made to the Commanding Officer at Bloemfontein by the artillery officer in charge of the guns which were captured at Sanna's Post, on 31st March, 1900, not been published; and whether in that report the circumstances under which the guns were left without the protection of cavalry were detailed, and the persons responsible for the capture of the guns they deserted named.

MR. BRODRICK: It has been frequently explained to the House that it is not customary to publish the reports of officers in subordinate command, and it is not intended to do so in this case. All reports received about Sanna's Post were

carefully considered and weighed by Lord Roberts before forwarding his despatch on that action.

MR. SWIFT MACNEILL: Did that report give the names of the men guilty of the loss of the guns, which you are suppressing now?

[No answer was given.]

MR. SWIFT MACNEILL: Answer.

\*MR. SPEAKER: The question has been answered. The hon. Member was informed that the report could not be published, and he now asks its contents.

EXPENDITURE ON HOSPITALS AND AUXILIARIES PAY.

COLONEL NOLAN (Galway, N.): I beg to ask the Secretary of State for War how many millions have been spent

during the South African operations on clothing, hospitals, and civil labour, respectively.

MR. BRODRICK: The figures for hospitals cannot be calculated separately, as the cost is spread over several votes For clothing, the amount is five millions, and for civil labour three millions; of the latter, a considerable portion was included in the heading "Auxiliaries Pay."

WAR MEDALS.

MR. W. F. D. SMITH (Westminster): I beg to ask the Secretary of State for War whether he can arrange that the South African medal shall be available for presentation to Yeomen and Volunteers returned from the front at the annual assembly of their regiments and battalions during the present drill season.

MR. BRODRICK: I shall be glad to do so if possible. The question will be considered.

GERMAN-MADE GUNS.

\*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Secretary of State for War whether, owing to the batteries of field guns purchased in Germany having been paid for out of savings on Votes, an opportunity cannot be given to the House of discussing the value of the guns so obtained; whether, in addition to the admitted weakness in the axles, he has received information that the more important mechanism for running the gun forward into the firing position has proved unsatisfactory; and whether similar mechanism has been adopted in the gun of any foreign Power.

MR. BRODRICK: The springs for running the gun forward were found to be weak at long ranges. Stronger springs have been tried with satisfactory results at the longest ranges, and will be substituted for the weaker springs. Guns of this type are under trial in various foreign countries. I do not think any special opportunity for debate can be given, but, on the War Office Vote, very general discussion is permissible.

MR. M'GOVERN (Cavan, W.): I beg to ask the Secretary of State for War whether he can state how many guns for the use of the Army in South Africa were purchased in Germany between 1st November, 1899, and the 1st March, 1901; what was the total cost of these guns; and how many of them became defective after being used for a short time.

MR. BRODRICK: I must refer the hon. Member to full replies on this subject which were given to questions put by the hon. Members for Wednesbury and the

Chelmsford Division of Essex on the 28th February and 11th March respectively.

#### SOLDIERS' WIVES' SEPARATION ALLOWANCES.

MR. PARKER SMITH (Lanarkshire, Partick): I beg to ask the Secretary of State for War whether the wives of men who married off the strength, with the prospect of shortly entering the reserve, but have been detained with the colours, will be given separation allowance after the period when their husbands have completed their term of seven years, in the same manner as the wives of the reservists.

MR. BRODRICK: The wives of soldiers who would have been entitled to transfer to the Reserve had no war taken place will be granted separation allowances. The circumstances of each case will, however, be inquired into, to see that it corresponds with the above decision.

#### DECEASED SOLDIERS' ESTATES; CASE OF PRIVATE CONHOY, 1ST BATTALION EAST LANCASHIRE REGIMENT.

MR. O'DOWD (Sligo, S.): I beg to ask the Secretary of State for War whether he is aware that Private Edward Conhoy, late of the 1st Battalion East Lancashire Regiment, died while on furlough, at the residence of his brother, in Glasgow, on the 21st of August, 1899, after having served five years in the Army. Whether the deceased soldier's funeral expenses were borne by his brother; and whether inquiries will be instituted

See Debates, Vol. xc., pages 35 and 1152.

with the view of having the amount of deferred pay, due at the time of his demise, remitted to his relatives in Ireland.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Lord STANLEY, Lancashire, Westhoughton): After crediting the estate with the deferred pay and the Government funeral allowance, the charges for the funeral and other expenses incurred by the relatives exceeded the amount of the estate by 8s. 8d. The creditors were accordingly paid in due proportion. I am not aware that the brother has paid the 8s. 8d. still due.

#### FIRST CLASS ARMY RESERVE; SECTION D.

CAPTAIN NORTON (Newington, W.): I beg to ask the Secretary of State for War if he can state why the men of Section D of the First Class Army Reserve belonging to the Brigade of Guards have done no training since 1896; and why, not with standing that they are drawing reserve pay, they have not been called upon to volunteer for South Africa, while the services of both Militia and Volunteers have been asked for and accepted.

LORD STANLEY: The reservists of Section D who were in their 1st and 3rd year of engagement trained in 1899. The whole Section D reserve of the Scots Guards and half of the Coldstream Guards were called up and joined the battalions in South Africa. The remainder were not required, as the battalions of Grenadiers and Coldstreams were able to keep up their full strength without them.

#### H.M.S. "MEDUSA."

MR. LEVERTON HARRIS (Tynemouth): I beg to ask the Secretary to the Admiralty whether it is contemplated removing H.M.S. "Medusa" from North Shields or replacing her by some other vessel; and, if so, how long the Tyne will be without a drill ship.

THE SECRETARY TO THE ADMIRALTY (Mr. ARNOLD-FORSTER, Belfast, W.): It is proposed to replace the "Medusa" by another ship during her temporary appropriation for experimental purposes.

PETERHEAD HARBOUR WORKS,

MR. HERBERT LEWIS (Flint Boroughs): I beg to ask the President of the Board of Trade whether he can state what was the total expenditure on Peterhead Harbour up to the 31st March, 1901; what is the estimated total cost of the harbour; how long have the works been in progress, and what is the estimated period required for their completion.

MR. ARNOLD-FORSTER: The total expenditure upon Peterhead Harbour up to the 31st March, 1901, was £398,000. The total estimated cost of the harbour is £972,520. The works have been in progress since the year 1885; the estimated period for their completion was 38 years. It is therefore expected that they will be finished in the year

1922&#x2013;23.

ROYAL MARINE LIGHT INFANTRY; PROMOTIONS FOR SERVICE IN CHINA.

MR. KEARLEY (Devonport): I beg to ask the Secretary to the Admiralty whether the dates of the brevet promotion to lieutenant-colonel of the two majors Royal Marine Light Infantry for service in China, which it was stated in the Admiralty official communication on 9th November last would be notified hereafter, have been yet communicated to the Royal Marine Divisions, and what is the reason that such dates have not been published in the Navy and Army lists.

MR. ARNOLD-FORSTER: It has been necessary to communicate with the War Office with regard to the date of these promotions. I am not yet able to inform the hon. Member of the decision of that Department, but hope to be able to do so at a very early date.

THE WRECK OF THE "GOONLAZE."

MR. SOARES (Devonshire, Barnstaple): I beg to ask the Secretary to the Admiralty whether his attention has been called to the circumstances attending the wreck of the "Goonlaze," involving loss of life, on 5th February last, in Bideford Bay, and to the evidence given at the Board of Trade inquiry held on the 18th and 19th instant; whether he is aware that at such inquiry four witnesses gave evidence that they

had seen distress signals in Bideford Bay early in the morning of the 5th February; that five witnesses gave evidence that the woodwork of the wreck showed distinct traces of flares or other distress signals having been used; and that no such distress signals were seen by any of the coastguards stationed on the coast; and whether, under these circumstances, and having regard to the dangerous nature of the coast and the advisability of taking every precaution to ensure the safety of sailors and fishermen, he will order an inquiry into the question as to the adequacy of the coastguard service between Hartland Point and Westward Ho&#x0021;

MR. ARNOLD-FORSTER: No Report has as yet been received at the Admiralty from the Board of Trade giving the results of the inquiry into the wreck of the "Goonlaze." When the Report has been received the question of the adequacy of the coastguard service between Hartland Point and Westward Ho&#x0021; will be

carefully considered by the light of the information contained in the Report.

#### INDIAN PARCEL POSTAGE RATES.

\*LIEUT.-COLONEL TUFNELL (Essex, S.E.): I beg to ask the Secretary of State for India whether the Government of India will consider the advisability of making any reduction in their rates for inland parcel postage; and whether some reduction was actually contemplated within the last two years.

LORD G. HAMILTON: Proposals submitted by the Government of India for reducing the rates of inland parcel postage are now under the consideration of the Secretary of State in Council; and I hope that they will very shortly be approved.

#### POST OFFICE SAVINGS BANK FINANCE.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask Mr. Chancellor of the Exchequer whether he can state if the balance-sheet of the Post Office Savings Bank at 31st December, 1900, showed any increase or any decrease in the excess of liabilities over assets, which excess on 31st December, 1899, was £504,928 1s. 10d.; what

were the total liabilities

of the Post Office Savings Bank on 31st December, 1900, and do they show any increase or any decrease as compared with 31st December, 1899, when they were £130,138,344; what amount of 2½ per cent. Consols was included among the assets of the Post Office Savings Bank on 31st December, 1900, and does that amount show an increase or a decrease as compared with the amount on 31st December, 1899, which was £67,330,884, and what amount of such Consols is now held by the Post Office Savings Bank.

THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): The balance-sheet of the Post Office Savings Banks Fund at 31st December, 1900, is not yet completed, but I have no doubt that, taking the securities at the market value of the day, it will show a considerable increase in the excess of liabilities over assets as compared with 31st December, 1899, as will also the total liabilities of the fund. The balance of

£2½ per cent. Consols held on account of the Post Office Savings Banks Fund at 31st December, 1900, amounted to

£64,737,170, being a decrease, as compared with the amount on 31st December, 1899, of £2,593,714. The amount of Consols held for the Post Office Savings Banks Fund at 31st March, 1901, was £63,934,205.

#### TAXATION ON SHIPOWNERS.

\*MR. DELANY (Queen's County, Ossory): I beg to ask Mr. Chancellor of the Exchequer whether he can inform the House what contribution the shipowners of the United Kingdom make to the Imperial Revenue; and whether, bearing in mind that the increase in Navy expenditure has been mainly incurred in the interest of the mercantile service, he will consider the advisability of imposing a special tax on the tonnage of vessels.

SIR M. HICKS BEACH: Shipowners pay income tax and other taxes like other persons. They also pay fees for special services to the various Departments rendering them, such as the Board of Trade and the Customs. Some of these are paid direct



by the shipowners; others come out of the light dues, which amount to about £500,000 a year, and are collected from shipowners. I pointed out the other day that, in my opinion, shipowners would contribute through the coal duty to the revenue, but I am not prepared to suggest such a special tax as is referred to in the question.

#### PROFESSIONAL MEN AND THE INCOME TAX.

MR. JOHN MORLEY (Montrose Burghs): I beg to ask Mr. Chancellor of the Exchequer whether, in view of Mr. Gladstone's statement in 1853 that about one twenty-second part of the income tax was then paid by professional persons, he can ascertain the corresponding fraction paid by professional persons at the present time.

SIR M. HICKS BEACH: There are no statistics available that would show exactly what proportion of the income tax is paid by professional persons at the present time. But from inquiries made in the year 1895-96, it appears that in that year persons of the professional class paid about one twenty-seventh of the total sum received. It is thought that at the present time the proportion would not exceed one thirtieth.

MR. D. A. THOMAS (Merthyr Tydvil): Can you ascertain the amount of income tax paid by colliery proprietors?

SIR M. HICKS BEACH: I cannot say, but no doubt it is very large.

#### THE NEW COAL DUTY; PATENT FUEL.

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer whether pitch used in the manufacture of patent fuel will be liable to the new coal duty.

SIR M. HICKS BEACH: The duty of 1s. per ton is leviable on the total weight of manufactured fuel exported, irrespective of its constituents.

#### INCIDENCE OF THE DUTY.

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer whether he can state the broad principles upon which coal shipped to Jersey is charged the duty, and coal shipped to the Isle of Man is not so charged; and whether coal shipped to the Scilly Isles is liable to the duty.

SIR M. HICKS BEACH: The principle is that for Customs administration the Isle of Man is part of the United Kingdom, but has the right of adjusting its own tariff, though it is worked by the Commissioners of Customs. There will be a clause in the Finance Bill for preventing the export of coal from the Isle of Man, where, otherwise, there might be made a depot for coal. The Channel Islands are in no way part of the United Kingdom, any more than any other British possession. The Scilly Islands are part of the county of Cornwall.

MR. FLYNN: Is it the fact that while the Isle of Man has the regulation of its own Customs the Isle of Ireland is refused it?

SIR M. HICKS BEACH: Yes, and I believe that even under the Home Rule Bill Ireland was not to have control of her Customs.

#### RUNNING CONTRACTS.

MR. D. A. THOMAS: I beg to ask Mr. Chancellor of the Exchequer if he has yet decided upon the extent of the modification he will make in the coal duty in respect of contracts entered into prior to its imposition, the nature of the contracts to which the concession will apply, and its duration; and whether he

will make known his decision in time to allow the electors of the Monmouth Boroughs an opportunity of forming a judgment upon the value of the concession before recording their votes at the forthcoming election.

SIR M. HICKS BEACH: The contracts which have been sent in will be examined with the utmost despatch, but it will certainly be some days before I am in a position to make any definite announcement on the subject. I am not dealing with it with any view to the Monmouth Boroughs election.

MR. D. A. THOMAS: Can the right hon. Gentleman hold out any hope of a decision before the election takes place?

[No answer was returned.]

SEABORNE COAL;RETURN.

MR. D. A. THOMAS: I beg to ask the President of the Board of Trade if, before the Report stage of the Ways and Means Committee (Coal) Resolution, he will lay upon the Table a Return showing the export of seaborne coal for the years 1890 to 1900, inclusive, from the United States of America, India, Australasia, and Japan to, say the half dozen countries to which the largest quantities are in each case shipped; and if it is not practicable to issue such a Return in time, will he arrange that the information shall be furnished to any Member who may apply at the Board of Trade.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. GERALD BALFOUR, Leeds, Central): No. Sir, it is not practicable to prepare such a Return within the time specified, and I am not convinced that its utility is sufficient to justify the very considerable labour entailed in its preparation.

MR. D. A. THOMAS: I only ask for a Return as to half a dozen countries.

MR. GERALD BALFOUR: Yes, but it would be very voluminous.

FACTORY BILL.

MR. TENNANT (Berwickshire): I beg to ask the Secretary of State for the Home Department whether he can state when he proposes to issue the memorandum on the Factory Bill which he promised in his opening statement.

\*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. RITCHIE, Croydon): I do not think it is quite correct to say that I promised the memorandum. It would be a matter of extreme difficulty, and to fully explain the measure it would have to be as long as the Bill itself, while a short memorandum, I am afraid, would serve no useful purpose. I hope, having regard to the fact that the Bill itself as well as the Consolidation Bill, is now in their hands, hon. Gentlemen will do without a memorandum.

MR. TENNANT: Then I take it nothing further will be done in the matter?

\*MR. RITCHIE: That is so. I cannot do it.

DANGEROUS CONDITION OF WELSH QUARRIES.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the dangerous condition of various disused quarries on Halkyn Mountain, Flintshire, notably the quarries known as Cop-y-fr&#x00E2;n, Bryn-y-garreg, and Hagnallt respectively, owing to the imperfect state of the fencing around them; and whether the fences which have been placed round some of those quarries by the Crown authorities have repeatedly been removed, or partially removed, by wilful persons, whom the

police have not as yet been able to bring to custody; if so, whether steps will be taken by the county police authorities in future to put a stop to the wilful damage to the fences, and ensure the safety of the public using the mountain paths.

\*MR. RITCHIE: I have made inquiry with regard to the quarries mentioned in the question, and am informed that two of them are in a dangerous state through damage to the fencing. There appears to be some doubt as to the manner in which the damage has been caused, and the Police Report which I have received states that in some cases, at any rate, it has been caused by cattle. The matter is not one in which I have any jurisdiction, but I will communicate with the Office of Woods upon the subject.

#### SCOTTISH TEACHERS' SUPERANNUATION ALLOWANCES.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Lord Advocate if the Government, recognising the hardship inflicted on Scottish teachers who were in office before the passing of the Teachers' Superannuation Act, inasmuch as by their acceptance of that Act they are deprived of any pension from their school boards, will grant to such teachers, on their being compelled to retire, such augmentation of their superannuation allowance as will make their pensions equal to those of teachers coming under the Act after it became law.

\*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): The

amount of the superannuation allowance under the Teachers' Superannuation Act is fixed by the terms of the Act, and the Government have no power to increase that allowance. It is made to teachers in office before the passing of the Act on a higher scale than to others. But I am not prepared to admit that they can establish a claim to be put on a level with teachers who contribute to the Annuity Fund during the whole of their service. The acceptance of the Act by existing teachers was optional, but they were aware when exercising their choice that the acceptance of the Act deprived them of any pension from a school board.

#### EDINBURGH UNIVERSITY EXAMINATION.

MR. JOHN DEWAR (Inverness): I beg to ask the Lord Advocate whether the Secretary for Scotland is aware that the University of Edinburgh in its public examinations for the allocation of bursaries awards to the papers given in Greek double the number of marks given for either French or German; and, in view of the fact that this action on the part of the University Board places students of French and German at a disadvantage in competing against students of Greek, and may tend to discourage the study of the two former languages, will he consider the expediency of suggesting to the authorities the advisability of rendering the difference less pronounced.

\*MR. A. GRAHAM MURRAY: I understand that the regulations with regard to marks in the examinations, as settled by ordinance, which was submitted to, and approved by, Parliament, are as indicated in the hon. Member's question. The matter is not one which falls within the functions of the Secretary for Scotland, and he does not think that it would be expedient for him to make suggestions to the university authorities on the subject.

NEW EDUCATION CODE; ARTICLE 101.

MR. HENRY HOBHOUSE (Somersetshire, E.): I beg to ask the Vice-President of the Committee of Council on Education if he is aware that the proposed addition to Article 101 of the

new Code, raising next year the minimum age of the scholars attending classes in cookery, gardening, and manual instruction, will have the effect in small schools of closing useful classes already in existence, and of preventing new classes from being opened in these subjects, owing to the insufficient numbers of children above the compulsory school age; whether, if this is so, he will consent to some modification of the Article, which shall permit of the continuance and development of such classes for children above the age of eleven with the consent of His Majesty's inspector.

THE VICE-PRESIDENT OF THE BOARD OF EDUCATION (Sir J. GORST, Cambridge University): I am not aware that the notice of the probable modification of Article 101 in next year's Code will have the effect which the hon. Member anticipates. The minimum age for manual instruction is practically unaltered in this year's Code, and will remain unaltered in next year's. The question whether a lower age than that prescribed for manual instruction can be retained for cottage gardening or any other of the subjects of instruction for which special grants are made shall receive careful consideration.

MR. WHITLEY (Halifax): Is the right hon. Gentleman aware that under existing regulations girls under the age of twelve years may not learn cookery, but over twelve are compelled to learn chemistry?

SIR J. GORST: The hon. Member is entirely mistaken. There is no such regulation.

SWINE IMPORTATION INTO WIGTOWNSHIRE.

DR. THOMPSON (Monaghan, N.): I beg to ask the Secretary to the Board of Trade if he is aware that the importation of live pigs from Ireland into Wigtownshire, through the port of Stranraer, has been prohibited by the Local Government Board for Scotland for the past two years, in consequence of the supposed prevalence in Ireland of swine fever; and whether, seeing that this fever is not now prevalent in Ireland, he will

direct that the port of Stranraer be opened for trading purposes as usual.

\*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. HANBURY, Preston): The County Council of Wigtownshire have prohibited the import of live pigs from Ireland into any portion of that county, and the continuance of that prohibition is a matter within their discretion. They have of course no power to prevent the importation, of pigs at Stranraer, if it is intended to convey them direct to a place outside the county.

MEMBERS' LOCKERS.

MR. THOMAS O'DONNELL (Kerry, W.): I beg to ask the First Commissioner of Works whether he will take steps to secure lockers for those Members of the House who have not yet got them.

THE FIRST COMMISSIONER OF WORKS (Mr. AKERS DOUGLAS, Kent, St. Augustine's): I will undertake to bring the hon. Member's suggestion before the Committee, which is now sitting, on the House of Commons Accommodation, for their consideration.

LAND TRANSFER ACT; APPLICATION OF COMPULSORY CLAUSES TO CITY OF LONDON.

MR. W. F. D. SMITH: I beg to ask Mr. Attorney General whether he can state to

what date has the application of the compulsory clauses of the Land Transfer Act, 1897, to the City of London been postponed, and why has any postponement taken place.

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): The postponement operates until 1st January, 1902. The Lord Chancellor received a deputation from the City last February, who signified that objections had been raised to the application of the Act to the city; the Lord Chancellor considered that time was required to receive and consider the details of such objections, and agreed to recommend the postponement accordingly.

FLAX-GROWING IN IRELAND.

MR. DALY (Monaghan, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can say

if the promised experts on flax growing have been appointed in Ireland; and, if so, in what districts; and, if such appointments have been made, whether he can say why preferences have been given to some portions of Ireland and not to all.

THE CHIEF SECRETARY FOR IRELAND (Mr. WYNDHAM, Dover): Four experts have been appointed. One, an expert in scutching, is available for any part of Ireland. The other three are experts in the cultivation of flax; one of them is stationed in the county of Londonderry, and two in Down.

MR. DALY: Why have the counties of Derry and Down thus been favoured and other Ulster counties had no experts sent them?

MR. WYNDHAM: We have had great difficulty in securing the services of experts, but we hope to train Irishmen for the posts, and they will be sent to other counties.

MR. T. W. RUSSELL (Tyrone, S.): Where did the experts come from?

MR. WYNDHAM: Three came from abroad. We have no experts in Ireland at present, but we hope to produce some.

MR. DALY: Can you give the House the names of the experts?

MR. WYNDHAM: I have no doubt I could if I had notice, but I do not see that any great public advantage would be derived by doing so.

STATE RAILWAYS FOR IRELAND; NEW ZEALAND EXPERIENCE.

MR. FIELD (Dublin, St. Patrick): I beg to ask the President of the Board of Trade whether he is aware that the profits arising from the State Railways in New Zealand for last year amounted to

£1,621,000 sterling; and whether the Government will consider the advisability of adopting a similar system in Ireland, with a view to reduce taxation and to increase transit facilities.

MR. WYNDHAM: At my right hon. friend's request, I will reply to this question.

The net receipts of the Government railways in New Zealand for the year ended 31st March, 1900, amounted to £571,533. In answer to the second paragraph, I have nothing to add, at present, to the statement already made by me.

DUNDRUM CRIMINAL LUNATIC ASYLUM.

MR. FIELD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the hours of work and duty the indoor tradesmen

attendants are compelled to serve under existing rules in the Criminal Asylum, Dundrum; whether it can be arranged for such employees to finish after a fair day's work in confined workshops without compelling them to do duty in wards; whether he is aware that a memorial was presented to the inspectors; and whether he will cause inquiry to be made, with the object of shortening the hours of the persons referred to.

MR. WYNDHAM: The tradesmen attendants have not been asked to perform any duties outside their agreements. The Inspectors of Lunatic Asylums are now making inquiries into the whole subject, and on receipt of their Report I will again communicate with the hon. Member.

#### MONAGHAN COUNTY COUNCIL ACCOUNTS.

MR. DALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the auditor of the accounts of the county council of Monaghan disallowed several sums that were allowed to the rate collectors as irrecoverable rates in that county, on the technical grounds that the Local Government Board were not informed thereof; whether he is aware that, before these allowances were made to the rate collectors, their accounts were checked by the district council, and amounts certified irrecoverable; and whether he will direct that the surcharge made against three members of the county council of Monaghan will be remitted.

MR. WYNDHAM: The payments to the collectors were made in contravention of Article 3 of the

County (Poor Rate Collectors) No. 2 Order of 1899, and were disallowed, in consequence, by the auditor. It is open to the members of the county council to appeal against the decision of the auditor pursuant to Section 68 of the Local Government Act, 1898, and any such appeal, if lodged, will be considered.

MR. DALY: By whom will the appeal be considered?

MR. WYNDHAM: By the Local Government Board. The surcharge must be made if the law is not conformed with, but there is an appeal on the equity of the transaction to the Local Government Board.

#### IRISH POOR LAW OFFICIALS' PENSIONS.

MR. DALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, having regard to the fact that the Probate Duties Act of 1888, which contributed to the superannuation of poor law officials in Ireland, was based on the amount of superannuations paid in the year 1887, whether he can state in how many unions in Ireland there were officials getting pensions in that year, and the amount paid in each union; and whether, in case of a larger number of superannuations of poor law officials in the future than took place in 1887, will a corresponding increase take place in the probate duties grant to Ireland.

MR. WYNDHAM: The amount of Ireland's share in the Probate Duty Grant is determined in accordance with Treasury regulations under the Finance Act of 1894. The distribution only was based on the salaries, remuneration, and superannuation allowances paid to officers in 1887. Neither an increase in such payments nor a redistribution between local bodies would affect

the total amount payable to Ireland.

MR. JORDAN (Fermanagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is his intention, on behalf of the Government, to propose to supplement the pension fund proposed to be created under the Poor Law Officers (Ireland) Superannuation Bill by a public grant; and, if so, to what amount, and from what source.

MR. WYNDHAM: I cannot foreshadow Amendments, which might or might not be advisable to a private Bill. All the more since, as I have stated, the attitude of the Government towards that Bill will largely depend on the result of an actuarial examination into its ultimate effect on the rates.

#### TRAINING OF ASSISTANT NURSES FOR IRISH WORKHOUSES.

MR. J. P. FARRELL (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has made inquiries as promised into the facilities proposed to be given for the training of girls as assistant nurses in Irish workhouses, which would enable him to grant a Return showing the number of trained and untrained nurses serving in Irish workhouses, the salaries paid to trained and untrained nurses, and the probable cost of complying with the Order of the Local Government Board as to qualified trained nurses in such institutions.

MR. WYNDHAM: A Return is in preparation, and will shortly be presented to Parliament.

#### ARDAGH BURIAL GROUND.

MR. J. P. FARRELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state the reason which guided the Local Government Board in declaring that the area of charge for the cost of a new burial ground at Ardagh should be the Longford Dispensary District, which would include the urban district of Longford; whether he is aware that prior to the passage of the Local Government Act the township of Longford formed part of this district; and, can he state the grounds upon which the Local Government Board have now varied this order, so as to make the area of charge the whole union of Longford instead of the dispensary district as at first arranged, including the urban district of Longford.

MR. WYNDHAM: On the 19th January, 1898, the Local Government Board, at the request of the rural sanitary authority, fixed the area of charge for this work on the electoral divisions constituting the Longford Dispensary District. The reply to the second paragraph is in the affirmative. The variation of the original order has not been

made by the Board, but is the result of the Local Government Act itself, as, under Section 234 of the Public Health Act of 1878, amended by Schedule VI of the Local Government Act and Article 36 of the Adaptation of Irish Enactments Order, 1899, burial ground expenses are now

"district charges." This case is, therefore, no exception to the general rule.

MR. J. P. FARRELL: Is the right hon. Gentleman aware that the variation of the original arrangement is causing great friction between local authorities in Ireland, and will he include in the proposed Provisional Order some change which will obviate this?

MR. WYNDHAM: I cannot give so general an undertaking. I am, however, looking into the whole question.

IRISH INDUSTRIAL SCHOOLS;COMMITTALS.

\*MR. DELANY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will grant a Return showing the average yearly committals to industrial schools in Ireland for the year preceding the 1st October, 1898, and two subsequent years; and whether the Government intend introducing legislation this session dealing with reformatories and industrial schools in Ireland; and, pending such legislation, the Lord Lieutenant will withdraw the circular issued to Irish magistrates, dated 1st October, 1898.

MR. WYNDHAM: The number of children committed to industrial schools in Ireland during the year ended the 30th September, 1898, was 1,338. In the two succeeding years the numbers were 939 and 985 respectively. A Bill dealing with reformatory and industrial schools has been prepared, but I cannot undertake to introduce it during this session. It is not proposed to withdraw the circular of October, 1898.

MR. DILLON: Will the right hon. Gentleman have the Bill printed at once?

MR. WYNDHAM: It would be a most unusual course to print and circulate it in a session in which it was not to be introduced.

MR. JOHN REDMOND (Waterford): But surely it is not unreasonable that Irish Members should desire the information.

CASTLERA AND BALLAGHADERREEN WATER RATES.

MR. TULLY (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state what was the amount of the last poundage rate levied (1) in the town of Castlerea in connection with the Castlerea waterworks, and (2) the last special rate levied on Ballaghaderreen for the Ballaghaderreen waterworks;

(3) what would be the water rate on the town of Frenchpark under a loan for the proposed Frenchpark waterworks, and for how much of it would the landlord be liable if the expenses were a townland charge, the same as in Castlerea and in Ballaghaderreen in the one union.

MR. WYNDHAM: The answers to the first, second, and third queries are 1s. 7d., 1s. 7d., and 10d. in the £; respectively. Frenchpark is not a town or township under municipal government, and is really a village, with a population of 305 persons. The landlord would pay one-half in any case, whether the area is a limited one or the whole rural district.

MR. TULLY: Is the right hon. Gentleman also aware that Castlerea and Ballaghaderreen are not under municipal government?

[No answer was returned.]

KING-HARMAN (LONGFORD) ESTATE.

MR. J. P. FARRELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that an application has recently been made to the Land Commission for an advance on behalf of John Gill, a tenant on the King-Harman

(County of Longford) Estate; by what right, when Gill had signed his agreement



to purchase his holding at £;500, a further sum of £;240 in cash was demanded; is he aware that only one year's rent was due by Gill, which he has since paid; and will he explain how, when an agreement is signed and the necessary affidavits sworn, any further demand can be made upon the tenant.

MR. WYNDHAM: The question appears to be based on a misapprehension of the facts. The tenant agreed to purchase his holding and some additional land for a sum of £;690, of which £;550 was to be advanced by the Land Commission, and the balance (£;140) paid by the tenant in cash. The agreement was verified by the affidavit of the tenant. A dispute having subsequently arisen as to the terms of the agreement it was dismissed by the Commissioners, and no demand was made by them for payment of the cash portion of the purchase money.

MR. J. P. FARRELL: Is the right hon. Gentleman aware that the tenant was not cognisant of the contents of the agreement when he signed it, and did not know he would be called upon to pay £;240 in cash in addition to the £;500 agreed on?

MR. WYNDHAM: No; my information is that the agreement was verified by the tenant's affidavit.

IRISH CREAMERIES.

MR. WILLIAM ABRAHAM (Cork Co., N.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been directed to the proceedings of the Cork County Council, on the

16th instant, when a letter was received from the Department of Agriculture and Technical Instruction informing them that the department was prepared to make loans to creameries for the erection of plant for the process of Pasteurisation, and when the county council unanimously passed a resolution protesting against the allocation of public funds by the Department solely in the interests of creameries, while apparently making no provision for improving the dairy industry in other districts of the county by loans on like terms to dairy farmers to purchase hand separators and improve the condition of their own dairies; and if, before public funds are used solely in the way proposed, the Council of Agriculture will be called together to discuss this question and advise the Department as to the best means of improving the dairy industry generally throughout the county of Cork.

MR. WYNDHAM: I stated on Monday last that the question of making loans for the purchase of separators was engaging the attention of the Department. The matter will be brought before the Council of Agriculture at its meeting next month.

MR. WILLIAM ABRAHAM: Will a new policy be carried out without consulting the council?

MR. WYNDHAM: We can only act with the appliances placed at our disposal.

IRISH CONSTABLES AND EVICTED FARMS.

MR. CULLINAN (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to the fact that members of the Royal Irish Constabulary force have taken evicted farms in Ireland; and whether, in view of the unpopularity of this action, he will

consider the advisability of taking steps to cause its discontinuance.

MR. WYNDHAM: Some three or four members of the Constabulary have taken evicted farms. They are prohibited under the regulations from themselves taking part in the working of land, whether evicted or otherwise. But this prohibition is personal to members of the force, and it is not proposed to extend it.

MR. CULLINAN: Is it not distinctly against the rule for members of the Royal Irish Constabulary to take farms?

MR. WYNDHAM: As I understand it, the regulations lay it down that they shall not engage in the working of farms; but they may hold land elsewhere than in the county in which they are stationed.

MR. DILLON: Are we to understand that the wives and children of the men may take and work evicted farms?

MR. WYNDHAM: We can draw no distinction between evicted and other farms.

MR. FLAVIN (Kerry, N.): Will you grant the wives separation allowances?

MR. CULLINAN: Are these men, the custodians of law and order;

\*MR. SPEAKER: Order, order&#x0021;

SMALL-POX AT LISBURN.

MR. DALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a serious outbreak of small-pox has occurred in Lisburn, and whether he can state what measures have been taken to stamp out this outbreak of small-pox.

MR. WYNDHAM: The medical inspector of the Local Government Board has conferred with the local authorities on the steps to be taken for preventing the spread of the disease. They are fully alive to the importance of taking effective precautionary measures, and are at present considering the question of providing an isolation hospital.

MR. BARTLEY (Islington, N.): Will steps be taken to enforce the vaccination laws?

MR. WYNDHAM: Does the hon. Member mean to suggest that the law is not enforced? I am not aware of it.

DAVID FINLAY ESTATE, CO. CAVAN.

MR. M'GOVERN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the estate of David Finlay and others, situate in the county of Cavan, has been in the Court of Chancery during the past ten years for the purpose of sale, and that the solicitors and receiver of the estate, with the sanction of the Court of Chancery, got the tenants on the estate to sign agreements to purchase their holdings through the Land Commission over three years ago; can he state what has been done with these agreements; and will the Court of Chancery direct the receiver to refund to the tenants the money that has been collected from them for rent instead of interest since the agreements were signed.

MR. WYNDHAM: The sale of this estate is not taking place under the 40th section of the Act of

1896. An order for the sale of the estate was made in 1890, and about three years ago the tenants signed provisional agreements to purchase. I am informed it is no part of the agreements that the tenants should be free from rent

pending the carrying out of the sale; in any case, such an arrangement would be nugatory, as it has not received the sanction of the Land Judge.

MR. M'GOVERN: Why have the provisions of the 35th section of the Act of 1896 been set aside?

MR. WYNDHAM: This case does not come under the Act of 1896. The estate was sold before that Act was passed.

#### TREATMENT OF INSANE PRISONERS IN IRELAND.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether prisoners who become insane while awaiting trial, or during their sentences, in Ireland are maintained out of Imperial sources, or out of the funds for the maintenance of the lunatic poor.

MR. WYNDHAM: Prisoners who become insane while awaiting trial, or during their sentences, are removed to the lunatic asylum of the district in which the gaol is situate; their cost, consequently, falls on the funds for the maintenance of the lunatic poor. In exceptional cases prisoners who become insane while serving a sentence of imprisonment are sent to Dundrum Central Criminal Lunatic Asylum, maintained out of Imperial sources, but prisoners awaiting trial cannot be committed to that asylum, and must be transferred to the district lunatic asylum.

MR. WILLIAM REDMOND: Is it not the fact that in England, when prisoners become insane while in prison, they are sent to prisons for the insane, and not to public asylums? Cannot the same practice be carried out in Ireland?

MR. WYNDHAM: The accommodation for State prisoners in Ireland is very limited, but I am considering what can be done. I see the point raised by the hon. Member.

MR. WILLIAM REDMOND: Yes, it is very hard upon Irishmen.

#### FERMANAGH ROMAN CATHOLIC BOARD OF EDUCATION.

MR. M'GOVERN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Fermanagh

Roman Catholic Board of Education acknowledge any obligation to give effect to the proposal, dated 20th October, 1886, of their late chairman undertaking to spend half the Roman Catholic portion of the endowment in maintaining an intermediate school in Enniskillen; and, if so, when they propose carrying out that proposal; whether he is aware that the present chairman of the Board sent a written statement to the Commissioners of Education, dated 3rd January, 1900, stating that now that it is known that the Roman Catholics of Enniskillen desire an intermediate school in their town it may be taken for granted that no effort will be spared to have that wish satisfied; and, whether any steps have been since taken to carry out this undertaking; and, if not, what reasons exist why it should not be carried out.

MR. WYNDHAM: The Commissioners are not aware that the Fermanagh Roman Catholic Board of Education has made any such acknowledgment as that suggested. The Bishop of Clogher, who subsequently became chairman of the board, wrote a letter in January, 1900, which suggested that, if a local fund was raised in Enniskillen, it would be possible to establish an intermediate school. No

further steps seem to have been taken, and the powers of the Fermanagh Board under the scheme have lapsed.

TRUCK ACTS; DEANE v. BOYLE.

\*MR. TENNANT: I beg to ask the Secretary of State for the Home Department whether, in the case of Deane v. Boyle, under the Truck Acts, the amount of the fine was returned to the defendant by order of the Court or under instructions by the Executive Government; and whether any communication was made to the Home Office before the repayment was made.

THE ATTORNEY GENERAL FOR IRELAND (Mr. ATKINSON, Londonderry, N.). It having been decided by the High Court in one case that the offence charged did not come within the Truck Act, the fines imposed by the magistrates in several other cases of an identical character were remitted by the Irish Executive after consultation with the Home Office.

\*MR. TENNANT: Were the magistrates communicated with?

MR. ATKINSON: No. They decided that certain cases came within the Truck Acts, and the High Court took the opposite view with regard to one which was accepted as a test case.

\*MR. TENNANT: Were the cases on all fours?

MR. ATKINSON: Yes, Sir.

THE PROSECUTION OF MR. P. A. M'HUGH, M.P.; PROCEEDINGS AGAINST DUBLIN NEWSPAPER

MR. FLYNN: I beg to ask Mr. Attorney General for Ireland whether the Irish Government are taking steps to institute proceedings against the editors of the Freeman's Journal and Evening Telegraph respectively for alleged contempt of court in connection with the recent case of the Crown v. P. A. M'Hugh, M.P.; if so, what are the grounds on which these proceedings are taken, and under what statute; and are there any other newspapers, either in Ireland or England, which commented upon the disagreement of the first jury who tried the case to be proceeded against.

MR. ATKINSON: An application for an attachment for contempt of court on the 12th February was made against the journals mentioned. The contempt consisted in publishing comments on a pending prosecution calculated to prejudice the fair trial of the issues raised. The application was grounded on the common law, not on any statute, and is not yet disposed of. I am not aware that comments of the same character were made by any other journals.

MR. FLYNN: Is the right hon. and learned Gentleman aware that The Times newspaper commented on the first disagreement of the jury?

MR. ATKINSON: The comments in the journals mentioned in the question were comments to prejudice the trial of the action.

MR. DILLON: They were comments against the action of the Crown.

MR. FLYNN: On this day week we shall raise the entire question.

An HON. MEMBER: Perhaps the right hon. Gentleman will pack a jury to try The Times.

LAND COMMISSION ADVANCES; SMALL HOLDINGS.

COLONEL NOLAN: I beg to ask Mr. Attorney General for Ireland whether the Land Commission are empowered to make it a condition of any advance of money on their part for the purchase of a large grass farm that the intending purchaser should

allot a portion of such grass farm to small tenants in the neighbourhood, with the object of increasing such small holdings.

MR. ATKINSON: The reply to this question is in the negative.

IRISH GOVERNMENT DEPARTMENT CONTRACTS.

MR. NANNETTI (Dublin, College Green): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that some firms engaged in the manufacture of writing and copying inks in Ireland have recently requisitioned to be placed on the list of contractors to the Stationery Office and other Government Departments in that country; whether samples have been sent to His Majesty's Stationery Department for examination; and whether, in view of a declaration made by Ministers in this House that all goods for use in this department should be of Irish manufacture, he will use his influence to have Irish-made copying and writing ink ordered for the use of the Government Departments in Ireland.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. AUSTEN CHAMBERLAIN, Worcestershire, E.): The facts stated in the first two paragraphs are correct. The application is now under consideration.

IRISH EX-POLITICAL PRISONERS; POLICE BLUNDER.

MR. NANNETTI: I beg to ask the Secretary of State for the Home Department whether he is aware that Mr. J. P. O'Brien, of Dublin, an ex-political prisoner, who is at present in London suffering from ill-health, has been subjected to surveillance by Scotland Yard officers; and that, on Tuesday evening last, Inspector Hedley and another officer called at the house, 15, Felix Street, Hackney, where Mr. O'Brien was on a visit to his brother, and questioned him as to his identity and movements; will he say what explanation the police authorities have to offer for the action of these officers; and whether it is with the sanction of the Home Office that Mr. O'Brien has been subjected to this surveillance.

\*MR. RITCHIE: The officers acted in this matter in the ordinary course of their duty and not under special instructions. I understand that on the occasion of their calling on Mr. O'Brien they told him they had done so under a misapprehension, and that he was not the man they were looking for, and that Mr. O'Brien accepted the apology.

MR. FLAVIN: Were they justified in going to a cemetery during the interment of a gentleman and causing great inconvenience there?

\*MR. SPEAKER: Order, order&#x0021;

MR. FLAVIN: That took place yesterday.

GOVERNMENT EDUCATION BILL; REX v. COCKERTON.

DR. MACNAMARA (Camberwell, N.): I beg to ask the First Lord of the Treasury whether his attention has been called to the fact that the London School, Board, at its meeting yesterday, resolved to abandon any further appeal against the Cockerton judgment; and whether, this being so, he is prepared now to state what the Government's intentions are in respect of the situation created by that judgment.

The following questions also appeared on the Paper::

MR. CHANNING (Northamptonshire, E.): To ask the

First Lord of the Treasury whether, seeing that the London School Board has decided not to appeal to the House of Lords on the Cockerton case, His Majesty's Government will now

proceed, by a short Bill and by an amendment of the Minute of April, 1900, to equalise the higher education given by school boards in higher grade and science schools, and the admission of adults to evening continuation schools under school boards.

SIR ALBERT ROLLIT (Islington, S.): To ask the First Lord of the Treasury whether it is intended to introduce an Education Bill this session; and, if so, will this be done before or after Whitsuntide, and in which House of Parliament.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I will answer all the questions with regard to the Education Bill at the same time. We propose to introduce such a Bill in this House, probably before Whitsuntide, but as to that I cannot give any assurance.

DR. MACNAMARA: Can the right hon. Gentleman give us a definite assurance by the end of next week? The matter is one of grave importance.

MR. A. J. BALFOUR: No, Sir. I do not know that I can do that. I have informed the hon. Gentleman that the Government intend to introduce a Bill on this subject.

DR. MACNAMARA: May I point out that my question deals with the fact that the School Board for London has abandoned its appeal in respect to the Cockerton judgment, and may I ask the First Lord whether the Bill will cover the points raised by that judgment?

MR. A. J. BALFOUR: I think the hon. Gentleman had better wait until the Bill is introduced.

MR. LOUGH (Islington, W.): May I ask whether, apart from the Bill, any steps will be taken to deal with the schools affected by this judgment?

MR. A. J. BALFOUR: The necessity for dealing with anything outside the Bill evidently cannot be considered with advantage by the House until they see the Bill.

MR. WHITLEY: May I ask the Leader of the House if it is not a fact that the Bill promised by the Government is to deal with secondary education, and that the difficulty which has arisen is a very serious one;

\*MR. SPEAKER: Order, order; The hon. Member is now entering upon a discussion of the right hon. Gentleman's answer.

CAPTAIN NORTON: May I ask whether some steps will be taken to enable those children who are taking advantage now of the higher education under the School Board to continue it, irrespective of whatever the Bill may do?

\*MR. SPEAKER: The hon. Member is asking a question as to what is proposed to be done by the Bill. The right hon. Gentleman has already stated that the House had better wait until the Bill is introduced.

CAPTAIN NORTON: No, Sir. I wish to ask the right hon. Gentleman not anything arising out of the Bill, but whether some steps will be taken to prevent those children who are now attending the schools being struck off those schools in October, prior to the passage of the Bill.

MR. A. J. BALFOUR: I hope that the 1st October will not be prior to the passing

of the Bill. I shall be very much surprised if it is. I have already indicated to the House in answer to questions dealing with the Cockerton judgment that the Government intend to introduce an Education Bill. I should have thought that that general statement would be sufficient for hon. Members until they see the details of the Bill.

#### WAR RELIEF FUNDS COMMITTEE.

MR. BARTLEY: I beg to ask the Secretary of State for War whether he can state when the Joint Committee appointed to consider the various charitable agencies relating to the widows and orphans of soldiers and sailors, the members of which were appointed on 27th March last, will meet to commence its duties.

MR. KEARLEY: Has not the Committee been moved from the other House and appointed?

MR. BRODRICK: This is a question which should be addressed to the First Lord of the Treasury.

MR. KEARLEY: As the First Lord has probably more knowledge than the right hon. Gentleman, I will ask him if the names have not been settled a long time in both Houses? Can he say when the Committee will meet to take evidence?

MR. A. J. BALFOUR: I believe the hon. Member is quite correct, and that the names have been agreed upon by both Houses. By the immemorial usage of Parliament, it rests with the House of Peers to determine when the Committee shall meet, and I do not know why the delay has occurred. But I will make it my business to find out.

#### GIBRALTAR HARBOUR WORKS; THE RECENT INQUIRY.

\*SIR JOHN COLOMB (Great Yarmouth): I beg to ask the First Lord of the Treasury can he state whether the Commission or Committee appointed to inquire into the safety of the harbour and works on the western side of Gibraltar and the proposal to construct a harbour or works on the eastern side have yet sent in their Report; and, if so, when was it received; is the Report unanimously agreed to by the four members of the Commission or Committee, or is there any divergent Report by a minority of the members; and do His Majesty's Government propose to lay the Report upon the Table of this House; if not, do His Majesty's Government propose to communicate to the House the general purport of the Report; and, if so, when.

MR. A. J. BALFOUR: I understand that an interim Report has been presented to the First Lord of the Admiralty. A further meeting of the Committee is contemplated to consider some outstanding questions. I am not in a position to go into details in connection with this matter, but I may remind my hon. friend, as I said in the House on 28th February, that this inquiry was not to be considered as one by a Commission or Committee in the strictest sense of the word. There was no specific reference, and I could not pledge myself to there being any formal Report.

#### PROPOSED MINISTER OF COMMERCE.

MR. FIELD: I beg to ask the First Lord of the Treasury whether he will consider the advisability of appointing a Minister of Commerce, with an adequate and capable staff, having similar duties to those belonging to ministers of commerce in various competing countries.

MR. A. J. BALFOUR: I cannot give any encouragement to the suggestion of the hon. Member.

#### ANNOUNCEMENT OF HIS MAJESTY'S ACCESSION; THE MISSION TO CONSTANTINOPLE.

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury whether it is the fact that Lord Wolseley, as Extraordinary Ambassador of His Majesty the King, waited, on the 11th April last, on the Sultan of Turkey, to announce formally the accession of the new English Sovereign to the Throne, and to express the sincere sentiments of esteem and friendship by which King Edward had always been actuated towards the august person of His Imperial Majesty; on whom lies the Ministerial responsibility for the delivery of this message by a representative of the King of England to the Sultan of Turkey; and what explanation have the Government to offer of this action.

MR. A. J. BALFOUR: It is a fact that Lord Wolseley was sent to Constantinople. We have no information as to the language used, but we have no reason to think that it was different from that which is employed on such an occasion. His Majesty's Government are of course responsible.

#### STANDING COMMITTEES.

Ordered, That all Standing Committees have leave to print, and circulate with the Votes, the Minutes of their proceedings and any amended clauses of Bills committed to them. (Lord Edmond Fitzmaurice.)

#### NEW BILLS

##### WORKMEN'S COMPENSATION ACT (1897) AMENDMENT (No. 3).

Bill to amend the Workmen's Compensation Act, 1897, ordered to be brought in by Mr. Joseph Walton, Mr. John Burns, Mr. Pickard, Mr. Thomas Bayley, Mr. Caine, Mr. Barlow, and Mr. Tennant,

##### WORKMEN'S COMPENSATION ACT (1897) AMENDMENT (No. 3) BILL.

"To amend the Workmen's Compensation Act, 1897," presented, and read the first time; to be read a second time upon Tuesday, 7th May, and to be printed. [Bill 148,]

#### FACTORIES AND WORKSHOPS.

Bill to amend the Law relating to Factories and Workshops, ordered to be brought in by Mr. Tennant, Sir Charles Dilke, Mr. Talbot, Mr. John Burns, Mr. Sydney Buxton, Mr. Haldane, Sir John Stirling-Maxwell, and Mr. M'Kenna,

##### FACTORIES AND WORKSHOPS BILL.

"To amend the Law relating to Factories and Workshops," presented, and read the first time; to be read a second time upon Tuesday, 7th May, and to be printed. [Bill 149.]

#### PRIVATE LEGISLATION PROCEDURE (WALES, INCLUDING MONMOUTHSHIRE).

Bill to provide for improving and extending the procedure for obtaining parliamentary powers by way of Provisional Orders in matters relating to Wales, including Monmouthshire, ordered to be brought in by Mr. D. A. Thomas, Mr. Samuel Evans, Mr. M'Kenna and Mr. Bryn Roberts.

##### PRIVATE LEGISLATION PROCEDURE (WALES, INCLUDING MONMOUTHSHIRE) BILL.

"To provide for improving and extending the procedure for obtaining parliamentary powers by way of Provisional Orders in matters relating to Wales, including Monmouthshire," presented, and read the first time; to be read a



second time upon Tuesday, 11th June, and to be printed. [Bill 150.]

SUPPLY [4TH ALLOTTED DAY].

Considered in Committee;;

(In the Committee.)

[Mr. J. W. LOWTHER, (Cumberland, Penrith) in the Chair.]

CIVIL SERVICE AND REVENUE DEPARTMENTS ESTIMATES, 1901&#x2013;2.  
CLASS III.

1. Motion made, and Question proposed, "That a sum, not exceeding £;32,443, be granted to His Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1902, for the Salaries of the Law Officers' Department; the Salaries and Expenses of the Department of the Solicitor for the Affairs of His Majesty's Treasury, King's Proctor, and Director of Public Prosecutions; the Costs of Prosecutions, of other Legal Proceedings, and of Parliamentary Agency."

SIR ROBERT REID (Dumfries Burghs): I believe that under this heading it has been usual to draw attention to the state of business in the Law Courts, and at the present time it is eminently desirable that that should be done. In the first place, the business of the Court of Appeal is unhappily very much in arrear. I do not think that anyone in the profession will dispute that the Court of Appeal commands the confidence of the public in no ordinary degree, and I am sure that those who are familiar with the subject will acknowledge that there is no more hard-worked court in this country. The work is exceedingly heavy. It has been increasing year by year, and it has now come to this pass; I do not think the Attorney General will dispute it; that the court is overwhelmed by a mass of business greater than it can overtake in normal circumstances. Last year I asked a question of the First Lord of the Treasury with regard to the condition of arrears in the court's work, and I invited from him some indication that steps would be taken to deal with the difficulty. The right hon. Gentleman told me that the Lord Chancellor was considering the subject. That, so far as it went, was a satisfactory

piece of information, but I am sorry to say that the consideration has not led to anything at present; indeed, instead of there having been any amelioration of the pressure, the work is heavier now than it was last year. Under these circumstances I think we may fairly regard this as a state of things which promises to be permanent unless steps are taken for the purpose of remedying it. During the last few years the mass of work in addition to that which they had before, and which was already, in my opinion, quite enough, has been something enormous. It is a bad policy to overburden the judges with work in the way that has been done in recent years, and to deprive them of every opportunity of relaxation, or even the time to consider their own judgments and contemporary law. Among the additional burdens which have been cast upon them is the jurisdiction arising from the Workmen's Compensation Act, which has been vested by statute in the Court of Appeal, and which takes up a considerable amount of time. To my thinking it is no longer necessary to impose on the Court of Appeal the duty of deciding these cases. I think also they ought to be relieved of

another burden; namely, the appeals which he direct to the Court of Appeal from the decisions of Judges in Chambers. The Court of Appeal consists nominally of six judges, but no allowance is made for infirmity or the possibility of illness, which, of course, occasionally happens, except that the Lord Chancellor, the Lord Chief Justice, and the President of the Probate Division are Members of the court, and may be called upon in case of emergency. But these three learned judges are completely occupied with important business of their own, and it is sometimes impossible to get a full court. That is not a state of things that ought to prevail. You should not place such a stress of work upon judges distinguished for their talent and public spirit, or so great a burden that the arrears are now heavier than they have been for some time past, and are a source of real difficulty in the conduct of legal business. I hope we shall hear from the Attorney General that the Government have got a little beyond the stage of consideration, and, at all events, are really about, in a short time, to give the public some assistance to remedy this state of matters. That is the first thing I wanted to say.

The second point I will treat much more briefly. It relates to the continued evils or inconveniences arising from the circuit system. That system is a great source of embarrassment to litigants and to the judges themselves. I do not in the least recommend that the judges ought not to go on circuit to try criminal cases as often as possible, because I think the criminal business of the King's Bench Division is of more importance than the civil business. It is of far more importance that the administration of justice in criminal matters should be prosecuted all over the country than that the higher legal acumen should be applied in the civil courts. There is no doubt that in consequence of the extension of civil business great inconvenience has been periodically felt in the administration of criminal business. This is a very old subject of complaint. I am sure I must have referred to it repeatedly in the course of the last four or five years, and I think my hon. friend the Attorney General has also drawn attention to it frequently; but we have never got any forwarder in the matter. The late Attorney General, the present Lord Chief Justice, a year or two ago said there were very grave difficulties, and that they were trying to deal with them. Of course there are grave difficulties, but they have never been met, and we go on from year to year, and from term to term, without anything being done. I do not think I would be in order in making any proposals, but I will hint at one, and that is that the Government should consider whether they could not diminish the work of the King's Bench Division by extending the jurisdiction of the county courts. I cannot enter upon it in detail, but if the Lord Advocate were consulted as to the jurisdiction of the Sheriffs' Courts in Scotland, which is up to £3,000 in land, and unlimited in regard to movable property, I believe we should learn that there is nothing except the ancient obstinacy of the profession here to prevent a large and beneficial extension of the jurisdiction of the county courts in this country being carried out. That is one thing I would suggest. There

is another, and that is that there might be a regrouping and a rearrangement in some way of the circuits. I think that ought to be done. Sometimes judges go

round and there are no civil cases to try, and hardly any criminal cases. At other times there are very few and little work to do, and great expense and waste of time are incurred. It appears to me that the Attorney General should stimulate his colleagues to come to some practical conclusion on a matter which has caused great trouble indeed.

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): The arrears of work in the Court of Appeal have been referred to more than once, but they are, I trust, due to causes which are not permanent in their operation. My hon. and learned friend seems to apprehend that the causes at work are permanent, but I would remind him that several of the members of the Court of Appeal have recently suffered from illness, and owing to the constitution of that court; there being two divisions with three judges in each; a full court cannot under these circumstances be constituted unless the Lord Chief Justice is able to sit. But we must hope that the recurrence of illness in the future will not be so great as, unfortunately, it has been in recent times. I listened with great pleasure to what my hon. and learned friend said as to the members of that court. There never have been in the Court of Appeal more able or distinguished members, animated by greater public spirit and devotion to their duty. We have just now a very strong Court of Appeal, and its members have endeavoured to the very utmost that in them lay to meet the somewhat embarrassing circumstances which have arisen from causes for which they are, of course, in no way responsible. My hon. and learned friend says that another cause of the delay in the Court of Appeal arises from the fact that further duties have been thrown upon it by the Workmen's Compensation Act and appeals from the decisions of judges in chambers. I understand that the organisation of business in these matters is under consideration, probably with reference to a rearrangement of the King's Bench Division and the constitution of a strong divisional court; and one feature of any such rearrangement may be to relieve the Court of Appeal from some portion of the business and those extra burdens to which my hon. and learned friend has referred.

SIR ROBERT REID: That would require an Act of Parliament.

SIR ROBERT FINLAY: It may be so. I am not at all sure that I am regular in referring to proposed legislation. My only excuse is that my hon. and learned friend has dealt with the subject as if the Government were responsible for legislation. My hon. and learned friend has referred to the difficulties of the circuit system. One of his observations I most cordially agree with. I believe that the administration of the criminal law is even more important than that of the civil law, and I trust that, whatever changes may be made, nothing will be done to lessen the dignity which at present attends the administration of the criminal law of the country. I quite sympathise with one observation which my hon. and learned friend made, and that is, in connection with the evils attached to the uncertainty of the sittings of the judges caused by the working of the circuit system. It would be most desirable, if, by any method of re-arrangement of business as between town and country, it could be settled before the beginning of each term how many judges would be sitting in town, and how many in the country, so that there should be none of those violent fluctuations of the

number of judges sitting in the King's Bench Division; one week more judges than are called for, and another week not enough judges to carry on the business. That is a matter which, I hope, may be adjusted. I should not be in order in following my hon. and learned friend as to the possibility of extending the jurisdiction of the county courts. Proposals have been made in that direction, and I have no doubt they will be considered. Although I am not in a position to make a distinct pledge, I hope my hon. and learned friend will accept as satisfactory the intention and spirit of this reply.

MR. ASQUITH (Fifeshire, E.): The discussion of this Vote year after year unfortunately invites very little attention from hon. Members on either side of the House, and it is one of the most hopeless and heart-breaking proceedings in which we can be engaged. Every year the same complaints are made, and every year the same answer is made. Year by year nothing is done to remedy a state of things which gives rise to the complaints we have had brought before us by my hon. and learned friend with unusual emphasis. I do not hesitate to describe it as a shocking state of things in relation to our appellate jurisdiction. Business in the Court of Appeal is simply blocked, and that means to litigants throughout the country delay, expense, injustice, and embarrassments of every kind. I entirely agree with the hon. and learned Attorney General, and my hon. and learned friend the late Attorney General, that fault for this state of things is not to be found in any want of zeal or judicial skill on the part of the judges. But there are causes which are in constant operation, and which are universally acknowledged, but which no one appears to raise a finger to get rid of. Let me briefly enumerate them, although I will be going over ground which has been traversed a hundred times. In the first place we have got into the habit; I do not say that this Government is more responsible than some of its predecessors; of withdrawing judges, particularly judges of the Court of Appeal, from judicial for non-judicial duties. For instance, during a considerable part of the autumn and winter of last year, an eminent member of the Court of Appeal was sent by the Government to South Africa, on a Commission to inquire into the state of our hospitals and the Army medical system, a duty which could have been equally well discharged by a person who did not hold judicial office. After the experience we have had of the inconvenience and dislocation produced over and over again by similar proceedings in the past, I think it is very much to be regretted that the

Government should have weakened the power and efficiency of the Court of Appeal in this manner. I was very glad to hear the remark of the Attorney General that, as all familiar with legal proceedings will agree, there is an enormous number of unnecessary appeals under our present system, and although it is quite true that this evil is now not of such great dimensions as it was in the past, still a great deal more might be done to diminish the possibility of an appeal in trivial matters, where the right of appeal is not necessary in the interests of justice, but merely affords a pretext to people to put off meeting their just debts. That is the second cause. The third is the one which my hon. and learned friend dealt with, and which is now a commonplace. The present state of our

circuit system, which does not directly affect the Court of Appeal, although it concerns it indirectly, leads to an enormous congestion of business in London, and to constant uncertainty; though certainty ought to be the very essence of legal procedure; among litigants as to when their cases would be tried, and enhances, to a degree which it is impossible to estimate, the general cost of the administration of justice in this country. I know how difficult it is to conciliate local sentiment with the requirements of the administration of justice as a whole, but I think the time has come when a serious effort should be made to put an end for ever to what, without using exaggerated language, I may call the scandalous spectacle of judges whose services are wanted for judicial work wasting their time and energy in all parts of the country, either doing no work at all or doing work of the most trivial and trumpery description. I agree with the point which has been urged so often by my right hon. friend the Member for East Wolverhampton, that you cannot adequately settle the circuit question, or the larger question of the Court of Appeal, until you have a devolution of jurisdiction, on a large scale, from the High Court to the lower courts in the country. In Scotland the extension of the jurisdiction of the Sheriffs' Courts has not in point of fact been attended with any of the evils which it was said would arise, and by the distribution of judicial functions between the Court of Session on the one hand, and the Sheriffs' Courts on the other, the work of litigation has gone on more smoothly, speedily, and economically than in England. I cannot conceive why a businesslike people like the English should not take a leaf out of their neighbour's book in this matter, and, casting aside prejudice, give to the High Court that relief which every year is so urgent a necessity. If that change could be made I believe this annually recurring complaint would be met, and that our judicial system would be put on something like a reasonable and economical foundation.

MR. CALDWELL (Lanarkshire, Mid) said that greater economy and greater efficiency could be very easily obtained with regard to the work of the Attorney General and Solicitor General for the Government. Under the last Liberal Government the Attorney General was paid a salary of £10,000, and the Solicitor General a salary of £9,000, which included all the business transacted by the law officers, whether it was of a contentious or non-contentious character, and the salaries were fixed with a view to enabling the Attorney General and the Solicitor General to devote their whole time to Government business. Anyone who had experience of the House of Commons knew that the various matters on which the law officers had to advise the Government and the various departments must take up their whole time. When the previous Government entered office in 1895 a change was made, by which the Attorney General and the Solicitor General were paid by salary, but were also allowed fees for contentious business against the Crown. The salaries fixed were £7,000, for the Attorney General and £6,000 for the Solicitor General. How did that work out? In 1895 the Attorney General received in salary and fees £10,916; in 1897, £13,030; in 1898, £14,563; in 1899,

£17,264; and in 1900, £18,804. No doubt it might be said that there was the Venezuela Arbitration, but the amounts increased year by year, and if it was not the Venezuela Arbitration it was something else. The salary and fees paid to the late Solicitor General were in 1896, £6,691; in 1897, £9,365; in 1898, £10,946; in 1899, £11,844; and in 1900, £11,329. It was obvious that if the law officers of the Crown received fees for contentious business there would be no limit to what they might get. The fees were fixed by one of the subordinates of the Attorney General, who only had to make an appearance in court, and perhaps not speak at all, or know very little about the case, to get his fee. Every hon. Member would feel, considering the time the House sat, and the amount of advice the law officers had to give to the various departments of the Government, that it was impossible they could attend to contentious business in the courts. It was an unfair principle, because the public service suffered, and the law officers were unable to give that attention they required to the various complex matters which arose every year. The matter was of importance, apart from the amount of money involved, as the Government should have the best possible advice. Last year, very important questions in reference to contraband of war awaited the attention of the law officers for several days, and it was obvious that the law officers had no leisure to attend to contentious business. They had now reached a stage when they ought to have a Committee to inquire into the whole question of the salaries of the Attorney General and Solicitor General, and unless the Government were prepared to promise to appoint that Committee he would have to move a reduction of the Vote. In the hope of getting a reasonable answer, he would delay moving an Amendment until the Government replied. The matter called for immediate attention.

\*SIR HENRY FOWLER (Wolverhampton, E.): I have frequently addressed the House upon this question, and I am not going over the same ground I have previously taken. The opinion I have always held is that the only satisfactory way of paying the law officers is by giving them fixed salaries, in return for which they should give the whole of their time. That was strictly the view of Lord James of Hereford, Lord Davey, and Lord Justice Rigby. An arrangement to adopt this course was come to under the late Government, but the present Government has thought fit to alter it, and they know whether the new arrangement has been economical or not. I still hold that the work put on the law officers now requires their constant attention in the House, the work devolving upon them in all departments making their posts very much more onerous than it ever was before. But those who discuss this question must understand that no one has ever discharged this duty with greater assiduity or ability than the hon. Gentlemen who now hold the offices. Another remark I wish to make is this, that where officers of the Crown have a fixed salary and fees, the details of those charges are set out on the Estimates, and I think that the details of these charges should be set out, following the rule which applies to other officers of State who receive special remuneration. I should now like to say a word in support of the views which have been expressed by hon. friends on this side of the House. With regard to the unsatisfactory state of the administration of justice, it is a growing evil. The administration of justice

is getting more difficult and more costly than it has ever been. The answer given by the Attorney General is just the same as the answer given by his predecessors for many years, and might just as well be lithographed and handed down from Attorney General to Attorney General, and so we go on and no improvement is manifest. There can be no defence for the present state of things. The numbers of places the judges have to go to, the days spent in doing nothing, and the formalities of opening commissions, take much precious time from the administration of justice in London, and Chambers of Commerce and others interested in this matter are continually sending remonstrances to the House in reference to it.

Now, while the Vote affecting the law officers of the Crown is under discussion, I should like to call the attention of the Treasury to another point. There is an item on the Vote relating to the payment of the Solicitor to the Treasury and his assistants. The number and qualifications of these officers were fully discussed a good many years ago by a strong departmental committee, which considered the mode of working the internal departments of the Treasury. Upon that Committee were Lord Bowen, Lord James, and, I think, Lord Randolph Churchill. It was a very strong Committee from a legal point of view as well as the administrative point of view. That Committee expressed the opinion that the education and training of what is euphemistically called the lower branch of the profession was more calculated than that of a barrister to produce the administrative and legal power which was expected from assistant solicitors. A vacancy has recently occurred among these officers, and I am informed that a barrister has been appointed to fill it. I understand that other vacancies may shortly occur, and I wish to suggest to the Treasury that they should disinter from their archives the Report of this Committee, and see whether there is any good reason why their recommendation should not be followed. There is another point to which I desire to call attention. With reference to the retirement of the clerks, I have been requested to bring this before the House by an old friend, whose absence we all regret, who often when here delighted us with his humour. I mean Admiral Field. This is a matter upon which he feels very strongly, and I am simply doing what he would have done had he been here. The recommendation of the Ridley Commission as to retirement at sixty-five, while adhered to in other departments of the public service, for some mysterious reason has received no attention in the legal department. There are no less than twenty-five clerks whose ages range from sixty-five to seventy-five, and whose length of service is from thirty-two to fifty-four years. The result is that promotion among the clerks of that department is practically stopped. I do not ask the House to express an opinion, I only ask the Secretary to the Treasury to look into this question again.

MR. GIBSON BOWLES (Lynn Regis): Upon a point of order, would this matter come under this Vote?

\*SIR HENRY FOWLER: It is one of the details of this Vote.

MR. SWIFT MACNEILL (Donegal, S.) said that in his opinion the hon. Member for Mid Lanark had clearly made out his case. The point which he now desired to make was, that the hon. and learned Gentleman could not possibly, under existing

arrangements, give sufficient time to non-contentious business of the House. The declaration made by the King at the time of his accession must have been made on the advice of the Attorney General, and he believed that when the Attorney General gave that advice he acted under an erroneous impression, and it was quite evident that that impression arose because he had not had time to discuss that very curious document the Bill of Rights. The true construction of the Bill of Rights was that the King was not under any legal or moral obligation at that time to make that declaration. The Bill of Rights was passed in 1689, and at that time Parliament ceased to meet immediately on the demise of the Crown. He contended, therefore, that the words in Section 10 "on the first day of the meeting of the first Parliament" meant the first Parliament convened by the new King, and no other.

\*THE CHAIRMAN: I do not think it will be open to the hon. Gentleman, on the Attorney General's salary, to discuss the meaning of a statute. There are proper courts in which the meaning of a statute can be discussed and interpreted.

MR. SWIFT MACNEILL said he was dealing, not with the construction of a statute, but with the advice given by the Attorney General, for which he was paid £7,000 per annum.

\*THE CHAIRMAN: On the hon. Member's own showing, he is dealing with the construction of a statute. That is a matter of law, and I do not think it can be raised in the way in which the hon. Member seeks to discuss it.

MR. DILLON (Mayo, E.) said it was a great question of constitutional procedure, for which the Ministers of the Crown had stated they were responsible. It was not a question of law in the ordinary sense, but a matter of constitutional procedure, and the Ministers who had accepted responsibility for it had stated that they acted upon the advice of the Attorney General. He submitted, under those circumstances, the Committee was entitled to attack the advice which had been given.

MR. CALDWELL asked if it was possible to find fault upon this Vote with the manner in which the Attorney General gave his advice.

\*THE CHAIRMAN: If the Attorney General gives advice which leads to a wrong decision, then the courts are open in which that decision can be challenged. I do not think this question can be raised upon the Attorney General's salary.

MR. DILLON said he understood the ruling to be that the remedy lay in a court of law; but how was it possible for them to challenge the action of the Ministry in the present instance in any court of law?

\*THE CHAIRMAN: That is asking-a legal opinion from me, which I am not able to give.

MR. DILLON said he understood the Chairman based his decision on the point that it was open to his hon. friend to challenge the question in a court of law.

MR. DALZIEL (Kirkcaldy Burghs) pointed out that the Attorney General might give advice which would result in foreign complications, and he wished to know in that case whether it would be competent to raise the point upon this Vote.

\*THE CHAIRMAN: I do not think it would be competent on the Attorney General's salary. The action of the Secretary of State for Foreign Affairs would be open to discussion, but not the action of the Attorney General.



MR. SWIFT MACNEILL asked if there was any other Minister excepting the Attorney General upon whose action they could bring this question up.

\*THE CHAIRMAN: I do not say that this House cannot discuss the question, but I do not think the question can be raised upon the Attorney General's salary. I only desire to rule on the present occasion that it cannot be discussed upon this Vote.

SIR WILLIAM HARCOURT (Monmouthshire, W.): You stated, Mr Lowther, that in the case of the Attorney General giving advice upon foreign affairs to the Minister acting, it is the Secretary of State for Foreign Affairs who would be responsible. I would ask which Minister it is who would be responsible in this case?

\*THE CHAIRMAN: I cannot give an answer to that. It is quite possible that the Government as a whole might be challenged as to their action upon this question. All I desire to say is that I do not think the point raised is in order upon the salary of the Attorney General.

MR. DILLON asked how could they indict the whole Government in Committee of Supply?

\*THE CHAIRMAN: I have already pointed out that the Committee of Supply is not the only occasion upon which the action of the Government can be criticised.

\*MR. HEMPHILL (Tyrone, N.): I assume, for argument's sake;

\*THE CHAIRMAN: Order, order; I must decline altogether to enter into an argument upon the question. I have given my best attention to the point, and I have given my decision.

\*MR. HEMPHILL: If you have given your final decision, then I have nothing more to say. What I wish to submit is that if the Attorney General in point of fact gives a bad opinion to the Government of which he is a member, is that a ground for discussion on the salary of the Attorney General, and can it be raised upon this Vote?

\*THE CHAIRMAN: An hon. Member has asked me the question before, and I answered it in the negative. I have nothing more to say, as I have already given my decision upon this matter. I must ask the right hon. Gentleman to proceed with some other question.

MR. SWIFT MACNEILL said this was a matter in which Parliament was vitally interested;

\*THE CHAIRMAN: I must ask the hon. Member not to discuss my decision further. I have given my decision to the best of my ability.

MR. SWIFT MACNEILL said he was not challenging the decision. He submitted that the King followed Ministerial advice in making the declaration, and the Attorney General was responsible.

\*THE CHAIRMAN: The hon. Member is arguing the point which I have determined.

MR. SWIFT MACNEILL: This must be the subject of a motion in the whole House, for it is a matter which must be settled. I asked the Colonial Secretary a question with reference to the indemnity which was to be paid by the Chartered Company as far back as October, 1899, and I got the answer that the indemnity would be settled after the war. An hon. Member the other day asked a question with regard to this indemnity, and the Colonial Secretary then stated that, on the advice of

the Law Officers of the Crown, no indemnity was to be paid at all. May I challenge that statement now?

\*THE CHAIRMAN: That, in my opinion, would properly come in upon the salary of the Colonial Secretary.

MR. SWIFT MACNEILL submitted with great respect that the Colonial Secretary shoved them off on to the Attorney General, and declined all responsibility, and he wished to know to whom were they to go? Was it a legal point outside the purview of the House?

\*THE CHAIRMAN: I can promise the hon. Member that if he raises that question upon the salary of the Colonial Secretary, I shall hold that he is perfectly in order in doing so. It would be obvious that, upon his own showing, the action of every Department of the State could be raised upon the salary of the Attorney General, and on the face of it that is impossible.

MR. SWIFT MACNEILL said he should point out to the House that the Attorney General enjoyed immunity in regard to the advice he gave. No matter how wrong his advice was, he was paid £7,000 out of the public funds, and the House was gagged.

MR. GIBSON BOWLES said that although the case he wished to raise was not the same as that raised by the hon. Member who had just spoken, yet there was a certain similarity between them. The question he wished to raise was in connection with the advice given by the Attorney General regarding the seizure of certain vessels suspected of having on board contraband of war. His complaint was that international law had been violated, and he desired to challenge the advice given by the Attorney General.

\*THE CHAIRMAN: That question will arise very properly upon the salary of the Secretary of State for Foreign Affairs or of the Board of Admiralty, who took certain action upon the advice received. If that is what the hon. Member challenges, that is the proper time to raise it.

MR. GIBSON BOWLES said he would bow to the Chairman's ruling, and would not pursue the question further.

MR. DILLON said he desired to raise a perfectly clear and definite issue, and for that purpose, he moved to reduce the salary of the Attorney General by £6,000 a year, on the ground that he was incompetent to discharge the duties of his office. He wished to state his case clearly and fairly. Was it not open to a member of the Committee, when they were called upon to vote £7,000 a year to a high official of the State, to challenge that Vote on the ground that he was incompetent for the position he occupied, and were they not entitled to argue, in support of such contention, that he had given to the Government a series of mistaken advices? What was the Attorney General paid for? He was paid under two heads. Under the present system the larger portion of his salary was for contentious business, and that had nothing to do with keeping the Government straight. Practically, the sole purpose for which this £7,000 a year was paid was that he should act as adviser to the Ministry, in order that whenever the Ministry required legal advice, either on constitutional questions or upon questions affecting the relations with foreign Powers, they should have at their hands the best possible legal advice. Supposing, he contended, that the

present Attorney General was not the best possible legal adviser, and was incompetent to fill one of the most important positions in the State, how was he to argue that if he was not allowed to go into the different circumstances upon which he based his contention, and if he was not permitted to examine the advice given by the Attorney General? He submitted that all those whose salaries were on the Estimates; including even the Chairman; were bound to submit their conduct in the discharge of the duties for which their salaries were paid to the judgment of the Committee. They heard in the opening of this discussion what appeared to him to be a totally irregular debate upon the administration of the Courts of Justice in the country, and that was allowed to go on for a long time. Were they to be told now that the Attorney General in respect to everything that he did to earn his £;7,000 a year was above and outside the criticism of this House? That was practically what it amounted to. The Attorney General's salary was to be voted sub silentio, and they were told that they were not entitled to criticise any of his acts. What did the Attorney General do, besides contentious business, but advise the Ministry? He wished to know what else he did for his £;7,000 a year. He entirely understood the position taken up in the Chairman's ruling, that when there was a question of advice given by the Attorney General to the Foreign Minister, the Colonial Secretary, or the Home Secretary, the responsibility for the action taken by them might reasonably be laid upon the shoulders of the Minister; but when they were met by that Minister with the sharp answer, on proposing to discuss his action, that he was acting upon the advice of the legal advisers of the Crown, what were they to do? For the purpose of raising this question he begged to move the reduction of the salary of the Attorney General by £;6,000, on the ground of his incompetence to discharge the duties of his office in respect of advice given to Ministers of the Crown.

Motion made, and Question proposed, "That Item A (Salaries) be reduced by £;6,000, in respect of the Salary of the Attorney General.";(Mr. Dillon.)

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I am not going to prove that my hon. and learned friend is competent, because, I believe, even the hon. Gentleman who has just moved this reduction, does not require proof of that. The Committee recognise that my hon. and learned friend is as competent as any of his long list of distinguished predecessors. I would respectfully point out to the House that while, of course, it is not out of order to move a reduction of his salary on the ground of incompetence, it would be absolutely impossible under our existing system to challenge any particular legal decision or advice given by the Attorney General, because the opinions of the law officers of the Crown have invariably been regarded as confidential documents, and are never laid under any circumstances before the House. The various Departments of the Government are from time to time greatly beholden to the law officers for advice, and the Ministers guide themselves constantly by their advice, but it is the Ministers who are responsible to the House for their action. The law officers have no control over the legal action of the Government. A Minister is not obliged to take his law from the Attorney General. He may go anywhere he likes for his law, but he goes to the law officers because he thinks he will get better law from them than he would get elsewhere. From the

very fact that the advice of the law officers of the Crown is of a confidential character, it is manifest that any charge of incompetence such as that brought forward cannot be, and ought not to be, discussed upon an occasion like this. I hope the House will see the propriety of the general rule which I have laid down. If the House wants to challenge the conduct of Ministers who have not followed the advice of the law officers, they should do so on the Votes of those Ministers, and not upon the Vote for the law officers of the Crown. The hon. Gentleman says that the Secretary of State for the Colonies informed the House the other day that the law officer had given an opinion upon certain equities connected with the Chartered

Company, but the Colonial Secretary did not shelter himself behind the law officers, and he did not throw the responsibility upon them.

MR. SWIFT MACNEILL: He did. I heard him.

MR. A. J. BALFOUR: I beg the hon. Member's pardon, but the Colonial Secretary alone is primarily responsible. Of course, it is a responsibility shared by all the Cabinet, but not by the law officers. If the hon. Gentleman chooses to attack the Colonial Secretary on the Colonial Secretary's Vote, no doubt my hon. and learned friends will be quite willing to give in debate their assistance to the Colonial Secretary. Their opinion has not been laid, will not be laid, and could not be laid, upon the Table of this House. It is obviously impossible that the salary of the law officers of the Crown should be attacked on the ground of a particular decision, in which the Ministers have acted entirely upon their own responsibility. I think I have made the position clear. This is not a position which I now take up for the first time, but it is one which has received the support of all those who have been responsible for the government of the country.

MR. LABOUCHERE (Northampton) said the Colonial Secretary did the other day throw responsibility on the Attorney General, and said, practically, that he had acted according to the opinion of the law officers of the Crown. What did that mean? That the right hon. Gentleman himself was not a lawyer, and did not exercise his own judgment in the matter, but that he accepted fully and absolutely the dictum of the Attorney General. Under those circumstances it could not possibly be contended that the Colonial Secretary did not throw upon the Attorney General the full and absolute responsibility. The Colonial Secretary regarded this matter as a legal question to be decided not by him but by the Attorney General. They did not for a moment say that the Attorney General was an incompetent lawyer, for he believed him to be a most able man. What they did contend was that with all this contentious business he had so much to do that he could not devote the time necessary in order to get up the data of questions on which he was asked to form an opinion. That seemed to him to be a very reasonable view to take. He had often heard talk of the Attorney General's "devil"; he did not know who he was, and he did not like using such terms in connection with any legal gentleman. He presumed that the hon. and learned Gentleman fell back upon his "devil" in these matters. It practically amounted to this; that owing to the large amount of business thrown upon the Attorney General by the Ministry, and owing to the large amount of contentious business which he had to undertake, a

portion of the work had to be thrown upon some unknown and mysterious "devil" whom they did not know. Under these circumstances he would support his hon. friend. He did it all the more readily because if the Attorney General were an incompetent man it would be deemed a personal affront to him, but as they had so very competent a gentleman in the Attorney General there could be nothing personal in the matter. He was sure that the Attorney General himself felt that they really wanted to relieve him of a certain amount of his work, and as a necessary consequence of a certain amount of his salary. Why was it that those gentlemen were paid so well? The Lord Chancellor did not get £18,000 a year. A judge of the supreme court did not get that salary. The First Lord of the Treasury, who had come forward for the defence of the Attorney General, did his work in this House for the modest salary of £5,000. But they

AYES.

Abraham, Wm. (Cork, N.E.)

Cogan, Denis J.

Gurdon, Sir W. Brampton

Abraham, William (Rhondda)

Craig, Robert Hunter

Hammond, John

Allan, William (Gateshead)

Crean, Eugene

Hardie, J. K. (Merthyr Tydvil)

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

Cremer, William Randal

Harmsworth, R. Leicester

Atherley-Jones, L.

Cullinan, J.

Hayden, John Patrick

Barry, E. (Cork, S.)

Davies, Alfred (Carmarthen)

Hayne, Rt. Hon. Chas. Seale-

Bayley, Thomas (Derbyshire)

Delany, William

Hayter, Rt. Hon. Sir Arthur D.

Blake, Edward

Dillon, John

Helme, Norval Watson

Boland, John

Doogan, P. C.

Hobhouse, C. E. H. (Bristol, E.)

Boyle, James

Duffy, William J.

Hope, John D. (Fife, West)

Brand, Hon. Arthur G.

Farrell, James Patrick

Horniman, Frederick John

Brigg, John  
Field, William  
Jacoby, James Alfred  
Caine, William Sproston  
Flavin, Michael Joseph  
Jones, Wm. (Carnarvonshire)  
Cadwell, James  
Flynn, James Christopher  
Jordan, Jeremiah  
Campbell, John (Armagh, S.)  
Fuller, J. M. F.  
Joyce, Michael  
Carvill, Patrick George H.  
Gilhooly, James  
Kennedy, Patrick James  
Channing, Francis  
Goddard, Daniel Ford  
Kinloch, Sir John George S.

found the Attorney General and the Solicitor General getting salaries of three or four times what was given to the highest political lights of the country when they were in office. This certainly did seem a mistake, and he believed it arose from this. When they had to appoint an Attorney General they generally took a gentleman who had distinguished himself in the law courts. He was the fashionable advocate at the time. He got very large fees, and naturally he was not inclined to sacrifice those fees unless he got almost the same amount as Attorney General. If they went to another class of lawyers; if they went to wise and eminent lawyers who were not the fashionable advocates of the day, they would, he was sure, find among them competent men who could act as Attorney General if they limited the position of the Attorney General to giving advice to Ministers of the Crown on law matters. The House did not want the Attorney General to blaze forth in rhetoric and eloquence. They wanted a plain, solid, simple man who knew the law, and he would engage to provide the Government at any time from the bar with one of those plain, solid men, who would be perfectly ready to do the business, and who would do the business perfectly well, for a salary of £5,000, and the chance of gravitating into a judgeship afterwards.

Question put.

The Committee divided:;Ayes, 109; Noes, 230. (Division List No. 149.)

Labouchere, Henry  
Norman, Henry  
Samuel, S. M. (Whitechapel)  
Lambert, George  
Norton, Capt. Cecil William  
Sinclair Capt. John (Forfarshire)  
Layland-Barratt, Francis  
O'Brien, James F. X. (Cork)  
Smith, Samuel (Flint)

Leamy, Edmund  
O'Brien, Kendal (Tipperary Mid  
Soames, Arthur Wellesley  
Lewis, John Herbert  
O'Brien, P. J. (Tipperary, N.)  
Stevenson, Francis S.  
Lloyd-George, David  
O'Connor, T. P. (Liverpool)  
Strachey, Edward  
Lough, Thomas  
O'Donnell, T. (Kerry, W.)  
Sullivan, Donal  
Lundon, W.  
O'Dowd, John  
Taylor, Theodore Cooke  
MacDonnell, Dr. Mark A.  
O'Kelly, Conor (Mayo, N.)  
Trevelyan, Charles Philips  
Macnamara, Dr. Thomas J.  
O'Malley, William  
Tully, Jasper  
MacNeill, John Gordon Swift  
O'Mara, James  
Walton, Joseph (Barnsley)  
M'Cann, James  
Palmer, Sir Chas. M. (Durham)  
Weir, James Galloway  
M'Dermott, Patrick  
Pickard, Benjamin  
Whitley, J. H. (Halifax)  
M'Govern, T.  
Power, Patrick Joseph  
Whittaker, Thomas Palmer  
Markham, Arthur Basil  
Priestley, Arthur  
Young, Samuel (Cavan, East)  
Mooney, John J.  
Rea, Russell  
Yoxall, James Henry  
Morton, Edw. J. C. (Devonport)  
Reddy, M.  
Moss, Samuel  
Redmond, John E. (Waterford)  
TELLERS FOR THE AYES;  
Murphy, J.  
Redmond, William (Clare)

Sir Thomas Esmonde and Mr. Patrick O'Brien.

Nannetti, Joseph P.

Roberts, John H. (Denbighs.)

Nolan, Joseph (Louth, South)

Roche, John

NOES.

Acland-Hood, Capt. Sir Alex. F.

Colville, John

Harris, Frederick Leverton

Agg-Gardner, James Tynte

Corbett, A. Cameron (Glasgow)

Haslam, Sir Alfred S.

Agnew, Sir Andrew Noel

Corbett, T. L. (Down, North)

Haslett, Sir James Homer

Allsopp, Hon. George

Cox, Irwin Edward B.

Hay, Hon. Claude George

Archdale, Edward Mervin

Cranborne, Viscount

Heath, Jas. (Staffords., N. W

Arkwright, John Stanhope

Cripps, Charles Alfred

Heaton, John Henniker

Arnold-Forster, Hugh O.

Crombie, John William

Helder, Augustus

Atkinson, Rt. Hon. John

Dalkeith, Earl of

Henderson, Alexander

Austin Sir John

Dalrymple, Sir Charles

Higginbottom, S. W.

Bailey, James (Walworth)

Denny, Colonel

Hoare, Sir Samuel (Norwich)

Bain, Colonel James Robert

Dewar, John A. (Inverness-sh.

Hobhouse, Henry (Somerset, E.

Baird, John George Alexander

Dickison, Robert Edmond

Holland, William Henry

Balfour, Rt. Hon. N. J. (Manch'r

Dixon-Hartland, Sir Fred. D.

Hope, J. F. (Sheffield Brightside

Balfour, Rt. Hn Gerald W. (Leeds



Douglas, Rt. Hon. A. Akers-  
Horner, Frederick William  
Banbury, Frederick George  
Doxford, Sir William T.  
Houldsworth, Sir W. Henry  
Barry, Sir Francis T. (Windsor)  
Dunn, Sir William  
Howard, J. (Midd., Tottenham  
Bartley, George C. T.  
Durning-Lawrence, Sir Edwin  
Hozier, Hon. James Henry C.  
Bathurst, Hon. Allen Benjamin  
Dyke, Rt. Hon. Sir Wm. H.  
Hudson, George Bickersteth  
Beach, Rt. Hn. W. W. B. (Hants.  
Elibank, Master of  
Hutton, John (Yorks, N. R.)  
Beaumont, Wentworth C. B.  
Elliot, Hon. A. Ralph D.  
Johnston, William (Belfast)  
Bentinck, Lord Henry C.  
Emmott, Alfred  
Johnstone, Heywood (Sussex)  
Bhownaggee, Sir M. M.  
Faber, George Denison  
Kenyon, Hn. G. T. (Denbigh)  
Bigwood, James  
Farquharson, Dr. Robert  
Kenyon-Slaney, Col. W. (Salop.  
Bill, Charles  
Fellowes, Hon. Ailwyn Edw.  
Knowles, Lees  
Bond, Edward  
Fenwick, Charles  
Law, Andrew Bonar  
Boscawen, Arthur Griffith-  
Fergusson, Rt. Hn. Sir J. (Manc.  
Lawrence, William F.  
Bowles, T. Gibson (King's Lynn)  
Finlay, Sir Robert B.  
Lawson, John Grant  
Brassey, Albert  
Fisher, William Hayes  
Lee, A. H. (Hants., Fareham)  
Brookfield, Colonel Montagu  
F'itz Gerald, Sir Robert Penrose-

Legge, Col. Hon. Heneage  
Brunner, Sir John Tomlinson  
Fitzroy, Hon. Edward A.  
Leighton, Stanley  
Bull, William James  
Flannery, Sir Fortescue  
Levy, Maurice  
Butcher, John George  
Forster, Henry William  
Lockwood, Lt.-Col. A. R.  
Campbell, Rt. Hn J. A. (Glasgow  
Fowler, Rt. Hon. Sir Henry  
Loder, Gerald Walter Erskine  
Carlile, William Walter  
Garfit, William  
Long, Col. C. W. (Evesham)  
Carson, Rt. Hon. Sir Edw. H.  
Gibbs, Hn. A.G. H. (City of Lon.  
Long, Rt. Hn. W. (Bristol, S.)  
Causton, Richard Knight  
Gordon, Maj Evans- (T'rH'ml'ts  
Lonsdale, John Brownlee  
Cautley, Henry Strother  
Gore, Hon. F. S. Ormsby-  
Lowther, C. (Cumb., Eskdale  
Cavendish, R. F. (N. Lancs.)  
Gorst, Rt. Hon. Sir John E.  
Lucas, Col. F. (Lowestoft)  
Cavendish, V. C. W. (Derbysh.  
Goschen, Hon. George J.  
Lucas, R. J. (Portsmouth)  
Cawley, Frederick  
Goulding, Edward Alfred  
Macartnev; Rt. Hn. W. G. E.  
Cayzer, Sir Charles William  
Grant, Corrie  
Maclver, David (Liverpool)  
Chamberlain, Rt. Hn. J. (Birm.  
Greene, W. Raymond- (Cambs.  
Maconochie, A. W.  
Chamberlain, J. Austen (Worc'r  
Gunter, Colonel  
M'Arthur, Charles (Liverpool)  
Chapman, Edward  
Hain, Edward  
M'Arthur, William (Cornwall)

Charrington, Spencer  
Halsey, Thomas Frederick  
M'Killop, Jas. (Stirlingshire)  
Churchill, Winston Spencer  
Hamilton, Rt. Hn. Ld G (Midd'x  
Majendie, James A. H.  
Coddington, Sir William  
Hamilton, Marq of (L'nd'nderry  
Malcolm, Ian  
Cohen, Benjamin Louis  
Hanbury, Rt. Hon. Robert W.  
Maple, Sir John Blundell  
Collings, Rt. Hon. Jesse  
Harcourt, Rt. Hon. Sir Wm.  
Maxwell, W. J. H. (Dumfriessh  
Melville, Beresford Valentine  
Ridley, Hon. M. W. (St'ly bridge  
Thomas, J A (Glam'r'gn, Gow'r.)  
Middlemore, J. Throgmorton  
Rigg, Richard  
Tomlinson, Wm. Edw. Murray  
Mitchell, William  
Ritchie, Rt. Hn. Chas. Thomson  
Tritttton, Charles Ernest  
Montagu, G. (Huntingdon)  
Robinson, Brooke  
Tufnell, Lieut.-Col. Edward  
More, R. Jasper (Shropshire)  
Robson, William Snowdon  
Valentia, Viscount  
Morgan, D. J. (Walthamstow)  
Roe, Sir Thomas  
Vincent, Sir Edgar (Exeter)  
Morgan, J. Lloyd (Carmarthen)  
Rollit, Sir Albert Kaye  
Wallace, Robert  
Morris, Hon. Martin Henry F.  
Ropner, Col. Robert  
Wanklyn, James Leslie  
Muntz, Philip A.  
Rothschild, Hon. Lionel W.  
Warde, Colonel C. E.  
Murray, Rt. Hn. A. G. (Bute  
Royds, Clement Molyneux  
Warr, Augustus Frederick  
Murray, Chas. J. (Coventry)

Russell, T. W.  
Wason, Eugene (Clackmannan  
Murray, Col. Wyndham (Bath  
Sackville, Col. S. G. Stopford-  
Wason, John Cathcart (Orkney  
Newdigate, Francis Alexander  
Sadler, Col. Samuel Alexander  
Welby, Lt.-Col. A C E. (Taunton  
Nicholson, William Graham  
Samuel, Harry S. (Limehouse  
White, Luke (York, E. R.)  
Nicol, Donald Ninian  
Scott, Sir S. (Marylebone, W.  
Whiteley, George (York, W. R.)  
Orr-Ewing, Charles Lindsay  
Seton-Karr, Henry  
Whitmore, Charles Algernon  
Palmer, Walter (Salisbury)  
Sharpe, William Edward T.  
Wilson, A Stanley (York, E. R.)  
Parkes, Ebenezer  
Shaw-Stewart, M. H. (Renfrew  
Wilson-Todd, Wm. H. (Yorks  
Partington, Oswald  
Shipman, Dr. John G.  
Wodehouse, Rt. Hn. E R. (Bath  
Paulton, James Mellor  
Sinclair, Louis (Romford)  
Wolff, Gustav Wilhelm  
Pemberton, John S. G.  
Smith, Abel H. (Hereford, E.)  
Wortley, Rt. Hn. C. B Stuart  
Plummer, Walter R.  
Spear, John Ward  
Wrightson, Sir Thomas  
Purvis, Robert  
Stanley, Lord (Lancs.)  
Wyndham, Rt. Hon. George  
Randles, John S.  
Stewart, Sir Mark J. M'Taggart  
Yerburgh, Robert Armstrong  
Reid, James (Greenock)  
Stroyan, John  
Young, Commander (Berks, E.)  
Reid, Sir R. T. (Dumfries)  
Sturt, Hon. Humphry Napier

Remnant, James Farquharson  
Talbot, Lord E. (Chichester)  
TELLERS FOR THE NOES;  
Rentoul, James Alexander  
Tennant, Harold John  
Sir William Walrond and Mr. Anstruther.  
Renwick, George  
Thomas, Abel (Carmarthen, E.  
Original Question again proposed.

MR. CALDWELL said that, now that the First Lord of the Treasury was in his place, he wished to call his attention to a matter connected with the salaries of the Attorney General and the Solicitor General, and to ask whether he would appoint a Committee to consider this matter. He might explain to the First Lord that, under an arrangement made by the last Liberal Government, the Attorney General had a fixed salary of £10,000 a year, and the Solicitor General of £9,000. That included all business of the Crown whatever, contentious and non-contentious, and they were debarred from all private practice. Under the present system, since the year

1895, the Government had paid the Attorney General a salary of £7,000, and the Solicitor General a salary of £6,000, but it had allowed the Attorney General and the Solicitor General to practise contentious business for the Crown, but not private business. He would give the First Lord the figures. Beginning with the year 1895, the Attorney General got, including his salary and non-contentious business for the Crown, £10,916. The second year the amount was £13,030; the third year it was £14,563; the fourth year £17,264; and in the year 1899&#x2013;1900, £18,804, made up in this way;

£7,000 of salary and £11,804 of fees. Then, taking the Solicitor General, he had in the first year £6,691; £9,365 the second year; £10,946 the third year; £11,844 the fourth year; and £11,329 the fifth year. Now, as the First Lord of the Treasury knew, that was an enormous salary for the country to pay; because the country paid that. It was not private business. The First Lord knew very well how much strain had been put on the law officers of the Crown of late years, how they had to come to the House at three o'clock in the afternoon, and wait on till sometimes three and four o'clock in the morning, and how impossible it was for the Attorney General, having the important work of advising the Government, to attend to Government contentious business in court in addition to the work he was doing in the House. The Government were not getting what they ought to get, namely, full value for the work devoted to Government business. He asked the First Lord of the Treasury whether, when they had reached these large sums of money being paid to the law officers of the Crown, the time had not come when a Committee should be appointed to consider this whole question of the Attorney General's and the Solicitor General's salaries in the interests of efficiency. The Chancellor of the Exchequer told them that they ought to exercise economy. Here was the first opportunity for it. What was the Government going to do? They could not have a better case for

economy in the whole Estimates. If economy was not going to be exercised here, they might as well give up the whole idea altogether. In order that the First Lord of the Treasury might give him an answer, he would move the reduction of the salary of the Attorney General by £100. There was nothing personal in his motion, but he simply wished to bring forward the matter as a point of principle.

Motion made, and Question proposed, "That Item A (Salaries), be reduced by £100, in respect of the Salary of the Attorney General,";(Mr. Caldwell.)

SIR ROBERT FINLAY: As the hon. Gentleman says that this is purely a question of principle, he will have no objection to my dealing with it. I think the hon.

Gentleman unintentionally conveyed rather an erroneous impression to the House in reference to this matter. It is not the case that during the whole of the administration of 1892-5 the law officers of the Crown were paid by a salary which covered the whole work. The system lasted only a short time; for, I think, about eighteen months altogether, and then it was dropped.

MR. CALDWELL: It was tried for eighteen months. When the Liberal Government came into power, they could not adapt it all at once, but they did so as early as possible. It was in operation for the last eighteen months of the existence of that Government, and would have continued till this day had the Liberals remained in power.

SIR ROBERT FINLAY: At any rate, the system only prevailed for eighteen months. The hon. Gentleman referred to the amounts which the Attorney General had received. He spoke of £17,000 in 1898-99, and £18,000 for 1899-1900. These figures are very misleading indeed, because he does not bear in mind that these include the fees for very special work done upon the

Venezuela, arbitration in Paris. I do not say the hon. Gentleman improperly kept that back, but he conveyed to the House the impression that £18,000 was a sort of normal salary of the Attorney General under the present dispensation. All I can say is that I wish that the hon. Gentleman was right in his opinion.

MR. CALDWELL: Am I not right, when I read the figures year by year?

SIR ROBERT FINLAY: I am not complaining of the figures which the hon. Gentleman read out, but of the inference which he drew from those figures, as if they were the normal earnings of the law officers of the Crown under the present dispensation. I wish that the hon. Gentleman was right, but he is not right. On this question of figures, if the hon. Gentleman had gone a little more fully into the matter he would have seen that one of his points was not quite borne out. If he had taken the year 1894-5 he would have found the salary and fees of the Attorney General amounted to £19,635.

MR. CALDWELL: That is why the system was altered.

SIR ROBERT FINLAY: I am not going to enter into an elaborate discussion as to the propriety of a particular mode of remuneration; but I think that every lawyer will admit that there is a good deal to be said for the system of salary for non-contentious business, and of fees for contentious business as long as these fees are fair and proper. The hon. Gentleman seems to think that the law

officers fix their own fees. Nothing of the kind.

MR. CALDWELL: I said that the agents of the Crown fixed the fees, and that those agents were practically the servants of the Attorney General.

SIR ROBERT FINLAY: The hon. Gentleman is entirely mistaken. If any difficulty arises with regard to the amount of the fees, the Minute provides that it should be finally decided by the Chancellor of the Exchequer. The hon. Gentleman seems to imagine that the Chancellor of the Exchequer is entirely the creature of the law officers.

MR. CALDWELL: No, but I think that he will give in to them.

SIR ROBERT FINLAY: I am not going into details in a matter of this kind. As long as I have the honour to be a law officer of the Crown, I will not enter into any controversy with the Chancellor of the Exchequer or any one else with regard to fees. Let the Treasury fix the fees as they please. My only concern is to do the Government work. The hon. Gentleman's proposal, as I understand it, is not to go back to the system of paying a salary for contentious and non-contentious business, but that the Government, when a case comes into Court, should be represented, not by the law officers, but by somebody else. What an extraordinary system; that one set of gentlemen should advise the Crown, and another set of gentlemen should go into court and get up the whole case de novo; Such a system would

not be practicable, and certainly it would not be economic.

MR. ASQUITH: I think my hon. friend was quite justified in raising this question. I am very anxious, and I hope we are all anxious, to discuss this question from an impersonal point of view, and simply from the point of view of the economic working of the Department. That is the only desire I have in intervening in the debate. I should like to remind the Committee of the history of the matter, and of the experience we have had of the two different systems. When Mr. Gladstone's Government came into office in 1892 he laid down a rule which was based on two principles: first, that the law officers should not take any private practice, but should devote their whole time to Government business. Up to that time the Attorney General and the Solicitor General were largely engaged by private litigants, and it was felt that law officers receiving such liberal remuneration from

the public purse might well be expected to do what every other Minister had to do; devote their working hours and energies entirely to the Crown. That principle has been carried out continuously from that time to this, the present Government having made no change in that respect. But Mr. Gladstone laid down another principle; that not only should the law officers confine themselves to the public service, but that as soon as possible the whole of their services, contentious and non-contentious, whether advising the Government Departments or conducting cases in courts, should be paid for by one inclusive salary. When the hon. and learned Member for Dumfries became Attorney General, and my lamented friend Sir Frank Lockwood became Solicitor General, during their whole term of office they were paid for everything they did by a single, inclusive salary; and in that respect the present Government have made a departure on the practice of their predecessors. What has been the result? I am not going to make any invidious

comparisons between the manner in which the Government work has been done under one

or another. I gladly testify to the fact that never, in my experience at any rate, has the legal work of the Government been more efficiently done both by Sir Richard Webster, now Lord Chief Justice, and by his distinguished successor. That is not the question at all. On the whole I believe the work is thoroughly well done. But measuring the two systems from the point of view of economy, there is no comparison between them. The combined salaries of the law officers under Lord Rosebery's Administration amounted to £19,000; £10,000 to the Attorney General and £9,000 to the Solicitor General. In every subsequent year that sum for contentious and non-contentious work has been largely exceeded, as appears from the figures quoted by my hon. friend, and taken from the official Return. I will not take an exceptional year like last year, when there was the Venezuela arbitration in Paris, which necessarily swelled the expenses of the Department, nor the year 1892, when similar proceedings in connection with the Behring Sea arbitration swelled the expenses of that year. But take any one of the intermediate years you like, and I venture to say

that, from the figures of the Return, the expenses of this Department under the system which the present Government have substituted for that which we brought into operation have largely increased. I cannot imagine a fairer case for economy in these days when the Chancellor of the Exchequer hardly ever comes down to the House without lecturing the House and the country and his colleagues on the necessity of economy. I think a fair case for legitimate economy has been brought before the House by my hon. friend, and without making any kind of personal reflection I am compelled to vote for the Amendment.

MR. BARTLEY (Islington, N.) said that it would be in the recollection of the House that during the Liberal Administration of 1892-95, the President of the Board of Agriculture and others, including himself, had frequently raised this question. They felt that the arrangements in regard to the remuneration of the Attorney General and the Solicitor General were, although extremely liberal, not what they should be; and after their agitation the system was altered and the law officers of the Crown gave up all private practice. That was unanimously felt to be a proper step; and it was thought, generally speaking, that a salary equal to that of the Lord Chancellor was a reasonable sum for the Attorney General, and a slightly less amount for the Solicitor General, to receive. They saw that the extra fees came to a good deal more than the salaries themselves, and they discussed the matter every session until the system was altered. In fact they prided themselves that their agitation had got rid of the private practice and that the salaries of the law officers of the Crown had been settled on a liberal and permanent basis. It seemed to him that the present system had not worked in the way that

they had supposed it would, and that the total remuneration was very much larger than was ever contemplated when their agitation brought about the reform. It seemed somewhat unreasonable that the Attorney General should receive a salary more than double that of the Lord Chancellor, and four times that of the Prime



Minister. He

was sure that the general feeling of the country was that these officers should be handsomely remunerated, but it was not reasonable that these extra fees should be paid. He would like to know how these fees were fixed. An appeal to the Treasury seemed to him a most extraordinary thing. For his part, he did not believe there ever was an appeal to the Treasury. When he and his friends sat on the other side of the House it was not contemplated that the contentious business should bring in more than double the salary fixed at that time. They thought that the permanent fixed salary was to include everything. That was the proper system. The salary should be a handsome one, considering the great fees which a distinguished barrister could command from private litigants, but it ought to be a fixed payment, and, for the sake of the dignity of the office, it should not be left open to these everlasting discussions.

MR. LLOYD-GEORGE (Carnarvon Boroughs) thought they were entitled to an answer from the First Lord of the Treasury to the question which had been put to him; whether he was prepared to institute some sort of inquiry into the working of the present system, with a view to affecting an amendment upon it. There was no doubt something ought to be done. The figures quoted supported a very strong case for inquiry. The hon. and learned Attorney General in defending his fees confused the issue. He fastened attention on one year and said that that was an exceptional year. But he would take the preceding year, when he found that the fees and salary of the Attorney General amounted to £17,260, and the fees and salary of the Solicitor General amounted to £12,000, or a total of £29,200, as against £19,000 which the Liberal Government considered an adequate payment to the Attorney General and the Solicitor General. That was a difference of £10,000. Now, considering the advisability of economy in every department, he did not know where economy could be more sensibly and rationally commenced than in this particular department. The worst of it was that each year represented a very substantial advance on the preceding one; from £10,000 to £13,000, from £13,000 to £14,000, from £14,000 to £17,000, and from

£17,000 to £18,000 last year. He did not think that it was a sufficient explanation that there had been an exceptional case in regard to the Venezuela Arbitration. A judge was not paid more because he tried a celebrated case. He was not paid in proportion to the heaviness of the work, or to the importance of the cause that came before him. A member of the Ministry was not paid more when he had got big and heavy responsibilities upon him in any particular year. Take the Secretary for War; if he were paid on the fee system, his salary would be greater than that of the Attorney General. Why should there be an exception in regard to these particular officers? He thought lawyers ought to be treated on the same principle as others as to remuneration. They ought to be reasonably, but not extravagantly, paid. A question had been put by the hon. Member who had just spoken. They should like to know on what principle these fees were based. The Attorney General said that in cases of difficulty there was a reference to the Chancellor of the Exchequer. Of course there never was a reference to the Chancellor of the Exchequer. These fees were fixed by clerks in the Department

of the Crown Solicitor, whose appointment and promotion were in the hands of the Attorney General. After all, human nature was the same in solicitors as in anybody else, and those clerks, knowing that they were fixing the fees of the man from whom they expected to get promotion, were not liable to err on a question of the fees to the Attorney General, or in reference to an appeal to the Chancellor of the Exchequer. He asked whether there had ever been a single case of a reference to the Chancellor of the Exchequer in regard to a fee marked by these clerks, or to any of his predecessors.

THE SOLICITOR GENERAL (Sir EDWARD CARSON, Dublin University): There have been several appeals to the Chancellor of the Exchequer.

MR. LLOYD GEORGE ventured to say that they were not very serious. It was very possible that the Chancellor of the Exchequer might have said, "These fees are very heavy, and I should like to have some explanation of them." From what he knew of the Chancellor of the Exchequer, that was what might have taken place; but he should like to know of a single case in which a dispute had occurred between the clerks to the Solicitor to the Treasury and the Attorney General, and which was referred to the Chancellor of the Exchequer. He thought there would be no answer to that question.

SIR EDWARD CARSON: The law officers do not fix their own fees, and therefore there cannot be a dispute between them and the Treasury Solicitor. What the Treasury Solicitor does is to fix the fees, and he submits them to the Chancellor of the Exchequer.

MR. LLOYD GEORGE said that the way the fees were fixed was just the same as any other fees were fixed for ordinary barristers. The fees were marked on the back of the brief, and it was the business of the Attorney General's or the Solicitor General's clerk to say that the fee was most inadequate, that the Attorney General or the Solicitor General, as the case might be, never entered the court for such a miserable fee in his life. He knew perfectly well how it was done.

The Solicitor General, of course, never fixed his fee, and he would say that he never was so surprised in his life as to see a brief marked with such a fee. He had never seen a barrister yet who thought the fee marked on his brief was adequate. He maintained that the system was a bad one. If they allowed the fees to be marked by solicitors' clerks, whose promotion depended on the man whose fees they fixed, they were bound to have these bills growing from year to year. There was no reason why the fees should remain at £18,000. From the way they were fixed, they were quite capable of growing to £80,000 a year. If they had some system, as was inaugurated by the last Government, of fixing the salary of the Attorney General at £10,000, and the Solicitor General at £9,000 a year, they would know what they had got to deal with. The system was thoroughly rotten and unreasonable, and he would support the suggestion of his hon. friend for an inquiry into it, in order that it might be put on a proper basis. He did not think that the Attorney General or the Solicitor General should be called on year after year to defend their own fees. It did not conduce to the dignity of their position or to the economy of the department, and he would ask the First Lord of the Treasury to look into the matter, not from the point of view of any

individual, but from the point of view of the public and of economy.

MR. A. J. BALFOUR: Two or three hon. Gentlemen have made a pointed appeal to me, and in these circumstances I will answer them. I do not think it necessary, however, to add anything to what has been said by the Attorney General. There was a great alteration, and, on the whole, although I had doubts about it at the time, I now believe a great reform introduced by Mr. Gladstone's Government. I was dubious about it at the time, but it was sound in this respect, that it prevented the Attorney General and the Solicitor General from having to divide their services between the general public and the Government of which they formed a part. Ever since that change was introduced, the Attorney General and the Solicitor General have served the Government and the Government alone. There can be no doubt that the services of these distinguished lawyers belong to the Government, and the Government have an undivided claim upon them. In that, I assume, the Committee are agreed. There then remains the question as to whether the salary given by the Government should be wholly a fixed salary or partly a fixed salary and partly a salary by fees. For a very short time the experiment was tried of the whole salary being a fixed salary, with no addition in the way of fees. I do not know whether that was thought by the members of the Government who carried it out to be thoroughly satisfactory, but certainly the opinion of the late Attorney General and the present Attorney General, as well as of their colleagues, is that it is a much more convenient and rational system, and one, on the whole, to the public advantage, that there should be a mixed salary, partly by salary and partly by fees.

MR. LLOYD-GEORGE: Hear, hear.

MR. A. J. BALFOUR: I do not know whether that ironical cheer from the hon. Member who has just sat down is to indicate that these distinguished lawyers were influenced solely by the anticipation that under the mixed system their remuneration would be greater than under the unmixed system. I am not at all sure when we have the experience of a normal year. We have not had a normal year.

MR. LLOYD-GEORGE: The Attorney General only quoted one abnormal year.

MR. A. J. BALFOUR: However that may be, is it contended that the salary we pay to the class of lawyer whose services we demand as Attorney or Solicitor General is greater or indeed equal to the remuneration these gentlemen would get if they followed the ordinary practice of their profession, and were not associated with the Government? It is manifestly a great fallacy to compare the remuneration we give to the law officers to the remuneration we give to the majority of the ordinary members of the Cabinet. There may be exceptional cases in which a member of the Cabinet has abandoned a very lucrative profession in order to serve the State, by doing which he might suffer great pecuniary loss, but these are not ordinary normal cases. I do not know that it is a very great addition to a man's wealth to become a member of the Cabinet, but, as a rule, no very great loss ensues. But if we are going to insist on having the pick of the legal profession for Attorney and Solicitor General, is it wise, and, in the long run, good economy, to fix their remuneration on a scale which does not equal the ordinary market

price of their services, and is not equal to the amount they would get if they had never become law officers of the Crown, but had continued to carry on their profession in the ordinary way? I do not think that would be very wise, but that is not the only reason, I think, which should influence the Committee. I would respectfully point out that it is of the highest importance that our law officers should be in constant touch with the courts of law, and I must say that, in the long run, the tendency would inevitably be, if we paid no fees for work in court, that the work in court would gradually, with the lapse of time, not be carried out by our law officers, but would fall largely on their juniors. It is a matter of conjecture, but that, I believe, would be the natural tendency and effect. I never had the good fortune to be a lawyer, and if I had I do not suppose it would have been my still better fortune to be a lawyer in large practice, but I am informed by persons who have been lawyers in large practice that there is so close an association between work in court and the reception of a fee for that work that it produces quite an unnatural and unpleasant sensation to have to do the work and not get the fee. So great is the force of habit that I can very well imagine that that might be the case. But whether that slight excursion into the psychology of the legal profession be accurate or not, I do think that every inducement should be offered to the law officers of the Crown to keep in constant touch with the courts, and do as much of the work of the Government in the courts as is possible or practicable. I think that in the course of time we would find that a fixed system by which no fees were given for court work would have the gradual effect of diminishing the amount of court work that was done by successive generations of law officers. My hon. friend the Member for North Islington asked what was the scale of fees. I understand that the system is that law officers of the Crown should receive the ordinary professional fees of a King's counsel of average standing, with this limitation, that the maximum should be 150 guineas, with a 30-guinea refresher. In exceptional cases, and at the discretion of the Chancellor of the Exchequer, larger fees may be given, but only under certain circumstances. I hope I have given reasons for adhering to the system which has now been in force for six or seven years.

SIR WILLIAM HARCOURT: Under the system that was enforced by a previous Government the salaries for the two law officers amounted, I think, to £19,000. In 1896 it grew to £22,000, in 1897 to £25,000, in 1898 to £29,000, and in 1899 to £30,000. We know that the Army and Navy expenditure has largely increased, but we have not yet heard that the wants of the Empire demand a proportionate increase in the salary of the law officers. The simple ground on which I shall support the motion is that I do not know the amount of these fees.

MR. A. J. BALFOUR: The Attorney General does not remember his fees for last year, but the Solicitor General does; fees and salary together amounted to £8,500.

SIR WILLIAM HARCOURT: It is perfectly certain, in my opinion, that there is no justification for this progressive expenditure on the law officers. The simple ground on which I shall vote in support of this motion is that these duties

ought to be discharged for less than £30,000 a year. The right hon. Gentleman has said that it is an advantage that the law officers should go into court, but they might go into court at a fixed salary. It is said that it is necessary for the acuteness of a law officer, as it is supposed to be of a physician, that he should feel the fee in his hand, but if we fix salaries sufficiently high we might surely expect that both his learning and eloquence would be at the disposal of the country for a less amount than he now receives. We must see the great danger of this divided system, for if the law officer has any choice in this matter he might think it either very advantageous to be always in court or to always remain away, according to circumstances. I shall vote for the reduction, in order to express my opinion that this progressive increase in the expenditure is not justified, and that these services ought to be rendered, as they have been before, at a much lower rate.

MR. SPEAR (Devon, Tavistock) said he ventured to join in the appeal to the First Lord of the Treasury to consider the expediency and importance of fixing an adequate but definite scale of salary for the Attorney General and the Solicitor General. He did not think the Committee wished the law officers to be underpaid, but having regard to the fact that in all municipal bodies, whether they were county councils, boards of guardians, or district councils, it had been found absolutely necessary, in the interests both of efficiency and economy, to pay the law officers a definite salary, he thought that Parliament ought at least to afford an example to municipal bodies in the matter. He emphasised the question at this juncture because of the recent remarks of the Chancellor of the Exchequer as to the great importance of exercising economy in the administration of public departments, and he thought the Committee would be making a very good start if they decided that in future the law officers should be paid a definite salary. He could not regard it as otherwise than serious that the cost of the law officers had increased from £19,000 to £30,000, and as a loyal Unionist he considered that the country would expect the Committee to practise as well as preach economy. He appealed to the First Lord of the Treasury to make an arrangement by which the law officers should be paid an adequate but definite salary, instead of being paid partly by salary and partly by fees.

MR. GEORGE WHITELEY (Yorkshire, W.R., Pudsey) said he did not consider the explanation of the First Lord of the Treasury as at all satisfactory. Indeed, that explanation, if he had had any doubt in his mind, would certainly have decided him to vote in favour of the reduction. The Committee was supposed to be an assembly of hon. Members possessing great business capabilities, but he would ask any business man, if he had a servant whose salary was increasing by leaps and bounds,

whether he would not put his thinking cap on and consider a rearrangement of the system which permitted it. They were told the figures were not normal, but there had been an increase year by year. He ventured to suggest, from the business point of view, that it was desirable that a limit should be placed on such expenditure. How were the fees settled? They were settled by a little family party consisting of the Solicitor to the Treasury, the Attorney General, the Solicitor General, and the Chancellor of the Exchequer. The explanation of the

First Lord of the Treasury was that it was desirable that the law officers should be in touch with the courts, and that they would have no incentive to go into the courts unless they obtained fees. That was to say, that having fixed the salaries of the law officers at a certain sum; and there was no desire to be parsimonious or niggardly in the matter; they were so wanting in uprightness that they would draw their salaries and refuse to go into the courts. He entirely refused to believe that the present law officers of the Crown would act in such a manner. The Committee were quite ready to vote a sum commensurate with the abilities of the hon. and learned Gentlemen, but he thought the check on the fees should not be in the hands of the Government. If the fees were once fixed he believed the country would be satisfied, and the Committee would be spared discussions year after year which they must all deplore. Even at the eleventh hour he appealed to the First Lord of the Treasury to reconsider his decision.

MR. GIBSON BOWLES said he hoped His Majesty's Government would not allow the Committee to go to a division with the mere statement made by the First Lord of the Treasury. He did not want to vote for the reduction of the salary of the Attorney General, because he believed it was as completely and entirely earned as ever an Attorney General earned a salary. It was not a question of amount. It was a question whether the Committee should reassert the principle, which had been so often asserted by his right hon. friend the President of the Board of Agriculture, that the Attorney General and Solicitor General should be paid by fixed payments. He was extremely anxious that neither the President of the Board of Agriculture nor himself should be placed in a position of difficulty by having either to abandon their principles or vote for the reduction. He thought it extremely inconvenient when there was a Vote for £9,000 for salary, and when in addition another £9,000 was had in fees, that the latter should not be mentioned in the Estimates even in a note. If it were left out the Committee would be asked to vote under a misapprehension and without adequate knowledge in the matter. He thought that was very unfortunate, but he did not attribute it to any desire for concealment on the part of the Government. It was, he thought, a mistake, but that placed the Committee at a disadvantage. The Leader of the House had declaimed against hon. Members who desired to diminish the salaries of the Attorney General and Solicitor General. He was not one who believed that lawyers of such eminence should not be highly paid, though he should be better pleased if they took their payment as the Prime Minister and the Leader of the House did; partly in money and partly in honour; but he did not complain that they required it all in money. He did not suggest that the money was too much, but he submitted it was paid in the wrong way. It should be a fixed salary, whatever amount the Committee liked; say, £20,000 a year for the Attorney General and £15,000, £16,000, or £17,000 or even a larger amount for the Solicitor General. A fixed salary was the true principle. The best and most devoted services in the world were given for fixed salaries. The services of the soldier or the sailor, which sometimes included the giving of his life, were given for fixed salaries, and he would venture to add as a corollary that services given for varying salaries were usually not so

creditable, such as the services of vendors of sewing machines, promoters of bogus companies, and such like. Wherever services of the highest and most honourable kind, either to the State or to the individual, were found, they were paid for by a fixed salary. In his opinion, and in the opinion of the President of the Board of Agriculture, the salaries of the Attorney General and the Solicitor General ought to be fixed amounts. He was very much pained to hear the Leader of the House suggest a thing about the law officers which cast a very unmerited reflection upon them. The Leader of the House, in effect, stated that they could not be trusted to go into the courts as often as they would be required unless they were paid fees. He did not believe that for a moment. He believed that if the Attorney General and the Solicitor General were paid fixed salaries they would be just as ready and eager to descend into the forensic arena as they were at present. He should have thought the Attorney General or the Solicitor General, if they had an opportunity of conducting a large case, would seize it with avidity, even without a fee at all, and he was certain they would be quite as anxious

to do their duty to the Government if they were paid a fixed salary. He hoped his right hon. friend would withdraw that argument. He really did not know how he and his right hon. friend the President of the Board of Agriculture would vote. They did not wish to vote for the reduction, and yet they felt strongly that the present system was bad. They would urge the right hon. Gentleman the Leader of the House to hold out some prospect that the door was not shut forever against what they considered to be the best system, namely, the payment of fixed salaries.

MR. SWIFT MACNEILL said as he had been ruled out of order; the propriety of which he did not question; in discussing the gross mistake made with reference to the King's Declaration, he would ask the Leader of the House to kindly tell him what Minister was responsible.

\*THE CHAIRMAN: I have already ruled that that does not arise.

MR. SWIFT MACNEILL said that perhaps the Leader of the House would answer, but if he did not, he wished to correct a misstatement he made. The right hon. Gentleman said that the opinions of the law officers of the Crown were confidential;

\*THE CHAIRMAN: The hon. Member cannot go back on that.

MR. LABOUCHERE said his conscience would not allow this Vote to pass without protesting against the most unfair and cruel attack made by the First Lord of the Treasury upon men whom he respected so highly as the Attorney General and the Solicitor General. The only argument the First Lord of the Treasury put forward was that these two eminent and able men were so thoroughly dishonest that if it was agreed to pay them a fixed salary they would not do the work. He did not believe it of them, and protest ought to be made from this side of the House against these attacks by one Minister on another. He regarded himself as the representative of the Chancellor of the Exchequer in this House when the right hon. Gentle-

man was not present. [At this moment the Chancellor of the Exchequer walked into the House.] He was glad to see that his leader had come back. He might say that

though he differed from the right hon. Gentleman in many things, the Chancellor of the Exchequer and he were the only firm and stalwart advocates of economy in the House. It was perfectly monstrous when the House was called upon to impose fresh taxes that they should have to vote these increased payments without any demand being made for them.

\*THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): As I understand, the present mode of paying the law officers of the Crown has been attacked on the ground of economy. There are two kinds of economy, and it is conceivable that by the economy which has been suggested by some hon. Members it might not be possible to obtain the best services for these important posts.

MR. LABOUCHERE: Is not the right hon. Gentleman aware that these two hon. and learned Gentlemen performed their duties at a less salary for two or three years?

\*SIR M. HICKS BEACH: No, I am not aware of that fact. I do not deny that the present system has cost the country more than the fixed salary system which existed for a short time before, but I think that system was a mistake. It has been suggested that I, as Chancellor of the Exchequer, do not look after the pence. On the contrary, I do so very carefully. Whenever there is a fee proposed over 150 guineas, that fee has to come before me, and I have frequently reduced the fees proposed. I can quite understand that I am not a popular person either with the Bar or with the clerks of my hon. and learned friends. I have endeavoured to perform this extremely difficult task by apportioning the fees to the work in each particular case, of course acting on the best advice I could obtain. I have not had any remonstrance from my hon. and learned friends in the matter, but I have endeavoured to act fairly by them and also to the Exchequer. I honestly

believe that it is more in accordance with general practice, and better for the country that there should be the system of payment by fixed salary for ordinary services and payment by fees for exceptional services, such as the Venezuela Arbitration. I am, of course, speaking under a great disadvantage, not having heard the debate.

MR. HERBERT LEWIS (Flint Boroughs) said the House now knew the truth of the matter, that although the country had had to pay £30,000 last year, that amount would have been considerably larger but for the discretion of the Chancellor of the Exchequer. He regarded this matter as the touchstone between the two parties. Were we going to have economy or not? The House had now its opportunity of recording its view of economy and of extravagance. The opportunity was favourable to strike a blow in favour of economy, and he hoped the Amendment would receive the support of the House.

\*MR. HEMPHILL said he rose to protest against the argument put forward by the First Lord of the Treasury in this matter. The main point of the right hon. Gentleman was that the law officers of the Crown would not do their duty so well if they were paid a fixed salary as they did at present. He had too great a respect for the hon. and learned Gentlemen and their brothers in the great profession to which he had the honour to belong to suppose that they would be in any way affected by the fact that their fees were contingent or fixed. Such a



statement was an aspersion on the legal profession. The skill and eloquence of the Attorney General would not be measured by the amount he was to receive for his services. Why should it be left to the Chancellor of the Exchequer to cut down the fees? There was no necessity for inquiry, because if the emoluments of the hon. and learned Gentlemen for the last ten years were taken and added together and then divided by ten the Committee would arrive very easily at the proper salary for any future occupants of the offices. He supported the Amendment.

Question put.

The Committee divided:;Ayes, 152; Noes, 185. (Division List No. 150.)

AYES.

Abraham, William (Cork, N. E.

Grant, Corrie

O'Brien, P. J. (Tipperary, N.

Abraham, William (Rhondda)

Grey, Sir Edward (Berwick)

O'Connor, T. P. (Liverpool)

Allen, William (Gateshead)

Guthrie, Walter Murray

O'Donnell, T. (Kerry, W.)

Allen, Charles P (Glouc., Stroud

Haldane, Richard Burdon

O'Dowd, John

Ambrose, Robert

Hammond, John

O'Kelly, Conor (Mayo, N.)

Asquith, Rt Hon Herbert Henry

Harcourt, Rt. Hon. Sir William

O'Malley, William

Atherley-Jones, L.

Hardie, J Keir (Merthyr Tydvil

O'Mara, James

Bayley, Thomas (Derbyshire)

Hayden, John Patrick

Palmer, Sir C. M. (Durham)

Beaumont, Wentworth C. B.

Hayne, Rt. Hon. Charles Seale-

Partington, Oswald

Bell, Richard

Hayter, Rt. Hon. Sir Arthur D.

Paulton, James Mellor

Blake, Edward

Holme, Norval Watson

Power, Patrick Joseph

Boland, John

Hemphill, Rt. Hon. Charles H.

Priestley, Arthur  
Bolton, Thomas Dolling  
Hobhouse, C. E. H. (Bristol, E.)  
Rea, Russell  
Boyle, James  
Holland, William Henry  
Reckitt, Harold James  
Brigg, John  
Hope, John Deans (Fife, West)  
Reddy, M.  
Brunner, Sir John Tomlinson  
Horniman, Frederick John  
Redmond, J. E. (Waterford)  
Burke, E. Haviland-  
Jacoby, James Alfred  
Redmond, William (Clare)  
Burt, Thomas  
Jessel, Captain Herbert Merton  
Reid, Sir R. Threshie (Dumfries  
Caine, William Sproston  
Jones, William (Carnarvonsh.  
Rickett, J. Compton  
Caldwell, James  
Jordan, Jeremiah  
Rigg, Richard  
Campbell, John (Armagh, S.  
Joyce, Michael  
Roberts, John H. (Denbighs.)  
Campbell-Bannerman, Sir H.  
Kennedy, Patrick James  
Robertson, Edmund (Dundee)  
Carvill, Patrick Geo. Hamilton  
Kinloch, Sir John George Smyth  
Roche, John  
Crawley, Frederick  
Labouchere, Henry  
Russell, T. W.  
Charming, Francis Allston  
Lambert, George  
Samuel, S. M. (Whitechapel)  
Cogan, Denis J.  
Layland-Barratt, Francis  
Shipman, Dr. John G.  
Colville, John  
Leamy, Edmund  
Sinclair, Capt. J. (Forfarshire)

Craig, Robert Hunter  
Leng, Sir John  
Smith, Samuel (Flint)  
Crean, Eugene  
Levy, Maurice  
Soames, Arthur Wellesley  
Cremer, William Randal  
Lewis, John Herbert  
Spear, John Ward  
Cullinan, J.  
Lloyd-George, David  
Spencer, Rt. Hn. C. R. (N'rth'nts  
Dalziel, James Henry  
Lough, Thomas  
Strachey, Edward  
Davies, Alfred (Carmarthen)  
Lundon, W.  
Sullivan, Donal  
Davies, M. Vaughan- (Cardigan  
MacDonnell, Dr. Mark A.  
Taylor, Theodore Cooke  
Delany, William  
MacNeill, John Gordon Swift  
Tennant, Harold John  
Dewar, John A. (Inverness-sh  
M'Dermott, Patrick  
Thomas, J A (Glamorgan, Gow'r  
Dillon, John  
M'Govern, T.  
Trevelyan, Charles Philips  
Doogan, P. C.  
Markham, Arthur Basil  
Tully, Jasper  
Duffy, William J.  
Mooney, John J.  
Walton, Joseph (Barnsley)  
Edwards, Frank  
Morgan, J. L. (Carmarthen)  
Wason, Eugene (Clackmannan  
Emmott, Alfred  
Morton, E. J. C. (Devonport)  
Weir, James Galloway  
Esmonde, Sir Thomas  
Moss, Samuel  
White, Luke (York, E. R.)  
Evans, Samuel T. (Glamorgan)

Moulton, John Fletcher  
White, Patrick (Meath, North)  
Farquharson, Dr. Robert  
Murphy, J.  
Whiteley, George (York, W.R.)  
Farrell, James Patrick  
Nannetti, Joseph P.  
Whitley, J. H. (Halifax)  
Fenwick, Charles  
Nolan, Col. J. P. (Galway, N.  
Whittaker, Thomas Palmer  
Field, William  
Nolan, Joseph (Louth, South)  
Young, Samuel (Cavan, East)  
Flavin, Michael Joseph  
Norman, Henry  
Younger, William  
Flynn, James Christopher  
Norton, Capt. Cecil William  
Fowler, Rt. Hon. Sir Henry  
O'Brien, James F. X. (Cork)  
TELLERS FOR THE AYES;  
Fuller, J. M. F.  
O'Brien, K. (Tipperary, Mid)  
Mr. William M'Arthur and Mr. Causton.  
Goddard, Daniel Ford  
O'Brien, Patrick  
NOES.  
Acland-Hood, Capt. Sir Alex. F.  
Bentinck, Lord Henry C.  
Cecil, Lord Hugh (Greenwich)  
Agnew, Sir Andrew Noel  
Bhownaggree, Sir M. M.  
Chamberlain, Rt. Hn. J. (Birm.)  
Arkwright, John Stanhope  
Bigwood, James  
Chamberlain, J Austen (Worc'r  
Arnold-Forster, Hugh O.  
Bill, Charles  
Chapman, Edward  
Atkinson, Rt. Hon. John  
Bond, Edward  
Charrington, Spencer  
Austin, Sir John  
Boseawen, Arthur Griffith-  
Churchill, Winston Spencer

Bailey, James (Walworth)  
Brassey, Albert  
Cochrane, Hon. Thos. H. A. E.  
Bain, Colonel James Robert  
Bull, William James  
Collings, Rt. Hon. Jesse  
Baird, John George Alexander  
Butcher, John George  
Cook, Sir Frederick Lucas  
Balfour, Rt. Hon. A. J. (Manch'r  
Carson, Rt. Hon. Sir Edw. H.  
Corbett, A. Cameron (Glasgow)  
Balfour, Rt. Hn Gerald W (Leeds  
Cautley, Henry Strother  
Cranborne, Viscount  
Banbury, Frederick George  
Cavendish, V. C. W (Derbyshire  
Cripps, Charles Alfred  
Bathurst, Hon. Allen Benjamin  
Cayzer, Sir Charles William  
Cust, Henry John C.  
Beach, Rt. Hn. Sir M. H. (Bristol  
Cecil, Evelyn (Aston Manor)  
Dalkeith, Earl of  
Dewar, T. R. (T'rH'mlts, S. Geo.  
Kenyon-Slaney, Col. W. (Salop)  
Remnant, James Farquharson  
Dickinson, Robert Edmond  
Knowles, Lees  
Rentoul, James Alexander  
Dickson-Poynder, Sir John P.  
Law, Andrew Bonar  
Ridley, Hn. M. W. (Stalybridge  
Dixon Hartland, Sir Fred. D.  
Lawrence, William F.  
Ritchie, Rt. Hn. Chas. Thomson  
Douglas, Rt. Hon. A. Akers-  
Lawson, John Grant  
Robertson, Herbert (Hackney).  
Doxford, Sir William Theodore  
Lee, Arthur H (Hants. Fareham  
Robinson, Brooke  
Durning-Lawrence, Sir Edwin  
Legge, Col. Hon. Heneage  
Rolleston, Sir John F. L.  
Dyke, Rt. Hon. Sir Wm. H.

Leigh Bennett, Henry Currie  
Rollit, Sir Albert. Kaye  
Elliot, Hon. A. Ralph Douglas  
Lockwood, Lt.-Col. A. R.  
Ropner, Colonel Robert  
Faber, George Denison  
Loder, Gerald Walter Erskine  
Royds, Clement Molyneux  
Fellowes, Hon. Ailwyn Edw.  
Long, Rt. Hn Walter (Bristol, S.)  
Sackville, Col. S. G. Stopford-  
Fergusson, Rt. Hn. Sir J. (Manc'r  
Lonsdale, John Brownlee  
Sadler, Col. Samuel Alexander  
Finch, George H.  
Lowe, Francis William  
Samuel, Harry S. (Limehouse)  
Finlay, Sir Robert Bannatyne  
Lowther, C. (Cumb., Eskdale)  
Scott, Sir S. (Marylebone, W.)  
Firbank, Joseph Thomas  
Lucas, R. J. (Portsmouth)  
Seton-Karr, Henry  
Fisher, William Hayes  
Macartney, Rt. Hn W. G. Ellison  
Sharpe, William Edward T.  
Fitz Gerald, Sir Robert Penrose-  
Maclver, David (Liverpool)  
Shaw-Stewart, M. H. (Renfrew)  
Fitzroy, Hon. Edward A.  
Maconochie, A. W.  
Skewes-Cox, Thomas  
Forster, Henry William  
M'Arthur, Charles (Liverpool)  
Smith, Abel H. (Hertford, East)  
Garfit, William  
M'Killop, Jas. (Stirlingshire)  
Smith, James P. (Lanarks.)  
Gordon, Maj Evans- (T'rH'ml'ts  
Majendie, James A. H.  
Stanley, Lord (Lancs.)  
Gore, Hon. F. S. Ormsby-  
Malcolm, Ian  
Stroyan, John  
Gorst, Rt. Hon. Sir John E.  
Maple, Sir John Blundell

Sturt, Hon. Humphry Napier  
Goschen, Hon. George J.  
Martin, Richard Biddulph  
Talbot, Lord E. (Chichester)  
Gouliding, Edward Alfred  
Maxwell, W J H (Dumfriesshire  
Talbot, Rt. Hn J. G. (Oxf'd Univ.  
Greene, W. Raymond- (Camb.  
Middlemore, John Throgmort'n  
Thornton, Percy M.  
Gunter, Colonel  
Milton, Viscount  
Tomlinson, Wm. Edw. Murray  
Hain, Edward  
Mitchell, William  
Tritton, Charles Ernest  
Halsey, Thomas Frederick  
Molesworth, Sir Lewis  
Tufnell, Lieut.-Col. Edward  
Hamilton, Rt. Hn Lord G (Midd'x  
Montagu, G. (Huntingdon)  
Valencia, Viscount  
Hamilton, Marq. of (L'nd'nd'y)  
More, R. Jasper (Shropshire)  
Vincent, Sir Edgar (Exeter)  
Hanbury, Rt. Hon. Robt. W.  
Morgan, David J. (W'lth'mstow  
Wallace, Robert  
Harris, Frederick Leverton  
Morris, Hon. Martin Henry F.  
Wanklyn, James Leslie  
Haslam, Sir Alfred S.  
Morrison, James Archibald  
Warr, Augustus Frederick  
Haslett, Sir James Horner  
Morton, Arthur H. A. (Deptford  
Wason, John C. (Orkney)  
Hay, Hon. Claude George  
Mowbray, Sir Robt. Gray C.  
Wharton, Rt. Hon. John L.  
Heath, Jas. (Staffords., N.W.)  
Muntz, Philip A.  
Whitmore, Charles Algernon  
Heaton, John Henniker  
Murray, Rt. Hn A. Graham (Bute  
Wilson, A. S. (York, E. R.)

Helder, Augustus  
Murray, Charles J. (Coventry)  
Wilson, John (Glasgow)  
Henderson, Alexander  
Newdigate, Francis Alexander  
Wodehouse, Rt. Hn E. R. (Bath)  
Hermon-Hodge, Robert T.  
Nicholson, William Graham  
Wolff, Gustav Wilhelm  
Higginbottom, S. W.  
Nicol, Donald Ninian  
Wortley, Rt. Hn. C. B. Stuart-  
Heare, Sir Samuel (Norwich.  
Orr-Ewing, Charles Lindsay  
Wyndham, Sit. Hon. George  
Hope, J. F. (Sheffield, Brightsd)  
Palmer, Walter (Salisbury)  
Wyndham-Quin, Maj. W. H.  
Houldsworth, Sir Wm. Henry  
Pemberton, John S. G.  
Young, Commander (Berks, E.)  
Howard, John (Kent, Faversh.)  
Plummer, Walter R.  
Hudson, George Bickersteth  
Purvis, Robert  
TELLERS FOR THE NOES;  
Hutton, John (Yorks., N. R.)  
Randles, John S.  
Sir William Walrond and Mr. Anstruther.  
Johnston, William (Belfast)  
Reid, James (Greenock)

Original Question again proposed.

MR. GODDARD (Ipswich) said he desired to call attention to the item referring to the staff of the Solicitor to the Treasury, King's Proctor, and Director of Public Prosecutions. He found there were no less than twenty clerks in the Department, and of that number six were either pluralists or receiving salaries personal to the present holders of the position. Such a practice was a most objectionable one. There were three assistant solicitors at a salary of £;600, rising by £;25 a year to £;800, and out of those three one was also Assistant King's Proctor, and received from that position an additional £;1,000.

A footnote in the Estimate said that that salary would be reconsidered when a vacancy arose, but notwithstanding the footnote, that amount constantly appeared in the Estimates, and there was no real attempt at economy in filling up the position. He complained that there was an entirely new office appearing in the



Estimates; the Assistant Director of Public Prosecutions. That Gentleman received £;600 a year, rising by £;25 a year to £;800, and he thought the Committee was justified in asking the reason for such an additional servant to the public, and such an additional increase in the Estimates; there was already an Assistant King's Proctor, whom most people would consider was rather an overpaid official. Why could not he have taken this particular work? The Director of Public Prosecutions was also King's Proctor, and if one gentleman could fill both those offices, why could not the Assistant Director of Public Prosecutions also be the Assistant King's Proctor? He could only come to the conclusion that the new office had been created simply for the purpose of giving some first-class clerk an increase of salary. Out of the five first-class clerks three were starred as receiving additional payments. The practice was a very dangerous and obnoxious one, as under it a great many Votes had to be gone through to ascertain how much salary an official really received. Under the law courts branch a gentleman, called the principal, had a salary of £;700, rising by £;25 a year to a maximum of £;850. But that official actually received a salary of £;1,200 a year, £;350 of which was personal to the present holder of the office. These personal payments should be thoroughly investigated, and a distinct pledge given that that particular salary would be considerably reduced. A note appended to the Vote stated that the permanent staff of clerks and messengers was in process of abolition as vacancies arose. That was probably a very reasonable thing to do, as what were really wanted were solicitors' clerks and not permanent civil servants. But although the Vote said the permanent staff was in process of abolition the number was not diminished, In the interests of economy these matters should be gone carefully into. The department had always been an exceedingly costly one, and the time had surely arrived when the promises of amendment should be given some effect. Another point was, that notwithstanding the increased cost of the department there was no larger amount of work done. Instead of there being any economy, any reduction of the permanent staff, or any real improvement effected, the cost of the department was much greater and the amount of work much less. The only way in which attention could be directed to this matter in order that the claims of economy might be considered was to move a reduction of the Vote whenever it came up for discussion. He therefore moved a reduction of the Vote to the amount of £;600 in respect of the salary of the Assistant Director of Public Prosecutions.

Motion made, and Question proposed, "That Item H be reduced by £;600, in respect of the Assistant Director of Public Prosecutions.";(Mr. Goddard.)

SIR ROBERT FINLAY said the hon. Member had referred to the fact that it was stated that certain appointments were to be abolished as vacancies occurred, and complained that that statement appeared year after year. But no amount of discussion on the Vote would produce a vacancy. When a vacancy occurred a reduction would take place.

MR. GODDARD pointed out that in one department there had been a reduction of officials from six to five, but there had been a new office created.

SIR ROBERT FINLAY said that was a different matter altogether. With regard to

the appointment of an Assistant Director of Public Prosecutions, speaking with some knowledge of the way in which the work of the Director of Public Prosecutions was done, he had no hesitation in saying that the duties were most admirably performed. There was a great and increasing volume of work, and there could be no worse economy than to deny the Director of Public Prosecutions, who so well did his own share of the work, the assistance necessary efficiently to carry out the whole of the duties. He hoped under these circumstances the hon. Member would not think it necessary to divide upon his proposal.

MR. CAINE (Cornwall, Camborne) desired, as this Amendment was practically a vote of censure on the Department, to refer to the Public Prosecutor's neglect in connection with election petitions. In regard to the Maidstone election petition, the Attorney General was on three occasions in the month of February asked whether he would prosecute the persons who had been reported and not granted certificates. On each occasion the reply was that the matter was under consideration. Perhaps the Attorney General would now state whether any prosecutions had taken place.

SIR ROBERT FINLAY: Certainly. The matter was carefully considered, and there was only one person against whom a prosecution had any chance of success. Proceedings were instituted, and the magistrates dismissed the charge. I would, however, ask the hon. Member not to press me further, because it is possible that the proceedings are not yet over.

MR. CAINE asked whether the money in respect of the attendance of the Public Prosecutor at the hearing of election petitions was included in the Vote under discussion.

SIR ROBERT FINLAY: I believe it is, but I cannot for the moment say under what head.

MR. CAINE, in that case, desired to refer to the neglect of the Public Prosecutor in the duty he was supposed to perform in court itself. From the evidence and proceedings in both the Maidstone and the Monmouth petitions, it appeared that the Public Prosecutor made no appearance in any way. The only reference to the Public Prosecutor in connection with the Monmouth petition was in the closing words of the shorthand writer's report;

"Mr. David: I have an application to make on behalf of the Public Prosecutor, and that is, that your Lordships will make the costs of his appearing here a portion of the costs of the petition.

"Mr. Justice Kennedy: No. I do not think there is any special case upon which to make the respondent pay the costs of the Public Prosecutor.

Mr. David: He was bound to come, my Lord.

Mr. Justice Kennedy: And you have performed a public function for which the public fund rewards you."

That reward from public funds was contained in the Vote before the Committee. There were certain scandalous cases in connection with the Monmouth petition which in his (the speaker's) judgment, ought to have been noticed at the time by the Public Prosecutor or his representative, and in respect of which the judges should have been pressed for a conviction. There was the case of Thomas Icke, who was paid for work, it being intended that he should vote, while

being paid by and in the employ of the respondent. In regard to this matter, Mr. Justice Kennedy said that it was carried out in a "most discreditable" way. It was planned and carried out in a dishonourable manner, and the counsel for the defence said it was impossible to ask relief. Yet this Thomas Icke asked relief and obtained his certificate without any protest on the part of the Public Prosecutor, or any application that he should be prosecuted. Then there was the very bad case of Mr. Cleaver, in regard to which Mr. Justice Kennedy said; "Now under these circumstances it is impossible for us, we feel, to come to any conclusion except that to which we do come, and further, of course, with regard to Mr. Cleaver there is independently on his part a violation, which, in terms, is more flagrant still, of the Act which I have read, for which he must be responsible; the publication of that document, which he admits, and which is full of that which one can only say is not merited as an accusation; I mean it rests upon nothing more than fantastic inference and imaginings, for which there was really no sound basis at all, but which were put together in a form likely to damage, and intended to damage, the candidate to whom Mr. Cleaver was referring. Under those circumstances it seems to us we have only on the grounds that I have said to declare that this petition must succeed, and unseat the present sitting member.

When this Mr. Cleaver applied for relief the Public Prosecutor made no appearance; nor did he apply either for a prosecution or the suspension of the certificate. But the worst case of all was that of Dr. Rutherford Harris, in regard to which Mr. Justice Kennedy said;

"Then comes the remaining question, and that is the violations, as alleged, of the Act of 1895. Now with regard to that, we have considered it, I need not say, very carefully indeed, and I do not propose here to lay down general principles in stating the conclusions at which we have arrived, but to deal with the case, in short, upon the particular circumstances and upon the particular documents which are in evidence before us." Now in this case we have come to the conclusion that we cannot exonerate Dr. Rutherford Harris. It is our opinion that there has been by him a violation of this statute in the statements which he made, and which he published for the purpose of affecting the return. We agree that on the facts before us Mr. Spicer has himself and his supporters to thank to some extent for the attacks to which Dr. Rutherford Harris gave expression."

and so on. The conclusion was that this act of Dr. Rutherford Harris was sufficient to unseat him and to prevent him standing again for the constituency. But when Dr. Rutherford Harris applied for relief the Public Prosecutor, as in the other cases, made no appearance, used no arguments, and asked for no prosecution. The conduct of the whole election was a scandal and a disgrace to Dr. Rutherford Harris, who ought certainly to have been scheduled without any relief, and if the Public Prosecutor had done his duty he would, at any rate, have made application before the Judge that such a course should be taken. The result of this neglect of duty was that men were becoming more and more shameless in electioneering, and were indulging more and more in corrupt practices which poor men could not follow. These men; Mr. Barker at Maidstone,

and Dr. Rutherford Harris at Monmouth; went down to the new elections which were the result of their own misconduct, canvassing those who had been under their corrupt influence, and persuading them to record their votes on the strength of the old promises. Members had now an opportunity of recording a protest against the shortcomings of the Public Prosecutor and the default which he had committed in regard to these and many other election petitions. It was the duty of that official to protect Members of Parliament and the public generally against these corrupt men, who demoralised constituencies and were the common enemies of both sides of politics. The time was coming when, in consequence of this neglect of the Public Prosecutor, none but millionaires, who were the very last men who should become Members of this House, would be able to become candidates, and he therefore trusted that the Committee would take advantage of this Vote to record a strong protest in the matter.

\*SIR HENRY FOWLER: I think the Committee are indebted to my hon. friend for having raised this question so far as it relates to election petitions. I think perhaps it would not be too much to say that the Corrupt Practices Act of 1880 has not been carried out to the extent and in the manner intended by Parliament. A great many of its most beneficial provisions have been whittled away; certainly not in the interests of the purity of elections. On this particular point I want to ask the Attorney General what he regards to be the duty of the Public Prosecutor with reference to these apparently useless and abortive appearances of counsel at the hearing of election petitions. So far as the public are concerned, I regard this money as absolutely thrown away. It is made the occasion for giving a certain number of fees to the no doubt very estimable junior barristers who appear on behalf of the Public Prosecutor, but what they do we do not know, and we have no details as to what it costs them to do it. I think Parliament intended, as the wording of the Act indicates, that the Public Prosecutor should appear before the Election Commissioners to represent the interests of the general public and to prevent what I observe is fast becoming the practice in these election petitions. Counsel appearing for the sitting Member are astute enough to know from the particulars delivered, and from the opening speech of counsel for the petitioner, whether one particular case is bound to be proved, and, if it is proved, that the seat is bound to be lost. This is admitted, and the inquiry closes, I do not blame counsel for trying to bring the case to a close as rapidly as possible, but they thus prevent the disclosure of other acts which have been alleged, and also prevent the possibility of the issue of a Commission under the Act of 1885 to inquire into the corrupt practices in the constituency. I am satisfied that in many cases if the Public Prosecutor had appealed to the court not to allow what are practically compromises at the beginning of a case, that if he had appealed to the court not to allow the allegations to be hushed up, but to insist that the case should be fought out, the judges would have reported in favour of a Commission, and a Commission would have been issued. In the Cockermouth election petition the judges refused at once to allow the case to be stopped. They insisted upon a full and proper hearing, and it was due to the sitting Member that they should do so. In my judgment that hon. Member was

unfairly and improperly attacked. But was there any appearance on behalf of the Public Prosecutor? If he was there simply as an ornament to the court, all I can say is that it is not the business of the House of Commons to pay for such a purpose. Having regard to the very important nature of these inquiries, the public have a right to be properly represented. The Director of Public Prosecutions is rather a new-fangled term; I should prefer the old-fashioned phrase, "the Attorney General," but, whichever it is, he ought to appear in these cases on behalf of the public, in order to see that justice is done, that the Act of Parliament is fairly carried out, and that every possible attempt is made to put an end to corrupt practices, of the prevalence of which the fewness of petitions is no indication. I believe that in certain practices which have been declared to be legal more money is spent at the present day in what is practically corruption than at the time when these petitions were fought out before Parliamentary Committees of this House, and Commissions were issued which resulted in the disfranchisement of the constituency concerned. There are constituencies which are known to be corrupt; their politics are known to be marketable, but they escape because of the very poor machinery which we have for dealing with these matters. I appeal to the Attorney General to give an undertaking that he will himself look into the matter and insist that there should be effective representation at these inquiries.

SIR ROBERT FINLAY: I can assure the right hon. Gentleman that he is not more anxious than I am

that in every case of this kind, so far as it is possible for a public official to prevent the hushing up of what would be a public scandal, every possible step should be taken for that purpose. I think if the right hon. Gentleman will but look a little into the history of these cases he will see that his observation with regard to the gentleman who appeared for the Director of Public Prosecutions is hardly justified. Take the Maidstone case itself. So far from his being a non-entity, the proceedings will show that a great part certainly of one day, and I think rather more than one day, was occupied by an effective exami-

nation and cross-examination by the gentleman who appeared for the Director of Public Prosecutions. When the case was evidently about to come to an end, so far as the parties to the litigation were concerned, he intervened to examine and cross-examine, and he did all that it was possible for man to do to bring the facts to the knowledge of the court.

MR. CAINE: It is a pity he was not sent to Monmouth.

SIR ROBERT FINLAY: What was there for him to do at Monmouth? A great part of the hon. Member's speech seemed to be intended for consumption at Monmouth rather than by this Committee.

MR. CAINE: That is a most improper remark.

SIR ROBERT FINLAY: The observations made by the hon. Gentleman, which were intended;

MR. CAINE: I wish to ask, Sir, if it is in order for the Attorney General to make the remark that I was bringing this matter forward for an ulterior purpose. It is a most improper remark.

\*THE CHAIRMAN: I do not know that there is anything improper in it.

MR. CAINE: As far as I recollect, he said that I was bringing this matter forward with a view to consumption at Monmouth rather than for consumption by this Committee.

SIR ROBERT FINLAY: What I said was that a great part of the hon. Member's speech seemed to be intended for consumption at Monmouth. If the hon. Member assures me that he was not thinking of Monmouth, of course I will accept his statement.

MR. CAINE: Certainly I was not. I was thinking of this House, and this House alone.

SIR ROBERT FINLAY: Very well; I accept the hon. Member's statement. In regard to the appearance of the repre-

sentative of the Director of Public Prosecutions at the hearing of these petitions, of course on some occasions there is no real need for the active intervention of the Director of Public Prosecutions. If he thinks a further examination or cross-examination may do good, he intervenes. It is no use for him to get up merely to occupy the time if he feels that he has not got the materials to enable him to render the court any assistance. But that really forms a part of a very large question, to which I should like to direct the attention of the right hon. Gentleman who has addressed me on this point. If the Director of Public Prosecutions is to exercise an effective control over every election petition, it would be necessary that in every case he should go to the very large expense of getting up the whole of the case from the point of view of the public. Everyone who has had the misfortune to be a party to an election petition, or who has been professionally engaged in one, knows how very expensive these petitions are. I ask the Committee in all seriousness whether it would be tolerated that there should appear year after year in the Estimates a sum to defray the very large expenditure which most certainly would be incurred if in every election petition the case were got up in such a way.

\*SIR HENRY FOWLER said he had not the slightest intention of conveying, the idea that that should be done. His idea was that there should be an effective intervention of the Attorney General at the hearing of the case, and that that was what the Act of Parliament intended.

SIR ROBERT FINLAY: Certainly; I quite appreciate what the, right hon. Gentleman said, but I think he will see that to secure a more effective intervention it is absolutely necessary that there should be proper materials behind it. Those materials cannot be secured without the case having been got up in the regular way. All the Director of Public Prosecutions can do, unless the case has been prepared as it would be for one of the parties to the litigation, is to be vigilant and to cross-examine on such material as appears, or on such information as may reach him, and that is the duty which the gentleman who has represented the Director of Public Prosecutions on these occasions has discharged. With regard to the cases in which it is said that matters were hushed up, it must be remembered that in the case of those election petitions the petitioner was anxious to achieve the object of unseating the respondent. Naturally both those gentlemen are anxious not to incur any more expense than is

unavoidably thrown upon them by the discharge of their functions as the petitioner and the respondent, and if it appears to them that the seat must go, neither of them is willing to take part in the inquiry from the public point of view. They are not anxious to do that, and they will only assist in so far as their object is served. So far as the recent cases are concerned, think that no charge can be made against the Director of Public Prosecutions that there has been any remissness on the part of his representative, and there has not been any hushing up, for he has done everything he could in the matter. The hon. Gentleman who brought forward this subject complained very much of the Director of Public Prosecutions for not objecting to the granting of certificates of indemnity to certain witnesses, but I must call the attention of the hon. Member for Camborne to the fact that if a witness in the opinion of the court has made a full disclosure, he is entitled to his certificate of indemnity, and what a ridiculous figure the gentleman representing the Public Prosecutor would cut if he objected, when the judge had only obeyed the law. If the representative of the Public Prosecutor has any reason to believe that a witness has not made a full disclosure, the attention of the court would be called to the fact; but if the witness has made a full disclosure, the court must comply with the terms of the law, and I do not understand why the hon. Member for Camborne has attacked the Public Prosecutor in this respect.

The hon. Member said a great deal about the recent inquiry in connection with the Monmouth Boroughs election. I desire just to recall the attention of the Committee to the nature of that inquiry, Mr. Justice Kennedy at the beginning of his judgment; I am quoting from the report in The Times newspaper; said there was no allegation of any corrupt practices, but only of certain illegal practices, for which the agent of Dr. Rutherford Harris was to blame, and not himself. On these various grounds, although there were no allegations whatever of corrupt practices, the election was declared to be void. I really do not understand how it can be said in connection with the Monmouth petition that there was the slightest neglect of duty on the part of the Public Prosecutor. What the hon. Member thinks the Public Prosecutor should have done which he did not do I really cannot understand. I assure the Committee that in connection with the Monmouth Boroughs petition there really is not the slightest ground for the attacks which have been made upon the action of the Public Prosecutor. MR. WHITLEY (Halifax) said there were several items which required the attention of the Committee before this Vote was passed. They had just heard from the Attorney General a commendation of the work done by the Director of Public Prosecutions. All that he could say was that in the country, at any rate, they failed to see where this particular gentleman earned the salary they were now asked to vote. There were complaints constantly and continuously that the Director of Public Prosecutions was absent from cases when he ought to be present in connection with work which no other private individual could undertake. They were now asked to vote a sum of £2,500 for this particular gentleman's salary, and he had been trying to find out what work this official did. He found that this gentleman appeared on this Vote as solicitor to the King's Proctor and Director of Public Prosecutions. As far as he had been able

to discover, he found that the same gentleman also held the following offices: Solicitor to the Admiralty, the Charity Commission, the Home Office, the Treasury, the War Office, and the Office of Works. It appeared to him that he held so many offices that he was not able to do the work satisfactorily of any of them, and they were now asked to appoint a new official at £;600 a year at a time when they were not satisfied that the present occupant of the office was doing the work satisfactorily. He would like to ask the Attorney General whether he could lay on the Table a Return of the number of cases in which this gentleman had interfered, and the success or otherwise of his interference. He wished to point out that a note in the Estimates stated that the permanent staff of clerks and messengers was under process of abolition as vacancies arose. That showed there were clerks and messengers whose services were not required, and who were kicking their heels in those offices with nothing to do, and it was quite time that they were relieved that department of encumbrances of that kind in the interests of economy. He found that an increase of ten such clerks was asked for in another department, at salaries rising to £;1,500 a year. In one department they had too many clerks and messengers, while in another department they were asked to vote ten new men. He never knew any commercial firm manage its business in that way. If one department had idle clerks and messengers, it could transfer them to another department which required them. He hoped the House would accept this Amendment.

MAJOR RASCH (Essex, Chelmsford) said he supported the hon. Member for Camborne when he brought the question of the Maidstone election before the House, and if he took a division upon this question he proposed to follow him into the lobby. He did not think the House had any idea of the extraordinary way in which such practices had flourished. As for the Public Prosecutor, he supposed that he was not to blame in the matter, although he failed to see how the Director of Public Prosecutions had justified his position in reference to these election petitions.

MR. LLOYD MORGAN (Carmarthenshire, W.) said he was afraid he would not be able to vote with his hon. friends on this occasion, for, in his opinion, the learned gentleman who represented the Public Prosecutor at the hearing of the Monmouth petition not only did his duty, but he would have advised a prosecution if, in his judgment, the evidence had justified it. He did not think for a moment that that gentleman either misconducted him-

self in the discharge of his duty, or that he was incompetent to do so. He was not holding a brief for a professional brother, but having heard these attacks made upon a gentleman whom he knew, he thought it would be unfair and improper to allow the opportunity to pass without raising his voice in his defence. Some hon. Members might be under the impression that, because the learned counsel was nominated by the Attorney General, he had probably nominated one of his own political side. That was a mistake, for the gentleman alluded to was a Liberal in politics, and had stood as the Liberal candidate for a constituency. He had a fairly large practice, and he had had many years experience, and it could not be suggested that either on the ground of incompetency or of political bias he had failed to perform his duty. No doubt this learned gentleman felt that under the



circumstances it would have been impossible to secure a conviction of the men charged with corruption, and for that reason he did not recommend a prosecution. He agreed himself with every word that had been said by hon. Members as to the desirability of putting down corruption, and it did seem strange that when cases of corruption similar to that which took place at Maidstone, and apparently at Monmouth also, some public prosecution did not follow. He agreed as to the desirability of putting an end to corruption, but he felt that he could not allow a learned friend of his, who had discharged his duty with perfect honour and competence, to be attacked without raising his voice on his behalf. MR. CREMER (Shoreditch, Haggerston) said the right hon. Gentleman the Member for East Wolverhampton stated, in a most emphatic manner, that he regarded the amount which the House voted yearly for the Public Prosecutor to be so much money absolutely wasted.

\*SIR HENRY FOWLER: I am bound to correct that statement. I think the Vote for the Public Prosecutor is money well earned. The only objection I raise is that I do not think the country gets full value for the attendance of representatives at election petitions. Every other item in the Vote meets with my support.

MR. CREMER said he took down the words of the right hon. Gentleman, and what he stated was,

"That it was money thrown away." If he had misunderstood the right hon.

Gentleman he would withdraw his assertion and apologise. The Attorney General had stated that the Public Prosecutor could not waste his time in raking up evidence for the purpose of prosecutions under the Corrupt Practices Act, and he had asserted that the Public Prosecutor always did his duty when occasion arose. He happened to have been the victim of the negligence of the Public Prosecutor, because in an election petition in which he was immediately concerned the judges declined to give certificates of indemnity to three of the electors, and their names were reported to the Government of the day. No prosecution ever took place, and no attempt was made to punish those men for the offence which they were found guilty of. Where was the Public Prosecutor in that instance?

SIR ROBERT FINLAY: Upon what occasion was that?

MR. CREMER said it was an election petition in 1895 in which two judges differed, and they delivered judgment to the effect that they were unable to agree as to whether the Member in question had been duly returned as a Member of this House, and notwithstanding that extraordinary verdict, that Member sat in this House and voted for five years, although two judges occupied themselves for a fortnight trying to ascertain whether he had been duly elected or not.

\*THE CHAIRMAN: That question does not seem to have any bearing upon this Vote.

MR. CREMER said he was only quoting it as a case in point, and he hoped the Attorney General would bear it in mind. On one of the recent petitions one of the judges stated that the Corrupt Practices Act had been practically frittered away, and that there was very little of it left at the present moment. He hoped his hon. friend would go to a division, so that the members of the Committee present might

mark their disapproval of the frittering away of this Act when petitions were brought forward.

SIR ROBERT FINLAY: With regard to the case of 1895 which has been referred to, I am not sufficiently acquainted with the facts of the case, which is rather ancient history, to be able to give an opinion.

MR. CREMER said they were cases of personation.

SIR ROBERT FINLAY: I do not know what the facts are, and it is impossible to go into a case of that kind which took place years ago and which is hardly relevant to the Vote of the present year. I desire to say a word or two in reference to what was said by the hon. Member for Halifax with regard to the Public Prosecutor. He stated that the Director of Public Prosecutions neglected his work, and that a Return should be made as to the amount of work done each year. It is a great pity that the hon. Member did not take the trouble to look at his Parliamentary Papers before making a charge of this kind against a most meritorious public servant. If the hon. Member looks at his Parliamentary Paper he will find that a most elaborate Return was presented in July, 1900, of the work done by the Public Prosecutor in the preceding year, and I think it is a little hard on a gentleman occupying a responsible position that a statement of this kind should be made.

MR. WHITLEY said that, not being a Member of the House at the time, he could only speak from the evidence given to the public outside as to the result of the work of this department.

\*MR. CORRIE GRANT (Warwickshire, Rugby) said no doubt three witnesses were reported by the judges in the case alluded to as guilty of impersonation, and yet they were not prosecuted. A charge might be made against an individual, and when the papers were submitted to counsel he might advise his client that there was not sufficient evidence upon which to proceed. In 1895 in an election where he was the defeated candidate the re-turning officer himself prosecuted one of the electors for personation, but the prosecution was quashed at the Assizes, and there was not a prima facie case made out. In another case in which he was interested, the Liberal Association prosecuted a man for an offence under the Corrupt Practices Act, again without any satisfactory result. It by no means followed that because election judges said a person should be prosecuted that the Public Prosecutor was able to present the case for trial. He had looked at the evidence himself, and the evidence which was available at the hearing was not always available for presentation to the Public Prosecutor. [The SOLICITOR GENERAL made a motion of assent.] He wished the Attorney General to consider whether something could not be done to amend the procedure in connection with election petitions. At the trial of election petitions it was the practice to appoint a barrister to watch the case on behalf of the Public Prosecutor, but no one was assigned to him to assist in the work. He thought that was putting the cart before the horse, because everybody knew perfectly well that there was often evidence available which neither party was interested in presenting to the judges, and therefore, there ought to be a third party who, in the interest of the public, should see to it that the whole of the evidence available was presented to the court. The barrister sent down to represent the Public Prosecutor could take no active part in the proceedings until the cases of petitioner and the respondent had been

heard to an end, and then if he asked the judges to declare that he ought to have a solicitor assigned to him in order to take the matter in hand, there was practically no time whatever in which the inquiry could be made and the evidence was not always available. He felt sorry that he had to appear for once as an advocate of spending more money, but he entirely agreed with the right hon. Gentleman the Member for East Wolverhampton that the money which had been spent on public prosecutions in connection with election petitions, mainly for the reason he had given, had been thrown away. Either the barrister sent down ought to be provided with the necessary assistance to make inquiries, and to ascertain what

had gone on during the election, or he had better not be sent down at all. He ventured to suggest to the Attorney General that that was the right course to take. He was not sure whether he would be in order in calling attention to another matter on this Vote, namely, the Returns presented to this House in regard to election petitions. At the present time an election petition;

\*THE CHAIRMAN: We are now discussing the salary of the Director of Public Prosecutions, and the hon. Member should confine himself to that.

\*MR. CORRIE GRANT said if he was allowed to state his point he was not sure but that it would appear that he was right in bringing it forward now. When these Returns were presented there should also be added to them the petition itself and the particulars which were filed with the petition, because the evidence without the petition and the particulars was practically useless even to a trained lawyer, and certainly of no use whatever to ordinary people. He thought he was right in asking that that should be considered.

MR. GEORGE WHITELEY said his reason for supporting the reduction of the Vote was that he desired to stimulate the cause of economy in this House. The office of Assistant Director of Public Prosecutions was a new office, and it was at the present time a wholly unnecessary one to create. The gravamen and gist of the charge in connection with this Vote, and with other Votes with which they would have to deal hereafter, was that there was a vast number of pluralists; clerks and professional gentlemen; who were receiving salaries under different heads, and in consequence of the way the accounts were rendered the Committee were prevented from arriving at a true appreciation of the state of affairs. There was one man who received a salary under six different heads, and it was quite a Chinese puzzle to find out from the accounts in such cases what the total emoluments of officials amounted to. The House would never be able to secure economy and control expenditure in the different departments unless it appeared on the face of the accounts

what the officials, clerks, and legal gentlemen received. The note which professed to explain the Vote was almost a farce. It showed that one office had been abolished this year, and another created. He believed that the gentleman who held the old office had been appointed to the new one at a larger salary. Notwithstanding the admission in the note that there were offices which were unnecessary, the total Vote was

£500 more this year than in the past year. That was the way the Government practiced economy. He asked the Attorney General whether it was not possible to

state the accounts in such a manner as to show distinctly what each individual received in his various capacities.

MR. LLOYD-GEORGE said he should like to ask one or two questions with regard to the salary of the Director of Public Prosecutions. The Director of Public Prosecutions held the offices of Solicitor to the Admiralty, the Charity Commission, the Home Office, the Treasury, the War Office, and the Works Commission, in addition to the three offices enumerated in the Vote. Did he get anything in respect of these offices in addition to the £2,500 he got as Director of Public Prosecutions? Had he charged fees to these various Departments in respect of work done? It must be perfectly obvious to anybody who knew the delicate character of the work undertaken by the Director of Public Prosecutions that he could not discharge the functions of the office properly if he was solicitor to all these different Departments. The work of Director of Public Prosecutions was a purely personal one. He ought not to depute the work to any clerks in his office, however skilful they might be. It required considerable judgment and training. No man who properly discharged the functions of all these offices could do the work at the same time of Director of Public Prosecutions. It was not a case of charging him with dereliction of duty. They knew how perfunctorily the work was done in connection with election petitions. Nobody suggested that the gentleman who represented the Public Prosecutor on these occasions did anything dishonourable, or anything which showed incompetency on his part, but one must take into account the amount of material at his disposal. One would like to see the sort of brief he had on these occasions. There was no attempt to have any sort of inquiry. He was there holding a watching brief, which was no brief at all.

SIR EDWARD CARSON: I do not think it is necessary for me to travel over the ground already traversed by the Attorney General with regard to the appointment of counsel to represent the Crown in the Monmouth election petition. The hon. and learned Member has asked a question as to the Treasury Solicitor. The Treasury Solicitor gets a salary of £2,500 a year. That salary covers all the departments, and therefore the complaint made that this official is paid under various heads, and that he receives various salaries is quite an erroneous one.

MR. GEORGE WHITELEY: I did not specify any one.

SIR EDWARD CARSON: He is the only one I can find in this Vote that would come under that head. It is quite true that the Treasury Solicitor is also Public Prosecutor; Director of Public Prosecutions. He gets no official salary for that, nor for any of the other offices which have been mentioned. The hon. and learned Member says it is impossible for one individual to perform all these offices.

Well, of course, the only way he can perform all these offices is by engaging a proper staff, and it is for that

AYES.

Abraham, Wm. (Cork, N.E.)

Cullinan, J.

Tully, Jasper

Abraham, William (Rhondda)

Davies, Alfred (Carmarthen)

Jones, William (Carnarvonsh)  
Allan, William (Gateshead)  
Delany, William  
Jordan, Jeremiah  
Allen, Charles P (Glouc., Stroud  
Dewar, John A. (Inverness-sh.  
Joyce, Michael  
Ambrose, Robert  
Dillon, John  
Kennedy, Patrick James  
Barry, E. (Cork, S.)  
Doogan, P. C.  
Layland-Barratt, Francis  
Bayley, Thomas (Derbyshire)  
Duffy, William J.  
Leamy, Edmund  
Bell, Richard  
Esmonde, Sir Thomas  
Leng, Sir John  
Blake, Edward  
Farrell, James Patrick  
Levy, Maurice  
Boland, John  
Fenwick, Charles  
Lewis, John Herbert  
Boyle, James  
Flavin, Michael Joseph  
Lloyd-George, David  
Burke, E. Haviland-  
Flynn, James Christopher  
Lundon, W.  
Burt, Thomas  
Gilhooly, James  
MacDonnell, Dr. Mark A.  
Caldwell, James  
Grant, Corrie  
Macnamara, Dr. Thomas J.  
Cameron, Robert  
Hammond, John  
MacNeill, John Cordon Swift  
Campbell, John (Armagh, S.)  
Hardie, J. Keir (Merthyr Tydvil  
M'Dermott, Patrick  
Campbell-Bannerman. Sir H.  
Hayden, John Patrick  
M'Govern, T.

Causton, Richard Knight  
Helme, Norval Watson  
Mooney, John J.  
Cogan, Denis J.  
Hemphill, Rt. Hon. Charles H.  
Moss, Samuel  
Colville, John  
Holland, William Henry  
Murphy, J.  
Crean, Eugene  
Jacoby, James Alfred  
Nannetti, Joseph P.  
Cremer, William Randal  
Jameson, Major J. Eustace  
Nolan, Col. J. P. (Galway, N.)

reason it became necessary, in view of the increase in the business of the Public Prosecutor, to appoint an Assistant Director of Public Prosecutions, and that is the office which is objected to, and on which a division is proposed to be taken. Being brought a good deal into contact with the Director of Public Prosecutions in the various departments he has to preside over, and with reference to which he has to be consulted, all I can say is that I have never met a more efficient officer in any department than the present holder of these various offices, who receives a salary of £2,500. So far from being overpaid, he is inadequately paid, and so far from having too much assistance, I think he has too little assistance. I think if you take away the Assistant Director of Public Prosecutions you will inflict great injury on the public service and public business, because the position of Director of Public Prosecutions is one of vast importance, and one which is daily calling for more attention on the part of the official who holds it.

DR. AMBROSE (Mayo, W.) said that if an officer were appointed for each of the different offices the money would be distributed, and that would be better than giving it all to one man, who held all the offices, and allowing him to appoint his own staff.

Question put.

The Committee divided:;Ayes. 102; Noes, 147. (Division List No. 151.)

Nolan, Joseph (Louth, South)  
Reckitt, Harold James  
Thompson, E. C. (Monaghan, N.  
Norton, Capt. Cecil William  
Reddy, M.  
Wason, Eugene (Clackmannan)  
O'Brien, James F. X. (Cork)  
Redmond, John E. (Waterford)  
Weir, James Galloway  
O'Brien, K. (Tipperary, Mid)  
Redmond, William (Clare)

White, Luke (York, E. R.)  
O'Brien, Patrick (Kilkenny)  
Rickett, J. Compton  
Whiteley, George (York, W. R.)  
O'Brien, P. J. (Tipperary, N.)  
Roberts, John H. (Denbighs.)  
Whitley, J. H. (Halifax)  
O'Connor, T. P. (Liverpool)  
Roche, John  
Whittaker, Thomas Palmer  
O'Donnell, T. (Kerry, W.)  
Shipman, Dr. John G.  
Young, Samuel (Cavan, East)  
O'Dowd, John  
Sinclair, Capt. John (Forfarsh'e  
Yoxall, James Henry  
O'Kelly, Conor (Mayo, N.)  
Soames, Arthur Wellesley  
O'Mara, James  
Spencer, Rt. Hn. C R. (Northants  
TELLERS FOR THE AYES;  
Partington, Oswald  
Sullivan, Donal  
Mr. Goddard and Mr. Caine.  
Power, Patrick Joseph  
Taylor, Theodore Cooke  
Rasch, Major Frederic Carne  
Thomas, J A (Glam'gan, Gower)  
NOES.  
Acland-Hood, Capt. Sir Alex. F.  
Flower, Ernest  
Nicol, Donald Ninian  
Agnew, Sir Andrew Noel  
Forster Henry William  
Orr-Ewing, Charles Lindsay  
Archdale, Edward Mervyn  
Garfit, William  
Parkes, Ebenezer  
Arkwright, John Stanhope  
Gordon, Maj. E. (T'w'rH'mlets  
Pemberton, John S. G.  
Arnold-Forster, Hugh O.  
Gorst, Rt. Hon. Sir John Eldon  
Pierpoint, Robert  
Atkinson, Rt. Hon. John  
Goschen, Hon. George J.

Plummer, Walter R.  
Austin, Sir John  
Goulding, Edward Alfred  
Powell, Sir Francis Sharp  
Bailey, James (Walworth)  
Hamilton, Rt. Hn Lrd G. (Midd'x  
Purvis, Robert  
Bain, Col. James Robert  
Hamilton, Marq of (L'nd'nderry  
Randles, John S.  
Balfour, Rt. Hon. A. J. (Manch'r  
Hanbury, Rt. Hn. Robert W.  
Reid, James Greenock)  
Balfour, Rt. Hn Gerald W. (Leeds  
Harris, Frederick Leverton  
Remnant, James Farquharson  
Bartley, George C. T.  
Haslam, Sir Alfred S.  
Rentoul, James Alexander  
Bathurst, Hon. Allen Benjamin  
Haslett, Sir James Horner  
Ridley, Hn. M. W. (Stalybridge  
Bhownaggee, Sir M. M.  
Heath, James (Staffords, N. W.  
Rigg, Richard  
Bigwood, James  
Heaton, John Henniker  
Ritchie, Rt. Hn. Chas. Thomsom  
Bowles, T Gibson (King's Lynn)  
Hedler, Augustus  
Robertson, Herbert (Hackney)  
Brodrick, Rt. Hon. St. John  
Higginbottom, S. W.  
Rolleston, Sir John F. L.  
Bull, William James  
Hope, J. F (Sheffield, Brightside  
Rollit, Sir Albert Kaye  
Butcher, John George  
Horner, Frederick William  
Ropner, Colonel Robert  
Carlile, William Walter  
Howard, John (Kent, Faversh.)  
Russell, T. W.  
Carson, Bt. Hon. Sir Edw. H.  
Button, John (Yorks, N. R.)  
Samuel, Harry S. (Limehouse)



Cautley, Henry Strother  
Johnston, William (Belfast)  
Sharpe, William Edward T.  
Cavendish, V. C. W. (Derbysh.)  
Knowles, Lees  
Shaw-Stewart, M. H. (Renfrew)  
Cecil, Evelyn (Aston Manor)  
Law, Andrew Bonar  
Skewes-Cox, Thomas  
Cecil, Lord Hugh (Greenwich)  
Lawrence, William F.  
Smith, Abel H. (Hertford, East)  
Chamberlain, Rt. Hon. J. (Birm.)  
Lawson, John Grant  
Smith, James Parker (Lanarks.)  
Chamberlain, J. Austen (Worc.)  
Lee, A. H. (Hants., Fareham)  
Spear, John Ward  
Chapman, Edward  
Legge, Col. Hon. Heneage  
Stroyan, John  
Charrington, Spencer  
Leigh-Bennett, Henry Currie  
Sturt, Hon. Humphry Napier  
Churchill, Winston Spencer  
Loder, Gerald Walter Erskine  
Talbot, Lord E. (Chichester)  
Cochrance, Hon. T. H. A. E.  
Long, Rt. Hn. W. (Bristol, S.)  
Talbot, Rt. Hn. J. G (Oxf'd Univ)  
Collings, Rt. Hon. Jesse  
Lonsdale, John Brownlee  
Thornton, Percy M.  
Cook, Sir Frederick Lucas  
Lowe, Francis William  
Tomlinson, Wm. Edw. Murray  
Corbett, T. L. (Down, North)  
Lucas, R. J. (Portsmouth)  
Valentia, Viscout  
Cranborne, Viscount  
Maclver, David (Liverpool)  
Vincent, Sir Edgar (Exeter)  
Cust, Henry John C.  
Maconochie, A. W.  
Warr, Augustus Frederick  
Dalkeith, Earl of

M'Calmont. Col. J. (Antrim, E.)  
Wason, John Cathcart (Orkney)  
Dewar, T. R. (T'rH'ml'ts, S. Geo.  
M'Killop, James (Stirlingshire)  
Webb, Colonel William George  
Dickinson, Robert Edmond  
Majendie, James A. H.  
Wharton, Rt. Hn. J. Lloyd  
Dickson-Poynder, Sir John P.  
Middlemore, John T.  
Wilson, John (Glasgow)  
Douglas, Rt. Hon. A. Akers-  
Milton, Viscount  
Wilson-Todd, Wm. H. (Yorks.)  
Doxford, Sir William Theodore  
Mitchell, William  
Wodehouse, Rt. Hn. E. R. (Bath  
Durning-Lawrence, Sir Edwin  
Molesworth, Sir Lewis  
Wyndham, Rt. Hon. George  
Faber, George Denison  
Montagu, G. (Huntingdon)  
Wyndham-Quin, Major W. H.  
Fellowes, Hon. Ailwyn Edw.  
Moon, Edward Robert Pacy  
Yerburgh, Robert Armstrong  
Fergusson, Rt. Hn. Sir J. (Manc'r  
More, Robt. Jasper (Shropshire)  
Young, Commander (Berks, E.)  
Finch, George H.  
Morgan, D. J. (Walthamstow)  
Younger, William  
Finlay, Sir Robert Bannatyne  
Morrison, James Archibald  
TELLERS FOR THE NOES;  
Fisher, William Hayes  
Mowbray, Sir Robert Gray C.  
Sir William Walrond and Mr. Anstruther.  
Fitzroy, Hon. Edward A.  
Murray, Charles J. (Coventry)

Original Question put, and agreed to.

2. Motion made, and Question proposed, "That a sum, not exceeding £;22,504, be granted to His Majesty to complete the sum necessary to defray the charge which will come in course, of payment during the year ending on the 31st day of March, 1902, for certain Miscellaneous Legal Expenses, including Grant in Aid of the Expenses of the Incorporated Law Societies of England and Ireland."

MR. GEORGE WHITELEY said that a protest ought to be made against this Vote for payments to be made to the Sheriffs of England and Wales for the expenses incurred in providing lodgings for the Judges on circuit and other outlays. This year it was larger than last year by £800. He would give the amounts for the last five years, in order to show that this item was, like the salaries of the Attorney General and the Solicitor General, mounting up by leaps and bounds. In 1897&#x2013;98 it was £13,580, in 1898&#x2013;99, £19,850, in 1899&#x2013;1900, £20,000, and last year it was £21,200. This year the estimate was £22,000. The Committee would see that in the very short space of four years this item alone had increased by £8,150, or 60 per cent. If the other Votes were increased in the same proportion it was no wonder that the expenditure had leaped up of late years from 100 millions to 200 millions. The sheriffs of the country had had no extra expenses of late; in fact, seeing that they had been relieved of their rates on agricultural rent they ought to have provided their services and performed their duties for a less amount than formerly. He asked the Government whether anything could be done to stop this tremendous increase. What was the reason of it? Was there greater luxury in entertaining the judges, or was there a greater number of judges, or had they to travel greater distances than formerly? It was significant of the general management of the finances of the country, and something should really be said about this staggering increase. He was not discussing the matter in any carping spirit, but that was one of the many increases which frequently appeared on the Estimates. There was no use in objecting to the Estimates en bloc; they should object to them in detail, and unless they lopped off unnecessary increases wherever they appeared they would not be able to do any good. At the present juncture the Committee ought to set itself with stern resolve to decrease unnecessary expenditure. He would not move a reduction, because a satisfactory explanation might be forthcoming; but if it were not, he hoped an Amendment would be moved, and he would support it.

MR. CALDWELL said that the Scotch Members had every reason to object to an item of this kind, because there was no corresponding item on the Scotch Estimates. In Scotland judges received a fixed salary, which included expenses on circuit, which he thought was a much better system than the English system. A judge on circuit was supposed to represent the Sovereign, and the sheriff had to provide him with a retinue and to surround him with pomp and ceremony even when there was no business. In fact, the less the business the greater the expense, because there was more time for dining and amusement. The sheriff was always a man of some standing and influence, and he accepted the position as being one of influence. The reason why the expenses went up from year to year was because each man wanted to do the thing a little better than his neighbour. The money came out of the Imperial purse; there was no check on it, and as long as it could be got without complaint the amount would go on increasing year by year. Each sheriff wanted champagne of a better brand than his predecessor, and he wanted a greater number of people invited to dine with the judge. They talked of economy, but there was no case, next to that of the salaries of the Attorney

General and Solicitor General, which more needed economy than this. There was no reason why a judge on circuit could not live at a hotel without much expense. His dignity would be as great one way as the other. The days when it was thought expedient to impress the working classes with the dignity of a judge, and to strike terror into the minds of the common people, were gone, and the idea that a judge on circuit represented the Sovereign and must have a great retinue was a relic of olden times. Formerly in Scotland judges had a circuit allowance, but they received a certain sum in addition to their salaries to cover everything, and at present every judge in Scotland paid his own expenses. There was no parallel payment in the case of Scotland, and the Scotch Members objected to have an item on the Imperial Estimates which belonged to England alone. It was time the whole subject was reconsidered with a view to giving judges a certain allowance for circuit expenses.

SIR ROBERT FINLAY: I am sure there is one subject in which the hon. Member who has just spoken will agree with me, and that is that everything is better managed in Scotland than in England. Without entering on the topics to which the hon. Member has referred, I think everyone will agree that there must be some expense attaching to the duties of sheriff. The office has always cost a great deal of money to those who have held it. A great many duties are imposed on sheriffs. They have to provide lodgings for the judges, to fit up the courts, and discharge various other functions. There are also various expenses connected with the reception of the judges, which, until

1898, the sheriffs bore out of their own pockets. In that year a grant of £;6,000 was made towards reimbursing them for expenses incurred for public purposes. As regards the increase which is alleged to have taken place during the last few years, it has not been a great deal; I think it is only £;800 on the whole Vote. I cannot undertake to enter into every detail, and I submit it is perfectly reasonable that a grant should be made to the sheriffs for these expenses, which have not been shown to be excessive.

MR. GODDARD said he thought the explanation of the Attorney General very inadequate. The hon. and learned Member had failed to appreciate the figures laid before the Committee. The item was increasing yearly, and that was the case hon. Members made against it. How in the name of reason could they attempt anything like economy when such items were not only allowed to recur, but increased yearly? The Attorney General had missed the point. He said that the sheriffs had always met those expenses, but that was no reason why the amount should grow year by year. The Estimates were growing, and, in face of the serious financial position which the Chancellor of the Exchequer presented to the

country, it behoved every hon. Member to look into the Estimates with a view to cutting them down. That was the bounden duty of the House of Commons, especially at such a critical financial time as the present. The figures presented to the Committee showed that it was not a question of an increase of £;800 last year: it was a increase of £;8,000 in five years; and although the Attorney General might say that an increase of £;800 was paltry, yet, when the increase amounted to £;8,000 in five years, it was a very serious matter which ought to be

checked. No necessity had been shown for the increased expenditure they were asked to vote, and he would move that the £;800 increase should be struck off. There was one item in the Vote regarding which no explanation whatever had been given. It was a sum of

£;100 which appeared under the following peculiar heading: "Rewards in Respect of Extraordinary Exertions in the Furtherance of Justice" What were the rewards for, and who conferred them? Was the sum really used, or was it returned to the Treasury? Although it was only

£;100 they ought to have an explanation of it.

SIR ROBERT FINLAY: These are rewards made on the recommendations of the judges for services rendered in the interests of justice.

MR. GODDARD said he was pleased to have elicited that information, and he believed it was the first time it was given. As the general answer had been unsatisfactory he thought the right course was to move to reduce the Vote by £;800.

Motion made, and Question proposed, "That Item A (Repayments to Sheriffs' Expenses) be reduced by £;800";(Mr. Goddard.)

SIR THOMAS ESMONDE (Wexford, N.) said that the Attorney General had practically given no information whatever about the Vote. As the matter affected the administration of the law in England the Attorney General might not have been intimately acquainted with the details of local administration, but the Solicitor General, who had a very

wide experience in Ireland, might be able to give the information desired by the Committee. It was extremely gratifying to find that the Committee was in the humour to effect economy, and he congratulated the Committee on the zeal they had shown in that direction. As an Irish Member he might be permitted to point out what he considered to be a grievance on English taxpayers. The Vote worked out at an average of £;500 for each sheriff, whereas in Ireland the sheriff's expenses averaged only £;150 a year, He did not say it was enough, but still if the Irish sheriffs did their work for £;150 he did not see why the English sheriffs should get £;500. Of course the duties of sheriffs were extremely important. They were charged with the care of the judges, in seeing that the majesty of the law was upheld, and in days gone by it used to be the habit to spend large sums of money in connection with assizes and in receiving and entertaining the judges. He was informed that the large increase in the Vote was mainly due to the administration of the present Government, and that it dated practically from 1898. The Attorney General made one statement which rather surprised him. He said that the sheriffs were responsible for fitting up the courts in England. In Ireland the courts were fitted up by the county councils, although when the Local Government Act for Ireland was passed they were told that they were not accepting any greater responsibility than county councils in England. The question was of considerable importance, and the Committee were entitled to have some further information on the subject, otherwise they would have to divide.

MR. SOAMES (Norfolk, S.) said that the Attorney General had stated that he was not prepared to give details regarding the Vote, but it seemed to him that

details were what the Committee required. It was only by having details that the Committee would be able to exercise an effective control over the rapidly increasing expenditure of the country. He desired to know if the £;22,000 were expended in an equal grant to each sheriff or given in proportion to the private means of each sheriff.

SIR ROBERT FINLAY: It is given in accordance with the expenditure.

MR. SOAMES said he was glad to have elicited even that information. But the Committee did not know why the expenditure had increased by 60 per cent. in four years.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. AUSTEN CHAMBERLAIN, Worcestershire, E.): As my hon. and learned friend has explained, the increase as compared with the expenditure four years ago is due to the change of policy begun in 1898. As my hon. and learned friend has already said, it was felt that it was not prudent or right, in view of the very heavy expense incurred, to throw on private individuals these public charges, and accordingly an increase in the Vote was made in order to repay the sheriffs certain expenses which they necessarily incurred in the discharge of their duties. A scale was laid down which, as my hon. and learned friend has said, varied in proportion to the sheriff in question, and in accordance the expenditure necessarily incurred by with the length of time the assizes lasted. The great bulk of the Vote is usual expenditure, always borne upon it, with the one addition I have mentioned. Hon. Members ask why the Estimate is £;800 more this year than last. That is in part a matter of account. Certain items of receipt which previously were not paid into the Exchequer, but which were intercepted; properly so, of course; by the sheriffs are now paid into the Exchequer, and the whole of the authorised expenditure is paid out of the Vote. In addition to that, I ought to point out to the Committee that the sum taken last year was too small, and the expenditure was in excess of the sum voted. Under these circumstances we thought it expedient to take a larger sum this year in order that we might not be face to face with a similar situation next year.

MR. EDMUND ROBERTSON (Dundee) asked if the sums now paid direct to the Treasury appeared under any head.

MR. GIBSON BOWLES said the hon. Member could not expect to find such a payment to the Exchequer as an appropriation in aid. He assumed that the principal charge under the Vote was to provide lodgings for the judges, but he found on page 236 of the Estimates that the judges themselves were allowed £;9,700 for travelling expenses and allowances.

SIR ROBERT FINLAY: The £;22,000 in the Vote is for providing the judges with lodgings; the allowance to the judges is for other expenses.

MR. GIBSON BOWLES said that the £;9,700 was not part of the Vote for £;22,000, and therefore fifteen judges cost £;31,700 for travelling and lodging, which was at the rate of £;2,000 a judge, in addition to the very large salary, not too large in his opinion, which each judge received. He thought the method of paying first of all a permanent salary, and then an extra allowance, was becoming a little abused. The Committee did not know whether the payments were large or small, as they had no details with regard to them. His opinion was that judges

ought to pay their own travelling expenses, though it was quite right, if the sheriffs were bound to provide lodging for them, that they should be recouped. With regard to all such allowances, it was not adequate information to put down a lump sum and in some cases forbear to give absolutely necessary details for the discussion of the Vote. Although he was not disposed to vote against the item, he thought the Government should treat the Committee a little less cavalierly, and should not so jealously keep information to themselves. The Secretary to the Treasury would do well if he could to give the average cost of a judge's lodgings and other details, in order that the Committee might be able to decide whether the sum asked for was adequate.

SIR ROBERT FINLAY: The cost of providing lodgings for the judges is borne by the sheriffs, and is repaid to them. The rest of the Vote is made up of various other charges.

\*SIR HENRY FOWLER asked whether the large sum now under the consideration of the Committee did not arise

in the main owing to the increase of the number of assizes in certain counties from two to four in the year. Originally the sheriffs paid all expenses themselves, but where the number of assizes were increased he believed the sheriffs received some assistance towards the additional expense. There was no unpaid office which necessitated a higher expenditure than that of sheriff, and he was a happy man who got through his year of office at an expenditure of under four figures. As to the allowances to judges, he would put it to the Secretary to the Treasury whether originally the judges were not all paid the same salary, with an allowance for travelling which was included in the £5,000 a year. When the Chancery judges ceased to go circuit the common law judges complained that though the Chancery judges did not go circuit they had the advantage in their salaries of the sum allowed for travelling expenses, and he would like to know whether the Treasury did not then substitute a certain allowance for the judge's travelling expenses, a sum which varied according to the number of days he was absent from London? He thought that was an unwise and extravagant arrangement, and he should be glad if they could be told that the Treasury were disposed to reconsider it.

MR. LLOYD-GEORGE said he did not think the speech the right hon. Gentleman had just made in support of the Government;

\*SIR HENRY FOWLER: I have made no speech in support of the Government. I have endeavoured simply to get at the facts. I happen to know some of the facts; I do not think the hon. Member does; but I am in absolute ignorance of what has happened since 1898. I was simply trying to get to know whether the Government is right or wrong. I have expressed my disapprobation of the present system in regard to one matter, and it is not fair to say, when I am endeavouring to elicit the facts, that I am speaking in support of the Government.

MR. LLOYD-GEORGE said he was glad to hear that explanation of the right hon. Gentleman. He had not suggested that the right hon. Gentleman was defending the allowances to the sheriffs, and he did not see that he had imputed anything that was dishonourable to the right hon. Gentleman. He accepted not merely readily, but with pleasure, his explanation on the point. These additional

allowances to the sheriffs were said to be due to policy and not to any question of account. As a matter of fact these allowances in respect to the lodgings for judges were simply another dole to the landlords. Sometimes it was an agricultural grant, sometimes a land tax, and sometimes it was buried in some other form, as in the present case. There ought to be an end put to these grants-in-aid to the landlords. The position of sheriff was a position of honour, and those who took it should be prepared to pay the burden.

MR. AUSTEN CHAMBERLAIN: It is not an honour they seek, it is an honour which is thrust upon them.

MR. LLOYD-GEORGE said that, no doubt, was so, but the sheriffs were taken from the commission of the peace, and these gentlemen, when they sought the honour of becoming magistrates and justices of the peace, perfectly well knew they ran the risk of being selected as sheriffs, and they should be prepared to bear the burden. He would like to know whether there was any audit of these accounts.

SIR EDWARD CARSON: Yes; there is a Treasury audit.

MR. SAMUEL EVANS (Glamorganshire, Mid) said his hon. friend had not mastered this subject with his usual thoroughness. It had of late been a matter of great difficulty to find persons who would serve as sheriffs. He knew of two men selected to act as sheriffs in two Welsh counties who were not on the rota of justices of the peace. It was very difficult to get men to serve as sheriffs, and he thought there ought to be a permanent paid official appointed to the office. The allowance to judges on circuit was £;7 10s. per day, and he considered it was a fair and reasonable allowance. There were some judges in receipt of £;5,000 a year who were never expected to go out of London. At one time the Chancery judges were sent on circuit, and, if he might be allowed to use the expression, "a pretty hash they made of it," and now that the Common Law judges were expected to go on circuit it was not unfair to give them this allowance.

MR. AUSTEN CHAMBERLAIN said that the allowance for judges was fixed by an Order in Council in

1878. That Order in Council provided £;7 10s. a day, together with first class railway fare, but no further travelling allowance, and first-class railway fare for one clerk. In consideration of this arrangement, the judges had agreed to dispense with their second clerk when the positions became vacant, and all those persons had now been dispensed with, so that the actual result was a saving to the country of

£;2,000 a year. The bargain had, therefore, not been altogether unprofitable to the country. He thought the suggestion of the hon. Member for Mid Glamorgan to abandon voluntary service in the office of sheriff and appoint a permanent paid official would be more costly than the present system, with its allowance to the sheriff for expenses.

\*SIR ALBERT ROLLIT (Islington, S.) said that the grant, which had been referred to by the hon. Gentleman opposite as a dole, seemed to him to have a distinctly democratic tendency, and upon that ground he was surprised at the opposition it evoked. At the present moment, owing to the expenses entailed, the honour of taking part in the administration of justice as sheriff was confined to the



rich, and a grant which enabled everyone to share the honour was democratic and very proper. Moreover, the system prior to the grant was compulsory class taxation of a very onerous kind upon a class which had not been too well able to bear such a heavy impost.

SIR THOMAS ESMONDE desired to know how it was that the expenses of the sheriff were so much higher in England than in Ireland. In England they were £;500 and in Ireland the same duties were performed for £;150.

MR. WHITLEY said that all were agreed that the sheriffs should be reimbursed for any expenses they were put to in connection with the judges' lodgings, but there was a tendency to increase in respect of other items which ought to be checked. All that the Amendment asked was that a stop should be put to this increase, which in some cases amounted to as much as 60 per cent. in five years. He felt that that increase in the expenditure was due not to the absolutely necessary expenditure of the sheriff, but in a considerable degree to the lavish entertainment they all heard of when a judge came into their neighbourhoods.

SIR EDWARD CARSON: The hon. Member for North Wexford asked for specific information. I can only say there is no way of ascertaining, now, at all events, how it is the expenditure of the sheriffs in this country is so much higher than the expenditure in Ireland. I would like to remind the Committee that under the Sheriffs' Act all the expenditure of the sheriffs has to be taxed by the auditor appointed by the Treasury, and only such accounts as are vouched to the satisfaction of the auditor are paid.

MR. URE (Linlithgowshire) said the system of Scotland was infinitely superior to that of England, although the system of administration was identically the same. A Scotch judge when he went on circuit was expected to defray out of his salary all the incidental expenses connected with the administration of justice so far as he was personally concerned; his own travelling expenses, and his hotel bill and matters of that sort. But in England all the expenditure was thrown on the sheriff. How was it that a judge on circuit could not find good accommodation in the various towns, in the same way as a Scotch judge? Surely out of a salary of £;5,000 a judge might be expected to bear the moderate charges of a hotel. He sympathised with the right hon. Member for East Wolverhampton in his opinion, and he strongly advocated the assimilation of the practice of England with that of

Scotland.

\*SIR JOHN DORINGTON (Gloucestershire, Tewkesbury) said that formerly the duty of providing for the dignity of the judges was thrown upon the sheriffs; it was thought to be unfair to continue the practice, and, in consequence, for many years these items had been borne by the Estimates. In the county he represented the sheriffs years ago used to provide accommodation for the judges at assizes and put them up at hotels. It was most unsatisfactory, and consequently the judges found fault with it. Permanent accommodation was then provided by this country. The sheriff paid over the sum he received by way of allowance to the county, an amount which did not cover the actual cost, and the balance was defrayed from county rate. He was entirely in accord with this

particular grant to the sheriffs, and could see no reason why it should be reduced.

MR. LABOUCHERE said that although they had had a great deal of discussion on this matter the Committee had not the data upon which they could properly debate the question. He therefore asked the Secretary to the Treasury whether he would grant a Return giving the scale upon which these charges were settled, and also the amounts paid last year, not to individuals, but to the different counties.

MR. AUSTEN CHAMBERLAIN: I cannot promise to give that information off-hand, but I will make inquiries. I can, however, give the hon. Member some information in respect of the amounts paid to the sheriffs themselves. The high sheriff receives for each day's attendance up to eight days five guineas, and for each subsequent attendance three guineas. The under-sheriff receives for each day's attendance up to eight days three guineas, and for each subsequent attendance two guineas. The clerk receives one guinea for each day. That is in addition to the amount allowed for lodging for the judges.

AN HON. MEMBER asked whether it was not practically a salary.

MR. AUSTEN CHAMBERLAIN: No; it is an allowance for providing lodgings for the judge.

MR. FLAVIN (Kerry, N.) asked whether the sheriff's personal expenses amounted to five guineas a day.

MR. AUSTEN CHAMBERLAIN thought that any high sheriff would be  
AYES.

Abraham, Wm. (Cork, N. E.)

Gilhooly, James

O'Brien, Patrick (Kilkenny)

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

Gurdon, Sir W. Brampton

O'Brien, P. J. (Tipperary, N.)

Ambrose, Robert

Haldane, Richard Burdon

O'Connor, T. P. (Liverpool)

Asquith, Rt. Hon. Herbert Hy.

Hammond, John

O'Donnell, T. (Kerry, W.)

Atherley-Jones, L.

Hardie, J. K. (Merthyr Tydvil)

O'Dowd, John

Barry, E. (Cork, S.)

Hayden, John Patrick

O'Kelly, Conor (Mayo, N.)

Bayley, Thomas (Derbyshire)

Hayne, Rt. Hon. Chas. Seale-

O'Mara, James

Bell, Richard

Helme, Norval Watson

Partington, Oswald

Blake, Edward  
Hemphill, Rt. Hon. Charles H.  
Power, Patrick Joseph  
Boland, John  
Hobhouse, C. E. H. (Bristol, E.)  
Rea, Russell  
Bolton, Thomas Dolling  
Holland, William Henry  
Reckitt, Harold James  
Boyle, James  
Hope, John Deans (Fife, West)  
Reddy, M.  
Brigg, John  
Jacoby, James Alfred  
Redmond, John E. (Waterford)  
Brunner, Sir John Tomlinson  
Jameson, Maj. J. Eustace  
Redmond, William (Clare)  
Burke, E. Haviland-  
Jones, Wm. (Carnarvonshire)  
Rickett, J. Compton  
Burt, Thomas  
Jordan, Jeremiah  
Rigg, Richard  
Caine, William Sproston  
Joyce, Michael  
Robertson, Edmund (Dundee)  
Caldwell, James  
Kennedy, Patrick James  
Roche, John  
Cameron, Robert  
Labouchere, Henry  
Shipman, Dr. John G.  
Campbell, John (Armagh, S.)  
Layland-Barratt, Francis  
Sinclair, Capt John (Forfarshire)  
Campbell-Bannerman, Sir H.  
Leamy, Edmund  
Soames, Arthur Wellesley  
Causton, Richard Knight  
Levy, Maurice  
Soares, Ernest J.  
Cogan, Denis J.  
Lewis, John Herbert  
Spencer, Rt. Hn. C R (Northants)  
Colville, John

Lloyd-George, David  
Sullivan, Donal  
Craig, Robert Hunter  
Lundon, W.  
Taylor, Theodore Cooke  
Crean, Eugene  
MacDonnell, Dr. Mark A.  
Thomas, J A (Glamorgan, Gow'r  
Cullinan, J.  
Macnamara, Dr. Thomas J.  
Thompson, E. C. (Monaghan, N  
Dalziel, James Henry  
M'Arthur, Wm. (Cornwall)  
Tully, Jasper  
Davies, Alfred (Carmarthen)  
M'Cann, James  
Ure, Alexander  
Delany, William  
M'Dermott, Patrick  
Warner, Thomas Courtenay T.  
Dewar, John A. (Inverness-sh.  
M'Govern, T.  
Wason, Eugene (Clackmannan)  
Dillon, John  
Mooney, John J.  
Weir, James Galloway  
Doogan, P. C.  
Morton, E. J. C. (Devonport)  
White, Luke (York, E. R.)  
Edwards, Frank  
Moss, Samuel  
Whitley, J. H. (Halifax)  
Esmonde, Sir Thomas  
Murphy, J.  
Whittaker, Thomas Palmer  
Farrell, James Patrick  
Nannetti, Joseph P.  
Young, Samuel (Cavan, East)  
Fenwick, Charles  
Nolan, Col. John P. (Galway, N.  
Flavin, Michael Joseph  
Nolan, Joseph (Loath, South)  
TELLERS FOR THE AYES;  
Flynn, James Christopher  
Norman, Henry  
Mr. Goddard and Mr. George Whiteley.

Fowler, Rt. Hon. Sir Henry  
Norton, Capt. Cecil William  
Fuller, J. M. F.  
O'Brien, Kendal (Tipper'ry Mid  
NOES.  
Acland-Hood, Capt. Sir Alex. F.  
Bill, Charles  
Collings, Rt. Hon. Jesse  
Agg-Gardner, James Tynte  
Boscawen, Arthur Griffith-  
Compton, Lord Alwyne  
Agnew, Sir Andrew Noel  
Bowles, T. Gibson (King's Lynn  
Cook, Sir Frederick Lucas  
Archdale, Edward Mervyn  
Brassey, Albert  
Corbett, A. Cameron (Glasgow)  
Arkwright, John Stanhope  
Brodrick, Rt. Hon. St. John  
Corbett, T. L. (Down, North  
Arnold-Forster, Hugh O.  
Bull, William James  
Cranborne, Viscount  
Atkinson, Rt. Hon. John  
Butcher, John George  
Cripps, Charles Alfred  
Austin, Sir John  
Carlile, William Walter  
Dalkeith, Earl of  
Bailey, James (Walworth)  
Carson, Rt. Hon. Sir Edw. H.  
Davies, M. Vaughan- (Cardigan  
Bain, Colonel James Robert  
Cautley, Henry Strother  
Dewar, T. R (T'rH'mlets, S. Geo  
Balfour, Rt. Hn. A. J. Manch'r  
Cavendish, V C. W. (Derbyshire  
Dickinson, Robert Edmond  
Balfour, Rt. Hn Gerald W (Leeds  
Cecil, Evelyn (Ashton Manor)  
Dickson-Poynder, Sir John P.  
Banbury, Frederick George  
Cecil, Lord Hugh (Greenwich)  
Dorington, Sir John Edward  
Bartley, George C. T.  
Chamberlain, Rt. Hon. J. (Birm.

Douglas, Rt. Hon. A. Akers  
Bathurst, Hon. Allen Benjamin  
Chamberlain, J. Austen (Worc'r  
Doxford, Sir William Theodore  
Beach, Rt. Hn. Sir M. H. (Bristol)  
Chapman, Edward  
Duke, Henry Edward  
Bentinck, Lord Henry C.  
Charrington, Spencer  
Durning-Lawrence, Sir Edwin  
Bhownaggree, Sir M. M.  
Churchill, Winston Spencer  
Evans, Samuel T. (Glamorgan)  
Bigwood, James  
Cochrane, Hon. Thos. H. A. E.  
Faber, George Denison  
glad to get off at anything like that sum.

Question put.

The Committee divided;:Ayes, 118: Noes, 181. [Division List No. 152.]

Fellowes, Hon. Ailwyn Edward  
Long, Col. C. W. (Evesham)  
Rentoul, James Alexander  
Fergusson, Rt. Hn. Sir J (Manc'r  
Long, Rt. Hn. Walter (Bristol, S.  
Ridley, Hon M. W. (Stalybridge  
Finch, George H.  
Lonsdale, John Brownlee  
Ritchie, Rt. Hon. Charles T.  
Finlay, Sir Robert Bannatyne  
Lowe, Francis William  
Robertson, Herbert (Hackney)  
Fisher, William Hayes  
Lowther, C. (Cumb., Eskdale)  
Rollit, Sir Albert Kaye  
FitzGerald, Sir Robert Penrose-  
Lucas, Col. Francis (Lowestoft  
Ropner, Colonel Robert  
Fitzroy, Hon. Edward Algernon  
Lucas, Reginald J. (Portsmouth  
Rothschild, Hon. Lionel Walter  
Flower, Ernest  
Macartney, Rt. Hon. W. G. E.  
Russell, T. W.  
Forster, Henry William  
Macdona, John Cumming  
Sackville, Col. S. G. Stopford-

Garfit, William  
MacIver, David (Liverpool)  
Sadler, Col. Samuel Alexander  
Gordon, Maj Ev'ns- (T'rH'mlets  
Maconochie, A. W.  
Samuel, Harry S. (Limehouse)  
Gorst, Rt. Hon. Sir John Eldon  
M'Arthur, Charles (Liverpool)  
Smith, Abel H. (Hertford, East)  
Goschen, Hon. George Joachim  
M'Calmont, Col. J. (Antrim, E.)  
Smith, James P. (Lanarks.)  
Goulding, Edward Alfred  
Majendie, James A. H.  
Spear, John Ward  
Graham, Henry Robert  
Malcolm, Ian  
Stanley, Lord (Lancs.)  
Greene, W. Raymond- (Cambs.)  
Martin, Richard Biddulph  
Stewart, Sir Mark J. M'Taggart  
Hamilton, Rt. Hn L'rdG (Midd'x  
Maxwell, W. J. H. (Dumfriesshire  
Stroyan, John  
Hamilton, Marq. of (L'n'nderry  
Middlemore, John T.  
Sturt, Hon. Humphry Napier  
Hanbury, Rt. Hon. Robert Wm.  
Molesworth, Sir Lewis  
Talbot, Lord E. (Chichester)  
Harris, Frederick Leverton  
Montagu, G. (Huntingdon)  
Talbot, Rt. Hn J. G. (Oxf'd Univ.  
Haslam, Sir Alfred S.  
More, Robt. Jasper (Shropshire  
Thornton, Percy M.  
Haslett, Sir James Horner  
Morgan, David J (Walthamst'w  
Tollemache, Henry James  
Hay, Hon. Claude George  
Morgan, J. Lloyd (Carmarthen  
Tomlinson, W. Edw. Murray  
Heath, James (Staffords, N. W.  
Morris, Hon. Martin Henry F.  
Valentia, Viscount  
Heaton, John Henniker

Morrison, James Archibald  
Wanklyn, James Leslie  
Helder, Augustus  
Morton, Arthur H. A. (Deptford)  
Warr, Augustus Frederick  
Henderson, Alexander  
Mowbray, Sir Robert Gray C.  
Wason, John C. (Orkney)  
Hermon-Hodge, Robert T.  
Murray, Charles J. (Coventry)  
Webb, Colonel William Geo.  
Higginbottom, S. W.  
Newdigate, Francis Alex.  
Wharton, Rt. Hon. John Lloyd  
Hope, J. F. (Sheffield, Brightside)  
Nicholson, William Graham  
Wilson, A. S. (York, E. R.)  
Horner, Frederick William  
Nicol, Donald Ninian  
Wilson-Todd, W. H. (Yorks.)  
Howard, John (Kent, Faversham)  
Orr-Ewing, Charles Lindsay  
Wodehouse, Rt. Hon. E. R. (Bath)  
Hozier, Hon. James Henry Cecil  
Pemberton, John S. G.  
Wortley, Rt. Hon. C. B. Stuart-  
Hutton, John (Yorks, N. R.)  
Pierpoint, Robert  
Wyndham, Rt. Hon. George  
Johnston, William (Belfast)  
Platt-Higgins, Frederick  
Wyndham-Quin, Maj. W. H.  
Johnstone, Heywood (Sussex)  
Plummer, Walter R.  
Yerburgh, Robert Armstrong  
Kenyon-Slaney, Col. W (Salop)  
Powell, Sir Francis Sharp  
Young, Commander (Berks, E.)  
Knowles, Lees  
Purvis, Robert  
Younger, William  
Law, Andrew Bonar  
Randles, John S.  
Lawson, John Grant  
Rasch, Major Frederic Carne  
TELLERS FOR THE NOES;



Lee, A. H. (Hants., Fareham)

Ratcliffe, R. F.

Sir William Walrond and Mr. Anstruther.

Legge, Col. Hon. Heneage

Reid, James (Greenock)

Leigh-Bennett, Henry Currie

Remnant, James Farquharson

Original Question again proposed.

MR. LOUGH (Islington, W.) asked for some explanation as to the doings of that expensive and mysterious body, the Railway and Canal Commission. Did the country get any return for the expenditure incurred in connection with that tribunal? It was very difficult to bring any case before the Commission, and when a case had been brought there appeared to be no means by which its decision could be enforced. There was a case which excited a great deal of interest among the trading community for many years connected with the carriage of "smalls." After a long contest the matter was brought before the Commissioners, and tried in the case of Smith and Morris v. The London and North-Western Railway Company and ten other railway companies. The case lasted several months, and eventually a decision was

given entirely in favour of the traders. The decision was everything the traders could ask for, but it had been simply laughed at by the railway companies.

Another case was with regard to workmen's trains in London. Again the decision of the Commissioners was absolutely in favour of the plaintiffs, but it had been practically set at naught; not absolutely or altogether, but the decision had not been carried out even by the company against which it was given. Could the Government do nothing to enforce decisions which had been obtained at such great expense to the traders and farmers of the country? The present position of affairs was a perfect scandal, and some step should be taken to put an end to it or to the Commission. The Commission was, to a certain extent, a fraud, and there should be some other means of controlling the railway companies, which in many ways were threatening the life of some of the industries of the country.

SIR ROBERT FINLAY: I think the hon. Member is under some misapprehension in regard to this matter. He refers to a particular case in reference to "smalls," in which the decision of the Commissioners had no effect given to it. There must be some special circumstances attending that case, and until one knows all the details it is impossible to give the hon. Gentleman any information in regard to it. As to the allegation that the orders of the Commission are not enforceable, all I can say is that the hon. Member is under a complete misapprehension. They may be enforced by any rule of the superior Courts, and under the Act of 1888 a railway company is liable to very heavy penalties for every day it disobeys such orders. There must be some very special circumstances in the particular case to which the hon. Member refers.

MR. LOUGH was sorry to receive such a weak reply. The case was a well-known case, and one which it was agreed between the traders and the railway companies should be referred to the Commission for decision. He had given full details; he

asserted that not one of the companies had carried out the obligation the Commissioners had laid upon them, and he thought the Committee should have a proper reply in regard to the matter before they proceeded further.

MR. CRIPPS (Lancashire, Stretford) said that the hon. Member referred, no doubt, to a very well-known case, and, as he was acquainted with the facts of that case, he could assure the hon. Member that the order of the Commission had been entirely obeyed.

MR. LOUGH dissented.

MR. CRIPPS said he happened to know all the details of the case, and he also knew that the railway companies had obeyed the order. He would further point out that not only were there the ordinary facilities in legal proceedings for enforcing the orders of the Commission, but there were special powers for imposing penalties on railway companies if they disregarded those orders. He did not know of a single instance in which the decision of the Commission had not been obeyed. Probably not a tithe of the cases came into court at all, but were settled for the very reason that Parliament had provided a court. The country had had the advantage of having some of the best judges to preside over the Commission, its decisions had generally given satisfaction, and certainly they had always been attended to.

MR. HERBERT LEWIS, referring to the statement of the hon. and learned Member for Stretford that not a tithe of the cases were really brought into court, pointed out that as a matter of fact the average number of cases during the last four years brought into court before the Commissioners was twenty-five. The total number of cases, some of which were settled out of court, was 100, so that the actual proportion brought into court was one-fourth.

MR. CRIPPS remarked that cases were settled without any court proceedings at all simply because there was a court.

MR. HERBERT LEWIS thought the country was paying a very large sum for a Commission which settled twenty-five cases in a year. He contended that the Commission ought to be more generally accessible to the traders of the country. Only an infinitesimal proportion of the cases that ought to be brought were actually brought before the Commission. The efficiency of the court could, he thought, be greatly increased if it were possible to appoint Sub-Commissioners, and to make some rearrangement of the court so that more cases might be heard. Every case affecting an Irish railway company had to be settled by this Court in London. Could the hon. and learned Gentleman give a single case which had been decided in Ireland?

SIR EDWARD CARSON: I have very often appeared before the Railway Commissioners in Ireland.

MR. HERBERT LEWIS: Not within the last two years at all events.

MR. CRIPPS: Since the Act of 1888 an Irish case cannot be heard in London.

MR. HERBERT LEWIS said that, according to the reports for the last two years, cases affecting Irish railways had been dealt with in London.

MR. CRIPPS: They not only had not been, but they cannot be.

MR. HERBERT LEWIS said he should be very happy to prove what he had stated to the hon. and learned Member. In regard to the difficulties connected with

appearing before this Commission, he would venture to support the hon. Member for West Islington as to the illegal charges made by the railway companies of this country. Some years ago, when he had occasion to go into this matter rather carefully, a trader supplied him with the different rates charged, and he drew the attention of the President of the Board of Trade to them. There were different columns showing the legal rate and the rate which the company did actually charge, against which the trader was unable to protect himself. It was shown that the railway companies charged higher rates than they were legally entitled to. As regarded the agricultural trades, the farmer was charged a much higher rate than the man who was in a position to make a bargain with the railway company. His intention was to show that, as a matter of fact, unless railway companies were constantly overhauled they made illegal charges.

THE CHAIRMAN: Order, order; That matter does not arise on this Vote.

MR. HERBERT LEWIS contended that there ought to be a tribunal established which would be more accessible to the traders of the country than the Railway and Canal Commission. He wished to know whether it was not possible to so arrange the work of the Railway and Canal Commission as to make it possible for a much larger number of cases to be heard in different parts of the country, so as to prevent the necessity of traders coming up to London. This practice was absolutely prohibited in the case of a large number of traders.

When a big colliery company or a railway company had a quarrel with another large company they were generally powerful enough to fight their own battles;

\*THE CHAIRMAN: Order, order; The hon. Member is not entitled to make this an opportunity for attacking the policy of railway companies.

MR. HERBERT LEWIS pointed out that every case affecting an Irish railway company had to be settled by this court sitting in London. [Cries of "No."] Could the Solicitor General mention one case which had been settled in Ireland?

SIR EDWARD CARSON: I have appeared before the Commission in Ireland.

MR. CRIPPS: Since the Act of 1888 an Irish case cannot be brought to London.

MR. HERBERT LEWIS said that he had the Reports of the Commission showing that such cases had been brought to London.

MR. CRIPPS: They not only have not been, but they cannot be.

MR. HERBERT LEWIS said he could prove that he was right. The cost of appearing before the Commission was prohibitive to small traders. In conclusion, he would only say that as railway companies had every possible advantage on their side when they appeared before the Railway and Canal Commission, he trusted that the Government would find means to enable the traders to have a much more accessible Court of Appeal than the present Railway and Canal Commission.

MR. LOUGH said he had been placed in a most embarrassing position. It was very inconvenient when they differed about matters of fact, and the hon. and learned Member opposite had said that what he had stated was practically false. Before presuming to bring the matter before the House he wrote to the Board of Trade, and he received a reply on the 11th of January, five months after the decision had been given. They sent him a copy of the correspondence received from the London and North-Western Railway, the Great Western Railway Company, and the Midland Railway Company, and from the other ten companies to

which he had alluded. The reply was to the effect that the companies were considering what they should do, and they practically refused to be bound by the decision. He knew that this was not the occasion to argue the matter out, but he thought he had said sufficient to satisfy the Committee that he had prima facie grounds for bringing the matter forward. For about one month he had not been following the matter, and perhaps during that time they had carried out their decision. He thought it was the business of the Government to take up this point and give him an answer.

\*SIR ALBERT ROLLIT said that he had every respect for his hon. friend's opinion as a lawyer, but he wished to say that the opinion of commercial bodies was very strong in the direction that this tribunal was a most costly and cumbersome one. The difficulty of getting its decisions was owing to its inaccessibility on the ground of cost and trouble. As far as he was able to judge he did not think a private trader could approach such a tribunal at all. At present nearly the whole of the litigation was carried on between the railway companies and associations of traders; and what they wanted was a cheap tribunal which would enable a private trader to have an opportunity of redressing any injustice which might be inflicted upon him by a powerful corporation or public body. With regard to the cost of this tribunal, he would quote from the Report of the Commission itself, for it contained some very significant figures which showed that it was very costly. The total cost of the Railway and Canal Commission last year was £6,500, in addition to the proportionate  
AYES.

Abraham, William (Cork, N. E.)

Bayley, Thomas (Derbyshire)

Brunner, Sir John Tomlinson

Allen, Charles P (Glouc., Stroud

Bell, Richard

Burke, E. Haviland-

Ambrose, Robert

Boland, John

Caldwell, James

Atherley-Jones, L.

Bolton, Thomas Dolling

Cameron, Robert

Austin, Sir John

Boyle, James

Campbell, John (Armagh, S.)

Barry, E. (Cork, S.)

Brigg, John

Causton, Richard Knight

cost of a Judge of the High Court to preside over it, for although the official business was transacted in England the court could sit either in England or in Ireland, presided over by an Irish judge, or in Scotland presided over by a Scotch one. The cases entered, including many which were merely formal, were ninety-two. There were only thirty-two hearings, or parts of hearings, so the

cost of each case heard was £;200. That, of course, meant expensive fees, which were very high in that court. He ventured to say that when a private trader required protection against any oppression on the part of a powerful body a tribunal of that sort, with its array of judges, highly paid commissioners, counsel, expert, and other witnesses, etc., was no use whatever. The railway companies had always been extremely anxious to make the Railway Commission the court of ultimate appeal, and they did not want a more accessible body. He did not say that with any feeling against the railway companies, but he thought their interests and those of the public would be best served if railway rates were speedily adapted and adjusted according to the constantly varying, demands of trade and by commercial necessities; and if that could be done without the cost and trouble of the Railway and Canal Commission it would be very much the better for the trade and business of the country.

MR. HERBERT LEWIS then moved the reduction of the Vote by £;100, remarking that he thought that, after the speech of the President of the London Chamber of Commerce, the House ought to express its sense of the costliness of the Railway and Canal Commission.

Motion made, and Question put, "That Item B (Salaries of Railway and Canal Commissioners) be reduced by £;200.";(Mr. Herbert Lewis.)

The Committee divided::Ayes, 112; Noes, 117. (Division List No. 153.)

Cogan, Denis J.

Labouchere, Henry

Priestley, Arthur

Craig, Robert Hunter

Lambert, George

Rea, Russell

Crean, Eugene

Layland-Barratt, Francis

Reckitt, Harold James

Cullinan, J.

Leamy, Edmund

Reddy, M.

Davies, Alfred (Carmarthen)

Levy, Maurice

Redmond, John E. (Waterford

Davies, M. Vaughan- (Cardigan

Lloyd-George, David

Redmond, William (Clare)

Delany, William

Lundon, W.

Rickett, J. Compton

Dewar, John A. (Inverness-sh.)

MacDonnell, Dr. Mark A.

Rigg, Richard

Doogan, P. C.

Macnamara, Dr. Thomas J.  
Roche, John  
Edwards, Frank  
M'Arthur William (Cornwall)  
Rollit, Sir Albert Kaye  
Elibank, Master of  
M'Dermott, Patrick  
Shipman, Dr. John G.  
Esmonde, Sir Thomas  
M'Govern, T.  
Sinclair, Capt. J. (Forfarshire  
Farrell, James Patrick  
Mooney, John J.  
Soames, Arthur Wellesley  
Fenwick, Charles  
Morton, Edw. J.C. (Devonport)  
Soares, Ernest J.  
Flavin, Michael Joseph  
Moss, Samuel  
Spencer, Rt. Hn. C R (Northants  
Flynn, James Christopher  
Murphy, J.  
Sullivan, Donal  
Fowler, Rt. Hon. Sir Henry  
Nannetti, Joseph P.  
Taylor, Theodore Cooke  
Fuller, J. M. F.  
Newnes, Sir George  
Thomas, J A (Glamorgan, Gow'r  
Goddard, Daniel Ford  
Nolan, Col. John P. (Galway, N.)  
Thompson, E. C. (Monaghan, N.  
Gurdon, Sir W. Brampton  
Nolan Joseph (Louth, South)  
Tully, Jasper  
Haldane, Richard Burdon  
Norman, Henry  
Ure, Alexander  
Hammond, John  
Norton, Capt. Cecil William  
Warner, Thomas Courtenay T.  
Hayden, John Patrick  
O'Brien, Kendal (Tipperary Mid  
Wason, E. (Clackmannan)  
Hayne, Rt. Hon. Charles Seale-  
O'Brien, Patrick (Kilkenny)

Weir, James Galloway  
Helme, Norval Watson  
O'Brien, P. J. (Tipperary, N.)  
White, Luke (York, E. R.)  
Hemphill, Rt. Hon. Charles H.  
O'Connor, T. P. (Liverpool)  
Whiteley, George (York, W. R.)  
Hobhouse, C. E. H. (Bristol, E.)  
O'Donnell, T. (Kerry, W.)  
Whitley, J. H. (Halifax)  
Jacoby, James Alfred  
O'Dowd, John  
Young, Samuel (Cavan, East)  
Jameson, Major J. Eustace  
O'Kelly, Conor (Mayo, N.)  
Jones, William (Carnarvonsh.)  
O'Mara, James  
TELLERS FOR THE AYES;  
Jordon, Jeremiah  
Partington, Oswald  
Mr. Herbert Lewis and Mr. Strachey.  
Joyce, Michael  
Paulton, James Mellor  
Kennedy, Patrick James  
Power, Patrick Joseph  
NOES.  
Acland-Hood, Capt. Sir Alex. F.  
Compton, Lord Alwyne  
Hay, Hon. Claude George  
Agg-Gardner, James Tynte  
Cook, Sir Frederick Lucas  
Heath, James (Staffs., N. W.)  
Agnew, Sir Andrew Noel  
Corbett, A. C. (Glasgow)  
Heaton, John Henniker  
Archdale, Edward Mervyn  
Corbett, T. L. (Down, North)  
Helder, Augustus  
Arkwright, John Stanhope  
Cranborne, Viscount  
Henderson, Alexander  
Arnold-Forster, Hugh O.  
Cripps, Charles Alfred  
Hermon-Hodge, Robt. Trotter  
Atkinson, Rt. Hn. John  
Dalkeith, Earl of

Higginbottom, S. W.  
Bain, Col. James Robert  
Dalrymple, Sir Charles  
Hope, J. F. (Sheffield, Brightside  
Balfour, lit. Hon. A. J. (Manc'r)  
Dewar, T. R. (T'rH"mlets, S Geo.  
Horner, Frederick William  
Balfour, Rt. Hn Gerald W. (Leeds  
Dickinson, Robert Edmond  
Howard, John (Kent, Faversh.)  
Banbury, Frederick George  
Dickson-Poynder, Sir John P.  
Hozier, Hon. Jas. Henry Cecil  
Bathurst, Hon. Allen Benjamin  
Dorington, Sir John Edward  
Johnston, William (Belfast,)  
Beach, Rt. Hn. Sir M. H. (Bristol  
Douglas, Rt. Hon. A. Akers-  
Johnstone, Heywood (Sussex)  
Bentinck, Lord Henry C.  
Doxford, Sir Wm. Theodore  
Kenyon-Slaney, Col. W. (Salop)  
Bhownaggee, Sir M. M.  
Duke, Henry Edward  
Knowles, Lees  
Bigwood, James  
Durning-Lawrence, Sir Edwin  
Law, Andrew Bonar  
Bill, Charles  
Faber, George Denison  
Lawson, John Grant  
Bond, Edward  
Fellowes, Hon. Ailwyn Edw.  
Lee, Arthur H (Hants., Fareh'm  
Boscawen, Arthur Griffith-  
Fergusson, Rt. Hn Sir J. (Manc'r  
Legge, Col. Hon. Heneage  
Bowles, T. G. (King's Lynn)  
Finch, George H.  
Leigh-Bennett, Henry Currie  
Brassey, Albert  
Finlay, Sir Robt. Bannatyne  
Long, Col. Chas. W. (Evesham)  
Brodrick, Rt. Hon. St. John  
Fisher, William Hayes  
Long, Rt. Hn. Walter (Bristol, S.)



Bull, William James  
Fitzroy, Hn. Edw. Algernon  
Lonsdale, John Brownlee  
Butcher, John George  
Forster, Henry William  
Lowe, Francis William  
Carlile, William Walter  
Garfit, William  
Lowther, C. (Cumb., Eskdale)  
Carson, Rt. Hon. Sir Edw. H.  
Gordon, Maj Evans- (T'rH'mlts  
Lucas, Col. Francis (Lowestoft)  
Cautley, Henry Strother  
Gore, Hon. F. S. Ormsby-  
Lucas, Reginald J. (Portsmouth  
Cavendish, V. C. W. (Derbysh.)  
Gorst, Rt. Hon. Sir John E.  
Macartney, Rt. Hn. W. G. Ellison  
Cayzer, Sir Charles William  
Goschen, Hn. Geo. Joachim  
Macdona, John dimming  
Cecil, Evelyn (Aston Manor)  
Goulding, Edward Alfred  
MacIver, David (Liverpool)  
Cecil, Lord Hugh (Greenwich)  
Graham, Henry Robert  
Maconochie, A. W.  
Chamberlain, Rt. Hon. J. (Birm.  
Greene, W. Raymond- (Cambs.)  
M'Arthur, Charles (Liverpool)  
Chamberlain, J. Austen (Worc'r  
Hamilton, Rt. Hn Lord G (Midd'x  
M'Calmont, Col. J. (Antrim, E.)  
Chapman, Edward  
Hamilton, Marq. of (L'nd'derry)  
Majendie, James A. H.  
Charrington, Spencer  
Hanbury, Rt. Hon. Robert Wm.  
Malcolm, Ian  
Churchill, Winston Spencer  
Harris, Frederick Leverton  
Martin, Richard Biddulph  
Cochrane, Hon. T. H. A. E.  
Haslam, Sir Alfred S.  
Maxwell, W. J. H. (Dumfriesh.)  
Collings, Rt. Hon. Jesse

Haslett, Sir James Horner  
Molesworth, Sir Lewis  
Montagu, (G. (Huntingdon)  
Rasch, Major Frederic Carne  
Thornton, Percy M.  
More, Robt. Jasper (Shropshire)  
Ratcliffe, R. F.  
Tollemache, Henry James  
Morgan, David J. (Walthams' w)  
Reid, James (Greenock)  
Tomlinson, Wm. Edw. Murray  
Morris, Hon. Martin Henry F.  
Remnant, James Farquharson  
Valentia Viscount  
Morrison, James Archibald  
Ridley, Hn. M. W. (Stalybridge  
Warr, Augustus Frederick  
Morton, Arthur H. A. (Deptford)  
Ritchie, Rt. Hn. Chas. Thomson  
Wason, John Cathcart (Orkney)  
Mowbray, Sir Robert Gray C.  
Robertson, Herbert (Hackney)  
Webb, Colonel William George  
Murray, Rt. Hn A Graham (Bute)  
Ropner, Colonel Robert  
Welby, Lt-Col. A. C. E (Taunt'n)  
Murray, Charles J. (Coventry)  
Rothschild, Hon. Lionel Walter  
Wharton, Rt. Hon. John Lloyd  
Murray, Col. Wyndharam (Bath)  
Royds, Clement Molyneux  
Whitmore, Charles Algernon  
Newdigate, Francis Alexander  
Russell, T. W.  
Wilson, A. Stanley (York, E. R.)  
Nicholson, William Graham  
Sackville, Col. S. G. Stopford-  
Wilson, John (Glasgow)  
Nicol, Donald Ninian  
Sadler, Col. Samuel Alexander  
Wilson-Todd, Wm. H. (Yorks.)  
Orr-Ewing, Charles Lindsay  
Smith, Abel H. (Hertford, E.)  
Wodehouse, Rt. Hn. E. R. (Bath)  
Parkes, Ebenezer  
Smith, James P. (Lanarks.)

Wortley, Rt. Hon. C. B. Stuart-  
Pemberton, John S. G.  
Spear, John Ward  
Wyndham, Rt. Hon. George  
Pierpoint, Robert  
Stanley, Lord (Lancs.)  
Yerburgh, Robert Armstrong  
Platt-Higgins, Frederick  
Stewart, Sir M. J. M'Taggart  
Young, Commander (Berks, E.)  
Plummer, Walter  
Stroyan, John  
Younger, William  
Powell, Sir Francis Sharp  
Sturt, Hon. Humphry Napier  
TELLERS FOR THE NOES;  
Purvis, Robert  
Talbot, Lord E. (Chichester)  
Sir William Walrond and Mr. Anstruther.  
Randles, John S.  
Talbot, Rt. Hn. J. G (Oxford Univ)

Original Question again proposed::

\*MR. EUGENE WASON (Clackmannan and Kinross) said he desired to call the attention of the Committee for a very short time to an item which appeared on page 254 of £;3,000 a year;£;2,500 to the Incorporated Law Society of England and £;500 to the Incorporated Law Society of Ireland. He had been a member for some ten years of that Society in London, from 1876 to 1886, and during those years they had no grant in any shape or form given to them by the Government. He ventured to say that the work at that time was done quite as satisfactorily at it was at the present time. There was no similar grant made for Scotland. They had heard a good deal about doles, but he ventured to say that this was one of the worst possible description, because it was a dole given to a wealthy body who did not require it, and to a body of men who were perfectly able to take care of themselves. The money given to this society was subject to no sort or kind of audit. Had it not been for the assistance in obtaining this grant given by the right hon. Gentleman the Member for East Wolverhampton;who was to be President of the Incorporated Law Society next year;and the late Mr. Gregory, a former President of the Incorporated Law Society, and deservedly respected in this House, he did not think that the Committee of this House would ever have sanctioned such a grant. He saw no reason why a grant of this sort should not be given with equal justice to the members of the bar, the medical profession, or to the bishops. The society did without that grant during the time he was a member of it, and if such a proposal had been brought forward by a private Member it would have been laughed out of the House. Practically, there was only one justification why this grant had ever been made, and it was the fact that solicitors had a very heavy annual

fee to pay. He did not see why a solicitor should have such a heavy impost put upon him, but that was no reason why they should vote annually a sum of money over which they had no control whatever.

Motion made, and Question proposed, "That Item L be reduced by £;500, in respect of Grants in Aid of the Incorporated Law Societies of England and Ireland.";(Mr. Eugene Wason.)

\*SIR HENRY FOWLER: As my hon. friend has attributed to me an influence in this matter of which I am entirely guiltless, perhaps I am entitled at once to set him right upon this point. It is a mistake to suppose that I had any influence or interest in the matter. In 1888;in which year my hon. friend says he ceased to be a member, and when I was not a member of the Council of the Law Society;an Act was passed through Parliament which, so far from my supporting, I took considerable part in opposing and modifying. The Act provided for the appointment by the Master of the Rolls of a statutory committee for the purpose of inquiring into charges against solicitors, and of making, if the committee so reported, an application to strike a solicitor off the rolls. That committee was to consist of seven members of the Council of the Incorporated Law Society. The object of that Act, an object I think well founded, was to save expense, and to promote the more rapid dealing with solicitors guilty of dishonourable conduct, in lieu of the expensive and protracted proceeding of going before a Master of the Queen's Bench. This committee was empowered to hear all serious complaints, to hear all the charges very fully. If they thought them well founded, after hearing both sides, and if they were of opinion that further action should be taken, then they were to bring the matter before the court. I know nothing of the proceedings except by the ordinary sources of information which are open to every member of the society. This committee has been in operation for, I think, upwards of twelve years. I have the figures for eleven of these years, and I find that they have heard 1,242 applications. A large number of these cases were unfounded and dismissed, but I may say that the general result has been that they made reports to the, Court on 275 cases, and a considerable number of offending solicitors have been removed from the roll, while others have been acquitted of the charges. Their reports have not only met with the approval of Lord Esher, Mr. Justice Wills, the Lord Chancellor and other distinguished judges, but the actual figures show how the courts have been impressed with the work of the committee. There have been only eight over rulings of the decisions of the committee by the Divisional Court, and although there have been eleven appeals, only in two cases have those appeals been successful. I think that shows that the body has discharged its judicial duties in a satisfactory and efficient manner. All this has involved very great expense. I am sure my hon. friend had not the figures before him. When I tell him that the actual expenditure has been on an average over £;5,000 a year, he will see that the Chancellor of the Exchequer was not acting too liberally when he dealt with this application. It was, I think, in 1897 the application came before Parliament, and the Chancellor then suggested to the House that a grant should be given, and it was left

practically in his hands to fix the amount after investigation. At all events, the House by a majority, on the 11th of May, 1897, resolved;

"That this House is of opinion that a portion of the expense incurred by the Incorporated Law Society, while fulfilling the duties imposed upon it by statute, should be defrayed out of public funds."

My hon. friend says that since that time this money has been subject to no audit, He is misinformed. All that money is submitted to audit, and not passed without being very carefully vouched in every sense. The bulk of the cases arise in this way. A person who considers himself aggrieved brings his case to the society, and he is given the means of paying solicitor and counsel. The expenses which are incurred are principally sums of money to solicitors and counsel on behalf of applicants, and every year during the last five years the amount of the grant was considerably less than the actual payments to solicitors and counsel for the work they had done. I come to the case in which the hon. Member for Northampton has taken a great interest; the case of Mr. F., as it was called in court the other day, in regard to which I think there was a *prima facie* case for examination. It was a case apparently of very considerable oppression on the part of the solicitors, and it was a case that demanded investigation. In the first instance the committee did not think it demanded investigation. They subsequently changed their minds, and it was investigated. I do not know whether my hon. friend has any idea of the cost of that investigation. The cost of that investigation has already amounted to £1,169 19s. 10d. It was a most elaborate and protracted inquiry, and the committee, when it was completed, found that, although they did not approve of the conduct of the solicitor in some respects, it was a case in which they could not advise further legal proceedings. The High Court confirmed the view of the committee. Well, the aggrieved party naturally was dissatisfied with this decision, and he wanted to appeal, He came to the Incorporated Law Society and said, "Will you pay the costs of my appeal to the Court of Appeal?" I

advised my colleagues to pay that money. They agreed to pay a fee of a hundred guineas, and this week the Court of Appeal has affirmed the decision already given, that there was no case and no action to justify criminal proceedings. They thought the solicitor had been guilty of unwise and irregular conduct in the matter, and they have inflicted on him the penalty of paying the costs.

MR. LABOUCHERE: The applicant has been robbed.

\*SIR HENRY FOWLER: We have paid on behalf of the gentleman whom my friend says has been robbed all the expenses for his solicitors and counsel. That is the position. This committee have judicial duties. I believe they have discharged them to the best of their ability. I think they are not called upon to; nor will they as a matter of fact; continue to discharge all the expenses amounting to large sums. The present arrangement, I believe, is working well. The society is in close harmony and touch with the Public Prosecutor, and they are rendering a great public service at comparatively small expense to the community in carrying out those duties. I have no authority to make any appeal for the society, but I only tell the Committee the facts. The Chancellor of the Exchequer and the Secretary to the Treasury know how the expenditure of the grant is audited.

SIR ROBERT FINLAY: I cannot help thinking that this reduction has been moved under a sort of misapprehension. The old procedure with regard to offences of this kind was exceedingly cumbersome. It was considered in 1888 that it would be very much better that the Committee of the Incorporated Law Society should consider these matters, investigate the charges, and afterwards bring them before the court. I desire to read to the Committee an expression of opinion by Lord Esher and the present Mr. Justice Wills in regard to the way in which this committee has done its work. Lord Esher said in hearing a case on 28th January, 1897;

"It was impossible to find a tribunal which exercised its functions with greater care and diligence than this committee,"

and Mr. Justice Wills in April, 1899, spoke of it as;

"a most careful body, which gives such valuable assistance to the court."

Here is a body that has commanded the praise of everyone who knows anything of the subject, and in the discharge of their duties they necessarily incur expenses, which have been returned to the Treasury, and which are open to the examination of the Treasury. They amount to something over £5,000 a year. The expenses have been far in excess of the amount of this annual grant. Under these circumstances I would ask the Committee whether it would not be a mistake to go back from the position which has been taken up. We are having this work admirably done. We are making a grant that represents only about half the expenses which the committee of the society incurs, and I would desire to make an appeal to the Committee to bring this matter as speedily as may be to a conclusion in order that the Vote may be taken tonight.

MR. LABOUCHERE said it was really not fair that they should be called upon not to go into the matter but to vote because it was near twelve o'clock, and then go on comfortably for another year. He did not complain of what his right hon. friend the Member for East Wolverhampton had said with regard to the facts, but he complained of the colour he had put on the facts. His right hon. friend said perfectly truly that the Act of 1888 was passed giving powers to the Committee of the Incorporated Law Society, but it was not the public that demanded that Act. It was brought in at the request of the Incorporated Law Society, who wished to make a family party of the whole thing, and to have the matter in their own hands. There must be a great many black sheep among the profession. He found from the statement of his right hon. friend that the complaints against solicitors brought before this tribunal were 1,242, and of that number the society only reported on 275; in all the others they sided with the solicitors. The real complaint against the society was that solicitors were being tried by solicitors.

The public were not represented on this committee. The Attorney General quoted two judges who were very much satisfied with the action of the committee. All he could say was that the former head of the disciplinary committee was at present enjoying the hospitality of the country in one of His Majesty's prisons, and they might judge from that in what an extraordinary manner justice was administered by the committee. What happened was this. When some small solicitor was brought before them they were very severe against him, but when some large

and important solicitor was brought before them they took a very kindly view of the matter. He did not say that it was their fault. The truth was that there was that sort of trade unionism among the solicitors which existed in all callings. When they had been probably on friendly terms with the gentleman accused, they whitewashed him if they possibly could. His light hon. friend alluded to a gentleman under the name of Mr. F. It was perfectly true he had called attention to that matter, and the late Lord Chief Justice also took up the case of Mr. F. The late Lord Chief Justice did his best to get the Incorporated Law Society to look into this matter, and could not. When the present Lord Chief Justice was Master of the Rolls he insisted on the incorporated Law Society doing their duty. The Master of the Rolls expressed the opinion "that there was a prima facie case for investigation." That was a delicate way of directing the society to inquire into the matter, and the result was that they did inquire. If the Lord Chief Justice when Master of the Rolls had not been in a position to use his power as head and superior of this society, there would not have been an inquiry. The hon. Member had not seen the report, but, as he gathered, the society did find fault with the gentleman in question, but at the same time they whitewashed him.

\*SIR HENRY FOWLER: They acquitted him.

MR. LABOUCHERE: Mr. F. failed technically, but he may have been in the right.

The hon. Member said he would rest his point on this. The society was a society of solicitors to try solicitors, without the public being represented.

For a considerable time the head of the disciplinary committee that was charged with the duty of deciding whether they would report in the first instance was a solicitor who at present was in one of His Majesty's prisons. There were a large number of cases at the time, of solicitors taking an erroneous view of property that did not belong to them, and this particular solicitor was one of them.

Under these circumstances he thought they should not agree to give this money any further to the society. He should certainly vote for the reduction of £500 moved by his hon. friend, but his only complaint was that there would still remain

£2,000 for him subsequently to ask the House to disallow.

MR. GIBSON BOWLES said that a more scandalous piece of extravagance than this was never perpetrated on the public. He undertook to say that if for one happy hour he could clear the House of lawyers he could sweep away this charge by a majority of two to one. The history of this grant was discreditable to the Incorporated Law Society, and most discreditable to the Chancellor of the Exchequer. The Chancellor of the Exchequer, who told them that he was always reproving his colleagues for extravagance, had without the slightest necessity invented this charge on the public exchequer. There were a number of gentlemen called solicitors, and for some reason or other they were in such a habit of mind with regard to the property of other persons that they required exceptional disciplinary treatment from that required in other callings. He had never heard of an incorporated society of bakers to see that bakers did not give short weight, or of grocers to see that they did not mix sand with the sugar. It was only the solicitors who said that there were so many rogues amongst them that

they must have this committee. In the year 1888 a solicitor conceived the idea of getting further powers; hence the Act of 1888. In 1896, the solicitors having in the meantime been striking each other off the rolls merrily, and mostly the wrong men, the Chancellor of the Exchequer proposed this charge. The whole House rose

against it, the lawyers not having been whipped up, and it was withdrawn; but shortly afterwards a solicitors' whip was made, a resolution was moved on a Wednesday afternoon, and the Chancellor of the Exchequer perpetrated this extraordinary extravagance, and saddled the country with a charge of £2,500 a year, to enable fraudulent solicitors to strike other fraudulent solicitors off the rolls. He analysed the expenses last year, or the year before, and had a disagreement with his hon. friend the Member for South Islington with respect to a charge for rent.

\*SIR ALBERT ROLLIT said there was a ledger item for rent, but it was only in respect of the portion of the premises actually occupied in doing the work deputed to the society by Act of Parliament. His hon. friend's difference, however, had not been with himself, but with the late Attorney General, who it was that demurred to the allegation of a charge for rent.

MR. GIBSON BOWLES said it was a charge which should not be called expense of that sort. But whether that was so or not, this country ought not to  
AYES.

Acland-Hood, Capt. Sir Alex. F.

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

Greene, W. Raymond- (Cambs.

Agg-Gardner, James Tynte

Collings, Rt. Hon. Jesse

Greville, Hon. Ronald

Agnew, Sir Andrew Noel

Compton, Lord Alwyne

Gurdon, Sir W. Brampton

Archdale, Edward Mervyn

Corbett, A. Cameron (Glasgow

Hamilton, Rt. Hn Lord G (Mid'x

Arkwright, John Stanhope

Corbett, T. L. (Down, North)

Hamilton, Marq. of (L'nd'nd'rry

Arnold-Forster, Hugh O.

Cranborne, Viscount

Hanbury, Rt. Hon. Robert Wm.

Atkinson, Rt. Hon. John

Cust, Henry John C.

Harris, Frederick Leverton

Bain, Colonel James Robert

Dalkeith, Earl of

Haslett, Sir James Horner

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



Dalrymple, Sir Charles  
Hay, Hon. Claude George  
Balfour, Rt. Hn Gerald W. (Leeds  
Dewar, T R. (T'rH'mlets, S. Geo.  
Heaton, John Henniker  
Banbury, Frederick George  
Dickinson, Robert Edmond  
Helder, Augustus  
Beach, Rt. Hn. Sir M. H. (Bristol  
Dickson-Poynder, Sir John P  
Henderson, Alexander  
Bentinck, Lord Henry C.  
Dorington, Sir John Edward  
Hermon-Hodge, Robt. Trotter  
Bhownaggee, Sir M. M.  
Douglas, Rt. Hon. A. Akers-  
Hope, J. F. (Sheffield, Brightsd.  
Bond, Edward  
Duke, Henry Edward  
Howard, John (Kent, Faversh'm  
Boscawen, Arthur Griffith-  
Durning-Lawrence, Sir Edwin  
Hozier, Hon. James Henry Cecil  
Bowles, T. Gibson (King's Lynn  
Faber, George Denison  
Johnston, William (Belfast)  
Brassey, Albert  
Fellowes, Hon. Ailwyn Edward  
Johnstone, Heywood (Sussex)  
Brodrick, Rt. Hn. St. John  
Fergusson, Rt. Hn. Sir J (Manc'r.  
Kenyon-Slaney, Col. W. Salop  
Bull, William James  
Finch, George H.  
Knowles, Lees  
Butcher, John George  
Finlay, Sir Robert Bannatyne  
Law, Andrew Bonor  
Carson, Rt. Hon. Sir Edw. H.  
Fisher, William Hayes  
Lawrence, William F.  
Cautley, Henry Strother  
Fitzroy, Hon. Edward Algernon  
Lawson, John Grant  
Cavendish, V. C. W. (Derbysh.)  
Forster, Henry William

Lee, Arthur H (Hants. Fareham  
Cayzer, Sir Charles William  
Garfit, William  
Legge, Col. Hon. Heneage  
Cecil, Evelyn (Aston Manor)  
Gordon, Maj. Evans- (T'rH'lets)  
Leigh-Bennett, Henry Currie  
Cecil, Lord Hugh (Greenwich)  
Gore, Hon. F. S. Ormsby-  
Long, Col. Charles W (Evesham  
Chamberlain, Rt. Hon J. (Birm.  
Gorst, Rt. Hon. Sir John Eldon  
Long, Rt. Hn. Walter (Bristol, S  
Chamberlain, J Austen (Worc')  
Goschen, Hon. George Joachim  
Lowe, Francis William  
Chapman, Edward  
Goulding, Edward Alfred  
Lowther, C. (Cumb., Eskdale)  
Charrington, Spencer  
Graham, Henry Robert  
Lucas, Col. Francis (Lowestoft)  
Churchill, Winston Spencer  
Green, Walford D (Wednesb'ry  
Lucas, Reginald J. (Portsmouth)

be called upon to pay £2,500 a year for any such purpose as this. He would divide against it, and use all his influence against it. He was sorry indeed, that he had not more influence. If no other item whatever should be struck off the national expenses, this one at least ought to go.

\*MR. BUTCHER (York) rose to speak, but, it being midnight, the Chairman proceeded to interrupt the business.

MR. A. J. BALFOUR rose in his place and claimed to move, "That the Question be now put."

\*THE CHAIRMAN put the Question, and named as tellers against it Mr. Labouchere and Mr. Butcher.

\*MR. BUTCHER stated that he did not object to the moving of the closure, and he declined to act as a teller against it; thereupon the Chairman named Mr. Eugene Wason in his place.

Question put.

The Committee divided:;Ayes, 168; Noes, 94. [Division List No. 154.]

Macartney, Rt. Hn. W G Ellison  
Parkes, Ebenezer  
Sturt, Hon. Humphry Napier  
Macdona, John Cumming  
Pemberton, John S. G.  
Talbot, Lord E. (Chichester)

Maconochie, A. W.  
Percy, Earl  
Talbot, Rt. Hn. J. G. (Oxf'd Univ.  
M'Arthur, Charles (Liverpool)  
Platt-Higgins, Frederick  
Thomas, J. A. (Glam., Gower  
M'Calmont, Col. J. (Antrim, E.  
Plummer, Walter R.  
Thornton, Percy M.  
Majendie, James A. H.  
Powell, Sir Francis Sharp  
Tollemache, Henry James  
Malcolm, Ian  
Purvis, Robert  
Tomlinson, Wm. Edw. Murray  
Maple, Sir John Blundell  
Randles, John S.  
Valentia, Viscount  
Martin, Richard Biddulph  
Ratcliffe, R. F.  
Warr, Augustus Frederick  
Maxwell, W. J. H. (Dumfriessh.  
Reid, James (Greenock)  
Wason, John Cathcart (Orkney)  
Molesworth, Sir Lewis  
Remnant, James Farquharson  
Webb, Col. William George  
Montagu, G. (Huntingdon)  
Ridley, Hn. M. W. (Stalybridge  
Welby, Lt-Col. A. C. E. (Taunt'n  
More, Robt. Jasper (Shropshire)  
Ritchie, Rt. Hn. Chas. Thomson  
White, Luke (York, E. R.)  
Morgan, D. J. (Walthamstow)  
Robertson, Herbert (Hackney)  
Whitmore, Charle Algernon  
Morris, Hon. Martin Henry F.  
Rollit Sir Albert Kaye  
Wilson, A. S. (York, E. R.)  
Morrison, James Archibald  
Ropner, Colonel Robert  
Wilson-Todd. Wm. H. (Yorks)  
Morton, Arthur H. A (Deptford)  
Rothschild, Hon. Lionel Walter  
Wodehouse, Rt. Hn. E. R. (Bath  
Mowbray, Sir Robert Gray C.

Royds, Clement Molyneux  
Wortley, Rt. Hn. C. B. Stuart-  
Murray, Rt. Hn. A. G. (Bute)  
Sackville, Col. S. G. Stopford-  
Wyndham, Rt. Hon. George  
Murray, Chas. J. (Coventry)  
Sadler, Col. Samuel Alexander  
Yerburgh, Robert Armstrong  
Murray, Col. Wyndham (Bath)  
Smith, Abel H. (Hereford, E.)  
Young, Commander (Berks, E)  
Newdigate, Francis Alexander  
Smith, Jas. Parker (Lanarks)  
Younger, William  
Nicholson, William Graham  
Spear, John Ward  
TELLERS FOR THE AYES;  
Nicol, Donald Ninian  
Stewart, Sir Mark J. M 'Taggart  
Sir William Walrond and Mr. Anstruther.  
Orr-Ewing, Charles Lindsay  
Stirling-Maxwell, Sir John M.  
NOES.  
Abraham, Wm. (Cork, N. E.)  
Fuller, J. M. F.  
O'Brien, Patrick (Kilkenny)  
Allen, Chas. P. (Glouc., Stroud  
Goddard, Daniel Ford  
O'Brien, P. J. (Tipperary, N.  
Ambrose, Robert  
Haldane, Richard Burdon  
O'Donnell, T. (Kerry, W.)  
Asquith, Rt. Hn. Herbert Henry  
Hammond, John  
O'Dowd, John  
Atherley-Jones, L.  
Hayden, John Patrick  
O'Kelly, Conor (Mayo, N.)  
Barry, E. (Cork, S.)  
Helme, Norval Watson  
O'Mara, James  
Beaumont, Wentworth C. B.  
Hemphill, Rt. Hon. Chas. H.  
Partington, Oswald  
Bell, Richard  
Hobhouse, C. E. H. (Bristol, E.)

Power, Patrick Joseph  
Bill, Charles  
Jameson, Major J. Eustace  
Priestley, Arthur  
Boland, John  
Jones, William (Carnarvonshire)  
Rea, Russell  
Bolton, Thomas Dolling  
Jordan, Jeremiah  
Reckitt, Harold James  
Boyle, James  
Joyce, Michael  
Reddy, M.  
Brigg, John  
Kennedy, Patrick James  
Redmond, John E. (Waterford)  
Burke, E. Haviland-  
Lambert, George  
Redmond, William (Clare)  
Caldwell, James  
Layland-Barratt, Francis  
Rigg, Richard  
Campbell, John (Armagh, S.)  
Leamy, Edmund  
Roche, John  
Causton, Richard Knight  
Levy, Maurice  
Soames, Arthur Wellesley  
Cogan, Denis J.  
Lundon, W.  
Soares, Ernest J.  
Craig, Robert Hunter  
MacDonnell, Dr. Mark A.  
Spencer, Rt. Hn. C. R. (N'th'nts  
Crean, Eugene  
M'Arthur, William (Cornwall)  
Strachey, Edward  
Cullinan, J.  
M'Dermott, Patrick  
Sullivan, Donal  
Davies, Alfred (Carmarthen)  
M'Govern, T.  
Taylor, Theodore Cooke  
Delany, William  
Mooney, John J.  
Thompson, E. C. (Monaghan, N.

Dewar, John A. (Inverness-sh.  
Morton, Edw. J.C. (Devonport)  
Tully, Jasper  
Doogan, P. C.  
Moss, Samuel  
Ure, Alexander  
Duffy, William J.  
Murphy, J.  
Warner, Thomas Courtenay T.  
Edwards, Frank  
Nannetti, Joseph P.  
Weir, James Galloway  
Elibank, Master of  
Newnes, Sir George  
Whitley, J. H. (Halifax)  
Esmonde, Sir Thomas  
Nolan, Col. John P. (Galway, N.  
Wilson, John (Glasgow)  
Farrell, James Patrick  
Nolan, Joseph (Louth, South)  
Flavin, Michael Joseph  
Norman, Henry  
TELLERS FOR THE NOES;  
Flynn, James Christopher  
Norton, Capt. Cecil William  
Mr. Labouchere and Mr. Eugene Wason.  
Fowler, Rt. Hon. Sir Henry  
O'Brien, K. (Tipperary, Mid)  
Question put accordingly, "That Item L be reduced by £;500, in respect of Grants  
in Aid of the In-  
AYES.  
Abraham, Wm. (Cork, N. E.)  
Atherley-Jones, L.  
Bell, Richard  
Allen, C. P. (Glouc., Stroud)  
Barry, E. (Cork, S.)  
Boland, John  
Ambrose, Robert  
Beaumont, Wentworth C. B.  
Bolton, Thomas Dolling  
corporated. Law Societies of England and Ireland."  
The Committee divided::Ayes, 94; Noes, 165. [Division List No. 155.]  
Boyle, James  
Johnstone, Heywood (Sussex)  
O'Dowd, John  
Brigg, John

Jones, William (Carnarvonshire)  
O'Kelly, Conor (Mayo, N.)  
Burke, E. Haviland-  
Jordan, Jeremiah  
O'Mara, James  
Caldwell, James  
Joyce, Michael  
Partington, Oswald  
Campbell, John (Armagh, S.)  
Kennedy, Patrick James  
Power, Patrick Joseph  
Churchill, Winston Spencer  
Labouchere, Henry  
Priestley, Arthur  
Cogan, Denis J.  
Lambert, George  
Rea, Russell  
Craig, Robert Hunter  
Layland-Barratt, Francis  
Reckitt, Harold James  
Crean, Eugene  
Leamy, Edmund  
Reddy, M.  
Cullinan, J.  
Levy, Maurice  
Redmond, John E. (Waterford)  
Davies, Alfred (Carmarthen)  
Lundon, W.  
Redmond, William (Clare)  
Delany, William  
MacDonnell, Dr. Mark A.  
Rigg, Richard  
Dewar, John A. (Inverness-sh.  
M'Arthur, Wm. (Cornwall)  
Roche, John  
Doogan, P. C.  
M'Dermott, Patrick  
Soames, Arthur Wellesley  
Duffy, William J.  
M'Govern, T.  
Soares, Ernest J.  
Edwards, Frank  
Malcolm, Ian  
Spencer, Rt. Hon C. R. (Northants)  
Esmonds, Sir Thomas  
Mooney, John J.

Strachey, Edward  
Farrell, James Patrick  
Morton, Edw. J. C. (Devonport)  
Sullivan, Donal  
Flavin, Michael Joseph  
Moss, Samuel  
Taylor, Theodore Cooke  
Flynn, James Christopher  
Murphy, J.  
Tully, Jasper  
Fuller, J. M. F.  
Nannetti, Joseph P.  
Ure, Alexander  
Goddard, Daniel Ford  
Newnes, Sir George  
Warner, Thomas Conrtenay T.  
Goulding, Edward Alfred  
Nolan, Col. John P. (Galway, N.)  
Weir, James Galloway  
Green, Walford D (Wednesb'ry)  
Nolan, Joseph (Louth, South)  
Whitley, J. H. (Halifax)  
Gurdon, Sir W. Brampton  
Norman, Henry  
Whitmore, Charles Algernon  
Hammond, John  
Norton, Capt. Cecil William  
Harden, John Patrick  
O'Brien, K. (Tipperary, Mid)  
TELLERS FOR THE AYES;  
Helme, Norval Watson  
O'Brien, Patrick (Kilkenny)  
Mr. Eugene Wason and Mr. Gibson-Bowles.  
Hobhouse, C. E. H. (Bristol, E.  
O'Brien, P. J. (Tipperary, N.)  
Jameson, Maj. J. Eustace  
O'Donnell, T. (Kerry, W.)  
NOES.  
Acland-Hood, Capt. Sir Alex. F.  
Dorington, Sir John Edward  
Lee, A. H. (Hants, Fareham  
Agg-Gardner, James Tynte  
Douglas, Rt. Hon. A. Akers-  
Legge, Col. Hon. Heneage  
Agnew, Sir Andrew Noel  
Duke, Henry Edward



Leigh-Bennett, Henry Currie  
Archdale, Edward Mervyn  
Durning-Lawrence, Sir Edwin  
Long, Col. Chas. W. (Evesham  
Arkwright, John Stanhope  
Elibank, Master of  
Long, Rt. Hn. W. (Bristol, S.)  
Arnold-Forster, Hugh O.  
Faber, George Denison  
Lowe, Francis William  
Atkinson, Rt. Hon. John  
Fellowes, Hon. Ailwyn Edw.  
Lowther, C. (Cumb., Eskdale)  
Bain, Colonel James Robert  
Fergusson, Rt. Hn. Sir J. (Manc'r  
Lucas, Col. Francis (Lowestoft  
Balfour, Rt. Hn. A. J. (Manch'r  
Finch, George H.  
Lucas, Reginald J. (Portsm'th  
Balfour, Rt. Hn. G. W. (Leeds)  
Finlay, Sir Robert Bannatyne  
Macartney, Rt. Hn. W. G. E.  
Banbury, Frederick George  
Fisher, William Hayes  
Macdona, John Cumming  
Beach, Rt. Hn. Sir M. H. (Bristol  
Fitzroy, Hon. Edward Algernon  
Maconochie; A. W.  
Bentinck, Lord Henry C.  
Forster, Henry William  
M'Arthur, Charles (Liverpool)  
Bhownaggee, Sir M. M.  
Fowler, Rt. Hon. Sir Henry  
M'Calmont, Col. J. (Antrim, E.  
Bill, Charles  
Garfit, William  
Majendie, James A. H.  
Bond, Edward  
Gordon, Maj Evans- (T'rH'ml'ts  
Maple, Sir John Blundell  
Boscawen, Arthur Griffith-  
Gore, Hon. F. S. Ormsby-  
Martin, Richard Biddulph  
Brassey, Albert  
Gorst, Rt. Hon. Sir John E.  
Maxwell, W. J. H (Dumfries-sh.

Brodrick, Rt. Hon. St. John  
Goschen, Hn. George Joachim  
Molesworth, Sir Lewis  
Bull, William James  
Graham, Henry Robert  
Montagu, G. (Huntingdon)  
Butcher, John George  
Greene, W. Raymond- (Cambs.)  
More, Robert J. (Shropshire)  
Carson, Rt. Hon. Sir Edw. H.  
Greville, Hon. Ronald  
Morgan, David J. (W'lth'mst'w  
Cautley, Henry Strother  
Haldane, Richard Burdon  
Morris, Hon. Martin Henry F.  
Cavendish, V. C. W (Derbyshire  
Hamilton, Rt. Hn Lord G (Mid'x  
Morrison, James Archibald  
Cecil, Evelyn (Aston Manor)  
Hamilton, Marq of (L'dond'rry)  
Morton, A. H. A. (Deptford)  
Cecil, Lord Hugh (Greenwich)  
Hanbury, Rt. Hn. Robert W.  
Mowbray, Sir Robert Gray C.  
Chamberlain, Rt. Hn. J. (Birm.  
Harris, Frederick Leverton  
Murray, Rt. Hn A. Graham (Bute  
Chamberlain, J. A. (Worc'r.)  
Haslett, Sir James Horner  
Murray, Charles J. (Coventry)  
Chapman, Edward  
Hay, Hon. Claude George  
Murray, Col. Wyndham (Bath  
Charrington, Spencer  
Heath, James (Staffords, N. W.)  
Newdigate, Francis Alexander  
Cochrane, Hon. Thos. H. A. E.  
Helder, Augustus  
Nicholson, William Graham  
Collings, Rt. Hon. Jesse  
Hemphill, Rt. Hon. Chas. H.  
Nicol, Donald Ninian  
Compton, Lord Alwyne  
Henderson, Alexander  
Orr-Ewing, Charles Lindsay  
Corbett, A. Cameron (Glasgow)

Hermon- Hodge, Robert T.  
Parkes, Ebenezer  
Corbett, T. L. (Down, North)  
Hope, J. F (Sheffield, Brightside  
Pemberton, John S. G.  
Cranborne, Viscount  
Howard, John (Kent, F'versh'm  
Percy, Earl  
Cust, Henry John C.  
Hozier, Hon. James Hy. Cecil  
Platt-Higgins, Frederick  
Dalkeith, Earl of  
Johnston, William (Belfast)  
Plummer, Walter R.  
Dalrymple, Sir Charles  
Kenyon-Slaney, Col. W. (Salop.  
Powell, Sir Francis Sharp  
Dewar, T. R. (T'rH'ml'ts, S Geo.  
Knowles, Lees  
Purvis, Robert  
Dickinson, Robert Edmond  
Law, Andrew Bonar  
Randles, John S.  
Dickson-Poynder, Sir John P.  
Lawson, John Grant  
Ratcliffe, R. F.  
Reid, James (Greenock)  
Stewart, Sir Mark J. M'Taggart  
Welby, Lt. Col. A. C. E. (Tauntn  
Remnant, James Farquharson  
Stirling-Maxwell, Sir John M.  
White, Luke (York, E. R.)  
Ridley, Hon. M. W (Stalybridge  
Sturt, Hon. Humphry Napier  
Wilson, A. Stanley (York, E. R.  
Ritchie, Rt. Hn. Chas. Thomson  
Talbot, Lord E. (Chichester)  
Wilson, John (Glasgow)  
Robertson, Herbert (Hackney)  
Talbot, Rt. Hn. J. G. (Oxf'd Univ  
Wilson-Todd, Wm. H. (Yorks.)  
Rollit, Sir Albert Kaye  
Thomas, J A (Glamorg'n, Gower  
Wodehouse, Rt. Hn. E. R. (Bath  
Ropner, Colonel Robert  
Thompson, E. C. (Monaghan, N.

Wortley, Rt. Hon. C. B. Stuart-  
Rothschild, Hon. Lionel Walter  
Thornton, Percy M.  
Wyndham, Rt. Hon. George  
Royds, Clement Molyneux  
Tollemache, Henry James  
Yerburgh, Robert Armstrong  
Sackville, Col. S. G. Stopford-  
Tomlinson, Wm. Edw. Murray  
Young, Commander (Berks, E.)  
Sadler, Col. Samuel Alexander  
Valentia, Viscount  
Younger, William  
Smith, Abel H. (Hertford, East)  
Warr, Augustus Frederick  
TELLERS FOR THE NOES;  
Smith, James Parker (Lanarks)  
Wason, John Cathcart (Orkney)  
Sir William Walrond and Mr. Anstruther.  
Spear, John Ward

Webb, Colonel William George  
MR. A. J. BALFOUR claimed, "That the Original Question be now put."  
Original Question put accordingly, "That a sum, not exceeding £22,504, be  
granted to His Majesty, to complete the sum necessary to defray the Charge which  
will come in course of payment  
AYES.

Acland-Hood, Capt. Sir Alex. F.  
Duke, Henry Edward  
Long, Col. Chas. W. (Evesham  
Agg-Gardner, James Tynte  
Durning-Lawrence, Sir Edwin  
Long, Rt. Hn. Walter (Bristol S.  
Agnew, Sir Andrew Noel  
Elibank, Master of  
Lowe, Francis William  
Archdale, Edward Mervyn  
Faber, George Denison  
Lowther, C. (Cumb. Eskdale)  
Arkwright, John Stanhope  
Fellowes, Hon. Ailwyn Edward  
Lucas, Col. Francis (Lowestoft)  
Arnold-Forster, Hugh O.  
Fergusson Rt. Hn. Sir J. (Manc'r  
Lucas, Reginald J. (Portsmouth  
Atkinson, Rt. Hon. John  
Finch, George H.

Macartney, Rt. Hn. W G Ellison  
Bain, Col. James Robert  
Finlay, Sir Robert Bannatyne  
Macdona, John Cumming  
Balfour, Rt. Hn. A. J. (Manch'r)  
Fisher, William Hayes  
Maconochie, A. W.  
Balfour, Rt. Hn Gerald W (Leeds  
Fitzroy, Hon. Edward Algernon  
M'Arthur, Charles (Liverpool)  
Banbury, Frederick George  
Forster, Henry William  
M'Calmont Col, J. (Antrim, E.)  
Beach, Rt. Hn Sir M. H. (Bristol)  
Fowler, Rt. Hon. Sir Henry  
Majendie, James A. H.  
Bentinck, Lord Henry C.  
Garfit, William  
Malcolm, Ian  
Bhownaggee, Sir M. M.  
Gordon, Maj Evans- (T'rH'ml'ts  
Maple, Sir John Blundell  
Bill, Charles  
Gore, Hon. F. S. Ormsby-  
Martin, Richard Biddulph  
Bond, Edward  
Gorst, Rt. Hon. Sir John Eldon  
Maxwell, W J H (Dumfriesshire  
Boscawen, Arthur Griffith-  
Goschen, Hon. George Joachim  
Molesworth, Sir Lewis  
Brassey, Albert  
Goulding, Edward Alfred  
Montagu, G. (Huntingdon)  
Brodrick, Rt. Hon. St. John  
Graham, Henry Robert  
More, Robt. Jasper (Shropshire)  
Bull, William James  
Green, Walford D (Wednesbu'y  
Morgan, David J. (Walthams'w  
Butcher, John George  
Greene, W. Raymond (Cambs.)  
Morris, Hon. Martin Henry F.  
Carson, Rt. Hon. Sir Edw. H.  
Greville, Hon. Ronald  
Morrison, James Archibald

Cavendish, V. C. W. (Derbysh.)  
Haldane, Richard Burdon  
Morion, Arthur H. A. (Deptford  
Cautley, Henry Strother  
Hamilton, Rt. Hn Lord G. (Mid'x  
Mowbray, Sir Robert Gray C.  
Cecil, Evelyn (Aston Manor)  
Hamilton, Marq. of (L'donderry  
Murray, Rt. Hn A Graham (Bute  
Cecil, Lord Hugh (Greenwich)  
Hanbury, Rt. Hon. Robt. Wm.  
Murray, Charles, J. (Coventry)  
Chamberlain, Rt. Hon. J. (Birm.  
Harris, Frederick Leverton  
Murray, Col. Wyndham (Bath  
Chamberlain, J. A. (Worc'r)  
Haslett, Sir James Horner  
Newdigate, Frauds Alexander  
Chapman, Edward  
Hay, Hon. Claude George  
Nicholson, William Graham  
Charrington, Spencer  
Heath, Jas. (Staffords., N. W.)  
Nicol, Donald Ninian  
Churchill, Winston Spencer  
Helder, Augustus  
Orr-Ewing, Charles Lindsay  
Cochrane, Hon. T. H. A. E.  
Hemphill, Rt. Hon. Charles H.  
Parkes, Ebenezer  
Collings, Rt. Hon. Jesse  
Henderson, Alexander  
Pemberton, John S. G.  
Compton, Lord Alwyne  
Hermon-Hodge, Robert Trotter  
Percy, Earl  
Corbett, A. Cameron (Glasgow)  
Hope, J. F. (Sh'ffield, Brightside  
Platt-Higgins, Frederick  
Corbett, T. L. (Down, North)  
Howard, John (Kent, Faversh'm  
Plummer, Walter R.  
Cranborne, Viscount  
Hozier, Hon. James Henry Cecil  
Purvis, Robert  
Cust, Henry John C.

Johnston, William (Belfast)  
Randles, John S.  
Dalkeith, Earl of  
Johnstone, Heywood (Sussex)  
Ratcliffe, R. F.  
Dalrymple, Sir Charles  
Kenyon-Slaney, Col. W. (Salop)  
Reid, James (Greenock)  
Dewar, John A. (Inverness-sh.  
Knowles, Lees  
Remnant, James Farquharson  
Dewar, T. R. (T'rH'mlets S. Geo.  
Law, Andrew Bonar  
Ritchie, Rt. Hon Chas. Thomson  
Dickinson, Robert Edmond  
Lawson, John Grant  
Robertson, Herbert (Hackney)  
Dickson-Poynder, Sir John P.  
Lee, Arthur H. (Hants., Fareh'm  
Rollit, Sir Albert Kaye  
Dorington, Sir John Edward  
Legge, Col. Hon. Heneage  
Ropner, Colonel Robert  
Douglas, Rt. Hon. A. Akers-  
Leigh-Bennett, Henry Currie  
Rothschild, Hon. Lionel Walter  
during the year ending on the 31st day of March, 1902, for certain Miscellaneous  
Legal Expenses, including Grants in Aid of the Expenses of the Incorporated Law  
Societies of England and Ireland."  
The Committee divided::Ayes, 169; Noes, 85. [Division List No. 156.]  
Royds, Clement Molyneux  
Thornton, Percy M.  
Wilson-Todd, Wm. H. (Yorks)  
Sackville, Col. S. G. Stopford-  
Tollemache, Henry James  
Wodehouse, Rt. Hon. E. R (Bath)  
Sadler, Col. Samuel Alexander  
Tomlinson, Wm. Edw. Murray  
Wortley, Rt. Hon. C. B. Stuart-  
Smith, Abel H. (Hertford, East)  
Valentia, Viscount  
Wyndham, Rt. Hon. George  
Smith, James Parker (Lanarks.  
Warr, Augustus Frederick  
Yerburgh, Robert Armstrong  
Spear, John Ward

Wason, John Cathcart (Orkney  
Young, Commander (Berks, E.)  
Stewart, Sir Mark J. M 'Taggart  
Webb, (Colonel William George  
Younger, William  
Stirling-Maxwell, Sir John M.  
Welby, Lt.-Col. A C E (Taunton  
Sturt, Hon. Humphry Napier  
White, Luke (York, E. R.)  
TELLERS FOR THE AYES;  
Talbot, Lord E. (Chichester)  
Whitmore, Charles Algernon  
Sir William Walrond and Mr. Anstruther.  
Talbot, Rt. Hn. J. G. (Oxf'd Univ.  
Wilson, A. Stanley (York, E. R.)  
Thomas, J A (Glamorgan Gower  
Wilson, John (Glasgow)  
NOES.  
Abraham, William (Cork, N. E.  
Hayden, John Patrick  
O'Dowd, John  
Allen, Charles P (Glouc., Stroud  
Helme, Norval Watson  
O'Kelly, Conor (Mayo, N.)  
Ambrose, Robert  
Hobhouse, C. E. H. (Bristol, E.)  
O'Mara, James  
Atherley-Jones, L.  
Jameson, Major J. Eustace  
Partington, Oswald  
Barry, E. (Cork, S.)  
Jones, Wm. (Carnarvonshire)  
Power, Patrick Joseph  
Beaumont, Wentworth C. B.  
Jordan, Jeremiah  
Priestley, Arthur  
Bell, Richard  
Joyce, Michael  
Rea, Russell  
Boland, John  
Kennedy, Patrick James  
Reckitt, Harold James  
Bolton, Thomas Dolling  
Labouchere, Henry  
Reddy, M.  
Boyle, James



Lambert, George  
Redmond, John E. (Waterford)  
Brigg, John  
Layland-Barratt, Francis  
Redmond, William (Clare)  
Burke, E. Haviland-  
Leamy, Edmund  
Rigg, Richard  
Caldwell, James  
Levy, Maurice  
Roche, John  
Campbell, John (Armagh, S.)  
Lundon, W.  
Soames, Arthur Wellesley  
Cogan, Denis J.  
MacDonnell, Dr. Mark A.  
Soares, Ernest J.  
Craig, Robert Hunter  
M'Dermott, Patrick  
Strachey, Edward  
Crean, Eugene  
M'Govern, T.  
Sullivan, Donal  
Cullinan, J.  
Mooney, John J.  
Taylor, Theodore Cooke  
Davies, Alfred (Carmarthen)  
Morton, E. J. C. (Devonport)  
Thompson, E. C. (Monaghan, N.  
Delany, William  
Moss, Samuel  
Tully, Jasper  
Doogan, P. C.  
Murphy, J.  
Ure, Alexander  
Duffy, William J.  
Nannetti, Joseph P.  
Warner, Thomas Courtenay T.  
Edwards, Frank  
Nolan, Col. John P. (Galway, N.  
Wason, Eugene (Clackmannan  
Farrell, James Patrick  
Nolan, Joseph (Louth, South)  
Weir, James Galloway  
Flavin, Michael Joseph  
Newnes, Sir George

Whitley, J. H. (Halifax)  
Flynn, James Christopher  
Norman, Henry  
Fuller, J. M. F.  
Norton, Capt. Cecil William  
TELLERS FOR THE NOES;  
Goddard, Daniel Ford  
O'Brien, Kendal (Tipperary M'd  
Sir Thomas Esmonde and Mr. Patrick O'Brien.  
Gurdon, Sir W. Brampton  
O'Brien, P. J. (Tipperary, N.)  
Hammond, John  
O'Donnell, T. (Kerry, W.)

Resolutions to be reported upon Monday next; Committee to sit again upon Monday next.

Adjourned at twenty-five minutes before One of the clock till Monday next.

#### APPENDIX I.

#### TABLES EXPLANATORY OF BUDGET STATEMENT.

#### REVENUE (EXCHEQUER RECEIPTS) AND EXPENDITURE (EXCHEQUER ISSUES) FOR 1900&#x2013;1901.

Revenue (Exchequer Receipts);1900&#x2013;1901.

Expenditure (Exchequer Issues);1900&#x2013;1901.

£;

£;

#### CUSTOMS

26,262,000

#### I.;CONSOLIDATED FUND SERVICES.

#### INLAND REVENUE:

#### National Debt Services:

Excise

33,100,000

A. Inside the fixed charge

18,453,000

Estate, etc., Duties

12,980,000

B. Outside the fixed charge

1,383,000

Stamps

7,825,000

Other Consolidated Fund Services

1,569,000

Land Tax

755,000

Payments to Local Taxation Accounts

1,152,000

House Duty

1,720,000  
 Total Consolidated Fund Services  
 22,557,000  
 Property and Income Tax (at 1s. in the £;)  
 26,920,000  
 II.;SUPPLY SERVICES.  
 Total Tax Revenue  
 109,562,000  
 Army (including Ordnance Factories)  
 91,710,000  
 POST OFFICE  
 13,800,000  
 Navy  
 29,520,000  
 Telegraph Service  
 3,450,000  
 Civil Services  
 23,500,000  
 Crown Lands  
 500,000  
 Customs and Inland Revenue  
 2,834,000  
 Suez Canal Share and Cognate Receipts  
 830,000  
 Post Office  
 8,963,000  
 Miscellaneous  
 2,243,000  
 Telegraph Service  
 3,737,000  
 Total Non-Tax Revenue  
 20,823,000  
 Packet Service  
 771,000  
 Total Revenue  
 130,385,000  
 Total Supply Services  
 161,035,000  
 Deficit  
 53,207,000  
 183,592,000  
 Total Expenditure  
 183,592,000

Note.;See for fuller figures, House of Commons Paper 128.

BALANCE SHEET (ESTIMATED) FOR 1901&#x2013;1902 ON BASIS OF EXISTING TAXATION,  
 AND BEFORE TAKING INTO ACCOUNT THE CHANGES PROPOSED BY THE CHANCELLOR OF T

EXCHEQUER.

Revenue (Exchequer Receipts);1901&#x2013;1902.

Expenditure (Exchequer Issues);1901&#x2013;1902.

£;

£;

CUSTOMS

23,600,000

I.;CONSOLIDATED FUND SERVICES.

INLAND REVENUE:

National Debt Services:

Excise

33,100,000

A. Inside the Fixed charge

23,000,000

Estate, & c., Duties

14,000,000

B. Outside the Fixed charge

2,000,000

Stamps

8,000,000

Other Consolidated Fund Services

1,650,000

Land Tax

750,000

Payments to Local Taxation Accounts

1,150,000

House Duty

1,750,000

Property and Income Tax (at 1s. in the £;.)

30,000,000

Total Consolidated Fund Services

27,800,000

Total Tax Revenue

111,200,000

II.;SUPPLY SERVICES.

POST OFFICE

14,300,000

Army (including Ordnance Factories)

88,260,000

Telegraph Service

3,450,000

Navy

30,876,000

Crown Lands

475,000

Civil Services

23,630,000  
 Suez Canal Share and Cognate Receipts  
 830,000  
 Customs and Inland Revenue  
 2,890,000  
 Miscellaneous  
 2,000,000  
 Post Office  
 9,329,000  
 Telegraph Service  
 4,036,000  
 Total Non-Tax Revenue  
 21,055,000  
 Packet Service  
 781,000  
 Total Revenue  
 132,255,000  
 Total Supply Services  
 159,802,000  
 Estimated Deficit  
 55,347,000  
 187,602,000  
 Total Expenditure  
 187,602,000

Note.; See for fuller figures, House of Commons Paper 128.

# BALANCE SHEET (ESTIMATED) 1901&#x2013;1902, SHOWING THE EFFECT OF THE CHANGES PROPOSED BY THE CHANCELLOR OF THE EXCHEQUER

Revenue (Exchequer Receipts);1901&#x2013;1902.

Expenditure (Exchequer Issues);1901&#x2013;1902.

£;

£;

£;

CUSTOMS;

I.;CONSOLIDATED FUND SERVICES..

£;

As in Appendix II.

23,600,000

As in Appendix II.

27,800,000

Add;

Deduct;

Amount receivable from;;

Proposed suspension of the Sinking Fund

4,640,000

(1) Sugar Duty

5,100,000

(2) Coal Duty

2,100,000

7,200,000

30,800,000

23,160,000

INLAND REVENUE:

Excise;As in Appendix II.

33,100,000

Add;

Estate, etc., Duties

14,000,000

Interest, amp;c. on new Loan

1,250,000

24,410,000

Stamps

8,000,000

Land Tax

750,000

Total Consolidated Fund Services

24,410,000

House Duty

1,750,000

Property and Income Tax at 1s. in the £; as in Appendix II.

30,000,000

Add;

II.;SUPPLY SERVICES.

Amount receivable from additional 2d. in the £;

3,800,000

33,800,000

Army (including Ordnance Factories)

88,260,000

Total Tax Revenue

122,200,000

Navy

30,876,000

Post Office

14,300,000

Civil Services

23,630,000

Telegraph Service

3,450,000

Customs and Inland Revenue

2,890,000

Crown Lands

475,000

Post Office

9,329,000  
Receipts from Suez Canal Shares and sundry Loans  
830,000  
Telegraph Service  
4,036,000  
Miscellaneous  
2,000,000  
Packet Service  
781,000  
Total Non-Tax Revenue  
21,055,000  
Total Estimated Revenue  
143,255,000  
Total Supply Services  
159,802,000  
Estimated Deficit  
40,957,000  
184,212,000  
Total Estimated Expenditure  
1184,212,000  
Note.;See for fuller figures, House of Commons Paper 128.

## APPENDIX II.

### PUBLIC BILLS

#### DEALT WITH IN VOLUME XCII.

Those marked thus \* are Government Bills. The figures in parentheses in the last column relate to the page in this volume.

"[H.L.]" following the title indicates that the Bill originated in the Lords.

#### (A.) HOUSE OF LORDS.

Title of Bill.

Brought in by

Progress.

Alkali, &c., Works Regulation [H.L.]

Lord Kenyan

Read 1a 22 Apl. (881)

Army (Annual)

;

Read 1a 2a and 3a, 26 Apl. (1420)

Betting [H.L.]

Bishop of Hereford

Read 1a 22 Apl. (881)

\* Consolidated Fund (No. 1)

;

Read 1a 2a 3a; Royal Assent 29 Mar. (197)

Marriages Legalisation [H.L.]

Lord Belper

Read 1a 26 Apl. (1254)

Polling Arrangements (Parliamentary Boroughs) [H.L.]  
Lord Ribblesdale  
Read 2a 28 Mar. (6); Committee Report 23 April (1055)  
Polling Districts (County Councils) [H.L.]  
Lord Ribblesdale  
Read 2a 28 Mar. (7); Committee Report, 23 April (1055)  
Prevention of Corruption [H.L.]  
Lord Alverstone  
Read 2a 23 Apl. (1052)  
\*Prisons (Scotland) [H.L.]  
Lord Balfour  
Committee Report 29 Mar. (200)  
Solicitors [H.L.]  
Lord Alverstone  
Read 1a 23 Apl. (1052)  
(B.) HOUSE OF COMMONS.  
Title of Bill.  
Brought in by.  
Progress.  
\*Army (Annual)  
Mr. Brodrick  
Read 2&#x00B0; 1 Apl. (423); Committee Report 22 Apl. (1029); Read 3&#x00B0; 25  
Apl. (1347)  
Consolidated Fund (No. 1)  
Sir M. Hicks-Beach  
Read 3&#x00B0; 28 Mar. (95)  
Cremation [H.L.]  
;  
Read 2&#x00B0; 1 Apl. (447)  
\*Demise of Crown  
Sir Robert Finlay  
Read 2&#x00B0; 1 Apl. (382)  
Title of Bill.  
Brought in by  
Progress.  
\*Dublin Corporation  
Mr. Wyndham  
Read 1&#x00B0; 1 Apl. (382)  
Factories and Workshops  
Mr. Tennant  
Read 1&#x00B0; 26 Apl. (1461)  
Factory and Workshop Acts Amendment  
Mr. Ritchie  
Read 1&#x00B0; 28 Mar. (90)  
Factory and Workshop Acts Consolidation  
Mr. Ritchie



Read 1&#x00B0; 28 Mar. (94)  
\*Fisheries (Ireland)  
Mr. Wyndham  
Read 1&#x00B0; 1 Apl. (381)  
Housing of the Working Classes (Repayment of Loans)  
Mr. Hay  
Read 1&#x00B0; 29 Mar. (236)  
Infant Life Protection Act (1897) Amendment  
Mr. Spear  
Read 1&#x00B0; 23 Apl. (1093)  
\*Isolation Hospitals  
Mr. Walter Long  
Read 1&#x00B0; 1 Apl. (439)  
\*Light Railways  
Mr. Gerald Balfour  
Read 1&#x00B0; 1 Apl (379)  
Local Government Act (1888) Amendment  
Mr. Spear  
Read 1&#x00B0; 23 Apl. (1094)  
Marriage with a Deceased Wife's Sister  
Sir Brampton Gurdon  
Read 1&#x00B0; 24 Apl. (1184)  
\*National Gallery (Purchase of Adjacent Land)  
Mr. Akers-Douglas  
Read 1&#x00B0; 29 Mar. (237)  
Parliamentary Elections (Mariners' Votes)  
Mr. Macdona  
Read 1&#x00B0; 1 Apl. (455)  
Petroleum  
Master of Elibank  
Read 1&#x00B0; 2 Apl. (494)  
Private Legislation Procedure (Wales, in eluding Monmouthshire)  
Mr. D. A. Thomas  
Read 1&#x00B0; 26 Apl. (1461)  
Public Health  
Sir F. Powell  
Read 1&#x00B0; 2 Apl. (493)  
Tramway (Ireland) Acts Amendment  
Mr. O'Doherty  
Read 1&#x00B0; 29 Mar. (237)  
Vagrants' Children Protection  
Mr. Warr  
Read 1&#x00B0; 19 Apl. (829)  
Workmen's Compensation Act (1897) Amendment (No 3)  
Mr. Joseph Walton  
Read 1&#x00B0; 26 Apl. (1461)

### APPENDIX III.

#### HOUSE OF COMMONS. SESSION 1901.

LIST OF RULES, ORDERS, &c., which have been presented during the Session, and are required by Statute to lie for an appointed number of Days upon the Table of the House.

[Continuation of List given in preceding Volume.]

Title of Paper.

Date from which the Period runs.

Period to lie upon the Table.

Board of Education (Code, 1901),;Copy of Code of Regulations for Day Schools, with Schedules and Appendices, by the Board of Education [33 and 34 Vic, c. 75, s. 97]

28 March

One month

Universities (Scotland) Act, 1889 (Ordinance),;Copy of University Court Ordinance No. V. (Glasgow, No. 1) (Regulations for Degrees in Science in Agriculture) [52 and 53 Vic, c. 55, s. 20]

2 April

12 weeks

Factory and Workshop Acts (Period of Employment) (Warehouses in Factories or Workshops where Bright or Burnished Metal Goods are made),;Copy of Order, dated 6th September, 1900, made by the Secretary of State for the Home Department in pursuance of Section 65 of The Factory and Workshop Act, 1878, and Section 39 of The Factory and Workshop Act, 1895, permitting the Warehouses in Factories and Workshops where Bright or Burnished Metal Goods are made to be treated as separate Factories or Workshops, as far as regards the period of employment of children, young persons, and women [41 and 42 Vic., c. 16, s. 65]

18 April

40 days

Western Australia (Constitution Act Amendment Act, 1900),;Copy of the Constitution Act Amendment Act, 1900, of Western Australia, No. V. [13 and 14 Vic, c. 59, s. 32]

18 April

30 days

Queensland (The Parliament of the Commonwealth Elections Act, and the Elections Acts 1885 to 1898 Amendment Act of 1900),;Copy of the Parliament of the Commonwealth Elections Act and the Elections Acts 1885 to 1898 Amendment Act of 1900 of Queensland [13 and 14 Vic, c. 59, s. 32]

18 April

30 days

Education (Scotland),;Copy of Minute of the Committee of Council on Education in Scotland, dated 19th April, 1901, amending the terms of Article 89 (b) of the Code of 1901 [35 and 36 Vic, c. 62, s. 671]

19 April

One month

Education (Scotland) (Continuation Classes);;Copy of (1) Code of Regulations for Continuation Classes providing further Instruction for those who have left School; (2) Memorandum on the Code of Regulations for Continuation Classes [35 and 36 Vic, c. 62, s. 67]

26 April

One month

INDEX TO THE PARLIAMENTARY DEBATES  
[AUTHORISED EDITION].

FOURTH VOLUME OF SESSION 1901.

MARCH 28;APRIL 26.

EXPLANATION OF ARRANGEMENT AND ABBREVIATIONS.

Bills: Read First, Second, or Third Time &#x003D; 1R., 2R., 3R. [c.] &#x003D;

Commons. [l.] &#x003D; Lords. Amendt.

&#x003D; Amendment. Qs. &#x003D; Observations. Qs. &#x003D; Questions. As.

&#x003D; Answers. Com. &#x003D; Committee. Con. &#x003D; Consideration. Where in

the Index \* is added with Reading of a Bill, or a Vote in Committee of Supply,

it indicates that no Debate took place on that Stage of the Bill, or on that

Vote. Subjects discussed in Committee of Supply are entered under their

headings, and also under Members' Names, without reference to the actual Vote before the Committee.

A

Abraham, Mr. W. [Cork Co., N.E.]

Creameries, Ireland;Loans for purchase of Separators, Apr. 26, 1449.

Fermoy Post Office;Delay in Appointment of Medical Officer, Apr. 22, 931.

Roman Catholic Disabilities Removal Bill;Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 314.

Accidents

see titles Mining Accidents and Railway Servants.

Adjournment of the House

Easter Recess

Motion (Mr. A. J. Balfour), Apr. 2, 494;Shortening the Holidays, Amendment to

Motion (Sir C. Dilke), 494.

Friday's Rule as to moving Adjournment of the House after Supply had been disposed of, see Business of the House.

Motion for Adjournment of the House to discuss matter of urgent Public Importance.

Kearley's, Mr., Motion, Apr. 23, 1092.

Admiralty

First Lord;Rt. Hon. Earl of Selborne.

Secretary;Mr. H. O. Arnold-Forster.

Civil Lord of the Admiralty;Mr. E. G. Pretymann.

(see Navy.)

Adulteration of Food

Public Health Act, 1875, Prosecutions under;Sanitary Authorities stating Nature of Charges, etc., proposed Q. Mr. Field;

A. Mr. Long, Apr. 23, 1072.

Africa, East

Direct Steamship Communication between Great Britain and East Africa.

Motion for Select Committee of Inquiry (Mr. E. Cecil), Apr. 23, 1141.

Circumnavigation of Africa, Necessity for; Trade prospects etc., 1141, 1158, 1161, 1162, 1172.

East Africa, Direct Communication with, 1141, 1154, 1157, 1160, 1162, 1165, 1169, 1171.

Foreign Governments, Subsidies by; Effect on fares and freights, etc., 1141, 1148, 1150, 1166, 1169, 1172.

Free Trade principles and countervailing duties and subsidies, 1151, 1153, 1156, 1161.

Through bills of lading, Advantages, 1147.

Veterinary Work in British East Africa; Report Presented, Apr. 22, 878.

Zanzibar, see that title.

Africa; German East Africa

Trade Report Presented, Apr. 22, 876.

Africa, South

Cape Colony, Orange River Colony, Rhodesia, Transvaal, etc., see those titles.

Chinese Labour, Introduction of

Qs. Mr. H. Burke, Mr. W. Redmond; As. Mr. J. Chamberlain, Apr. 19, 776.

(see also Rhodesia).

Civil Administration, see Transvaal and Orange River Colony.

English Colonists; Unsuitability of South Africa for  
Labouchere, Mr., on, Mar. 28, 148.

Foot and Mouth Disease; Precautions against Importation to British Isles

Q. Mr. Stevenson; A. Mr. Hanbury, Mar. 28, 66.

High Commissioner's Consultative Committee, etc., see Milner, Sir A.

Natives, Flogging; Powers of New Justices

Q. Mr. O. Williams; A. Mr. J. Chamberlain, Apr. 22, 893.

Papers relating to South Africa, see South African War Despatches.

Settlement, see South African Settlement.

Simon's Bay, Coaling Arrangements

Qs. Sir J. Colomb, Mar. 29, 239, Mr. Pretymann, 240.

South African Land Settlement, see that title.

South African War, see that title.

Swaziland, see that title.

Africa, West

Ashanti and Cape Coast Colony, see those titles.

Waima Incident; Negotiations with France

Q. Mr. Bill; A. Visc. Cranborne, Apr. 25, 1309.

West African Regiment; Desertions at Coomassie

Qs. Mr. Lough, Mr. H. Lewis; As. Mr. J. Chamberlain, Apr. 1, 342.

Afrikaner Delegates

see South African Settlement; Merriman-Sauer Petition.

Agrarian Outrages, Ireland

Return (Provinces) for 1900 Presented, Apr. 18, 596.  
 Agricultural Rating Act  
 "Doles and Sops"  
 Debate on the Budget, Apr. 25, 1379, 1382, 1384, 1391.  
 Non-Renewal proposed; New Coal Duty  
 Q. Mr. H. Lewis; A. Sir M. H. Beach, Apr. 23, 1071.  
 Petitions, Apr. 1, 323; Apr. 2, 468; Apr. 19, 768; Apr. 24, 1181.  
 Return Presented, Apr. 2, 470.  
 Agriculture and Technical Instruction (Ireland) Act  
 Sections 17 and 30, Carrying out Q. Mr. Hayden; A. Mr. Wyndham, Apr. 1, 364.  
 (for questions relating to the Department, see Ireland).  
 Agriculture, Board of  
 President; Rt. Hon. R. W. Hanbury.  
 Aire and Calder Navigation Bill  
 I. Report from Select Committee, Mar. 28, 2.  
 3R.\* Apr. 23, 1050.  
 c. 1R.\* Apr. 25, 1283.  
 Albion Steam Coal Company Bill  
 I. Report,\* Apr. 26, 1414.  
 Alfreton Gas Bill  
 I. Report,\* Mar. 28, 2.  
 3R.\* Apr. 23, 1050.  
 c. 1R.\* Apr. 25, 1283.  
 Aliens  
 Immigration  
 Number entered in Jan. and Feb., 1901; Legislation, proposed  
 Qs. Mr. T. Dewar, Sir H. Vincent; As. Mr. G. Balfour, Apr. 1, 346.  
 Overcrowding in East London  
 Q. Sir H. Vincent; A. Mr. Ritchie, Apr. 1, 347.  
 Naturalisation; Return Ordered, Apr. 23, 1061.  
 Alkali, etc., Works Regulation Bill  
 I. 1R.\* Apr. 22, 881.  
 Allan, Mr. W. [Gateshead]  
 Naval Ships and Water-tube Boilers; D&#x00FC;rr Boilers, Number ordered from  
 Germany, Defects on H.M.S. "Formidable," etc., Apr.  
 22, 907.  
 Allen, Mr. C. P. [Gloucestershire, Stroud]  
 British Sailing Vessels; Number Missing in 1900, Apr. 1, 346.  
 Civilian Suits for Soldiers returning to Civilian Life; Contract Price, Apr. 22,  
 903.  
 Naval Officers; Foreign Languages, Study of, etc., Mar. 29, 269.  
 South African War; Heilbron Affair, Capture of Convoy, etc., Mar. 29, 213.  
 Allotments  
 Scotland; Return Ordered, Apr. 22, 887.  
 Alverstone, Lord; Lord Chief Justice  
 Prevention of Corruption Bill, 2R., Apr. 23, 1052.

Ambrose, Dr. [Mayo, W.]  
Bundorragha Fisheries;Want of Landing Pier, Apr. 1, 355.  
Director of Public Prosecutions;Offices held by, etc., Apr. 26, 1528.  
Distress among Soldiers' Wives;Soldiers at the Front, Mar. 29, 288.  
Grazing Lands;Status of Tenants on Estates purchased by Congested Districts Board, Apr. 23, 1078.  
Irish Emigration Statistics, Apr. 1, 362.  
Local Government Board;Medical Inspectors, Appointment of Dr. B. M'Carthy, Apr. 1, 359.  
Roman Catholic Disabilities Removal Bill;Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 310.  
America  
see United States.  
Ammunition  
Mark IV. Ammunition, see Bullets.  
Amsterdam  
Trade Report Presented, Apr. 26, 1416.  
Anson, Sir W. [Oxford University]  
Demise of the Crown Bill, 2R., Apr. 1, 399.  
Apjohn's Estate  
Sale to Tenants  
Q. Mr. Landon; A. Mr. Wyndham, Mar. 29, 226.  
Appeal Committee of the House of Lords  
Report Presented, Mar. 29, 197.  
Appeal Court  
see Law Courts.  
Arabia, Central  
Battle between Forces of Ibn Rashid and the Sheikh of Koweyt  
Q. Sir M. Bhowndaggee; A. Visc. Cranborne, Apr. 23, 1068.  
Archdale, Mr. E. M. [Fermanagh, N.]  
Butter Substitutes;Sale of Margarine, Prosecution, Apr. 25, 1331.  
Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 747.  
Ardagh Burial Ground  
Area of Charge for Cost of New Burial Ground, etc.  
Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 36, 1446.  
Ardeer, Ayrshire  
Explosion at Nobel's Factory;Inspector's Report Presented, Apr. 18, 594; Apr. 22, 876.  
Argentine Republic  
Cattle Importation from Ireland;Relaxation of Prohibition  
Q. Mr. Macartney; A. Visc. Cranborne, Apr. 18, 607.  
Arklow Harbour  
Report and Abstract of Accounts Presented, Apr. 22, 880, 886.  
Arlesey Gas Bill  
I. 3R.\* Mar. 28, 3.

c. 1R.\* Mar. 29, 209.

2R.\* Apr. 26, 1420.

Armagh

Hamilton Synge Estates, see that title.

Magistrates and Justices of the Peace;Number of Roman Catholic Magistrates compared with Protestants

Qs. Mr. J. Campbell; As. Mr. Wyndham, Mar. 29, 232; Apr. 25, 1336.

Postal Officials;Number, Rank, Religious Denominations, etc.

Q. Mr. J. Campbell; A. Mr. A. Chamberlain, Apr. 25, 1339.

Rural Postmen;Revision of Walks, etc.

Q. Mr. J. Campbell; A. Mr. A. Chamberlain, Apr. 2, 490.

Workhouse;Appointment of Trained Nurse, etc.

Q. Mr. Lonsdale; A. Mr. Wyndham, Apr. 2, 488.

Army

Secretary of State;Rt. Hon. St. John Brodrick.

Under Secretary;Lord Raglan.

Financial Secretary;Lord Stanley.

Australia, Imperial Representative Forces in;Disturbances

Q. Mr. C. Hobhouse; A. Mr. Brodrick, Mar. 28, 50.

Barracks, see that title, also Names of Barracks.

Beer Rations for returning Soldiers from South Africa in lieu of Rum;Beer

Contracts

Q. Sir C. Quilter; A. Mr. Arnold-Forster, Apr. 25, 1290.

Bowles, Private, Case of, Sick Furlough, Pension, etc.

Q. Mr. Hay; A. Lord Stanley, Apr. 25, 1301.

Cavalry Commissions;Physical Qualifications

Q. Mr. A. Smith; A. Lord Stanley, Apr. 2, 474.

Clothing

Civilian Suits for Soldiers returning to Civilian life;Contract Price Q. Mr.

Allen; A. Lord Stanley, Apr. 22, 903.

Factory

Annual Account Presented, Mar. 28, 42.

Pimlico Department;Overtime Pay

Q. Capt. Norton; A. Lord Stanley, Apr. 2, 475.

Uniforms, see that sub-heading.

Colvile, Gen., see Colvile.

Commander-in-Chief;Salary

Q. Mr. Daly; A. Mr. Brodrick, Apr. 19, 782.

Commissions;Physical Standard

Cavalry, see that sub-heading.

Modification of

Q. Maj. Rasch; A. Mr. Brodrick, Apr. 22, 905.

Court-Martial, Trial by;Assimilating Procedure in the Army to that in the Navy

Debate on the Army (Annual) Bill, Apr. 1, 423 (see also Army (Annual) Bill).

Deceased Soldiers' Estates;Case of of Private Conhoy

Q. Mr. O'Dowd; A. Lord Stanley, Apr. 26, 1431.

(see also South African War.)

Engineer Corps Adjutants; Lack of in the Home District, etc.

Q. Mr. H. Samuel; A. Lord Stanley, Apr. 22, 904.

Expenditure

Military Works Act-Estimate of Expenditure Presented, Apr. 18, 593; Apr. 22, 875.

Necessity of increased Expenditure; Budget Statement, Apr. 18, 627.

South African War, see that title.

Explosives Committee, see that title.

Held Allowance in South Africa, see South African War.

Garrison Battalions for Service in the Mediterranean, etc.

Royal Warrant of Feb. 23, 1901, Proposed Alteration

Q. Capt. Norton; A. Mr. Brodrick, Mar. 28, 50.

Separation Allowance, etc.

Q. Mr. C. Warner; A. Lord Stanley, Apr. 25, 1305.

Guns

Germany, Purchase of Field Guns, Defects, etc.

Q. Sir C. Dilke; A. Mr. Brodrick, Apr. 20, 1430.

Volunteers Re-armament, see title Volunteers.

India, see that title.

Irish Guards; Unpopularity of Forage Cap, proposed removal of Guards to Dublin

Q. Dr. Thompson; A. Lord Stanley, Apr. 25, 1304.

King's Regulations, Changes in

Q. Capt. Norton; A. Mr. Brodrick, Apr. 2, 475.

Lee, Ex-private; Ill-treatment at Netley Hospital, alleged

Q. Mr. J. P. Farrell; A. Mr. Brodrick, Apr. 25, 1297.

Linked Battalions, System of; Scheme of Reorganisation

Q. Mr. Black; A. Mr. Brodrick, Apr. 28, 1067.

Man&#x0153;uvres in 1901

Q. Col. W. Murray; A. Mr. Brodrick, Apr. 22, 904.

Mark IV. Ammunition, see title Bullets.

Meat for the Troops

Contracts; Exclusion of Foreign Meat

Q. Capt. Donelan; A. Lord Stanley, Apr. 19, 783.

South African War, see that title.

Medical Department; Report for 1899 Presented, Apr. 25, 1286; Apr. 26, 1416,

Military Works Act; Estimate of Expenditure Presented, Apr. 18, 593; Apr. 22, 875.

Militia, see that title.

Mounted Infantry Training and Scouting Duties; Training Troops for South Africa

Q. Sir H. Vincent; A. Mr. Brodrick, Apr. 18, 601.

Officers' Pensions; Officers serving with Militia in South Africa, Counting

Service towards Pensions, etc.

Q. Mr. L. Morgan; A. Lord Stanley, Apr. 1, 335.

Ordnance Factories; Annual Account for 1899&#x2013;1900 with the Report of the Comptroller and Auditor-General Presented, Apr.



18, 595.

## Pensions

Invalided Soldiers from South Africa

Groves, Private S.

Q. Mr. Levy; A. Lord Stanley, Apr. 23, 1065.

Woolley, Private

Q. Mr. Levy; A. Lord Stanley, Apr. 1, 336.

Officers, see that sub-heading.

Widows and Orphans of Soldiers and Sailors who have fallen in South Africa;Government Scheme, see South African War.

Rations;Army (Annual) Bill, see that title;Schedule.

## Recruits

Age of Recruits;Oath of Allegiance etc.

Qs. Mr. Pirie; As. Lord Stanley, Apr. 1, 337; Apr. 2, 474.

M'Mahon, M., Case of-Insubordinanation, etc.

Q. Mr. Joyce; A. Lord Stanley, Apr. 22, 901.

Recruiting;Inspector-General's Report

Q. Sir C. Dilke; A. Mr. Brodrick, Apr. 2, 473; Q. Sir C. Dilke; A. Lord Stanley, Apr. 19, 783.

Report Presented, Apr. 18, 593; Apr. 22, 877.

Reforms and Re-organisation;Government Proposals

Q. Capt. Norton; A. Mr. A. J. Balfour, Apr. 1, 335.

Force of 120,000 Men for Field Service over the Sea;Return proposed

Q. Sir J. Colomb; A. Mr. Brod Mar. 29, 215.

Garrison Battalions, see that sub-heading.

Highland Regiments;Quartering in Scotland

Q. Mr. Black; A. Mr. Brodrick, Apr. 23, 1067.

Laying Terms of Resolution on the Table

Q. Mr. E. Robertson; A. Mr. A. J. Balfour, Mar. 29, 235.

Linked Battalions, System of;Retaining

Q. Mr. Black; A. Mr. Brodrick, Apr. 23, 1067.

Opportunity for Discussion

Q. Mr. Pirie; A. Mr. A. J. Balfour, Apr. 2, 473.

Reserve, First Class Reserve, Section D;Training, Volunteering for South Africa, etc.

Q. Capt. Norton; A. Lord Stanley, Apr. 26, 1432.

Rifle Ranges, see that title.

## Separation Allowances

Garrison Battalions for Service in the Meditteranean, see that sub-heading.

Soldiers married without leave;Services in South Africa

Government Pension Scheme, see South African War;Pensions.

## Separation Allowances

Q. Mr. P. Smith; A. Mr. Brodrick, Apr. 26, 1431.

Powell, G., Case of

Q. Mr. Joyce; A. Lord Stanley, Apr. 22, 903.

South African War, see that title.

Surrenders in Presence of the Enemy, Displaying White Flag, etc.; Army Order of  
 11th April; Surrenders in South Africa  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 19, 772.  
 Training in the Ranks, Period of  
 Q. Sir J. Colomb; A. Mr. Brodrick, Apr. 1, 337.  
 Uniforms; New Service Dress  
 Q. Lt.-Col. Pryce-Jones; A. Lord Stanley, Apr. 19, 784.  
 Volunteers, see that title.  
 Woolwich Military Academy, see Woolwich.  
 Yeomanry, see that title.  
 Army (Annual) Bill  
 c. 2R., Apr. 1, 423.  
 Com., Apr. 22, 1029.  
 3R., Apr. 25, 1347.  
 l. 1R.\* 2R.\* and 3R.\* Apr. 26, 1420.  
 Army (Annual) Bill  
 Changes in the King's Regulations  
 Q. Captain Norton; A. Mr. Brodrick, Apr. 2, 475.  
 Debate on Second Reading, Apr. 1, 423; Committee, Apr. 22, 1029; Third Reading  
 (Commons), Apr. 25, 1347.  
 Conduct of Troops; Looting, etc., 1347.  
 Consolidation of Army Acts, 1348, 1350, 1352.  
 Court-Martial instead of Court of inquiry in certain cases, 434, 435, 438.  
 Incompetence, Inquiries concerning; Difficulty of deciding, etc., 429, 432, 433,  
 436, 437, 1031, 1034, 1037.  
 Oath, Taking Evidence on, 424, 423, 431, 433, 434, 436, 1030, 1031, 1033, 1034,  
 1035, 1036, 1037, 1038, 1042.  
 Prerogative Courts and non-statutory Courts, etc., 426, 434, 435, 1029, 1033,  
 1034, 1035, 1036, 1041.  
 Procedure in the Army and the Navy; Assimilating, 423, 427, 435, 438, 1032, 1351.  
 Schedule Allowances for Soldiers' Meals  
 Breakfast allowance, Amount' etc., 1043, 1045, 1046.  
 Licensed Victuallers, Billeting Allowance, 1045, 1046.  
 "Shamefully," Omission of word from King's Regulations suggested, 428, 433, 434,  
 437.  
 Surrender, Inquiries into, 424.  
 Two Courts for one Case, Disadvantages, etc., 430, 436, 438.  
 Army Estimates  
 Chelsea and Kilmainham Hospitals; £1,485,000, Com., Mar. 29, 277; Rep.\* Apr. 1,  
 447.  
 Education; £119,200, Com., Mar. 29, 272, Rep.\* Apr. 1, 447.  
 Miscellaneous Effective Services; £218,200, Com., Mar. 29, 277; Rep.\* Apr. 1,  
 447.  
 Superannuation, Compensation, Compassionate Allowances, etc.; £188,500, Com.,  
 Mar. 29, 293; Rep.\*  
 Apr. 1, 447.

Supplementary Estimates; Estimates voted since 1890, Return Ordered, Mar. 28, 42.  
 Surpluses on Votes, Appropriation of, to meet excesses on other Votes; Treasury  
 Minute Presented, Mar. 28, 42.  
 Arnold-Forster, Mr. H. O.; Secretary to the Admiralty [Belfast, W.]  
 Attach&#x00E9;s; Number, Pay, etc., Mar. 29, 247, 248.  
 Beer Rations for Soldiers returning from South Africa in lieu of Rum; Contracts  
 for Beer, Apr. 25, 1290.  
 Canton Operations 1857&#x2013;8; Distribution of Booty, Apr. 1, 340.  
 Chaplains; Roman Catholic Chaplains, Mar. 29, 246.  
 Charitable and Religious Institutions and Ministers of Religion, Grants to, Mar.  
 29, 258, 260, 262, 264, 269.  
 Cornwall and York's, Duke and Duchess; Visit to the Colonies  
 "Ophir"; Expenses, Sale of Fittings, etc., Mar. 29, 258.  
 Unauthorised Expenditure, alleged, Mar. 29, 246.  
 Devonport Dock Police; Extra Lodging Allowance, Mar. 29, 254.  
 D&#x00FC;rr Boilers, Number Ordered from Germany; Defects on H.M.S. "Formidable,"  
 etc., Apr. 22, 907.  
 Fleets; Return, Apr. 19, 784.  
 "Goonlaze," Wreck; Inadequacy of Coastguard Service between Hartland Point and  
 Westward Ho&#x0021; Apr. 26, 1434.  
 Guns; "Thunderer," H.M.S., Bursting of Guns, etc., Mar. 29, 216.  
 Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 749.  
 Lieutenants, Number of; Number in French Navy, etc., Apr. 18, 604.  
 Marines  
 Officers; Ineligibility to serve on Courts-Martial Afloat, Mar. 29, 271.  
 Royal Light Infantry, Service in China; Promotions, Publication of Dates, etc.,  
 Apr. 20, 1433.  
 Mediterranean Fleet and Channel Squadron, Number of Cruisers attached, Mar. 28,  
 51.  
 "Medusa," H.M.S., Removal from North Shields, Apr. 26, 1432.  
 Mobilisation of Portion of the Fleet, Apr. 1, 338.  
 Officers; Study of Foreign Languages, Mar. 29, 261, 262.  
 Passage Money for Conveyance of Officers, etc.; Proportion paid to Officers,  
 Seamen, and Marines, Mar. 29, 248.  
 Peterhead Harbour Works; Total Expenditure, Date of Completion, etc., Apr. 26,  
 1433.  
 Pilotage and Towing Rates, Mar. 29, 249.  
 Reserve, Second Class Men; Pension Claims, Apr. 1, 339.  
 Southampton; Boom Defences, etc., Mar. 29, 243.  
 Training Ship "Northampton," Proposed Visit to Invergordon, Mar. 28, 52.  
 Travelling Allowances, Mar. 29, 246.  
 "Victoria and Albert" Yacht; Total cost, Mar. 28, 52.  
 Warrant Officers; South African War and China Campaign, Decorations, Mar. 29,  
 247.  
 Ashanti  
 Native Labour Laws; Return

Q. Mr. Labouchere; A. Mr. J. Chamberlain, Mar. 28, 52.  
 West African Regiment at Coomassie; Desertions  
 Qs. Mr. Lough, Mr. H. Lewis; As.  
 Mr. J. Chamberlain, Apr. 1, 342.  
 Ashmead-Bartlett, Sir E. [Sheffield, Ecclesall]  
 Budget; Income Tax, Apr. 23, 1114.  
 China  
 Manchuria, Russo-Chinese Agreement, Mar. 28, 55; Apr. 2, 477.  
 Russia  
 Indemnity Claim, Apr. 22, 908.  
 Russia and Japan; Reported Negotiations, Apr. 22, 909.  
 Situation in; British Policy, Manchurian Convention, etc., Mar. 28, 163, 179;  
 Apr. 2, 575.  
 Consolidated Fund (No. 1.) Bill, 3R., Mar. 28, 149, 163, 179, 181, 187.  
 Poland; "Sending the Fleet to the Coast of Poland" Fable, Mar. 28, 187.  
 Swaziland  
 British Protectorate, proposed, Apr. 1, 331.  
 Military Movements in, Apr. 1, 331.  
 Ashton, Mr. T. G. [Bedfordshire, Luton]  
 Hyde School Board Prosecutions. Apr. 2, 481.  
 Aspatria, Silloth and District Water Bill  
 1. Report,\* Mar. 29, 198.  
 3R.\* Apr. 23, 1050.  
 c. 1R.\* Apr. 25, 1283.  
 Asquith, Rt. Hon. H. H. [Fife, E.]  
 Army (Annual) Bill, Com., Apr. 22, 1030, 1037.  
 Circuit System, Defects of, Apr. 26, 1468.  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 127.  
 Factory and Workshops Acts Amendment Bill, Intro., Mar. 28, 92.  
 Law Officers of the Crown; Salaries and Fees, System of Payment, etc., Apr. 26,  
 1489.  
 Railway Servants Accidents, Prevention of, etc., Apr. 2, 550.  
 Assizes  
 Circuit System, see that title.  
 Atkinson, Rt. Hon. J.; Attorney-General for Ireland [Londonderry, N.]  
 Criminal Injuries, Compensation for, Mar. 28, 82.  
 District Councillors; Occupants of Labourers' Cottages, Disqualification, etc.,  
 Apr. 1, 369.  
 Eaton, Th., Imprisonment for Contempt of Court; Dr. Waters conducting Prosecution  
 of E. Eaton, etc., Apr. 22, 930,  
 Ennis Intimidation Cases; Case of Messrs. M'Inerney, Halpen, and Lynch; Government  
 defraying Defendants' Costs, proposed,  
 Apr. 22, 928.  
 Grass Farms, Advances for Purchase, Apr. 26, 1455.  
 Land Act, 1896; Fortieth Section, Mar. 29, 231.  
 Land Judges' Court; Delays in carrying out Sales, etc., Apr. 1, 369.

Leslie v. Justices of Monaghan; Constitution of Court, etc., Apr. 1, 367; Apr. 2, 487.  
 M'Hugh, Mr. P. A., Prosecution of; Proceedings against Dublin Newspapers, Apr. 26, 1454.  
 Nenagh Urban Council; Mr. Patchell's Disqualification Report, Apr. 22, 929.  
 Omagh Quarter Sessions; Case of G. Feathers, Apr. 25, 1338.  
 Poor Rate Collectors' Carrying on Retail Business; Local Government Act, 1898, Apr. 22, 928.  
 Truck Acts; Deane v. Boyle, Apr. 26, 1453.  
 Attendance at Schools  
 see Education.  
 Attorney-General  
 Rt. Hon. Sir R. Finlay.  
 Advice given to Ministers  
 Debate on the Estimates, Apr. 26, 1473.  
 Ministers alone Responsible for action taken on such advice; Mr. Balfour's Statement, Apr. 26, 1479.  
 Salary and Fees, System of payment etc.  
 Debate on the Estimates, Apr. 26, 1469.  
 Attorney-General for Ireland  
 Rt. Hon. J. Atkinson.  
 Australasia  
 Boer Prisoners, Deportation to Tasmania proposed; Refusal of Australian Government  
 Qs. Mr. W. Redmond, Mr. S. MacNeill; As. Mr. J. Chamberlain, Apr. 22, 891.  
 Imperial Representative Forces; Disturbances  
 Q. Mr. C. Hobhouse; A. Mr. Brodrick, Mar. 28, 50.  
 South African War; Troops returning home, Disturbance in Cape Town, alleged  
 Q. Mr. Tully; A. Mr. Brodrick. Apr. 25, 1295.  
 Western Australia; Constitution Act Amendment Act, 1900, No. V Pre-ented, Apr. 18, 596.  
 Avoch Harbour  
 Fishery Board Negotiations; Owner of Harbour, etc.  
 Q. Mr. Weir; A. Mr. A. G. Murray, Apr. 1, 353.  
 B  
 Balfour, Rt. Hon. A. J.; First Lord of the Treasury [Manchester, E.]  
 Army (Annual) Bill; Passing the Bill up to the point on which it is non-controversial, etc., Apr. 19, 863.  
 Army Re-organisation; Government Proposals, Mar. 29, 235; Apr. 1, 335; Apr. 2, 473.  
 Attorney-General; Advice given to Ministers, Ministers alone Responsible for Action taken on such advice, Apr. 26, 1479.  
 Budget  
 Date of Report; Date of levying Duty, etc., Apr. 18, 733, 734.  
 Necessity for taking Resolutions on the Budget Night, Apr. 18, 736.  
 Business of the House

Course of Business, Mar. 28, 89; Mar. 29, 235; Apr. 1, 378; Apr. 18, 609; Apr. 19, 793; Apr. 22, 932; Apr. 23, 1091; Apr. 25, 1342.  
 Earlier Sitting on Wednesdays;Eleven o'clock, Mar. 28, 90.  
 Friday's Rule as to moving Adjournment of the House after Supply had been disposed of, Irish Members' Protest;Roman Catholic Disabilities Removal Bill, Mar. 29, 293, 294, 297, 298, 305, 306, 307, 308.  
 Morning Sittings;Meeting of the House at 2 o'clock on Tuesdays, etc.  
 Motion, Apr. 19, 794, 797, 805, 808.  
 Saturday Sittings;Meeting of the House for Government Business with a view to preserving rights of Private Members on Tuesdays, Apr. 23, 1089.  
 Coinage, New Coinage;Decimal System proposed, Apr. 23, 1089.  
 Commerce, Ministers of, proposed, Apr. 26, 1460.  
 Consolidated Fund (No. 1) Bill, 3R Mar. 28, 189, 192.  
 Appeal to the House to terminate Debate, Mar. 28, 189.  
 Crofters' Act, 1886;Extension to Leaseholders under £;30, proposed, Apr. 25, 1341.  
 Demise of the Crown, Vacation of Office Labouchere's, Mr., Objections to Mr. A. J. Balfour's Presence in the House, Apr. 1, 376.  
 Demise of the Crown Bill, 2R., Apr. 1, 398.  
 Explanatory Memorandum, Mar. 28, 89.  
 Distribution of Parliamentary Time;Private Members' dissatisfaction, Apr. 2, 504.  
 Easter Recess, Shortening;Sir C. Dilke's Amendment, Apr. 2, 501.  
 Education  
 Cockerton Judgment;Date of Introduction of Bill, etc., Apr. 2, 492; Apr. 23, 1088; Apr. 26, 1457, 1458.  
 Code, Opportunity for discussing Higher Elementary Education Minute, Apr. 1, 375; Apr. 2, 493.  
 Equalisation of Rates, London;Government Pledges, Apr. 25, 1340.  
 Gibraltar Harbour Works;Report of Committee of Inquiry, Apr. 26, 1459.  
 Ireland  
 Land Purchase;Government Proposals, Apr. 2, 491; Apr. 18, 609.  
 Roads, Labour, Employment of Direct Labour;Provisional Order, Apr. 25, 1340.  
 University Education  
 Roman Catholic University Question, Apr. 22, 1008.  
 Royal Commission of Inquiry Constitution of Commission Apr. 25, 1340.  
 Names of Members and Term of Reference, Mar. 28, 88; Apr. 23, 1089.  
 King holding Court at Edinburgh, proposed, Apr. 25, 1341.  
 King's Accession, Notification to Foreign Powers;Message to the Sultan of Turkey, Apr. 26, 1460.  
 Land Tax Commissioners' Names Bill. Apr. 19, 791.  
 Law Officers of the Crown;Salaries and Fees, System of Payment, etc., Apr.26, 1479, 1495, 1496, 1498.  
 Local Taxation;Royal Commission, Date of Issuing Report, Apr. 23, 1090; Apr 25,

1342.

Merriman-Sauer Petition, Mar. 28, 44

Milk Standards;Report of Departmental Committee, Apr. 1, 375.

Questions in the House

Filing Answers in the Library, proposed, Apr. 2, 493.

Limitation of Numbers, proposed, Mar. 28, 89.

Roman Catholicism, King's Declaration against;Government Proposals, Apr. 23, 1088.

Sale of Intoxicating Liquors to Children Bill;Affording Special Facilities, etc., proposed, Apr. 22, 932.

South African War

Inquiry into Conduct of the War, Mar. 28, 45; Mar. 29, 212; Apr. 2, 471; Apr. 18, 598.

Laws of Warfare;Hague Conference, Mar. 28, 45.

Supply Procedure;Order of Votes, proposed Committee, Apr. 2, 491.

War Relief Funds;Joint Committee of Inquiry, Date of Meeting, Apr. 26, 1459.

Balfour, Rt. Hon. G. W.;President of the Board of Trade [Leeds, Central]

Alien Immigration

Number entered in Jan. and Feb, 1901, etc., Apr. 1, 346.

Overcrowding in East London Apr. 1, 347.

Bankruptcy Delays, Mar. 28, 64,

Coal;Export Duty

Bunker Coal, Apr. 25, 1312.

Patent Fuel and Coke Industries in S. Wales, Apr. 25, 1312.

Coal Export;Returns, Apr. 19, 787 Exports from England, etc., to West Indies in 1900, Apr. 25, 1311.

Seaborne Coal, Apr. 26, 1438.

United States;Amount exported to European Countries and South America in 1890, etc., Apr. 25, 1310.

United States and Canada;Amount exported in 1900, etc., Apr. 25, 1309.

Electrical Energy Bills;Enabling Promoters to acquire necessary Powers by means of Provisional Orders, Apr. 22, 915.

Fishing Boats;Day Signals for Steam Liners, proposed, Apr. 25, 1318.

Great Eastern Railway Bill, Con., Apr. 25, 1273.

Irish Questions

Fastnet Rock;Reporting Station, Apr. 22, 914.

Hog Island Channel;Wreck of Greek Brig, Danger to Navigation, Apr. 22, 915.

Lights Board;Select Committee proposed, Apr. 1, 371.

Poyntzpass Level Crossing;Construction of Footbridge, Mar. 29, 234.

Iron and Steel Trade;Belfast Orders placed with American Firm, Apr. 23, 1075.

Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 760.

Light Railways;Return, Mar. 28, 64.

Light Railways Bill, Intro., Apr. 1, 379.

"Orona," s.s.;Insufficient Manning, alleged, Mar. 28, 63.

Patent Laws, Mar. 28, 65.

Penrhyn Quarry Dispute;Intervention of Board of Trade, Apr. 23, 1074, 1075.

Pontefract Locomotive Explosion;Inspector's Report, Apr. 23, 1075.  
 Poulton-le-Fylde Boiler Explosion;Payment of Costs, Apr. 25, 1319.  
 Railway Servants Accidents, Prevention of Accidents;Administration of Act of  
 Last Session, etc., Apr. 2, 548.  
 Scotch Questions  
 Fort George Water Supply, Mar. 29' 222.  
 Highland Railway;Mixed Trains, Mar. 28, 63; Apr. 1, 346.  
 Sailing Vessels;Numher missing in 1900, Apr. 1, 346.  
 Steamship Communication;Direct Communication between East Africa and Great  
 Britain, Inquiry into System of Subsidies by Foreign Governments, etc., Apr. 23,  
 1171.  
 Balfour of Burleigh, Lord;Secretary for Scotland  
 Prisons (Scotland) Bill, Com., Mar. 29, 202.  
 Balinhard, Lord  
 Took the Oath, Apr. 22, 873.  
 Ballaghaderreen  
 Water Rate;Amount of Special Rate levied  
 Q. Mr. Tally; A. Mr. Wyndham, Apr. 26, 1448.  
 Ballinasloe  
 Mail Service;Delays, etc.  
 Q. Mr. Reddy; A. Mr. A. Chamberlain, Apr. 18, 607.  
 Baltimore  
 Trade Reports Presented, Apr. 22, 876.  
 Banbury, Mr. F. G. [Camberwell, Peckham]  
 Cremation Bill, 2R., Apr. 1, 449, 450.  
 Parliamentary Elections (Mariners' Votes) Bill, 2R., Apr. 7, 455.  
 Socialistic Commonwealth, Apr. 23, 1180.  
 Standing Committees, Amendment of Standing Order 50, Apr. 2, 568.  
 Steamship Communication;Direct Communication between East Africa and Great  
 Britain, Inquiry into System of Subsidies by Foreign Governments, etc., Apr. 23,  
 1169.  
 Bangor, Visc.  
 Took the Oath, Mar. 28, 1.  
 Bankruptcy  
 Delay in dealing with Bankruptcy Cases  
 Q. Captain Norton; A. Mr. G. Balfour, Mar. 28, 64.  
 Proceedings;Account Presented, Apr. 26, 1417, 1423.  
 Bantry Bay  
 Naval Works, Expenditure on;Irish Grievance  
 Qs. Mr. Flynn, Mar. 29, 240; Mr. Pretymann, 241.  
 Barbour, Sir D.  
 Inquiry into Financial Position of Transvaal and Orange River Colony;Budget  
 Statement, Apr. 18, 647.  
 Barracks  
 Act of 1890;Expenditure under, Return Presented, Apr. 22, 875.  
 Furnishing Officers' Quarters



Q. Mr. Jeffreys; A. Lord Stanley, Mar. 28, 51.  
 (for particular Barracks, see their names).  
 Barry Railway Bill  
 c. 1R.\* Apr. 25, 1282.  
 Bartley, Mr. G. C. T. [Islington, N.]  
 Budget;Income Tax, Apr. 23, 1108.  
 Business of the House;Tuesday Sitzings, Appropriating for Government Business,  
 Apr. 19, 811.  
 Great Eastern Railway Bill, Con., Apr. 25, 1262.  
 Law Officers of the Crown;Salaries and Fees, System of payment, etc., Apr. 26,  
 1491.  
 Lisburn Smallpox Outbreak, Apr. 26, 1451.  
 Post Office Telephone System in London;Date of Completion, Apr. 25, 1326.  
 Revenue Receipts;Erroneous Statement in "Times," Apr. 1, 345.  
 War Relief Funds;Joint Committee of Inquiry, Date of Meeting, Apr. 26, 1458.  
 Woolwich Military Academy  
 Cadets' Sword Exercise;Supply of Swords, Apr. 18, 604.  
 Drill Shed, Apr. 18, 603.  
 Bastable, Dr.  
 Export Duties;Dr. Bastable's Opinion  
 Q. Mr. G. Bowles, Apr. 19, 844.  
 Baths  
 Opening Public Baths on Sunday;Port Glasgow  
 Q. Mr. J. F. X. O'Brien; A. Mr. A. G. Murray, Apr. 2, 483.  
 Bayley, Mr. T. [Derbyshire, Chesterfield]  
 Budget;Export Duty on Coal, etc., Apr. 19, 863, 866.  
 Glasgow;Vaccination Expenditure since 1892, Return, Apr. 1, 52; Apr. 25, 1329.  
 Isolation Hospitals Bill, 2R., Apr. 1, 445.  
 Post Office;Conditions of Service, Grievances, Apr. 25, 1325.  
 Treasury Bills;Amount Borrowed at 4 per cent. Interest, Apr. 1, 344.  
 Zanzibar, Slavery in;Papers relating to, etc., Mar. 29, 217.  
 Beach, Rt. Hon. Sir M. H.;Chancellor of the Exchequer [Bristol]  
 Budget  
 Absence of Sir M. H. Beach during Discussion in Committee of Ways and Means,  
 Apr. 19, 853.  
 Discussion;General Discussion in Committee of Ways and Means, Apr. 23, 1096.  
 Income Tax Resolution, Apr. 23, 1129.  
 Loan Resolution, Apr. 19, 860.  
 Procedure as to taking Resolutions, and Loan Vote, Apr. 18, 729.  
 Replies to Questions and Criticism, Apr. 18, 666, 668, 681, 687, 688, 707, 722,  
 724, 726, 729, 732, 736; Apr. 19, 860, 865, 870;  
 Apr. 25, 1359, 1363, 1382, 1383, 1387, 1393, 1394, 1404, 1405, 1409, 1410.  
 Statement, Apr. 18, 615.  
 Tea Resolution, Apr. 25, 1359.  
 Coal  
 Amount sold for Exportation during Year ending March, 1902, under Contracts

before April 19, Apr. 22, 912.  
 Dearness and Scarcity; Select Com. Recommendations, 1837, Apr. 25, 1314.  
 Export Duty  
 Agricultural Land Rating Act; Non-Renewal proposed, Apr. 23, 1071.  
 Anomalies in Incidence; Jersey, Isle of Man, Scilly Isles, etc., Apr. 26, 1437.  
 British Coal Supplied to British Vessels at Malta, Apr. 25, 1311.  
 Delay caused to Steam Fishing Vessels on entering Fishing Ports, etc., Apr. 23, 1072.  
 Patent Fuel; Levying Duty on Bitch, Apr. 26, 1436.  
 Proportion of Coal exported Consumed by British Vessels. Apr. 25, 1311.  
 Running Contracts, Apr. 19, 784, 785; Apr. 22, 911; Apr. 26, 1437.  
 Fall in Prices and Freights in 1901, etc., Apr. 25, 1310.  
 Pig Iron, Production of; Amount of Coal Consumed, Apr. 25, 1312.  
 Supply of; Duration, Apr. 25, 1313.  
 Consols; New Issue, Apr. 25, 1316.  
 Corn Returns, Mar. 28, 66.  
 Customs Tariffs; Preferential Treatment of Empire Products, etc., Apr. 1, 344.  
 Canadian Tariffs; Proposed Reduction of Import Duties on Canadian Goods, Mar. 28, 59.  
 Exports; Statistics for 1900, Apr. 23, 1072  
 Import Duties; Increasing Duty on Manufactured Goods and not on Food Products proposed, Mar. 28, 59.  
 Income Tax  
 Abatements, Mar. 28, 59.  
 Professional Men, Proportion paid by, Apr. 26, 1436.  
 Ireland; Contribution towards the Revenue, Apr. 18, 725.  
 Law Officers of the Crown; Salaries and Fees, System of payment, Apr. 26, 1503.  
 Leith, Gold Discovery, Apr. 25, 1314.  
 Post Office Savings Bank  
 Excess of Liabilities over Assets in 1900, Apr. 26, 1435.  
 Facilities at Rural Post Offices, Apr. 18, 606.  
 Revenue Receipts; Erroneous Statements in "Times," Apr. 1, 345.  
 Shipowners, Taxation on; Special Tax on Tonnage, proposed, Mar. 28, 60; Apr. 26, 1435.  
 South African War, Expenditure; Return, Estimated Cost, Ways and Means, etc., Apr. 19, 772.  
 Sugar Duty  
 Brewers' Sugar-Makers' Contracts, Payment of Duty, Apr. 23, 1069.  
 British refined Sugar exported abroad, Drawback, Apr. 25, 1316.  
 Condensed Milk, Duty on; Ascertaining amount of Sugar, Apr. 23, 1070; Apr. 25, 1316.  
 Confectionery Exporters; Drawback on Sugar used by, Apr. 25, 1315.  
 Delay in delivery of Consignments pending Analysis, Apr. 23, 1070.  
 Honey, Levy of Duty on, Apr. 25, 1315.  
 Preserved Fruits, Assessment of Duty on, Apr. 25, 1315.  
 Treasury Bills; Amount Borrowed at 4 per cent. Interest, Apr. 1, 344.

## Unclaimed Moneys

Chancery Funds, Apr. 22, 912.

Return, proposed, Apr. 22, 912.

Beckett, Mr. E. W. [York, N.R., Whitby]

Budget; Export Duty on Coal, Income Tax, Contributions from the Transvaal towards the War, etc., Apr. 19, 689.

## Beer

Consumption, Decrease in; Budget Statement, Apr. 18, 618.

Rations for Troops returning from South Africa; Contract for Beer, etc.

Q. Sir C. Quilter; A. Mr. Arnold-Forster, Apr. 25, 1290.

## Beer Bill

Petitions, Mar. 88, 40; Apr. 18, 590; Apr. 19, 768; Apr. 23, 1059.

## Beer Duty

Continuance of Additional Excise Duty; Budget Resolutions, Apr. 85, 1411.

## Belfast

Technical instruction Act; Minute sanctioning subjects to be taught, etc., Apr. 18, 595; Apr. 88, 880.

## Belfast and Northern Counties Railway Company

Purchase of Perry Central Railway; Total Sum due to Government, etc.

Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Mar. 28, 86.

Bell, Mr. R. [Derby]

Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 192.

Great Eastern Railway Bill, Con., Apr. 85, 1260, 1268, 1274, 1275, 1276.

Penrhyn Quarry Dispute; Intervention of Board of Trade, Apr. 23, 1074.

Pontefract Locomotive Explosion, Apr. 2, 480; Apr. 23, 1075.

Railway Servants' Accidents, Prevention of, Apr. 2, 531.

## Belturbet

Post Office; Erection of new Building

Q. Mr. M'Govern; A. Mr. A. Chamberlain, Apr. 22, 931.

"Best hated Nation in the World"

Harcourt, Sir W., on, Apr. 18, 663.

## Bethlem Hospital Bill

I. Report,\* Apr. 26, 1414.

Attorney-General's Supplemental Report, Apr. 22, 873.

## Betting Bill

I. 1R.\* Apr. 22, 881.

Bhownaggee, Sir M. M. [Bethnal Green, N.E.]

Arabia, Central, Fighting in, Apr. 23, 1068.

Budget; Tea Duty, Indian Industries, Apr. 85, 1375.

## Bideford and Clovelly Railway (Abandonment) Bill

I. 2R.\* Apr. 25, 1253.

Board of Trade Report Presented, Apr. 19, 771.

## Bideford Bay

"Goonlaze," Wreck of, see that title.

Bill, Mr. C. [Staffordshire, Leek]

Isolation Hospitals Bill, 2R., Apr. 1, 444.

Light Railways;Return, Mar. 28, 64.  
 Sugar Bounties;Brussels Conference, Apr. 1, 343.  
 Waima Incident;Negotiations with France, Apr. 85, 1309.  
 Bills  
 Private Bills, see that title.  
 Standing Committees;Amendment to Standing Order 50  
 Motion (Sir F. Powell), Apr. 2, 555.  
 Birmingham (City) Tramways Bill  
 Report from Committee of Selection, Apr. 26, 1415.  
 Births, Deaths, and Marriages  
 General Abstract for 1900 Presented, Apr. 1, 324; Apr. 22, 875.  
 Black, Constable  
 Orphans, Provision for  
 Q. Mr. M'Govern; A. Mr. Wyndham, Apr. 25, 1333.  
 Black, Mr. A. W. [Banffshire]  
 Army Reorganisation  
 Highland Regiments, Quartering in Scotland, Apr. 23, 1067.  
 Linked Battalions;Retaining System, Apr. 23, 1067.  
 Jameson Raid Indemnity and British South Africa Company, Apr. 23, 1062; Apr. 25, 1287, 1288; Apr. 26, 1425.  
 King's Title in Scotland, Mar. 28, 76.  
 South African War;Peace Negotiations with Gen. Botha, Laying Despatches from Lord Kitchener on the Table, Apr. 25, 1292, 1293.  
 Transvaal and Orange River Colonies;Civil Administration during Absence of Sir A. Milner, Apr. 26, 1425.  
 Blake, Mr. E. [Longford, S.]  
 Demise of the Crown Bill, 2R., Apr. 1, 412.  
 Roman Catholic Disabilities Removal Bill;Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 304.  
 Blakesley Street  
 Board School Site;Re-housing of displaced persons  
 Q. Mr. T. Dewar; A. Sir J. Gorst, Apr. 1, 351.  
 Blind, Deaf, and Dumb  
 Education of in Ireland;Legislation proposed  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 25, 1331.  
 Blundell, Col. H. B. H. [Lancashire, Ince]  
 Army (Annual) Bill, 2R., Apr. 1, 433.  
 Easter Recess, Shortening the Holidays;Coal Mines (Employment) Bill, Apr. 2, 500.  
 Pensions to Widows and Orphans of Soldiers who have fallen in South Africa, Government Scheme, Men Married off the Strength, etc., Mar. 29, 285.  
 Boiler Explosions  
 Pontefract Locomotive Explosion, see Pontefract.

Poulton-le-Fylde Explosion;Payment of Costs  
 Q. Sir W. Houldsworth; A. Mr. G. W. Balfour, Apr. 25, 1318.  
 Boilers  
 Navy, see that title.  
 Boland, Mr. [J. Kerry, S.]  
 Malta;Language question, Return, Mar. 29, 216.  
 Mauritius Judicial Vacancy;Appointment of Judge with knowledge of French, Apr. 25, 1306.  
 National Library of Ireland;Proposed increase of Staff, etc., Apr. 2, 484.  
 Sneem Pier;Erection of Goods Store, Apr. 1, 354.  
 University Education, Ireland;Roman Catholic University Question Apr. 22, 998.  
 Bolton  
 Pupil Teacher Central Classes;Payment at Evening Rates, etc.  
 Q. Mr. Harwood; A. Sir J. Gorst, Apr. 2, 482.  
 Bond, Mr. E. [Nottingham, E.]  
 Nottingham Lace Market;Telegraphic Facilities, Apr. 2, 480.  
 Bonded Warehouses  
 Ennis;Proposed Bonded Workhouse  
 Q. Mr. W. Redmond; A. Mr. A. Chamberlain, Apr. 18, 608.  
 Hours of Warehousing Goods;Proposed Extension, etc.  
 Q. Mr. Flavin; A. Mr. A. Chamberlain, Apr. 1, 351.  
 Boscawen, Mr. G. [Kent, Tunbridge]  
 Christ's Hospital;Sale of Site, Sanction of Charity Commissioners, etc., Mar. 28, 68.  
 Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1194.  
 Bouillon Fleet, Ltd.  
 Connection with Disorderly House  
 Q. Sir J. Brunner; A. Mr. Ritchie, Mar. 28, 60.  
 Bounties  
 see titles Sugar, Merchant Shipping, etc.  
 Bournemouth Corporation Bill  
 l. 3R.\* Apr. 26, 1414.  
 Report from Select Committee, Mar. 28, 3.  
 Bowles, Mr. T. G. [Lynn Regis]  
 Budget;"Appalling Budget," Method of raising Loan, Cost of the War, Income Tax, Sugar Duty, Export Duty on Coal, etc., Apr. 19, 836.  
 Business of the House;Tuesday Sittings, Appropriating for Government Business, Apr. 19, 802.  
 Incorporated Law Society Grant, Protest against, Apr. 26, 1562, 1563.  
 Law Officers of the Crown;Salaries and Fees, System of Payment, etc., Apr. 26, 1500.  
 Legal Expenses;Judges' Travelling and Lodging Expenses, etc., Apr. 26, 1537.  
 Post Office Savings Banks;Excess of Liabilities over Assets in 1900, etc., Apr. 26, 1434.  
 Bowles, Private

Sick Furlough, Pension, etc.  
 Q. Mr. Hay; A. Lord Stanley, Apr. 25, 1301.  
 Brackenhill Light Railway  
 Order Presented, Mar. 29, 199, 210.  
 Brazil  
 Trade Report Presented, Apr. 26, 1416.  
 Breadalbane, Marquess of  
 Took the Oath, Apr. 26, 1413.  
 Brewers' Licences  
 Number of Persons Licensed, Amount of Licence Duty paid, Number of Barrels of  
 Beer exported from the United Kingdom, etc.;Return Ordered, Mar. 28,  
 43;Presented, Mar. 29, 211.  
 Bridewell Hospital Bill  
 I. Report,\* Apr. 26, 1414.  
 Attorney-General's Supplemental Reports' Apr. 22, 873.  
 Bristol, Clifton, and West of England Zoological Society Bill  
 I. Report,\* Mar. 29, 198.  
 3R.\* Apr. 23, 1050.  
 c. 1R.\* Apr. 25, 1283.  
 "Britannia"  
 Foreign Languages, Study of, by Cadets  
 Qs. Mr. Kearley, Mar. 29, 258; Mr. Arnold-Forster, 261.  
 British Museum  
 Return Presented, Apr. 1, 325.  
 British South Africa Company  
 Jameson Raid Indemnity, see that title.  
 Broadhurst, Mr. H. [Leicester]  
 Budget  
 Sugar Duty, Income Tax, etc., Apr. 18, 675.  
 Tea Duty, Apr. 25, 1360.  
 Demise of the Crown Bill, 2R., Apr. 1, 411, 419.  
 Brodrick, Rt. Hon. W. St. J.;Secretary of State for War [Surrey, Guildford]  
 Army (Annual) Bill, 2R.,Apr. 1, 435, 438; Com., Apr. 22, 1030, 1031, 1034, 1040,  
 1041, 1042, 1045, 1046, 1047; 3R., Apr.  
 25, 1351.  
 Australia;Imperial Representative Forces, Disturbances, Mar. 28, 51.  
 Bullets;Mark IV. Ammunition  
 Date of Contract, etc., Mar. 29, 215.  
 Number made by Private Firms, etc., Apr. 18, 602.  
 Cape Colony;Plague at Cape Town, Mar. 29, 214.  
 Colville, Gen.;Paardeberg Despatches, Personal Explanation, Apr. 19, 774.  
 Commander-in-Chief;Salary, Apr. 19, 782.  
 Commissions;Paysical Standards, Apr. 22, 905.  
 Explosives Committee;Patents taken out in Members' Names, Apr. 22, 905.  
 Garrison Regiments;Royal Warrant of Feb. 23, 1901, Mar. 28, 50.  
 Guns, Purchase in Germany, Defects, etc.;Opportunity for Discussion, Apr. 26,

1430, 1431.

Inventions and the War Office;Examinations, Apr. 18, 602.

King's Regulations, Changes in, Apr. 2, 475.

Lee, Ex-Private, alleged ill-treatment of at Netley Hospital, Apr. 25, 1297.

Man&#x0153;uvres in 1901, Apr. 22, 905.

Militia, Embodiment of, etc., Apr. 19, 782.

Mounted Infantry;Training, Scouting Duties, etc., Apr. 18, 601.

Pensions for Widows and Orphans of Soldiers;Government Scheme, Mar. 28, 49.

Men married off the Strength, etc., Mar. 20, 281, 287.

Recruiting;Inspector-General's Report, Apr. 2, 473.

Reorganisation

Force of 120,000 Men for Field Service over Sea, etc., Mar. 29, 215.

Highland Regiments, Quartering in Scotland, Apr. 23, 1067.

Linked Battalions, System of, Apr. 23, 1067.

Soldiers married without leave;Separation Allowances, Apr. 26, 1431.

South African War

Australian Troopers returning home;Disturbances in Cape Town, alleged, Apr. 25, 1295.

Boer Forces, Strength of, Mar. 28, 48.

British Forces;Statistical Return, Apr. 26, 1428.

Cape Town, Defence of;Erection of Forts, alleged, Mar. 28, 48.

Clothing;Warm Clothing for the Troops, Mar. 28, 48; Apr. 1, 333.

Colonial Contingents;Expenditure, Number of Troops, etc., Apr. 25, 1295.

Conduct of the War;Terms offered to the Boers, etc., Apr. 2, 527.

Despatches, Publication of;General Officer Commanding 8th Division, Apr. 25, 1292.

Expenditure

Average Weekly Cost, Apr. 22, 898; Apr. 23, 1064.

Clothing, Hospitals, Civil Labour, etc., Apr. 26, 1430.

Details, Apr. 25, 1291.

Farm Burning by Boer Forces in South Africa, Apr. 26, 1428.

Field Allowances;East Yorkshire Regiment, Apr. 2, 472.

Gratuities

Hospital Orderlies;Gratuities for Civilian Orderlies, Apr. 22, 900.

Volunteers and Yeomanry, Apr. 22, 898.

Heilbron Affair;Capture of Convoy, etc., Mar. 29, 213.

Hospitals;Number of Soldiers in Hospital, Apr. 22, 899.

Household Cavalry, Return of, Apr. 10, 780.

Inquiry, Courts of

Evidence on Oath;Accepting as Documentary Evidence at Court-martial, Apr. 25, 1294.

Granting Officers Trial by Court-martial, Apr. 23, 1067.

Jansenville Town Guard;Punishment of Persons refusing to Join, etc., Apr. 18, 600.

Lindley Surrender

Names of Persons who raised White Flag, Apr. 19, 773.

Roberts's, Lord, Despatch, Apr. 26, 1429.  
 Loyal Suffolk Hussars;Date of Return, Apr. 22, 898.  
 Mafeking Siege;Theft of Government Foodstuffs by Sergeant Loney, etc., Mar. 29, 214.  
 Medals;Presentation to Yeomanry and Volunteers, Apr. 26, 1430.  
 Members of Parliament on Active Service, Apr. 25, 1292.  
 Methuen's, Lord, Illness, Apr. 10, 773.  
 Militia;Date of Return, Apr. 23, 1066.  
 Parole, Observance of, Apr. 19, 778.  
 Peace Negotiations with Gen. Botha, Mar. 29, 214.  
 Despatches from Lord Kitchener;Laying on the Table, Apr. 25, 1293.  
 Government Instructions to Lord Kitchener, Apr. 2, 472.  
 Letter from Com. Botha to Lord Kitchener, Apr. 1, 333.  
 Verbal Message from Lord Kitchener to Gen. Botha, Apr. 19, 774.  
 Press Censors and False News;Death of Dr. Walker at Moddersfontein, Apr. 22, 900.  
 Recruiting in Germany, alleged, Apr. 2, 472.  
 Refuge Camps  
 Charitable Relief;Access to Camps, etc., Apr. 22, 897.  
 Number of Women and Children detained, etc., Mar. 28, 47; Apr. 22, 895.  
 Treatment of Women and Children, etc., Apr. 25, 1292.  
 Reinforcements  
 Kitchener's, Lord, Demand, Apr. 2, 471.  
 Number despatched, etc., Mar. 28, 47; Apr. 2, 471.  
 Reservists' Families, Provision for;Case of Private Hasler's Widow, Mar. 28, 49.  
 Return of Troops in September and October, 1900, etc., Apr. 19, 779.  
 Roberts's, Lord, Telegrams;Publication proposed, Apr. 23, 1064.  
 Sanna's Post Disaster;Commanding Officer's Report, Publication of, Apr. 26, 1429.  
 Separation Allowance;Wives of Soldiers entitled to transfer to Reserve, etc., Apr. 26, 1431.  
 Surrender of British Troops;Army Order of April 11th, Apr. 19, 772.  
 Weasel, Mr., Peace Envoy;Shot by the Boers, alleged, Apr. 19, 777.  
 Yeomanry  
 Pay;Reduction, Apr. 22, 899.  
 Period of Service, etc., Apr. 22, 899; Apr. 25, 1296.  
 Second Levy, Mar. 29, 215.  
 Training in the Ranks, Period of, Apr. 1, 337.  
 Volunteers  
 Artillery Re-armament, Apr. 2, 473.  
 Class Firing, Completion of, before going into Camp, etc., Apr. 22, 905.  
 Uniform Contracts;New Service Dress, Apr. 25, 1299.  
 War Relief Funds;Joint Committee, date of First Sitting, Apr. 26, 1459,  
 Whitley Rifle Range;Facilities for Volunteers, Apr. 18, 603.  
 Woolwich Military Academy  
 Cadets' Sword Exercise;Supply of Swords, Apr. 18, 604.



Drill-shed, Apr. 18, 603.  
 Yeomanry, Imperial;Reorganisation, New Regiments, etc.  
 Army Order, etc., Apr. 19, 781.  
 Conditions of Service, Apr. 18, 601.  
 Yeomanry, Imperial;Reorganisation, New Regiments, etc.;cont.  
 Irish Regiments, proposed, Apr. 19, 782.  
 Title of new Force;Omission of "Imperial," Apr. 19, 783; Apr. 25, 1303.  
 Brompton Cemetery  
 Purchase by the Government, Accounts and Papers;Return  
 Q. Mr. Kearley; A. Mr. A. Douglas, Mar. 28, 70.  
 Brookfield, Col. A. M. [Sussex, Rye]  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 159.  
 Brown, Mr. M.  
 Director-General of Customs in Corea;Dismissal  
 Qs. Mr. Flavin, Mr. J. Walton; As. Visc. Cranborne, Mar. 28, 56.  
 Bruce Grove  
 Post Office;Refusal to Supply Postal Orders owing to Insufficiency of change  
 Q. Mr. Lambert; A. Mr. A. Chamberlain, Apr. 23, 1076.  
 Brunner, Sir J. [Cheshire, Northwich]  
 Disorderly Houses in London;Bouillon Fleet and Heineken's Lager Brewery  
 Companies' connection with, Mar. 28, 60.  
 Brussels Conference  
 Sugar Counties;Reassembling of Conference  
 Q. Mr. Bill; A. Visc. Cranborne, Apr. 1, 343.  
 Bryce, Rt. Hon. J. [Aberdeen, S.]  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 114, 129, 131, 136.  
 Light Railway Bill, Intro., Apr. 1, 380.  
 South African War;Peace Negotiations, Terms offered by the British Government,  
 etc., Mar. 28, 114, 129, 131, 132, 136.  
 Budget  
 Discussion in Committee;General Discussion  
 Qs. Mr. J. Lowther, Sir W. Harcourt, Sir M. H. Beach, The Chairman, Apr. 23,  
 1095, 1096, 1097.  
 Loan;Resolution in Committee, Apr. 19, 830; Report, Apr. 22, 1028.  
 Procedure;Committee giving its Assent to the Resolutions on the Budget night,  
 and continuing Discussion on Report  
 References to in Debate on the Budget, Apr. 18, 726, 728, 729, 730, 736.  
 Supplementary Loans, Practice as to  
 Qs. Sir W. Harcourt, The Chairman, Apr. 18, 730, 731.  
 War Loan, Procedure as to;Precedent of last year  
 Qs. Mr. T. M. Healy, Sir M. H. Beach, Apr. 18, 728, 729, 730.  
 Resolutions discussed in Committee of Ways and Means, Apr. 23, 1094; Apr. 25,  
 1355.  
 Resolutions Reported, Apr. 22, 1028.  
 Statement (Sir M. H. Beach), Apr. 18, 615.  
 Additional Taxation, 645.

Anticipatory Clearings, 617.  
 Borrowing Powers, 646.  
 Broader Basis of Revenue required, 625.  
 Contribution of the Transvaal, 647  
 Deficit, 623.  
 Estimated Expenditure and Revenue, 623.  
 Final Balance Sheet, 646.  
 Indirect Taxation, 629.  
 Loan;£60,000,000, Method of raising, etc., 743.  
 Necessity of increased Expenditure, 626.  
 Sinking Fund, Suspension of, 646.  
 Suggestions with reference to the imposition of New Taxes, 629.  
 Total Revenue and Expenditure, 621.  
 Statement of Revenue and Expenditure Presented, Apr. 18, 598.  
 (see also titles Coal, Income Tax, Sugar, etc.)  
 Billiard, Sir H. [Norwich]  
 Telephone Service in the Eastern Counties;Delays, Apr. 2, 481.  
 Bullets  
 Mark IV. Ammunition  
 Contract price  
 Q. Mr. Weir; A. Lord Stanley, Apr. 25, 1302.  
 Date of Contract;Hague Conference Rules  
 Q. Mr. H. Lewis; A. Mr. Brod-rick, Mar. 29, 215.  
 Number made by Government and Private Firms, etc.  
 Q. Mr. Weir; A. Mr. Brodrick, Apr. 18, 602.  
 Buncrana  
 Erection of Barracks  
 Q. Mr. O'Doherty; A. Lord Stanley, Mar. 28, 87.  
 Bundorragha Fisheries  
 Want of Landing Pier  
 Q. Dr. Ambrose; A. Mr. Wyndham, Apr. 1, 355.  
 Burgh's, Lady de, Estate  
 Sale of Land to Tenants  
 Q. Mr. Lundo; A. Mr. Wyndham, Mar. 29, 227.  
 Burial Grounds  
 Ardagh Burial Ground;Area of, Charge for cost of new Burial Ground  
 Q. Mr. J. P.Farrell; A. Mr. Wyndham, Apr. 26, (92) 1446.  
 (see also Cemeteries).  
 Burial Grounds (Loans) (Scotland) Bill  
 Petitions, Apr. 19, 768.  
 Burial Places (Exemption from Bates) (Scotland) Bill  
 Petitions, Apr. 18, 590; Apr. 19, 768; Apr. 25, 1284.  
 Burke, Mr.  
 see Haviland-Burke.  
 Burns, Mr. J. [Battersea]  
 Standing Committees;Amendment of Standing Order 50, Apr. 2, 570.

Bury Corporation Tramways Bill

c. Report,\* Mar. 28, 40.

Con.\* Apr. 18, 589.

3R.\* Apr. 22, 883.

l. 1R.\* Apr. 25, 1253.

Business of the House

Course of Business;Mr. Balfour's Replies to Questions, Mar. 28, 89; Mar. 29, 235; Apr. 18, 609; Apr. 19,

793; Apr. 22, 932; Apr. 23, 1091; Apr. 25, 1342.

Morning Sittings (Tuesdays) until Whitsuntide, etc.

Motion (Mr. A. J. Balfour), Apr. 19, 794.

Procedure;Friday Sittings, Adjournment of the House after Supply had been disposed of, Irish Members' Protest;Roman Catholic Disabilities Removal Bill, Mar. 29, 293.

Saturday Sittings;Meeting of the House for Government Business with a view to preserving rights of Private Members on Tuesday

Q. Mr. Field; A. Mr. A. J. Balfour, Apr. 23, 1089.

State of;Shortening Easter Holidays, proposed, Sir C. Dilke's Amendment to Mr. A. J. Balbour's Motion, Apr. 2, 495.

Supply;Procedure, etc., see title Supply.

Tuesday Abstract Discussions, Time given to

Q. Mr. A. J. Balfour, Apr. 2, 503.

(see also titles Adjournment of the House and Sittings of the House).

Butcher, Mr. J. G. [York]

Supply;Closure moved, Mr. Butcher declining to act as Teller, Apr. 26, 1564.

Butler Estate, Co. Galway

Delay in Sale

Q. Mr. W. Redmond; A. Mr. Wyndham, Apr. 23, 1081.

Butter Substitutes

Dublin Prosecution

Q. Mr. Archdale; A. Mr. Wyndham, Apr. 25, 1331.

Buxton Mr. S. C. [Tower Hamlets, Poplar]

Budget;Income Tax, Apr. 23, 1110, 1114.

Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 129.

Easter Recess, Shortening the Holidays;Coal Mines (Employment) Bill, Apr. 2, 500.

Great Eastern Railway Bill, Con., Apr. 25, 1262.

South African War;Expenditure, etc., Return, Apr. 19, 772.

Standing Committees, Amendment of Standing Order 50, Apr. 2, 560.

C

Cables

Cutting in Naval Warfare;Code issued to United States Naval Officers

Q. Sir J. Colomb; A. Visc. Cranborne, Apr. 18, 604.

Caine, Mr. W. S. [Cornwall, Camborne]

Budget;Tea Duty, State of Indian Industries, etc., Apr. 25, 1391.

Director of Public Prosecutions;Neglect in connection with Election Petitions,

Ape, 26, 1510.

India;Etah Murders, Commutation of Death Sentences, Apr. 25, 1306.

Natal, British Subjects in;Allowing Refugees to return to the Transvaal, Apr. 25, 1287.

Soldiers Remittances from South Africa, Apr. 18, 600; Apr. 25, 1297, 1298.

Calais

Trade Report Presented, Apr. 26, 1416.

Caldwell, Mr. J. [Lanark, Mid]

Army (Annual) Bill, 3R., Apr. 25, 1348.

Attorney-General's Advice to Ministers, Apr. 26, 1474.

Demise of the Crown;Re-appointment of Ministers, Mar. 29, 218.

Law Officers of the Crown;Salaries and Fees, System of Payment, Apr. 26, 1469, 1485, 1487, 1488.

Sheriffs;Expenses incurred in connection with Judges on Circuit, Apr. 26, 1532.

Standing Committees, Amendment of Standing Order 50, Apr. 2, 567.

Calves

Mortality amongst in Ireland, see Ireland.

Cambridge

Polling District;Order made by County Council creating new Polling District

Presented, Apr. 18, 595; Apr. 22, 879.

Campbell, Mr. J. [Armagh, S.]

Armagh

Magistracy;Number of Roman Catholic and Protestant Magistrates, Mar. 29, 232; Apr. 25, 1336.

Postal Officials;Number, Rank, Religious Demonstrations, Apr. 25, 1339.

Rural Postmen;Revision of Walks, Apr. 2, 490.

Hamilton Synge Estate;Fair Rent Applications, Delays, Mar. 29, 232.

Mafeking Siege;Theft of Government Foodstuffs by Sergeant Loney, etc., Mar. 29, 214.

Poyntzpass

Level Crossing;Proposed Construction of Footbridge, Mar. 29, 234.

Postal Arrangements;Delay in Delivery of Letters, Apr. 1, 374.

Postal Staff;Roman Catholic Grievance, Mar. 29, 234.

Campbell-Bannerman, Rt. Hon. Sir H., [Stirling Burghs]

Army (Annual) Bill;Resumption of Debate, Apr. 19, 863.

Business of the House;Tuesday Sitzings, Appropriating for Government Business, Apr. 19, 804.

Camperdown, Earl

Transvaal Concessions Commission, Report;Position of the Netherlands Railway Company, etc., Mar. 28, 8.

Canada

Rebellion, Lord Durham's Policy;Application of policy to South Africa

Q. Mr. T. Shaw, Apr. 2, 520; Mr. Brodrick, 529.

Roman Catholic University Education

Q. Mr. Boland, Apr. 22, 999.

South African Constabulary, Contingent for;Raid on Ottawa Hotel

Q. Mr. S. MacNeill; A. Mr. J. Chamberlain, Apr. 25, 1295.  
 Tariffs, Preferential Treatment of British Goods; Proposed reduction of Duties on  
 Canadian Goods  
 Q. Sir H. Vincent; A. Sir M. H. Beach, Mar. 28, 58.  
 Cape Coast Colony  
 Native Labour Laws; Return  
 Q. Mr. Labouchere; A. Visc. Cranborne, Mar. 28, 52.  
 Cape Colony  
 Cape Town, Defence of; Erection of Forts, alleged  
 Q. Mr. Lambert; A. Mr. Brodrick, Mar. 28, 47.  
 High Commissioner's Consultative Committee, etc.  
 (see Milner, Sir A.)  
 Merriman's, Mr., Letter of Mar. 11, 1898, Publication of; Debate in Cape House of  
 Assembly  
 Q. Mr. S MacNeill; A. Mr. J. Chamberlain, Apr. 22, 890.  
 Plague at Cape Town  
 Isolation of Soldiers arriving at English Ports in infected Ships  
 Q. Sir W. Foster; A. Mr. Brodrick, Mar. 29, 213.  
 Statistics, Weekly Returns; German Precautionary Measures  
 Qs. Mr. MacNeill, Mr. Long: As.  
 Mr. J. Chamberlain, Apr. 25, 1288.  
 Press Prosecutions; "South African News" (see that title).  
 Stanley Harbour, Connecting by Cable with the Cape, Fortifications, etc.  
 Q. Sir E. Sassoon, Mar. 29, 243.  
 Villiers's, Sir H. De, Letters, Publication of (see Villiers).  
 Cappawhite  
 Police removing Auction Notices  
 Q. Mr. K. O'Brien; A. Mr. Wyndham, Apr. 2, 489.  
 Cardiff Corporation Bill  
 c. Report, \* Apr. 25, 1281.  
 Cardiff Railway Bill  
 Report from Committee of Selection, Apr. 26, 1414.  
 Carlow  
 Labourers' Cottage Scheme; Postponement of Inquiry  
 Q. Mr. J. O'Connor; A. Mr. Wyndham, Apr. 1, 354.  
 Carmarthenshire  
 Dog Muzzling Order; Number of times in Force since 1894  
 Q. Mr. L. Morgan; A. Mr. Hanbury, Apr. 1, 349.  
 Carrick, Co. Donegal  
 Instructor's House; Cost of Building  
 Q. Mr. O'Doherty; A. Mr. Wyndham. Apr. 1, 356.  
 Carrick-on-Shannon  
 Petty Sessions Clerk; Appointment of Mr. Devenish  
 Q. Mr. Tully; A. Mr. Wyndham, Apr. 23, 1084.  
 Water Charges; Making Township Charge  
 Q. Mr. Tully; A. Mr. Wyndham.

Apr. 22, 927; Apr. 25, 1333.

Carrier Pigeons

Training Facilities

Qs. Mr. Kearley, Mar. 29, 258; Capt. Norton, 260; Mr. H. Lewis, 263.

Carson, Rt. Hon. Sir E. H.; Solicitor-General [Dublin University]

Demise of the Crown Bill, 2R., Apr. 1. 405.

Director of Public Prosecutions; Offices; held by Appointment of Assistant

Director of Public Prosecutions, Apr. 26, 1527.

Railway Commissioners-Cases tried in Ireland, Apr. 26, 1548, 1550.

Sheriffs; Expenses incurred in connection with Judges on Circuit, Apr. 26, 1541.

University Education, Ireland; Roman Catholic University Question, Apr. 22, 974.

Carvill, Mr. P. G. H. [Newry]

Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 749.

Castlecomer

Coal Mines; Proposed Railway to Callan, Government Aid

Q. Mr. O'Mara; A. Mr. Wyndham, Apr. 1, 365.

Castleisland

Mail Service; Alteration of Train Service, Delays

Q. Mr. Murphy; A. Mr. A. Chamberlain, Mar. 28, 785.

Castlereagh

Water Rate; Amount of last Poundage Rate levied, etc.

Q. Mr. Tully; A. Mr. Wyndham, Apr. 26, 1448.

Cattle

(see titles Foot and Mouth Disease, Ireland, and South African War).

Causton, Mr. R. K. [Southwark, W.]

Sugar Duty; Confectionery Exports, Apr. £;5, 1314.

Cavalry

(see Army).

Cayzer, Sir C. W. [Barrow-in-Furness]

Steamship Communication; Direct Communication between East Africa and Great Britain, Enquiry into System of Subsidies by Foreign Government, etc., Apr. 23, 1161, 1170.

Cecil, Lord Hugh [Greenwich]

Death Certificates; Case of Lily Craves, Apr. 22, 915.

Marriage with a Deceased Wife's Sister Bill, 2R., 1232.

Instruction, Apr. 25, 1341.

Cecil, Mr. E. [Aston Manor]

Steamship Communication; Direct Communication between East Africa and Great Britain, Inquiry into System of; Subsidies by Foreign Governments, etc., Apr. 23, 1141.

Cemeteries

Brompton Cemetery, Purchase of by the Government; Accounts and Papers, proposed Return

Q. Mr. Kearley; A. Mr. A. Douglas, Mar. 28, 70.

Oxford Cemeteries under Martin's Act; Consecration, Burial Act of 1900, etc.

Q. Sir W. Foster; A. Mr. Ritchie. Apr. 25, 1317.

## Census Returns

Hotels;Filling up Returns from Hotel Registers

Q. Mr. T. Dewar; A. Mr. Long, Mar. 29, 219.

India;Famine Districts

Q. Mr. S. Smith; A. Lord G. Hamilton, Apr. 1, 341.

Overcrowding in Fast London;Giving Number of one to six-roomed Tenements, Number of Occupants, etc.

Q. Mr. T. Dewar; A. Mr. Long, Apr. 22, 910.

Chairman of Committees

Rt. Hon. J. W. Lowther.

Chamberlain, Mr. Austen;Financial Secretary to the Treasury [Worcestershire, F.]

Bonded Warehouses;Hours of Warehousing Goods, etc., Apr. 1, 851.

Bruce Grove Post Office;Provision of Change, Apr. 23, 1076.

Customs Department

Assistants' Grievances, Apr. 25, 1327.

Examining Officerships, Reduction in Number, etc., Mar. 28, 72.

Fawcett Association and Refreshment Committee;Electioneering Manifestoes, Mar. 28, 75.

Inland Revenue-Taxes Branch, Retirement in, Suspension of Order No. 10, etc., Mar. 28, 71.

Ireland

Armagh

Postal Officials;Number, Rank, Religious Denominations, etc., Apr. 25, 1339.

Rural Postmen;Revision of Walks, Apr. 2, 490.

Ballinasloe Mail Service with Rath-cabbin, etc.;Delays, Apr. 18, 608.

Belturbet Post Office;Erection of new Building, Apr. 22, 932.

Castleisland Mail Service;Delays, Mar. 28, 85.

Cork Post Office

Missing Money Orders, Apr. 1, 371.

Revision;Sorting Clerks and Telegraphists' increased Pay, Apr. 23, 1087.

Culloville Postal Arrangements;Sunday Delivery, etc., Apr. 23, 1086.

Dublin Post Office

Sorting Branch Promotion, etc., Apr. 22, 930.

Telephone Operators' Wage Grievances, Apr. 25, 1338.

Ennis;Bonded Warehouse, proposed, Apr. 18, 608.

Fermoy Post Office;Delay in Appointment of Medical Officer, Apr. 22, 931.

Franciscans;Publication of Manuscripts by Historical Manuscripts Commission, Mar. 29, 233.

Glencolumbkille Sub-Postmaster;Member of Royal Irish Constabulary, Mar. 28, 86.

Government Department Contracts;Irish Manufactured Goods, Apr. 26, 1455.

Londonderry

Central Railway, Sale of, to Belfast and Northern Counties Railway Company, Mar. 28, 87.

Examinations for Clerkships, etc., Mar. 28, 84.

Post mastership;Filling Vacant Appointment, Apr. 1, 373.

Poyntzpass

Postal Arrangments;Delay in Delivery of Letters, Apr. 1, 374.  
 Postal Staff;Roman Catholic Grievance, Mar. 29, 234.  
 Sub-Postmasters;Remuneration Grievances, Apr. 25, 372.  
 Taxation Returns, Apr. 25, 1369.  
 Land Tax Commissioners' Meetings;Sending Notice by Post to each Commissioner, proposed, Apr. 25, 1326.  
 Legal Expenses, Increase in;Payments made to Sheriffs in connection with Judges on Circuit, Apr. 26, 1536, 1539, 1542, 1543.  
 Travelling Allowances, 1540.  
 Pareels Postage;Postmen's Delivery Weights, Mar. 28, 73.  
 Post Office Employees  
 Appeal Regulations;Gracechurch Street Telegraphist, Apr. 25, 1324.  
 Conditions of Service;Grievances, Apr. 25, 1325.  
 Eastbourne Postmen;Christmas Overtime Pay, Mar. 28, 73.  
 Female Sorting Clerks and Telegraphists-Hours of Labour, Mar. 28, 74.  
 Hebden Bridge Postmen's Grievance, Apr. 22, 921.  
 Holyhead and Kingstown Packet Service;Promotion of Sorting Clerks. Apr. 25, 1323.  
 Ledbury ex-postman;Bonus, Apr. 22, 920.  
 Pension Calculations, Apr. 25, 1322.  
 Swansea Postal Staff;Promotion of Sorting Clerk, etc., Apr. 22, 919.  
 Scotland  
 Edinburgh Post Office Revision;Progress, Mar. 29, 222.  
 Harris Mail Service;Proposed Mail Steamer Srvce to Loch Stockinish, Mar. 29, 223.  
 Inverness-shire Postal Arrangements, Mar. 29, 223.  
 Sheriffs' Salaries;Increase proposed, Apr. 25, 1328.  
 Skye, Island of;Mail Steamer Service, Mar. 28, 75.  
 Stornoway;Mail Steamer Service, Apr. 25, 1326.  
 Telegraph Service  
 Central Telegraph Office;Salaries, Promotions, etc., Apr. 1, 350.  
 Efficiency Barrier, Detention at;Reduction of Salary, Mar. 28, 74.  
 Nottingham Lace Market;Telegraphic Facilities, Apr. 2, 480.  
 Telephone Service  
 Eastern Counties;Delavs, Apr. 2, 481.  
 London Post Office System;Date of Completion, Apr. 25, 1326.  
 Thorpe Hesley Closing of Post Office, Apr. 23, 1077.  
 Chamberlain, Rt. Hon. J.;Secretary of State for the Colonies [Birmingham, W.]  
 Africa, South  
 Milner's, Sir A., Consultative Committee;Mr. J. Pakeman, Secretary, Apr. 22, 893.  
 Native Affairs, Administration of Apr. 25, 1287.  
 Natives, Flogging;Powers of New Justice, Apr. 22, 893.  
 Ashanti;West African Regiment at Coo-massie, Desertions, Apr. 1. 342.  
 Ashanti and Cape Coast Colony;Native Labour Laws, Return, Mar. 28, 53.



Cape Town, Plague at; Statistics, Weekly Returns, etc., Apr. 25, 1288.  
 Coal Output in Colonies in 1900, etc., Apr. 22, 912.  
 Consolidated Fund (No 1) Bill, 3R., Mar. 28, 90, 125.  
 Jameson Raid Indemnity and the British South Africa Company  
 Making Claim available to meet Liabilities of Transvaal Government, etc., Apr. 23, 1063.  
 Papers relating to, Apr. 26, 1426.  
 Right of H.M. Government to claim Indemnity, Apr. 1, 329; Apr. 22, 889; Apr. 26, 1425.  
 Transvaal Government, Debts due to; Exemption of Debtors, etc., Apr. 15, 1288.  
 Liberal Party and the South African War; So-called Unity of the Liberal Party, Mar. 28, 120.  
 Malta; Language Question, Mar. 29, 210; Apr. 25, 1306.  
 Mauritius, Judicial Vacancy; Appointment of Judge with knowledge of French, Apr. 25, 1306.  
 Merriman's, Mr., Letter of Mar. 11, 1898, Publication of  
 Debate in Cape House of Assembly, Apr. 22, 891.  
 Post Office inquiry, Apr. 23, 1063, 1064.  
 Milner's, Sir A., Leave of Absence-Announcement in the "Times," Apr. 18, 599.  
 Natal British Indian Subjects, Allowing Refugees to return to the Transvaal, Apr. 25, 1287.  
 Newfoundland Fisheries Shore Question; Negotiations with France, Apr. 22, 910.  
 Old Age Pensions in the Colonies; Laying Papers on the Table, Apr. 22, 911.  
 Rhodesia; Chinese Labour, Introduction of, Apr. 18, 600; Apr. 19, 776.  
 South African Constabulary; Members of Imperial Yeomanry joining, Classification of, etc., Apr. 1, 332.  
 "South African News"; Trial of Editor for Libel, Mar. 29, 213.  
 South African Land Settlement Commission; Report, Date of Issue, Apr. 22, 894.  
 South African War  
 Boer Prisoners; Place of Custody, Apr. 26, 1427.  
 Deportation to Tasmania proposed, Apr. 22, 892.  
 Canadian Contingent; South African Constabulary, Enlistment in, Raid on Ottawa Hotel, Apr. 25, 1295.  
 Milner's, Sir A., Despatch; Delay in Publication, Apr. 22, 894.  
 Peace Negotiations  
 Papers, Form of presenting to the House; Policy of bringing within range of Parliamentary Criticism Despatches containing differences of opinion between Minister and his Advisers, Mar. 28, 125.  
 Superseding Sir A. Milner in future Negotiations, suggested, Mar. 28, 45, 40.  
 Terms offered by the British Government, etc., Mar. 28, 90, 123.  
 Swaziland  
 British Protectorate, Apr. 1, 331, 331.  
 Military Movements in, Apr. 1,  
 Transvaal  
 Government Assets; Transference to British Government, Apr. 18, 599.  
 Netherlands Railway Company; Attitude of British Government towards, Apr. 1, 331.

Transvaal and Orange River Colonies; Civil Administration during Absence of Sir  
 A. Milner, Apr. 26, 1425.  
 Villiers', Sir H. de, Correspondence with Sir A. Milner, Publication of, Apr.  
 26, 1428.  
 West Indies; Fruit Industry, Consignment of Fruit by Subsidising Steamers, Mar.  
 28, 53.  
 Chambers, W.  
 Ledbury Ex-Post man; Bonus  
 Q. Mr. J. O'Connor; A. Mr. A. Chamberlain, Apr. 22, 920.  
 Chancellor of the Duchy of Lancaster  
 Lord James of Hereford.  
 Chancellor of the Exchequer  
 Rt. Hon. Sir M. Hicks-Beach.  
 Chancery, Court of  
 Unclaimed Funds, Amount of, etc.  
 Q. Mr. Voxall; A. Sir M. H. B. Apr. 22, 912.  
 Channel Squadron  
 Number of Cruisers attached  
 Q. Sir C. Dike; A. Mr. Arnold-Forster, Mar 28, 51.  
 Channing, Mr. F. A. [Northampton, E.]  
 China; Nanking and Wuchang Viceroy; Recognition of Patriotism by H.M.,  
 Government, Apr. 18, 605.  
 Government Education Bill; Rex v. Cockerton, Apr. 26, 1456.  
 Land Tax Commissioners' Names Bill, Apr. 19, 791.  
 Chaplains  
 Navy, see that title.  
 Prisons, see that title.  
 Chaplin, Rt. Hon. H. [Lincolnshire, Sleaford]  
 Gifts for the Troops; Lord Kitchener's Appeal, Apr. 1, 333.  
 Charitable Endowments  
 London; Return Presented, Apr. 19, 772, Apr. 22, 886.  
 Charities  
 Durham, County of; Further Return Presented, Mar. 28, 42.  
 Chelsea Hospital  
 Vote for, Mar. 29, 277.  
 Chemnitz  
 Trade Report Presented, Apr. 22, 878.  
 Chester Gas Bill  
 I. Report,\* Apr. 3d, 1414.  
 Chicago  
 Trade Report Presented, Mar. 28, 6.  
 Chief Secretary for Ireland  
 Rt. Hon. G. Wyndham.  
 Children  
 Child Hawkers; Licences proposed, Liverpool Corporation Act, 1898  
 Q. Mr. C. Smith; A. Mr. Ritchie, Apr. 30, 1317.

Pauper Children, see that title.

Sale of Intoxicating Liquor to Children Bills, see their titles.

Chile

Diseases of Animals Acts 1894 and 1896; Order prohibiting the Landing of Animals Presented, Apr. 1, 325; Apr. 22, 879.

Trade Report Presented, Mar. 28, 6.

Chilworth Gunpowder Factory

Explosion; Inspector's Report Presented.

Apr. 18, 594; Apr. 22, 876.

China

Allied Forces, Command of; Publication of Correspondence

Q. Mr. S. MacNeill; A. Visc. Cranborne, Apr. 23, 1067.

Anglo-German Agreement

Application of, to Manchuria

Qs. Mr. W. Redmond, Mr. C. O'Kelly; As. Visc. Cranborne, Mar. 28, 54.

Bilow's, Count von, Speech in the Reichstag

Q. Visc. Cranborne, Mar. 28, 182.

Debate on the Consolidated Fund Bill, Mar. 28, 172, 173, 182.

Lansdowne's, Marquess of, Statement, Mar. 28, 24.

Bulow's, Count von, Speech in the Reichstag

Lansdowne's, Marquess of, Statement, Mar. 28, 28.

Anglo-Russian Agreement of 1899; Northern Railways question, etc.

Q. Marquess of Lansdowne, Mar. 28, 23.

Boxer Movement

National Movement

Qs. Mr. Harwood, Apr. 2, 579; Mr. Yerburgh, 583.

Russia Responsible for, alleged

Qs. Sir E. Ashmead-Bartlett, Mar. 28, 166; Visc. Cranborne, 180.

British Consular System, Remodelling

Q. Mr. J. Walton, Mar. 28, 177.

British Expedition, Expenditure; Budget Statement, Apr. 18, 621.

British Policy

"Blunders" of British Far Eastern Policy

Ashmead-Bartlett, Sir E., on, Mar. 28, 163.

Debate on Sir E. Ashmead-Bartlett's Motion, Apr. 2, 575.

Ministerial Statements (Marquess of Lansdowne), Mar. 28, 15; (Vis. Cranborne), 178.

British Prestige, Loss of

Qs. Sir E. Ashmead-Bartlett, Mar. 28, 168; Visc. Cranborne, 185.

British Troops

Casualties; Total of Deaths from all causes

Q. Earl of Hardwicke, Mar. 28, 35.

Conduct and Bearing of the Troops

Q. Earl of Hardwicke, Mar. 28, 35.

Marines, see that sub-heading.

Canton Operations 1857&#x2013;8;Distribution of Booty  
 Q. Mr. Majeudie; A.Mr. Arnold-Forster, Apr. 1, 339.  
 Concert of Europe "Blunder"  
 Qs. Sir E. Ashmead-Bartlett, Mar. 28, 166; Visc. Cranborne, 184.  
 Commercial Treaties, Revision of  
 Lansdowne's, Marquess of, Statement, Mar. 28, 21.  
 Elliott Islands Expedition, Russian Objections  
 Qs. Mr. J. Walton, Mar. 28, 177 Visc. Cranborne, 181.  
 Indiunity Questions  
 British Claims;Notification at Pekin by May 1, etc.  
 Q. Mr. Norman; A. Visc. Cranborne, Apr. 19, 785; Q. Mr. C. Hobhouse; A. Visc.  
 Cranborne, Apr. 22,  
 908.  
 Lansdowne's, Marquess of, Statement, Mar. 28, 19.  
 Russian Claim, Amount of, etc.  
 Q. Sir E. Ashmead-Bartlett; A. Visc. Cranborne, Apr. 22, 908.  
 International Agreements  
 Lansdowne's, Marquess of, Statement, Mar. 28, 22.  
 Japan, Alliance with Great Britain  
 Qs. Sir E. Ashmead-Bartlett, Mar. 28, 166; Apr. 2, 576; Lord E. Fitzmaurice,  
 Mar. 28, 189.  
 Likin, Abolition of  
 Lansdowne's, Marquess of, Statement, Mar. 28, 21.  
 Qs. Lord Tweedmouth, Mar 28, 32.  
 Looting;"Looting under proper Control," General Gaselee's Orders  
 Q. Earl of Hardwicke, Mar 28, 35.  
 Manchuria;Massacres by Russian Authorities  
 Q. Sir E. Ashmead-Bartlett, Mar. 28, 167.  
 Manchurian Convention;Russo-Chinese Agreement  
 Q. Sir E. Ashmead-Bartlett; A. Visc. Cranborne, Apr. 2, 477.  
 Anglo-German Agreement, see that sub-heading.  
 Ashmead-Bartlett's, Sir E., Motion, Apr. 2, 575.  
 British Trade Interests  
 Q. Mr. Harwood, Apr. 2, 579.  
 Debate on the Consolidated Fund Bill, Mar. 28, 164, 183, 190.  
 Rejection by China  
 Q. Sir E. Ashmead-Bartlett; A. Visc. Cranborne, Mar. 28, 55.  
 Representations by H.M. Government, etc.  
 Q. Mr. W. Redmond; A. Visc. Cranborne, Apr. 25, 1308.  
 Russian Assurances, etc.  
 Lansdowne's, Marquess of, Statement, Mar. 28, 25.  
 "Times" Correspondent and the disclosure of the Convention  
 Q. Sir E. Ashmead-Bartlett, Mar. 28, 170.  
 Yang-tze Viceroy's, Attitude  
 Q. Sir E. Ashmead-Bartlett, Mar. 28, 171.  
 Marines;Royal Marine Light Infantry Promotions, Publication of Dates, etc.

Q. Mr. Kearley; A. Mr. Arnold Forster, Apr. 26, 1433.  
 Maritime Customs;New Sources of Revenue to meet Indemnities  
 Lansdowne's, Marquess of, Statement, Mar. 28, 20.  
 Mongolia;Agreement between Russia and China with regard to Railways  
 Qs. Earl Spencer, Marquess of Lans-downe, Mar. 28, 28.  
 Nin-chwang Administration  
 Qs. Mr. J. Walton, Mar. 28, 177; Visc. Cranborne, 185.  
 Niu-chwang Maritime Customs Buildings;Russian Supervision, etc.  
 Q. Mr. Norman; A. Visc. Cranborne, Apr. 19, 786.  
 Northern Railways  
 Russia and the Northern Railways, Lansdowne's, Marquess of, Statement, Mar. 28, 23.  
 Shan-hai-kwan to Niu-chwang, Russian control  
 Qs. Mr. J. Walton, Mar. 28, 176; Visc. Cranborne, 180.  
 "Open Door" Policy  
 Qs. Visc. Cranborne, Mar. 28, 185; Lord E. Fitzmaurice, 188.  
 Papers;Laying on the Table  
 Q.Mr. Dillon; A. Visc. Cranborne, Apr. 19, 786.  
 Situation in Peking;Correspondence relating to, Presented, Apr. 18, 593; Apr. 22, 877.  
 Pechili Waters;Pretensions of Russia to Control  
 Q. Mr. J. Walton, Mar. 28, 177.  
 Peking  
 Legations;Defence Scheme, Legation Guards, Demands of the Powers  
 Lansdowne's, Marquis of, Statement, Mar 28, 18.  
 Palace, Fire  
 Q. Mr. H. Roberts; A. Visc.  
 Cranborne, Apr. 22, 907.  
 Plans, Distribution among Members of Parliament  
 Q. Mr. Macdona; A. Visc. Cranborne, Apr. 22, 909.  
 Port Arthur, British Policy in allowing Japanese to be driven out of Port Arthur  
 Q. Sir. E. Ashmeart-Bartlett, Mar. 28, 165.  
 Punishment of Princes and Officials  
 Lansdowne's, Marquess of, Statement, Mar. 28, 17.  
 Reforms;Fiscal Reforms, etc.  
 Qs. Sir E. Ashmead-Bartlett, Mar. 28, 171; Apr. 2, 577, 578; Visc. Cranborne, Mar. 28, 179; Mr. Yerburch, Apr. 2, 583.  
 Lansdowne's, Marquess of, Statement, Mar. 28, 21.  
 Revenue;New Sources of Revenue to Meet indemnities, etc.  
 Lansdowne's, Marquess of, Statement, Mar. 28, 19.  
 Russia  
 Indemnity Question, see that sub-heading.  
 Japan and Russia;Reported Negotiations  
 Q. Sir E. Ashmead-Bartlett; A. Visc. Cranborne, Apr. 22, 909.  
 Manchuria, see that sub-heading.

## Russian Policy

Debate on the Consolidated Fund Bill, Mar. 28, 174.

Settlement; Demands of the Powers, Progress of Negotiations

Lansdowne's, Marquess of, Statement, Mar. 28, 16.

Situation in

Debate on the Consolidated Fund Bill, Mar. 28, 163.

Debate on Sir E. Ashmead-Bartlett's Motion, Apr. 2, 575.

Statement (Marquess of Lansdowne), Mar. 28, 15.

Stonehouse, Rev. J., Murder of

Q. Mr. H. Roberts; A. Visc. Cranborne, Mar. 28, 54.

Tientsin

Anglo-Russian Dispute

Qs. Earl of Hardwicke, Mar. 28, 32; Mr. J. Walton, 176.

Kinder, Mr., Action of

Q. Sir J. Leng; A. Lord G. Hamilton, Mar. 28, 53.

Siege; Acknowledgment of Mr. Watt's Services, etc.

Q. Mr. Yerburch; A. Visc. Cranborne, Apr. 2, 477.

Yang-tsze Region; Occupation of the Forts of the Yang-tsze offered to the British Government, Mistaken Policy of refusing

Q. Mr. Yerburch, Apr. 2, 582.

Yang-tsze Valley; Alienating

Q. Sir E. Ashmead-Bartlett, Mar. 28, 169.

Yang-tsze Viceroy; Recognition Patriotism by H.M. Government

Q. Mr. Channing; A. Visc. Cranborne, Apr. 18, 605.

China and Earthenware

Manufacture of; Amended Special Rules Presented, Mar. 28, 6.

Chinese Labour

see Rhodesia.

Christ's Hospital

Site, Sale of; Sanction of Charity Commissioners, etc.

Q. Mr. Kenyon; A. Mr. G. Boswell, Mar. 28, 68.

Christ's Hospital (London) Bill

I. Report,\* Mar. 28, 2.

Church Discipline

Petitions for Alteration of Law, Apr. 1, 323; Apr. 19, 768; Apr. 23, 1059; Apr. 26, 1421.

Cigars

Tax on, proposed

References to, in Debate on the Budget, Apr. 25, 1403, 1404.

Circuit System

Defects of

Qs. Sir R. Reid, Apr. 26, 1464; Sir R. Finlay, 1466; Mr. Asquith, 1468.

Expenses

Payments made to Sheriffs in connection with Judges on Circuit

Debate on the Estimates, Apr. 26, 1531.

Travelling and Lodging Allowances Debate on the Estimates, Apr. 26, 1537.

City of London

Land Transfer Act;Application of Com-pulsory Clauses

Q. Mr. W. F. D. Smith; A. Sir R. Finlay, Apr. 26, 1442.

City and North-East Suburban Electric Railway Bill

I. 2R.\* Apr. 23, 1050.

Civil List

Report from Select Committee Presented, Mar. 28, 89.

Civil Service.

Superannuation;Board of Education, Junior Inspector, etc., Treasury Minute

Presented, Apr. 1, 325; Apr. 22, 879.

Civil Service Estimates

see Supply.

Clancy, Mr. J. J. [Dublin Co., N.]

Criminal Injuries, Compensation for, Mar. 28, 82.

University Education, Ireland;Roman Catholic University Question, Apr. 22, 968.

Claremorris Union

Coyne's, Owen, Holding;Re-valuation etc.

Q. Mr. J. O'Donnell; A. Mr. Wyndham, Apr. 2, 486.

Cleobury Mortimer and Ditton Priors Light Railway

Order Presented, Mar. 29, 199, 211.

Clifden Bay

Fier or Harbour, Proposed Construction of

Q. Mr. O'Malley; A. Mr. Wyndham, Apr. 2, 484.

Coal

Dearness and Scarcity of;Recommendations of Select Committee of 1873, etc.

Q. Mr. D. A. Thomas; A. Sir M. Hicks-Beach, Apr. 25, 1313.

Export Duty, Shilling per Ton;Budget Proposal

Agricultural Land Rating Act;Non-Renewal, proposed

Q. Mr. H. Lewis; A. Sir M. H. Beach, Apr. 23, 1071.

Anomalies in Incidence;Jersey, Isle of Man, Scilly Isles, etc.

Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 26, 1430.

British Coal supplied to British Vessel at Malta, etc.

Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 25, 1311.

Budget Statement, Apr. 18, 638;Debate, 673.

Bunker Coal, Exemption of

Q. Mr. Bowles, Apr. 19, 845.

Q. Sir J. Pease; A. Mr. G. W. Balfour, Apr. 25, 1312.

Debate in Com. of Ways and Means, Apr. 19, 844.

Delay caused to Steam fishing Vessels on entering Fishing Ports, etc.

Q. Sir J. Colomb; A. Sir M. H. Beach, Apr. 23, 1071.

Patent Fuel;Levyng Duty on Pitch Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 26, 1436.

Wales, South, Industries;Number of Workmen employed, etc.

Q. Mr. D. A. Thomas; A. Mr. G. W. Balfour, Apr. 25, 1312.

Petition against Apr. 24, 1181, Apr. 25, 1284; Apr. 26, 1421.

Proportion of Coal exported consumed by British Vesels-Shipment of Bunker Coal

on Foreign Vessels, etc.

Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 25, 1311.

Resolution in Com of Ways and Means, Apr. 18, 740.

Running Contracts, Effect on

Qs. Mr. Plummer, Mr. Warr, Mr. D. A. Thomas; As. Sir M. H. Beach, Apr. 19, 784.

Q. Mr. S. Evans; A. Sir M. H. Beach, Apr. 22, 911.

Q. Mr. D. A. Thomas; A. Sir M. H. Beach. Apr. 26, 1437.

Exported Coal, etc.

Amount sold for Exportation during year ending Mar., 1902, under Contracts before April 19

Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 22, 912.

British Colonies, Output in 1900; Amount Exported, etc.

Q. Mr. H. Roberts; A. Mr. J. Chamberlain, Apr. 22, 912.

Return Presented, Apr. 2, 470.

Returns

Q. Mr. D. A. Thomas; A. Mr. G. W. Balfour, Apr. 19, 787.

Seaborne Coal

Qs. Mr. D. A. Thomas; As. Mr. G. W. Balfour, Apr. 25, 1309; Apr. 26, 1437.

West Indies; Exports from England and United States in 1900, etc.

Q. Mr. D. A. Thomas; A. Mr. G. W. Balfour, Apr. 25, 1311.

Fall in Prices and Freights in 1901, etc.

Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 25, 1309.

Pig Iron, Production of; Amount of Coal Consumed, etc.

Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 25, 1312.

Supply of; Duration

Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 25, 1313.

Coal Mines (Employment) Bill

Petitions, Mar. 28, 40; Apr. 1, 323; Apr. 2, 468; Apr. 18, 591; Apr. 19, 768;

Apr. 22, 884; Apr.

24, 1181; Apr. 25, 1284; Apr. 26, 1421.

Shortening Easter Holidays proposed; Sir C. Dilke's Amendment to Mr. Balfour's Motion, Apr. 2, 495.

Coaling Stations

Falkland Islands, Improvement in Coaling Facilities

Qs. Sir J. Colomb, Mar. 2d, 239; Mr. Pretyman, 240.

Simons Bay, Coaling Arrangements

Qs. Sir J. Colomb, Mar. 29, 239; Mr. Pretyman, 240.

Coastguard Service

"Goonlaze," Wreck of; Coastguard Service between Hartland Point and Westward Ho; Inquiry proposed

Q. Mr. Snares; A. Mr. Arnold-Forster, Apr. 26, 1433.

Cockerton Judgment

see Education; Higher Elementary Education.

Cogan, Mr. D. J. [Wicklów, E.]

Lunatic Asylums; Grant-in-aid, Apr. 1, 358.

Coinage



New Coinage;Decimal System proposed  
 Q. Mr. J. O'Connor; A. Mr. A. J. Balfour, Apr. 23, 1089.  
 Profits on;Budget Statement, Apr. 18, 021.  
 Collection of Revenue  
 see Revenue and Expenditure of the United Kingdom.  
 Collieries  
 Wales, South;Number of Collieries closed, etc.  
 Q. Mr. D. A. Thomas; A. Mr. Ritchie, Apr. 25, 1313.  
 Collings, Rt. Hon. J.;Under Secretary to the Home Office [Birmingham, Bordesley]  
 Police and Sanitary Regulations Bill;Select Committee, Mar. 28, 62; Apr. 22,  
 917.  
 Colomb, Sir J. [Great Yarmouth]  
 Army  
 Reorganisation;Force of 120,000 Men for Field Service over Sea, etc, Mar. 29,  
 215.  
 Training in the Ranks, Period of, Apr. 1, 337.  
 China  
 Situation in;Policy of the British Government, Russia in Manchuria, etc., Apr.  
 2, 585.  
 Wei-hai-wei, Dredging at, Mar. 29, 239.  
 Coal, New Duty;Delay caused by Steam Fishing Vessels on entering Fishing Ports,  
 etc., Apr. 23, 1071.  
 Falkland Islands;Coaling Arrangements, Mar. 29, 239.  
 Gibraltar Harbour Works;Report of Committee of Inquiry, Apr. 26, 1459.  
 Marine Officers, Ineligibility to serve on Courts-Martial, Mar. 29, 271.  
 Parliamentary Elections (Mariners' Votes) Bill, 2R., Apr. 1, 455.  
 St. Ives Fishery Disturbances, Apr. 2, 478.  
 Simons Bay, Coaling Arrangements, Mar. 29, 239.  
 Southampton;Boom Defences, Mar. 29, 238, 242.  
 Submarine Cables, Cutting in Time of War;American Rules, Apr. 18, 604.  
 Yeomanry, Imperial;New Force, Conditions of Service, Apr. 18, 601.  
 Colonial Office  
 Secretary of State;Rt. Hon. J. Chamberlain.  
 Parliamentary Secretary;Earl of Onslow.  
 Colonies  
 Coal output in 1900;Amount exported, etc.  
 Q. Mr. H. Roberts; A. Mr. J. Chamberlain, Apr. 22, 912.  
 Customs Tariffs, Preferential Treatment of British Goods;Canada  
 Q. Sir H. Vincent; A. Sir M. H. Beach, Mar. 28, 58.  
 Old Age Pensions;Laying Papers on the Table  
 Q. Mr. W. Redmond; A. Mr. J. Chamberlain, Apr. 22, 910.  
 Roman Catholic University Education  
 Q. Mr. Boland, Apr. 22, 999.  
 South African War, see that title;Colonial Contingents  
 Colvile, Gen. Sir H. E.  
 Lindley Disaster;Lord Roberta's Report

Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 26, 1428.  
 Paardeberg Despatches, Mr. Brodrick's Denial; Personal Explanations by Mr. Brodrick and Mr. Douglas, Apr. 19, 774.  
 Paardeberg Operations, Report Presented, Apr. 25, 1286; Apr. 26, 1416.  
 Colwyn Bay and Colwyn Urban District Gas Bill  
 c. Report,\* Apr. 1, 323.  
 Con.\* Apr. 23, 1056.  
 3R.\* Apr. 26, 1420.  
 Commander-in-Chief  
 see Army.  
 Commission of the Peace  
 see Magistrates and Justices of the Peace.  
 Commissions in the Army  
 see Army.  
 Committees  
 Commons; Standing Committees  
 Chairman's Panel, Appointment of Lord E. Fitzmaurice, etc., Apr. 22, 889.  
 Leave to print and circulate Votes and Minutes of their Proceedings, etc., Apr. 26, 1460.  
 Members discharged and Members Added, Apr. 19, 783.  
 Unsatisfactory Procedure; Unamended Bills to be considered by the whole House on Report Stage, Amendment of Standing Order  
 50  
 Motion (Sir E. Powell), Apr. 2, 555.  
 Joint Committees of Inquiry; Peers determining when the Committee shall sit,  
 Immemorial usage of Parliament  
 Q. Mr. A. J. Balfour, Apr. 26, 1459.  
 Lords  
 Select Committee  
 Appointment of Chairman in place of Earl of Lauderdale, Mar. 29, 199.  
 Lords appointed for the consideration of certain Bills, Mar. 28, 3.  
 Selection for Standing Committees; Member added, Mar. 29, 200.  
 Companies' Winding-Up Act  
 Proceedings; Account Presented, Apr. 26, 1417.  
 Concert of Europe  
 "Blunders" in China  
 Qs. Sir E. Ashmead-Bartlett, Mar. 28, 166; Visc. Cranborne, 184.  
 Condensed Milk Manufacture  
 Additional Duty on Sugar  
 Q. Mr. J. Redmond, Apr. 18, 697.  
 Qs. Mr. Kearley; As. Sir M. H. Beach, Apr. 23, 1070; Apr. 25, 1316.  
 Confectionery  
 Drawback on Sugar used by Exporters of Confectionery  
 Q. Mr. Causton; A. Sir M. H. Beach, Apr. 25, 1314.  
 Effect of Increase in Sugar Duty  
 References to in Debate on the Budget, Apr. 18, 673, 736.

Congested Districts Board, Scotland  
Report Presented, Apr. 18, 593; Apr. 22, 878  
Return  
Q. Mr. Weir; A. Mr. A. G. Murray, Apr. 25, 1329.  
Conhoy, Private  
Deceased Soldiers' Estates; Amount of Deferred Pay, etc.  
Q. Mr. O'Dowd; Lord Stanley, Apr. 26, 1431.  
Consolidated Fund (No. 1) Bill  
c. 3R., Mar. 28, 97.  
l. 1R.\* 2R.\* and 3R.\* Mar. 29, 197.  
Royal Assent, Mar. 29, 197.  
Consols  
New issue of; Advancing Money on the Security of the part paid Scrip, etc.  
Q. Mr. S. Samuel; A. Sir M. H. Beach, Apr. 25, 1316.  
Constabulary, Royal Irish  
Armagh; Number and Religious Denomination of Constables, etc.  
Q. Mr. J. Campbell; A. Mr. Wyndham, Apr. 25, 1336.  
Black's, Constable, Orphans; Refusal of Gratuity  
Q. Mr. M'Govern; A. Mr. Wyndham, Apr. 25, 1333.  
Cappawhite Police, removing Auction Notices  
Q. Mr. K. O'Brien; A. Mr. Wyndham, Apr. 2, 489.  
Dungannon Disturbances, see that title.  
Evicted Farms; Constables taking  
Qs. Mr. Cullinan, Mr. Dillon; As. Mr. Wyndham, Apr. 26, 1450.  
Glencolumbkille Sub-postmastership  
Qs. Mr. O'Dobertv; As. Mr. A. Chamberlain, Mar. 28, 85, 86.  
Musketry Instruction in England  
Q. Mr. London; A. Mr. Wyndham, Apr. 19, 790.  
"P" Head Constables; Number examined for Rank of District Inspector, etc.  
Q. Mr. Flavin; A. Mr. Wyndham, Mar. 29, 227.  
Roman Catholic Officers and Men, Proportion of, etc.  
Q. Mr. T. M. Healy; A. Mr. Wyndham, Apr. 18, 606.  
Roscommon; County Inspector residing outside County, etc.  
Q. Mr. Harden; A. Mr. Wyndham, Mar. 29, 229.  
Sullivan, Sergeant J., Suspension of, etc.  
Q. Mr. Dillon; A. Mr. Wyndham, Apr. 22, 921.  
Consular and Diplomatic Services  
Consular System in China, Remodelling System  
Q. Mr. Walton, Mar. 28, 177.  
Consular and Diplomatic Trade Reports  
see Trade Reports.  
Contagious Diseases, Animals  
Foot and Mouth Disease, see that title.  
Contempt of Court  
Dublin Newspapers, Proceedings against; Crown v. P. A. M'Hngh  
Q. Mr. Flynn; A. Mr. Atkinson, Apr. 26, 1454.

Eaton, Thomas, Imprisonment of; Dr. Waters conducting Prosecution of E. Eaton, etc.

Q. Mr. M'Dermott; A. Mr. Atkinson, Apr. 22, 929.

Continental Opinion on South African War

Harcourt, Sir W., on, Apr. 18, 664.

Continental Rifle Ranges

Report of British Officers

Q. Col. W. Murray; A. Lord Stanley, Apr. 22, 906.

Controverted Elections

see Parliamentary Elections Petitions also names of Divisions.

Coomassie

see Ashanti.

Cooper's Hill College

Board of Visitors, Appointment of New Members; Report of Inquiry, Laying before the House, etc.

Q. Mr. W. Palmer; A. Lord G. Hamilton, Apr. 25, 1307.

Remodelling of Studies, etc.; Report of Board of Visitors with Minutes of Evidence Presented, Mar. 29, 200, 212.

Teachers, Dismissal of; Papers relating to, Laying on the Table, etc.

Q. Mr. W. Palmer; A. Lord G. Hamilton, Mar. 28, 58.

Coquimbo

Trade Report Presented, Mar. 28, 6.

Cork

City Criminal Sessions; White Cloves presented to Chairman, etc.

Q. Mr. J. F. X. O'Brien; A. Mr. Wyndham, Apr. 22, 924.

Lunatic Asylum; Grant-in-aid

Q. Mr. Gilhooly; A. Mr. Wyndham, Apr. 1, 358.

Post Office

Missing Money Orders

Q. Mr. Flynn; A. Mr. A. Chamberlain, Apr. 1, 371.

Revision; Sorting Clerks and Telegraphists, Ante-dating increase of Pay, proposed

Q. Mr. T. M. Healy; A. Mr. A. Chamberlain, Apr. 23, 1080.

Corn

Returns

Commissioners of Inland Revenue Supervising Inspectors, etc.

Q. Mr. Loyd; A. Sir M. H. Beach, Mar. 28, 66.

Examination of Returns by Board of Agriculture; Convictions, etc.

Q. Mr. Loyd; A. Mr. Hanbury, Mar. 28, 67.

Cornwall and York, Duke and Duchess

Colonial Visit

"Ophir"; Hiring, Fittings, etc.

Qs. Mr. Lough, Mar. 29, 257; Mr. Arnold-Forster, 258.

Unauthorised Expenditure, alleged

Qs. Mr. Flynn, Mar. 29, 245; Mr. Arnold-Forster, 246.

Cornwallis, Lord

American War of Independence; Policy of Devastation, etc.

Q. Mr. T. Shaw, Apr. 2, 516.  
 County Councils, Ireland  
 Secretaries; Standard of Examinations, etc.  
 Q. Mr. Cullinan; A. Mr. Wyndham, Apr. 1, 359.  
 County Courts, Ireland  
 Judges' Salaries; Services with reference to the Administration of the Irish Land  
 Acts, Return as to Land Valuers, etc.  
 Q. Mr. J. O'Donnell; A. Mr. Wyndham, Apr. 2, 485.  
 Courts-Martial  
 Army (Annual) Bill, see that title.  
 Coyne, Owen  
 Holding in Claremorris Union; Re-valuation, etc.  
 Q. Mr. J. O'Donnell; A. Mr. Wyndham, Apr. 2, 486.  
 Cranborne, Visc.; Under Secretary for Foreign Affairs (Rochester)  
 Arabia, Central, Fitting in, Apr. 23, 1068.  
 Argentine Republic; Cattle Importation from Ireland, Removal of Restrictions,  
 Apr. 18, 607.  
 China  
 Allied Forces, Command of; Correspondence, Apr. 23, 1067.  
 Anglo-German Agreement, Applying to Manchuria, Mar. 28, 55.  
 Indemnity Question, Apr. 19, 786; Apr. 22, 908.  
 Manchuria; Russo-Chinese Agreement, Mar. 28, 55; Apr. 2, 478; Apr. 25, 1308.  
 Niu-chwang Maritime Customs  
 Buildings; Russian Supervision, Apr. 19, 786.  
 Papers Relating to, Laying on the Table, Apr. 19, 787.  
 Peking  
 Fire at Palace, Apr. 22, 908.  
 Plans; Distribution among Members, Apr. 22, 909.  
 Russia and Japan; Reported Negotiations, Apr. 22, 909.  
 Situation in, British Policy, etc., Mar. 28, 178.  
 Stonehouse, Rev. J., Murder of, Mar. 28, 54.  
 Tientsin Siege; Mr. "Watt's Services Apr. 2, 477.  
 Yang-tsze Viceroys-Recognition of Services by H. M. Government, Apr. 18, 605.  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 178, 170, 182.  
 Crete; Administration, Papers relating to, etc., Apr. 22, 910.  
 Egypt  
 British Forces; Date of Evacuation. Apr. 25, 1308.  
 Dervish Leaders, Imprisonment of, Apr. 25, 1308.  
 Khorat Railway Contract, Cancellation of; Compensation from Siamese Government,  
 Apr. 23, 1068.  
 King's Accession, Announcement of Special Missions to Foreign Courts, Apr. 22,  
 910.  
 Korea, Dismissal of Mr. Brown, Director-General of Customs, Mar. 28, 56.  
 Shipping Bounties in France and Germany, Apr. 1, 343.  
 South African War; Compensation for Losses, Expulsion of Foreigners, Mar. 28, 46.  
 Submarine Cables, Cutting in time of War; American Rules, Apr. 18, 605.

Sugar Bounties; Reassembling of Brussels Conference, Apr. 1, 343.  
 Uganda Railway Construction, Mar. 28, 57.  
 Waima Incident, Negotiations with France, Apr. 25, 1309.  
 Zanzibar, Slavery in; Papers relating to, etc., Mar. 29, 217.  
 Creameries, Ireland  
 Loans to Fanners to purchase Separators  
 Q. Mr. Daly; A. Mr. Wyndham, Apr. 22, 922; Q. Mr. W. Abraham; A. Mr. Wyndham,  
 Apr. 20,  
 1449.  
 Crean, Mr. E. [Cork, S.E.]  
 Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House  
 after Supply had been disposed of, Mar. 29,  
 304.  
 Cremation Bill  
 c. 2R.\* Apr. 1, 447.  
 Cremer, Mr. W. R. [Shoreditch, Haggerston]  
 Director of Public Prosecutions; Neglect in connection with Election Petitions,  
 Apr. 26, 1522.  
 Standing Committees, Amendment of Standing Order 50, Apr. 2, 571.  
 Crete  
 Administration, Papers relating to  
 Q. Mr. Stevenson; A. Visc. Cranborne, Apr. 22, 909.  
 Crimes and Outrages  
 Absence of Crime in Cork, Donegal, etc., see titles Cork, Donegal.  
 Criminal Injuries, Compensation for; Sir F. Falkiner's Statement.  
 Q. Mr. Clancy; A. Mr. Atkinson. Mar. 28, 82.  
 Criminal Lunatics, Ireland  
 see Lunatics.  
 Cripps, Mr. C. A. [Lancashire, Stretford]  
 Railway and Canal Commission, Enforcing Orders, etc., Apr. 26, 1547, 1549.  
 Crofters Act, 1886  
 Extension to Leaseholders under £;30, proposed  
 Q. Mr. Weir; A. Mr. A. J. Balfour. Apr. 25, 1341.  
 Crofters' Holdings [Scotland] Acts  
 Report of the Crofters' Commission for 1900, Presented, Apr. 18, 594; Apr. 22,  
 878.  
 Crombie, Mr. J. W. [Kincardineshire]  
 Fishing Boats; Day Signals for Steam Liners, Apr. 25, 1318.  
 Crown's Nominee Account  
 Abstract Account Presented, Apr. 19, 771.  
 Cullinan, Mr. J. [Tipperary, S.]  
 County Council Secretaries; Standard of Examinations, Apr. 1, 359.  
 District Councillors; Occupants of Labourers' Cottages, Disqualification, etc.,  
 Mar. 29, 231; Apr. 1, 369.  
 Dungannon Disturbances. Apr. 1, 366, 367.  
 Evicted Farm; Irish Constables taking, Apr. 26, 1450.

O'Brien, Mr. K.; Removal from Coin-mission of the Peace for Tipperary, Mar. 28, 80, 82.

Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 311.

Culloville

Postal Arrangements; Sunday Delivery, etc.

Q. Mr. Daly; A. Mr. A. Chamberlain, Apr. 23, 1086.

Customs Department

Assistants' Grievances

Q. Mr. T. Dewar; A. Mr. A. Chamlain, Apr. 25, 1327.

Bonded Warehouses, see that title.

Examining Officerships, reduction in Number; Promotion of Assistants

Q. Mr. Murphy; A. Mr. A. Chamberlain, Mar. 28, 71.

Customs Duties

Continuance of Additional Duties of Customs Budget Resolution in Committee of Ways and Means, Apr. 25, 1401.

Receipts; Budget Statement, Apr. 18, 618.

Customs Tariff

Canadian Tariffs, Preferential Treatment of British Coods; Proposed Reduction of Duties on Canadian Goods

Q. Sir H. Vincent; A. Sir M. H. Beach, Mar. 28, 58.

Duties on Foodstuffs and Raw Materials; Preferential Treatment of Empire Products, etc.

Q. Sir H. Vincent; A. Sir M. H. Beach, Apr. 1, 344.

Increasing Duty on Manufactured Goods and not on Food Products, proposed

Q. Mr. W. Palmer; A. Sir M. H. Beach, Mar. 28, 59.

Customs and Inland Revenue

Amendment of Law; Budget Resolution, Apr. 25, 1412.

D

Daly, Mr. J. [Monaghan, S.]

Calves, Mortality amongst in Ireland, Apr. 33, 1077, 1078.

Commander-in-Chief; Salary, Apr. 19, 782.

Creameries; Loans to Fanners to purchase Separators, proposed, Apr. 32, 922.

Culloville Postal Arrangements; Sunday Delivery, etc., Apr. 33, 1086.

Flax-growing in Ireland; Appointment of Experts, Apr. 26, 1442, 1443.

Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 757.

Lisburn Smallpox Outbreak; Precautionary Measures, Apr. 26, 1451.

Monaghan Co.; Agricultural and Technical Education, Appointment of Lecturer, Apr. 25, 1332.

Monaghan County Council; Allowances to Rate Collectors disallowed by Auditor, etc., Apr. 26, 1444, 1445.

Poor Law Officers' Superannuation Bill; Effect on Local Rates, Apr. 23, 1083.

Poor Law Officials' Superannuation Allowances in 1887; Probate Duty Grant. Apr. 26, 1445.

Post Office Pension Calculations, Apr. 25, 1322.

Tobacco Duty;Tax on Cigars, Apr. 25, 1403.  
 Dalziel, Mr. J. H. [Kirkcaldy Burghs]  
 Attorney-General's Advice to Ministers, Apr. 26, 1474.  
 Davies, Mr. A. [Carmarthen Boroughs]  
 Jameson Raid Indemnity;Claims against the Chartered Company, etc., Apr. 1, 329;  
 Apr. 22, 889; Apr. 26,  
 1425.  
 Netherlands Railway Company;Attitude of British Government towards, Apr. 1, 331.  
 South African War;Inquiry into Conduct of the War, Mar. 29, 212; Apr. 2, 470;  
 Apr. 18, 598.  
 Transvaal Government Assets;Transfer to British Government, Apr. 18, 598.  
 Deane v. Boyle  
 Track Acts Prosecution;Remission of Fine  
 Q. Mr. Tennant; A, Mr. Atkinson, Apr. 26, 1453.  
 Death Certificates  
 False Certificates;Case of Lily Graves  
 Q. Lord H. Cecil; A. Mr. Long, Apr. 22, 915,  
 Death Duties  
 Budget Statement, Apr. 18, 619.  
 Deceased Soldiers' Estates  
 see Army and South African War.  
 Decimal Coinage  
 Introduction of, proposed  
 Q. Mr. J. O'Connor: A. Mr. A. J. Balfour, Apr 23, 1089.  
 Defence of the Empire  
 Home Defences;Southampton Boom Defences  
 Debate on the Estimates, Mar. 29, 238, 240, 243.  
 Delany, Mr. W. [Queen's County, Ossory]  
 Industrial Schools;Committals, Number in 1896&#x2013;98, Apr. 26, 1447.  
 Land Purchase in Queen's Co.;Grants, Apr. 1, 363.  
 Leinster Regiment, Fourth Date of Disembodiment, Apr. 1, 337.  
 Shipowners, Taxation of;Proposed Tonnage Tax, Apr. 26, 1435.  
 Demise of the Crown  
 Re-appointment of Ministers  
 Committee of Inquiry into Legality of Ministers' Votes, proposed.  
 Q. Mr. Broadhurst, Apr. 1, 419.  
 First Lord of the Treasury, Question of Privilege;"Strangers Present," Mr.  
 Laboueh&#x00E8;re's Objections, Apr. 1, 376.  
 Penalties incurred  
 Qs. Mr. Labouchere, Mr. Caldwell; As. Sir R. Finlay, Mar. 29, 218.  
 Demise of the Crown Bill  
 c. 2R., Apr. 1, 382.  
 Demise of the Crown Bill  
 Debate on Second Beading (Commons), Apr. 1, 382.  
 Constitutional Importance of the Hill, 389, 394, 401.  
 Gladstone, Mr. W. E., Acceptance of Offices in 1873;Question of re-election,



410.

Ireland;Crown Appointments, Act, relating to, etc., 383, 388, 392, 399.

Penalties, 383, 387, 393, 398, 401, 404, 405, 411, 412, 413.

Perceval, Mr., Appointment as First Lord of the Treasury in 1809;Mr. Speaker  
Abbot's Ruling, 389, 390.

Retrospective Nature of the Bill, Objections to, etc., 386, 393, 395, 401, 404,  
407, 410, 414.

Vacation of Office and Seat on re-appoint meat, 388, 392, 390, 399, 403, 400,  
407, 410, 412, 415.

Explanatory Memorandum, proposed

Qs. Mr. E. Robertson; As. Sir R. Finlay, Mr. A. J. Balfour, Mar. 28, 88.

Withdrawal of Members during Discussion, proposed

Qs. Mr. Labouchere, Deputy Speaker, Apr. 1, 382.

Denbigh, Earl of

Workhouse Infirmarys and Fever Hospitals, Ireland;Return Apr. 26, 1418.

Derry

(see Londonderry.)

Despatches

Policy of bringing within range of Parliamentary Criticism Despatches,  
containing Difference of Opinion between a Minister and his Advisers.

Robson, Mr., on, Mar. 28, 106

Q. Mr. J. Chamberlain, 125

(for particular Despatches, see South African War, China, etc).

Devenish, Mr.

Appointment as Clerk of Carrick-on-Shannon Petty Sessions

Q. Mr. Tully; A. Mr. Wyndham. Apr. 23, 1084.

Devonport

Docks, Enlargement of

Qs. Mr. kearley, Mar. 29, 242; Mr. Pretymen, 244.

Dockyard Police;Lodging Allowance

Debate on the Estimates, Mar. 29, 251, 253, 254.

Dewar, Mr. J. A. [Inverness]

Edinburgh University Examinations;Marks for Foreign Languages, Apr. 26, 1440.

Fort George Water Supply, Impurity of, etc. Mar. 29, 222.

Harris Mail Service;Mail Steamer Service to Loch Stoekinish, Mar. 29, 223.

Inverness-shire Postal Arrangements, Mar. 39, 223.

Skye, Island of;Mail Steamer Service. Mar. 28, 75.

Dewar, Mr. T. R. [Tower Hamlets, St. George's]

Alien Immigration in Jan. and Feb., 1901, etc, Apr, 346.

Census Returns

Hotels, Mar. 29, 219.

Overcrowding in East London;Number of one-to six-roomed Tenements, etc, Apr. 22,  
916.

Customs;Assistants Grievances, Apr. 25, 1327.

King holding Court at Edinburgh, proposed, Apr. 26, 1341.

London School Board;Blakesley Street Site, Rehousing, etc. Apr. 1, 351.

Yeomanry Officers retaining Army Hank, Apr. 1, 335.  
 Dilke, Rt. Hon. Sir C. W. [Gloucester, Forest of Dean]  
 Army  
 Guns Purchase of German Field Guns, Defects, etc., Opportunity for Discussion, Apr. 26, 1430.  
 Insp-ector-General of Recruiting; Report, Apr. 2, 473; Apr. 19, 783.  
 Army (Annual) Bill, 2R., Apr. 1, 423, 435, 437; Com., Apr. 22, 1029, 1030, 1031, 1035, 1040.  
 Business of the House; Tuesday Sittings, Appropriating for Government Business, Apr. 19, 700.  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 179.  
 Easter Recess, Shortening the Holidays, Coal Mines Employment Legislation; Amendment to Mr. Balfours Motion, Apr. 2, 494.  
 Khorat Railway Contract, Cancellation of; Compensation from Siamese Government, Apr. 23, 1068.  
 Navy  
 Attachments, Appointment of; New arrangements, Mar. 29, 240, Fleets; Return, Apr. 19, 784.  
 Lieutenants, Number of; Number in French Fleet, etc., Apr. 18, 604.  
 Mediterranean Fleet and Channel Squadron; Number of Cruisers attached, Mar. 28, 51.  
 Mobilisation of Portion of the Fleet, Apr. 1, 338.  
 "Thunderer," H.M.S.; Gan Disablement, Mar. 29, 246; Apr. 2, 475.  
 South African Native Affairs, Administration of, Apr. 25, 1286.  
 South African War; Reinforcements landed since Jan. 1, 1901, Apr. 2, 471.  
 Dillon, Mr. J. [Mayo, E.]  
 Army (Annual) Bill, 3R., Apr. 25, 1347, 1348.  
 Attorney-General  
 Advice to Ministers, Apr. 26, 1473, 1474.  
 Salary, Fees, Legal Advice given to Ministers, etc., Apr. 26, 1477.  
 Budget; Tea Duty. Protest against the Taxation of Ireland, Apr. 25, 1384.  
 Business of the House; Tuesday Sittings, Appropriating for Government Business, Apr. 19, 812.  
 Calves, Mortality amongst in Ireland, Apr. 23, 1078; Apr. 25, 1335, 1336.  
 China; Papers relating to, Laying on the the Table, Apr. 19, 786.  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 103, 133.  
 Constabulary, Royal Irish; Evicted Farms, Members taking, Apr. 26, 1450.  
 Industrial Schools; Legislation proposed, Apr. 26, 1447.  
 Irish Whisky in preference to Tea incident, Apr. 25, 1375, 1377, 1385.  
 Law Officers of the Crown; Salaries and Fees, System of payment, etc., Apr. 26, 1477.  
 Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1215.  
 Notice of Motion in the Name of another Member, Apr. 18, 589.  
 South African War  
 Boer Prisoners; Internment in India, Unsuitability of Climate, etc., Ireland as

place of Internment proposed, Apr. 26, 1420.  
 Cost of the War;Average Weekly Cost, Apr. 22, 898.  
 Farms, Burning by Boers;Number burnt in Cape Colony, Apr. 26, 1428.  
 Peace Negotiations, Terms offered by the British Government, etc., Mar. 28, 103.  
 Sullivan, Sergeant J., Suspension of, etc., Apr. 22, 921.  
 "Times" Announcement of Sir A. Milner's Leave of Absence, Apr. 18, 599.  
 Transvaal War Supplies, Papers relating to;Discovery of, in Pretoria, etc. Apr. 25, 1293, 1294.  
 University Education, Ireland;Roman Catholic University Question, Apr. 22, 934, 992.  
 Dimsdale, Sir J. [London]  
 Sugar Duty, Apr. 25, 1316.  
 Direct and Indirect Taxation.  
 Debate on the Budget, Apr. 23, 1098, 1108, 1113, 1117, 1126, 1130.  
 Director of Public Prosecutions.  
 see Prosecutions.  
 Disabled Soldiers.  
 Provision for;Case of S. Groves.  
 Q. Mr. Lew; A. Lord Stanley. Apr. 23, 1065.  
 Diseases of Animals Acts 1894 and 1896.  
 Order Prohibiting the Landing of Animals from Chile, Presented, Apr. 1. 325;  
 Apr. 22, 879.  
 Disorderly Houses, London  
 Bouillon Fleet and Heinekens' laager Brewery Companies, Connection with  
 Q. Sir J. Bnmner; A. Mr. Ritchie, Mar. 28, 60.  
 Distribution of Parliamentary Time  
 Private Members' Dissatisfaction, etc. Balfour, Mr. A. J. on, Apr. 2. 504.  
 District Councillors  
 Councillors on Active Service in South Africa;Making Declaration of Office  
 within six months of Election, etc.  
 Q. Mr. H. Hobhouse; A. Sir R. Finlay, Apr. 22, 921.  
 Ireland, see that title, also Wexford.  
 Dogs  
 Irish Dogs;Landing Regulations in England  
 Q. Mr. Wolff; A. Mr. Hanbury. Mar. 28, 83.  
 Muzzling Order in Carmarthenshire  
 Q. Mr. L. Morgan; A. Mr. Hanbury, Apr. 1, 349.  
 "Doles"  
 References to, in Debate on the Budget, Apr. 25, 1379, 1382, 1384, 1391.  
 Donegal  
 Crime, Absence of;Revoking Proclamation of Peace Preservation Act proposed  
 Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 28, 79.  
 Magistracy;Appointment of Mr. Sheils, etc.  
 Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 28, 80.  
 Donelan, Capt. A. J. C. [Cork, E.]  
 Army, Meat Contracts;Exclusion of foreign Meat, &c., Apr. 19, 783.

Doogan, Mr. P. C. [Tyrone, E.]  
Dungannon Disturbances, Apr. 1, 365, 367.  
Education;Scotch Department, Recognition of Irish Certificates, Apr. 1, 370.  
Dorington, Sir J. [Gloucester, Tewkesbury]  
Isolation Hospitals Bill, 2R., Apr. 1, 445.  
Sheriffs;Expenses incurred in connection with Judges on Circuit, Apr. 26, 1541.  
Dorking Gas Bill  
Petition for Additional Provisions, Apr. 19, 767.  
Douglas, Mr. C. M. [Lanark, N.W.]  
Colville, Gen.;Paardeberg Despatches, Personal Explanation, Apr. 19, 775.  
Douglas, Rt. Hon. A. Akers;First Commissioner of Works;[Kent, St. Augustine's]  
Brompton Cemetery;Purchase by the Government, etc., Mar. 28, 70.  
Kew Gardens;Labourers' Wages, Reduction of Hours, etc., Mar. 28, 71.  
Ladies' Gallery;Fan Ventilation, Apr. 25, 1328.  
Members' Lockers;Additional Accommodation, Apr. 26, 1442.  
Drainage Works, Ireland  
Lough Noagh Floods;Drainage Works, proposed  
Q. Mr. Murnaghan; A. Mr. Wyndham, Apr. 25, 1335.  
Drainage and Improvement of Lands (Ireland) Provisional Order Bill  
c. 2R.\* Apr. 2, 466.  
Report, Apr. 25, 1282.  
3R.\* Apr. 26, 1420.  
Dublin  
Butter Substitutes;Prosecution  
Q. Mr. Archdale; A. Mr. Wyndham. Apr. 25, 1331.  
National Library;Increase of Staff, Lack of Space, etc.  
Q. Mr. Boland; A. Mr. Wyndham. Apr. 2, 484.  
Post Office  
Sorting Branch, Promotions, etc.,  
Q. Mr. Nannetti; A. Mr. A. Chamberlain, Apr. 22, 930.  
Telephone Operators' Wage Grievances  
Q. Mr. Nannetti; A. Mr. A. Chamberlain, Apr. 25, 1338.  
Trinity College, see that title.  
University College, St. Stephen's Green, Endowment, etc.  
Os Mr. Dillon, Apr. 22, 948; Col. Saunderson, 949; Mr. Haldane, 1005.  
Dublin Corporation Bill  
c. 1R.\* Apr. 1, 382.  
Duffy, Mr. W. J. [Gatway, S.]  
Irish Political Prisoners, Apr. 2, 552.  
Local Government Officials and Parliamentary Elections, Apr. 1, 355.  
Duke, Mr. H. E. [Plymouth]  
Pensions to Widows and Orphans of Soldiers who have fallen in South Africa.  
Government Scheme;Men married off the Strength, etc.,  
Mar. 29, 280.  
Dundrum  
Criminal Asylum;Tradesmen Attendants, Hours of Labour, etc.

Q, Mr. Field; A. Mr. Wyndham, Apr. 26, 1444.  
 Dungannon  
 Disturbances; Protest of Roman Catholics, etc.  
 Qs. Mr. Doogan, Mr. CuUinan; As. Mr. Wyndham, Apr. 1, 365.  
 Dunmore, Earl  
 China; Looting, Mar. 28, 36.  
 Dunsany, Lord  
 Representative Peer for Ireland, Apr. 25, 1253.  
 Duration of Speeches in Parliament  
 Rasch's, Maj., Notice of Motion, Apr. 18, 589.  
 Durham, County of  
 Inquiry into Charities; Farther Return relative thereto Presented, Mar. 28, 42.  
 Durham, Lord  
 Canadian Rebellion Policy; Application of Policy to South Africa  
 Qs. Mr. T. Shaw, Apr. 2, 520; Mr. Brodrick, 529.  
 D&#x00FC;rr Water-tube Boilers  
 Number ordered from Germany for British Navy; Total Cost, etc.  
 Q. Mr. W. Allan; A. Mr. Arnold-Forster, Apr. 22, 907.  
 Dyke, Rt. Hon. Sir W. H. [Kent, Dartford]  
 Sale of Intoxicating Liquors to Children Bill; Considering in Committee of Whole  
 House, proposed, Apr. 22, 932.  
 E  
 Earthenware and China  
 Manufacture of; Amended Special Rules Presented, Mar. 28, 6.  
 East India  
 (see India).  
 East India Railway  
 Insufficiency of Rolling Stock; Bengal Coal Industry, etc.  
 Q. Sir J. Leng; A. Lord G. Hamilton, Mar. 29, 216.  
 East London  
 Overcrowding in, see that title.  
 East Yorkshire Regiment  
 South African War; Field Allowances.  
 Q. Mr. Hermon-Hodge; A. Mr. Brodrick, Apr. 2, 472.  
 Eastbourne  
 Postmen Refunding Christmas Overtime Pay  
 Q. Mr. Hogg; A. Mr. A. Chamberlain, Mar. 28, 73.  
 Easter Recess  
 Adjournment of the House  
 Motion (Mr. A. J. Balfour), Apr. 2, 494; Shortening the Holidays, Amendment to  
 Motion (Sir C. Dilke), 494.  
 Eastern Counties  
 Telephone Service; Delays, etc.  
 Q, Sir H. Bullard; A. Mr. A. Chamberlain, Apr. 2, 481.  
 Eaton, Thomas  
 Imprisonment for Contempt of Court; Dr. Waters conducting prosecution of E.

Eaton, etc.  
 Q. Mr. M'Denmoot; A. Mr. Atkinson, Apr. 22, 929.  
 Ebury, Lord  
 Watford and District Tramways Bill, 2R., Mar. 18, 4.  
 Ecclesiastical Commissioners  
 Licensed Houses, number suppressed by Commissioners since 1883; Return ordered, Apr. 22, 888.  
 Edinburgh  
 King holding Court at, proposed  
 Q. Mr. T. Dewar; A. Mr. A. J. Balfour, Apr. 25, 1341.  
 Post Office Revision; Progress  
 Q. Sir L. M'Iver; A. Mr. A. Chamberlain, Mar. 29, 222.  
 University Examinations; Marks for Foreign Languages, Double Number for Creek Papers, etc.  
 Q. Mr. J. Dewar; A. Mr. A. G. Murray, Apr. 26, 1440.  
 Education  
 President; Duke of Devonshire  
 Vice-President; Rt. Hon. Sir J. E. Gorst  
 Attendance; Full-time Exemption, Attendance Qualification, Act of 1900, etc.  
 Q. Mr. Rutherford; A. Sir J. Gorst, Apr. 25, 1328.  
 Board of; Junior Inspector, Superannuation; Treasury Minute Presented, Apr. 1, 325; Apr. 22, 879.  
 Bolton Pupil Teachers' Central Classes; Payment at Evening Rates, etc.  
 Q. Mr. Harwood; A. Sir J. Gorst, Apr. 2, 482.  
 Cockerton Judgment, see sub-heading Higher Elementary Education.  
 Code for 1901  
 Code of Regulations for Day Schools, with Schedules and Appendices Presented, Mar. 28, 6.  
 Gorst's, Sir J., Address to Inspectors, Laying on the Table  
 Q. Mr. Kenyon; A. Sir J. Gorst, Mar. 28, 69.  
 Higher Elementary Minute, see sub-heading Higher Elementary Education.  
 Manual Instruction, Minimum Age; Article 101, etc.  
 Qs. Mr. H. Hobhouse, Mr. Whit-ley; As. Sir J. Gorst, Apr. 26, 1440.  
 Petition for Alteration of Article 101, Apr. 25, 1284.  
 Evening Continuation Schools; Cockerton Judgment, see sub-heading Higher Elementary Education.  
 General Reports for the year 1900 Presented, Apr. 26, 1416, 1424.  
 Higher Elementary Education  
 Cockerton Judgment  
 Appeal; Judgment of the Master of the Rolls,  
 Qs. Mr. Yoxall, Sir J. Gorst, Apr. 2, 551, 552.  
 Education Bill, Date of Introduction, etc., see Education Bill.  
 Qs. Dr. Macnamara; As. Mr. A. J. Balfour, Apr. 2, 492; Apr. 23, 1088; Apr. 26, 1456.  
 Q. Major Evans-Gordon; A. Sir J. Gorst, Apr. 22, 918,  
 Qs. Mr. Channiug, Sir A. Rollit, Mr. Lough, Mr. Whitley, Captain Norton; As. Mr.

A. J. Balfour, Apr. 26, 1456.  
 Payment of Grants to Evening Continuation Schools under the London School Board pending Final Decision, etc.  
 Qs. Mr. Thornton, Mr. Yoxall; As. Sir J. Gorst, Apr. 2, 482.  
 School Boards maintaining out of School Funds  
 Qs. Dr. Macnamara; As. Sir J. Gorst, Apr. 19, 787; Apr. 23, 1087.  
 Minute of Code of 1901; Opportunity for Discussing  
 Qs. Dr. Macnamara; As. Mr. A. J. Balfour, Apr. 1, 374; Apr. 2, 492.  
 Higher Grade and Evening Continuation Schools; Petitions for Alteration of Law, Apr. 1, 324; Apr. 2, 469; Apr. 18, 591; Apr. 19, 769; Apr. 23, 1059; Apr. 24, 1181; Apr. 25, 1284; Apr. 26, 1421.  
 Hyde School Board Prosecution; Insufficient Free Places, etc.  
 Q. Mr. Ashton; A. Sir J. Gorst, Apr. 2, 481.  
 Irish Questions  
 Blind, Deaf and Dumb, Education of; Legislation proposed  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 25, 1331.  
 Irish History, Teaching in National Schools  
 Q. Mr. T. O'Donnell; A. Mr. Wyndham, Apr. 1, 357.  
 National School Teachers, see that title.  
 Roxborough Road School Endowment; Amount in the Hands of Commissioners, etc.  
 Q. Mr. Joyce; A. Mr. Wyndham, Mar. 29, 225.  
 Scotch Department; Non-recognition of Irish Certificates  
 Q. Mr. Doogan; A. Mr. A. G. Murray, Apr. 1, 370.  
 Technical Instruction, etc.; Agriculture and Technical Instruction Department, see Ireland.  
 University Education, see Ireland; University Education.  
 London School Board, see that title.  
 School Accommodation, Deficiencies in; Basis of Calculation by the London School Board  
 Q. Mr. Talbot; A. Sir J. Gorst, Mar. 28, 69.  
 Scotch Questions  
 Code of Regulations for Continuation Classes, Memorandum on Code, etc., Presented, Apr. 25, 1254; Apr. 26, 1415, 1417, 1423.  
 Expenditure for Public Education; Number of Schools, Results of Inspection and Examinations, etc., Return Presented, Apr. 26, 1423.  
 Irish Certificates, Non-recognition of  
 Q. Mr. Doogan; A. Mr. A. G. Murray, Apr. 1, 370.  
 Minute of Committee of Council on Education amending Article 89 of Code of 1901 Presented, Apr. 19, 771.  
 Teachers Superannuation Act; Teachers in Office before passing of Act, etc.  
 Q. Mr. C. Wason; A. Mr. A. G. Murray, Apr. 26, 1439.  
 Technical Education, Local Authorities; Return Presented, Apr. 26, 1424.  
 Statistics of Elementary Day-Schools, Evening Continuation Schools, etc., Presented, Apr. 26, 1416, 1424.

## Teachers

Dismissal; Right of Appeal against Arbitrary Dismissal, etc., Date of Introduction of Bill

Q. Mr. Yoxall; A. Mr. G. Lawson, Mar. 29, 221.

Superannuation Act; Scotch Teachers in Office before passing of Act, etc.

Q. Mr. C. Wason; A. Mr. A. G. Murray, Apr. 26, 1439.

## Training Colleges

Reports for the year 1900 Presented, Apr. 26, 1416, 1424.

Women Teachers; Increasing Training College Accommodation

Q. Mr. G. White; A. Sir J. Gorst, Mar. 28, 69.

Wimbledon School Board, Formation of, proposed

Q. Mr. Nussey; A. Sir J. Gorst, Apr. 22, 919.

## Education Bill

Date of Introduction, Provisions of Bill, etc.

Q. Mr. Emmott; A. Mr. A. J. Balfour, Apr. 1, 374.

Q. Mr. H. Roberts; A. Mr. A. J. Balfour, Apr. 2, 492.

Qs. Mr. Channing, Dr. Macnamara, Mr. Lough, Mr. Whitley, Capt Norton; As. Mr. A.

J. Balfour, Apr. 26, 1456, 1457,

1458.

Education Board Provisional Order Confirmation (Acton) Bill

l. 1R.\* Apr. 25, 1253.

Education (Young Children) (School Attendance) (Scotland) Bill

Petitions, Apr. 2, 468; Apr. 18, 591; Apr. 19, 769.

Egerton, Mr. A. de Tatton [Cheshire, Knutsford]

Kingscourt, Keady and Armagh Railway Bill, 2R., Apr. 19, 747.

## Egypt

British Forces; Date of Evacuation

Q. Mr. W. Redmond; A. Visc. Cranborne, Apr. 25, 1308.

Dervish Leaders, Mahmoud and Osman Digna, Imprisonment of, etc.

Q. Mr. W. Redmond; A. Visc. Cranborne, Apr. 25, 1308.

Finance, Administration and Condition of; Consul General's Report Presented, Apr.

18, 593; Apr. 22, 877.

Egyptian Guaranteed Loan of 1885

Account Presented, Apr. 19, 771; Apr. 22, 879.

## Election Petitions

(see Parliamentary Election Petitions).

## Electric Lighting Provisional Orders

Return Presented, Apr. 18, 596.

Electric Lighting Provisional Orders (No. 2) Bill

c. 2R.\* Apr. 23, 1056.

Electric Lighting Provisional Orders (No. 3) Bill

c. 2R.\* Apr. 23, 1057.

Electric Lighting Provisional Orders (No. 4) Bill

c. 2R.\* Apr. 23, 1057.

Electric Lighting Provisional Orders (No. 5) Bill

c. 2R.\* Apr. 23, 1057.



Electric Lighting Provisional Orders (No. 6) Bill  
I. 1R.\* Apr. 22, 874.  
Electric Lighting Provisional Orders (No. 7) Bill  
I. 1R.\* Apr. 22, 875.  
Electric Lighting Provisional Orders Bills  
Memorandum stating Nature of Proposals contained in the Provisional  
Orders; Copies Ordered, Apr. 2, 467.  
Electric Supply Undertakings  
Local Authorities and Companies; Return Ordered relating to Authorized  
Undertakings, Apr. 1, 326, 327.  
Electrical Energy Bills  
Enabling Promoters to Acquire Necessary Powers by means of Provisional Orders  
Q. Mr. Rea; A. Mr. G. Balfour, Apr. 22, 915.  
Elementary Education  
(see Education).  
Elliot, Mr. A. R. D. [Durham]  
Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 111, 137.  
South African War; Peace Negotiations, Terms offered by the British Government,  
Future of South Africa; Sir A. Milner's Inability to pull together the two Races,  
etc., Mar. 28, 111, 137.  
Ellis, Mr. J. E. [Nottingham, Rushcliffe]  
South African War  
Refuge Camps  
American Charitable Relief, Appeal for, etc., Apr. 22, 897.  
Number of, etc., Apr. 22, 895.  
Reinforcements; Number Despatched, etc., Mar. 28, 47.  
Emigration and Immigration  
Aliens, see that title.  
Ireland; Number of Emigrants 1886&#x2013;1900, etc.  
Q. Dr. Ambrose; A. Mr. Wyndham, Apr. 1, 362.  
Emmott, Mr. A. [Oldham]  
Education Bill; Date of Introduction, Apr. 1, 374.  
Engineers  
Army, see that title.  
Cooper's Hill College, see that title.  
Ennis  
Bonded Warehouse  
Q. Mr. W. Redmond; A. Mr. A. Chamberlain, Apr. 18, 608.  
Intimidation Cases; Prosecution of Messrs. McInerny, Halpin and Lynch  
Q. Mr. W. Redmond; A. Mr. Atkinson, Apr. 22, 928.  
Labourers' Cottages; Urban Council Scheme, Delays  
Q. Mr. W. Redmond; A. Mr. Wyndham, Apr. 25, 1331.  
Enniskillen  
Intermediate School, Establishment of; Fermanagh Roman Catholic Board of  
Education  
Q. Mr. M'Govern; A. Mr. Wyndham, Apr. 26, 1452.

## Equalisation of Rates

London;Government Pledges

Q. Capt. Norton; A. Mr. A. J. Balfour, Apr. 25, 1340.

Esmonde, Sir T. G. (Wexford, N.)

Franciscans, Ireland;Publication of Manuscripts by Historical Manuscripts Commission, Mar. 29, 233.

Land Purchase;Government Proposals, Apr 18, 608.

Sheriffs;Expenses incurred in connection with Judges on Circuit, Apr. 26, 1534.

Comparison between England and Ireland, Apr. 26, 1540.

University, Royal;Examination Certificates, Providing Duplicates, etc. Apr. 25, 1332.

Wexford, Co. Land Purchase;Government Proposals, Apr. 23, 1078, 1079.

## Essex

Polling Districts;County Council Order Presented, Apr. 22, 879, 886.

## Etah Murders

Commutation of Death Sentences

Q. Mr. Caine; A. Lord G. Hamilton, Apr. 25, 1306.

Evans, Mr. S. T. [Glamorgan, Mid]

Coal;Export Duty, Effect on Running Contracts, Apr. 22, 911.

Sheriffs;Expenses incurred in connection with Judges on Circuit, Apr. 26, 1539.

Evans, Sir F. H. [Maidstone]

Steamship Communication;Direct Communication between East Africa and Great Britain, Inquiry into System of Subsidies by Foreign Government, etc., Apr. 23, 1157.

## Evening Continuation Schools

Cockerton Judgment, see Education;Higher Elementary Education.

## "Evening Telegraph"

Proceedings against Editor for Contempt of Court;Crown v. P. A. McHugh

Q. Mr. Flynn; A. Mr. Atkinson, Apr. 26, 1454.

## Evicted Farms

Constabulary, Royal Irish;Members taking Farms, etc.

Qs. Mr. Cullinan, Mr. Dillon; As. Mr. Wyndham, Apr. 26, 1450.

## Evictions, Ireland

Irish Constables taking Evicted Farms

Qs. Mr. Cullinan, Mr. Dillon; As. Mr. Wyndham, Apr. 26, 1450.

Kerry, Number of, Police Protection, etc.

Q. Mr. Murphy; A. Mr. Wyndham, Apr. 22, 927

Return of Eviction Notices Presented, Apr. 24, 1183; Apr. 25, 1254.

## Exchequer Bonds

Amount borrowed towards Cost of the War in South Africa;Budget Statement, Apr. 18, 649.

## Excise Duties

Budget Resolutions, Apr. 25, 1411, 1412.

Revenue derived from;Budget Statement, Apr. 18, 618.

## Explosions

Chilworth Gunpowder Factory;Inspector's Report Presented, Apr. 18, 594; Apr. 22,

876.

Nobel's Explosives Factory, Ardeer;Inspector's Report Presented, Apr 18, 594;  
Apr. 22, 876.

Pontefract Locomotive Explosion, see Pontefract.

Poultton-le-Fylde Boiler Explosion;Payment of Costs

Q. Sir W. Houldsworth; A. Mr. G. Balfour, Apr. 25, 1318.

Explosives

Committee;Patents taken out in Members' Names

Q. Mr. W. Redmond; A. Mr. Brodrick, Apr. 22, 905.

Export Duty on Coal

(see Coal).

Exports

Statistics for 1900

Q. Mr. J. Wilson; A. Sir M. H. Beach, Apr. 23, 1072.

F

Factories and Workshops

Earthenware and China;Amended Special Rules for the Manufacture of, Presented,  
Mar. 28, 6.

Period of Employment;Warehouses in Factories or Workshops where bright or  
burnished Metal Goods are made;Copy Presented, Apr. 18, 595; Apr. 22, 880.

Factories and Workshops Bill

c. 1R.\* Apr. 26, 1461.

Factories and Workshops Bil

Memorandum;Date of Issue

Q. Mr. Tennant; A. Mr. Ritchie, Apr. 26, 1438.

Factory and Workshop Acts Amendment Bill

c. Intro, and 1R.\* Mar. 28, 90.

Factory and Workshop Acts Consolidation Bill

c. Intro. and 1R.\* Mar. 28, 94.

Falkland Islands

Coaling Station, Improvement of Facilities for Coaling

Qs. Sir J. Colomb, Mar. 29, 239; Mr. Pretymann, 240.

Farm burning in South Africa

see South African War.

Farquharson, Dr. R. [Aberdeenshire, W.]

Gordon Highlanders, Third Battalion;Disembodiment, proposed, Apr. 1, 336.

Farrell, Mr. J. P. [Longford, N.]

Ardagh Burial Ground;Cost of new Burial Ground, Area of Charge, Apr. 26, 1446,  
1447.

Budget;Tea Duty, Protest against Taxation of Ireland, Apr. 25, 1371.

Granard Union;Labourer's Cottages, Refusal of Cottages to Evicted Tenants, Apr.  
22, 922; Apr. 23, 1080, 1081.

King-Harman Estate;John Gill's Tenancy, Application for Advance, etc., Apr. 26,  
1448, 1449.

Land Disturbances at Lisnanagh, Apr. 23, 1079.

Lee, Ex-private;Ill-treatment at Netley Hospital, alleged, Apr. 25, 1297.

Longford Board of Guardians; Surcharge for Burial of Pauper, Apr. 23, 1080.  
 Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1208.  
 Ryan, Private T., Case of; Proposed remission of Sentence, Apr. 25, 1301.  
 Workhouse Nurses  
 Facilities for Training Girls in Workhouses, Apr. 22, 923.  
 Return, Apr. 26, 1446.  
 Fastnet Rock  
 Reporting Stations, Establishment of, proposed.  
 Q. Sir J. Leng; A. Mr. G. W. Balfour, Apr. 22, 914.  
 Fawcett Association  
 see Post Office.  
 Feathers, G.  
 Case of; Omagh Quarter Sessions.  
 Q. Mr. Hemphill; A. Mr. Atkinson, Apr. 25, 1337.  
 Feore, J.  
 Retired Income Tax Collector, Pension Question  
 Q. Mr. Landon; A. Mr. Wyndham, Mar. 28, 78.  
 Fergusson, Rt. Hon. Sir J. [Manchester, N.E.]  
 Deceased Soldiers' Effects, Delay in Distribution, Apr. 25, 1298.  
 Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1240.  
 Steamship Communication; Direct Communication between East Africa and Great Britain, Inquiry into System of Subsidies by Foreign Governments, etc, Apr. 23, 1174.  
 Fermanagh  
 Roman Catholic Board of Education; Intermediate School at Enniskillen  
 Q. Mr. M'Govern; A. Mr. Wyndham, Apr. 26, 1452.  
 Fermoy  
 Post Office; Delay in Appointment of Medical Officer.  
 Q. Mr. W. Abraham; A. Mr. A. Chamberlain, Apr. 22, 931.  
 Fever Hospitals, Ireland  
 Motion for Return (Lord Monteagle of Brandon), Apr. 26, 1417.  
 Ffrench, Mr. P. [Wexford, S.]  
 Land Act, 1896; Fortieth Section, Mar. 29, 231.  
 Land Judges' Court; Delays in carrying out Sales, etc., Apr. 1, 368.  
 Wexford District Council; Messrs. Adams and Walsh, Tenants of Labourers Cottages, Disqualifications, etc., Mar. 29, 230.  
 Field, Mr. W. [Dublin, St. Patrick]  
 American Steel Trade; Belfast Orders, Apr. 23, 1075.  
 Blind, Deaf and Dumb, Education of; Legislation proposed, Apr. 25, 1331.  
 Budget  
 Financial Position of the Country, Increase in Expenditure, Foreign Competition, etc, Apr. 19, 831.  
 Income Tax; Irish Grievance, Apr. 23, 1118.  
 Tobacco Duty; Protest against Taxation of Ireland, Apr. 25, 1404.  
 Business of the House; Saturday Sitings, Meeting of the House for Government Business with a view to preserving rights of Private Members on Tuesdays, Apr.

23, 1089.

Day Industrial Schools, Establishment of, proposed, Apr. 19, 789.

Dundrum Criminal Lunatic Asylum;Tradesmen Attendants, Hours of Labour, etc., Apr. 26, 1444.

Food Adulteration Prosecutions under Public Health Act, 1875, Apr. 23, 1072.

Great Eastern Railway Bill, Con., Apr. 25, 1263.

Holyhead and Kingstown Packet Service;Promotion of Sorting Clerks, Apr. 25, 1323.

Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 754.

Medical Officers of Health;Number in England and Wales, etc., Apr. 23, 1073.

Minister of Commerce, proposed, Apr. 26, 1460.

Parliamentary Voters in Ireland;Disqualification through Landlords failing to fill in Requisition Forms, etc., Apr. 19, 788.

Penrhyn Quarry Dispute;Intervention of Board of Trade, Apr. 23, 1074.

Railways;State Purchase, proposed, Apr. 19, 789; Apr. 23, 1084; Apr. 25, 1337; Apr. 26, 1443.

Tuberculosis Regulations, Apr. 25, 1321.

#### Finance

see titles Budget, Taxation, and Revenue, and Expenditure of the United Kingdom.

Finchley and Hendon Tramways Bill

I. 1R.\* Apr. 23, 1050.

Finlay, Sir R. B.;Attorney General [Inverness, Burghs]

Army (Annual) Bill, Com. Apr. 22, 1037, 1040, 1042, 1046.

Circuit System, Defects of, Apr. 26, 1466.

Demise of the Crown;Re-appointment of Ministers, Mar. 29, 218.

Demise of the Crown Bill, 2R., Apr 1, 383, 390, 395, 396, 397, 408, 411, 415.

Explanatory Memorandum, Mar. 28, 88.

District Councillors on Active Service in South Africa;Making Declaration of Office, etc., Apr. 22, 921.

Incorporated Law Society;Work of the Committee inquiring into Charges against Solicitors, etc., Apr. 26, 1559.

King's Bench, Divisional Court;Arrears, Apr. 1, 353.

Land Transfer Act, 1897, Compulsory Clauses;Application to City of London, Postponement of, etc., Apr 26, 1442.

Law Officers of the Crown;Salaries and Fees, System of Payment, etc., Apr. 26, 1487, 1488, 1489.

Legal Department of the Treasury;Appointment of an Assistant Director of Public Prosecutions, Abolition of Appointments, etc., Apr. 26, 1510.

Parliamentary Election Petitions and the Public Prosecutor, Apr. 26, 1511, 1515, 1516, 1517, 1552, 1523.

Railway and Canal Commission Administration, Apr. 26, 1547.

Sheriffs;Expenses incurred in connection with Judges on Circuit, Apr. 26, 1533, 1537.

Finlay's Estate

Sale of Land to Tenants

Q. Mr. M'Govern; A. Mr. Wyndham, Apr. 22, 926; Apr. 23, 1085; Apr. 26, 1451.  
First Commissioner of Works  
Rt. Hon. A. A. Douglas.  
First Lord of the Admiralty  
Earl Selborne.  
First Lord of the Treasury  
Rt. Hon. A. J. Balfour.  
Fisheries  
Ireland  
Herring Fishery; Branding of Herrings, Legislation, proposed  
Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 28, 79.  
Inspectorship; Filling vacant Appointment  
Q. Mr. P. O'Brien; A. Mr. Wyndham, Apr. 2, 487.  
St. Ives, Disturbances at  
Q. Sir J. Colomb; A. Mr. Ritchie, Apr. 2, 478.  
Trawling, see that title.  
Fisheries (Ireland Bill)  
c. Intro, and 1R\*. Apr. 1, 382.  
Fishery Cruisers  
(see Trawling).  
Fishery Harbours  
(see Piers and Harbours, also names of Piers and Harbours).  
Fishing Boats  
Day Signals for Steam Liners, proposed  
Q. Mr. Crombie; A. Mr. A. J. Balfour, Apr. 25, 1318.  
Fitzmaurice, Lord E. [Wilts, Cricklade]  
China, Situation in, British Policy, etc., Mar. 28, 186.  
Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 186.  
Great Eastern Railway Bill, Con. Apr. 25, 1273.  
Poland; "Sending the British Fleet to the Coast of Poland" Mar. 28, 187.  
Flavin, Mr. M. J. [Kerry, N.]  
Bonded Warehouses; Hours of Warehousing Goods, etc., Apr. 1, 351.  
Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 156, 159.  
Constabulary, Royal Irish; Number of "P" Head Constables examined for Rank of District Inspector, Mar. 29, 227.  
Cork Post Office; Missing Money Orders, Apr. 1, 371.  
Joyce, District Councillor, Conviction of; Disqualification, etc., Mar. 29, 230.  
Korea; Dismissal of Mr. M. Brown, Director General of Customs, Mar. 28, 56.  
Land Judges' Court; Delays in carrying out Sales, etc., Apr. 1, 369.  
Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 314.  
Sheriffs Personal Expenses, Apr. 26, 1543.  
Ventry's, Lord, Estate; Future Tenancies, etc., Apr. 1, 361.  
Flax-growing  
Ireland; Appointment of Experts

Qs. Mr. Daly, Mr. T. W. Russell; As. Mr. Wyndham, Apr. 26, 1442.  
 Fleets  
 Return  
 Q. Sir C. Dilke; A. Mr. Arnold-Forster, Apr. 19, 784.  
 Return Presented, Mar. 29, 212.  
 Flogging  
 South African Natives; Powers of New Justices  
 Q. Mr. Osmond-Williams; A. Mr. J. Chamberlain, Apr. 22, 893.  
 Flower, Mr. E. F. S. [Bradford, W.]  
 Marriage with Deceased Wife's Sister Bill, 2R., Apr. 24, 1243.  
 Pauper Children's Villages, Erection of; Expenditure, Apr. 25, 1320.  
 Poor Law Schools in the Metropolis; Erection of Additional Buildings,  
 Expenditure, etc., Apr. 25, 1319.  
 Flynn, Mr. J. C. [Cork, N.]  
 Boer Prisoners; Internment in India, Unhealthiness of Situation, Apr. 26, 1426.  
 Budget  
 Income Tax, Apr. 23, 1113.  
 Spirit Duty, Apr. 25, 1411.  
 Tea Duty; Protest against Taxation of Ireland, Apr. 25, 1380.  
 Cornwall and York's, Duke and Duchess, Visit to the Colonies; Unauthorised  
 Expenditure, Mar. 29, 245.  
 Kerry; Congested Districts, Expenditure on, Apr. 25, 1330.  
 Leslie v. Justices of Monaghan; Constitution of Court, etc., Apr. 1, 367; Apr. 2,  
 487.  
 Local Taxation Account; Supplementary Vote, etc., Mar. 29, 226.  
 McHugh, P. A., Crown v.; Proceedings against Dublin Newspapers for Contempt of  
 Court, Apr. 26, 1454.  
 Navy  
 Chaplains; Roman Catholic Chaplains, Mar. 29, 245.  
 Expenditure in Ireland, Mar. 29, 239.  
 Loss by Exchange and Discount on Bills drawn on China and East India Stations,  
 Mar. 29, 248.  
 Travelling Allowances, Mar. 29, 244, 247, 249.  
 Pensions to Widows and Orphans of Soldiers who have fallen in South Africa,  
 Government Scheme; Men married off the Strength, etc.,  
 Mar. 29, 290.  
 Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House  
 after Supply had been disposed of, Mar. 29, 293,  
 294, 303.  
 Sligo Land Commission Sitting; Number of Appeals, etc. Apr. 1, 356.  
 Folkestone Corporation Bill  
 l. 3R.\* Mar. 28, 3.  
 c. 1R.\* Mar. 29, 209.  
 2R.\* Apr. 24, 1181.  
 Food Adulteration  
 (see Adulteration.)

## Foot-and-Mouth Disease

Africa, South;Precautions against Importation to British Isles.

Q. Mr. Stevenson; A. Mr. Hanbury, Mar. 28, 66.

Argentine Republic, Cattle Importation from Ireland;Relaxation of Prohibition

Q. Mr. Macartney; A. Visc. Cranborne, Apr. 18, 607.

## Foreign Languages

Naval Officers, Education of, Facilities for studying Foreign Languages, etc.

Debate on the Estimates, Mar. 29, 257, 258, 259, 260, 261, 262, 263, 267, 269, 273, 274.

## Foreign Office

Secretary of State;Marquis of Lansdowne.

Under-Secretary;Viscount Cranborne.

## Forestry

Instruction provided by Government

Q. Mr. H. Lewis; A. Mr. Hanbury Apr. 23, 1075.

"Formidable" H. M. S.

## Belleville Boilers;Defects

Q. Mr. W. Allan; A. Mr. Arnold-Forster, Apr. 22, 907.

## Fort Brockhurst

Bowles, Private, Case of;Sick Furlough, Pension, etc.

Q. Mr. Hay; A. Lord Stanley, Apr. 25, 1301.

## Fort George

Water Supply, Impurity of

Q. Mr. J. Dewar; A. Mr. G. Balfour, Mar. 29, 222.

Foster, Sir W. [Derby, Ilkeston]

Army (Annual) Bill, 2R., Apr. 1, 438.

Cremation Bill, 2R., Apr. 1, 447, 449, 450.

Easter Recess, Shortening the Holidays;Coal Mines (Employment) Bill, Apr. 2, 497.

Isolation Hospitals Bill, 2R., Apr. 1, 442.

Mining Accidents, Prevention of;French Methods, Mar. 28, 61.

Oxford Cemeteries under Martin's Act;Consecration Burial Act of 1900, etc., Apr. 25, 1317.

Plague at Capetown, Mar. 29, 213.

Roman Catholic Disabilities Removal Bill;Motion for adjournment of the House after Supply had been disposed of, Mar. 29, 299.

Fowler, Bt. Hon. Sir H. H. [Wolverhampton, E.]

Director of Public Prosecutions;Neglect in connection with Election Petitions, Apr. 26, 1513, 1517, 1521.

Incorporated Law Society Grant;Work of the Committee inquiring into Charges against Solicitors, Cost of Investigation, etc., Apr. 20, 1556, 1561.

Kingscourt, Keady and Armagh Railway Bill, 2R., Apr. 19, 759.

Law Officers of the Crown;Salaries and Fees, System of Payment, etc., Apr. 26, 1470.



Local Taxation Commission Report; Date of Issue, Apr. 25, 1342.  
 Marriage with Deceased Wife's Sister Bill, 2R., Apr. 24, 1221, 1235, 1237.  
 Sheriffs; Expenses incurred in connection with Judges on Circuit, Apr. 26, 1537.  
 France  
 Mining Accidents, Prevention of  
 Q. Sir W. Foster; A. Mr. Ritchie, Mar. 28, 61.  
 Navy; Number of Lieutenants in 1900, etc.  
 Q. Sir C. Dilke; A. Mr. Arnold-Forster, Apr. 18, 604.  
 Newfoundland Fisheries Question; Negotiations  
 Q. Mr. W. Redmond; A. Visc. Cranborne, Apr. 22, 910.  
 Shipping Bounties; Return  
 Q. Mr. Lawrence; A. Visc. Cranborne, Apr. 1, 343.  
 Telegraph Money Orders; Convention between United Kingdom and France Presented,  
 Apr. 18, 594.  
 Trade Reports, Presented, Apr. 22, 1876; Apr. 26, 1416.  
 Waima Incident; Progress of Negotiations  
 Q. Mr. Bill; A. Visc. Cranborne, Apr. 25, 1309.  
 Franciscans  
 Ireland; Publication of Manuscripts by Historical Manuscripts Commission  
 Q. Sir T. Esmonde; A. Mr. A. Chamberlain, Mar. 29, 233.  
 Free Trade  
 Field, Mr., on, Apr. 19, 831.  
 "Freeman's Journal"  
 Proceedings against Editor for Contempt of Court; Crown v. P. A. McHugh  
 Q. Mr. Flynn; A. Mr. Atkinson, Apr. 26, 1454.  
 Frenchpark  
 Waterworks, Cost of; Union Charge, proposed  
 Q. Mr. Tulley; A. Mr. Wyndharn, Apr. 23, 1083; Apr. 26, 1448.  
 Fruit  
 Preserved Fruit and the Sugar Duty, see Preserved Fruit.  
 Fruit Industry  
 West Indies; Consignment of Fruit by Subsidised Steamers  
 Q. Mr. McKenna; A. Mr. J. Chamberlain, Mar. 28, 53.  
 Furness, Sir C. [Hartlepool]  
 Budget; Sugar Duty, Export Duty on Coal, etc., Apr. 18, 706.  
 G  
 Garrison Regiments  
 (see Army)  
 Gas Undertakings  
 Returns Ordered, Apr. 2, 467.  
 Gateshead and District Tramways Bill  
 c. Report, \* Apr. 25, 1281  
 German East African Steamship Co.  
 References to in Debate on Steamship Communication; Government Subsidies, etc.  
 Apr. 23, 1141.  
 Germany

Colonial Estimates Presented, Apr. 22, 876.  
 Durr Water-tube Boilers;Number ordered for British Navy, Total Cost, etc.  
 Q. Mr. W. Allan; A. Mr. Arnold-Forster, Apr. 22, 907.  
 Guns, Purchase of, for British Army;Defects, etc.  
 Qs. Sir C. Dilke, Mr. M'Govern; As. Mr. Brodrick, Apr. 26, 1430.  
 Railways;Profit on State Railways in 1900, etc.  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 19, 789, Apr. 23, 1084, Apr. 25, 1337.  
 Shipping Bounties;Return  
 Q. Mr. Laurence; A. Visc. Cranborne, Apr. 1, 343.  
 South African War  
 British Recruiting, alleged  
 Q. Mr. J. F. X. O'Brien; A. Mr. Brodrick, Apr. 2, 472.  
 Expulsion of Germans from South Africa, Compensation Claims  
 Q. Mr. H. Roberts; A. Visc. Cranborne, Mar. 28, 46.  
 Steamship Communication with East Africa, Increased Subsidy to German East  
 African Line of Steamers, etc.  
 Debate (c), Apr. 23, 1141.  
 Trade Reports Presented, Apr. 22, 876, 878.  
 University Education  
 Qs. Mr. Haldane, Apr. 22, 1004, Mr. Boland, 1000.  
 Gibbs, Mr. V. [Herts, St. Albans]  
 Budget;Income Tax, Apr. 23, 1104.  
 Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1205.  
 Gibraltar  
 Harbour Works;Committee of Inquiry, Report  
 Q. Sir. J. Colomb; A. Mr. A. J. Balfour, Apr. 26, 1459.  
 Gilhooley, Mr. J. [Cork Co., W.]  
 Local Government Finances;Monthly Payment of Wages, etc., Apr. 1, 360.  
 Lunatic Asylums;Grant-in-aid, Apr. 1, 358.  
 Gill's, John, Tenancy  
 King-Harman Estate;Application for Advance, etc.  
 Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 26, 1448.  
 Gladstone, Mr. W. E.  
 Offices, Acceptance of in 1873;Question of re-election  
 Qs. Mr. E. Robertson, Apr. 1, 396; Mr. J. Lowther 410.  
 Glamorgan, County of  
 Technical Instruction Act;Minutes sanctioning subjects to be taught under Clause  
 8, Presented, Mar. 28, 6, 42.  
 Glanders Outbreak  
 Glasgow;Deputation to Major Tennant, etc.  
 Q. Mr. W. M'Killop; A. Mr. Hanbury, Apr. 25, 1322.  
 Glasgow  
 Small-Pox Epidemic;Poorhouse Removals  
 Q. Mr. J. F. X. O'Brien; A. Mr. A. G. Murray, Apr. 1, 352.  
 Vaccination, Expenditure on;Return  
 Q. Mr. T. Bayley; A. Mr. A. G. Murray, Apr. 1, 352; Apr. 25, 1329.

Glasgow, Earl of  
 Prisons (Scotland) Bill, com., Mar. 29, 200.  
 Glasgow and Renfrew District Railway Transfer Bill  
 c. Report\*, Apr. 25, 1281.  
 Glencolumbkille  
 Sub-Postmaster; Member of Royal Irish Constabulary, etc.  
 Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Mar. 28, 85.  
 Glucose and Saccharine  
 Excise Duty  
 Budget Resolution, Apr. 25, 1412.  
 Goddard, Mr. D. F. [Ipswich]  
 Legal Department of the Treasury Administration; Increase in Expenditure,  
 Appointment of an Assistant Director of Public Prosecutions, etc., Apr. 26,  
 1507, 1510.  
 Sheriffs; Expenses incurred in connection with Judges on Circuit, Apr. 26, 1533.  
 Sugar Duty, Apr. 23, 1069.  
 Gold  
 Leith; Discovery of Gold, etc.  
 Q. Mr. J. Wilson; A. Sir M. H. Beach, Apr. 25, 1314.  
 "Goonlaze"  
 Wreck of; Coastguard Service between Hartland Point and Westward Ho#x0021;  
 Inquiry, proposed  
 Q. Mr. Soares; A. Mr. Arnold-Forster, Apr. 26, 1433.  
 Gordon, Major W. E. [Tower Hamlets, Stepney]  
 Evening Continuation Schools; Government Proposals, Apr. 22, 918.  
 Gordon, Mr. J. [Londonderry, S.]  
 University Education, Ireland; Roman Catholic University Question, Apr. 22, 979.  
 Gordon, Mr. J. E. [Elgin and Nairn]  
 Supply Procedure; Proposed Committee, Apr. 2, 491.  
 Gordon Highlanders  
 Third Battalion; Disembodiment, proposed  
 Q. Dr. Farquharson; A. Lord Stanley, Apr. 1, 336.  
 Gorst, Rt. Hon. Sir J. E.; Vice-President Council for Education (Cambridge  
 University).  
 Address to School Inspectors; Laying on the Table, Mar. 28, 69.  
 Attendance, Full time Exemption; Attendance Qualification, Apr. 25, 1328, 1329.  
 Bolton Pupil Teacher Central Classes; Payment at Evening Rates, Apr. 2, 482.  
 Code; Manual Instruction, Minimum Age, Apr. 26, 1441.  
 Higher Elementary Education; Cockerton Judgment.  
 Appeal; Master of the Rolls Decision, Apr. 2, 552.  
 Government Proposals, Apr. 22, 918.  
 Payment of Grants pending Decision of House of Lords, Apr. 2, 483.  
 School Boards, maintaining out of School Funds, Apr. 19, 787, Apr. 23, 1088.  
 Hyde School Board Prosecutions, Apr. 2, 482.  
 London School Board  
 Blakesley Street Site; Re-housing, etc., Apr. 1, 352.

School Accommodation;Basis of Calculating Deficiencies, Mar. 28, 70  
 Training Colleges for Women Teachers;Establishment of additional Colleges, Mar. 28, 69.  
 Wimbledon School Board, Formation of, proposed, Apr. 22, 919.  
 Government Contracts  
 Ireland;Copying and Writing Inks, Placing Contracts with Irish Firms, etc.  
 Q. Mr. Nannetti; A. Mr. A. Chamberlain, Apr. 26, 1455.  
 Government Departments Securities  
 Return Presented, Apr. 1, 329.  
 Gracechurch Street  
 Post Office;Telegraphists' Appeal  
 Q. Mr. Hay; A. Mr. A. Chamberlain, Apr. 25, 1324.  
 Granard Union  
 Labourers' Cottages  
 Number of Applications and Rejections, etc.  
 Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 22, 922.  
 Refusal of Cottages to Evicted Tenants  
 Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 23, 1080.  
 Grant, Mr. Corrie [Warwickshire, Rugby]  
 Business of the House;Tuesday Sittings, Appropriating for Government Business, Apr. 19, 818.  
 Director of Public Prosecutions;Neglect in connection with Election Petitions, Apr. 26, 1523.  
 Great Eastern Railway Bill, Con. Apr. 25, 1261.  
 Graves, Lily  
 Death Certificate Case.  
 Q. Lord H. Cecil; A. Mr. Long, Apr. 22, 915.  
 Gravesend Gas Bill.  
 c. 3R.\* Apr. 19, 765.  
 Con.\* Apr. 2, 465.  
 l. 1R.\* Apr. 22, 874.  
 Gray, Mr. E. [West Ham, N.]  
 Great Eastern Railway Bill, con. Apr. 25, 1267, 1274.  
 Grazing Lands  
 Ireland;Status of Tenants on Estates purchased by Congested Districts Board.  
 Q. Dr. Ambrose; A. Mr. Wyndham, Apr. 23, 1078.  
 Great Central Railway Bill  
 c. 2R.\* Apr. 1, 322.  
 Great Eastern Railway Bill  
 Debate on consideration as amended (Commons), Apr. 25, 1555.  
 Contribution by the Company to Fund, Conditions, etc., 1256, 1258, 1267, 1268, 1270.  
 Control of Fund by the Men, 1255.  
 Membership of the Society;Compulsory or Optional Membership, 1256, 1258, 1259, 1261, 1263, 1264, 1274, 1275, 1276.  
 Withdrawal of savings on dismissal, 1256, 1260, 1263, 1264.

Great East Railway Bill  
 c. Report\*, Mar. 28, 40.  
 con. Apr. 25, 1255.  
 Great Indian Peninsular Railway  
 Guarantee, Terms of  
 Qs. Mr. E. Cecil, Apr. 23, 1152, Mr. Banbury, 1171.  
 Great Northern Railway Bill  
 c. Report,\* Mar. 28, 40.  
 Con.\* Apr. 18, 589.  
 3R.\* Apr. 22, 883.  
 l. 1R.\* Apr. 23, 1051.  
 Great Northern (Ireland) Railway  
 Charges, High Rate of  
 Reference to in Debate on King's Court, Keady, and Armagh Railway Bill, Apr. 19,  
 746, 752, 758.  
 Poyntzpass Level Crossing;Construction of Footbridge, proposed  
 Q. Mr. J. Campbell; A. Mr. G. Balfour, Mar. 29, 234.  
 Great Southern and Western Railway Bill  
 Report from Committee of Selection, Apr. 26, 1415.  
 Great Western Railway Bill  
 c. 2R.\* Mar. 28, 38.  
 Greece  
 Trade Report Presented, Apr. 22, 876.  
 Greek Loan  
 Account Presented, Apr. 19, 771; Apr. 22, 879.  
 Mistakes as to  
 Q. Mr. G. Bowles, Apr. 19, 836, 838.  
 Greene, Mr. H. D. [Shrewsbury]  
 Vice and Immorality, Royal Proclamation against, Apr. 2, 478.  
 Groves, Private, S.  
 Aid for discharged Soldiers  
 Q. Mr. Levy; A. Lord Stanley, Apr. 23, 1065.  
 Gully, Rt. Hon. W. C.  
 see Speaker.  
 Gun Licence Duty  
 Petition for exemption of Members of Civilian Rifle Clubs, Apr. 25, 1284.  
 Guns  
 (see titles Army, Navy, etc.)  
 Gurdon, Sir W. B. [Norfolk, N.]  
 Marriage with a Deceased Wife's Sister Bill 2R. Apr. 24, 1184, 1244.  
 Guthrie, Mr. W. M. [Tower Hamlets, Bow]  
 Budget;Sugar Duty, Effect of, on Confectionery Industry, Apr. 18, 736.  
 South African War Gratuities  
 Civilian Hospital Orderlies, etc., Apr. 19, 779, Apr. 22, 900.  
 Volunteers and Yeomanry, Apr. 22, 898.  
 H

Hague Conference

Laws of Warfare

Q. Mr. H. Lewis; A. Mr. A. J. Balfour, Mar. 28, 45

Q. Mr. T. Shaw, Apr. 2, 513.

Haldane, Mr. R. B. [Haddington]

Consolidated Fund [No. 1] Bill, 3R., Mar. 28, 138.

South African War; Peace Negotiations, Terms offered to the Boers, etc., Mar. 28, 138.

University Education, Ireland; Roman Catholic University Question, Apr. 22, 1002.

Halsbury, Earl of; Lord Chancellor

Prevention of Corruption Bill, 2R., Apr. 23, 1055.

Hamilton, Rt. Hon. Lord George; Secretary of State for India [Middlesex, Ealing]

Army

Military Outposts in 1898, Mar. 28, 57,

Staff Corps; Promotion Grievances, Apr. 1, 341.

Boer Prisoners; Internment in India

Costs, Apr. 25, 1289.

Unhealthiness of Situation, alleged, Apr. 26, 1427.

Census Returns in Famine Districts, Apr. 1, 341.

China, Tientsin; Anglo-Russian Dispute, Mar. 28, 54.

Coopers' Hill College

Board of Visitors, Appointment of new Members, etc., Apr. 25, 1307.

Dismissal of Teachers, Mar. 28, 58.

East India Railway, Insufficiency of Rolling Stock; Bengal Coal Industry, etc., Mar. 29, 217.

Etal Murders; Commutation of Death Sentences, Apr. 25, 1307.

Finance Year; Making Year end on Dec. 31, proposed, etc., Apr. 2, 476.

Irrigation Schemes; Reports of Engineers, etc, Apr. 2, 476.

Parcel Postage Rates; Inland Postage, Reduction of Rates, Apr. 26, 1434.

Public Works Department; Civil Engineers' Memorials, Apr. 1, 341.

Sugar Bounties; Countervailing Duties Act, Effect on Sugar Production in India, Apr. 1, 342.

Hamilton Synge Estate

Fair Rent Applications; Delays, etc.

Q. Mr. J. Campbell; A. Mr. Wyndham, Mar. 29, 232.

Hanbury, Rt. Hon. R. W.; President of Board of Agriculture [Preston]

Corn Returns, Mar. 28, 67.

Dogs

Irish Dogs, Importation of; Landing Regulations, Mar. 28, 83.

Muzzling Order in Carmarthenshire, Apr. 1, 349.

Foot-and-Mouth Disease, South Africa; Precautions against Importation, etc., Mar. 28, 66.

Forestry; Government Instruction, Apr. 23, 1075.

Glanders Outbreak in Glasgow; Deputation to Major Tennant, Apr. 25, 1322.

Ordnance Survey, Ireland; Misdescription of Killeely Church, Mar. 28, 83.

Swine Importation to Wigtownshire from Ireland; Proposed Removal of Restriction,

Apr. 26, 1442.  
 Veterinary Inspectors;Qualifications, etc., Mar. 29, 220.  
 Harbours  
 Gibraltar Harbour Works;Committee of Inquiry, Report  
 Q. Sir J. Colomb; A. Mr. A. J. Balfour, Apr. 26, 1459.  
 Peterhead Harbour, see that title.  
 Harcourt, Rt. Hon. Sir W. G. [Monmouthshire, W.]  
 Best hated Nation in the World, Apr. 18, 663.  
 Budget  
 Financial Condition of the Country, Cost of the South African Policy, etc., Apr.  
 18, 653.  
 Income Tax, Apr. 23, 1133.  
 Discussion;General Discussion, Apr. 23, 1095, 1096.  
 Necessity for taking Resolutions on the Budget Night, Apr. 18, 736.  
 Procedure as to Supplementary Loans, etc., Apr. 18, 730.  
 Business of the House;Tuesday Sittings, Appropriation for Government Business,  
 Apr. 19, 809.  
 Law Officers of the Crown;Salaries and Fees, System of Payment, etc., Apr. 26,  
 1497.  
 Milner's, Sir A., Despatch on the Situation in South Africa, Apr. 18, 657.  
 National Debt, Increase in, Apr. 18, 654.  
 South African Settlement, Cost of;Financial Resources of South Africa, etc.,  
 Apr. 18, 658.  
 South African War  
 British Forces, Number in South Africa;Statistical Return, Apr. 26, 1428.  
 Continental Opinion, Apr. 18, 664.  
 Peace Negotiations;Terms offered by the British Government, etc., Apr. 18, 662.  
 Taxation;Principles of, Apr. 18, 654.  
 Hardie, Mr. Keir [Merthyr Tydvil]  
 Budget  
 Loan Resolution;Transvaal Contributions towards the Cost of the War, etc., Apr.  
 19, 864.  
 Sugar Duty, Tax on Export Coal, etc. Apr. 18, 734  
 Great Eastern Railway Bill, con., Apr. 25, 1255, 1259, 1260, 1275, 1276.  
 Socialistic Commonwealth;Alarming Growth of Industrial Trusts, etc., Apr. 23,  
 1175.  
 Hardwicke, Earl of;Under Secretary of State for India  
 China, Situation in;British Policy, Tientsin Incident, etc., Mar. 28, 32.  
 Polling Arrangements [Parliamentary Boroughs] Bill, 2R., Mar. 28, 7.  
 Harland and Wolff, Messrs.  
 American Steel Firm, Orders placed with  
 Q. Mr. Field; A. Mr. G. Balfour, Apr. 23, 1075.  
 Harpenden District Gas Bill  
 Report from Select Committee, Apr. 23, 1051.  
 Harris  
 Mail Service;Proposed Mail Steamer service to Loch Stockinish

Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar. 29, 223.  
 Harris, Dr. Rutherford  
 Monmouthshire Election Petition Debate on the Estimates, Apr. 26, 1512.  
 Harris, Mr. F. L. [Tynemouth]  
 "Medusa," H.M.S., Removal from North Shields, Apr. 26, 1432.  
 Harwood, Mr. G. [Bolton]  
 Bolton Pupil Teachers' Central Classes; Payment at Evening Rates, Apr. 2, 482.  
 Business of the House; Tuesday Sittings, Appropriating for Government Business,  
 Apr. 19, 815.  
 China, Situation in; Policy of the British Government, Russia in Manchuria, etc.,  
 Apr. 2, 579.  
 Standing Committees, Amendment of Standing Order 50, Apr. 2, 570.  
 Hasler, Private  
 Pension for Widow; Reservist killed in South African War  
 Qs. Mr. L. Sinclair, Mr. Kearley; As. Mr. Brodrick, Mar. 28, 49.  
 Haslett, Sir J. [Belfast, N.]  
 Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 756.  
 Haulbowline  
 Naval Works, Expenditure on; Irish Grievance  
 Qs. Mr. Flynn, Mar. 29, 239; Mr. Pretymann, 241.  
 Haviland-Burke, Mr. E. [King's County, Tullamore]  
 Consolidated Fund [No. 1] Bill, 3R., Mar. 28, 159.  
 Rhodesia; Chinese Labour, Introduction, of, Apr. 19, 776.  
 South African War  
 Boer Prisoners; Internment in India, Unhealthiness of Ahmednagar, etc., Apr. 26,  
 1426.  
 Jansenville Town Guard; Punishment of Persons refusing to Join, Apr. 18, 600.  
 Hawkers  
 Child Hawkers, see Children.  
 Hay, Mr. C. [Shoreditch, Hoxton]  
 Bowles, Private, Case of, at Fort Brock-hurst, etc., Apr. 25, 1301.  
 Post Office, Appeal Regulations; Grace-church Street Telegraphist Apr. 25, 1324.  
 Hayden, Mr. J. P. [Roscommon, S.]  
 Agriculture and Technical Instruction (Ireland) Act; Carrying out Sections 17 and  
 30, Apr. 1, 364.  
 Roscommon Constabulary; County Inspector residing outside County, etc., Mar. 29,  
 229.  
 Healy, Mr. T. M. [Louth, N.]  
 Africa, South; High Commissioner's Consultative Committee, Mr. R. J. Pakeman,  
 Secretary, etc., Apr. 22, 892.  
 Army (Annual) Bill, com. Apr. 23, 1030, 1034, 1038, 1041, 1042.  
 Budget; Procedure, Apr. 18, 728.  
 Business of the House; Tuesday Sittings, Appropriating for Government Business,  
 Apr. 19, 816.  
 Constabulary, Royal Irish; Proportion of Roman Catholic Officers and Men, etc.,  
 Apr. 18, 606.



Cork Post Office Revision;Sorting Clerks and Telegraphists' increased Pay, Apr. 23, 1086.

Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 748.

Lindley Surrender;Names of Persons who raised White Flag, etc., Apr. 19, 772.

Roman Catholicism, King's Declaration against;Government Proposals, Apr. 23, 1088.

Hebden Bridge

Postmen's Grievance

Q. Mr. J. O'Connor; A. Mr. A. Chamberlain, Apr. 22, 920.

Heilbron

see South African War.

Heinekens Lager Brewery Company

Connection with Disorderly House

Q. Sir J. Brunner; A. Mr. Ritchie, Mar. 28, 60

Helme, Mr. N. W. [Lancashire, Lancaster]

Sale of Intoxicating Liquors to Children Bill, etc., Apr. 19, 801.

Hemphill, Rt. Hon. C. H. [Tyrone, N.]

Attorney-General's Advice to Ministers, Apr. 26, 1475.

Law Officers of the Crown;Salaries and Fees, System of payment, etc., Apr. 26, 1504.

Omagh Quarter Sessions;Case of G' Feathers, Apr. 25, 1337.

University Education, Ireland;Roman Catholic University Question, Apr. 22, 983.

Henley Urban District Council (Gas) Bill

l. 1R.\* Apr. 23, 1051.

Henry Draper and Company (Delivery Warrants) Bill

c. 2R.\* Apr. 18, 589.

Report,\* Apr. 25, 1281.

Hermon Hodge, Mr. R. T. [Oxon, Henley]

East Yorkshire Regiment in South Africa;Field Allowances, Apr. 2, 472.

Herring Fishery

Ireland;Branding of Herrings, Legislation

Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 28, 79.

Higher Elementary Education

see Education.

Highland Railway Company

Mixed Trains;Brakes on Cattle Wagons, Qs. Mr. Weir; As. Mr. G. Balfour, Mar. 28, 63; Apr. 1, 345.

Highland Regiments

Quartering in Scotland;Army Re-organisation

Q. Mr. Black; A. Mr. Brodrick, Apr. 23, 1067.

Historical Manuscripts Commission

Irish Franciscans;Publication of Manuscripts

Q. Sir T. Esmonde; A. Mr. A. Chamberlain, Mar. 29, 233.

Hobhouse, Mr. C. E. H. [Bristol, E.]

Australia;Imperial Representative Forces, Disturbances, Mar. 28, 50.

China;British Indemnity Claim, Apr. 22, 908.

Isolation Hospitals Bill, 2R., Apr. 1, 439.  
Hobhouse, Mr. H. [Somerset, E.]  
Cremation Bill, 2R., Apr. 1, 451.  
District Councillors on Active Service in South Africa; Making Declaration of Office, etc., Apr. 22, 921.  
Education Code; Manual Instruction, Minimum Age, Apr. 26, 1440.  
Hog Island Channel  
Wreck of Greek Brig; Danger to Navigation, etc.  
Q. Major Jameson; A. Mr. G. Balfour, Apr. 22, 914.  
Hogg, Mr. L. [Sussex, Eastbourne]  
Eastbourne Postmen; Christmas Overtime Pay, Mar. 28, 73.  
Holland  
Rotterdam, Horse Exports from England; Diseased Horse, Statement of Inspector Buckingham, etc.  
Q. Major Rasch; A. Mr. Ritchie, Mar. 28, 60.  
Holland, Mr. W. H. [York, W.R., Rotherham]  
Budget; Export Duty on Coal, Sugar Duty, etc., Apr. 18, 720.  
Thorpe Hesley; Closing of Post Office, Apr. 23, 1077.  
Volunteer Artillery, Re-armament, Apr. 2, 473.  
Holyhead  
Packet Service; Promotion of Sorting Clerks  
Q. Mr. Field; A. Mr. A. Chamberlain, Apr. 25, 1323.  
Home Office  
Secretary of State; Rt. Hon. C. T. Ritchie.  
Under Secretary; Rt. Hon. J. Collings.  
Honey  
Sugar Duty Assessment  
Q. Mr. Kearley; A. Sir M. H. Beach, Apr. 25, 1315.  
Hong Kong  
Defences, State of  
O.s. Mr. Courtenay Warner, Mar. 29, 243; Mr. Pretymann, 244.  
Honley Urban District Council [Gas] Bill  
c. Report\* Mar. 28, 40.  
Con.\* Apr. 18, 589.  
3R.\* Apr. 22, 883.  
Hope, Mr. J. F. [Sheffield, Brightside]  
Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 311.  
University Education, Ireland; Roman Catholic University Question, Apr. 22, 966, 987.  
Horley District Gas Bill  
c. Report\* Apr. 23, 1057.  
Horses  
Exports to Rotterdam; Statement of Inspector Buckingham as to Diseased Horse, etc.

Q. Major Rasch; A. Mr. Ritchie, Mar. 28, 60.  
 Hostages on Trains  
 Franco-Prussian War Precedent Q. Mr. Arthur Lee, Apr. 2, 522.  
 Hotels  
 Census Returns, Filling up from Hotel Registers  
 Q. Mr. T. Dewar; A. Mr. Long, Mar. 29, 219.  
 Houldsworth, Sir W. H. [Manchester, N.W.]  
 Licensing Laws, Amendment of; Date of introducing Bill, Apr. 22, 913.  
 Poulton-le-Fylde Boiler Explosion; Payment of Costs, Apr. 25, 1318.  
 House of Commons  
 see Parliament.  
 Household Cavalry  
 Return from South Africa  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 19, 779.  
 Housing of the Working Classes  
 London County Council, see that title.  
 London School Board; Blakesley Street  
 site, Re-housing of Displaced Persons.  
 Q. Mr. T. Dewar; A. Sir J. Gorst, Apr. 1, 351.  
 Overcrowding in East London, see that title.  
 Housing the Working Classes Acts  
 Loan Repayments, Extending Period, proposed.  
 Q. Dr. Macnamara; A. Mr. Long, Mar. 29, 220,  
 Housing of the Working Classes (Repayment of Loans) Bill.  
 c. 1R.\* Mar. 29, 237.  
 Howard, Mr. J. [Middlesex, Tottenham]  
 London County Council's Tottenham Housing Scheme, Apr. 23, 1073, 1074.  
 Humphreys-Owen, Mr. A. C. [Montgomery]  
 "South African News"; Trial of Editor for Libel, Mar. 29, 213.  
 Hussars, Loyal Suffolk  
 Date of Return from South Africa.  
 Q. Mr. Price; A. Mr. Brodrick, Apr. 22, 898.  
 Hutton, Mr. A. E. [York, W. R., Morley]  
 Universities Commission, (Ireland); Terms of Reference, Grievances of Roman  
 Catholics, etc., Mar. 28, 87.  
 Hyde, Cheshire  
 School Board Prosecutions; Insutuciency of Free Places, etc.  
 Q. Mr. Ashton; A. Sir J. Gorst, Apr. 2, 481.  
 I  
 Ilkeston and Heanor Water Board Bill  
 c. Report,\* Apr. 19, 768.  
 Immigration  
 see Emigration and Immigration.  
 Immorality  
 Royal Proclamation against, rumoured  
 Q. Mr. H. D. Greene; A. Mr. Ritchie, Apr. 2, 478.

## Imperialists

Regard for British Empire generally, but forgetful of the United Kingdom Q. Sir W. Harcourt, Apr. 18, 662.

## Import Duties

see Customs Duties.

## Income Tax

Abatements in 1894, 1899; Estimated Financial Losses

Q. Sir E. Vincent; A. Sir M. Hicks-Beach, Mar. 28, 59.

## Budget

### Budget Statement

Additional Taxation, Apr. 18, 628.

Revenue derived from, Apr. 18, 620.

Debate in Com. of Ways and Means, Apr. 18, 666; Apr. 19, 841.

Resolution in Committee of Ways and Means, Apr. 23, 1094

Arrears, System of claiming Arrears, etc., 1108, 1132.

Graduated Income Tax, 1111, 1117, 1131.

Incomes derived from Brain Power, and Incomes derived from Property, 1105, 1111, 1127, 1130, 1133.

Irish Grievance, 1113, 1118, 1128, 1129, 1134.

Unfairness of Incidence, 1104, 1106, 1116, 1124, 1133.

Ireland, Collectors' Pensions; Case of J. Feore

Q. Mr. Landon; A. Mr. Wyndham, Mar. 28, 78.

Profesional Men, Proportion of Tax paid by

Q. Mr. J. Morley; A. Sir M. H. Beach, Apr. 26, 1436.

## Incorporated Law Society

Audit of Accounts; Objections to Grant-in-Aid, etc.

Debate on the Estimates, Apr. 26, 1555.

Work of the Committee inquiring into Charges against Solicitors, Cost of Investigations, etc.

Debate on Estimates, Apr. 26, 1556.

## Indapur Taluka

Revision Survey Settlement; Petition from Inhabitants for Inquiry into, Apr. 1, 324.

## India

Secretary of State; Rt. Hon. Lord G. Hamilton.

Under-Secretary; Earl of Hardwicke.

## Army

Military and Political Outposts in 1898; Number, Costs, etc.

Q. Mr. H. Roberts; A. Lord G. Hamilton, Mar. 28, 57.

Staff Corps; Promotion Grievance

Qs. Sir S. King, Col. Milward; As. Lord G. Hamilton, Apr. 1, 340.

Boer Prisoners, see South African War; Prisoners.

Census Returns in Famine Districts

Q. Mr. S. Smith; A. Lord G. Hamilton, Apr. 1, 341.

Cooper's Hill College, see that title.

Countervailing Duties Act, see sub-heading Sugar.

East India Railway, Insufficient Rolling Stock; Bengal Coal Industry, etc.  
 Q. Sir J. Leng; A. Lord G. Hamilton, Mar. 29, 216.  
 Etah Murders; Commutation of Death Sentences  
 Q. Mr. Came; A. Lord G. Hamilton, Apr. 25, 1306.  
 Famine Districts and the Census, see sub-heading Census.  
 Finance Year ending Dec, 31, proposed; Current Financial Statement, Date of  
 presenting to Parliament, etc.  
 Q. Mr. Norman; A. Lord G. Hamilton, Apr. 2, 476.  
 Irrigation Schemes; Lord Curzon's Speech, Reports of Engineers, etc.  
 Q. Mr. H. Roberts; A. Lord G. Hamilton, Apr. 2, 476.  
 Loans raised in England, Chargeable on the Revenues of India; Return Presented,  
 Apr. 1, 325; Apr. 22, 878.  
 Military and Political Outposts in 1898; Number, Cost, etc.  
 Q. Mr. H. Roberts; A. Lord G. Hamilton, Mar. 28, 57.  
 Parcel Postage Rates; Inland Postage, proposed Reduction of Rates  
 Q. Lt.-Col. Tufnell; A. Lord G. Hamilton, Apr. 26, 1434.  
 Poona; Petition from Inhabitants of Indapur Taluka for Inquiry into their  
 Condition and into the Revision Survey Settlement, Apr.  
 1, 324.  
 Public Works Department; Civil Engineers' Memorials, Laying Papers on the Table  
 Q. Sir S. King; A. Lord G. Hamilton, Apr. 1, 341.  
 Sugar Bounties; Countervailing Duties, Effect on Sugar Production in India  
 Q. Mr. Lawrence; A. Lord G. Hamilton, Apr. 1, 342.  
 Tea Duty, see Tea.  
 Indirect Taxation  
 Budget Statement, Apr. 18, 629.  
 Debate on the Budget, Apr. 23, 1098, 1108, 1113, 1117, 1126, 1130.  
 Industrial Schools  
 Ireland  
 Commitals, Number in 1896-98; Legislation proposed  
 Qs. Mr. Delany, Mr. Dillon; As. Mr. Wyndham, Apr. 26, 1147.  
 Day Schools, proposed  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 19, 789.  
 Inebriate Reformatories  
 Number Committed under Act of 1898  
 Q. Mr. H. Lewis; A. Mr. Kitchie, Apr. 18, 606.  
 Infant Life Protection Act (1897) Amendment Bill  
 c. 1R.\* Apr. 23, 1093.  
 Ink  
 Copying and Writing Ink; Placing Contracts for Government Departments with Irish  
 Firms, etc.  
 Q. Mr. Nannetti; A. Mr. A. Chamberlain, Apr. 30, 1455.  
 Inland Revenue  
 Retirement in the Taxes Branch; Suspension of Order No. 10 of 1897  
 Q. Mr. H. Johnstone; A. Mr. A. Chamberlain, Mar. 28, 71.  
 Inniskilling Fusiliers

Fifth Battalion;Date of Disembodiment, etc.  
 Q. Mr. S. MacNeill; A. Lord Stanley, Apr. 25, 1300.  
 Insurance Companies  
 Prevention of Corruption Bill, Apr. 23, 1054.  
 Inventions  
 War Cilice, Examination by  
 Q. Sir J. Leng; A. Mr. Brodrick, Apr. 18, 602.  
 Inverclyde, Lord  
 Sat first in Parliament after the death of his Father, Apr. 23, 1049.  
 Invergordon  
 "Northampton," H.M.S.;Proposed Visit  
 Q. Mr. Weir; A. Mr. Arnold-Forster, Mar. 28, 52.  
 Inverness-shire  
 Postal Arrangements;More frequent Deliveries proposed  
 Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar. 29, 223.  
 Ireland  
 Lord Lieutenant;Earl Cadogan.  
 Chief Secretary;Rt. Hon. G. Wyndham.  
 Attorney-General;Rt. Hon. J. Atkinson.  
 Solicitor General;Mr. D. P. Barton.  
 Lord Chancellor;Lord Ashbourne.  
 Agrarian Offences;Return (Provinces) for 1900 Presented, Apr. 18, 596.  
 Agricultural Products and Live Stock;Return of Prices Presented, Apr. 18, 596  
 Agricultural Statistics with detailed Report on Agriculture for 1900, Presented,  
 Apr. 18, 596.  
 Agriculture and Technical Instruction Act;Carrying out Sections 17 and 30  
 Q. Mr. Hayden; A. Mr. Wyndham, Apr. 1, 364.  
 Agriculture and Technical Instruction Department;Tobercurry, Refusal of Grant  
 Qs. Mr. O'Dowd; A. Mr. Wyndham, Apr. 1, 361; Apr. 22, 926.  
 Apjohn's Estate;Sale to Tenants  
 Q. Mr. London; A. Mr. Wyndham. Mar. 29, 226.  
 Ardagh Burial Ground;Cost of New Burial Ground, Area of charge  
 Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 26, 1446.  
 Armagh, see that title.  
 Ballinasloe Mail Service with Rathcabbin;Delays, etc.  
 Q. Mr. Reddy; A. Mr. A. Chamberlain, Apr. 18, 607.  
 Belturbet Post Office;Erection of new Building  
 Q. Mr. M'Govern; A. Mr. A. Chamberlain, Apr. 22, 931.  
 Black's, Constable, Orphans;Refusal of Gratuity  
 Q. Mr. M'Govern; A. Mr. Wyndham, April 23, 1333.  
 Blind, Deaf and Dumb, Education of;Legislation, proposed.  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 25, 1331.  
 Budget Proposals;Irish Grievance, Debate on the Budget, Apr. 23, 1113, 1118,  
 1122, 1128; Apr. 25, 1361.  
 Tobacco Duty, Apr. 25, 1401.  
 Over-taxation of Ireland, Alleged On. Mr. J. Redmond. Apr. 18, 693, Sir M. H.

Beach, 725.  
 Buncrana;Erection of Military Barracks  
 Q. Mr. O'Doherty; A. Lord Stanley, Mar. 28, 87.  
 Bundorragha Fisheries;Want of Landing Pier  
 Q. Dr. Ambrose; A. Mr. Wyndham, Apr. 1, 355.  
 Burgh's, Lady de, Estate;Sale of Land to Tenants  
 Q. Mr. Lundo; A. Mr. Wyndham, Mar. 29, 227.  
 Butler Estate, Galway;Delay in Sale  
 Q. Mr. W. Redmond; A. Mr. Wyndham, Apr. 23, 1081.  
 Butter Substitutes;Dublin Prosecution  
 Q. Mr. Archdale; A. Mr. Wyndham, Apr. 25, 1331.  
 Calves, Mortality amongst;Inquiry  
 Qs. Mr. Daly, Mr. Dillon; As. Mr. Wyndham, Apr. 23, 1077.  
 Q. Mr. Dillon; A. Mr. Wyndham, Apr. 25, 1335.  
 Cappawhite Police removing Auction Notices  
 Q. Mr. K. O'Brien; A. Mr. Wyndham, Apr. 2, 489.  
 Carlow;Labourers' Cottages Scheme, Postponement of Inquiry, etc.  
 Q. Mr. J. O'Connor; A. Mr. Wyndham, Apr. 1, 354.  
 Carrick, County Donegal;Instructor's House, Cost of Building, etc.  
 Q. Mr. O'Doherty; A. Mr. Wyndham, Apr. 1, 356.  
 Carrick-on-Shannon, see that title.  
 Castlecomer Coal Mines;Proposed Hail-way to Callan, Government Aid  
 Q. Mr. O'Mara; A. Mr. Wyndham, Apr. 1, 365.  
 Castleisland Mail Service;Alteration of Train Service, Delays, etc.  
 Q. Mr. Murphy; Mr. A. Chamberlain, Mar. 28, 85.  
 Cattle, Exportation to Argentine Republic;Relaxation of Prohibition  
 Q. Mr. Macartney; A. Vis. Cranborne, Apr. 18, 607.  
 Cattle and Live Stock Breeding;Premiums for thoroughbred Bulls  
 Q. Mr. Kennedy; A. Mr. Wyndham, Apr. 19, 788.  
 Clifden Bay Fisheries;Proposed Construction of Pier  
 Q. Mr. O'Malley; A. Mr. Wyndham, Apr. 2, 484.  
 Constabulary, Royal Irish;for collective heading, see that title.  
 Cork, see that title.  
 County Council Secretaries;Standard of Examination, etc.  
 Q. Mr. Cullinan; A. Mr. Wyndham, Apr. 1, 359.  
 County Court Judges' Salaries;Return of Land Valuers, etc.  
 Q. Mr. J. O'Donnell; A. Mr. Wyndham, Apr. 2, 485.  
 County Officials' Salaries, Local Government Board Inquiry (Wexford);Return  
 Ordered, Apr. 22, 887.  
 Coyne's, Owen, Holding in Claremorris Union;Re-valuation, etc.  
 Q. Mr. J. O'Donnell; A. Mr. Wyndham, Apr. 2, 486.  
 Creameries;Loans to Farmers to purchase Separators, proposed  
 Q. Mr. Daly; A. Mr. Wyndham, Apr. 22, 922.  
 Q. Mr. W. Abraham; A. Mr. Wyndham, Apr. 26, 1449.  
 Crime;Absence of in Killarney and Cork, see titles Killarney and Cork.  
 Criminal Lunatics, see sub-heading Lunatics.

Crown Appointment; Question of re-appointment on Demise of the Crown  
 References to in Debate on Demise of the Crown Bill, Apr. 1, 383, 388, 392, 399.  
 Culloville Postal Arrangements; Sunday Delivery, etc.  
 Q. Mr. Daly; A. Mr. A. Chamberlain, Apr. 23, 1086.  
 Derry, see title Londonderry.  
 Direct Labour, Employment of, on Roads, see sub-heading Roads  
 District Councils  
 Joyce, District Councillor, Conviction of for Political  
 Offence; Disqualification, etc.  
 Q. Mr. Flavin; A. Mr. Wyndham, Mar. 29, 230.  
 Tenants of Labourers' Cottages, Disqualification  
 Qs. Mr. Ffrench, Mr. Cullinan; As. Mr. Wyndham, Mar. 29, 230.  
 Qs. Mr. Cullinan; As. Mr. Atkinson, Mr. Wyndham, Apr. 1, 369.  
 Dogs; Importation to England, Landing Regulations  
 Q. Mr. Wolff; A. Mr. Hanbury, Mar. 28, 83.  
 Donegal, see that title.  
 Dublin, see that title.  
 Dundrum Criminal Lunatic Asylum; Tradesmen Attendants, Hours of Labour, etc.  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 26, 1444.  
 Dungannon Disturbances; Protest of Roman Catholics, etc.  
 Qs. Mr. Doogan, Mr. Cullinan; As. Mr. Wyndham, Apr. 1, 365.  
 Eaton, Thomas, Imprisonment for Contempt of Court; Dr. Waters conducting  
 prosecution of E. Eaton, etc.  
 Q. Mr. M'Dermott; A. Mr. Atkinson, Apr. 22, 929.  
 Education; for collective heading, see that title  
 Emigration; Number of Emigrants 1886&#x2013;1900, etc.  
 Q. Dr. Ambrose; A. Mr. Wyndham, Apr. 1, 362.  
 Ennis, see that title.  
 Evictions; for collective heading, see that title.  
 Fastnet Rock; Reporting Station, Establishment of, proposed  
 Q. Sir J. Leng; A. Mr. G. Balfour, Apr. 22, 914.  
 Fermanagh, see that title.  
 Fermoy Post Office; Delay in Appointment of Medical Officer  
 Q. Mr. W. Abraham; A. Mr. A. Chamberlain, Apr. 22, 931.  
 Fever Hospitals; Motion for Return (Lord Monteagle of Brandon), Apr. 26, 1417.  
 Finlay's, D., Estate; Sale of Land to Tenants  
 Qs. Mr. M'Govern; As. Mr. Wyndham, Apr. 22, 926; Apr. 23, 1085; Apr. 26, 1451.  
 Fisheries; for collective heading, see that title.  
 Flax-growing; Appointment of Experts  
 Qs. Mr. Daly, Mr. T. W. Russell; As. Mr. Wyndham, Apr. 26, 1442.  
 Franciscans; Publication of Manuscript by Historical Manuscripts Commission  
 Q. Sir T. Esnionde; A. Mr. A. Chamberlain, Mar. 29, 233.  
 Frenchpark Waterworks, Cost of; Proposed Union Charge  
 Q. Mr. Tully; A. Mr. Wyndham, Apr. 23, 1083; Apr. 26, 1448.  
 Glencolumbkille Sub-postmaster; Member of Royal Irish Constabulary etc.  
 Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Mar. 28, 85.



Government Department Contracts;Placing Contract for Copying and Writing ink with Irish Firms, etc.

Q. Mr. Nannetti; A. Mr. A. Chamberlain, Apr. 26, 1455.

Granard Union;Labourers' Cottages, Number of Applications and Rejections, etc.

Qs. Mr. J. P. Farrell; As. Mr. Wyndham, Apr. 22, 922; Apr. 23, 1080.

Grazing Lands;Status of Tenants on Estates purchased by Congested Districts Board

Q. Dr. Ambrose; A. Mr. Wyndham, Apr. 23, 1078.

Hamilton Synge Estate, Armagh;Fair Kent Applications, Delays, etc.

Q. Mr. J. Campbell; A. Mr. Wyndham, Mar. 29, 232.

Herring Fialisy;Branding of Herrings, Legislation proposed

Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 28, 79.

Hog Island Channel;Wreck of Greek Brig, Danger to Navigation

Q.Major Jameson; A. Mr. G. Balfour, Apr. 22, 914.

Income-Tax Collectors' Pensions;Case of J. Feore

Q Mr. Lndon; A. Mr. Wyndham, Mar. 28, 78.

Industrial Schools

Committals, Number in 1890&#x2013;98, Legislation proposed

Qs. Mr. Delany, Mr. Dillon; As. Mr. Wyndham, Apr. 26, 1447.

Day Schools, proposed

Q. Mr. Field; A. Mr. Wyndham, Apr. 19, 789.

Judicial Bents;Return Presented, Apr. 22, 886.

Kerry, see that title.

Killarney Quarter Sessions;White Glove Calendar

Q. Mr. Murphy; A. Mr. Wyndham, Apr. 22, 923.

Labourers;Proposed Prizes for Industry

Q. Mr. Power; A. Mr. Wyndham, Apr. 22, 925.

Labourers' Cottages (for collective heading see that title).

Land Act, 1896;Fortieth Section, Application of;Serving Notice on Tenants, etc.

Q. Mr. Ffrench; A. Mr. Atkinson, Mar. 29, 2, 31.

Land Commission (for collective heading, see that title).

Land Judge's Court;Delays in carrying out Sales, Return proposed, etc.

Qs. Mr. Ffrench, Mr. Flavin; As. Mr. Atkinson, Apr. 1, 368.

Land Purchase

Government Proposals

Q. Mr. J. Redmond; A. Mr. A. J. Balfour, Apr. 2, 490; Q. Sir T. Esmonde; A. Mr. A. J. Balfour, Apr. 18, 608.

Queen's County;Amount of Grants, etc.

Q. Mr. Delany; A. Mr. Wyndham, Apr. 1, 363.

Wexford, see that title.

(for particular Estates, see their names.)

Land Purchase Bill, see that title.

Leslie c. Justices of Monaghan;Constitution of Court, etc.

Qs. Mr. Flynn; As. Mr. Atkinson Apr. 1, 367; Apr. 2, 487.

Lights Board-Appointment of Select Committee proposed

Q. Mr. Flynn; A. Mr. A. Chamberlain, Apr. 1, 371.  
 Limerick, see that title.  
 Lisburn Smallpox Outbreak;Precautionary Measures  
 Qs. Mr.'Daly, Mr. Bartley; As. Mi. Wyndham. Apr. 26, 1451.  
 Live Stock, see sub-heading Cattle.  
 Loan Fund Board;Annual Report Presented, Apr. 18, 596.  
 Local Government Board  
 County Officials' Salaries, see that sub-heading.  
 Discharging Liabilities on Monthly Finance Days  
 Q. Mr. Gilhooly; A. Mr. Wyndham, Apr. 1, 360.  
 Medical Inspectors;Appointment of. Dr. B. M'Carthy, etc.  
 Q. Dr. Ambrose; A. Mr. Wynd ham, Apr. 1, 359.  
 Local Government Officials;Parliamentary Elections, Bight of Interference  
 Q. Mr. Duffy; A. Mr. Wyndham, Apr. 1, 355.  
 Local Taxation  
 Grant-in-Aid for Lunatic Asylums, see title Lunatic Asylums.  
 Poor Law Superannuation Bill, Effect of on Bates, see title Boor Law  
 Superannuation Bill  
 Local Taxation Account  
 Receipts from Local Licence Duties, Amount of Grant-in-Aid, etc.  
 Q. Mr. J. O'Connor; A. Mr. Wyndham, Apr. 1, 303.  
 Treasury's Liability Supplementary Vote taken in July last  
 Qs. Mr. Lundon, Mr. Flynn; As. Mr. Wyndham Mar. 20, 226.  
 (see also title Lunatic Asylums;Grant-in-Aid.)  
 Londonderry, see that title.  
 Longford, Co., see that title.  
 Lough Neagh;Floods, Drainage Works, proposed  
 Q. Mr. Murnaghan; A. Mr. Wyndham, Apr. 25, 1335.  
 Lunatic Asylums (for collective heading, see that title).  
 Lunatics, Criminal Lunatics;Cost of Maintenance  
 Q. Mr. Gilhooly; A. Mr. Wyndham, Apr. 1, 357; Q. Mr. W. Redmond; A. Mr. Wyndham,  
 Apr. 26,  
 1452.  
 M'Hugli, P. A., Crown v.;Proceedings against Dublin Newspapers for Con-tempt of  
 Court.  
 Q. Mr. Flynn; A. Mr. Atkinson, Apr. 26, 1454  
 McInerney, Halpin and Lynch, see title Ennis;Intimidation Cases.  
 Magistrates and Justices of the Peace, for collective heading, see that title.  
 Mail Service, see that title.  
 Meat Contracts for Troops in Ireland;Exclusion of Foreign Meat  
 Q. Capt. Donelan; A. Lord Stanley, Apr. 19, 783.  
 Medical Inspector to the Local Government Board, see sub-heading Local-  
 Government Board.  
 Monaghan, see that title.  
 Murrihy, Mrs.;Proposed Remission of Sentence  
 Q. Major Janmeson; A. Mr. Wyndham, Mar. 29, 228.

National Library;Increase of Staff, Lack of Space, etc.  
 Q. Mr. Boland; A. Mr. Wyndham Apr. 2, 484.  
 National School Teachers;see that title.  
 Naval Works, Expenditure on, Insufficient amount;Irish Grievance  
 Qs. Mr. Flynn, Mar. 29, 239; Mr. Pretymann, 241.  
 Nenagh Urban Council;Mr. Patchell's Disqualification Report, etc.  
 Q. Mr. Kennedy; A. Mr. Atkinson, Apr. 22, 929.  
 Nurses;Trained Nurses for Workhouses, see title Workhouses.  
 O'Brien, Mr. J. P., Ex-political Prisoner,;Police Surveillances in London, etc.  
 Q. Mr. Nannetti; A. Mr. Ritchie, Apr. 26, 1455.  
 Omagh, see that title.  
 Ordnance Survey;Misdescription of Killeely Church  
 Q. Mr. London; A. Mr. Hanbury, Mar. 28, 83.  
 Parliamentary Voters;Disqualification, through Landlords, etc., failing to-fill  
 in Requisition Forms  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 10, 788.  
 Pawnbrokers;Returns from the City Marshal of Dublin, Presented, Apr. 22, 886;  
 Apr. 23, 1052.  
 Pembroke Urban Council;Irregularities in Accounts, Report of Auditor, etc.  
 Q. Mr. P. O'Brien; A. Mr. Wyndham. Mar. 29, 229.  
 Poor Law Officers Superannuation Bill, see that title.  
 Poor Law Officials' Superannuation Allowances in 1887;Probate Duty Grant  
 Q. Mr. Daly; A. Mr. Wyndham, Apr. 26, 1445.  
 Poor Rate Collector appointed prior to Local Government Act, 1898, carrying on  
 retail business, etc.  
 Q. Mr. K. O'Brien; A. Mr. Atkinson. Apr. 22, 928.  
 Portaroman Boat Slip, Erection of  
 Q. Mr. O'Doherty; A. Mr. Wyndham Mar. 29, 224.  
 Post Office, for collective heading, see that title.  
 Postmasters' Remuneration Grievance  
 Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Apr. 1, 372.  
 Poyntzpass, see that title.  
 Prisoners  
 Insane Prisoners, Maintenance of  
 Q. Mr. W. Redmond; A. Mr. Wyndham, Apr. 20, 1452.  
 (see also sub-heading Lunatics). (see also sub-headings, Names of Prisoners).  
 Railways;for collective heading, see that title.  
 Registration of Voters, Parliamentary and Local Government Electors;Expenses,  
 etc., Return ordered, Mar. 28, 43.  
 Roads  
 Direct Labour, Employment of, Provisional Order  
 Q. Mr. O'Shaughnessy; A. Mr. Wyndham, Apr.22, 925; Q. Mr. Tully, A. Mr. Wyndham,  
 Apr. 23,  
 1085.  
 see also title Roads.  
 Roman Catholic University, see sub heading University Education.

Roscommon Constabulary;County Inspector residing outside County, etc.  
 Q. Mr. Hayden; A. Wyndham, Mar. 29, 229.  
 Roxborough Road School Endowment;Amount of Money in the hands of Commissioners, etc.  
 Q. Mr. Joyce; A. Mr. Wyndham, Mar. 29, 225.  
 Sligo Land Commission Sitting;Number of Appeals, etc.  
 Q. Mr. Flynn; A. Mr. Wyndham, Apr. 1, 356.  
 Sneem Pier;Erection of Goods Store.  
 Q. Mr. Boland; A. Mr. Wyndham, Apr. 1, 354.  
 South African War Expenditure;Protest against Ireland contributing towards the War.  
 Debate on the Budget, Apr. 25, 1361, 1369.  
 State Purchase of Railways, see Railways.  
 Steam Trawling Bill;Date of Second Reading  
 Q. Mr. Power; A. Mr. Wyndham, Apr. 25, 1337.  
 Strabane Labourers' Cottages Scheme;Delays  
 Q. Mr. M'Fadden; A. Mr. Wyndham, Apr. 1, 364.  
 Sullivan, Serjeant J., Suspension of, etc.  
 Q. Mr. Dillon; A. Mr. Wyndham, Apr. 22, 921.  
 Surveyors, Assistant Surveyors, Qualifications, etc.  
 Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 29, 224.  
 Swine Importation to Wigtownshire;Proposed Removal of Restriction.  
 Q. Dr. Thompson; A. Mr. Hanbury, Apr. 26, 1441.  
 Taxation;Over Taxation, alleged  
 Debate on the Budget, Apr. 23, 1121; Apr. 25, 1404.  
 Tipperary, see that title.  
 Tobercurry, see that title.  
 Trinity College, see that title.  
 Truck Acts Prosecutions;Deane r. Boyle, Remittance of Fine  
 Q. Mr. Tennant; A. Mr. Atkinson. Apr. 26, 1453.  
 Unclaimed Balances in Joint Stock Banks Amounts of, etc.  
 Q. Mr. O'Shee; A. Mr. Wyndham. Apr. 22, 924.  
 University, Royal;Examination Certificates, providing Duplicates, etc.  
 Q. Sir T. Esmonde; A. Mr. Wyndham, Apr. 25, 1332.  
 University Education;Roman Catholic University Question  
 Commission;Constitution of, Terms of Reference, etc.  
 Belfast Methodist Council Resolution  
 Q. Mr. W. Johnston; A. Mr. A. J. Balfour, Apr. 25, 1339.  
 Names of Members and Terms of Reference  
 Q. Mr. P. O'Brien; A. Mr. A. J. Balfour, Apr. 23, 1089.  
 Roman Catholic Grievances, etc.  
 Qs. Mr. A. Hutton, Mr. W. Johnston; As. Mr. A. J. Balfour, Mar. 28, 87.  
 Petitions, Apr. 26, 1422.  
 Resolution (Mr. Roche), Apr. 22, 933.  
 Control of University;Roman Catholic Control, etc., 950, 966, 972, 988, 1001, 1010.

Irish Language Question, Attitude of Trinity College, 945, 950, 1002.  
Royal Commission; Constitution, Terms of Reference, etc., 934, 973, 978, 997, 1001, 1007, 1013, 1019.  
Royal University, Unsatisfactory System, 936, 961, 1005.  
Trinity College, Exclusion from Inquiry by Royal Commission, 940, 949, 978, 982, 997, 1001, 1019.  
Urban Councils, Irregularities in Accounts; Pembroke Council  
Q. Mr. P. O'Brien; A. Mr. Wyndham, Mar. 29, 229.  
Ventry's, Lord, Estate; Number of Future Tenancies, etc.  
Qs, Mr. J. O'Donnell, Mr. Flavin; As. Mr. Wyndham, Apr. 1, 361.  
Westmeath, Co., Cattle Breeding in; Premiums for thoroughbred Bulls  
Q. Mr. Kennedy; A. Mr. Wyndham, Apr. 19, 788.  
Wexford, see that title.  
Workhouse Infirmaries and Fever Hospitals  
Motion for Return (Lord Monteagle of Brandon), Apr. 26, 1417.  
Workhouses; for collective heading, see that title.  
Yeomanry, Imperial; Proposed Irish Regiments  
Q. Dr. Thompson; A. Mr. Brodrick Apr. 19, 782.  
Irish Guards  
Forage Cap, Unpopularity of; Proposed Removal to Dublin, etc.  
Q. Dr Thompson; A. Lord Stanley, Apr. 25, 1304.  
Irish History  
Teaching in National Schools  
Q. Mr. T. O'Donnell; A. Mr. Wyndham, Apr. 1, 357.  
Irish Language  
Trinity College; Attitude on the Irish Language Question  
Qs. Mr. Dillon, Apr. 22, 945; Col. Saunderson, 950; Mr. Boland, 1002.  
Irish Regiment, Royal  
Date of Disembodiment  
Q. Mr. P. O'Brien; A. Lord Stanley, Apr. 25, 1303.  
Iron and Steel Trade  
Foreign Competition; Export Duty on Coal, Effect of, etc.  
Furness, Sir C., on, Apr. 18, 707.  
United States; Order placed by Messrs. Harland and Wolff with Messrs. Carnegie, etc.  
Q. Mr. Field; A. Mr. G. Balfour, Apr. 23, 1075.  
Irrigation Schemes, India  
see India.  
Isle of Man  
Coal Shipped to; Export Duty, etc.  
Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 26, 1436.  
Isolation Hospitals Bill  
c. 2R., Apr. 1, 439.  
Petition, Apr. 24, 1181.  
Isolation Hospitals Bill  
Debate on Second Reading (Commons), Apr. 1, 439.

County Councils, etc., Powers of, 440, 442, 444.  
Hospital Committees, Creation and Powers, 440, 441, 443.  
Local Government Board, Increase of Powers over County Councils, 439, 441, 443.  
Italy  
British Recruiting for South African War, alleged  
Q. Mr. J. F. X. O'Brien; A. Mr. Brodrick, Apr. 2, 472.  
J  
Jam Industry  
Additional Duty on Sugar  
Debate on Budget Proposals, Apr. 18, 673, 677.  
Jamaica  
Direct Steamship Communication; Subsidy  
Qs. Mr. E. Cecil, Apr. 23, 1152; Sir E. Sassoon, 1156; Mr. G. Balfour, 1173.  
Jamaica Railway Debentures  
Income Tax Dispute  
Q. Mr. Bartley, Apr. 23, 1109.  
Jameson, Maj. J. E. [Clare, W.]  
Budget  
Motion for Adjournment of Debate, Apr. 18, 736.  
Spirit Duties, etc., Apr. 25, 1407.  
Business of the House; Tuesday Sittings, Appropriation for Government Business,  
Apr. 19, 818.  
Hog Island Channel; Wreck of Greek Brig, Danger to Navigation, etc., Apr. 22,  
914.  
Murrihy, Mrs., Remission of Sentence, Mar. 29, 228.  
Jameson Raid Indemnity  
British South Africa Company,  
Action of H.M. Government  
Q. Mr. Black; A. Mr. J. Chamberlain, Apr. 26, 1425.  
Making Claim available to meet Liabilities of Transvaal Government, etc.  
Q. Mr. Black; A. Mr. J. Chamberlain, Apr. 33, 1062.  
Papers relating to; Facilities for Examination at Colonial Office, proposed  
Q. Mr. A. Davies; A. Mr. J. Chamberlain, Apr. 26, 1425.  
Right of H.M. Government to claim Indemnity, etc.  
Q. Mr. A. Davies; A. Mr. J. Chamberlain, Apr. 1, 329; Apr. 22, 889.  
Transvaal Government, Debts due to; Exemption of Debtors  
Q. Mr. Black; A. Mr. J. Chamberlain, Apr. 25, 1287.  
Jansenville  
see South African War.  
Japan  
China, see that title.  
Jeffreys, Mr. A. F. [Hants, N.]  
Barracks; Furnishing Officers' Quarters, Mar. 28, 51.  
Cremation Bill, 2R., Apr. 1, 450.  
Parliamentary Elections (Mariners' Votes) Bill, 2R. Apr. 1, 461.  
Jessel, Capt. H. M. [St. Pancras, S.]

Marriage with a Deceased Wife's Sister Bill, 2R. Apr. 24, 1242.  
 Johnston, Mr. W. [Belfast, S.]  
 Budget; Whisky Tax, Apr. 25, 1373.  
 O'Brien, Mr. K.; Removal from Commission of the Peace for Tipperary, Mar. 28, 81.  
 University Education Commission Constitution of Commission, Apr. 25, 1339.  
 Roman Catholics at Maynooth College, etc., Mar. 28, 88.  
 Johnstone, Mr. J. H. [Sussex, Horsham]  
 Inland Revenue; Retirement in the Taxes Branch, Suspension of Order No. 10, etc., Mar. 28, 71.  
 Joint Committees of Inquiry  
 Peers determining when the Committee shall sit; Immemorial Usage of Parliament  
 Q. Mr. A. J. Balfour, Apr. 26, 1459.  
 Jones, Mr. D. B. [Swansea District]  
 Uganda Railway Construction, Mar. 28, 57.  
 Jordan, Mr. J. [Fermanagh, S.]  
 Poor Law Officers' Superannuation Bill, Pension Fund, supplementing by Public Grant, proposed, Apr. 26, 1445.  
 Joyce, District Inspector  
 Conviction of; Disqualifying for District Councillor  
 Q. Mr. Flavin; A. Mr. Wyndham, Mar. 29, 230.  
 Joyce, Mr. M. [Limerick]  
 "Orona," ss., Insufficient Manning, alleged, Mar. 28, 62.  
 Roxborough Road School Endowment, Mar. 29, 225.  
 South African War  
 M'Mahon, M.; Under-age Recruit, Insubordination, etc., Apr. 22, 901.  
 Powell, Private G.; Provision for Wife and Family, Apr. 22, 903.  
 Judges  
 Circuit Expenses, see Circuit System.  
 County Court Judges, see County Courts.  
 Jury Service  
 Volunteer Officers, Exemption of, proposed  
 Q. Col. Pryce-Jones; A. Lord Stanley, Apr. 25, 1300.  
 K  
 Kay-Shuttleworth, Rt. Hon. Sir U. [Lancashire, Clitheroe]  
 Navy Expenditure; Largest sum ever presented to Parliament, Mar. 29, 238  
 Kearley, Mr. H. E. [Devonport]  
 Brompton Cemetery, Purchase by the Government. Mar. 28, 70.  
 Budget Sugar Duty, Income Tax, etc., Apr. 18, 667, 731; Apr. 23, 1092, 1096.  
 Carrier Pigeons, Facilities for Training, etc., Mar. 29, 258.  
 Devonport  
 Docks, Widening, etc., suggested. Mar. 29, 242.  
 Dockyard Police; Extra Lodging Allowance, Mar. 29, 251.  
 Dock Police, Rescuing Persons from Drowning; Compensation to Police, Mar. 29, 253.  
 Marine Light Infantry, Royal; Promotion of Majors for Service in China, Apr. 26, 1433.

Marine Officers;Ineligibility to serve on Courts-Martial, Mar. 29, 270.  
Naval Officers;Study of Foreign Languages, Mar. 29, 257.  
Pensions to Widows and Orphans of Soldiers who have fallen in South Africa,  
Government Scheme;Men Married Off the Strength, etc.,  
Mar. 29, 277, 284.  
Reservists' Families, Provision for, Mar. 28, 50.  
Ride Range for Marines at Plymouth, Mar. 29, 242.  
Sugar Duty, Apr. 23, 1069, 1070; Apr. 25, 1315.  
War Relief Funds Joint Committee, Date of First Sitting, Apr. 26, 1459.  
Warrant Officers;South African War and Chinese Campaign Decorations, Mar. 29,  
246.  
Kelvedon, Tiptree, and Tollesbury Light Railway  
Order Presented, Mar. 29, 199, 211.  
Kennedy, Mr. P. J. [Westmeath, N.]  
Cattle Breeding in Co. Westmeath;Premiums for Thoroughbred Bulls, Apr. 19, 788.  
Nenagh Urban Council;Mr. Patchell's Disqualification Report, Apr. 22, 929.  
Kenyon, Mr. G. T. [Denbigh]  
Christ's Hospital, Sale of Site;Sanction of Charity Commissioners, etc., Mar.  
28, 68.  
Gorst's, Sir J., Address to School Inspectors, Mar. 28, 69.  
Kenyon-Slaney, Col. W. [Shropshire, Newport]  
Cremation Bill, 2R., Apr. 1, 452.  
Kerr, Trooper J.  
Allotment to Wife;Non-payment  
Q. Mr. Caine; A. Lord Stanley, Apr. 25, 1298.  
Kerry  
Congested Districts, Expenditure on;Moving Bog at Gneeveguilla  
Qs. Mr. Murphy, Mr. Flynn; As. Mr. Wyndham, Apr. 25, 1330.  
Evicted Farms, Number of;Police Protection, etc.  
Q. Mr. Murphy; A. Mr. Wyndham, Apr. 22, 927.  
Kew Gardens  
Labourers;Reduction of Hours of Labour, Overtime Pay, etc.  
Q. Mr. Yoxall; A. Mr. A. Douglas, Mar. 28, 70.  
Khorat  
Railway Contract, Cancellation of;Compensation from Siamese Government  
Q. Sir C. Dilke; A. Visc. Cranborne, Apr. 23, 1068.  
Killarney  
Quarter Sessions;Presenting Chairman with White Gloves, Police Interference with  
United Irish League Meetings, etc.  
Q. Mr. Murphy; A. Mr. Wyndham, Apr. 22, 923.  
Kilteely Church  
Misdescription on Ordnance Survey Map  
Q. Mr. London; A. Mr. Hanbury, Mar. 28, 83.  
King, Sir H. S. [Hull, Central]  
Budget-Tea Duty, Apr. 25, 1355.  
India



Public Works Department;Civil Engineers' Memorials, Apr. 1, 341.  
 Staff Corps;Promotion Grievance, Apr. 1, 340.  
 King Edward VII.  
 Accession  
 Notification to Foreign Powers Constantinople, Mission to;Ministerial  
 Responsibility for Message  
 Q. Mr. S. MacNeill; A. Mr. A. J. Balfour, Apr. 26, 1460.  
 Number of Missions, Cost, etc.  
 Q. Mr. Lough; A. Visc. Cranborne, Apr. 22, 910.  
 Proclamation at Limerick;Guard of Honour, etc.  
 Q. Mr. Lunden; A. Mr. Wyndham, Apr. 23, 1085.  
 Edinburgh, Holding Court at, proposed  
 Q. Mr. T. Dewar; A. Mr. A. J. Balfour, Apr. 25, 1341.  
 King's Title in Scotland;Summonses, etc., running in the name of Edward VII.  
 Q. Mr. Black; A. Mr. A. G. Murray, Mar. 28, 76.  
 Roman Catholicism, Declaration against (see Roman Catholicism).  
 King Harman Estate  
 Gill's, John, Tenancy;Application for Advance  
 Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 26, 1448.  
 King's Bench  
 Divisional Court Arrears  
 Q. Major Rasch; A. Sir R. Finlay, Apr. 1, 353.  
 King's Norton and Northfield Urban District Tramways Bill  
 I. Report from Select Committee, Mar. 28, 2.  
 3R.\* Apr. 25, 1253.  
 c. 1R.\* Apr. 26, 1421.  
 Kingscourt, Keady, and Armagh Railway Bill  
 c. 2R. Apr. 19, 745.  
 Board of Trade Report Presented, Apr. 18, 596.  
 Korea  
 Brown, Mr. M., Director-General of Customs;Dismissal  
 Qs. Mr. Flavin, M. J. Walton; As. Visc. Cranborne, Mar. 28, 56.  
 Japan Protectorate  
 Q. Sir E. Ashmead-Bartlett, Apr. 2, 576.  
 L  
 Labouchere, Mr. H. [Northampton]  
 Ashanti and Cape Coast Colony;Native Labour Laws, Return, Mar. 28, 52.  
 Attorney-General's Advice to Ministers, Apr. 26, 1474, 1480.  
 Budget;Loan Resolution, Apr. 19, 865.  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 142.  
 Demise of the Crown;Re-appointment of Ministers, Mar. 29, 218.  
 Question of Privilege, "Strangers" Present, Apr. 1, 376.  
 Demise of the Crown Bill, 2R., Apr. 1, 382, 386, 387, 401.  
 Incorporated Law Society, Work of the Committee inquiring into Charges against  
 Solicitors, Apr. 26, 1559, 1560.  
 Law Officers of the Crown;Salaries and Fees, System of Payment, etc., Apr. 26,

1480, 1502.

Sheriffs;Expenses incurred in connection with Judges on account, Apr. 26, 1542.

South African War

Colonial Contingents;Expenditure, Number of Troops supplied, etc. Apr. 25, 1294.

Peace Negotiations;Terms of the British Government, Attack on the Policy of the War, etc., Mar. 28, 142.

"Victoria and Albert" Yacht;Total Cost, Mar. 28, 51.

Labour Legislation

Shortening Easter Recess proposed;Sir C. Dilke's Amendment to Mr. A. J.

Balfour's Motion, Apr. 2, 495.

Labourers

Ireland;Prizes for Industry, proposed

Q. Mr. Power; A. Mr. Wyndham, Apr. 22, 925.

Labourers' Cottages, Ireland

Carlow;Postponement of Inquiry, etc.

Q. Mr. J. O'Connor; Mr. Wyndham, Apr. 1, 354.

District Councillors Occupying, Disqualification Question, see Ireland;District Councillors.

Ennis Urban Council Scheme;Delays

Q. Mr. W. Redmond; A. Mr. Wyndham, Apr. 25, 1331.

Granard Union, see that title.

Rejection of Applications, Loss Incurred by Rural District Councils;Rejections in Granard Union

Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 22, 922.

Strabane Rural Districts Scheme;Delays

Q. Mr. M-Fadden; A. Mr. Wyndham, Apr. 1, 364.

Ladies' Gallery

Fan Ventilation proposed

Q. Mr. Weir; A. Mr. A. Douglas, Apr. 25, 1328.

Lambert, Mr. G. [Devon, S. Molton]

Army Annual Bill, Com., Apr. 22, 1033, 1040.

Bruce Grove Post Office;Provision of Change, Apr. 23, 1076.

Local Taxation;Royal Commission, Date of issuing Report, Apr. 23, 1089; Apr. 25, 1341.

Militia;Annual Training, etc., Apr. 19, 782.

Naval Officers' Education;Study of Foreign Languages, Mar. 29, 259.

Navy;Charitable and Religious Institutions and Ministers of Religion, Grants to, Mar. 29, 259, 263, 264.

South African War

Boer Forces, Strength of, Mar. 28, 48.

Cape Town, Defence of;Erection of Forts, Mar. 28, 47.

Cattle;Disposal of captured cattle, Apr. 19, 777.

Cost of the War;Average weekly cost, Apr. 23, 1064.

Inquiry into Conduct of the War, Mar. 28, 45.

Lancashire and Yorkshire Railway

Pontefract Locomotive Explosion, see Pontefract.

Lancashire and Yorkshire Railway (Dearne Valley Junction Railways) Bill  
c, 2R.\* Apr. 18, 589.  
Lancashire and Yorkshire Railway (Various Powers) Bill  
c, 2R.\* Apr. 18, 589.  
Land Act, 1896  
Fortieth Section, Applying to Estates;Serving Notice on Tenants, etc.  
Q. Mr. Ffrench; A. Mr. Atkinson, Mar. 29, 231.  
Land Commission, Ireland  
Advances for purchase of Crass Farms;Conditions  
Q. Col. Nolan; A. Mr. Atkinson, Apr. 26, 1455.  
Apjohn's Estate;Sale to Tenants  
Q. Mr. Lundo; A. Mr. Wyndham, Mar. 29, 226.  
Burgh's, Lady de, Estate;Sale of Land to Tenants  
Q. Mr. Lundo; A. Mr. Wyndham. Mar. 29, 227.  
Butler Estate;Delay in Sale  
Q. Mr. W. Redmond; A. Mr. Wyndham, Apr. 23, 1081.  
Claremorris Union;Owen Coyne's Holding, Revaluation, etc.  
Q. Mr. O'Donnell; A. Mr. Wyndham, Apr. 2, 486.  
Finlay's Estate, see that title.  
Hamilton Synge Estate, Armagh;Fair Rent Applications, Delays, etc.  
Q. Mr. J. Campbell; A. Mr. Wyndham, Mar. 29, 232.  
Judicial Rents;Return for duly and August, 1900, Presented, Apr. 22, 886; Apr.  
23, 1051.  
King-Harman Estate;J. Gill's Tenancy, Application for Advance, etc.  
Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 26, 1448.  
Names, Remuneration, etc., of Com-missioners;Return  
Q. Mr. J. O'Donnell; A. Mr. Wyndham, Apr. 2, 486.  
Return of Proceedings during December 1900, Presented, Apr. 26, 1424.  
Sligo, Number of Appeals, etc.  
Q. Mr. Flynn; A. Mr. Wyndham, Apr. 1, 356.  
Land Judges' Court, Ireland  
Delays in carrying out Sales, Mr. Justice Ross' Comments;Return proposed  
Qs. Mr. Ffrench, Mr. Flavin; As. Mr. Atkinson, Apr. 1, 368.  
Land Purchase, Ireland  
see Ireland.  
Land Purchase (Ireland) Bill  
State of Government Business  
Qs. Mr. J. Redmond, Mr. Leamy, Apr. 2, 504, 506.  
Land Tax  
Commissioners' Meetings;Sending Notice by Post to each Commissioner proposed  
Q. Mr. H. Lewis; A. Mr. A. Chamberlain, Apr. 25, 1326.  
Land Tax Commissioners' Names Bill  
Qs. Mr. H. Lewis, Mr. Channing; As. Mr. A. J. Balfour, Apr. 19, 790.  
Land Transfer Act, 1897  
Compulsory Clauses, Application to City of London, Postponement  
Q. Mr. W. F. D. Smith; A. Sir R. Finlay, Apr. 26, 1442.

## Land Values

Taxing;References to, in Debate on the Budget, Apr. 18, 671, 714.

Lansdowne, Marquess of;Secretary of State for Foreign Affairs

China, Situation in;British Policy, etc., Statement, Mar. 28, 15

## Law Courts

Arrears of Business

Appeal Court

Qs. Sir E. Reid, Apr. 26, 1462; Sir R. Finlay, 1465; Mr. Asquith, 1467.

King's Bench Divisional Court

Q. Major Rasch; A. Sir R. Finlay, Apr. 1, 353.

Court of Chancery Funds;Amount of unclaimed Funds

Q. Mr. Yoxall; A. Sir M. H. Beach, Apr. 22, 912.

Law Officers of the Crown

Salaries and Fees;Debate on the Estimates, Apr. 26, 1462.

Law Officers' Department, see Treasury.

Lawrence, Mr. W. F. [Liverpool, Aber-cromby)

Foreign Shipping Bounties, Apr. 1,343.

India;Sugar Bounties, Countervailing Duties Act, Apr. 1, 342.

Lawson, Mr. J. G.;Secretary to the Local Government Board [York, N.R., Thirsk]

Isolation Hospitals Bill, 2R., Apr. 1, 445.

Leicester Vaccination Prosecutions, Apr. 2, 479.

Pontefract Locomotive Explosion, Apr. 2, 480.

Teachers, Dismissal of;Bight of Appeal, Mar 29, 221.

Lead Poisoning

Number of Cases, etc.;Return Presented, Apr. 18, 595.

Special Rules Presented, Mar. 28, 6.

Leamy, Mr. E. [Kildare, N.]

Irish Legislation;Shortening Easter Recess proposed, Apr. 2, 506.

Leatherhead Gas Bill

c. Report,\* Apr. 2, 467.

Con.\* Apr. 22, 883,

3R.\* Apr. 25, 1282.

l. 1R.\* Apr. 26, 1415.

Ledbury

Chambers, W., ex-Postman;Bonus

Q. Mr. J. O'Connor; A. Mr. A. Chamberlain, Apr. 22, 920.

Lee, ex-Private

Ill-treatment at Netley Hospital, alleged

Q. Mr. J. P. Farrell; A. Mr. Brodrick, Apr. 25, 1297.

Lee, Mr. Arthur [Hants, Fareham]

South African War;Conduct of the War, etc., Apr. 2, 521.

Leicester

Vaccination Prosecutions

Q. Sir J. Rolleston A. Mr. G. Law-son, Apr. 2, 478.

Leinster Regiment

Date of Disembodiment

Q. Mr. Delany; A. Lord Stanley, Apr. 1, 337.  
 Leith  
 Gold, Discovery of, etc.  
 Q. Mr. J. Wilson; A. Sir M. H. Beach, Apr. 25, 1314.  
 Leng, Sir J. [Dundee]  
 China;Tientsin, Anglo-Russian Dispute, Mar. 28, 53.  
 East India Railway, Insufficiency of Rolling Stock;Bengal Coal Industry,. Mar.  
 29, 216.  
 Fastnet Rock;Reporting Station, Apr. 22, 914.  
 Peace Negotiations with Gen. Botha;Superseding Sir A. Milner in future  
 negotiations, suggested, Mar. 28, 45.  
 War Office and Inventions, Apr. 18, 602.  
 Leslie v. Justices of Monaghan  
 see Ireland.  
 Level Crossings  
 Poyntzpass;Construction of footbridge-proposed  
 Q. Mr. J. Campbell; A. Mr. G. Balfour, Mar. 29, 234.  
 Leveson-Gower, Mr. F. S. [Sutherland]  
 Tarbat Ness and Ord of Caithness Fisheries;Fishery Cruiser patrolling Waters,  
 etc., Mar. 28, 76.  
 Levy, Mr. M. [Leicestershire, Loughborough] Disabled Soldiers, Pensions for,  
 Mar. 29, 280, 283.  
 Groves, Private S., Case of, Apr. 23, 1065, Woolley, Private, Apr. 1, 336.  
 Lewis, Mr. H. [Flint Boroughs]  
 Budget  
 Income Tax, Apr. 23, 1124.  
 Loan Resolution, Apr. 19, 865.  
 Tea Duty, Apr. 25, 1358, 1377.  
 Coal, New Duty;Agricultural Land Bating Act, non-renewal proposed, Apr. 23,  
 1071.  
 Easter Recess, Shortening the Holidays;Coal Mines (Employment) Bill, Apr. 2,  
 499.  
 Forestry;Government Instruction, Apr. 23, 1075.  
 Inebriate Reformatories;Number of Persons committed under Act of 1898, Apr. 18,  
 606.  
 Land Tax Commissioners' Meetings, sending notice by post to each Commissioner  
 proposed, Apr. 25, 1326, 1327.  
 Land Tax Commissioners' Names Bill, Apr. 19, 790.  
 Law Officers of the Crown;Salaries and Fees, System of Payment, etc., Apr. 26,  
 1504.  
 Mark IV. Ammunition;Date of Contract, etc., Mar. 29, 215.  
 Navy  
 Carrier Pigeons-Training Facilities, Mar. 29, 263.  
 Officers;Foreign Languages, Study of, Mar. 29, 264.  
 Sailors' Homes, etc.;Inadequate Contributions, Mar. 29, 257.  
 Wireless Telegraphy Experiments, Mar. 29, 257.

Patent Laws, Mar. 28, 65.  
 Peterhead Harbour Works; Total Expenditure, Date of Completion, etc., Apr. 26, 1433.  
 Questions in the House; Filing Answers in the Library proposed, Apr. 2, 493.  
 Railway and Canal Commission, Administration; Irish Cases Settled in London, etc., Apr. 26, 1548, 1549, 1552.  
 South African War  
 Field Allowances, Apr. 1, 334.  
 Laws of Warfare; Hague Conference, Mar. 28, 45.  
 Meat Contracts; Supply of Frozen Meat, Apr. 23, 1065.  
 West African Regiment at Coomassie; Desertions, Apr. 1, 343.  
 Liberal Party  
 Unity, So-called; South African War Chamberlain, Mr. J., on, Mar. 28, 126.  
 Q. Mr. Haldane, 139.  
 Libraries  
 National Library, Ireland, see Dublin.  
 Licensing Acts Amendment (Scotland) Bill  
 Petition, Apr. 23, 1060.  
 Licensing, Sale of Intoxicating Liquors  
 Petition for alteration of Law, Mar. 28, 40.  
 Light Railways  
 see Railways.  
 Light Railways Bill  
 c. Intro, and 1R.\* Apr. 1, 379.  
 Light Railways Bill  
 Debate on Introduction (Commons), Apr. 1, 379.  
 Advances of Money, Increase of sum available, Return of Special Grants, 379.  
 Salaries, Increase, 379.  
 Lights Board, Ireland  
 see Ireland.  
 Lights and Lighthouses  
 Fastnet Rock, Proposed Reporting Station.  
 Q. Sir J. Leng; A. Mr. G. Balfour, Apr. 22, 914.  
 Limerick  
 King's Accession, Proclamation of; Guard of honour, etc.  
 Q. Mr. Landon; A. Mr. Wyndham, Apr. 23, 1085.  
 Roxborough Road School Endowment; Amount in the hands of Commissioners, etc.  
 Q. Mr. Joyce; A. Mr. Wyndham, Mar. 29, 225.  
 Lindley  
 see South African War.  
 Liquor Traffic Local Veto (Scotland) Bill  
 Petitions, Apr. 19, 769.  
 Liquor Traffic and Liquor Licensing Laws  
 Brewers' Licences, etc.; Return Ordered Mar. 28, 43; Presented, Mar. 29, 211.  
 Ecclesiastical Commissioners' Estates; Number of Licenses suppressed, Return ordered, Apr. 22, 888.

Ireland; Leslie v. Justices of Monaghan, see Ireland.  
Licensing Laws, Amendment of; Date of introducing Bill  
Q. Sir W. Houldsworth; A. Mr. Ritchie, Apr. 22, 913.  
Liquor Reform Bills, see their titles.  
Refusal of Licences during 1900; Return Ordered, Apr. 22, 889; Apr. 24, 1184.  
Lisburn  
Small-pox Outbreak; Precautionary Measures  
Qs. Mr. Daly, Mr. Bartley; As. Mr. Wyndham. Apr. 26, 1451.  
Lisnanagh, Longford Co.  
Land Disturbances, alleged  
Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 23, 1079.  
Lithuania  
Trade Report Presented, Apr. 26, 1416.  
Liverpool Corporation Act, 1898  
Child Hawkers; Licences proposed  
Q. Mr. C. Smith; A. Mr. Ritchie, Apr. 25, 1317.  
Lloyd-George, Mr. D. [Carnarvon, etc.]  
Director of Public Prosecutions, Offices held by; Duties with reference to  
Election Petitions, etc., Apr. 26, 1526.  
Law Officers of the Crown; Salaries and Fees, System of Payment, etc., Apr. 26,  
1492, 1494.  
Peace Negotiations with General Botha, Mar. 29, 214.  
Sheriffs; Expenses incurred in connection with Judges on Circuit, Apr. 26, 1538.  
Standing Orders; New Standing Order. Petitions against River Conservancy Bills,  
Apr. 2, 466.  
Loan  
Budget Loan, see Budget.  
Loan Fund Board  
Ireland; Annual Report Presented, Apr. 18, 596.  
Loans  
Foreign Countries, see their names.  
Local Authorities' Officers' Superannuation Bill  
Petitions Apr. 1, 324; Apr. 2, 469; Apr. 18, 591; Apr. 19, 769; Apr. 22, 884;  
Apr. 23, 1060; Apr.  
24, 1182; Apr. 25, 1284; Apr. 26, 1421.  
Local Government Act (1888) Amendment Bill  
c. 1R\* Apr. 23, 1094.  
Local Government Board  
President; Rt. Hon. W. H. Long.  
Parliamentary Secretary; Mr. J. G. Lawson.  
Local Government Board, Ireland  
see Ireland.  
Local Government (Ireland) Provisional Order (No. 1) Bill  
c. 1R.\* Apr. 1, 322.  
2R.\* Apr. 23, 1057.  
Local Government Provisional Orders (No. 1) Bill

c. 1R.\* Mar. 28, 38.  
2R.\* Apr. 22, 884.  
Local Government Provisional Orders (No. 2) Bill  
c. 1R.\* Apr. 2, 467.  
2R.\* Apr. 23, 1057.  
Local Government Provisional Orders (No. 3) Bill  
c. 1R.\* Apr. 19, 767.  
Local Government Provisional Orders (Poor Law) Bill  
c. 1R.\* Mar. 28, 39.  
2R.\* Apr. 22, 884.  
Local Government (Scotland) Act (1894) Amendment Bill  
Petition, Apr. 23, 1060; Apr. 25, 1284.  
Local Taxation  
Ireland, see titles Lunatic Asylums and Poor Law Superannuation Bill.  
London Government  
Equalisation of Rates, Government Pledges  
Q. Capt. Norton; A. Mr. A. J. Balfour, Apr. 25, 1340.  
Royal Commission; Date of issuing Report  
Qs. Mr. Lambert. Sir H. Fowler; As. Mr. A. J. Balfour, Apr. 23, 1089; Apr. 25, 1341.  
Local Taxation Account  
Ireland, see that title.  
Local Taxation Fund  
Death Duties; Budget Statement, Apr. 18, 619.  
Lockers  
Members of Parliament, providing with lookers  
Q. Mr. T. O'Donnell; A. Mr. A. Douglas, Apr. 26, 1442.  
Lockwood. Col. A. [Essex, Epping]  
Great Eastern Railway Bill, Con., Apr. 25, 1263.  
Locomotive Explosion, Pontefract  
see Pontefract.  
London Bridge Widening Bill  
c. Con.\* Apr. 18, 589.  
3R.\* Apr. 22, 883.  
l. 1R.\* Apr. 23, 1051.  
London Charitable Endowments  
Further Return Presented, Apr. 19, 772; Apr. 22, 886.  
London County Council  
Tottenham Housing Scheme; Relief for ratepayers out of Public Funds, proposed  
Q. Mr. J. Howard; A. Mr. Long, Apr. 23, 1073.  
London County Council (General Powers) Bill  
Petition for additional Provision, Apr. 18, 590.  
London County Council (Money) Bill  
c. 1R.\* Apr. 22, 883.  
London Government  
Equalisation of Rates; Government Pledges



Q. Capt. Norton; A. Mr. A. J. Bal-four, Apr. 25, 1340.  
 London School Board  
 Blakesley Street Site; Re-housing of displaced persons  
 Q. Mr. T. Dewar; A. Sir J. Gorst, Apr. 1, 351.  
 Higher Elementary Education and the Cockerton Judgment, see Education.  
 School Accommodation, Deficiencies in; Basis of Calculation  
 Q. Mr. Talbot; A. Sir J. Gorst, Mar. 28, 69.  
 London, Ti bury, and Southend Railway Bill.  
 c. Con.\* Apr. 18, 589.  
 3R.\* Apr. 22, 883.  
 l. 1R.\* Apr. 23, 1051.  
 London Water Supply  
 Government Proposals, Placing before the House  
 Q. Dr. Macnamara; A. Mr. Long. Mar. 28, 68.  
 London and India Docks (New Works) Bill  
 c. 2R.\* Apr. 26, 1420.  
 Londonderry  
 Derry Central Railway; Sale of, to Belfast and Northern Counties Railway Co.,  
 Total Sum due to Government, etc.  
 Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Mar. 28, 86.  
 Ladysmith Rejoicings; Discharge of Explosives, etc.  
 Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 28, 77.  
 Post Office Examinations for Clerkships, etc.  
 Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Mar. 28, 84.  
 Postmastership; Filling Vacant Appointment  
 Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Apr. 1, 373.  
 Loney, Sergeant  
 Mafeking Siege; Theft of Government Food Stuffs, Proposed Mitigation of Sentence  
 Q. Mr. J. Campbell; A. Mr. Brod-rick, Mar. 29, 214.  
 Long, Rt. Hon. W. H.; President of Local Government Board [Bristol, S.]  
 Census Returns  
 Hotels; Filling up Returns from Hotel Registers, Mar. 29, 219.  
 Overcrowding in East London; Number of one to six-roomed Tenements, tc, Apr. 22,  
 916.  
 Death Certificates; Case of Lily Graves' Apr. 22, 916.  
 Food Adulteration; Prosecutions under Public Health Act, 1875, Apr. 23, 1072  
 Housing of the Working Classes  
 Loan Repayments, Mar. 29, 220.  
 London County Council's Tottenham Housing Schemes, Apr. 23, 1073, 1074.  
 Isolation Hospitals Bill, 2R., Apr. 1, 441.  
 London Water Supply; Government Proposals, Mar. 28, 66.  
 Medical Officers of Health; Number in England and Wales, etc., Apr. 23, 1073.  
 Nuisances, Inspectors of; Power of Local Government Board to refuse to sanction  
 Appointments, etc., Apr. 1, 349.  
 Pauper Children  
 Metropolitan Workhouses and Infirmaryes, Apr. 25, 1320.

Villages, Erection of;Expenditure, Apr. 25, 1320.  
Plague in Cape Colony;Precautionary Measures, etc., Apr. 25, 1289.  
Poor Law Officers' Superannuation Amount of Contributions paid by Officers in 1877, Apr. 25, 1322.  
Allowances in 1895, etc., Apr. 22, 917.  
Poor Law Schools in the Metropolis;Erection of additional Buildings, Expenditure, etc., Apr. 25, 1320.  
Tuberculosis Regulations, Apr. 25, 1321.  
Long Eaton Gas Bill  
c. Report,\* Apr. 25, 1281.  
Longford  
Board of Guardians;Surcharge for Burial of Paupers  
Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 23, 1080.  
Land Disturbances at Lisnanagh, alleged  
Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 23, 1079.  
Lonsdale, Mr. J. B. [Armagh, Mid]  
Armagh Workhouse;Appointment of Trained Nurse, etc., Apr. 2, 488.  
Kingscourt, Keady, and Armagh Railway  
Bill, 2R., Apr. 19, 745.  
Lord Advocate for Scotland  
Rt. Hon. A. G. Murray.  
Lord Chancellor  
Earl of Halsbury.  
Lord Chancellor of Ireland  
Lord Ashbourne.  
Lord Chief Justice of England  
Baron Alverstone.  
Lord Lieutenant of Ireland  
Earl Cadogan.  
Lough, Mr. T. [Islington, W.]  
Ashanti;West African Regiment at Coormassie, Desertions, Apr. 1, 342.  
Budget  
Loan Resolution;Contributions from the Transvaal towards Cost of the War, etc., Apr. 19, 863, 867.  
Procedure, Apr. 18, 727.  
Sugar Duty, etc., Apr. 18, 727.  
Tea Duty;Protest against Taxation of Ireland, Apr. 25, 1369, 1394.  
Education;Cockerton Judgement;Government Proposals, Apr. 26, 1457.  
King's Accession, Announcement of;Special Missions to Foreign Courts, Apr. 22, 910.  
Post Office;Faweett Association and Refreshment Committee Electioneering Manifestoes, Mar. 28, 75.  
Railway and Canal Commission Administration, Apr. 26, 1545, 1547, 1550.  
Lough Neagh  
Floods;Drainage Works, proposed  
Q. Mr. Murnaghan; A. Mr. Wyndham, Apr. 25, 1335.

Lowther, Rt. Hon. James [Kent, Thanet]  
 Budget;Income Tax, Apr. 23, 1094.  
 Demise of the Crown Bill, 2R., Apr. 1, 410.  
 Easter Recess, Shortening the Holidays;Coal Mines (Employment) Bill, Apr. 2, 499.  
 Lowther, Rt. Hon. J.W.;Chairman of Committees [Cumberland, Penrith]  
 Budget  
 Procedure as to taking Resolutions, Apr. 18, 731.  
 Resolutions in Committee of Ways and Means, General Discussion on Resolutions, Apr. 23, 1097.  
 Deputy Speaker, Rulings as  
 Demise of the Crown, Vacation of Office;Question of Privilege, "Strangers Present," Apr. 1, 376, 378.  
 Division;Challenging, Apr. 1, 419, 420.  
 Motion for adjournment of the House;Abuse of the Rules of the House, Apr. 1, 460.  
 Withdrawal of Members;Demise of the Crown Bill, Apr. 1, 382.  
 Great Eastern Railway Bill, Con., Apr. 25, 1275, 1276.  
 Irregular Discussion, Mar. 29, 300.  
 Irrelevant Observations  
 Committee of Ways and Means, Apr. 19, 856, 858, 863; Apr. 23, 1095, 1103, 1123, 1124; Apr. 25, 1380, 1389, 1390, 1391.  
 Committee of Supply, Mar. 29, 279&#x2013;289, 290; Apr. 26, 1473, 1474.  
 Challenging Advice given to-Ministers by Law Officers of the Crown on the Attorney-General's Salary, Mar. 29, 1473, 1474, 1475, 1476, 1477.  
 Schedule to Army (Annual) Bill;Motion to Omit Schedule, Apr. 22, 1044.  
 Standing Orders, New Standing Order;Petitions against River Conservancy Bills, Apr. 2, 465.  
 Loyd, Mr. A. K. [Berks, Abingdon]  
 Corn Returns, Mar. 28, 66, 67.  
 Lucas, Mr. R. [Portsmouth]  
 Roman Catholic Disabilities Removal Bill;Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 315.  
 Lunatic Asylums, Ireland  
 Dundrum;Tradesmen Attendants, Hours of Labour, etc.  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 26, 1444.  
 Grants-in-aid and Local Taxation Account  
 Qs. Mr. Lundon, Mr. Flynn; As. Mr. Wyndham, Mar. 29, 226; Qs. Mr. Gilhooly, Mr. Cogan; As. Mr. Wyndham, Apr. 1, 858.  
 Lunatics, Ireland  
 Criminal Lunatics;Cose of Maintenance  
 Q. Mr. Gilhooly; A. Mr. Wyndham. Apr. 1, 357; Q. Mr. W. Redmond; A. Mr. Wyndham,

Apr. 26,  
 1452.  
 London, Mr. W. (Limerick, E.)  
 Apjohn's Estate, sale to Tenants, Mar. 29, 226.  
 Burgh's, Lady de, Estate;Sale of Land to Tenants, Mar. 29, 237.  
 Constabulary, Royal Irish;Musketry Instruction in England, Apr. 19, 790.  
 Income Tax Collectors' Pensions;Case of F. Score, Mar. 28, 78.  
 King's Accession, Proclamation at Limerick, Guard of Honour, etc., Apr. 23,  
 1085.  
 Local Taxation Account;Supplementary Vote for Grant-in-aid wrongfully paid in  
 1898, etc., Mar. 29, 226.  
 Ordnance Survey;Revision Maps, Mis-description of Killeely Church, Mar. 28, 83.  
 M  
 Macartney, Mr. W. E. [Antrim, S.]  
 Cattle Exportation to Argentine Republic;Relaxation of Prohibition, Apr. 18,  
 607.  
 University Education, Ireland;Roman Catholic University Question, Apr. 22, 988,  
 1007, 1009.  
 Macdona, Mr. J. C. [Southwark, Rother-hithe]  
 Peking, Plans of, Distribution among Members, Apr. 22, 909.  
 Roman Catholic Disabilities Removal Bill;Motion for Adjournment of the House,  
 after Supply had been Disposed of, Mar. 29,  
 318.  
 MacIver, Mr. D. [Liverpool, Kirkdale]  
 Budget;Income Tax, Apr. 24, 1112.  
 Macnamara, Mr. T. J. [Camberwell, N.]  
 Budget;Income Tax, Apr. 23, 1106.  
 Education  
 Cockerton Judgment;Government Proposals, etc., Apr. 2, 492; Apr. 23, 1088; Apr.  
 26, 1456, 1457.  
 Code;Business of the House, Apr. 2, 507.  
 Higher Elementary Schools  
 Minute of Code, etc., Apr. 1, 374, Apr. 3, 492.  
 School Board Establishing out of School Funds, Apr. 19, 787; Apr. 23, 1087.  
 Housing of the Working Classes;Loan Repayments, Mar. 29, 220.  
 London Water Supply;Government Proposals, Mar. 28, 68.  
 MacNeill. Mr. S. [Donegal, S.]  
 Attorney-General's Advice as to King's Declaration against Roman Catholicism,  
 Apr. 26, 1472, 1474, 1475, 1476, 1502.  
 Cape Colony, Plague in;Statistics, Weekly Returns, etc., Apr. 25, 1288, 1289.  
 China, Command of Allied Forces;Correspondence, Apr. 23, 1067.  
 Inniskilling Fusiliers, 5th Battalion;Date of Disembodiment, etc., Apr. 25,  
 1300.  
 King's Accession, Announcement of;Mission to Constantinople, Apr. 26, 1460.  
 Maltese Law Courts and the English Language Question, Apr. 25, 1305.  
 Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1215.

Merriman, Mr., Letter of Mar. 11, 1898, Publication of  
 Debate in Cape House of Assembly, Apr. 22, 890.  
 Post Office Inquiry, Apr. 23, 1063, 1064.  
 South African Hospitals Commission, Publication of Report; Question ruled out of  
 Order, Apr. 19, 791.  
 South African Land Settlement Commission; Report, Date of Issue, Apr. 22, 894.  
 South African War  
 Boer Prisoners; Proposed Deportation to Tasmania, Apr. 22, 891, 892.  
 Canadian Contingent; South African Constabulary, Enlistment in, Raid on Ottawa  
 Hotel, Apr. 25, 1295.  
 Courts of Inquiry; Granting Officers Trial by Court-Martial, Apr. 23, 1066.  
 Household Brigade, Return of, Apr. 19, 779.  
 Lindley Disaster; Lord Roberta's Despatch, Apr. 26, 1428.  
 Methuen's, Lord, Illness, Apr. 19, 773.  
 Press Censors and False News; Death of Dr. Walker at Modderfontein, Apr. 22, 899.  
 Return of Troops in September and October, 1900, etc., Apr. 19, 779.  
 Roberta's, Lord, Telegrams; Publication proposed, Apr. 23, 1064.  
 Sanna's Post Disaster; Report of Artillery Officer in Charge of Guns, Apr. 26,  
 1429.  
 Surrender of British Troops; Army Order of Apr. 11, Lindley Surrender, etc., Apr.  
 19, 772, 773,  
 Yeomanry, Imperial; Period of Service, etc., Apr. 22, 898; Apr. 25, 1296.  
 Villiers, Sir H. de, Correspondence with Sir A. Milner, Publication of, Apr. 26,  
 1427.  
 Mafeking  
 see South African War.  
 Magistrates and Justices of the Peace  
 Ireland  
 Donegal Co., Appointment of Mr. Shiels, etc.  
 Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 28, 80.  
 O'Brien, Mr. K., Removal from Commission of the Peace, etc.  
 Qs. Mr. Cullinan, Mr. Johnston; As. Mr. Wyndham, Mar. 28, 80.  
 Roman Catholic Magistrates; Number compared with Protestant Magistrates; Armagh  
 County  
 Q. Mr. J. Campbell; A. Mr. Wyndham, Mar. 29, 232; Apr. 25, 1336.  
 Mahmoud  
 Dervish Leader; Imprisonment  
 Q. Mr. W. Redmond; A. Visc. Cranborne, Apr. 25, 1308.  
 Maidstone and Faversham Junction Light Railway  
 Order Presented, Mar. 29, 199, 211.  
 Mail Service  
 Ireland  
 Ballinasloe Postal Arrangements; Delays, etc.  
 Q. Mr. Reddy; A. Mr. A. Chamberlain, Apr. 18, 607.  
 Castleisland; Alteration of Train Service, Delays  
 Q. Mr. Murphy; A. Mr. A. Chamberlain, Mar. 28, 85.

## Scotland

Harris; Proposed Mail Steamer Service to Loch Stockinish

Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar. 29, 223.

Skye, Island of; Steamer Service

Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar. 28, 75.

Stornoway Mail Steamer Service; Result of Experiment

Q. Mr. Weir; A. Mr. A. Chamberlain, Apr. 25, 1325.

Majendie, Mr. J. H. A. [Portsmouth]

Canton Operations, 1857; Distribution of Booty, Apr. 1, 339.

Mallaig and Stornoway

Mail Service, see Stornoway.

## Malta

Language Question

Law Courts

Qs. Mr. MacNeill, Mr. Power; As. Mr. J. Chamberlain, Apr. 25, 1305.

Return

Q. Mr. Boland; A. Mr. J. Chamberlain, Mar. 29, 216.

Roman Catholic University Education Q. Mr. Boland, Apr. 22, 1000.

Manchester Corporation Bill

Report from Committee of Selection, Apr. 22, 874.

Manchester (Market Street Area) Improvement) Bill

Report from Committee of Selection, Apr. 22, 874.

Manchester and Liverpool Electric Express Railway Bill

Report from Committee of Selection, Apr. 22, 874.

Witness ordered to attend Select Committee, Apr. 27, 873.

Manchuria

see China.

Manning of Merchant Ships

"Orona," S.S.; Insufficient Manning, Alleged

Q. Mr. Joyce; A. Mr. G. Balfour, Mar. 28, 62.

Man; uvres

see titles Army and Navy.

Manufactured Goods

Import Duties; Increasing Duty on Manufactured Goods and not on Food Products, proposed

Q. Mr. W. Palmer; A. Sir M. H. Beach, Mar. 28, 59.

Manuscript

Historical Manuscripts Commission, see that title.

Marine Voters

see Parliamentary Election (Mariners' Votes) Bill.

Marines

Light Infantry, Royal; Date of Promotion of Majors for Service in China,

Publication of

Q. Mr. Kearley; A. Mr. Arnold-Forster, Apr. 26, 1433.

Return Ordered, Apr. 1, 327.

Rifle Range at Plymouth

Qs. Mr. Kearley, Mar. 29, 242; Mr. Pretymann, 244.  
 Marriage with a Deceased Wife's Sister Bill  
 c. 2R. Apr. 24, 1184.  
 Marriage with a Deceased Wife's Sister Bill  
 Debate on Second Reading (Commons), Apr. 24, 1184.  
 Affinity and Consanguinity, Difference between, 1185, 1196, 1198, 1232.  
 Colonial Marriages and Public Opinion in the Colonies, 1189, 1192, 1198, 1202, 1207, 1210, 1216, 1227, 1230, 1240, 1242, 1244.  
 Deceased Husband's Brother, Marriage with, 1201, 1214, 1218.  
 Jewish Community, Opinions and Practice, 1188, 1203, 1213, 1228.  
 Lord Lyndhurst's Act of 1835, 1185, 1195, 1198, 1203, 1223, 1232.  
 Popular Demand for the Bill, 1192, 1195, 1204, 1205, 1209, 1214, 1225 1233, 1239, 1243.  
 Roman Catholic Church;Dispensations, etc., 1188, 1197, 1201, 1203, 1209, 1219, 1226, 1233.  
 Royal Commissions;Report of Commission of 1847, Appointment of New Commission, etc., 1187, 1195, 1215, 1222, 1244.  
 United States of America, Marriage Laws, 1199, 1228.  
 Instruction to Committee  
 Q. Lord H. Cecil; A. Mr. Speaker, Apr. 25, 1341.  
 Petitions, Apr. 18, 591; Apr. 19, 769; Apr. 23, 1060; Apr. 24, 1182; Apr. 25, 1284; Apr. 26, 1421.  
 Marriages Legalisation Bill  
 l. 1R.\* Apr. 25, 1254.  
 Mauritius  
 Judicial Vacancy;Appointment of Judge with knowledge of French  
 Q. Mr. Boland; A. Mr. J. Chamberlain, Apr 25, 1306.  
 McArthur, Mr. C. [Liverpool, Exchange].  
 Steamship Communication;Direct Communication between East Africa and Great Britain, inquiry into System of Subsidies by Foreign Governments, etc., Apr. 23, 1165.  
 M'Carthy, Dr. B.  
 Appointment as Medical Inspector to Irish Local Government Board  
 Q. Dr. Ambrose; A. Mr. Wyndham, Apr. 1, 359.  
 M'Dermott, Mr. P. [Kilkenny, N.]  
 Eaton, Th., Imprisonment for Contempt of Court;Dr. Waters conducting Prosecution of E. Eaton, etc., Apr. 22, 929.  
 M'Fadden, Mr. E. [Donegal, E.]  
 Strabane Labourers' Cottages Scheme;Delays, Apr. 1, 364.  
 McGovern, Mr. T. [Cavan, W.]  
 Belturbet Post Office;Erection of New Building, Apr. 22, 931.  
 Black's, Constable, Orphans;Gratuity, Apr. 25, 1333.  
 Fermanagh Roman Catholic Board of Education;Intermediate School at Enniskillen, Apr. 26, 1452.  
 Findlay's, D., Estate;Sale of Land to Tenants, Apr. 22, 926; Apr. 23, 1085; Apr.

26, 1451, 1452.

Guns, Purchase Abroad for South Africa, Cost, Defects, etc. Apr. 26, 1431.

M'Hugh, Mr. P.

Imprisonment of

Letter received by the Speaker from Lord Chief Justice of Ireland, Apr. 23, 1061.

Question of Privilege

Q. Mr. J. Redmond; A. Mr. Speaker, Apr. 23, 1062.

Proceedings against Dublin Newspapers for Contempt of Court

Q. Mr. Flynn; A. Mr. Atkin-son, Apr. 26, 1454.

Mclver, Sir L. [Edinburgh, W.]

Edinburgh Post Office Revision, Mar. 29, 222.

McKenna, Mr. R. [Monmouth, N.]

Budget;Income Tax, Apr. 23, 1101.

Police and Sanitary Regulations Bill;Select Committee, Mar. 28, 62; Apr. 22, 917.

West Indies Fruit Industry;Consignment of Fruit by Subsidised Steamers. Mar. 28, 53.

M'Killop, Mr. W. [Sligo, N.]

Glanders Outbreak in Glasgow;Deputation to Major Tennant, Apr. 25, 1322.

Veterinary Inspectors, Appointment of;Qualifications, etc., Mar. 29, 220.

M'Mahon, Michael

Under-Age Recruit;Insubordination, Proposed Remission of Sentence

Q. Mr. Joyce; A. Lord Stanley, Apr. 22, 901.

Meat

Army Contracts, see Army.

Tuberculosis Regulations, Medical Officers of Health acting in accordance, etc.

Q. Mr. Field; A. Mr. Long, Apr. 25, 1321.

Medals

South African War, see that title.

Medical Officers of Health

Number in England and Wales, etc.;Return

Q. Mr. Field; A. Mr. Long, Apr. 23, 1073.

Mediterranean Fleet

Number of Cruisers attached

Q. Sir C. Dilke; A. Mr. Arnold Forster, Mar. 28, 51.

"Medusa," H.M.S.

Removal from North Shields

Q. Mr. L. Harris; A. Mr. Arnold-Forster, Apr. 26, 1432.

Mellor, Rt. Hon. J. W. [York, W.R., Sowerby]

Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1202.

Members of Parliament

South African War;Members on Active-Service;Return proposed

Q. Mr. Tully: A. Mr. Brodrick, Apr. 25, 1292.

Merchant Shipping

Bounties paid by German and French Governments;Return



Q. Mr. Lawrence; A. Visc, Cramborne, Apr. 1, 343.  
"Orona," s.s.;Insufficient Maiming alleged, Carrying Admiralty Stores-to South Africa  
Q. Mr. Joyce; A. Mr. G. Balfour, Mar. 28, 62.  
Sailing Vessels;British Vessels leaving Foreign Ports, Number Missing in 1900  
Q. Mr. Allen; A. Mr. G. Balfour, Apr. 1, 346.  
Shipowners, Taxation of;Proposed Tonnage Tax  
Q. Mr. O'Kelly; A. Sir M. H. Peach, Mar. 28, 60; Q. Mr. Delany; A. Sir M. H. Beach, Apr. 26, 1435.  
Steamship Communication between Great Britain and East Africa  
Motion for Select Committee (April 21, 1141.  
Merriman, Mr.  
Letter of Mar. 11, 1898, Publication of by the Colonial Office.  
Debate in Cape House of Assembly  
Q. Mr. S. MacNeill; A. Mr. J. Chamberlain, Apr. 22, 890.  
Post Office Inquiry  
Q. Mr. J. MacNeill; A. Mr. J. Chamberlain, Apr. 23, 1063.  
Merriman Sauer Petition  
Q. Sir R. Reid; A. Mr. A. J. Balfour, Mar. 38, 44  
Mersey Docks and Harbour Board Bill  
Report from Committee of Selection, Apr. 22, 874  
Mersey Docks and Harbour Board (Canada Dock Works, etc.) Bill  
Report from Committee of Selection, Apr. 22, 874.  
Report from Select Committee, Apr. 23, 1051.  
Methuen, Lord  
see South African War.  
Metropolitan Cattle Market  
Accounts for 1900, etc., Presented, Apr. 18, 595.  
Report Presented Apr. 22, 875.  
Metropolitan Common Scheme (Ham) Provisional Order Bill  
c. 1R.\* Mar. 28, 38.  
2R.\* Apr. 23, 1057.  
Metropolitan Common Scheme (Orpington) Provisional Order Bill  
c. 1R.\* Mar. 28, 38.  
3R.\* Apr. 23, 1057.  
Metropolitan Police  
Dockyards  
Devonport Dockyard Police;Lodging Allowances  
Debate on the Estimates, Mar. 29, 251, 253, 254.  
Rescue from Drowning, Rewards for Q. Capt. Norton, Mar. 29, 253.  
O'Brien, Mr. J. P., Ex-political Irish Prisoner;Police Surveillance  
Q. Mr. Nannetti; A. Mr. Ritchie, Apr. 26, 1455.  
Pensions;356&#x00BE; days per year;Paying of Arrears  
Q. Mr. Schwann; A. Mr. Ritchie, Mar. 29, 219.  
Metropolitan Police Provisional Order Bill

c. Report\* Mar. 28, 39.  
 3R.\* Apr. 1, 322.  
 l. 1R.\* Apr. 22, 875.  
 Metropolitan Poor Law Schools  
 Erection of Additional Buildings;Expenditure, etc.  
 Q. Mr. Flower; A. Mr. Long, Apr. 25, 1319.  
 Metropolitan Railway Bill  
 c. 2R.\* Apr. 1, 322.  
 Metropolitan Workhouses  
 Pauper Children, Number of  
 Q. Mr. Trevelyan; A. Mr. Long, Apr. 25, 1320.  
 Midland Railway Bill  
 c. Con.\* Apr. 19, 765.  
 3R.\* Apr. 23, 1056.  
 l. 1R.\* Apr. 25, 1253.  
 Military Lands Provisional Orders Bill  
 c. 1R\* Apr. 19, 767.  
 Military Works Act  
 Estimate of Expenditure Presented, Apr. 18, 593; Apr. 22, 875.  
 Militia  
 Disembodiment  
 Gordon Highlanders, Third Battalion  
 Q. Dr. Farquharson; A. Lord Stanley, Apr. 1, 336.  
 Irish Regiment;Date of Disembodiment  
 Q. Mr. P. O'Brien; A. Lord Stanley, Apr. 25, 1303.  
 Inniskilling Fusiliers, Fifth Battalion  
 Q. Mr. S. MacNeill; A. Lord Stanley, Apr. 25, 1300.  
 Leinster Regiment, Fourth  
 Q. Mr. Delany; A. Lord Stanley, Apr. 1, 337.  
 Embodiment of, etc.;Giving Longer Notice, proposed  
 Q. Mr. C. Warner; A. Lord Stanley, Apr. 25, 1304.  
 Embodiment in 1901;Training, etc.  
 Q. Mr. Lambert; A. Mr. Brodrick, Apr. 19, 782.  
 Officers, Gratuity;Battalions still embodied, etc.  
 Q. Mr. C. Warner; A. Lord Stanley, Apr. 25, 1304.  
 Recruiting;Inspector-General's Annual Report presented, Apr. 22, 877.  
 Milk Standards  
 Report of Departmental Committee;Opportunity for Discussion  
 Q. Mr. Strachey; A. Mr. A. J. Bal-four, Apr. 1, 375.  
 Milner, Sir A.  
 High Commissioner's Consultative Committee;Mr. R. J. Pakeman, Secretary, etc.  
 Q. Mr. T. M. Healy; A. Mr. J. Chamberlain, Apr. 22, 892.  
 Leave of Absence;"Times" Announcement  
 Q. Mr. Dillon; A. Mr. T. Chamberlain, Apr. 18, 599.  
 "Indiscreet Blame"  
 Q. Mr. Haldane, Mar. 28, 140.

Peace Negotiations between Gen. Botha and Lord Kitchener; Gen. Botha's objections to Sir A. Milner.

Debate on Consolidated Fund Bill, Mar. 28, 100, 104, 122.

Q. Sir J. Long; Q. Mr. J. Chamberlain, Mar. 28, 45.

References to in Debate on the Situation in South Africa, Mar. 38, 100, 104, 122, 127.

Removal of, from South Africa proposed

Qs. Mr. Pirie; Apr. 2, 527; Mr. Brodrick, 528.

South African Despatches

Delay in publishing Despatches received in February

Q. Mr. W. Redmond; A. Mr. J. Chamberlain, Apr. 22, 894.

Harcourt, Sir W., on, Apr. 18, 657.

South African Settlement; Sir. A. Milner's Inability to pull together the two Races, alleged

Q. Mr. Elliot, Mar. 28, 111.

Milward, Col. V. [Warwick, Stratford-upon-Avon]

Budget; Sugar Duty, Income Tax, etc., Apr. 18, 665.

Indian Staff Corps; Promotion Grievance, Apr. 1, 340.

Standing Committees, Amendment of Standing Order 50, Apr. 2, 559.

Mines

Accidents, Prevention of; French Methods

Q. Sir W. Foster; A. Mr. Ritchie, Mar. 28, 61.

Mines (Eight Hours) Bill

Petitions, Mar. 28, 40; Apr. 1, 324; Apr. 2, 469; Apr. 18, 591; Apr. 19, 769; Apr. 22, 885; Apr.

23, 1060; Apr. 24, 1182; Apr. 25, 1284; Apr. 26, 1421.

Minister of Commerce

Appointment of, proposed

Q. Mr. Field; A. Mr. A. J. Balfour, Apr. 26, 1460.

Ministerial Responsibility

Difference of Opinion between a Minister and his Advisers; Policy of bringing his Confidential Advisers within the Range of Parliamentary Criticism

Robson, Mr., on, Mar. 28, 106

Q. Mr. Chamberlain, 125.

Ministers of the Crown

Demise of the Crown Bill, see that title.

Mint

Exceptional Receipt from profits on Silver Coinage; Budget Statement, Apr. 18, 621.

Mixed Trains

Highland Railway Company see that title.

Molasses and Glucose

Additional Duty on Sugar Budget Statement, Apr. 18, 636.

Debate on the Budget, Apr. 25, 1409, 1410.

Mombasa

Steamship Communication; Direct line of British Steamers

Q. Mr. E. Cecil, Apr. 23, 1143.

Monaghan

Agricultural and Technical Education; Appointment; of Lecturer

Q. Mr. Daly; A. Mr. Wyndham, Apr. 25, 1332.

County Council; Allowances to Rate Collectors disallowed by Auditor, etc.

Q. Mr. Daly; A. Mr. Wyndham, Apr. 86, 1444.

Leslie v. Justices of Monaghan, see Ireland.

Money Orders

Missing Money Orders, Ireland

Q. Mr. Flynn; A. Mr. A. Chamberlain, Apr. 1, 371.

Telegraph Money Orders; Convention between United Kingdom and France. Presented, Apr. 18, 594.

Mongolia

see China.

Monmouth Parliamentary Election Petition

Director of Public Prosecutions, Neglect of, alleged

Debate on the Estimates, Apr. 26, 1511.

Judge's Report, Apr. 23, 1139.

Minutes of Evidence and Judgment Presented Apr. 24, 1183.

New Writ, Apr. 26, 1426.

Thomas Embrey and another v. Frederick Rutherford Harris

Petition, Mar. 28, 41.

Monteagle of Brandon, Lord

Workhouse Infirmaries and Fever Hospitals, Ireland; Returns, Apr. 26, 1417, 1419.

Morgan, Mr. L. [Carmarthen, W.]

Army Officers' Pensions; Officers serving with Militia in South Africa, etc, Apr. 1, 335.

Director of Public Prosecutions; Neglect in connection with Election Petitions. Apr. 26, 1520.

Dog Muzzling Order in Carmarthenshire, Apr. 1, 349.

Morley, Ear of; Chairman of Committees

Watford and District Tramways Bill, 2R., Mar. 28, 5.

Morley, Rt. Hon. J. [Montrose, etc.]

Income Tax, Proportion Paid by Professional Men, Apr. 26, 1436.

South African War; Financial Condition of the Transvaal, etc., Contributions towards the War, Apr. 18, 723.

Morley and District Light Railways

Order Presented, Mar. 29, 199, 211.

Morning Sittings

Meeting of the House on Tuesdays at 2 o'clock, etc.

Motion (Mr. A. J.). Balfour, Apr. 19, 794.

Morris, Mr. M. H. F. [Galway]

University Education, Ireland Roman Catholic University Question, Apr. 22, 955, 974, 990.

Morton, Mr. E. J. C. [Devon port]

Budget, Income Tax, Apr. 23, 1116.

Marine Officers, Ineligibility to Serve on Courts Martial, Mar. 29, 271.  
 Morton Carr Drainage Bill  
 Bill Withdrawn, Apr. 1, 322.  
 Moulton, Mr. J. F. [Cornwall, Launceston]  
 Budget;Income Tax, Apr. 23, 1125.  
 Murnaghan, Mr. G. [Tyrone, Mid]  
 Lough Neagh Floods;Drainage Works Proposed, Apr. 25, 1335.  
 Omagh;Rural District Rates, Increase of, etc., Apr. 25, 1334.  
 Poor Law Officers' Superannuation Bill;Effect on Local Rates, Apr. 23, 1082,  
 1083; Apr. 25, 1334.  
 Murphy, Mr. J. [Kerry, E.]  
 Castleisland Mail Service;Delays, Mar. 28, 85.  
 Customs Examining Officerships;Reduction in Number, etc., Mar. 28, 71.  
 Kerry  
 Congested Districts, Expenditure on, etc., Apr. 25, 1330.  
 Evicted Farms, Number of, etc., Apr. 22, 927.  
 Killarney Quarter Sessions;Presenting Chairman with White Gloves, etc., Apr. 22,  
 923.  
 Murray, Col. C. W. [Bath]  
 Army Man&#x0153;uvres in 1901, Apr. 22, 904.  
 Continental Rifle Ranges;Report, Apr. 22, 906.  
 Murray, Rt. Hon. A. G.;Lord Advomte [Buteshire]  
 Avoch Harbour;Fishery Board Negotiations, etc., Apr. 1, 353.  
 Congested Districts Board;Return, Apr. 25, 1329.  
 Edinburgh University Examinations, Marks for Foreign Languages, Apr. 26, 1440.  
 Education  
 Irish Certificates, Recognition of, Apr. 1, 370.  
 Teachers' Superannuation Allowanees, Apr. 26, 1439.  
 Fishery Harbours, Return, Mar. 28, 77.  
 Glasgow  
 Smallpox Epidemic;Poorhonse Removals, Apr. 1, 352.  
 Vaccination Expenditure;Return, Apr. 1, 352; Apr. 25, 1329.  
 King's title in Scotland, Mar. 28, 76.  
 Port Glasgow;Public Baths, Sunday Closing, Apr. 2, 483.  
 Rifle Ranges at Political Clubs, Mar. 29, 221.  
 Standing Committees, Amendment of Standing Order 50, Apr. 2, 561.  
 Trawling;Tarbat Ness and Ord of Caithness Fisheries, Fishery Cruiser, Mar 28,  
 76.  
 University Class Fees;Return, Apr. 2, 484.  
 Murrihy, Mrs.  
 Remission of Sentence  
 Q. Major Jameson; A. Mr. Wyndham, Mar. 29, 228.  
 Muzzling of Dogs  
 see Dogs.  
 N  
 Nannetti, Mr. J. P. [Dublin, College Green]

## Dublin Post Office

Sorting Branch Promotions, etc., Apr. 22, 930.

Telephone Operators' Wage Grievances, Apr. 25, 1338.

Government Department Contracts;Placing Contracts for Copying and Writing Ink with Irish Firms, Apr. 26, 1455.

O'Brien, Mr. J. P., Ex-political Prisoner;Police Surveillance in London, Apr. 20, 1455.

## Natal

British Indian Subjects;Allowing Refugees to return to Transvaal

Q. Mr. Caine; A. Mr. J. Chamberlain, Apr. 25, 1287.

## National Debt

Amendment of Law, Budget Resolution, Apr. 25, 1412.

Budget Statement, Apr. 18, 622.

Increase in, during past IS months, Harcourt, Sir W., on, Apr. 18, 654.

## National Expenditure

see titles Budget. Revenue, and Expenditure, etc.

## National Gallery, Scotland

Annual Report Presented, Apr. 28, 593 Apr. 22, 878.

National Gallery (Purchase of Adjacent Land) Bill

c. 1R.\* Mar. 29, 237.

## National School Teachers (Ireland)

Consolidated Incomes;Counting Money earned from Instruction given in School Farms

Q. Mr. T. O'Donnell; A. Mr. Wyndham, Apr. 1, 361.

## Navy

First Lord;Right Hon. Earl of Selborne.

Secretary;Mr. H. O. Arnold-Forster.

Civil Lard of the Admiralty;Mr. E. G. Pretymen.

Attach&#x00E9;s, Selection of;Increase in number and salaries

Os. Sir C. Dilke, Mar. 29, 246; Mr. Arnold-Forster, 247.

## Boilers

"Formidable," H.M.S.;Defects of Belleville Boilers

Q. Mr. W. Allan; A. Mr. Arnold-Forster, 907.

Water-tube Boilers, D&#x00FC;rr Boilers, Number ordered from Germany;Total Cost, etc.

Q. Mr. W. Allan; A. Mr. Arnold-Forster, Apr. 22, 907.

"Britannia," see that title.

Canton Operations in 1857&#x2013;8;Distribution of Booty.

Q. Mr. Majendie; A. Mr. Arnold-Forster, Apr. 1, 339.

Chaplains;Roman Catholic Chaplains Rank and Remuneration

Debate on the Estimates, Mar. 29, 245, 246, 262, 269.

Charitable and Religious Institutions and Ministers of Religion, Grants to

Debate on the Estimates, Mar. 29, 257, 258, 259, 260, 261, 262, 263, 264, 268, 269.

Coastguard Service, see that title.

Dockyards, see names of Dockyards.

Expenditure;Budget Statement, Apr. 18, 621, 626.  
 Fleets;Return  
 Q. Sir C. Dilke; A. Mr. Arnold-Forster, Apr. 19, 784.  
 Return Presented, Mar. 29, 212.  
 Guns;"Thunderer," H.M.S.;Bursting of Guns, Inquiry, etc.  
 Q. Sir C. Dilke; A. Mr. Arnold-Forster, Mar. 29, 216; Q. Sir C. Dilke; A. Mr. Pertyman, Apr. 2, 475.  
 Ireland;Inadequate Expenditure on Naval Works in Ireland, Irish Grievance  
 Qs. Mr. Flynn, Mar. 29, 239; Mr. Pretymen, 241.  
 Lieutenants, Number of Number in French Fleet in 1900  
 Q. Sir C. Dilke; A. Mr. Arnold-Forster, Mar. 18, 604.  
 Maintenance of the Navy, Cost of;Tonnage Tax, proposed, see title Tonnage Tax.  
 Marines, see that title.  
 Mediterranean Fleet and Channel Squadron Number of Cruisers Attached  
 Q. Sir C. Dilke; A. Mr. Arnold-Forster, Mar. 28, 51.  
 "Medusa," H.M.S.;Removal from North Shields  
 Q. Mr. L. Harris; A. Mr. Arnold-Forster, Apr. 26, 1432.  
 Mobilisation of Portion of the Fleet, proposed  
 Q. Sir C. Dilke; A. Mr. Arnold-Forster, Apr. 1, 338.  
 Officers;Foreign Languages, Study of, etc.  
 Debate on the Estimates, Mar. 29, 257, 258, 259, 260, 261, 262, 263, 267, 269, 273, 274.  
 Pensions for Widows and Orphans of Sailors who have fallen in South Africa;Government Scheme, see South African War.  
 Peterhead Harbour Works;Total Expenditure, Date of Completion, etc.  
 Q. Mr. H. Lewis; A. Mr. Arnold-Forster, Apr. 26, 1433.  
 Pilotage and Towing;System of Payment  
 Os. Capt. Norton, Mr. Arnold-Forster, Mar. 29, 249.  
 Reserve;Second-Class Men;Pension Claims  
 Q. Mr. C. Wason; A. Mr. Arnold-Forster, Apr. 1, 339.  
 Submarine Cables, Cutting in Time of War;American Rules  
 Q. Sir J. Colomb; A. Vise. Cranborne, Apr. 18, 604.  
 "Thunderer," H.M.S., see sub-heading Guns.  
 Training Ship "Northampton," H.M.S.;Proposed visit to Invergordon  
 Q. Mr. Weir; A. Mr. Arnold-Forster, Mar. 28, 52.  
 Travelling Allowances  
 Os. Mr. Flynn, Mar. 29, 244, 247, 250; Mr. Arnold-Forster, 246, 248.  
 "Victoria and Albert," see that title.  
 Water-Tube Boilers, see sub-heading Boilers.  
 Navy Estimates  
 Educational Services;£100, 600, Com.\* Mar. 29, 272; Rep.\* Apr. 1, 446.  
 Martial Law;£16,200, Com. Mar. 29, 270; Rep.\* Apr. 1, 446.  
 Medical Establishments and Services;£219,000, Com.\* Mar. 25, 270; Rep.\* Apr. 1, 446.  
 Miscellaneous Effective Services;£359,500, Com., Mar. 29, 244; Rep.\* Apr. 1,

446.

Pay;Half-Pay, Reserved and Retired Pay;£;790,900, Com\* Mar. 29, 270; Rep\* Apr. 1, 446.

Pensions;Civil Pensions and Gratuities;£;340,600, Com\* Mar. 29, 270; Rep.\* Apr. 1, 446.

Scientific Services;£;650,800. Com\* Mar. 29, 272; Rep\* Apr. 1, 446.

Supplementary Estimates, Estimates voted since 1890;Return Presented, Mar. 28, 42.

Works, Buildings, Repairs, etc.;£;1,023,100, Com. Mar. 29, 238; Rep\* Apr. 1, 446.

Neath Harbour Bill

c. Report,\* Mar. 28, 40

Com.\* Apr. 2, 465

3R.\* Apr. 19, 765

l. 1R.\* Apr. 22, 874.

Nenagh

Urban Council;Mr. Patchell's Disqualification Report, etc.

Q. Mr. Kennedy; A. Mr. Atkinson, Mar. 22, 929.

Netherlands

Finances for year 1900&#x2013;1901, Presented, Apr. 26, 1416.

Trade Reports Presented, Apr. 26, 1416.

Netherlands Railway Company

Attitude of British Government towards

Q. Mr. A. Davies; A. Mr. J. Chamberlain, Apr. 1, 331.

Position of the Company;Report of Concessions Committee, etc.

Os. Earl of Camperdown, Earl of Onslow, Mar. 28, 8.

Netley Hospital

Lee, ex-Private;Alleged Ill-treatment of

Q. Mr. J. P. Farrell; A. Mr. Brodrick, Apr. 25, 1297.

New South Wales

Roman Catholic University Education

Q. Mr. Boland, Apr. 22, 999.

New Writ

Monmouth Boroughs, Apr. 20, 1426.

New York

Trade Report Presented, Apr. 20, 1416.

New Zealand

Railways;Profits on State Railways for 1900

Q. Mr. Field; A. Mr. Wyndham. Apr. 26, 1443.

Newcastle-upon-Tyne and Gateshead Gas Bill

l. 3R.\* Mar. 28, 3.

c. 1R.\* Mar. 29, 209.

2R.\* Apr. 24, 1181.

Newfoundland

Fisheries Question;Negotiation with France

Q. Mr. W. Redmond; A. Visc. Cranborne, Apr. 22, 910.



Newnes, Sir G. [Swansea Town]  
Swansea Postal Staff;Promotion of Sorting Clerk, etc., Apr. 22, 919.  
Newry Port and Harbour Trust Bill  
c. Report,\* Apr. 25, 1283.  
Newspapers  
see Names of Newspapers.  
Nitrate Railways Company Bill  
l. Report,\* Apr. 26, 1414.  
Niu-chwang  
see China;Anti-Foreign Rising.  
Nobel's Explosives Factory  
Explosion at Ardeer;Inspector's Report Presented, Apr. 18, 594; Apr. 22, 876.  
Nolan, Col. J. P. [Galway, N.]  
Army (Animal) Bill, Com., Apr. 22, 1039, 1043, 1046.  
Land Commission;Advances for purchase of Grass Farms, Conditions, Apr. 26, 1455.  
Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1215.  
South African War  
Expenditure;Details, Apr. 25, 1290.  
Expenditure on Hospitals, Clothing and Civil Labour, etc., Apr. 26, 1429.  
Standing Committees, Amendment of Standing Order 50, Apr. 2, 572.  
Nolan, Mr. J. [Louth, S.]  
Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 760.  
Norfolk Peerage  
Petition of Charles Botolph Joseph, Lord Mowbray, Apr. 26, 1413.  
Norman, Mr. H. [Wolverhampton, S.]  
China  
Claims of British Subjects, Apr. 19, 785.  
Niu-chwang Maritime Customs Buildings;Russian Supervision, Apr. 19, 86.  
Indian Finance Year;Making Year and on Dec, 31st proposed, etc., Apr. 2, 476.  
North British Railway (Substituted) Bill  
c. Report,\* Apr. 25, 1284.  
North Shields  
"Medusa," H.M.S., Removal  
Q. Mr. L. Harris; A. Mr. Arnold-Forster, Apr. 26, 1432.  
"Northampton," H. M. S.  
Proposed Visit to Invergordon  
Q. Mr. Weir; A. Mr. Arnold-Forster, Mar. 28, 52.  
Norton, Capt. C. W. [Newington, W.]  
Army  
Garrison Regiments;Royal Warrant of Feb. 23, 1901, Mar. 28, 50.  
King's Regulations, Changes in, Apr. 2, 475.  
Pimlico Clothing Department;Overtime Pay, Apr. 2, 475.  
Reorganisation;Government Proposals, Apr. 1, 335.  
Reserve, First Class, Section D;Training, etc., Apr. 26, 1432.  
Army (Annual) Bill, 2R., Apr. 1, 433.  
Bankruptcy Delays, Mar. 28, 64.

Carrier Pigeons, Training Facilities, etc., Mar. 29, 260.  
 Dock Police at Devonport; Extra Lodging Allowance, Mar. 29, 253.  
 Education; Cockerton Judgment, Government Proposals, Apr. 26, 1458.  
 Great Eastern Railway Bill, Con. Apr. 26, 1264.  
 London Local Government; Equalisation of Rates, Government Pledges, Apr. 25, 1340.  
 Navy  
 Charitable and Religious Institutions and Ministers of Religion, Grants to, Mar. 29, 259.  
 Officers' Education; Study of Languages, Mar. 29, 260, 267, 269, 273, 274, 261, 262.  
 Passage Money for Conveyance of Officers, Seamen, etc., Mar. 29, 248.  
 Pilotage and Towing Bates; System, Mar. 29, 249.  
 Pensions to Widows and Orphans of Soldiers and Sailors who have fallen in South Africa; Government Scheme, Men married off the Strength, etc., Mar. 29, 279, 286, 290.  
 Telegraph Service; Salaries of London Telegraphists, Promotions, etc., Apr. 1, 349, 350.  
 Norwich  
 Telephone Service to; Delays, etc.  
 Q. Sir H. Bullard; A. Mr. A. Chamberlain, Apr. 2, 481.  
 Nottingham  
 Lace Market; Telegraphic Facilities  
 Q. Mr. Bond; A. Mr. A. Chamberlain, Apr. 2, 480.  
 Nuisance, Inspectors of  
 Power of Local Government Board to Refuse to Sanction Appointment of Licensed Victualler, etc.  
 Q. Mr. Strachey; A. Mr. Long, Apr. 1, 348.  
 Nurses  
 Irish Workhouses, see Workhouses.  
 Nussey, Mr. T. W. [Pontefract]  
 Wimbledon School Board, Formation of, proposed, Apr. 22, 919.  
 O  
 Oakham Water Bill  
 l. 3R.\* Apr. 25, 1253.  
 e. 1R.\* Apr. 26, 1421.  
 Oath of Allegiance  
 Recruits, see Army.  
 O'Brien, Mr. J. F. X. [Cork]  
 Cork City Criminal Sessions; White Gloves presented to Chairman, etc., Apr. 22, 924.  
 Glasgow Small-pox Epidemic; Poor-house Removals, Apr. 1, 352.  
 Port Glasgow; Public Baths, Sunday Closing, Apr. 2, 483.  
 Rifle Ranges at Political Clubs in Scotland, Mar. 29, 221.  
 South African War; British Recruiting in Germany and Italy, alleged, Apr. 2, 472.  
 O'Brien, Mr. J. P.

Ex-political Prisoner;Police Surveillance in London, etc.  
 Q. Mr. Nannetti; A. Mr. Ritchie, Apr. 36, 1455.  
 O'Brien, Mr. K. [Tipperary, Mid]  
 Cappawhite Police removing Auction Notices, Apr. 2, 489.  
 Poor Rate Collectors carrying on Retail Business;Local Government Act, 1898,  
 April 22, 928.  
 Removal from Commission of the Peace for Tipperary  
 Qs. Mr. Cullinan, Mr. W. Johnston; As. Mr. Wyndham, Mar. 28, 80.  
 O'Brien, Mr. P. [Kilkenny]  
 Fisheries, Inspectorship of;Vacancy, Apr. 2, 487.  
 Militia Irish Regiment, Date of Disembodiment, Apr. 25, 1303.  
 Pembroke Urban Council;Irregularities in Accounts, etc., Mar. 29, 229.  
 Roman Catholic Disabilities Removal Bill;Motion for Adjournment of the House  
 after Supply had been disposed of, Mar. 39,  
 309.  
 South African War-Peace Negotiations with General Botha, Apr. 19, 774.  
 University Education, Ireland;Royal Commission, Names of Members and Terms of  
 Reference, Apr. 23, 1089.  
 O'Connor, Mr. J.[Wicklow, W.]  
 Carlow Labourers' Cottages Scheme;Inquiry, Apr. 1, 354.  
 Coinage;Decimal System proposed, Apr. 23, 1089.  
 Hebden Bridge Postmen's Grievance, Apr. 22, 920.  
 Ledbury Ex-Postman, W. Chambers;Bonus, Apr. 22, 920.  
 Lights Board;Appointment of Select Committee, proposed, Apr. 1, 371.  
 Local Taxation Account;Receipts from Local Licence Duties, etc., Apr. 1, 363.  
 Roman Catholic Disabilities Removal Bill;Motion for Adjournment of the House  
 after Supply had been disposed of, Mar. 29,  
 312.  
 O'Connor, Mr. T. P. [Liverpool, Scotland]  
 Chaplains in the Navy;Religious Services for Sailors of all Denominations. Mar.  
 29, 264, 268.  
 O'Doherty, Mr. W. [Donegal, N.]  
 Assistant Surveyors;Qualifications, etc., Mar. 29, 224.  
 Buncrana;Erection of Barracks, Mar. 28, 87.  
 Demise of the Crown Bill, 2R. Apr. 1, 390.  
 Derry Central Railway;Sale of to Belfast and Northern Counties Railway Company,  
 Mar. 28, 86.  
 Donegal Co.  
 Absence of Crime;Proclamation Revocation, Mar. 28, 79.  
 Carrick;Instructor's House, Cost of Building, etc., Apr. 1, 356.  
 Magistracy;Appointment of Mr. Shiels, etc., Mar. 28, 80.  
 Herring Fishery;Branding of Herrings, Legislation proposed, Mar. 28, 79.  
 Londonderry;Ladysmith Rejoicings, Discharge of Explosives, etc., Mar. 28, 77.  
 Portaroman Boatslip, Erection of. Mar. 29, 224.  
 Post Office  
 Glencolumbkille Sub-Postmaster;Member of Royal Irish Constabulary, Mar. 38, 85.

Londonderry

Examinations, etc., Mar. 28, 84.

Postmastership;Pilling Vacant Appointment, Apr. 1, 373.

Sub-Postmasters;Remuneration Grievances, Apr. 1, 372.

Roman Catholic Disabilities Removal Bill;Motion for Adjournment of the House after Supply had been Disposed of, Mar. 29,

313.

O'Donnell, Mr. J. [Mayo, S.]

County Court Judges' Salaries;Land Valuers, etc., Apr. 2, 485.

Coyne's, Owen, Holding in Claremorris Union;Revaluation, etc., Apr. 2, 486.

Land Commissioners;Return, Apr. 2, 486.

O'Donnell, Mr. T. [Kerry, W.]

Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 158, 159.

House of Commons;Lockers for Members, Apr. 26, 1442.

Irish History, Teaching in National Schools, Apr. 1, 357.

National School Teachers;Salaries, Apr. 1, 361.

South African War;Protest against the War, Terms of Surrender, etc., Mar. 28, 158.

Ventry's, Lord, Estate;Future Tenancies, Apr. 1, 361.

O'Dowd, Mr. J. [Sligo, S.]

Deceased Soldiers' Estates;Case of Private E. Conhoy, Apr. 26, 1431.

Prison Chaplains' Salaries;Roman Catholic Grievance, Apr. 1, 348.

Tobercurry;Technical and Agricultural Department, Refusal of Grant, Apr. 1, 361; Apr. 22, 926.

O'Kelly, Mr. C. [Mayo, N.]

China;Anglo-German Agreement, Applying to Manchuria, Mar. 28, 55.

Navy, Maintenance of;Proposed Tonnage Tax, Mar. 28, 60.

Old Age Pensions

Colonies;Laying Papers on the Table

Q. Mr. W. Redmond; A. Mr. J. Chamberlain, Apr. 22, 910.

Omagh

Quarter Sessions;Case of G. Feathers

Q. Mr. Hemphill; A. Mr. Atkinson, Apr. 25, 1337.

Rural District Rates, Increase in, etc.

Q. Mr. Murnaghan; J. Mr. Wyndham, Apr. 25, 1334.

Omagh Gas Bill

I. Report from Select Committee. Mar. 28, 2.

3R.\* Apr. 23, 1050.

c. 1R.\* Apr. 25, 1283.

O'Malley, Mr. W. [Galway, Connemara.]

Clifden Ray Fisheries;Proposed Construction of Pier, Apr. 2, 484.

O'Mara, Mr. J. [Kilkenny, S.]

Castlecomer Coal Mines;Proposed Railway to Callan, etc., Apr. 1, 365.

Income Tax;Irish Grievance, Apr. 23, 1134.

Onslow, Earl of;Parliamentary Secretary, Colonial Office

Transvaal Concessions Commission Report, Mar. 38, 11.

"Ophir," s.s.  
Expenses, Sale of Fittings, etc.  
Qs. Mr. Lough, Mar. 29, 257; Mr. Arnold-Forster, 258.  
Orange River Colony  
Financial Position.  
Barbour's, Sir D., Inquiry;Bridget Statement, Apr. 18, 648.  
Contributions towards the Cost of South African War Harcourt, Sir W., on, Apr. 18, 658.  
South African Settlement, see that title.  
Ordnance Factories  
Army, see that title.  
Ordnance Survey  
Ireland;Kilteely Church, Misdescription of  
Q. Mr. Landon; A. Mr. Hanbury, Mar. 28, 83.  
Ormskirk and Southport Light Railways  
Order Presented, Mar. 29, 199, 211.  
"Orona," s.s.  
Insufficient Manning, alleged;Carrying Admiralty Stores to South Africa.  
Q. Mr. Joyce; A. Mr. G. Balfour, Mar. 28, 62.  
O'Shaughnessy, Mr. P. J. [Limerick, W.]  
Roads;Direct Labour, Employment of, Provisional Order, Apr. 22, 925; Apr. 25, 1340.  
O'Shee, Mr. J. J. [Waterford, W.]  
Army (Annual) Bill, Com., Apr. 22, 1045, 1046.  
Steamship Communication;Direct Communication between East Africa and Great Britain, Inquiry into System of Subsidies by Foreign Governments, etc., Apr. 23, 1167.  
Unclaimed Balances  
Irish Banks, Apr. 22, 924.  
Return proposed, Apr. 22, 912.  
Osman Digna  
Imprisonment of  
Q. Mr. W. Redmond; A. Visc. Cranborne, Apr. 25, 1308.  
Otley Gas Bill  
I. Report \* Apr. 26, 1414.  
Over, G.  
Under-age Recruit  
Q. Mr. Pirie; A. Lord Stanley, Apr. 1, 337.  
Overcrowding in East London  
Alien Immigration  
Q. Sir H. Vincent; A. Mr. Ritchie, Apr. 1, 347.  
Census Returns;Giving number of one to six-roomed Tenements, etc.  
Q. Mr. T. Dewar; A. Mr. Long, Apr. 22, 916.  
Oxford  
Cemeteries under Martin's Act, Consecration;Burial Act of 1900, etc.  
Q. Sir W. Foster; A. Mr. Ritchie, Apr 25, 1317.

## P

Paardeberg

see South African War.

Paisley Gas Provisional Order Bill

c. Report,\* Mar. 28, 39.

1. 1R.\* Mar. 29, 200.

Pakeman, Mr. R. J.

Secretary to Sir A. Milner's Consultative Committee

Q. Mr. T. M. Healy; A. Mr. J. Chamberlain, Apr. 22, 892.

Palmer, Mr. W. [Salisbury]

Cooper's Hill College

Board of Visitors, Appointment of new Members, etc., Apr. 25, 1307.

Dismissal of Teachers, Mar. 28, 58.

Import Duties;Increasing Duty on Manufactured Goods and not on Food Products, proposed, Mar. 28, 59.

Para

Trade Report Presented, Apr. 26, 1416.

Parcels Post

India;Inland Postage Rates, Proposed Reduction

Q. Lt.-Col. Tufnell; A. Lord G. Hamilton, Apr. 26, 1434.

Postmen's Delivery Weights;Tweed-mouth Inquiry

Q. Mr. Schwann; A. Mr. A. Chamberlain, Mar. 28, 72.

Parliament

Easter Recess

Motion (Mr. A. J. Balfour), Apr. 2, 494;Shortening the Holidays, Amendment to Motion (Sir C. Dilke), 494.

House of Commons

Business of the House, see that title.

Committees, see that title.

Ladies' Gallery;Fan Ventilation proposed

Q. Mr. Weir; A. Mr. A. Douglas, Apr. 25, 1328.

Lockers for Members

Q. Mr. T. O'Donnell; A. Mr. A. Douglas, Apr. 26, 1442.

Members of Parliament, see that title.

Questions in the House, see that title.

House of Lords

Appeal Committee;Report Presented, Mar. 29, 197.

Committees, see that title.

Sat first

Inverclyde, Lord, after the Death of his Father, Apr. 23, 1049.

Wellington, Duke of, after the Death of his Brother, Mar. 28, 1.

Took the Oath

Balinhard, Lord, Apr. 22, 873.

Bangor, Viscount, Mar. 28, 1.

Breadalbane, Marquess of, Apr. 20, 1413.

Poltimore, Lord, Apr. 25, 1253.

Opening;State Opening, Insufficient Accommodation for Members  
Joint Committee of Inquiry  
Appointment of Committee (Lords), Mar. 29, 205.  
Members Nominated (Commons), Mar. 29, 236.  
Sittings and Adjournments of the House, see those titles.  
Parliamentary Election Petitions  
Director of Public Prosecutions, Neglect of, alleged  
Debate on the Estimates, Apr. 26, 1510.  
(see also Names of Divisions.)  
Parliamentary Elections  
Expenses, General Election;Return Ordered, Mar. 28, 43.  
Ireland;Local Government Officials, Right of Interference  
Q. Mr. Duffy; A. Mr. Wyndham, Apr. 1, 355.  
Parliamentary Elections (Mariners' Votes) Bill  
c. 2R. Apr. 1, 455.  
Com.\* Apr. 18, 744.  
Parliamentary Franchise  
Petition for Extension to Women, Apr. 22, 885; Apr. 24, 1182.  
Parliamentary Procedure  
(see titles Budget, Supply, etc.)  
Parliamentary Time  
Distribution of Parliamentary Time, see that title.  
Parliamentary Voters  
Ireland;Disqualification of Voters through Landlords, etc., failing to fill in  
Requisition Forms  
Q. Mr. Field; A. Mr. Wyndham Apr. 19, 788.  
Parole  
South African War, see that title.  
Patents  
Applicants taking out Patents at their Own Risk, etc.  
Q. Mr. H. Lewis; A. Mr. G. Balfour, Mar. 28, 65.  
Explosives Committee, Patents taken out in Names of Members, see Explosives  
Committee.  
Patriotic Fund  
Administration;Claims of Widows and Orphans of Soldiers married off the Strength  
Debate on the Estimates, Mar. 29, 282, 285, 286, 287.  
Pauper Children  
Metropolitan Workhouses and Infirmaries, Number of Children in  
Q. Mr. Trevelyan; A. Mr. Long, Apr. 86, 1320.  
Villages, Erection of;Expenditure  
Q. Mr. Flower; A. Mr. Long, Apr. 25, 1320.  
Pawnbrokers  
Ireland;Returns from the City Marshal of Dublin Presented, Apr. 22, 886; Apr.  
23, 1052.  
Peace Negotiations  
see South African War.

Pease, Sir J. [Durham, Barnard Castle]  
 Coal;Bunker Coal Returns, Apr. 25, 1312.  
 Great Eastern Railway Bill, Con. Apr. 25, 1261.  
 Peking  
 see China.  
 Pembroke, Ireland  
 Urban Council;Irregularities in Accounts, Report of Auditor, etc.  
 Q. Mr. P. O'Brien; A. Mr. Wyndham, Mar. 29, 229.  
 Penn, Mr. J. [Lewisham]  
 Great Eastern Rail way Bill, Con. Apr. 25, 1259, 1260, 1261, 1264, 1267, 1274.  
 Penrhyn Quarry Dispute  
 Intervention of Board of Trade  
 Qs. Mr. Field, Mr. Bell, Mr. John Wilson; As. Mr. G. Balfour, Apr. 23, 1074.  
 Pensions  
 see Titles Army, South African War, etc.  
 Peppercombe  
 Coastguard Service;Wreck of "Goon-laze," Inquiry, etc.  
 Q. Mr. Soares; A. Mr. Arnold-Forster, Apr. 26, 1433.  
 Perceval, Mr.  
 Appointment as First Lord of Treasury in 1809;Question of re-election  
 Os. Sir R. Finlay, Apr. 1, 389; Mr. E. Robertson, 396.  
 Percy Earl [Kensington, S.]  
 Marriage with a Deceased Wife's Sister Bill, 2R. Apr. 24, 1212, 1215, 1226, 1227, 1229.  
 Peterhead Harbour Works  
 Total Expenditure, Date of Completion, etc.  
 Q. Mr. H. Lewis; A. Mr. Arnold-Forster, Apr. 26, 1433.  
 Petersfield and Selsey Gas Bill  
 c. Report\* Apr. 1, 323.  
 Con.\* Apr. 22, 883.  
 3R\* Apr. 25, 1282.  
 l. 1R.\* Apr. 26, 1415.  
 Petitions  
 Public Petitions Committee Report, Apr. 25, 1281.  
 Petroleum Bill  
 c. 1R.\* Apr. 2, 494.  
 Philipps, Mr. J. W. [Pembroke]  
 Pensions to Widows and Orphans of Soldiers who have Fallen in South Africa, Government Scheme;Men Married off the Strength, etc.,  
 Mar. 29, 289.  
 Piers and Harbours  
 Ireland  
 Bundorragha Fisheries;Want of Landing Pier  
 Q. Dr. Ambrose; A. Mr. Wyndham, Apr. 1, 355.  
 Clifden Bay;Proposed Construction of Pier  
 Q. Mr. O'Malley; A. Mr. Wyndham, Apr. 2, 484.



Sneem Pier;Erection of Goods Store

Q. Mr. Boland; A. Mr. Wyndham, Apr. 1, 354.

Scotland

Avoch Harbour, see that title.

Fishery Harbours;Return

Q. Mr. Weir; A. Mr. A. G. Murray, Mar. 28, 77.

Pig Iron

Production of;Amount of Coal Consumed, etc.

Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 25, 1312.

Pigeons

Carrier Pigeons, Training Facilities

Os. Mr. Kearley, Mar. 29, 258; Capt. Norton, 260; Mr. H. Lewis, 263.

Pimlico

Annual Account Presented, Mar. 28, 42.

Army Clothing Department;Overtime Pay

Q. Capt. Norton; A. Lord Stanley Apr. 2, 475.

Pirie, Mr. D. V. [Aberdeen, N.]

Army

Recruits

Attestation of Age Regulations, Apr. 2, 474.

Case of G. Over, etc., Apr. 1, 337.

Reform;Government Proposals, Apr. 2, 473.

South African War

Conduct of the War, Peace Negotiations, etc., Apr. 2, 524.

Peace Negotiations with General Botha

Government Instructions to Lord Kitchener, Apr. 2, 471.

Letter from General Botha to Lord Kitchener, Apr. 1, 332.

Plague

Cape Colony, see that title.

Plummer, Mr. W. R. [Newcastle-on-Tyne]

Coal, Export Duty;Effect on [Running Contracts, Apr. 19, 784.

Plymouth.

Rifle Range for Marines

Os. Mr. Kearley, Mar. 29, 242; Mr. Pretymann, 244.

Poland

"Sending the Fleet to the Coast of Poland";Fable attributed to Sir E. Ashmead-Bartlett

Qs. Lord E. Fitzmaurice, Sir E. Ashmead-Bartlett, Mar. 28, 187.

Trade Report Presented, Apr. 26, 1410.

Police

Constabulary, Royal Irish, see that title.

Metropolitan Police, see that title.

Pensions, 356&#x00BE; days per year;Payment of Arrears

Q. Mr. Schwann; A. Mr. Ritchie, Mar. 53, 219.

Scotland;Annual Report Presented, Apr. 2, 470; Apr. 22, 878.

Police and Sanitary Regulations Bills

Select Committee, Appointment of  
 Qs. Mr. M'Kenna; As. Mr. J. Collings, Mar. 28, 62; Apr. 12, 917.  
 Police Superannuation (Scotland) Bill  
 Petitions, Apr. 18, 592; Apr. 22, 885; Apr. 24, 1182.  
 Political Clubs  
 Rifle Ranges at;Yohar (Dumbartonshire) Conservative Club  
 Q. Mr. J. F. X. O'Brien; A. Mr. A. G. Murray, Mar. 29, 221.  
 Polling Arrangements (Parliamentary Boroughs) Bill  
 I. 2R., Mar. 28, 6.  
 Com.\* Apr. 23, 1055.  
 Polling Districts  
 County Council Orders Presented  
 Cambridge, Apr. 18, 595; Apr. 22, 879.  
 Essex, Apr. 22, 879, 886.  
 Waketteld, City of, Apr. 19, 771; Apr. 22, 879.  
 Polling Districts (County Councils) Bill  
 I. 2R., Mar. 28, 7.  
 Com.\* Apr. 23, 1055.  
 Poltimore Lord  
 Took the Oath, Apr. 25, 1253.  
 Pontefract  
 Locomotive Explosion;Inspector's Report  
 Q. Mr. Bell; A. Mr. G. Lawson, Apr. 2, 480; Q. Mr. Bell; A. Mr. G. Balfour, Apr. 23, 1075.  
 Poona  
 Indapur Taluka, Inquiry into Condition of Inhabitants and into the Revision  
 Survey Settlement;Petition from Inhabitants, Apr. 1, 324.  
 Poor Law  
 Officers' Superannuation  
 Amount of Contributions paid by Officers in 1897  
 Q. Mr. Tully; A. Mr. Long, Apr. 25, 1321.  
 Number of Officers receiving Allowances in 1895, etc.  
 Q. Mr. Tully; A. Mr. Long, Apr. 22, 917.  
 Pauper Children, see that title.  
 Poor Law Officers' Superannuation (Ireland) Bill  
 Effect on Local Rates  
 Qs. Mr. Murnaghan, Mr. Tully, Mr. Daly; As. Mr. Wyndham, Apr. 23, 1082; Q. Mr. Murnaghan; A. Mr. Wyndham, Apr. 25, 1334.  
 Pension Fund, Supplementing by Public Grant, proposed  
 Q. Mr. Jordan; A. Mr. Wyndham Apr. 26, 1445.  
 Poor Law Officers' Superannuation (Scotland) Bill  
 Petition, Apr. 23, 1060.  
 Poor Law Schools  
 Metropolitan Schools;Erection of Additional Buildings, Expenditure, etc.  
 Q. Mr. Flower; A. Mr. Long, Apr. 25, 1319.

Poor Rate Collectors

Ireland;Collector appointed Prior to Local Government Act, 1898, Carrying on Retail Business, etc.

Q. Mr. K. O'Brien; A. Mr. Atkin son, Apr. 22, 928.

Poor Relief, England and Wales

Statement of Amount Expended Ordered, Apr. 25, 1286;Presented, Apr. 26, 1423.

Port Glasgow

Public Baths;Opening on Sunday, proposed

Q. Mr. J. F. X. O'Brien; A. Mr. A. G. Murray, Apr. 2, 483.

Portaroman

Boat Slip, Erection of

Q. Mr. O'Doherty; A. Mr. Wyndham, Mar. 29, 224.

Portmadoc, Beddgelert, and South Snowdon Railway Bill

Report from Select Committee, Apr. 22, 1051.

Portsmouth

Harbour Dredging, Effect of

Os. Mr. Courtenay Warner, Mar. 29, 243; Mr. Pretymann, 244.

Post Office

Postmaster-General;Marquess of Londonderry.

Representative in House of Commons;Mr. A. Chamberlain.

Bruce Grove Post Office;Refusal to supply Postal Orders owing to Insufficiency of Change

Q. Mr. Lambert; A. Mr. A. Chamberlain, Apr. 23, 1076.

Employees

Appeal Regulations;Appeal of Gracechurch Street Telegraphist, etc.

Q. Mr. Hay; A. Mr. A. Chamberlain, Apr. 25, 1324.

Conditions of Service;Grievances, Proposed Appointment of Committee

Q. Mr. Th. Bayley; A. Mr. A. Chamberlain, Apr. 25, 1325.

Holyhead and Kingstown Packet Service;Promotion of Sorting Clerks

Q. Mr. Field; A. Mr. A. Chamberlain, Apr. 25, 1323.

Pension Calculations;Overtime, etc.

Q. Mr. Daly; A. Mr. A. Chamberlain, Apr. 25, 1322.

Sorting Clerks;Female Clerks, Hours of Labour

Q. Mr. Yoxall; A. Mr. A. Chamberlain, Mar. 28, 73.

Swansea Postal Staff;Promotion of Sorting Clerk, etc.

Q. Sir G. Newnes; A. Mr. A. Chamberlain, Apr. 22, 919.

Faweett Association and Refreshment Committee;Electioneering Manifestoes in Retiring Rooms, etc.

Q. Mr. Lough; A. Mr. A. Chamberlain, Mar. 28, 75.

Irish Questions

Armagh, see that title.

Belturbet Post Office;Erection of New Building

Q. Mr. M'Govern; A. Mr. A. Chamberlain, Apr. 22, 931.

Cork, see that title.

Culloville [Postal Arrangements;Sunday Delivery, etc.

Q. Mr. Daly; A. Mr. A. Chamberlain, Apr. 23, 1086.

Dublin, see that title.  
Fermoy; Delay in Appointment of Medical Officer  
Q. Mr. W. Abraham; A. Mr. A. Chamberlain, Apr. 22, 931.  
Glencolumbkille Sub-Postmaster; Member of Royal Irish Constabulary, etc.  
Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Mar. 28, 85.  
Londonderry, see that title.  
Poyntzpass, see that title.  
Sub-Postmasters; Remuneration Grievances  
Q. Mr. O'Doherty; A. Mr. A. Chamberlain, Apr. 1, 372.  
Mail Service, see that title  
Parcels Post, see that title.  
Scotch Questions  
Edinburgh Post Office Revision; Progress  
Q. Sir L. M'Iver; A. Mr. A. Chamberlain, Mar. JO, 222.  
Inverness-shire Postal Arrangements; More Frequent Deliveries, proposed  
Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar. 29, 223.  
Skye, Island of; Mail Steamer Service  
Q. Mr. J. Dewar; A. Mr. A.  
Chamberlain, Mar. 28, 75.  
Telegraph Service, see that title.  
Telephone Service, see that title.  
Thorpe Hesley; Closing of Post Office  
Q. Mr. Holland; A. Mr. A. Chamberlain. Apr. 23, 1077.  
Post Office Savings Bank  
see Savings Bank.  
Postmaster-General  
Marquess of Londonderry.  
Postmen  
Eastbourne; Refunding Christmas Over time Pay  
Q. Mr. Hogg; A. Mr. A. Chamberlain, Mar. 28, 73.  
Hebden Bridge Postmen's Grievances  
Q. Mr. J. O'Connor; A. Mr. A. Chamberlain, Apr. 22, 920.  
Ledbury; Ex-Postman W. Chambers, Bonus  
Q. Mr. J. O'Connor; A. Mr. A. Chamberlain, Apr. 22, 920.  
Poulton-le-Fylde  
Boiler Explosion; Payment of Costs.  
Q. Sir W. Houldsworth; A. Mr. G. Balfour, Apr. 25, 1318.  
Powell, Private G.  
Serving in South Africa; Provision for Wife and Family  
Q. Mr. Joyce; A. Lord Stanley, Apr. 22, 903.  
Powell, Sir F. S. [Wigan]  
Isolation Hospitals Bill, 2R., Apr. 1, 444.  
Standing Committees, Amendment Standing Order 50, Apr. 2, 555.  
Standing Orders, New Standing Order-Petitions against Paver Conservancy Bills,  
Apr. 2, 460.  
Power, Mr. P. J. [Waterford, E.]

Demise of the Crown Bill, 2R., Apr. 1, 414.  
Labourers, Ireland; Proposed Prizes for Industry, Apr. 22, 925.  
Maltese Law Courts and the English Language Question, Apr. 25, 1306.  
Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House after Supply had been disposed of, Mar. 89, 310.  
Steam Trawling (Ireland) Bill; Date of Second Heading, Apr. 25, 1337.  
Poynzpass  
Level Crossing; Obstruction of Traffic, Construction of Footbridge, proposed  
Q. Mr. J. Campbell; A. Mr. G. Balfour, Mar. 29, 234.  
Petty Sessional Bench; Grievances of Roman Catholics  
Q. Mr. J. Campbell; A. Mr. Wyndham, Mar. 29, 232.  
Postal Arrangements; Delay in Delivery of Letters  
Q. Mr. J. Campbell; A. Mr. A. Chamberlain, Apr. 1, 374.  
Postal Staff; Grievances of Roman Catholics  
Q. Mr. J. Campbell; A. Mr. A. Chamberlain, Mar. 29, 234.  
Preserved Fruit  
Sugar Duty  
Q. Mr. Kearley; A. Sir M. H. Beach, Apr. 25, 1315.  
Press Censors  
South African War, see that title.  
Pretymen, Mr. E. G.; Civil Lord of the Admiralty [Suffolk, Woodbridge]  
Devonport Docks, Enlargement, etc., Mar. 29, 244.  
Falkland Islands; Coaling Arrangements, Mar. 29, 240.  
Hong-Kong, Provision of Guns, Mar. 29, 244.  
Ireland; Expenditure on Naval Works, Mar. 20, 241.  
Naval Works Bill; Date of Introduction etc., Mar. 29, 240.  
Portsmouth Harbour; Dredging Operations, Effect of, Mar. 20, 244.  
Rifle Range for Marines at Plymouth, Mar. 29, 244.  
Simon's Bay; Coaling Arrangements, Mar. 29, 240.  
Southampton Boom Defences, etc., Mar. 29, 240.  
"Thunderer," H.M.S.; Gun Disablement, Apr. 2, 475.  
Prevention of Corruption Bill  
I. 2R., Apr. 23, 1052.  
Price, Mr. E. J. [Norfolk, E.]  
Loyal Suffolk Hussars; Date of Return Apr. 22, 898.  
Prime Minister  
Marquess of Salisbury.  
Prisoners  
Irish (see names of Prisoners under Ireland).  
Prisons  
Chaplains' Salaries; Roman Catholic Grievance  
Q. Mr. O'Dowd; A. Mr. Ritchie, Apr. 1, 348.  
Scotland; Annual Report Presented, Apr. 20, 1416, 1423.  
Prisons (Scotland) Bill  
I. Com., Mar. 29, 200.

## Private Bill Legislation

Returns Ordered, Apr. 18, 597.

## Private Bills

Group A.;Witness Ordered to Attend Committee, Apr. 25, 1282.

Group F.;Witnesses Ordered to Attend Committee, Apr. 18, 590; Apr. 22, 884.

Croup H.;Witness Ordered to Attend Committee, Apr. 23, 1057.

## Private Legislation Procedure (Scotland) Act

Proceedings;Amending General Order for regulation of, Presented, Mar. 28, 6.

## Private Legislation Procedure (Wales, including Monmouthshire) Bill

c. 1R.\* Apr. 26, 1461.

## Private Members' Business

Distribution of Parliamentary Time (see that title).

Roman Catholic Disabilities Removal Bill put down for Friday Evening;Irish

Members' Protest against Adjournment of the House after Supply had been Disposed of, Mar. 29, 293.

## Tuesday Sittings

Appropriation of for Government Business;Private Members' Protest, Apr. 19, 794.

Meeting of the House on Saturday for Government Business with a view to preserving right of Private Members on Tuesdays

Q. Mr. Field; A. Mr. A. J. Balfour, Apr. 23, 1089.

## Privilege

'Strangers Present";Vacation of Office on Demise of the Crown

Labouehere's, Mr., objection Apr. 1, 376.

## Prosecutions

Director of Public Prosecutions, Assistant Director of Public Prosecutions, New Office appearing on the Estimates

Debate on the Estimates, Apr. 26, 1508.

Neglect of the Public Prosecutor In connection with Election Petitions, alleged

Debate on the Estimates, Apr 26, 1510

## Provisional Orders

Electrical Energy Bill;Enabling Promoters to acquire necessary Powers by means of Provisional Orders

Q. Mr. Rea; A. Mr. G. Balfour, Apr. 12, 915.

Pryce-Jones, Col. E. [Montgomery Boroughs]

## Volunteers

Clothing Contracts;New Service Dress, Apr. 19, 784; Apr. 25, 1299.

Establishment Statistics;Omission in Army Estimates for 1901, Apr. 25, 1300.

Officers;Jury Service, exemption from, proposed, Apr. 25, 1300.

Officers serving as Privates in imperial Yemanry, etc.;Resigning Commissions, Apr. 22, 901.

## Public Accounts and Charges Act, 1891

Treasury Minute Presented, Apr. 26, 1417.

## Public Health Act, 1875

Food Adulteration Prosecutions;Sanitary Authorities stating Nature of Charges, etc., proposed

Q. Mr. Field; A. Mr. Long, Apr. 23, 1072.

Public Health Bill  
c. 1R., Apr. 2, 494.

Public Petitions Committee  
Report, Apr. 25, 1281.

Public Records  
see Records.

## Q

Quarries

Penrhyn Quarry Dispute, see that title.

Wales; Dangerous Condition of disused Quarries, Removal of Fences, etc.

Q. Mr. S. Smith; A. Mr. Ritchie, Apr. 26, 1439.

Queen's College, Ireland

References to in Debate Mr. Roche's Resolution on the Roman Catholic University  
Question, Apr. 22, 933.

Queen's Co.

Land Purchase; Amount of Grants, etc.

Q. Mr. Delany; A. Mr. Wyndham, Apr. 1, 363.

Queensland

Elections Acts 1885 to 1893, Amendment Act of 1900 Presented, Apr. 18, 596.

Parliament of the Commonwealth Elections Act, etc., Presented, Apr. 18, 596.

Questions in the House

Filing Answers in the Library proposed

Q. Mr. H. Lewis; A. Mr. J. Balfour, Apr. 2, 493.

Members asking not more than one Question a day, proposed

Q. Mr. Renwick; A. Mr. A. J. Balfour, Mar. 28, 89.

Qudter, Sir C. [Suffolk, Sudbury]

Beer Rations for Soldiers returning from South Africa, Apr. 25, 1290.

## R

Rabies

see Dogs.

Railway, etc., Bills

Board of Trade Report, Apr. 1, 323.

Return Presented, Apr. 2, 470.

Railway Servants

Accidents, Prevention of; Administration of Act of last Session, etc.

Debate, Apr. 2, 531.

Board of Trade Responsibility, 535.

Boiler Explosions, 547.

Brakes, 539.

Comparisons between Mechanics and Railway Employees, 535.

Couplings, Automatic Couplings, etc., 542.

Drafting of Rules, 548.

Employees' Complaints, 536.

Irish Railways; Lighting of Shunting Yards, etc., 542.

Lighting Signal Lamps, 546.

London, Brighton, and South Coast Engines, Complaints against, 537.

Number and Classification of Accidents, 534.  
 Shunters and Shunting Operations, 540.  
 Statutory Supervision, 535, 538.  
 Suggestions for the Prevention of Accidents, 532, 533.  
 Railway and Canal Commission  
 Administration; Costly and Cumbersome Tribunal, alleged  
 Debate on the Estimates, Apr. 26, 1545.  
 Railways  
 Foreign countries, see their names.  
 Highland Railway Company, see that title.  
 Ireland  
 Castlecomer Coal Mines; Proposed Railway to Callan, Government Aid  
 Q. Mr. O'Mara; A. Mr. Wyndham, Apr. 1, 365  
 Derry Central Railway, Sale of, to Belfast and Northern Railway Company  
 Q. Mr. O'Doherty; A. Mr. Chamberlain, Men. 28, 86  
 Poyntzpass Level Crossing; Construction of Footbridge, proposed  
 Q. Mr. J. Campbell; A. Mr. G. Balfour, Mar. 29, 234.  
 State Purchase, proposed  
 Q. Mr. Field; Mr. Wyndham, Apr. 19, 789; Apr. 23, 1084; Apr. 25, 1337; Apr. 26, 1443.  
 Lancashire and Yorkshire; Locomotive Explosion, see Pontefract.  
 Light Railways  
 Number of Applications for Orders; Returns  
 Q. Mr. Bill; A. Mr. G. Balfour, Mar. 28, 64  
 (see also Names of Railways).  
 Rates  
 Administration of, by the Railway and Canal Commissions  
 Debate on the Estimates, Apr. 26, 1545  
 Preferential Rates for Foreign Produce  
 O. Mr. Field, Apr. 19, 834.  
 Underground Railways, see that title.  
 Rasch, Maj. F. C. [Essex, Chelmsford]  
 Army Commissions; Physical Standards. Apr. 22, 905.  
 Budget; Tea Duty, Apr. 25, 1379.  
 Director of Public Prosecutions; Neglect in connection with Election Petitions, Apr. 26, 1520.  
 Duration of Speeches in Parliament Notice of Motion, Apr. 18, 589  
 Great Eastern Railway Bill, con., Apr. 25, 1262.  
 Horse Exports to Rotterdam, Mar. 28, 60.  
 King's Bench Divisional Court; Arrears, Apr. 1, 353.  
 Yeomany, Imperial, Pay; Reduction, Apr. 22, 899.  
 Rates  
 see Local Taxation.  
 Rea, Mr. R. [Gloucester]  
 Electrical Energy Bills; Enabling Promoters to Acquire necessary Powers by means of Provisional Orders, Apr. 22, 915.



## Records

Documents of not sufficient Value to justify Presentation; Schedule Presented, Apr. 22, 879.

## Recruits

see Army.

Reddy, Mr. W. M. [King's Co., Birr]

Ballinasloe Mail Service with Rathcabbin; Delays, etc., Mar. 18, 607.

Redmond, Mr. J. E. [Waterford]

Army (Annual) Bill, Com. Apr. 22, 1048 Resumption of Debate, Apr. 19, 863.

## Budget

Loan Resolution, etc., Apr. 19, 862.

Motion to Report Progress, Apr. 18, 744; Apr. 22, 1029.

Over Taxation of Ireland; Sugar Duty, Income Tax, etc., Apr. 18, 693.

Spirit Duty, Apr. 25, 1412.

## Business of the House

Course of Business, Apr. 1, 378, 379.

Tuesday Sittings, Appropriation for Government Business, Apr. 19, 795.

Demise of the Crown Bill, 2R., Apr. 7, 419, 420.

Easter Holidays; Shortening proposed; Irish Land Purchase Legislation, Apr. 2, 504.

Fisheries (Ireland) Bill, Intro. Apr. 1, 381.

Land Purchase; Government Proposals Apr. 2, 490; Apr. 23, 1079.

Parliamentary Elections (Mariners' Votes) Bill, 2R., Apr. 1, 457.

Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 295, 300, 307.

Sittings of the House, Earlier Sittings on Wednesdays; Eleven o'clock, Mar. 28, 90.

Standing Committees, Amendment of Standing Order 50, Apr. 2, 563.

University Education, Ireland; Roman Catholic University Question, Apr. 22, 1015.

Redmond, Mr. W. [Clare, E.]

Budget, Tea Duty; Protest against Taxation of Ireland, Apr. 25, 1360, 1393.

Business of the House; Tuesday Sittings, Appropriating for Government Business, Apr. 19, 808, 821.

Butler Estate, Co. Galway; Delay in Sale, Apr. 23, 1081.

## China

Anglo-German Agreements, Applying to Manchuria, Mar. 28, 54.

Manchuria; Russo-Chinese Agreement, Apr. 25, 1308.

Situation in, British Policy, etc., Mar. 28, 190.

Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 190.

## Egypt

British Forces, Date of Evacuation, Apr. 25, 1308.

Dervish Leaders, Imprisonment, Apr. 25, 1308.

## Ennis

Bonded Warehouse, Apr. 18, 608.

Intimidation Cases; Case of Messrs. M'Inerney, Halpen, and Lynch, Defendants'

Costs, Government defraying, proposed, Apr. 22, 928.  
 Labourers' Cottages; Urban Council Scheme, Delays, Apr. 25, 1331.  
 Explosives Committee; Patents taken out in Members' Names, etc., Apr. 22, 905.  
 Insane Prisoners, Maintenance of, Apr. 26, 1452.  
 Members of the Cabinet standing behind the Speaker's Chair, Apr. 2, 578.  
 Navy; Religious Instructions, Position of Roman Catholic Chaplains, etc., Mar. 29, 267, 269.  
 Newfoundland Fisheries; Negotiations with France, Apr. 22, 910.  
 Old Age Pensions in Colonies, Apr. 22, 910.  
 Rhodesia; Introduction of Chinese Labour, Apr. 18, 599; Apr. 19, 776.  
 Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 293, 297, 315.  
 South African Land Settlement Commission; Report, Date of Issue, Apr. 22, 894.  
 South African War  
 Boer Prisoners; Deportation to Tasmania, Apr. 22, 891.  
 Hospitals; Number of Soldiers in Hospital, Apr. 22, 899.  
 Methuen's, Lord, Illness, Apr. 19, 774.  
 Milner's, Sir A., Despatch; Delay in Publication, Apr. 22, 894.  
 Refuge Camps; Number of Boer Women and Children, etc., Apr. 22, 897.  
 Tobacco Growing in Ireland; Restrictions, Apr. 25, 1406.  
 Reformatories  
 Inebriate Reformatories, see that title.  
 Reformatory and Industrial Schools  
 Ireland; Day Schools, Establishment, proposed  
 Q. Mr. Field; A. Mr. Wyndham, Apr. 19, 789.  
 Registration of Voters  
 Ireland; Parliamentary and Local Government Electors, Expenses; Return Ordered, Mar. 28, 43.  
 Reid, Mr. J. [Greenock]  
 Budget; Sugar Bounty Question, etc., Apr. 18, 710.  
 Reid, Sir R. [Dumfries Burghs]  
 Army (Annual) Bill, Apr. 22, 1036.  
 Circuit System, Defects of, Apr. 26, 1464.  
 Merriman-Sauer Petition, Mar. 28, 44.  
 Renwick, Mr. G. [Newcastle-on-Tyne]  
 Budget; Opportunity for Discussion, Apr. 18, 731, 733.  
 Questions in the House; Limitation of Numbers, Mar. 28, 89.  
 Representative Peers for Ireland  
 Dunsany, Lord, Apr. 25, 1253.  
 Revenue and Expenditure of the United Kingdom  
 Budget Statement, Apr. 18, 615.  
 Collection of Taxes; Present Return Apr. 18, 595.  
 Control over Finances of the Country Q. Sir E. Vincent, Apr. 18, 683.  
 Gross Public Income and Expenditure in the year ending March, 1901, etc.; Account

Presented, Apr. 24, 1183.

Increase in Expenditure

Debate on the Budget, Apr. 23, 1098, 1101, 1102, 1103, 1109; Apr. 25, 1387, 1388.

Increase in Revenue

O. Sir W. Harcourt, Apr. 18, 654.

South African War. Effect of, on Financial Condition of the Country, Sir W. Harcourt on, Apr. 18, 657.

Loan, see title Budget.

Method of Presenting Public Accounts to Parliament; Appropriations-in-aid and Local Expenditure omitted as part of National Expenditure

O. Mr. G. Bowles, Apr. 19, 836.

South African War Expenditure, see South African War.

"Times"; Erroneous Statement as to Receipts

Q' Mr. Hartley; A. Sir M. H. Beach, Apr. 1, 345.

Treasury Bills, see that title.

Unclaimed Moneys, see that title.

Rhodesia

Chinese Labour Introduction; Importation Question

Q. Mr. W. Redmond; A. Mr. J. Chamberlain, Apr. 18, 599.

Q. Mr. Haviland-Burke, Mr. W. Redmond; As. Mr. J. Chamberlain, Apr. 19, 776.

Ribblesdale, Lord

Polling Arrangements (Parliamentary Boroughs) Bill, 2R., Mar. 28, 7.

Polling Districts (County Councils) Bill, 2R., Mar. 28, 7, 8.

Richards, Mr. H. C. [Finsbury, E.]

Standing Committees, Amendment of Standing Order 50, Apr. 2, 569.

Rifle Ranges

Continental Ranges; Report

Q. Col. W. Murray; A. Lord Stanley, Apr. 22, 906.

Political Clubs in Scotland; Yoker (Dumbartonshire) Conservative Club

Q. Mr. J. E. X. O'Brien; A. Mr. A. G. Murray, Mar. 29, 221.

Plymouth; Rifle Range for Marines

Os. Mr. Kearley, Mar. 29, 242; Mr. Pretymann, 244.

Whitley Range; Facilities for Volunteers

Q. Mr. Robson; A. Mr. Brodrick, Apr. 18, 602.

Winchester, Offer of Rifle Ranges; Refusal by War Office; Letter or Under Secretary of State for War to Mr. Myers, etc., Address for Copy, Mar. 29, 205.

Ritchie, Rt. Hon. C. T.; Secretary of State for the Home Department (Croydon)

Child Hawkers, Licences, proposed; Liverpool Corporation Act, 1898, Apr. 25, 1318.

Collieries in South Wales; Number of Collieries closed, etc., Apr. 25, 1313

Cremation Bill, 2R. Apr. 1, 448.

Demise of the Crown Bill, Apr. 1, 383.

Disorderly Houses in London; Bouillon Fleet and Heineken's Lager Brewery Company, Mar. 28, 60.

Factory Bill, Memorandum; Date of Issue, Apr. 26, 1438.

Factory and Workshop Acts Amendment Bill, Intro., Mar. 28, 90.

Factory and Workshops Acts Consolidation Bill, Intro., Mar. 28, 94.  
 House Exports to Rotterdam, Mar. 28, 61.  
 Inebriate Reformatories; Numbers of Persons committed under Act of 1898, Apr. 18, 606.  
 Licensing Laws, Amendment of; Date of introducing Bill, Apr. 22, 913.  
 Mining Accidents, Prevention of; French Methods, Mar. 28, 61.  
 O'Brien, Mr. J. P., Ex-political Irish Prisoner; Police surveillance in London, Apr. 26, 1456.  
 Oxford Cemeteries under Martin's Act; Consecration Burial Act of 1900, etc., Apr. 25, 1317.  
 Parliamentary Elections (Mariners' Votes) Bill, 2R., Apr. 1, 462.  
 Police Pensions 356&#x00BE; days per year; Payment of Arrears, etc., Mar. 29, 219.  
 Prisons; Roman Catholic Chaplains' Salaries, Apr. 1, 348.  
 St. Ives Fishery Disturbances, Apr. 2, 478.  
 Smithfield Market; English Traders ousted by Foreign Firms, etc., alleged, Apr. 22, 913.  
 Vice and Immorality, Royal Proclamation against, Apr. 2, 478.  
 Welsh Quarries; Dangerous condition of Disused Quarries, Apr. 26, 1439.  
 River Conservancy Bills  
 Petition against; New Standing Order Motion (Mr. J.W. Lowther), Apr. 2, 465  
 Rivers Pollution Prevention Bill  
 Petition, Apr. 24, 1182.  
 Roads  
 Ireland; Employment of Direct Labour, Provisional Order  
 Q. Mr. O'Shaughnessy; A. Mr. Wyndham, Apr. 22, 925  
 Q. Mr. Tully; A. Mr. Wyndham, Apr. 23, 1085  
 Q. Mr. O'Shaughnessy; A. Mr. A. J. Balfour, Apr. 25, 1340  
 Roberts, Earl  
 (see titles Army; Commander-in-Chief and South African War.)  
 Roberts, Mr. B. [Carnarvonshire, Eifion]  
 Budget; Export Duty on Coal, Protest against the War, Transvaal Contributions towards the War, etc., Apr. 19, 848, 853, 865.  
 Demise of the Crown, Vacation of Office Apr. 1, 378.  
 South African War  
 Parole, Observance of, Apr. 19, 779.  
 Wessel, Mr., Peace Envoy; Shot by the Boers, alleged, Apr. 19, 777.  
 Roberts, Mr. H. [Denbighshire, W.]  
 China; Peking Palace, Fire at, Apr. 22, 907.  
 Stonehouse, Rev. J., Murder of, Mar. 28, 54.  
 Coal; British Colonies, Output in 1900, etc., Apr. 22, 912.  
 Education Bill; Date of Introduction, Apr. 2, 492.  
 Germans, Expulsion of from South Africa; Compensation Claims, Mar. 28, 46.  
 India  
 Irrigation Schemes; Reports of Engineers, etc., Apr. 2, 476.

Military Outposts in 1898, Mar. 28, 57.  
 Robertson, Mr. E. [Dundee]  
 Army Reorganisation; Government Proposals, Mar. 29, 235.  
 Demise of the Crown, Vacation of Office, Apr. 1, 378.  
 Demise of the Crown Bill, 2R., Apr. 8, 394.  
 Explanatory Memorandum, Mar. 28, 88.  
 Devonport Dockyard Police; Extra Lodging Allowance, Mar. 29, 251, 254.  
 Legal Expenses; Sums paid direct to the Treasury, Apr. 26, 1536.  
 Yeomanry, Imperial; New Army Order, Apr. 19, 780.  
 Robson, Mr. W. S. [South Shields]  
 Budget; Export Duty on Coal, etc., Apr. 18, 684.  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 106.  
 South African War; Peace Negotiations' Policy of publishing Despatches, Terms offered by the British Government, etc., Mar. 28, 106.  
 Whitley Rifle Range; Facilities for Volunteers, Apr. 18, 602.  
 Roche, Mr. J. [Galway, E.]  
 University Education, Ireland; Roman Catholic University Question, Apr. 22, 933, 1020.  
 Rolleston, Sir J. F. L. [Leicester]  
 Leicester Vaccination Prosecutions, Apr. 2, 478.  
 Rollit, Sir A. [Islington, S.]  
 Budget; Sugar Duty, Export Duty on Coal, etc., Apr. 18, 671.  
 Education Bill; Date of Introduction, Apr. 26, 1457.  
 Incorporated Law Society; Kent Item, Apr. 26, 1563.  
 Railway Commission; Costly and Cumbersome Tribunal, Apr. 26, 1551.  
 Sheriffs; Expenses incurred in connection with Judges on Circuit. Apr. 26, 1540.  
 Roman Catholic Chaplains  
 see titles Navy and Prison Chaplains.  
 Roman Catholic Disabilities Removal Bill  
 Motion for Adjournment of the House after Supply had been disposed of; Irish Members' Protest, Mar. 29, 293.  
 Roman Catholic University for Ireland  
 see Ireland; University Education.  
 Roman Catholicism  
 King's Declaration against  
 Attorney-General's Advice to Ministers  
 Debate on the Estimates. Apr. 26, 1472, 1474.  
 Government Proposals  
 Q. Mr. T. M. Healy; A. Mr. A. J. Balfour, Apr. 23, 1088.  
 Petition against alteration, Apr. 22, 881.  
 Roscommon  
 Constabulary; County Inspector residing outside County, etc.  
 Q. Mr. Hayden; A. Mr. Wyndham, Mar. 29, 229.  
 Rotterdam  
 Horse Exports from England; Diseased Horses, Statement of Inspector Buckingham,

etc.

Q. Major Rasch; A. Mr. Ritchie, Mar. 28, 60.

Roxborough Road School

Endowment; Amount in the hands of Commissioners, etc.

Q. Mr. Joyce; A. Mr. Wyndham, Mar. 29, 225.

Royal Exchange Assurance Bill

I. Report,\* Apr. 26, 1414.

Royal Irish Constabulary

see Constabulary, Royal Irish.

Royal University, Ireland

References to in Debate on Mr. Roche's Resolution on the Roman Catholic

University Question, Apr. 22, 933.

Royal Yacht

see "Victoria and Albert."

Royds, Col. C. M. [Rochdale]

Volunteers; Class Firing, Apr. 22, 905.

Russell, Mr. T. W. [Tyrone, S.]

Flax-growing in Ireland; Appointment of Experts, Apr. 8, 1443.

Russia

China, see that title.

Trade Report Presented, Apr. 26, 1416.

Russian Language

Naval Officers, Facilities for studying Russian

Os. Capt. Norton, Mar. 29, 260, 261, 262, 263, 269; Mr. H. Lewis, 264; Mr. Allen, 269.

Rutherford, Mr. J. [Lancashire, Darwen]

Attendance at School; Full time Exemption, Attendance Qualification, Apr. 25, 1328.

Militia and Yeomanry; Date of Return from South Africa, Apr. 23, 1065, 1066.

Ryan, Private

Case of; Proposed Remission of Sentence

Q. Mr. J. P. Farrell; A. Lord Stanley, Apr. 25, 1301.

S

Saccharine

Sugar Duty; References to in Debate on the Budget, Apr. 18, 728, 730.

Sailing Vessels

British Vessels leaving Foreign Ports; Number Missing in 1900

Q. Mr. Allen; A. Mr. G. Balfour, Apr. 1, 346.

St. Ives

Fishery Disturbances

Q. Sir J. Colomb; A. Mr. Ritchie, Apr. 2, 478.

Sale of Intoxicating Liquors on Sunday Bill

Petitions, Apr. 18, 592; Apr. 19, 770; Apr. 22, 885; Apr. 23, 1061; Apr. 24, 1182; Apr. 25, 1285;

Apr. 26, 1422.

Sale of Intoxicating Liquors on Sunday (Monmouthshire) Bill

Petition, Mar. 28, 41.  
 Sale of Intoxicating Liquors (Scotland) Bill  
 Petition, Apr. 25, 1285.  
 Sale of Intoxicating Liquors to Children Bill  
 Affording Special Facilities for passing Bill this Session, etc., proposed  
 Qs. Mr. Tritton, Sir W. H. Dyke; As. Mr. A. J. Balfour, Apr. 22, 932.  
 Petitions, Mar. 28, 41; Apr. 1, 324; Apr. 2, 469; Apr. 18, 592; Apr. 19, 770;  
 Apr. 22, 885;  
 Apr. 23, 1060; Apr. 24, 1182; Apr. 25, 1285; Apr. 20, 1422.  
 Sale of Intoxicating Liquors to Children (Scotland) Bill  
 Petitions, Mar. 28, 41; Apr. 1, 324; Apr. 2, 469; Apr. 18, 592; Apr. 19, 770;  
 Apr. 22, 885; Apr.  
 23, 1061; Apr. 24, 1183; Apr. 25, 1185; Apr. 26, 1422.  
 Samuel, Mr. H. [Tower Hamlets, Limehouse]  
 Army Engineer Corps; Lack of Adjutants, Apr. 22, 904.  
 Samuel, Mr. S. [Tower Hamlets, White-chapel]  
 Consols, New Issue of; Advancing Money on the Security of the part-paid Scrip,  
 etc., Apr. 25, 1316.  
 Sanna's Post  
 see South African War.  
 Sassoon, Sir E. [Hythe]  
 Stanley Harbour, Fortifications; Cable Communications with the Cape, Mar. 29,  
 243.  
 Steamship Communication; Direct Communication between East Africa and Great  
 Britain, Inquiry into System of Subsidies by Foreign Government, etc., Apr. 23,  
 1141.  
 Saturday Sittings of the House  
 Meeting of the House for Government Business, with a view to preserving Rights  
 of Private Members on Tuesdays  
 Q. Mr. Field; A. Mr. A. J. Balfour, Apr. 23, 1089.  
 Saunderson, Col. Rt. Hon. E. J. [Armagh N.]  
 Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 753.  
 University Education, Ireland-Roman Catholic University Question, Apr. 22, 949.  
 Savings Banks  
 Post Office  
 Excess of Liabilities over Assets in 1900; Amount of 2&#x00BE; per cent. Consols,  
 etc.  
 Q. Mr. G. Bowles; A. Sir M. H. Beach, Apr. 26, 1434.  
 Extension of Facilities at Rural Post Offices, etc., proposed  
 Q. Mr. Weir; A. Sir M. H. Beach, Apr. 18, 605.  
 School Accommodation  
 see Education.  
 School Attendance  
 see Education; Attendance.  
 School Board  
 London School Board, see that title.

Wimbledon; Formation of School Board, proposed  
 Q. Mr. Nussey; A. Sir John Gorst, Apr. 22, 919.  
 Schwann, Mr. C. E. [Manchester, N.]  
 Parcels Postage; Postmen's Delivery Weights, Mar. 28, 72.  
 Police Pensions, 356&#x00BE; days per year; Payment of Arrears, etc., Mar. 29, 219.  
 South African War  
 Boer Prisoners; Internment in India, Apr. 25, 1289; Apr. 26, 1437.  
 Pensions for Widows and Orphans of Soldiers; Government Scheme, Mar. 28, 49.  
 Reinforcements; Lord Kitchener's Demand, Apr. 2, 471.  
 Scilly Islands  
 Coal Shipped to; Export Duty, etc.  
 Q. Mr. D. A. Thomas; A. Sir M. H. Beach, Apr. 26, 1436.  
 Scotland  
 Secretary.; Rt. Hon. Lord Balfour of Burleigh.  
 Under Secretary.; Sir C. Scott Mon-crieff.  
 Lord Advocate.; Rt. Hon. A. G. Murray.  
 Solicitor General.; Mr. C. S. Dickson.  
 Allotments; Return Ordered, Apr. 22, 887.  
 Avoch Harbour; Negotiations of Fishery Board, Owner of Harbour, etc.  
 Q. Mr. Weir; A. Mr. A. G. Murray, Apr. 1, 353.  
 Congested Districts Board  
 Report Presented, Apr 18, 593; Apr. 22, 878.  
 Return  
 Q. Mr. Weir; A. Mr. A. G. Murray, Apr. 25, 1329.  
 Crofters Act, 1886; Extension to Leaseholders under £;30, proposed  
 Q. Mr. Weir; A. Mr. A. J. Balfour, Apr. 25, 1341.  
 Crofters' Holdings (Scotland) Acts; Report of the Crofters' Commission for 1900, Presented Apr. 18, 594; Apr. 22, 878.  
 Edinburgh, see that title.  
 Education; for collective heading see Education.  
 Explosion at Nobel's Factory at Ardeer; Inspector's Report Presented, Apr. 18, 594; Apr. 22, 876.  
 Fishery Harbours; Return  
 Q. Mr. Weir; A. Mr. A. G. Murray, Mar. 28, 77.  
 Fort George Water Supply, Impurity of, etc.  
 Q. Mr. J. Dewar; A. Mr. G. Balfour, Mar. 39, 222.  
 Glasgow, see that title.  
 Harris Mail Service; Proposed Mail Steamer Service to Loch Stockinish  
 Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar. 29, 223  
 Highland Railway Company, see that title.  
 Highland Regiments; Quartering in Scotland  
 Q. Mr. Black; A. Mr. Brodrick, Apr. 23, 1067.  
 Invergordon; Visit of H.M.S. "Northampton"  
 Q. Mr. Weir; A. Mr. Arnold-Foster, Mar. 28, 52



Inverness-shire Postal Arrangements; More frequent Deliveries proposed  
 Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar 29, 223.  
 King holding Court at Edinburgh, proposed  
 Q. Mr. T. Dewar; A. Mr. A. J. Balfour, Apr. 25, 1341.  
 King's Title; Writs running in the Name of Edward VII.  
 Q. Mr. Black; A. Mr. A. G. Murray, Mar. 28, 76.  
 Leith, Discovery of Gold, etc.  
 Q. Mr. J. Wilson; A. Sir M. H. Beach, Apr. 25, 1314.  
 National Gallery; Annual Report Presented, Apr. 18, 594; Apr. 22, 878.  
 Police; Annual Report Presented, Apr 2, 470; Apr. 22, 878.  
 Post Office, for collective heading see that title.  
 Prisons; Annual Report Presented, Apr. 26, 1410, 1423.  
 Private Bill Legislation Procedure (Scotland) Act, see that title.  
 Railways, for collective heading see that title.  
 Rifle Ranges at Political Clubs; Yoker (Dumbartonshire) Conservative Club  
 Q. Mr. J. F. X. O'Brien; A. Mr. A. G. Murray, Mar. 29, 221.  
 Sheriffs' Salaries; Increase proposed  
 Q. Mr. Weir; A. Mr. A. Chamberlain, Apr. 25, 1327.  
 Skye, Island of; Mail Steamer Service  
 Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar. 38, 75.  
 Smallpox in Glasgow, see Glasgow.  
 Stornoway Mail Steamer Service; Result of Experiment  
 Q. Mr. Weir; A. Mr. A. Chamberlain, Apr. 25, 1325.  
 Tarbat Ness and Ord of Caithness Fisheries; Fishery Cruiser Patrolling Waters  
 Q. Mr. Leveson-Gower; Mr. A. G. Murray, Mar. 28, 76.  
 Teachers' Superannuation Act; Teachers in Office before Passing of Act, etc.  
 Q. Mr. C. Wason; A. Mr. A. G. Murray, Apr. 26, 1439.  
 Technical Education, Local Authorities; Return presented, Apr. 26, 1424.  
 Trawling, see that title.  
 Ultimus H&#x0153;res; Account of Receipts and Payments, List of Estates,  
 etc.; Return ordered, Apr. 25, 1286; Presented, Apr. 26, 1422.  
 Universities, Number, etc.  
 O. Mr. Hemphill, Apr. 22, 984, 986.  
 Universities (Scotland) Act; Copy presented of University Court Ordinance No. V.,  
 Apr. 2, 470; Apr. 22, 880.  
 University Class Fees; Return  
 Q. Mr. T. Shaw; A. Mr. A. G. Murray, Apr. 2, 483.  
 Wigtownshire, see that title.  
 Yeomanry; Date of Return from South Africa  
 Q. Mr. Weir; A. Lord Stanley, Apr. 1, 337.  
 Scott, Mr. C. P. [Lancashire, Leigh]  
 South African War  
 Peace Negotiations with Gen. Botha, Mar. 28, 46.  
 Refuge Camps; Number of Women and Children detained, etc., Mar. 28, 46.  
 Scott, Sir S. E. [Marylebone, W.]  
 Yeomanry, Imperial; South African Constabulary Recruits, Classification of, etc.,

Apr. 1, 332.  
Seaborne Coal  
see Coal.  
Secret Commissions  
Prevention of Corruption Bill, Apr. 23, 1052.  
Seeley, Mr. C. H. [Lincoln]  
Consolidated Lund (No. 1) Bill, 3R., Mar. 28, 155.  
Marriage with Deceased Wife's Sister Bill, 2R., Apr. 24, 1238.  
South African War; Peace Negotiations, Terms offered by the British Government,  
etc., Mar. 18, 155.  
Select Committees  
see Committees.  
Separation Allowances  
see Army; Soldiers Married without Leave, etc.; also South African War.  
Seton-Karr, Mr. H. [St. Helens]  
Cremation Bill, 2R., Apr. 1, 452.  
Parliamentary Elections (Mariners' Votes) Bill, 2R. Apr. 1, 457.  
Shannon Water and Electric Power Bill  
Minutes of Evidence and Proceedings taken before the Committee, to be referred  
to the Committee on Group H, Apr. 23, 1059.  
Sharpe, Mr. W. [Kensington, N.]  
Marriage with Deceased Wife's Sister Bill, 2R., Apr. 24, 1201.  
Shaw, Mr. T. [Hawick Burghs]  
Scottish University Class Fees; Return, Apr. 2, 483.  
South African War; Conduct of the War, Condemnation of Lord Roberts's  
Proclamations, Terms of Settlement, etc., Apr. 2, 509,  
529.  
Sheffield Corporation Bill  
I. Report,\* Apr. 25, 1253.  
Sheffield District Railway Bill  
I. 3R.\* Apr. 22, 874.  
c. 1R.\* Apr. 23, 1059.  
Sheriffs  
Payments made to for Expenses in connection with Judges on Circuit, etc.  
Debate on the Estimates, Apr. 26, 1531.  
Scotland; Increase of Salaries, proposed  
Q. Mr. Weir; A. Mr. A. Chamberlain, Apr. 25, 1327.  
Shields Bridge Bill  
I. Report from Select Committee, Mar. 28, 2.  
3R.\* Apr. 23, 1050.  
c. 1R.\* Apr. 25, 1283.  
Shipping  
see Merchant Shipping.  
Shipping Interest  
Coal Export Duty  
Budget Statement, Apr. 18, 644.

Debate on Budget Proposals, Apr. 18, 678.  
Taxation of Shipowners, see Tonnage Tax.  
Shops (Early Closing) Bill  
Petition, Apr. 22, 880.  
Siam  
Khorat Railway Contract, Cancellation of; Compensation Claims  
Q. Sir C. Dilke; A. Visc. Cranborne, Apr. 23, 1068.  
Silver Coinage  
Receipt from; Budget Statement, Apr. 18, 621.  
Simon's Bay  
Coaling Arrangements  
Os. Sir J. Colomb, Mar. 29, 239; Mr. Pretyman, 240.  
Sinclair, Mr. L. [Essex, Romford]  
Reservists' Families, Provision for; Case of Private Hasler's Widow, Mar. 28, 49.  
Sinking Fund, Suspension of  
Budget Statement, Apr. 18, 646.  
Sittings of the House  
Earlier Meeting of the House  
Eleven o'clock (Wednesday)  
Motion (Mr. A. J. Balfour), Mar. 28, 90.  
Two O'Clock (Tuesdays)  
Motion (Mr. A. J. Balfour), Apr. 1, 378.  
Exemption from 12 o'clock Rule; Committee of Ways and Means  
Motion (Mr. A. J. Balfour), Apr. 25, 1344.  
Saturday Sittings; Meeting of the House for Government Business with a view to  
preserving rights of Private Members on Tuesdays  
Q. Mr. Field; A. Mr. A. J. Balfour, Apr. 23, 1089.  
Skye, Island of  
Mail Steamer Service  
Q. Mr. J. Dewar; A. Mr. A. Chamberlain, Mar. 28, 75.  
Slave Trade  
Zanzibar; Laying Papers on the Table, etc.  
Q. Mr. T. Bayley; A. Visc. Cranborne, Mar. 29, 217.  
Sligo  
Land Commission Sitting; Number of Appeals, etc.  
Q. Mr. Flynn; A. Mr. Wyndham, Apr. 1. 356.  
Smallpox  
Glasgow, see that title.  
Lisburn Outbreak; Precautionary Measures  
Qs. Mr. Daly, Mr. Hartley; As. Mr. Wyndham, Apr. 26, 1451.  
Smith, Mr. A. H. [Herts, Hertford]  
Cavalry Commissions; Physical Standards, Apr. 2, 474.  
Smith, Mr. H. C. [Northumberland, Tyneside]  
Child Hawkers' Licences, proposed; Liverpool Corporation Act, 1898, Apr. 25,  
1317.  
Smith, Mr. P. [Lanark, Partick]

Demise of the Crown Bill, 2R., Apr. 1, 412.  
Parliamentary Elections (Mariners' Votes) Bill, 2R., Apr. 1, 458.  
Separation Allowance;Wives of Soldiers entitled to transfer to Reserve, etc., Apr. 26, 1431.  
Smith, Mr. S. [Flintshire]  
India;Census Returns in Famine Districts, Apr. 1, 341.  
Welsh Quarries;Dangerous condition of disused Quarries, Apr. 26, 1439.  
Smith, Mr. W. F. D. [Strand, Westminster]  
Land Transfer Act, 1897, Compulsory Clauses;Application to City of London, Postponement of, etc., Apr. 26, 1442.  
South African War Medal, Presentation to Yeomanry and Volunteers, Apr. 26, 1430.  
Smithfield Market  
English Traders ousted by Foreign Firms;Dutch and American Traders  
Q. Mr. O. Williams; A. Mr. Ritchie, Apr. 22, 913.  
Sneem Pier  
Erection of Goods Store  
Q. Mr. Boland; A. Mr. Wyndham, Apr. 1, 354.  
Soames, Mr. A. W. [Norfolk, S.]  
Legal Expenses, Increase in;Payments to Sheriffs, etc., Apr. 36, 1535.  
Soares, Mr. E. J. [Devon, Barnstaple]  
"Goonlaze," Wreck of;Inadequacy of Coastguard Service, etc., Apr. 36, 1433.  
Socialistic Commonwealth  
Motion (Mr. Keir Hardie), Apr. 32, 1175.  
Soldiers and Sailors Killed in War  
Pensions for Widows and Orphans, see South African War;Pensions.  
Solicitor-General  
Sir E. Carson.  
Salary and Fees, System of payment, etc.  
Debate on the Estimates, Apr. 26, 1469.  
Solicitor-General for Scotland  
Mr. C. Scott-Dickson.  
Solicitors  
Charges against;Incorporated Law Society Committee, Work of, etc.  
Debate on the Estimates, Apr. 26, 1556.  
Solicitors Bill  
I. 1R.\* Apr. 23, 1052.  
"Sops and Doles"  
References to in Debate on the Budget, Apr. 25, 1379, 1382, 1384, 1391.  
Soudan  
Finance, Administration and Condition;Consul-General's Report Presented, Apr. 18, 59; Apr. 22, 877.  
South African Cold Storage Company  
Meat Contracts for Troops in South Africa;Supply of Frozen Meat  
Q. Mr. H. Lewis; A. Lord Stanley, Apr. 23, 1065.  
South African Constabulary  
Canadian Contingent, Enlistment of;Raid on Ottawa Hotel

Q. Mr. S. MacNeil; A. Mr. J. Chamberlain, Apr. 25, 1295.  
Cost of  
Harcourt, Sir W., on, Apr. 18, 660.  
Yeomanry Imperial, Members joining Constabulary; Classification of, etc.,  
Q. Sir S. Scott; A. Mr. J. Chamberlain, Apr. 1, 332.  
South African Land Settlement Commission  
Report; Date of Issue  
Qs. Mr. W. Redmond, Mr. S. MacNeill; As. Mr. J. Chamberlain, Apr. 22, 894.  
South African Land Settlement Scheme  
Harcourt, Sir W., on, Apr. 18, 658.  
South African Letters  
see Merriman and Villiers.  
"South African News"  
Prosecution of Editor for Libel.  
Q. Mr. Humphreys-Owen; A. Mr. J. Chamberlain, Mar. 20, 213.  
South African Settlement  
Administration of Republics; Inauguration of Scheme during Sir A. Milner's  
Absence, etc.  
Q. Mr. Black; A. Mr. J. Chamberlain, Apr. 26, 1425.  
Native Affairs, Administration of, in the Annexed Republics  
Q. Sir C. Dilke; A. Mr. J. Chamberlain, Apr. 25, 1280.  
Cost of  
Harcourt, Sir W., on, Apr. 18, 658.  
Merriman-Sauer Petition  
Q. Sir R. Reid; A. Mr. A. J. Balfour, Mar. 28, 44.  
Peace Negotiations, Terms offered to the Boers by the British Government  
Debate on Consolidated Fund Bill, Mar. 28, 95.  
(see details of Debate).  
(see South African War; Peace Negotiations).  
South African War  
Annexation Policy  
Os. Mr. T. Shaw, Apr. 2, 517; Mr. Brodrick, 530.  
Australian Troopers returning home; Disturbance in Cape Town  
Q. Mr. Tully; A. Mr. Brodrick, Apr. 25, 1295.  
Beer Rations for Returning Soldiers  
Q. Sir C. Quilter; A. Mr. Arnold-Forster, Apr. 25, 1290.  
Boer Forces  
Reinforcements, see that sub-heading.  
Strength of; Number of Boer Prisoners, etc.  
Q. Mr. Lambert; A. Mr. Brodrick, Mar. 28, 48.  
Boer Prisoners, see sub-heading Prisoners.  
British Forces; Statistical Return  
Q. Sir W. Harcourt; A. Mr. Brodrick, Apr. 20, 1428.  
cape Town, Defence of; Erection of Forts, alleged  
Q. Mr. Lambert; A. Mr. Brodrick, Mar. 28, 47.  
Casualties

Return Presented, Apr. 22, 877.  
Number of Troops in Hospital, see sub-heading Hospitals  
Cattle; Disposal of Captured Cattle  
Q. Mr. Lambert; A. Lord Stanley, Apr. 19, 777.  
Civil Labour, Expenditure on  
Q. Col. Nolan; A. Mr. Brodrick, Apr. 26, 1429.  
Civilian Hospital Orderlies, see sub-heading Orderlies.  
Clothing  
Expenditure on  
Q. Col. Nolan; A. Mr. Brodrick, Apr. 26, 429.  
Warm Clothing for the Troops  
Kitchener's, Lord, Appeal  
Q. Mr. Chaplin; A. Mr. Brodrick, Apr. 1, 333.  
Private Supplies, Officer in Charge of Distribution of Parcels  
Q. Sir H. Vincent; A. Mr. Brodrick, Mar. 28, 48.  
Comforts for the Troops, see sub-heading Gifts  
Compensation for Losses  
Germans, Expulsion of, from Transvaal  
Q. Mr. H. Roberts; A. Visc. Cranborne, Mar. 28, 46.  
Conduct of the War  
Debate on the Adjournment of the House for Easter, Apr. 2, 509.  
Inquiry into Management of the War, see sub-heading Inquiry.  
Colonial Contingents; Expenditure, Number of Troops, etc.  
Q. Mr. Labouchere; A. Mr. Brodrick, Apr. 25, 1294.  
Continental Opinion, Sir W. Harcourt on, Apr. 18, 664.  
Cost of the War, see sub-heading Expenditure.  
Courts of Inquiry, see sub-heading Inquiry  
Deceased Soldiers Effects, Delay in Distribution; Gratuity, etc.  
Q. Sir J. Fergusson; A. Lord Stanley Apr. 25, 1298.  
Despatches  
Milner's, Sir A., Despatches; Delay in publishing Despatches received in February  
Q. Mr. A. Y. Redmond; A. Mr. J. Chamberlain, Apr. 22, 894.  
Publication of; Despatch of General Officer Commanding 8th Division  
Q. Mr. Younger; A. Mr. Brodrick, Apr. 25, 1292.  
Roberts' Lord, Despatches, see that sub-heading.  
Disabled Soldiers, Pensions for  
Q. Mr. Levy, Mar. 29, 280, 283.  
District Councillors on Active Service; Making Declaration of Office within 6 months of Election, etc.  
Q. Mr. H. Hobhouse; A. Sir R. Finlay, Apr. 22, 921.  
Expenditure  
Average Weekly Cost  
Q. Mr. Dillon; A. Mr. Brodrick, Apr. 32, 898.  
Q. Mr. Lambert; A. Mr. Brodrick, Apr. 23, 1064.  
Budget Statement, Apr. 18, 621.  
Colonial Expenditure

Q. Mr. Labouchere; A. Mr. Brodrick, Apr. 25, 1294.  
 Details of Expenditure  
 Q. Col. Nolan; A. Mr. Brodrick, Apr. 25, 1290.  
 Hospitals, Clothing and Civil Labour, Expenditure on  
 Q. Col. Nolan; A. Mr. Brodrick, Apr. 20, 1429.  
 Estimated Cost of the War; Budget Statement, Apr. 18, 649.  
 Ireland; Protest against Ireland contributing towards Cost of the War.  
 Debate on the Budget, Apr. 25, 1361, 1363.  
 Return; Estimated Cost, Ways and Means, etc.  
 Q. Mr. S. Buxton; A. Sir M. H. Beach, Apr. 19, 772.  
 Transvaal and Orange River Colony, Contributions towards the Cost of the War.  
 Budget Statement, Apr. 18, 647.  
 Debate on Budget, Apr. 18, 692, 700, 703, 722, 723; Apr. 19, 839, 841, 856, 860, 864, 866.  
 Harcourt, Sir W., on, Apr. 18, 658.  
 Farms, Burning by Boers; Number burnt in Cape Colony  
 Q. Mr. Dillon; A. Mr. Brodrick, Apr. 26, 1428.  
 Farms, Burning by the British  
 Debate on the Adjournment of the House for Easter, Apr. 2, 512, 523.  
 References to, in Debate on the Consolidated Fund Bill, Mar. 28, 144, 156, 159.  
 Field Allowance  
 East Yorkshire Regiment  
 Q. Mr. Hermon-Hodge; A. Mr. Brodrick, Apr. 2, 472.  
 Higher Rate, etc.  
 Q. Mr. H. Lewis; A. Lord Stanley, Apr. 1, 334.  
 Germans' Compensation Claims, see sub-heading Compensation for Losses.  
 Gifts for the Troops; Lord Kitchener's Appeal, Government providing warm  
 Clothing, etc.  
 Q. Mr. Chaplin; A. Mr. Brodrick, Apr. 1, 333.  
 Gratuities, see sub-headings Hospital Orderlies, Volunteers, Yeomanry, etc.  
 Heilbron Affair; Capture of Convoy, Gen. Colville's Statement as to the Inadequacy  
 of Escort, etc.  
 Q. Mr. Allen; A. Mr. Brodrick, Mar. 29, 213.  
 Hospital Orderlies; Gratuities for Civilian Hospital Orderlies  
 Q. Mr. Guthrie; A. Lord Stanley, Apr. 19, 779; Q. Mr. Guthrie; A. Mr. Brodrick,  
 Apr. 22, 900.  
 Hospitals  
 Commission; Secretary, Selection of  
 Q. Mr. M'Killop; A. Mr. Hanbury, Mar. 29, 220.  
 Expenditure on  
 Q. Col. Nolan; A. Mr. Brodrick, Apr. 20, 1429.  
 Number of Soldiers in Hospital  
 Q. Mr. W. Redmond; A. Mr. Brodrick, Apr. 22, 899.  
 Hostages on Trains, Protests against  
 Q. Mr. T. Shaw, Apr. 2, 511.  
 Franco-Prussian War Precedent

Q. Mr. Arthur Lee, Apr. 2, 522.  
 Hussars, Loyal Suffolk, see sub-heading Return of Troops.  
 Inquiry into Conduct of the War, etc.  
 Q. Mr. Lambert; A. Mr. A. J. Balfour, Mar. 28, 45.  
 Committee  
 Appointment of  
 Q. Mr. A. Davies; A. Mr. A. J. Balfour, Apr. 18, 598.  
 Terms of Reference  
 Q. Mr. A. Davies; A. Mr. A. J. Balfour, Apr. 3, 470.  
 Evidence on Oath;Accepting as Documentary Evidence at Courts-Martial  
 Q. Col. Welby; A. Mr. Brodrick, Apr. 25, 1294.  
 Granting Officers Trial by Court-Martial  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 23, 1066.  
 Surrenders, etc.  
 Debate on Army (Annual) Bill, Apr. 1, 423; Apr. 22, 1032.  
 Transport Service;Hiring of Transport, etc.  
 Q. Mr. A. Davies: A. Mr. A. J. Balfour, Mar. 29, 212.  
 Invalided Soldiers, Discharge of;Pensions  
 Groves, Private  
 Q. Mr. Levy; A. Lord Stanley, Apr. 23, 1063.  
 Woolley, Private  
 Q. Mr. Levy; A. Lord Stanley, Apr. 1, 336.  
 Jansenville Town Guard;Punishment of Persons refusing to join, etc.  
 Q. Mr. Haviland-Burke; A. Mr. Brodrick, Apr. 18, 600.  
 Kitchener, Lord  
 Appeal for comforts for the Troops, see sub-heading Gifts.  
 Order to take no Prisoners, alleged;Prosecution of "South African News" Editor  
 for Libel, see "South African News."  
 Laws of Warfare;Hague Conference  
 Q. Mr. H. Lewis; A. Mr. A. J. Balfour, Mar. 28, 45.  
 Lindley Disaster  
 Names of Persons who raised White Flag  
 Qs. Mr. S. MacNeill, Mr. T. H. Healy; As. Mr. Brodrick, Apr. 19, 772.  
 Roberts', Lord, Depatch;Non-allusion to Gen. Colvile's Responsibility  
 Qs. Mr. S. MacNeill; As. Mr. Brodrick, Apr. 26, 1428.  
 Spragge, Col., Case of, etc.  
 References to, in Debate on the Army (Annual) Bill, Apr. 1, 428; Apr. 22, 1040.  
 Mafeking Siege;Theft of Government Food Stuffs by Sergeant Loney, Mitigation of  
 Sentence  
 Q. Mr. J. Campbell; A. Mr. Brodrick, Mar. 29, 214.  
 M'Mahon, M.;Under-age Recruit, Remission of Sentence  
 Q. Mr. Joyce; A. Lord Stanley, Apr. 22, 901.  
 Meat Contracts;South African Cold Storage Company supplying Troops with Frozen  
 Meat,  
 Q. Mr. H. Lewis; A. Lord Stanley, Apr. 23, 1065.  
 Medals for Yeomen and Volunteers;Presentation of Medal at Annual Assembly, etc.,



Q. Mr. W. P. D. Smith; A. Mr. Brodrick, Apr. 26, 1430.  
 Members of Parliament on Active Service; Return  
 Q. Mr. Tully; A. Mr. Brodrick, Apr. 25, 1292.  
 Methuen's, Lord, Illness  
 Qs. Mr. S. MacNeill, Mr. W. Redmond; As. Mr. Brodrick, Apr. 19, 773.  
 Militia; Return of Troops, see that sub-heading.  
 Milner, Sir A., see Milner.  
 Netherlands Railway, see that title.  
 Officers' Pensions; Officers serving with Militia Counting Service towards Pension, etc.  
 Q. Mr. L. Morgan; A. Lord Stanley, Apr. 1, 335.  
 Paardeberg; Gen. Colville's Report, see Colville.  
 Parole, Observance of, on Release from Captivity  
 Qs. Mr. B. Roberts; As. Mr. Brodrick, Lord Stanley, Apr. 19, 778.  
 Pay; Yeomanry, see that sub-heading.  
 Peace Envoys; Shooting of Mr. Wessel by the Boers, etc.  
 Q. Mr. B. Roberts; A. Mr. Brodrick, Apr. 19, 111.  
 Peace Negotiations between Gen. Botha and Lord Kitchener  
 Q. Mr. Lloyd-George; A. Mr. Brodrick, Mar. 29, 214.  
 Alteration of Terms; Gen. Botha's Statement, etc.  
 Q. Mr. C. P. Scott; A. Mr. J. Chamberlain, Mar. 28, 46.  
 Despatches from Lord Kitchener, etc., Laying on the Table  
 Q. Mr. Black; A. Mr. Brodrick, Apr. 25, 1292.  
 Government Instructions to Lord Kitchener  
 Q. Mr. Pirie; A. Mr. Brodrick, Apr. 2, 471.  
 Letter from Gen. Botha to Lord Kitchener  
 Q. Mr. Pirie; A. Mr. Brodrick, Apr. 1, 332.  
 Letter Presented, Apr. 22, 875.  
 Terms offered to the Boers, etc., Rejection of Terms by (Gen. Botha; Debate, Mar. 28, 96; Apr. 2, 509.  
 Amnesty Question, 96, 128, 145, 151, 518, 526, 529.  
 Assistance to Boer Farmers who had suffered loss during the War, 97, 118, 130, 140, 151, 156, 525.  
 Botha's Demand for Elective Assembly, 520, 529.  
 Brodrick's, Mr., Replies to Questions and Criticism, 527.  
 Chamberlain's, Mr., Statement in Reply to Criticism and Questions, 122.  
 Counter Proposals; No Boer Counter Proposals, 121.  
 Debts of the Two Republics, Inability for Mar. 28, 97, 134.  
 Despatches, Form of; Policy of publishing confidential difference of opinion between Minister and his advisers, 106, 115.  
 Difference of opinion between Lord Kitchener, Sir A. Milner and the Government as to the Terms to be Offered, 100, 115, 130, 137.  
 Difference between the Terms suggested by Lord Kitchener and the Final Letter, 100, 115, 132.  
 Disfranchisement of disloyal Colonials, 97, 116.  
 Future Government

Canadian Precedent, 520, 521, 529.  
 Chamberlain's Mr., Statement, 135.  
 Crown Colony Administration, 119, 136, 141, 147, 152, 525.  
 Independence of the Republics, 98, 119.  
 Middleburgh Conference, etc, 98.  
 Representative Government, 100, 108, 110, 528.  
 Kaffir Franchise Question, 96,  
 Loan v. Gift, 98, 132, 133, 140, 146, 156, 519, 526.  
 Loyalists' Claims, 105, 117, 134.  
 Cape Loyalists, "So-called," 117.  
 Milner, Sir A., see Milner,  
 Restoration of the Industries of the Country, 134.  
 Verbal Message from Lord Kitchener to Gen. Botha.  
 Q. Mr. P. O'Brien; A. Mr. Brodrick, Apr. 19, 774.  
 Pensions to Widows and Orphans; Government Scheme,  
 Delay in Paying Pensions, Ignoring Men Married off the Strength, etc.  
 Debate on the Estimates, Mar. 29, 277.  
 War Relief Funds Inquiry, see War Relief Funds.  
 Widows not on the Strength  
 Q. Mr. Schwann; A. Mr. Brodrick, Mar. 88, 49.  
 Press Censors and False News; Death of Dr. Walker at Modderfontein  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 22, 899.  
 Prisoners; Boer Prisoners  
 Number of  
 Q. Mr. Lambert; A. Mr. Brodrick, Mar. 28, 48.  
 Place of Custody  
 India  
 Ahmednagar; Unhealthy Place, etc., alleged  
 Qs. Mr. Dillon, Mr. Flynn, Mr. H. Burke, Mr. Schwann; As. Lord G. Hamilton, Mr.  
 J. Chamberlain, Apr. 26, 1426.  
 Costs; Imperial Government Defraying  
 Q. Mr. Schwann; A. Lord G. Hamilton, Apr. 25, 1289.  
 Tasmania; Refusal of Australian Government  
 Qs. Mr. W. Redmond, Mr. S. MacNeill; As. Mr. J. Chamberlain, Apr. 22, 891.  
 Proclamations issued by Lord Roberts; Prolongation of War resulting from,  
 alleged.  
 O. Mr. T. Shaw, Apr. 2, 509.  
 Recruiting in Germany and Italy by the British, alleged  
 Q. Mr. J. F. X. O'Brien; A. Mr. Brodrick, Apr. 2, 472.  
 Refuge Camps  
 American Charitable Relief, Appeal for, etc.  
 Q. Mr. J. Ellis; A. Mr. Brodrick, Apr. 22, 897.  
 Number of Women and Children detained, etc.,  
 Q. Mr. C. P. Scott; A. Mr. Brodrick, Mar. 28, 46.  
 Qs. Mr. J. Ellis, Mr. W. Redmond; As. Mr. Brodrick, Apr. 22, 895.  
 Treatment of Women and Children; Report of Dr. Mackenzie, etc.,

Q. Mr. O. Williams; A. Mr. Brodrick, Apr. 25, 1291.  
 Reinforcements  
 Qs. Mr. Pirie, Apr. 2, 527; Mr. Brodrick, 528.  
 Kitchener's, Lord, Demand  
 Q. Mr. Schwann; A. Mr. Brodrick, Apr. 2, 471.  
 Number Despatched to South Africa; Application from Lord Kitchener, etc.  
 Q. Mr. J. Ellis; A. Mr. Brodrick, Mar. 28, 47.  
 Number landed since Jan, 1st, 1901  
 Q. Sir C. Dilke; A. Mr. Brodrick, Apr. 2, 471.  
 Relief Funds, see War Relief Funds.  
 Reservists' Families, Provision for; Case of Private Hasler's Widow  
 Qs. Mr. L. Sinclair, Mr. Kearley; As. Mr. Brodrick, Mar. 28, 49.  
 Return of Troops  
 Bate of Return  
 Loyal Suffolk Hussars  
 Q. Mr. Pirie; A. Mr. Brodrick, Apr. 22, 898.  
 Militia  
 Q. Mr. Rutherford; A. Mr. Brodrick, Apr. 23, 1065.  
 Yeomanry, Imperial; Period of Service, etc.  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 22, 898.  
 Q. Mr. Rutherford; A. Lord Stanley, Apr. 23, 1066.  
 Scottish Yeomanry  
 Q. Mr. Weir; A. Lord Stanley, Apr. 1, 337.  
 Household Cavalry, Return of  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 19, 779.  
 Return of Troops in Sept. and Oct., 1900; Sir A. Milner's Statement, etc.  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 19, 779.  
 Roberts's, Lord, Telegrams; Publication proposed  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 23, 1064.  
 Ryan, Private T.; Remission of Sentence  
 Q. Mr. J. P. Farrell; A. Lord Stanley, Apr. 25, 1301.  
 Sanna's Post Disaster; Report of Artillery Officer in Charge of Guns  
 Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 26, 1429.  
 Separation Allowance  
 Q. Mr. Brodrick, Mar. 29, 282.  
 Soldiers' Wives and Families not on the Strength, Provision for; Case of G.  
 Powell  
 Q. Mr. Joyce; A. Lord Stanley, Apr. 22, 903.  
 Wives of Soldiers entitled to Transfer to Reserve, etc.  
 Q. Mr. P. Smith; A. Mr. Brodrick, Apr. 26, 1431.  
 Settlement after the War, see South African Settlement.  
 Situation in South Africa  
 Correspondence relating to, Presented, Apr. 1, 326; Apr. 22, 875.  
 Milner's, Sir A. Despatch  
 Harcourt, Sir W., on, Apr. 18, 657.  
 Soldiers' Remittances from South Africa; Non-delivery to Wives

Qs. Mr. Caine; As. Lord Stanley, Apr. 18, 600; Apr. 25, 1297.  
Soldiers and Sailors Invalided Home and Dying from Wounds or Diseases; Return Presented, Apr. 22, 877.  
Surrender of Arms; Peace Negotiations, see that sub-heading.  
Surrender of British Troops  
Army Order, April 11, applying retrospectively, etc.  
Q. Mr. S. MacNeill; A. Mr. Brodrick, Apr. 19, 772.  
Inquiries  
Assimilating Procedure in the Army to that in the Navy  
Debate on the Army (Annual) Bill, Apr. 1, 423.  
Procedure; Taking Evidence on Oath  
Debate on the Army (Annual) Bill, Apr. 1, 424.  
Swaziland, see that title.  
Transvaal War Supplies, Papers relating to; Discovery of, in Government Offices at Pretoria, etc.  
Q. Mr. Dillon; A. Lord Stanley, Apr. 25, 1293.  
Volunteers  
Gratuity  
Q. Mr. Guthrie; A. Mr. Brodrick, Apr. 22, 898.  
Medals, Presentation of, at Annual Assembly  
Q. Mr. W. F. W. Smith; A. Mr. Brodrick, Apr. 26, 1430.  
Warm Clothing see sub-heading Clothing.  
Widows and Orphans of Soldiers; Government Pension Scheme, see sub-heading Pensions.  
Yeomanry  
Geatuity  
Q. Mr. Guthrie; A. Mr. Brodrick, Apr. 22, 898.  
Medal, Presentation of, at Annual Assembly, etc.  
Q. Mr. W. F. D. Smith; A. Mr. Brodrick, Apr. 26, 1430.  
Officers retaining Army Rank  
Q. Mr. T. Dewar; A. Lord Stanley, Apr. 1, 335.  
Pay; Reduction  
Q. Maj. Rasch; A. Mr. Brodrick, Apr. 22, 899.  
Return of Troops, see that sub-heading.  
Second Levy; Proportion of Volunteers, Yeomanry, Cavalry, etc.  
Q. Sir H. Vincent; A. Mr. Brodrick, Mar. 29, 215.  
South African Constabulary Recruits; Classification of, etc.  
Q. Sir S. Scott; A. Mr. J. Chamberlain, Apr. 1, 332.  
South Eastern and London, Chatham and Dover Railways Bill  
Petition for Additional Provision, Mar. 28, 2; Apr. 22, 873.  
Report from Select Committee, Apr. 36, 1414.  
South Essex Water Bill  
Report from Committee of Selection, Apr. 26, 1414.  
South Lancashire Tramways Bill  
Report from Committee of Selection, Apr. 26, 1415.  
South Shields, Borough of

Technical Instruction Act;Minutes sanctioning Subjects to be Taught under Clause 9, Presented, Mar. 28, 6, 42.  
Southampton  
Boom Defences;Supplying Boom Defences to defend Harbours  
Debate on the Estimates, Mar. 29, 238, 240, 243.  
Sovereign's Oath on Accession Bill  
Petitions, Apr. 18, 592; Apr. 19, 770; Apr. 22, 1183; Apr. 25, 1285; Apr. 20, 1422.  
Speaker (Rt. Hon. W. C. Gully) [Carlisle]  
Adjournment of the House;Motion for Adjournment to discuss Matter of Urgent Public Importance, Apr. 23, 1093.  
Army (Annual) Bill Discussion;Conduct of Troops in War could not be discussed, Apr. 25, 1347, 1348.  
Easter Recess;Motion for  
Amendment to Motion;Questions that could not be raised on the Amendment, Apr. 2, 506, 508.  
Motion should be put at or before ten minutes to seven, Apr. 2, 552.  
Indisposition of the Speaker;Chairman of Ways and Means took the Chair as Deputy Speaker, Apr. 1, 321.  
Interruptions, Mar. 28, 157; Apr. 24, 1215.  
Irrelevant Observations, Apr. 2, 584; Apr. 24, 1211; Apr. 25, 1262.  
Motion for Adjournment of the House, Mar. 29, 301, 302, 309, 310, 312, 313, 315, 317, 318.  
Marriage with Deceased Wife's Sister Bill;Instruction standing in Lord H. Cecil's Name, Apr. 25, 1341,  
Member Remaining Standing after being called to Order;Mr. Haviland-Burke, Apr. 22, 896.  
Notice of Motion in the Name of Another Member, Apr. 18, 589.  
Questions  
Questions out of Order;Mr. S. MacNeill's Questions, Apr. 19, 791.  
Reading Answers a second time, Apr. 18, 599.  
Unparliamentary Language;"False-hood," Mar. 28, 159.  
Spear, Mr. J. W. [Devon, Tavistock]  
Law Officers of the Crown;Salaries and Fees, System of Payment, etc., Apr. 26, 1498.  
Speeches in Parliament  
Duration;Twenty Minutes Limit, Major Rasch's Notice of Motion, Apr. 18, 589.  
Spencer, Earl  
China, Situation in;British Policy, etc., Mar. 28, 12.  
Spirit Duty  
Budget Debate, Apr. 25, 1407.  
Revenue derived from;Budget Statement, Apr. 18, 618.  
Stamps  
Revenue Derived from;Budget Statement, Apr. 18, 620.  
Standing Committees  
see Committees.

## Standing Orders

Morning Sittings, Extending to Morning Sittings Provisions of Standing Order, 56.

Motion (Mr. A. J. Balfour), Apr. 19, 794.

New Standing Order;Petition against Water Bills

Motion (Mr. J. W. Lowther), Apr. 2, 465.

Standing Committees;Amendment to Standing Order 50

Motion (Sir F. Powell), Apr. 2, 555.

Stanley, Lord;Financial Secretary, War Office [Lancashire, Westhoughton]

Barracks;Furnishing Officers' Quarters, Mar. 28, 51.

Bowles, Private;Sick Furlough, etc., Apr. 25, 1301.

Bullets;Mark IV., Contract Price, Apr. 25, 1302.

Bnnocrana;Erection of Barracks, Mar. 28, 87.

Cavalry Commissions;Physical Standard, Apr. 2, 474.

Civilian Suits for Soliders returning to Civilian Life;Contract Prices, Apr. 22, 904.

Contracts for Meat;Exclusion of Foreign Meat, etc., Apr. 19, 783.

Deceased Soldiers' Estates

Conhoy, Private E., Case of, Apr. 26, 1432.

Delay in Distribution, Apr. 25, 1299.

Engineer Corps;Lack of Adjutants, Apr. 22, 904.

Garrison Regiments;Separation Allowance, Apr. 25, 1305.

Irish Guards;Unpopularity of Forage Cap, etc., Apr. 25, 1304.

Militia

Disembodiment

Gordon Highlanders, Third Battalion, Apr. 1, 336.

Irish Regiments, Apr. 25, 1303.

Leinster Regiment, Fourth, Apr. 1, 337.

Inniskilling Fusiliers, Fifth Battalion, Apr. 25, 1301.

Embodiment of, etc.;Giving longer notice, proposed, Apr. 25, 1304.

Officers' Gratuity, Apr. 25, 1304.

Officers' Pensions;Officers serving with Militia in South Africa, etc., Apr. 1, 336.

Pimlico Clothing Department;Overtime pay, Apr. 2, 475.

Recruiting;Inspector-General's Report, Apr. 19, 783.

Recruits, Age Regulations;Attestation of Recruits, etc., Apr. 2, 474.

Over, G., Case of, etc. Apr. 1, 338.

Reserve;First Class Section D., Training etc., Apr. 26, 1432.

Rifle Ranges;Continental Ranges, Report, Apr. 22, 907.

South African War

Cattle;Disposal of Captured Cattle, Apr. 19, 778.

Discharged Soldiers, Pensions for;Case of Private S. Groves, Apr. 1065.

Field Allowances, Apr. 1, 335.

Hospital Orderlies;Gratuities for Civilians, etc., Apr. 19, 779.

M'Mahon, M.;Insubordination, etc., Apr. 22, 902,

Meat Contracts;Supply of Frozen Meat, Apr. 23, 1065.

Parole, Observance of, Apr. 19, 778, 779.  
 Powell, Private G., Case of; Provision for Wife and Family, Apr. 22, 903.  
 Soldiers' Remittances from South Africa, Apr. 18, 601; Apr. 25, 1298, 1302.  
 Woolley, Private; Invalided home, Pension Question, Apr. 1, 336.

**Yeomanry**  
 Date of Return, Apr. 23, 1066.  
 Scottish Yeomanry; Date of Return, Apr. 1, 337.  
 Transvaal War Supplies, Papers relating to; Discovery of, in Government Offices at Pretoria, etc., Apr. 25, 1293, 1294.

**Volunteers**  
 Clothing Contracts; New Service Dress, Apr. 19, 784.  
 Establishment Statistics; Omission in Army Establishment for 1901, Apr. 25, 1300.

**Officers**  
 Jury Service, Exemption from, proposed, Apr. 25, 1300.  
 Retaining Army Rank, Apr. 1, 335.  
 Serving as Privates in Imperial Yeomanry, etc.; Resigning Commissions, Apr. 22, 901

Stanley, Mr. A. [Lancashire, Ormskirk]  
 Steamship Communication; Direct Communication between East Africa and Great Britain, Inquiry into System of Subsidies by Foreign Governments, etc., Apr. 23, 1159.

**Stanley Harbour**  
 Connecting by Cable with the Cape, Fortifications, etc.  
 Q. Sir E. Sassoon, Mar. 29, 213.

**State Purchase of Railways**  
 see Railway; Ireland.

**Steam Trawling (Ireland) Act Amendment Bill**  
 see Fisheries (Ireland) Bill.

**Steamship Communication**  
 Direct British Communication between Great Britain and East Africa.  
 Motion for Select Committee of Inquiry (Mr. E. Cecil), Apr. 23, 1141; (for details of Debate, see Africa, East).

Stevenson, Mr. F. S. [Suffolk, Eye]  
 Crete; Papers on Administration, etc., Apr. 22, 909.

Foot and Mouth Disease; Precautions against Importation from South Africa, Mar. 28, 66.

Stonehouse, Rev. J.  
 Murder of, on Hun-ho River  
 Q. Mr. H. Roberts; A. Visc. Cranborne, Mar. 28, 54.

**Stornoway**  
 Mail Steamer Service; Result of Experiment  
 Q. Mr. Weir; A. Mr. A. Chamberlain, Apr. 25, 1325.

**Strabane Rural Districts**  
 Labourers' Cottages Scheme; Delays  
 Q. Mr. M'Fadden; A. Mr. Wyndham, Apr. 1, 364.  
 Strachey, Mr. E. [Somerset, S.]

Inspectors of Nuisances;Power of Local Government Board to refuse to sanction  
Appointments, etc., Apr. 1, 348.

Milk Standards;Report of Departmental Committee, Apr. 1, 375.

"Strangers Present"

Vacation of Office on Demise of the Crown, Mr. Labouchere's objection, Apr. 1,  
376.

Stranmore, Lord

China;"Looting under proper Control," Mar. 28, 36.

Stroyan, Mr. J. [Perthshire, W.]

South African War;Peace Negotiations, Terms offered by the British Government,  
etc., Mar. 28, 103.

Submarine Cables

see Cables.

Sugar

Additional Duty Budget Proposal Brewers' Sugar-makers Contracts, Payment of  
Duty, etc.

Q. Mr. Goddard; A. Sir M. H. Beach, Apr. 23, 1069.

British refined Sugar, Exported Abroad, Drawback on

Q. Sir, J. Dimsdale; A. Sir M. H. Beach, Apr. 25, 1316.

Budget Statement, Apr. 18, 631.

Resolution, Apr. 18, 652;Debate, 665.

Condensed Milk;Ascertaining Amount of Sugar

Qs. Mr. Kearley; As. Sir M. H. Beach, Apr. 23, 1070; Apr. 25, 1316.

Confectionery Exporters, Drawback on Sugar used by

Q. Mr. Causton; A. Sir M. H. Beach, Apr. 25, 1314;

Q. Mr. Kearley; A. Sir M. H. Beach, 1315.

Debate in Com. of Ways and Means, Apr. 19, 843.

Delay in Delivery of Consignments pending Analysis

Qs. Mr. Kearley; As. Sir M. H. Beach, Apr. 23, 1069, 1070.

Differential Treatment for the Colonies

O. Col. Milward, Apr. 18, 665.

Effect on Running Contracts

Q. Mr. Weir; A. Sir M. H. Beach, Apr. 19, 784.

Honey

Q Mr. Kearley; A. Sir M. H. Beach, Apr. 25, 1315.

Preserved Fruits, Assessment of Duty on

Q. Mr. Kearley; A. Sir M. H. Beach, Apr. 25, 1315.

Statement relating to Intermediate Duties on Sugar made by the Chancellor of the  
Exchequer, Presented, Apr. 18, 598.

Bounties, Brussels Conference;Date of Re-assembling

Q. Mr. Bill; A. Visc. Cranborne, Apr. 1, 343.

Sullivan, Sergeant J.

Suspension of

Q. Mr. Dillon; A. Mr. Wyndham, Apr. 22, 921.

Superannuation

see titles Civil Service, Poor Law Officers, etc.



## Supply

Civil Service and Revenue Departments Estimates

Law Officers Department;£;33,443, Com., Apr. 27, 1462.

Miscellaneous Legal Expenses;£;22,504, com., Apr. 26, 1529.

Supplementary Estimates voted since 1890;Return Ordered, Mar. 28, 42.

Precedence of Government Business (Friday)

Motion (Mr. A. J. Balfour), Apr. 19, 794.

## Procedure

Friday Sittings;Adjournment of the House after Supply had been disposed of,

Irish Members' Protest;Roman Catholic Disabilities Removal Bill, Mar. 29, 293.

Order of Votes;Proposed Committee

Q. Mr. Gordon; A. Mr. A. J. Balfour, Apr. 2, 491.

Surveyors, Ireland

see Ireland.

Sutton-in-Ashfield Urban District (Water) Bill

I. Report, Apr. 25, 1253.

Swansea

Postal Staff;Promotion of Sorting Clerk, etc.

Q. Sir G. Newnes; A. Mr. A. Chamberlain, Apr. 22, 919.

Swaziland

British Protectorate, proposed

Q. Sir E. Ashmead-Bartlett; A. Mr. J. Chamberlain, Apr. 1, 331.

Military Movements;Boer Commando threatening Swaziland, alleged

Q. Sir E. Ashmead-Bartlett A. Mr. J. Chamberlain, Apr. 1, 331.

Swine Fever

Ireland;Swine Importation in Wigtownshire;Proposed Removal of Restriction

Q. Dr. Thompson; A. Mr. Hanbury, Apr. 36, 1441.

Switzerland

Trade Report Presented, Apr. 22, 876.

## T

Taff Vale Railway Bill

c. Report,\* Mar. 28, 40.

con.,\* Apr. 19, 765.

3R.\*, Apr. 23, 1056.

I. 1R.\*, Apr. 23, 1253.

Talbot, Rt. Hon. J. G. [Oxford University]

London School Board;School Accommodation, Basis of calculating Deficiencies,  
Mar. 28, 69.

Tarbert Ness and Ord of Caithness

Fisheries;Fishery Cruiser patrolling Waters

Q. Mr. Leveson-Gower; A. Mr. A. G. Murray. Mar. 28, 76.

Tasmania

Boer Prisoners, Deportation of;Refusal of Australian Government

Qs. Mr. W. Redmond, Mr. S. MacNeill; As. Mr. J. Chamberlain, Apr. 22, 891.

Taxation

Budget Statement (see Budget).

Customs Tariff (see Customs).

Direct and Indirect Taxation; Debate on the Budget, Apr. 23, 1098, 1108, 1113, 1117, 1126, 1130.

Ireland; Over-taxation, alleged

Os. Mr. Field, Apr. 23, 1121; Apr. 25, 1404.

Local Taxation, see that title.

Principles of Taxation, Sir W. Harcourt on, Apr. 18, 654.

Taxes

Collection of; Return Presented, Apr. 18, 595.

Surveying Branch; Suspension of Retirement Order No. 10 of 1897, etc.

Q. Mr. H. Johnstone; A. Mr. A. Chamberlain, Mar. 28, 71.

Taxes and Imposts

Return Ordered, Apr. 18, 597.

Taylor, Mr. T. C. [Lancashire, Radcliff]

Budget; Export Duty on Coal, etc., Apr. 18, 711.

Great Eastern Railway Bill, Con., Apr. 25, 1276.

Tea Duty

Budget Resolution in Committee of Ways and Means, Apr. 25, 1355.

Ad Valorem Duty, 1383.

Comparisons between the Articles of Tea and Sugar, 1367.

Graduated Tax, 1366.

India and Ceylon, Position of Producer, 1358, 1381, 1392.

Indian Industries, 1375, 1392.

Irish Grievance, 1361.

Irish Whisky in preference to Tea, 1375, 1377, 1385.

Budget Resolution in Committee of Ways and Means; cont.

State of Tea Trade, 1355.

Tea should be Taxed on Value instead of on Weight, 1360.

Unfair Tax; Comparisons with Cocoa and Coffee, 1356.

Revenue derived from; Budget Statement, Apr. 18, 618.

Teachers

see Education.

Teachers' Superannuation Act

Scotch Teachers in Office before Passing of the Act, etc.

Q. Mr. C. Wason; A. Mr. A. G. Murray, Apr. 26, 1439.

Technical Instruction Act

Minutes sanctioning Subjects to be Taught under Clause 8, Presented, Mar. 28, 6, 42; Apr. 18, 595; Apr. 22, 880.

Tees Valley Water Board Bill

c. Con.\* Apr. 18, 589.

Telegraph Money Orders

see Money Orders.

Telegraph Service

Efficiency Barrier, Detention at; Loss of Salary, etc.

Q. Mr. Yoxall; A. Mr. A. Chamberlain, Mar. 28, 74.

Female Telegraphists; Hours of Labour

Q. Mr. Yoxall; A. Mr. A. Chamberlain, Mar. 28, 73.  
 London  
 Number of Telegraphists receiving £160 per annum, Promotions, etc.  
 Q. Capt. Norton; A. Mr. A. Chamberlain, Apr. 1, 349.  
 Terms offered by Civil Service Commissioners;Maximum Salary  
 Q. Capt. Norton; A. Mr. A. Chamberlain, Apr. 1, 350.  
 Nottingham Lace Market;Telegraphic Facilities  
 Q. Mr. Bond; A. Mr. A. Chamberlain, Apr. 2, 480.  
 Telephone Service  
 Dublin Operators' Wage Grievances.  
 Q. Mr. N. Nannetti; A. Mr. A. Chamberlain, Apr. 25, 1328.  
 Eastern Counties;Delays, proposed additional Lines, etc.  
 Q. Sir H. Bullard; A. Mr. A. Chamberlain, Apr. 2, 481.  
 London Post Office System, Date of Completion  
 Q. Mr. Bartley; A. Mr. A. Chamberlain, Apr. 25, 1326.  
 Tendring Hundred Water Bill  
 c. Report,\* Apr. 25, 1281.  
 Tennant, Mr. H. J. [Berwickshire]  
 Factory Bill;Memorandum, Date of Issue, Apr. 26, 1438.  
 Great Eastern Railway Bill, Con., Apr. 25, 1262.  
 Truck Acts Prosecution;Deane r. Boyle, Apr. 26, 1453, 1454.  
 Thames Conservancy  
 General Report and Accounts Presented, Apr. 2, 470; Apr. 22, 880.  
 Thames Deep Water Dock Bill  
 c. Report,\* Apr. 25, 1281.  
 Thames Piers and River Service Bill  
 c. Report,\* Mar. 28, 39.  
 Thames and Severn Provisional Order Bill  
 c. Report,\* Mar. 28, 40.  
 3R.\* Apr. 1, 322.  
 I. 1R.\* Apr. 22, 875.  
 Thomas, Mr. D. A. [Merthyr Tydvil]  
 Coal  
 Dearness and Scarcity of;Recommendations of Select Committee of 1873, Apr. 25, 1313.  
 Export Duty on Coal, Budget Proposal, Apr. 18, 643, 715, 724.  
 British Coal supplied to British Vessel at Malta, etc., Apr. 25, 1311.  
 Effect on running Contracts, etc., Apr. 19, 785; Apr. 26, 1437.  
 Isle of Man and Seilly Isles. Apr. 26, 1436.  
 Patent Fuel;Laying Duty on Pitch, Apr. 26, 1436.  
 Patent Fuel and Coke Industries in South Wales, etc., Apr. 25, 1312.  
 Proportion of Coal exported consumed by British Vessels, etc., Apr. 25, 1311.  
 Exports;Returns, etc., Apr. 19, 787.  
 Amount sold for exportation during year ending March, 1902, under Contracts before April 19, Apr. 22, 912.  
 England and United States Exports to West Indies in 1900, Apr. 25, 1311.

United States, Apr. 25, 1310.  
 United States and Canada, Amount exported in 1900, etc., Apr. 25, 1309.  
 Fall in Prices and Freights in 1901, etc., Apr. 25, 1309.  
 Pig Iron, Production of; Amount of Coal consumed, etc., Apr. 25, 1312.  
 Seaborne Coal; Return, Apr. 26, 1437.  
 Supply, of; Duration, Apr. 25, 1313.  
 Collieries; Number closed in South Wales, etc., Apr. 25, 1313.  
 Thompson, Dr. [Monaghan, N.]  
 Irish Guards; Unpopularity of Forage Cap, etc., Apr. 25, 1304.  
 Swine Importation to Wigtonshire from Ireland; Proposed Removal of Restriction, Apr. 26, 1441.  
 Yeomanry, Imperial; Irish Regiments, Apr. 19, 782.  
 Thornton, Mr. P. M. [Clapham]  
 Evening Continuation Schools in London; Payment of Grants pending Decision of House of Lords, Apr. 2, 482.  
 Thorpe Hesley  
 Closing Post Office  
 Q. Mr. Holland; A. Mr. A. Chamberlain, Apr. 23, 1077.  
 "Tnunderer," H.M.S.  
 Bursting of Guns  
 Q. Sir C. Dilke; A. Mr. Arnold-Forster, Mar. 29, 216.  
 Q. Sir C. Dilke; A. Mr. Pretymen, Apr. 2, 475.  
 Tientsin  
 see China.  
 "Times"  
 Manchurian Convention; Russo-Chinese Agreement, "Times" Correspondent's Disclosure of the Convention  
 Q. Sir E. Ashmead-Bartlett, Mar. 28, 170.  
 Milner, Sir A., Leave of Absence, Announcement of, etc.  
 Q. Mr. Dillon; A. Mr. J. Chamberlain, Apr. 18, 599.  
 Revenue Receipts; Erroneous Statement  
 Q. Mr. Bartley; A. Sir M. H. Beach, Apr. 1, 345.  
 Tipperary  
 O'Brien, Mr. K.; Removal from Commission of the Peace  
 Qs. Mr. Cullmann, Mr. W. Johnston; As. Mr. Wyndham, Mar. 28, 80.  
 Tobacco Duty  
 Budget Statement, Apr. 18, 629  
 Resolution in Committee of Ways and Means, Apr. 25, 1401.  
 Tobercurry  
 Technical and Agriculture Education; Refusal of Grant, etc.  
 Q. Mr. O'Dowd; A. Mr. Wyndham, Apr. 1, 361; Apr. 22, 926.  
 Q. Mr. O'Dowd; A. Mr. Wyndham, Apr. 22, 926.  
 Tomlinson, Mr. W. E. M. [Preston]  
 Cremation Bill, 2R., Apr. 1, 448, 451.  
 Isolation Hospitals Bill, 2R., Apr. 1, 445.  
 Parliamentary Elections (Mariners Votes) Bill, 2R., Apr. 1, 459.

Standing Committees, Amendment of Standing Order 50, Apr. 2, 558.

Tonnage Tax

Navy, Maintenance of; Proposed Tax

Q. Mr. C. O'Kelly; A. Sir M. H. Beach, Mar. 28, 60; Q. Mr. Delany; A. Sir M. H. Beach, Apr. 26, 1435.

Tottenham

London Comity Council Housing Scheme Affording Belief for Ratepayers out of Public Bonds, etc., proposed

Q. Mr. J. Howard; A. Mr. Long, Apr. 23, 1073.

Trade, Board of

President; Rt. Hon. G. W. Balfour.

Parliamentary Secretary; Earl of Dudley.

Trade and Commerce

Annual Statement of Trade of the United Kingdom with Foreign Countries and British Possessions, Apr. 2, 470; Apr. 22, 875.

Customs Tariffs (see Customs).

Export Statistics for 1900

Q. Mr. J. Wilson; A. Sir M. Hicks-Beach, Apr. 23, 1072.

Iron and Steel Trade (see, that title).

Steamship Communication; Direct Steamship Communication between Great Britain and East Africa

Motion for Select Committee (Mr. E. Cecil), Apr. 23, 1141.

Trusts and Combinations, Hardie, Mr. Keir, on, Apr. 28, 1175.

Trade Reports Presented

Annual Series, Mar. 28, 6, 42; Apr. 18, 593, 594; Apr. 22, 876, 878, 886; Apr. 25, 1286; Apr. 26, 1416, 1424.

Diplomatic and Consular Representatives Abroad, Index to Reports Presented, Apr. 22, 878, 886.

Miscellaneous Series, Apr. 18, 593; Apr. 22, 876, 878, 886.

Training Colleges

Accommodation for Training Women Teachers

Q. Mr. G. White; A. Sir J. Gorst, Mar. 28, 69.

Reports for the Year 1900 Presented, Apr. 26, 1416, 1424.

Training Ships

see Navy.

Tramways

Consents of Local Authorities; Petition against Amendment of Standing Order 22 of Lewisham Corporation, Mar. 29, 199.

Tramways (Ireland) Acts Amendment Bill

c. 1R\*, Mar. 29, 237.

Transport Service

South African War Inquiry, including Transport Service, etc.

Q. Mr. H. Davies; A. Mr. A. J. Balfour, Mar. 29, 212.

Transvaal

British Indian Subjects in Natal;Allowing Refugees to return to the Transvaal  
 Q. Mr. Caine; A. Mr. J. Chamberlain, Apr. 25, 1287.  
 Concessions Commission, Publication of Report;Production of Part of Report which refers to Transvaal Railways  
 Qs. Earl of Camperdown; Earl of Onslow, Mar. 28, 8.  
 English Colonists;Unsuitability of South Africa  
 Labouchere, Mr., on, Mar. 28, 148.  
 Financial Position  
 Harbour's, Sir D., Inquiry;Budget Statement, Apr. 18, 647.  
 Contribution towards Cost of the South African War  
 Budget Statement, Apr. 18, 647.  
 Debate on the Budget, Apr. 18, 692, 700, 703, 722, 723; Apr. 19, 839, 841, 856, 860, 864, 866.  
 Gold Mines;Contributions towards cost of the War  
 Harcourt, Sir W., on, Apr. 18, 658, 660.  
 Government Assets Transference to British Government  
 Q. Mr. A. Davies; A. Mr. J. Chamberlain, Apr. 18, 598.  
 Jameson Raid Indemnity, see that title.  
 Labour Question;Introduction of Chinese Labour, etc.  
 Harcourt, Sir W., on, Apr. 18, 661.  
 Netherlands Railway, see that title.  
 South African Constabulary, see that title.  
 South African Settlement, see that title.  
 War Supplies, Papers relating to;Discovery of, in Government Offices at Pretoria, etc.  
 Q. Mr. Dillon; A. Lord Stanley, Apr. 25, 1293.  
 Trawling  
 Ireland;Fisheries (Ireland) Bill, see that title.  
 Scotland;Tarbat Ness and Ord of Caithness Fisheries;Fishery Cruiser patrolling Waters  
 Q. Mr. Leveson-Gower; A. Mr. A. G. Murray, Mar. 28, 76.  
 Treasury  
 First Lord;Rt. Hon. A. J. Balfour.  
 Financial Secretary;Mr. A. Chamberlain.  
 Legal Department Administration  
 Director of Public Prosecutions, see Prosecutions.  
 Salaries and Expenses, Vote for, Apr. 26, 1462.  
 Solicitors' Assistants, Retirement of Clerks, Increase of Expenditure, etc.  
 Os. Sir H. Fowler, Apr. 26, 1471, 1472; Mr. Goddard, 1507; Sir R. Finlay, 1510.  
 Treasury Bills  
 Amount borrowed at 4 per cent. Interest  
 Q. Mr. T. Bayley; A. Sir M. H. Beach, Apr. 1, 344.  
 Amount borrowed towards Cost of the War in South Africa  
 Budget Statement, Apr. 18, 649.  
 Treasury Control  
 Means of Checking Expenditure

O. Sir E. Vincent, Apr. 18, 684.  
Trevelyan, Mr. C. P. [York, W.R., Elland]  
Pauper Children in Metropolitan Workhouses and Infirmaries, Apr. 25, 1320.  
Trinity College, Dublin  
References to in Debate on Mr. Roche's Resolution on the Roman Catholic University Question, Apr. 22, 933.  
Exclusion from Commission of Inquiry, Apr. 22, 940, 949, 978, 982, 997, 1001, 1019.  
Tritton, Mr. C. E. [Lambeth, Norwood]  
Sale of Intoxicating Liquors to Children Bill; Affording Special Facilities for passing Bill this Session, proposed, Apr. 22, 932.  
Trout Fishing Annual Close Time (Scotland) Bill  
Petitions, Mar. 28, 41; Apr. 26, 1422.  
Truck Acts  
Deane v. Boyle; Remittance of Fine  
Q. Mr. Tennant; A. Mr. Atkinson, Apr. 26, 1453.  
Trusts  
Alarming Growth of Trusts and Combinations, Mr. Keir Hardie on, Apr. 23, 1175.  
Tuberculosis  
Regulations, Medical Officers of Health acting in accordance with, etc.  
Q. Mr. Field; A. Mr. Long, Apr. 25, 1321.  
Tuesday Sittings of the House  
Appropriating for Government Business; Private Members' Protest, Apr. 19, 795.  
Meeting of the House on Saturdays for Government Business with a view to preserving Rights of Private Members on Tuesdays  
Q. Mr. Field; A. Mr. A. J. Balfour. Apr. 23, 1089.  
Time given to Abstract Discussions  
O. Mr. A. J. Balfour, Apr. 2, 503.  
Tufnell, Col. E. [Essex, S.E.]  
India; Parcel Postage Rates, Proposed Reduction, Apr. 26, 1434.  
Tully, Mr. J. [Leitrim, South]  
Army (Annual) Bill, Com., Apr. 22, 1042.  
Budget; Income Tax, Apr. 23, 1128.  
Carrick-on-Shannon  
Petty Sessions Clerk; Appointment of Mr. Devenish, Apr. 23, 1084.  
Water Charges; Making Township Charge, Apr. 25, 1333.  
French Park Waterworks, Cost of; Proposed Union Charge, Apr. 23, 1083; Apr. 26, 1448.  
Poor Law Officers' Superannuation  
Allowances in 1895, etc., Apr. 22, 917.  
Amount of Contributions paid by Officers in 1897, Apr. 25, 1321.  
Poor Law Officers' Superannuation Bill; Effect on Local Rates, Apr. 23, 1082.  
Road Labour; Employment of Direct Labour, Provisional Order, etc., Apr. 23, 1085.  
South African War  
Australian Troopers returning Home; Alleged Disturbances in Cape Town, Apr. 25, 1292.

Members of Parliament on Active Service;Return proposed, Apr. 25, 1292.  
Turkey  
King of England's Accession, Announcements of;Mission to Constantinople  
Q. Mr. S. MacNeill; A. Mr. A. J. Balfour, Apr. 26, 1460.  
Tweedmouth, Lord  
China, Situation in;British Policy, etc., Mar. 2, 29.  
Tyneside Tramways and Tramroads Bill  
Report from Com. of Selection, Apr. 26, 1414.  
U  
Uganda  
Railway  
Conveyance of Material, Trans-shipment, etc.  
O. Mr. E. Cecil, Apr. 23, 1144.  
Number of Miles Constructed, Date of Completion  
Q. Mr. B. Jones; A. Visc. Cranborne, Mar. 28, 57.  
Veterinary Work in;Report Presented, Apr. 22, 878.  
Ultimus H&#x00E6;res  
Scotland;Account of Receipts and Payments, List of Estates, etc.;Return Ordered,  
Apr. 25, 1286;Presented,  
Apr. 26, 1422.  
Unclaimed Moneys  
Chancery Funds, amount of, etc.  
Q. Mr. Yoxall; A. Sir M. H. Beach, Apr. 22, 912.  
Irish Joint Stock Banks;Amount, etc.  
Q. Mr. O'Shee; A. Mr. Wyndham, Apr. 22, 924.  
Return proposed  
Q. Mr. O'Shee; A. Sir M. H. Beach, Apr. 22, 912.  
Under-age Recruits  
see Army;Recruits  
Underground Railways in London  
Joint Committee of Inquiry to consider Bills, etc., Lords' Message considered,  
Apr. 1, 322.  
Members appointed [Commons] Apr. 23, 1056.  
United States  
Coal Exports  
Amount Exported in 1900, etc.  
Q. Mr. D. A. Thomas; A. Mr. G. Balfour, Apr. 25, 1309.  
European Countries and South America, Amount Exported in 1890, etc.  
Q. Mr. D. A. Thomas; A. Mr. G. Balfour, Apr. 25, 1310.  
West Indies  
Q. Mr. D. A. Thomas; A. Mr. G. Balfour, Apr. 25, 1311.  
Steel Trade;Order placed by Messrs.  
Harland & Wolff with Messrs. Carnegie, etc.  
Q. Mr. Field; A. Mr. G. Balfour, Apr. 23, 1075.  
Submarine Cables, Cutting in Time of War;Naval Rules  
Q. Sir J. Colomb; A. Visc. Cranborne, Apr. 18, 604.



Trade Reports Presented, Mar. 28, 6; Apr. 22, 876; Apr. 26, 1416.  
 Zinc Industry; Report Presented, Apr. 22, 876.  
 Universities  
 Class Fees, Scotland; Return  
 Q. Mr. T. Shaw; A. Mr. A. G. Murray, Apr. 2, 483.  
 see also Names of Universities.  
 Universities [Scotland] Act, 1889  
 Copy Presented of University Court Ordinance, No. V., Apr. 2, 470; Apr. 22, 880.  
 University Education, Ireland  
 see Ireland.  
 Ure, Mr. A. [Linlithgow]  
 Army (Annual) Bill, 2R., Apr. 1, 431.  
 Consolidated Fund (No. 1) Bill, 3R., Mar. 28, 95.  
 Sheriffs; Expenses incurred in connection with Judges on Circuit, Apr. 26, 1541.  
 South African War; Peace Negotiations, Terms Offered by the British Government,  
 etc., Mar. 28, 95.  
 V  
 Vacation of Office  
 Demise of the Crown, see that title.  
 Vaccination  
 Glasgow; Expenditure, Return  
 Qs. Mr. T. Bayley; As. Mr. A. G. Murray, Apr. 1, 352; Apr. 25, 1329.  
 Leicester, Prosecutions at  
 Q. Sir J. Rolleston; A. Mr. G. Lawson, Apr. 2, 478.  
 Vagrants' Children Protection Bill  
 c. 1R.\* Apr. 19, 829.  
 Venezuela Arbitration  
 Attorney-General's Fees  
 O. Mr. Caldwell, Apr. 26, 1469.  
 Ventry's, Lord, Estate  
 Future Tenancies, Number of, etc.  
 Qs. Mr. T. O'Donnell, Mr. Flavin; As. Mr. Wyndham, Apr. 1, 361.  
 Veterinary Inspectors  
 Nomination of; Secretary to Board of Agriculture selected as Secretary to the  
 South African Hospitals Commission  
 Q. Mr. M'Killop; A. Mr. Hanbury, Mar. 29, 220.  
 Veterinary Work in British East Africa  
 Report Presented, Apr. 22, 878.  
 Vice and Immorality  
 Royal Proclamation Against, rumoured  
 Q. Mr. H. D. Green; A. Mr. Ritchie, Apr. 2, 478.  
 "Victoria and Albert" Yacht.  
 Total cost, etc.  
 Q. Mr. Labouchere; A. Mr. Arnold-Forster, Mar. 28, 51.  
 Villers, Sir H. de  
 Letters; Publication of Correspondence with Sir A. Milner

Q. Mr. S. MacNeill; A. Mr. J. Chamberlain, Apr. 26, 1427.

Vincent, Sir E. [Exeter]

Budget;Financial Condition of the Country, Cost of the War in South Africa,  
Control over Public Expenditure, etc., Apr. 18,  
680.

Vincent, Sir Howard [Sheffield, Central].

Alien Immigration

Legislation proposed, Apr. 1, 347.

Overcrowding in East London, Apr. 1, 347.

Business of the House;Tuesday Sittings, Appropriating for Government Business,  
Apr. 19, 800.

Customs Tariffs;Preferential Treatment of Empire Products, etc., Apr. 1, 344.

Canadian Tariffs, Mar. 28, 58.

Income Tax Abatements, Mar. 28, 59.

Mounted Infantry, Training, Scouting Duties, etc., Apr. 18, 601.

South African War

Warm Clothing for the Troops, Mar. 28, 48.

Yeomanry, Second Levy, Mar. 29, 215.

Yeomanry;New Army Order, Apr. 19, 780.

Volunteers

Artillery Re-armament;Armstrong Gun in Tokio Museum, etc.

Q. Mr. Holland; A. Mr. Brodrick, Kpr. 2, 473.

Class Firing, Completion of, before going into Camp;Amendment of Regulations

Q. Col. Royds; A. Mr. Brodrick, Kpr. 22, 905.

Clothing Contracts;New Service Dress

Q. Lt.-Col. Pryce-Jones; A. Lord Stanley, Apr. 19, 784.

Q. Lt.-Col. Pryce-Jones; A. Mr. Brodrick, Apr. 25, 1299.

Establishment Statistics;Omission in Army Estimates for 1901

Q. Lt.-Col. Pryce-Jones; A. Lord Stanley, Apr. 25, 1300.

Officers

Jury Service, Exemption from, proposed

Q. Lt.-Col. Pryce-Jones; A. Lord Stanley, Apr. 25, 1390.

Serving as Troopers in Imperial Yeomanry, etc.;Resigning Commissions

Q. Lt.-Col. Pryce-Jones; A. Lord Stanley, Apr. 22, 901.

Rifle Ranges, see that title.

W

Waima Incident

Negotiations with France

Q. Mr. Bill; A. Visc. Cranborne, Apr. 25, 1309.

Wakefield, City of

Polling Districts;Order by County Council Presented, Apr. 19, 771; Apr. 22, 879.

Wales

Carmarthenshire;Dog Muzzling Order, Number of times in force since 1894, etc.

Q. Mr. L. Morgan; A. Mr. Hanbury, Apr. 1, 349.

Coal;Patent Fuel and Coke Industries in South Wales, Number of Workmen employed,  
etc.

Q. Mr. D. A. Thomas; A. Mr. G. W. Balfour, Apr. 25, 1312.  
 Collieries in South Wales; Closing of, etc.  
 Q. Mr. D. A. Thomas; A. Mr. Ritchie, Apr. 25, 1313.  
 Penrhyn Quarry Dispute; Intervention of Board of Trade  
 Qs. Mr. Field, Mr. Bell, Mr. J. Wilson; As. Mr. G. Balfour, Apr. 23, 1074.  
 Quarries; Dangerous condition of disused Quarries, Removal of Fences, etc.  
 Q. Mr. S. Smith; A. Mr. Ritchie, Apr. 20, 1439.  
 Walker, Dr.  
 Death of at Madderfontein; Press Censors and False News  
 Q. Mr. S. MacNeill A. Mr. Brodrick, Apr. 22, 899.  
 Wallace, Mr. R. [Perth]  
 Demise of the Crown Bill, 2R., Apr. 1, 404.  
 Walton, Mr. J. [York, W.R., Barnsley]  
 China, Situation in; British Policy, Manchurian Convention, etc., Mar. 28, 172.  
 Consolidated Fund (No. 1) Bill, 3R., Mar 28, 172, 179, 182.  
 Korea; Director-General of Customs, Dismissal of Mr. Brown, Mar. 28, 56.  
 Walton, Mr. J. L. [Leeds, S.]  
 Demise of the Crown Bill, 2R., Apr. 1, 406, 410.  
 War  
 Law of Warfare; Hague Conference  
 Q. Mr. H. Lewis, A. Mr. A. J. Balfour, Mar. 28, 45.  
 South African War, see that title.  
 War Expenditure  
 see South African War; Expenditure  
 War Medals  
 see South African War.  
 War Office  
 Secretary of State; Rt. Hon. St. John Brodrick.  
 Under-Secretary; Lord Raglan.  
 Financial Secretary; Lord Stanley.  
 Inventions, Examination of  
 Q. Sir J. Leng; A. Mr. Brodrick, Apr. 18, 602.  
 War Relief Funds  
 Government Pension Scheme for Widows and Orphans of Soldiers and Sailors killed  
 in War; Inquiry by Joint Committee of Lords and Commons  
 Appointment of Committee (Lords), Mar. 29, 206.  
 Date of first Sitting  
 Qs. Mr. Bartley, Mr. Kearley; As. Mr. Brodrick, Mr. A. J. Balfour, Apr. 26,  
 1458.  
 Members Nominated (Commons), Mar. 29, 236, 238.  
 Warkworth Harbour Bill  
 I. Report from Select Committee, Apr. 26, 1414.  
 Warner, Mr. C. [Stafford, Lichfield]  
 Army [Annual] Bill, 2R., Apr. 1, 438; 3R., Apr. 25, 1350.  
 Garrison Regiments; Separation Allowance, Apr. 25, 1305.  
 Hong Kong Defences, State of, Mar. 29, 243.

## Militia

Embodiment of, etc.; Giving longer notices proposed, Apr. 25, 1304.

Officers' Gratuity, Apr. 25, 1304.

## Navy

Attaches; Number, Increase of Salaries, etc., Mar. 29, 248.

Travelling Allowance to Seamen and Marines, Mar. 29, 250.

Portsmouth Harbour; Dredging Operations, Mar. 29, 243.

Warr, Mr. A. F. [Liverpool, E. Toxteth]

Budget Proposals; Effect on running Contracts, Apr. 19, 784.

Wason, Mr. C. [Orkney and Shetland]

Budget; Income Tax, Apr. 23, 1123,

Marriage with a Deceased Wife's Sister Bill, 2R., Apr. 24, 1210.

Navy; Second Class Reserve Men; Pension Claims, Apr. 1, 339.

Teachers' Superannuation Allowances Apr. 26, 1439.

Wason, Mr. E. [Clackmannan and Kinross]

Incorporated Law Society Grant, Objections to, Apr. 26, 1555.

Kingscourt, Keady and Armagh Railway Bill, 2R., Apr. 19, 759.

## Water Bills

Control of River and other Waterways; Petitions against Bills, New Standing Order

Motion (Mr. J. W. Lowther), Apr. 2, 465.

## Water Supply

Fort George; Impurity of Supply, etc.

Q. Mr. J. Dewar; A. Mr. G. W. Balfour, Mar. 29, 222.

Ireland, see titles Carrick-on-Shannon and Frenchpark.

London Water Supply, see that title.

## Water tube Boilers

see Navy; Boilers.

## Watford and District Tramways Bill

l. 2R., Mar. 28, 4.

Report from Committee of Selection, Apr. 26, 1415.

Standing Orders not complied with

Qs. Lord Ebury, Earl of Morley, Mar. 28, 4.

Watts, Mr.

Tientsin, Siege of; Acknowledgment of Services

Q. Mr. Yerburgh; A. Visc. Cranborne, Apr. 2, 477.

## Ways and Means

Budget, see that title.

## Wednesday Sitzings of the House

Earlier Meeting of the House; Eleven O'clock Motion (Mr. A. J. Balfour), Mar. 28, 90.

Weir, Mr. J. G. [Ross and Cromarty]

Avoch Harbour; Fishery Board Negotiations, etc., Apr. 1, 353.

Congested Districts Board; Return, Apr. 25, 1329.

Crofters' Act, 1886; Extension to Leaseholders under £30, proposed, Apr. 25, 1341.

Fishery Harbours; Returns, Mar. 28, 77.

Highland Railway;Mixed Trains, Mar. 28, 63; Apr. 1, 345.  
 House of Commons;Ladies' Gallery, Fan Ventilation, proposed, Apr. 25, 1328.  
 Mark IV. Bullets  
 Contract Price, Apr. 25, 1302.  
 Number made by private Firms, etc., Apr. 18, 602.  
 "Northampton," H.M.S.;Proposed Visit to Invergordon, Mar. 28, 52.  
 Post Office Savings Bank;Facilities at Rural Post Offices, etc., Apr. 18, 605.  
 Sheriffs Salaries;increase proposed, Apr. 25, 1327.  
 Scottish Yeomanry;Date of Return from South Africa, Apr. 1, 337.  
 Stornoway Mail Steamer Service, Apr. 25, 1325.  
 Welby, Col. A. C. [Taunton]  
 Army (Annual) Bill, com. Apr. 22, 1031, 1042.  
 Kingscourt, Keady, and Armagh Railway Bill, 2R. Apr. 19, 758.  
 South African War;Courts of Inquiry, Evidence on Oath, Accepting as Documentary  
 Evidence at Court-Martial, Apr. 25,  
 1294.  
 Yeomanry, Imperial  
 New Army Order. Apr. 19, 781  
 New Force, Omission of "Imperial," Apr. 19, 782; Apr. 85, 1302.  
 Wellington, Duke of  
 Sat First in Parliament after the Death of his Brother, Mar. 28, 1.  
 Wells Corporation Water Bill  
 c. Report,\* Apr. 25, 1281.  
 Wells Water Bill  
 c. Report,\* Apr. 25, 1281.  
 Welsh Disestablishment  
 Discussion;Shortening Easter Recess Proposal  
 O. Mr. A. J. Balfour, Apr. 2, 503.  
 Wessel, Mr.  
 Peace Envoy;Shot by the Boers, alleged  
 Q. Mr. B Roberts; A. Mr. Brodrick, Apr. 19, 777.  
 West Hartlepool Light Railways  
 Order Presented, Mar. 29, 199, 211.  
 West Indies  
 Coal;Amount Imported from England and United States in 1900  
 Q. Mr. D. A. Thomas; A. Mr. G. Balfour, Apr. 25, 1311.  
 Fruit Industry;Consignment of Fruit by Subsidised Steamers  
 Q. Mr. M'Kenna; A. Mr. J. Chamberlain, Mar. 28, 53.  
 West and South London Junction Railway Bill  
 I. 2R.\* Apr. 23, 1050.  
 Westmeath;Cattle Breeding, Granting Premiums for Thoroughbred Bulls  
 Q. Mr. Kennedy; A. Mr. Wyndham, Apr. 19, 788.  
 Wexford  
 District Council;Messrs. Adams and Walsh, Tenants of Labourers' Cottages,  
 Disqualification of, etc.  
 Qs. Mr. Ffrench, Mr. Cullinan; As. Mr. Wyndham, Mar. 29, 230.

Land Purchase;Government Proposals

Q. Sir T. Esmonde; A. Mr. A. J. Balfour, Apr. 18, 608.

Qs. Mr. J. Redmond, Sir T. Esmonde; As. Mr. Wyndham, Apr. 23, 1078.

Local Government Board Inquiry into Question of Salaries of County and Assistant Surveyors;Return ordered, Apr. 22, 887.

White, Mr. G. [Norfolk, N.W.]

Training Colleges for Women Teachers, Mar. 28, 69.

Whiteley, Mr. G. [York, W.R., Pudsey].

Law Officers of the Crown;Salaries and Fees System of Payment, etc., Apr. 26, 1499.

Legal Department of the Treasury Administration, Emoluments of Officials, Appointment of Assistant Director of Public Prosecutions, etc., Apr. 26, 1525.

Legal Expenses, Increase in;Protest against Payments made to Sheriffs in connection with Judges on Circuit, Apr. 26, 1531.

Standing Committees, Amendment of Standing Order 50, Apr. 2, 564.

Whitley, Mr. J. H. [Halifax]

Business of the House;Tuesday Sittings, Appropriating for Government Business, Apr. 19, 798.

Education

Cockerton Judgment;Government Proposals, Apr. 26, 1458.

Education

Cockerton Judgment;Government Proposals, Apr. 26, 1458.

Code;Manual Instruction, Minimum Age, Apr. 26, 1441.

Legal Department of the Treasury Administration;Work done by the Director of Public Prosecutions Abolition of Permanent Staff, etc., Apr. 26, 1519, 1523.

Sheriffs;Expenses incurred in connection with Judges on Circuit, Apr. 26, 1541.

Whitley Rifle Range

Facilities for Volunteers

Q. Mr. Robson; A. Mr. Brodrick, Apr. 18, 602.

Wigan Corporation Tramways, etc., Bill

I. Report from Committee of Selection, Apr. 26, 1415.

Wigtownshire

Swine Importation from Ireland;Proposed Removal of Restriction

Q. Dr. Thompson; A. Mr. Hanbury, Apr. 26, 1441.

Williams, Mr. A. O. [Merionethshire]

Flogging South African Natives;Powers of New Justices, Apr. 22, 893.

Smithfield Market;English Traders ousted by Foreign Firms, etc., alleged, Apr. 22, 913.

South African War;Refuge Camps, Treatment of Women and Children, etc., Apr. 25, 1291.

Wilson, Mr. J. [Durham, Mid]

Budget;Tea Duty, Apr. 23, 1390.

Navy;Religious Institutions, Distribution of Sums without regard to particular

Denomination, Mar. 20, 261, 262.  
 Penrhyn Quarry Dispute; Intervention of Board of Trade, Apr. 23, 1074.  
 Wilson, Mr. J. [Falkirk Burghs]  
 Budget; Cost of the War in South Africa, Increase on the Income Tax, Export Duty on Coal, etc., Apr. 18, 702.  
 Exports; Statistics for 1900, Apr. 23, 1072.  
 Leith; Discovery of Gold, etc., Apr. 25, 1314.  
 Wilson, Mr. J. W. [Worcestershire, N.]  
 Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 305.  
 Wimbledon  
 School Board, Formation of, proposed  
 Q. Mr. Nussey; A. Sir J. Gorst, Apr. 22, 919.  
 Winchester  
 Rifle Range, Offer of; Refusal by the War Office; Letter of Under Secretary of State for War to Mr. Myers, etc.; Address for Copy, Mar. 29, 205.  
 Wine  
 Revenue derived from; Budget Statement, Apr. 18, 618.  
 Wolff, Mr. G. W. [Belfast, E.]  
 Dogs, Importation of, from Ireland, Mar. 28, 83.  
 Roman Catholic Disabilities Removal Bill; Motion for Adjournment of the House after Supply had been disposed of, Mar. 29, 297.  
 Wolverhampton and Cannock Chase Railway Bill  
 c. Con.\* Apr. 1, 322.  
 3R.\* Apr. 18, 589.  
 1. 1R.\* Apr. 22, 874.  
 Wolverhampton Water Bill  
 Petitions against River Conservancy Bills; New Standing Order  
 Motion (Mr. J. W. Lowther), Apr. 2, 465.  
 Woolley, Private  
 Invalided home from South Africa; Pension  
 Q. Mr. Levy; A. Lord Stanley, Apr. 1, 336.  
 Woolwich  
 Military Academy  
 Cadets' Sword Exercise; Supply of Swords  
 Q. Mr. Bartley; A. Mr. Brodrick, Apr. 18, 604.  
 Erection of Drill Shed  
 Q. Mr. Bartley; A. Mr. Brodrick, Apr. 18, 603.  
 Worcester Tramways Bill  
 I. 2R.\* Mar. 29, 198.  
 Report from Committee of Selection, Apr. 26, 1415.  
 Workhouse Infirmarys  
 Ireland; Motion for Return (Lord Mont-eagle of Brandon), Apr. 26, 1417.  
 Workhouses

Ireland;Nurses

Appointment of Trained Nurses in Armagh Workhouse, etc.

Q. Mr. Lonsdale; A. Mr. Wyndham, Apr. 2, 488.

Giving Facilities for Training Girls in Workhouses, proposed

Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 22, 923.

Trained and Untrained Nurses;Return

Q. Mr. J. P. Farrell; A. Mr. Wyndham, Apr. 26, 1446.

Metropolis;Number of Pauper Children

Q. Mr. Trevelyan; A. Mr. Long, Apr. 25, 1320.

Scotland;Glasgow Smallpox Epidemic Poorhouse Removals

Q. Mr. J. F. X. O'Brien; A. Mr. A. G. Murray, Apr. 1, 352.

Workmen's Compensation Act (1897) Amendment (No. 3) Bill

c. 1R.\* Apr. 26, 1461.

Workmen's Houses Tenure Bill

Petition, Apr. 18, 593.

Wortley, Rt. Hon. C. B. S. [Sheffield, Hallam]

Easter Recess, Shortening the Holidays;Coal Mines (Employment) Bill, Apr. 2, 498:

Wylie, Mr. A. [Dumbartonshire]

Budget;Sugar Bounty Question, etc. Apr. 18, 718.

Wyndham, Rt. Hon. G.;Chief Secretary for Ireland [Dover]

Agriculture and Technical Instruction Act;Carrying out Sections 17 and 30, Apr. 1, 365.

Agriculture and Technical Instruction Department

Monaghan, Appointment of Lecturer, Apr. 25, 1332.

Tobercurry, Refusal of Grant to Instruction Department, Apr. 1, 362; Apr. 22, 926.

Ardagh;Cost of New Burial Ground, Area of Charge, Apr. 26, 1446, 1447.

Armagh Workhouse;Appointment of Trained Nurse, etc., Apr. 2, 489.

Bundorragha Fisheries;Want of Landing Pier, Apr. 1, 355.

Butter Substitutes;Dublin Prosecution, Apr. 25, 1331.

Calves, mortality amongst, Apr. 23, 1077, 1078; Apr. 25, 1336.

Carrick, Co. Donegal;Instructor's House, Cost of Building, etc., Apr. 1, 357.

Carrick-on-Shannon

Petty Sessions Clerk;Appointment of Mr. Devenish, Apr. 23, 1084.

Water Charges;Making Township Charge, proposed, Apr. 22, 927; Apr. 25, 1334.

Castlecomer Coal Mines;Proposed Railway to Callan, Apr. 1, 365.

Cattle Breeding in Co. Westmeath;Premiums for Thoroughbred Bulls, etc., proposed, Apr. 19, 788.

Clifden Bay Fisheries;Proposed Construction of Pier, Apr. 2, 484.

Constabulary, Royal Irish

Black's, Constable, Orphans;Gratuity, Apr. 25, 1333.

Cappawhite Police removing Auction Notices, Apr. 2, 489.

Evicted Farms, Members taking, Apr. 26, 1450.

Musketry Instructions in England, Apr. 19, 790.

"P" Head Constables;Number examined for Rank of District-Inspector, Mar. 29,



228.

Roman Catholic Officers and Men, proportion of, etc., Apr. 18, 607.

Roscommon County Inspector residing outside County, etc., Mar. 29, 230.

Sullivan, Sergeant J., Suspension of, Apr. 22, 921.

Cork City Criminal Session; White Gloves presented to Chairman, etc., Apr. 22, 924.

County Councils' Secretaries; Standard of Examination, Apr. 1, 360.

County Court Judges' Salaries; Land Valuers, etc., Apr. 2, 485.

Creameries; Loans to Farmers to purchase Separators, Apr. 22, 922; Apr. 26, 1449, 1450.

District Councillors; Occupants of Labourers' Cottages, Disqualification, etc., Apr. 1, 370.

Donegal Co.

Crime, Absence of; Proclamation Revocation, Mar. 28, 80.

Magistracy; Appointment of Mr. Sheils, Mar. 28, 80.

Dungannon Disturbances, Apr. 1, 366, 367.

Education

Blind, Deaf and Dumb, Apr. 25, 1331.

Fermanagh; Roman Catholic Board of Education, Intermediate School at Enniskillen, Apr. 26, 1453.

Irish History Teaching in National Schools, Apr. 1, 357.

Roxborough Road School Endowment, Mar. 29, 225.

Emigration Statistics, Apr. 1, 362.

Evicted Farms, Number in Kerry, Apr. 22, 927.

Herring Fishery; Branding of Herrings, Legislation proposed, Mar. 28, 79.

Fisheries, Inspectorship of; Vacancy Apr. 2, 487.

Fisheries (Ireland) Bill, Intro., Apr. 1, 381.

Flax-growing; Appointment of Experts, Apr. 26, 1443.

Frenchpark Waterworks, Cost of; Proposed Union Charge, Apr. 23, 1083; Apr. 26, 1448.

Grazing Lands; Status of Tenants on Estates purchased by Congested Districts Board, Apr. 23, 1078.

Income Tax Collectors' Pensions; Case of J. Feore, Mar. 28, 79.

Industrial Schools

Committals, Number in 1896&#x2013;98; Legislation proposed, Apr. 26, 1447,

Day Schools, proposed, Apr. 19, 789.

Joyce, District Councillor, Conviction of, Mar. 29, 230.

Kerry; Congested Districts, Expenditure on, etc., Apr. 25, 1330.

Killarney, Quarter Sessions; Presenting Chairman with White Gloves, etc., Apr. 22, 924.

King's Accession; Proclamation at Limerick, Guard of Honour, etc., Apr. 23, 1086.

Kingscourt, Keady, and Armagh Railway Bill, 2R., Apr. 19, 753.

Labourers; Proposed Prizes for Industry, Apr. 22, 925.

Labourers' Cottages

Carlow Scheme; Inquiry, Apr. 1, 355.

Ennis Urban Council Scheme, Delays, Apr. 25, 1331.

Rejection of Applications;Applications in Granard Union, etc. Apr. 22, 923; Apr. 23, 1081.  
 Strabane Rural Districts Scheme;Delays, Apr. 1, 364.  
 Land Commission  
 Apjohn's Estate;Sale to Tenants, Mar. 29, 227.  
 Burgh's, Lady de, Estate;Sale of Land, to Tenants, Mar. 29, 1227.  
 Butler Estate;Delay in Sale. Apr. 23, 1081, 1082.  
 Coyne's, Owen, Holding in Claremorris Union;Revaluation, etc., Apr. 2, 486.  
 Finlay's, D., Estate;Sale of Land to Tenants, Apr. 22, 926; Apr. 23, 1085; Apr. 26, 1451, 1452.  
 Hamilton Synge Estate;Fair Rent Applications, Delay, etc., Mar. 29, 233.  
 King-Harman Estate;John Gill's Tenancy, Application for Advance, etc., Apr. 26, 1449.  
 Names, Salaries, etc., of Commissioners;Returns, Apr. 2, 486.  
 Sligo;Number of Appeals, etc., Apr. 1, 356.  
 Land Purchase in  
 Queen's Co.;Grants, Apr. 1, 363.  
 Wexford Co.;Government Proposals, Apr. 23, 1079.  
 Lisburn Smallpox Outbreak;Precautionary Measures, Apr. 26, 1451.  
 Local Government;Weekly Payment of Wages, etc., Apr. 1, 360.  
 Local Taxation Account  
 Receipts from Local License Duties, etc., Apr. 1, 363  
 Supplementary Vote for Grant-in-aid wrongfully paid in 1898, etc., Mar. 29, 226.  
 Londonderry;Ladysmith Rejoicings, Discharge of Explosives, etc., Mar. 28, 78.  
 Longford  
 Board of Guardians;Surcharge for Burial of Pauper, Apr. 23, 1080  
 Lismanagh, Land Disturbance at, Apr. 22, 1080.  
 Lough Neagh Floods;Drainage Works, Apr. 25, 1335.  
 Lunatic Asylums  
 Dundrum;Tradesmen Attendants, Hours of Labour, etc., Apr. 26, 1444  
 Grants-in-aid, Apr. 1, 358.  
 Lunatics;Maintenance of Criminal Lunatics, Apr. 1, 358; Apr. 26, 1452.  
 M'Carthy, Dr. B.;Appointment as Medical Inspector to Local Government Board, Apr. 1, 359.  
 Magistrates and Justices of the Peace;Number of Roman Catholic Magistrates compared with Protestants, Armagh County;Poyntzpass Petty Sessional Bench, Mar. 29, 233; Apr. 25, 1336.  
 Monaghan;County Council, Allowances to Rate Collectors disallowed by Auditors, etc., Apr. 26, 1444, 1445.  
 Murriphy, Mr.;Remission of Sentence, Mar. 29, 228.  
 National Library;Proposed Increase of Staff, etc., Apr. 2, 485.  
 National School Teachers' Salaries, Apr 1, 361.  
 O'Brien, Mr. K.;Removal from Commission of the Peace for Tipperary, Mar. 28, 81.  
 Omagh;Rural District Rates, Increase of, etc., Apr. 25, 1335.  
 Parliamentary Elections and Local Government Officials, Apr. 1, 355.  
 Parliamentary Voters;Disqualification through Landlord, etc., failing to till in

Requisition Forms, Apr. 19, 789.  
 Pembroke Urban Council;Irregularities in Accounts, etc., Mar. 29, 229.  
 Poor Law Officials' Superannuation Allowances in 1887;Probate Duty Grant, Apr. 26, 1445.  
 Poor Law Officers' Superrannuation Bill Effect on Local Rates, Apr. 23, 1082, 1083; Apr. 25, 1335.  
 Pension Fund, Supplementing by Public Grant, proposed, Apr. 26, 1445.  
 Portaroman Boatslip, Erection of, Mar. 29, 224.  
 Railways;State Purchase, Feb. 19, 789; Apr. 23, 1084; Apr. 25, 1327; Apr. 26, 1443.  
 Roads;Direct Labour, Employment of, Provisional Order, Apr. 22, 925; Apr. 23, 1085.  
 Sneem Pier;Erection of Goods Store, Apr. 1, 354.  
 Steam Trawling Bill;Date of Second Reading, Apr. 25, 1337.  
 Surveyors;Assistant Surveyors, Qualificacions, Mar. 29, 225.  
 Unclaimed Balances in Irish Banks, Apr. 22, 925.  
 University, Royal;Examination Certificates, Providing Duplicates, etc., Apr. 25, 1332.  
 Ventry's, Lord, Estate;Future Tenancies, Apr. 1, 361.  
 Wexford District Council;Messrs. Adams and Walsh, Tenants of Labourers' Cottages, Disqualification, etc., Mar. 29, 231.  
 Workhouse Nurses  
 Facilities for training girls in Workhouses, Apr. 22, 923.  
 Trained and Untrained Nurses, Return, Apr. 26, 1446.  
 Y  
 Yeomanry  
 Imperial Yeomanry who have served in South Africa retaining Army Rank  
 Q. Mr. T. Dewar; A. Lord Stanley, Apr. 1, 335.  
 Reorganisation  
 Army Order, Issue of;Opportunity for Discussion, etc.  
 Qs. Sir H. Vincent, Mr. E. Robertson, Col. Welby; As. Mr. Brodrick, Apr 19, 780.  
 Conditions of Service;Liability for Service beyond Sea  
 Q. Sir J. Colomb; A. Mr. Brodrick, Apr. 18, 60.  
 Irish Regiments, proposed  
 Q. Dr. Thompson; A. Mr. Brodrick, Apr. 19, 782.  
 Title;Omission of "Imperial"  
 Q. Mr. Col. Welby; A. Mr. Brodrick, Apr. 19, 782.  
 Q. Col. Welby; A. Mr. Brodrick, Apr. 25, 1302.  
 South African War, see that title.  
 Yerburch, Mr. R. D. [Chester]  
 China  
 Occupation of the Forts of the Yang-tsze offered to the British Government, Mistaken Policy of refusing, etc., Apr. 2, 582  
 Situation in;Policy of the British Government, Russia in Manchuria, etc., Apr. 2, 581  
 Tientsin Siege;Mr. Watt's services, Apr. 2, 477.

Younger, Mr. W. [Lincolnshire, Stamford]

South African War Despatches, Publication of; General Officer commanding 8th Division, Apr. 25, 1292.

Yoxall, Mr. J. H. [Nottingham, W.]

Education

Cockerton Judgment, Master of the Rolls' Decision, Apr. 2, 551

Evening Continuation Schools; Payments of Grants, etc., Apr. 2, 483.

Teachers, Dismissal of; Right of Appeal, etc., Mar. 29, 221.

Kew Gardens; Labourers' Wages, Reduction of Hours, etc., Mar. 28, 70.

Post Office

Female Sorting Clerks and Telegraphists; Hours of Labour, Mar. 28, 73.

Telegraph Service; Efficiency Barrier, Mar. 28, 74.

Unclaimed Chancery Funds, Amount of, Apr. 22, 912.

Z

Zanzibar

Slave Trade, Papers relating to; Laying on the Table, etc.

Q. Mr. T. Bayley; A. Vis. Cranborne, Mar. 29, 217.

Steamship Communication; Trade of Zanzibar, etc.

Debate, c. Apr. 23, 1141.

Zinc Industry

United States, Report Presented, Apr. 22, 876.