CONCLUSIONS of a Meeting of the Cabinet held at
10, Downing Street, S.W., on Tuesday, June 14th, 1921,
at 11 a.m.

PRESENT:

The Right Hon. A. Chamberlain, M.P.,
Lord Privy Seal, (IN THE CHAIR).

Right Hon. A. J. Balfour, O.M., M.P.,
President of the Council.

Right Hon. E. Shortt, K.C., M.P.,
Secretary of State for Home Affairs.

Right Hon. W. S. Churchill, M.P.,
Secretary of State for the Colonies.

Right Hon. Sir L. Worthington-Evans, Bart., M.P.,
Secretary of State for War.

Right Hon. S. Baldwin, M.P.,
President of the Board of Trade.

Right Hon. H. A. L. Fisher, M.P.,
President of the Board of Education.

Right Hon. C. Addison, M.P.

THE FOLLOWING WERE ALSO PRESENT:-

Lovat, K.T., K.C.M.G., K.C.V.O.,
Sir H. Llewellyn Smith, G.C.B.,
Board of Trade.

Concession 7).

Col. Sir M.P.A. Hankey, G.C.B.,
Secretary.

Thomas Jones, Principal Assistant Secretary.
With reference to Cabinet 45 (21), Conclusion 2 (a), the Cabinet had before them the following documents relating to the question of Mandates:

A Note by the Secretary of the Cabinet, covering Departmental Correspondence and Revised Mandates (Paper C.P.-3005).

A Memorandum by the Secretary of State for the Colonies, including telegraphic correspondence between the Secretary of State and the High Commissioners of Mesopotamia and Palestine (Paper C.P.-3006).

Notes of a Conference held in Lord Curzon's Room at the Foreign Office on Wednesday, June 1, 1921, at 6.30 p.m. (Paper C.P.-3028).

The immediate issue before the Cabinet was the attitude to be taken up on this question by Mr H.A.L. Fisher at the forthcoming meeting of the Council of the League of Nations.

The Cabinet were informed that some members of the Council of the League were anxious, owing to the attitude of the United States towards the subject of Mandates, not to proceed with the question of passing the Mandates at the forthcoming meeting of the Council unless an agreement on this point had first been reached between the United States and the Allies. An alternative French suggestion was that the United States of America should be asked if they had any objection to the Council of the League at its forthcoming meeting approving the "B" Mandates but not the "A" Mandates.

After considerable discussion the Cabinet agreed—

(a) That the whole question of our responsibility under the "A" Mandates (including a suggestion that, if the United States continued to question our right to these Mandates, we should offer tocede to them the Mandate for Mesopotamia or Palestine) should be discussed at the forthcoming Imperial meetings, and that this discussion should, if possible, be preceded by a full discussion at the Cabinet;

(b) That, in view of the attitude of the United States of America and the fact that the High Commissioners for Mesopotamia and Palestine are no longer pressing for the immediate passing of the Mandates for these territories, it would not be in our interests, pending the forthcoming discussion proposed in (a), for the Council of the League, at the forthcoming meeting, to pass either the "A" or "B"
Mandates. It would be desirable, however, that the Council of the League should take steps to let the United States of America know that the settlement of the Mandates was likely to be strongly pressed at the meeting of the Assembly of the League in September. The Foreign Office should, however, take no action at Washington for the present, until moved by the Council of the League:

(c) That, in any conversations on the subject, Mr Fisher should bear in mind that, from the point of view of the position in Mesopotamia and Palestine, it is important: first, that we should receive no rebuff in regard to the Mandate, and, second, that it should be made clear that in accepting these Mandates Great Britain is obtaining no benefit but only incurring heavy responsibilities, which had devolved upon her in fulfillment of engagements entered into during the War.

(2) With reference to Cabinet 8 (21), Conclusion 1, the Cabinet, after a short discussion, agreed —

(a) To reaffirm the decision to ratify the Convention on the subject of the International Court of Justice;

(b) That the Dominions should be urged to ratify the Convention soon;

(c) That the Secretary of State for Foreign Affairs should draft, for the Lord Privy Seal, a reply to a Question on this subject to be asked that afternoon in the House of Commons.
(3) With reference to Cabinet 41 (21), Conclusion 2, the Cabinet had a short discussion in regard to the attendance of members of the Imperial Government, of Dominions Prime Ministers, and of Foreign Ambassadors, at the ceremony of the opening of the Parliament of Northern Ireland by the King on June 22nd, with reference to which the Prime Minister of Northern Ireland had addressed a telegram to the Secretary of the Cabinet.

The Cabinet were given to understand that, in view of his indisposition and the postponement of the forthcoming Imperial meetings, it was very doubtful whether the Prime Minister would be able to carry out his original intention of being present.

Subject to the agreement of the Prime Minister, the Cabinet expressed the opinion —

(a) That, in view of the fact that Lord Londonderry has been invited by the King to be the Minister in attendance on His Majesty, the presence of the Home Secretary would be unnecessary, and that the British Cabinet should be represented by the Chief Secretary for Ireland;

(b) That the Secretary of State for the Colonies should only be present in the event of the attendance of three or more representatives of the Dominions;

(c) That the Secretary of State for Foreign Affairs should discourage the attendance of diplomatic representatives, only one of whom, up to the present, has expressed his intention of being present.

NOTE.

A message has since been received that the Prime Minister concurs in the above arrangements.
THE BARCELONA CONVENTIONS ON TRANSIT AND COMMUNICATIONS.

(4) The Cabinet had before them a Memorandum by the President of the Board of Trade on the subject of the Barcelona Conventions on Transit and Communications (Paper C.P.-503). The Cabinet were informed that the Admiralty had not yet had time to examine the proposals, and that the Colonial Office, though prepared to ratify the Conventions themselves on behalf of the Colonies and Protectorates, would have to consult the Colonies and Protectorates in regard to the Additional Protocol on National Waterways, mentioned on page 2, which, the Cabinet were reminded, had not yet been signed by the British Delegate.

After putting various questions to Sir Hubert Llewellyn-Smith, the Cabinet agreed —

(a) That, subject to the agreement of the Admiralty, the Conventions on Transit and Communications should be ratified;

(b) That the Admiralty should inform the Secretary of the Cabinet as to their decision as soon as possible, in order that Mr H.A.J. Fisher might be in a position to inform the Council of the League of our intention to ratify before the termination of its forthcoming meeting;

(c) That the British Delegate should be authorised to sign the Additional Protocol on National Waterways, in accordance with the proposals of the President of the Board of Trade, on page 2 of Paper C.P.-503. In regard to the Colonies and Protectorates he should await the instructions of the Colonial Office.
(5) With reference to Cabinet 38 (21), Conclusion 2, the attention of the Cabinet was directed to the undesirability of adjudicating on claims for financial assistance for particular schemes without regard to the comparative merits of such schemes and the total amount of the claims involved.

It was pointed out that, in pursuing the policy of restricting expenditure, it would be a great advantage if the Cabinet had before them a general conspectus of the demands of the various Departments, and that these demands ought to be considered together by the Finance Committee of the Cabinet.

The Chancellor of the Exchequer stated that the returns from the different Departments, in response to the Treasury Circular, would not be available before the end of July, and it would not be possible, therefore, for decisions to be reached until early in August.

In accordance with the above view, and as stated below (See Conclusions 6 and 7), the Cabinet agreed —

To refer to the Finance Committee the following questions:

(i) Grants in aid of Educational Purposes abroad:

(ii) Forestry Expenditure.
(6) With reference to Cabinet 38 (21), Conclusion 8, the Cabinet had before them a Memorandum by the Secretary of State for Foreign Affairs (Paper C.P.-2569) calling attention to the lack of cohesion and common action among British subjects resident in foreign countries, and to a Report on the subject which had been made by a Committee appointed by the Foreign Office. The Report had been very favourably received, and, so far as possible, Departmental action had been taken upon it; but, in order to give full effect to its recommendations, a grant of a sum of about £100,000 per annum for a term of years was necessary. This sum would be expended on the advice of a Standing Committee, on which the Treasury would be represented. The sum proposed was very small and in marked contrast to the very large grants voted by the French and German Governments for the extension of educational and allied interests among their subjects abroad.

The Cabinet agreed —

To refer the matter for decision to the Finance Committee.
With reference to War Cabinet 557, Conclusion 5, the Cabinet had before them a Memorandum by the Forestry Commission (Paper C.P.-2929) and a Memorandum by the Chancellor of the Exchequer (Paper C.P.-2950) dealing with proposals to restrict the annual expenditure of the Forestry Commission to 50 per cent. in each of the years 1922-23 and 1923-24.

Lord Lovat, the Chairman of the Forestry Commission, explained to the Cabinet the interruption to the Forestry programme which would be involved if effect were given to the reduction proposed by the Treasury. Of the 150,000,000 plants in the Forestry Commission's Nurseries, some 50,000,000 to 60,000,000 would have to be destroyed in each of the years 1922/1923, 1923/1924, as it would not be possible to place them on the market. Of the present annual grant of £400,000, £292,000 was spent on forestry operations proper. To reduce the grant by one-half would mean reducing the money spent on planting operations to from £25,000 to £45,000. He recognised the necessity of making economies, and estimated that the lowest figure at which the forestry programme, approved by the Cabinet in 1919, could be carried out for the year 1922-23 was £365,000, and that the lowest figure at which an effective forestry policy could be carried out for the year 1922-23, without substantial waste of material and without breach of faith with the staff, was £325,000. In the latter case, however, the whole of the authorised planting programme could not be carried out. Lord Lovat called attention to certain administrative difficulties which had been experienced in working the Commission, and the need for more effective consultation on questions of policy.

The Cabinet agreed:

(a) To refer the question of Forestry Expenditure, for decision, to the Finance Committee:

(b) That, pending such decision, the Forestry Commission should restrict their commitments for next year to the lowest possible figure:
DISPOSAL OF SURPLUS WAR MATERIAL.

(c) That the Chairman of the Forestry Commission should arrange for consultation with the Chancellor of the Exchequer on general questions of policy once a quarter, and should present an Annual Report to the Cabinet on the working of the Commission, appending to such Report any questions of principle which it had not been found possible to settle with the Treasury.

(8) With reference to Cabinet 4 (20), Conclusion 5, the Cabinet had before them a Memorandum by the Chancellor of the Exchequer on the subject of the disposal of surplus war material, involving the question of the sale, under a block contract, of the remaining surplus war stores.

The Cabinet agreed —

(a) That the particular proposal which had been put forward should not be accepted;

(b) That proposals put forward on the lines suggested in Article VII of the Memorandum should receive consideration, but should not be accepted without further reference to the Cabinet.

SUBJECTS POSTPONED.

(9) The consideration of the following questions, which were on the Agenda, each of which raised questions of grants from public funds, was postponed until the Prime Minister could be present:

(I) Grants in Aid of Voluntary Hospitals:

(II) Compensation for Damage to Property in Ireland:

(III) Employment of Severely-Disabled Men:

(IV) Unemployment: Light Railways in North Devon and South Wales.
The Cabinet took note of the following Conclusions of Conferences of Ministers and Committee of Home Affairs:

(a) Conference of Ministers held on May 26, 1921, at 4 p.m.:

(b) Conference of Ministers held on May 27, 1921, at 11 a.m.:
   - The Coal Stoppage. (Appendix II).

(c) Conference of Ministers held on May 30, 1921, at 3-45 p.m.:
   - Members' Expenses. (Appendix III).

(d) Committee of Home Affairs (87), held on May 25, 1921, at 4-15 p.m.:
   - Preservation of Public Order Bill. (Appendix IV).

(e) Committee of Home Affairs (86), held on May 31, 1921, at 4-15 p.m.:
   (i) Prohibition of the Use of Lead in Painting.
   (ii) Bill for the Preservation of Public Order.
   (iii) Summer Time.
   (iv) Markets Committee Report.
   (v) National Health Insurance. Administrative Expenses. (Appendix V).

2, Whitehall Gardens, S.W.1,
June 14, 1921.
SECRET.

DRAFT CONCLUSIONS of a Conference of Ministers held in Mr. Chamberlain's Room, House of Commons, S.W., on Thursday, May 23rd, 1921, at 4 p.m.

PRESENT:

THE PRIME MINISTER (IN THE CHAIR).


The Right Hon. S. Baldwin, M.P., President of the Board of Trade.

The Right Hon. T. J. Macnamara, M.P., Minister of Labour.


The following were also present:

Sir C. A. Montague Barlow, K.B.E., M.P., Parliamentary Secretary, Ministry of Labour.


Mr. Pembroke Wicks, Principal.
With reference to Cabinet 76 (26), Conclusion 1, and to Conclusion 1 of a Conference of Ministers held at 11-30 a.m. on May 26, 1921, the Conference had under consideration a Memorandum by the Minister of Labour (Paper G.P.-2975) on the policy to be adopted by the Government in respect of the Draft Convention, of the Washington International Labour Conference, on the regulation of hours of labour.

It was explained that the following Motion had been put down by Mr Barnes for consideration in the House of Commons on the following day:—

"International Labour Conference (Conventions). To call attention to the fact that the Government have not yet submitted to Parliament certain Conventions adopted by the International Labour Conference at Washington; and to move, That, in the opinion of this House, the Conventions adopted at the International Labour Conference under the League of Nations should be submitted to Parliament as the competent authority."

The Attorney-General stated that since the meeting of the Cabinet in December, 1920, above referred to, he had further examined the position of the Government under Article 405 of the Treaty of Versailles, and had somewhat modified the opinion he had previously expressed. The Treaty required each member of the International Labour Organisation to bring any recommendation or convention adopted, before the authority within whose competence the matter lies, for the enactment of legislation or other action. This seemed to contemplate that, although such step might be taken by the member of the International Labour Organisation, the consent of the competent authority would not necessarily be forthcoming. In his view, the "member" of the International Labour Organisation in respect of Great Britain was the Crown, acting through the Executive, and the action to be taken differed according as it involved legislation or an International Convention. If legislation was required, the British Government were bound to bring the recommendation of the International Labour Conference, in some form or other, before Parliament. They
need not press it, but were bound to present it. In the case of an International Convention, if legislation were required, that also must be submitted to Parliament. If legislation were not required, then the Crown, i.e., the Executive, could decide to ratify or not, independently of Parliament.

Attention was drawn to the fact that, in the present case, if the Government decided to reject the proposed limitation of hours of employment, no legislation would be necessary. If they decided to ratify the recommendation they could only do so by legislation. In those circumstances, were the Government bound to bring a Bill before Parliament, assuming that they did not intend to accept the recommendation?

The Attorney-General said that the matter was open to doubt, but he thought the Article assumed that, whenever legislation would be required to give effect to a recommendation, legislative proposals must be presented to the law-making authority.

The Prime Minister pointed out that, whatever the technical position, it would be impossible to ratify a proposal of this kind without the sanction of Parliament. It would be a very serious thing to accept a compulsory 8-hours day which had not been agreed to either by workmen or employers. It would interfere with the freedom to work overtime, and would cut athwart the arrangements the Government had made with the Railwaymen. Unlike some foreign nations, the British Government would not be prepared to undertake an obligation of this character in an International Agreement and afterwards neglect to carry it out.

The Conference then considered in what way Parliament should be informed that the Government did not propose to ratify the Eight Hours Convention.

The Attorney-General suggested that the Government should state that ratification of a Convention was an act of the Crown, that it was not proposed to ratify in this case,
and that it would therefore be nugatory to present a proposal to Parliament which it was not proposed to carry out.

In the other hand, it was pointed out that the representatives of the British Government at the Washington Conference had made it quite clear that Parliament was to be the body which should determine whether or not the Convention should be ratified. It was explained, however, that while the original draft of the Convention had used the word "Legislature" — the intention being that a recommendation of the Washington Conference should become operative unless vetoed by the Legislature — owing to the refusal of the American representatives to accept the proposal a compromise had been agreed on which appeared in the draft finally adopted by the Drafting Committee, viz., "that the Convention should be brought before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action", and Mr Barnes, as Vice-President of the Paris Commission, had been careful to use the words "competent authority" in the discussions before the main Peace Conference. There was no doubt, however, that in Mr Barnes' view the "competent authority" meant the Legislature.

The Prime Minister took the view that it was impossible to disregard the merits of the question. Mr Barnes had gone to Washington at the invitation of the President of the United States when it was found that the American Senate failed to accept the Treaty and America accordingly was not bound by it. At the same time, the German Government were outside the Convention, so that two of the three greatest industrial countries were not parties to the arrangement. The idea had been to have some agreement to give protection against any country taking an unfair advantage of the restriction of hours in other countries, but, as these two great industrial countries were not parties to the arrangement, the circumstances had so altered that it was not right that Great Britain should be bound.
It was further pointed out that France and Belgium had not yet introduced legislation on the point.

The Prime Minister continued that the Government should refuse to accept Mr. Barnes' Motion on the merits of the case, pointing out at the same time, but without pressing it, that ratification should be an act of the Crown and not of Parliament.

The Minister of Labour emphasised that the Government were in a position to say that they were already, in one form or another, carrying out the Conventions and recommendations of the Washington Conference; for example, in respect of unemployment, the care of women before and after childbirth, and the night employment of women and young persons. The limitation of hours of work was practically the only respect in which the policy of this country was not already in full accord with the resolutions of the Washington Conference.

It was suggested that unless the Government were able to meet Mr. Barnes' Motion with a direct negative as to the competence of the House of Commons to ratify a Convention of this character, every time a resolution were passed by the International Labour Conference the Government would be bound to find Parliamentary time for its discussion.

The Prime Minister pointed out, on the other hand, that it would be a somewhat delicate matter to ask the House of Commons for a direct vote on the question whether the Government had a right to ratify an International Convention without the sanction of Parliament.

It was also pointed out that, while the argument against ratifying the Convention was unassailable on its merits, the House of Commons was asked in Mr. Barnes' Motion to express the opinion that the Conventions of the International Labour Conference should be submitted to Parliament as the competent authority, and might very well accept that view apart altogether from the merits of the Convention under discussion. Mr. Barnes was, no doubt, of opinion that, under Article 435
of the Treaty, once a recommendation had been made, the
government had to perform a ministerial act by putting it
before Parliament, and would press that point of view. It
would be imprudent to ask the House of Commons deliberately
to admit that it was not the competent authority to ratify.

The Conference agreed —

(a) That the British Government should decline
to ratify the Convention of the International
Labour Conference relating to the limita-
tion of the hours of labour;

(b) That the Minister of Labour should move an
amendment in the House of Commons to Mr
Barnes' Motion, viz., to omit the words
in brackets:—

"To call attention to the fact that the
Government have not yet submitted to
Parliament certain Conventions adopted
by the International Labour Conference
at Washington; and to move, That [In
the opinion of this House, the Conventions
adopted at the International Labour Confer-
ence under the League of Nations should be
submitted to Parliament as the competent
authority]

and insert

"in the opinion of this House it is not ex-
pedient in existing circumstances to pro-
ceed with legislation to give effect to the
Washington Convention on Hours of Labour":

(c) That, should it be necessary, the Attorney-
General should intervene, at a later stage in
the Debate, with a legal argument on the tech-
nical position under the Treaty.

whitehall Gardens, S.W.1,
May 26, 1912.
Conclusions of a Conference of Ministers held at 10, Downing Street, S.W., on Friday, May 27th, 1921 at 11.0 a.m.

Present:

The Prime Minister (in the Chair).

The Right Hon. A. Chamberlain, M.P.,
Lord Privy Seal.

The Right Hon. Sir Robert Horne, G.B.E.,
K.C., M.P., Chancellor of the Exchequer.

The following were also present:

The Right Hon. V.C. Bridgesman, M.P.,
Secretary, Mines Department.

Mr E.A. Gowers, C.B., Mines Department.

Mr. Thomas Jones.......................... Acting Secretary, Cabinet.
With reference to the Conference of Ministers held at the House of Commons on May 26th, 1921, at 6.30 p.m., the Conference further considered the lines of the statement which the Prime Minister was about to make to the Conference of Mine Owners and Miners at the Board of Trade, at 12 Noon.

2, Whitehall Gardens, S.W.
27th May, 1921.
CONCLUSIONS of a Conference of Ministers held in Mr. Chamberlain's Room, House of Commons, S.W., on Monday, 30th May, 1921, at 3.45 p.m.

PRESENT:

THE PRIME MINISTER (IN THE CHAIR).

The Right Hon. A.-Chamberlain, M.P.,
Lord Privy Seal.

The Right Hon. E. Shortt, K.C., M.P.,
Secretary of State for Home Affairs.

The Right Hon. E. S. Montagu, M.P.,
Secretary of State for India.

The Right Hon. G. Baldwin, M.P.,
President of the Board of Trade.

The Right Hon. H. A. L. Fisher, M.P.,
President of the Board of Education.

The Right Hon. T. J. Macnamara, M.P.,
Minister of Labour.

The Right Hon. R. Munro, K.C., M.P.,
Secretary for Scotland.

The Right Hon. Sir Robert Horne,

The Right Hon. W. S. Churchill, M.P.,
Secretary of State for the Colonies.

The Right Hon. Sir L. Worthington-Evans, Bart., M.P., Secretary of State for War.

The Right Hon. Sir A. Mond, Bart., M.P., Minister of Health.

The Right Hon. Sir A. Griffith-Boscawen, M.P., Minister of Agriculture and Fisheries.

The Right Hon. C. Addison, M.P.

The Right Hon. Sir Hamar Greenwood, Bart., K.C., M.P., Chief Secretary for Ireland.

THE FOLLOWING WERE ALSO PRESENT:

Lieut. Colonel Leslie Wilson,
C.M.G., D.S.O., M.P., Joint Parliamentary Secretary, Treasury.


Mr. Thomas-Jones, Principal Assistant Secretary.
With reference to Cabinet 39(21) Conclusion 6, the Conference met to consider the attitude to be adopted by Members of the Government in the forthcoming debate and in the subsequent division on the two concessions recently proposed to the House of Commons in regard to payment of Members, namely, free travelling expenses to and from Members' constituencies and homes during the session of Parliament, and remission of income tax on Members' salaries.

It was possible that three issues might be raised and brought to a division:

(1) The question of remission of income tax on Members' salaries, which did not affect Ministers:

(2) The grant of travelling facilities which benefited Ministers:

(3) The question of whether first or third class fares should be given.

There was general agreement on the latter question that, if free travelling expenses were granted, they should be for first class travelling.

After considerable discussion the Conference agreed:

(a) That the Lord Privy Seal should ask the Chairman of the Board of Inland Revenue whether the director of a public company would not be entitled to charge to the company and free of income tax to themselves, not only their travelling expenses but also their out of pocket expenses incurred in the discharge of their public duty and invite the Income Tax Commissioners to give an interpretation that Members' salaries could be treated in the same manner.

Should the Board of Inland Revenue be in doubt, the Law Officers should be consulted.

(b) In the event of a favourable reply the Lord Privy Seal, after seeing the Leader of the Labour Party, should explain that the proposal for remission of income tax had been made with the object of providing without administrative difficulties similar privileges to those enjoyed by company directors but in view of the hoped for decision of the Commissioners of Income Tax he should urge the Labour Party not to press it to a division. Should a division take place however Members of the Cabinet would abstain from voting.
(c) That, in any division in regard to railway expenses, Members of the Cabinet would vote in favour of the grant of first class travelling expenses to and from any part of Members' constituencies and their homes during the sessions of Parliament.

(d) That Members of the Government who are not Members of the Cabinet, and took no part in this decision, should be free to vote as they wish. The Lord Privy Seal should however notify to them the decision of the Government and suggest that, if they could not support the Government, they should abstain from voting.

2 Mitchell Gardens, B.N.
May 30th 1921
SECRET.

(H.A.C. 87th Conclusions.)

CABINET.

COMMITTEE OF HOME AFFAIRS. 87.

Conclusions of a Meeting of the above Committee, held in Mr. Shortt's Room, House of Commons, S.W., on Wednesday, May 23, 1921, at 4:15 P.M.

Present:

The Right Hon. H. A. L. FISHER, M.P., President of the Board of Education (in the Chair).


The Right Hon. S. BALDWIN, M.P., Secretary of State for Home Affairs. President of the Board of Trade.

The Right Hon. C. ADDISON, M.P.

The Right Hon. R. MONROE, K.C., M.P., Secretary for Scotland.

The following were also present:

Sir M. BARLOW, K.B.E., M.P., Parliamentary Secretary, Ministry of Labour.

Sir F. BAINES, C.B.E., M.V.O., His Majesty's Office of Works.

The Hon. HUGH GODLEY, Third Parliamentary Counsel.

Mr. A. J. DYKE, C.B.E., Board of Customs and Excise.

Mr. T. JONES, Principal Assistant Secretary, Cabinet.

Mr. PEMBROKE WICKS, Secretary to the Committee.

With reference to Home Affairs Committee, 86th Minutes, Conclusion 2, the Committee had under consideration the revised draft of a Bill for the Preservation of Public Order (C.P.-2767).

The Home Secretary explained that the Drafting Committee had further considered the draft Bill in the light of the decisions of the Home Affairs Committee, and had had before them a Memorandum from Sir Basil Thompson on the effect of omitting Clauses 1 (b) and 1 (c), as decided by the Home Affairs Committee, from which it appeared on the one hand that, unless Clause 1 (b) were retained, there would be no adequate means of dealing with the circulation of inflammatory leaflets; while if 1 (c) were omitted it would not be possible to deal with the people who financed illegal societies. It was found that whenever an illegal society had run through its money it became comparatively harmless, and it was, therefore, essential to be able to stop contributions. Accordingly, it was proposed that Clauses 1 (b) and 1 (c) should be retained, together with the words “gives or” in Clause 1 (c). Those were the main respects in which the Drafting Committee had departed from the
The Home Secretary explained that it was thought that the fact that no prosecution could be commenced without the leave of the Attorney-General or the Director of Public Prosecutions would be a sufficient protection of innocent people. He deprecated the suggestion that the number of books should be increased above three on the ground that in many cases the leaders of a seditious movement might have a small number of books in their possession, the bulk being in the hands of printers or other agents. If it were found necessary, a higher number than three could be provided as a concession in debate.

The Committee agreed—
That Clause 3 (5) should be retained at present, and that the Home Secretary should obtain from Sir Archibald Bodkin a Memorandum for the consideration of the Committee, showing (1) the reason for inserting in the Bill a provision creating presumptive evidence of this character instead of leaving the matter to the discretion of the Courts in the ordinary way; and (2) why it was necessary to make the possession of so small a number as three books presumptive evidence of intention to distribute.

The Home Secretary explained that the word "edits" had been omitted from Clause 1 (b) in order to avoid all unnecessary words. As there appeared to be some doubt whether the editing of illegal pamphlets was covered by the words "printed and published"—

The Committee agreed—
That the word "edits" should be inserted in the last line of Clause 1 (b).

The Committee also agreed—
That the words "directly or indirectly" in the last line but one of Clause 1 (c) should be omitted.

The Home Secretary further explained that Sir Basil Thompson attached great importance to Clause 1 (c), which makes it an offence to contribute to the funds of a society whose object is to do acts made an offence by the Bill unless the contributor can prove he did not know the illegal purpose of the society.

The Chairman stated, on the general question, that he was alarmed at the provisions of the Bill. The object of the Bill was excellent, and he did not deny that harm was being done by revolutionary agitation, but he believed that the efforts of the revolutionaries were being overcome by the common sense of the country and the development of the industrial position. If he thought the movements were really dangerous he would not hesitate, but he doubted the policy of introducing such a Bill in the near future. The matter of policy was one, however, for the Cabinet, and if a Bill was necessary he had no doubt that this was a good Bill.

The Home Secretary pointed out that some sixty speakers had recently been prosecuted, and convictions obtained in most cases. All prosecutions had been taken under the Defence of the Realm Act, and as soon as that came to an end by the legal termination of the war, the authorities would have no suitable means of bringing offenders to justice.

The Committee adjourned the further consideration of the matter till their next meeting.

2, Whitehall Gardens, S.W. 1,
May 26, 1921.
SECRET.

(H.A.C. 88th Conclusions.)

CABINET.

COMMITTEE OF HOME AFFAIRS, 88.

Conclusions of a Meeting of the above Committee held in the Home Secretary's Room, House of Commons, S.W., on Tuesday, May 31, 1921, at 4.15 p.m.

Present:

The Right Hon. H. A. L. FISHER, M.P., President of the Board of Education (in the Chair).


The Right Hon. Sir A. MOND, Bart., M.P., Minister of Health.

Lieut.-Commander HILTON YOUNG, D.S.O., M.P., Financial Secretary, Treasury.

The following were also present:

Colonel Sir V. G. W. KELL, K.B.E., C.B., War Office (for Conclusion 2).

Sir FRANK BAINES, C.B.E., M.V.O., His Majesty's Office of Works (for Conclusion 1).

Mr. H. WOLFE, C.B.E., Ministry of Labour (for Conclusion 1).

Mr. PEMBROKE WICKS, Secretary to the Committee.

Mr. T. ST. QUINTIN HILL, Principal.

Prohibition of the use of Lead in Painting.

1. The Committee had before them a Memorandum by the Home Secretary (C.P.-2928) dealing with (inter alia) the prohibition of the use of lead in painting. It was explained to the Committee that the International Labour Office had sent a questionnaire to all the Governments which will be represented at the forthcoming International Labour Conference inviting their opinion on the question of prohibiting the use of lead in painting. The British Government's reply would carry great weight with the Conference, and it was proposed to say that the British Government was in favour of a draft convention for the prohibition of lead in paints being submitted for the consideration of the Conference. At the Conference the question could be thoroughly discussed.

The Committee were also informed that the policy suggested by the Home Office was based on the reports of two Departmental Committees, which had recommended the total prohibition of the use
of lead in paints. No action had been taken on those recommendations because the war had intervened. Moreover, the Office of Works had been using leadless paints with very satisfactory results.

At this point the Office of Works' representative made a statement on behalf of Lord Crawford. Generally speaking, Lord Crawford's view was that the original opinion of the Office of Works against lead in paint was based on evidence which has subsequently been modified. At the time that opinion was expressed, leadless paints had been used only for four years. The Office of Works since that date and as a result of the drastic demand for economy in painting had made an exhaustive enquiry, and had found that the durability of leadless paints was vastly inferior to that of paint having a lead base.

Arrangements had been made for Sir Kenneth Goadby to examine workmen of the Department who had been engaged for a considerable number of years on painting with zinc base paints. Sir Kenneth Goadby informed the Department that symptoms indistinguishable from lead poisoning had been found in the men engaged upon zinc base paints, while such symptoms were not found in a group of workers examined by Sir Kenneth Goadby employed in the manufacture of white lead, these latter men being only those who were exposed to white lead dust.

Sir Kenneth Goadby expressed the opinion that this surprising result was due to the detrimental action of turpentine upon the men engaged with zinc base paints, and a point which bears upon this was brought out, namely, that the percentages of turpentine and turpentine substitutes in zinc base paints are higher than the normal percentages of turpentine and turpentine substitutes in lead base paints.

It had also been agreed by Sir Kenneth Goadby and the Government Chemist, who has been assisting the Department in its enquiry, that the gravest dangers in connection with the use of lead base paints were:

1. In the dry rubbing down, and
2. In the burning off of old lead paints.

Both these dangers, it was suggested, could adequately be dealt with by regulation.

As regards the cost relative to frequency of painting, there was no doubt that leadless paints were far less durable than lead paints. During recent restorations in one instance it had been found necessary to repaint a building which had been painted six years before with zinc base paint, whereas repainting was not necessary before fourteen years in the case of painting done with lead base paints. It was true that the operatives were in favour of the use of leadless paints, and this might be explained in part by their knowledge that this use increased the frequency and amount of work to be done.

Lord Crawford was of opinion that it would be very injudicious for the British Government to commit themselves to the prohibition of the use of lead paints in view of the facts recently disclosed by the Office of Works. His Department were preparing a comprehensive statement on the whole subject for transmission to the Home Office.

It was urged that the British Government should not, especially in view of the statement made by the Office of Works' representative, commit themselves to a prohibition of the use of lead in paints. Such prohibition would undoubtedly ruin a considerable industry, would cause unemployment, and would favour the continental manufacturers of leadless paints. The correct policy would be not to suppress the industry, but to discover the reasons for lead poisoning.

Attention was also drawn to the importance of the white lead industry in this country, which was a rival to the zinc industry on the continent.
General agreement was expressed with the view that the subject needed further consideration, and the Committee agreed—

(1.) That the question of the policy to be adopted by His Majesty's Government in regard to the use of lead base paints should be considered again at their next meeting;
(2.) That in the meanwhile the following information should be circulated to the Committee:

(a.) A statement which was being prepared by the Office of Works;
(b.) The views of the Home Office with regard to the Office of Works' statement;
(c.) The reports by the Departmental Committees;
(d.) A statement by the Board of Trade showing the size of the white lead trade in this country and the number of persons employed in it;
(e.) Any further scientific information which might be available.

2. With reference to Home Affairs Committee 87th Minutes, the Committee had under further consideration the revised draft of a Bill for the Preservation of the Public Order (C.P.-2767), together with a note by the Director of Public Prosecutions (C.P.-2767 (a)) on clause 3 (5) of the Bill, which provides that possession of more than three copies of an inflammatory book or document shall be evidence of intention to sell and distribute. The memorandum from the Director of Public Prosecutions explained that the clause was necessary owing to the fact that it would be most exceptional to find positive evidence of an intention to distribute, and in the absence of such evidence, apart from this clause, the courts would have no power to convict.

The Solicitor-General pointed out that the clause only provided that possession of the books should be presumptive evidence of an intention to distribute, which could be rebutted by the person accused, and the courts might also infer an innocent intention from the surrounding circumstances.

The Secretary for Scotland agreed that the clause merely shifted the onus of proof.

The Home Secretary added that, moreover, the courts were not obliged to act on the assumption. There was the further protection given by the fact that prosecutions could only be undertaken at the instance of the Attorney-General or the Director of Public Prosecutions.

The Committee agreed that—

Clause 3 (5) should remain in the Bill with the substitution of five copies for three.

The Parliamentary Counsel drew attention to the point which had been raised by the Postmaster-General at the preceding meeting, i.e., that it was not certain that the last paragraph of clause 2 (1), which prohibits the transfer of credit from abroad for illegal purposes, would operate to penalise the persons who obtain the benefit of the credit in this country, and he accordingly proposed that the concluding paragraph of clause 2 (1) should be omitted, and that the following should be inserted after clause 2 (2):—

"And for the purposes of this provision any person who avails himself of the benefit of any transfer or establishment of credit or authority to pay money from abroad shall be deemed to have imported money."

The Committee agreed accordingly.

[6345] B 2
The Chairman stated that he reserved his right to express to the Cabinet the misgivings he felt as to the wisdom of introducing a measure of this kind at the present moment. He was very reluctant to advertise that the country was subject to real danger from revolutionary agitation and preferred to trust to the common sense of the working classes, who, in his experience, were generally contemptuous of the revolutionary speeches of street corner orators.

The Solicitor-General said that he did not think the danger of allowing the Defence of the Realm Act to lapse without any further provision was fully appreciated. The country would be much more unprotected than it should be. Legislation of this character had already been passed in Canada and the United States, which could be a strong argument for use in the House of Commons. Moreover, he protested strongly against the fiction of continuing war legislation, and felt that the continued use of the Defence of the Realm Act and Regulations to obtain convictions on the strength of the legal fiction that the war was still continuing was wrong.

The Committee agreed—

To present the Bill to the Cabinet for their consideration as an appropriate Bill for the purpose for which it was intended, but without making any recommendations as to policy.

3. The Committee had before them a Memorandum by the Home Secretary (C.P.-2860) covering a draft Bill to make permanent the power given by the Summer-Time Act of 1916, to issue Orders in Council as to summer time. This power had been extended by the War Emergency Laws (Continuance) Act of 1920 for a period of one year after the termination of the war, and it was considered to be desirable that permanent legislation providing for summer time should be passed this session.

Some doubt was expressed as to whether, in view of the agricultural opposition, summer time should be made a permanent institution, and it was thought that the views of the present Minister of Agriculture should be invited. It was, however, pointed out that up to now the Ministry of Agriculture had been in favour of summer time, and this answer had always been given to farmers who complained of summer time.

The Committee agreed—

(1) That the Home Secretary should be authorised to introduce the Summer Time Bill in Parliament during the present session.

(2) That the question need not be referred to the Cabinet.

4. With reference to H.A.C. 81 (6) the Committee had before them a note by the Secretary of the Cabinet (C.P.-2830) covering the 4th, 5th and final reports of the Departmental Committee on the wholesale food markets of London. These reports related to wholesale fruit and vegetable markets, meat supplies and distribution, and the influence of wholesale market facilities on food prices.

The Committee agreed—

To approve the publication as a Stationery Office publication of the 4th, 5th and final reports of the Departmental Committee on the wholesale food markets of London.

5. The Committee had before them a Memorandum by the Minister of Health (C.P.-2966), asking for permission to introduce a Bill making certain readjustments in the finance of National Health Insurance. It was proposed by regulation to increase from 4'5d. per member per annum to 4'10d. per member per annum, the
sum allowed Societies for administrative purposes; but before the regulation could be made, certain financial readjustments of the insurance funds which could only be effected by legislation would be necessary, as the additional money required was to be taken from the Societies' reserve funds. Opportunity would be taken in the Bill to relieve the Exchequer of certain liabilities, and this would result in a net saving to the Exchequer of about 300,000l. per annum during the next five years, and a sum approximating to this figure after that. The Bill possessed the support of the approved Societies, and no opposition was expected from any quarter as no extra contribution would be imposed, and the normal benefits would be unaffected. Unless the Bill were passed it would be necessary to alter the contribution of the insured, which would be both undesirable and difficult.

The Committee agreed—

To authorise the Minister of Health to introduce a Bill providing for certain readjustments in the finance of National Health Insurance; the Bill to follow the lines of the draft attached to his Memorandum, dated May 24, 1921 (C.P.-2966).

Whitehall Gardens, S.W. 1,
June 1, 1921.