CABINET 33 (24).

MEETING of the Cabinet to be held at No.10, Downing Street, S.W. (1), on Wednesday, May 21st, 1924, at 11 a.m.

AGENDA.

1. OVERSEAS SETTLEMENT.
   Note by the Parliamentary Secretary of the Department of Overseas Trade, (C.P. 302 (24) - already circulated).
   Memo by the Parliamentary Secretary of the Department of Overseas Trade, (C.P. 307 (24) - to be circulated).

2. MANCHESTER - COVENTRY MOTORWAY.
   Memorandum by the Lord Privy Seal, (C.P. 305 (24) - already circulated).

3. MAIN ROAD POLICY.
   Report of Unemployment Committee (IF READY) (C.P. 306 (24) - to be circulated).

4. LOANS TO HERRING FISHERIES IN SCOTLAND FOR THE PURCHASE OF NETS.
   Report by the Chancellor of the Exchequer and the Secretary for Scotland, (C.P. 300 (24) - already circulated).

5. RE-INSTATMENT OF MEN DISMISSED FROM THE POLICE AND PRISON SERVICES IN CONNECTION WITH THE STRIKE OF 1919.
   (To be raised by the Home Secretary).

6. IRELAND - THE BOUNDARY QUESTION.
   Joint Memorandum by the Home Secretary and the Secretary of State for the Colonies, (C.P. 301 (24) - already circulated).

7. THE FACTORIES BILL.
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(C.P. 301 (24) - already circulated).

7. THE FACTORIES BILL.

Recommendations of the Home Affairs Committee,  
(H.A.C. Conclusions 12 (24) - already circulated).
8. EDUCATION (SCOTLAND) (SUPERANNUATION) BILL, 1924.

Memorandum by the Secretary for Scotland,
(C.P. 292 (24) - already circulated).

Memorandum by the President of the Board of Education,
(C.P. 295 (24) - already circulated).

Report of Cabinet Committee,
(C.P. 297 (24) - already circulated).

9. PROGRESS OF THE SAAR BASIN GOVERNING COMMISSION.

Record of Conversation between the Lord President of the Council and Major Stephens,
May 8th, 1924.
(C.P. 298 (24) - already circulated)

(Signed) M. F. A. HANKEY.
Secretary, Cabinet.

2, Whitehall Gardens, S.W.1.
19th May, 1924.
CONCLUSIONS of a Meeting of the Cabinet held at 10, Downing Street, S.W.1., on WEDNESDAY, May 21st, 1924, at 11 A.M.

PRESENT:—

The Right Hon. J. Ramsay MacDonald, M.P., Prime Minister and Secretary of State for Foreign Affairs, (In the Chair).


The Right Hon. A. Henderson, M.P., Secretary of State for Home Affairs.

The Right Hon. Stephen Walsh, M.P., Secretary of State for War.

Brig.-Gen. The Right Hon. Lord Thomson, C.B.E., D.S.O., Secretary of State for Air.

The Right Hon. John Wheatley, M.P., Minister of Health.

The Right Hon. Noel Buxton, M.P., Minister of Agriculture & Fisheries.

The Right Hon. William Adamson, M.P., Secretary for Scotland.


The Following were also present:—

Mr. William Lunn, M.P., Parliamentary Secretary, Department of Overseas Trade. (For Items 2 & 3)

Mr. Harry Gosling, C.L., M.P., Minister of Transport. (For Items 4, 5 & 6)

Sir Patrick Hastings, K.C., M.P., Attorney-General. (For Items 7 & 9)

CONCLUSIONS of a Meeting of the Cabinet, held at 10, Downing Street, S.W.1. on WEDNESDAY, MAY 21, 1924, at 11 a.m.

PARLIAMENTARY BUSINESS.

(Previous Reference: Cabinet 32 (24), Conclusion 3.)

1. The attention of the Cabinet was drawn, as a matter of urgency, to a Question to be asked in Parliament as to the proposals of the Government in regard to the Whitsuntide Recess.

The Cabinet approved the following answer:

"The Government do not anticipate that it will be possible to adjourn before Friday, 6th June, in which case they would propose that the House should re-assemble on Monday, 16th June."
2. The Cabinet had under consideration two Notes by the Parliamentary Secretary of the Department of Overseas Trade, one setting forth proposals for an announcement in the House of Commons as to the Government's general policy in regard to migration and settlement (Paper C.P.-302 (24)), and the other in regard to new settlement proposals made by the Government of the Commonwealth of Australia (Paper C.P.-307 (24)).

Having regard to the fact that the Government have already committed themselves publicly to a policy of overseas settlement by their published acceptance of the Resolution of the Imperial Economic Conference on this subject and by their simultaneous announcement that they will continue to give effect by administrative action to the policy of overseas settlement as embodied in the Empire Settlement Act, 1922 (Cmd.2115, attached to Paper C.P.-252 (24)), the Cabinet agreed —

(a) To approve the general proposals for giving effect to this policy as set forth in the summary attached to C.P.-302 (24), including authority to the Parliamentary Secretary of the Department of Overseas Trade to lay stress upon the importance of encouraging family and group migration;

(b) To adhere to the previous offer to the Government of the Commonwealth of Australia, that the British Government were prepared, under the Empire Settlement Act, to offer a contribution of one-half of the interest for a period of five years on loans not exceeding £20,000,000 (in addition to loans which may be raised by the Commonwealth under existing schemes) for developmental purposes directly connected with settlement and approved by His Majesty's Government, together with one-third of the interest for a further period of five years:

(c) That if the Commonwealth Government should reject this offer, the question should be brought again before the Cabinet.
3. The attention of the Cabinet was drawn to an Empire Day celebration which had been arranged for Saturday, May 24th, and to an Empire Thanksgiving Service in the Empire Stadium on Sunday, May 25th. Tickets for these ceremonies were handed round during the Meeting. On telephonic enquiry at the Department of Overseas Trade it was ascertained that the attendance of Ministers at the Saturday celebration was not essential, but that the King and Queen had expressed their intention of attending the Empire Thanksgiving Service. It was accordingly felt to be desirable that the Cabinet should be represented as fully as possible at this latter Service.

The Cabinet agreed —

(a) That the following Ministers should attend the Empire Thanksgiving Service at the Empire Stadium on Sunday, May 25th, at 3-15 p.m. to represent the Cabinet:

   - The Lord Privy Seal,
   - The Home Secretary,
   - The Minister of Agriculture and Fisheries,
   - The First Commissioner of Works.

(b) That the Parliamentary Secretary of the Department of Overseas Trade should arrange for an announcement in the Press that the above Ministers were representing the Cabinet.

(c) That the Secretary to the Cabinet should write officially to the Controller-General of the Overseas Trade Department, protesting in the strongest possible terms against official arrangements involving the presence of Ministers at a ceremony of this kind being entered into without ample previous notification, since Ministers are in the habit of making their arrangements long in advance, and it is very difficult for them to change at short notice. The Secretary should further represent that the arrangements for a Thanksgiving Service had an important bearing on the question of the Sunday opening of the Wembley Exhibition, which is a question of Government policy and ought not to have been decided without Cabinet authority.
(d) That the Parliamentary Secretary of the Overseas Trade Department (who had been present at the Cabinet discussion and had arranged to go to Wembley the same day) should make representations on the same subject to General Sir Travers Clarke, the Chief Administrative Officer of the British Empire Exhibition.
4. The Cabinet had under consideration a Memorandum by the Lord Privy Seal covering the Stenographic Notes of a Deputation headed by Sir Leslie Scott, K.C.M.G., which was received by Mr Clynes on May 15th (Paper C.P.-305 (24)).

The Cabinet agreed —

That the Lord Privy Seal should have authority to announce that, in view of the present state of the Parliamentary time-table, the Government could not afford time for a discussion on the Motorways Bill, which had formed the subject of the Deputation.
5. After consideration of the Fourth Interim Report of the Unemployment Committee on Trunk Road Reconstruction Policy (Paper C.P.-306 (24)), the Cabinet agreed --

(a) That the Minister of Transport should forward the recommendations of the Unemployment Committee (Paper C.P.-306 (24)) to the Law Officers of the Crown (including the Lord Advocate), in order to obtain an opinion as to whether they could be carried out under existing legislative powers:

(b) That, in the event of an affirmative answer by the Law Officers, the following recommendations of the Committee should be approved:

1. That the Minister of Transport should be authorised to initiate a new policy under which the reconstruction of certain main trunk roads will be undertaken at the sole expense of the Road Fund. Such reconstruction involving the maintenance of the roads from the Fund during construction and for a short guaranteed period thereafter:

2. That the Minister of Transport should be further authorised to allocate the sum of £5,000,000 out of the additional £13,500,000 new programme for Trunk Road Reconstruction etc. purposes, the £5,000,000 in question being provided by the temporary postponement of the construction of the North Orbital Road. At the same time it should be understood that the North Orbital Road Scheme is not dropped; on the contrary, the Minister of Transport should be authorised, with the concurrence of the Treasury, to acquire from time to time at a few points where impending building operations threaten the course of the road and that the Local Authorities concerned should be encouraged to include the road in their town planning schemes:

3. That the arrangements to be concluded between the Minister of Transport and the Local Authorities should, inter alia, comprise the acceptance by the Local Authority as a charge against their rates during the "period of reconstruction" of the average annual sum expended by the Authority on maintaining the road sections under reconstruction during the few years preceding.
6. The Minister of Labour consulted the Cabinet, as a matter of urgency in view of his forthcoming statement in Parliament on the Estimates for the Ministry of Labour, as to whether he could announce in Parliament that the whole question of electrical development was under consideration in concert with the Electricity Commission.

The Cabinet felt that they could not discuss this question without having before them the results of the enquiries on the subject by the Committee on Unemployment and Housing, and that to make an announcement that the matter was only now under consideration would convey a misleading impression that the Government had been dilatory in exploring this important question.

It was suggested to the Minister of Labour that he should make use of the Report of the Electricity Commission on this subject (Paper C.U.-671), in which it was shown how great an advance had recently been made in regard to electrical development.
7. The Cabinet had before them a Report by the Chancellor of the Exchequer and the Secretary for Scotland in regard to the proposed loans to herring fishermen in Scotland for the purchase of nets (Paper C.P.-300 (24)). The gist of their Report was that they were unable to suggest any other method of assisting the herring fishermen in Scotland than a Supplementary Estimate.

The Cabinet agreed:

(a) That the Secretary for Scotland should have authority to announce that the Government had decided to ask Parliament to pass a Supplementary Estimate to enable them to give loans to the herring fisheries in Scotland for the purchase of nets; that the matter was one of great urgency; and that he hoped that Parliament would give the necessary facilities and would agree to suspend the 11 O'clock Rule for the purpose of passing this Estimate;

(b) That although there was not sufficient time to deal with the matter by the formation of a Co-operative Society in the present year, the Secretary for Scotland should make enquiries as to the possibility of creating such a Society before the herring fishery season of 1925.
8. The attention of the Cabinet was drawn to two letters from the Executive of the Parliamentary Labour Party. In the first letter, dated May 16th, 1924, the hope was expressed that the proposed Inquiry should not deal with the merits or demerits of the Strike or the conduct of the men, but that the object should be to ascertain how best to meet the request for reinstatement and to deal with pension difficulties.

The second letter, dated May 20th, referred to the draft Terms of Reference which had been shown to the Executive by Mr Arthur Henderson, and suggested that the word "claims" should be substituted for the word "case" (See Terms of Reference below) and that the words "and Prison" should be added after the word "Police".

The Cabinet agreed —

(a) That the substitution of the word "claims" would involve reopening the whole question of the merits or demerits of the Strike, and consequently that the word "case" should be adhered to;

(b) That the proposal to insert "and Prison" after the word "Police" should be adopted;

(c) That, accordingly, the Terms of Reference should be as follows:

"To consider the case of the men dismissed from the Police and Prison Service on account of the Strike of 1919, and to report thereon";

(d) That the Home Secretary should invite the following to serve on the Committee:

Sir William MacKenzie (Chairman of the Industrial Court) Chairman;
Sir Hugh Fraser;
Mr H.L. Poulton (Member of the General Council of the Trades Union Congress);

(e) To take note of the intention of the Home Secretary again to see the representatives of the Executive of the Parliamentary Labour Party on the subject.
(f) To take note that the Secretary of State for War has received a communication from Brigadier-General Crozier, formerly Commandant of the Auxiliary Division, Royal Irish Constabulary, demanding an enquiry into the causes of his resignation in 1921, and quoting the enquiry into the case of the men dismissed from the Police in 1919 as a precedent for reopening his own case.
The Cabinet had before them a Joint Memorandum by the Home Secretary and the Secretary of State for the Colonies on the subject of the Irish Boundaries, in which it was proposed to refer the question to the Judicial Committee of the Privy Council (Paper C.P.-301 (24)).

The Cabinet agreed —

(a) To approve in principle that a special Reference should be made to the Judicial Committee of the Privy Council under the Act of 1833, as proposed by the Home Secretary and the Secretary of State for the Colonies in C.P.-301 (24):

(b) To approve the substance of the following questions as the basis of a Reference to the Judicial Committee:

(i) Whether, in the absence of a Commissioner appointed by the Government of Northern Ireland, a Commission within the meaning of Article 12 of the Treaty will have been constituted or can be competent to determine the boundary under that Article.

(ii) Whether, if the answer to (i) is in the negative, it is lawful for the Governor, in default of advice from his Ministers, to make an appointment and so enable the Commission to be constituted.

(iii) If the answer to both the preceding questions is in the negative, whether there is any other constitutional method of bringing the Commission into existence so long as the Ministers of Northern Ireland maintain their refusal.

(c) That the Law Officers of the Crown should be asked, after consultation with the Lord Chancellor, the Home Secretary and the Secretary of State for the Colonies, to draw up the terms of the Reference to the Judicial Committee based on the questions quoted above in (b):

(d) That, subject to the framing of a suitable Reference by the Law Officers, the Home Secretary and the Secretary of State for the Colonies should have authority to refer the question to the Judicial Committee of the Privy Council.
10. The Cabinet had under consideration a Memorandum by the Home Secretary covering the draft of the Factories Bill (Paper C.P.-281 (24)), together with the Conclusions of the Committee of Home Affairs thereon (H.A.C. 12th. Conclusions (24)).

The Cabinet agreed —

(a) To approve the Factories Bill in the form of the draft annexed to C.P.-281 (24), subject (i) to the omission of Clause 44 of the Bill, as directed by Cabinet 30 (24) 5, and subject (ii) also to any drafting or other alterations which may be found necessary or desirable:

(b) To authorise the Home Secretary to arrange for the introduction of the Bill forthwith in the House of Commons; it being understood (i) that the drafting and other alterations required as indicated above will, if possible, be incorporated in the Bill prior to its circulation, and (ii) that a reasonable interval will be provided between the publication of the Bill and second reading, so as to give the interests concerned time for examination of the proposals:

(c) To approve the proposal of the Home Secretary, in the event of the Bill becoming law, to appoint a Committee to consider the question of additional staff for the Factory Inspectorate.
11. The Cabinet had before them the following documents in regard to the Education (Scotland) (Superannuation) Bill, 1924:

A Memorandum by the Secretary for Scotland (Paper C.P.-292 (24)):

A Memorandum by the President of the Board of Education (Paper C.P.-295 (24)):

The Report of a Cabinet Committee (Paper C.P.-297 (24)).

The Cabinet agreed —

(a) That the Secretary for Scotland should have authority, if necessary, to offer, as a compromise, to substitute the date "31st July, 1925" for the date "31st March, 1926" in the Education (Scotland) (Superannuation) Bill, 1924:

(b) That, in view of the definite announcements made by the President of the Board of Education, with the authority of the Cabinet, in the course of the Debates in the House of Commons on the English Superannuation Bill, to the effect that the Government were not prepared to announce their policy on the subject of a contributory system of pensions, the Secretary for Scotland should not be authorised to announce any policy on the subject. Mr Adamson should, however, have authority to state that all concerned in Scotland were agreed on the desirability of a contributory system, and that the Government hoped to be able to announce its policy in 1925.
12. The Cabinet took note, with satisfaction, of the record of a conversation between the Lord President of the Council and Major Stephens, a member of the Saar Basin Governing Commission, which was circulated by the Lord President of the Council (Paper C.P.-208 (24)).
13. The Minister of Health brought up, as a question of urgency, whether the Government would afford facilities for the passage of a Financial Resolution in regard to a Private Bill entitled The Blind Persons Act 1920 (Amendment) Bill.

The Prime Minister stated that he had informed the promoters of the Bill that it was out of order, and he had understood they would not press the Bill.

The Cabinet agreed —

That the Minister of Health should inform the promoters of the Blind Persons Act 1920 (Amendment) Bill that the Government could not undertake the responsibility for a Financial Resolution in connection with the Bill.
That, in reply to questions which Sir Kingsley Wood is repeating daily in regard to whether the Government propose to introduce any further legislation relating to Rent Restriction or Evictions, the Prime Minister should state that he can add nothing to the answer given on the 19th May.

(N.B. On May 19th, the Prime Minister stated that a new situation has arisen as the result of the withdrawal from Standing Committee A. of the Rent Restrictions Bill, which is at present engaging the attention of the Government.

In reply to a Supplementary Question the Prime Minister said he could not say when he would be able to announce the result of the Government's inquiries.)
15. The Cabinet agreed —

That the Home Secretary should have authority, on consideration in Committee of Mr Adenson's Representation of People Act, 1918, Amendment Bill, to arrange for Government support to the proposal to lower the age for woman suffrage for Parliamentary and Local Government elections to 21. No promise, however, should be made that the Bill would be given facilities after leaving Committee.
13. The Cabinet agreed —

That the next Meeting should be held on TUESDAY, MAY 27th, at 10-30 a.m.

2, Whitehall Gardens, S.W.1,

May 21, 1924.